

**AGENDA**  
**City of Aztec**  
**COMMISSION WORKSHOP**  
**April 22, 2014**  
**201 W Chaco, City Hall**  
**4:45 pm to 5:45 pm**

**4:45-5:15**

- A. Youth Conservation Corp FY 2015 Projects

**5:15-5:45**

- B. 2013 Annual Water Report-Phil Soice

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**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.

**YCC 2015 – FLORENCE PARK IMPROVEMENTS**

**SUMMARY**

<b>Project</b>	<b>Crew Days</b>	<b>Weeks</b>	<b>Material Cost</b>
Project 1 – Park Pavilion	16	1	\$44,000
Project 2 – Park Playground	88	5.5	\$31,500
Project 3 – Post and Cable Fencing	64	4	\$3,900
Project 4 – Tennis Court Fence Screening	40	1	\$3,725
Project 5 – Art Mural under Bridge	66	6	\$850
Project 6 – Install Signage	4	0.5	\$1,500
Alternate Project 1 Tree Mulching and River Trails	24	1	\$0
<b>TOTAL</b>	<b>302</b>	<b>19</b>	<b>\$78,975</b>

Crew Week: Average of 4 people for 4 days.

**YCC 2015 – FLORENCE PARK IMPROVEMENTS**

**PROJECT 1. Florence Park Pavilion.**

<b>Task</b>	<b>Description</b>	<b># Ppl</b>	<b>Days</b>	<b>Total</b>
1	Remove old pavilion and concrete foundation (City).	-	-	-
2	Construction of new pavilion (Contractor).	-	-	-
3	Install solar lighting (City)	-	-	-
3	Pour concrete pad for new pavilion (Contractor).	-	-	-
4	Assemble and installation picnic tables and trash cans (YCC)	4	4	16
<b>TOTAL (YCC)</b>		<b>-</b>	<b>-</b>	<b>16</b>



**Materials to Purchase**

<b>Item</b>	<b>Qty</b>	<b>Unit Cost</b>	<b>Total Cost</b>
Pavilion (including contractor install)	1	\$30,000	\$30,000
Solar Lighting	2	\$1,000	\$2,000
Concrete Pad	1	\$5,000	\$5,000
Picnic Tables	4	\$1,500	\$6,000
Trash Cans	2	\$500	\$1,000
<b>TOTAL</b>			<b>\$44,000</b>

**YCC 2015 – FLORENCE PARK IMPROVEMENTS**

**PROJECT 2. Florence Park Playground.**

Task	Description	# Ppl	Days	Total
1	Remove old playground (YCC).	4	4	16
2	Adjust irrigation system (YCC)	4	4	16
3	Install new playground in new location (YCC)	4	12	48
4	Install engineered mulch (YCC).	4	2	8
<b>TOTAL (YCC)</b>		<b>-</b>	<b>-</b>	<b>88</b>



**Materials to Purchase**

Item	Qty	Unit Cost	Total Cost
Playground set	1	\$25,000	\$30,000
Mulch	10 cu yds	\$100	\$1,000
Irrigation	Misc.	\$500	\$500
<b>TOTAL</b>			<b>\$31,500</b>

**YCC 2015 – FLORENCE PARK IMPROVEMENTS**

**PROJECT 3. Florence Park Post and Cable.**

Task	Description	# Ppl	Days	Total
1	Remove old post and cable fence (YCC).	4	4	16
2	Install new post and cable fence – 920 ft (YCC).	4	12	48
<b>TOTAL (YCC)</b>		<b>-</b>	<b>-</b>	<b>64</b>



**Materials to Purchase**

Item	Qty	Unit Cost	Total Cost
Post (50) and Cable (920 ft)	50 / 920 ft	\$3.75 In ft	\$3,500
Concrete (60 lb bags)	100	\$4	\$400
<b>TOTAL</b>			<b>\$3,900</b>

**YCC 2015 – FLORENCE PARK IMPROVEMENTS**

**PROJECT 4. Tennis Court Fence Screening.**

Task	Description	# Ppl	Days	Total
1	Remove old tennis court fence screening (YCC).	4	1	4
2	Install new tennis court fence screening (YCC).	4	4	16
<b>TOTAL (YCC)</b>		<b>-</b>	<b>-</b>	<b>40</b>



**Materials to Purchase**

Item	Qty	Unit Cost	Total Cost
Tennis court fence screening.	450 ln ft	\$8.25	\$3,725
<b>TOTAL</b>			<b>\$3,725</b>

**YCC 2015 – FLORENCE PARK IMPROVEMENTS**

**PROJECT 5. Art Mural under Bridge.**

Task	Description	# Ppl	Days	Total
1	Clear a 10 ft area around pylon, modify grade and level.	3	1	3
2	Clear graffiti on two panels approx 9 ft by 20 ft.	3	2	6
3	Prime mural area.	3	1	3
4	Design and paint artwork.	3	16	48
5	Coat mural with anti-graffiti coating.	3	1	3
6	Cobble around mural	3	1	3
<b>TOTAL (YCC)</b>		<b>-</b>	<b>-</b>	<b>66</b>



**Materials to Purchase**

Item	Qty	Unit Cost	Total Cost
Paint supplies and equipment.	Misc.	\$750	\$750
Cobble	4 tons	\$25	\$100
<b>TOTAL</b>			<b>\$850</b>

**YCC 2015 – FLORENCE PARK IMPROVEMENTS**

**PROJECT 6. Install Signage.**

Task	Description	# Ppl	Days	Total
1	Sign manufacturing (Contract / City)	-	-	-
2	Install signage around park (YCC).	2	2	4
<b>TOTAL (YCC)</b>		<b>-</b>	<b>-</b>	<b>4</b>



**Materials to Purchase**

Item	Qty	Unit Cost	Total Cost
Sign panels including hardware.	3-6	\$250	\$1,500
<b>TOTAL</b>			<b>\$1,500</b>

**YCC 2015 – FLORENCE PARK IMPROVEMENTS**

**ALTERNATE 1. Tree Mulching and Trails.**

<b>Task</b>	<b>Description</b>	<b># Ppl</b>	<b>Days</b>	<b>Total</b>
1	Cut cottonwood tree limbs (Contract / City)	-	-	-
2	Mulch branches for trails (YCC).	2	4	8
3	Clean trails of weeds/brush and lay new mulch	4	4	16
<b>TOTAL (YCC)</b>		<b>-</b>	<b>-</b>	<b>24</b>

**Materials to Purchase**

<b>Item</b>	<b>Qty</b>	<b>Unit Cost</b>	<b>Total Cost</b>
No materials needed	-	-	-
<b>TOTAL</b>			<b>\$0</b>

# Southwest Water Consultants, Inc.

P.O. Box 6050 • Santa Fe, N. M. 87502 • (505) 820-6824

April 14, 2014

Mr. Joshua Ray  
Aztec City Manager  
201 West Chaco  
Aztec, New Mexico 87410

Dear Mr. Ray:

This letter report will summarize Aztec Water Utility operations for calendar year 2013, including water diversion, treatment, sales, wastewater flows, water rights, and other pertinent water related information. Financial information will coincide with the fiscal year ending June 30, 2013. The state of the water utility during the first months of 2014 and the status of ongoing projects will also be discussed.

**Water Diversion** - The City of Aztec metered water diversions of 1,684.3 acre-feet from the Animas River in calendar 2013. All water came through three points of diversion. The Animas River Pump Station diverted 812.5 acre-feet from the Animas River during 2013. Water pumped from the Animas River via the Animas River Pump Station can be pre-settled in Reservoirs #1-3 before entering the water treatment plant. Water diverted from the Aztec Ditch is conveyed through an irrigation ditch and flows directly into Reservoir #1. However, the Aztec Ditch water is pumped to Reservoir #3 for additional settlement time and also incurs pumping costs. The Aztec Ditch was used to divert 745.9 acre-feet in 2013. The third point of diversion is also an irrigation ditch, the Lower Animas Ditch. A pump station located on that ditch diverted 125.9 acre-feet in 2013. The Lower Animas Ditch Pump Station pumps water through the same pipeline used to deliver water from the Animas River Pump Station. This diversion is unique to one of Aztec's water rights in that it cannot be diverted at either of the other two points of diversion. The diversion amounts and sources are as follows:

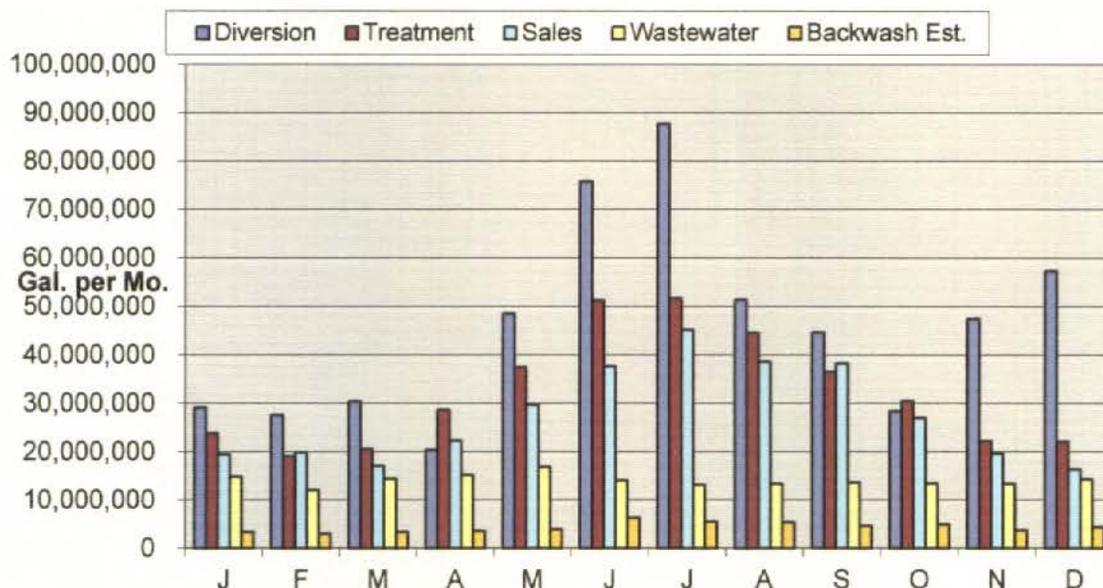
	Diversion Amount in Acre-Feet
<u>Source</u>	<u>2013</u>
Animas River Pump Station	812.5
Aztec Ditch	745.9
Lower Animas Ditch Pump Station	<u>125.9</u>
Total	1684.3

**Water Treatment** - The Aztec Water Treatment Plant (WTP) produced 1,192.1 acre-feet of potable water during 2013. This indicates that approximately 29.2% of the water diverted pursuant to the water rights of the City of Aztec was not metered into its distribution system. Losses amounted to approximately 492.2 acre-feet of water in 2013, measured from diversion of water at the Aztec Ditch or pump stations through the treatment process. The losses are partially attributable to evaporation from raw water storage reservoirs, meter error and backwash water at the WTP. Water used for flushing and backwashing at the WTP is included in the diversion amounts, but is not currently realized as a return flow credit. The average system demand for treated water in 2013 was 1.06 MGD. Peak day demand for water was 2.2 MGD in 2013. The nominal water treatment capacity at the end of 2013 was about 4.0 MGD from the newest WTP, and 2.5 MGD standby from the older units.

**Fiscal 2012-2013 Water Sales** - The City had water sales of 351,753,000 gallons (1,079.5 acre-feet) during fiscal 2012-2013, and derived therefrom \$1,989,529 in gross revenues. Sales to City customers during fiscal 2013 were augmented by bulk water sales of 32,951,000 gallons (\$166,804), including 9,394,000 gallons (\$86,156) to Bulk Commercial and Residential users, 22,055,000 gallons (\$77,193) to Southside Water Users and 1,502,000 gallons (\$3,455) to Flora Vista. The difference between water treated (397,433,000 gallons) and water sales (351,753,000 gallons) during fiscal 2012-2013 indicates that about 11.5% of the produced water was not metered to end-use customers. Unmetered water uses for fire protection or water main flushing and system losses through leaks and meter error amounted to approximately 45.7 million gallons in fiscal 2012-2013.

**Wastewater Flows** - Wastewater treatment plant flows were measured to be 168,801,000 gallons during calendar 2013. This amounts to 30.8% of the annual diversion in 2013. It also constitutes 43.5% of the annual amount of potable water produced in 2013. Wastewater flows are equated to return flows for water right purposes in Aztec's Metering Plan. Year 2013 had above-average precipitation for the year. Consumption of water by Aztec was more in 2013 (69.2%) than during 2012 (66.0%). Monthly diversions, treated quantities, water sales, measured wastewater volumes and estimated WTP backwash and flushing are shown on Figure 1 for 2013.

**Figure 1**  
**City of Aztec Water Use**  
**2013**



Water sales shown on Figure 1 are derived from customer meters read monthly. Water sales necessarily lag water diversion and treatment by up to 30 days and may cause discontinuities in individual month comparisons. Precipitation at Aztec Ruins National Monument (#290692) was 12.46 inches in 2013, compared to a 30-year normal of 10.78 inches. Wastewater generated in the water treatment process is only partially metered, although that portion not metered is estimated by WTP operators on a daily basis. During 2013, the combined metered and estimated WTP wastewater discharge was 52,686,350 gallons (161.7 acre-feet).

**Water Rights** - At the end of 2013, the City of Aztec owned or had the right to divert about 5,200 acre-feet per annum of water from the Animas River. Of this amount, about 4,870 acre-feet were approved by the New Mexico State Engineer for diversion at the water treatment plant. Table 1 lists the water rights available to the City of Aztec from its own water rights, the Animas-La Plata contract rights and rights of the Southside Water Users Association. Some water rights listed on Table 1 are owned by the Southside Water Users Association but diverted, treated and delivered by Aztec to Southside.

**Table 1**  
2013 Aztec Water Rights

Permit No.	Ditch Source	Priority	Maximum Diversion In AFY	Consumption (CU) in AFY	% CU	% CU in 2013	Diversion Allowed 2013	Accum AF
<b>AZTEC</b>								
01901	Lower Animas	1877	99.99	49.25	49.7	69.2	71.17	71.17
02170	Lower Animas	1877	1.422	0.777	54.6	69.2	1.12	72.29
02170	Lower Animas	1877	62.4	34.1	54.6	69.2	49.28	121.57
Admin	Lower Animas	1877	454.5 <sup>1</sup>	143.2	31.5	69.2	125.90 <sup>1</sup>	247.47
02170	Lower Animas	1877	22.41	12.3	54.9	69.2	17.77	265.25
02525	Eledge Mill	1878	10	5.46	54.6	69.2	7.89	273.14
0390	Halford	1891	1.23	0.66	53.6	69.2	0.95	274.09
01902	Farmers	1892	73.7	37.11	50.4	69.2	53.63	327.72
01951	Farmers	1892	77.693	41.7	53.7	69.2	60.26	387.98
01951	Farmers	1892	60.8	33.26	54.7	69.2	48.06	436.04
01951	Farmers	1892	24	13.2	54.7	69.2	19.08	455.12
01951	Farmers	1892	27.7 <sup>2</sup>	15.3	52.4	69.2	22.11	477.23
028	Echo	1896	15.25	8.2	53.8	69.2	11.85	489.07
028	Echo	1896	17.5 <sup>3</sup>	9.4	53.7	69.2	13.58	502.66
02033	Aztec Ext	1903	17.4	10	57.4	69.2	14.45	517.11
2801	Aztec Permit	12/18/1953	671.6 <sup>4</sup>			69.2	671.6	1188.71
4487	Aztec ALP	5/1/1956	2026 <sup>5</sup>	1013	50.0	69.2	430.43 <sup>6</sup>	1619.14
4498	SJWC ALP	5/1/1956	974 <sup>7</sup>	487	50.0	69.2	0.00 <sup>8</sup>	1619.14
	Subtotal		4637.595					
<b>SOUTHSIDE</b>								
2170	Lower Animas	1877	22.44	12.26	54.6	90.15 <sup>7</sup>	13.6	13.6
2525	Eledge Mill	1878	9.66	5.25	54.3	90.21 <sup>7</sup>	5.82	19.42
2525	Eledge Mill	1878	12.80	11.50	54.6	90.14 <sup>7</sup>	12.80	32.22
2350	Kello-Blancett	1880	2.48	1.36	54.8	90.07 <sup>7</sup>	1.51	33.73
390	Halford	1891	7.65	4.1	53.6	90.11 <sup>7</sup>	4.55	38.28
1951	Farmington	1892	20.01	10.93	54.6	90.11 <sup>7</sup>	12.13	50.41
028	Echo	1896	3.99	2.11	52.9	90.17 <sup>7</sup>	2.34	52.75
028	Echo	1896	34.6	18.5	53.5	90.16 <sup>7</sup>	12.37	65.12
2533	N. Farmington	1897	24.8	13.28	53.5	90.16 <sup>7</sup>	8.58 <sup>6</sup>	65.12
4499	Southside ALP	5/1/1956	62.73 <sup>9</sup>	62.73	50	69.2	0.00 <sup>6</sup>	65.12
4498	SJWC ALP	5/1/1956	30.06 <sup>9</sup>	30.06	50	69.2	0.00 <sup>6</sup>	65.12
	Subtotal		231.22					
<b>AZTEC, PENDING</b>								
4495	N Heights ALP	5/1/1956	30.18 <sup>5,8</sup>	15.09	50	69.2	21.81	21.81
02170	Lower Animas	1877	107.076 <sup>9</sup>	58.53	54.6	69.2	84.58	106.39
01951	Farmers	1892	88.39 <sup>10</sup>	44.5	52.4	69.2	64.31	170.69
	Varies		138.8 <sup>11</sup>	75.0	54.0	69.2	108.38	279.08
	Subtotal		364.446					
	Total		5233.261					

<sup>1</sup>Must be diverted at Lower Animas Ditch point of diversion, diversion governs in 2013<sup>2</sup>Permit approved by OSE on May 24, 2012<sup>3</sup>Permit approved by OSE on February 9, 2013<sup>4</sup>No consumption specified<sup>5</sup>Reflects Animas-La Plata depletion adjustments, SJWC permittee under 4498 others beneficial user<sup>6</sup>Demand limited<sup>7</sup>Return Flow Plan Allowance<sup>8</sup>Change of Ownership executed on March 8, 2004<sup>9</sup>Permit filed with OSE on September 7, 1999<sup>10</sup>Permit filed with OSE on October 8, 2009<sup>11</sup>Evidence of title exists, but quantity of valid water rights likely overstated

Animas-La Plata (ALP) Project water rights and diversions in Table 1 reflect downsized diversions and depletions available to that project. The City of Aztec is a co-permittee with the San Juan Water Commission (SJWC) on Office of the State Engineer (OSE) Permit 4487, as Southside is a co-permittee with the SJWC on OSE Permit 4499. The SJWC is the sole permittee on OSE Permit 4498, but beneficial use of this water will be by the members of the SJWC (Aztec had 9.74% of the original allocation). Aztec will be required by the OSE to request this water from the SJWC, but 9.74% of the 10,000 acre feet diversion is a realistic Aztec allocation. Water was appropriated in OSE File 2883 in excess of the amount dedicated to the downsized ALP Project and was subject of a dispute between the SJWC and the OSE. In February 2013 the OSE and SJWC settled their dispute with the OSE agreeing to issue Permit 2883-C to the SJWC in addition to the ALP allotment. Permit 2883-C was assigned a priority junior to the ALP priority, is not backed by ALP storage and would allow diversions of 10,000 acre feet per year and depletions of 6,300 acre feet per year. The SJWC will be required to file with the OSE for points of diversion for Permit 2883-C which may include those described by Permits 4487-4501. Currently, Aztec can divert Animas-La Plata water under Permit 4487, Southside can provide raw water to Aztec under Permit 4499 and both entities are listed as beneficial users of water under SJWC Permit 4498. During 2013, Aztec diverted about 430 acre-feet of its Animas-La Plata entitlement. As indicated on Table 1, Aztec did not divert any of Southside's Animas-La Plata entitlement to meet the total Southside demand. Aztec also executed a Change of Ownership for 44.70 acre-feet of water (30.18 acre-feet in a downsized project) from the North Heights Animas-La Plata Permit 4495 on March 8, 2004. This amount is Aztec's share of the Animas-La Plata water designated for areas now served by Bloomfield and Aztec. A permit application to the State Engineer for change in point of diversion and place of use is likely required before these rights can be diverted by Aztec.

The USBR Animas-La Plata Project is operational and New Mexico deliveries are backed by about 3,025 acre-feet of project storage. In the driest of years the junior Animas-La Plata rights, with limited storage, may still be out-of-priority for a part of the year, causing Aztec to rely on its more senior water rights. As shown in Table 1, senior water rights currently divertible at Aztec's Water Treatment Plant met 2013 demand except for diversion of about 430 acre feet of Animas-La Plata rights. If the Hartman and Townsend water rights had been transferred in 2013, an additional 149 acre-feet of water could have been diverted, and reliance on the Animas-La Plata water would be reduced to about 281 acre feet for 2013. Additional water could be diverted

if a return flow credit for process water was achieved. Acquiring additional senior water rights as they become available and transferring them to the water treatment plant continues to be prudent.

Up to 454.5 acre-feet of the "604" water right was approved for diversion by Aztec pursuant to a May 7, 1997 "administrative concurrence" by the New Mexico State Engineer. However, this right can only be diverted from the Lower Animas Ditch and consumption is limited to 143.2 acre-feet per year. The Lower Animas Ditch Pump Station was renovated during 2000 and only 125.9 acre feet of water were diverted through it in 2013, all attributed to the "604" water right.

Southside's water rights listed above are not covered by Aztec's Return Flow Plan (Southside's wastewater is not treated at Aztec's wastewater plant), but the OSE has recently granted Southside some return flow credit because of recognition of wastewater returns to the river system through septic systems. Southside's transferred irrigation water rights provided Aztec with 65.12 acre-feet of diversion during 2013. None of Southside's Animas-La Plata water was required during 2013. In addition to the above-described water use determinations, the City of Aztec has pending applications for transfer of certain Hartman water rights under the Lower Animas Ditch and Townsend property water rights under the Farmers Ditch. Status of each of the pending transfers is discussed below.

Hartman – Southwest assisted the City in filing an *Application for Permit to Change Point of Diversion and Place and/or Purpose of Use of Surface Waters* for transfer of certain Hartman Subdivision water rights to the water treatment plant points of diversion. The application included copies of the first deed from Hartman for all lots which are move-from areas in this application, water right acreage by lot, street and alley, a listing of excluded lots, and all deeds from adjudicated owners. The Office of State Engineer (OSE) further requested the preparation of *Change of Ownership of Water Rights* on all Lower Animas Ditch water rights sought to be transferred by this application. The application to transfer 107.076 acre-feet of water rights was filed on September 7, 1999, and *Change of Ownership* forms on nine water right parcels were filed November 24, 1998. The transfer application listed 5.618 acres of water rights owned by Aztec, but left appurtenant to 32 lots whose owners requested continuance of irrigation on the lots. This application is pending with the OSE.

