

AGENDA
City of Aztec
COMMISSION WORKSHOP
February 23, 2015
201 W Chaco, City Hall
5:15 pm to 5:45 pm

5:15-5:45

- A. Business Center and Incubator

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

A G E N D A
CITY OF AZTEC
CITY COMMISSION MEETING
February 23, 2015
201 W. Chaco, City Hall
6:00 p.m.

I. CALL TO ORDER

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

V. AGENDA APPROVAL

VI. PRESENTATION

A. Boys and Girls Club (Mike Patch)

VII. CITIZEN RECOGNITION

VIII. EMPLOYEE RECOGNITION

IX. CONSENT AGENDA

A. Commission Workshop Meeting Minutes, February 10, 2015

B. Commission Meeting Minutes, February 10, 2015

C. Travel Requests

D. Appointment to San Juan Water Commission Joshua Ray

E. RFP 2014-228 Animas River Diversion: Smith Engineering Contract Amendment #3

F. Special Budget Resolution 2015-950, Municipal Golf Course Fund

G. Acceptance of FY2014 Annual Financial Report

H. Destruction of Documents Library Cash Register Receipt Tapes 2009-2011

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"

X. ITEMS FROM CONSENT AGENDA

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XI. CITIZENS INPUT (3 Minutes Maximum)

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

XII. LIQUOR LICENSE HEARING

A. Small Brewer Off-Site Liquor License-Hiway Grill

XIII. BUSINESS ITEMS

A. Intent to Adopt Ordinance 2015-442 An Ordinance Amending Chapter 16, Article II. Parks & Recreation Fees

XIV. LAND USE HEARING

A. Request for a Zone Change at 111 Simonds Road, from Mobile Home District to C-2 General Commercial

XV. CITY MANAGER/COMMISSIONERS/ATTORNEY REPORTS

XVI. DEPARTMENT REPORTS

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

XVII. ADJOURNMENT

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

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CITY OF AZTEC
COMMISSION WORKSHOP MINUTES
February 10, 2015

I. CALL TO ORDER

Mayor Burbridge called the workshop to order at 5:15pm at the Aztec City Commission Room City hall 201 W. Chaco, Aztec NM.

MEMBERS PRESENT: Mayor Sally Burbridge; Mayor Pro Tem Sherri Sipe; Commissioner Sheri Rogers; Commissioner Roberta Locke; Commissioner Katee McClure

MEMBERS ABSENT: None

OTHERS PRESENT: City Manager Joshua Ray; Utility Director, Delain George; City Attorney, Larry Thrower; City Clerk Karla Sayler; Project Manager, Ed Kotyk

A. Main Street Plaza

Josh opened the meeting mentioning that the discussion tonight will be how to revive downtown Main Street. He mentioned that we could promote open market space for our plaza areas like the one at Rubio's which belongs to the City and do like Santa Fe with mobile vendors with art or jewelry vendors and host musicians or street theater. Vendors will have to obtain business licenses with the City. Commission and Staff discussed ways to promote the idea. There will need to be changes made to sections of City Code. Mayor Burbridge mentioned that the reason for tonight's workshop was to get consensus about moving forward with a plan for Main Street Plaza.

II. Adjournment

Mayor Burbridge adjourned the Workshop at 5:45 pm.

Sally Burbridge, Mayor

ATTEST:

Karla Sayler, City Clerk

MINUTES PREPARED BY:

Karla Sayler, City Clerk

CITY OF AZTEC
COMMISSION MEETING MINUTES
February 10, 2015

I. CALL TO ORDER

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

II. INVOCATION

The Invocation was led by City Attorney, Larry Thrower

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by General Services Director, Steve Mueller

IV. ROLL CALL

Members Present: Mayor, Sally Burbridge; Mayor Pro-Tem, Sherri Sipe; Commissioner, Sheri Rogers; Commissioner, Katee McClure; Commissioner, Roberta Locke;

Members Absent: None

Others Present: City Manager, Joshua Ray; City Attorney, Larry Thrower; City Clerk, Karla Saylor; Project Manager, Ed Kotyk (see attendance sheet)

V. AGENDA APPROVAL

MOVED by Commissioner Locke, SECONDED by Mayor Pro-Tem Sipe to Approve the Agenda with the exception of Land Use Hearing Item A Zone Change at 111 Simonds Rd, From A-1 Agricultural Rural District to C-2 General Commercial

VI. CITIZEN RECOGNITION

Bob Carmen, Code Compliance Officer recognized Leah Cargile of 308 Newman Ave. for the Yard of the Month winner for February. Josh recognized Amanda Bixler niece of Commissioner Locke for her dance performance in the 2015 London New Years Day Parade. Amanda is the Captain for the Aztec High School Dance Team.

VII. EMPLOYEE RECOGNITION

Josh introduced the new Aztec Library Director, Kate Skinner. Josh recognized Greg Mizell, Crew Leader for the Electric Department as Employee of the Quarter for February.

VIII. CONSENT AGENDA

MOVED by Mayor Pro-Tem Sipe, SECONDED by Commissioner McClure to Approve the Consent Agenda as Listed

- A. Commission Workshop Meeting Minutes, January 27, 2015
- B. Commission Meeting Minutes, January, 27, 2015
- C. Travel Requests
- D. Sanitary Sewerline: Geomat Inc. Agreement
- E. Aztec Arterial Phase 1B: Wilson & Company, Inc. Agreement
- F. Sanitary Sewerline: Wilson & Company, Inc. Agreement
- G. Sanitary Sewerline: SME Environmental Inc. Agreement

IX. ITEMS FROM CONSENT AGENDA

NONE

X. CITIZENS INPUT

NONE

XI. BUSINESS ITEMS

- A. Hidden Valley Golf Course Lease Agreement

Josh mentioned that this would be entering into a 2 year lease between the City of Aztec and Hidden Valley Country Club, LLC . Josh mentioned that the Golf Course has been closed since January 3rd of this New Year. He mentioned that he has been discussing the possibility of the City leasing the course with two of the three owners with the City School system and with other organizations in the County over the past month and that the City made a proposal to lease the course for 2 years in effort to keep it functioning within the community. Josh mentioned that he provided Commission with the 2013, 2013, 2014 budgets and the current proposed budget of 2015 to operate the course. Commission reviewed the lease that was provided to them. There was mention that the lease could be broken with a 90 day written notice at anytime during the lease. The section on the Mechanic's lien was reviewed and explained by City Attorney, Larry Thrower. There was review on section 8 on subleasing and section 10, repairs mentioning that the City will be maintaining all major and minor repairs of the course with City staff. There was discussion on the operation with the budget allowed and

water from the ditches for watering the course, the restaurant and alcohol sales. The restaurant and the bar are not going to be operated by the City. Josh mentioned that we will not be operating the golf shop unless there is a high demand. Josh stated that there will be some supplies for sale but the main point is get the golf course open and get players out there. Josh mentioned that to start up the golf course it will cost about \$45,000.

MOVED by Commissioner Rogers, SECONDED, Mayor Pro-Tem Sipe.
to Approve The Lease Agreement With Hidden Valley Country Club, LLC

A Roll Call Was Taken: All Voted Aye Motion Passed 5-0

XII. LAND USE HEARINGS

A. Pulled

XIII. CITY MANAGER/COMMISSIONERS/ATTORNEY REPORTS

Josh reported that he attended the Bullying Awareness Forum that the School system held. It was a follow up of the Suicide Prevention Forum. He mentioned that Chief Mike Heal handed out paperwork that was given at the forum on tips to help stop bullying. Josh also mentioned that he would like to request from commission to be placed on the San Juan Water Commission board.

