

**AG E N D A
CITY OF AZTEC
CITY COMMISSION WORKSHOP
May 26, 2020
201 W. Chaco, City Hall
5:15 p.m.**

**The Commission Workshop will be
streamed live on www.youtube.com City of Aztec**

5:15

Fiscal Year 2021 Budget Workshop

ATTENTION PERSONS WITH DISABILITIES: The meeting room and facilities are fully accessible to persons with mobility disabilities. If you plan to attend the meeting and will need an auxiliary aid or service, please contact the City Clerk's Office at 334-7600 prior to the meeting so that arrangements can be made.

Note: A final agenda will be posted 72 hours prior to the meeting. Copies of the agenda may be obtained from City Hall, 201 W. Chaco, Aztec, NM 87410.

AG E N D A
CITY OF AZTEC
CITY COMMISSION MEETING
May 26, 2020
201 W. Chaco, City Hall
6:00 p.m.

**For The Regular Meeting of City of Aztec Commission to be held at
6:00 pm Tuesday, May 26, 2020 it will be streamed live on www.youtube.com
City of Aztec**

I. CALL TO ORDER

II. INVOCATION AND PLEDGE OF ALLEGIANCE

United States Pledge of Allegiance

New Mexico Pledge of Allegiance

I Salute the Flag of the State of New Mexico and the Zia Symbol of Perfect
Friendship among United Cultures

III. ROLL CALL

IV. PROCLAMATION

V. APPROVAL OF AGENDA ITEMS

VI. CONSENT AGENDA

- A. Commission Meeting Workshop Minutes May 12, 2020
- B. Commission Meeting Minutes May 12, 2010
- C. Letter of Support for Northern Area Local Workforce Development Board
- D. City Clerk Record Destruction
- E. Resolution 2020-1187: Emergency Ban on Open Fires and Fireworks

Items placed on the Consent Agenda will be voted on with one motion. If any item proposed does not meet the approval of all Commissioners, a Commissioner may request that the item be heard under "items from Consent Agenda"

VII. ITEMS REMOVED FROM CONSENT AGENDA

VIII. CITIZENS INPUT (3 Minutes Maximum)

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IX. BUSINESS

- A. Final Adoption of Ordinance 2020-502: Amending the Municipal Code of Aztec, New Mexico, Chapter 4, Alcoholic Beverage
- B. Final Adoption of Ordinance 2020-503: Amending the Municipal Code of Aztec, New Mexico, Chapter 1, Section 12-2-2 Alcohol in Reference to Chapter 4
- C. Final Adoption of Ordinance 2020-504: Amending the Municipal Code of Aztec, New Mexico, Chapter 16, to Establish Article XII Fee Schedule for Liquor License Fees
- D. Intent to Adopt Ordinance 2020-505: Amending Chapter 19 - Public Library
- E. Intent to Adopt Ordinance 2020-506: Amending Chapter 16 - Fee Schedule
- F. Consider FY21 funding of MOU's for Aztec School District – School Resource Officers (District and High School)
- G. FY21 Preliminary Budget Approval

X. QUASI JUDICIAL HEARINGS (LAND USE)

None

XI. COMMISSIONER, CITY MANAGER, DEPARTMENT REPORTS

XII. ADJOURNMENT

ATTENTION PERSONS WITH DISABILITIES: The meeting room and facilities are fully accessible to persons with mobility disabilities. If you plan to attend the meeting and will need an auxiliary aid or service, please contact the City Clerk's Office at 334-7600 prior to the meeting so that arrangements can be made.

Note: A final agenda will be posted 72 hours prior to the meeting. Copies of the agenda may be obtained from City Hall, 201 W. Chaco, Aztec, NM 87410.

1 CITY OF AZTEC
2 WORKSHOP MEETING MINUTES
3 May 12, 2020
4

5 **I. CALL TO ORDER**

6 Mayor Snover called the Workshop to order at 5:15 pm (via web)
7

8 MEMBERS PRESENT: Mayor Victor Snover; Mayor Pro-Tem Fry;
9 Commissioner Michael Padilla (in Person);
10 Commissioner, Mark Lewis; Commissioner
11 Randall
12

13 MEMBERS ABSENT: NONE
14

15 OTHERS PRESENT: City Manager Steve Mueller; Finance Director
16 Kathy Lamb; Project Manager Ed Kotyk; City
17 Clerk Karla Sayler
18

19 **A. Fiscal year 2021 Budget Workshop**
20

21 Mayor Snover opened the workshop and turned it over to City Manager Steve
22 Mueller and Finance Director Kathy Lamb. Kathy apologized for not having more
23 information at this point and she explained that the discussion tonight is very
24 preliminary. She explained that the situation has been changing and daily and
25 trying to work the numbers has been challenging. Tonight will just give a
26 snapshot of where we are with the current budget and this is general fund. The
27 largest concern is what is going to happen with the gross receipts which is our
28 primary source of revenue for the general fund budget. She explained that
29 through this past month the gross receipts and other revenues have exceeded
30 the original budget projections and as a result we will end the year not in a bad
31 spot but not where we wanted to be. Kathy explained that we are undergoing a
32 lot of changes right now:

- 33 • Departments are being cognizant of every dollar spent because City
34 Manager is approving every dollar spent
- 35 • Experts are projecting the numbers to be like 2008-2009 recession; our
36 gross receipts dropped 15% and we haven't recovered that yet.
- 37 • She is using a 30% reduction on gross receipts revenues which for
38 general fund is a million dollars
- 39 • Looking at the FY21 budget and reducing it by that amount
- 40 • Vacant positions won't even be considered to be filled until January 2021
- 41 • Pay plan increase has been removed
- 42 • Health insurance has a 3% increase in July and that is included in the
43 numbers
- 44 • Looking at personnel to see what else can be done; \$4.7 million just on
45 personnel costs
- 46 • Most of the capital has been removed

- Need to look at MVD
- FY 19 and FY 20 appropriations most likely going to be reverted back to the State

Kathy asked Commission if there was something specific they wanted her to look at.

Mayor Snover mentioned that he didn't have anything specific, but he voiced concerns about the Museum and Boys and Girls Club.

Commissioner Padilla mentioned that we need to try to maintain the MVD because it's important to Aztec.

Mayor Pro-Tem Fry mentioned that the Museum and Boys and Girls Club are dependent upon us for funding.

City Manager Steve Mueller mentioned that he can reach out to the organizations and let them know that funding may not be available or reduced.

The preliminary budget needs to be submitted by June 1st with the final adoption being due by July 31st and we have until then to make adjustments.

II. ADJOURNMENT

Moved by Mayor Snover to adjourn the meeting at 5:50 p.m.

Mayor, Victor C. Snover

ATTEST:

Karla Saylor, City Clerk

MINUTES PREPARED BY:

Sherlynn Morgan, Administrative Assistant

1 CITY OF AZTEC
2 COMMISSION MEETING MINUTES
3 May 12, 2020
4
5

6 **I. CALL TO ORDER**
7

8 Mayor Snover called the Meeting to order at 6:01 pm at the Aztec City Commission
9 Room, City Hall, 201 W. Chaco, Aztec, NM. The Regular Meeting of City of Aztec
10 Commission to be held at 6:00 pm Tuesday, April 28, 2020 was streamed live on
11 www.youtube.com
12

13 **II. INVOCATION AND PLEDGE OF ALLEGIANCE**
14

- 15 A. Invocation (led by Commissioner Randall)
- 16 B. United States Pledge of Allegiance (led by Mayor Snover)
- 17 C. New Mexico pledge of Allegiance (led by Mayor Snover)

18 **III. ROLL CALL**
19

20 Members Present: (Members were on web call) Mayor Snover; Mayor Pro-Tem
21 Fry; Commissioner Austin Randall; Commissioner Mark
22 Lewis; Commissioner Mike Padilla (In Person)
23

24 Members Absent: None
25

26 Others Present: City Manager Steve Mueller; City Attorney Tyson Gobble
27 (via web); Project Manager Ed Kotyk; City Clerk Karla Saylor
28

29 **IV. PROCLAMATION**
30

31 Aztec High School Class of 2020-Seniors Month May 2020
32

33 Mayor Snover read the proclamation.
34

35 **V. APPROVAL OF AGENDA ITEMS**
36

37 MOVED by Commissioner Randall to approve the agenda as given;
38 SECONDED by Commissioner Lewis
39

40 A roll call was taken; All voted Aye: Motion passed five to zero
41

42 **VI. CONSENT AGENDA**
43

- 44 A. Commission Meeting Minutes April 28, 2020
- 45 B. Letter of Support For San Juan County Behavioral Health Services RISE Grant
46 Application

- 47 C. Letter to Governor Lujan Grisham Requesting Changes to State Lodger's Tax
48 Statute
49 D. Terminate New Mexico Youth Conservation Corps Service Agreement
50 Contract No. 90-522-19-00508AG
51

52
53 MOVED by Commissioner Randall to Approve the Consent Agenda as given
54 SECONDED by Commissioner Padilla
55

56 A roll call was taken; All voted Aye: Motion passed five to zero
57

58 **VII. ITEMS REMOVED FROM CONSENT AGENDA**

59 None
60

61
62 **VIII. CITIZENS INPUT (3 Minutes Maximum)**

63 NONE
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67 **IX. BUSINESS ITEMS**

68 NONE
69

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71 **X. QUASI JUDICIAL HEARINGS (Land Use)**

72 NONE
73

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75 **XI. COMMISSIONER, CITY MANAGER, DEPARTMENT REPORTS**

76
77 City Manager Steve Mueller mentioned that the Senior Class of 2020 project is
78 going well, the Electric department was putting up banners today in Riverside. It was a
79 cool idea and they look great. He gave a shout out to San Juan Regional Medical
80 Center for their help in the community. He gave a shout out to City staff for marching
81 forward even during difficult times.
82

83 City Attorney Tyson Gobble gave a shout out to all the frontline workers and
84 thanked everyone for keeping us fed and safe and he appreciates the work that they
85 have been doing. He encouraged everybody to patronize the local businesses.
86

87 Commissioner Padilla said he feels bad about what is happening with the Senior
88 class of 2020 and he was curious about how many kids from our area get picked for the
89 Naval Academy. Superintendent Kirk Carpenter said that he only knew of 1 who was
90 appointed to the Naval Academy and offhand he was not sure how many others would

91 enlist. Commissioner Padilla congratulated all the Seniors and the school board for all
92 they are doing.

