

**CITY OF FARMINGTON
CITY COUNCIL WORK SESSION AGENDA
August 16, 2016 – 9:00 a.m.**

DEPARTMENT HEAD REPORTS

1. Employee of the Month Program award (Employee Council President Kathy Farley)
2. Presentation regarding the Lower Animas Watershed Base Plan (David Sypher, Melissa May, San Juan Soil & Water Conservation District and David Tomko, San Juan Watershed Group) -----1

Action Requested of Council:

Information only.

Background/Rationale:

The Environmental Protection Agency ("EPA") and the New Mexico Environmental Department ("NMED") have formally accepted the Lower Animas River Watershed Base Plan ("Plan") which enables grant funding opportunities for the San Juan Watershed Group ("SJWG") and/or its other partners for future projects to improve watershed water quality. In addition to the Gold King Mine event, there are many other water quality issues in the San Juan and Animas River corridors such as E. coli, nutrients (phosphorus and nitrates), sediments and invasive species that are addressed in the Plan. The Plan lays out a roadmap to improve San Juan Basin water quality for agriculture, industrial and municipal uses. Partners identified in the Plan include the cities of Farmington, Bloomfield and Aztec and the San Juan Soil and Water Conservation Service. Cooperation and involvement with SJWG and the Plan will help with meeting the City's MS4 permit goals, potentially open up funding opportunities to meet water quality requirements and will benefit the City when applying for water grants or loans from other state and federal agencies.

Staff Recommendation:

Continue to support the efforts of the SJWG.

3. Financial Report for the 12 months ending June 30, 2016 (Andy Mason) -----2

Action Requested of Council:

Information only.

Background/Rationale:

Update the Council and discuss revenues and expenditures for the twelve months ending June 30, 2016.

4. Consideration of Resolution No. 2016-1600 approving the Final Fiscal Year 2016 Quarter Financial Report and requesting State approval (Andy Mason) -----3

Action Requested of Council:

Adopt Resolution No. 2016-1600.

Instructions Upon Approval:

The Final Fiscal Year 2016 Quarter Financial Report will be submitted to the State Department of Finance and Administration for review and approval.

5. Consideration of Resolution No. 2016-1601 adopting an Infrastructure Capital Improvement Plan (ICIP) (Andy Mason) -----4

Action Requested of Council:

Adopt Resolution No. 2016-1601.

Background/Rationale:

A local Infrastructure Capital Improvement Plan (“ICIP”) is a 5-year plan that establishes planning priorities for anticipated capital projects. The State of New Mexico (“State”) coordinates the ICIP process to encourage entities to identify capital improvements so they do not find themselves in emergency situations but can plan for, fund and develop infrastructure at a pace that sustains their activities. The projects included in the plan can be considered for State capital outlay appropriations during the legislative session.

Staff Recommendation:

Adopt Resolution No. 2016-1601.

Instructions Upon Approval:

The top seven projects will be filed in accordance with the Department of Finance Administration, Local Government Division’s ICIP requirements no later than September 1, 2016.

6. Proposed ordinance amending Chapter 8, Article 13 of the City Code dealing with food catering/vending wagons and trucks (Jennifer Breakell) -----5

Action Requested of Council:

Grant permission to publish Notice of Proposed Ordinance.

Background/Rationale:

The City Clerk's office is proposing amendments to Chapter 8, Article 13 of the City Code to expand the definition of a catering/vending wagon and truck to include the various types of units being licensed under this article.

Staff Recommendation:

Grant permission to publish Notice of Proposed Ordinance.

Instructions Upon Approval:

Publish Notice of Proposed Ordinance with final action scheduled for September 13, 2016.

COUNCIL BUSINESS

7. Discussion of and direction to voting delegate and alternate voting delegate regarding the resolutions being presented at the 2016 New Mexico Municipal League Annual Business Meeting (Mayor)-----6

AGENDA ITEM SUPPORT MATERIALS ARE AVAILABLE FOR INSPECTION AND/OR PURCHASE AT THE OFFICE OF THE CITY CLERK, 800 MUNICIPAL DRIVE, FARMINGTON, NEW MEXICO.

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 599-1106 or 599-1101 prior to the meeting so that arrangements can be made.

CITY COUNCIL WORK SESSION AGENDA REQUEST

DATE: August 10, 2016 DEPARTMENT: Public Works MEETING DATE: August 16, 2016

1. ITEM/TOPIC

Lower Animas Watershed Base Plan Presentation

2. ACTION REQUESTED OF COUNCIL:

Information Only

3. BACKGROUND/RATIONALE:

Introduction of members of the San Juan Watershed Group (SJWG) by City staff. Presentation made by Melissa May (San Juan Soil & Water Conservation District) and/or David Tomko (SJWG).

The work of the SJWG is to improve water quality, particularly in the Animas, San Juan, and La Plata River watersheds. Periodically the SJWG comes before the Farmington City Council to present the group's progress in improving water quality in the San Juan Watershed.

The presentation will update the Council on the particulars of the Lower Animas River Watershed Based Plan, a Plan that has been formally accepted by EPA and the New Mexico Environmental Department. By EPA's acceptance of the Plan and with SJWG's implementing the Plan, opens grant funding opportunities for the SJWG and/or its other partners' for future projects improving watershed water quality.

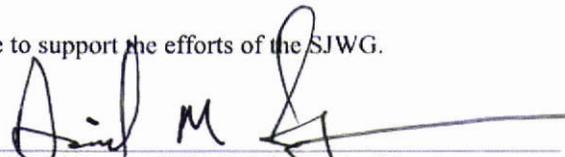
Besides the Gold King Mine event, there are many other water quality issues in the San Juan and Animas River corridors such as *E. coli*, nutrients (phosphorus and nitrates), sediment, and invasive species that are addressed in the Plan. The Plan lays out a roadmap to improve San Juan Basin water quality for agriculture, industrial, and municipal uses.

Among the partners identified in the Plan are the Cities of Bloomfield, Aztec and Farmington and as well as other stakeholders such as San Juan Soil and Water Conservation Service. City of Farmington, particularly its MS4 program, Parks Department, and Source Water Protection Program. A Source Water Protection Plan is currently being written by the New Mexico Department of Environment. Cooperation and involvement with San Juan Watershed Group and the Watershed Based Plan, will help with meeting MS4 permit goals and potentially opening up funding opportunities to meet water quality requirements. Also, by having this Plan, the City will benefit when applying for other water grants or loans from other state and federal agencies.

The SJWG recognizes City staff's participation in writing and editing the Plan.

4. STAFF RECOMMENDATION:

Staff recommends the City continue to support the efforts of the SJWG.



David Sypher, P.E., Public Works Director

The Lower Animas Watershed Based Plan (LAWBP) focuses on the segment of the Animas River in New Mexico that flows south from the Colorado state line and reaches its southern terminus at the confluence with the San Juan River at Farmington, NM. The Lower Animas was listed on the State of New Mexico's impaired waters list in 2002, and since 2010 has exceeded water quality criteria for phosphorus, nutrients/eutrophication, *E. coli* bacteria, turbidity, and temperature.

A previous watershed based plan was developed in 2011 by BUGS (2011) that covered the entire Animas River watershed in Colorado and New Mexico, but the 2011 plan lacked several components necessary to prioritize management measures to address impairment. The EPA provided specific comments on how to revise and improve the 2011 plan in order to meet the required "9 Key Elements." These comments have been incorporated throughout the development of this plan and were vital to the progress that has been made in this new watershed planning effort.

The objective of the LAWBP is to combine water quality trends with land use data and the practical experience of local stakeholders to make informed decisions on how best to improve water quality on the Animas River. This plan utilizes two new data collection efforts initiated by the San Juan Watershed Group in 2013 and 2014: Microbial Source Tracking (MST) and 2014 Lower Animas Targeted Sampling. The MST study provided information regarding the sources of bacteria (e.g., human, ruminant, horse, dog, and waterfowl) that are most prevalent in the Animas and San Juan Rivers. The Lower Animas Targeted Sampling determined the nutrient and *E. coli* contribution of inflows (e.g., arroyos, tailwater ditches, field drains, and return flow from irrigation ditches) along the Animas River during low flow conditions. Data from these two new studies indicate the following:

- Measured concentrations and loads of nitrogen, phosphorus, and *E. coli* in 2014 often exceeded NM state water quality criteria, and total maximum daily load targets established for the Animas River, which confirms impairment.
- Nutrient and *E. coli* loads in the Animas River vary seasonally; during summer and fall precipitation events that cause an increase in river flow and turbidity, concentrations of nutrients and *E. coli* become elevated. High turbidity was correlated with total phosphorus and total nitrogen. This is likely due to stormwater runoff from the adjacent landscape.
- The primary source of nutrient and *E. coli* loads in the Animas River at low flow cannot be solely explained by inflows. It is possible that inflows do contribute a higher portion of the nutrient and *E. coli* load during storm events, but this remains an unknown since there is limited data from inflows along the lower Animas River during storm events.

- There is a very consistent source of ruminant bacteria in the Animas River (90% of samples positive), and a less pervasive but consistent source of human bacteria (60% samples positive).

From these recent datasets, we concluded that management measures should not solely focus on reducing pollutant loads from single, discrete inflows, but instead should take a more holistic watershed approach by addressing contributions from different land uses during low flow and especially during storm event conditions. Therefore, we proposed a menu of projects and outreach efforts that address the pollutant sources, impairments, and threats to watershed health organized based on project types specific to a given land use or pollutant source category:

- Septic, sewer, and wastewater management
- Agricultural best management practices (BMPs)
- Upland restoration and best management practices
- Urban stormwater projects
- Riparian restoration
- Streambank, wetland, and floodplain restoration
- Irrigation infrastructure improvements

For each of these land use or pollutant source categories, we described management measures, implementation strategies, implementation schedule, and possible funding sources. We summarized specific project locations, costs, and expected pollutant load reductions. In order to estimate the nutrient and sediment load reduction that can be expected from implementing best management practices for specific projects, we utilized an EPA model called STEPL (Spreadsheet Tool for Estimating Pollutant Loads). As this plan is updated through adaptive management over time, the management measures and implementation strategies should stay relatively the same, while specific project areas and costs will be updated as original projects are completed.

The long-term goal of this plan is to restore the Animas River to an unimpaired condition such that it meets all of its designated uses. This means that bacteria concentrations are reduced to a point where they don't impact recreation, and nutrient concentrations, functioning capacity, and sediments are improved to where they support healthy aquatic life. The effectiveness of this plan will be assessed by interim achievement criteria, progress milestones, and continued water quality monitoring.

**FY2016
QUARTERLY FINANCIAL REPORT**



For the 12 Months Ending June 30, 2016

**For the Twelve Months Ending June 30, 2016 (Per13)
YTD BUDGET TO ACTUAL COMPARISON**

(Budget Basis)

FUND	REVENUE			EXPENDITURES			DIFFERENCE		
	BUDGET REVENUE	ACTUAL REVENUE	DIFFERENCE FAV/(UNFAV)	% DIFF.	BUDGET EXPENDITURE	ACTUAL EXPENDITURE	DIFFERENCE FAV/(UNFAV)	% DIFF.	REV/EXP ACTUAL*
GENERAL FUND Cash Transfer to 408	\$ 61,344,110	\$ 60,638,700	\$ (705,410)	(1.15%)	\$ 61,296,569	\$ 60,286,272	\$ 1,010,297	1.65%	\$ 352,428 (5,851,480)
SPECIAL REVENUE	20,053,881	18,788,992	(1,264,889)	(6.31%)	24,031,839	21,034,738	2,997,101	12.47%	(2,245,747)
CAPITAL PROJECTS	12,973,410	8,379,548	(4,593,862)	(35.41%)	15,612,548	7,725,437	7,887,111	50.52%	654,110 (754,211)
ELECTRIC FUND	105,856,445	103,390,280	(2,466,165)	(2.33%)	113,391,472	104,144,492	9,246,980	8.15%	586,370 (687,927)
WATER FUND	15,667,881	16,164,889	497,008	3.17%	20,527,094	15,578,519	4,948,575	24.11%	104,221 6,494
WASTEWATER FUND	12,967,521	9,064,894	(3,902,627)	(30.10%)	15,584,097	9,752,821	5,831,276	37.42%	(315,650)
SANITATION FUND	6,031,152	5,660,877	(370,275)	(6.14%)	6,138,732	5,556,656	582,076	9.48%	(8,151,392)
DEBT SERVICE FUND	1,636,669	1,639,161	2,492	0.15%	1,632,669	1,632,668	2	0.00%	(8,151,392)
HEALTH FUND	8,967,499	8,931,203	(36,296)	(0.40%)	9,916,362	9,246,853	669,509	6.75%	(8,151,392)
TOTAL	\$ 245,498,568	\$ 232,658,543	\$ (12,840,025)	(5.23%)	\$ 273,982,862	\$ 240,809,935	\$ 33,172,927	12.11%	\$ (8,151,392)

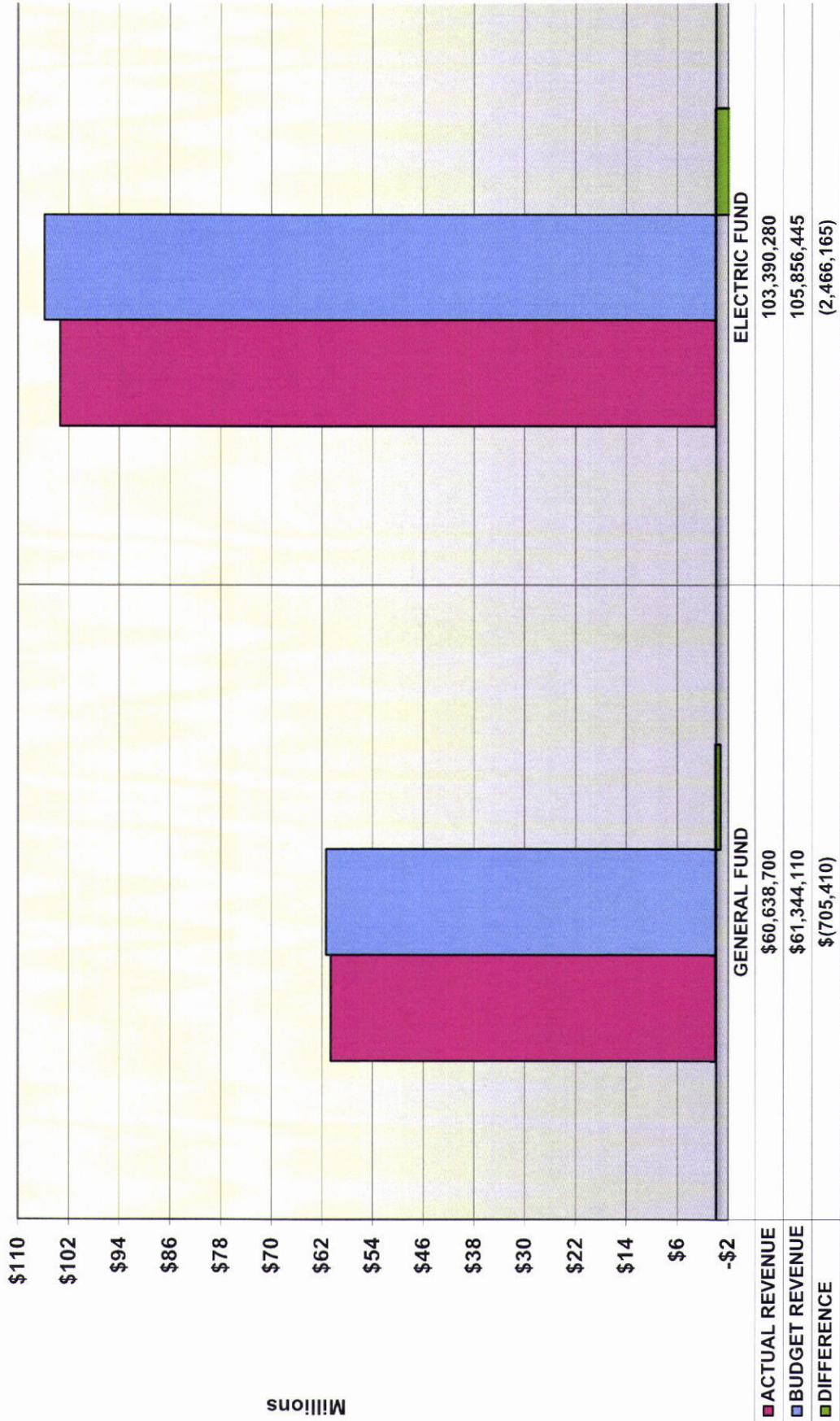
Special Revenue Funds Include:

- 201 - GRT Streets
- 202 - GRT Parks/Public Works
- 211 - Parks Development Fees
- 213 - Library Gifts and Grants
- 214 - Parks Gifts/Grants
- 217 - Museum Gifts/Grants
- 221 - Red Apple Transit
- 222 - General Gov't Grant
- 223 - CDBG
- 230 - Lodgers Tax
- 231 - Convention Center Fee

Capital Projects Funds Include:

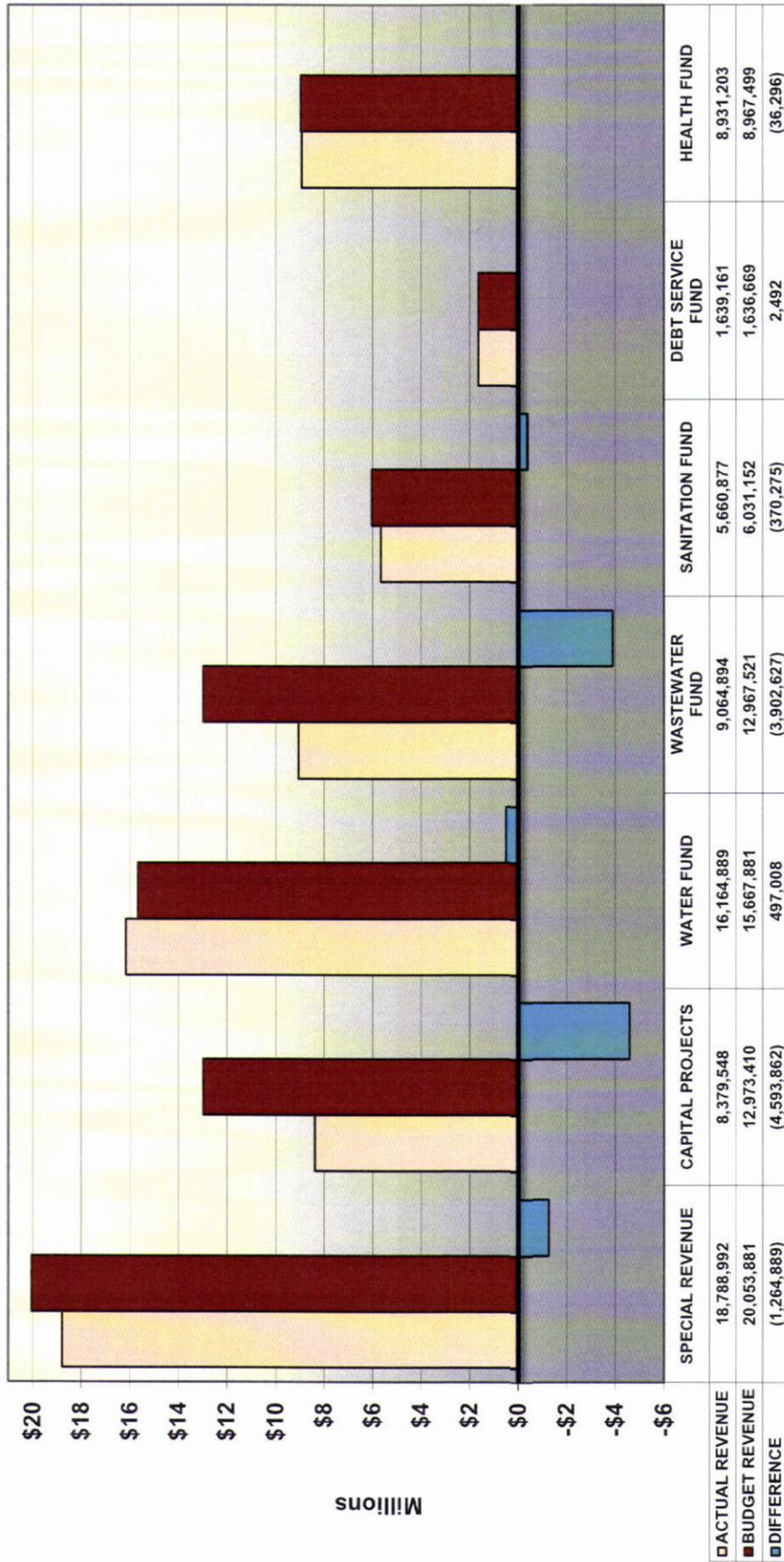
- 239 - State Police Protection
- 245 - Region II Narcotics
- 247 - COPS Grant
- 248 - Block Grant
- 249 - State Fire Grant
- 250 - Penalty Assessment
- 401 - Comm. Develop. Grants
- 402 - Series 2012 Bonds
- 408 - General Gov't Capital Projects
- 409 - Airport Grants
- 411 - Metro Redevelopment
- 415 - Convention Center Capital Projects

GENERAL FUND & ELECTRIC FUND REVENUES ACTUAL / BUDGET 12 Months Ending June 30, 2016



Millions

REVENUES ACTUAL / BUDGET 12 Months Ending June 30, 2016



Special Revenue Funds

- 201 - GRT Street
- 202 - GRT Parks
- 211 - Parks Development Fee
- 213 - Library Gifts/Grants
- 214 - Parks Gifts/Grants

Capital Project Funds

- 217 - Museum Gifts/Grants
- 221 - Red Apple Transit
- 222 - General Gov't Grant
- 223 - CDBG
- 230 - Lodgers Tax
- 231 - Convention Center Fee
- 240 - State Police Protection
- 246 - Region II Narcotics
- 248 - COPS Grant
- 249 - Law Enforcement Block Grant
- 250 - State Fire Grant
- 251 - Penalty Assessment
- 401 - Community Development
- 402 - GRT 2012 Bond Projects
- 408 - General Gov't Capital Projects
- 409 - Airport Grants
- 411 - Metro Redevelopment Authority
- 415 - Convention Center Capital Projects