Mayor Burbridge mentioned that we will reschedule the next Commission meeting to Monday, February 23. She mentioned the on Wednesday February 18 she will be attending the 4CED meeting and the discussion will be on Finding The New Normal. It will be the first discussion out of four. She mentioned that at the next Chamber meeting they will be discussing general marketing for businesses on Thursday February 19. The Mayor mentioned that the Chamber banquet will be on April 18th and the theme is going to be Jazz It Up.

Mayor Pro-Tem Sipe mentioned that she attended the Eunice City Council Meeting. She mentioned that she would be attending the NWNM Senior Meeting at the Aztec Senior Center on February 11th. On February 26th she will attending the MPO meeting and on February 18th she will attend the EDAB meeting. She mentioned that she also attended the Bullying Awareness Forum. She also thanked staff for the upkeep at Kokopelli park and that there are people there every day utilizing the facility.

Commissioner Locke welcomed Kate Skinner to the Library. She congratulated Greg Mizell on Employee of the Quarter nomination. She mentioned that she attended the Emergency Management Drill Meeting. She mentioned that she will be attending the Mayor's Ball and will be attending Municipal Day in Santa Fe on February 24th & 25th.

XIV. DEPARTMENT REPORTS

NONE

XV. ADJOURNMENT

Moved by Mayor Pro Tem Sipe, SECONDED by Mayor Burbridge to adjourn the meeting at 7:16pm.

Mayor, Sally Burbridge

ATTEST:

Karla Saylor, City Clerk

MINUTES PREPARED BY:

Karla Saylor, City Clerk

Staff Summary Report

MEETING DATE: February 24, 2015
AGENDA ITEM: IX. CONSENT AGENDA (C)
AGENDA TITLE: Travel Requests

ACTION REQUESTED BY: Police, Commission and Public Works
ACTION REQUESTED: Approval of Employee/Public Official Travel Requests
SUMMARY BY: Cheryl Franklin

PROJECT DESCRIPTION / FACTS (Leading Department)

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

FISCAL INPUT (Finance Department)

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

SUPPORT DOCUMENTS: Travel Log February 24, 2015

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

**EMPLOYEE/PUBLIC OFFICIAL TRAVEL REQUESTS FOR COMMISSION APPROVAL
MEETING DATE: FEBRURAY 24, 2015**

Dates of Travel	Department	Purpose of Travel/Location	Over-night	Out of State	Costs	Explanation of Cost	FY15 Budget Available
03/03/15	Police	DWI Grant In Service Training Albuquerque, NM.	No	No	36.00 50.00	Meal & Gratuity Allowance Estimated cost for fuel	Yes
03/07-12/15	Commission	National Congressional City Conf. Washington, D. C.	Yes	Yes	324.00 580.16	Meal & Gratuity Allowance Airfare *All expenses paid by NMML	Yes
03/15-16/15	Public Works	Retaining Wall Design & Slope Stabilization Techniques Albuquerque, NM.	Yes	No	60.00 269.00 50.00 190.97	Meal & Gratuity Allowance Registration Estimated cost for fuel Lodging	Yes
04/23/15	Police	Safety Coordinator Training Albuquerque, NM.	No	No	36.00 50.00	Meal & Gratuity Allowance Estimated cost for fuel	Yes

Staff Summary Report

MEETING DATE: February 23, 2015
AGENDA ITEM: IX. CONSENT AGENDA (D)
AGENDA TITLE: Appoint Joshua Ray as San Juan Water Commission Board Member in Place of Commissioner Katee McClure

ACTION REQUESTED BY: Joshua Ray
ACTION REQUESTED: Approval of Appointment of Joshua Ray as San Juan Water Commission Board Member to Replace Commissioner Katee McClure
SUMMARY BY: Karla Saylor

PROJECT DESCRIPTION / FACTS

- Currently Katee McClure is unable to attend San Juan Water Commission Meetings
- This would approve to appoint Joshua Ray as Commission Board Member in place of Katee McClure to attend San Juan Water Commission Meetings
- Bob Oxford will remain as Alternate Member for the City.

SUPPORT DOCUMENTS:

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve to Appoint Joshua Ray as San Juan Water Commission Board Member

Staff Summary Report

MEETING DATE: February 23,2015
AGENDA ITEM: IX. CONSENT AGENDA (E)
AGENDA TITLE: RFP 2014-228 Animas River Diversion: Smith Engineering Contract Amendment #3

ACTION REQUESTED BY: Public Works Department
ACTION REQUESTED: Approval
SUMMARY BY: Watson

PROJECT DESCRIPTION / FACTS

- Smith Engineering Company retained by City to design, provide bid services and construction oversight of the Animas River Diversion Project.
- The scope of the project has been changed by the City Engineer to reduce the cost of the project an estimated \$350,000 while maintaining the overall project integrity. The project plans and bid documents as well as other components of the engineering are revised to accommodate this revision. These items are detailed in Smith Engineering's request dated February 6, 2015.
- Bill Watson, City Engineer/Public Works Director, has reviewed Smith Engineering's request and recommends approval due to the change in the scope of services requested by the City.

PROCUREMENT / PURCHASING

- Request for proposals were solicited in December 2013. Smith Engineering was selected by the proposal evaluation committee and the negotiated contract was awarded by the City Commission on February 25, 2014.
 - Original Contract: \$135,714
 - Amendment #1: \$ 32,830
 - Amendment #2 \$ 13,604
 - Amendment #3 \$ 11,550
 - Amended Contract: \$193,698
 - Estimated GRT: \$ 15,495
 - Total Commitment: \$209,193

FISCAL INPUT / FINANCE DEPARTMENT

- The FY15 Adopted Annual Budget, Water Treatment Plant, 500-4610-85000, includes \$690,000 for this project. The additional engineering fees will be funded from this budget.

SUPPORT DOCUMENTS: Smith Engineering Company Request, 2/6/15

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve RFP 2014-228 Animas River Diversion: Smith Engineering Contract Amendment #3, in the amount of \$11,550 plus gross receipts tax.

This is EXHIBIT K, consisting of 2 pages, referred to in and part of the Agreement between Owner and Engineer for Professional Services dated March 10, 2014

AMENDMENT TO OWNER-ENGINEER AGREEMENT
Amendment No. 3

1. Background Data:

- a. Effective Date of Owner-Engineer Agreement: 3/14/14
- b. Owner: City of Aztec
- c. Engineer: Smith Engineering Company
- d. Project: Animas River Diversion

2. Description of Modifications:

[NOTE TO USER: Include the following paragraphs that are appropriate and delete those not applicable to this amendment. Refer to paragraph numbers used in the Agreement or a previous amendment for clarity with respect to the modifications to be made. Use paragraph numbers in this document for ease of reference herein and in future correspondence or amendments.]

- a. Engineer shall perform or furnish the following Additional Services:
- b. The Scope of Services currently authorized to be performed by Engineer in accordance with the Agreement and previous amendments, if any, is modified as follows:
- c. The responsibilities of Owner are modified as follows:
- d. For the Additional Services or the modifications to services set forth above, Owner shall pay Engineer the following additional or modified compensation:
- e. The schedule for rendering services is modified as follows:
- f. Other portions of the Agreement (including previous amendments, if any) are modified as follows:
- g. Smith Engineering Letter - Additional service Request #3 (dated 2/5/15)
[List other Attachments, if any]

5. Agreement Summary (Reference only)

a. Original Agreement amount:	\$ <u>135,714.00</u>
b. Net change for prior amendments:	\$ <u>46,434.00</u>
c. This amendment amount:	\$ <u>11,550.00</u>
d. Adjusted Agreement amount:	\$ <u>193,698.00</u>

NOT INCLUDING
NMGRT

The foregoing Agreement Summary is for reference only and does not alter the terms of the Agreement, including those set forth in Exhibit C.

Owner and Engineer hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is 2/5/15.