Townsend – Southwest filed for transfer of about 88.39 acre feet of diversion water rights under the Farmers Ditch (44.5 acre feet of consumptive water rights). The City purchased about 43 acres of land with appurtenant water rights adjacent to the existing wastewater treatment plant and sought to transfer the water rights from the land to the water treatment plant, less three acre feet for irrigation use on the land. Historic use of the water right and the location of irrigated lands in a larger parcel to which water rights were adjudicated are issues for this transfer. Lands associated with the adjacent Aztec wastewater treatment plant site were included in this transfer application although no water rights were identified thereon. OSE modifications to mapping format have been accomplished and maps re-submitted.

**Financial** – The latest financial information available to determine the Aztec Water Utility's Revenue Requirements is associated with fiscal 2012-2013, ending June 30, 2013. Table 2 indicates the City's investment in its water system.

**Table 2**  
City of Aztec  
Water System Investment as of 6/30/2013

<u>Water Utility Assets</u>	<u>6/30/2012</u>	<u>6/30/2013</u>	<u>% Change</u>
1. Water System Original Cost	\$ 16,588,762	\$17,254,364	+4.0%
Contributions to Construction			
Accumulated Depreciation	( <u>\$ 6,987,395</u> )	( <u>\$ 7,569,573</u> )	+8.3%
Net Water System Plant	\$ 9,601,367	\$9,684,791	+0.9%
2. Common Plant Allocated to Water			
Original Cost	\$ 481,858	\$ 481,156	-0.1%
Accumulated Depreciation	( <u>\$ 388,866</u> )	( <u>\$419,966</u> )	+8.0%
Net Common Plant (Water)	\$ 92,992	\$61,190	-34.2%
3. Water Rights Original Cost	\$494,757	\$536,307	+8.4%
Accumulated Depreciation	<u>0</u>	<u>0</u>	0.0%
Net Water Rights	\$494,757	\$536,307	+8.4%
4. Construction in Progress Original Cost	\$59,902	\$1,243,189	+1,975%
Accumulated Depreciation	<u>0</u>	<u>0</u>	0.0%
Net Construction in Progress	\$59,902	\$1,243,189	+1,975%
 Total Net Water Utility Assets	 \$10,249,018	 \$ 11,525,477	 +12.5%

The net water system plant increased 0.9% between the end of fiscal 2012 and 2013; indicating new investment in plant is more than annual depreciation. With the addition of Common Plant Allocated to Water, Water Rights and Construction in Progress, the Total Net Water Utility Assets increased by 12.5%. Table 3 presents a comparison of income and expenses for the water utility for fiscal year 2013.

**Table 3**  
City of Aztec Water Utility Revenue Requirements  
Fiscal Year 2013<sup>1</sup>

<u>Income and Expenses</u>	<u>2011-2012</u>	<u>2012-2013</u>	<u>% Change</u>
<b>System Revenues</b>			
Sale of Water	\$ 1,753,936	\$ 1,728,839	-1.4%
Bulk Water Sales	233,557	249,299	+6.7%
Property Taxes dedicated to WTP loan	0	0	
Interest on Funds	3,490	3,067	-12.1%
Other Fees and Income	110,780	95,678	-13.6%
<b>Total Revenue</b>	<b>\$ 2,101,763</b>	<b>\$ 2,076,883</b>	<b>-1.1%</b>
<b>System Expenses</b>			
Salaries and Fringe Benefits	\$ 414,796	\$ 413,005	-0.4%
Purchased Power, Fuel & Chemicals	137,687	145,623	+5.8%
Other Operating Costs	373,729	484,586	+29.7%
Administrative Fee	129,990	146,920	+13.0%
Depreciation on Water Assets	611,261	610,203	-0.2%
Depreciation on Common Assets (Water Share)	9,076	18,890	+108.1%
Payment in Lieu of Taxes	99,491	99,272	-0.2%
Interest on Loans	20,625	0	
<b>Total Expenses</b>	<b>\$ 1,796,655</b>	<b>\$ 1,918,499</b>	<b>+6.8%</b>
<b>Revenue Requirements</b>	<b>\$ 1,796,655</b>	<b>\$ 1,918,499</b>	
<b>Revenue in Excess of Requirements</b>	<b>\$ 305,108</b>	<b>\$ 158,384</b>	

Notes: <sup>1</sup>Source of Data: Copy of FY13 TB Water

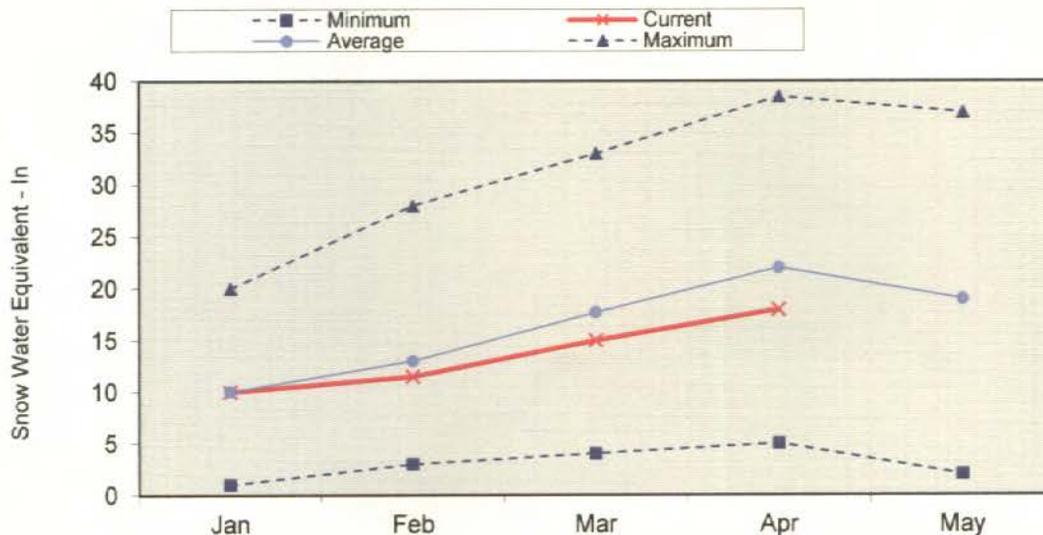
The Water Utility had annual revenues of \$2,076,883 during fiscal 2012-2013. The Water Utility revenues covered operating costs, including depreciation (a non-cash expense), with an overall excess of \$158,384. Because depreciation is a non-cash expense, it is instructive to review the financial condition of the utility on a cash basis. Ignoring depreciation in Table 3 above, the total cash income of the utility in fiscal 2013 was \$2,076,883 while the total cash expenditure (including capital expenses of \$665,602) was \$1,955,008. The water utility had a net cash income of \$121,875 during fiscal 2013, but over \$1.2 million in construction in progress was identified for the year.

City of Aztec Code Section 16-201 identifies water rates for residential, multi-unit residential, commercial, industrial, institutional, and other classes' water consumption, including the base/system charge and a water use charge. The water use charge to Aztec residential customers is \$3.00/1000 gallons for the first increment of consumption. Thereafter, the rate increases as water consumption increases until the water use charge reaches \$5.50/1000 gallons in some instances. Water customers also pay monthly base/system charges which vary with the class of customer. Residential customers pay \$17.20 per month as a base/system charge.

Code Section 16-202 assesses a Water Right Rate to all new water customers according to the size of their meter and the status of return flows from use of the water. A new 5/8-inch meter is charged \$600 (\$900 without return flow). The balance of funds derived from the Water Rights Rates was \$109,138 as of 6/30/2013.

**Water Supply Status** – The winter of 2013- 2014 has less than normal snowpack, averaging 84% of median in the San Juan River Basin as of April 1, 2014. The streamflow forecast for the Animas River at Durango as of April 1, is 390,000 acre-feet for the period April-July, 2014 which is 94% of average. Figure 2 indicates an accumulation of snowpack in the San Juan Basin for the winter of 2013-2014.

**Figure 2**  
**Water Supply Outlook Report**  
**San Juan River Basin as of April 1, 2014**  
**Mountain Snowpack (inches)**



**Water Projects** – Aztec conducted planning, design and construction for about \$1.2 million dollars of water projects in 2013. This construction in progress encompasses a permanent diversion dam at the Animas River Pump Station, a new potable water storage tank at the airport and additional piping at the WTP to allow delivery of water from Reservoir #3 directly to the WTP. A permanent diversion dam at the Animas River Pump Station coupled with an additional pump will provide Aztec with a more dependable and functional method of effecting diversions from the Animas River at times of low flows. It should also meet conditions required of a Corps of Engineer's 404 permit. The new potable water storage tank at the airport and remote monitoring system will enhance water operations in the system. Lastly, a new 16-inch pipeline at the WTP will allow water to be delivered directly from Reservoir #3 to the WTP without first passing through Reservoir #2.

An additional water storage reservoir (Reservoir #3) was constructed about one mile southeast of the WTP. An OSE permit for 193.9 acre foot of storage was approved on July 31, 2009. Aztec is permitted to divert water rights with annual diversion limits of 1,569.985 acre feet into storage at Reservoir #3. Because of concerns for construction delay, the Animas-La Plata and Southside rights were not included in this initial application. Another application for storage of the Animas-La Plata rights and the Southside rights is being prepared. This additional storage will increase the detention time of raw water by a factor of three or four prior to water entering the water treatment plant. The additional permitted storage would provide about 28 days of water supply at current peak demand.

An area of continued improvement involves obtaining a return flow credit or reuse of water generated by backwashing and flushing in the normal operation of the water treatment plants. Currently the backwash is metered in the plant and staff estimates the total amount of WTP flushing on a daily basis. Aztec reports backwash and flushing amounts according to terms of its NPDES permit. Daily estimates of the volume of process water during calendar 2013 indicate annual amounts of about 52,686,350 gallons per year (161.7 acre feet) are discharged to the Lower Animas Ditch. During the last five years, WTP wastewater flows have averaged 173.5 acre feet, ranging from 151.6 acre feet to 231.3 acre feet. If these water volumes can be documented as returning to surface water supplies, then Aztec may be able to claim a larger return flow credit and increase its diversion accordingly. Water quality constraints imposed by EPA may limit these discharges in the future. Alternatively, this amount of WTP wastewater may be used to satisfy golf course irrigation water supplies for the Aztec Heights Development.

Rather than using only ALP water supplies for the golf course, it appears feasible to allow the WTP wastewater to be piped to the golf course site for use in irrigation. Because the WTP wastewater is a product of the diversion and use of all of Aztec's water rights, it is not limited to ALP supplies. The wastewater is derived from all water rights diverted by Aztec. Amended agreements with Aztec Heights Development for the use of WTP wastewater were approved by the Commission on September 16, 2009.

In sum, maximizing return flow credits or reuse of waste streams, monitoring the accuracy of water system meters, reinvesting in infrastructure, along with acquisition of senior water rights should position the City of Aztec for continued excellent water service to its citizens.

A handwritten signature in black ink, appearing to read 'V. Phillip Soice', written in a cursive style.

V. Phillip Soice  
President

**A G E N D A**  
**CITY OF AZTEC**  
**CITY COMMISSION MEETING**  
**April 22, 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. CITIZEN RECOGNITION

VII. EMPLOYEE RECOGNITION

VIII. CONSENT AGENDA

- A. Commission Workshop Minutes, April 8, 2014
- B. Commission Meeting Minutes, April 8, 2014
- C. Travel Requests
- D. Water Plant Clearwell Expansion Contract
- E. RFP # 2014-233 Annual Audit and Contract Award
- F. Capital Outlay Request (Senior Center)
- G. TIGER6 Funding Application – Aztec Arterial Route
- H. Aztec Arterial Phase 2 Professional Services

*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"*

IX. ITEMS FROM CONSENT AGENDA

X. 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)*

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**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

**XI. BUSINESS ITEMS**

- A. Resolution 2014-938 Establishing a Moratorium on Charging a Fee on Temporary Garage/Yard Sale Signs

**XII. LAND USE HEARING**

- A. Zone Change - Bison Trail
- B. Setback Variance - Patio Cover at 805 La Plata Ave

**XIII. CITY MANAGER/COMMISSIONERS/ATTORNEY REPORTS**

**XIV. DEPARTMENT REPORTS**

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

**XV. ADJOURNMENT**

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**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.

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CITY OF AZTEC  
COMMISSION WORKSHOP MINUTES  
APRIL 8, 2014

**I. Call to Order**

Mayor Pro-Tem Sipe called the Meeting into order at 5:15p.m. at the Aztec City Commission Room, City Hall, 201 W. Chaco, Aztec NM.

**MEMBERS PRESENT:** Mayor Pro-Tem Sherri Sipe; Commissioner Roberta Locke; Commissioner Sheri Rogers; Commissioner Katee McClure.

**MEMBERS ABSENT:** Mayor Sally Burbridge

**OTHERS PRESENT:** City Manager, Joshua Ray; City Attorney, Larry Thrower; Administrative Assistant, Sherlynn Morgan; Project Manager, Edward Kotyk; Roshana Moojen via Face Time (see attendance sheet)

**A. Discussion of Garage Sale Signs**

Mayor Pro-Tem Sipe opened the meeting for discussion of garage sale signs. She stated that the City does not require a fee for a garage sale permit she mentioned that the \$35 fee is for any temporary sign that is put out. Commissioner McClure stated that the issue is if it's legal to put out garage sale signs or not was brought up to her by citizens. She mentioned that garage sale signs fall under Temporary Signs in Aztec City Code. Commissioner McClure mentioned how most citizens in Aztec did not know about the garage sale sign ordinance and that this workshop is for the public to express how they feel about this area of the code. She also mentioned that there is a handout that is a suggestion for a garage/yard sale code that Staff has come up with. Roshana Moojen stated that another option would be to take out the word Non-Commercial in sign code 20-2-5 section 11 and if staff has a concern about sign clutter they can choose to put a lower limit on how many signs are allowed. Citizens from Aztec spoke their opinion about the code.

**Adjournment**

MOVED by Mayor Pro-Tem Sipe to Adjourn the Meeting at 5:52 pm.

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Mayor Pro-Tem, Sherri Sipe

ATTEST:

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Sherlynn Morgan, Administrative Assistant

MINUTES PREPARED BY:

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Chelsea Clowe, Support Service Secretary

DRAFT

CITY OF AZTEC  
COMMISSION MEETING MINUTES  
APRIL 8, 2014

**I. CALL TO ORDER**

Mayor Pro-Tem Sipe called the Meeting to order at 6:03 p.m. at 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 Utility Director, Delain George

**IV. ROLL CALL**

Members Present: Mayor Pro-Tem Sherri Sipe; Commissioner Sheri Rogers; Commissioner Roberta Locke; Commissioner Katie McClure

Members Absent: Mayor Sally Burbridge

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 Rogers, SECONDED by Commissioner Locke to Approve the Agenda

**VI. CITIZEN RECOGNITION**

Code Compliance Officer, Bob Carmen presented the Aztec Spirit Award for Yard of the Month to Dan and Sherry Harrison at 306 S. Church St.

**VII. EMPLOYEE RECOGNITION**

None

## **VIII. CONSENT AGENDA**

MOVED by Commissioner Locke, SECONDED by Commissioner Rogers to Approve the Consent Agenda

- A. Commission Workshop Minutes, March 25, 2014
- B. Commission Meeting Minutes, March 25, 2014
- C. Travel Request
- D. Approval of FEMA-4152-015 Sub-Grant Agreement, Amendment #1 and Authorization of City Manager to Approve Future Agreements
- E. Document Destruction for Visitor Center
- F. Special Budget Resolution 2014-936 ConocoPhillips Library Funding
- G. Resolution 2014-937 Acceptance of the North main Corridor Conceptual Design
- H. New Mexico State Fire Marshal's Office Fiscal Year 2015 Municipal Fire Protection Fund Distribution
- I. Carter Pest Control Services Agreement Renewal
- J. Parks Department-Mower Purchase

## **IX. ITEMS FROM CONSENT AGENDA**

None

## **X. CITIZENS INPUT**

None

## **XI. BUSINESS ITEM**

- A. New Mexico State Land Office Special Use License (Roshana)

Roshana mentioned that this is a follow up to the annexation that happened at the last Commission Meeting and this will allow the City to complete the Phase II Environmental Assessment on a landfill that was originally on the State Lease area. She also mentioned that there is no cost for this license.

MOVED by Commissioner Rogers, SECONDED by Commissioner Locke to approve the license between the City of Commissioner of Public Lands for the State of New Mexico and the City of Aztec to allow the City to Conduct a Phase II Environment Study of the historic municipal landfill.

All Voted Aye; Motion Passed Four to Zero

## **XII. LAND USE HEARING**

Mayor Pro-Tem Sipe opened the Land Use Hearing for a Land Use Permit for BP America Storey B LS 1A – Major Work. Mayor Pro-Tem Sipe 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 Pro-Tem Sipe subsequently identified the parties and City Staff. Mayor Pro-Tem Sipe 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 Pro-Tem Sipe then swore in the parties and then reviewed the Order of Presentation.

### **A. Oil and Gas Application BP AMERICA-STOREY B LS 1A**

Roshana stated that this is an existing gas well in the City Limits off of NM 173. She mentioned that under Conditions of Approval a couple of items were discussed and reviewed by the Plan App team which were sound barriers, privacy fencing, watering the access road throughout construction, and staff is recommending an electric compressor instead of a gas compressor.

Jerry Van Riper with BP mentioned that the compressor is down in a dip so there are two natural sound barriers and he asked that this permit be approved as it was applied for with a gas compressor and without additional sound barriers.

MOVED by Commissioner Locke, SECONDED by Commissioner McClure to Approve the Oil and Gas Permit Application for the addition of a 41 horsepower compressor to the BP America Storey B LS 1A with the following conditions of approval: (1) permanent privacy fencing must be installed, (2) permanent sound barriers must be installed, and the access road must be watered at all times during construction work.

A Roll Call Was Taken; All Voted Aye; Motion Passed Four to Zero

## **XIII. CITY MANAGER/COMMISSIONERS/ATTORNEY REPORTS**

Josh mentioned that City Clerk, Karla Sayler received her Certified Municipal Clerk Status this past week.

Mayor Pro-Tem Sipe congratulated Karla Sayler for her certification.

Commissioner McClure mentioned that she attended the Lodgers Tax Board meeting and it was colorful.

Commissioner Locke mentioned that there is an Emergency Command Meeting April 9<sup>th</sup> at the Fire Center on Oliver St. from 10am-12pm. She mentioned that Aztec High and Koogler Middle School Archery teams will be competing in the National Archery competition and PV is also going. She reminded everyone that National Library Week is April 13<sup>th</sup>-19<sup>th</sup> and if anyone gets a chance to stop by and check out the new Children's Learning Center. She stated that the Child Haven Emergency Shelter has had a recent remodel and the Ribbon Cutting Ceremony will be April 16<sup>th</sup>. She mentioned that April is Military Child Month and April 15<sup>th</sup> is Purple UP Day with purple symbolizing all branches of the Military by combining Army Green, Marine Red, Coast Guard Navy, and Air Force Blue.

Commissioner Rogers stated the Chamber Banquet was very nice and thanked all who attended.

Larry Thrower reminded everyone he will be out of town next week, April 13<sup>th</sup>-19<sup>th</sup>.

#### **XIV. DEPARTMENT REPORTS**

Senior Center Director, Cindy Iacovetto stated that the center had their first self defense class for the seniors and it was a small group but with a lot of interest and they will continue the class monthly. She also wanted to recognize Sue Garcia and Arliss Pennington, who work in General Service Department, for helping an elderly man on the side of the road.

Chief Mike Heal stated that today, April 8<sup>th</sup>, is Be Kind to Lawyers Day.

#### **XV. CLOSED SESSION**

Pursuant to Section 10-15-1H (2) Limited Personnel Matters

Mayor Burbridge was present via FaceTime.

Commission went in to closed session at 6:45pm to discuss the Pursuant to Section 10-15-1H (2) Limited Personnel Matters than came out of closed session at 7:51pm and mentioned that there were no other items discussed other than Pursuant to Section 10-15-1H (2) Limited Personnel Matters.

All Voted Aye: Motion Passed 5-0

#### **XVI. ADJOURNMENT**

MOVED by Mayor Pro-Tem Sipe to Adjourn the Meeting at 7:51 pm.

\_\_\_\_\_  
Mayor Pro-Tem, Sherri Sipe

ATTEST:

\_\_\_\_\_  
Karla H. Sayler, City Clerk

MINUTES PREPARED BY:

\_\_\_\_\_  
Chelsea Clowe, Support Service Secretary

DRAFT

# Staff Summary Report

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<b>MEETING DATE:</b>	April 22, 2014
<b>AGENDA ITEM:</b>	VIII. CONSENT AGENDA (C)
<b>AGENDA TITLE:</b>	Travel Requests

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<b>ACTION REQUESTED BY:</b>	MVD, Public Works, Police/City Hall, Tourism, Electric & Water
<b>ACTION REQUESTED:</b>	Approval of Employee/Public Official Travel Requests
<b>SUMMARY BY:</b>	Cheryl Franklin

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## 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. Three request for travel had already occurred and the MVD, Public Works and Police/City Hall is requesting approval for travel on the date of this meeting; however, the remaining request are dated for future.
- 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

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**SUPPORT DOCUMENTS:** Travel Log April 22, 2014

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

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**EMPLOYEE/PUBLIC OFFICIAL TRAVEL REQUESTS FOR COMMISSION APPROVAL**  
**MEETING DATE: APRIL 22, 2014**

Dates of Travel	Department	Employee	Purpose of Travel/Location	Over-night	Out of State	Costs	Explanation of Cost	FY14 Budget Available
04/14-15/14	MVD	Anita Velasquez	VIN Inspection Albuquerque, NM.	Yes	No	50.40 81.00	Meal & Gratuity Allowance Lodging (Rode w/Briana O.)	Yes
04/14-16/14	Public Works	William Watson	Floodplain Mgr. Course & Exam Clovis, NM.	Yes	No	96.00 115.00 125.00 250.00	Meal & Gratuity Allowance Registration Estimated fuel cost Lodging	Yes
04/22/14	Police/City Hall	Troy Morris	Newbie Safety Coordinator and Newbie Administrator Meeting Albuquerque, NM.	No	No	36.00 50.00	Meal & Gratuity Allowance Estimated fuel cost	Yes
04/28/14	Tourism	Wilann Thomas	Meet w/Four Corners Broadcasting, Visit Durango Airport for advertising and Drop off Info Packets to Hotels	No	Yes	54.00 50.00	Meal & Gratuity Allowance Estimated fuel cost	Yes
05/07-08/14	Police	Troy Morris	2014 Law Enforcement Coordinators Symposium Albuquerque, NM.	Yes	No	60.00 50.00 93.79	Meal & Gratuity Allowance Estimated fuel cost Lodging	Yes
05/11-16/14	Electric	Eric Mletchen	Mesa Hotline School Grand Jct., CO.	Yes	Yes	291.60 125.00 250.00 515.00	Meal & Gratuity Allowance Registration Estimated fuel cost Lodging	Yes

**EMPLOYEE/PUBLIC OFFICIAL TRAVEL REQUESTS FOR COMMISSION APPROVAL**  
**MEETING DATE: APRIL 22, 2014**

Dates of Travel	Department	Employee	Purpose of Travel/Location	Over-night	Out of State	Costs	Explanation of Cost	FY14 Budget Available
05/18-23/14	Electric	Amos Trujillo	2014 Northern School Espanola, NM.	Yes	No	194.40 325.00 150.00 230.00	Meal & Gratuity Allowance Registration Estimated fuel cost Lodging	Yes
05/18-23/14	Water	Jayson Shaw	2014 Northern School Espanola, NM.	Yes	No	194.40 280.00 150.00 278.00	Meal & Gratuity Allowance Registration Estimated fuel cost Lodging	Yes
05/18-23/14	Water	Tyrome Begay	2014 Northern School Espanola, NM.	Yes	No	194.40 280.00 150.00 278.00	Meal & Gratuity Allowance Registration Estimated fuel cost Lodging	Yes
05/22-23/14	Public Works	Yvonne Multine	NM Utility Operator Certification Program Espanola, NM.	Yes	No	50.40 30.00 150.00 49.99	Meal & Gratuity Allowance Registration Estimated fuel cost Lodging	Yes

# Staff Summary Report

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**MEETING DATE:** April 22, 2014  
**AGENDA ITEM:** VIII. CONSENT AGENDA (D)  
**AGENDA TITLE:** Water Plant Clearwell Expansion

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**ACTION REQUESTED BY:** Public Works  
**ACTION REQUESTED:** Approval  
**SUMMARY BY:** Kathy Lamb

---

## PROJECT DESCRIPTION / FACTS (Leading Department)

- The existing clearwell has been expanded twice since the original water treatment plant was constructed in the 1950s; however, the clearwell is still undersized according to NMED requirements.
- The clearwell is approximately 56,000 gallons; to meet NMED requirements, the clearwell -must be 141,000 gallons.

