

A G E N D A
City of Aztec
CITY COMMISSION MEETING
January 28, 2014
201 W. Chaco, City Hall
6:00 p.m.

I. CALL TO ORDER

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

V. AGENDA APPROVAL

VI. PRESENTATION (15 MINUTE MAXIMUM)

A. MPO Planner, Joe Delmagori Long Range Transportation Plan and Vision

VII. CITIZEN RECOGNITION

VIII. EMPLOYEE RECOGNITION

IX. CONSENT AGENDA

A. Commission Meeting Minutes, January 14, 2014

B. Travel Requests

C. Appointment of Precinct Board for the March 4, 2014 Regular Election

D. Hampton Arroyo Sewer Line Crossing-Change Order #1

E. Bid 2014-399 Water Treatment Plant Clarifier Recoat-Final Change Order

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

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

Note: A final agenda will be posted 24 hours prior to the meeting. Copies of the agenda may be obtained from City Hall, 201 W. Chaco, Aztec, NM 87410

IX. CONSENT AGENDA (CONTINUED)

- F. Agreement With Farmington Probation
- G. Acceptance of Audit Report
- H. Document Destruction Community Development

X. ITEMS FROM CONSENT AGENDA

XI. CITIZENS INPUT (3 Minutes Maximum)

(Citizens who wish to speak will sign up prior to the meeting – this section is for items not otherwise listed on the agenda)

XII. BUSINESS ITEMS

- A. Intent to Adopt Ordinance 2014-434 Amending Section 17-3, Adopting a New Safety Policy

XIII. LAND USE HEARING

- A. Sign Variance at 530 Kiva Ave.
- B. Variance for Multifamily Dwelling on an A-1 Parcel Located at 809 Pioneer Ave.
- C. Variance for Residential Dwelling on an A-1 Parcel Located on McCoy Ave.

XIV. CITY MANAGER/COMMISSIONERS/ATTORNEY REPORTS

XV. DEPARTMENT REPORTS

(When this item is announced, all Department Heads who wish to give a report will move to the podium)

XVI. CLOSED SESSION

Closed Session Pursuant to State Law, Section 10-15-1(H-8) to Consider the Approval of Purchase of Real Property

XVII. ADJOURNMENT

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

Note: A final agenda will be posted 24 hours prior to the meeting. Copies of the agenda may be obtained from City Hall, 201 W. Chaco, Aztec, NM 87410

CITY OF AZTEC
COMMISSION MEETING MINUTES
January 14, 2014

I. CALL TO ORDER

Mayor Burbridge called the Meeting to order at 6:00 p.m. in the Aztec City Commission Room, City Hall, 201 W. Chaco, Aztec, NM

II. INVOCATION

The Invocation was led by Judge Carlton Gray

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Electric Director, Ken George

IV. ROLL CALL

MEMBERS PRESENT: Mayor Sally Burbridge; Mayor Pro-Tem Jim Crowley; Commissioner Sherri Sipe; Commissioner Gene Current

MEMBERS ABSENT: Commissioner Roberta Locke

OTHERS PRESENT: City Manager, Joshua Ray; City Attorney, Larry Thrower; City Clerk, Karla Sayler; Project Manager, Edward Kotyk (see attendance sheet)

V. AGENDA APPROVAL

MOVED by Commissioner Sipe, SECONDED by Commissioner Current to Approve the Agenda.

All Voted Aye, Motion Passed Four to Zero

VI. CITIZEN RECOGNITION

City Manager, Josh Ray mentioned that IT Director, Wallace Begay will be videoing the Commission Meeting to put on the City's website and the City's YouTube page.

Code Compliance Officer, Bob Carmen presented the Aztec Spirit Award for Yard of the Month to Ken and Wilma Burns at 704 Sagebrush Drive, and Commercial Spirit Award of the Month to Durango Joe's.

VII. EMPLOYEE RECOGNITION

Josh stated that we received a letter from Amy Warner from ECHO thanking us for donating 3505 pounds of food, \$760.00 dollars totaling 5785 pounds of food to the Food Drive. Josh mentioned an article that was in the Talon from a citizen saying how great the lights look around the City and all the improvements that are being done throughout the City. He thanked the Electric and Public Works Department for all they do to make the City look good. The article also mentioned kudos to our City Planner. The Mayor also thanked everybody involved in making the City look great. He also mentioned that the Police Department received their Certificate of Accreditation from the Professional Standards Council.

VIII. CONSENT AGENDA

MOVED by Mayor Pro-Tem Crowley to Approve Consent Agenda, SECONDED by Commissioner Sipe with the exception of Item E. Electric Department Banner Policy and Item G. Resolution #2014-929 Seeking Public Vote of Local Economic Development funds for Retail Businesses.

- A. Special Commission Meeting Minutes, December 3, 2013
- B. Commission Meeting Minutes, December 10, 2013
- C. Special Commission Meeting Minutes, December 23, 2013
- D. Travel Request
- E. Pulled
- F. Community Development Department Destruction
- G. Pulled

All Voted Aye; Motion Passed Four to Zero

IX. ITEMS FROM CONSENT AGENDA

- E. Electric Department banner Policy

Mayor Pro-Tem questioned if there has been any discussions with regards to the banner policy. Mayor Burbridge stated that there has been no discussion. Commission and Staff reviewed the policy that is being proposed and discussed some amendments to be made.

MOVED by Commissioner Sipe, SECONDED by Commissioner Current to Approve the updated policy and specifications for approved community even banners to be hung over Main Avenue or displayed on city property with the following amendments in the policy:

- In the first paragraph after banners are scheduled on a first come first serve basis we will add request with overlapping display periods shall be decided by the Community Development Department.
- In the second paragraph it should read Once the display period has ended the banner will be removed by the City and temporarily stored at the Aztec Electric Department.

All Voted Aye; Motion Passed Four to Zero

G. Resolution #2014-929 Seeking Public Vote of Local Economic Development funds for Retail businesses.

Mayor Burbridge stated that Commission has not had time to discuss this recommendation from Economic Development Advisory Board. She gave a background regarding this. She stated that there is a change to the LEDA Statute on the Legislative level to allow funds for retail businesses however there has to be a local public vote. Commission and Staff stated that the local Economic Development Act would allow arts and cultural districts in its consideration of the use of local economic development funds. If this is passed there is no timeline to hold the election.

MOVED by Commissioner Sipe, SECONDED by Mayor Burbridge to Approve resolution 2014-929 Seeking Public Vote of Local Economic Development funds for Retail Businesses.

X. CITIZENS INPUT

Katie McClure stated that due to the loss of Fantasy of Lights her and a few other citizens have come up with the idea of having City of Lights competition which would be between businesses in the City during the Christmas season. She would like to present the idea in a Workshop for Commission in the future.

XI. BUSINESS ITEM

A. Plat Suspension: Jenkins Ranch

Roshana stated that staff anticipates this suspension should be removed fairly quickly, the developer is waiting for the ground to thaw to finish a temporary a cul-de-sac and have provided estimates for sidewalk and paving completion to the City's Engineer and he is reviewing those estimates to ensure that they meet what the market is, and once those are approved the City will follow up with the developer so that the developer can secure or update their bond as needed. She stated that this particular development has no build out at this time.

MOVED by Mayor Pro-Tem Crowley, SECONDED by Commissioner Sipe to Approve Declaration of Suspension for Jenkins Ranch Subdivision Phase 1

All Voted Aye; Motion Passed Four to Zero

B. Plat Suspensions: Mesa Escondido

Roshana stated that particular subdivision is the subdivision located off of North Light Plant Road. She stated that the developer asked the City to do the plat suspension so there is time for the developers to prepare their engineering, get some general cost estimates to see where they are at, and to see if they can move forward with development of the subdivision. She also stated that this is a 200 lot subdivision, three of which are open space, one lot that is developed and does have a home on it. Mayor Burbridge asked if Plat Suspensions have an indefinite time period. Roshana stated that under code it is indefinite.

MOVED by Commissioner Current, SECONDED by Mayor Pro-Tem Crowley to Approve Declaration of Suspension

All Voted Aye; Motion Passed Four to Zero

C. Plat Suspensions: Pioneer Heights

Roshana stated that Pioneer Heights Subdivision is at approximately a 50% build out however we do not have an active Subdivision Improvement Agreement in place. She stated that the City did establish a Memorandum of understanding with the Developer in 2010 with the intent that a new improvement agreement would be developed and to this date there is no new Subdivision Improvement Agreement so the City is requesting to move forward with the Plat Suspension. The Subdivision has infrastructure that is not complete and one of the primary roads has not been completed. She stated that in the original Subdivision Improvement Agreement the bond that was provided to the City was never finalized from a signatory standpoint.

Peggy McWilliams, Owner of Pioneer Heights Subdivision went over the Memorandum of Understanding that was given to her when it was approved by the City Commission on 3/15/2005 and the last Subdivision Improvement Agreement from 5/17/2010. Larry Thrower, City Attorney went over the laws and rules for suspension with the McWilliams.

MOVED by Commissioner Sipe, SECONDED by Mayor Burbridge to Approve Declaration of Suspension for Pioneer Heights.

All Voted Aye; Motion passed Four to Zero

D. Intent to Adopt Ordinance. 2014-432 Amending Chapter 1 General Administration

Roshana stated that this amendment to this chapter was at the recommendation by Judge Carlton Gray, because under the old version of City Code there was a section titled Code Compliance that included various code violations and left out specific code violations that have been updated with Land Use Code.

A Roll Call Was Taken; All Voted Aye; Motion Passed 4-0

MOVED by Commissioner Current, SECONDED by Commissioner Sipe to Approve the Intent to Adopt Ordinance 2014-432 Amending Chapter 1 General Administration

E. Intent to Adopt Ordinance #2014-433 Amending Chapter 2 Administration

Roshana stated that Ordinance was to update the Community Development Director title per job description. She stated that the second item is every time the City goes through Chapter 2 with Economic Development Advisory boards there is an issue with code that is found.

MOVED by Commissioner Sipe, SECONDED by Commissioner Current to Approve the Intent to Adopt Ordinance 2014-433 Amending Chapter 2 Administration

A Roll Call Was Taken; Motion Passed 3-0, 1 Abstained

F. Resolution #2014-930 Recognizing Aztec Community Events

Resolution #2014-930 was tabled and will be discussed in a future workshop.

MOVED by Mayor Burbridge, SECONDED by Commissioner Sipe to table Resolution #2014-930 Recognizing Aztec Community Events

XII. LAND USE HEARING

Mayor Burbridge opened the Land Use Hearing for a sign variance for Wines of the San Juan. Mayor Burbridge stated that this hearing would be conducted under Procedures mandated by the New Mexico Court of Appeals in Battershell versus the City of Albuquerque, which were intended to protect the due process rights of our parties. Mayor Burbridge subsequently identified the parties and City Staff. Mayor Burbridge then asked Commission if they would accept the parties and they

did. She reviewed the procedures and then asked if any members of the Commission had a conflict of interest, bias, or engaged in ex parte communication, there were none. Mayor Burbridge then swore in the parties and then reviewed the Order of Presentation.