OWNER:

ENGINEER:

By: _____

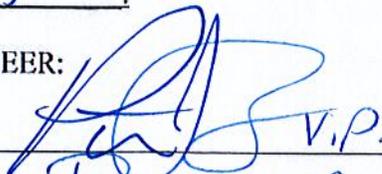
By: _____

Title: _____

Title: _____

Date
Signed: _____

Date Signed: _____


V.P.
James J. Conley
Vice President
2/5/2015



February 5, 2015

William L. Watson, PE, PTOE, CFM
City Engineer
Department of Public Works
Aztec, NM 87410

Re: Animas River Diversion – Additional Services Request #3
SEC# 114110

Dear Bill:

Smith Engineering Company (Smith) is pleased to provide you with this proposal for additional Professional Engineering Services in association with the referenced project. Smith understands the general scope of work is to redesign/eliminate several of the project components included in the Bid Set, as requested by the City of Aztec. Evaluation and design of a temporary cofferdam and construction dewatering plan are included in the request at no additional fee. Specific tasks are indicated on the attached Smith fee estimate worksheet.

The fee for the additional scope of work, not including applicable NMGRT, is indicated below.

City requested Revisions to the Construction Documents	<u>\$ 11,550.00</u>
Total Fee	\$ 11,550.00

The fee indicated above is based on the assumption that the project will not be separated into two separate construction projects. Additional fees will be required if this happens.

Please call with questions or concerns.

Sincerely,

Smith Engineering Company

Jared J Lujan, PE
Project Engineer

Attachments:

- Smith Additional Fee Request #3 Worksheet
- Ecosphere Additional Fee Request Letter
- The Response Group Additional Fee Request Letter

2201 San Pedro Drive, NE
Tel: 505.884.0700

Building 4, Suite 200
jaredl@smithengineering.pro

Albuquerque, NM 87110
Fax: 505.884.2376

SMITH ENGINEERING COMPANY
ADDITIONAL FEE REQUEST #3
Design Change (Elimination of new diversion channel)

TASK	Hourly rate	Prin. Eng.	Eng. IV	Eng. Assoc. II	CHC	Admin	Hours	Labor
		185.00	165.00	100.00	110.00	67.00		
Design								
1	Drafting modifications: remove plan, profile and details pertaining to new animas river diversion channel.		1.0		4.0		5.0	\$605.00
2	Design and Drafting modifications: Relocate new headgate to existing diversion channel and identify new location and elevation (2" below existing gate). Modify details of headgate. Verify current design of headgate is acceptable for existing channel geometry.		4.0	2.0	6.0		12.0	\$1,520.00
3	Drafting modifications: Modify animas river bank protection (rip rap) to protect the existing inlet.		0.5		4.0		4.5	\$522.50
4	Drafting modifications: Revise access road material to 4" of crushed concrete rolled in place.		0.5		2.0		2.5	\$302.50
5	Design and Drafting modifications: Relocate new box culvert crossing to within existing diversion channel and identify location and elevation. Verify current design of box culvert is acceptable for existing channel geometry.		3.0	1.0	4.0		8.0	\$1,035.00
6	Design and Drafting modifications: Verify current design of tailgate is acceptable for existing channel geometry. Modify details of headgate.		4.0	2.0	1.0		7.0	\$970.00
7	Design and Drafting Modifications: re-evaluate the suggested construction schedule sheet.			5.0			5.0	\$500.00
8	Revisions to the floodplain analysis due to changes in the design.		8.0				8.0	\$1,320.00
9	Revise quantity take-off and engineer's cost estimate.		1.0	6.0			7.0	\$765.00
10	Revise construction contract documents		2.0	4.0			6.0	\$730.00
11	Additional pre-bid meeting (including drive time)			8.0	4.0		12.0	\$1,240.00
12	<i>SUBCONTRACTOR - The Response Group's additional fee to update electrical plans due to design changes.</i>							\$680.00
13	<i>SUBCONTRACTOR - Ecosphere's additional fee to update 404 permit application due to design changes.</i>							\$1,360.00
SubTotal Hours / Units:		0.0	24.0	28.0	25.0	0.0	77.0	
							Requested Additional Fee:	\$11,550.00

Notes:

a) all work within the animas river will remain as planned other than modifications to the diversion channel inlet.

b) No additional design is included to modify the existing diversion channel other than at the locations of the existing headgate, new headgate, existing cuvlert crossing, new box culvert crossing, sum in-front of pump station, existing tailgate, and new tailgate. Channel geometry will remain unchanged and all locations where the channel is being modified will be blended back to it's original shape.

January 19, 2015

Jared Lujan
Smith Engineering
2201 San Pedro Drive NE, Building 4
Suite 200
Albuquerque, NM 87110

RE: Environmental Permitting for City of Aztec Diversion Project

Dear Jared,

Thank you for the opportunity to submit a cost estimate to revise the Biological Assessment and an Individual Permit (IP) Application for the U. S. Army Corps of Engineers in support of the City of Aztec's Animas River Diversion Project. All work would utilize existing data and reports prepared for by Smith Engineering to the greatest extent possible.

This cost estimate is based on the assumption that the alignment, intake, and outfall for the City of Aztec Diversion will be within the footprint of the existing diversion structure. This cost estimate assumes that no additional field work would be required.

The cost breakdown is as follows:

Budget Summary	
Task 1 - Revision of BA and IP documents	
Labor Subtotal	\$1,360.00
Directs Subtotal	\$0.00
Task 1 Budget	\$1,360.00
NMGRT (7.1875%)	\$97.75
TOTAL BUDGET	\$1,457.75

Please feel free to call me if you have any questions.

Sincerely,



Sandy Friedley
Project Manager



January 21, 2015

Mr. George Nemeth
Smith Engineering Company
6400 Uptown Blvd Suite 500E
Albuquerque, NM 87110

**RE: ANIMAS RIVER DIVERSION – SITE PLAN REVISIONS
AZTEC, NEW MEXICO
ELECTRICAL ENGINEERING SERVICES
TRG #14132SR**

Dear George,

We sincerely appreciate the additional to work on the above-mentioned project. We understand that we will make site plan revisions per Owner's directions.

We are proposing a lump sum fixed fee of **\$680.00** plus any applicable New Mexico Gross Receipts Tax to prepare the necessary construction documents.

Please do not hesitate to contact our office if you have any questions or if this request needs to be modified in any way. If it is acceptable, please sign and return a copy to our office.

Sincerely,

Darryl D. Ruehle, P.E.
President

Smith Engineering

Date

DDR: dhc

Staff Summary Report

MEETING DATE: February 23, 2015
AGENDA ITEM: IX. CONSENT AGENDA (F)
AGENDA TITLE: Special Budget Resolution 2015-950 Municipal Golf Course Fund

ACTION REQUESTED BY: Finance Department

ACTION REQUESTED: APPROVAL

SUMMARY BY: Kathy Lamb

PROJECT DESCRIPTION / FACTS

- City Commission approved lease for the operation of Hidden Valley Golf Course on February 10, 2015.
- A special budget resolution is necessary to adopt a budget for the operations of the facility.
- The budget presented has been developed in the same conservative approach as all City budgets – revenues are budgeted low and expenses are high. Working with the preliminary budget numbers provided to Commission on February 10, 2015:

EXPENSES

- Personnel includes
 - Golf Course Superintendent and Administrative Assistant, full time – all benefits, beginning February 22, 2015.
 - Clubhouse staff is staggered: 1 beginning 4/15 and two beginning 6/1 – all are part-time positions.
 - Course maintenance staff is also staggered: 1 beginning 3/1 and 3 beginning 4/1 – all are full time seasonal positions (no benefits).
- Supply & Service budgets include 100% of the fertilizer and irrigation costs, 50% of the equipment costs, office supplies, pro shop inventory, info systems costs (computers, etc). Insurance will not be appropriated to course until the FY16 budget. Remaining items are pro-rated to 1/3 for the balance of FY15.
- Other Costs – water rights lease has been adjusted to full amount for the year, cart and facility lease are pro-rated to 1/3 for the balance of FY15.
- Capital – 100% of the cost for the driving range is included for FY15.