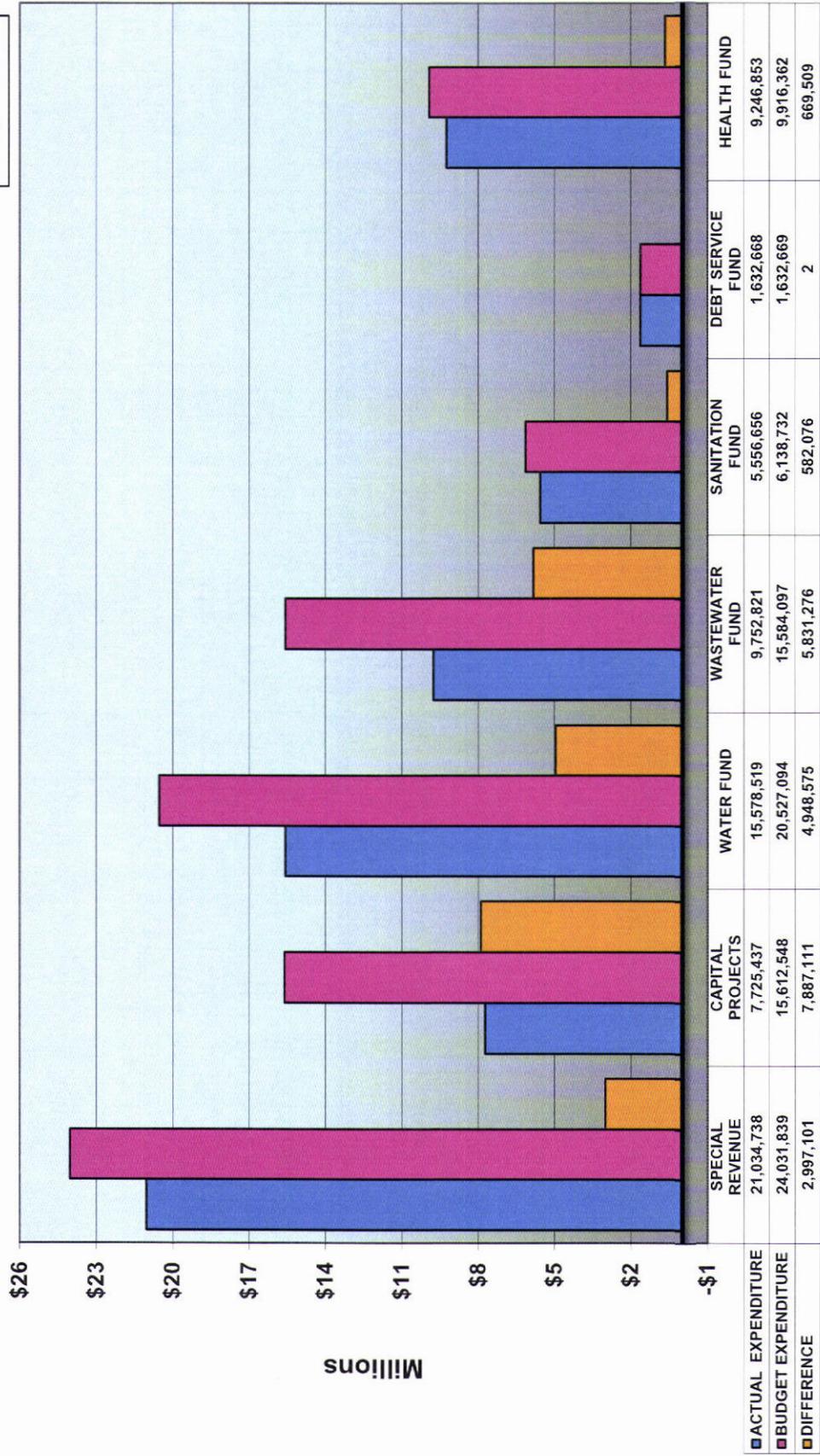
GENERAL FUND & ELECTRIC FUND EXPENDITURES ACTUAL / BUDGET

12 Months Ending June 30, 2016



EXPENDITURES ACTUAL / BUDGET 12 Months Ending June 30, 2016

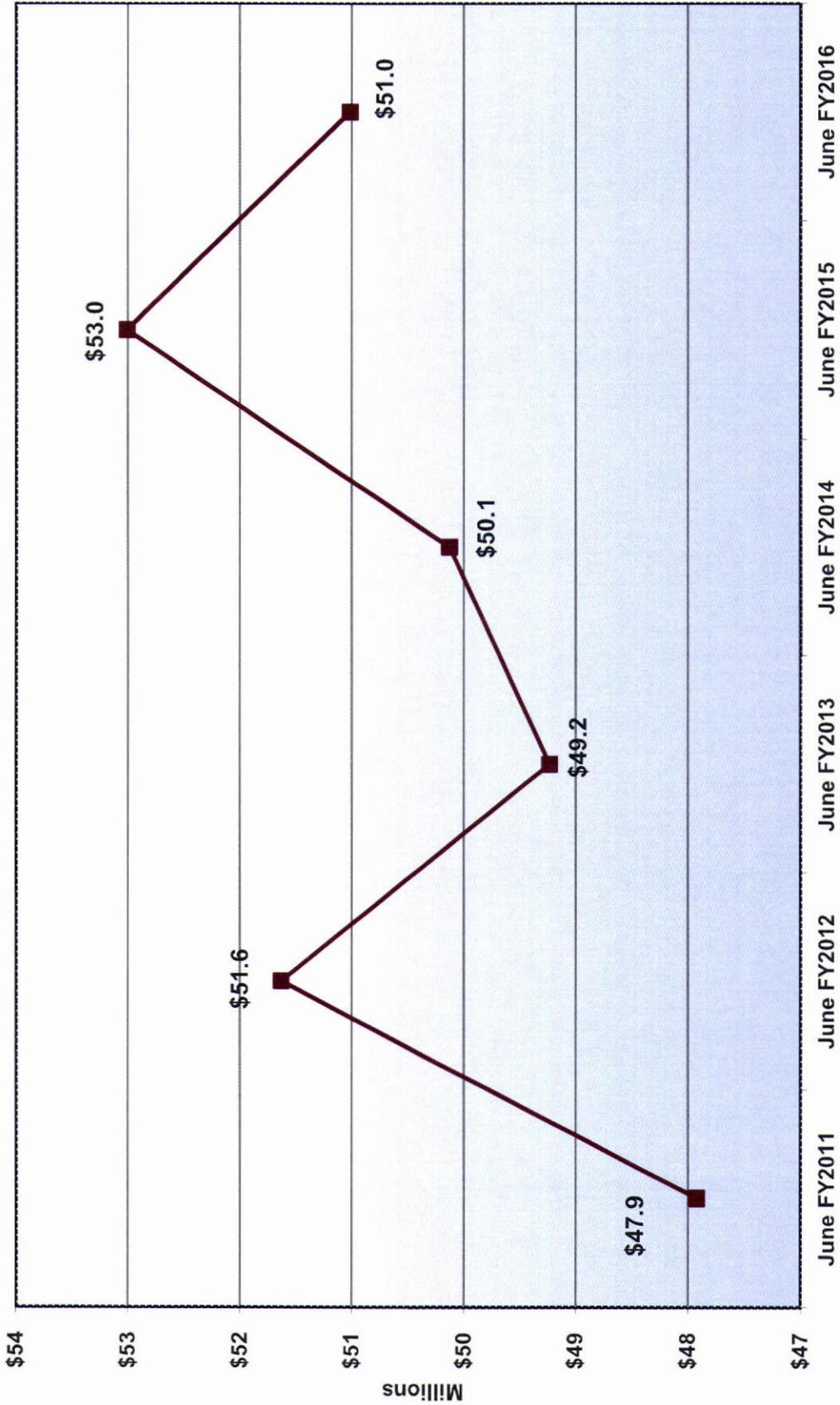
Budget Basis



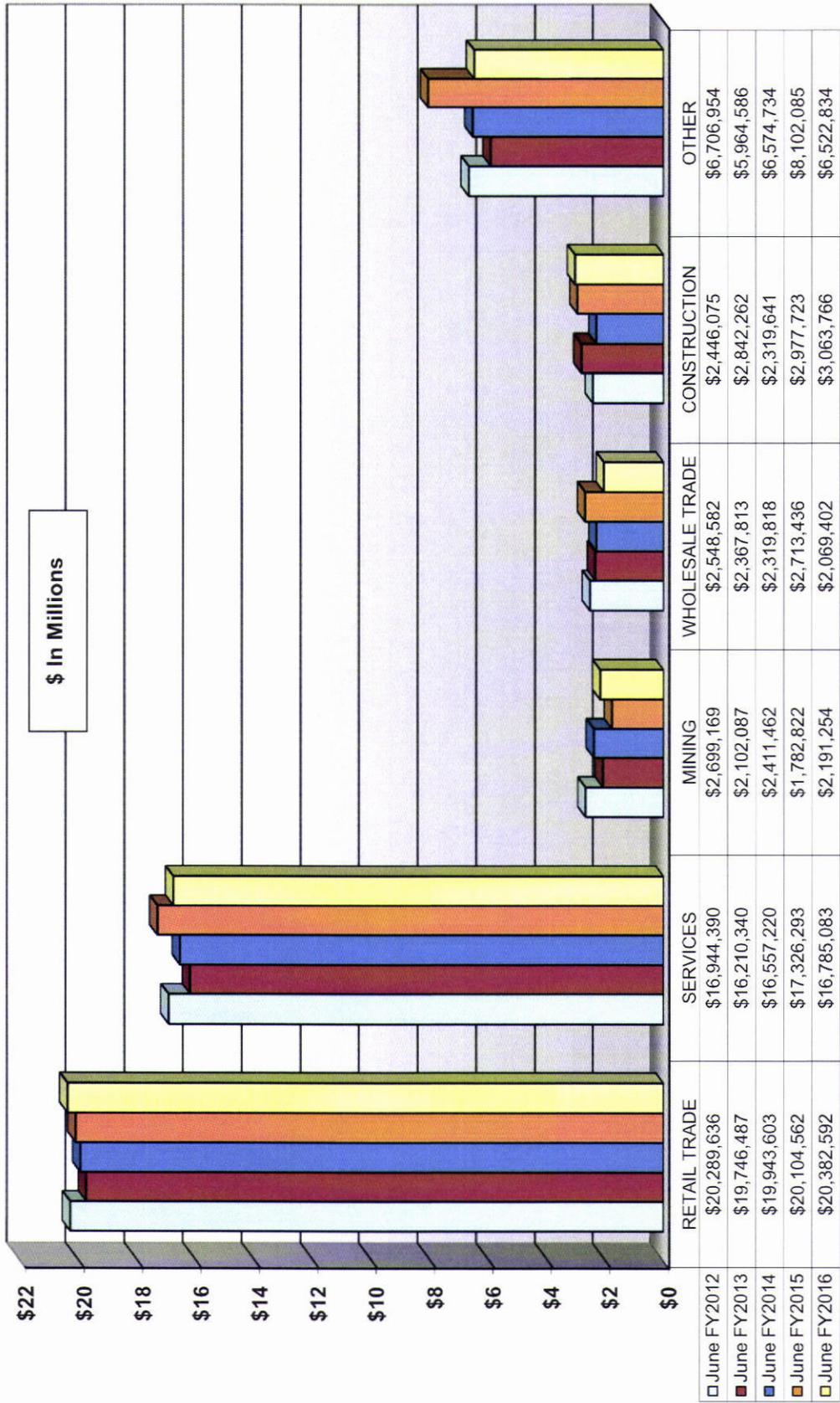
- Special Revenue Funds**
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- Capital Project Funds**
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YTD GRT REVENUE - ALL FUNDS
SIX (6) YEAR COMPARISON
12 Months Ending June 30, 2016



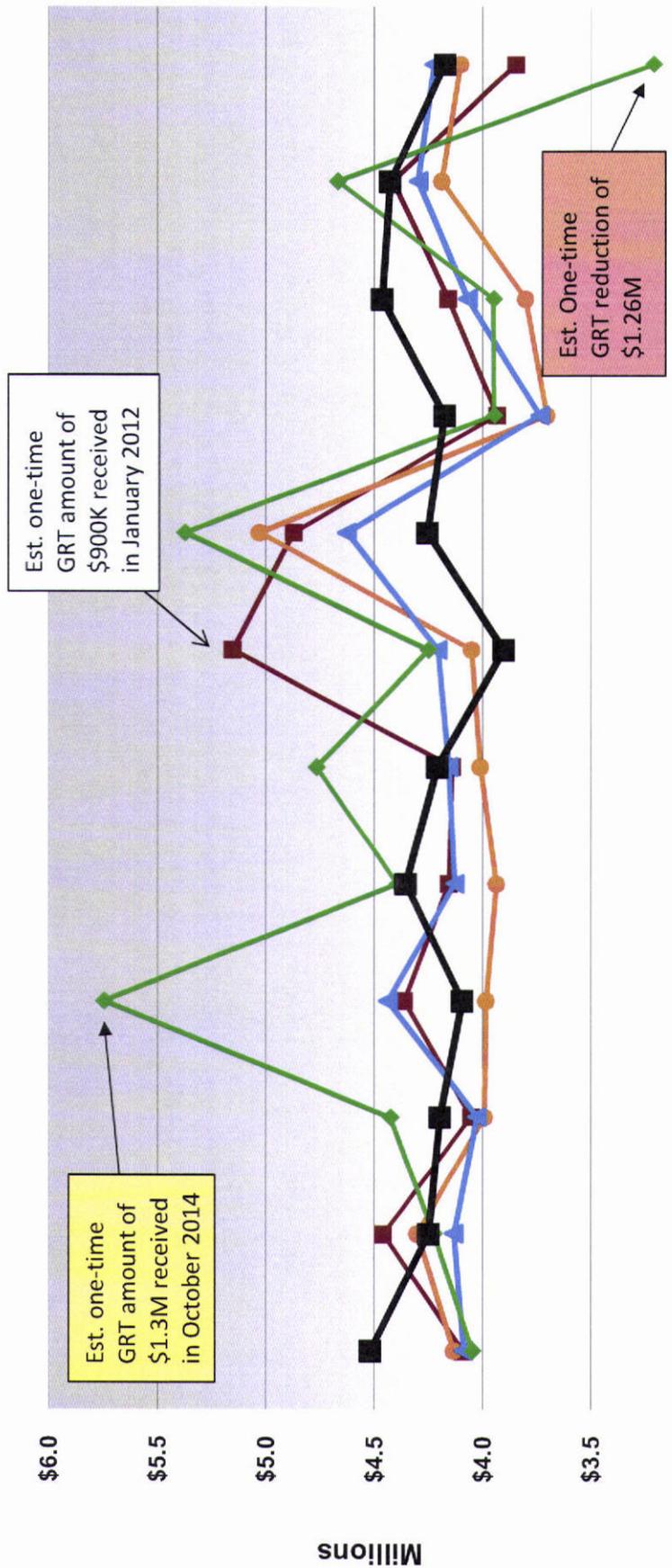
YTD GRT BY CATEGORY - ALL FUNDS 12 Months Ending June 30, 2016



Services include: Professional & Technical, Management, Administration & Support, Educational, Health Care, Arts & Entertainment, and Food Service.
Other include: Agriculture, Transportation & Warehouse, Manufacturing, Utilities, Information & Cultural, Finance & Insurance, and Real Estate, Rental, & Leasing.

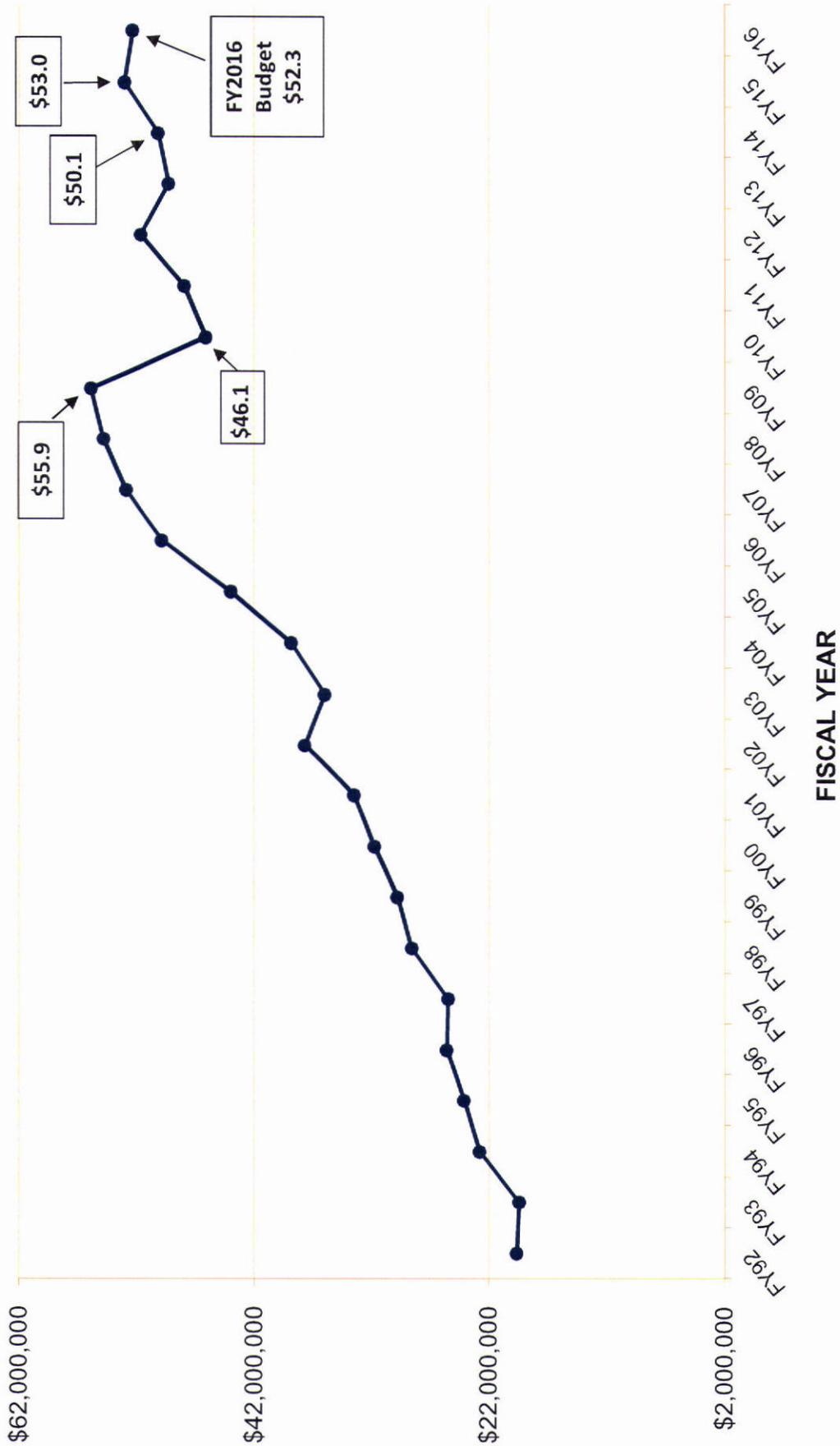
FY2012 includes a one-time GRT amount of \$900,000 received in January 2012. FY2015 includes a one-time GRT amount of \$1.3 million received in October 2014.

GRT REVENUE BY MONTH FISCAL YEARS 2012 - 2016

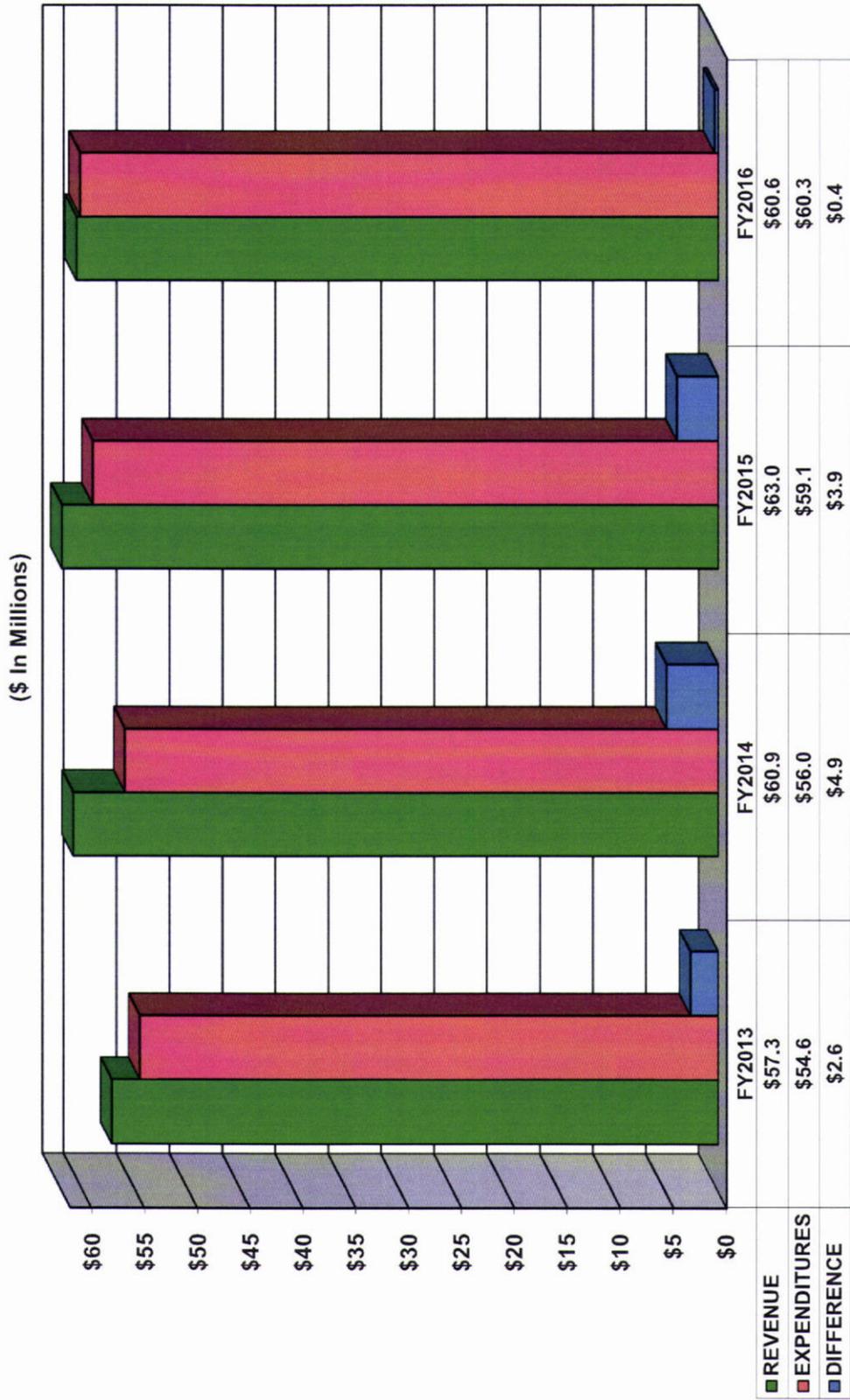


	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
2012	\$4,090,460	\$4,459,774	\$4,051,966	\$4,362,056	\$4,154,912	\$4,139,917	\$5,152,019	\$4,871,049	\$3,933,084	\$4,157,970	\$4,415,298	\$3,846,302
2013	\$4,132,333	\$4,301,141	\$3,992,760	\$3,985,593	\$3,938,139	\$4,011,074	\$4,050,910	\$5,028,122	\$3,704,857	\$3,801,501	\$4,187,256	\$4,099,889
2014	\$4,087,301	\$4,131,765	\$4,026,354	\$4,437,803	\$4,127,866	\$4,155,976	\$4,206,616	\$4,625,927	\$3,736,100	\$4,068,985	\$4,296,881	\$4,224,906
2015	\$4,047,451	\$4,224,332	\$4,426,519	\$5,744,942	\$4,394,061	\$4,765,970	\$4,251,258	\$5,372,514	\$3,948,103	\$3,951,460	\$4,668,267	\$3,212,044
2016	\$4,518,717	\$4,248,865	\$4,195,336	\$4,092,015	\$4,354,505	\$4,210,412	\$3,901,273	\$4,255,455	\$4,176,097	\$4,463,503	\$4,426,644	\$4,172,110

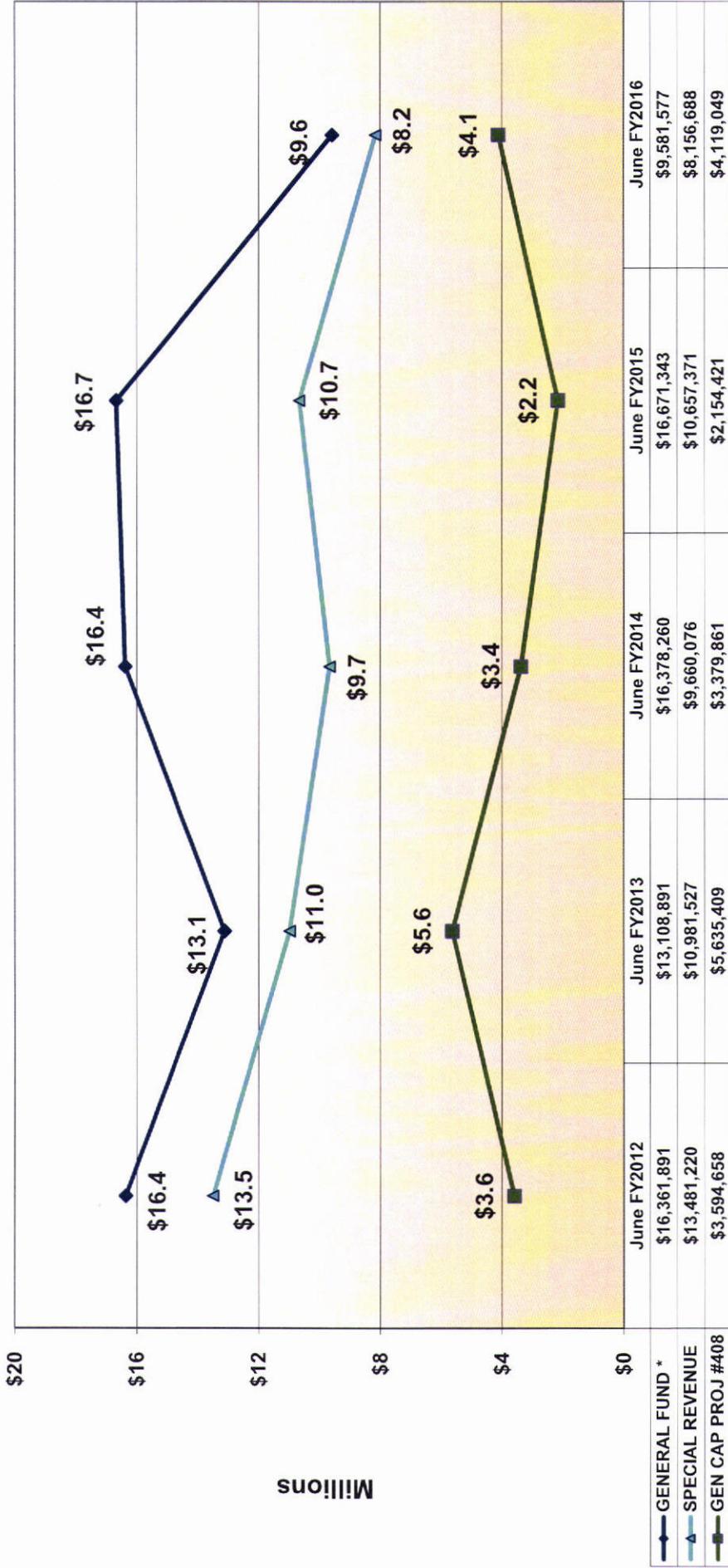
25 YR GRT-HISTORY



**GENERAL FUND
REVENUE/EXPENDITURES
12 Months Ending June 30, 2016
and Prior Years 12 Month Actuals**



CASH BALANCE, FY2016 FIVE YEAR COMPARISON



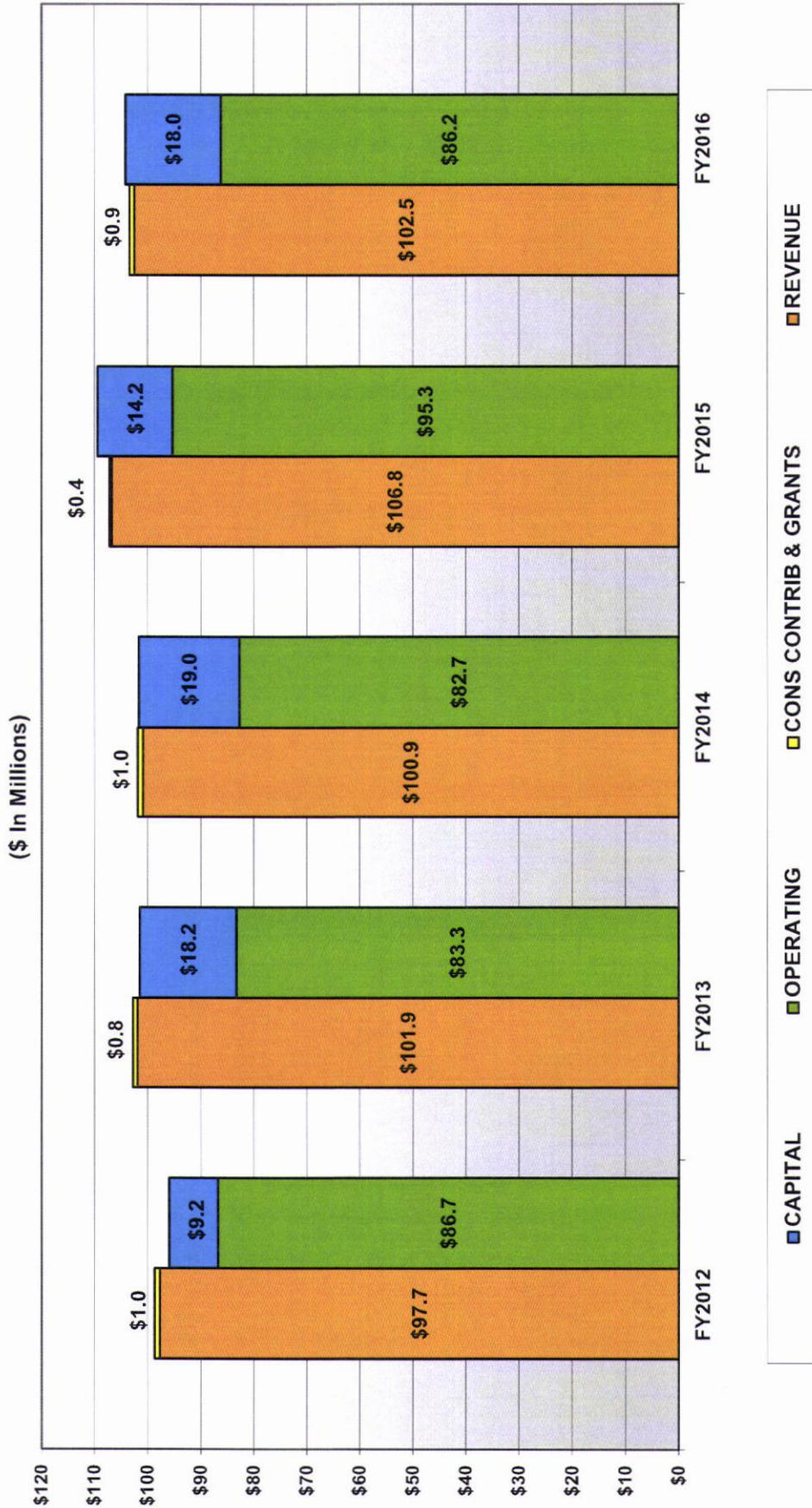
Special Revenue Funds

201 - GRT Streets	\$ 6,880,851	217 - Museum Gifts/Grants	\$ 218,813	240 - State Police Protection	\$ 109,834
202 - GRT Parks	\$ 819,891	221 - Red Apple Transit	(\$ 172,125)	246 - Region II Narcotics	(\$ 78,276)
211 - Parks Development Fee	\$ 383,462	222 - General Gov't Grant	(\$ 166,131)	248 - COPS Grant	\$ 95,097
213 - Library Gifts/Grants	\$ 279,165	223 - CDBG	\$ 88,863	249 - Law EnforcementBlock Grant	\$ 43,199
214 - Parks Gifts/Grants	\$ 148,915	230 - Lodgers Tax	\$ 481,522	250 - State Fire Grant	\$ 282,675
		231 - Convention Center Fee	\$ 886,631	251 - Penalty Assessment	\$ 28,340