Planning Technician, Joshua Hedgpeth presented the Staff Summary and stated that two comments have been received, the first from Citizens Bank and the second from Christa Romme, both saying that the sign is a good idea. Mayor Burbridge asked is this a variance to the sign code or the sign policy. Roshana stated that it is a variance to the sign code.

Commission and Staff Discussed Finding of Facts #1-5. The Community Development Department recommends DENYING this application for a variance to Aztec Municipal Code Sec. 20-4-7.7(2), Temporary Sign regulations, for Wines of the San Juan, located at 233 Hwy. 511 in Blanco, New Mexico, to allow Wines of the San Juan to place a temporary over the street banners on City property located over the North Main Ave. in Aztec, New Mexico, advising Commission to accept Findings of Fact #1-5 and vote "NO" to show the motion as DENIED.

MOVED by Commissioner Current, SECONDED by Commissioner Sipe to Approve the application for a variance to Aztec Municipal Code Sec. 20-4-7.7-7(2), Temporary Sign Regulations, for Wines of the San Juan, located at 233 Hwy. 511 in Blanco, New Mexico, to allow Wines of the San Juan to place a temporary over the street banners on City property over North Main Ave. in Aztec, New Mexico, accepting Findings of Fact #1-5.

A Roll Call Was Taken; All Voted Aye; Motion Passed 4-0

XIII. CITY MANAGER/COMMISSIONERS/ATTORNEY REPORTS

Josh stated that Commission had received the FY13 Audit. Josh mentioned that this is Roshana Moojen, Community Development Director's last meeting with Commission. It was decided that the workshop for Resolution #2014-930 would be on January 28th before the Commission Meeting.

Mayor Burbridge stated that she had dinner with Mayor Chad Auer from Firestone, Colorado. She stated that Mayor Chad Auer reported they had a 431% growth since 2010. She stated that Mayor Chad Auer stressed to her is to market the community all the time, tell folks how great we are, and what we have going on in the community.

Commissioner Sipe stated that she attended the Conoco Phillips breakfast and there was discussion on how much oil and gas brings to our state. She stated that she wanted to congratulate the Police Department on their Certificate of

Accreditation. She also stated that she received some nice comments on the new medians and how nice the City looks.

Commissioner Current stated that we have an answer to a clean environment in our own state and mentioned that natural gas is clean energy. He is proud to work in the industry of oil and gas. He also is proud of the improvements in our City.

XIV. DEPARTMENT REPORTS

Roshana wanted to give an update on the FEMA Site Assessments. She stated that the Project Manager for FEMA stated that Aztec is the most prepared community they have ever seen. She has spent two full days on site and transferring data to official forms and funding should start coming in for debris removal and for emergency projects and the permanent work would be a little slower and it would be approximately a twelve month time period. She stated after that we will be moving forward on Large Scale Hazard Mitigation Grant Applications to mitigate the Hampton and Blanco Arroyos.

XV. CLOSED SESSION

Closed Session of Pursuant to State Law, Section 10-15-1(H-8) to Consider the Approval of Purchase of Real Property.

Commission went in to closed session at 8:55pm to discuss the Purchase of Real Property than came out of closed session at 9:25pm and mentioned that there were no other items discussed other than to Consider the Approval of Purchase of Real Property.

All Voted Aye: Motion Passed 4-0

XVI. ADJOURNMENT

MOVED by Commissioner Sipe to adjourn the meeting at 9:25 pm SECONDED by Mayor Burbridge.

Mayor, Sally Burbridge

ATTEST:

Karla H. Saylor, City Clerk

MINUTES PREPARED BY:

Chelsea Clowe, Support Service Secretary

DRAFT

Staff Summary Report

MEETING DATE:	January 28, 2014
AGENDA ITEM:	IX. CONSENT AGENDA (B)
AGENDA TITLE:	Travel Requests

ACTION REQUESTED BY:	General Service, Commission and Electric
ACTION REQUESTED:	Approval of Employee/Public Official Travel Requests
SUMMARY BY:	Cheryl Franklin

PROJECT DESCRIPTION / FACTS (Leading Department)

- Resolution 2003-603 identifies the requirement for employee/public official travel requests to be pre-approved by the commission. All travel requests will be submitted to the commission for approval prior to the travel occurring except in unusual circumstances when the City Manager may approve as provided in resolution 2003-603.
- The attached log is sorted by dates of travel and then by department.
- If travel/training is to be reimbursed or some of the costs will be paid by another entity, those notes have been included on the log.

FISCAL INPUT (Finance Department)

- All departments requesting travel have sufficient funds budgeted within their travel/training budgets

SUPPORT DOCUMENTS:	Travel Log January 28, 2014
---------------------------	-----------------------------

DEPARTMENT'S RECOMMENDED MOTION:	Approve Employee/Public Official Travel Requests
---	--

EMPLOYEE/PUBLIC OFFICIAL TRAVEL REQUESTS FOR COMMISSION APPROVAL
MEETING DATE: January 28, 2014

Dates of Travel	Department	Employee	Purpose of Travel/Location	Over-night	Out of State	Costs	Explanation of Cost	FY14 Budget Available
01/29-31/14	Gen Svc	Tristan Olguin	Urban Tree Care Conference Albuquerque, NM.	Yes	No	86.40 145.00 246.34 50.00	Meal & Gratuity Allowance Registration Lodging Estimated Fuel Expense	Yes
02/06-07/14	Commission	Sally Burbridge	25 th Annual Municipal Day Santa Fe, NM.	Yes	No	50.40 75.00 95.62 75.00	Meal & Gratuity Allowance Registration Lodging Estimated Fuel Expense	Yes
02/06-07/14	Commission	Sherri Sipe	25 th Annual Municipal Day Santa Fe, NM.	Yes	No	50.40 75.00 95.62	Meal & Gratuity Allowance Registration Lodging (riding w/Mayor & Roberta)	Yes
02/06-07/14	Commission	Roberta Locke	25 th Annual Municipal Day Santa Fe, NM.	Yes	No	50.40 75.00 95.62	Meal & Gratuity Allowance Registration Lodging (riding w/Mayor & Sherri)	Yes
02/17-21/14	Electric	Eric Mietchen	1-2-3 Fiber Optic Training Albuquerque, NM.	Yes	No	168.00 1680.00 235.00 60.00	Meal & Gratuity Allowance Registration Lodging Estimated Fuel Expense	Yes
02/17-21/14	Electric	Greg Mizell	1-2-3 Fiber Optic Training Albuquerque, NM.	Yes	No	168.00 1680.00 235.00	Meal & Gratuity Allowance Registration Lodging (Riding w/Eric Mietchen)	Yes

Staff Summary Report

MEETING DATE: January 28, 2014
AGENDA ITEM: IX. CONSENT AGENDA (C)
AGENDA TITLE: Appointment of Precinct Board for the March 4, 2014 Regular Election

ACTION REQUESTED BY: Karla Sayler, City Clerk
ACTION REQUESTED: Approval of the Appointment of Precinct Board for the March 4, 2014 Regular Election
SUMMARY BY: Karla Sayler

PROJECT DESCRIPTION / FACTS

- Pursuant to Section 3-8-19C of the New Mexico State Statute, the Governing Body shall appoint a Precinct Board for each polling place. We only have one polling place which will be the Aztec City Commission Room and City Hall 201 W. Chaco.
- The Precinct Board shall consist of three election judges, two election clerks (may be combined) and two alternates. The election judges and clerks may also serve as translators.
- The list below contains names of individuals who have previously served as precinct workers or alternates and have done an excellent job. It is my recommendation that the Commission appoint the individuals on this list to serve as the 2014 Regular Election Precinct Board:

Mary Boatman, Presiding Judge
Angela Watkins, Election Judge/Clerk
Frances Cooper, Election Judge/Clerk
Anita Choate, Election Clerk
Beatrice Esquibel, Election Clerk/Spanish Translator
Stephanie Sandoval, Alternate
Anita Lewis, Alternate

FISCAL INPUT / FINANCE DEPARTMENT (if applicable)

Approximately \$800.00 (rounded up)

Precinct judge:	\$150.00
Election Judge/Clerk:	\$125.00X4=\$500.00
Alternates:	\$20.00X2=\$40.00 (stand-by pay)
	<hr/>
	\$690.00

SUPPORT DOCUMENTS:

None-The Election Handbook is available in the
City Clerk's Office

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve the Appointment of Precinct
Board for the March 4, 2014 Regular Election.

Staff Summary Report

MEETING DATE:	January 28, 2014
AGENDA ITEM:	IX. CONSENT AGENDA (D)
AGENDA TITLE:	Bid 2014-400 Hampton Arroyo Sewer Line Crossing - Change Order 1

ACTION REQUESTED BY:	Purchasing
ACTION REQUESTED:	APPROVAL
SUMMARY BY:	Austin Randall

PROJECT DESCRIPTION / FACTS (Leading Department)

- Commission approved award of Bid 2014-400 Hampton Arroyo Sewer Line Crossing on December 23, 2013. The project was determined to be an Emergency Procurement due to the failed/failing status of the sewer line. The project has been underway over the last month and is near completion.
- The Contractor has requested a Change Order for an additional manhole that was required to interrupt an existing force main that was missed in the line locates that feeds to sewer line over the arroyo. The man hole was necessary so that the temporary sewer service across the arroyo could service all sewer lines entering the failed system. Due to the emergency nature of the project, Staff authorized the contractor to proceed with installing the manhole to avoid further delay of the project. It was vital that the temporary service be completed before McCoy Elementary School resumed classes after their Christmas Break. The work was completed and the temporary sewer service across the arroyo has been working properly during construction.

TECHNICAL INPUT (Supporting Departments)

- It was initially believed that the sewer line servicing Martinez Lane connected to the existing manhole near the sewer line crossing. However, it was discovered during construction that the sewer line tied directly into the failing sewer line that is being replaced. Installation of a new manhole was necessary to properly provide the temporary sewer service across the arroyo for construction.
- The design engineer, CHC Engineers, has reviewed and approves of the Change Order.
- The City's Public Works Director/City Engineer has also reviewed and approves of the Change Order, as it was vital to meet the time schedule of the project and required for completion.

PROCUREMENT INPUT (Purchasing)

- December 23, 2013 – Commission approved award of the project to Sterling Brothers Construction in the amount of \$49,056.00 plus tax.
- This requested Change Order #1 for an installation of a manhole is \$4,000.00 plus tax.
- Staff recommends approval of this Change Order 1, as it was required for the successful completion of the project.

FISCAL INPUT (Finance Department)

- Approved Contract: \$52,888.50
- Change Order 1 Amount: **\$ 4,312.50**
 - New Contract Total: **\$57,201.00 Including Tax**
- Sufficient funds exist in Joint Utility Wastewater Collection budget to meet the financial obligation of this change order.

SUPPORT DOCUMENTS: 2014-400 Change Order 1 Documentation

DEPARTMENT’S RECOMMENDED MOTION: Move to APPROVE Change Order #1 in the amount of \$4,000.00 plus GRT.