## TECHNICAL INPUT (Supporting Departments)

- The City Public Works Director/City Engineer has received a proposal from CHC Engineers, LLC to perform the necessary design work and also provide construction administration (proposal attached).
- Project Deliverables Include:
  - Structural design will be required and will be provided by Wilson Structural Engineering and is included in the proposal;
  - Geotechnical Report providing foundation and retaining wall recommendations;
  - Final Design
  - Bid and Construction Support

## PROCUREMENT INPUT (If applicable, Purchasing)

- The total proposal for these services fall under the formal threshold of \$60,000 for professional services requiring a formal Request for Proposals (NM § 13-1-125).
- Staff recommends approval of the proposal, all phases, in the amount of \$29,300.

## FISCAL INPUT (If applicable, Finance Department)

- Geotechnical: \$3,900
- Structural: \$6,400
- Plans: \$9,800
- Construction Phase: \$9,200
- **Total Proposal: \$29,300**

- The FY14 Adopted Budget, Joint Utility Fund, Water Treatment Plant (500-4610-85000) included funds for improvements to the treatment plant. The expansion of the clearwell is one of the projects identified. Sufficient funds exist in the approved budget for this project.

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**SUPPORT DOCUMENTS:**

Proposal from CHC Engineers, LLC

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**DEPARTMENT'S RECOMMENDED MOTION:** Move to approve the proposal for the Water Treatment Plant Clearwell Expansion to CHC Engineers, LLC in the amount of \$29,300 plus tax.

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**CHC Engineers, LLC**

*An Agreement for Limited Professional Services*

**Date:** April 2, 2014

**Client:**

William Watson PE  
City Engineer/Director of Public Works  
City of Aztec  
610 Western Dr.  
Aztec, NM 87410

**Project:** Water Plant Clearwell Expansion

**Project Description:** The project consists of a continuation of the work done previously with the Water Plant Preliminary Design Projects. The existing clearwell at the Water Plant has been expanded twice since the original plant was built, however the storage is still undersized according to NMED requirements. The existing clearwell is approximately 56,000 gallons. To meet State requirements it should be 141,000 gallons. The preliminary work suggests that the expansion be approximately 50'x50'x10' deep and to the east of the existing clearwell. There are several known underground pipes that will be impacted and possibly other lines in the area that will need to be relocated. Grading in this area of the water plant has always been problematic, we will endeavor to correct the drainage in this area as much as possible to keep stormwater away for the clearwell and the building.

**Assumptions and Exclusions:**

- A topographic survey has already been completed.
- Structural design will be required for the new clearwell. This work is included and will be provided by Wilson Structural Engineering, Inc.
- A geotechnical report is included. The report will provide foundation and retaining wall recommendations. This work will be performed by Terracon.
- SWPPP is not included as the project will not disturb more than one acre.
- Public meetings attendance is not expected.
- Our fee for this project includes preparing the preliminary and final submittals as outlined in the scope below. If the project requires additional scope or unforeseen changes to the project, a Change of Scope form will be completed and approved prior to beginning any work.
- We assume timely coordination of data between all involved parties on this project.
- Travel, telephone calls, printing for reviews, and other ancillary items are included in the lump sum price below.

## CHC Engineers, LLC

### **Scope for Preliminary Design Phase:**

The goal of this phase will be to come up with the most efficient design that meets the needs of the project. We will coordinate with the City and design team in all phases. Our input will be orchestrated to best conform to the vision for the project. We will also endeavor to build in efficiencies to help keep construction costs down. We will prepare, submit and meet on the preliminary plans as necessary to be able to move forward to the final phase.

**Scope for Final Submittal Phase:** Once the layout has been set and approved by the City and the design team, we will begin preparing the final construction plans and drainage calculations as required for submittal. Plans will be submitted on CD as PDFs and DWGs. The plans will include the following sheets:

- Cover Sheet - General Notes, Vicinity Map, and Index of Sheets
- Site Plan
- Clearwell Structural Plans and Sections
- Piping Revisions
- Grading Plan
- Detail Sheets

We will assist the City in preparing the Construction Contract, by coordinating on the project letting schedule, review of the contract and supplying the construction specifications.

**Construction Phase:** We will answer questions prior to bidding, prepare and facilitate a pre-bid conference, answer contractor questions during bidding, prepare addendums as necessary and assist the selection of a contractor. We will prepare and facilitate a pre-construction conference, review contractor submitted traffic control plan and review material submittals. We will be available during construction to periodically review the construction progress and to answer any contractor questions. A daily field report will be submitted for each site visit. Our fee is based on an estimated construction schedule that will take 8 weeks and we will spend 8 hours per week on site. We will review contractor monthly pay requests and prepare change order documentation for City approval. We will prepare closeout documents

**Timing:** Assuming we are given the go-ahead within the next couple of weeks, we are available to begin work on this project immediately after receiving a signed contract.

## CHC Engineers, LLC

### Fee Arrangement:

Lump Sum Fee as outlined below and in accordance with the attached Terms and Conditions.

Geotech	Structural	Plans	Const. Phase	Total
\$3,900	\$6,400	\$9,800	\$9,200	\$29,300

### Special Conditions:

None

CHC Engineers, LLC

  
4/2/2014

Signature

Date:

Accepted by:

Signature

Date:

R. Clayton Harrison, PE, CEO

Printed Name and Title

Printed Name and Title

# Staff Summary Report

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<b>MEETING DATE:</b>	April 22, 2014
<b>AGENDA ITEM:</b>	<b>VIII. CONSENT AGENDA (E) <b>UPDATED</b></b>
<b>AGENDA TITLE:</b>	<b><u>RFP # 2014-233 Annual Audit and Contract Award</u></b>
<b>ACTION REQUESTED BY:</b>	Finance Department
<b>ACTION REQUESTED:</b>	Approval of RFP #2014-233 Annual Audit and Contract Award
<b>SUMMARY BY:</b>	Kathy Lamb

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## PROJECT DESCRIPTION / FACTS

- The recommendation for annual audit contract for services is required to be submitted to the Office of the State Auditor for approval and execution by May 15, 2014.
- Audit services for previous years were procured under RFP 2010-213 for FY10, FY11 and FY12. FY13 audit services were procured under professional services less than \$50,000.
- The State Audit rule encourages government entities to request proposals for audit services and enter into a multi-year agreement.

## PROCUREMENT / PURCHASING (if applicable)

- Audit service proposals under RFP 2014-233 and five qualified proposals were received. The evaluation committee independently reviewed and scored each proposal on the criteria established in the RFP.
- The evaluation committee recommends the proposal and contract for annual audit service be awarded to **Axiom CPAs & Business Advisors**.
- **Although the cost proposal submitted by Axiom includes three fiscal years, an audit contract will be executed and submitted to the Office of State Auditor for approval each fiscal year.**
- **Cost proposal, without gross receipts tax, includes annual audit, federal single audit and lodgers tax audit**
  - **2013-14           \$29,400**
  - **2014-15           \$33,400**
  - **2015-16           \$33,400**

**Note: 2013-14 proposal does not include a federal single audit. Depending on the progress of the pedestrian bridge project, it is possible 2013-14 may require a federal single audit which would increase the 2013-14 fees to \$33,400.**

**FISCAL INPUT / FINANCE DEPARTMENT (if applicable)**

- The FY15 Preliminary Budget includes funding in the General Fund Finance Department specific to FY14 annual audit in the amount of \$35,000.00.

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**SUPPORT DOCUMENTS:**

IPA Recommendation Form for Audits  
State of New Mexico Audit Contract

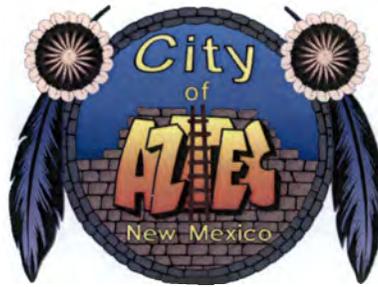
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**DEPARTMENT'S RECOMMENDED MOTION:** Move to Approve RFP #2014-233 Annual Audit and Contract Award to **Axiom CPAs & Business Advisors**.

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Mayor  
Sally Burbridge

Mayor Pro-Tem  
Sherri A. Sipe



Commissioners  
Roberta S. Locke  
Katee McClure  
Sheri L. Rogers

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

### **IPA Recommendation Form for Audits**

(Please print on your agency's letterhead)

- ❖ **Complete the audit contract (including obtaining the IPA's signature) and submit it to the Office of the State Auditor with this form by the deadline indicated at 2.2.2.8(G)(6)(c).**

#### **I.**

##### **Agency Contact Information Requirement**

Name of Agency: CITY OF AZTEC  
Address of Agency: 201 W CHACO  
Phone # of Agency: 505-334-7600 FAX# of Agency 505-334-7609  
City: AZTEC (State: NM) Zip: 8 7 4 1 0 - 1 9 1 5 Web Site Address: WWW.AZTECNM.GOV

##### **Agency Head Contact Information**

Name of Agency Head: JOSHUA RAY Title of Agency Head: CITY MANAGER  
E-mail address of Agency Head: JRAY@AZTECNM.GOV

##### **Agency Contact Information**

Name of Agency Contact: KATHY LAMB Title of Agency Contact: FINANCE DIRECTOR  
Phone # of Agency Contact: 505-334-7653 FAX# of Agency Contact 505-334-7649  
E-mail address of Agency Contact: KLAMB@AZTECNM.GOV

**Notice: Please fill out e-mail address of contact person. All fully executed contracts will be sent via e-mail.**

#### **II.**

##### **Recommended Independent Public Accountant (IPA) Information**

As required by the Audit Rule, Section 2.2.2.8.E(3), an IPA subject to contract restriction is responsible for informing this agency whether it is eligible to engage in this proposed contract. As the agency contact for this proposed contract, I am verifying herein that the IPA has certified its eligibility to engage in this proposed contract. Kathy Lamb (signature of Agency Contact).

Name of IPA Firm: AXIOM CERTIFIED PUBLIC ACCOUNTANTS & BUSINESS ADVISORS LLC  
Phone # 505-767-7600 Fax: 505-767-7601 E-mail Address: CHRIS.GARNER@AXIOMNM.COM

Name of the IPA Firm's on-site manager: CHRIS GARNER

(Note: The name of the On-Site Manager must match the name listed in the Audit Contract. If there is a change, the Office of the State Auditor must be notified in writing)

#### **III.**

**For which Fiscal Year (FY) is this recommendation being made:** 2013-14

**Estimated Audit Start Date** JUNE 2014

**Estimated Completion Date** NOVEMBER 2014

**IV.**

Please check the box below that applies to your agency (a Single Audit should have been included in the procurement if the agency expended \$500,000 or more of federal funds. American Recovery and Reinvestment Act (ARRA) expenditures should be included in this determination):

- My agency procured an annual financial and compliance audit without a Single Audit.
- My agency procured an annual financial and compliance audit with a Single Audit.

**V.**

Please check the appropriate box below:

- This is a multi-year award and this request applies to the 1 year of a 3 year Proposal.
- This is a one year procurement award for only the fiscal year indicated in Section III.

**VI.**

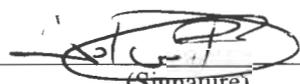
**Rotation Requirement: (Per Section 2.2.2.8.H(1)(b) NMAC)**

How many years has your agency contracted with the IPA recommended above for annual compliance audit services consecutively without a minimum of a 2 year break? NONE. If this is considered a small purchase (no more than \$60,000 excluding gross receipts tax (GRT); in any of those consecutive years has the cost of the audit engagement been over \$60,000 (excluding GRT)? Yes  No

**VII.**

BREAKDOWN	<input checked="" type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
	1 <sup>st</sup> Year Hours FYE <u>14</u>	1 <sup>st</sup> Year Cost _____	2 <sup>nd</sup> Year Hours FYE <u>15</u>	2 <sup>nd</sup> Year Cost _____	3 <sup>rd</sup> Year Hours FYE <u>16</u>	3 <sup>rd</sup> Year Cost _____
AGENCY CONTRACTS						
Financial Statement Audit	<u>215</u>	<u>21500</u>	<u>215</u>	<u>21500</u>	<u>215</u>	<u>21500</u>
Federal Single Audit	<u>40</u>	<u>4000</u>	<u>40</u>	<u>4000</u>	<u>40</u>	<u>4000</u>
Financial Statement Preparation	<u>40</u>	<u>4000</u>	<u>40</u>	<u>4000</u>	<u>40</u>	<u>4000</u>
Other allowed nonaudit Services	_____	<u>3500</u>	_____	<u>3500</u>	_____	<u>3500</u>
Other (housing authorities, or other component units)	<u>4</u>	<u>400</u>	<u>4</u>	<u>400</u>	<u>4</u>	<u>400</u>
SUB TOTAL	<u>299</u>	<u>33400</u>	<u>299</u>	<u>33400</u>	<u>299</u>	<u>33400</u>
Gross Receipts Tax		<u>2338</u>		<u>2338</u>		<u>2338</u>
TOTAL COMPENSATION	<u>35738</u>	_____	<u>35738</u>	_____	<u>35738</u>	_____

I hereby certify that all the information submitted in this recommendation is true, accurate and complete to the best of my knowledge. Furthermore, I also hereby certify that, to the best of knowledge, my agency complied with applicable provisions of the New Mexico Procurement Code (Sections 13-1-28 through 13-1-199 NMSA 1978) and the Audit Rule (2.2.2 NMAC) in the procurement of the IPA and recommendation to the State Auditor. Finally, I hereby attest that I have the authority to certify the information submitted in this recommendation on behalf of the agency.

Agency Head/Designee:   
(Signature)

JOSHUA RAY  
(Print Name)

CITY MANAGER, 4/22/14  
(Title and Date)

**(THIS SECTION APPLIES TO SCHOOLS AND UNIVERSITIES ONLY)**

This IPA recommendation has been reviewed and approved by our oversight agency (please select one)  the Higher Education Department (HED) or  the Public Education Department (PED) as required by Section 12-6-14 NMSA 1978, and as indicated by the following oversight agency signature and date.

\_\_\_\_\_  
Oversight Agency Signature

\_\_\_\_\_  
Printed name of signer

\_\_\_\_\_  
Date

**STATE OF NEW MEXICO  
AUDIT CONTRACT**

This CONTRACT is made and entered into this 22 day of APRIL, 2014, by and between the  
CITY OF AZTEC

hereinafter referred to as the “Agency”, and  
AXIOM CERTIFIED PUBLIC ACCOUNTANTS & BUSINESS ADVISORS LLC,  
hereinafter referred to as the “Contractor”, and is effective as of the date upon which it is approved by the Office of the State Auditor, hereinafter referred to as “State Auditor”.

**As required by the Audit Rule, Section 2.2.2.1 et seq., NMAC, Contractor agrees to, and shall, inform the Agency of any restriction placed on Contractor by the Office of the State Auditor pursuant to Section 2.2.2.8.E, NMAC, and whether the Contractor is eligible to enter into this contract with the restriction.**

**IT IS MUTUALLY AGREED BETWEEN THE PARTIES:**

- 1. **SCOPE OF WORK** (Include in Paragraph 25 any expansion of scope)
  - A. The Contractor shall conduct a financial and compliance audit of the following applicable statements and schedules of the Agency for the period from **July 1, 2013 through June 30, 2014:**
    - (1) Basic Financial Statements consisting of the government-wide financial statements, fund financial statements, budgetary comparison statements for the general fund and major special revenue funds (GASB 34, footnote 53), and the notes to the financial statements;
    - (2) Required supplemental information (RSI), if applicable, consisting of budgetary comparison schedules for the general fund and major special revenue fund data presented on a fund, organization, or program structure basis because the budgetary information is not available on the GAAP fund structure basis for those funds (*GASB Statement No. 41, Budgetary Comparison Schedules—Perspective Differences an amendment of GASB Statement No. 34*) must be audited and included in the auditor’s opinion (AAG-SLV 14.52);

- (3) Supplemental Information (SI) that must be audited and included in the auditor's opinion (AAG-SLV 14.52), if applicable, consisting of:
  - (a) Component unit fund financial statements and related combining statements (if there are no separately issued financial statements on the component unit per AAG-SLV 3.20);
  - (b) Combining financial statements;
  - (c) Individual fund budget comparison statements for remaining funds that have an adopted budget, including proprietary funds, that did not appear as basic financial statement budget comparisons for the general fund, major special revenue funds or as RSI as described above; and
  - (d) Remaining supplemental information on schedules as required by Section 2.2.2.10.A(2)(f) NMAC.
- B. The contractor shall apply certain limited procedures to the following required supplemental information (RSI), if applicable, and report deficiencies in or the omission of required information in accordance with the requirements of AU-C 730.05 to 730.09:
  - (1) The Management Discussion and Analysis (MD&A);
  - (2) RSI data required by Statements 25, 27, 43 and 45 regarding pension plans and post employment healthcare plans administered by defined benefit pension plans; and
  - (3) Schedules derived from asset management systems (GASB 34, paragraphs 132 to 133).
- C. The audit shall be conducted in accordance with auditing standards generally accepted in the United States of America, *Government Auditing Standards*, OMB Circular A-133, and *Requirements for Contracting and Conducting Governmental Audits* (Section 2.2.1, et seq., NMAC).
- D. If this contract is for a:
  - 1) hospital that does not qualify as a governmental entity under the criteria in Sections 1.01 and 1.02 of the *AICPA Audit and Accounting Guide State and Local Governments* (March 1, 2006), then another appropriate reporting model should be used; or
  - 2) school district, the audit will include the audit of any related charter schools and their respective foundations that qualify as component units of those charter schools in accordance with the provisions specified in Sections 2.2.2.10.A(1) and

2.2.2.12.C, NMAC. If a 501(c)(3) component unit organization had a gross annual income in excess of \$250,000, Section 6-5A-4, NMSA 1978 requires that entity to be audited regardless of materiality.

## 2. **DELIVERY AND REPRODUCTION**

- A. In order to meet the delivery terms of this Contract, the Contractor shall deliver the following documents to the State Auditor on or before **December 1, 2014** and in accordance with Section 2.2.2.9, NMAC:
- (1) an organized, bound and paginated hard copy of the Agency's audit report for review;
  - (2) a copy of the signed management representation letter provided to the IPA by the Agency as required by AU-C580;
  - (3) a list of the passed adjustments required by AU-C 580.14; and
  - (4) a copy of the completed State Auditor Report Review Guide available at [www.osanm.org](http://www.osanm.org);
- B. For purposes of Section 2.2.2, NMAC, reports postmarked by the Agency's due date provided in Section 2.2.2.9.A, NMAC, will be considered received by the due date provided in that section. Unfinished or excessively deficient reports will not satisfy this requirement; such reports will be rejected and returned to the Contractor and the State Auditor may take action in accordance with Section 2.2.2.13.C, NMAC. If copies of the engagement letter, management representation letter, list of past adjustments and the completed Report Review Guide are not received by the State Auditor with the audit report or prior to submittal of the audit report, the report will not be considered submitted to the State Auditor.
- C. As soon as the Contractor becomes aware that circumstances exist that will make the Agency's audit report late, the Contractor shall immediately provide written notification of the situation to the State Auditor. The notification shall include an explanation regarding why the audit report will be late, when the IPA expects to submit the report and a concurring signature by the Agency. The Agency's oversight agency should be notified, but confidential audit information shall be omitted from that notification.
- D. Pursuant to Section 2.2.2.8.Q, NMAC, the Contractor shall prepare a written and dated engagement letter which identifies the specific responsibilities of the Contractor and the Agency. The Contractor shall submit to the State Auditor an electronic copy of the signed and dated engagement letter and a list of client prepared documents with expected delivery dates within ten (10) days of the entrance conference.
- E. After its review of the audit report pursuant to Section 2.2.2.13, NMAC, the State Auditor will authorize the Contractor to print and submit the final audit report. Within

two business days from the date of the authorization to print and submit the final audit report, the Contractor shall provide the State Auditor with **TWO** copies of the report and an electronic version of the audit report, in PDF format. After the State Auditor officially releases the audit report by issuance of a release letter, the Contractor shall deliver 1 copies of the audit report to the Agency. Every member of the Agency's governing authority shall receive a copy of the report.

- F. The Agency, upon delivery of its audit report, shall submit the required copies of the data collection form, audit report and corrective action plan to the federal clearinghouse designated by the Office of Management and Budget and each federal awarding agency if the schedule of findings and questioned costs disclose audit findings directly related to federal awards.

