

AGENDA
City of Aztec
COMMISSION WORKSHOP
May 12, 2015
201 W Chaco, City Hall
5:00 pm to 5:45 pm

5:00-5:45

- A. FY 16 Budget

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
May 12, 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. Phil Soice-Annual Water Report

VII. CITIZEN RECOGNITION

A. Stephanie Trejo

VIII. EMPLOYEE RECOGNITION

IX. CONSENT AGENDA

- A. Commission Meeting Minutes, April 28, 2015
- B. Travel Requests
- C. RE-BID 15-0418 Aztec Remote SCADA Project
- D. RE-BID 15-0481 Borrow Material
- E. Visitor Center Document Destruction

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. Thipsuda Orbesen for Thanthip Thai Cafe-Restaurant Liquor License Application

XIII. BUSINESS ITEMS

None

XIV. LAND USE HEARINGS

A. 2015-042 Conoco Phillips-Capping Gas Well

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

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CITY OF AZTEC
COMMISSION MEETING MINUTES
April 28, 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 Electric Director, Ken George

IV. ROLL CALL

Members Present: Mayor, Sally Burbridge; Commissioner, Katee McClure; Commissioner, Roberta Locke;

Members Absent: Mayor Pro-Tem Sherri Sipe; Commissioner, Sheri Rogers

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

V. AGENDA APPROVAL

MOVED by Commissioner Locke, SECONDED by Commissioner McClure to Approve the Agenda as presented

VI. PRESENTATION

A. Aztec Museum Annual Report-Jimmy Miller, President

Jimmy Miller, President of the Aztec Museum gave an annual report to Commission on accomplishments for 2014 at the Museum. He mentioned the following improvements:

- Sidewalks and ramps installed in all building in Pioneer Village
- Acquired a large rotating cyclorama display entitled "Pecos West" valued at \$225,000.
- Began the "Heritage Tree Orchard"

- Restored and painted the Cedar Hill chapel
- Restored, planted and maintained flower gardens, shrubs, herbs and medicinal plants. Over \$700 was spent on seeds, flowers and trees.
- There were 1149 visitors who signed the guest directory in 2014

Jimmy mentioned the events that took place in 2014. He mentioned that there was an open house in June, The Orphan Train event in August, and Founders' Day in September, Key Club Halloween Haunted House and the Aztec Sparkles event in December. He mentioned that he appreciates the support and the great partnership with the City. The museum would like to work with the City to have outside lighting installed. The Aztec Museum will officially open Memorial Day weekend in May.

VII. CITIZEN RECOGNITION

Josh recognized Isaiah Vallejos, and Isabella Vallejos for the 1st annual Poetry Slam winners at the Aztec Library. Isabella recited her poem to the Commission.

VIII. EMPLOYEE RECOGNITION

Chief Heal recognized his department for making an arrest on a robbery that took place here in Aztec. He also mentioned that the Department has arrested 3 subjects on auto burglaries and mentioned that they cleared up 20 more with the information provided with the arrests. He mentioned that Sergeant Joe Gonzales has been a big part of these actions and thank him for the job well done. Chief also mentioned that they have a warrant for an arrest in a rape that occurred in town also. He mentioned that his team is working very hard to make good things happen. Mayor Burbridge gave kudos to the department on putting together a facebook page.

Josh mentioned the City clean up day and thanked City employees for participating.

VIX. CONSENT AGENDA

MOVED by Mayor Burbridge, SECONDED by Commissioner McClure to Approve the Consent with the exception of Item C, Re-Bid 15-0480 Public Works Sign Shop, Item D, Bid 15-0486 Simonds Road Reconstruction, Item H, Russell Planning & Engineering Contract Agreement, and Item I, Hidden Valley Golf Course City Liquor License

- A. Commission Meeting Minutes, April 14, 2015
- B. Travel Requests
- C. Pulled
- D. Pulled
- E. Resolution #2015-951 Project No. SP-5-14 (187) Funding Extension #2 Request (Simonds Road)

- F. RFP 2015-0448 Municipal Airport Engineering Services Agreement
- G. Resolution #2015-952 Surplus
- H. Pulled
- I. Pulled

All Voted Aye, Motion Passed Three to Zero

X. ITEMS FROM CONSENT AGENDA

C. Re-Bid 15-0480 Public Works Sign Shop

Mayor Burbridge questioned why adding 2 new shop buildings would benefit the Public Works Department when we currently have 2 shop buildings . Bill Watson mentioned that these would be to store signage and water distribution parts and supplies. He mentioned that this would benefit for the fact that they would all be in one location.