REVENUES

- Course fees and cart rental are established based on estimates for 1/3 of the year.
- Memberships will be paid in advance but the revenue budget is established pro-rating those memberships to 1/3 of the year. Cash flow from memberships will be greater than the revenue recognized in FY15.
- Pro-shop sales are based on estimated for 1/3 of the year

TRANSFER

The State of New Mexico requires a balanced budget. As this is a new fund and has no available cash reserves, it is necessary to budget a General Fund transfer to the Municipal Golf Course Fund. The actual amount of the transfer is anticipated to be less than the budgeted amount and will be based on actual revenues and expenses as of June 30, 2015.

This resolution also establishes fees associated with the golf course. This will allow operations of the golf course to commence upon approval of the resolution. An ordinance (intent to adopt) is also included on the February 24, 2015 agenda which will incorporate those fees in the Aztec Municipal Code.

SUPPORT DOCUMENTS: Resolution 2015-950
FY15 Aztec Municipal Course Budget Detail

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve Special Budget Resolution 2015-950 Establishing FY15 Municipal Golf Course Budget

RESOLUTION 2015-950
Special Budget Resolution
Appropriation of Funds and Fee Establishment for Aztec Municipal Golf Course
Fiscal Year 2014-2015

WHEREAS, the Aztec Municipal Golf Course at Hidden Valley provides the potential for economic development, tourism and recreational opportunities for the City of Aztec and San Juan County; and

WHEREAS, the City of Aztec, as lease operator of the Aztec Municipal Golf Course at Hidden Valley, is responsible to maintain golf course facilities, will develop facilities, services and marketing strategies to provide the opportunity for the golf course to generate revenues to be self-sustaining; and

WHEREAS, the City of Aztec Commission approved the lease for the golf course on February 10, 2015, it is necessary to establish a budget for operations and fee schedule; and

NOW, THEREFORE, BE IT RESOLVED that the following special budget adjustment be made and approved.

Municipal Golf Course Fund		Increase/(Decrease)
Revenue:		
Golf Course: Fees, Memberships, Rentals	570-6420-3*	\$138,000
Golf Course: Retail Sales	570-6420-3*	\$ 5,000
Expenses:		
Golf Course: Personnel	570-6420-4*	\$ 94,229
Golf Course: Supplies	570-6420-5*	\$ 58,000
Golf Course: Services	570-6420-6*	\$ 26,000
Golf Course: Other Costs	570-6420-6*	\$ 20,500
Golf Course: Capital	570-6420-8*	\$ 10,000
Transfer In:		
General Fund	570-0000-39101	\$ 65,729
General Fund		
Transfer Out:		
Municipal Golf Course	101-9910-90570	\$ 65,729

Golf Course Fees

- 1) Memberships are for 1 year from the date of purchase.
- 2) Must be 16 or older to drive a cart.
- 3) No private carts allowed on golf course.
- 4) Fees are subject to New Mexico Gross Receipts Tax.

Annual Memberships.

<i>Membership</i>	<i>Green Fees</i>	<i>Cart Fees</i>
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Regular Adult (19 to 54 years old)	\$500	\$500
+1 Family Member (with purchase of Regular Adult)	\$250	\$250
Senior (55 or older)	\$400	\$500
Junior (18 or younger) ¹	\$100	\$500
Government or School Employee	\$250	\$250
+1 Family Member (with purchase of Government)	\$250	\$250

Daily Rates.

<i>Round</i>	<i>Green Fees</i>	<i>Cart Fees</i>
9 Holes	\$10	\$5
18 Holes	\$20	\$5

Associated Fees.

	<i>Fees</i>
Cart Rider Fee	\$5 per round
Rental Clubs	\$12 per round
Pull Carts	\$2 per round
Range Balls	\$5 small bucket \$8 large bucket

Tournament Fees.

- 1) \$30 per player.
- 2) Require \$500 deposit by organization/entity conducting the tournament.
- 3) The City will invoice tournament sponsor after event for remaining balance.

League Play.

- 1) All league play will include a round of 9 holes of golf.
- 2) Members pay \$5 per round.
- 3) Non-members pay \$15 per round.

Special Events.

	<i>Fees</i>
Patio	To Be Negotiated
Patio and Grill Equipment	To Be Negotiated

Passed, Adopted and Approved this 24th day of February 2015.

SEAL

MAYOR SALLY BURBRIDGE

ATTEST:

KARLA SAYLER, CITY CLERK

AZTEC MUNICIPAL GOLF COURSE AT HIDDEN VALLEY

FY15 BUDGET

2/22/15 - 6/30/15

REVENUE BUDGET

Golf Fees		\$	85,000
Cart Rental		\$	25,000
Memberships (pro-rated to 6/30/15)		\$	28,000
Advertising		\$	-
ProShop		\$	5,000
Snack Bar Lease		\$	-
	Total	\$	143,000

EXPENSE BUDGET

Personnel			\$	94,229
Wages: Regular FullTime	\$	22,600	\$	78,638
Wages: Regular PartTime	\$	4,200		
Wages: Seasonal	\$	36,056		
Overtime	\$	15,782		
FICA/Medicare			\$	6,016
PERA			\$	2,158
Retiree Health			\$	452
Health Ins			\$	4,725
Wcomp Adm Fee			\$	30
Wcomp Premium			\$	1,710
Cell Phone			\$	500
O&M Supplies			\$	58,000
Fertilizer	570-6420-52104	\$	10,000	
Irrigation	570-6420-52105	\$	10,000	
Office Supplies	570-6420-51100	\$	1,000	
Info Sytems	570-6420-53210	\$	3,000	
Eq Parts & Supplies	570-6420-52500	\$	30,000	
ProShop Inventory	570-6420-51103	\$	4,000	
O&M Services			\$	26,000
Fuel	570-6420-62100	\$	4,000	
Eq Maint	570-6420-63100	\$	2,000	
	570-6420-66100,			
Utilites	570-6420-66300	\$	20,000	
Insurance		\$	-	
O&M Other			\$	20,500
Water Rights Lease	570-6420-68130	\$	3,500	
Cart Lease	570-6420-68110	\$	9,000	
Facility Lease	570-6420-68120	\$	8,000	
Capital			\$	10,000
Leasehold Imp (Driving Range)	570-6420-85000	\$	10,000	
	Total		\$	208,729

Staff Summary Report

MEETING DATE:	February 23, 2015
AGENDA ITEM:	IX. CONSENT AGENDA (G)
AGENDA TITLE:	Acceptance of FY2014 Annual Financial Report

ACTION REQUESTED BY:	Finance Department
ACTION REQUESTED:	Accept FY2014 Annual Financial Report
SUMMARY BY:	Kathy Lamb

PROJECT DESCRIPTION / FACTS

- The FY13 Comprehensive Annual Financial Report was approved for release by the State Auditor's Office on January 9, 2015. As per Sec 12 -6 -5 NMSA 1978, the audit report does not become public record until 5 days from the date of the State Auditor's release, or January 14, 2015. The State Auditor's office also approved final payment to Axiom CPA for the FY14 audit which was processed on January 28, 2015.
- Page 109 of the report identifies the findings.
 - The audit identified a material weakness related to Access Controls and Payroll and Cash Disbursement Control Cycles. The issue is the access to all functions of the accounting system by the Finance Director. To correct this and limit access to function, new menus are in the process of being developed and will be assigned by user. This assignment will be completed through the IT Department after approval by Human Resources, Department Head and Finance Director.
 - The audit identified a non-compliance matter specific to gas cards. The City had identified in the fall of 2013, a situation where a former employee continued to use a city gas card for personal use. This incident was disclosed to the auditors during the audit process. Further investigation by the auditors identified additional transactions which were questioned. In addition to controls implemented by the City when the first incident was identified, the auditors recommended additional procedures which have been implemented by the City.
- Management's Discussion and Analysis (MD &A) begins on page 9; Basic Financial Statements begin on page 23 and notes to the financial statements on page 36. Statistical section begins on page 94.