93
94 Commissioner Lewis mentioned that he has been following the water flow and
95 snowpack reports and thinks we will have enough to irrigate. The 3 clients that were on
96 respirators are all now off respirators and doing better.

97
98 Commissioner Randall asked everyone stay safe out there. He mentioned that to
99 people watching it may seem that they don't ask a lot of questions regarding budget, but
100 it's because we have a tremendous amount of faith in our staff. He mentioned that they
101 still do their due diligence and review but staff does a good job so that they don't have a
102 lot of questions.

103
104 Mayor Pro-Tem Fry mentioned that she met with Sherri Sipe about NW Seniors,
105 she won't have a meeting until sometime in June and it's a complex system and she
106 has a lot to learn. She has San Juan County Partnership Board meeting tomorrow. She
107 encourages everyone to buy and eat local.

108
109 Mayor Snover mentioned that maybe we can do something for Mr. Chapman and
110 his appointment to the Naval Academy and he mentioned that in the past he has read a
111 letter at the awards ceremony but with COVID-19 that didn't happen. He mentioned that
112 this is a special privilege to have somebody from our school go to one of the service
113 academies. He appreciates everything that the schools doing with feeding kids and
114 everything else. He mentioned that it is sad that the Seniors will not have the full pomp
115 and circumstance that we've done in years past. If you see these kids around town just
116 let them know how proud we are of them. He was invited to participate in a virtual
117 roundtable with Congressman Lujan and they are trying to make sure that smaller
118 communities don't get left in the dark like with the first couple of round of COVID-19
119 relief funding. He gave a shout out to his former Battalion Commander who was
120 gracious enough to invite him to the virtual honors banquet.

121
122 General Servies Director Jeff Blackburn mentioned that they are making progress
123 on the disk golf course and gave a shout out to the San Juan Basin Disk Golf Club for
124 all the help and hard work out there. It's still a little rough and they are working things
125 out. He mentioned the 2016 Park Recreation Enhancement Plan and encouraged
126 Commission to take a look so they will get the meat and potatoes of what is done over
127 in parks. He mentioned that he is developing a buildings maintenance plan for 2021.

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136 **XIII. ADJOURNMENT**

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138 Mayor Snover moved to adjourn the meeting at 7:13 pm SECONDED by
139 Commissioner Lewis

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Mayor, Victor Snover

144 ATTEST:

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147 Karla Sayler, City Clerk

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150 MINUTES PREPARED BY:

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153 Sherlynn Morgan, Administrative Assistant

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Staff Summary Report

MEETING DATE: May 26, 2020
AGENDA ITEM: VI. CONSENT AGENDA (C)
AGENDA TITLE: Letter of Support for Northern Area Local Workforce Development Board

ACTION REQUESTED BY: Mayor Victor Snover
ACTION REQUESTED: Consideration of Letter of Support for Northern Area Local Workforce Development Board
SUMMARY BY: Steve Mueller

PROJECT DESCRIPTION / FACTS

The mission of the Northern Area Local Workforce Development Board (NAWDB) is to educate and train the local workforce to meet the changing needs of Northern New Mexico.

The NALWDB's vision is to design and implement a locally-delivered workforce development system which will enable government, business, education, and labor; to provide the Northern Area with a well-trained, highly-skilled, and competitive workforce and to provide a seamless, business-driven system of service delivery that enhances access for all customers.

PROCUREMENT

FISCAL IMPACTS

SUPPORT DOCUMENTS: Letter of Support for Northern Area Local Workforce Development Board

DEPARTMENT'S RECOMMENDED MOTION: Move to approve letter of support for the Northern Area Local Workforce Development Board

Mayor
Victor C. Snover

Mayor Pro-Tem
Rosalyn A. Fry



Commissioners
Austin R. Randall
Michael A. Padilla Sr.
Mark E. Lewis

A desirable place to live, work and play; rich in history and small town values!

May 26, 2020

Dr. LeAnne Salazar Montoya
Executive Director
Northern Area Local Workforce Development Board
525 Camino De Los Marquez
Santa Fe, New Mexico 87505

Dear Dr. LeAnne Salazar Montoya

As Mayor of Aztec, NM, I am very proud of you and our organization for making Northern New Mexico a better place to live, work and raise a family.

One way we do this is through our combined efforts to include the work of the Northern Area Local Workforce Development Board. By mobilizing people and resources to make a positive impact in the world of workforce, together we are truly changing peoples' lives right here at home. In addition, I believe in the effectiveness, efficiency and accountability demonstrated by the NALWDB.

Thank you for helping the City of Aztec Live United!

Sincerely,

Victor C. Snover
Mayor, City of Aztec

Staff Summary Report

MEETING DATE: May 26, 2020
AGENDA ITEM: VI. CONSENT AGENDA (D)
AGENDA TITLE: City Clerk Record Destruction

ACTION REQUESTED BY: City Clerk
ACTION REQUESTED: Approval of City Clerk Record Destruction
SUMMARY BY: Karla Sayler

PROJECT DESCRIPTION / FACTS

- Commission Approved Resolution 2019-1133 “Designating the Destruction Schedule for the City of Aztec Municipal Record Retention Policy Guidelines” on May 14, 2019.
- Prior to the final destruction of any city document, Commission approval must be obtained.
- If approval is obtained the document will be shredded. The Destruction Form will be signed and held by the City Clerk.
- Destruction of the following City Clerk records **requiring** City Commission approval.
 - Paper Ballots marked by voters and all records related to voting in any election shall be destroyed after forty-five days of Municipal Officer Election per State Statue 1-12-69

SUPPORT DOCUMENTS: None

DEPARTMENT’S RECOMMENDED MOTION: Move to Approve City Clerk Record Destruction

Staff Summary Report

MEETING DATE: May 26, 2020

AGENDA ITEM: VI. CONSENT AGENDA (E)

AGENDA TITLE: Resolution 2020-1187: Emergency Ban on Open Fires and Fireworks

ACTION REQUESTED BY: City Manager

ACTION REQUESTED: Approve Resolution 2020-1187: Emergency Ban on Open Fires and Fireworks

SUMMARY BY: City Manager

PROJECT DESCRIPTION / FACTS

- New Mexico State has implemented restrictions on fireworks, smoking, campfires and open fires on all non-municipal, non-federal, and non-tribal lands statewide as of May 13, 2020.
- The Bureau of Land Management has already established a Fire Prevention Order as of May 20, 2020.
- The danger of range fires, brush fires, grass fires, structure fires, and other fires of every kind is presently extremely high in and around the City of Aztec.
- The probability of ignition of materials likely to serve as fuel for fire is extremely high in and around the City of Aztec.
- The City Manager in consultation with the City Fire Chief have come to the consensus that a open fires and fireworks ban is warranted.

PROCUREMENT

None

FISCAL IMPACTS

None

SUPPORT DOCUMENTS: Resolution 2020-1187

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve Resolution 2020-nnnn: Emergency Ban on Open Fires and Fireworks

Resolution 2020-1187

Emergency Ban on Open Fires and Fireworks

WHEREAS, New Mexico is currently experiencing a decrease in precipitation; and

WHEREAS, New Mexico State has implemented restrictions on fireworks, smoking, campfires and open fires on all non-municipal, non-federal, and non-tribal lands statewide as of May 13, 2020; and

WHEREAS, The Bureau of Land Management has already established a Fire Prevention Order as of May 20, 2020; and

WHEREAS, The danger of range fires, brush fires, grass fires, structure fires, and other fires of every kind is presently extremely high in and around the City of Aztec; and

WHEREAS, The probability of ignition of materials likely to serve as fuel for fire is extremely high in and around the City of Aztec; and

WHEREAS, The Governing Body of the City of Aztec has obtained information concerning impending drought conditions which indicate that the City of Aztec will once again experience an exceptional drought.

NOW, THEREFORE, BE IT RESOLVED that the Aztec City Commission of Aztec, New Mexico, hereby declares an imminent potential fire hazard emergency and implements a ban on all open fires and fireworks as defined in Chapter 8, Article IV, within the incorporated area of the City of Aztec and to remain in effect for 120 days from the date of approval or until otherwise repealed by the Commission through Resolution.

PASSED, APPROVED AND ADOPTED as Resolution 2020-1187 this 26th day of May, 2020.