MOVED by Commissioner Locke, SECONDED by Commissioner McClure to TABLE the Award of ReBid #15-0480 Public Works Shop Buildings to EZ Shade in the amount of \$56,600 plus GRT and authorize the City Manager to execute the contract AMENDED MOTION by Commissioner Locke, SECONDED by Mayor Burbridge to add date to TABLE item to Commission Meeting on May, 12, 2015.

All voted Aye: Amended Motion Passed Three to Zero

D. Bid 15-0486 Simonds Road Reconstruction

Mayor Burbridge mentioned that per the staff summary we would be pulling funding from our road fund so she went on to question if they move forward with this item why there will be no further maintenance on roads this spring. Bill reported that the remaining funds in the road fund were going to be used to pave Church Ave. after they complete the sidewalks. Bil mentioned that he is trying to get funding from somewhere else to pave Church Ave. when the time comes. He mentioned that the additional monies will be used for the road reconstruction on Simonds road.

MOVED by Mayor Burbridge, SECONDED by Commissioner McClure to approve the award of Bid #15-0486 Simonds Road Reconstruction Project to Consolidated Constructors Inc. in the amount of \$376,189.60 plus GRT and authorize the City Manager to execute construction contract.

All Voted Aye: Motion Passed Three to Zero

H. Russell Planning & Engineering, Contract Amendment #3

Mayor Burbridge questioned change order #2. Bil Watson mentioned that this would be a deletion of portion of construction management services because he feels that this can be done in house by our Senior Engineer Technician.

MOVED by Mayor Burbridge, SECONDED by Commissioner McClure to Approve Russell Planning and Engineering Contract Amendment in the amount of \$40,497.32

All Voted Aye: Motion Passed Three to Zero

I. Hidden Valley Golf Course City Liquor License

Mayor Burbridge questioned if the City had to own the property where the license was going to be in place. Josh mentioned that as long as the property is leased or owned by the City then we can have the license at that facility.

MOVED by Commissioner McClure, SECONDED by Commissioner Locke to Approve the application for a government liquor license from the New Mexico Alcohol and Gaming Division for the City of Aztec Municipal Golf Course at Hidden Valley and to appoint Joshua W. Ray and Randy Hodge as resident agents for this license.

All Voted Aye; Motion Passed Three to Zero

XI. CITIZENS INPUT

None

XII. BUSINESS ITEMS

None

XIII. CITY MANAGER/COMMISSIONERS/ATTORNEY REPORTS

Josh commented that we are experiencing a challenge to bring on contractors for projects to the City. Josh mentioned that we are adamant against paying more than what we plan for and paying more for what we think is right. He mentioned that the challenges being are when do we post do we rebid when do we postpone a project again and how much work do you do during the preparation for the project until you get it to a bid. Josh stated that Bill Watson is working to get where we have all of this done before we post bids so that there is less possibility of having change orders. Josh mentioned that we are now bidding out engineering services then we bid out for construction management and for the actual construction stating that why do we do this when we have our own engineer and contractor that can do the work. Josh mentioned

that we have gone away from the standard of hiring a contract engineer and then allowing them to be the construction manager. Josh mentioned that he feels professionally that as Cities across the Country we are losing this battle that we are failing horrendously and that until we figure out how to change this market we are effectively wasting money. Josh stated that we are working on it and we will keep pushing.

Mayor Burbridge mentioned that she attended a meeting along with Commissioner Locke that Four Corners Economic Development put on with PNM about the concern on the upcoming PRC hearings for San Juan Generating Station mentioning that the PRC could make a decision to close the Generating Station completely. What that does for our region could be losing a tremendous amount of jobs not just with the station but with the mines. It could lose revenue for the College and San Juan County for tax base then we are looking at all service businesses and retail businesses and then what it does for utilities.

Commissioner Locke reported that there will be a hazardous waste disposal on Saturday, May 2nd at San Juan County. She attended the Earth Day celebration at the Aztec Ruins National Monument. She mentioned that Crash Music will have a event on Friday, May 1st.

Commissioner McClure reported on ECHO and that they have received applicants for home ownerships. She mentioned that she attended the Poetry Slam at the Library. She also mentioned that she went to the Methane presentation at the College. She also mentioned that she attended Coffee with the Chief.

XIV. DEPARTMENT REPORTS

XV. ADJOURNMENT

Moved by Mayor Burbridge, SECONDED by Commissioner Locke to adjourn the meeting at 7:30 pm.

Mayor, Sally Burbridge

ATTEST:

Karla Saylor, City Clerk

MINUTES PREPARED BY:

Karla Saylor, City Clerk

Staff Summary Report

MEETING DATE: May 12, 2015
AGENDA ITEM: IX. CONSENT AGENDA (B)
AGENDA TITLE: Travel Requests

ACTION REQUESTED BY: Commission
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 May 12, 2015

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

EMPLOYEE/PUBLIC OFFICIAL TRAVEL REQUESTS FOR COMMISSION APPROVAL
MEETING DATE: MAY 12, 2015

Dates of Travel	Department	Purpose of Travel/Location	Over-night	Out of State	Costs	Explanation of Cost	FY15 Budget Available
05/15-16/15	Commission	NMML Budget Committee Meeting Santa Fe, NM.	Yes	No	50.40	Meal & Gratuity Allowance *All expenditures paid by NMML	Yes

Staff Summary Report

MEETING DATE:	May 12, 2015
AGENDA ITEM:	IX. CONSENT AGENDA (C)
AGENDA TITLE:	<u>Re-BID 15-0418 AZTEC REMOTE SCADA PROJECT</u>
ACTION REQUESTED BY:	Finance Department, Public Works Department
ACTION REQUESTED:	APPROVAL
SUMMARY BY:	Kathy Lamb

PROJECT DESCRIPTION / FACTS

- The next phase of improvements for the Aztec Water system includes automation and reporting of pump stations, water tanks and water reservoirs. SCADA (Supervisory Control And Data Acquisition) will provide the ability to communicate the status of equipment to the water treatment plant allowing operators to monitor and control facilities remotely.
- The City retained the services of George Ivey, SCADA Consultant, to configure the radio network for the SCADA automation and the services CHC Engineers to develop the design-build bid document.
- A design-build project would include all labor and materials required to provide engineering, construction and other related services necessary to design and to construct a fully automated system and report the required data while being compliant with FCC regulations and applicable codes. Related services include demolition of unnecessary equipment, permitting, construction and commissioning of the project and programming each site to communicate within the operating parameters of system.
- This project was originally bid in August 2014. Bids received exceeded available budget and staff requested Commission reject the bid. This action occurred on August 25, 2014. Staff and CHC Engineers, LLC have reviewed the requirements in the original bid and revised specifications were developed. Revised scope excluded:
 - Fiber optics (will be completed by city for ditch and river pump)
 - All solar powered locations removed because of the very high expense for solar arrays, batteries, and associated equipment. Solar powered sites removed include:
 - Bladder Tank (solar operated rain pump to remove rainwater from top of tank)
 - Bladder Tank Booster Station
 - Upper East Tank
 - Upper East Tank Pump Station
 - Reservoir #1
 - Reservoir #2
 - Surveillance cameras removed because of the high cost of cameras and electrical construction components including trenching, wiring and conduits.

- Overall scope reduced by not requiring additional controls and reporting. This removed the need for new sensors in many cases. Additional controls and reporting are still needed, but can be added in future phases that can be site specific.

The reduced scope will provide the City with a technologically modern system that will interconnect with the existing SCADA system where possible while allowing phased upgrades in smaller increments as funding allows.