**3. COMPENSATION**

- A. The total amount payable by the Agency to the Contractor under this agreement, including New Mexico gross receipts tax, shall not exceed \$35,738.
- B. Contractor agrees not to, and shall not, perform any services in furtherance of this contract prior to approval by the State Auditor. In accordance with Section 12-6-14(A), NMSA, 1978 and Section 2.2.2.8.N(1), NMAC, Contractor acknowledges and agrees that it will not be entitled to payment or compensation for any services performed by Contractor pursuant to this contract prior to approval by the State Auditor.
- C. Total Compensation will consist of the following:

SERVICES	AMOUNTS
(1) Financial statement audit	21,500
(2) Federal single audit	4,000
(3) Financial statement preparation	4,000
(4) Other nonaudit services, such as depreciation schedule updates	3,500
(5) Other (i.e., component units, specifically identified)	400

Gross Receipts Tax = 2,338

Total Compensation = 35,738

- D. The Agency shall pay the Contractor the New Mexico gross receipts tax levied on the amounts payable under this agreement and invoiced by the Contractor.
- E. Pursuant to Section 12-6-14, NMSA 1978 and Section 2.2.2.8.N, NMAC, the State Auditor may authorize progress payments to the Contractor by the Agency; provided that the authorization is based upon evidence of the percentage of audit work completed as of the date of the request for partial payment. Progress payments up to 69% do not require

State Auditor approval, provided that the Agency certifies receipt of services. The Agency must monitor audit progress and make progress payments only up to the percentage that the audit is completed prior to making the 69% payment. Progress payments from 70% to 90% require State Auditor approval after being approved by the Agency. If requested by the State Auditor, the Agency shall provide a copy of the approved progress billings. The State Auditor may allow only the first 50% of progress payments to be made without State Auditor approval if the Contractor's previous audits were submitted after the due date. Final payment for services rendered by the Contractor shall not be made until a determination and written finding is made by the State Auditor in the release letter that the audit has been made in a competent manner in accordance with the provisions of this Contract and applicable rules of the State Auditor.

4. **TERM**

- A. THIS CONTRACT SHALL NOT BECOME EFFECTIVE UNTIL APPROVED BY THE STATE AUDITOR. Unless terminated pursuant to Paragraphs 5 or 19, infra, this Contract shall terminate one calendar year after the date on which it is signed by the State Auditor.
- B. If awarded based on a multi-year proposal, this Contract may be extended by the parties for two successive one-year terms at the same price, terms and conditions as stated in the original proposal. Each annual extension of the contract shall be executed by mutual agreement of the parties and approval of the State Auditor pursuant to Section 2.2.2.8.G(4), NMAC.

5. **TERMINATION, BREACH AND REMEDIES**

- A. This Contract may be terminated, without cause, by either of the parties upon written notice delivered to the other party at least ten (10) days prior to the intended date of termination. This Contract may be terminated immediately by either of the parties upon written notice delivered to the other party if a material breach of any of the terms of this Contract occurs. Unjustified failure to deliver the audit report in accordance with Paragraph 2, supra, shall constitute a material breach of this Contract. The Agency may immediately terminate this Contract upon written notice to the Contractor pursuant to Paragraph 19, infra. Pursuant to Section 2.2.2.8.S, NMAC, the State Auditor also may immediately terminate this Contract upon written notice to the Contractor after determining that the audit has been unduly delayed, or for any other reason. By termination pursuant to this Paragraph, neither party may nullify obligations already incurred for performance or failure to perform prior to the date of termination. *THIS PROVISION IS NOT EXCLUSIVE AND DOES NOT WAIVE OTHER LEGAL RIGHTS AND REMEDIES AFFORDED THE STATE CAUSED BY THE CONTRACTOR'S DEFAULT OR BREACH OF THIS CONTRACT.*
- B. If the Agency terminates this Contract under this paragraph, the Contractor shall be entitled to compensation for work performed prior to termination in the amount of earned, but not yet paid, progress payments, if any, that the State Auditor has authorized

as provided in Paragraph 3(E), supra. If the Contractor terminates this Contract under this paragraph, the Contractor shall repay to the Agency the full amount of any progress payments for work performed under the terms of this Contract.

- C. If the Agency or the Contractor terminates this Contract pursuant to this paragraph, the party that terminates the Contract shall immediately send the State Auditor written notice of the termination.
- D. The State Auditor may disqualify the Contractor from eligibility to contract for audit services with the State of New Mexico if the Contractor knowingly makes false statements, false assurances or false disclosures under this Contract. The State Auditor on behalf of the Agency or the Agency may bring a civil action for damages or any other relief against a Contractor for a material breach of this Contract.

**6. STATUS OF CONTRACTOR**

The Contractor and its agents and employees are independent contractors performing professional services for the Agency and are not employees of the Agency. The Contractor and its agents and employees shall not accrue leave, retirement, insurance, bonding, use of state vehicles or any other benefits afforded to employees of the Agency as a result of this Contract. The Contractor agrees not to purport to bind the State of New Mexico to any obligation not assumed under this Contract unless the Contractor has express written authority to do so, and then only within the strict limits of that authority.

**7. ASSIGNMENT**

The Contractor shall not assign or transfer any interest in this Contract or assign any claims for money due or to become due under this Contract.

**8. SUBCONTRACTING**

The Contractor shall not subcontract any portion of the services to be performed under this Contract without the prior written approval of the Agency and the State Auditor. An agreement between the Contractor and a subcontractor to subcontract any portion of the services under this Contract shall be completed on a form prescribed by the State Auditor. The agreement shall be an amendment to this Contract and shall specify the portion of the audit services to be performed by the subcontractor, how the responsibility for the audit will be shared between the Contractor and the subcontractor, the party responsible for signing the audit report and the method by which the subcontractor will be paid. Pursuant to Section 2.2.2.8.L, NMAC, the Contractor may subcontract only with independent public accounting firms that are on the State Auditor's List of Approved Firms pursuant to Section 2.2.2.8.B, NMAC, and that are not otherwise restricted by the Office from entering into such a contract pursuant to Section 2.2.2.8.E, NMAC.

**9. RECORDS AND AUDIT**

The Contractor shall maintain detailed time records that indicate the date, time, and nature of services rendered during the term of this Contract. The Contractor shall retain the records for a period of at least five (5) years from the date of final payment under this contract. The records shall be subject to inspection by the Agency and the State Auditor. The Agency and the State Auditor shall have the right to audit billings both before and after payment. Payment under this Contract shall not foreclose the right of the Agency or the State Auditor on behalf of the Agency to recover excessive or illegal payments.

**10. RELEASE**

The Contractor, upon receiving final payment of the amounts due under the Contract, releases the State Auditor, the Agency, its officers and employees and the State of New Mexico from all liabilities, claims and obligations whatsoever arising from or under this Contract. This paragraph does not release the Contractor from any liabilities, claims or obligations whatsoever arising from or under this Contract.

**11. CONFIDENTIALITY**

All information provided to or developed by the Contractor from any source whatsoever in the performance of this Contract shall be kept confidential and shall not be made available to any individual or organization by the Contractor, except in accordance with applicable standards, without the prior written approval of the Agency and the State Auditor.

**12. PRODUCT OF SERVICES; COPYRIGHT AND REPORT USE**

Nothing developed or produced, in whole or in part, by the Contractor under this Contract shall be the subject of an application for copyright by or on behalf of the Contractor. The Agency and the State Auditor may post the audited financial statements on their respective websites once publicly released by the State Auditor.

**13. CONFLICT OF INTEREST**

The Contractor warrants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of services required under this Contract. The Contractor certifies that the requirements of the Governmental Conduct Act, Section 10-16-1, et seq., NMSA 1978, regarding contracting with a public officer, state employee or former state employee have been followed as required by the applicable professional standards.

**14. INDEPENDENCE**

The Contractor affirms and represents its personal, external and organizational independence from the Agency in accordance with the *Government Auditing Standards*

*2011 Revision*, issued by the Comptroller General of the United States, and Section 2.2.2.8.M, NMAC. The Contractor shall immediately notify the State Auditor and the Agency in writing if any impairment to the Contractor's independence occurs or may occur during the period of this Contract.

15. **AMENDMENT**

This Contract shall not be altered, changed or amended except by prior written agreement of the parties and prior written approval of the State Auditor. Any amendments to this Contract shall comply with the Procurement Code, Sections 13-1-28 through 13-1-199, NMSA 1978.

16. **MERGER**

This Contract incorporates all of the agreements, covenants, and understandings between the parties hereto concerning the subject matter hereof. No prior agreement or understanding, verbal or otherwise, of the parties or their agents shall be valid or enforceable unless embodied in this Contract. Contractor and Agency shall enter into and execute an engagement letter pursuant to Section 2.2.2.8.Q, NMAC, consistent with Generally Accepted Auditing Standards (GAGAS). **The engagement letter and any associated documentation included with or referenced in the engagement letter shall not be interpreted to amend this contract. Conflicts between the engagement letter and this contract are governed by this contract, and shall be resolved accordingly.**

17. **APPLICABLE LAW**

The laws of the State of New Mexico shall govern this Contract. By execution of this Contract, Contractor acknowledges and agrees to the jurisdiction of the courts of the State of New Mexico over any and all lawsuits arising under or out of any term of this Contract.

18. **AGENCY BOOKS AND RECORDS**

The Agency is responsible for maintaining control of all books and records at all times and the Contractor shall not remove any books and records from the Agency's possession for any reason.

19. **APPROPRIATIONS**

The terms of this Contract are contingent upon sufficient appropriations and authorization being made by the Agency's governing body for the performance of this Contract. If sufficient appropriations and authorization are not made by the Agency's governing body, this Contract shall terminate upon written notice being given by the Agency to the Contractor. This section of the Contract does not supersede the Agency's requirement to have an annual audit pursuant to Section 12-6-3(A) NMSA 1978.

**20. PENALTIES FOR VIOLATION OF LAW**

The Procurement Code, Sections 13-1-28 through 13-1-199, NMSA 1978, imposes civil and criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for bribes, gratuities and kickbacks.

**21. EQUAL OPPORTUNITY COMPLIANCE**

The Contractor agrees to abide by all Federal and State laws, rules and regulations, and executive orders of the Governor of the State of New Mexico pertaining to equal employment opportunity. In accordance with all such laws, rules, regulations and orders, the Contractor assures that no person in the United States shall, on the grounds of race, age, religion, color, national origin, ancestry, sex, physical or mental handicap or serious medical condition, spousal affiliation, sexual orientation or gender identity be excluded from employment with or participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity performed under this Contract. If the Contractor is found not to be in compliance with these requirements during the life of this Contract, the Contractor agrees to take appropriate steps to correct these deficiencies.

**22. WORKING PAPERS**

- A. The Contractor shall retain its working papers of the Agency's audit conducted pursuant to this Contract for a period of at least five (5) years from the date shown on the opinion letter of the audit report, or longer if requested by the federal cognizant agency for audit, oversight agency for audit, pass through-entity or the State Auditor. The State Auditor shall have access to the working papers at the State Auditor's discretion. When requested by the State Auditor, the Contractor shall deliver the original or clear, legible copies of all working papers to the State Auditor.
- B. The working papers of a predecessor Contractor are to be made available to a successor Contractor in accordance with AC-C and 210.12. Any costs incurred are to be borne by the requestor Contractor.

**23. DESIGNATED ON-SITE STAFF**

The Contractor's on-site individual auditor responsible for supervision of work and completion of the audit is CHRIS GARNER. The Contractor shall notify the Agency and the State Auditor in writing of any changes in staff assigned to perform the audit.

**24. INVALID TERM OR CONDITION**

If any term or condition of this Contract shall be held invalid or unenforceable, the remainder of this Contract shall not be affected.

**25. OTHER PROVISIONS**

If no other provisions are listed in this section, the remainder below is intentionally left blank.

IN WITNESS WHEREOF, the parties have executed this Contract as of the date of signature by the State Auditor.

**AGENCY**

NAME: CITY OF AZTEC

BY: \_\_\_\_\_

TITLE: MAYOR

DATE: 4/22/14

**CONTRACTOR**

NAME: AXIOM CPAs and Business Adv

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

This Contract has been approved by:

**STATE AUDITOR**

BY: \_\_\_\_\_

TITLE: DEPUTY STATE AUDITOR

DATE: \_\_\_\_\_

State Auditor Contract No. 14 -

# Staff Summary Report

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<b>MEETING DATE:</b>	April 22, 2014
<b>AGENDA ITEM:</b>	VIII. CONSENT AGENDA (F)
<b>AGENDA TITLE:</b>	<u><b>CAPITAL OUTLAY REQUEST – SENIOR CENTER</b></u>
<b>ACTION REQUESTED BY:</b>	Finance Department, Senior/Community Center
<b>ACTION REQUESTED:</b>	Authorization for Submittal of Capital Outlay Request for Aztec Senior Center
<b>SUMMARY BY:</b>	Kathy Lamb

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## PROJECT DESCRIPTION / FACTS

- NM Aging and Long-Term Services Department (ALTSD) administers programs and services designed to meet the needs of older adults and adults living with disabilities.
- ALTSD held workshops throughout the state in February to advise local programs and providers of changes to the Capital Outlay request process.
  - Capital Outlay Requests are due to ALTSD no later than April 11, 2014
  - Requests should be supported with architect drawings, evaluations, quotes, etc. depending on the specific request(s).
  - Asset inventory and assessments are required documentation.
  - Program assessments are required documentation.
  - Applications are required to be approved by governing body.
- The FY15 Capital Outlay Request for the Aztec Senior Center includes:
  - The senior center roof was assessed by TL Roofing and a portion of the roof is recommended to be replaced. The amount requested is \$27,950 based on the estimate included with the assessment.
  - Mobility Van for \$30,000. This van will replace one of the older vans which has a wheelchair ramp which requires frequent repairs.
- Sufficient information on amounts for the capital outlay request had not been received to allow the application to be included on the April 8, 2014 commission agenda. The application was submitted to ALTSD with the approval of the City Manager on Thursday, April 10, 2014.

## PROCUREMENT / PURCHASING (if applicable)

- N/A

**FISCAL INPUT / FINANCE DEPARTMENT (if applicable)**

- The capital outlay request will be included in ALTSD's request for the 2015 Legislative Session. If the funding is approved, agreements will be generated by ALTSD in the spring of 2016. If funds are not received, the roof replacement will be included in the FY16 Annual Budget.

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**SUPPORT DOCUMENTS:** FY15 ALTSD Capital Outlay Request

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**DEPARTMENT'S RECOMMENDED MOTION:** Move to Approve Submittal of Capital Outlay Request for Aztec Senior Center

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2015

# New Mexico Aging and Long Term Services Department

## AGING NETWORK CAPITAL OUTLAY REQUEST APPLICATION

Submitted By: CITY OF AZTEC

Received by: ALTSD AAA Date & Time: \_\_\_\_\_

**Due Date: April 11, 2014 by 5:00 p.m.**

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#### Required Capital Outlay Forms & Attachments:

- CO Form 1: Allowable Equipment Specifications and Pricing Guidelines
- CO Form 2: Vehicle Inventory Inspection Checklist
- CO Form 3: Facility & Equipment Inspection Checklist
- CO Form 4: Asset Management Plan

Attachment: 2015-2019 DFA Capital Infrastructure Capital Improvement Plan

### Applicant /Fiscal Agent Information

Applicant/ Fiscal Agent: (City, County, Pueblo, Nation) CITY OF AZTEC		PSA: 2	Program: NWNM SENIORS/AZTEC
Mailing Address: 201 W CHACO		County: SAN JUAN	
City/State/Zip: AZTEC NM 87410			
Phone#: 505-334-7653	Fax#: 505-334-7649	Email Address: KLAMB@AZTECNM.GOV	

Check here if program does not wish to submit a 2015 Capital Outlay Request Application for the facility and obtain the appropriate signature in Certification section below.

### Applicant Contact Information

(Name & contact information of person who can answer questions regarding the application.)

Name/Title: CINDY IACOVETTO, SENIOR/COMMUNITY CENTER DIRECTOR		
Facility/Program: AZTEC SENIOR CENTER		
Address: 101 S PARK, AZTEC NM 87410		
Phone#: 505-334-7617	Fax#: 505-334-7619	Email Address: CIACOVETTO@AZTECNM.GOV
If you and/or your fiscal agent attended an ALTSD Training for the 2015 Capital Outlay Application Process, enter the names of the attendees and the location(s) of the training attended: CINDY IACOVETTO, SENIOR/COMMUNITY CENTER DIRECTOR & KATHY LAMB, FINANCE DIRECTOR, ATTENDED TRAINING @ BONNIE DALLAS CENTER, FARMINGTON NM		

**EXECUTIVE ORDER 13-006 REQUIREMENT:** State agencies must determine whether a grantee has adequate accounting methods and procedures to expend state grant funds in accordance with applicable law and account for and safeguard grant funds and assets acquired by grant funds [EO ¶2(A)(3)(a)].

Applicant's annual audit current and filed with the state auditor's office: <a href="http://www.saonm.org">http://www.saonm.org</a> <input checked="" type="checkbox"/> Yes    FY_13_____ <input type="checkbox"/> No
Applicant's current fiscal operating budget approved by the Budget and Finance Bureau of the Local Government Division: <a href="http://www.nmdfa.state.nm.us/budget-financial-and-audit-status.aspx">http://www.nmdfa.state.nm.us/budget-financial-and-audit-status.aspx</a> <input checked="" type="checkbox"/> Yes    Date 8/28/13_____ <input type="checkbox"/> No
Applicant has submitted financial quarterly/monthly reports to the Budget and Finance Bureau of the Local Government Division: <a href="http://www.nmdfa.state.nm.us/budget-financial-and-audit-status.aspx">http://www.nmdfa.state.nm.us/budget-financial-and-audit-status.aspx</a> <input checked="" type="checkbox"/> Yes    Date 7/31/13_____ <input type="checkbox"/> No

### Certification

I, the undersigned chief official of the applicant organization, certify that the attached application is supported by the governing body of the applicant and I have been authorized to file this application for

assistance from the State of New Mexico. I further certify that the information contained herein is true and complete to the best of my knowledge and belief.

Chief Official Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Submission and Attachment Checklist

**ICIP – INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN** - A local infrastructure capital improvement plan (ICIP) is a plan that establishes priorities for anticipated capital projects. The state-coordinated ICIP process encourages entities to plan for the development of capital improvements so that they do not find themselves in emergency situations, but plan for, fund, and develop infrastructure at a pace that sustains their activities

<input type="checkbox"/> The applicant's proposed projects are included in the local government's current ICIP Plan <a href="http://www.state.nm.us/capitalprojects/">http://www.state.nm.us/capitalprojects/</a> <input checked="" type="checkbox"/> The applicant is working with the local government to include senior projects on the 2016-2020 ICIP
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**Asset Management Plan** - a plan developed for the management of one or more infrastructure assets that combines multi-disciplinary management techniques (including technical & financial) over the life cycle of the asset in the most cost effective manner to provide a specific level of service

Asset management plan completed	<input type="checkbox"/> Yes    Date _____ <input checked="" type="checkbox"/> No
Asset management plan being developed	<input checked="" type="checkbox"/> Yes    Date <u>6/2014</u> _____ <input type="checkbox"/> No

**Feasibility and Readiness (check only if applicable)**

<input type="checkbox"/> Plans and specs complete	<input type="checkbox"/> Cost estimates provided
<input type="checkbox"/> Additional funds secured	<input type="checkbox"/> Quotes provided NOTE: Reference fiscal agent's procurement code.
<input type="checkbox"/> Architect or engineer hired	<input type="checkbox"/> Other

Reviewed by AAA Staff \_\_\_\_\_ Reviewed by ALTSD Staff \_\_\_\_\_

# BASIC APPLICATION

(Complete 1 form per Facility/Site)

Fiscal Agent: CITY OF AZTEC

Facility: CITY OF AZTEC SENIOR CENTER

Contact Name: CINDY IACOVETTO Phone: 505-334-7617 Email: CIACOVETTO@AZTECNM.GOV

## Instructions

Describe the building including ownership, current condition, age, documented repairs, services, and number of congregate meals and home delivered meals provided.

## Part I: Building Data

### 1. Who owns the building?

City, County, Town, Tribe, Pueblo or Village

Private Entity (for Profit or Non Profit) – If this box is selected, contact ALTSD staff.

NOTE: Non-profits and private entities must provide a copy of a lease, operating agreement, or user agreement to assure fair market value trade.

### Is there a lease and or operating agreement in place?

Yes; date executed: \_\_\_\_\_; leased to: \_\_\_\_\_; Attach Copy

No N/A Center is owned and operated by City of Aztec

### 2. Current Condition

Outstanding – Facility is in excellent condition.

Good – Facility has desirable and favorable conditions.

Satisfactory – Facility is acceptable.

Marginal - Potential threat exists.

Poor - Facility's condition is not acceptable and poses a threat to the health and safety of clients; needs immediate attention.

### 3. What is the age of the building and sources of funding used to construct or improve the building within the past five (5) years (if applicable to this request)?