Mayor Victor C. Snover

ATTEST:

Karla Sayler, City Clerk CMC

Staff Summary Report

MEETING DATE:	May 26, 2020
AGENDA ITEM:	IX. BUSINESS ITEMS (A)
AGENDA TITLE:	Final Adoption of Ordinance 2020-502, Amending the Municipal Code of Aztec, New Mexico, Chapter 4, Alcoholic Beverages

ACTION REQUESTED BY:	Staff
ACTION REQUESTED:	Approve Final Adoption of Ordinance 2020-502, Amending the Municipal Code of Aztec, New Mexico, Chapter 4, Alcoholic Beverages.
SUMMARY BY:	Staff

PROJECT DESCRIPTION / FACTS

City of Aztec approved Resolution 2019-1161 on November 12, 2019 placing the question to "Allow Sunday Alcohol Sales by the Drink for Consumption on a Licensed Premises of Licensees" on the March 3, 2020 Municipal Election ballot. The Citizens of Aztec voted in favor of the question: 542 for and 270 opposed, during the March 3, 2020 Municipal Election. The City of Aztec is amending Chapter 4 to allow for the Sunday Alcohol Sales by the Drink for Consumption on a Licensed Premises of Licensees. In addition to adding Sunday Sales to Chapter 4 it is determined the entire Chapter 4 should be revised and updated.

If Ordinance 2020-502 is adopted, Chapter 4 will reference State Statute, Chapter 60, Business Licenses, as pertaining to Alcohol Control Division. This is a web link to Chapter 60, Business Licenses, as pertaining to Alcohol Control Division for reference.

<http://www.rld.state.nm.us/uploads/files/Alcohol%20and%20Gaming/NMSA%20STATUTES%20-Revised%2030SEPT2019%20website.pdf>

When researching or referencing Alcoholic Beverage regulations the State Statute is used as current City Code is lacking definitions and regulations. By adopting Ordinance 2020-502, all amendments to the section of the NMSA 1978, Chapter 60 pertaining to Alcohol and Gaming Division and all new sections passed by the state legislature shall become city ordinances without further action on the part of the city commission.

There have been no comments received regarding this ordinance after the Intent to Adopt was approved April 28, 2020.

PROCUREMENT

Not applicable

FISCAL IMPACTS

None.

SUPPORT DOCUMENTS:	<ul style="list-style-type: none">• Ordinance 2020-502• Chapter 4, Alcoholic Beverages (current code)
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DEPARTMENT'S RECOMMENDED MOTION: Move to Approve the Final Adoption of Ordinance 2020-502, Amending the Municipal Code of Aztec, New Mexico, Chapter 4, Alcoholic Beverages.

**City of Aztec
ORDINANCE 2020-502**

An Ordinance Amending Chapter 4, Alcoholic Beverages

WHEREAS, the City of Aztec approved Resolution 2019-1161 on November 12, 2019 placing the question to “Allow Sunday Alcohol Sales by the Drink for Consumption on a Licensed Premises of Licensees” on the March 3, 2020 Municipal Election ballot; and

WHEREAS, the Citizens of Aztec voted in favor of the question: 542 for and 270 opposed, during the March 3, 2020 Municipal Election; and

WHEREAS, the City of Aztec is amending Chapter 4 to allow for the Sunday Alcohol Sales by the Drink for Consumption on a Licensed Premises of Licensees; and

WHEREAS, in the process of reviewing Chapter 4, it was determined that the City’s Chapter 4 required updating; and

WHEREAS, except as otherwise provided in this article, the following sections of the New Mexico Business License Code, Chapter 60, as pertaining to Alcohol Beverage Control Division, shall be adopted by reference pursuant to section NMSA 1978, Chapter 60, Business Licenses; and

WHEREAS, all amendments to the section of the NMSA 1978, Chapter 60 pertaining to Alcohol and Gaming Division and all new sections passed by the state legislature shall be incorporated by reference and adopted by the City of Aztec without further action on the part of the city commission.

NOW, THEREFORE, BE IT ORDAINED by the governing body of the City of Aztec has amended Chapter 4 of the Aztec City Code (as attached).

PASSED, APPROVED, SIGNED AND ADOPTED THIS _____ day of _____ 2020.
By the Aztec City Commission, City of Aztec, New Mexico

Mayor Victor C. Snover

ATTEST:

Karla Sayler, City Clerk CMC

APPROVE AS TO FORM:

City Attorney

Advertised Date of Final Adoption:

Effective Date of Ordinance:

Chapter 4
ALCOHOLIC BEVERAGES

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Sec. 4-6. Sunday Sales of Alcoholic Beverages by the Drink for Consumption on the Licensed Premises of Licensees.	5

Chapter 4 ALCOHOLIC BEVERAGES

Sec. 4-1. Penalty. Administration, Powers and Duties.

Any person found guilty of violating the provisions of this chapter by the municipal court shall be sentenced pursuant to [Section 1-12](#) of this Code.

The Business License Officer will administer and oversee the liquor licensing for the City of Aztec. The Business License Officer will be appointed by the City Manager. The Business License Officer is responsible for licensing and supervision of administrative operations pertaining to the issuance of liquor licenses within the city limits of Aztec.

Sec. 4-2. Adopted by Reference, Amendments.

1. Except as otherwise provided in this article, the following sections of the New Mexico Business License Code, [Chapter 60](#), as pertaining to Alcohol Beverage Control Division, Liquor Licenses, are adopted by reference pursuant to section [NMSA 1978, Chapter 60, Business Licenses](#). All references are to sections of the NMSA 1978:

<u>Section(s)</u>	<u>Title</u>
Section 60-3A-1 to 60-3A-12	General Provisions
Section 60-5A-1 to 60-5A-2	Local Option
Section 60-6A-1 to 60-6A-36	State Licenses
Section 60-6B-1 to 60-6B-21	License Provisions
Section 60-6C-1 to 60-6C-9	Suspension and Revocation of Licenses
Section 60-6E-1 to 60-6E-12	Alcohol Server Education
Section 60-7A-1 to 60-7A-25	Offenses
Section 60-7B-1 to 60-7B-13	Regulation of Sales and Service to Minors
Section 60-8A-1 to 60-8A-19	Trade Practices

2. All amendments to the sections of the [NMSA 1978, Chapter 60](#) pertaining to Alcohol and Gaming Division and all new sections passed by the state legislature shall be incorporated by reference and adopted by the City of Aztec without further action on the part of the city commission.

Sec. 4.3. Money Placed in General Fund.

All moneys derived from license fees under this chapter, together with all monies received from the New Mexico Alcohol and Gaming Division shall be placed in the general fund of the City.

Sec. 4-4. Licenses; Fees; Expiration Dates.

1. The City of Aztec requires all liquor establishments obtain a City of Aztec Liquor License and annual renewal of such license and undergo the annual renewal process. An application for the issuance or renewal shall be accompanied by a license fee and a copy of the most current Liquor License issued by the State Of New Mexico Alcohol and Gaming Division. License fees are referenced in [Chapter 16](#) of the Aztec City code.
2. All liquor license applicants shall submit a fee to the City of Aztec, as provided in [Chapter 16 Fee](#) Schedule, Article IX, Liquor License Fees.
3. Dispenser, canopy, and retailer licenses expire on June 30th of each year; restaurant, club, wholesaler and manufacturer licenses expire October 31st of each year. All other license types expire on February 28th of each year.

Sec. 4-5. Public Celebration Permits; Outdoor Public Places; Permit Required for Consumption of Alcoholic Beverages.

1. Permit Required

It shall be unlawful for any person to consume alcoholic liquors, or to manage or conduct a meeting, assembly, rally, gathering, concert, contest, celebration or other event where alcoholic liquors and/or beverages are provided on public lands within the city limits for which a written permit has not been issued in accordance with the provisions of this Chapter. The purpose of this section is to allow organized private groups, companies and organizations to consume alcoholic beverages as a part of that group's social or business gathering. Therefore, no permit will be authorized for an assembly and/or any other gathering where alcoholic beverages are sold rather than furnished, or where the event is open to the public, regardless of whether the alcoholic beverages are to be sold or furnished unless permitted by a Special Dispenser's Permit or a Public Celebration Permit approved by the New Mexico Alcohol and Gaming Division.

2. Application Process

An Alcohol and Gaming Division application for a Public Celebration Permit or Special Dispenser's Permit shall be in writing and directed to the Business License Officer, Police Chief and/or the City Manager. The application shall be complete and include (if applicable):

- 1) Complete Application
- 2) Detailed Floor Plan
- 3) Complete List of Servers (full names)
- 4) Servers Permit Number and Expiration Date
- 5) Any Other Applicable Documents

The Business License Officer or other City representative may request further information as deemed necessary in order to conduct a complete review before granting approval for the issuance of the application to the Alcohol and Gaming Division.

3. Security - Certified Police Officers

Any person granted use of a City facility for a public celebration, festival or similar event, where alcoholic beverages are sold and/or served, will be required to have security for the event. Security must be provided by and under the control of the Aztec Police Department. The number of officers required will depend on the type of event and number of people that will be attending event. The number of officers will be determined by the Aztec Police Department.

4. Revoke of Permit

The Police Chief, City Manager or designee may revoke any permit issued pursuant to this section if any term, condition or limitation of said permit has been violated or is being violated, or any provision in this section has been violated, or if any section of City Code is being violated.

Sec. 4-6. Sunday Sales of Alcoholic Beverages by the Drink for Consumption on the Licensed Premises of Licensees.

1. Sunday sales of alcoholic beverages by the drink for consumption on a licensed premise was authorized by Municipal Election.
2. Sunday sales of alcohol by the drink for consumption must be on the premise of the licensed establishment as outlined and regulated in Section 4-1 et seq and NMSA 1978, as incorporated as in reference herein.
3. Sunday sales of alcohol by the drink for consumption are limited from 11:00 a.m. until midnight.

Chapter 4 ALCOHOLIC BEVERAGES

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Chapter 4 ALCOHOLIC BEVERAGES

Sec. 4-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(Ord. 2018-474, eff. 2018-Jun-20; Code 2007, 4-1)

Alcoholic beverages

Any and all distilled or rectified spirits, potable alcohol, brandy, whiskey, rum, gin, aromatic bitters bearing federal internal revenue strip stamps or any similar alcoholic beverages, including all blended or fermented beverages, dilutions or mixtures of one (1) or more of the foregoing, containing more than one-half of one (1) percent alcohol, but excluding medicinal bitters.