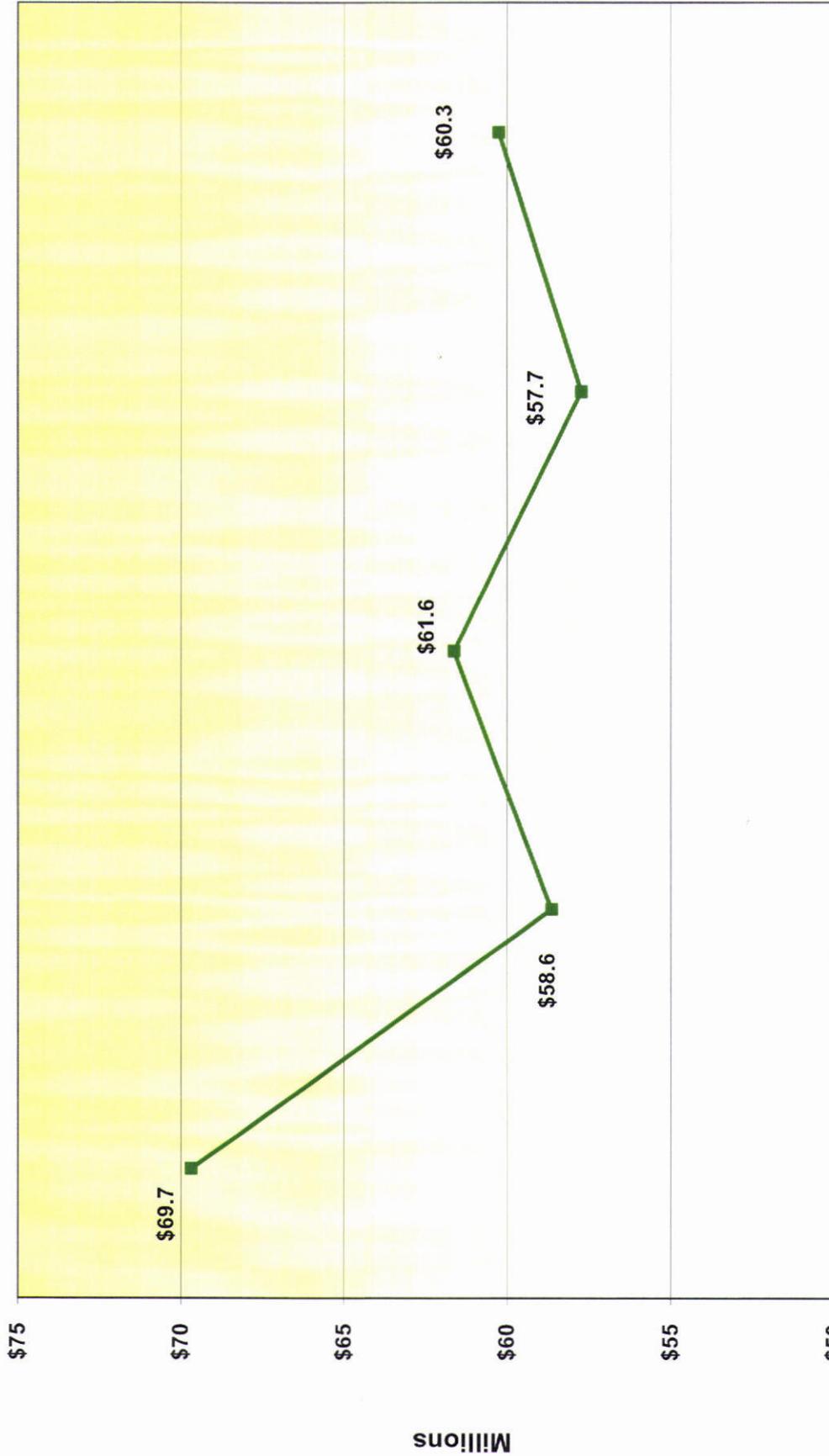
*Note: The cash balance reflects transfers from the General Fund to Capital Proj 408: FY12 \$3.6M; FY13 \$4.1M; FY14 \$2.9M; FY15 \$3.2M; FY16 \$5.8M.

**ELECTRIC FUND
REVENUE/EXPENDITURES
12 Months Ending June 30, 2016
and Prior Years 12 Month Actuals**

**BUDGET
BASIS**



ELECTRIC CASH BALANCE, FY2016
 (Cash less Restricted Cash)
FIVE YEAR COMPARISON



	June FY2012	June FY2013	June FY2014	June FY2015	June FY2016
ELECTRIC FUND	\$69,690,851	\$58,637,516	\$61,633,413	\$57,739,037	\$60,254,659

ELECTRIC CONSTRUCTION CAPITAL INVESTMENT HISTORY

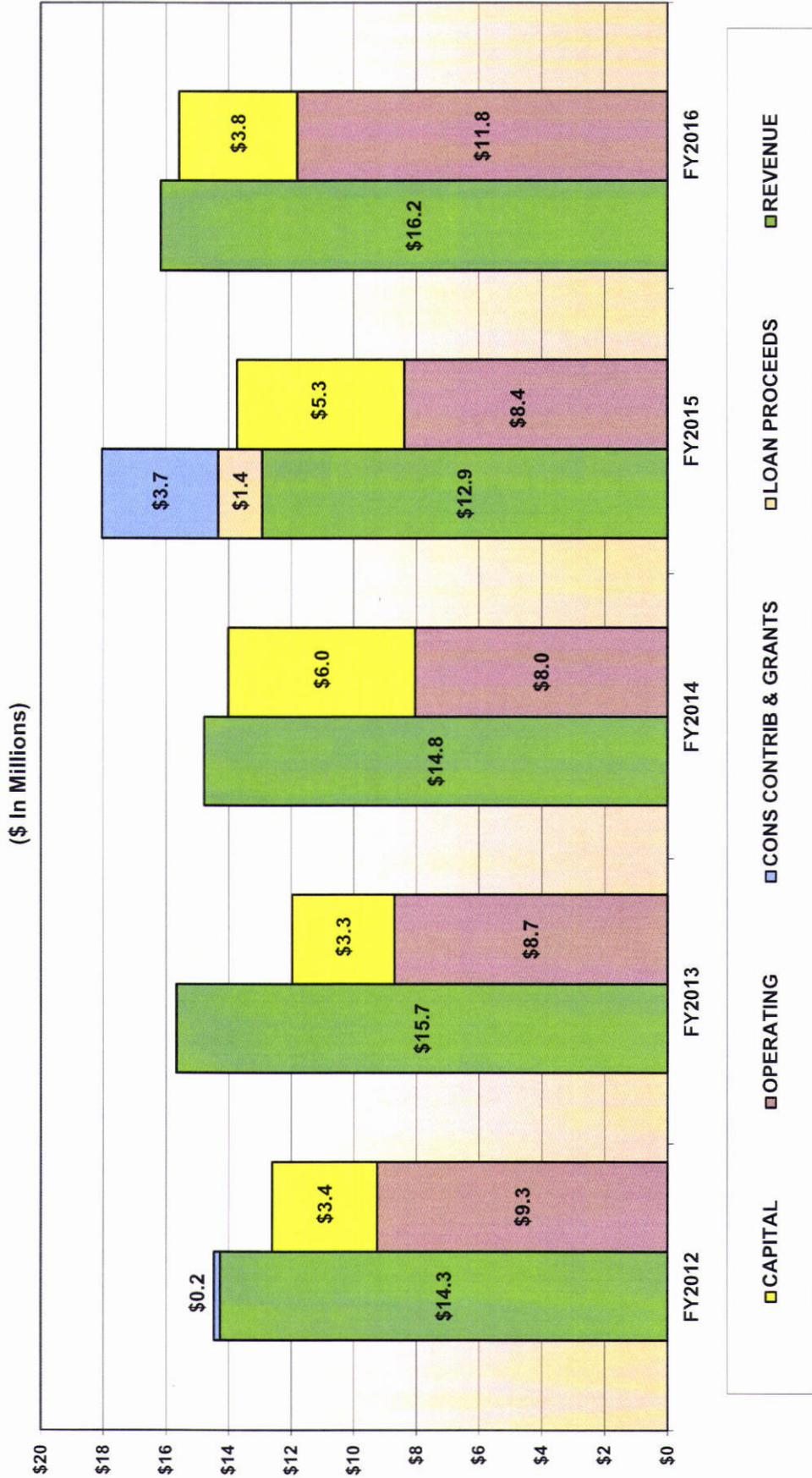
June 30 FOR ALL YEARS



Fiscal Year Significant Electric Projects	Fiscal Year Significant Electric Projects	Fiscal Year Significant Electric Projects
FY2013	FY2015	FY2016
\$2.6M Vista Substation	\$1.3M Navajo Unit #1 Turbine Runner Repair	\$6.4M Antec Substation
\$1.5M Mesa Substation	\$927K Vehicles	\$3.8M Hood Mesa Switching Station
\$1.5M Purchase of mobile Substation	\$915K Bluffview Power Plant	\$1.3M Cottonwood Sub Station
\$1.2M Bluffview Plant-GE Duct for deicing	\$779K Animas - Cooling System	\$1.2M Transportation Vehicles
FY2014	\$646K Central School - System Improvement	\$824K Ward Electric Improvements
\$3.8M T & D - MOC remodel	\$622K Antec Substation	\$618K Feeder 4303
\$1.4M Vehicle purchases	\$626K GPS Inventory	\$422K Navajo Unit #2 Turbine
\$1.0M System Upgrades - Various locations	\$356K Fiberoptic - Animas to Bist	\$418K Flaer Improvements
\$1.0M Bluffview Power Plant-Anti icing	\$283K Vehicle Radio Upgrade	\$357K Animas Little Hydro
\$975K Vista Substation	\$235K Radio/Phone consoles for vehicles	\$356K GPS Inventory
\$901K Animas Substation	\$216K T&D - MOC expansion	\$338K Animas Alternate Cooling System
\$658K Lee Acres transformer replacement	\$140K Animas - NPDES Outfall Study	\$207K T&D Security Equip & Storage
		\$201K Navajo Unit #1 Turbine

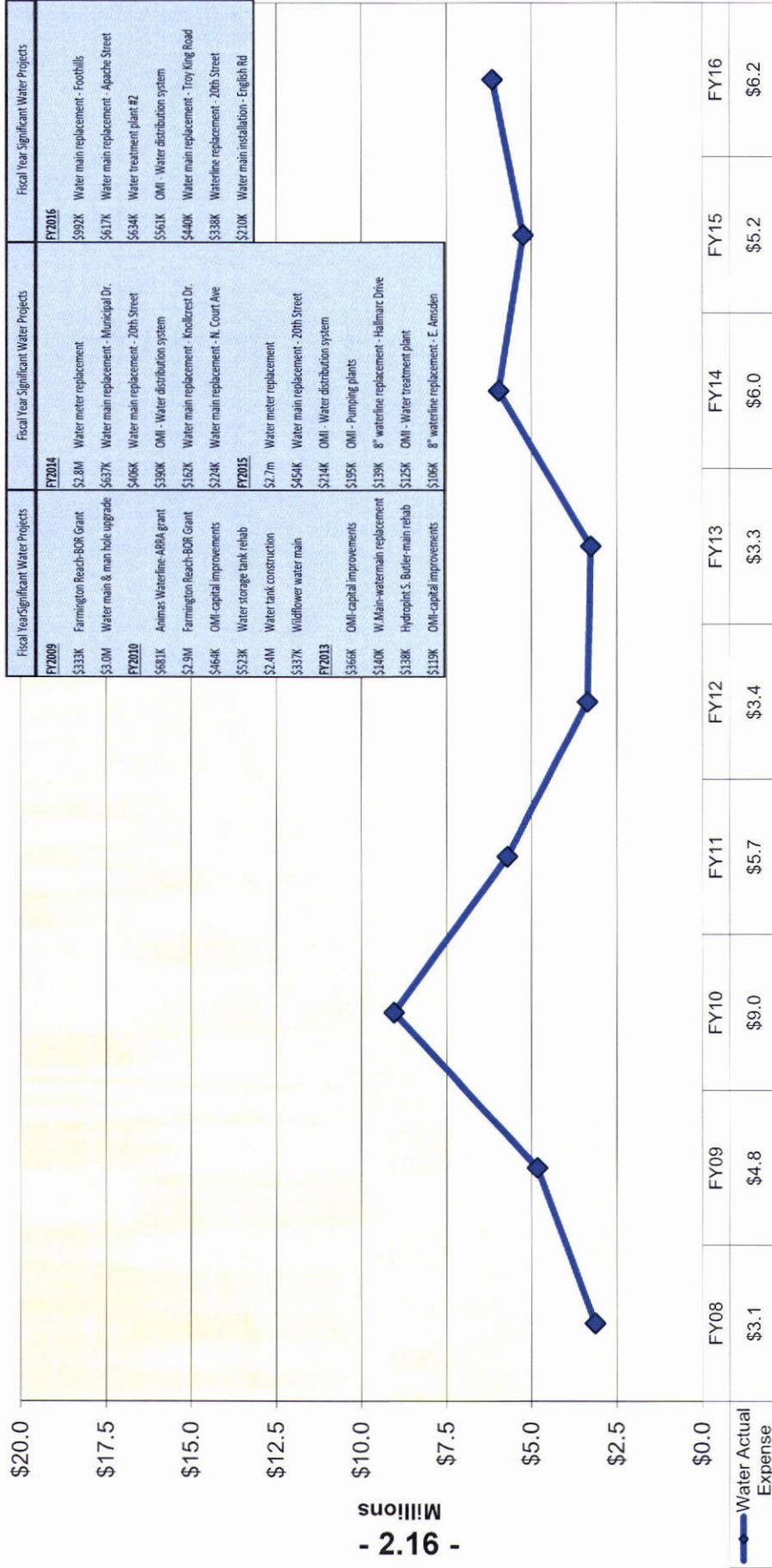
**WATER FUND
REVENUE/EXPENDITURES
12 Months Ending June 30, 2016
and Prior Years 12 Month Actuals**

**BUDGET
BASIS**



WATER CONSTSTRUCTION CAPITAL INVESTMENT HISTORY

June 30 FOR ALL YEARS

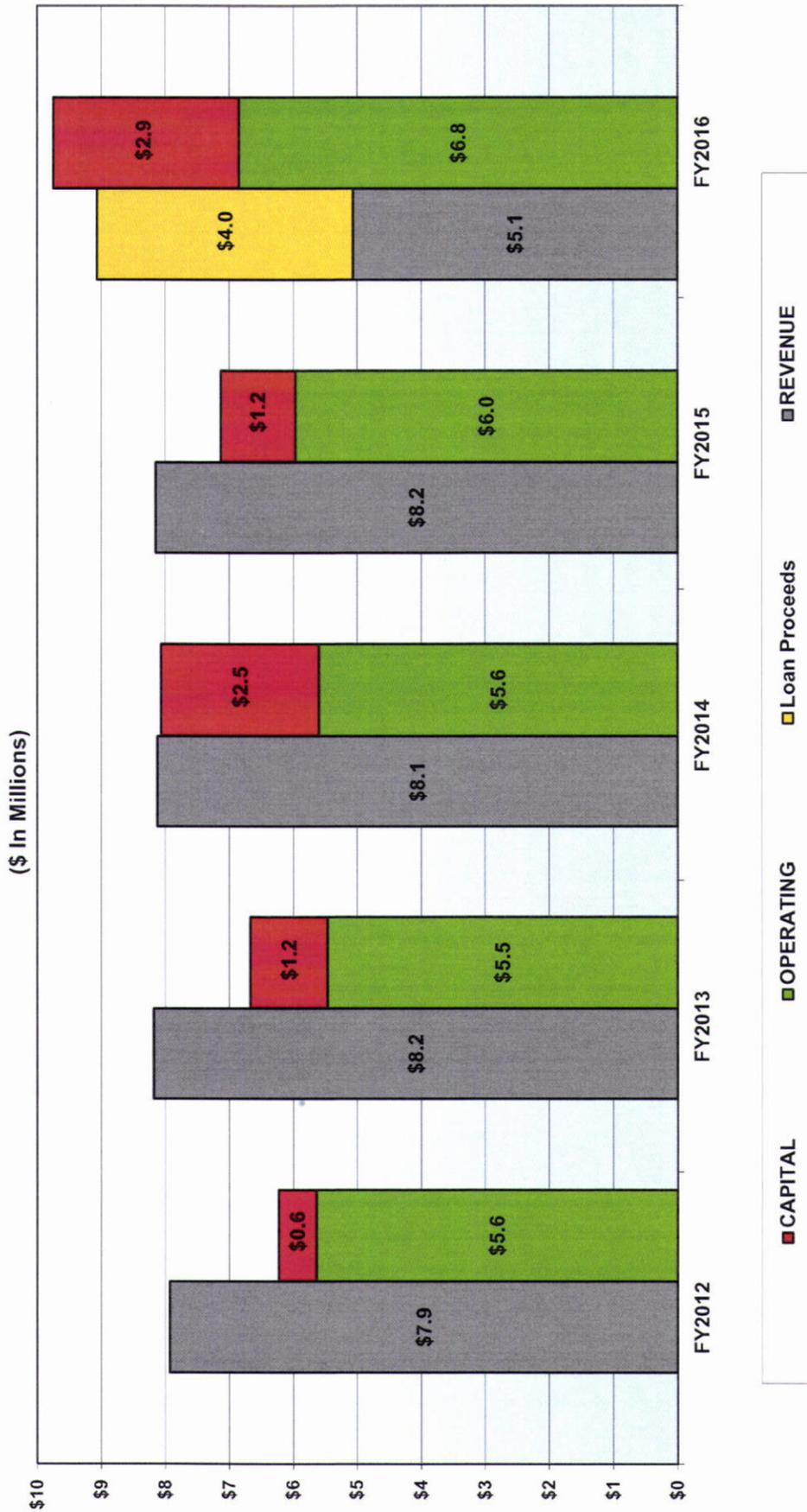


Millions
- 2.16 -

Fiscal Year

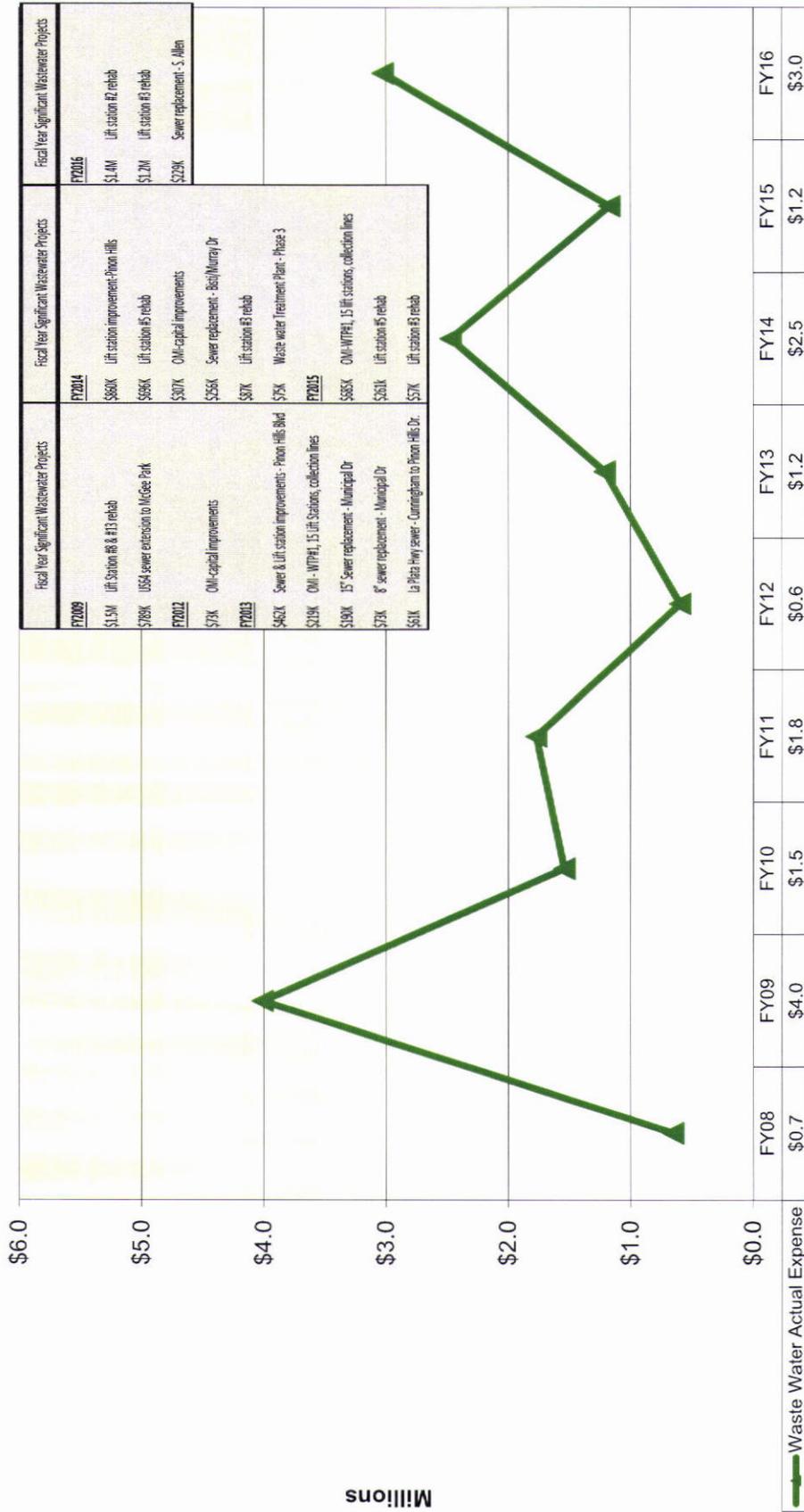
**WASTEWATER FUND
REVENUE/EXPENDITURES
12 Months Ending June 30, 2016
and Prior Years 12 Month Actuals**

BUDGET
BASIS



WASTEWATER CONSTRUCTION CAPITAL INVESTMENT HISTORY

June 30 FOR ALL YEARS



Fiscal Year	Significant Wastewater Projects	Fiscal Year	Significant Wastewater Projects	Fiscal Year	Significant Wastewater Projects
FY2009	\$1.5M Lift Station #8 & #13 rehab \$789K US84 sewer extension to MCoee Park	FY2014	\$800K Lift station improvement-Pion Hills \$996K Lift station #5 rehab \$307K OMI-capital improvements \$256K Sewer replacement - Basi/Murray Dr	FY2016	\$1.4M Lift station #7 rehab \$1.2M Lift station #3 rehab \$228K Sewer replacement - S. Allen
FY2012	\$73K OMI-capital improvements	FY2015	\$462K Sewer & Lift station improvements - Pion Hills Blvd \$219K OMI - WTP#1, 15 Lift Stations, collection lines \$190K 15" Sewer replacement - Municipal Dr \$73K 8" sewer replacement - Municipal Dr \$61K La Plata Hwy sewer - Cunningham to Pion Hills Dr		
FY2013	\$87K Lift station #3 rehab \$75K Waste water Treatment Plant - Phase 3				