Age 34 YRS APPROX

Funding Source CITY FUNDS Amount \$69,138 Date: 7/2013

Funding Source CITY FUNDS Amount \$18,328 Date: 5/2012

Funding Source NM ALSTD (GO BONDS) Amount \$20,060 Date: 8/2001

**4. What repairs have been completed?**

- Roof PARTIAL Date 5/2012
- Structural \_\_\_\_\_ Date \_\_\_\_\_
- Floor \_\_\_\_\_ Date \_\_\_\_\_
- HVAC \_\_\_\_\_ Date \_\_\_\_\_
- Parking Lot \_\_\_\_\_ Date 8/2001
- Other STUCCO Date 7/2013

**Part II: Uses**

**5. How many meals are served annually? (Use SAMS Data)**

Congregate FY13: 13,739 FY14: 9,222 (TO 3/2014)  
 Home Delivered FY13: 19,782 FY14: 13,318 (TO 3/2014)

**6. What other services are provided at the facility? (Use SAMS Data)**

- Homemaker/Chore \_\_\_\_\_
- Adult Day Care \_\_\_\_\_
- Respite Care \_\_\_\_\_
- Case Management \_\_\_\_\_
- Health Promotion Encore Exercise Classes, Blood Pressure Checks, Haircuts
- Transportation \_\_\_\_\_ Miles/Day 122 (from City maintenance/fuel records)
- Other Home Delivery Meals

**7. Is the size of the building sufficient? (5 square feet/person)**

- Yes
- No If no why? \_\_\_\_\_

**8. Is the location of the building accessible to those served?**

- Yes
- No If no why? \_\_\_\_\_

**Part III: Operation and Maintenance**

**9. Does the program receive funds from an AAA?**

- Yes; amount \$102,305; from: NCNMEDD AAA
- No

**10. List all program funding & status (other than AAA funding): FY2013**

- Local: source: City of Aztec General Fund; amount: \$ 184,998
- In-Kind from Program: source: \_\_\_\_\_; amount: \$ \_\_\_\_\_
- Private Donations-source: \_\_\_\_\_; amount: \$ \_\_\_\_\_
- Other: source: San Juan County; amount: \$ 4,050

NM ALSTD (GO Bonds)	\$ 16,524
NWNM Seniors – vehicle maintenance	\$ 10,734
Facility Use Fees	\$ 4,758

**11. Does a local government provide operating staff?**

- Yes # of employees 2.5 FTE Hours per day 4/day sprt svcs; 7.5/day cook; 10+/day director
- No
- Yes # of volunteers 5 Hours per day 4
- No

**12. Is the current program funding sufficient?**

- Yes
- No; describe: Staffing insufficient

**13. Was additional funding requested in 2014?**

- Yes ; describe: Personnel: Support Services PT; Dishwasher, Transport Driver
- No

**14. Has participation increased during the past year?**

- Yes; increase in # of people served:       ; increase in # of meals served:
- No

**15. Is outreach conducted to increase participation?**

- Yes; describe Media, radio, brochures, facebook, internet, local newspaper
- No

**16. Is a routine inventory conducted for capital assets?**

- Yes; describe:
- No; describe: Program being developed; implementation expected by Dec 2014

**17. How many of the following types of vehicles are utilized?**

- |                       |               |
|-----------------------|---------------|
| Client Transportation | <u>X</u>      |
| Meal Delivery         | <u>X</u>      |
| Administrative        | <u>X</u>      |
| Handicap-accessible   | <u>X</u>      |
| Other                 | <u>      </u> |

**A-1 NEW CONSTRUCTION/MAJOR RENOVATION REQUEST FORM**  
(Complete 1 form per Facility/Site)

Fiscal Agent: \_\_\_\_\_

Facility: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Total Project Cost: \$ \_\_\_\_\_

Amount of Request: \$ \_\_\_\_\_

Other Funding Sources: \$ \_\_\_\_\_

(If multiple sources, list each source and amount)

**1. Is this a new building?**

- Yes; explain: \_\_\_\_\_
- No

**2. Major renovation is defined as increasing capacity by at least 35%. Will this project increase capacity by 35% or more [i.e. 1,000 sq. ft. x .35=1,350 sq. ft.]?**

- Yes
- No; why? \_\_\_\_\_

**3. Have construction plans or drawings been completed?**

- Yes; completion date: \_\_\_\_\_;
- Note: Attach a letter of verification from the architect/engineering firm.
- No

**4. Describe the scope of work for this project:**

**5. What specific outcomes will result from completion of this project?**

- New building
- Increased capacity
- Corrected deficiencies
- Corrected health and safety issues

**6. Has funding for this project been requested in prior years?**

- Yes, describe:

No

**7. Has funding been appropriated in prior years for this project?**

Yes; provide grant # and amount, and describe work completed;

No

**8. Describe the outcome of not receiving this funding:**

**9. What is the current status of this project?**

No activity

Plan and design, date of finalized plan\_\_\_\_\_

Construction Plans and Specs completed, date\_\_\_\_\_

Other, describe:

**10. Is this project ready for construction?**

Yes, describe:

No

**Provide any other details imperative to the project:**\_\_\_\_\_

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**For ALTSD and AAA Use Only)**

**Project Score:**\_\_\_\_\_

**Note:**\_\_\_\_\_

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**A-2 RENOVATION/CODE COMPLIANCE REQUEST FORM**  
(Complete 1 form per Facility/Site)

Fiscal Agent: \_\_\_\_\_

Facility: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Total Project Cost: \$ \_\_\_\_\_

Amount of Request: \$ \_\_\_\_\_

Other Funding Sources: \$ \_\_\_\_\_

(If multiple sources, list each source and amount)

**1. What area(s) will funding be used to address?**

- Roof \_\_\_\_\_  Kitchen \_\_\_\_\_
- Structural \_\_\_\_\_  Bathroom \_\_\_\_\_
- Floor \_\_\_\_\_  ADA Compliance \_\_\_\_\_
- HVAC \_\_\_\_\_  Plumbing \_\_\_\_\_
- Parking Lot \_\_\_\_\_  Windows/Doors \_\_\_\_\_
- Fire Alarms \_\_\_\_\_  Other \_\_\_\_\_

**2. Has a notice of non-compliance been issued?**

- Yes, reason: \_\_\_\_\_; date: \_\_\_\_\_; Attach Copy
- No

**3. Have construction plans or drawings been completed?**

- Yes, date completed: \_\_\_\_\_;
- Note: Attach a letter of verification from the architect/engineering firm.
- No

**4. Describe the scope of work for this project:**

**5. What specific outcomes will result from the completion of this project?**

- Corrected deficiencies
- Facility improvements
- Better or increased service(s)
- Corrected health and safety issues

**6. Has funding for this project been requested in prior years?**

Yes, describe:

No

**7. Has funding been appropriated in prior years for this project?**

Yes; provide grant # and amount, and describe work completed:

No

**8. Describe the outcome of not receiving this funding:**

**9. Will equipment be purchased as a result of this project?**

Yes, describe:

No

**10. Is this project ready for construction?**

Yes, describe:

No

Provide any other details imperative to the project: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**(For ALTSD and AAA Use Only)**

**Project Score:** \_\_\_\_\_  
**Note:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**A-3 RENOVATION/OTHER REQUEST FORM**

(Complete 1 form per Facility/Site)

Fiscal Agent: CITY OF AZTEC

Facility: CITY OF AZTEC SENIOR CENTER

Contact Name: CINDY IACOVETTO Phone: 505-334-7617 Email: CIACOVETTO@AZTECNM.GOV

Total Project Cost: \$ 27,950

Amount of Request: \$ 27,950

Other Funding Sources: \$ -0-  
(If multiple sources, list each source and amount)

**1. What areas will be renovated?**

- Roof \_\_\_\_\_  Kitchen \_\_\_\_\_
- Walls \_\_\_\_\_  Bathroom \_\_\_\_\_
- Floor \_\_\_\_\_  Storage \_\_\_\_\_
- HVAC \_\_\_\_\_  Plumbing \_\_\_\_\_
- Parking Lot \_\_\_\_\_  Windows/Doors \_\_\_\_\_
- Administrative \_\_\_\_\_  Other \_\_\_\_\_

**2. Have construction plans or drawings been completed?**

- Yes, date completed: \_\_\_\_\_;
- Note: Attach a letter of verification from the architect/engineering firm.
- No

**3. Describe the scope of work for this project:**

REPLACE ROOF ON PORTION OF FACILITY; NEW ROOF WOULD HAVE 10 YEAR WARRANTY

**4. What specific outcomes will result from the completion of this project?**

- Corrected deficiencies
- Facility improvement(s)
- Better or increased service(s)
- Corrected health and safety issues

5. Has funding for this project been requested in prior years?

Yes, describe:

No

6. Has funding been appropriated in prior years for this project?

Yes; provide grant # and amount, and describe work completed:

No

7. Describe the outcome of not receiving this funding:

**LOCAL FUNDS WOULD BE REQUIRED TO BE APPROPRIATED IN FY16; POSSIBLY REDUCING FUNDS FOR ROUTINE MAINTENANCE OF FACILITY AND VEHICLES**

8. Will equipment be purchased as a result of this project?

Yes, describe:

No

9. Is this project ready for construction?

Yes, describe:

No

**Provide any other details imperative to the project: FACILITY ROOF WAS INSPECTED ON APRIL 3, 2014 BY WHITTLE INC. THE REPORT IDENTIFIED SECTION OF ROOF THAT HAS EXCEEDED SERVICABLE LIFE AND REQUIRES REPLACEMENT. INSPECTION REPORTS AND COST ESTIMATE INCLUDED WITH THIS REQUEST. AMOUNT REQUESTED HAS BEEN INCREASED BY 4% FROM ESTIMATE OF 4/2014 FOR POTENTIAL COST INCREASES BY SPRING 2016** \_\_\_\_\_

**(For ALTSD and AAA Use Only)**

Project Score: \_\_\_\_\_  
Note: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



6. Has funding been appropriated in prior years for this project?

Yes; provide grant # and amount, and describe work completed;

No

7. Describe the outcome of not receiving this funding:

8. Can any of the old equipment be sold or transferred to another entity?

Yes, describe:

No

Provide any other details imperative to the project: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**(For ALTSD and AAA Use Only)**

Project Score: \_\_\_\_\_  
Note: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



6. Has funding been appropriated in prior years for this project?

Yes; provide grant # and amount, and describe work completed;

No

7. Describe the outcome of not receiving this funding:

8. Can any of the old equipment be sold or transferred to another entity?

Yes, describe:

No

Provide any other details imperative to the project: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**(For ALTSD and AAA Use Only)**

Project Score: \_\_\_\_\_

Note: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**4. This purchase will:**

Replace an obsolete vehicle(s) past its useful life. From the Vehicle Inventory List, specify the vehicle number(s) of vehicle(s) being replaced.

Replace a non-working vehicle(s) From the Vehicle Inventory List, specify the vehicle number(s) of vehicle(s) being replaced.

Add a new vehicle(s) to the inventory

**5. Has funding for this project been requested in prior years?**

Yes, describe:

No

**6. Has funding been appropriated in prior years for this project?**

Yes; provide grant # and amount, and describe work completed;

No

**7. Describe the outcome of not receiving this funding:**

SENIORS REQUIRING WHEELCHAIR ACCESSIBLE TRANSPORTATION WOULD NOT BE ABLE TO BE TRANSPORTED TO CENTER. SENIORS WOULD BE REQUIRED TO SEEK ALTERNATIVE TRANSPORTATION OR WOULD NOT BE ABLE TO PARTICIPATE IN SENIOR CENTER ACTIVITIES

**8. Can any of the old vehicles be sold or transferred to another entity?**

Yes, describe: CITY COMMISSION WOULD DECLARE VEHICLE SURPLUS MAKING IT AVAILABLE TO ANOTHER PUBLIC ENTITY OR TO BE SOLD AS PUBLIC SURPLUS

No

Provide any other details imperative to the project: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**(For ALTSD and AAA Use Only)**

**Project Score:** \_\_\_\_\_  
**Note:** \_\_\_\_\_  
\_\_\_\_\_

# CO Form 2

## VEHICLE CONDITION INSPECTION CHECK LIST

NAME OF FACILITY: Aztec Senior Center SENIOR CENTER ADMINSTRATOR: Cindy Iacovetto MONITOR: \_\_\_\_\_

DATE: 4/10/14 FACILITY INSPECTION BY: DRIVERS BI-ANNUAL OR ANNUAL INSPECTION: BI-ANNUAL

SENIOR CENTER	VEHICLE # 1 & DATE	VEHICLE # 2 & DATE	VEHICLE # 3 & DATE	VEHICLE # 4 & DATE	Comments
Vehicle Administration Records	002-047	002-050	002-053	002-083	
License Plate Number	G50891	G86173	G87618	G87620	
Vin Number	1FBSS31LX2HA8 5192	2B5WB25Y62K12 3620	1B4GP25372B6874 09	1GNFG15439111855	
Title Certificate	*	A4761187	A460123	A460125	002-047 Owned by NWNM Seniors
Registration Certificate	N/A	N/A	N/A	N/A	Government plate – registration not required
Insurance	NMSIF	NMSIF	NMSIF	NMSIF	New Mexico Self Insurer's Fund
Vehicle Maintenance Report	OK	OK	OK	OK	
<b>UNDER HOOD</b>					
Oil Level Full	OK	OK	OK	OK	
Battery Secure & Free Of Corrosion	OK	OK	OK	OK	
Windshield Washer Fluid Full	OK	OK	OK	OK	
Hoses/Belts In Satisfactory Condition	OK	OK	OK	OK	
Coolant Level Satisfactory	OK	OK	OK	OK	
<b>EXTERIOR</b>					
Tires in Good Condition; 1/8" Minimum Tread	GOOD	GOOD	GOOD	GOOD	
Windows Free of Cracks	OK	OK	OK	OK	
Windows Clean and Visibility Satisfactory	OK	OK	OK	OK	
Headlights Working Properly	OK	OK	OK	OK	
Windshield Wipers Working Properly	OK	OK	OK	OK	
Windshield Wipers in Good Condition	OK	OK	OK	OK	
Rear Wipers Working Properly	OK	N/A	OK	N/A	
Rear Wipers in Good Condition	OK	N/A	OK	N/A	
Mirrors Free of Cracks	OK	OK	OK	OK	
Taillights Working Properly	OK	OK	OK	OK	
Signal Lights Working Properly	OK	OK	OK	OK	
Brake Lights Working Properly	OK	OK	OK	OK	
Emergency (Hazard) Lights Working Properly	OK	OK	OK	OK	

SENIOR CENTER	VEHICLE # 1 & DATE	VEHICLE # 2 & DATE	VEHICLE # 3 & DATE	VEHICLE # 4 & DATE	Comments
<b>INTERIOR</b>					
Starter (Engine Starts)	OK	OK	OK	OK	
Brakes (Working Properly)	OK	OK	OK	OK	
Parking Brake (Working Properly)	OK	OK	OK	OK	
Steering Mechanism	OK	OK	OK	OK	
Heater Working Properly	OK	OK	OK	OK	
A/C Working Properly	OK	OK	OK	OK	
Front Defrost Mechanism Working Properly	OK	OK	OK	OK	
Rear Defrost Mechanism Working Properly	OK	OK	OK	OK	
Interior Lights Working Properly	OK	OK	OK	OK	
Odometer Working Properly	OK	OK	OK	OK	
Speedometer Working Properly	OK	OK	OK	OK	
Gas Gauge Working Properly	OK	OK	OK	OK	
Temperature Gauge Working Properly	OK	OK	OK	OK	
Horn Working Properly	OK	OK	OK	OK	
<b>RESTRAINT SYSTEMS</b>					
Wheel Chair Belts	OK	N/A	N/A	N/A	
Passenger Seat Belts	OK	OK	OK	OK	
Wheel Chair Restraints	OK	N/A	N/A	N/A	
Driver's Seat Belt	OK	OK	OK	OK	
<b>LIFT/RAMP</b>					
Cycle Lift		N/A	N/A	N/A	
Lift Mechanism Working Properly	NO	N/A	N/A	N/A	SPORATIC/SHORT IN SWITCH
Ramp Folds/Unfolds	OK	N/A	N/A	N/A	
Ramp Locking Device Functional	OK	N/A	N/A	N/A	
<b>SAFETY</b>					
Emergency Phone Contact List	OK	OK	OK	OK	
Vehicle Registration	OK	OK	OK	OK	
First Aid/Bodily Fluid Kit	OK	OK	OK	OK	
Fire Extinguisher	OK	OK	OK	OK	
Proof of Insurance	OK	OK	OK	OK	
Emergency Triangle Kit	OK	OK	OK	OK	
Working Flashlight	OK	OK	OK	OK	

*If Provider has more than 4 vehicles, add additional Sheets*

FINDING CATEGORY	FINDING DESCRIPTION	TIMELINE FOR CORRECTIVE ACTION
<input checked="" type="checkbox"/> Critical <input type="checkbox"/> Non Critical <input type="checkbox"/> No finding - suggestion	002-047 Handicap lift has history of repeated repairs; currently not Operating to full potential	Capital request 2015
<input type="checkbox"/> Critical <input type="checkbox"/> Non Critical <input type="checkbox"/> No finding - suggestion		
<input type="checkbox"/> Critical <input type="checkbox"/> Non Critical <input type="checkbox"/> No finding - suggestion		
<input type="checkbox"/> Critical <input type="checkbox"/> Non Critical <input type="checkbox"/> No finding - suggestion		
<input type="checkbox"/> Critical <input type="checkbox"/> Non Critical <input type="checkbox"/> No finding - suggestion		
<input type="checkbox"/> Critical <input type="checkbox"/> Non Critical <input type="checkbox"/> No finding - suggestion		
<input type="checkbox"/> Critical <input type="checkbox"/> Non Critical <input type="checkbox"/> No finding - suggestion		

# CO Form 2

## VEHICLE CONDITION INSPECTION CHECK LIST

NAME OF FACILITY: Aztec Senior Center SENIOR CENTER ADMINSTRATOR: Cindy Iacovetto MONITOR: \_\_\_\_\_

DATE: 4/10/14 FACILITY INSPECTION BY: DRIVERS BI-ANNUAL OR ANNUAL INSPECTION: BI-ANNUAL

SENIOR CENTER	VEHICLE # 5 & DATE	VEHICLE # 6 & DATE	VEHICLE # 7 & DATE	VEHICLE # 8 & DATE	Comments
<b>Vehicle Administration Records</b>	002-084				
License Plate Number	G87619				
Vin Number	2B5WB35Z8RK5 57563				
Title Certificate	A460124				
Registration Certificate	N/A				
Insurance	NMSIF				Government plate – registration not required New Mexico Self Insurer's Fund
Vehicle Maintenance Report	NO				
<b>UNDER HOOD</b>					
Oil Level Full	OK				
Battery Secure & Free Of Corrosion	OK				
Windshield Washer Fluid Full	OK				
Hoses/Belts In Satisfactory Condition	OK				
Coolant Level Satisfactory	OK				
<b>EXTERIOR</b>					
Tires in Good Condition; 1/8" Minimum Tread	GOOD				
Windows Free of Cracks	OK				
Windows Clean and Visibility Satisfactory	OK				
Headlights Working Properly	OK				
Windshield Wipers Working Properly	OK				
Windshield Wipers in Good Condition	OK				
Rear Wipers Working Properly	OK				
Rear Wipers in Good Condition	OK				
Mirrors Free of Cracks	OK				
Taillights Working Properly	OK				
Signal Lights Working Properly	OK				
Brake Lights Working Properly	OK				
Emergency (Hazard) Lights Working Properly	OK				

SENIOR CENTER	VEHICLE # 1 & DATE	VEHICLE # 2 & DATE	VEHICLE # 3 & DATE	VEHICLE # 4 & DATE	Comments
<b>INTERIOR</b>					
Starter (Engine Starts)	OK				
	OK				
Brakes (Working Properly)					
Parking Brake (Working Properly)	OK				
Steering Mechanism	OK				
Heater Working Properly	OK				
A/C Working Properly	OK				
Front Defrost Mechanism Working Properly	OK				
Rear Defrost Mechanism Working Properly	OK				
Interior Lights Working Properly	OK				
Odometer Working Properly	OK				
Speedometer Working Properly	OK				
Gas Gauge Working Properly	OK				
Temperature Gauge Working Properly	OK				
Horn Working Properly	OK				
<b>RESTRAINT SYSTEMS</b>					
Wheel Chair Belts	N/A				
Passenger Seat Belts	OK				
Wheel Chair Restraints	N/A				
Driver's Seat Belt	OK				
<b>LIFT/RAMP</b>					
Cycle Lift	N/A				
Lift Mechanism Working Properly	N/A				
Ramp Folds/Unfolds	N/A				
Ramp Locking Device Functional	N/A				
<b>SAFETY</b>					
Emergency Phone Contact List	OK				
Vehicle Registration	OK				
First Aid/Bodily Fluid Kit	OK				
Fire Extinguisher	OK				
Proof of Insurance	OK				
Emergency Triangle Kit	OK				
Working Flashlight	OK				

If Provider has more than 4 vehicles, add additional Sheets

FINDING CATEGORY	FINDING DESCRIPTION	TIMELINE FOR CORRECTIVE ACTION
<input type="checkbox"/> Critical <input type="checkbox"/> Non Critical <input type="checkbox"/> No finding - suggestion		
<input type="checkbox"/> Critical <input type="checkbox"/> Non Critical <input type="checkbox"/> No finding - suggestion		
<input type="checkbox"/> Critical <input type="checkbox"/> Non Critical <input type="checkbox"/> No finding - suggestion		
<input type="checkbox"/> Critical <input type="checkbox"/> Non Critical <input type="checkbox"/> No finding - suggestion		
<input type="checkbox"/> Critical <input type="checkbox"/> Non Critical <input type="checkbox"/> No finding - suggestion		
<input type="checkbox"/> Critical <input type="checkbox"/> Non Critical <input type="checkbox"/> No finding - suggestion		
<input type="checkbox"/> Critical <input type="checkbox"/> Non Critical <input type="checkbox"/> No finding - suggestion		

# Staff Summary Report

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<b>MEETING DATE:</b>	April 22, 2014
<b>AGENDA ITEM:</b>	VIII. CONSENT AGENDA (G)
<b>AGENDA TITLE:</b>	<u><b>TIGER6 FUNDING APPLICATION – AZTEC ARTERIAL ROUTE</b></u>

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<b>ACTION REQUESTED BY:</b>	City Staff
<b>ACTION REQUESTED:</b>	Authorization for Submittal of Tiger6 Funding Application for Aztec Arterial
<b>SUMMARY BY:</b>	Kathy Lamb

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## PROJECT DESCRIPTION / FACTS

### FEDERAL REGISTER NOTICE (in part)

- The Consolidated Appropriations Act, 2014 (Pub. L. 113-76, January 17, 2014) (“FY 2014 Appropriations Act”) appropriated \$600 million to be awarded by the Department of Transportation (“DOT”) for National Infrastructure Investments. This appropriation is similar, but not identical, to the program funded and implemented pursuant to the American Recovery and Reinvestment Act of 2009 (the “Recovery Act”). As with previous rounds of TIGER, funds for the FY 2014 TIGER program (“TIGER FY 2014”) are to be awarded on a competitive basis for projects that will have a significant impact on the Nation, a metropolitan area, or a region.
- Recognizing economic mobility as a defining trait of America's promise, the 2014 TIGER program will, in part, seek to improve access to reliable, safe, and affordable transportation for disconnected communities in urban, suburban, and rural areas. This may include, but is not limited to, capital projects that better connect people to jobs, remove physical barriers to access, and strengthen communities through neighborhood redevelopment. Additionally, this objective may include capital projects with training opportunities that focus on strengthening human capital and workforce opportunities.
- Awarded funds must be obligated by September 30, 2016.
- For projects located in rural areas (as defined in Section V, *Projects in Rural Areas*), the minimum TIGER Discretionary Grant size is \$1 million, the maximum is \$10 million. For non-rural projects, the minimum is \$10 million with a maximum of \$200 million.
- Applications are submitted via Grants.Gov and are due by April 28, 2014, 5:00 PM EDT

### CITY FUNDING REQUEST

- The City has submitted two TIGER funding applications in prior years with no success. Different for this funding application is a slightly smaller request, the availability of the 2014 Legislative funds for local participation, and the ability to submit as a rural application rather than urban.
- Based on probable construction estimates prepared by Wilson & Co, funding to be requested is:
  - Aztec Arterial Phase 2 including the overlay of phase 1a;

signalization of intersection of arterial and South Main (US550), 10% construction oversight, 25% contingency and gross receipts Tax	\$ 9,526,395
o NM173 improvements including signalization of NM173 and NE Aztec Blvd (US550), 10% construction oversight, 25% contingency and gross receipts tax	\$ 4,264,678
Total Project	\$13,791,073
Local Funds (2014 Legislative Funds)	\$ 3,819,775
TIGER6 Discretionary Grant Funds Requested	\$ 9,971,298

- A timeline for award of TIGER6 Discretionary Grant Funds is not readily available but if past funding cycles are an indicator, awards should be published by mid summer 2014.