Beer

Any alcoholic beverage obtained by the fermentation of any infusion or decoction of barley, malt and hops, and/or other cereals in water, and shall be construed to include such liquors as beer, porter, ale and stout.

Business License Officer

The Business License Officer will administer and oversee the business and liquor licensing for the City of Aztec. The Business License Officer will be appointed by the City Manager. The Business License Officer is responsible for the regulations, licensing and supervision of all operations pertaining to liquor licensing within the city limits of Aztec. The Business License officer will have the authority to grant approval for the issuance of public celebration and special dispenser permits on behalf of the local governing body.

Club

Any nonprofit group, including an auxiliary or subsidiary group, organized and operated under the laws of this state, with a membership of not less than fifty (50) members who pay membership dues at the rate of not less than five dollars (\$5.00) per year and who under the constitution and bylaws of the club have all voting rights and full membership privileges, and which group is the owner, lessee or occupant of premises used exclusively for club purposes and which group the director of the state department of alcoholic beverage control finds:

1. Is operated solely for recreation, social, patriotic, political, benevolent or athletic purposes; and
2. The proposed licensee has been granted an exemption by the United States from the payment of the federal income tax as a club under the provisions of Section 501(a) of the Internal Revenue Code, as amended, or, if the applicant has not operated as a club for a sufficient time to be eligible for the income tax exemption, it must execute and file with the director a sworn letter of intent declaring that it will, in good faith, apply for such exemption as soon as it is eligible.

The term "club" shall also mean an airline passenger membership club operated by an air common carrier which maintains or operates a clubroom at an international airport terminal. The term "air common carrier" means a person engaged in regularly scheduled air transportation between fixed terminal under a certificate of public convenience and necessity issued by the civil aeronautics board.

Dispenser

Any person licensed under the provisions of the Liquor Control Act [NMSA 1978, 60-7 A-I et seq.] selling, offering for sale or having in his possession with intent to sell alcoholic liquors both by the drink or in packages containing less than five (5) gallons, for consumption on the premises and in unbroken packages for consumption and not for resale on the licensed premises.

Hotel

Any establishment or complex having a resident of the state as a proprietor or manager and where, in consideration of payment, meals and lodging are regularly furnished to the general public. The establishment or complex must maintain for the use of its guests a minimum of twenty-five (25) sleeping rooms.

Package

Any immediate container of alcoholic beverages which is filled or packed by a manufacturer or wine bottler for sale by the manufacturer or wine bottler to wholesalers.

Public celebration permit

Any person licensed under the Liquor Control Act [NSMA 1978, 60-6A-II/60-6A-23] selling, offering for sale or having in his/her possession with intent to sell wine or beer by the drink or in package.

Restaurant

Any establishment having a resident of this state as a proprietor or manager which is held out to the public as a place where meals are prepared and served primarily for on-premises consumption to the general public in consideration of payment and which has a dining room, a kitchen and the employees necessary for preparing, cooking and serving meals. The term "restaurant" does not include establishments as defined in regulations promulgated by the director serving only hamburgers, sandwiches, salads and other fast foods.

Retailer

Any person selling or offering for sale, or having in his possession with intent to sell, any alcoholic beverages for consumption off-the-premises of the licensee and in unbroken packages.

Spirituos liquors

All alcoholic beverages as defined above, except fermented beverages such as wine, beer and ale.

Wine

Includes the words "fruit juices," and means any alcoholic beverages obtained by the fermentation of the natural sugar contained in fruit or other agricultural products, with or without the addition of sugar or other products, and which does not contain less than

one-half of one (1) percent nor more than twenty-one (21) percent alcohol by volume.
(Ord. 2011-403, eff. 2011-Oct-19; Code 2007, 4-1)

Sec. 4-2. Penalty.

Violations of this chapter are punishable as provided in Section 1-8.
(Code 2007, 4-2)

Sec. 4.3. Money Placed in General Fund.

All moneys derived from license fees under this chapter, together with all moneys received from the state department of alcoholic beverage control, shall be placed in the general fund of the city.
(Code 2007, 4-3)

Sec. 4-4. Conformity with Chapter.

The sale or possession for the purpose of sale or offering for sale of alcoholic beverages is hereby prohibited in the city except upon the terms and conditions specified in this chapter.
(Code 2007, 4-4)

Sec. 4-5. Sale or Possession.

The sale or possession of alcoholic beverages in the city which are not sold, possessed or kept in accordance with the provisions of this chapter, is hereby prohibited. The possession, manufacture or sale for any and all purposes of corn liquor, sugar liquor or home brew in the city is prohibited.
(Code 2007, 4-5)

Sec. 4-6. Licenses; Fees.

Every applicant for a license for the sale of alcoholic beverages in the city for each period beginning July first of each year, and ending June thirtieth of each year, shall pay to the city the applicable liquor license fee to the city as provided in Chapter 16 Fee Schedule, Article IX, Liquor License Fees.

If the commission desires to change the amount of the license taxes established in this section, such amount shall be changed by ordinance effective on or before the first day of June preceding the first year period for which such change is to be effective.
(Ord. 2011-403, eff. 2011-Oct-19; Code 2007, 4-8)

Sec. 4-7. Activities by Licensee Restricted.

No person licensed as retailer of alcoholic beverages shall permit any alcoholic beverages to be drunk or consumed upon his premises, nor shall he sell at any other place than his regular place of business, and all such alcoholic beverages so sold shall be sold at the retail store in the original packages or other containers of less than five (5) gallons, in which they are received from the wholesaler, and upon which the United States tax has been paid and upon which the state stamp is affixed.
(Code 2007, 4-7)

Sec. 4-8. Commercial Gambling on Licensed Premises.

1. It is unlawful for a licensee under the Liquor Control Act [NMSA 1978, 60-7A-I et seq.] to knowingly allow commercial gambling on the licensed premises.
2. For purposes of this section, "commercial gambling" means:
 - (1) Participating in the earnings of or operating a gambling place;
 - (2) Receiving, recording or forwarding bets or offers to bet;
 - (3) Possessing facilities with the intent to receive, record or forward bets or offers to bet;
 - (4) For gain, becoming a custodian of anything of value bet or offered to be bet;
 - (5) Conducting a lottery where both the consideration and the prize are money, or whoever with intent to conduct a lottery possesses facilities to do so; or
 - (6) Setting up for use for the purpose of gambling, or collecting the proceeds of, any gambling device or game.
(Code 2007, 4-8)

Sec. 4-9. Persons Unlawful to Serve.

It shall be unlawful for any person to serve or sell to persons under the age of twenty-one (21) years, or to persons of unsound mind, or to habitual drunkards, any alcoholic beverages, including beer or wine. It shall be unlawful for any person to permit any person under the age of twenty-one (21) years to sell or serve alcoholic liquors, including wines and beer for such person.

(Code 2007, 4-9)

Sec. 4-10. Minors in Licensed Premises.

1. Any retailer, dispenser, restaurant licensee, club licensee, canopy licensee or governmental licensee or its lessee under the Liquor Control Act [NMSA 1978, ~ 60-7A-I et seq.] who permits a minor to enter and remain in the licensed premises without lawful business is guilty of a misdemeanor.
2. Any minor who enters and remains in the licensed premises without lawful business is guilty of a misdemeanor.
(Code 2007, 4-10)

Sec. 4-11. Purchases by Minors.

It is unlawful for any person under twenty-one (21) years of age to buy, attempt to buy, receive, possess or permit himself to be served with any alcoholic beverages except when accompanied by his parent, guardian, adult spouse or an adult person into whose custody he has been committed for the time by a court, who is present at the time the alcoholic beverages are bought, received by him or possessed by him or served or delivered to him.

(Code 2007, 4-11)

Sec. 4-12. False Identification by a Minor.

Any person under the age of twenty-one (21) years who presents, displays or offers to any retailer, dispenser or club licensee, his agent or employee, any written, printed or photo static evidence of age or identity, which is forged, false, fraudulent or not actually his own, for the purpose of ordering, purchasing, attempting to purchase or otherwise procuring or attempting to procure the serving of any alcoholic beverage or liquor is guilty of a misdemeanor.

(Code 2007, 4-12)

Sec. 4-13. Outdoor Public Places; Permit Required for Consumption of Alcoholic Beverages.