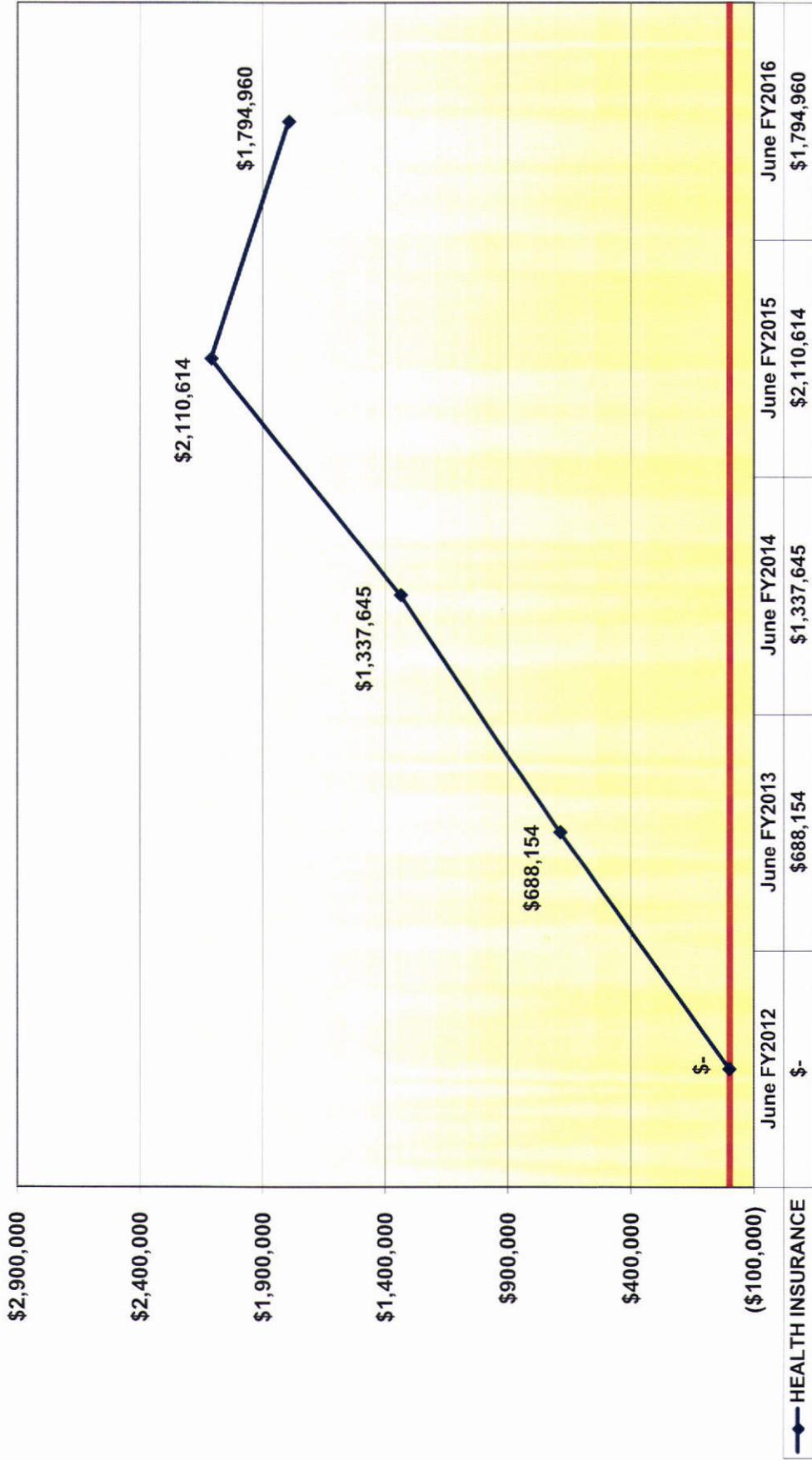
Fiscal Year

Millions

WATER & WASTEWATER CASH BALANCE, FY2016 (Cash less Restricted Cash) FIVE YEAR COMPARISON



HEALTH INSURANCE FUND CASH BALANCE, FY2016 FIVE YEAR COMPARISON



RESOLUTION NO. 2016-1600

A RESOLUTION APPROVING THE FINAL FISCAL YEAR 2016 QUARTER
FINANCIAL REPORT AND REQUESTING STATE APPROVAL

WHEREAS, the City Council of the City of Farmington has adopted a budget for fiscal year 2015-2016; and

WHEREAS, the final quarter financial report has been reviewed and approved to ensure the accuracy of the beginning cash balances used on the FY 2016 budget; and

WHEREAS, it is hereby certified that the contents in this report are true and correct to the best of our knowledge and that this report depicts all funds for the fiscal year 2016; and

WHEREAS, it is necessary to submit the final quarter financial report to the New Mexico Department of Finance and Administration for review and approval.

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the City of Farmington:

That the final quarter report for FY 2016 is hereby approved; and

That a copy of this Resolution and the Final FY 2016 Quarter Financial Report shall be forwarded to the Department of Finance and Administration for state review and approval.

PASSED, SIGNED, APPROVED AND ADOPTED this 16th day of August, 2016.

Tommy Roberts, Mayor

SEAL

ATTEST:

Dianne Smylie, City Clerk

MUNICIPALITY: Farmington
DEPARTMENT OF FINANCE AND ADMINISTRATION
LOCAL GOVERNMENT DIVISION

Period Ending: 06/30/2016
 Prepared By: Teresa Emrich

SUBMIT TO LOCAL GOVERNMENT DIVISION NO LATER THAN 30 DAYS AFTER THE CLOSE OF EACH QUARTER.

I HEREBY CERTIFY THAT THE CONTENTS IN THIS REPORT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT THIS REPORT DEPICTS ALL FUNDS.

Signature: *Teresa Emrich* Date: 8/11/10

Fund #	FUND NAME	YEAR-TO-DATE TRANSACTIONS										CASH + INVESTMENTS (8)	REQUIRED RESERVES (9)	AVAILABLE CASH (8) - (9)
		BEGINNING CASH BALANCE CURRENT FY (1)	REVENUES TO DATE (2)	TRANSFERS TO DATE (3)	EXPENDITURES TO DATE (4)	ADJUSTMENTS (5)	QTR ENDING CASH BALANCE (1)-(2)-(3)+(4)+(5) (6)	INVESTMENTS (7)						
101	GENERAL FUND (GF)	\$16,671,343	50,785,181	2,250,927	58,535,160	(1,590,714)	\$9,581,577	0	\$9,581,577	4,877,930	\$4,703,647			
201	CORRECTION	\$12,231	141,111	0	142,308	(3)	\$11,031	0	\$11,031		\$11,031			
202	ENVIRONMENTAL GR	\$0	0	0	0	0	\$0	0	\$0		\$0			
206	EMS	\$1,002	20,000	0	21,002	0	\$0	0	\$0		\$0			
207	ENHANCED 911	\$0	0	0	0	0	\$0	0	\$0		\$0			
209	FIRE PROTECTION FUND	\$18,035	942,934	(160,806)	679,243	(18)	\$120,902	0	\$120,902		\$120,902			
211	LEPF	\$0	109,914	0	109,914	0	\$0	0	\$0		\$0			
214	LODGERS' TAX	\$316,709	1,439,192	0	1,342,703	(89,724)	\$323,474	0	\$323,474		\$323,474			
216	MUNICIPAL STREET	\$7,751,002	9,163,385	(1,086,577)	10,538,860	(85,314)	\$5,203,637	0	\$5,203,637		\$5,203,637			
217	RECREATION	\$0	0	0	0	0	\$0	0	\$0		\$0			
218	INTERGOVERNMENTAL GRANTS	\$0	0	0	0	0	\$0	0	\$0		\$0			
219	SENIOR CITIZEN	\$0	0	0	0	0	\$0	0	\$0		\$0			
223	DWI PROGRAM	\$0	300,000	0	300,000	0	\$0	0	\$0		\$0			
299	OTHER	\$2,558,392	6,060,038	590,418	6,631,325	(79,879)	\$2,497,644	100,000	\$2,597,644		\$2,597,644			
300	CAPITAL PROJECT FUNDS	\$3,713,684	1,252,660	3,626,888	4,225,437	(411)	\$4,367,384	0	\$4,367,384		\$4,367,384			
401	G O BONDS	\$0	0	0	0	0	\$0	0	\$0		\$0			
402	REVENUE BONDS	\$203,467	6,492	1,577,464	1,577,463	(38)	\$209,923	0	\$209,923		\$209,923			
403	DEBT SERVICE OTHER	\$0	0	55,205	55,205	0	\$0	0	\$0		\$0			
500	ENTERPRISE FUNDS													
	Water Fund	\$13,768,407	16,164,889	(802,056)	14,776,463	(267,118)	\$14,087,660	0	\$14,087,660		\$14,087,660			
	Solid Waste	\$2,586,988	5,660,877	0	5,556,656	(38,962)	\$2,652,247	0	\$2,652,247		\$2,652,247			
	Waste Water	\$10,152,744	9,064,894	(380,596)	9,372,224	126,563	\$9,591,379	0	\$9,591,379		\$9,591,379			
	Airport	\$0	0	0	0	0	\$0	0	\$0		\$0			
	Ambulance	\$0	0	0	0	0	\$0	0	\$0		\$0			
	Cemetery	\$0	0	0	0	0	\$0	0	\$0		\$0			
	Housing	\$0	0	0	0	0	\$0	0	\$0		\$0			
	Parking	\$0	0	0	0	0	\$0	0	\$0		\$0			
	Electric Utility	\$60,740,308	103,373,768	(5,670,866)	98,457,114	3,757,024	\$63,743,120	0	\$63,743,120		\$63,743,120			
	Other Enterprise (enter fund)	\$0	0	0	0	0	\$0	0	\$0		\$0			
	Other Enterprise (enter fund)	\$0	0	0	0	0	\$0	0	\$0		\$0			
	Other Enterprise (enter fund)	\$0	0	0	0	0	\$0	0	\$0		\$0			
600	INTERNAL SERVICE FUNDS	\$2,110,614	8,931,203	0	9,246,853	(4)	\$1,794,960	0	\$1,794,960		\$1,794,960			
700	TRUST AND AGENCY FUNDS	\$0	0	0	0	0	\$0	0	\$0		\$0			
GRAND TOTAL		\$120,604,926	\$213,416,538	\$0	\$221,567,929	\$1,731,404	\$114,184,938	\$100,000	\$114,284,938	\$4,877,930	\$109,407,008			

GENERAL FUND - MUNICIPALITY

COMPARATIVE STATEMENT OF REVENUES AND EXPENDITURES	BUDGETED AMOUNTS			ACTUALS Y-T-D	ENCUMBRANCES Y-T-D	Variance With Adjusted Budget Positive (Negative)	
	Approved Budget	Budget Adjustments	Adjusted Budget			\$	%
REVENUES							
Taxes:							
Property Tax - Current Year	\$1,794,785	\$0	\$1,794,785	\$1,885,879		\$91,094	105.08%
Property Tax - Delinquent	\$0	\$0	\$0	\$0		\$0	n/a
Property Tax - Penalty & Interest	\$0	\$0	\$0	\$0		\$0	n/a
Oil and Gas - Equipment	\$1,859	\$0	\$1,859	\$2,804		\$945	150.81%
Oil and Gas - Production	\$10,458	\$0	\$10,458	\$6,269		(\$4,189)	59.94%
Franchise Fees	\$2,457,080	\$0	\$2,457,080	\$2,482,669		\$25,589	101.04%
Gross receipts - Local Option	\$10,843,748	(\$209,970)	\$10,633,778	\$10,109,541		(\$524,237)	95.07%
Gross Receipts - Infrastructure	\$2,710,937	\$19,442	\$2,730,379	\$2,586,061		(\$144,318)	94.71%
Gross Receipts - Environment	\$0	\$0	\$0	\$0		\$0	n/a
Gross Receipts - Hold Harmless	\$0	\$0	\$0	\$1,358,873		\$1,358,873	n/a
Gross Receipts - Other Dedication	\$250,000	\$0	\$250,000	\$180,247		(\$69,753)	72.10%
Intergovernmental -State Shared:							
Gross receipts	\$26,567,180	\$190,528	\$26,757,708	\$25,394,412		(\$1,363,296)	94.91%
Cigarette Tax	\$0	\$0	\$0	\$0		\$0	n/a
Gas Tax [1 cent]	\$0	\$0	\$0	\$0		\$0	n/a
Gas Tax [2 cent]	\$0	\$0	\$0	\$0		\$0	n/a
Motor Vehicle	\$260,000	\$0	\$260,000	\$272,589		\$12,589	104.84%
Grants - Federal	\$66,338	\$38,879	\$105,217	\$298,411		\$193,194	283.62%
Grants - State	\$259,000	\$79,159	\$338,159	\$400,320		\$62,161	118.38%
Grants - Local	\$574,594	\$17,670	\$592,264	\$596,652		\$4,388	100.74%
Legislative Appropriations	\$0	\$0	\$0	\$0		\$0	n/a
Small Cities Assistance	\$0	\$0	\$0	\$0		\$0	n/a
Licenses and Permits	\$620,250	\$0	\$620,250	\$605,713		(\$14,537)	97.66%
Charges for Services	\$3,181,029	\$184,000	\$3,365,029	\$3,018,701		(\$346,328)	89.71%
Fines and Forfeits	\$1,180,000	\$0	\$1,180,000	\$911,070		(\$268,930)	77.21%
Interest on Investments	\$110,000	\$0	\$110,000	\$97,179		(\$12,821)	88.34%
Miscellaneous	\$289,504	\$0	\$289,504	\$577,792		\$288,288	199.58%
TOTAL GENERAL FUND REVENUES	\$51,176,762	\$319,708	\$51,496,470	\$50,785,181		(\$711,289)	98.62%
EXPENDITURES							
Executive-Legislative	\$2,170,476	\$4,606	\$2,175,082	\$1,829,088	\$0	\$345,994	84.09%
Judicial	\$3,333,940	\$19,000	\$3,352,940	\$3,902,504	\$0	(\$549,564)	116.39%
Elections	\$27,000	\$0	\$27,000	\$25,234	\$0	\$1,766	93.46%
Finance & Administration	\$4,624,846	\$0	\$4,624,846	\$4,698,695	\$0	(\$73,849)	101.60%
Public Safety	\$27,180,610	\$98,362	\$27,278,972	\$26,942,698	\$0	\$336,274	98.77%
Highways & Streets	\$895,528	\$0	\$895,528	\$564,125	\$0	\$331,403	62.99%
Senior Citizens	\$709,750	\$0	\$709,750	\$731,928	\$0	(\$22,178)	103.12%
Sanitation	\$0	\$0	\$0	\$0	\$0	\$0	n/a
Health and Welfare	\$0	\$0	\$0	\$0	\$0	\$0	n/a
Culture and Recreation	\$14,757,716	\$0	\$14,757,716	\$14,044,398	\$0	\$713,318	95.17%
Economic Development & Housing	\$0	\$0	\$0	\$0	\$0	\$0	n/a
Airport	\$767,689	\$0	\$767,689	\$729,807	\$0	\$37,882	95.07%
Other - Miscellaneous	\$4,761,681	\$194,253	\$4,955,934	\$5,066,683	\$0	(\$110,749)	102.23%
TOTAL GENERAL FUND EXPENDITURES	\$59,229,236	\$316,221	\$59,545,457	\$58,535,160	\$0	\$1,010,297	98.30%
OTHER FINANCING SOURCES							
Transfers In	\$9,789,846	\$57,794	\$9,847,640	\$9,853,519		\$5,879	100.06%
Transfers (Out)	(\$5,569,303)	(\$2,033,289)	(\$7,602,592)	(\$7,602,592)		\$0	100.00%
TOTAL - OTHER FINANCING SOURCES	\$4,220,543	(\$1,975,495)	\$2,245,048	\$2,250,927		\$5,879	100.26%
Excess (deficiency) of revenues over expenditures				(\$5,499,052)			

SPECIAL REVENUES - MUNICIPALITY - QUARTERLY REPORT

SPECIAL REVENUES - RESOURCES	Fund	BUDGET			ACTUALS		Budget Balance	Budget Variance %
		Approved Budget	Resolutions Adj. Budget	Adjusted Budget	Year to Date Total	Encumbrances (expend line only)		
CORRECTIONS REVENUES	201							
Correction Fees	201	155,000	0	155,000	140,931		(14,069)	90.92%
Miscellaneous	201	100	0	100	180		80	180.05%
TOTAL Revenues		155,100	0	155,100	141,111		(13,989)	90.98%
EXPENDITURES	201	155,000	0	155,000	142,308	0	12,692	91.81%
OTHER FINANCING SOURCES								
Transfers In	201	0	0	0	0		0	n/a
Transfers (Out)	201	0	0	0	0		0	n/a
TOTAL - OTHER FINANCING SOURCES		0	0	0	0		0	n/a
Excess (deficiency) of revenues over expend	201				(1,197)			
ENVIRONMENTAL REVENUES	202							
GRT - Environmental	202	0	0	0	0		0	n/a
Miscellaneous	202	0	0	0	0		0	n/a
TOTAL Revenues		0	0	0	0		0	n/a
EXPENDITURES	202	0	0	0	0	0	0	n/a
OTHER FINANCING SOURCES								
Transfers In	202	0	0	0	0		0	n/a
Transfers (Out)	202	0	0	0	0		0	n/a
TOTAL - OTHER FINANCING SOURCES		0	0	0	0		0	n/a
Excess (deficiency) of revenues over expend	202				0			
EMS REVENUES	206							
State EMS Grant	206	20,000	0	20,000	20,000		0	100.00%
Miscellaneous	206	0	0	0	0		0	n/a
TOTAL Revenues		20,000	0	20,000	20,000		0	100.00%
EXPENDITURES	206	20,000	1,002	21,002	21,002	0	0	100.00%
OTHER FINANCING SOURCES								
Transfers In	206	0	0	0	0		0	n/a
Transfers (Out)	206	0	0	0	0		0	n/a
TOTAL - OTHER FINANCING SOURCES		0	0	0	0		0	n/a
Excess (deficiency) of revenues over expend	206				(1,002)			
E911 REVENUES	207							
State-E-911 Enhancement	207	0	0	0	0		0	n/a
Network & Data Base Grant	207	0	0	0	0		0	n/a
Miscellaneous	207	0	0	0	0		0	n/a
TOTAL Revenues		0	0	0	0		0	n/a
EXPENDITURES	207	0	0	0	0	0	0	n/a
OTHER FINANCING SOURCES								
Transfers In	207	0	0	0	0		0	n/a
Transfers (Out)	207	0	0	0	0		0	n/a
TOTAL - OTHER FINANCING SOURCES		0	0	0	0		0	n/a
Excess (deficiency) of revenues over expend	207				0			
FIRE PROTECTION REVENUES	209							
State - Fire Marshall Allotment	209	571,108	0	571,108	638,456		67,348	111.79%
Miscellaneous	209	3,500	280,541	284,041	304,478		20,437	107.19%
TOTAL Revenues		574,608	280,541	855,149	942,934		87,785	110.27%

SPECIAL REVENUES - MUNICIPALITY - QUARTERLY REPORT

SPECIAL REVENUES - RESOURCES	Fund	BUDGET			ACTUALS		Budget Balance	Budget Variance %
		Approved Budget	Resolutions Adj. Budget	Adjusted Budget	Year to Date Total	Encumbrances (expend line only)		
EXPENDITURES	209	291,431	420,947	712,378	679,243	0	33,135	95.35%
OTHER FINANCING SOURCES								
Transfers In	209	0	0	0	0		0	n/a
Transfers (Out)	209	(160,806)	0	(160,806)	(160,806)		0	100.00%
TOTAL - OTHER FINANCING SOURCES		(160,806)	0	(160,806)	(160,806)		0	100.00%
Excess (deficiency) of revenues over expend	209				102,885			
LAW ENFORCEMENT PROTECTION REVENUES	211							
State-Law Enforcement Protection	211	109,200	0	109,200	109,200		0	100.00%
Miscellaneous	211	1,000	0	1,000	714		(286)	71.41%
TOTAL Revenues		110,200	0	110,200	109,914		(286)	99.74%
EXPENDITURES	211	110,200	0	110,200	109,914	0	286	99.74%
OTHER FINANCING SOURCES								
Transfers In	211	0	0	0	0		0	n/a
Transfers (Out)	211	0	0	0	0		0	n/a
TOTAL - OTHER FINANCING SOURCES		0	0	0	0		0	n/a
Excess (deficiency) of revenues over expend	211				0			
LODGERS' TAX REVENUES	214							
Lodgers' Tax	214	1,200,000	132,000	1,332,000	1,331,701		(299)	99.98%
Miscellaneous	214	156,500	0	156,500	107,490		(49,010)	68.68%
TOTAL Revenues		1,356,500	132,000	1,488,500	1,439,192		(49,308)	96.69%
EXPENDITURES	214	1,355,840	132,000	1,487,840	1,342,703	0	145,137	90.25%
OTHER FINANCING SOURCES								
Transfers In	214	0	0	0	0		0	n/a
Transfers (Out)	214	0	0	0	0		0	n/a
TOTAL - OTHER FINANCING SOURCES		0	0	0	0		0	n/a
Excess (deficiency) of revenues over expend	214				96,489			
MUNICIPAL STREET REVENUES	216							
GRT - Infrastructure (1/8 cent)	216	0	0	0	0		0	n/a
GRT - Municipal	216	8,132,810	0	8,132,810	7,710,742		(422,068)	94.81%
Gasoline Tax - (1 cent / 2 cent)	216	579,470	0	579,470	534,923		(44,547)	92.31%
Motor Vehicle - Registration (all)	216	0	0	0	0		0	n/a
State Grants	216	504,000	0	504,000	504,000		0	100.00%
Federal Grants	216	0	0	0	0		0	n/a
Miscellaneous	216	60,500	0	60,500	413,720		353,220	683.84%
TOTAL Revenues		9,276,780	0	9,276,780	9,163,385		(113,395)	98.78%
EXPENDITURES	216	11,841,013	0	11,841,013	10,538,860	0	1,302,153	89.00%
OTHER FINANCING SOURCES								
Transfers In	216	0	0	0	0		0	n/a
Transfers (Out)	216	(1,086,577)	0	(1,086,577)	(1,086,577)		0	100.00%
TOTAL - OTHER FINANCING SOURCES		(1,086,577)	0	(1,086,577)	(1,086,577)		0	100.00%
Excess (deficiency) of revenues over expend	216				(2,462,052)			
RECREATION REVENUES	217							
Cigarette Tax - (1 cent)	217	0	0	0	0		0	n/a
Miscellaneous	217	0	0	0	0		0	n/a
TOTAL Revenues		0	0	0	0		0	n/a
EXPENDITURES	217	0	0	0	0	0	0	n/a

SPECIAL REVENUES - MUNICIPALITY - QUARTERLY REPORT

SPECIAL REVENUES - RESOURCES	Fund	BUDGET			ACTUALS		Budget Balance	Budget Variance %
		Approved Budget	Resolutions Adj. Budget	Adjusted Budget	Year to Date Total	Encumbrances (expend line only)		
OTHER FINANCING SOURCES								
Transfers In	217	0	0	0	0		0	n/a
Transfers (Out)	217	0	0	0	0		0	n/a
TOTAL - OTHER FINANCING SOURCES		0	0	0	0		0	n/a
Excess (deficiency) of revenues over expend	217				0			
INTERGOVERNMENTAL GRANTS REVENUES	218							
State Grants	218	0	0	0	0		0	n/a
Federal Grants	218	0	0	0	0		0	n/a
Miscellaneous	218	0	0	0	0		0	n/a
TOTAL Revenues		0	0	0	0		0	n/a
EXPENDITURES	218	0	0	0	0	0	0	n/a
OTHER FINANCING SOURCES								
Transfers In	218	0	0	0	0		0	n/a
Transfers (Out)	218	0	0	0	0		0	n/a
TOTAL - OTHER FINANCING SOURCES		0	0	0	0		0	n/a
Excess (deficiency) of revenues over expend	218				0			
SENIOR CITIZENS REVENUES	219							
State Grants	219	0	0	0	0		0	n/a
Federal Grants	219	0	0	0	0		0	n/a
Miscellaneous	219	0	0	0	0		0	n/a
TOTAL Revenues		0	0	0	0		0	n/a
EXPENDITURES	219	0	0	0	0	0	0	n/a
OTHER FINANCING SOURCES								
Transfers In	219	0	0	0	0		0	n/a
Transfers (Out)	219	0	0	0	0		0	n/a
TOTAL - OTHER FINANCING SOURCES		0	0	0	0		0	n/a
Excess (deficiency) of revenues over expend	219				0			
DWI REVENUES	223							
State - Formula Distribution (DFA)	223	0	0	0	0		0	n/a
State - Local Grant (DFA)	223	300,000	0	300,000	300,000		0	100.00%
State Other	223	0	0	0	0		0	n/a
Federal Grants	223	0	0	0	0		0	n/a
Miscellaneous	223	0	0	0	0		0	n/a
TOTAL Revenues		300,000	0	300,000	300,000		0	100.00%
EXPENDITURES	223	300,000	0	300,000	300,000	0	0	100.00%
OTHER FINANCING SOURCES								
Transfers In	223	0	0	0	0		0	n/a
Transfers (Out)	223	0	0	0	0		0	n/a
TOTAL - OTHER FINANCING SOURCES		0	0	0	0		0	n/a
Excess (deficiency) of revenues over expend	223				0			
OTHER - SPECIAL REVENUES	299							
REVENUES	299	6,742,670	493,064	7,235,734	6,060,038		(1,175,696)	83.75%
EXPENDITURES	299	6,953,478	1,181,545	8,135,023	6,631,325	0	1,503,698	81.52%
TOTAL -OTHER FINANCING SOURCES	299	545,825	44,593	590,418	590,418		0	100.00%
Excess (deficiency) of revenues over expend	299				19,131			

OTHER MISC. (FUND 299) DETAIL LIST

SPECIAL REVENUES	BUDGET			ACTUALS	Encumbrances (expend line only)	Budget Balance	Budget Variance %
	Approved Budget	Resolutions Adj. Budget	Adjusted Budget	Year to Date Total			
PARKS (202)							
REVENUES	2,779,049	0	2,779,049	2,600,178		(178,871)	93.56%
EXPENDITURES	3,161,908	220,406	3,382,314	3,191,377	0	190,937	94.35%
OTHER FINANCING SOURCES							
Transfers In	0	0	0	0		0	n/a
Transfers (Out)	0	0	0	0		0	n/a
TOTAL - OTHER FINANCING SOURCES	0	0	0	0		0	n/a
Excess (deficiency) of revenues over expenditures				(591,198)			
PARL DEVELOPMENT FEE (211)							
REVENUES	7,500	0	7,500	11,039		3,539	147.18%
EXPENDITURES	125,000	0	125,000	56,430	0	68,570	45.14%
OTHER FINANCING SOURCES							
Transfers In	0	0	0	0		0	n/a
Transfers (Out)	0	0	0	0		0	n/a
TOTAL - OTHER FINANCING SOURCES	0	0	0	0		0	n/a
Excess (deficiency) of revenues over expenditures				(45,392)			
LIBRARY (213)							
REVENUES	93,700	81,476	175,176	167,480		(7,696)	95.61%
EXPENDITURES	105,500	90,751	196,251	185,634	0	10,617	94.59%
OTHER FINANCING SOURCES							
Transfers In	0	0	0	0		0	n/a
Transfers (Out)	0	0	0	0		0	n/a
TOTAL - OTHER FINANCING SOURCES	0	0	0	0		0	n/a
Excess (deficiency) of revenues over expenditures				(18,154)			
PARK/REC GIFTS/GRANTS (214)							
REVENUES	370,407	0	370,407	149,929		(220,478)	40.48%
EXPENDITURES	402,118	0	402,118	86,787	0	315,331	21.58%
OTHER FINANCING SOURCES							
Transfers In	0	0	0	0		0	n/a
Transfers (Out)	0	0	0	0		0	n/a
TOTAL - OTHER FINANCING SOURCES	0	0	0	0		0	n/a
Excess (deficiency) of revenues over expenditures				63,142			
MUSEUM GIFTS/GRANTS (217)							
REVENUES	141,000	0	141,000	115,299		(25,701)	81.77%
EXPENDITURES	145,100	0	145,100	87,105	0	57,995	60.03%
OTHER FINANCING SOURCES							
Transfers In	0	0	0	0		0	n/a
Transfers (Out)	0	0	0	0		0	n/a
TOTAL - OTHER FINANCING SOURCES	0	0	0	0		0	n/a
Excess (deficiency) of revenues over expenditures				28,193			
RED APPLE TRANSIT (221)							
REVENUES	1,049,903	411,588	1,461,491	829,925		(631,566)	56.79%
EXPENDITURES	1,088,598	745,811	1,834,409	1,492,056	0	342,353	81.34%
OTHER FINANCING SOURCES							
Transfers In	320,264	66,593	386,857	386,857		0	100.00%
Transfers (Out)	0	0	0	0		0	n/a
TOTAL - OTHER FINANCING SOURCES	320,264	66,593	386,857	386,857		0	100.00%
Excess (deficiency) of revenues over expenditures				(275,274)			
METRO TRANSIT PLANNING (222)							
REVENUES	284,705	0	284,705	252,161		(32,544)	88.57%
EXPENDITURES	328,492	0	328,492	277,011	0	51,481	84.33%
OTHER FINANCING SOURCES							
Transfers In	46,449	0	46,449	46,449		0	100.00%
Transfers (Out)	0	0	0	0		0	n/a
TOTAL - OTHER FINANCING SOURCES	46,449	0	46,449	46,449		0	100.00%
Excess (deficiency) of revenues over expenditures				21,599			

OTHER MISC. (FUND 299) DETAIL LIST

SPECIAL REVENUES	BUDGET			ACTUALS			
	Approved Budget	Resolutions Adj. Budget	Adjusted Budget	Year to Date Total	Encumbrances (expend line only)	Budget Balance	Budget Variance %
CDBG GRANT (223)							
REVENUES	720,886	0	720,886	433,924		(286,962)	60.19%
EXPENDITURES	719,836	0	719,836	436,436	0	283,400	60.63%
OTHER FINANCING SOURCES							
Transfers In	0	0	0	0		0	n/a
Transfers (Out)	0	0	0	0		0	n/a
TOTAL - OTHER FINANCING SOURCES	0	0	0	0		0	n/a
Excess (deficiency) of revenues over expenditures				(2,513)			
CONVENTION CENTER FEE (231)							
REVENUES	600,500	0	600,500	870,431		269,931	144.95%
EXPENDITURES	0	0	0	0	0	0	n/a
OTHER FINANCING SOURCES							
Transfers In	0	0	0	0		0	n/a
Transfers (Out)	0	(22,000)	(22,000)	(22,000)		0	100.00%
TOTAL - OTHER FINANCING SOURCES	0	(22,000)	(22,000)	(22,000)		0	100.00%
Excess (deficiency) of revenues over expenditures				848,431			
REGION ii NARCOTICS GRANT (246)							
REVENUES	434,200	0	434,200	443,265		9,065	102.09%
EXPENDITURES	467,373	56,880	524,253	481,101	0	43,152	91.77%
OTHER FINANCING SOURCES							
Transfers In	30,000	0	30,000	30,000		0	100.00%
Transfers (Out)	0	0	0	0		0	n/a
TOTAL - OTHER FINANCING SOURCES	30,000	0	30,000	30,000		0	100.00%
Excess (deficiency) of revenues over expenditures				(7,836)			
COPS GRANT (248)							
REVENUES	223,667	0	223,667	124,492		(99,175)	55.66%
EXPENDITURES	372,400	0	372,400	275,445	0	96,955	73.96%
OTHER FINANCING SOURCES							
Transfers In	149,112	0	149,112	149,112		0	100.00%
Transfers (Out)	0	0	0	0		0	n/a
TOTAL - OTHER FINANCING SOURCES	149,112	0	149,112	149,112		0	100.00%
Excess (deficiency) of revenues over expenditures				(1,841)			
JAG GRANT (249)							
REVENUES	37,153	0	37,153	61,915		24,762	166.65%
EXPENDITURES	37,153	67,697	104,850	61,943	0	42,907	59.08%
OTHER FINANCING SOURCES							
Transfers In	0	0	0	0		0	n/a
Transfers (Out)	0	0	0	0		0	n/a
TOTAL - OTHER FINANCING SOURCES	0	0	0	0		0	n/a
Excess (deficiency) of revenues over expenditures				(29)			
(enter fund name here)							
REVENUES	0	0	0	0		0	n/a
EXPENDITURES	0	0	0	0	0	0	n/a
OTHER FINANCING SOURCES							
Transfers In	0	0	0	0		0	n/a
Transfers (Out)	0	0	0	0		0	n/a
TOTAL - OTHER FINANCING SOURCES	0	0	0	0		0	n/a
Excess (deficiency) of revenues over expenditures				0			
(enter fund name here)							
REVENUES	0	0	0	0		0	n/a
EXPENDITURES	0	0	0	0	0	0	n/a
OTHER FINANCING SOURCES							
Transfers In	0	0	0	0		0	n/a
Transfers (Out)	0	0	0	0		0	n/a
TOTAL - OTHER FINANCING SOURCES	0	0	0	0		0	n/a
Excess (deficiency) of revenues over expenditures				0			

OTHER MISC. (FUND 299) DETAIL LIST

SPECIAL REVENUES	BUDGET			ACTUALS			
	Approved Budget	Resolutions Adj. Budget	Adjusted Budget	Year to Date Total	Encumbrances (expend line only)	Budget Balance	Budget Variance %
(enter fund name here)							
REVENUES	0	0	0	0		0	n/a
EXPENDITURES	0	0	0	0	0	0	n/a
OTHER FINANCING SOURCES							
Transfers In	0	0	0	0		0	n/a
Transfers (Out)	0	0	0	0		0	n/a
TOTAL - OTHER FINANCING SOURCES	0	0	0	0		0	n/a
Excess (deficiency) of revenues over expenditures				0			
(enter fund name here)							
REVENUES	0	0	0	0		0	n/a
EXPENDITURES	0	0	0	0	0	0	n/a
OTHER FINANCING SOURCES							
Transfers In	0	0	0	0		0	n/a
Transfers (Out)	0	0	0	0		0	n/a
TOTAL - OTHER FINANCING SOURCES	0	0	0	0		0	n/a
Excess (deficiency) of revenues over expenditures				0			
(enter fund name here)							
REVENUES	0	0	0	0		0	n/a
EXPENDITURES	0	0	0	0	0	0	n/a
OTHER FINANCING SOURCES							
Transfers In	0	0	0	0		0	n/a
Transfers (Out)	0	0	0	0		0	n/a
TOTAL - OTHER FINANCING SOURCES	0	0	0	0		0	n/a
Excess (deficiency) of revenues over expenditures				0			
(enter fund name here)							
REVENUES	0	0	0	0		0	n/a
EXPENDITURES	0	0	0	0	0	0	n/a
OTHER FINANCING SOURCES							
Transfers In	0	0	0	0		0	n/a
Transfers (Out)	0	0	0	0		0	n/a
TOTAL - OTHER FINANCING SOURCES	0	0	0	0		0	n/a
Excess (deficiency) of revenues over expenditures				0			
(enter fund name here)							
REVENUES	0	0	0	0		0	n/a
EXPENDITURES	0	0	0	0	0	0	n/a
OTHER FINANCING SOURCES							
Transfers In	0	0	0	0		0	n/a
Transfers (Out)	0	0	0	0		0	n/a
TOTAL - OTHER FINANCING SOURCES	0	0	0	0		0	n/a
Excess (deficiency) of revenues over expenditures				0			
(enter fund name here)							
REVENUES	0	0	0	0		0	n/a
EXPENDITURES	0	0	0	0	0	0	n/a
OTHER FINANCING SOURCES							
Transfers In	0	0	0	0		0	n/a
Transfers (Out)	0	0	0	0		0	n/a
TOTAL - OTHER FINANCING SOURCES	0	0	0	0		0	n/a
Excess (deficiency) of revenues over expenditures				0			
FUND 299 SUMMARY							
Revenue - TOTAL	\$6,742,670	\$493,064	\$7,235,734	\$6,060,038		(1,175,696)	83.75%
Expenditures - TOTAL	\$6,953,478	\$1,181,545	\$8,135,023	\$6,631,325	\$0	1,503,698	81.52%
TOTAL - OTHER FINANCING SOURCES	\$545,825	\$44,593	\$590,418	\$590,418		\$0	100.00%

CAPITAL PROJECTS

COMPARATIVE STATEMENT OF REVENUES AND EXPENDITURES	BUDGETED AMOUNTS			ACTUALS Y-T-D	ENCUMBRANCES Y-T-D	Variance With Adjusted Budget		
	Approved Budget	Budget Adjustments	Adjusted Budget				Positive (Negative)	
							\$	%
REVENUES								
GRT- Dedication	\$0	\$0	\$0	\$0		\$0	n/a	
GRT- Hold Harmless	\$0	\$0	\$0	\$0		\$0	n/a	
GRT- Infrastructure	\$0	\$0	\$0	\$0		\$0	n/a	
Bond Proceeds	\$0	\$0	\$0	\$0		\$0	n/a	
State Grants	\$851,317	\$99,483	\$950,800	\$818,356		(\$132,444)	86.07%	
CDBG funding	\$0	\$0	\$0	\$0		\$0	n/a	
State Grants	\$0	\$0	\$0	\$0		\$0	n/a	
Federal Grants (other)	\$5,024,523	(\$163,301)	\$4,861,222	\$385,369		(\$4,475,853)	7.93%	
Legislative Appropriations	\$0	\$0	\$0	\$0		\$0	n/a	
Investment Income	\$28,500	\$0	\$28,500	\$48,749		\$20,249	171.05%	
Miscellaneous	\$0	\$6,000	\$6,000	\$185		(\$5,815)	3.08%	
TOTAL CAPITAL PROJECTS REVENUES	\$5,904,340	(\$57,818)	\$5,846,522	\$1,252,660		(\$4,593,862)	21.43%	
EXPENDITURES								
Parks/Recreation	\$200,000	\$30,000	\$230,000	\$0	\$0	\$230,000	0.00%	
Housing	\$0	\$0	\$0	\$0	\$0	\$0	n/a	
Equipment & Buildings	\$2,204,691	\$2,362,604	\$4,567,295	\$2,719,288	\$0	\$1,848,007	59.54%	
Facilities	\$0	\$0	\$0	\$0	\$0	\$0	n/a	
Transit	\$0	\$0	\$0	\$0	\$0	\$0	n/a	
Utilities	\$0	\$0	\$0	\$0	\$0	\$0	n/a	
Airports	\$1,745,625	(\$153,855)	\$1,591,770	\$313,401	\$0	\$1,278,369	19.69%	
Infrastructure	\$5,300,000	\$11,003	\$5,311,003	\$1,025,230	\$0	\$4,285,773	19.30%	
Debt Service Payments (P&I)-GO Bonds	\$0	\$0	\$0	\$0	\$0	\$0	n/a	
Debt Service Payments (P&I)-Rev. Bonds	\$0	\$0	\$0	\$0	\$0	\$0	n/a	
Other	\$59,980	\$352,500	\$412,480	\$167,519	\$0	\$244,961	40.61%	
TOTAL CAPITAL PROJECTS EXPENDITURES	\$9,510,296	\$2,602,252	\$12,112,548	\$4,225,437	\$0	\$7,887,111	34.88%	
OTHER FINANCING SOURCES								
Transfers In	\$4,638,192	\$2,488,696	\$7,126,888	\$7,126,888		\$0	100.00%	
Transfers (Out)	(\$3,000,000)	(\$500,000)	(\$3,500,000)	(\$3,500,000)		\$0	100.00%	
TOTAL - OTHER FINANCING SOURCES	\$1,638,192	\$1,988,696	\$3,626,888	\$3,626,888		\$0	100.00%	
Excess (deficiency) of revenues over expenditures				\$654,111				

DEBT SERVICE

COMPARATIVE STATEMENT OF REVENUES AND EXPENDITURES	BUDGETED AMOUNTS			ACTUALS Y-T-D	ENCUMBRANCES Y-T-D	Variance With Adjusted Budget		
	Approved Budget	Budget Adjustments	Adjusted Budget				Positive (Negative)	
							\$	%
GENERAL OBLIGATION BONDS [FUND 401]								
REVENUES:								
General Obligation - (Property tax)	\$0	\$0	\$0	\$0		\$0	n/a	
Investment Income	\$0	\$0	\$0	\$0		\$0	n/a	
Other - Misc	\$0	\$0	\$0	\$0		\$0	n/a	
TOTAL REVENUES	\$0	\$0	\$0	\$0		\$0	n/a	
EXPENDITURES								
General Obligation - Principal	\$0	\$0	\$0	\$0	\$0	\$0	n/a	
General Obligation - Interest	\$0	\$0	\$0	\$0	\$0	\$0	n/a	
Other Costs (Fiscal Agent Fees/Other Fees/Misc)	\$0	\$0	\$0	\$0	\$0	\$0	n/a	
TOTAL EXPENDITURES	\$0	\$0	\$0	\$0	\$0	\$0	n/a	
OTHER FINANCING SOURCES								
Transfers In	\$0	\$0	\$0	\$0		\$0	n/a	
Transfers (Out)	\$0	\$0	\$0	\$0		\$0	n/a	
TOTAL - OTHER FINANCING SOURCES	\$0	\$0	\$0	\$0		\$0	n/a	
Excess (deficiency) of revenues over expenditures [401]				\$0				
REVENUE BONDS [FUND 402]								
REVENUES:								
Bond Proceeds	\$0	\$0	\$0	\$0		\$0	n/a	
Revenue Bonds - GRT	\$0	\$0	\$0	\$0		\$0	n/a	
Investment Income	\$4,000	\$0	\$4,000	\$6,492		(\$2,492)	162.30%	
Revenue Bonds - Other	\$0	\$0	\$0	\$0		\$0	n/a	
REVENUE BOND REVENUE - TOTAL	\$4,000	\$0	\$4,000	\$6,492		(\$2,492)	162.30%	
EXPENDITURES								
Revenue Bonds - Principal	\$1,235,000	\$0	\$1,235,000	\$1,235,000	\$0	\$0	100.00%	
Revenue Bonds - Interest	\$342,463	\$0	\$342,463	\$342,463	\$0	\$1	100.00%	
Other Revenue Bond Payments	\$0	\$0	\$0	\$0	\$0	\$0	n/a	
Other Costs (Fiscal Agent Fees/Other Fees/Misc)	\$0	\$0	\$0	\$0	\$0	\$0	n/a	
TOTAL DEBT SERVICE FUND EXPENDITURES	\$1,577,463	\$0	\$1,577,463	\$1,577,463	\$0	\$1	100.00%	
OTHER FINANCING SOURCES								
Transfers In	\$1,577,463	\$0	\$1,577,463	\$1,577,464		\$1	100.00%	
Transfers (Out)	\$0	\$0	\$0	\$0		\$0	n/a	
TOTAL - OTHER FINANCING SOURCES	\$1,577,463	\$0	\$1,577,463	\$1,577,464		\$1	100.00%	
Excess (deficiency) of revenues over expenditures [402]				\$6,494				
OTHER DEBT SERVICE [FUND 403]								
REVENUES:								
Investment Income	\$0	\$0	\$0	\$0		\$0	n/a	
Loan Revenue	\$0	\$0	\$0	\$0		\$0	n/a	
OTHER DEBT SERVICE REVENUE - TOTAL	\$0	\$0	\$0	\$0		\$0	n/a	
EXPENDITURES								
NMFA Loan Payments	\$55,206	\$0	\$55,206	\$55,205	\$0	(\$1)	100.00%	
Board of Finance Loan Payments	\$0	\$0	\$0	\$0	\$0	\$0	n/a	
Other Debt Service - Misc	\$0	\$0	\$0	\$0	\$0	\$0	n/a	
TOTAL DEBT SERVICE FUND EXPENDITURES	\$55,206	\$0	\$55,206	\$55,205	\$0	(\$1)	100.00%	
OTHER FINANCING SOURCES								
Transfers In	\$55,206	\$0	\$55,206	\$55,205		(\$1)	100.00%	
Transfers (Out)	\$0	\$0	\$0	\$0		\$0	n/a	
TOTAL - OTHER FINANCING SOURCES	\$55,206	\$0	\$55,206	\$55,205		(\$1)	100.00%	
Excess (deficiency) of revenues over expenditures [403]				\$0				

ENTERPRISE FUNDS

COMPARATIVE STATEMENT OF REVENUES AND EXPENDITURES	BUDGETED AMOUNTS			ACTUALS Y-T-D	ENCUMBRAN CES Y-T-D	Variance With Adjusted Budget Positive (Negative)	
	Approved Budget	Budget Adjustments	Adjusted Budget			\$	%
REVENUES							
Water Fund							
Charges for Services	\$15,592,881	\$0	\$15,592,881	\$15,965,847		\$372,966	102.39%
Interest on Investments	\$75,000	\$0	\$75,000	\$130,330		\$55,330	173.77%
Gross Receipts - dedicated	\$0	\$0	\$0	\$0		\$0	n/a
Grants - Federal	\$0	\$0	\$0	\$0		\$0	n/a
Grants - State	\$0	\$0	\$0	\$0		\$0	n/a
Legislative Appropriation	\$0	\$0	\$0	\$0		\$0	n/a
Other	\$0	\$0	\$0	\$68,713		\$68,713	n/a
TOTAL REVENUES - Water Fund	\$15,667,881	\$0	\$15,667,881	\$16,164,889		\$497,008	103.17%
EXPENDITURES							
Water Fund	\$19,739,838	\$0	\$19,739,838	\$14,776,463	\$0	\$4,963,375	74.86%
OTHER FINANCING SOURCES							
Transfers In	\$0	\$0	\$0	\$0		\$0	n/a
Transfers (Out)	(\$779,000)	(\$8,256)	(\$787,256)	(\$802,056)		(\$14,800)	101.88%
TOTAL-OTHER FINANCING SOURCES	(\$779,000)	(\$8,256)	(\$787,256)	(\$802,056)		(\$14,800)	101.88%
Excess (deficiency) of revenues over expenditures				\$586,370			
REVENUES							
Solid Waste							
Charges for Services	\$5,919,652	\$0	\$5,919,652	\$5,526,257		(\$393,395)	93.35%
Interest on Investments	\$15,000	\$0	\$15,000	\$22,676		\$7,676	151.17%
Gross Receipts - dedicated	\$0	\$0	\$0	\$0		\$0	n/a
Grants - Federal	\$0	\$0	\$0	\$0		\$0	n/a
Grants - State	\$0	\$0	\$0	\$0		\$0	n/a
Legislative Appropriation	\$0	\$0	\$0	\$0		\$0	n/a
Other	\$96,500	\$0	\$96,500	\$111,944		\$15,444	116.00%
TOTAL REVENUES - Solid Waste Fund	\$6,031,152	\$0	\$6,031,152	\$5,660,877		(\$370,275)	93.86%
EXPENDITURES							
Solid Waste	\$5,998,732	\$140,000	\$6,138,732	\$5,556,656	\$0	\$582,076	90.52%
OTHER FINANCING SOURCES							
Transfers In	\$0	\$0	\$0	\$0		\$0	n/a
Transfers (Out)	\$0	\$0	\$0	\$0		\$0	n/a
TOTAL-OTHER FINANCING SOURCES	\$0	\$0	\$0	\$0		\$0	n/a
Excess (deficiency) of revenues over expenditures				\$104,221			
REVENUES							
Waste Water							
Charges for Services	\$7,555,053	\$0	\$7,555,053	\$7,502,001		(\$53,052)	99.30%
Interest on Investments	\$55,000	\$0	\$55,000	\$77,215		\$22,215	140.39%
Gross Receipts - dedicated	\$1,355,468	\$0	\$1,355,468	\$1,285,048		(\$70,420)	94.80%
Grants - Federal	\$0	\$0	\$0	\$0		\$0	n/a
Grants - State	\$0	\$0	\$0	\$0		\$0	n/a
Legislative Appropriation	\$0	\$0	\$0	\$0		\$0	n/a
Other	\$4,002,000	\$0	\$4,002,000	\$200,629		(\$3,801,371)	5.01%
TOTAL REVENUES - Waste Water Fund	\$12,967,521	\$0	\$12,967,521	\$9,064,894		(\$3,902,627)	69.90%
EXPENDITURES							
Waste Water	\$15,194,579	\$0	\$15,194,579	\$9,372,224	\$0	\$5,822,355	61.68%
OTHER FINANCING SOURCES							
Transfers In	\$0	\$0	\$0	\$0		\$0	n/a
Transfers (Out)	(\$381,262)	(\$8,256)	(\$389,518)	(\$380,596)		\$8,922	97.71%
TOTAL-OTHER FINANCING SOURCES	(\$381,262)	(\$8,256)	(\$389,518)	(\$380,596)		\$8,922	97.71%
Excess (deficiency) of revenues over expenditures				(\$687,927)			

ENTERPRISE FUNDS

COMPARATIVE STATEMENT OF REVENUES AND EXPENDITURES	BUDGETED AMOUNTS			ACTUALS Y-T-D	ENCUMBRAN CES Y-T-D	Variance With Adjusted Budget Positive (Negative)	
	Approved Budget	Budget Adjustments	Adjusted Budget			\$	%
REVENUES							
Airport							
Charges for Services	\$0	\$0	\$0	\$0		\$0	n/a
Interest on Investments	\$0	\$0	\$0	\$0		\$0	n/a
Gross Receipts - dedicated	\$0	\$0	\$0	\$0		\$0	n/a
Grants - Federal	\$0	\$0	\$0	\$0		\$0	n/a
Grants - State	\$0	\$0	\$0	\$0		\$0	n/a
Legislative Appropriation	\$0	\$0	\$0	\$0		\$0	n/a
Other	\$0	\$0	\$0	\$0		\$0	n/a
TOTAL REVENUES - Airport Fund	\$0	\$0	\$0	\$0		\$0	n/a
EXPENDITURES							
Airport	\$0	\$0	\$0	\$0	\$0	\$0	n/a
OTHER FINANCING SOURCES							
Transfers In	\$0	\$0	\$0	\$0		\$0	n/a
Transfers (Out)	\$0	\$0	\$0	\$0		\$0	n/a
TOTAL-OTHER FINANCING SOURCES	\$0	\$0	\$0	\$0		\$0	n/a
Excess (deficiency) of revenues over expenditures				\$0			
REVENUES							
Ambulance							
Charges for Services	\$0	\$0	\$0	\$0		\$0	n/a
Interest on Investments	\$0	\$0	\$0	\$0		\$0	n/a
Gross Receipts - dedicated	\$0	\$0	\$0	\$0		\$0	n/a
Grants - Federal	\$0	\$0	\$0	\$0		\$0	n/a
Grants - State	\$0	\$0	\$0	\$0		\$0	n/a
Legislative Appropriation	\$0	\$0	\$0	\$0		\$0	n/a
Other	\$0	\$0	\$0	\$0		\$0	n/a
TOTAL REVENUES - Ambulance Fund	\$0	\$0	\$0	\$0		\$0	n/a
EXPENDITURES							
Ambulance	\$0	\$0	\$0	\$0	\$0	\$0	n/a
OTHER FINANCING SOURCES							
Transfers In	\$0	\$0	\$0	\$0		\$0	n/a
Transfers (Out)	\$0	\$0	\$0	\$0		\$0	n/a
TOTAL-OTHER FINANCING SOURCES	\$0	\$0	\$0	\$0		\$0	n/a
Excess (deficiency) of revenues over expenditures				\$0			
REVENUES							
Cemetery							
Charges for Services	\$0	\$0	\$0	\$0		\$0	n/a
Interest on Investments	\$0	\$0	\$0	\$0		\$0	n/a
Gross Receipts - dedicated	\$0	\$0	\$0	\$0		\$0	n/a
Grants - Federal	\$0	\$0	\$0	\$0		\$0	n/a
Grants - State	\$0	\$0	\$0	\$0		\$0	n/a
Legislative Appropriation	\$0	\$0	\$0	\$0		\$0	n/a
Other	\$0	\$0	\$0	\$0		\$0	n/a
TOTAL REVENUES - Cemetery Fund	\$0	\$0	\$0	\$0		\$0	n/a
EXPENDITURES							
Cemetery	\$0	\$0	\$0	\$0	\$0	\$0	n/a
OTHER FINANCING SOURCES							
Transfers In	\$0	\$0	\$0	\$0		\$0	n/a
Transfers (Out)	\$0	\$0	\$0	\$0		\$0	n/a
TOTAL-OTHER FINANCING SOURCES	\$0	\$0	\$0	\$0		\$0	n/a
Excess (deficiency) of revenues over expenditures				\$0			

ENTERPRISE FUNDS

COMPARATIVE STATEMENT OF REVENUES AND EXPENDITURES	BUDGETED AMOUNTS			ACTUALS Y-T-D	ENCUMBRANCES Y-T-D	Variance With Adjusted Budget	
	Approved Budget	Budget Adjustments	Adjusted Budget			\$	%
REVENUES							
Housing							
Charges for Services	\$0	\$0	\$0	\$0		\$0	n/a
Interest on Investments	\$0	\$0	\$0	\$0		\$0	n/a
Gross Receipts - dedicated	\$0	\$0	\$0	\$0		\$0	n/a
Grants - Federal	\$0	\$0	\$0	\$0		\$0	n/a
Grants - State	\$0	\$0	\$0	\$0		\$0	n/a
Legislative Appropriation	\$0	\$0	\$0	\$0		\$0	n/a
Other	\$0	\$0	\$0	\$0		\$0	n/a
TOTAL REVENUES - Housing Fund	\$0	\$0	\$0	\$0		\$0	n/a
EXPENDITURES							
Housing	\$0	\$0	\$0	\$0	\$0	\$0	n/a
OTHER FINANCING SOURCES							
Transfers In	\$0	\$0	\$0	\$0		\$0	n/a
Transfers (Out)	\$0	\$0	\$0	\$0		\$0	n/a
TOTAL-OTHER FINANCING SOURCES	\$0	\$0	\$0	\$0		\$0	n/a
Excess (deficiency) of revenues over expenditures				\$0			
REVENUES							
Parking Facilities							
Charges for Services	\$0	\$0	\$0	\$0		\$0	n/a
Interest on Investments	\$0	\$0	\$0	\$0		\$0	n/a
Gross Receipts - dedicated	\$0	\$0	\$0	\$0		\$0	n/a
Grants - Federal	\$0	\$0	\$0	\$0		\$0	n/a
Grants - State	\$0	\$0	\$0	\$0		\$0	n/a
Legislative Appropriation	\$0	\$0	\$0	\$0		\$0	n/a
Other	\$0	\$0	\$0	\$0		\$0	n/a
TOTAL REVENUES - Parking Facilities	\$0	\$0	\$0	\$0		\$0	n/a
EXPENDITURES							
Parking Facilities	\$0	\$0	\$0	\$0	\$0	\$0	n/a
OTHER FINANCING SOURCES							
Transfers In	\$0	\$0	\$0	\$0		\$0	n/a
Transfers (Out)	\$0	\$0	\$0	\$0		\$0	n/a
TOTAL-OTHER FINANCING SOURCES	\$0	\$0	\$0	\$0		\$0	n/a
Excess (deficiency) of revenues over expenditures				\$0			
REVENUES							
Electric Utility							
Charges for Services	\$104,774,265	\$0	\$104,774,265	\$101,841,408		(\$2,932,857)	97.20%
Interest on Investments	\$400,000	\$0	\$400,000	\$528,500		\$128,500	132.12%
Gross Receipts - dedicated	\$0	\$0	\$0	\$0		\$0	n/a
Grants - Federal	\$0	\$0	\$0	\$0		\$0	n/a
Grants - State	\$0	\$0	\$0	\$0		\$0	n/a
Legislative Appropriation	\$0	\$0	\$0	\$0		\$0	n/a
Other	\$665,668	\$0	\$665,668	\$1,003,860		\$338,192	150.80%
TOTAL REV. - Other Enterprise Fund	\$105,839,933	\$0	\$105,839,933	\$103,373,768		(\$2,466,165)	97.67%
EXPENDITURES							
Other Enterprise Fund	\$107,704,094	\$0	\$107,704,094	\$98,457,114	\$0	\$9,246,980	91.41%
OTHER FINANCING SOURCES							
Transfers In	\$0	\$16,512	\$16,512	\$16,512		\$0	100.00%
Transfers (Out)	(\$5,629,584)	(\$57,794)	(\$5,687,378)	(\$5,687,378)		\$0	100.00%
TOTAL-OTHER FINANCING SOURCES	(\$5,629,584)	(\$41,282)	(\$5,670,866)	(\$5,670,866)		\$0	100.00%
Excess (deficiency) of revenues over expenditures				(\$754,211)			

ENTERPRISE FUNDS

COMPARATIVE STATEMENT OF REVENUES AND EXPENDITURES	BUDGETED AMOUNTS			ACTUALS Y-T-D	ENCUMBRANCES Y-T-D	Variance With Adjusted Budget	
	Approved Budget	Budget Adjustments	Adjusted Budget			Positive (Negative)	
						\$	%
REVENUES							
Other Enterprise (enter fund name)							
Charges for Services	\$0	\$0	\$0	\$0		\$0	n/a
Interest on Investments	\$0	\$0	\$0	\$0		\$0	n/a
Gross Receipts - dedicated	\$0	\$0	\$0	\$0		\$0	n/a
Grants - Federal	\$0	\$0	\$0	\$0		\$0	n/a
Grants - State	\$0	\$0	\$0	\$0		\$0	n/a
Legislative Appropriation	\$0	\$0	\$0	\$0		\$0	n/a
Other	\$0	\$0	\$0	\$0		\$0	n/a
TOTAL REV. - Other Enterprise Fund	\$0	\$0	\$0	\$0		\$0	n/a
EXPENDITURES							
Other Enterprise Fund	\$0	\$0	\$0	\$0	\$0	\$0	n/a
OTHER FINANCING SOURCES							
Transfers In	\$0	\$0	\$0	\$0		\$0	n/a
Transfers (Out)	\$0	\$0	\$0	\$0		\$0	n/a
TOTAL-OTHER FINANCING SOURCES	\$0	\$0	\$0	\$0		\$0	n/a
Excess (deficiency) of revenues over expenditures				\$0			
REVENUES							
Other Enterprise (enter fund name)							
Charges for Services	\$0	\$0	\$0	\$0		\$0	n/a
Interest on Investments	\$0	\$0	\$0	\$0		\$0	n/a
Gross Receipts - dedicated	\$0	\$0	\$0	\$0		\$0	n/a
Grants - Federal	\$0	\$0	\$0	\$0		\$0	n/a
Grants - State	\$0	\$0	\$0	\$0		\$0	n/a
Legislative Appropriation	\$0	\$0	\$0	\$0		\$0	n/a
Other	\$0	\$0	\$0	\$0		\$0	n/a
TOTAL REV. - Other Enterprise Fund	\$0	\$0	\$0	\$0		\$0	n/a
EXPENDITURES							
Other Enterprise Fund	\$0	\$0	\$0	\$0	\$0	\$0	n/a
OTHER FINANCING SOURCES							
Transfers In	\$0	\$0	\$0	\$0		\$0	n/a
Transfers (Out)	\$0	\$0	\$0	\$0		\$0	n/a
TOTAL-OTHER FINANCING SOURCES	\$0	\$0	\$0	\$0		\$0	n/a
Excess (deficiency) of revenues over expenditures				\$0			

INTERNAL SERVICE / TRUST & AGENCY FUNDS

COMPARATIVE STATEMENT OF REVENUES AND EXPENDITURES	BUDGETED AMOUNTS			ACTUALS Y-T-D	ENCUMBRANCES Y-T-D	Variance With Adjusted Budget Positive (Negative)	
	Approved Budget	Budget Adjustments	Adjusted Budget			\$	%
INTERNAL SERVICE FUNDS [600]							
REVENUES							
Charges for Services	\$8,777,499	\$170,134	\$8,947,633	\$8,911,331		(\$36,302)	99.59%
Interest on Investments	\$4,000	\$15,866	\$19,866	\$19,866		(\$0)	100.00%
Miscellaneous revenues	\$0	\$0	\$0	\$6		\$6	n/a
TOTAL REVENUES	\$8,781,499	\$186,000	\$8,967,499	\$8,931,203		(\$36,296)	99.60%
EXPENDITURES							
Operating Expenditures	\$8,823,313	\$1,093,049	\$9,916,362	\$9,246,853	\$0	\$669,509	93.25%
Miscellaneous	\$0	\$0	\$0	\$0	\$0	\$0	n/a
TOTAL EXPENDITURES	\$8,823,313	\$1,093,049	\$9,916,362	\$9,246,853	\$0	\$669,509	#REF!
OTHER FINANCING SOURCES							
Transfers In	\$0	\$0	\$0	\$0		\$0	n/a
Transfers (Out)	\$0	\$0	\$0	\$0		\$0	n/a
TOTAL - OTHER FINANCING SOURCES	\$0	\$0	\$0	\$0		\$0	n/a
Excess (deficiency) of revenues over expenditures				(\$315,650)			
TRUST AND AGENCY FUNDS [700]							
REVENUES							
Investments	\$0	\$0	\$0	\$0		\$0	n/a
Interest on Investments	\$0	\$0	\$0	\$0		\$0	n/a
Tax Revenues	\$0	\$0	\$0	\$0		\$0	n/a
Miscellaneous revenues	\$0	\$0	\$0	\$0		\$0	n/a
TOTAL REVENUES	\$0	\$0	\$0	\$0		\$0	n/a
EXPENDITURES							
General Government/Benefits	\$0	\$0	\$0	\$0	\$0	\$0	n/a
Capital Outlay	\$0	\$0	\$0	\$0	\$0	\$0	n/a
Debt Service	\$0	\$0	\$0	\$0	\$0	\$0	n/a
Miscellaneous	\$0	\$0	\$0	\$0	\$0	\$0	n/a
TOTAL EXPENDITURES	\$0	\$0	\$0	\$0	\$0	\$0	n/a
OTHER FINANCING SOURCES							
Transfers In	\$0	\$0	\$0	\$0		\$0	n/a
Transfers (Out)	\$0	\$0	\$0	\$0		\$0	n/a
TOTAL - OTHER FINANCING SOURCES	\$0	\$0	\$0	\$0		\$0	n/a
Excess (deficiency) of revenues over expenditures				\$0			

RESOLUTION NO. 2016-1601

A RESOLUTION ADOPTING AN INFRASTRUCTURE CAPITAL IMPROVEMENT
PLAN (ICIP)

WHEREAS, the City Council of the City of Farmington recognizes that the financing of public capital projects has become a major concern in New Mexico and nationally; and

WHEREAS, in times of scarce resources, it is necessary to find new financing mechanisms and maximize the use of existing resources; and

WHEREAS, systematic capital improvements planning is an effective tool for communities to define their development needs, establish priorities and pursue concrete actions and strategies to achieve necessary project development; and

WHEREAS, this process contributes to local and regional efforts in project identification and selection in short and long range capital planning efforts.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Farmington that:

1. The City Council of the City of Farmington has adopted the attached 2018-2022 Infrastructure Capital Improvement Plan, and
2. It is intended that the Plan be a working document and is the first of many steps toward improving rational, long-range capital planning and budgeting for New Mexico's infrastructure.
3. This Resolution supersedes Resolution No. 2015-1567

PASSED, SIGNED, APPROVED AND ADOPTED this 16th day of August, 2016.

Tommy Roberts, Mayor

SEAL

ATTEST:

Dianne Smylie, City Clerk

The City of Farmington
ICIP Project Listing for FY2018-2022
FY2017

Priority #	Top Seven (7) Projects	Listed in Order of Priority
1	Villa View Detention Pond	\$ 1,150,000
	<p>These improvements will consist of the construction of a detention pond on vacant school property at Country Club Elementary and additional pipe and inlet infrastructure to capture and direct water to the detention pond. In addition, the purchase of a vacant lot in the upper system will be used as a catchment basin for a lower release of flow rate to Tarry Terrace. Storm drain infrastructure will also be provided at Main Street (NM 516) and Villa View Drive. This construction addresses storm drainage improvements near Villa View Drive for capture and control of storm water that has historically resulted in major flooding at the intersection of Villa View Drive and Main Street, along Rancho De Animas, Villa View Drive from Main Street to Tarry Terrace, and Hill n' Dale.</p>	
2	Zone 2P Waterline	\$ 6,460,000
	<p>This improvement to the aging water infrastructure is one of many phased improvements to the City of Farmington Waterline system.</p>	
3	Widening Foothills (Rinconada-Lakewood) with Bike Paths and Waterline	\$ 2,150,000
	<p>This project includes resurfacing the roadway, adding on street bike lanes and a separated multi-use path on the east side. Drainage issues are mitigated. Traffic Calming features include a roundabout at Lakewood, medians at Johnson Terrace, wider striping and narrower lanes. Design is complete, right of way acquisition is pending NMDOT approval of proposed takes.</p>	
4	Downtown Farmington Revitalization - Complete Streets Phase I	\$ 5,000,000
	<p>The City of Farmington is committed to revitalizing Downtown Farmington. This first phase combines the execution of both infrastructure improvements and aesthetic changes (i.e. repainting of lanes, sidewalk improvements, etc.) that work to prepare for the full transition to the Complete Streets concept. Complete Streets transforms streets by addressing all modes of transportation (pedestrian, bicycles, and vehicles, etc.) and drawing residents and new businesses to the area to promote economic development.</p>	
5	Pinon Hills Bridge & Extension	\$ 18,405,000
	<p>The extension of Pinon Hills Boulevard (PHB) East from NM Highway 516 South to County Road 3000 will provide a key transportation link between northeast Farmington and the rapidly-growing Crouch Mesa area. The bridge and PHB extension will significantly reduce traffic congestion on Browning Parkway.</p>	
6	River Trail and Walking Bridges	\$ 2,800,000
	<p>The trail system would connect East Farmington and West Farmington along the Animas River. The bridges provide north and south connectivity to the community and sets the framework to build the trail systems to specific destinations in the community. The trail provides alternative transportation routes in the community as well as encourages walking, running and social events along the river. This would complete all four phases of the trail.</p>	
7	20th Street Project Phase III	\$ 867,300
	<p>This third phase of 20th Street is a one mile section from Sullivan Avenue to Dustin Avenue. The funding will allow the continuation of improving pedestrian facilities to current ADA standards which are under construction on the north side of 20th Street from Clayton Avenue to Sullivan Avenue. This project will be Phase III. There are four signalized traffic intersections along the 20th Street corridor from Sullivan Avenue to Dustin Avenue that will be upgraded to provide full ADA access.</p> <p>Some portions of 20th Street are without sidewalk where lots are undeveloped or do not have a definable pedestrian walking area. The majority of the sidewalk along 20th Street is 3-4 foot wide with various obstructions like power poles, fire hydrants, etc. The accessibility ramps that were installed in 1990 do not meet current ADA and PROWAG requirements. We propose to install 5' sidewalks the entire length of the project and replace all non-compliant accessibility ramps. A minimum of 4 feet clearance will be created where there are obstructions along the sidewalk to insure wheelchair accessibility through the corridor. Bike paths and curb separated sidewalks will be provided where right of way is available. The continuation of the sidewalk and bike path will provide an essential multi-modal connectivity along the corridor.</p>	

ORDINANCE NO. 2016-XXXX

AN ORDINANCE REVISING CERTAIN SECTIONS OF THE FARMINGTON CITY CODE PROVIDING FOR CLARIFICATION AND ADDITIONS TO PROVISIONS IN CHAPTER 8, ARTICLE 13 DEALING WITH FOOD CATERING/VENDING WAGONS AND TRUCKS

WHEREAS, several sections of the City Code are in need of clarification to better serve the methods and procedures of enforcement in dealing with food catering/vending wagons and trucks; and

WHEREAS, the City Council finds it necessary to amend certain provisions of the Farmington City Code to allow a clearer interpretation of the Code and to benefit the public and compliance officers by providing clarity to these sections.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF FARMINGTON:

Section One: Article 13 of Chapter 8, Food Catering/Vending Wagons and Trucks be repealed and replaced with the following:

Article 13. Mobile Food Units

Sec. 8-13-1. - Definitions.

- (a) *Mobile Food Unit.* Any wagon, truck, push cart or vehicle self-propelled or otherwise movable from place to place from which any person sells, offers for sale beverages, food or any food product for human consumption. A mobile food unit may be as complex as a full commercial kitchen on wheels or as simple as a push cart and includes any activity involved with food preparation or sales.
- (b) *Common ownership.* The ownership by a single person of at least 25 percent of the outstanding equity in more than one licensed mobile food unit.
- (c) *Food.* Any articles sold for human consumption not prohibited by law.
- (d) *Person.* Any individual, estate, trust, receiver, cooperative association, association, club, corporation, company, firm, partnership, joint venture, syndicate or other entity.

Sec. 8-13-2. - Business license, display and renewal.

Each mobile food unit must obtain a business license and pay the applicable license fee imposed by section 8-3-7(10) of the Farmington City Code. The business license must display on its face the vehicle identification number (VIN) and the license plate number of the mobile food unit that is being licensed, if applicable. Business license(s) must be renewed each January 1. The business license must be displayed at all times in the mobile food unit in a prominent and conspicuous manner. Business licenses are not transferrable from vehicle to vehicle.

Sec. 8-13.3. - Compliance.

All persons operating a mobile food unit must comply with the following guidelines:

- (1) Obtain the proper business license(s) for each mobile food unit as provided in section 8-13-2.
- (2) Each mobile food unit shall be approved by the New Mexico Environment Department and shall display appropriate evidence of the most current approval.
- (3) Proper trash facilities and receptacles shall be provided to patrons pursuant to sections 23-1-9 and 12-2-27 of the Farmington City Code.
- (4) A special events license must be obtained by the owner of a business hiring a mobile food unit to be upon its premises if food is dispensed therefrom.
- (5) The cab must be attached to the mobile food unit, if applicable, while in business on a public street or public parking lot.
- (6) A business establishment which is not a mobile food unit will not be licensed under this article.

- (7) Prior approval from the city parks and recreation department is needed to conduct any business in a city park or city parking lot at a park or other City-owned recreational facility and shall be subject to such conditions and restrictions as may be deemed appropriate by the department.
- (8) Common ownership, as defined in section 8-13-1(b) must be disclosed at the time the license is issued.
- (9) Mobile food units are permitted to operate on private property in non-residential zones provided that written permission from the property owner for use of the site is provided to the city clerk and the community development department grants approval of the site plan.
- (10) Mobile foods units are prohibited from operating on private property in residential zones.

Sec. 8-13-4. - Restrictions.

- (a) Business shall be restricted to the sale of food and beverage.
- (b) Mobile food units cannot exceed a length of 40 feet and a width of eight feet, not including the cab.
- (c) Mobile food units must be mobile and be removed from the street or from the location where food is sold during those hours when not open for business unless the property is fenced and the mobile food unit is secure overnight.
- (d) Mobile food units shall not be parked within 100 feet of flammable fuels.
- (e) Mobile food units shall not sell any food from any vehicle within 200 feet of any school ground between the hours of 7:00 a.m. and 4:30 p.m. on any day while school or school activities are in session, unless specifically requested by the school.
- (f) It shall be unlawful for any person to operate a mobile food unit while stopped between the curb lines of any public street without the motor vehicle's hazard lights being in operation and without taking all other reasonable precautions to ensure the safety of patrons.
- (g) No mobile food unit shall be stored, parked or left overnight on any street or sidewalk or parked other than in a lawful parking place, in conformance with city and state parking regulations.
- (h) No mobile food unit shall sound or permit the sounding of any device which produces a loud or raucous noise or use or operate any loudspeaker, public address system, radio, sound amplifier or similar device to attract the attention to [of] the public. This section shall not be construed to prohibit bells, chimes or unamplified musical instruments if in compliance with all other applicable provisions of City Code including, but not limited to, Chapter 12, Article 5 (noise).
- (i) No vendor vending from a mobile food unit shall conduct business in such a way as would restrict or interfere with the ingress or egress of the abutting property owner or tenant or create or become a public nuisance, increase traffic congestion or delay or constitute a hazard to traffic, life or property or an obstruction to adequate access to fire, police or sanitation vehicles.
- (j) No vendor shall stop, stand or park a mobile food unit upon any street or permit it to remain there except on the roadway at the curb for the purpose of completing pending vending transactions therefrom.

Sec. 8-13-5. - Revocation of license.

- (a) Should the owner or any employee of the mobile food unit be convicted of a crime (felony or misdemeanor) arising while in the conduct of the licensee's business, the city clerk has the authority to permanently revoke the business license or licenses on all vehicles licensed to that person or in which that person has common ownership interest as the same is defined in subsection 8-13-1(b).
- (b) Should the owner or any employee of the mobile food unit violate any provision of this article, a criminal citation may be issued in addition to the business license or licenses being permanently revoked on all vehicles licensed to that person or common owner and will not be renewed.

- (c) Licenses may be revoked by the action of the city clerk, after appropriate notice and opportunity for hearing. The decision of the city clerk to revoke a license may be appealed to the city council by delivering written notice of appeal to the city clerk within ten days of the clerk's decision revoking the license. An appeal shall be considered at its next regular meeting following delivery of notice of appeal.

PASSED, SIGNED, APPROVED AND ADOPTED this 13th day of September, 2016.

Tommy Roberts, Mayor

SEAL

ATTEST:

Dianne Smylie, City Clerk

ARTICLE 13. – ~~FOOD CATERING/VENDING WAGONS AND TRUCKS~~ MOBILE FOOD UNITS

Sec. 8-13-1. – Definitions.

- (a) ~~Catering/Vending wagon and truck.~~ The motor vehicle in compliance with this article that is used for food vending. **Mobile Food Unit.** Any wagon, truck, push cart or vehicle self-propelled or otherwise movable from place to place from which any person sells, offers for sale beverages, food or any food product for human consumption. A mobile food unit may be as complex as a full commercial kitchen on wheels or as simple as a push cart and includes any activity involved with food preparation or sales.
- (b) *Common ownership.* The ownership by a single person of at least 25 percent of the outstanding equity in more than one licensed **mobile food unit** ~~food catering/vending wagon or truck or licensed in the name of the spouse or child of the owner of another licensed vehicle.~~
- (c) *Food.* Any articles sold for human consumption, ~~the sale of which from a catering/vending wagons or truck is not prohibited by law.~~
- (d) *Person.* Any individual, estate, trust, receiver, cooperative association, association, club, corporation, company, firm, partnership, joint venture, syndicate or other entity.

(Ord. No. 98-1076 § 1, 6-9-98)

Sec. 8-13-2. – Business license, display and renewal.

~~Each vehicle used as a food catering/vending wagon or truck~~ **mobile food unit** must obtain a business license and pay the applicable license fee imposed by section ~~8-13-6~~ **8-3-7(10)** of the Farmington City Code. The business license must display on its face the vehicle identification number (VIN) and the license plate number of the ~~food catering/vending wagon or truck~~ **mobile food unit** that is being licensed, **if applicable.** ~~No license for a food catering/vending wagon or truck will be issued if the vehicle identification number and the license plate number are not provided.~~ Business license(s) must be renewed each January 1. The business license must be displayed at all times in the ~~vehicle~~ **mobile food unit** in a prominent and conspicuous manner. Business licenses are not transferrable from vehicle to vehicle.

(Ord. No. 98-1076, § 1, 6-9-98)

Sec. 8-13.3. – Compliance.

All persons operating a ~~food catering/vending wagon or truck~~ **business mobile food unit** must comply with the following guidelines:

- (1) Obtain the proper business license(s) for each ~~food catering/vending wagon or truck~~ **mobile food unit** as provided in section 8-13-2 and ~~8-13-6~~.
- (2) Each ~~food catering/vending wagon or truck~~ **mobile food unit** shall be approved by the New Mexico Environmental Improvement Agency **Department** and each shall display appropriate evidence of the most current approval.
- (3) ~~All food catering/vending wagons and trucks having equipment for the preparation of food shall be inspected and approved by the city fire department annually and shall display evidence of such approval.~~
- (4) Proper trash facilities and receptacles shall be provided to patrons pursuant to sections 23-1-9 and 12-2-27 of the Farmington City Code.

- (54) A special events license must be obtained by the owner of a business hiring a food catering/vending wagon or truck **mobile food unit** to be upon its premises if ~~the cab is to be detached from the vehicle and~~ food is dispensed therefrom.
- (65) The cab must be attached to the food catering/vending wagon or truck **mobile food unit, if applicable**, while in business on a public street or public parking lot.
- (76) A business establishment which is not a ~~motor vehicle or trailer~~ **mobile food unit** will not be licensed under this article.
- (87) Prior approval ~~of~~ **from** the city parks and recreation department is needed to conduct any business in a city park or city parking lot at a park or other **City-owned** recreational facility and shall be subject to such conditions and restrictions as may be deemed appropriate by the department.
- ~~(9) Prior approval from the city civic center is needed to conduct business at the civic center.~~
- (108) Common ownership, as defined in ~~subtion~~ **section** 8-13-1(b) must be disclosed at the time the license is issued.
- (119) **Mobile food units are permitted to operate on private property in non-residential zones provided that written permission from the property owner for use of the site is provided to the city clerk and the community development department grants approval of the site plan.**
- (1210) **Mobile foods units are prohibited from operating on private property in residential zones.**

(Ord. No. 98-1076, § 1, 6-9-98)

Sec. 8-13-4. – Restrictions.

- (a) Business shall be restricted to the sale of food and beverage.
- (b) ~~Food catering/vending wagons and trucks~~ **Mobile food units** cannot exceed a length of 40 feet and a width of eight feet, not including the cab.
- (c) ~~Food catering/vending wagons and trucks~~ **Mobile food units** must be mobile and be removed from the street or from the location where food is sold during those hours when not open for business **unless the property is fenced and the mobile food unit is secure overnight.**
- (d) ~~Food catering/vending wagons and trucks~~ **Mobile food units** shall not be parked within 100 feet of flammable fuels.
- (e) ~~Food catering/vending wagons and trucks~~ **Mobile food units** shall not sell any food from any vehicle within 200 feet of any school ground between the hours of 7:00 a.m. and 4:30 p.m. on any day while school or school activities are in session, **unless specifically requested by the school.**
- (f) ~~It shall be unlawful for any person to operate a food vending wagon or truck mobile food unit after sunset and before sunrise without having obtained a special events license from the city clerk. Such permit shall only be granted for catering purposes and at the request of the sponsoring business.~~
- (g) It shall be unlawful for any person to operate a ~~food catering/vending wagon or truck~~ **mobile food unit** while stopped between the curb lines of any public street without the motor vehicle's hazard lights being in operation and without taking all other reasonable precautions to ensure the safety of patrons.

- (h) No ~~food catering/vending wagon or truck~~ **mobile food unit** shall be stored, parked or left overnight on any street or sidewalk or parked other than in a lawful parking place, in conformance with city and state parking regulations.
- (i) No ~~food catering/vending wagon or truck~~ **mobile food unit** shall sound or permit the sounding of any device which produces a loud or raucous noise or use or operate any loudspeaker, public address system, radio, sound amplifier or similar device to attract the attention to [of] the public. This section shall not be construed to prohibit bells, chimes or unamplified musical instruments if in compliance with all other applicable provisions of City Code including, but not limited to, **Chapter 12**, Article 5 (noise control).
- (j) No vendor vending from a ~~food catering/vending wagon or truck~~ **mobile food unit** shall conduct business in such a way as would restrict or interfere with the ingress or egress of the abutting property owner or tenant or create or become a public nuisance, increase traffic congestion or delay or constitute a hazard to traffic, life or property or an obstruction to adequate access to fire, police or sanitation vehicles.
- (k) No vendor shall stop, stand or park a ~~food catering/vending wagon or truck~~ **mobile food unit** upon any street or permit it to remain there except on the roadway at the curb for the purpose of completing pending vending transactions therefrom.

(Ord. No. 98-1076, § 1, 6-9-98)

Sec. 8-13-5. – Revocation of license.

- (a) Should the owner or any employee of the ~~food catering/vending wagon or truck business~~ **mobile food unit** be convicted of a crime (felony or misdemeanor) arising while in the conduct of the licensee’s business, the city clerk has the authority to permanently revoke the business license or licenses on all vehicles licensed to that person or in which that person has common ownership interest as the same is defined in subsection 8-13-1(b).
- (b) Should the owner or any employee of the ~~food catering/vending wagon or truck business~~ **mobile food unit** violate any provision of this article, a criminal citation may be issued in addition to the business license or licenses being permanently revoked on all vehicles licensed to that person or common owner and will not be renewed.
- (c) Licenses may be revoked by the action of the city clerk, after appropriate notice and opportunity for hearing. The decision of the city clerk to revoke a license may be appealed to the city council by delivering written notice of appeal to the city clerk within ten days of the clerk’s decision revoking the license. An appeal shall be considered at its next regular meeting following delivery of notice of appeal.

(Ord. No. 98-1076, § 1,6-9-98)

~~Section 8-13-6. – Transitional period.~~

~~Each food catering/vending wagon or truck **mobile food unit** transacting business within the city shall apply for and obtain a business license in compliance with this article within 30 days from the effective date of this article. Any food catering/vending wagon or truck **mobile food unit** having a current business license shall make new application within 30 days following the effective date of this article but shall not be required to pay an additional fee to obtain the license.~~

~~(Ord. No. 98-1076, § 1, 6-9-98)~~



**PROPOSED
2016-2017
ANNUAL
RESOLUTIONS**

**Presented To:
NMML Membership
September 1, 2016
Hobbs, NM**

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RESOLUTION 2016-1

CONCERNING CONFIRMATION OF APPOINTIVE OFFICIALS AT THE
ORGANIZATIONAL MEETINGS

Whereas, Section 3-11-5, NMSA 1978, requires a municipality to in essence re-hire its employees after every election; and

Whereas, at every "organizational meeting" of the municipal governing body, having to confirm all employees is burdensome and impracticable; and

Whereas, municipalities have enacted ordinances that protect the rank and file employees and the requirement of having to re-hire and confirm each employee at every organizational meeting is not an economical use of resources.

Now, Therefore, Be It Resolved that the New Mexico Municipal League supports legislation to repeal Section 3-11-5, NMSA 1978.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

RESOLUTION 2016-2

CONCERNING INTERNATIONAL BUILDING CODE ON AIRPORTS

Whereas, municipal airport infrastructure varies greatly with that of other private commercial buildings; and

Whereas, the storage of aircraft is done in two forms, one in banks of individual structures back to back known as T-Hangars, and the second in larger buildings that are able to house a number of aircraft in the same area; and

Whereas, airports are limited in the amount of space available with access to ramp and taxiways and therefore, requires buildings to be in closer proximity; and

Whereas, the 2003 International Building Code (IBC) requires that aircraft hangar exterior walls less than 30 feet from property lines, lot lines or public way shall have a fire-resistant rating of not less than two hours or a sprinkler system; and

Whereas, the 2006 IBC was amended to exempt T-Hangars banks but it did not give any relief to the interpretation by the Construction Industries Division (CID) of "public way" thereby allowing the more restrictive and costly enforcement for hangars over 2000 square feet; and

Whereas, the majority of economic growth on airports consists of hangars of this size and the enforcement has caused a slow down or stoppage of development due to the extreme construction costs and land use requirement; and

Whereas, previously adopted Uniform Building Code was less stringent requiring only 15 feet separation; and

Whereas, this is a national problem and other states have amended the code to exempt or clarify the definition of public ways on airports to continue to attract industrial development on airports.

Now, Therefore, Be It Resolved that the New Mexico Municipal League urges the State Construction Industries Division to amend the 2009 or subsequent IBC to exempt internal airport properties from the definition of "public way" or to seek other appropriate legislation.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

RESOLUTION 2016-3

CONCERNING PERSONNEL RECORDS AND THE INSPECTION OF PUBLIC RECORDS ACT

Whereas, the Inspection of Public Records Act, NMSA Section 14-2-1 et seq. (the "Act"), requires government agencies, including municipalities, to generally make their records available to the public for inspection and copying; and

Whereas, the Act also recognizes there are records that for good legal or public policy reasons should be kept confidential and provides exceptions exempting these records from public disclosure; and

Whereas, the Inspection of Public Records Act contains a specific section exempting from disclosure the identities and applications of persons applying for the position of president of a public institution of higher learning but is silent as to information about applicants for other government positions; and

Whereas, the same policy reasons that prompted the legislature to recognize an exception for university presidents also apply to key municipal positions such as city manager; and

Whereas, the Act is also silent on what personal identifying and financial information of employees and customers of municipalities should be considered confidential and which should be considered public and subject to disclosure; and

Whereas, identity theft is a growing epidemic in the United States and the disclosure of personal identifying and financial information of applicants, employees and customers may aid those committing this crime.

Now, Therefore, Be It Resolved that the New Mexico Municipal League should seek the introduction of legislation that would exempt from disclosure, the names of individuals applying for high-ranking appointive positions with municipal governments until those individuals become finalists in the recruitment process; and

Be It Further Resolved that the legislation should also address what personal information of employees and customers of municipalities should be confidential and not subject to disclosure under the Act and which information should be released.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

RESOLUTION 2016-4

CONCERNING THE SALE, TRANSFER AND ISSUANCE OF LIQUOR LICENSES IN NEW MEXICO

Whereas, there are approximately 1440 Retailer and Dispenser licenses in New Mexico, and

Whereas, this exceeds the number of licenses allowed by statute, being 1 license for every 2000 in population, and keeps the State from issuing new Retailer and Dispenser licenses, and

Whereas, many communities have far more licenses than are allowed by this formula creating inequities and unfair competition among communities for certain types of businesses, including restaurants, drug stores and grocery stores; and

Whereas, these are the only state licenses treated as commodities and sold on the open market; and

Whereas, that has driven the price for existing licenses as high a \$750,000.00; and

Whereas, due to the escalation in price paid for Retailer and Dispenser licenses, licenses in communities outside the metropolitan areas of the state are being transferred to the communities within the metropolitan areas of the state resulting in the loss of jobs and business opportunity for communities outside of the metropolitan areas of the state; and

Whereas, none of the states surrounding New Mexico have such a restrictive form of licensing, resulting in greater economic opportunities in those states, and

Whereas, the sale of these licenses could be a significant form of revenue for the State of New Mexico; and

Whereas, the existing system benefits existing license holders and is detrimental to the development of economic opportunities within the State of New Mexico with a profound and disparate impact in communities outside of the metropolitan areas of the state.

Now, Therefore, Be It Resolved that the New Mexico Municipal League urges the New Mexico Legislature to study, review and make changes to the Liquor Control Act to provide a more fair, affordable, equitable and competitive environment in dealing with the sale, transfer and ownership of Retailer and Dispenser licenses in the state.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

2016 CEDGOHR Committee Priority: **HIGH**

RESOLUTION 2016-5

CONCERNING THE TIME LIMIT FOR MUNICIPALITIES IN A CLASS A COUNTY TO ACT ON ANNEXATION PETITIONS

Whereas, annexations to municipalities are authorized under the provisions of Sections 3-7-1 through 3-7-18, NMSA 1978, and annexation is a method by which municipalities provide areas for future growth, provide for orderly development, protect public health and safety, protect neighborhoods, protect and secure their tax base, create efficiencies in service delivery, and maximize the return on infrastructure investment and business incentives; and

Whereas, annexations are not to be entered into lightly as municipalities must carefully consider the impact of the proposed annexation on provision of services, including police and fire protection, solid waste collection, water and sewer service and other municipal services; and

Whereas, Section 3-7-17.1 NMSA 1978 provides the procedure for a municipality located in a Class A county to respond to a petition for annexation to the municipality, including a requirement that the municipality inform the board of county commissioners of the proposed annexation and give the county thirty (30) days in which to comment on the proposed annexation; and

Whereas, Section 3-7-17.1 NMSA 1978, also provides that the governing body must act by ordinance to approve or deny the petition in not less than thirty (30) days nor more than sixty (60) days after receiving the petition from petitioners; and

Whereas, in a recent opinion, the Court of Appeals ruled that the 60-day deadline to act continues to run during the time the county is reviewing and commenting on the proposed annexation; and

Whereas, the requirement for approval or disapproval of the annexation by the governing body within sixty (60) days after receiving the petition does not allow sufficient time for municipalities to notify the county, consider the county's comments, consider the projected costs of providing municipal services and other fiscal impacts on the municipality related to the proposed annexation, and to prepare, publish notice and adopt an ordinance.

Now, Therefore, Be It Resolved that the New Mexico Municipal League seeks legislation amending Section 3-7-17.1 NMSA 1978 to extend the time for a municipality in a Class A county to approve or disapprove an annexation petition from sixty (60) to one hundred eighty (180) days after receiving the petition.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

RESOLUTION 2016-6 - As Amended

**CONCERNING THE ELECTION PROCESS WHERE ALL
CANDIDATES ARE UNOPPOSED**

Whereas, municipal government is led by officials who are required by the New Mexico Constitution, to be elected by the citizens of their respective communities; and

Whereas, the New Mexico Municipal Election Code provides that municipal officers be elected for four year terms on staggered cycles; and

Whereas, the New Mexico Municipal Election Code provides that in order to maintain the staggered terms of municipal officials, municipal election shall occur every two years; and

Whereas, the New Mexico Municipal Election Code provides that candidates that wish to appear on the ballot must declare their candidacy 56 days prior to the date set for the municipal election; and

Whereas, the New Mexico Municipal election Code provides that a write-in candidate for a municipal office must declare their candidacy 49 days prior to the election; and

Whereas, the New Mexico Municipal Election Code precludes running for office unless a candidate is either a declared candidate or a declared write-in candidate; and

Whereas, the officially recognized candidates for municipal officer are established 47 days prior to the election; and

Whereas, the New Mexico Municipal Election Code provides that no person may be elected as a write-in candidate unless that person has declared their candidacy and has been certified by the municipal clerk; and

Whereas, many New Mexico municipalities conduct elections where all the candidates for municipal offices are running unopposed; and

Whereas, the expense and procedure of conducting a municipal election must be completed, even if all the candidates for municipal office are running unopposed; and

Whereas, the cost of conducting municipal elections continues to rise.

Now, Therefore, Be It Resolved that the New Mexico Municipal League supports a change in the Constitutional and statutory requirements of holding municipal elections when there are no candidates or when all the candidates for municipal office are running without opposition and there are no questions on the ballot.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

2016 CEDGOHR Committee Priority: **HIGH**

RESOLUTION 2016-7 - As Amended

CONCERNING 2016 BOND ISSUE FOR LIBRARIES

Whereas, New Mexico public libraries provide books and other materials to meet the informational, educational, cultural and recreational needs of all New Mexicans; and

Whereas, the effectiveness of a library is determined by its ability to deliver current, accurate information in a timely manner through books and materials answering community needs; and

Whereas, advances in technology have made information resources increasingly accessible electronically; and

Whereas, the demand for library resources continues to rise while the cost of providing the resources is beyond local funding capacity; and

Whereas, publicly funded libraries have increased their effectiveness by sharing their resources electronically, enabling public, tribal, school and college libraries to coordinate the use of scarce library funds within the community and statewide; and

~~[Whereas, a bill will be presented to the Legislature during the 2016 Legislative Session to place a general obligation bond issue on the November 2016 ballot to raise \$18 million for libraries statewide; and]~~

Whereas, public libraries have experienced a substantial growth in usage, yet many municipalities lack resources to support adequate funding for library collections.

Now, Therefore, Be It Resolved that the New Mexico Municipal League endorses ~~[legislative passage of a General Obligation bond bill for \$18 million for libraries on the November 2016 general election ballot]~~ the Library Acquisition GO Bond "B" on the November 8, 2016 ballot.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

NEW MATERIAL

RESOLUTION 2016-8

CONCERNING THE WHISTLEBLOWER PROTECTION ACT

Whereas, the Whistleblower Protection Act ("Act") was enacted by the New Mexico Legislature in 2010; and

Whereas, the Act was intended to prohibit public employers from retaliating against public employees who take action, object to, or refuse to participate in a matter the employee believes, in good faith, to be an unlawful or improper act.; and

Whereas, the Act provided for a 2 year statute of limitations for bringing a claim and authorized the claim to be filed in any court of competent jurisdiction; and

Whereas, the Act is a non-exclusive remedy, meaning that a claim under the Act may be brought independently of any other employment-related claim; and

Whereas, current state and federal law provided for legal remedies against employers for prohibited activities, including retaliation-based claims; and

Whereas, municipal governments have experienced a significant increase in the number of employment-related lawsuits that include a whistleblower claim; and

Whereas, portions of the Act are vague and subject to multiple interpretations; and

Now, Therefore, Be It Resolved, that the New Mexico Municipal League supports amending the Whistleblower Protection Act to better define the definition of "good faith" by requiring some minimal threshold of evidence for an employee to file a claim under the Act; and

Be It Further Resolved, that the Act be amended to narrow the definition of "retaliatory action" as the current definition encompasses any "adverse employment action against a public employee"; and

Be It Further Resolved, that the Act be amended to limit "unlawful or improper act(s)" to violations of state or federal law; and

Be It Further Resolved, that the Act be amended to narrow the universe of individuals to whom a complaint may be communicated as a precondition to filing a claim under the Act.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

2016 CEDGOHR Committee Priority: **HIGH**
2016 PS Committee Priority: **HIGH**

RESOLUTION 2016-9 - As Amended

CONCERNING SERVICE OF MUNICIPAL WARRANTS

Whereas, municipal warrants are currently enforceable only within the county in which they are issued; and

Whereas, many municipalities are close to other counties in which offenders reside and evade arrest; and

Whereas, if those who evade arrest by virtue of such residency could be served, justice itself would ultimately be better served; and

Whereas, on May 6, 2016 a proposal was made to the Chief Judges Council of the Supreme Court where a motion was presented and voted upon to recommend to the Supreme Court that the jurisdiction of municipal arrest warrants be extended to adjoining counties; and

Whereas, on May 18, 2016, the New Mexico Supreme Court met and agreed to support legislation to expand municipal arrest warrant jurisdiction to adjoining counties.

Now, Therefore, Be It Resolved that the New Mexico Municipal League seek legislation to amend Section 35-15-4 NMSA 1978 to read:

Section 35-15-4: [**Authority of constable or sheriff to serve process and make arrests.**]

Any constable or sheriff of the county in which the municipality is located or a county adjacent to the county in which the municipality is located may serve any process or make any arrests authorized to be made by the city or town officer of the municipality where the violation occurred, except for parking violations.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

RESOLUTION 2016-[11] 10

CONCERNING THE ADOPTION OF ENFORCEABLE WATER QUALITY PROTECTION REQUIREMENTS WITHOUT PUBLIC HEARING

Whereas, the New Mexico Environment Department (NMED) Ground Water Quality Bureau has developed: "Guideline: Above Ground Use of Reclaimed Domestic Wastewater, January 2007" (as a follow-on to two previously published guideline documents, i.e.: "NMED Policy for the Use of Domestic Wastewater Effluent for Irrigation, 1985" and "New Mexico Criteria for the Use of Domestic Wastewater for Surface Irrigation, 2003") that includes definitions, standards, effluent limitations, monitoring, and other requirements; and

Whereas, the NMED "Guideline: Above Ground Use of Reclaimed Domestic Wastewater" dated January 2007 has never been presented to the New Mexico Water Quality Control Commission (NMWQCC) for public hearing, promulgation, and adoption as a regulation or standard; and

Whereas, the NMED "Guideline: Above Ground Use of Reclaimed Domestic Wastewater" dated January 2007 is incorporated by reference, as well as incorporated as specific permit conditions, in enforceable Ground Water Discharge Permits issued by NMED under NMWQCC Regulations; and

Whereas, the NMED practice of imposing enforceable requirements through guidelines and policies that are not subjected to public hearing violates the New Mexico Water Quality Act [74-6-6(A) NMSA 1978] and the New Mexico Environmental Compliance Act [74-7-5(A) NMSA 1978].

Now, Therefore, Be It Resolved that the New Mexico Municipal League objects to the NMED practice of imposing enforceable requirements, through policies and guidelines, that have not been subjected to a NMWQCC public hearing for adoption as a regulation or standard, and urges the NMED Cabinet Secretary, the NMWQCC, the Governor of New Mexico, and the New Mexico Legislature to implement measures to halt the practice and ensure NMED compliance with New Mexico law (New Mexico Water Quality Act, [74-6-6(A) NMSA 1978]) and New Mexico regulations (Rulemaking Procedures – Environmental Improvement Board [20.1.1 NMAC] and Surface and Groundwater Protection [20.6.2 NMAC]) when implementing permits and other environmental protection requirements; and

Be It Further Resolved that the New Mexico Municipal League urges the NMED Cabinet Secretary to convene a "Working Group" to develop proposed regulations for presentation to the NMWQCC for public hearing, promulgation, and adoption regarding the use(s) of reclaimed domestic wastewater, in order to protect public health and the environment in New Mexico.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

2016 EENR Committee Priority: **HIGH**

RESOLUTION 2016-[12] 11

CONCERNING NUTRIENT WATER QUALITY CRITERIA, PERMIT LIMITATIONS
AND FUNDING SOURCES

Whereas, the NMML acknowledges that nutrients exist in all waters of the State but that excessive levels lead to impairment of designated uses; and

Whereas, the New Mexico Environment Department (NMED) has developed Total Maximum Daily Load (TMDL) documents with target nutrient levels that are not technologically achievable; and

Whereas, the target nutrient thresholds in the TMDLs are based on water quality values from pristine streams in the region (eco-region values); and

Whereas, the target values in TMDL waste load allocations must be both technologically achievable and neither over-nor under-protective; and

Whereas, the NMED and NMML have formed a Work Group that has evaluated alternative approaches to the implementation of TMDL waste load allocations for municipal point-source discharges that are scientifically based, environmentally sound, and consider the existing facility design, facility age and local economic factors; and

Whereas, the Nutrient Work Group has developed a revision to the Water Quality Management Plan that will provide an additional 20 years for qualifying municipal point sources to meet the TMDL target values; and

Whereas, the EPA issued the March 16, 2011 memo from Nancy Stoner *Working in Partnership with States to Address Phosphorus and Nitrogen Pollution through Use of a Framework for State Nutrient Reductions*, that includes eight recommended elements of a framework for nutrient reductions that address nutrient reduction holistically, without undue focus on the single point sources of nutrients.

Now, Therefore, Be It Resolved that the New Mexico Municipal League urges the Governor of New Mexico and the New Mexico Legislature to support municipalities in meeting nutrient target values in their point source discharges by identifying funding sources for such necessary projects; and

Be It Further Resolved that the New Mexico Municipal League strongly encourages NMED to develop a meaningful nutrient reduction strategy and numeric nutrient criteria based on the *Working in Partnership with States to Address Phosphorus and Nitrogen Pollution through Use of a Framework for State Nutrient Reductions*, which will involve the interaction and coordination of all sources of nutrients to the states waters without undue emphasis on municipal point source discharges.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

2016 EENR Committee Priority: **HIGH**

RESOLUTION 2016-[13] 12

**CONCERNING SUPPLEMENTAL AND REPLACEMENT WELLS TO UTILIZE
EXISTING WATER RIGHTS**

Whereas, the Office of the State Engineer (OSE) has indicated that it is changing its long established policy with respect to supplemental and replacement wells; and

Whereas, in reliance on the longstanding policy of the OSE, municipalities have invested millions of dollars in acquiring water rights and developing physical sources of supply to serve their citizenry; and

Whereas, a shift in policy would jeopardize the ability of municipalities to perfect the unused portion of a permitted or declared water right and undermine millions of dollars of investment in a diversified portfolio of water rights and physical sources of supply; and

Whereas, in the 2015 Regular Session of the Legislature, Senator Griggs introduced Senate Bill 665; and

Whereas, SB 665 proposed to amend NMSA 1978, § 72-12-24 regarding Supplemental Wells and § 72-12-22 regarding Replacement Wells; and

Whereas, municipalities supported the legislature's effort to protect municipalities' investment in and reliance upon the long-established policy of the OSE, which allowed a municipality to grow into a declared or permitted water right; and

Whereas, municipalities continue to support legislation which will protect a municipality's ability to perfect its unused water rights.

Now, Therefore, Be It Resolved that the New Mexico Municipal League supports legislation to ensure that local governments that have invested in groundwater as part of a conjunctive use strategy with surface water, will continue to be able to develop their ground water rights as these municipalities grow.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

RESOLUTION 2016-[44] 13

CONCERNING PRESERVATION OF MUNICIPAL WATER SUPPLIES

Whereas, the purpose of NMSA 1978, § 72-1-9 is to preserve municipal water supplies to plan for growth over a forty year period; and

Whereas, in spite of the purpose of the statute, the Office of the State Engineer (OSE) has argued that § 72-1-9, the forty year planning statute, can be used to show that a municipality has abandoned a water right; and

Whereas, municipalities and other entities encompassed by the statute may need even longer planning periods, but in no event should these entities lose their water rights except through statutory forfeiture or judicial abandonment processes; and

Whereas, in the 2015 Regular Session of the Legislature, Senator Griggs introduced Senate Bill 665; and

Whereas, SB 665 proposed to amend NMSA 1978, § 72-1-9 to state that a water right acquired and held unused pursuant to the provisions of this section shall not be automatically lost after forty years, except by statutory forfeiture or judicial proceedings to prove abandonment; and

Whereas, municipalities' need to protect their investment in water rights acquired for future growth; and

Whereas, municipalities support legislation which will protect their ability to protect their unused water rights.

Now, Therefore, Be It Resolved that the New Mexico Municipal League supports the preservation of municipal water supplies.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

RESOLUTION 2016-[15] 14

CONCERNING THE OSE'S HEARING PROCEDURES

Whereas, the Office of the State Engineer (OSE) administrative hearing process has become more time consuming and expensive for all applicants, particularly for municipalities that provide potable water; and

Whereas, much of the delay and expense relates to legal arguments being made in the administrative context and then challenged in district court; and

Whereas, in the 2015 Regular Session of the Legislature, Representative Bandy introduced House Bill 265; and

Whereas, HB 265 proposed to amend NMSA 1978, § 72-7-1 to provide that if the OSE does not issue a final decision on any matter that has been pending before the OSE for one year or longer, the applicant has one year to file a notice of appeal in the district court; and

Whereas, previously proposed legislation gave an applicant a choice of pursuing contested applications either in the state administrative hearing process or in the district court amending NMSA 1978, § 72-2-16; and

Whereas, municipalities support both prompt decision making by the OSE as well as the ability to choose the forum in which municipal contested applications for water rights will be heard.

Now, Therefore, Be It Resolved that the New Mexico Municipal League supports legislation regarding appeals to the district court and initial review of contested applications before the district court.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

RESOLUTION 2016-[16] 15

CONCERNING LESSEE'S APPLICATION USE BEFORE APPROVAL

Whereas, the Office of the State Engineer (OSE) has interpreted the application process for water rights leases to be the same as that used for emergency applications; and

Whereas, under the present practice, the OSE can approve these applications and the applicant can use the water prior to public notice, an opportunity to protest, and a hearing; and

Whereas, there are instances in which this administrative procedure is efficient and cost effective, but in other instances, this process is being abused to divert thousands of acre-feet of water for a longer period of time prior to public review and due process; and

Whereas, in the 2015 Regular Session of the Legislature, Senator Griggs introduced Senate Bill 665; and

Whereas, SB 665 proposed to amend NMSA 1978, § 72-6-4 to provide a balance between an efficient administrative process for short-term leases that do not involve significant quantities of water and longer-term leases that involve large quantities of water.

Now, Therefore, Be It Resolved that the New Mexico Municipal League supports legislation regarding a lessee's use of water rights prior to approval.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

RESOLUTION 2016-[47] 16

CONCERNING PROTEST PROCEDURES ON WATER RIGHT APPLICATIONS

Whereas, the Office of the State Engineer (OSE) applies inconsistent criteria to determine whether persons have standing to protest an application to change the purpose, place, or use of a water right; and

Whereas, some persons who protest a water right application will suffer no harm based on the proposed application; and

Whereas, a protested application to change the purpose, place, or use of a water right is far more costly and takes many more years to complete than an unprotested application; and

Whereas, in the 2015 Regular Session of the Legislature, Senator Griggs introduced Senate Bill 665; and

Whereas, SB 665 imposed clearer criteria on persons who seek to protest applications to change the purpose, place, or use of a water right; and

Whereas, municipalities support legislation, which reduces the administrative burden on water right applicants and imposes clearer standards on protestants objecting to water-right applications.