CONTRACT CHANGE ORDER

CONTRACTOR: Sterling Brothers Construction 1202 W Aztec Blvd Aztec, NM 87410	CHANGE ORDER No. 1 PROJECT: Hampton - Pioneer Sewer Crossing PROJECT No. 2014-227
OWNER: City of Aztec 201 W. Chaco, Aztec, NM 87410	ENGINEER: CHC Engineering, LLC 50 Valley Court, Durango, CO 81301
DATE OF ISSUE: 1/15/2014	EFFECTIVE DATE: 1/15/2014
The Contractor is hereby directed to make the following changes in the Contract Documents.	
Description: Add a manhole on the north side of the arroyo.	
Reason for Change Order: The sewer line coming up West Martinez Lane did not tie into the manhole in Martinez, it tied directly into the sewer line to the east of that manhole. This made it not possible to cap the sewer line across the arroyo.	
Attachments: (List documents supporting change and justifying cost and time) Contractor letter on cost.	
CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price: \$49,056.00 plus NMGR	Original Contract Times: (calendar days) 41 Days
Net changes from previous Change Orders \$0 plus NMGR	Net changes from previous Change Orders (calendar days) 0 Days
Contract Price Prior to this Change Order: \$49,056.00 plus NMGR	Contract Times prior to this Change Order: (calendar days) 41 Days
Net Increase (decrease) of this Change Order: \$4,000.00 plus NMGR	Net Increase (decrease) of this Change Order: (calendar days) 0 Days
New Contract Price with all Approved Change Orders: DATE OF ISSUE: 1/15/2014 \$53,056.00 plus NMGR	New Contract Times with all Approved Change Orders: (calendar days) 41 Days
RECOMMENDED: (Engineer) CHC Engineers, LLC By: <i>R. Cervantes</i> Date: 1/15/2014	APPROVED: (Owner) City of Aztec By: Date:
ACCEPTED: (Contractor) By: <i>Kathleen Sterling</i> Date: 1-15-14	REVIEWED: (Funding Agency) By: NA Date:



P.O. Box 1119
Aztec, New Mexico 87410
Telephone: 505-334-7523
Fax: 505-334-7453

"THE PEOPLE YOU CAN DEPEND UPON FOR A QUALITY JOB"

City of Aztec
201 West Chaco
Aztec, New Mexico 87410

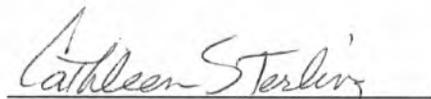
Re: Hampton Arroyo Sewer Line Crossing
Bid # 3014-400

Dear Mr. Randall:

It has come to our attention that there is sewer coming in from the West that was not considered when this project bid. When notified, your office requested a change order for the installation of a new four foot diameter manhole. This manhole is necessary to collect all of the sewage that needs to be bypass pumped while the new sewer line is being installed in the new casing.

Our cost to you for this manhole furnished and installed complete with base, barrels for required height, ring and cover is:

\$4,000.00 plus applicable taxes.


Cathleen sterling

Staff Summary Report

MEETING DATE:	January 28, 2014
AGENDA ITEM:	IX. CONSENT AGENDA (E)
AGENDA TITLE:	Bid 2014-399 Water Treatment Plant #2 Clarifier Recoat – Final Change Order

ACTION REQUESTED BY:	Purchasing
ACTION REQUESTED:	APPROVAL
SUMMARY BY:	Austin Randall

PROJECT DESCRIPTION / FACTS (Leading Department)

- Commission approved award of Bid 2014-399 Water Treatment Plant #2 Clarifier Sandblast and Recoat on November 12, 2013. The project consisted of completely sandblasting, repairing, and recoating the treatment plant #2 clarifier.
- During the project, a couple issues were discovered that required additional work by the contractor to complete the project.

TECHNICAL INPUT (Supporting Departments)

- After performing testing on the existing metal surfaces within the clarifier, it was discovered that the surfaces needed to be cleaned and treated with a special solution that was not included in the initial project scope. This treatment removed any salt contamination that would inhibit the coating from properly adhering to the surfaces. This work was necessary for the contractor and paint manufacturer to warranty the work.
- There were also several welding repairs that were required during the course of the project. There various surface areas that were very thin and had holes that needed to be filled. The various welds and repairs were necessary to complete the project and extend the life of the clarifier.
- The Water Treatment Plant Superintendent reviewed and approved this work as it was necessary for the successful completion of the project.

PROCUREMENT INPUT (Purchasing)

- November 12, 2013 – Commission approved award of the project to Riley Industrial Services, Inc. in the amount of \$63,061.00 plus tax.

- Change Order Requested: Soluble Salt Contamination Treatment: \$5,156.00
Welding Repairs: \$1,835.50
Total Change Order: \$6,991.50 + tax
- Staff recommends approval of this Change Order, as all work was required for the successful completion of the project.

FISCAL INPUT (Finance Department)

- Approved Contract: \$67,948.23
- Change Order 1 Amount: \$ 7,533.34
 - New Contract Total: **\$75,481.57 Including Tax**
- \$68,000.00 was included in the FY 2014 Adopted Budget, Joint Utility Water Treatment, specific to this project (500-4610-63222 Plant Maintenance). Joint Utility contingency funds will be transferred to meet the obligations of the change order (work has been completed).

SUPPORT DOCUMENTS: Change Order Documentation

DEPARTMENT'S RECOMMENDED MOTION: Move to APPROVE Change Order in the amount of \$6,991.50 plus GRT.



R.I.S. #: 2013-3011
 2615 SAN JUAN BLVD
 FARMINGTON, NM 87401
 1851 N. 6TH STREET
 SHOW LOW, AZ 85902
 1251 OI DC DRIVE
 ODESSA, TX 79766
 4523 HWY 84
 LUBBOCK, TX 79416

INVOICE
 79128

REMIT TO:
 P.O. BOX 2014
 FARMINGTON, NM 87499
 PHONE: (505) 327-4947
 FAX: (505) 326-0305
 WWW.RILEYINDUSTRIAL.COM

TO: City of Aztec (A0120)
 201 W. Chaco
 Aztec, NM 87410
 ATTN: Finance Department
 acctspayable@aztecnm.gov

DATE: 12/31/2013
 CONTRACT #:
 PO or WO #: 2014362
 LOCATION: Aztec Water Treatment Plant #2
 DESCRIPTION: Decontamination & Welding Repairs

SANDBLASTING * PAINTING * COATING * INTERNAL TANK LINING * FIBERGLASSING * LEAD PAINT ABATEMENT * INDUSTRIAL VACUUM TRUCKS
 WATERBLASTING * HYDRO-EXCAVATION * LUNGSTROM AIR PREHEATER CLEANING * INTERNAL-EXTERNAL PIPE CLEANING

CONTACT: Austin Randall 505 334 7656

D.T.R. NO: T-B08-7EA-B15C

SUMMARY OF WORK: Furnish all labor, equipment and materials necessary to perform Soluable Salt Decontamination and Welding Repairs to Clarifier at the Aztec Water Treatment Plant #2 as per instructions and quotation. Work scope also includes loading/unloading of equipment and materials; DOT Pre-Trip Inspections before any of our vehicles travel on the highways; and all travel time to and from the job site.

DESCRIPTION	AMOUNT
EXTRA - Soluble Salt Contamination / Washing & Re-Blasing 1.00 lump sum @ \$5,156.00 per lump sum	\$5,156.00
EXTRA - Welding Repairs 1.00 lump sum @ \$1,835.50 per lump sum	\$1,835.50
TAX: NM - AZTEC - 000-000-2220-1020	\$541.84
SUB-TOTAL:	\$6,991.50
SALES TAX:	\$541.84
TOTAL CHARGES:	\$7,533.34

TERMS: Net due upon completion of work as of date of invoice, with a service charge of 1.5 percent per month (18 percent per annum) on all past due accounts. Minimum service charge is 50 cents.

RECEIVED
 JAN 13 2014
 CITY OF AZTEC



PLANT LOCATION
2615 SAN JUAN BLVD FARMINGTON, NM 87401
PHONE (505) 327-4947

MAILING ADDRESS
P.O. BOX 2014 FARMINGTON, NM 87499
FAX (505) 326-0305

December 6, 2013

City of Aztec

Attention: Austin & Andrew

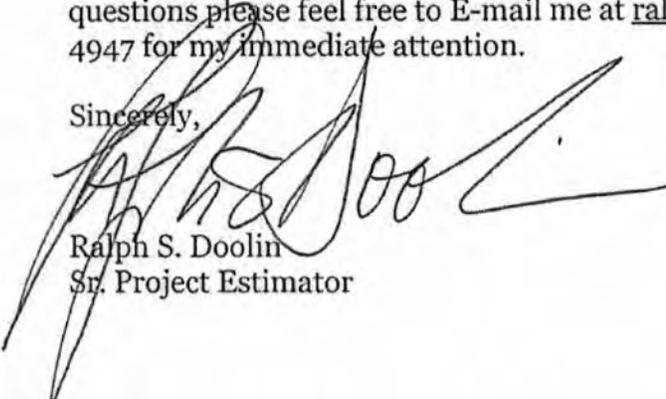
Re: WTP Clarifier coating Project – Soluble Salt Contamination

This letter is to let the City know that we performed testing on the existing metal surfaces of the clarifier we are currently contracted to coat for any Soluble Salt contamination and those results show that we have 10 ppm which is over the permissible limits as outlined by Sherwin/Williams technical team (see attached bulletin). We were surprised that contamination was found due to the Clarifier has only raw water since it is the first stage of the filtering process.

If not addressed, this present condition could cause early coating failure and so we are suggesting that cleaning the surfaces with Chlor-rid solution be done to decontaminate the steel surfaces before proceeding with the epoxy coating system. We will follow NACE/SSPC standards for cleaning. Since this is out of the original workscope we are requesting that an additional \$5,156.00 be added to allow us to perform the washing and re-blasting of the surfaces. Not doing this work could affect the warranty period.

Please review and let myself or Bill McPherson know how to proceed. If you have any questions please feel free to E-mail me at ralphd@rileyindustrial.com or call 505-327-4947 for my immediate attention.

Sincerely,



Ralph S. Doolin
Sr. Project Estimator



PLANT LOCATION
2615 SAN JUAN BLVD FARMINGTON, NM 87401
PHONE (505) 327-4947

MAILING ADDRESS
P.O. BOX 2014 FARMINGTON, NM 87499
FAX (505) 326-0305

January 9, 2014

City of Aztec

Attention: Austin & Andrew

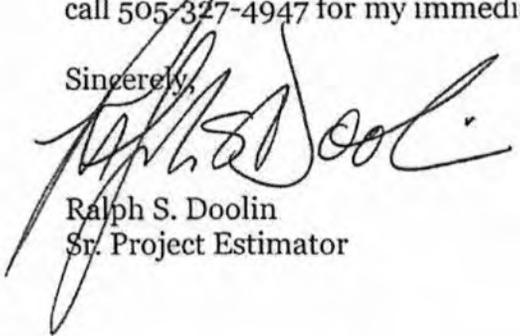
Re: WTP Clarifier coating Project – Welding Repairs

We hereby submit the following breakdown for welding repair cost on the above referenced project which was performed as an extra to our workscope as directed by Andrew.