1. It shall be unlawful for any person to consume alcoholic liquors, or to manage or conduct a meeting, assembly, rally, gathering, concert, contest, celebration or other event where alcoholic liquors are provided on the public parks, squares, streets or other outdoor public places for which a written permit has not been issued in accordance with the provisions of this section. The purpose of this section is to allow organized private groups, companies and organizations to consume alcoholic beverages as a part of that group's social or business gathering. Therefore, no permit will be issued for an assembly or other gathering where alcoholic beverages are sold rather than furnished, or where the event is open to the public, regardless of whether the alcoholic beverages are to be sold or furnished unless permitted by a dispenser's permit or public celebration permit approved by the alcoholic beverage control division of the state.
2. An application for a permit shall be in writing and directed to the police chief and/or the city manager. The application shall state:
 - (1) The name, address and telephone number of responsible persons of the organization or group sponsoring the function, festival or celebration;
 - (2) The name of the park, and the area of the park or outdoor public place which is to be used for the event;
 - (3) The beginning and ending times of the event, and if it continues for more than one (1) day, the hours of each day that it is to be conducted;
 - (4) The number of people reasonably expected to be in attendance at the event; and
 - (5) The applicant shall be in compliance with all state rules and regulations. The applicant shall further submit such other information as the police chief and/or the city manager may deem necessary in order to provide for traffic and crowd control, administrative arrangements, police protection, and for the protection of the public health, safety and welfare.
3. The police chief and/or the city manager shall issue a permit for alcoholic liquor consumption for each vendor at the proposed event if, in their judgment, the event will not endanger the public health, safety and welfare. If at any time during the event, the police chief or designee determines that the event is a threat to the public health, safety and welfare of the community or city property, the police chief or

- designee shall cause to cease the activities of the event or the operations of vendor. The city police chief and/or city manager shall make its decision based on the following criteria:
- (1) Whether the required information on the application has been provided at least ten (10) days prior to the event, allowing ample consideration time by the police chief and/or city manager;
 - (2) Whether the time, duration and number of people attending the event will unreasonably disrupt the peace, quiet, health or safety of nearby residents or business establishments;
 - (3) Whether the applicant has guaranteed and made necessary assurances that it will provide for adequate cleanup of litter and/or debris resulting from the event;
 - (4) Whether a cash deposit has been posted with the city as provided in Chapter 16, Fee Schedule, Article II., Parks & Recreation Fees.
 - (5) Whether the applicant has provided tangible assurances that the necessary traffic and crowd control persons will be available and provide the necessary traffic and crowd control as is required during a proposed event;
 - (6) Whether the names and addresses of all traffic and crowd control personnel have been provided to the police chief and/or city manager; and
 - (7) Whether the event will interfere with another event for which a permit has been granted.
 - (8) Any person holding a dispenser's license may dispense alcoholic beverages at the public celebration upon receiving written approval from the governing body in charge of the public celebration and upon the payment for a special dispenser's permit as provided in Chapter 16, Fee Schedule.
 - (9) An additional fee may be charged per day for each day the permittee dispenses alcoholic beverages. The permittee shall be subject to all state laws and regulations and all local regulations regulating dispenser's privileges and disabilities.
4. The application shall be filed with the city clerk at least ten (10) days before the first day of the event, and the permit shall be issued or denied in writing at least four (4) calendar days before the first day of the event. Nothing in this section shall permit the police chief and/or city manager to deny a permit based on race, color, creed, national origin, or the religious or political affiliations of the applicant.
 5. The police chief and/or the city manager shall revoke any permit issued pursuant to this section if any term, condition or limitation of said permit has been violated or is being violated, or any provision in this section has been violated, or if any section of this Code is being violated.
 6. Any person found guilty of violating the provisions of this section by the municipal court shall be sentenced pursuant to Section 1-12 of this Code.

(Ord. 2011-403, eff. 2011-Oct-19; Code 2007, 4-13)

Staff Summary Report

MEETING DATE: May 26, 2020
AGENDA ITEM: IX. BUSINESS ITEMS (B)
AGENDA TITLE: Final Adoption of Ordinance 2020-503, Amending the Municipal Code of Aztec, New Mexico, Chapter 1, Section 12-2-2 Alcohol. In reference to Chapter 4

ACTION REQUESTED BY: Staff
ACTION REQUESTED: Approve Final Adoption Ordinance 2020-503, Amending the Municipal Code of Aztec, New Mexico, Chapter 1, Section 12-2-2 Alcohol. In Reference to Chapter 4.
SUMMARY BY: Staff

PROJECT DESCRIPTION / FACTS

City of Aztec approved Resolution 2019-1161 on November 12, 2019 placing the question to "Allow Sunday Alcohol Sales by the Drink for Consumption on a Licensed Premises of Licensees" on the March 3, 2020 Municipal Election ballot. The Citizens of Aztec voted in favor of the question: 542 for and 270 opposed, during the March 3, 2020 Municipal Election.

The City of Aztec is amending Chapter 4 to allow for the Sunday Alcohol Sales by the Drink for Consumption on a Licensed Premises of Licensees. In addition to adding Sunday Sales to Chapter 4 it was determined the entire Chapter 4 should be revised and updated.

In the process of revising Chapter 4, it was determined that the City's Fine Schedule within Section 1-12 for Chapter 4 required updating.

There have been no comments received regarding this ordinance after the Intent to Adopt was approved April 28, 2020.

PROCUREMENT

Not applicable

FISCAL IMPACTS

None.

SUPPORT DOCUMENTS: Ordinance 2020-503

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve Final Adoption Ordinance 2020-503, Amending the Municipal Code of Aztec, New Mexico, Chapter 1, Section 2-2-2 Alcohol. In Reference to Chapter 4.

**City of Aztec
ORDINANCE 2020-503**

**An Ordinance Amending Chapter 1,
Section 12-2-2 *Alcohol*. In Reference to Chapter 4.**

WHEREAS, the City of Aztec approved Resolution 2019-1161 on November 12, 2019 placing the question to “Allow Sunday Alcohol Sales by the Drink for Consumption on a Licensed Premises of Licensees” on the March 3, 2020 Municipal Election ballot; and

WHEREAS, the Citizens of Aztec voted in favor of the question: 542 for and 270 opposed, during the March 3, 2020 Municipal Election; and

WHEREAS, the City of Aztec is amending Chapter 4 to allow for the Sunday Alcohol Sales by the Drink for Consumption on a Licensed Premises of Licensees; and

WHEREAS, in the process of reviewing Chapter 4, it was determined that the City’s Fine Schedule within Section 1-12 for Chapter 4 required updating.

NOW, THEREFORE, BE IT ORDAINED by the governing body of the City of Aztec has amended Section 12, Subsection 2-2 of Chapter 1 of the Aztec City Code (as attached) to be consistent will all other established fees.

PASSED, APPROVED, SIGNED AND ADOPTED THIS _____ day of _____ 2020.
By the Aztec City Commission, City of Aztec, New Mexico

Mayor Victor C. Snover

ATTEST:

Karla Sayler, City Clerk CMC

APPROVE AS TO FORM:

City Attorney

Advertised Date of Final Adoption:

Effective Date of Ordinance:

Sec. 1-12. Mandatory Penalty and Fees; Disposition and Use of Fees.

1. Mandatory Penalty. Unless a lesser maximum penalty or a specific penalty is established by ordinance for a particular offense, the maximum penalty for violation of any municipal ordinance shall be as follows:

- (1) Except for those violations of ordinances described in subsections 1-2 and 1-3 of this section, a fine of not more than five hundred dollars (\$500.00) or imprisonment for not more than ninety (90) days or both;
- (2) For violations of an ordinance prohibiting driving a motor vehicle while under the influence of intoxicating liquor or drugs, a fine of not more than nine hundred and ninety-nine dollars (\$999.00) or imprisonment for not more than one hundred seventy-nine (179) days or both; and
- (3) For violations of a industrial user waste-water pretreatment ordinance as required by the United States Environmental Protection Agency, a fine of not more than nine hundred and ninety-nine dollars (\$999.00) a day for each violation.
(Code 2007, 1-12-1)

2. Specific Penalty Schedule. A fine and fee schedule for specific penalties.

- (1) *Traffic and Offenses.* In reference to Chapter 12 and 24.
- (2) *Alcohol.* In reference to Chapter 4.

Citing	Title	Appearance Required	Fine Amount	Court Costs	Total Fine
4-9 60-7A-16 60-7A-17 60-7A-18	Persons Unlawful To Serve	Yes	Set at Hearing	\$29	Set at Hearing
4-10 60-7B-1	Minor in Licensed Premises Over 18	Yes	Set at Hearing	\$29	Set at Hearing
4-11 60-7B-10	Purchases by Minor	Yes	Set at Hearing	\$29	Set at Hearing
4-12 60-7B-2 60-7B-7 60-7B-8	False ID of Minor	Yes	Set at Hearing	\$29	Set at Hearing

Staff Summary Report

MEETING DATE: May 26, 2020
AGENDA ITEM: IX. BUSINESS ITEMS (C)
AGENDA TITLE: Final Adoption of Ordinance 2020-504, Amending the Municipal Code of Aztec, New Mexico, Chapter 16, to Establish Article XII. Fee Schedule for Liquor License Fees

ACTION REQUESTED BY: Staff
ACTION REQUESTED: Approve Final Adoption of Ordinance 2020-504, Amending the Municipal Code of Aztec, New Mexico, Chapter 16, to Establish Article XII. Fee Schedule for Liquor License Fees
SUMMARY BY: Staff

PROJECT DESCRIPTION / FACTS

The City Commission in conjunction with City staff finds it necessary to establish a Fee Schedule for Liquor License fees.

Liquor License Fees have been assessed and collected annually, but when Chapter 16 was created, they were not added to the Fee Schedule, an oversight by staff.

The City Commission may, by ordinance, remove or change fees as needed or by recommendation from City Staff.

Creating a Fee Schedule for Liquor License Fees, City staff will be better able to maintain said schedule.

Creating a Fee Schedule for Liquor License Fees interested parties will have a better resource to review fees set forth by the City of Aztec.

The City has eight (8) active Liquor Establishments – two (2) Restaurant Licenses, three (3) Dispenser Licenses, one (1) Small Brewer License, one (1) Small Brewer Offsite License and one (1) Club License.

There have been no comments received regarding this ordinance after the Intent to Adopt was approved April 28, 2020.

PROCUREMENT

Not applicable

FISCAL IMPACTS

Remains the same. Currently there are seven (7) Liquor Establishments that are assessed \$250.00 annually for renewal license fees and one (1) Club License that is assessed \$50.00 annually for renewal license fees. Total fees collected annually are \$1,800.00 and are received into the General Fund Revenues.

SUPPORT DOCUMENTS: Ordinance 2020-504

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve Final Adoption of Ordinance 2020-504, Amending Chapter 16 of the Aztec Municipal Code to establish Article XII, Liquor License Fees.

**City of Aztec
ORDINANCE 2020-504**

**An Ordinance Establishing Chapter 16,
Article XII. Fee Schedule for Liquor License Fees**

WHEREAS, the City Commission in conjunction with City staff find it necessary to establish a Fee Schedule for Liquor License fees; and

WHEREAS, the City Commission may, by ordinance, remove or change fees as needed or by recommendation from City Staff; and

WHEREAS, by creating a Fee Schedule for Liquor License Fees, City staff will be better able to maintain said schedule; and

WHEREAS, by creating a Fee Schedule for Liquor License Fees interested parties will have a better resource to review fees set forth by the City of Aztec.

NOW, THEREFORE, BE IT ORDAINED by the governing body of the City of Aztec has created Article XII. Liquor License Fees within Chapter 16 of the Aztec City Code (as attached) to be consistent will all other established fees.

PASSED, APPROVED, SIGNED AND ADOPTED THIS _____ day of _____ 2020.
By the Aztec City Commission, City of Aztec, New Mexico

Mayor Victor C. Snover

ATTEST:

Karla Sayler, City Clerk CMC

APPROVE AS TO FORM:

City Attorney

Advertised Date of Final Adoption: _____

Effective Date of Ordinance: _____

ARTICLE XII. LIQUOR LICENSE FEES

Sec. 16-501. Liquor License Fee and Annual Renewal Fee.

<i>License Type</i>	<i>Fee</i>
Bed & Breakfast	\$250.00
Club	\$50.00
Craft Distiller & Off-Site	\$250.00
Dispenser	\$250.00
Manufacturer	\$250.00
Restaurant	\$250.00
Small Brewer & Off-Site	\$250.00
Winegrower & Off-Site	\$250.00
Wholesaler	\$250.00

Sec. 16-502. Expiration and License Renewal Dates

The annual expiration date and deadline for license renewals is as follows:

- February 28th** Craft Distiller, Small Brewer, Winegrower, Off-Site Locations, Bed and Breakfast.
- June 30th** Dispenser.
- October 31st** Restaurant, Club, Wholesaler and Manufacturer.

Staff Summary Report

MEETING DATE: May 26, 2020
AGENDA ITEM: IX. BUSINESS ITEM (D)
AGENDA TITLE: Intent to Adopt Ordinance 2020-505: Amending Chapter 19 - Public Library

ACTION REQUESTED BY: Library Director
ACTION REQUESTED: Approve Intent to Adopt Ordinance 2020-505: Amending Chapter 19 - Public Library
SUMMARY BY: Angela Watkins & Edward Kotyk

PROJECT DESCRIPTION / FACTS

It has been over 12 years since Chapter 19 has been updated and there have been subsequent changes during this time with different Library Directors.

The current Library Director has reviewed Chapter 19 and has seen the need to completely update the chapter as the previous version is relatively obsolete.

PROCUREMENT

None

FISCAL IMPACTS

None

SUPPORT DOCUMENTS: Ordinance 2020-505

STAFF RECOMMENDATION: Approve

MOTION: Move to approve the Intent to Adopt Ordinance 2020-505: Amending Chapter 19 - Public Library

**City of Aztec
ORDINANCE 2020-505**

An Ordinance Amending Chapter 19 - Public Library

WHEREAS, it has been over 12 years since Chapter 19 has been updated; and

WHEREAS, the Library Director has reviewed Chapter 19 and has seen the need to completely update the chapter as the previous version is relatively obsolete.

NOW, THEREFORE, BE IT ORDAINED by the governing body of the City of Aztec has amended Chapter 19 of the Aztec City Code (as attached).

PASSED, APPROVED, SIGNED AND ADOPTED THIS _____ day of _____ 2020. By the Aztec City Commission, City of Aztec, New Mexico.

Mayor Victor C. Snover

ATTEST:

Karla Sayler, City Clerk CMC

APPROVE AS TO FORM:

City Attorney

Advertised Date of Final Adoption: _____

Effective Date of Ordinance: _____

**Chapter 19
PUBLIC LIBRARY**

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Chapter 19 PUBLIC LIBRARY

ARTICLE I. IN GENERAL

Sec. 19-1. Library Established.

There is established a free public library, originally known as the Altrurian Public Library, now known as the Aztec Public Library.

(Code 2007, 19-1)

Sec. 19-2. Library Purpose.

First established as the Altrurian Library in 1909, the present-day Aztec Public Library serves the Community as a center for literacy, technology, community development, cultural vitality and democratic participation.

(Code 2007, 19-2)

Sec. 19-3. Advisory Board.

Establishment and responsibilities of the Library Advisory Board are in [Chapter 2, Article V, Division 5](#).

(Code 2007, 19-3)

Sec. 19-4. Administration.

Establishment and responsibilities of the Library Director are established in [Chapter 2, Article III, Division 11](#).

(Code 2007, 19-4)

Sec. 19-5. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(Code 2007, 19-5)

Aztec Family Center

The Aztec Boys and Girls Club, San Juan College East, Vista Nueva Alternative School, Aztec Public Library, and all the parking, landscaped and access areas dedicated to the Family Center located on the corner of South Ash Street and Llano Street, Aztec.

Computer Network

The provided connectivity to the Regional Library System Database, and access to the internet and Aztec City network.

Cyber Café

This space is an open room with public access to computers and personal laptop computer use. This area can accommodate up to 32 people including seventeen computer terminals, twelve Ethernet data ports, and Wi-Fi connectivity. No food or drink is allowed in this area, Exceptions must be approved by the Library Director.

Library

Any nonprofit corporation of public institution, library, gallery, museum, exhibit, traveling library, collection, exhibition or other similar educational, scientific, artistic, historical, charitable or like association open to the public.

Library book, item or equipment

Any book, newspaper, magazine, pamphlet, manuscript, map, print, chart, picture, portrait, photograph, painting, engraving, statue coin, model, electronic or copy equipment or any other equipment, apparatus, specimen, film document, file card, apparatus or other work of art, literature or object of historical significance or of curiosity whether owned by the library or in the care, custody or control of the library by reason of loan, bailment, trust or deposit with the library and shall include any furniture, audio visual equipment or other like equipment customarily used or owned by the library.

Meeting Room A

This room may be reserved by small sized group (10 people maximum). This room comes equipped with a dry erase board (dry erase markers are not provided). This room can also accommodate one large table and 8 chairs. It also has an Ethernet data port for internet access or web casting (Webinar). Wi-fi is also available. Refreshments maybe served here.

Meeting Room B

This room can seat 10-25 people using up to four tables and 24 chairs. A galley kitchen with sink, microwave and refrigerator is also available. This room comes equipped with a dry erase board (dry erase markers are not provided), a digital overhead projection unit, screen and an Ethernet data port for internet access or web casting (Webinar). Wi-fi is also available. Refreshments may be served here.

Meeting Room C

This room seats up to 50 people or eight tables and 48 chairs. A galley kitchen with sink, microwave and refrigerator is also available. This room comes equipped with a dry erase board (dry erase markers are not provided), a digital overhead projection unit, screen and an Ethernet data port for internet access or web casting (Webinar). Wi-fi is also available. Refreshments may be served here.

Tech Lab

This space is also an open room that has nine computers and can accommodate seating for up to 20 people. Wi-Fi connectivity is also available. No food or drink is allowed in this area, exceptions must be approved by the Library Director.

Sec. 19-6. Library Fees.

Fees for library room rentals and equipment use is established in [Chapter 16 Fee Schedule](#).

Sec. 19-7 to 19-30. Reserved.

ARTICLE II. USE OF FACILITY

Sec. 19-31. Penalty for Violation.

Any person convicted of a willful violation of this article shall be subject to fine or punishment as provided in [Sections 1-8](#).

(Code 2007, 19-31)

Sec. 19-32. Persons Permitted Use of Public Libraries.

The public library is open to the general public, but checkout of materials from the library will be allowed only to current San Juan County Regional Library card holders.

(Code 2007, 19-32)

Sec. 19-33. Liability of Parent or Guardian for Acts of Minor.

The parent or guardian of a minor who willfully and maliciously commits any act within the scope of this article shall be liable for all damages caused by such minor. The refusal, without just cause or reasonable excuse, of the parent or guardian of such minor to pay for any damage done to or retention of library property as provided in this article shall be a violation of this article.

(Code 2007, 19-33)

Sec. 19-34. Retention, Removal and Destruction of Property, Items or Equipment.

Any person who shall do any of the following acts shall be guilty of a violation of this article:

1. Willfully or intentionally fail to return to a public library any library book, item or equipment belonging to such library within 15 days after the library director has given such person notice in writing, as provided in this article, that the time for which such library book, item or equipment may be kept under library regulations has expired; or
2. Willfully or intentionally remove from the premises of the library any library book, item or equipment without charging it in accordance with the regulations of the library; or
3. Willfully or wantonly damage, mar, deface, cut, tear, disfigure, soil, obliterate, break, mutilate or otherwise destroy or injure any library book, item or equipment, whether upon the library premises or upon loan; or
4. Willfully misuse in any way, any of the library electronic resources

(Code 2007, 19-34)

Sec. 19-35. Notice.

Notice required by the library director under this article may be given by personal service or by mailing of a registered or certified letter, return receipt requested, to the last known address of such person on file with the library. Such notice shall refer to this article and shall contain a demand that the property be returned.

(Code 2007, 19-35)

Sec. 19-36. Violation of Rules.