**PROCUREMENT / PURCHASING (if applicable)**

- N/A

**FISCAL INPUT / FINANCE DEPARTMENT (if applicable)**

- The 2014 Legislative funding for the Aztec Arterial will be included in the FY15 Annual Budget. The questionnaire for the funding was completed and submitted April 9, 2014 and requested funds be available in the fall of 2014.

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**SUPPORT DOCUMENTS:** None

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**DEPARTMENT'S RECOMMENDED MOTION:** Move to Approve Submittal of Tiger6 Funding Application for Aztec Arterial Route

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# Staff Summary Report

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<b>MEETING DATE:</b>	April 22, 2014
<b>AGENDA ITEM:</b>	VIII. CONSENT AGENDA (H)
<b>AGENDA TITLE:</b>	<u><b>Aztec Arterial Phase 2 Professional Services</b></u> Staff summary will be updated upon receipt of amendment

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<b>ACTION REQUESTED BY:</b>	Public Works Department, Finance Department
<b>ACTION REQUESTED:</b>	Approval of Aztec Arterial Professional Services Agreement with Wilson and Company, Amendment 5
<b>SUMMARY BY:</b>	Kathy Lamb

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## PROJECT DESCRIPTION / FACTS

- The 2015 Legislature provided funds for construction of the Aztec Arterial in the amount of \$3.8 million which is approximately 50% of the cost to complete the arterial (connecting Phase 1b and Phase 1a).
- Bi-weekly meetings have been conducted with the City and all consultants on the arterial project since October when NMDOT advised of funds for phase 1b. With the additional legislative funds, the discussions have expanded to determine the next phase of the project.
- During those discussions, additional services have been identified:
  - Plan sets – Phase 2a will require 3 plan sets; 1 plan set for the entire route IF the City is successful in securing additional funds during 2014, phase 2a.1 specific to the legislative funds and phase 2a.2 the last segment of construction. Phase 2b is the overlay of asphalt of phase 1a to increase the total depth of asphalt to NMDOT specifications.
  - Right of Way – right of way was originally obtained specific to a 2 lane road (150'). However, IF a road exchange is to be considered by NMDOT (Main Avenue become a city road and the arterial a state/federal road), four lanes would be required. As a subcontractor to Wilson, SMA will prepare ROW requirements and legals for 450' right of way from Williams Arroyo to Phase 1a. Additional right of way will be required from SLO, BLM and private land owners. It is anticipated SLO and BLM will require several months to secure right of way.
  - Environmental – NMDOT has advised that due to FHWA involvement in the Aztec Arterial, we must continue to follow their environmental and cultural resource requirements on the entire route. Due to the age of the original environmental and cultural reports plus the additional right of way, phase 2a will require new environmental and cultural reports. Preliminary discussions with BLM indicate 4-6 months for their approval of environmental and cultural reports. After BLM and SLO have approved the environmental and cultural reports,

NMDOT approval would require approximately 2 weeks to finalize the environmental certification of phase 2a.

**PROCUREMENT / PURCHASING (if applicable)**

- RFP 2008-208 was awarded to Wilson and Company in February 2008 and was a phased agreement as funding was available and as authorized by the City Commission.
- Phase I (environmental) and Phase II (preliminary design) were approved February 2008. Phase III (final design) was approved September 2008.
- Amendment one was approved June 2009 and was the result of additional engineering requirements to develop the project in multiple construction phases to meet existing funds.
- Amendment two was approved September 2012 which completed the design of the arterial project 100% including NM173 widening and NM173/US550 intersection signalization.
- Amendment three was approved May 2013 which combined plan sets, contract documents and prepare various documents for NMDOT approval of Phase 1B and provide bid support services to the City.
- Amendment four was approved December 2013 which was specific to Phase 1b to meet NMDOT timeline for funding of the project in 2014.

**FISCAL INPUT / FINANCE DEPARTMENT (if applicable)**

- Wilson & Company, Inc. Engineering Agreement (figures not available as of 4/17/14)

Services provided by Wilson & Company	\$
Services provided by SME (environmental)	\$
Services provided by SMA (right of way)	\$
Total (not including tax)	\$

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**SUPPORT DOCUMENTS:** None available as of 4/17/14

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**DEPARTMENT'S RECOMMENDED MOTION:** Move to Approve Wilson and Company, Professional Contract Amendment #5

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# Staff Summary Report

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<b>MEETING DATE:</b>	April 22, 2014
<b>AGENDA ITEM:</b>	XI. BUSINESS ITEM (A)
<b>AGENDA TITLE:</b>	Resolution 2014-938 Establishing a Moratorium on Charging a Fee on Temporary Garage/Yard Sale Signs

---

<b>ACTION REQUESTED BY:</b>	Community Development Department
<b>ACTION REQUESTED:</b>	Suspend the \$25 application fee for a temporary sign permit to legally post signs advertising garage sales. This also seeks to suspend the requirement to charge a \$10 permit administration fee. As it's currently written it costs residents \$35 in permit fees to have a garage sale
<b>SUMMARY BY:</b>	William M. Homka AICP, Director

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## PROJECT DESCRIPTION / FACTS

Recent changes to the City of Aztec's Sign Code categorized "Garage Sale Signs" as temporary signs. Aztec's Administrative and Application Fee Schedule list Temporary signs as costing \$25 dollars plus a \$10 administrative review fee. The new fee resulted in an ad hoc group of staff, city employees and general citizens who studied the change, looked at other communities, and debated potential resolutions. Some researched how other communities approached Garage Sale signs, including whether or not permits and/or fees were required. Examples of cities consulted include Farmington, Bloomfield, and Durango. While there are different methods to approach this subject, spring is here and everyone concurs that charging \$35 for a garage sale sign permit should be either reduced or eliminated. Staff is preparing a replacement ordinance to be placed on the next Commission agenda. It seems appropriate to suspend the current fee, as any change to the Sign Code (Chapter 20) and Fee Schedule (Chapter 16) and will take at least 45 days.

Discussions among the staff about the fees have resulted in the decision to propose a change to the sign code that will reclassify Garage Sale signs, either to Exempt, or to include garage sale signs with other temporary signs in Chapter 16 Section 20-4-7 (7)(1) as exempt from sign fees. Fees in this category include "Real Estate and Political and Noncommercial Signs..." Some "Exemptions" listed in Chapter 16 Section 20-2-5 include a variety of signs or items that could be considered expressions of free speech, such as flags, works of art, public purpose signage, etc.

The concern about garage sale signs is primarily their placement and subsequent removal. Sometimes concern exists about the frequency and duration of garage sales, however this is a land use issue and not a signage issue. Some ordinances attempt to regulate this problem in connection with garage sale sign permits. The "non-stop" garage sale does not appear to be a problem in Aztec.

While the Community Development Department authors an amendment to the sign code, spring is already here and residents are quickly finding out about the new fees for garage sale signs.

Staff recommends the Commission temporarily waive all application fees associated with garage sales and permits through the use of a moratorium which will provided a maximum of 180 days suspension until staff can work through all the details through several City Code Chapters.

Another reason the sign code amendment is not ready at this time is because there is another possible change to the sign code. One area requires signs to be larger than the applicants want their signs to measure. It is rare this is the problem; it is usually the other way around. It makes sense to amend the ordinance at the same time rather than repeatedly.

**PROCUREMENT / PURCHASING (if applicable)**

None.

**FISCAL INPUT / FINANCE DEPARTMENT (if applicable)**

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**SUPPORT DOCUMENTS:** Resolution 2014-938  
Current Fee Schedule

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**DEPARTMENT'S RECOMMENDED MOTION:** Move to approve Resolution 2014-938  
Establishing a Moratorium on Charging a Fee on Temporary Garage/Yard Sale Signs (Chapter 16, Section 16-291 Permit Fees)

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**City of Aztec  
RESOLUTION 2014-938**

**Establishing a Moratorium on Charging a Fee on Temporary Garage/Yard Sale Signs  
(Chapter 16, Section 16-291 Permit Fees)**

**WHEREAS,** a request has been made by Commission to develop a solution for the charging of a temporary sign fee (\$35) for garage/yard sale signs as established in Section 16-291 of Chapter 16 Signs; and

**WHEREAS,** an immediate albeit temporary solution will be to approve a moratorium which is defined as a term used to denote a period of time during which the law authorizes a delay in payment of debts or performance of some legal obligation; and

**WHEREAS,** this moratorium will provide a relief to citizens wishing to conduct a garage/yard sale with posted signs without having to pay the temporary sign fee (\$35) until staff can develop an ordinance to amend the City Code pertaining to Chapter 16 Fee Schedule and Chapter 20 Signs.

**NOW, THEREFORE, BE IT RESOLVED** by the Aztec City Commission that Resolution 2014-938 is passed which suspends for 180 days (from the date of this approval) the charging of a temporary sign fee of \$35 for garage/yard sale signs.

**PASSED, APPROVED AND ADOPTED** This 22<sup>nd</sup> Day of April 2014.

\_\_\_\_\_  
Sally Burbridge, Mayor

ATTEST:

\_\_\_\_\_  
Karla Saylor, City Clerk

## ARTICLE IX. COMMUNITY DEVELOPMENT FEES

### DIVISION 1. SIGN FEES

#### Sec. 16-290. Administrative Fee.

The City shall collect an administrative fee of \$10.00 for each sign application submitted to the City for review. The City shall deposit the fees so collected in the General Fund of the City.

#### Sec. 16-291. Permit Fees.

Permit fees are applied per application. Numerous signs for one organization can be permitted in one application and shall only be charged one permit fee, per sign type. Additional sign applications submissions shall be considered new applications and will be assessed new permit fees, per sign type. Applicants whose sign applications have been denied shall have thirty (30) days from the date of denial to amend their application and resubmit it without being subject to new fee assessments. Sign applications that have expired or have been withdrawn by the applicant and are later resubmitted shall be considered new applications and will be assessed new permit fees.

<i>Permit Type</i>	<i>Reference</i>	<i>Fee</i>
Temporary Sign	Chapter 20, Article IV	\$25. <sup>00</sup>
30 day extension (ea. 30 day ext.)	Chapter 20, Article IV	\$15. <sup>00</sup>
Permanent Wall Sign(s)	Chapter 20, Article IV	\$50. <sup>00</sup>
Significant Modification	Chapter 20, Article IV	\$50. <sup>00</sup>
Permanent Freestanding or Monument Sign(s)	Chapter 20, Article IV	\$50. <sup>00</sup>
Illuminated Sign	Chapter 20, Article IV	\$25. <sup>00</sup> (adtl.)
Electronic Message Center	Chapter 20, Article IV	\$25. <sup>00</sup> (adtl.)
Comprehensive Sign Plan	Chapter 20, Article II	\$75. <sup>00</sup>

(Ord. 2013-431, eff. 2013-Sept-04; Ord. 2012-417, eff. 2013-Jan-01)

### DIVISION 2. LAND USE FEES

#### Sec. 16-292. Administrative Fee.

The City shall collect an administrative fee of \$10.00 for each land use application submitted to the City for review. The City shall deposit the fees so collected in the General Fund of the City.

# Land Use Hearing

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<b>MEETING DATE:</b>	April 22, 2014
<b>AGENDA ITEM:</b>	XII. LAND USE HEARING (A)
<b>AGENDA TITLE:</b>	Zone Change - Bison Trail

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<b>ACTION REQUESTED BY:</b>	Philadelphia Baptist Church - Arthur Blevins
<b>ACTION REQUESTED:</b>	Approve Zone Change from O-1 Office and Institutional to an M-1 Light Manufacturing District.
<b>SUMMARY BY:</b>	Michelle Morgan

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## FINDING OF FACTS

### Community Development Finding of Facts

1. Philadelphia Baptist Church has submitted a Zone Change Request to change 110 Bison Trail (a vacant, approximately 2.04 acres parcel), Property Tax ID # R0015476, from a currently zoned O-1 Office and Institutional District to an M-1 Light Manufacturing District. The purpose of the zone change is in order to sell the land for a parking and storage area of equipment for commercial / industrial use.
2. The parcel in question is adjacent to O-1, A-1 Agricultural (with residential uses on site), R-1 Single Family Dwelling and C-2 General Commercial zone districts; none of these zone districts permit the proposed use (trucking transportation terminal or chemical storage).
3. The O-1 Office and Institutional district is established to permit R-1 and R-2 uses (Sections 26-11 and 26-12), plus offices, hotels, institutional, and service uses that are compatible with high-density residential areas. (Code 2007, 26-51) This proposed use does not fall in that category.
4. An M-1 Light Manufacturing District is regulated to permit the C-2 uses in addition to light manufacturing developments (to include some chemical storage and trucking transportation activities), but will exclude all residential uses excepting an accessory dwelling unit. (Code 2007, 26-81)
5. Under M-1 **Sec. 26-2-82 (12). Uses Permitted** states Automotive, Farm Implement or Trailer Sales. This is permitted provided that any exterior or outdoor area shall be surfaced with gravel, oil or other high type paving, that all repair of automobiles or trailers shall be conducted within a completely enclosed building, and provided further, that a solid fence or wall shall be maintained at a height of six to eight (6 to 8) feet around all outdoor storage areas including those where inoperative motor vehicles are stored, and along contiguous lots having a more restrictive district, or a motel, restaurant, cafe or other tourist oriented business, or a mobile home park.

6. If zoned to M-1, privacy fencing will be required around the perimeter of the parcel, unless Commission elects to approve a variance to this requirement.
7. Philadelphia Baptist Church has a potential buyer for the property who is looking to use the property for the following:
  - a. Equipment anticipated to be stored on this site include piping, casing , possible chemicals (they are not a hazardous carrier) and heavy equipment, including semi-trucks and trailers.
  - b. Heavy equipment and/or trucks could possibly be moved on and/or off the property daily. They are an equipment and tool rental company so much of the movement depends on their customers.
  - c. Security lighting and cameras are anticipated to be installed.
  - d. A building for shop and storage purposes could be in future plans, but would be more for employees rather than open to the public.
8. Another concern on the private road is commercial access. Currently there is congestion with the existing businesses at the entrance to Bison Trail and how the highway medians are aligned. This development will increase that congestion and create safety hazards at the intersections.
9. Comments:
  - a. Received comment from Gordon and Diane Crane on April 10, 2014 by phone, that they were okay with and had no objections to the zone change.

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**SUPPORT DOCUMENTS:**

- Map
  - Application packet
  - Supporting documents
- 
- 

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**COMMUNITY DEVELOPMENT RECOMMENDATION:** The Community Development Department recommends **APPROVING** this application for a Zone Change from an O-1 Office and Institutional District to an M-1 Light Manufacturing District at 110 Bison Trail, Property Tax ID # R0015476, in Aztec, New Mexico, advising Commission to accept Findings of Fact #1-9 and vote "YES" to show the motion as **APPROVED**.

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**RECOMMENDED RULING:** Move to Approve this application for a Zone Change from an O-1 Office and Institutional District to an M-1 Light Manufacturing District at 110 Bison Trail, Property Tax ID # R0015476, in Aztec, New Mexico, accepting Findings of Fact #1-9.

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Philadelphia Baptist Church - Zone Change  
 Bison Trail - Tax ID # R0015476



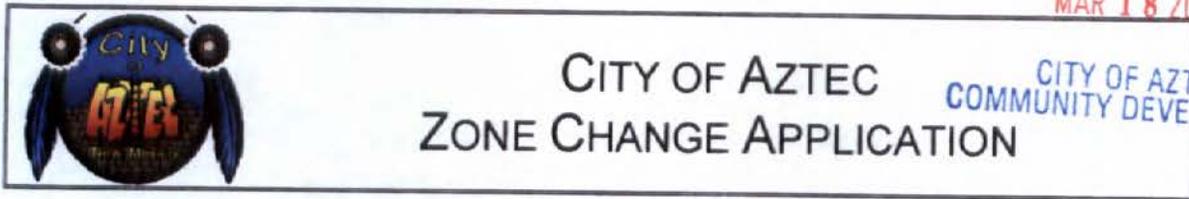
FloodZone	AssessorPublicInfo	WaterLines	Diameter	Electric
AE	1	4	10	16
A	2	6	12	20
Property under review	3	8	14	30
	0			

1 in = 100 ft  
 Contact Michelle Morgan  
 505-334-7604  
 Date: 3/18/2014

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.

RECEIVED

MAR 18 2014



CITY OF AZTEC  
 ZONE CHANGE APPLICATION

CITY OF AZTEC  
 COMMUNITY DEVELOPMENT

Application Year: 2014 Application No.: 028 Application Date: 3/15/2014

Applicant Name: PHILADELPHIA BAPTIST CHURCH

Applicant Address: 2308 W. AZTEC BLVD AZTEC NM 87410  
(Street Name) (City) (State) (Zip Code)

Applicant Phone: 505-486-1186 PASTOR: ARTHUR BLEVINS 505-801-7249

Is Applicant: Owner / Lessee / Other of Property to be Rezoned? OWNER

Legal Description of the Property: R 0015476.

Subdivision Name: \_\_\_\_\_

Block: \_\_\_\_\_

Lot: \_\_\_\_\_

Total Area of Property (acres): 2.04

Legal Zoning District: Current: 0-1 Desired: C-2

Present Use of Property: NONE - VACANT LAND

Desired Use of Property: Equipment parking + storage

Reason for requesting change of zoning:

For the purpose of selling the property to a buyer who wishes to use it for equipment parking + storage.

Arthur J. Blevins, Pastor 3/16/2014  
 Applicant's Signature Date

City Commission Meeting Date: _____		
ACTION: APPROVED DENIED		
City Planner	Date	

# Philadelphia Baptist Church

"Where Brotherly Love Continues"

2308 W. Aztec Blvd.  
Aztec, New Mexico 87410

Arthur Blevins, Pastor  
Church: (505) 486-1186  
Cell: (505) 801-7249  
arthurblevins@gmail.com

Philadelphia Baptist Church Business Meeting—March 16, 2014

Meeting called to order by Pastor/Moderator Arthur Blevins

Pastor Blevins explained the procedure and application process requesting to have the zoning changed on the church's property on Bison Trail. He stated that the church needed a letter of authorization for someone to represent the church on the application form and before the city commission hearing regarding the request for the change of zoning necessary for the sale of the church's property on Bison Trail. He also stated there would be a \$65 nonrefundable fee for the requested zoning change.

- Motion: A motion was made by Jess Etheridge to authorize Arthur Blevins to represent the church on the application form, as well as at the commission meeting, and to pay the required fee for the requested zoning change. Lester Foster seconded the motion.
- Vote: Motion carried unanimously without opposition.

Meeting adjourned



Cole Blevins, Church Clerk/Treasurer

RECEIVED

MAR 18 2014

CITY OF AZTEC  
COMMUNITY DEVELOPMENT

TY OF AZTEC	CI
03/18/2014 09:36 CD	
CM DEV ADMIN FEE (ALL PERMITS)	
U-A192200	
FMSD CM DEV ADMIN FEE (ALL	AMOUNT
FMSD CM DEV LAND USE PERMIT	10.00
	55.00
PAYMENT RECEIVED	
CHECK: 1664	AMOUNT
TOTAL	65.00
	65.00

Local

Independent

Missionary

**Philadelphia Baptist Church**

*"Where Brotherly Love Continues"*

2308 W. Aztec Blvd.  
Aztec, NM 87410

Arthur Blevins, Pastor  
arthurblevins@gmail.com

505-486-1186  
→ 505-801-7249

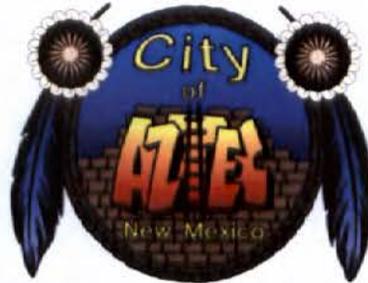
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MAR 11 2014

CITY OF AZTEC  
COMMUNITY DEVELOPMENT

Arthur Blevins  
Philadelphia Baptist Church  
#10 Bison Trail  
2.04 acres zoned  
Office Institutional  
We want to change the  
zoning for a larger %  
of the property.

Mayor  
Sally Burbridge

Mayor Pro-Tem  
Sherri A. Sipe



Commissioners

Roberta Locke  
Katee McClure  
Sherri Rogers

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April 7, 2014

Philadelphia Baptist Church  
Attn: Arthur Blevins, Pastor  
2308 W. Aztec Blvd  
Aztec, NM 87410

Re: Zone Change Request for parcel located at 110 Bison Trail, Tax Id Number R0015476

Dear Mr. Blevins:

You, as the property owner representative of the parcel Tax Id Number R0015476 located at 110 Bison Trail, have made a request to the City of Aztec Community Development Department for a Zone Change of 2.04 acres, this entire parcel from an O-1 –Office and Institutional District to an M-1 Light Manufacturing District in order to use this land for parking and storage of equipment for commercial/industrial use.

The City Commission will hear this request during a public meeting to be held on **Tuesday, April 22, 2014 at 6:00 PM located at City Hall, 201 W. Chaco, Aztec, NM.**

As the property owner, you or your designated representative are required to attend the scheduled Commission meeting regarding this matter. In order to be heard you will need to attend the Commission meeting 10 minutes prior to the start of the meeting at 6:00 pm where you will be directed to sign in at the Clerk's table for the appropriate hearing. I have included a frequently asked questions flyer with more information on this proceeding as well.

The public is requested to contact Community Development via phone at 505-334-7604 or email at [mmorgan@aztecnm.gov](mailto:mmorgan@aztecnm.gov) to provide support or concerns regarding this request. The public is also invited to attend the scheduled Commission meeting regarding this matter.

Community Development will be creating a staff summary for Commission giving them more information on this property and the zone change request being made. **Please look over the summary prior to the meeting so you are aware of Community Developments stand on this matter. This summary will be available to the public on the City of Aztec website at this location:**

Mayor  
Sally Burbridge

Mayor Pro-Tem  
Sherri A. Sipe



Commissioners

Roberta Locke  
Katee McClure  
Sherri Rogers

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**[http://www.aztecnm.gov/agendas/ccm\\_agenda.pdf](http://www.aztecnm.gov/agendas/ccm_agenda.pdf) the Thursday prior to the meeting.** On the table of contents, locate the Land Use Hearing you are interested in and click on it to be taken to the staff summary for that Land Use Hearing. ***(Notice of meeting cancellation/rescheduling will also be at this website, so please check the Thursday prior and day of meeting for confirmation. Thank you.)***

If you have any further questions, please don't hesitate to call me at 505-334-7604, Monday through Thursday from 7:00 a.m. to 6:00 p.m. Thank you.