Now, Therefore, Be It Resolved that the New Mexico Municipal League supports legislation relating to protest procedures to reduce the administrative burdens on water right applicants.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

RESOLUTION 2016-[48] 17 - As Amended

**CONCERNING THE DEVELOPMENT OF STATE ENGINEER GUIDELINES OR
POLICIES REGARDING MUNICIPAL BEST MANAGEMENT PRACTICES FOR
PRECIPITATION CAPTURE AND USE**

Whereas, adequate water resources are a prerequisite to the health and economic wellbeing of New Mexico's communities; and

Whereas, water is a fragile and finite resource in New Mexico; and

Whereas, under New Mexico water law, all ground and surface water belongs to the public, but is subject to appropriation; and

Whereas, precipitation can be both a significant water resource and a significant water quality concern when storm water or melting snow runs off into New Mexico streams, rivers and lakes; and

Whereas, the New Mexico Office of the State Engineer encourages water conservation in all water sectors; and

Whereas, in accordance with a Rainwater/Snowmelt Harvesting Policy adopted November 24, 2004 (http://www.ose.state.nm.us/wucp_policy.html), the New Mexico Office of the State Engineer supports the wise and efficient use of the state's water resources and encourages the harvesting, collection and use of rainwater from residential and commercial roof surfaces for on-site landscape irrigation and other on-site domestic uses; and

Whereas, in the same policy, the New Mexico Office of the State Engineer established that water harvested from roof tops may not reduce the amount of runoff that would have occurred from the site in its natural, pre-development state; and

Whereas, the NM Office of the State Engineer has stated that harvested water may not be appropriated for uses other than on-site landscape irrigation and domestic uses; and

Whereas, the USEPA has drafted a revised [~~national storm water rule,~~] general permit for small [~~and has drafted a~~] municipal separate storm sewer systems MS4s and has issued a MS4 permit for the middle Rio Grande watershed, both of which require MS4s to implement Best Management Practices (BMPs) to reduce pollutant discharges in urban runoff; and

Whereas, storm water BMPs include the use of green infrastructure practices and low impact development approaches, which commonly utilize storm water detention, and storm water retention for on-site irrigation and/or infiltration; and

Whereas, the New Mexico Office of the State Engineer's Rainwater/Snowmelt Harvesting Policy, by restricting landscape irrigation and domestic uses to individual property sites, may impede the ability of municipalities to improve surface water quality and to encourage outdoor water conservation by managing storm water using green infrastructure BMPs; and

Whereas, the New Mexico Office of the State Engineer has met with the NMML Environmental Quality Association and has expressed a willingness to pursue resolution of any conflicts between the Rainwater/Snowmelt Harvesting Policy and USEPA BMP requirements for MS4s.

Now, Therefore, Be It Resolved that the New Mexico Municipal League, through its Environmental Quality Association, will work with the New Mexico Office of the State Engineer to develop storm water Best Management Practice guidance for New Mexico municipalities, defining municipal-scale BMPs that are consistent with NMOSE rules and policies. Based on this guidance, NMML will pursue the issuance of an NMOSE policy regarding municipal-scale precipitation capture through BMPs (provided that such BMPs do not reduce the volume of discharge that would have occurred from the natural, pre-development state), to allow for conservation of water resources, protection of water quality, and maintenance of adequate stream flow to meet downstream compact obligations.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

2016 EENR Committee Priority: **HIGH**

RESOLUTION 2016-[49] 18

**CONCERNING IRREVOCABLE TRUSTS SET UP BY
MUNICIPALITIES AND COUNTIES**

Whereas, GASB 45 requires all public sector employers offering post-employment benefits, other than pensions, to reflect the costs of the benefits in their financial statements and to disclose the amount of any unfunded liability; and

Whereas, the cost of the OPEB liabilities include the accrual of the costs of the OPEB benefits over the career of an employee; and

Whereas, bond ratings could be negatively affected by the results of the GASB valuations and the unfunded recorded liabilities; and

Whereas, GASB 45 allows for a separate irrevocable trust to be set up to fund the liability and to increase the discount rate at which the funds can be invested thus reducing the overall liability; and

Whereas, the New Mexico State statute, NMSA 1978, Section 6-10-10 limits investments for municipalities and counties to fixed income securities and specific debt instruments which reduces the expected amount of return the trust is able to earn; and

Whereas, irrevocable trusts set up by municipalities and counties should be regulated by the New Mexico State Statute, NMSA 1978 Fiduciaries and Trusts Article 9A – Uniform Prudent Management of Institutional Funds, Section 46-9A-3 Standard of conduct in managing and investing an institutional fund Section 46-9A-3 (2013) rather than NMSA 1978, Section 6-10-10; and

Whereas, municipalities and counties that have set up irrevocable trusts for OPEB benefits would be able to increase investment earnings using the NMSA 1978 Fiduciaries and Trusts rule as opposed to NMSA 6-10-10.

Now, Therefore, Be It Resolved that the New Mexico Municipal League urges the legislature and governor to allow municipal and county trusts to be governed under NMSA 1978 Fiduciaries and Trusts Section 46-9A-3.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

NEW MATERIAL

RESOLUTION 2016-[20] 19

CONCERNING STATE AND LOCAL TAX REFORM

Whereas, the advent of the internet has dramatically changed the way people shop and pay for goods and services; and

Whereas, the growth of the use of the internet for shopping and paying for goods and services has outpaced the growth of shopping and paying for goods and services in brick and mortar local businesses; and

Whereas, use of the internet for shopping and paying for goods and services has resulted in decreasing state and local tax revenues because Gross Receipts Tax Laws need to be updated to provide a mechanism for collection of the Gross Receipts Tax on internet sales and payments; and

Whereas, the New Mexico Municipal League is aware of various proposals for tax reform in the state; and

Whereas, the New Mexico Municipal League is generally supportive of state and local tax reform that will result in increased revenues for both state and local governments.

Now, Therefore, Be It Resolved that the New Mexico Municipal League supports creation of a Study Group to develop a tax reform plan for the State of New Mexico; and

Be It Further Resolved that the study group have representation from the New Mexico Municipal League and the New Mexico Association of Counties in order to give input on state and local tax reform.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

NEW MATERIAL

RESOLUTION 2016-[24] 20

CONCERNING HOMESTEAD EXEMPTIONS FOR PROPERTY TAX PURPOSES

Whereas, current law does not allow a municipality to, by ordinance, establish a residential homestead exemption for property tax assessment; and

Whereas, municipalities should have the right to establish residential homestead exemptions for the benefit of residential property taxpayers; and

Whereas, municipalities recognize that the homestead exemption would apply only to municipal property tax levies.

Now, Therefore, Be It Resolved that the New Mexico Municipal League support legislation that would allow municipalities to grant a residential homestead exemption up to \$50,000 for municipal property tax levies.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

NEW MATERIAL

RESOLUTION 2016-[22] 21

**CONCERNING THE BUSINESS REGISTRATION FEE AS AUTHORIZED BY
SECTION 3-38-3, NMSA, 1978**

Whereas, Section 3-38-3, NMSA, 1978 authorizes a municipality, by ordinance, to impose a Business Registration Fee of up to \$35.00 annually on each place of business within the municipality; and

Whereas, Section 3-38-4, NMSA, 1978 provides for the business registration by ordinance and allows such fee to be prorated for the remainder of the calendar year the business is to be operated and to renew such business registration annually; and

Whereas, Section 3-38-5, NMSA, 1978 provides that a municipality may charge \$10 annually for a late fee which does not incentivize some businesses to comply by registering annually; and

Whereas, municipalities welcome the opportunity to support new and renewed business activity and to ensure that services are available and provided at the business location; and

Whereas, municipalities desire to prevent improper conduct, zoning and occupancy that may occur at the designated location that would negatively impact the health and welfare of surrounding businesses and property owners; and

Whereas, municipalities also issue Business Registrations for the purpose of protecting the state and local tax base by insuring that businesses in a municipality have a Combined Reporting System Identification Number; and

Whereas, some business owners choose not to register their businesses and operate out of compliance with State Law and local ordinances causing the municipality to take appropriate action through enforcement activities as provided for in 3-38-5 NMSA, 1978; and

Whereas, the costs incurred by municipalities to process, verify and enforce business registrations greatly exceed \$35.00 annually and the business registration fee has not been increased since 1988; and

Whereas, municipalities desire to impose a fee of up to \$100 annually and to, by ordinance establish fee categories based on services provided by the municipality; and

Whereas, enforcement provisions in state statues need to be strengthened to provide that a municipality not issue a business registration for conduct of commercial activity to any person whose records reflect any unresolved noncompliance with the businesses registration provisions or any other municipal ordinance or regulations; and

Whereas, a municipality should have the ability to take appropriate legal action against any business being conducted in violation of state law or local ordinance and to prevent the conduct of business or to restrain, correct or abate a violation, including for non-payment of the business registration fee for issuance or renewal by the deadline date; and

Whereas, a municipality should have the power to, by certified mail, order the appearance of the business owner before the Municipal Clerk within 30 days from date of notice, to show cause why the municipalities should not initiate legal proceedings.

Now, Therefore, Be It Resolved that the New Mexico Municipal League support legislation to provide for a Business Registration Fee of up to \$100.00 per year and to strengthen the enforcement penalties for those businesses in non-compliance including a late fee not to exceed \$100.00 annually.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

2016 FIRT Committee Priority: **MEDIUM**

NEW MATERIAL

RESOLUTION 2016-~~[23]~~ 22

**CONCERNING THE RELATIONSHIP BETWEEN THE TAXATION AND REVENUE
DEPARTMENT AND MUNICIPALITIES**

Whereas, in order for municipalities to function efficiently and provide necessary services to citizens it is necessary that the municipality be assured that the revenues they are receiving are being accounted for and distributed properly; and

Whereas, New Mexico Municipalities pay the state 3.25% of Local Option Gross Receipts Taxes collected for administration and distribution of the tax; and

Whereas, the relationship between the Taxation and Revenue Department and Municipalities has been strained from time to time over the years and that relationship is currently significantly strained; and

Whereas, municipalities desire to have a functioning and trusting relationship with the Taxation and Revenue Department that would result in cooperation between the Department and municipalities with the Department sharing as much information as possible with municipalities; and

Whereas, in order to have a functioning and trusting relationship with the Taxation and Revenue Department cooperation is critical.

Now, Therefore, Be It Resolved that the New Mexico Municipal League calls on the Taxation and Revenue Department to make every effort possible to improve the relationship between the Department and municipalities; and

Be It Further Resolved that New Mexico Municipal League members stand ready to discuss with the Taxation and Revenue Department ways in which the relationship between the department and municipalities can be improved.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

RESOLUTION 2016-[24] 23

**CONCERNING REVISIONS TO THE SALE OR LEASE OF
PUBLIC PROPERTY SECTION FOR MONETARY THRESHOLDS**

Whereas, Section 3-54-1 NMSA 1978 contains monetary thresholds that are used to determine whether the sale and exchange of any municipal utility facilities or property in excess of the threshold shall be subject to referendum provisions; and

Whereas, reasonable and customary values for virtually all public real property assets have appreciated over the years, and said thresholds have not risen commensurately with appreciation levels; and

Whereas, raising the affected limits would result in a more efficient process.

Now, Therefore, Be It Resolved that the New Mexico Municipal League supports legislation to adjust the monetary thresholds in the Municipal Sale or Lease of Property Section to reflect the rate of inflation since the last statutory change.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

2016 PIC Committee Priority: **HIGH #2**

RESOLUTION 2016-[25] 24 - As Amended

**CONCERNING FUNDING FOR MUNICIPAL STREETS, ROADS, BRIDGES,
AIRPORTS, RAIL AND TRANSIT**

Whereas, past investment plans have provided for more than one billion dollars for state highways; and

Whereas, other critical infrastructure projects still need to be addressed; and

Whereas, these projects are important for economic development within municipalities; and

Whereas, it is not enough to have an efficient state highway system, but rather it is essential that an effective, efficient transportation system be in place within municipalities in order to provide for the safe and efficient movement of people, goods and services; and

Whereas, transportation should be viewed not just as the state highway system, but as a complete network of state and municipal streets, roads, airports, bridges, rail and transit.

Now, Therefore, Be It Resolved that the New Mexico Municipal League supports continued funding for critical local projects where applicable, to follow, be guided by and adhere to current state transportation improvement plans established by, but not limited to, Metropolitan Planning Organizations, DOT Aviation Division and Regional Planning Organizations; and

Be It Further Resolved that a comprehensive plan of investment for critical transportation projects be developed with municipal input and that such plan identify alternative funding resources necessary to finance such plan including matching funds and in-kind services; and set aside funding for rural areas; and

Be It Further Resolved that municipalities, the Governor and the Legislature collaborate on the development of critical local transportation projects and a comprehensive investment plan.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

2016 PIC Committee Priority: **HIGH #1**

NEW MATERIAL

RESOLUTION 2016-[26] 25

CONCERNING MUNICIPAL TECHNOLOGY INFRASTRUCTURE FEES

Whereas, computerized technology touches every point in municipal government; and

Whereas, new communication channels are appearing and being used while the older channels, i.e., public office space, letters and phone systems must continue to be maintained; and

Whereas, economic indicators prove that municipalities that embrace, provide and encourage the use of modern technology and communication channels will continue to thrive and prosper; and

Whereas, municipal departmental funding for computerized technology is not sufficient to meet the public's demand; and

Whereas, the necessity to secure, protect and analyze current and expanding data and networks creates a burden on existing departmental budgets.

Now Therefore Be It Resolved that the New Mexico Municipal League supports legislation allowing local governments a local option election to impose a technology infrastructure fee to further communication technology at the local level.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

RESOLUTION 2016-[27] 26 - As Amended

**CONCERNING AMENDING THE SEX OFFENDER
REGISTRATION AND NOTIFICATION ACT**

Whereas, the New Mexico Sex Offender Registration and Notification Act (SORNA), NMSA §29-11A-1 et seq., requires offenders convicted of certain sexual offenses in New Mexico to register with the sheriff of the county where the offender resides; and

Whereas, the New Mexico SORNA is not fully compliant with federal law (Title I of the Adam Walsh Child Protection and Safety Act of 2006, Public Law 109-248); and

Whereas, legislation to bring our state into federal compliance has been introduced over the past several years, including House Bill 179 (Rep. Herrell) in 2012, but has failed to pass; and

Whereas, the legislation needed for compliance includes the incorporation of a more comprehensive group of sex offenders and offenses for which registration is required, tighter and more extensive registration requirements, and expansion of the amount of information available to the public; and

Whereas, New Mexico has been losing critical federal funding because of its non-compliance with the federal law; and

Whereas, an additional consequence of our state's non-compliance is that New Mexico has become an attractive relocation destination for sex offenders from other states who wish to avoid registering as sex offenders in their new communities; and

Whereas, SORNA does not [~~currently prevent sex offenders from living near elementary schools, neighborhood parks or other locations frequented by young children~~] include provisions for sex offender risk assessment that could provide local law enforcement agencies with a scientifically based method for identifying those offenders who are most likely to reoffend; and

~~[Whereas, the continued presence of sex offenders near areas where children are found in large concentration poses an increased risk of harm to children.]~~

Whereas, the addition of support or legislative mandate for scientifically based risk assessment will allow law enforcement agencies to devote limited resources to monitoring the behaviors of those offenders who have proven to provide the most significant risk to the community.

Now, Therefore, Be It Resolved that the New Mexico Municipal League supports amendment of the Sex Offender Registration and Notification Act to bring New Mexico into full compliance with federal law; and

Be It Further Resolved that the amendments to SORNA also address the subject of registered offenders living or meeting in close proximity to schools, parks or other government owned facilities frequented by children.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

2016 PS Committee Priority: **MEDIUM #2**

RESOLUTION 2016-[28] 27 - As Amended

CONCERNING EMS FUNDING

Whereas, Emergency Medical Services (EMS) is the only health care that is universally available to all of New Mexico's residents and visitors regardless of ability to pay, particularly in rural communities; and

Whereas, pre-hospital treatment and transport by volunteer and paid emergency medical responders are the two most crucial components of emergency medical care; and

Whereas, the citizens demand and deserve an increasing level of care, however funding for training and necessary equipment is not available; and

Whereas, future access to this essential care will be dependent on adequate funding to ensure the best pre-hospital care is delivered through the providing of training, equipment, resources, medical direction, technical assistance, and quality improvement; and

Whereas, the current funding levels are inadequate and will prevent the future growth of EMS, and the decrease in providers and services will result in an increase in morbidity and mortality; and

Whereas, Fire and EMS services in New Mexico must have solid financial resources if they are to continue providing critical first response services in a consistent and reliable manner; and

Whereas, the majority of EMS first response services in New Mexico are provided by fire-based departments; and

Whereas, the New Mexico Municipal League (NMML) and the New Mexico Fire Chiefs Association (NMFCA) participated in and are members of a committee established by the New Mexico Association of Counties (NMAC) to develop specific policy recommendations and study issues related to sustainable EMS Services; and

Whereas, the NMML and the NMAC endorsed priority legislation in 2014 and 2015 for the creation of a study to evaluate the needs of EMS and identify an appropriate state-level recurring revenue stream dedicated to EMS; similar to that used for the Fire Protection Fund without diminishing or impairing the existing Fire Protection Fund; and

~~[Now, Therefore, Be it Resolved that the New Mexico Municipal League supports an increase in funding to the EMS Fund Act for use by local EMS providers in the state of New Mexico; and]~~

~~[Be it Further Resolved that the New Mexico Municipal League seeks legislation to provide an appropriation to the State Fire Marshal for the purpose of conducting a study to determine how to best finance emergency medical services statewide within fire-based departments.]~~

Now Therefore Be It Resolved that the NMML supports an appropriation by the New Mexico State Legislature to the State Fire Marshal to conduct a statewide EMS assessment, in coordination with Department of Health EMS Bureau, using monies currently reverted from the Fire Protection Fund, to the State General Fund;

Be It Further Resolved that recommendations from the EMS assessment will be used by the NMAC EMS Committee, to develop additional policy recommendations for the New Mexico State Legislature regarding appropriate funding levels and mechanisms for recurring funding for EMS services in New Mexico.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

2016 PS Committee Priority: **HIGH #1**

RESOLUTION 2016-[29] 28 - *As Amended*

CONCERNING DWI AND TRAFFIC ENFORCEMENT ON
~~[PUBLICLY ACCESSIBLE]~~ PRIVATE PROPERTY OPEN TO THE PUBLIC

Whereas, driving while intoxicated ("DWI") and other traffic offenses can threaten the health, safety and welfare of every citizen of New Mexico; and

Whereas, DWI and traffic offenses can occur in a variety of means including alcohol intoxication and drug impairment; and

Whereas, DWI and traffic offenses can occur not only on public highways, roads, and streets but also in alleys and parking lots and other areas that are privately owned, but [~~accessible~~] open to the [~~general~~] public; and

Whereas, the New Mexico Court of Appeals in the case of *Rio Rancho v. Young* imposed a requirement on local law enforcement officials to obtain the consent of the landowner prior to enforcing traffic laws, including DWI laws on private property; and

Whereas, the Court of Appeals based its decision on language contained in NMSA section 3-49-1(o) that states in relevant part: "A municipality may. . . ; with the written consent of the owner, regulate the speed and traffic conditions on private property"; and

Whereas, this limitation on the ability of local law enforcement officials to enforce DWI and other traffic laws on private property that is [~~accessible~~] open to the public is a threat to public health, safety and welfare.

Now, Therefore, Be It Resolved that the New Mexico Municipal League seek legislation to amend NMSA section 3-49-1(o) to remove the requirement that local law enforcement officials first secure the written permission of a landowner prior to enforcing DWI and traffic regulations on private property that is open to the public.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

RESOLUTION 2016-[30] 29

CONCERNING LAW ENFORCEMENT AND MENTAL HEALTH PROFESSIONALS CRISIS INTERVENTION FOR THE MENTALLY ILL

Whereas, one of the greatest challenges first responders face in New Mexico and across the nation is how to effectively respond to people who have mental health disorders or who are in crisis; and

Whereas, HJM 17 (2011) made recommendations to reduce the number of individuals with mental health disorders who require law enforcement intervention; and

Whereas, New Mexico Law Enforcement agencies, Fire Personnel, EMS, and their supporting agencies are the first responders when dealing with a person who suffers from mental illness or is in crisis and such response requires adequate resources, knowledge, and equipment if such a response is to be compassionate, effective and in the best interests of the individual; and

Whereas, it is the responsibility of the State Legislature to provide adequate resources devoted to dealing with the issue of mental illness in New Mexico. This responsibility extends to all social service agencies and advocacy groups whose mission is to assist citizens suffering from mental illness, thereby reducing the need for Law Enforcement Personnel to respond to individuals in mental health crisis; and

Whereas, New Mexico Law Enforcement personnel are frequently drawn into numerous contacts with citizens suffering from mental illness or who are in crisis, and options for placement and treatment of these citizens are not readily available; and

Whereas, the risk of physical confrontation between the citizen suffering from mental illness or crisis and responding Law Enforcement personnel is high and such confrontations frequently result in serious injury or death to the citizen, bystanders or to the responding Law Enforcement personnel; and

Whereas, New Mexico Law Enforcement Personnel currently receive basic training on how to assess and handle those suffering from Mental illness as part of the New Mexico Law Enforcement Academy training curriculum pursuant to HB 93; and

Whereas, one of the paramount challenges facing New Mexico Law Enforcement agencies is the lack of adequate support resources for effectively handling and de-escalating potentially deadly situations involving a person or persons in crisis, the first responder and the general public. Having these support options readily available is critical when first responders arrive on-scene to prevent further tragedy. The critical missing link is the availability of Crisis Intervention Teams comprised of specifically trained Law Enforcement Personnel and Mental Health Professionals who will engage in the crisis intervention process on scene as a team; and

Whereas, New Mexico Law Enforcement recognizes and has identified the lack of available resources and professionals specifically trained in crisis intervention and dealing with the mentally ill, and has determined this to be a state wide issue which is not regionalized to a single urban, suburban or rural area. Law Enforcement agencies across the state face the same challenges in not having the readily available resource

of an available Crisis Intervention Team to assist in de-escalating potentially deadly situations and bring about a safe resolution; and

Whereas, New Mexico Law Enforcement seeks to establish a collaborative partnership with Mental Health professionals, and develop regionally based Crisis Intervention Teams throughout New Mexico that can offer immediate assistance either telephonically, or in person, thereby incorporating a level of expertise and intervention which would provide an additional resource for de-escalating a potentially deadly situation and obtaining the proper emergency assistance needed for the person or persons in crisis; and

Whereas, New Mexico Law Enforcement proposes to partner with Mental Health Professionals statewide in developing regionalized teams to effectively handle potentially volatile situations involving those who suffer from mental illness and are in crisis. This partnership in creating Regional Crisis Intervention Teams will serve as an essential tool for first responders in de-escalating potentially deadly situations, and would make sure those who are in crisis get the appropriate medical care, that especially in rural areas, is often not available pursuant to Section 43-1-10 NMSA 1978; and

Whereas, existing Crisis Intervention Teams that exist in New Mexico's larger law enforcement agencies are available to use as a model and resource for the proposed regional Crisis Intervention Teams.

Now, Therefore, Be It Resolved that the New Mexico Municipal League seek legislation to provide funding and legislative statutory support for mental health resources, and mandated Regional Crisis Intervention Teams that would be established and utilized to further support the Law Enforcement and First Responder mission of protecting and assisting a person or persons in crisis, protecting the remainder of the New Mexico community from the potential negative effects of contacts with those in crisis, and furthering collaborative efforts that would mitigate the amount and severity of negative contacts with those in crisis, thus avoiding further tragic loss of life.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

NEW MATERIAL

RESOLUTION 2016-[34] 30

CONCERNING TAMPERING, DISABLING OR OTHERWISE MISUSING A FIRE ALARM, ALARM SYSTEMS OR SUPPRESSION SYSTEMS

Whereas, currently, no penalty exists in state law for tampering with, disabling or otherwise misusing a fire alarm, alarm system or suppression system; and

Whereas, tampering with, disabling or otherwise misusing a fire alarm, alarm system or suppression system could place the public in danger and become a life safety issue due to the fire alarm, alarm system or suppression system not functioning properly or at all; and

Whereas, false alarms caused by tampering with, disabling or otherwise misusing a fire alarm cause fire departments to deploy manpower and equipment when that deployment is unnecessary, wasting taxpayer resources and placing firefighters in danger while responding to an unknown hazard; and

Whereas, in order to deter persons from tampering with, disabling or otherwise misusing a fire alarm, alarm system or suppression system a penalty on the order of a misdemeanor should be imposed on persons tampering with, disabling or otherwise misusing a fire alarm.

Now, Therefore, Be It Resolved that the New Mexico Municipal League supports legislation making tampering with, disabling or otherwise misusing a fire alarm, alarm system or suppression system a misdemeanor for penalty purposes.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

NEW MATERIAL

RESOLUTION 2016-31 - *As Amended*

**CONCERNING ~~[NET METERING &]~~ THE EXTENSION OF THE NEW MEXICO
SOLAR MARKET DEVELOPMENT TAX CREDIT**

Whereas, solar installations provide clean and affordable electricity, use less water than other power sources and provide an important driver of employment and economic growth; and

Whereas, the solar industry employs an estimated 1,900 people in New Mexico and added 300 jobs in 2015 alone; and

~~[Whereas, net metering enables New Mexico residents to generate their own electricity and get credit for power they share with the grid for others to use; and]~~

~~[Whereas, thousands of New Mexican homeowners have invested in the energy infrastructure by placing solar on their roofs with expectations of nominal return on investment dependent on the net metering rule; and]~~

~~[Whereas, businesses have invested approximately \$60 million per year in solar, creating jobs and expanding and diversifying New Mexico's energy infrastructure as a result current net metering policy; and]~~

~~[Whereas, the New Mexico Finance Authority has loaned public entities funds for solar energy infrastructure with repayment based on savings that result from net metering; and]~~

Whereas, the New Mexico Solar Market Development Tax Credit is scheduled to expire on December 2016 and was fully allocated by June of 2016; and

Whereas, the state's solar tax credit budget of \$3 million per year has proven extremely cost effective, leveraging an estimated \$30 million in private investment, creating high-quality jobs, diversifying our energy portfolio and preserving water; and

Whereas, the State of New Mexico has codified its commitment to diversify energy production in the Renewable Portfolio Standard and requires that, when energy sources are equal in cost, state agencies must choose energy from renewable sources.~~;~~and]

~~[Whereas, other states around the country have demonstrated that strong Renewable Portfolio Standards, net metering laws, and solar tax credits can be important drivers of economic development.]~~

Now, Therefore, Be It Resolved, that the New Mexico Municipal League supports the extension of the New Mexico Solar Market Development Tax Credit. ~~[and the expansion of solar energy as a means to expand and diversify the economy, create jobs, protect the environment and enhance quality of life.]~~

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.