SUPPORT DOCUMENTS:	FY2014 Annual Financial Report (bound copies provided to Commission separately, electronic document available www.aztecnm.gov)
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DEPARTMENT'S RECOMMENDED MOTION:	Move to accept the FY2014 Annual Financial Report.
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Staff Summary Report

MEETING DATE: February 23, 2015
AGENDA ITEM: IX. CONSENT AGENDA (H)
AGENDA TITLE: Destruction Of Library Cash Register Receipt Tapes 2009-2011

ACTION REQUESTED BY: Kate Skinner
ACTION REQUESTED: Destruction Of Library Cash Register Receipts 2009-2011
SUMMARY BY: Kate Skinner

PROJECT DESCRIPTION / FACTS

The library has taken inventory of records ready for destruction using guidelines under the Records Management Program approved by Commission October 21, 2009

Records consist of 27 rolls library cash register receipt tapes from 8/09 – 12/11

Once the destruction of records has been approved by Commission, shredding will take place in house.

SUPPORT DOCUMENTS:

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve Destruction of Library Cash Register Receipt Tapes 2009-2011

Staff Summary Report

MEETING DATE: February 23, 2015
AGENDA ITEM: XII. LIQUOR LICENSE HEARING (A)
AGENDA TITLE: Small Brewer Off-Site Liquor License DBA Hiway Grill

ACTION REQUESTED BY: Hiway Grill-Robert Paschall
ACTION REQUESTED: Approval of Small Brewer Off-Site Liquor License DBA Hiway Grill
SUMMARY BY: Karla Sayler

PROJECT DESCRIPTION / FACTS

- The City Of Aztec received the attached certified letter from the Division of Alcohol & Gaming indicating their preliminary approval for an Off Site Liquor License for Hiway Grill
- Hiway Grill is located at 401 NE Aztec Blvd, Aztec, NM and is not within 300 feet of a Church or School.
- The State requires a public hearing to be held within forty-five (45) days after the City receives notice from the Alcohol and Gaming Division (notice received February 9th, 2015). The Public hearing notice was published in the Farmington Daily Times on February 13 and February 20, 2015

SUPPORT DOCUMENTS:

- 1) Letter from the State Office
- 2) State Liquor License Application
- 3) Copy of State Statute 60-6B4

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve the Small Brewer Off-Site Liquor License DBA Hiway Grill located at 401 NE Aztec Blvd. Aztec NM



New Mexico Regulation and Licensing Department
ALCOHOL AND GAMING DIVISION

Toncy Anaya Building • PO Box 25101 • Santa Fe, New Mexico 87505-5101
(505) 476-4875 • Fax (505) 476-4595 • www.rld.state.nm.us/alcoholandgaming

February 5, 2015

Certified Mail No.: 7013 2250 0001 5426 6451

City of Aztec
Rebecca Howard, Clerk
201 West Chaco
Aztec, NM 87410

Re: Lic. No. /Appl. No.: Appl. No. 935721
Name of Applicant: Paschall Enterprises, Inc.
Doing Business As: Hiway Grill
Proposed Location: 401 N E Aztec Blvd.
Aztec, NM 87410

ATTENTION: Department or person responsible for conducting or preparing the public hearing for liquor license transfers or issuance of new liquor licenses.

Greetings:

The Director of the Alcohol and Gaming Division has reviewed the referenced Application and granted **Preliminary Approval**; it is being forwarded to you in accordance with Section 60-6B-4 NMSA of the Liquor Control Act.

Within forty-five (45) days after receipt of a Notice from the Alcohol and Gaming Division, the governing body **shall** hold a Public Hearing in the question of whether the department should approve the proposed issuance or transfer. Notice of the Public Hearing required by the Liquor Control Act **shall** be given by the governing body by publishing a notice of the date, time, and place of the hearing at least once a week for two consecutive weeks in a newspaper of general circulation within the territorial limits of the governing body, **which requires that two weeks of publication must be satisfied before a hearing can be conducted.** The notice shall include: (A) Name and address of the Applicant/Licensee; (B) The action proposed to be taken by the Alcohol and Gaming Division; and (C) The location of the licensed premises. The governing body is required to send notice by certified mail to the Applicant of the date, time, and place of the Public Hearing. The governing body may designate a Hearing Officer to conduct the hearing. A record **shall** be made of the hearing.

THE APPLICANT IS SEEKING A SMALL BREWER OFF-SITE LIQUOR LICENSE.

Susana Martinez
GOVERNOR

Robert "Mike" Unthank
SUPERINTENDENT

Tania Maestas, Esq.
ACTING CHIEF GENERAL
COUNSEL

Mary Kay Root
DIRECTOR

Alcohol and Gaming Division
(505) 476-4875

Boards and Commissions Division
(505) 476-4600

Construction Industries Division
(505) 476-4700

Financial Institutions Division
(505) 476-4885

Manufactured Housing Division
(505) 476-4770

Securities Division
(505) 476-4580

Administrative Services Division
(505) 476-4800

The governing body may disapprove the issuance or transfer of the license if:

- 1) The proposed location is within an area where the sale of alcoholic beverages is prohibited by the laws of New Mexico. (The governing body may disapprove if the proposed location is within 300 feet of a church or school unless the license has been located at this location prior to 1981 or unless the Applicant/Licensee has obtained a waiver from the Local Option District governing body for the proposed licensed premises).
- 2) The issuance or transfer would be in violation of a zoning or other ordinance of the governing body. The governing body may disapprove if the proposed location is not properly zoned. Because this office is in receipt of a Zoning Statement from the governing body, this is not a basis for disapproval.
- 3) The issuance would be detrimental to the public health, safety, or morals of the residents of the Local Option District. Disapproval by the governing body on public health, safety, or morals must be based on and supported by substantial evidence pertaining to the specific prospective transferee or location and a copy of the record must be submitted to the Alcohol and Gaming Division.

Within thirty **(30)** days after the Public Hearing, the governing body **shall** notify the Alcohol and Gaming Division as to whether the local governing body has approved or disapproved the issuance or transfer of the license by signing the enclosed original Page 1 of the Application. The original Page 1 of the Application must be returned together with the notice of publication(s). **If the governing body fails to either approve or disapprove the issuance or transfer of the license within thirty days after the Public Hearing, the Director will give Final Approval to the issuance or transfer of the license.**

If the governing body disapproves the issuance or transfer of the license, it shall notify the Alcohol and Gaming Division within thirty **(30)** days setting forth the reasons for the disapproval. A copy of the Minutes of the Public Hearing shall be submitted to the Alcohol and Gaming Division with the notice of disapproval (Page 1 of the Application page noting disapproval).

Sincerely,

Brenda Mares
Hearing Officer
NM Regulation & Licensing Dept.
Alcohol & Gaming Division
Phone: 505-476-4548
Fax: 505-476-4595
Email: brenda.mares2@state.nm.us

Enclosures:

1. Original Page 1 of the Application **(must be signed and returned)**.
2. Copy of Page 2 of the Application, copy of posting certificate, copy of zoning statement

New Mexico Regulation and Licensing Department
ALCOHOL AND GAMING DIVISION



11/21/14
ENTERED
200
1028212

LIQUOR LICENSE APPLICATION

Application fee - \$200.00 Fees are non-refundable.