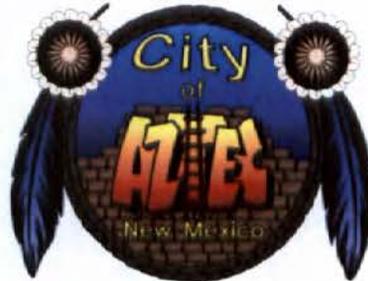
Sincerely,

Michelle Morgan  
Planning Technician  
Community Development

Enclosure: Frequently Asked Questions on Land Use Hearings  
Map

Mayor  
Sally Burbridge

Mayor Pro-Tem  
Sherri A. Sipe



Commissioners

Roberta Locke  
Katee McClure  
Sherri Rogers

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

April 7, 2014

## PUBLIC NOTICE

Re: Zone Change Request for parcel located at 110 Bison Trail, Tax Id Number R0015476

Dear Property Owner:

The property owner has made a request to the City of Aztec Community Development Department for a Zone Change of 2.04 acres, this entire parcel from an O-1 –Office and Institutional District to an M-1 Light Manufacturing District in order to use this land for parking and storage of equipment for commercial/industrial use.

The City Commission will hear this request during a public meeting to be held on **Tuesday, April 22, 2014 at 6:00 PM located at City Hall, 201 W. Chaco, Aztec, NM.**

The public is requested to contact Community Development via phone at 505-334-7604 or email at [mmorgan@aztecnm.gov](mailto:mmorgan@aztecnm.gov) to provide support or concerns regarding this request.

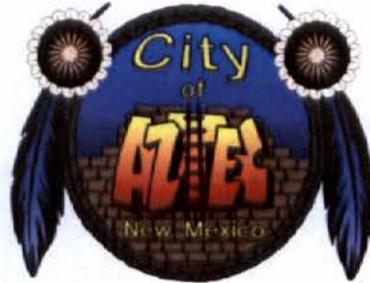
As a surrounding property owner, you are also designated as a party to this Land Use hearing. You are thus invited to attend the scheduled Commission meeting regarding this matter and give your statements or ask questions of the property owner as well. You will be given 10 minutes to do this in.

In order to be heard you will need to attend the Commission meeting 10 minutes prior to the start of the meeting at 6:00 pm where you will be directed to sign in at the Clerk's table for the appropriate hearing. I have included a frequently asked questions flyer with more information on this proceeding as well.

Community Development will be creating a staff summary for Commission giving them more information on this property and the Variance request being made. **Please look over the summary prior to the meeting so you are aware of Community Developments stand on this matter. This summary will be available to the public on the City of Aztec website at this location: [http://www.aztecnm.gov/agendas/ccm\\_agenda.pdf](http://www.aztecnm.gov/agendas/ccm_agenda.pdf) the Thursday prior to the meeting.**

Mayor  
Sally Burbridge

Mayor Pro-Tem  
Sherri A. Sipe



Commissioners

Roberta Locke  
Katee McClure  
Sherri Rogers

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

On the table of contents, locate the Land Use Hearing you are interested in and click on it to be taken to the staff summary for that Land Use Hearing. **(Notice of meeting cancellation/rescheduling will also be at this website, so please check the Thursday prior and day of meeting for confirmation. Thank you.)**

If you have any further questions, please don't hesitate to call me at 505-334-7604, Monday through Thursday from 7:00 a.m. to 6:00 p.m. Thank you.

Sincerely,

A handwritten signature in blue ink that reads 'Michelle Morgan'. The signature is fluid and cursive, with a long, sweeping underline.

Michelle Morgan  
Planning Technician  
Community Development

Enclosure: Frequently Asked Questions on Land Use Hearings  
Map

7013 1090 0001 7319 8699

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Total Postage & Fees	\$ 6.69	

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 City, State, Zip AZTEC, NM 87410

PS Form 3800

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Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 6.69	

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 P O DRAWER 190  
 City, State AZTEC, NM 87410-0190

PS Form 3800

COMPLETE THIS SECTION ON DELIVERY

A. Signature *[Signature]* Agent   
 B. Received by (Printed Name) *[Name]* C. Date of Delivery *[Date]*  
 D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.  
 4. Restricted Delivery? (Extra Fee)  Yes

SENDER: COMPLETE THIS SECTION

1. Article Addressed to:  
 CHURCH PHILADELPHIA BAPTIST  
 2308 W AZTEC BLVD  
 AZTEC, NM 87410  
 APR 14 2004  
 ZONE Δ 110 BISON TRAIL

2. Article Number  
 (Transfer from service label)  
 7013 1090 0001 7319 8699

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature *[Signature]* Agent   
 B. Received by (Printed Name) *[Name]* C. Date of Delivery *[Date]*  
 D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.  
 4. Restricted Delivery? (Extra Fee)  Yes

SENDER: COMPLETE THIS SECTION

1. Article Addressed to:  
 CRANE GORDON N AND DORCAS A  
 P O DRAWER 190  
 AZTEC, NM 87410-0190  
 ZONE Δ 110 BISON TRAIL

2. Article Number  
 (Transfer from service label)  
 7013 1090 0001 7319 8705

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

7013 1090 0001 7319 8712

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
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For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here

Sent To  
**CRANE GORDON N JR AND DIANE**  
 Street, Apt. No. or PO Box No. **PO BOX 190**  
 City, State, ZIP **AZTEC, NM 87410**

PS Form 3800

7013 1090 0001 7319 8729

U.S. Postal Service™  
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**OFFICIAL USE**

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here

Sent To  
**FINE JIMMY D**  
 Street, Apt. No. or PO Box No. **P O BOX 253**  
 City, State, ZIP **AZTEC, NM 87410-0253**

PS Form 3800

COMPLETE THIS SECTION ON DELIVERY

A. Signature *Gordon N Jr* Agent   
 X  Received by (Printed Name) C. Date of Delivery   
 D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.  
 4. Restricted Delivery? (Extra Fee)  Yes  No

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**CRANE GORDON N JR AND DIANE**  
**PO BOX 190**  
**AZTEC, NM 87410**

**ZONE A 110 BISON TRAIL**

2. Article Number **7013 1090 0001 7319 8712**  
 (Transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

7013 1090 0001 7319 8736

U.S. Postal Service™  
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OFFICIAL USE

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To: MARTINEZ CASEY G AND KAREN L TRUST  
 Street, Apt. or PO Box: P O BOX 1244  
 City, State: AZTEC, NM 87410

7013 1090 0001 7319 8743

U.S. Postal Service™  
CERTIFIED MAIL™ RECEIPT  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To: PASCETTI INVESTMENTS LLC  
 C/O SIERRA CHEMICAL L C  
 Street, Apt. or PO Box N: 104 BISON TRAIL  
 City, State, Z: AZTEC, NM 87410

COMPLETE THIS SECTION ON DELIVERY

A. Signature: *Casey Boyd* Agent  Addressed   
 B. Received by (Printed Name): *Casey Boyd* C. Date of Delivery: *4/10*  
 D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

3. Service Type:  Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

SENDER: COMPLETE THIS SECTION

1. Article Addressed to:  
 MARTINEZ CASEY G AND KAREN L TRUST  
 P O BOX 1244  
 AZTEC, NM 87410

2. Article Number: *ZONE A 110 BISON TR*  
 (Transfer from service label)  
 7013 1090 0001 7319 8736

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature: *Casey Boyd* Agent  Addressed   
 B. Received by (Printed Name): *Casey Boyd* C. Date of Delivery: *4/10*  
 D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

3. Service Type:  Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

SENDER: COMPLETE THIS SECTION

1. Article Addressed to:  
 PASCETTI INVESTMENTS LLC  
 C/O SIERRA CHEMICAL L C  
 104 BISON TRAIL  
 AZTEC, NM 87410

2. Article Number: *ZONE A 110 BISON TR*  
 (Transfer from service label)  
 7013 1090 0001 7319 8743

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

7013 1090 0001 7319 8767

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**OFFICIAL USE**

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark  
Here

Sent To

SULLIVAN EARL B TRUST  
151 SULLIVAN PL  
AZTEC, NM 87410-2364

Street, Apt. No.,  
or PO Box No.

City, State, ZIP+

PS Form 3800

7013 1090 0001 7319 8750

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
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For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark  
Here

Sent To

SULLIVAN EARL AND BARBARA TRUST  
151 SULLIVAN PL  
AZTEC, NM 87410-2174

Street, Apt. No.,  
or PO Box No.

City, State, ZIP+

PS Form 3800

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature *E. Sullivan*  Agent  Addressed

B. Received by (Printed Name) *E. Sullivan*  Date of Delivery *4/9*

C. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.  
 4. Restricted Delivery? (Extra Fee)  Yes

102595-02-M-1540

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

SULLIVAN EARL B TRUST  
151 SULLIVAN PL  
AZTEC, NM 87410-2364

ZONE D 110 BISON TR

2. Article Number

(Transfer from service label)

7013 1090 0001 7319 8767

PS Form 3811, February 2004

Domestic Return Receipt

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature *E. Sullivan*  Agent  Addressed

B. Received by (Printed Name) *E. Sullivan*  Date of Delivery *4/9*

C. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.  
 4. Restricted Delivery? (Extra Fee)  Yes

102595-02-M-1540

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

SULLIVAN EARL AND BARBARA TRUST  
151 SULLIVAN PL  
AZTEC, NM 87410-2174

ZONE D 110 BISON TR

2. Article Number

(Transfer from service label)

7013 1090 0001 7319 8750

PS Form 3811, February 2004

Domestic Return Receipt

7013 1090 0001 7319 8774

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**OFFICIAL USE**

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark  
Here

Sent To  
 Street, Apt. No.,  
 or PO Box No. **TESS LEASES AND SALES LLC  
 PO BOX 1244**  
 City, State, ZIP+4 **AZTEC, NM 87410**

PS Form 3800, All

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee  
 B. Received by (Printed Name) C. Date of Delivery  
 D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.  
 4. Restricted Delivery? (Extra Fee)  Yes

**SENDER: COMPLETE THIS SECTION**

1. Article Addressed to:  
 TESS LEASES AND SALES LLC  
 PO BOX 1244  
 AZTEC, NM 87410

2. Article Number  
 (Transfer from service label)  
**ZONE Δ 110. BISON TR**

7013 1090 0001 7319 8774  
 Domestic Return Receipt  
 102595-02-M-1540  
 PS Form 3811, February 2004

## Michelle Morgan

---

**From:** Michelle Morgan  
**Sent:** Wednesday, April 16, 2014 10:01 AM  
**To:** 'hightechtools@yahoo.com'  
**Subject:** RE: Inquiry RE: Rezoning on Bison Trl.  
**Attachments:** Bison Trail.pdf

Good morning Boyce,

I was just in the process of prepping this zoning package for next week's Commission meeting and realized while we send out notices to the surrounding land owners, it doesn't necessarily reach the business that may be renting the property. So in order to make sure you are aware of this process in a timely manner, I am forwarding you copies of the notice that was sent to the landowners. This way you are considered a party to the Commission and may speak up to 10 minutes at the Commission. If you have any questions, please don't hesitate to call me at 505-334-7604.

*Michelle Morgan*

*Planning Technician*

*City of Aztec*

201 W Chaco, Aztec NM 87410

505-334-7604

[www.aztecnm.gov](http://www.aztecnm.gov)

- *Chances have only been lost when you fail to take them. Fears just get worse when you don't face them. And Love is only lost when you do not express it... ~♥~...*



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

---

**From:** hightechtools@yahoo.com [mailto:hightechtools@yahoo.com]  
**Sent:** Tuesday, April 01, 2014 1:58 PM  
**To:** Michelle Morgan  
**Subject:** Fw: Inquiry RE: Rezoning on Bison Trl.

High Tech Rental Tools  
505-334-2266  
[hightechtools@yahoo.com](mailto:hightechtools@yahoo.com)

----- Forwarded Message -----

**From:** "hightechtools@yahoo.com" <[hightechtools@yahoo.com](mailto:hightechtools@yahoo.com)>  
**To:** Roshana Moojen <[rmoojen@aztecnm.gov](mailto:rmoojen@aztecnm.gov)>  
**Sent:** Friday, March 21, 2014 2:48 PM  
**Subject:** Re: Inquiry RE: Rezoning on Bison Trl.

Dear Roshana,

# Land Use Hearing

---

<b>MEETING DATE:</b>	April 22, 2014
<b>AGENDA ITEM:</b>	XII. LAND USE HEARING (B)
<b>AGENDA TITLE:</b>	Setback Variance - Patio Cover at 805 La Plata Ave

---

<b>ACTION REQUESTED BY:</b>	Roy Rapp
<b>ACTION REQUESTED:</b>	Approve Variance to setbacks for allowing a roof to be built over patio within setback restrictions.
<b>SUMMARY BY:</b>	Michelle Morgan

---

## FINDING OF FACTS

### Community Development Finding of Facts

1. Roy Rapp has submitted a Variance to Setbacks request for his property at 805 La Plata Avenue, Aztec, NM 87410, Property Tax ID # R000178. Mr. Rapp would like to build a roof over his existing patio cover, which will change the building set back by 10 feet to a twenty (20) foot rear yard setback. This will put the building within the 30 foot restricted setback area for a building.
2. 805 La Plata Avenue is in an R-1 : Single Family Dwelling District. This district is regulated to permit single-family residential development, certain structures and land uses required to serve governmental, educational, non-commercial recreation, public utility installations, and other compatible public needs.
3. The patio is located in the rear yard of the property. Sec. 26-2-35 (3) Setback Regulations for Rear Yards states the rear yard setback for a building, mobile home, or structure functioning as a dwelling shall be a minimum of thirty (30) feet on single frontage or corner lots, but shall be a minimum of twenty-five (25) feet on any double frontage lot. The minimum rear yard setback for an accessory structure shall be three (3) feet. (Code 2007, 26-35)
4. Patio Covers that attach to the building itself then are considered part of the dwelling and require the 30 foot setback.
5. They do not fall into the definition of an accessory structure - Sec. 26-2-32 (3) Uses Permitted - Accessory Structure for garage, storage, recreation, sauna, hobby, greenhouse, bathhouse, or for the keeping or housing of domestic pets, so long as the accessory structure is not being used for commercial use. Antennas (non-commercial) are permitted.

6. Nor do they meet the setbacks for accessory structures per **Sec. 26-3-131 (4) ACCESSORY STRUCTURES Requirements** whereas An accessory structure must be at least ten (10) feet from a dwelling or accessory living quarters.

7. Comments:

- a. Received in person visit from Oma Fallon at 805 La Plata on April 10, 2014 wanting to know if and how this would affect her property value. Discussed that it should not affect her property value as nothing was being built on her property. She then indicated she was fine with them placing a roof on their patio.
- b. Received phone call from Norma Lee McKnight that she did not see any reason to not let them build it. So she is fine with it.

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**SUPPORT DOCUMENTS:**

- Map
  - Application packet
  - Supporting documents
- 
- 

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**COMMUNITY DEVELOPMENT RECOMMENDATION:** The Community Development Department recommends **APPROVING** this application for a Variance to Setbacks Request to twenty (20) feet in the rear yard, for this property at 805 La Plata Avenue, Aztec, NM 87410, Property Tax ID # R000178, advising Commission to accept Findings of Fact #1- 7 and vote "YES" to show the motion as **APPROVED**.

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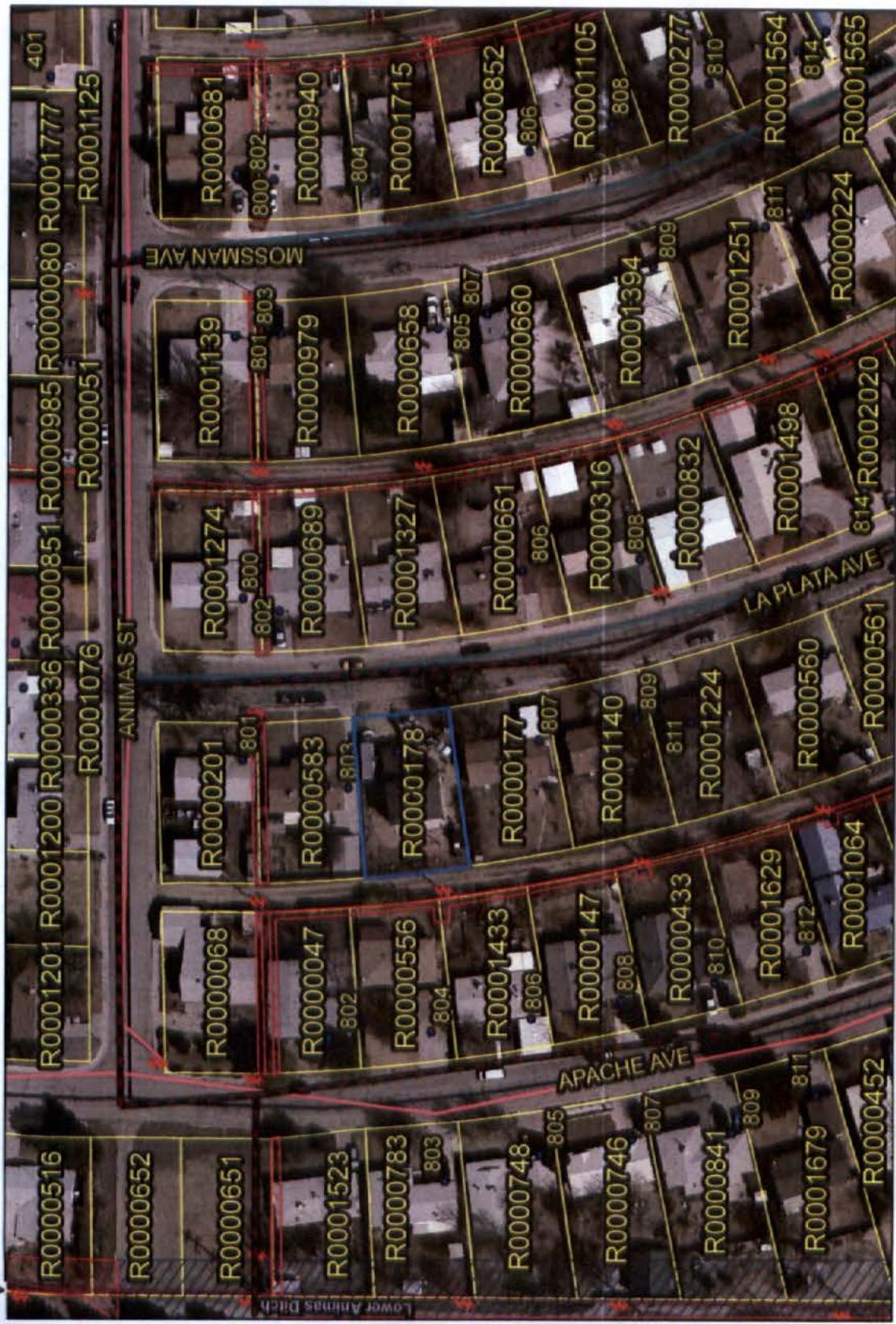
**RECOMMENDED RULING:** Move to Approve this application for a Variance to Aztec Municipal Code Sec. 26-2-35 (3) Setbacks for property at 805 La Plata Avenue, Aztec, NM 87410, Property Tax ID # R000178, accepting Findings of Fact #1- 7.

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# ROY RAPP - 805 LA PLATA AVE - PATIO COVER TAX ID # R0000178



Date: 4/1/2014  
 Contact: Michelle Morgan  
 505-334-7604

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



ROY RAPP - 805 LA PLATA AVE - PATIO COVER  
 TAX ID # R0000178



	<b>Water Lines</b>		<b>Public ROW</b>		<b>Public Access</b>		<b>Utility Easement</b>		<b>Flood Zone</b>
	<b>Assessor/Utilities</b>		<b>Public Street</b>		<b>Electric Easement</b>		<b>Wetland of Easement</b>		<b>Zone A</b>
	<b>Electric</b>		<b>Home Easement</b>		<b>Enrollment Easement</b>		<b>Water Easement</b>		<b>Zone All</b>
	<b>Remed Lines</b>		<b>Storm Drainage</b>		<b>Pipeline</b>				<b>Zone D</b>

1 in = 25 ft

Property under review

Date: 4/1/2014

Contact: Michelle Morgan  
505-334-7604

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



# CITY OF AZTEC VARIANCE APPLICATION

Application Year: 2014 Application No.: 041 Application Date: 3-25-14

Applicant Name: ROY RAPP

Applicant Address: 805 LA PIATA AVE AZTEC NM 87410  
(Street Name) (City) (State) (Zip Code)

Applicant Phone: 505-801-0085

Is Applicant Owner of Property? YES

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

Total Area of Property (acres): 0.1786

Zoning District: AZTEC R1

Tax ID Number: R000178

Flood Zone: NO

Present Use of Property: RESIDENTIAL

Desired Use of Property: RESIDENTIAL

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

WANTING TO BUILD A ROOF OVER EXISTING PATIO.  
ROOF WOULD BE APPROX. 20FT FROM REAR PROPERTY  
LINE.