1. It shall be unlawful and a violation of this article for any person to willfully disobey any rule or regulation promulgated by the public library board for use of the public library by the public, provided, that:
 - (1) Any such rule or regulation shall have been formulated, approved and adopted by and filed with the city commission;
 - (2) A copy of such rule or regulation shall have been filed with the city clerk for inspection by the public during reasonable business hours; and
 - (3) Such rule or regulation is prominently posted at the entrance of the public library in large type so as to be readily visible to all persons entering the public library for purposes of the use thereof.
2. The public library board shall have authority to exclude any person who willfully violates library rules and regulations.
(Code 2007, 19-36)

Sec. 19-37. Parking Areas and Building Approaches.

Parking areas and building approach areas shall be a shared security responsibility by the various parties considered as part of the Aztec Family Center.
(Code 2007, 19-37)

Staff Summary Report

MEETING DATE: May 26, 2020
AGENDA ITEM: IX. BUSINESS ITEM (E)
AGENDA TITLE: Intent to Adopt Ordinance 2020-506: Amending Chapter 16 - Fee Schedule

ACTION REQUESTED BY: Library Director
ACTION REQUESTED: Approve Intent to Adopt Ordinance 2020-506: Amending Chapter 16 - Fee Schedule
SUMMARY BY: Angela Watkins & Edward Kotyk

PROJECT DESCRIPTION / FACTS

It has been over 12 years since Chapter 19 has been updated and there have been subsequent changes during this time with different Library Directors.

The current Library Director has reviewed Chapter 19 and has seen the need to completely update the chapter as the previous version is relatively obsolete. In the process of amending Chapter 19, it also requires amending Chapter 16 whereby fees were established for the rental of space and/or equipment at the Public Library.

PROCUREMENT

None

FISCAL IMPACTS

None

SUPPORT DOCUMENTS: Ordinance 2020-506

STAFF RECOMMENDATION: Approve

MOTION: Move to approve the Intent to Adopt Ordinance 2020-506: Amending Chapter 16 - Fee Schedule

**City of Aztec
ORDINANCE 2020-506**

An Ordinance Amending Chapter 16 – Fee Schedule

WHEREAS, it has been over 12 years since Chapter 19 has been updated; and

WHEREAS, the Library Director has reviewed Chapter 19 and has seen the need to completely update the chapter as the previous version is relatively obsolete; and

WHEREAS, in the process of reviewing Chapter 19, it was determined that Chapter 16 Fee Schedule also needed updating.

NOW, THEREFORE, BE IT ORDAINED by the governing body of the City of Aztec has amended Chapter 16 of the Aztec City Code (as attached).

PASSED, APPROVED, SIGNED AND ADOPTED THIS _____ day of _____ 2020.
By the Aztec City Commission, City of Aztec, New Mexico.

Mayor Victor C. Snover

ATTEST:

Karla Sayler, City Clerk CMC

APPROVE AS TO FORM:

City Attorney

Advertised Date of Final Adoption: _____
Effective Date of Ordinance: _____

Chapter 16 FEE SCHEDULE

ARTICLE I. LIBRARY FEES

Sec. 16-1. Definitions.

The following words, terms and phrases when used in this Article shall have the meanings ascribed to them in this section except where the context clearly indicates a different meaning:

Digital Arts Lab

This space is an open room with computers and software specific for the training in digital arts technologies and development of digital art products. Use of the facility is by reservation only and can accommodate up to 16 people. No food or drink is allowed in this area (Exceptions must be approved by the Library Director).
(Ord. 2008-360, eff. 2008-Nov-01)

Meeting Room A

This room may be reserved by small sized group (10 people maximum). This room comes equipped with a dry erase board (dry erase markers are not provided). This room can also accommodate one large table and 8 chairs. It also has an Ethernet data port for internet access or web casting (Webinar). Wi-fi is also available. A Poly-com unit is available with an additional charge. Refreshments maybe served here.

Meeting Room B

This room can seat 10-25 people using up to four tables and 24 chairs. A galley kitchen with sink, microwave and refrigerator is also available. This room comes equipped with a dry erase board (dry erase markers are not provided), a digital overhead projection unit, screen and an Ethernet data port for internet access or web casting (Webinar). Wi-fi is also available. A Poly-com unit is available with an additional charge. Refreshments may be served here.

Meeting Room C

This room seats up to 50 people or eight tables and 48 chairs. A galley kitchen with sink, microwave and refrigerator is also available. This room comes equipped with a dry erase board (dry erase markers are not provided), a digital overhead projection unit, screen and an Ethernet data port for internet access or web casting (Webinar). Wi-fi is also available. A Poly-com unit is available with an additional charge. Refreshments may be served here.

The Cyber Cafe

This space is an open room with public access to computers and personal laptop computer use. This area can accommodate up to 32 people including twelve computer terminals, twelve Ethernet data ports, and Wi-Fi connectivity. No food or drink is allowed in this area (Exceptions must be approved by the Library Director).

Tech Lab

This space is also an open room that has ten computers and can accommodate seating for up to 20 people. Wi-Fi connectivity is also available. No food or drink is allowed in this area (Exceptions must be approved by the Library Director).

Sec. 16-1. Fees.

1. Location Fees.

<i>Location</i>	<i>Status</i>	<i>Public Use</i>	<i>Non-Profit</i>	<i>For-Profit</i>
Meeting Room A	San Juan County, NM	No charge	No charge	\$25. ⁰⁰
	Outside SJ Cnty NM	No charge	\$25. ⁰⁰	\$35. ⁰⁰
Meeting Room B	San Juan County, NM	No charge	No charge	\$25. ⁰⁰
	Outside SJ County NM	No charge	\$25. ⁰⁰	\$35. ⁰⁰
Meeting Room C	San Juan County, NM	No charge	No charge	\$50. ⁰⁰
	Outside SJ County NM	No charge	\$35. ⁰⁰	\$75. ⁰⁰
Cyber Café	San Juan County, NM	No charge for single computer use	\$50. ⁰⁰	\$100. ⁰⁰
	Outside SJ County NM	No charge for single computer use	\$75. ⁰⁰	\$125. ⁰⁰
Tech Lab	San Juan County, NM	No charge for single computer use	\$50. ⁰⁰	\$100. ⁰⁰
	Outside SJ County NM	No charge for single computer use	\$75. ⁰⁰	\$125. ⁰⁰
Digital Arts Lab (1-4 Computers for half a day)	San Juan County, NM	\$10.⁰⁰-annual fee	\$100.⁰⁰	\$200.⁰⁰
	Outside SJ County NM	\$15.⁰⁰-annual fee	\$150.⁰⁰	\$250.⁰⁰

(Ord. 2008-360, eff. 2008-Nov-01)

2. Equipment Fees.

<i>Equipment</i>	<i>Security Deposit</i>	<i>Usage Fee (if checked out of Library)</i>
Poly-Com Digital Conferencing Unit	\$50.⁰⁰	\$25.⁰⁰
Portable Digital Projection Unit	\$50. ⁰⁰	\$15. ⁰⁰
DVD Player w/ Monitor	Valid Driver's License	\$15.⁰⁰
VCR w/ Monitor	Valid Driver's License	\$15.⁰⁰
Building Key	\$50. ⁰⁰	No charge
Digital Camera	Not available for public check out	
Digital Camcorder	Not available for public check out	
Digital Storage	Not available for public check out	
Projector Screen	Not available for public check out	

(Ord. 2008-360, eff. 2008-Nov-01)

3. Training Fees.

<i>Training</i>	<i>Instructor Fee</i>
Community Workshops	Fee dependent on course content; non CTC or Digital Arts Lab related
CTC Instruction	\$25.00/hour Basic Microsoft Application Instruction
Digital Arts Lab	Fee dependent on course content.

(Ord. 2008-360, eff. 2008-Nov-01)

4. Library Fees.

<i>Description</i>	<i>Fee</i>
Fines: Materials	10¢ per item per day
Fines: Equipment	\$5. ⁰⁰ per item per day
Lost Card Replacement	\$2. ⁰⁰ each
Lost/Damaged Materials	Replacement cost plus \$3. ⁰⁰ processing fee; Non-Refundable
Lost/Damaged Equipment	Replacement cost; Non-Refundable
CDs	\$1. ⁰⁰ each
Book Sales	Varies; dependent on item
Promotional Items	Varies; dependent on item
Copies/Printing: Public	10¢ black and white; 50¢ color
Copies/Printing: City Agency	7¢ black and white; 35¢ color
Fax Service	\$1. ⁰⁰ per page

(Ord. 2008-360, eff. 2008-Nov-01)

Secs 16-2 to 16-10. Reserved.

Staff Summary Report

MEETING DATE: May 26, 2020
AGENDA ITEM: IX. BUSINESS ITEM (F)
AGENDA TITLE: Consideration of Funding for Memorandum Of Understanding for Aztec School District and Aztec High School - School Resource Officers

ACTION REQUESTED BY: City Manager

ACTION REQUESTED: Consider FY21 funding of MOU's for Aztec School District – School Resource Officers (District and High School)

SUMMARY BY: City Staff

PROJECT DESCRIPTION / FACTS

Aztec School District and the City have agreements for (2) School Resource Officers (SRO's), one assigned specifically to Aztec High School and one to the other schools in the District.

The District and City have cooperatively participated in a SRO program for several years that provides a certified Police Officer on a full time basis to work with Administrators, staff and students at all area Aztec Municipal Schools and one that is specifically assigned to Aztec High School.

Both agreements must be reviewed annually by June 15th and expire July 31, 2022.

PROCUREMENT

N/A

FISCAL IMPACTS

For the current fiscal year, the cost to the City for the SRO agreements was \$95,298; the amount paid by the schools was 50% of the costs or \$47,649.

The FY21 preliminary budget includes this program as defined by the current agreements.

SUPPORT DOCUMENTS: Memorandum of Understanding for Aztec High School –
SRO and District wide SRO

DEPARTMENT'S RECOMMENDED MOTION: Move to approve Memorandum of
Understanding for Aztec High School and District wide School Resource Officers for
FY21 funding.

**CITY OF AZTEC AND AZTEC MUNICIPAL SCHOOL DISTRICT
SCHOOL RESOURCE OFFICER
MEMORANDUM OF UNDERSTANDING**

This Memorandum of Understanding is effective August 1, 2018, by and between the City of Aztec (City) and the Aztec Municipal School District (District).

WITNESSETH:

WHEREAS, the City and the District have cooperatively participated in a School Resource Officer (SRO) program for several years; and

WHEREAS, it is necessary and in the sound interest of the residents of the City of Aztec and is otherwise beneficial and advantageous for the parties of this agreement to cooperate with the SRO to effect its undertakings and activities; and

WHEREAS, the City and the District desire to enter into this Memorandum of Understanding for the SRO program for a period of four years; and

NOW THEREFORE, in consideration of the benefits to accrue to the administration, staff, students, and citizens of the City of Aztec from the SRO program and of the covenants and restrictions hereinafter set forth, the parties do agree as follows:

I. PURPOSE:

- A. To provide a certified police officer, on a full-time basis, to work with Administrators, staff and students at all area Aztec Municipal Schools.

II. ORGANIZATION AND OPERATIONS

- A. Officer(s) assigned to the SRO program will be an employee of the City of Aztec Police Department and shall be subject to the administration, supervision and control of the Aztec Police Department.
- B. The SRO shall be subject to all personnel policies and practices of the City of Aztec Police Department.
- C. Officer assigned to the SRO program will be self-motivated and able to work in an unsupervised environment.
- D. The SRO will take direct instruction from the Chief of Police or designee.

- E. The Chief of Police or designee and Aztec Municipal Schools Administration will communicate together on direct instruction to be given to the SRO.
- F. The SRO will respond to all problems related to violations of Federal, state and local laws and statutes.
- G. The SRO will not directly respond to violations of school rules and regulations. Those violations will continue to be the responsibility of the District.
- H. The SRO will be paid by the City. The District will reimburse the City for costs incurred based on monthly billing.
- I. The Aztec Police Department will provide the SRO with a vehicle, repair, maintenance, and operation expense for the vehicle, uniforms, leather gear, and such training as is necessary for the officer to maintain his/her NM Certified Officer status for the period of this Memorandum of Understanding.
- J. The SRO may be required to attend trainings provided by Aztec Municipal School District prior to commencing duty. Additional trainings, if required, will be scheduled and coordinated between the Aztec Police Department and the District.
- K. The SRO may be assigned to District extra-curricular activities and events as coordinated between the Aztec Police Department and the District.
- L. The District will be responsible for the 50% of the salary and personnel costs of the SRO for each scheduled day of instruction and attendance at District extra-curricular activities and events.
- M. If the District requests additional officers for extra-curricular activities or events, the District will be responsible for 50% of the salary and personnel costs for Officers assigned.
- N. The Chief of Police or designee, at his discretion, may assign Officers to extra-curricular activities and events with no cost to the District.

III. REVIEW AND ASSIGNMENT

- A. Annual program reviews will be scheduled.
- B. Annual personnel evaluations will be performed on the SRO by the Aztec Police Department.

IV. CONSIDERATION

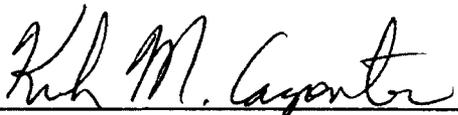
- A. For and in consideration of the City providing the SRO program as described herein, the District agrees to reimburse the City for 50% of the personnel costs for the SRO assigned to the program.
- B. Personnel costs include the SRO salary and employment benefits in accordance with the applicable salary schedules and employment practices of the City, including but not limited to: sick leave, annual leave, retirement contributions, disability salary continuation, workers compensation, unemployment compensation, life insurance, dental insurance, and medical/hospitalization insurance.
- C. The City shall be the Fiscal Agent for the SRO program and shall strictly account for all receipts and disbursements.
- D. The City will provide monthly invoices and supporting documentation of hours provided for the SRO program.
- C. The City will bear financial responsibility for training and equipment costs for the Officer assigned to the SRO program.

V. EFFECTIVE DATE/TERMINATION OF A PARTY TO THE MEMORANDUM

- A. The term of this agreement is a total of four years commencing on August 1, 2018 and terminating July 31, 2022, unless notice of nonrenewal is given by either party, in writing, prior to June 15th each year of the agreement.
- B. Intent to terminate this agreement will only be in writing and with the approval of all parties involved.
- C. If funding should become unavailable by either party or the SRO program is not required, the agreement may be terminated with 30 day written notice.

IN WITNESS WHEREOF, the parties named herein have caused this Memorandum to be duly executed on their behalf and have set their hands and seals by their duly authorized officers, agents or representatives.

AZTEC MUNICIPAL SCHOOL DISTRICT



Kirk M. Carpenter, Superintendent

Dated 9/2/18, 2018

CITY OF AZTEC, NEW MEXICO
AZTEC, NEW MEXICO



Victor C. Snover, Mayor

Dated 9-11, 2018



Chief Mike Heal, Aztec Police Department

Dated 09-11, 2018

Attest:



Karla Sayler, City Clerk



Staff Summary Report

MEETING DATE: May 26, 2020
AGENDA ITEM: IX. BUSINESS ITEM (G)
AGENDA TITLE: Approval of Preliminary Fiscal Year 2021 Budget - **DRAFT**

ACTION REQUESTED BY: Finance Department
ACTION REQUESTED: Approval
SUMMARY BY: Kathy Lamb, Finance Director

PROJECT DESCRIPTION / FACTS (Leading Department)

*** This item will be updated following the May 21 2020 workshop IF commission appears to be ready to move forward with preliminary budget approval. IF NOT, item will be pulled from the agenda and a special meeting will be scheduled by June 1, 2020 for commission approval to submit the FY21 annual budget. ***

During May, multiple workshops have been held to discuss the FY21 Annual Budget.

The preliminary budget includes:

Revenues – reduction % based on how the revenues were budgeted prior to COVID:

30% reduction in gross receipts tax revenues
40% reduction in motor vehicle revenues
30% reduction in interest earnings
10% reduction in gas tax revenues
12% reduction in court fines
15% reduction in correction fees collection (municipal court)
40% reduction in lodgers tax revenues
5% reduction in electric revenues
3% reduction in water revenues
4% reduction in wastewater revenues

Expenditures

Personnel:

No pay increases included
Health insurance benefit increase 3% (employee & employer)
Workcomp premium reduction of 50%
Vacant positions as of April 1, 2020 are not included in FY21 budget until January 1, 2020
No new positions added
Retirements (leave accrual pay out) have been included (those which have been communicated to Finance Dept)
Positions currently on furlough or lay off, with the exception of the MVD part time position, are budgeted as of July 1, 2020. The determination of when to

increase staffing levels of the departments impacted will be based on the reopening phases for each department. MVD part time position not included until January 2021.

Unemployment costs, based on current furloughs & lay offs, are estimated for the maximum currently available to each employee (established by NM Dept of Workforce Solutions)

Temporary or seasonal positions (employee or through agency) have not been budgeted until January 1, 2021. The exception is for General Services which lost two employees in March & April – temp services are budgeted if the services are determined to be necessary.

YCC Program:

All costs associated with the program have been deleted from the FY21 preliminary budget. This includes budgets that would have been established for the summer 2021 program which would normally begin in June 2021. If an application is submitted for the summer 2021 program, funds will need to be identified and appropriated.

Other:

Travel – budgets have been reviewed and reductions have been made; reductions percents vary from department to department based on specific need. If a department has certification requirements for employees, travel budgets were either not reduced or minimally impacted.

Training – budgets were not reduced city wide (may have some specific department adjustments); training is vital for employee development, safe operations, and process/procedure improvements.

Fuel costs – budgets have been adjusted based on historical usage as well as anticipated lower than normal costs for the next several months.

General liability premium – 50% premium reduction

Administrative costs associated with gross receipts have been reduced based on anticipated revenues.

Capital – limited capital purchases or projects have been included. Several streets projects that would have been included in General Fund have been budgeted in the Municipal Road Fund. Parks improvements have been included in the Capital Projects Fund. North Main Corridor continues in the Capital Projects Fund. Funding appropriations from the 2020 Legislature have not been included the preliminary budget. Arterial funding has not been included in preliminary budget pending the conclusion of the special legislative session anticipated in June 2020.

Sec 6-6-2 NMSA 1978 requires the submittal of an annual budget to the Department of Finance and Administration Local Government Division (LGD). Each local public body is to furnish a proposed budget by June 1, 2020. Commission action by resolution for the interim budget is optional.

A final budget, including a formal resolution, by the public body must be submitted to LGD no later than July 31, 2020. In addition to the final budget, LDG requires governing body approval

of the quarterly financial report for June 30, 2020. FY21 Budget Adoption will be scheduled for the July 28, 2020 regular commission meeting. If additional workshops are required, those will be scheduled prior to the final adoption of the FY21 Annual Budget.

SUPPORT DOCUMENTS:

FY21 Preliminary Annual Budget (will be available after the workshop on May 21, 2020)

DEPARTMENT'S RECOMMENDED MOTION: Motion to approve the submittal of the Fiscal Year 2021 Preliminary Operating Budget to NM Department of Finance and Local Government Division.