State Liquor License # _____ Record Owner of Existing License _____
Application Number 935721 Current D/B/A Name _____
Local option (AGD use) _____ Current Premises Address _____

Application is for: Change of Stock _____ Change of Officers/Directors _____ Transfer Ownership of Existing License _____ Transfer Ownership and Location _____ Transfer Location _____ Other
Issue New License _____ Type of License being applied for Small Brewer Off-Site Premises Application

Applicant is: Individual _____ Corporation Partnership (General or Limited) _____ Limited Liability Company _____

NAME OF APPLICANT (company or individual) Paschall Enterprises, Inc. ADDRESS (including city, state, zip) 7 RD 2794, Aztec, NM 87410 TELEPHONE NUMBER 505-334-6533 505-402-9300

D/B/A name to be used: Hiway Grill Phone number for licensed premises: 505-334-6533 or 505-402-9300

Physical location where license is to be used: 401 N E Aztec Blvd, Aztec, NM
(Include street number / highway number / state road, city and county, state, and zip code)

Mailing address: 7 RD 2794, Aztec, NM 87410

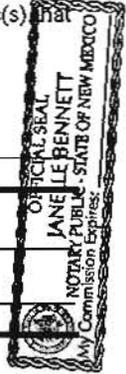
Are alcoholic beverages currently being dispensed at the proposed location? Yes No _____ If yes, give license number and type 30620 Restaurant 67047 Small Brewer

I, (print name) Robert H. Paschall, as (title) President being first duly sworn upon oath deposes and says: that he/she is the applicant or is authorized by the applicant to make this application; that he/she has read the same; knows the contents therein contained are true. Applicant(s) agree(s) that if any statements or representations herein are found to be false, the director may refuse to issue or renew the license or may cause the license to be revoked at any time.

You must sign and date this form in the presence of a notary public.

Signature of Applicant [Signature] Date 11.17.14

SUBSCRIBED AND SWORN TO before me this 17th day of November, 2014 by Robert Paschall
Notary Public Janelle Bennett My Commission Expires 2/20/18

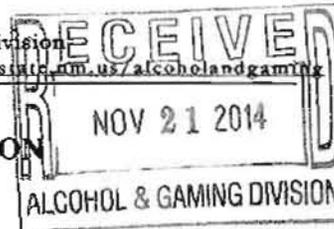


Local Governing Body of: _____ (City or County). Hearing held on _____ 20____

Check one: Approved _____ Disapproved _____ City/County Official _____ (Signature & Title)

For Alcohol and Gaming Division Use Only

Approved _____ Disapproved _____ Director Approval _____ Date _____



PREMISES LOCATION, OWNERSHIP, AND DESCRIPTION
SS-60-6B-10

1. The land and building which is proposed to be the licensed premises is (check one):

Owned by Applicant _____ Leased by Applicant (attach copy of deed or lease) Other (provide details) _____

2. If the land and building are not owned by Applicant, indicate the following:

A. Owner(s) Betty L. Faverino

B. Date and term of lease July 15, 2010 5-Year Lease with two options for 5-year renewals

3. Premises location is zoned (example C-1) C-1

If the premises is zoned, attach zoning statement from local government giving location address and type of zone, stating whether alcoholic beverages are allowed at proposed location. If there is no zoning, attach confirmation from local government indicating there is no zoning.

4. Distance from nearest church *(Property line of church to licensed premises—shortest distance).

Miles/feet 368 Ft. Name of church St. Joseph Catholic Address/location of church 500 N. Mesa Verde, Aztec, NM 87410

5. Distance from nearest school *(Property line of school to licensed premises—shortest distance).

Miles/feet 531 Ft. Name of school Head Start Day School Address/location of school 805 N. Maddox Ave., Aztec, NM 87410

6. Distance from military installation *(Property line of military installation to licensed premises-shortest distance.)

Miles 195 KAFB Name of Military Installation, circle one: Kirtland Air Force Base (Albuquerque), White Sands Missile Range (Las Cruces), Holloman Air Force Base (Alamogordo), Cannon Air Force Base (Clovis).

7. Attach, on a separate sheet, the detailed floor plan for each level (floor) where alcoholic beverages will be sold or consumed. Show exterior walls, doors, and interior walls. This will be the licensed premises. The floor plan should be no larger than 8 1/2 x 11 inches, and must include the total square footage of premises.

*If the distance is beyond 300 feet, but less than 400 feet, a registered engineer or licensed surveyor must complete a Survey Certificate showing the exact distance.

8. Type of Operation:

Lounge _____ Restaurant Package Grocery _____ Racetrack _____ Hotel _____ Other (specify) _____

Mayor
Sally Burbridge

Mayor Pro-Tem
James D. Crowley



201 West Chaco
Aztec, NM 87410

City Commissioners

Diana C. Mesch
Sherri Sipe
Eugene L. Current

ZONING VERIFICATION

January 19, 2010

To Whom It May Concern,

This letter is to verify the zoning district for the property located at 401 NE Aztec Blvd. This property is zoned as C-1 (Limited Retail and Neighborhood Commercial). The following is from the Chapter 26 Land Use Regulations (City of Aztec Code) regarding the C-1 district.

Sec. 26-61. In General.

This district is established as a mixed use neighborhood commercial district. An activity permissible in this district should attempt to locate in or near the City's "Central Business District". This district should contain the major bulk of the shopper's goods, specialty goods and professional services needed to satisfy the day-to-day requirements of the City's population.

Sec. 26-62. Uses Permitted.

- Retail and Service Establishments. This includes such facilities as a bank, barber shop, bakery, stationery store, book store, dry goods store, clothing store, tailor shop, millinery shop, drug store, laundry or dry cleaning, prescription store, gift shop, florist, furniture store, service station, building supplies, hardware, appliance, beauty shop, jewelry, package liquor store, notions or sundry store, photography, art supplies, radio or television shops, and other similar type establishments.

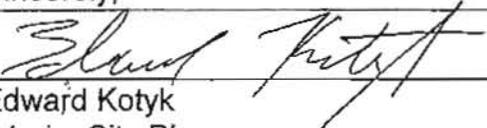
In addition, the City of Aztec Planning Department considers a "Restaurant" as a service establishment and is further defined in Sec. 26-121 Definitions within the Land Use Regulations as:

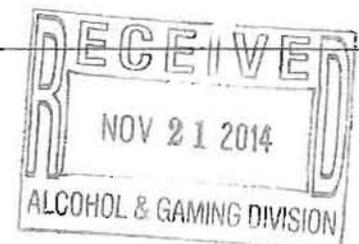
Restaurant

A restaurant is an establishment designed and used primarily for the purpose of serving meals to seated patrons. In a restaurant, as herein defined, alcoholic beverages, if otherwise lawful, may be served, but the service of same is clearly subordinate to the primary function of food preparation and service.

If you have any further questions, feel free to contact us at 505-334-7605.

Sincerely,


Edward Kotyk
Interim City Planner



Staff Summary Report

MEETING DATE: February 23, 2015

AGENDA ITEM: XIII. Business Item (A)

AGENDA TITLE: Intent to Adopt Ordinance 2015-442, An Ordinance Amending Chapter 16, Article II. Parks & Recreation Fees

ACTION REQUESTED BY: Parks & Recreation Department

ACTION REQUESTED: Approve Intent to Adopt Ordinance 2015-442, An Ordinance Amending Chapter 16, Article II. Parks & Recreation Fees

SUMMARY BY: Edward Kotyk & Steve Mueller

PROJECT DESCRIPTION / FACTS

1. The City of Aztec has entered into an agreement to manage the Hidden Valley Golf Course.
2. The use of the Hidden Valley Golf Course involves establishing fees.
3. Ordinance 2015-442 provides the method of establishing fees within Chapter 16 Fee Schedule.

SUPPORT DOCUMENTS: Ordinance 2015-442

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve the Intent to Adopt Ordinance 2015-442, An Ordinance Amending Chapter 16, Article II. Parks & Recreation Fees

**City of Aztec
ORDINANCE 2015-442**

An Ordinance Amending Chapter 16, Article II. Parks & Recreation Fees

WHEREAS: The City of Aztec has entered into an agreement to manage the Hidden Valley Golf Course; and

WHEREAS: The use of the Hidden Valley Golf Course involves establishing fees;

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the City of Aztec, New Mexico that Ordinance 2015-442 Amends Chapter 16 – Fee Schedule, Article II. PARKS & RECREATION FEES, Section 16-15 Golf Course Fees to be adopted as attached.

PASSED, APPROVED, SIGNED AND ADOPTED THIS _____ day of _____ 2015.

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

Mayor Sally Burbridge

ATTEST:

Karla Sayler, City Clerk

APPROVED AS TO FORM:

Larry T. Thrower, City Attorney

ADVERTISED DATE OF FINAL ADOPTION: _____

EFFECTIVE DATE OF ORDINANCE: _____

ARTICLE II. PARKS & RECREATION FEES

Sec. 16-15. Golf Course Fees.

1. In General.

- 1) Memberships are for 1 year from the date of purchase.
- 2) Must be 16 or older to drive a cart.
- 3) No private carts allowed on golf course.
- 4) Fees are subject to New Mexico Gross Receipts Tax.

2. Annual Memberships.

<i>Membership</i>	<i>Green Fees</i>	<i>Cart Fees</i>
Regular Adult (19 to 54 years old)	\$500	\$500
+1 Family Member (with purchase of Regular Adult)	\$250	\$250
Senior (55 or older)	\$400	\$500
Junior (18 or younger) ¹	\$100	\$500
Government or School Employee	\$250	\$250
+1 Family Member (with purchase of Government)	\$250	\$250

3. Daily Rates.

<i>Round</i>	<i>Green Fees</i>	<i>Cart Fees</i>
9 Holes	\$10	\$5
18 Holes	\$20	\$5

4. Associated Fees.

	<i>Fees</i>
Cart Rider Fee	\$5 per round
Rental Clubs	\$12 per round
Pull Carts	\$2 per round
Range Balls	\$5 small bucket \$8 large bucket

5. Tournament Fees.

- 1) \$30 per player.
- 2) Require \$500 deposit by organization/entity conducting the tournament.
- 3) The City will invoice tournament sponsor after event for remaining balance.

6. League Play.

- 1) All league play will include a round of 9 holes of golf.
- 2) Members pay \$5 per round.
- 3) Non-members pay \$15 per round.

7. Special Events.

	<i>Fees</i>
Patio	To Be Negotiated
Patio and Grill Equipment	To Be Negotiated

Secs. 16-16 to 16-50. Reserved.

Staff Summary Report

MEETING DATE: February 23, 2015
AGENDA ITEM: XII. LAND USE HEARING (A)
AGENDA TITLE: Request for a Zone Change at 111 Simonds Road, from MH Mobile Home District to C-2 General Commercial

ACTION REQUESTED BY: Nick Foss
6017 Castlegate Drive West F21
Castle Rock, CO 80104

ACTION REQUESTED: 2014-223 - Request for Zone Change at 111 Simonds Road, from MH Mobile Home District to C-2 General Commercial District

SUMMARY BY: William M. Homka AICP CFM

PROJECT DESCRIPTION / FACTS

This request seeks to change the zoning of a parcel of land located at 111 Simonds Road. The parcel is presently zoned MH Mobile Home District, contains 0.1783 acres of land, and is separated by C-2 General Commercial zoned land to the north by one parcel. The land across Simonds Road is presently used as residential (mobile homes) but is zoned C-2 General Commercial. The parcel is presently vacant.

The applicant and owner, Nick Foss, has been cited in the past for nuisance code violations pertaining to overgrown weeds. Mr. Bob Carmen, Code Compliance officer, states Mr. Foss has always been quick to comply with the notices. The applicant's permanent residence is in Castle Rock, Colorado. He first purchased this land as an investment. However he spends a significant amount of his time here in Aztec, New Mexico and at Navajo Lake in the warmer months.

Mr. Foss is requesting the zone change so that he can build a two story structure on the parcel in conformance with Aztecs zoning code. The structure will provide for the storage of his recreational vehicles on the first floor as well as an area to work on his mechanical "toys." The second floor will serve as living quarters during his visits to Aztec. His plans would not be permitted in the MH Mobile Home zoning district.

In discussing this request with the staff it came to our attention that the Teen Center is on the parcel to the north, 107 Simonds Road. The Teen Center is also zoned MH Mobile Home district. The staff concurred that this property should also be considered for C-2 General Commercial zoning. The uses and activities at the Teen Center coincide with C-2 General Commercial more so than they do presently in the MH Mobile Home zoning district. This report will recommend the commission initiate the zoning change on behalf of the Teen Center after staff meets with the Teen Center program director.

Notices were sent out to adjoining property owners on February 10, 2015. No calls about this request have been received as of mailing this report (February 18, 2015). Adjoining property

owner notices were sent to seven (7) adjacent property owner addresses. The property owner mailing list is attached to this report.

Staff does not object to this request, 2014-223 a Zone Change request from MH Mobile Home to C-2 General Commercial because the proposed zoning, C-2 General Commercial, is already directly across Simonds Road. Staff also finds the subject parcel sits adjacent to a commercial use, Aztec's Teen Center, although it is also zoned MH Mobile Home. Staff recommends the City Commission consider implementing a similar zone change for the Teen Center. Should the Teen Center desire to be rezoned to C-2 General Commercial then the west side of Simonds Road will be zoned entirely C-2 General Commercial, from the subject parcel at 111 Simonds Road north to the parcel at the southwest intersection of Simonds Road and Aztec Boulevard. This would make for contiguous zoning as well as the proper zoning designation of the parcels.

FINDINGS OF FACT

1. The C-2 General Commercial district is already present directly across Simonds Road;
2. The present MH Mobile Home district is not appropriate for the proposed use;
3. The parcel situated immediately north, address 107 Simonds Road, is the Teen Center and is a commercial in use;
4. The Teen Center should also be considered for a zoning change to C-2 General Commercial;
5. Rezoning parcels at addresses 111 and 107 Simonds Road to C-2 General Commercial would make the west side of Simonds Road more appropriate to the existing and proposed uses;
6. The zone change, by virtue of the proposed use as well as the small parcel size will not impose negative effects on the surrounding neighborhood, and;
7. No objections have been raised from abutting parcel owners about the request at the time of writing this report.

FISCAL INPUT / FINANCE DEPARTMENT (if applicable)
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SUPPORT DOCUMENTS:

1. Application
2. Zoning Map
3. Parcel/Aerial
4. Public Notice
5. Applicant Notice
6. Name List
7. Pictures of site & surrounding area

DEPARTMENT'S RECOMMENDED MOTION: Move To Approve 2014-223, a request to rezone 111 Simonds Road From MH Mobile Home To C-2 General Commercial For The Reasons Indicated In The Findings Of Fact 1 Through 7.



CITY OF AZTEC ZONE CHANGE APPLICATION

Application Year: 2014 Application No. 223 Application Date: 12-29-2014

Applicant Name: NICK FOSS

Applicant Address: 6017 CASTLEBLAKE DR WEST P 21 CASTLE ROCK CO 80104
(Street Name) (City) (State) (Zip Code)

Applicant Phone: 970-769-0056 ^{PH} NJFOSSBO@GMAIL.COM ^{EMAIL}

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

Legal Description of the Property: SIMONS SUBDIV. LOT 6 BLOCK 1

Subdivision Name: SIMONS SUBDIV.

Block: 111 SIMONS RD AZTEC

Lot: _____

Total Area of Property (acres): 0.1783

Legal Zoning District: Current: M1 Desired: C-2

Present Use of Property: VACANT

Desired Use of Property: SHOP - WORKSHOP FOR AERIAL USE

Reason for requesting change of zoning:

PURCHASED PROPERTY IN 2004 W/ UNDERLYING E PERMITS TO VARIOUS TYPES OF
RETAIL. NOW WANT TO COMP WITH NEAR ZONING WOULD CONSIDER ALTERNATIVE.

Nick Foss
Applicant's Signature

12-29-2014
Date

City Commission Meeting Date:	<u>2-10-15</u>	ACTION:	APPROVED	DENIED
City Planner	<u>[Signature]</u>	Date		



1522

C-2

C-2

C-2

C-2

107

MH

111

MH

113

MH

115

MH

MH

MH

211

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213

MH

207

MH

203

MH

1509

MH

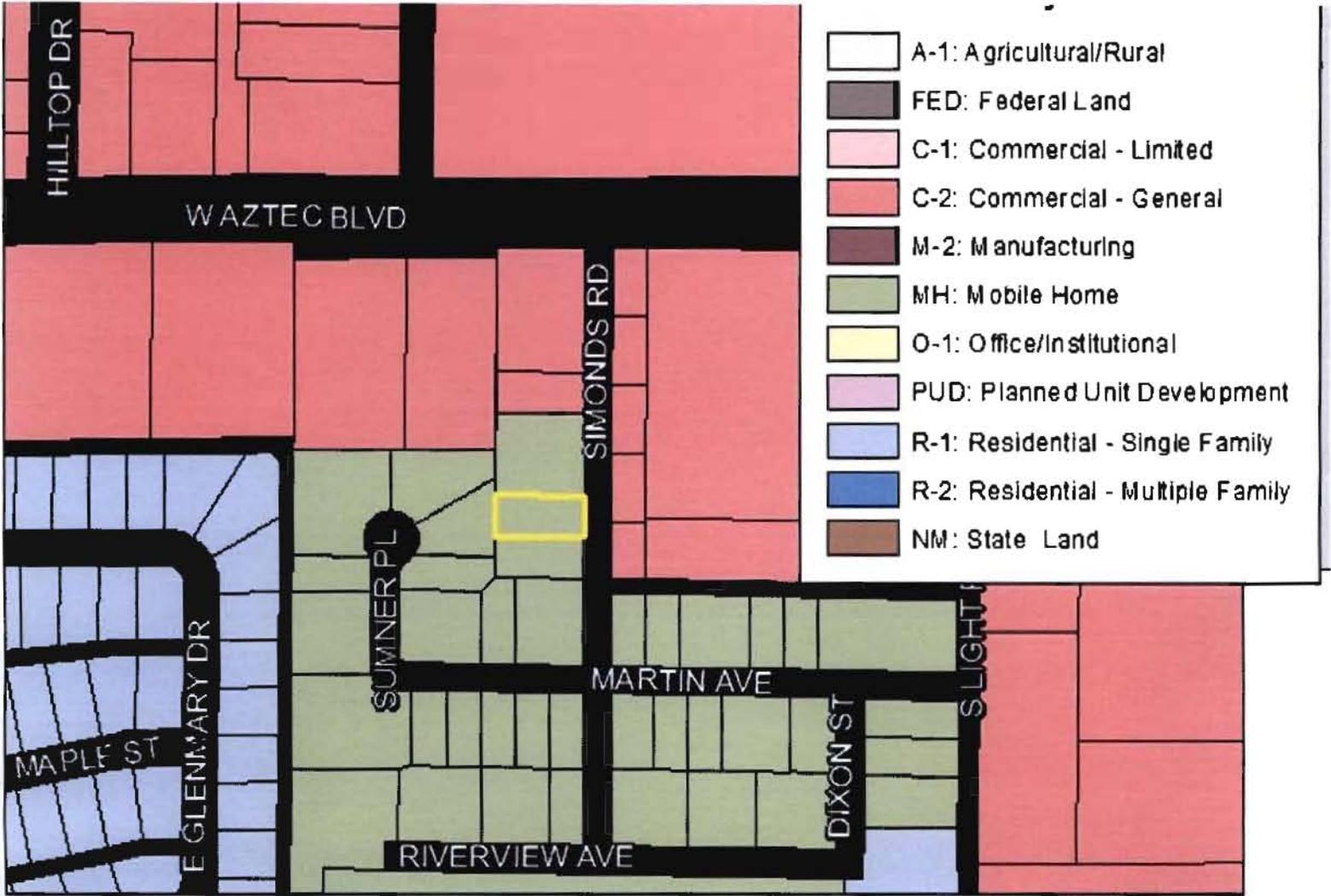
MH

MH

1507

MH

SIMONDS RD

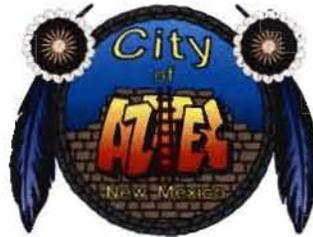


Current Zoning Map.



Mayor
Sally Burbridge

Mayor Pro-Tem
Sherri A. Sipe



Commissioners

Roberta Locke
Katee McClure
Sheri Rogers

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

January 28, 2015

Nick Foss
6017 Castlegate Dr. West F 21
Castle Rock, CO 80104

Dear Mr. Foss:

As the property owner of the parcel located at 111 Simonds Road in Aztec, NM, you have made a request to the City of Aztec Community Development Department for a Zone Change from A-1 Agricultural or Rural District to C-2 General Commercial and Wholesale District.

The City Commission will hear this request during a public meeting to be held on **Tuesday, February 10, 2015 at 6:00 PM located at City Hall, 201 W. Chaco, Aztec, NM.**

As the property owner, you 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.

The public is requested to contact Community Development via phone at 505-334-7605 or email at whomka@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: 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,

William Homka
Community Development Director

Mayor
Sally Burbridge

Mayor Pro-Tem
Sherri A. Sipe



Commissioners

Roberta Locke
Katee McClure
Sheri Rogers

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

January 28, 2015

PUBLIC NOTICE

Dear Property Owner:

The property owner of the parcel located at 111 Simonds Road in Aztec, NM, has made a request to the City of Aztec Community Development Department for a Zone Change from A-1 Agricultural or Rural District to C-2 General Commercial and Wholesale District.

The City Commission will hear this request during a public meeting to be held on **Tuesday, February 10, 2015 at 6:00 PM located at City Hall, 201 W. Chaco, Aztec, NM.**

The public is requested to contact Community Development via phone at 505-334-7605 or email at whomka@aztecnm.gov to provide support or concerns regarding this request.

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

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 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 505-334-7605, Monday through Thursday from 7:00 a.m. to 6:00 p.m. Thank you.

Sincerely,

William Homka
Community Development Director

111 Simonds Rd
Nicholas Foss
6017 Castlegate Dr. West F 21
Castle Rock, Co 80104

113 Simonds Rd
William & Ramona New
113 Simonds Rd
Aztec, NM 87410

207 Sumner Place
Ronald & Debora Malone
207 Sumner Pl
Aztec, NM 87410

203 Sumner Place
Ronald & Debora Malone
207 Sumner Place
Aztec, NM 87410

211 Sumner Place
Michael Schropp
211 Sumner Place
Aztec, NM 87410

107 Simonds Rd
City of Aztec
201 W. Chaco
Aztec, NM 87410

112 Simonds Rd
Venus Properties LLC
419 E Main Street
Farmington, NM 87401

114 Simonds Rd
Martha Scogin
114 Simonds Rd
Aztec, NM 87401



2014-224 616 E. Blanco Street

Picture of Site



Residential Uses in C-2

Across Street from 111 Simonds Rd.



Teen Center Located at 107 Simonds Rd.

Adjacent & North of Subject Parcel



Residential Uses in C-2 Zoning

Across Simonds Rd. and South of Subject Parcel



Vacant Land at SW Intersection of Simonds Rd. & Aztec Blvd.

Zoned C-2 General Commercial, Located Same Side of Street as Subject Parcel