**RECEIVED**

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

MAR 25 2014  
9:30am MM  
CITY OF AZTEC  
COMMUNITY DEVELOPMENT

Roy Rapp  
Applicant's Signature

3-25-14  
Date

City Commission Meeting Date: \_\_\_\_\_

ACTION: APPROVED DENIED

City Planner

Date

CRB 119-3

City of Aztec  
Planning Department  
201 W. Chaco  
Aztec, NM 87410

**CASH RECEIPT**

Date 3-25-14 002921

Received From BOY KAPPO

Address PO Box 11, Bloomfield

\* 805 LA PLATA Dollars \$ 50<sup>00</sup>/XX

For VARIANCE

CK # 2316

ACCOUNT		HOW PAID	
AMT. OF ACCOUNT		CASH	<u>5</u>
AMT. PAID		CHECK	<u>50.00</u>
BALANCE DUE		MONEY ORDER <input type="checkbox"/>	
		CREDIT CARD <input type="checkbox"/>	

By Michelle

TY OF AZTEC  
03/25/2014 09:43 CD

CI

CM DEV LAND USE PERMITS

U-A192449	AMOUNT
FMSD CM DEV LAND USE PERMIT	50.00

PAYMENT RECEIVED	AMOUNT
CHECK: 2316	50.00
TOTAL	50.00

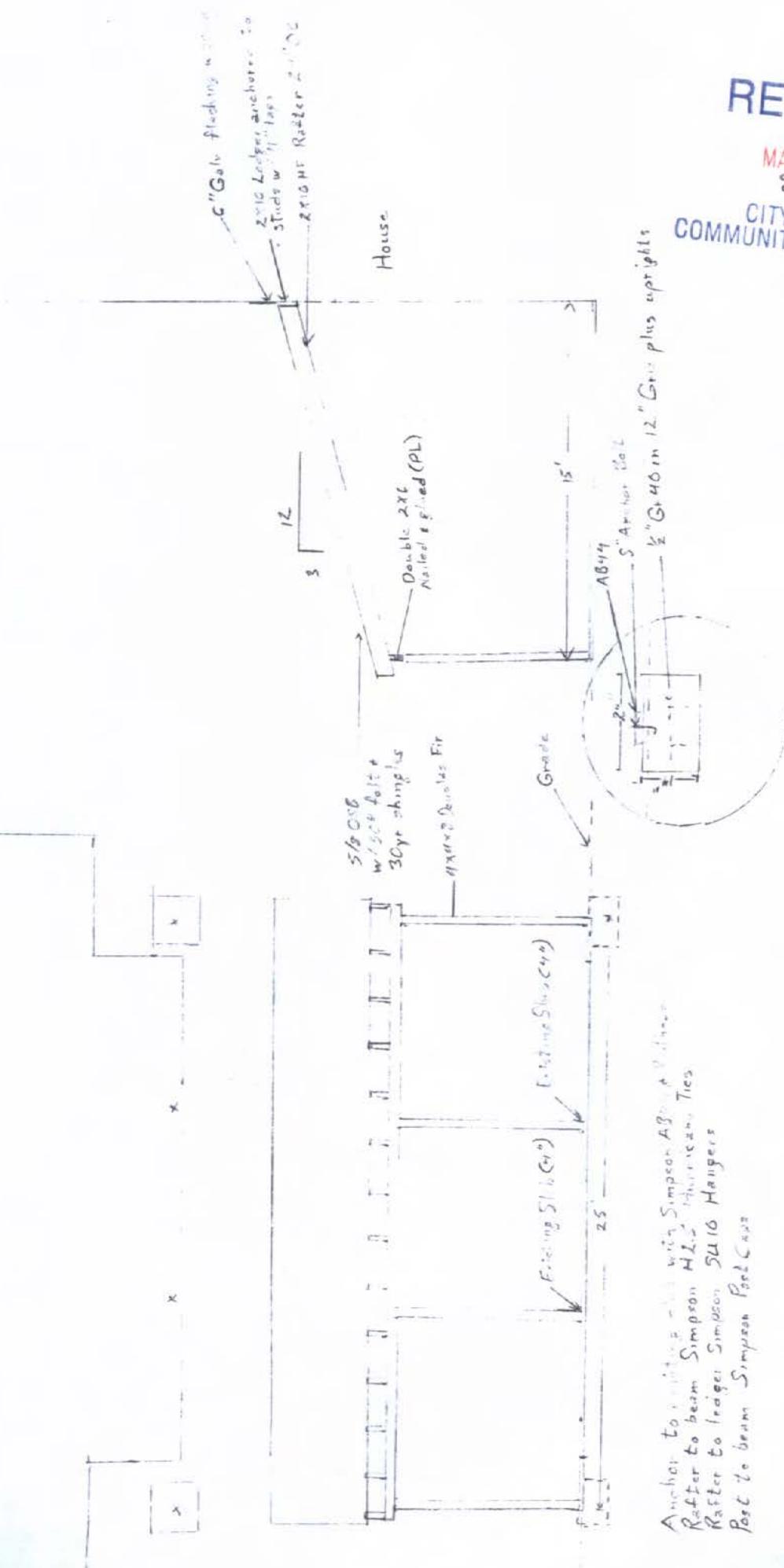
RECEIVED

COMMUNITY DEVELOPMENT

House

Andy Rapp  
805 La Plata  
Aztec, NM. 87410

Existing Slab



Anchor to existing slab with Simpson AB44 Hanger  
 Rafter to beam Simpson H.L.S. thru rafter ties  
 Rafter to ledger Simpson SU10 Hangers  
 Post to beam Simpson Post Caps

RECEIVED

MAR 24 2014  
8:45am

CITY OF AZTEC  
COMMUNITY DEVELOPMENT

SOUTH PROPERTY LINE

Select

REAR OF HOME

WIND UP ROOF

EXISTING 35' X 15' PATIO

ROOF TO COVER 25' X 15'

25 FT  
ROOF TO PROPERTY  
LINE

19 FT  
ROOF TO PROPERTY  
LINE

NORTH PROPERTY LINE

ROY RAPP  
805 LA PIATA AVE  
AZTEC

FIAT PATIO ROOF  
PITCHED TO WEST  
SLIGHTLY FOR DRAINAGE

19 FT

EDGE OF ROOF TO PROPERTY LINE

WEST PROPERTY LINE

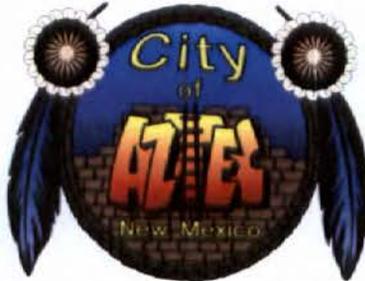
RECEIVED

MAR 24 2014  
8:45am

CITY OF AZTEC  
COMMUNITY DEVELOPMENT

Mayor  
Sally Burbridge

Mayor Pro-Tem  
Sherri A. Sipe



Commissioners

Roberta Locke  
Katee McClure  
Sherri Rogers

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April 7, 2014

Roy Rapp  
805 La Plata Avenue  
Aztec, NM 87410

Re: Variance Request for 805 La Plata Ave.

Dear Mr. Rapp:

You have made a request to the City of Aztec Community Development Department for a Variance Permit for parcel(s) with Tax ID # R000178 located at 805 La Plata Ave., Aztec. The variance requested to **Sec. 26-2-35 Setback Regulations in an R-1 Single Family Dwelling District**, which allows for a thirty (30) foot minimum rear yard setback for structures. This variance would allow you to build a porch cover leaving a rear yard setback of nineteen (19) feet.

The City Commission will hear this request during a public meeting to be held on **Tuesday, April 22, 2014 at 6:00 PM located at City Hall, 201 W. Chaco, Aztec, NM**. As the owner, you or your designated representative are required to attend the scheduled Commission meeting regarding this matter.

The public is requested to contact Community Development via phone at 505-334-7604 or email at [mmorgan@aztecnm.gov](mailto:mmorgan@aztecnm.gov) to provide support or concerns regarding this request. The public is also invited to attend the scheduled Commission meeting regarding this matter.

Community Development will be creating a staff summary for Commission giving them more information on this property and the Special Use request being made. **Please look over the summary prior to the meeting so you are aware of Community Developments stand on this matter. This summary will be available to the public on the City of Aztec website at this location: [http://www.aztecnm.gov/agendas/ccm\\_agenda.pdf](http://www.aztecnm.gov/agendas/ccm_agenda.pdf) the Thursday prior to the meeting.** On the table of contents, locate the Land Use Hearing you are interested in and click on it to be taken to the staff summary for that Land Use Hearing.

If you have any further questions, please don't hesitate to call me at 505-334-7604, Monday through Thursday from 7:00 a.m. to 6:00 p.m. Thank you.

Respectfully,

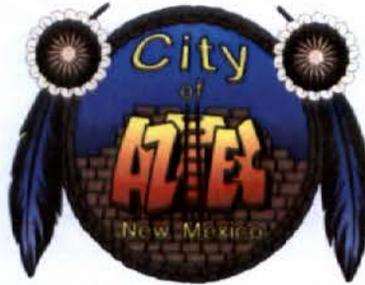
A handwritten signature in blue ink that reads 'Michelle Morgan'. The signature is fluid and cursive, written over the typed name.

Michelle Morgan  
Planning Technician  
Community Development

Enclosure: Map  
Frequently Asked Questions on Land Use Hearings

Mayor  
Sally Burbridge

Mayor Pro-Tem  
Sherri A. Sipe



Commissioners

Roberta Locke  
Katee McClure  
Sherri Rogers

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

April 7, 2014

## PUBLIC NOTICE

Re: Variance Request for 805 La Plata Ave.

Dear Property Owner:

The property owners for the parcel(s) identified as Tax ID # R000178 located at 805 La Plata Ave., Aztec. The variance requested to **Sec. 26-2-35 Setback Regulations in an R-1 Single Family Dwelling District**, which allows for a thirty (30) foot minimum rear yard setback for structures. This variance would allow the owner to build a porch cover leaving a rear yard setback of nineteen (19) feet.

The City Commission will hear this request during a public meeting to be held on **Tuesday, April 22, 2014 at 6:00 PM located at City Hall, 201 W. Chaco, Aztec, NM.** The public is requested to contact Community Development via phone at 505-334-7604 or email at [mmorgan@aztecnm.gov](mailto:mmorgan@aztecnm.gov) to provide support or concerns regarding this request.

As a surrounding property owner, you are also designated as a party to this Land Use hearing. You are thus invited to attend the scheduled Commission meeting regarding this matter and give your statements or ask questions of the property owner as well. You will be given 10 minutes to do this in.

In order to be heard you will need to attend the Commission meeting 10 minutes prior to the start of the meeting at 6:00 pm where you will be directed to sign in at the Clerk's table for the appropriate hearing. I have included a frequently asked questions flyer with more information on this proceeding as well.

Community Development will be creating a staff summary for Commission giving them more information on this property and the Special Use request being made. **Please look over the summary prior to the meeting so you are aware of Community Developments stand on this matter. This summary will be available to the public on the City of Aztec website at this location: [http://www.aztecnm.gov/agendas/ccm\\_agenda.pdf](http://www.aztecnm.gov/agendas/ccm_agenda.pdf) the Thursday prior to the meeting.** On the table of contents, locate the Land Use Hearing you are interested in and click on it to be taken to the staff summary for that Land Use Hearing.

Mayor  
Sally Burbridge

Mayor Pro-Tem  
Sherri A. Sipe



Commissioners

Roberta Locke  
Katee McClure  
Sherri Rogers

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

If you have any further questions, please don't hesitate to call me at 505-334-7604, Monday through Thursday from 7:00 a.m. to 6:00 p.m. Thank you.

Respectfully,

A handwritten signature in blue ink that reads 'Michelle Morgan'. The signature is fluid and cursive, with the first name 'Michelle' being larger and more prominent than the last name 'Morgan'.

Michelle Morgan  
Planning Technician  
Community Development

Enclosure: Map

Frequently Asked Questions on Land Use Hearings

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Postage	\$ 69	Postmark Here
Certified Fee	3.30	
Return Receipt Fee (Endorsement Required)	2.70	
Restricted Delivery Fee (Endorsement Required)	6.69	
<b>Total Postage &amp; Fees</b>	<b>16.69</b>	

Sent To: RAPP ROY A AND DORLENE L  
Street, Apt. No., or PO Box No.: 805 LA PLATA AVE  
City, State, ZIP+: AZTEC, NM 87410

PS Form 3800, February 2004

7013 1090 0001 7319 8781

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Postage	\$ 69	Postmark Here
Certified Fee	3.30	
Return Receipt Fee (Endorsement Required)	2.70	
Restricted Delivery Fee (Endorsement Required)	6.69	
<b>Total Postage &amp; Fees</b>	<b>16.69</b>	

Sent To: BROWN FRANK P AND VERA B ET AL  
Street, Apt. No., or PO Box No.: P O BOX 513  
City, State, ZIP+: AZTEC, NM 87410

PS Form 3800, February 2004

7013 1090 0001 7319 8798

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature: *[Signature]*  Agent  Addressee

B. Received by (Printed Name): *Dorlene Rapp* C. Date of Delivery: *8-9-14*

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

3. Service Type:  Certified Mail  Express Mail  Registered  Return Receipt for Merchandise  Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes  No

**SENDER: COMPLETE THIS SECTION**

1. Article Addressed to:  
RAPP ROY A AND DORLENE L  
805 LA PLATA AVE  
AZTEC, NM 87410

2. Article Number (Transfer from service label): *VARIANCE 805 LA PLATA*

3. Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.  
Print your name and address on the reverse so that we can return the card to you.  
Attach this card to the back of the mailpiece, or on the front if space permits.

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

**SENDER: COMPLETE THIS SECTION**

1. Article Addressed to:  
BROWN FRANK P AND VERA B ET AL  
P O BOX 513  
AZTEC, NM 87410

2. Article Number (Transfer from service label): *VARIANCE 805 LA PLATA*

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature: *[Signature]*  Agent  Addressee

B. Received by (Printed Name): *VERA BROWN* C. Date of Delivery: *4-12-14*

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

3. Service Type:  Certified Mail  Express Mail  Registered  Return Receipt for Merchandise  Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes  No

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Postage	\$ 1.69
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	6.19
Total Postage	13.88

Postmark  
Here

Sent To  
 Street, Apt. No.  
 or PO Box No. DRAKE PATRICK N AND EJIE R  
 804 APACHE AVE  
 City, State, Zi AZTEC, NM 87410

PS Form 3801

7013 1090 0001 7319 8804

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**CERTIFIED MAIL™ RECEIPT**  
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**OFFICIAL USE**

Postage	\$ 1.69
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	6.19
Total Postage	13.88

Postmark  
Here

Sent To  
 Street, Apt. No.,  
 or PO Box No. EVILSIZER KATHERINE L  
 800 APACHE ST  
 City, State, ZIP+4 AZTEC, NM 87410-0825

PS Form 3800, August 2004

See Reverse for Instructions

7013 1090 0001 7319 8811

<b>SENDER: COMPLETE THIS SECTION</b>		<b>COMPLETE THIS SECTION ON DELIVERY</b>	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		A. Signature X <i>Ejidalde</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee B. Received by (Printed Name) C. Date of Delivery D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:	
1. Article Addressed to:  DRAKE PATRICK N AND EJIE R 804 APACHE AVE AZTEC, NM 87410		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label) 7013 1090 0001 7319 8811		2. Article Number (Transfer from service label) 7013 1090 0001 7319 8804	

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

EVILSIZER KATHERINE L  
 800 APACHE ST  
 AZTEC, NM 87410-0825

VARIANCE, 805 LA PLATA

2. Article Number  
 (Transfer from service label)

7013 1090 0001 7319 8811

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 X *Lawrence C. Eulsizer*  Agent  Addressee  
 B. Received by (Printed Name) C. Date of Delivery  
 Lawrence Eulsizer 4/11/14  
 D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

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7013 1090 0001 7319 8828

Postage	\$ 1.69	Postmark Here
Certified Fee	3.30	
Return Receipt Fee (Endorsement Required)	2.70	
Restricted Delivery Fee (Endorsement Required)		
Total Postage	6.69	

Sent To  
 FALLON OMA E  
 P O BOX 98  
 AZTEC, NM 87410

PS Form 3800, August 2004

See Reverse for Instructions

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  Addressee  
*Linda Keesie*

B. Received by (Printed Name)  C. Date of Delivery  
*Linda Keesie* *4-09-14*

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

AZTEC, NM 87410  
 APR 09 2014

102595-02-M-1540

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7013 1090 0001 7319 8835

Postage	\$ 1.69	Postmark Here
Certified Fee	3.30	
Return Receipt Fee (Endorsement Required)	2.70	
Restricted Delivery Fee (Endorsement Required)		
Total Postage	6.69	

Sent To  
 HARRIS KEVIN J AND LINDA K  
 808 APACHE AVE  
 AZTEC, NM 87410

PS Form 3800, August 2004

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

FALLON OMA E  
 P O BOX 98  
 AZTEC, NM 87410

VARIANCE 805 LA PLATA

2. Article Number  
 (Transfer from service label)

7013 1090 0001 7319 8828

PS Form 3811, February 2004

Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

HARRIS KEVIN J AND LINDA K  
 808 APACHE AVE  
 AZTEC, NM 87410

VARIANCE 805 LA PLATA

2. Article Number  
 (Transfer from service label)

7013 1090 0001 7319 8835

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  Addressee  
*Linda Keesie*

B. Received by (Printed Name)  C. Date of Delivery  
*Linda Keesie* *4-09-14*

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

7013 1090 0001 7319 8842

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Postage	\$ 1.69
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	6.69
Total Postage &	

Postmark  
Here

Sent To **JAQUEZ H ROBERT**  
 Street, Apt. No., or PO Box No. **100 ROAD 2999**  
 City, State, ZIP+4 **AZTEC, NM 87410**

PS Form 3800, August 2004

See Reverse for Instructions

7013 1090 0001 7319 8859

U.S. Postal Service™  
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OFFICIAL USE

Postage	\$ 1.69
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	6.69
Total Post	

Postmark  
Here

Sent To **JENSEN TED W AND ELLEN**  
 Street, Apt. or PO Box **806 APACHE AVE**  
 City, State, **AZTEC, NM 87410**

PS Form 3800, August 2004

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**JENSEN TED W AND ELLEN**  
**806 APACHE AVE**  
**AZTEC, NM 87410**

VARIANCE SOS LA PLATA

2. Article Number  
(Transfer from service label)

7013 1090 0001 7319 8859

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature  Agent  Addressee  
 B. Received by (Printed Name) **D. JAQUEZ**  
 C. Date of Delivery **4-9-2011**  
 D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.  
 4. Restricted Delivery? (Extra Fee)  Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**JAQUEZ H ROBERT**  
**100 ROAD 2999**  
**AZTEC, NM 87410**

VARIANCE SOS LA PLATA

2. Article Number  
(Transfer from service label)

7013 1090 0001 7319 8842

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature **Ted Jensen**  Agent  Addressee  
 B. Received by (Printed Name) **Ted Jensen**  Agent  Addressee  
 C. Date of Delivery **APR 9 2011**

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

**Ted Jensen**

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

7013 1090 0001 7319 8866

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**OFFICIAL USE**

Postage	\$ 1.69	Postmark Here
Certified Fee	3.30	
Return Receipt Fee (Endorsement Required)	2.70	
Restricted Delivery Fee (Endorsement Required)	6.69	
Total Postage		
Sent To	KERSCHION CHRISTOPHER A AND LINDSAY K 802 APACHE AVE AZTEC, NM 87410	
Street, Apt. No., or PO Box No.		
City, State, ZIP		

PS Form 3800, August 2004 See reverse for instructions

7013 1090 0001 7319 8873

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**OFFICIAL USE**

Postage	\$ 1.69	Postmark Here
Certified Fee	3.30	
Return Receipt Fee (Endorsement Required)	2.70	
Restricted Delivery Fee (Endorsement Required)	6.69	
Total Postage		
Sent To	MC KNIGHT PENDLETON AND NORMA TRUST 8 ROAD 2978 AZTEC, NM 87410	
Street, Apt. No., or PO Box No.		
City, State, ZIP		

PS Form 3800, August 2004 See reverse for instructions

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent   
*L. Kerschion*  Addressee

B. Received by (Printed Name)  Date of Delivery  
 LINDSAY KERSCHION 4/10/14

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

3. Service Type  Express Mail   
 Certified Mail  Return Receipt for Merchandise  
 Registered  Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes  No

1. Article Addressed to:  
 KERSCHION CHRISTOPHER A AND  
 LINDSAY K  
 802 APACHE AVE  
 AZTEC, NM 87410

2. Article Number (Transfer from service label)  
 7013 1090 0001 7319 8866

VARIANCE, SOS LAPLATA

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 MC KNIGHT PENDLETON AND NORMA  
 TRUST  
 8 ROAD 2978  
 AZTEC, NM 87410

VARIANCE, SOS LAPLATA

2. Article Number (Transfer from service label)  
 7013 1090 0001 7319 8873

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent   
*Norma Knight*  Addressee

B. Received by (Printed Name)  Date of Delivery  
 4/10/14

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

3. Service Type  Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes  No

7013 1090 0001 7319 8880

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Postage	\$ .69	Postmark Here
Certified Fee	3.30	
Return Receipt Fee (Endorsement Required)	2.70	
Restricted Delivery Fee (Endorsement Required)		
Total Postage	6.69	

Sent To  
 Street, Apt. 1 or PO Box N  
 City, State, Z  
**OLIN CHARLES T**  
**800 LA PLATA AVE**  
**AZTEC, NM 87410**

7013 1090 0001 7319 8897

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**OFFICIAL USE**

Postage	\$ .69	Postmark Here
Certified Fee	3.30	
Return Receipt Fee (Endorsement Required)	2.70	
Restricted Delivery Fee (Endorsement Required)		
Total Postage	6.69	

Sent To  
 Street, Apt. 1 or PO Box N  
 City, State, Z  
**PAYNE THOMAS AND ANDREA**  
**612 FRENCH DR**  
**AZTEC, NM 87410**

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  Addressee  
*[Signature]* **87410**

B. Received by (Printed Name) **CHARLES T OLIN**

C. Date of Delivery **4/9/14**

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

Article Addressed to:  
**OLIN CHARLES T**  
**800 LA PLATA AVE**  
**AZTEC, NM 87410**

2. Article Number (Transfer from service label)  
**VARIANCE 800 LA PLATA**  
**7013 1090 0001 7319 8880**

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**PAYNE THOMAS AND ANDREA**  
**612 FRENCH DR**  
**AZTEC, NM 87410**

**VARIANCE 800 LA PLATA**

2. Article Number (Transfer from service label)

PS Form 3811, February 2004

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  Addressee  
*[Signature]*

B. Received by (Printed Name) **Andrea Payne**

C. Date of Delivery **4.9.2014**

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

1. Article Addressed to:

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number (Transfer from service label)

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

7013 1090 0001 7319 8903

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For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 1.69	Postmark Here  6-69
Certified Fee	3.30	
Return Receipt Fee (Endorsement Required)	2.70	
Restricted Delivery Fee (Endorsement Required)		
Total Postage		
Sent To	POHL DONALD D	
Street, Apt. No., or PO Box No.	806 LA PLATA AVE	
City, State, ZIP+	AZTEC, NM 87410	

PS Form 3800, August 2004 See Reverse for Instructions

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  Addressee  
*X Don Pohl*

B. Received by (Printed Name)  Date of Delivery  
 DON POHL

C. Date of Delivery  
 APR 11 2014

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below: 806

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

1. Article Addressed to:  
 POHL DONALD D  
 806 LA PLATA AVE  
 AZTEC, NM 87410

2. Article Number  
 (Transfer from service label)  
 7013 1090 0001 7319 8903

VARIANCE 806 LA PLATA

102595-02-M-1540

7013 1090 0001 7319 8910

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OFFICIAL USE

Postage	\$ .69	Postmark Here  6-69
Certified Fee	3.30	
Return Receipt Fee (Endorsement Required)	2.70	
Restricted Delivery Fee (Endorsement Required)		
Total Postage		
Sent To	SAWYERS RICHARD L	
Street, Apt. No., or PO Box No.	801 LA PLATA	
City, State, ZIP+	AZTEC, NM 87410-2214	

PS Form 3800, August 2004 See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 SAWYERS RICHARD L  
 801 LA PLATA  
 AZTEC, NM 87410-2214

VARIANCE 806 LA PLATA

2. Article Number  
 (Transfer from service label)  
 7013 1090 0001 7319 8910

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  Addressee  
*Richard Thomason*

B. Received by (Printed Name)  Date of Delivery  
 Richard Thomason 4/11/14

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes