



Mayor Javier Perea

Julia T. Brown Esq.  
City Manager

**SUNLAND PARK CITY COUNCIL**  
**NOTICE OF MEETING**  
**Regular Meeting Agenda**  
**January 8, 2019 - 6:00 PM**  
**City Hall, City Council Chambers**  
**1000 McNutt Rd.**

Councilor Jessica Avila, District 1  
Councilor Daisy G. Lira, District 2  
Councilor Bertha A. Salmon, District 3  
Councilor Carolina Renteria, District 4  
Councilor Olga Nunez, District 5  
Councilor Donald McBride, District 6

**CALL TO ORDER & ROLL CALL**

---

*Announce the presence of a Quorum.*

**PLEDGE OF ALLEGIANCE**

---

**CONFLICT OF INTEREST**

---

*At the opening of each council meeting, the mayor shall ask if any member of the city council, city manager, or any member of the city staff has any known conflict of interest with any item on the agenda.*

**APPROVAL OF AGENDA**

---

**PUBLIC COMMENT**

---

*Residents must sign up with the City Clerk to address the City Council. Comments are limited to 3 Minutes, and there will be a maximum of 30 Minutes allowed for Public Comment.*

**PROCLAMATION**

---

- 1. A Proclamation Recognizing National Law Enforcement Appreciation Day as of January 9<sup>th</sup> 2019.** *(Julia T. Brown, City Manager)*

**REMARKS AND INQUIRIES BY THE CITY COUNCIL**

---

**CONSENT AGENDA**

---

*All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.*

- 2. Approve Minutes of 12/18/18 Regular Meeting of Sunland Park City Council.** *(Daniel Carranco, City Clerk)*
- 3. Approve and update the Public Housing Flat Rent in the Admissions and Continued Occupancy Policy (ACOP).** *(Concepcion Medina, Housing Authority Director)*

**ORDINANCE**

---

- 4. Approval of an Ordinance pursuant to NMSA 1978, Section 1-22-3.1 (2018) to opt-in to the NM Local Election Act.** *(Daniel Carranco, City Clerk)*

**MAYOR'S REPORT**

---

**ADJOURNMENT**

---

**PLEASE NOTE:** If you are an individual with a disability who is in need of a reader, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Office of the City Clerk at (575) 589-7565 at least 72 hours prior to the meeting. **POSTED:** City Clerk's Office, Motor Vehicle Division, Public Health Office, Sunland Park Post Office, Sunland Park Library, Santa Teresa Post Office, Sunland Park Grocery, Mercedes Grocery, Carousel Convenience Store and Tierra Madre, Via Valencia, Edgemont, San Gabriel. Filed in the office of the City Clerk on the 4<sup>th</sup> day of January 2019.

\_\_\_\_\_  
Daniel Carranco, City Clerk

**AGENDA ITEM NO. 1**  
**CITY OF SUNLAND PARK**  
**CITY COUNCIL**  
(FOR INFORMATION ONLY)

---

**Meeting Date:** 1/8/2019

**Submitted By:** Julia T. Brown  
City Manager

---

**Subject:** A Proclamation Recognizing National Law Enforcement Appreciation Day as of January 9<sup>th</sup> 2019.

---

**Fiscal Impact:**

Amount Budgeted: N/A

Fund: N/A

Amount Available: N/A

---

**Background:** Across the country on January 9, citizens recognize National Law Enforcement Appreciation Day (L.E.A.D.).

National Law Enforcement Appreciation Day was founded in 2015 to thank officers across the country for all the daily sacrifices they make for their communities. Law Enforcement Officers of every rank and file have chosen a profession that puts their life on the line every day for their communities. They've answered a call to public service that is demanding and often unappreciated. On National Law Enforcement Day, we have an opportunity to thank them for their service and offer a token of respect.

---

**Recommendation:** Proclamation.

**AGENDA ITEM NO. 2**  
**CITY OF SUNLAND PARK**  
**CITY COUNCIL**  
**(FOR INFORMATION ONLY)**

---

**Meeting Date:** 1/8/2019

**Submitted By:** Daniel Carranco  
City Clerk

---

**Subject:** Approve Minutes of the 12/18/18 Sunland Park City Council Meeting.

---

**Fiscal Impact:**

Amount Budgeted: N/A

Fund: N/A

Amount Available: N/A

---

**Background:** See minutes attached.

---

**Recommendation:** Approve.



Mayor Javier Perea

Julia T. Brown Esq.  
City Manager

**SUNLAND PARK CITY COUNCIL  
MEETING MINUTES**

**December 18, 2018 - 6:00 PM  
City Hall, City Council Chambers  
1000 McNutt Rd.**

Councilor Jessica Avila, District 1  
Councilor Daisy G. Lira, District 2  
Councilor Bertha A. Salmon, District 3  
Councilor Carolina Renteria, District 4  
Councilor Olga Nunez, District 5  
Councilor Donald McBride, District 6

**CALL TO ORDER & ROLL CALL**

Mayor Javier Perea called the meeting to order at 6:54 PM.

**Present:**, Councilor Donald McBride, Councilor Daisy G. Lira, Councilor Carolina Renteria, Councilor Jessica Avila, Councilor Bertha Salmon, Councilor Olga Nuñez

**Absent:**

**Also present:** Hector Rangel, Public Works Director, Peter Ibarbo, PIO, Andres Burciaga, Fire Chief, Javier Guerra, Police Chief, Raquel Alarcon, Finance Officer, Concepcion Medina, PHA Director and Daniel Carranco, City Clerk.

Mayor Javier Perea informed Public that Council met in Executive Session at 5:30PM. Only the item on the Executive Session Agenda was discussed and no decisions were made.

**PLEDGE OF ALLEGIANCE**

Councilor Bertha Salmon

**CONFLICT OF INTEREST**

None

**APPROVAL OF AGENDA**

Councilor Donald McBride **moved** to approve the Agenda Order. **Seconded** by Councilor Jessica Avila.

All those in favor said "aye." Motion passed unanimously.

**Vote:** Motion (summary: Yes 6, No 0, Abstained 0)

**AYE:** Councilor Daisy G. Lira, Councilor Donald McBride, Councilor Carolina Renteria, Councilor Jessica Avila, Councilor Bertha Salmon, Councilor Olga Nuñez.

**NAY:**

**ABSENT:.**

**PUBLIC COMMENT**

Maria Burciaga, Ramon Sierra and Lorenzo Villescás (residents of Anapra) thanked Council for the initiation of construction on the Anapra Pump. They asked Council to provide them a construction schedule of the Pump.

Amando Salcedo (resident of Anapra) questioned the City's "building permit" requirements. He is adding a structure to his home and cannot afford to comply with the building permit requirement that an Engineer or Architect approve his plan.

Rocky Bacchus (One Hour Air Conditioning & Heating) provided council a brief update on the PACE Renewable Energy Ordinance that was approved by the City Council.

State House Representative Ray Lara introduced self to Council and offered his support for Sunland Park.

Rafael Leos (South Central Solid Waste Authority) provided Council a "calendar" and "brief numbers" of grapple service in Sunland Park.

### **REMARKS AND INQUIRIES BY THE CITY COUNCIL**

---

Councilor Carolina Renteria requested that City Staff bring a department to City Hall that can take "utility payments." Doing so, would alleviate residents from having to travel to Las Cruces in order to pay utilities.

### **PRESENTATION**

---

1. **Environmental Program Specialist Update.** *(Byron Cross, Environmental Program Specialist)*

### **CONSENT AGENDA**

---

*All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.*

2. **Approve Minutes of 12/04/18 Regular Meeting of Sunland Park City Council.** *(Daniel Carranco, City Clerk)*
3. **Acceptance of the Sunland Park Housing Authority Financial Status Report Ending November 2018.** *(Concepcion Medina, Housing Authority Director)*
4. **Acceptance of Sunland Park Municipal Court Monthly State Fees Report.** *(Maria Rubio, Court Administrator)*
5. **Approval of the 2019 Sunland Park Open Meetings Act Resolution.** *(Daniel Carranco City Clerk)*
6. **Approval of the 2019 Sunland Park Record Retention and Disposition Policy.** *(Daniel Carranco City Clerk)*

Councilor Jessica Avila **moved** to approve the Consent Agenda. **Seconded** by Councilor Olga Nuñez.

A roll call vote was made. Motion passed unanimously.

**Vote:** Motion (summary: Yes 6, No 0, Abstained 0)

**AYE:** Councilor Daisy G. Lira, Councilor Donald McBride, Councilor Carolina Renteria, Councilor Jessica Avila, Councilor Bertha Salmon, Councilor Olga Nuñez.

**NAY:**

**ABSENT:**

**NEW BUSINESS AND RESOLUTIONS**

**7. A Resolution to approve a Budget Adjustment to Fiscal Year 2018-2019 Budget related to 1<sup>st</sup> to 5<sup>th</sup> Street Construction Project. (Hector Rangel, Public Works Director)**

Councilor Donald McBride:

- o Asked if Staff would be back to request additional funding when bids came in at 20% over the budgeted amount?

Hector Rangel, Public Works Director responded: Yes probably, but confident that project can come in "under budget."

- o Asked if this item was budgeted in the 2018-2019 City Budget?

Hector Rangel responded "no." He explained that this project took 1.5 years and was budgeted in FY17-18 Budget, but nothing happened. The project was not part of the FY18-19 Budget because it was being vetted by DFA (requested additional information).

- o Asked if there were any more un-anticipated items coming up for fund approval?

Hector Rangel, Public Works Director pointed out, the next item on this agenda. He explained that Public Works has other applications "out," that will not be shovel ready, until next fiscal year.

- o Expressed concern that City is using up the General Fund Reserves on unforeseen projects and at some point, Council may need to reject them.

- o Requested that Staff, try to anticipate projects and include them in Budget preparation period.

Councilor Daisy G. Lira moved to approve Item 7. **Seconded** by Councilor Olga Nuñez.

A roll call vote was made. Motion passed unanimously.

**Vote:** Motion (summary: Yes 6, No 0, Abstained 0)

**AYE:** Councilor Daisy G. Lira, Councilor Donald McBride, Councilor Carolina Renteria, Councilor Jessica Avila, Councilor Bertha Salmon, Councilor Olga Nuñez.

**NAY:**

**ABSENT:**,

**8. A Resolution to approve a Budget Adjustment to Fiscal Year 2018-2019 Budget related to FEMA Project. (Hector Rangel, Public Works Director)**

Councilor Donald McBride moved to approve Item 8. **Seconded** by Councilor Olga Nuñez.

A roll call vote was made. Motion passed unanimously.

**Vote:** Motion (summary: Yes 6, No 0, Abstained 0)

**AYE:** Councilor Daisy G. Lira, Councilor Donald McBride, Councilor Carolina Renteria, Councilor

Jessica Avila, Councilor Bertha Salmon, Councilor Olga Nuñez.

**NAY:**

**ABSENT:**

**MAYOR'S REPORT**

**ADJOURNMENT**

Mayor Javier Perea wished everybody Happy Holidays and adjourned meeting without objection at 7:51PM.

**AGENDA ITEM NO. 3**  
**CITY OF SUNLAND PARK**  
**CITY COUNCIL**  
**(FOR INFORMATION ONLY)**

---

**Meeting Date:** 1/8/2019

**Submitted By:** Concepcion Medina  
PHA Director

---

**Subject:** Approve and update the Flat Rent Policy in the Admissions and Continued Occupancy Policy (ACOP).

---

**Fiscal Impact:**

Amount Budgeted: N/A

Fund: N/A

Amount Available: N/A

---

**Background:** In November 30, 2017 HUD issued the Update to Flat rent requirements Notice PIH-2017-23. The FY 2014 Appropriation Act required HPAs to establish Flat Rents at no less than 80 percent of the applicable Fair Market rent (FMR). The FY 2015 Appropriations Act maintained the FY 2014 rent increase. Notice PIH 2017-23 supersedes and replaces the guidance provided in 2015 and clarifies HUD's interpretation of the statutory amendment related to flat rents. PHA's using a Market analysis must submit and exception request to HUD.

<u>Final FY2019 FMR for all Bedroom Sizes</u>	<u>PHA Flat Rents</u>
One-bedroom \$575	80% \$459
Two-bedroom \$700	80% \$560
Three-bedroom \$1,012	80% \$809
Four-bedroom \$1,211	80% \$968

---

**Recommendation:** The PHA Director's recommendation is to Approve the 2019 Flat Rents.





# FY 2019 FAIR MARKET RENT DOCUMENTATION SYSTEM

## The FY 2019 FMRs for All Bedroom Sizes

Final FY 2019 FMRs By Unit Bedrooms					
Year	Efficiency	One-Bedroom	Two-Bedroom	Three-Bedroom	Four-Bedroom
FY 2019 FMR	<del>\$506</del>	\$574	\$700	\$1,012	\$1,211
FY 2018 FMR	<del>\$504</del>	\$612	\$753	\$1,095	\$1,292

Dona Ana County, New Mexico is part of the Las Cruces, NM MSA, which consists of the following counties: Dona Ana County, NM. All information here applies to the entirety of the Las Cruces, NM MSA.

### Fair Market Rent Calculation Methodology

#### Show/Hide Methodology Narrative

Fair Market Rents for metropolitan areas and non-metropolitan FMR areas are developed as follows:

- 2012-2016 5-year American Community Survey (ACS) estimates of 2-bedroom adjusted standard quality gross rents calculated for each FMR area are used as the new basis for FY2019 provided the estimate is statistically reliable. For FY2019, the test for reliability is whether the margin of error for the estimate is less than 50% of the estimate itself and whether the ACS estimate is based on at least 100 survey cases. HUD does not receive the exact number of survey cases, but rather a categorical variable known as the count indicator indicating a range of cases. An estimate based on at least 100 cases corresponds to a count indicator of 4 or higher.

If an area does not have a reliable 2012-2016 5-year, HUD checks whether the area has had at least minimally reliable estimate in any of the past 3 years, or estimates that meet the 50% margin of error test described above. If so, the FY2019 base rent is the average of the inflated ACS estimates.

If an area has not had a minimally reliable estimate in the past 3 years, the estimate State for the area's corresponding metropolitan area (if applicable) or State non-metropolitan area is used as the basis for FY2019.
- HUD calculates a recent mover adjustment factor by comparing a 2016 1-year 40th percentile recent mover 2-bedroom rent to the 2012-2016 5-year 40th percentile adjusted standard quality gross rent. If either the recent mover and non-recent mover rent estimates are not reliable, HUD uses the recent mover adjustment for a larger geography. For metropolitan areas, the order of geographies examined is: FMR Area, Entire Metropolitan Area (for Metropolitan Sub-Areas), State Metropolitan Portion, Entire State, and Entire US; for non-metropolitan areas, the order of geographies examined is: FMR Area, State Non-Metropolitan Portion, Entire State, and Entire US. The recent mover adjustment factor is floored at one.
- HUD calculates the appropriate recent mover adjustment factor between the 5-year data and the 1-year data and applies this to the 5-year base rent estimate.

4. Rents are calculated as of 2017 using the relevant (regional or local) change in gross rent Consumer Price Index (CPI) from annual 2016 to annual 2017.
5. All estimates are then inflated from 2017 to FY2019 using a trend factor based on the forecast of gross rent changes through FY2019.
6. FY2019 FMRs are then compared to a State minimum rent, and any area whose preliminary FMR falls below this value is raised to the level of the State minimum.
7. FY2019 FMRs may not be less than 90% of FY2018 FMRs.

**The results of the Fair Market Rent Step-by-Step Process**

1. The following are the 2016 American Community Survey 5-year 2-Bedroom Adjusted Standard Quality Gross Rent estimate and margin of error for Las Cruces, NM MSA.

Area	ACS <sub>2016</sub> 5-Year 2-Bedroom Adjusted Standard Quality Gross Rent	ACS <sub>2016</sub> 5-Year 2-Bedroom Adjusted Standard Quality Gross Rent Margin of Error	Ratio	Sample Size Category	Result
Las Cruces, NM MSA	\$627	\$18	$\frac{\$18}{\$627} = 0.029$	6	0.029 < .5 6 ≥ 4 Use ACS <sub>2016</sub> 5-Year Las Cruces, NM MSA 2-Bedroom Adjusted Standard Quality Gross Rent

Since the ACS<sub>2016</sub> Margin of Error Ratio is less than .5, the ACS<sub>2016</sub> Las Cruces, NM MSA value is used for the estimate of 2 Bedroom Adjusted Standard Quality Gross Rent:

Area	FY2019 Base Rent
Las Cruces, NM MSA	\$627

2. A recent mover adjustment factor is applied based on the smallest area of geography which contains Las Cruces, NM MSA and has an ACS<sub>2016</sub> 1-year Adjusted Standard Quality Recent-Mover estimate with a Margin of Error Ratio that is less than .5.

Area	ACS <sub>2016</sub> 1-Year Adjusted Standard Quality Recent-Mover Gross Rent	ACS <sub>2016</sub> 1-Year Adjusted Standard Quality Recent-Mover Gross Rent Margin of Error	Ratio	Sample Size Category	Result
Las Cruces, NM MSA – 2 Bedroom	\$662	\$56	0.085	1	1 < 4 Do Not Use ACS <sub>2016</sub> 1-Year Las Cruces, NM MSA 2-Bedroom Adjusted Standard Quality Recent-Mover

Area	ACS <sub>2016</sub> 1-Year Adjusted Standard Quality Recent-Mover Rent	ACS <sub>2016</sub> 1-Year Adjusted Standard Quality Recent-Mover Margin of Error	Ratio	Sample Size Category	Result
					Gross Rent
					0.055 < .5 4 ≥ 4
Las Cruces, NM MSA - All Bedroom	\$674	\$37	0.055	4	Use ACS <sub>2016</sub> 1-Year Las Cruces, NM MSA All Bedroom Adjusted Standard Quality Recent-Mover Gross Rent

The smallest area of geography which contains Las Cruces, NM MSA and has an ACS<sub>2016</sub> 1-year Adjusted Standard Quality Recent-Mover estimate with a Margin of Error Ratio that is less than .5 and with a sufficient number of sample cases is Las Cruces, NM MSA.

3. The calculation of the relevant Recent-Mover Adjustment Factor for Las Cruces, NM MSA is as follows:

ACS <sub>2016</sub> 5-Year Area	ACS <sub>2016</sub> 5-Year 40th Percentile Adjusted Standard Quality Gross Rent	ACS <sub>2016</sub> 1-Year 40th Percentile Adjusted Standard Quality Recent-Mover Gross Rent
Las Cruces, NM MSA - All Bedroom	\$673	\$674

Area	Ratio	Recent-Mover Adjustment Factor
Las Cruces, NM MSA	$\frac{\$674}{\$673} = 1.001$	1.001 ≥ 1.0 Use calculated Recent-Mover Adjustment Factor of 1.001

4. The calculation of the relevant CPI Update Factors for Las Cruces, NM MSA is as follows: HUD updates the 2016 intermediate rent with the ratio of the annual 2017 local or regional CPI to the annual 2016 local or regional CPI to establish rents as of 2017.

	Update Factor	Type
CPI Update Factor	1.0376	Region CPI

5. The calculation of the Trend Factor is as follows: HUD forecasts the change in national gross rents from 2017 to 2019. This makes Fair Market Rents "as of" FY2019.

National Trend Factor
1.0572

6. The FY 2019 2-Bedroom Fair Market Rent for Las Cruces, NM MSA is calculated as follows:

Area	ACS 2014 5-Year Estimate	Recent-Mover Adjustment Factor	Annual 2016 to 2017 CPI Adjustment	Trending 1.0572 to FY2019	FY 2019 2-Bedroom FMR
Las Cruces, NM MSA	\$627	1.001	1.0376	1.0572	$\$627 * 1.001 * 1.0376 * 1.0572 = \$689$

7. In keeping with HUD policy, the preliminary FY 2019 FMR is checked to ensure that it does not fall below the state minimum.

Area	Preliminary FY2019 2-Bedroom FMR	FY 2019 New Mexico State Minimum	Final FY2019 2-Bedroom FMR
Las Cruces, NM MSA	\$689	\$700	$\$689 \leq \$700$ Use New Mexico minimum of \$700

8. Bedroom ratios are applied to calculate FMRs for unit sizes other than two bedrooms.

Click on the links in the table to see how the bedroom ratios are calculated.

FY 2019 FMRs By Unit Bedrooms					
	Efficiency	One-Bedroom	Two-Bedroom	Three-Bedroom	Four-Bedroom
FY 2019 FMR	\$506	\$574	\$700	\$1,012	\$1,211

9. The FY2019 FMR must not be below 90% of the FY2018 FMR.

	Efficiency	One-Bedroom	Two-Bedroom	Three-Bedroom	Four-Bedroom
FY2018 FMR	\$534	\$612	\$753	\$1,095	\$1,292
FY2018 floor	\$481	\$551	\$678	\$986	\$1,163
FY 2019 FMR	\$506	\$574	\$700	\$1,012	\$1,211
Use FY2018 floor for FY2019?	No	No	No	No	No

**Final FY2019 Rents for All Bedroom Sizes for Las Cruces, NM MSA**

The following table shows the Final FY 2019 FMRs by bedroom sizes.

Final FY 2019 FMRs By Unit Bedrooms					
	Efficiency	One-Bedroom	Two-Bedroom	Three-Bedroom	Four-Bedroom
Final FY 2019 FMR	\$506	\$574	\$700	\$1,012	\$1,211

The FMRs for unit sizes larger than four bedrooms are calculated by adding 15 percent to the four bedroom FMR, for each extra bedroom. For example, the FMR for a five bedroom unit is 1.15 times

the four bedroom FMR, and the FMR for a six bedroom unit is 1.30 times the four bedroom FMR. FMRs for single-room occupancy units are 0.75 times the zero bedroom (efficiency) FMR.

Permanent link to this page: [http://www.huduser.gov/portal/data\\_sets/fmr/fmrs/FY2019\\_code/2019summary.odn?&year=2019&fmrtype=Final&selection\\_type=county&fips=3501399999](http://www.huduser.gov/portal/data_sets/fmr/fmrs/FY2019_code/2019summary.odn?&year=2019&fmrtype=Final&selection_type=county&fips=3501399999)

**Select a different area**

Press below to select a different county within the same state (same primary state for metropolitan areas):

- Bernalillo County, NM
  - Catron County, NM
  - Chaves County, NM
  - Cibola County, NM
  - Colfax County, NM
- Select a new county

Press below to select a different state:

Select a new state

Select a Final FY 2019 Metropolitan FMR Area:

- Las Cruces, NM MSA
- Select Metropolitan FMR Area

[HUD Home Page](#) | [HUD User Home](#) | [Data Sets](#) | [Fair Market Rents](#) | [Section 8 Income Limits](#) | [FMR/IL Summary System](#) | [Multifamily Tax Subsidy Project \(MTSP\) Income Limits](#) | [HUD LIMTC Database](#)

Prepared by the [Economic and Market Analysis Division](#), HUD. Technical problems or questions? [Contact Us](#).

**AGENDA ITEM NO. 4  
CITY OF SUNLAND PARK  
CITY COUNCIL  
(FOR INFORMATION ONLY)**

Meeting Date: 1/8/2019

Submitted By: Daniel Carranco  
City Clerk

Subject: Approval of an Ordinance pursuant to NMSA 1978, Section 1-22-3.1 (2018) to opt-in to the NM Local Election Act.

---

**Fiscal Impact:**

Amount Budgeted: N/A

Fund: N/A

Amount Available: N/A

**Background:** The Local Election Act (LEA) was passed via House Bill 98 by NM Legislature and effective July 1, 2018. The goal of the Local Election Act is to increase voter participation by setting uniform election procedures for the conduct and canvassing of all elections. Under the LEA, Municipalities have the option of "opting-in" or "opting-out."

By opting-in the County Clerk will conduct all regular local elections. The Municipality will pay an annual assessment equal to \$250 per 1-million of general fund (\$7 million SPGF) = +/- \$1,750.00.

If a Municipality decides to opt-out, the Municipal Clerk will continue to conduct and pay for elections = +/- \$9,517.00 (not including overtime). Approval of this Ordinance will require a Budget Adjustment (in near future) to make the annual assessment payment.

Under the Local Election Act: Elections will be held in November of "odd numbered years." Therefore, all Council Terms will need to be extended 21 months or shortened 3 months. During the First Reading of this item on 12/4/18, Council chose to "opt-in, under option 2." which shortens the terms of current Council (ending in 2020 and 2022).

The deadline for a local government to opt-in is January 30, 2019. If a Municipality opts-in to the LEA, a copy of the approved Ordinance needs to be sent to NM Secretary of State. If a Municipality opts-out of the LEA; a Resolution (opting-out) needs to be passed and sent to NM Secretary of State.

**Recommendation:** City Clerk recommends "opting-in."

**CITY OF SUNLAND PARK NEW MEXICO**

**ORDINANCE 2019-**

**AN ORDINANCE PURSUANT TO NMSA 1978, SECTION 1-22-3.1 (2018) TO OPT IN TO THE ELECTION OF THE MUNICIPAL OFFICERS OF THE CITY OF SUNLAND PARK IN THE REGULAR LOCAL ELECTION.**

**WHEREAS:** on July 1, 2018 the Local Election Act went into effect as Chapter 1, Article 22, NMSA 1978 establishing the Regular Local Election, a consolidated election day for non-partisan local government bodies on the first Tuesday after the first Monday in November of each off-numbered year; and

**WHEREAS:** the Local Election Act also established the Municipal Officer Election Day on the first Tuesday of even-numbered years; and

**WHEREAS:** the Local Election Act provides the option for each municipality to determine if its elective officers shall be elected on the Municipal Officer Election Day or at the Regular Local Election; and

**WHEREAS:** the City of Sunland Park New Mexico has considered the issues related to opting in, including uniformity of procedure and convenience for the voters.

**NOW, THEREFOR, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SUNLAND PARK, NEW MEXICO:**

**SECTION 1 MUNICIPAL OFFICERS TO BE ELECTED AT THE REGULAR LOCAL ELECTION**

Pursuant to Subsection of Section 1-22-3.1 NMSA 1978, the City of Sunland Park opts in to the election of its municipal officers in the Regular Local Election.

**SECTION 2 ADJUSTMENT OF TERMS TO CORRESPOND WITH NEW ELECTION DATE**

**OPTION 2:** The terms of office for the current municipal office holders shall be adjusted, so that:

(A) Municipal officers elected or appointed to a term ending in 2020 shall serve until December 31, 2019, the new term of the position shall be elected at the regular local election in November 2019, and the new term shall commence January 1, 2020; and

(B) Municipal officers elected or appointed to a term ending in 2022 shall serve until December 31, 2021, the new term of the position shall be elected at the regular local election in November 2021, and the new term shall commence January 1, 2022.

**SECTION 3 FILING WITH SECRETARY OF STATE**

Following approval of this ordinance, the Municipal Clerk shall file a copy of the ordinance with the Secretary of State no later than January 30, 2019.

**PASSED, ADOPTED, AND APPROVED** at 6:00PM on this 8<sup>th</sup> day of January 20.

**ATTEST**

\_\_\_\_\_  
Daniel Carranco, City Clerk

\_\_\_\_\_  
Mayor Javier Perea

SEAL

**ROLL CALL VOTE**

District 1 Councilor Jessica Avila  
District 2 Councilor Daisy G. Lira  
District 3 Councilor Bertha Salmon  
District 4 Councilor Carolina Renteria  
District 5 Councilor Olga Nuñez,  
District 6 Councilor Donald McBride