Dec. 6 th	Welder	10 hours @ \$47.25	\$ 472.50
	1 Ton Truck	1 day @ \$68.25	\$ 68.25
	Welding unit	7 hours @ \$34.00	\$ 238.00
Dec. 9 th	Welder	8 hours @ \$47.25	\$ 378.00
	1 Ton Truck	1 day @ \$68.25	\$ 68.25
	Welding unit	6 hours @ \$34.00	\$ 204.00
Dec. 13 th	Welder	5 hours @ \$47.25	\$ 236.25
	1 Ton Truck	1 day @ \$68.25	\$ 68.25
	Welding unit	3 hours @ \$34.00	<u>\$ 102.00</u>
			<u>\$1,835.50</u>

If you have any questions please feel free to E-mail me at ralphd@rileyindustrial.com or call 505-327-4947 for my immediate attention.

Sincerely,



Ralph S. Doolin
Sr. Project Estimator

Staff Summary Report

MEETING DATE:	January 28, 2014
AGENDA ITEM:	IX. Consent Item (F)
AGENDA TITLE:	Agreement with Farmington Probation

ACTION REQUESTED BY:	Judge Carlton Gray
ACTION REQUESTED:	Approve Agreement with Farmington Probation to monitor defendant on probation for DWI's
SUMMARY BY:	Carlton Gray-Municipal Judge

PROJECT DESCRIPTION / FACTS (Leading Department)

At this time when a defendant is placed on mandatory probation for DWI we are not able to closely manage the probationer.

Allowing us to enter into this agreement the probationer will be assigned an actual probation officer and will be required to report to them weekly and perform home visits. If a probationer does violate conditions of probation I will be given a report and will be able to deal with it quickly.

I feel that many violations are occurring at this time and they are not being caught and thus defeating the purpose of having someone on probation.

We have come up with what I feel is a very affordable solution, compared to having to hire a probation officer ourselves. The charge for each probationer is 70.00. The probationer is responsible for 50.00 and we are to pay the remaining 20.00. If for whatever reason the probationer fails to pay their portion we will be billed the 50.00. I was advised by Farmington Probation that this rarely occurs.

FISCAL INPUT / FINANCE DEPARTMENT (if applicable)

Pending legal opinion, the cost of this service will be a General Fund expenditure. If it is determined Correction Fees collected by the Municipal Court may be used for probation services, there would be minimal impact, if any, to General Fund beyond the annual transfer to Correction Fees.

If it is determined that Correction Fees may not be utilized for this purpose, the FY15 budget will recommend a decrease in the budgeted transfer to the Corrections Fund to offset the increased expenditure in General Fund. For the remainder of FY14, if funds exist within the Municipal Court budget, they will be used for any costs incurred under this agreement; otherwise, General Fund contingency will be utilized.

SUPPORT DOCUMENTS:

Probation Service Agreement

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve the Probation Service Agreement with the City of Farmington Probation Department.

THIS AGREEMENT made and entered into this _____ day of _____, 2014, by and between the City of Aztec, a municipal corporation, and the City of Farmington, New Mexico, a municipal corporation.

WHEREAS, the City of Aztec operates a Municipal Court that handles a variety of crimes including the crime of Driving While Intoxicated.

WHEREAS, The City of Aztec wishes to have probation services provided to defendants that are convicted of the crime of Driving While Intoxicated in Municipal Court.

WHEREAS, The City of Aztec does not have a probation department and wishes to use the services of the City of Farmington Municipal Court Probation Department.

WHEREAS, the parties wish to enter into a service agreement to provide probation services to City of Aztec probationers.

NOW, THEREFORE, IT IS UNDERSTOOD AND AGREES AS FOLLOWS:

1. The City of Farmington agrees;
 - a. To bill the City Aztec on a quarterly basis for probation services rendered.
 - b. The City of Farmington will charge \$70 per probationer to supervise. Additionally, should probationer not pay the \$50.00 fee as required by their probation contract, the City of Farmington will bill this fee to the City of Aztec.
 - c. The City of Farmington will bill the City of Aztec for any laboratory fees that are incurred due to positive drug tests from City of Aztec probationers.
 - d. The City of Farmington agrees to only supervise Driving While Intoxicated probationers.
 - e. The City of Farmington will not enforce any probation requirements that exceed the statutory and jurisdictional authority of the Municipal Court.
 - f. Probation services will be provided so long as available manpower exists.
2. The City of Aztec agrees;
 - a. To pay the quarterly bills within thirty (30) days of receipt of invoice.
 - b. Provide the City of Farmington Municipal Court Probation Department with a list of newly assigned probationers weekly.
 - c. The City of Aztec agrees that the City of Farmington will not supervise an individual for traffic offenses, with exception of the charge of Driving While Intoxicated.
 - d. The City Aztec will hold all show cause hearings for probation violations and the hearings shall be held in front the Aztec Municipal Court Judge.
 - e. The City of Aztec agrees not to exceed the jurisdictional authority of the Farmington Municipal Court in the terms of probation for each probationer.
3. The City of Aztec and the City of Farmington mutually agree to defend, indemnify and hold harmless the other from and against any and all liability caused by or arising from the negligent acts or omissions of their own agents or employees.
4. The parties agree that the Agreement will be reviewed annually for feasibility and financial means testing.

5. This agreement is effective as of January 1, 2014.

City of Farmington

By: _____
Judge William Liese

STATE OF NEW MEXICO)
) ss:
COUNTY OF SAN JUAN)

The foregoing instrument was acknowledged before me this _____ day of January, 2014, by William Liese, Full Time Municipal Judge for the City of Farmington.

Notary Public _____

My Commission Expires:

City of Aztec

By: _____
Judge Carlton Gray

STATE OF NEW MEXICO)
) ss:
COUNTY OF SAN JUAN)

The foregoing instrument was acknowledged before me this _____ day of January, 2014, by Carlton Gray, Full Time Municipal Judge for the City of Aztec.

Notary Public _____

My Commission Expires:

Staff Summary Report

MEETING DATE:	January 28, 2014
AGENDA ITEM:	IX. CONSENT (G)
AGENDA TITLE:	Acceptance of FY2013 Comprehensive Annual Financial Report

ACTION REQUESTED BY:	Finance Department
ACTION REQUESTED:	Accept FY2013 Comprehensive Annual Financial Report
SUMMARY BY:	Kathy Lamb

PROJECT DESCRIPTION / FACTS

- The FY13 Comprehensive Annual Financial Report was approved for release by the State Auditor's Office on December 31, 2013. As per Sec 12 -6 -5 NMSA 1978, the audit report does not become public record until 5 days from the date of the State Auditor's release, or January 5, 2014. The State Auditor's office also approved final payment to David Berry CPA for the FY13 audit which was processed on January 21, 2014.
- The summary of audit results, page 93, found no significant deficiency, no material weaknesses and no instances of noncompliance material to the financial statements.
- Page 94 of the report identifies the findings. Finance staff has implemented additional internal procedures to address the findings indentified during the FY13 audit.
- Management's Discussion and Analysis (MD &A) begins on page ix; Basic Financial Statements begin on page 1 and notes to the financial statements on page 15. Statistical section begins on page 79 and may provide more useful information than in the past. The Finance Department will continue improving this section in compliance with GAAP (generally accepted accounting principles).

SUPPORT DOCUMENTS:	FY2013 Comprehensive Annual Financial Report (bound copies provided to Commission on January , electronic document available www.aztecnm.gov)
---------------------------	---

DEPARTMENT'S RECOMMENDED MOTION: Move to accept the FY2013 Comprehensive Annual Financial Report

Staff Summary Document Destruction

MEETING DATE: January 28, 2014
AGENDA ITEM: IX. CONSENT AGENDA (H)
AGENDA TITLE: Document Destruction Community Development Department

ACTION REQUESTED BY: Community Development Department
ACTION REQUESTED: Approval of Document Destruction Community Development Department
SUMMARY BY: Joshua Hedgpeth

PROJECT DESCRIPTION / FACTS

The following documents have been processed and scanned into Laserfiche. In accordance with the Community Developments Planning Records Retention Schedule these records are now ready for disposal pending Approval from Commission.

- 2013-223 Hero's - Temporary Sign - Approved
- 2013-164 112 N Main - Remodel – Approved
- 2013-152 300 S Pollard #9 - Accessory – Approved
- 2013-177 Aztec Highland Games - Temporary – Approved
- 2013-218 John Lockmiller - SFD – Approved
- 2013-221 Ryan Lane - Window – Approved
- 2013-227 C. Johnston - Lot Split – Denied
- 2013-215 1710 W Aztec Blvd. - Variance – Approved
- 2013-226 St. Joseph Church - Accessory – Denied
- 2013-225 212 N. Church - Remodel – Approved
- 2013-229 602 Ruins Rd Lot 20 - Accessory – Approved
- Electrical Affidavit 440
- Electrical Affidavit 442
- Electrical Affidavit 441
- PLANNING APP 2013-086 other mh set
- PLANNING APP 2013-088 oil & gas
- PLANNING APP 2013-090 remodel
- PLANNING APP 2013-092 snow cone business
- PLANNING APP 2013-095 phone
- PLANNING APP 2013-099 fence
- PLANNING APP 2013-102 sign
- PLANNING APP 2013-103 sign
- PLANNING APP 2013-104
- PLANNING APP 2013-105 acc struct shop
- PLANNING APP 2013-106 sfd
- PLANNING APP 2013-108 elect upgrade

SUPPORT DOCUMENTS: None

DEPARTMENT'S RECOMMENDED MOTION: Move to **APPROVE** the destruction of documents as outlined by the document destruction procedures.

Staff Summary Report

MEETING DATE: February 04, 2014
AGENDA ITEM: XII. BUSINESS ITEM (A)
AGENDA TITLE: Intent to Adopt Ordinance 2014-434 Amending Chapter 17, Section 17-3 Safety Policy.

ACTION REQUESTED BY: Safety Coordinator Troy Morris
ACTION REQUESTED: Approve Intent to Adopt Ordinance 2014-434 Amending Chapter 17, Section 17-3 Safety Policy
SUMMARY BY: Troy Morris

PROJECT DESCRIPTION / FACTS

The Safety Policy was adopted and once it was initiated there were minor details in the policy that were found to be unreasonable or a hardship to the employees. The issues were discussed in several Staff Meetings and it was decided that the safety Committee would work on the policy to recommend possible changes. The policy was also made available to all the city employees and their input was requested.

The minor changes have been completed and the policy is available for viewing.

SUPPORT DOCUMENTS: Ordinance 2014-434
Safety Policy is available for review at City Clerk's office

DEPARTMENT'S RECOMMENDED MOTION: Move and Second to Approve the Intent to Adopt Ordinance 2014-434 Amending Chapter 17, Section 17-3 Safety Policy.

City of Aztec
ORDINANCE 2014-434

An Ordinance to Amend Chapter 17, Personnel.

WHEREAS, the City of Aztec has a responsibility to create a safe working environment for its employees; and

WHEREAS, the City has created a Safety Program and a written Safety Policy to provide policies and procedures to guide the creation of the safe working environment; and

WHEREAS, the Safety Policy may have financial implications for the City and therefore should be formally adopted.

NOW THEREFORE BE IT ORDAINED by the Governing Body of the City of Aztec, New Mexico that Chapter 17 Personnel be amended as follows with the addition of Section 17-3:

Sec. 17-3. Safety Policy.

The document entitled "City of Aztec Safety Policy, Revised February 2014" is adopted by reference. All Appendices with forms can be amended through an Administrative Regulation process.

PASSED, APPROVED, SIGNED AND ADOPTED this ____ day of _____ 2014.

By the Aztec City Commission, City of Aztec, New Mexico.

Mayor Sally Burbridge

ATTEST:

Karla Sayler, City Clerk

APPROVE AS TO FORM:

Larry Thrower, City Attorney

ADVERTISED DATE OF FINAL ADOPTION: _____

EFFECTIVE DATE OF ORDINANCE: _____

Land Use Hearing

MEETING DATE: January 28, 2013
QUASI JUDICIAL ITEM: XIII. LAND USE HEARING (A)
QUASI JUDICIAL TITLE: Sign Variance at 530 Kiva Ave.

FINDING OF FACTS

Community Development Finding of Facts

1. The property in question is 530 Kiva Ave., a 0.169 acre parcel zoned Single Family Dwelling District (R-1). The property is a duplex owned to by the applicant, Dale Brooks, and currently used as a rental property.
2. The applicant has requested a variance to Aztec Municipal Code Sec. 20-4-1.1 Signs Permitted in Agricultural and Residential Zone Districts; to allow a permanent Freestanding Business Sign measuring 48 square feet (sqft.) and approximately six (6) +/- feet tall within the residential zoning district.
3. Per Sec. 20-4-1.1 the Mr. Brooks is allowed a freestanding sign a maximum of six (6) sqft., with a maximum of three (3) feet in. height.
4. Applicant is also requesting a variance to Sec. 20-5-2.1(1) Clearance Standards, which states that no sign shall be installed within the clear sight triangle.
5. The sign currently is well within the 30' x 30' site triangle required by Sec. 20-5-2.1(1). The intent of a site triangle is to allow for increased visibility at intersections for the safety of pedestrians and motorists.
6. Currently there has been one comment from an interested party:
 - a. Joyce Copland contact our office and requested the following statement be read:

I believe the normal retail signs should be good enough. The sign doesn't have to be that big.

For clarification, Mrs. Copland identifies a "normal retail sign" as a real estate or for rent sign located typically in the front yard of the home being rented or sold.
7. Compliance history –
 - a. Code Compliance Observed a free standing commercial sign approximately 48 square feet and sent a courtesy Notice on September 9, 2013 asking Mr. Brooks to obtain and begin the sign permit process no later than September 30, 2013.
 - b. On October 2, 2013 the City had not received a sign permit application. A notice of intent to issue a citation was sent October 2, 2013 asking for compliance by October 16, 2013.
 - c. City received sign permit application on October 22, 2013. The application was Denied on October 28, 2013.
 - d. Reason for denial was the commercial sign was too large for the R-1 Zone.

- e. City gave owner 30 days to remove sign. As of Today sign remains up.
 - f. Owner applied for Variance on January 7, 2014.
8. Contact History

SUPPORT DOCUMENTS:

- Application packet
 - Site Map
 - Supporting documents
-

COMMUNITY DEVELOPMENT RECOMMENDATION: The Community Development Department recommends **DENYING** this application for a variance to Aztec Municipal Code Sec. 20-4-1.1 Signs Permitted in Agricultural and Residential Zone Districts & Sec. 20-5-2.1(1) Clearance Standards, for the unpermitted sign located at 530 Kiva Ave. in Aztec, New Mexico, advising Commission to accept Findings of Fact #1-7 and vote "**NO**" to show the motion as **DENIED**.

RECOMMENDED RULING: Move to Approve the application for a variance to Aztec Municipal Code Sec. 20-4-1.1 Signs Permitted in Agricultural and Residential Zone Districts & Sec. 20-5-2.1(1) Clearance Standards, , for the unpermitted sign located at 530 Kiva Ave. in Aztec, New Mexico, advising Commission to accept Findings of Fact #1-7



CITY OF AZTEC VARIANCE APPLICATION

Application Year: 2014 Application No.: 001 Application Date: 12/23/2013

Applicant Name: Dale Brooks

Applicant Address: P.O. Box 1106 Aztec N.M. 87410
(Street Name) (City) (State) (Zip Code)

Applicant Phone: (505) 320-1014

Is Applicant Owner of Property?

Legal Description of the Property:
(Or address if different than above) Enclosed

Total Area of Property (acres): 530 Kiva Avenue = City lot 105 Ruins Road = 3.78 Acres

Zoning District:

Tax ID Number 530 Kiva Avenue = # 243 105 Ruins Road = # 737

Flood Zone

Present Use of Property: Rental Housing Unit

Desired Use of Property: SAME

Reason for Requesting a Variance:

Need to Erect Business Signs to Curtail Over Excessive Advertising Costs that are putting a strain on our business in these hard Economic Times (see attached letter)

Plan Map Available? YES NO

(Plan map is required; failure to provide a plan map will cause a delay in the process)

Dale Brooks
Applicant's Signature

12/23/2013
Date

City Commission Meeting Date:

RECEIVED

ACTION: APPROVED DENIED

City Planner

JAN 07 2014

Date

TY OF AZTEC
01/07/2014 15:49 CD

CI

CM DEV ADMIN FEE (ALL PERMITS)

U-A190205	AMOUNT
FMSD CM DEV ADMIN FEE (ALL	10.00
FMSD CM DEV LAND USE PERMIT	50.00

PAYMENT RECEIVED	AMOUNT
CASH	60.00
TOTAL	60.00

[Faint handwritten notes or stamp]



SURVEY OF N 64' LOT 10 BLOCK 1

J.C. TOWNSEND SUBDIVISION No. 1

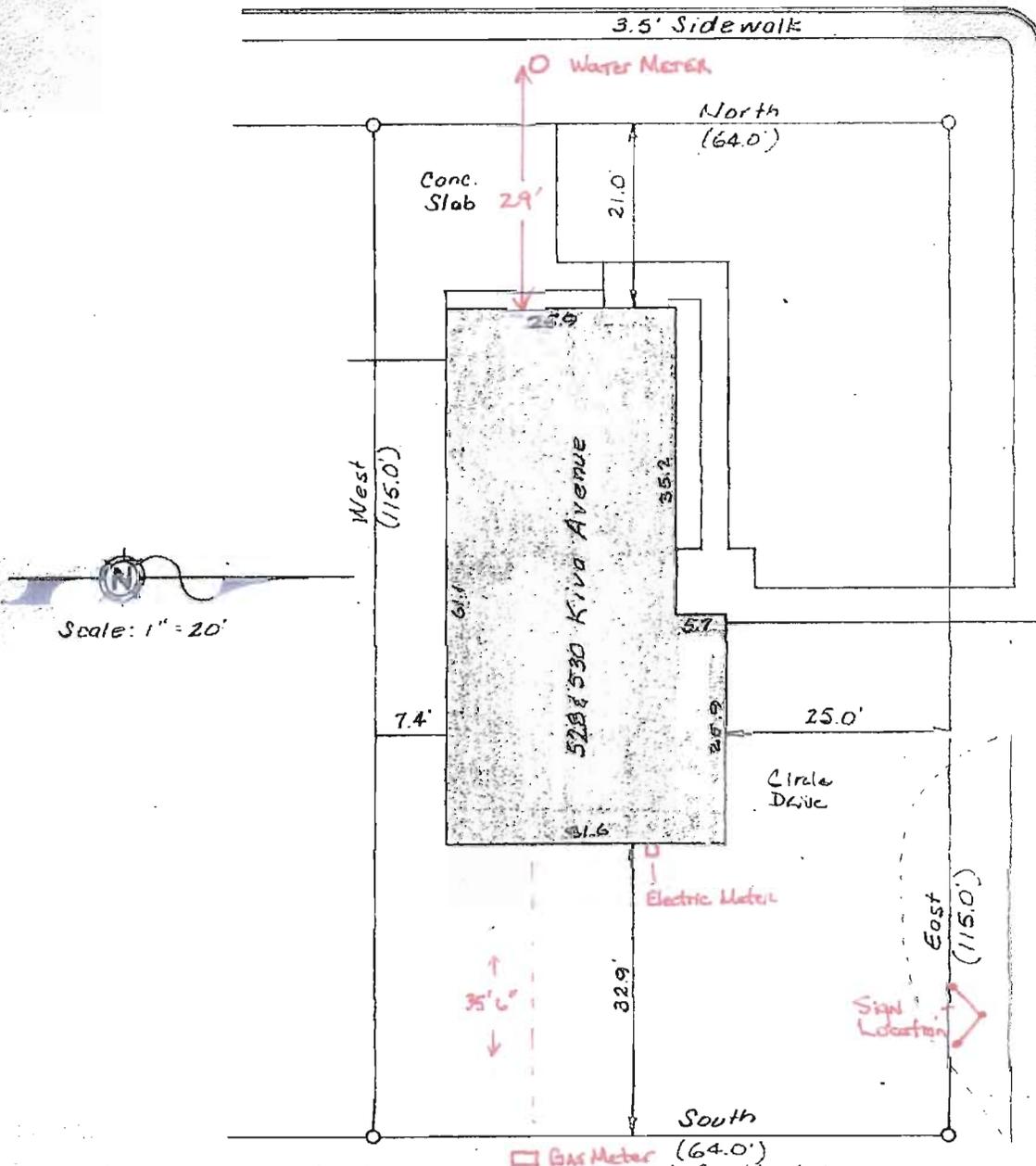
Situated in Aztec, New Mexico

for Robert M. Hurley, et ux

Recorded Sept. 7, 1953 with the County Clerk
San Juan County, New Mexico

No Problems with Overhead Power
Supply Lines As Per on Site inspection
by Ken George 11:00 AM. 12/28/2019

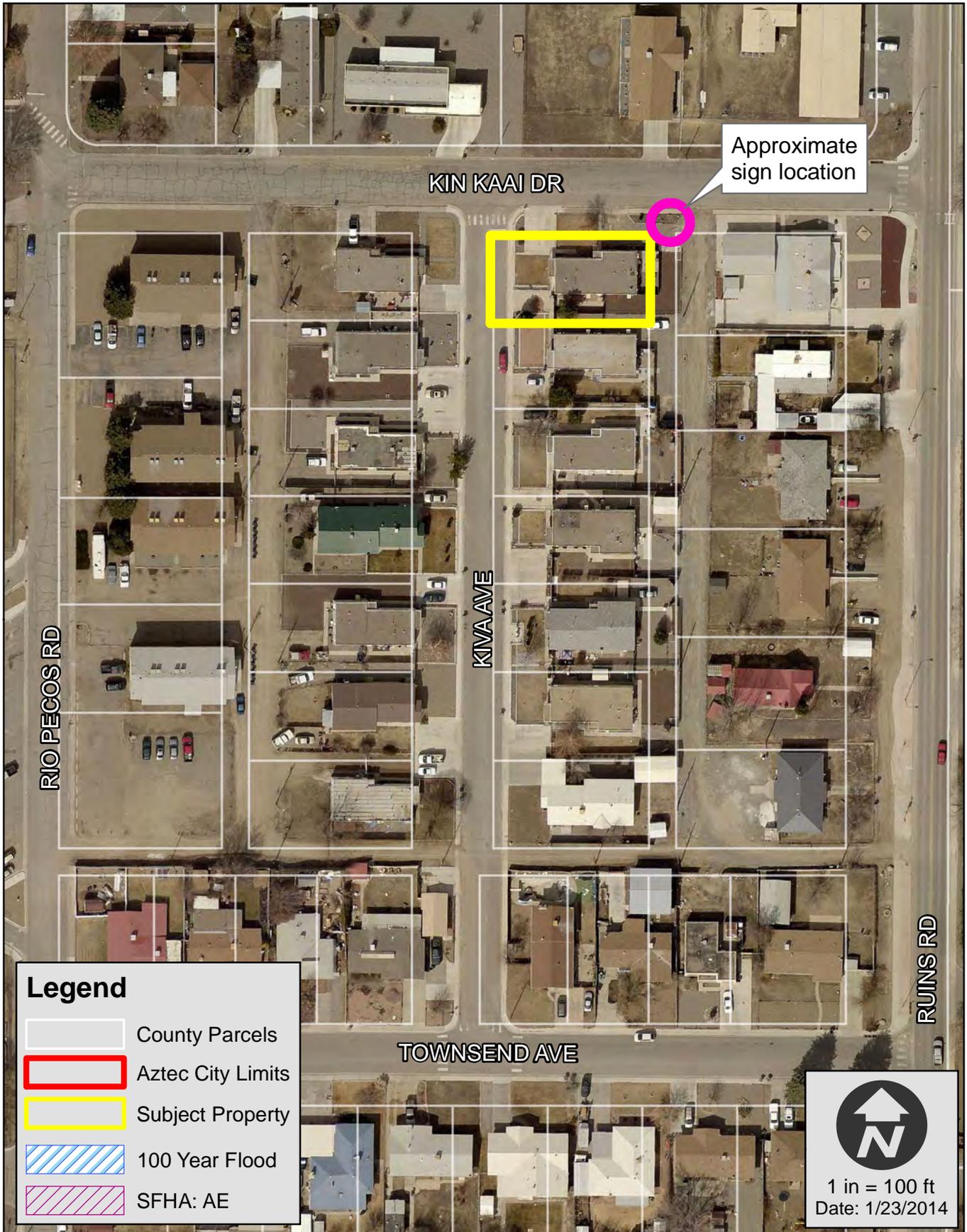
Q. Kiva Avenue



I Lawrence A. Brewer, hereby certify that I am a registered Professional Engineer & Land Surveyor and that the plat was prepared from field notes of an actual survey, and is true and correct to the best of my know-



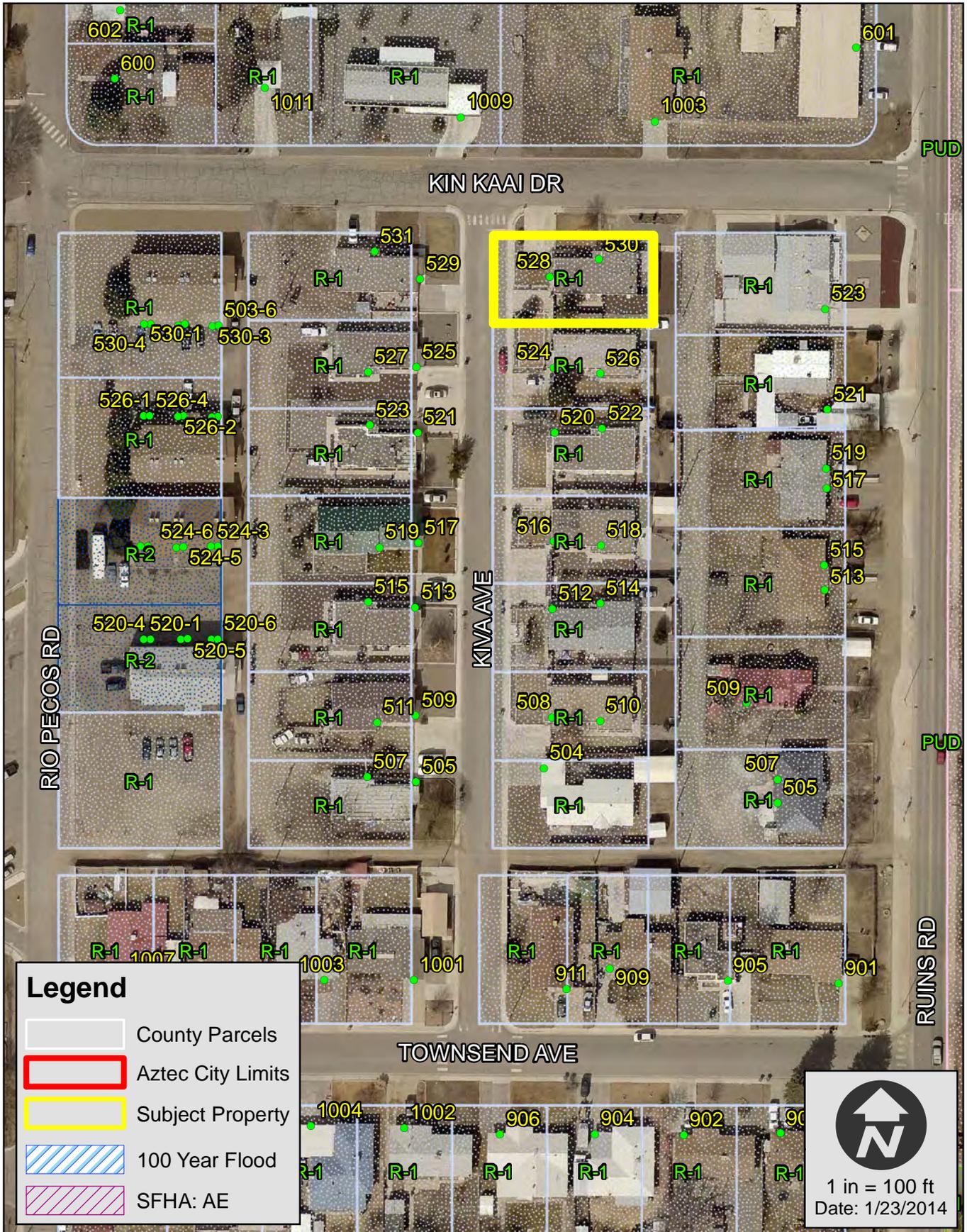
Site Map - 2014-001 530 Kiva, Sign Variance



This document/map is used for informational purposes only. This document/map and the information contained herein is provided "as is" and the City of Aztec does not warrant that the document/map or the information will be error-free.

Joshua Hedgpeth, City of Aztec Planning Technician
(505) 334-7604

Zoning Map - 2014-001 530 Kiva, Sign Variance



This document/map is used for informational purposes only. This document/map and the information contained herein is provided "as is" and the City of Aztec does not warrant that the document/map or the information will be error-free.

Joshua Hedgpath, City of Aztec Planning Technician
(505) 334-7604

Zoning Map - 2014-001 530 Kiva, Sign Variance



This document/map is used for informational purposes only. This document/map and the information contained herein is provided "as is" and the City of Aztec does not warrant that the document/map or the information will be error-free.

Joshua Hedgpath, City of Aztec Planning Technician
(505) 334-7604

ARTICLE IV. SIGNS PERMITTED BY ZONE DISTRICT

The signs permitted in each zone district are those indicated in Sec. 20-4-1 and Sec. 20-4-3. All signs permissible are still subject to regulations based on sign type and sign location relative to zone district. All maximum numbers displayed are per lot unless otherwise noted.

Sec. 20-4-1. Signs Permitted in Agricultural and Residential Zone Districts.

Table 20-4-1.1 Signs Permitted in Agricultural and Residential Zone Districts.

	<i>Types Allowed</i>	<i>Maximum Number Allowed</i>	<i>Permitted Sign Area</i>	<i>Maximum Height</i>
Single Residential or MH Parcels or Single Spaces in MH Parks ⁽¹⁾ (R-1, MH)	Freestanding or Monument	1	6 sq ft (total area permitted per lot)	3 ft
	Wall	1	6 sq ft (total area permitted per lot)	N/A
Entrances to Residential Subdivisions, MH Parks, Multiple-Family Complexes (R-1, R-2, MH)	Freestanding or Monument	1 per ingress/egress to development	64 sq ft each	4 ft
	Wall	1 per building frontage	5% of façade	N/A
Agricultural Zone Districts (A-1)	Freestanding or Monument	1	48 sq ft	6 ft
	Wall	1	25 sq ft	N/A
Permitted Non-Residential Uses in R-1, R-2, MH and A-1 ⁽²⁾	Freestanding or Monument	1 per lot, 2 if corner lot (1 per street frontage)	32 sq ft	4 ft
	Wall	1 per building frontage	10% of façade	N/A

⁽¹⁾ May be subject to private restrictions imposed by Mobile Home Parks.

⁽²⁾ Instructional signs are permitted with no sign area or number limit, provided such signs meet the definition provided in code.

Sec. 20-4-2. Development Standards in Agricultural and Residential Zones.

1. Electronic Message Centers. EMCs are allowed, by Special Use Permit only, on properties with permitted non-residential uses (such as churches and schools) in a residential zone (R-1, R-2 or MH Zone Districts); EMCs are not allowed in agricultural zone districts. Requirements for approved EMCs (such as maximum display area and transition time) for permitted non-residential uses in residential zone districts shall be subject to individual review and approval by City Commission.



2014. 1. 22

Land Use Hearing

MEETING DATE: January 28, 2013
QUASI JUDICIAL ITEM: XIII. LAND USE HEARING (B)
QUASI JUDICIAL TITLE: Variance for Multifamily Dwelling on an A-1 Parcel Located at 809 Pioneer Ave.

FINDING OF FACTS

Community Development Finding of Facts

1. The property in question is located at 809 Pioneer Ave. and is comprised of 2 parcels identified as R0001558 & R0001559 with a total of 0.35 acres. The property is zoned A-1 Agricultural or Rural District and managed by the Darrin Steed who represents Mrs. Betty Steed with Power of Attorney and the Steed O T and Betty Trust.
2. Mr. Steed is applying for a variance to Sec. 26-2-21 In General and Sec. 26-2-22 Uses Permitted for A-1 Agricultural or Rural District to allow for multifamily uses on parcels less than 5 acres and to allow a travel trailer located on site to act as the secondary residence.
3. Per Sec. 26-2-32.6(2)(a) for Uses Permitted in R-1 Single Family Dwelling Districts & Sec. 26-2-42.7(2)(a) for Uses Permitted in R-2 Multiple-Family Dwelling Districts; a travel trailer or motor home being used as for temporary dwelling purposes for a maximum of fourteen (14) consecutive days.
4. Contact History –
 - a. Code Compliance received a citizen complaint indicating that an individual was living in the travel trailer on December 9, 2013 and issued a Courtesy Notice requesting that the individual occupying the trailer, vacate by January 1, 2014.
 - b. December 30, 2014, John Kevin Edwards contacted Code Compliance and requested a meeting with staff to discuss options.
 - c. January 9, 2014; Mr. Edwards meet with Staff to discuss his situation and provided a note from Darrin Steed to apply for the Variance indicated above.

SUPPORT DOCUMENTS:

- Application packet
- Supporting Documents

COMMUNITY DEVELOPMENT RECOMMENDATION: The Community Development Department recommends **DENYING** this application for a variance to Aztec Municipal Code Sec. 26-2-21 In General and Sec. 26-2-22 Uses Permitted for A-1 Agricultural or Rural District to allow for multifamily uses on parcels less than 5 acres and to allow a travel trailer to act as the secondary residence located at 908 Pioneer Ave. in Aztec, New Mexico, advising Commission to accept Findings of Fact #1-4 and vote "**NO**" to show the motion as **DENIED**.

RECOMMENDED RULING: Move to Approve the application for a variance to Aztec Municipal Code Sec. 26-2-21 In General and Sec. 26-2-22 Uses Permitted for A-1 Agricultural or Rural District to allow for multifamily uses on parcels less than 5 acres and to allow a travel trailer to act as the secondary residence located at 908 Pioneer Ave. in Aztec, New Mexico, advising Commission to accept Findings of Fact #1-4.

2014-004



CITY OF AZTEC VARIANCE APPLICATION

Application Year: 2014 Application No.: _____ Application Date: 1/9/14

Applicant Name: Betty Steed (Darrin Steed, P.O.A)

Applicant Address: 809 Pioneer Av Aztec NM 87410
(Street Name) (City) (State) (Zip Code)

Applicant Phone: Cell 505-330-4284
(505) 334-6954 (son, Darrin Steed)

Is Applicant Owner of Property? yes

Legal Description of the Property:
(Or address if different than above) Long's Addition, lots 3 & 4
Section 09 Township 30 Range 11 Qtr NE ^{Qtr Qtr} SE

Total Area of Property (acres): .3582

Zoning District: 2 IN

Tax ID Number R0001558 & R0001559

Flood Zone NO

Present Use of Property: Residential

Desired Use of Property: Residential w/Variance

Reason for Requesting a Variance (include section(s) of Code for which a variance is requested):
Code Section 26-4-551 - Temporary RV placement to be occupied as living quarters. Needed for Assistance with applicant, who has Alzheimers.

Plan Map Available? YES NO
(Plan map is required; failure to provide a plan map will cause a delay in the process)

Darrin Steed (P.O.A. for Betty Steed) Applicant's Signature Date 1/9/14

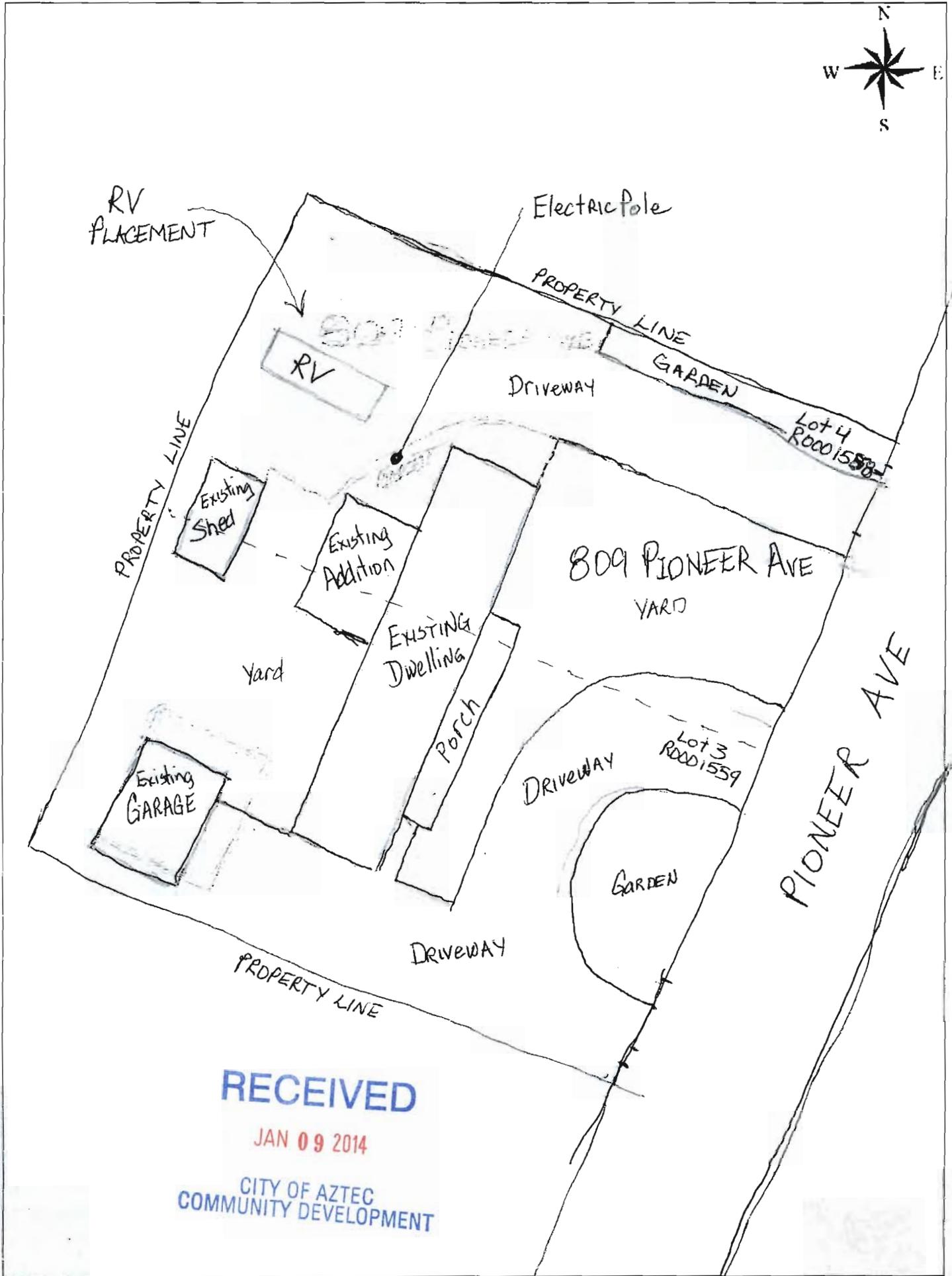
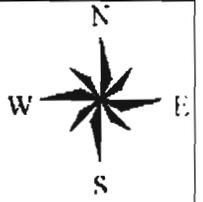
City Commission Meeting Date: _____

City Planner

ACT
RECEIVED
JAN 09 2014
CITY OF AZTEC
COMMUNITY DEVELOPMENT

TY OF AZTEC	01/09/2014	14:48	CD2	CI
CM DEV LAND USE PERMITS				
U-8058935	FMSD CM DEV LAND USE PERMIT	50.00	AMOUNT	
	FMSD CM DEV ADMIN FEE (ALL)	18.00	AMOUNT	
PAYMENT RECEIVED				AMOUNT
CASH				68.00
TOTAL				68.00

SITE PLAN



1/9/2014

I, Darrin J. Steed, authorize my nephew, John Kevin Edwards, to serve as my proxy, and representative in application for a Variance with the City of Aztec, for 809 Pioneer Ave.

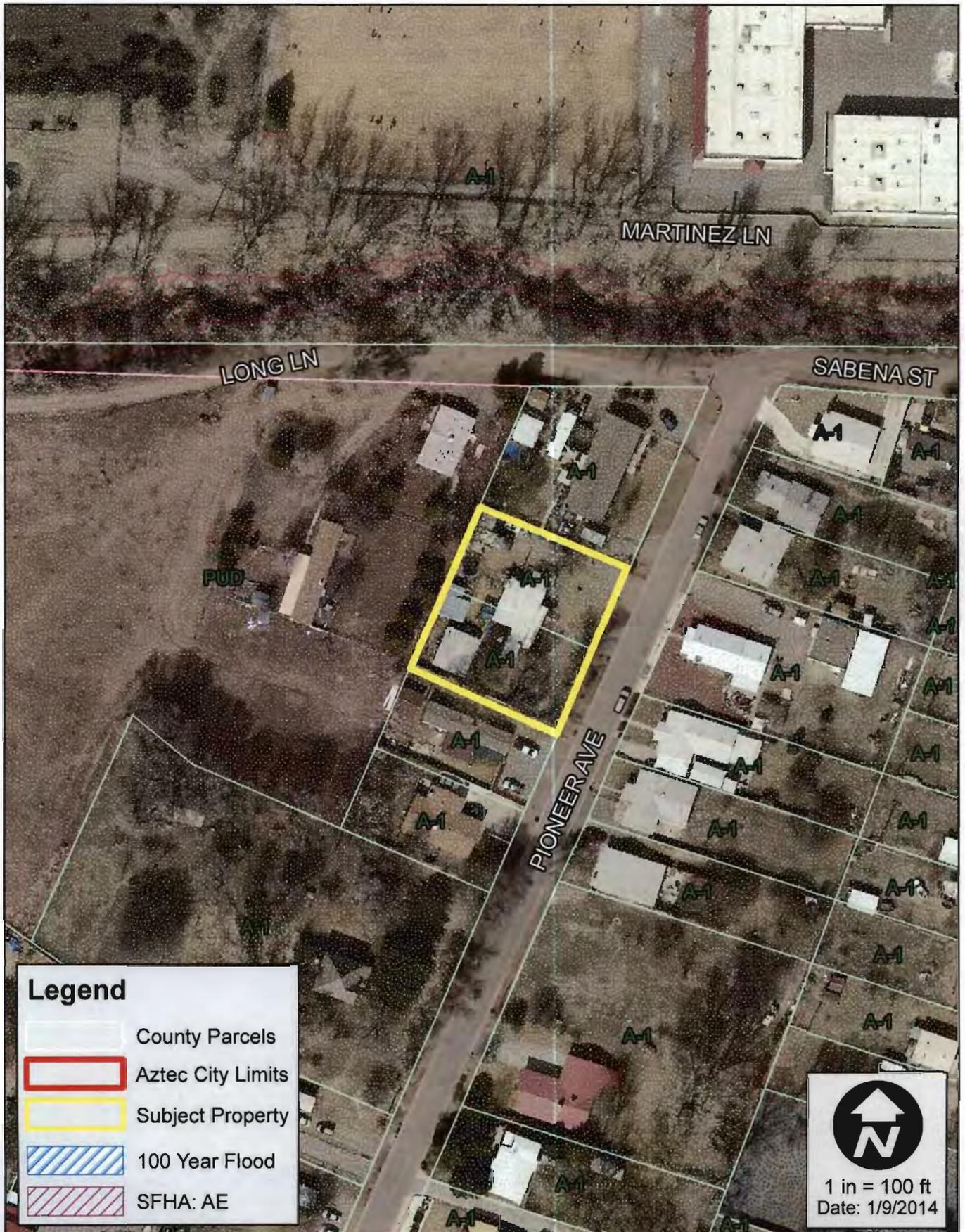
Darrin J. Steed, P.O.A
for
Betty Steed

RECEIVED

JAN 09 2014

CITY OF AZTEC
COMMUNITY DEVELOPMENT

Site Map - 2014-004 809 Pioneer Ave. Variance



This document/map is used for informational purposes only. This document/map and the information contained herein is provided "as is" and the City of Aztec does not warrant that the document/map or the information will be error-free.

Joshua Hedgpeth, City of Aztec Planning Technician
(505) 334-7604

Site Map - 2014-004 809 Pioneer Ave. Variance



This document/map is used for informational purposes only. This document/map and the information contained herein is provided "as is" and the City of Aztec does not warrant that the document/map or the information will be error-free.

Joshua Hedgpeth, City of Aztec Planning Technician
(505) 334-7604

Land Use Hearing

MEETING DATE: January 28, 2014
QUASI JUDICIAL ITEM: XIII. LAND USE HEARING (C)
QUASI JUDICIAL TITLE: Variance for Residential Dwelling on an A-1 Parcel Located on McCoy Ave.

FINDING OF FACTS

Community Development Finding of Facts

1. The property under consideration is located on McCoy Ave. and Santistevan Ln. and is identified as Parcel ID #R4008099. The property is 5.97 acres, vacant, and is zoned for agricultural use (A-1); the property is surrounded by A-1 zoned parcels and parcels in the County (no zoning).
2. Mr. Fauteaux is requesting a variance to Sec. 26-2-22.1 Uses Permitted, to allow a single family dwelling to be constructed on a parcel less than 5 acres within the A-1 Agricultural or Rural zoning District for a future parcel to be subdivided from Parcel ID #R4008099.
3. Hearing History - Mr. Fauteaux previously requested the subdivision of Parcel ID #R4008099 into three (3) separate lots within the A-1 zoning district. The proposed subdivision would create two 1.00 acre lots fronting McCoy Ave. and one 3.97 acre lot accessed via a newly created 30' public access easement to be platted on lots 2C and 2A. The proposed subdivision was denied.
4. Access to the property was also a concern in the previous request made by Mr. Fauteaux. Access is still a concern as the public access easement for Lot 2A is too close to the existing drive. William Watson the Public Works department would require that access for proposed Lot 2A, indicated on the plat from Cheney Walters and Echols, would need to come from Santistevan Lane.
5. One comment from a Party has been received to date regarding Mr. Fauteaux's application:
 - a. I would like to recommend that the commission deny Mr. Fauteaux's variance application to subdivide parcel R4008099 adjacent to 1155 McCoy Avenue for the following reasons:
 1. If Mr. Fauteaux is allowed to subdivide his property into lots of less than five acres in an Agricultural zone, how is the city going to stop adjacent landowners from doing the same, resulting in the wholesale elimination of one of the last areas of country living within the city limits?
 2. Mr. Fauteaux's plan to subdivide his property goes against the City of Aztec's own Comprehensive Plan, dated 2002, which sets out the city's desire to maintain its rural character and open spaces.

3. When we and our neighbors bought homes in this neighborhood, we bought knowing that the land was zoned agricultural, and that it could not be subdivided into lots smaller than five acres. If the commission approves this variance, it will be riding roughshod over the rights and desires of neighbors who have lived on McCoy Avenue for decades.
4. Just as with Mr. Fauteaux's application for the wedding and event center, this subdivision application is being considered without any accompanying consideration for improvements on McCoy Avenue—widening, curbs, sidewalks, drainage—to handle the increased amount of traffic it will bring.
5. What is the point of the city establishing zoning and land use ordinances if it is going to allow variances to those ordinances for no reason more compelling than one neighbor's desire to sell off his land and make money doing it?

If these points look or sound familiar, they should. They are virtually the same points I raised on November 12 against Mr. Fauteaux's application for a zoning variance on the very same parcel of land. I am getting additional mileage out of them for exactly that reason: this is an application to subdivide the same parcel—Tax ID R4008099—that Mr. Fauteaux applied to subdivide in October 2013, an application that the commission subsequently denied at its meeting on November 12.

According to Mr. Josh Hedgpeth, planning technician with the city community development department, with whom I conversed on January 15, there is no limit to the number of times Mr. Fauteaux can apply for a variance for this parcel of land. Not that we're not happy to oblige, and object to the variance, but it seems like a waste of the commission's time to hear the same application ad infinitum.

Bottom line: This is the same variance request the commissioners denied in November, and no new evidence has arisen in the interim to suggest they should change their minds. Given this absence, I ask the commission to deny this application.

Thank you for your time and consideration.

Sincerely,

Richard Ryan
1103 McCoy Avenue, Aztec

SUPPORT DOCUMENTS:

- Application packet
 - Subdivision Plat
 - Supporting Documents
-
-

COMMUNITY DEVELOPMENT RECOMMENDATION: The Community Development Department recommends **DENYING** this application for a variance to Sec. 26-2-22.1 Uses Permitted within the A-1 Agricultural or Rural zoning District, to allow a single family dwelling to be constructed on a parcel less than 5 acres on a future parcel to be subdivided from Parcel ID #R4008099, located on McCoy Ave. and Santistevan Ln. in Aztec, New Mexico. Advising Commission to accept Findings of Fact #1-5 and vote "**NO**" to show the motion as **DENIED**.

RECOMMENDED RULING: Move to Approve the application for concurrent preliminary and final plat approval for Lot 2 of the Fauteaux Subdivision, Replat A, located on McCoy Ave. and Santistevan Ln. (identified as Parcel ID #R4008099) in Aztec, New Mexico, accepting Findings of Fact #1-4.



CITY OF AZTEC VARIANCE APPLICATION

Application Year: 2013
2014 Application No.: 228 Application Date: 12/23/2013

Applicant Name: MIKE GAUTEAUX

Applicant Address: 155 McCOY AVE AZTEC NM 87410
(Street Name) (City) (State) (Zip Code)

Applicant Phone: 505 793-6120

Is Applicant Owner of Property? YES

Legal Description of the Property:
(Or address if different than above)

Total Area of Property (acres): 2 ACRES

Zoning District: A-1

Tax ID Number

Flood Zone

Present Use of Property: PASTURE

Desired Use of Property: HOME SITE

Reason for Requesting a Variance (include section(s) of Code for which a variance is requested):

VARIANCE TO BUILD ON LESS THAN 5 ACRES.

Plan Map Available? YES NO
(Plan map is required; failure to provide a plan map will cause a delay in the process)

[Signature]
Applicant's Signature

12-19-13
Date

City Commission Meeting Date: _____

ACTION: APPROVED DENIED

City Planner

Date

RECEIVED
DEC 23 2013
CITY OF AZTEC
COMMUNITY DEVELOPMENT

TY OF AZTEC
12/23/2013 10:17 CD

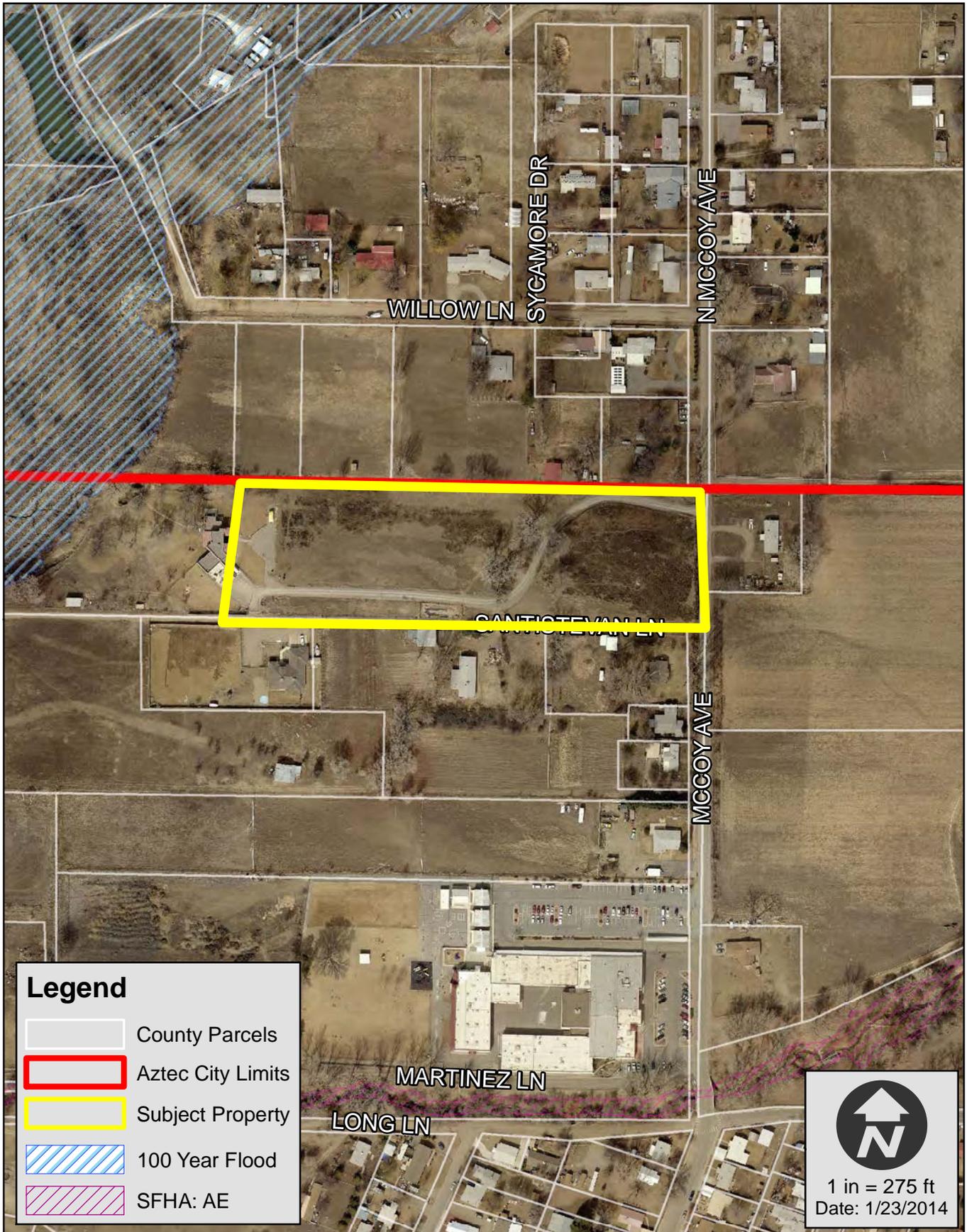
CI

CM DEV ADMIN FEE (ALL PERMITS)

U-A109844	AMOUNT
FMSD CM DEV ADMIN FEE (ALL	10.00
FMSD CM DEV LAND USE PERMIT	50.00

PAYMENT RECEIVED	AMOUNT
VS / 8256	60.00
TOTAL	60.00

Site Map - 2013-228 Fauteaux Variance



This document/map is used for informational purposes only. This document/map and the information contained herein is provided "as is" and the City of Aztec does not warrant that the document/map or the information will be error-free.

Joshua Hedgpeth, City of Aztec Planning Technician
(505) 334-7604