- Re-Bid identified a base bid for sites that were identified as critical to require SCADA improvements now and three locations as alternates.
- Reservoir #1 SCADA will be included with the reconstruction of the reservoir planned in FY17-18.

PROCUREMENT / PURCHASING

- ReBid 15-0418 was advertised on March 29, 2015, mandatory pre-bid meeting on April 13, 2015, and bids were opened on April 28, 2015. Two firms attended the mandatory pre-bid limiting bid acceptance to those firms. One contractor submitted a responsive bid on April 28, 2015.
- Bid was submitted by Pillar Innovations:
 - Base Bid (Airport Booster Pump Station, Airport Concrete Tank, Oliver Pump Station, City Hall, Lower East Tank, Lower East Pump Station, Res #3 Pump Station, Water Plant, Blanco Tank, and West Tank) \$212,725.00
 - Alternate #1: River Pump Station \$ 8,007.00
 - Alternate #2: Ditch Pump Station \$ 55,100.00
 - Alternate #3: Reservoir #3 \$ 21,500.00
- CHC Engineers, LLC has reviewed bid submittals and recommends award of the bid to Pillar Innovations LLC. Public Works Director/City Engineer also recommends award of the bid including all alternates.
- The bid documents identify the requirement of the sites identified in the base bid to be complete within 120 calendar days from the Notice to Proceed and Alternates 1, 2 and 3 to be complete within 165 calendar days from the Notice to Proceed.

FISCAL INPUT / FINANCE DEPARTMENT

- FY15 Adopted Budget, Joint Utility Fund, Water Treatment Plant, includes \$350,000 specific to the SCADA project. Total award including gross receipts tax: \$321,118.56

SUPPORT DOCUMENTS: ReBid 15-0418 Bid Tabulation
CHC Engineers LLC Recommendation

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve the award of Re-Bid 15-0418 to Pillar Innovations LLC in the amount of \$297,332 plus gross receipts tax and authorize City Manager to execute the construction agreement.



Bid Tabulation
Re-Bid 15-418
Aztec Remote SCADA Project
Opened April 28, 2015 2:30 PM

	Description	Unit	Design	Install	Total Bid
Base Bid	Airport Booster Pump Station, Airport Concrete Tank, Oliver Pump Station, City Hall, Lower East Tank, Lower East Pump Station, Res #3 Pump Station, Water Plant, Blanco Tank, and West Tank	LS	\$ 155,000.00	\$ 57,725.00	\$ 212,725.00
Alternate #1	River Pump Station	LS	\$ 6,677.00	\$ 1,330.00	\$ 8,007.00
Alternate #2	Ditch Pump Station	LS	\$ 17,800.00	\$ 37,300.00	\$ 55,100.00
Alternate #3	Reservoir #3	LS	\$ 11,200.00	\$ 10,300.00	\$ 21,500.00
			TOTAL BID:		\$ 297,332.00
			Total Bid Comparison Including 5% NM State Preference:		\$ -
			Total Bid Comparison Including 10% Resident Veteran Preference		\$ -



CHC Engineers, LLC

5/1/2015

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

RE: 2015-0418 Re-Bid Water System Remote SCADA Project - Review of Bid Documents

Dear Mr. Watson:

We have reviewed the bid from the April 28, 2015 Bid Opening for the above referenced project. One bid was received from Pillar Innovations, LLC.

We have reviewed the bidder and they are an active registered contractor with DWS and holds the proper New Mexico license(s) to perform the work for this project. Additionally, their Bid Bond was reviewed and found to be complete.

CHC Engineers, LLC recommends that City of Aztec award this project to Pillar Innovations, LLC for the Base Bid as well as Alternates #1, #2, and #3 for the total bid amount of \$297,332.00 plus NMGRT.

Sincerely,
CHC Engineers, LLC

A handwritten signature in blue ink that reads "R. Clayton Harrison".

R. Clayton Harrison, PE
President

Staff Summary Report

MEETING DATE:	May 12, 2015
AGENDA ITEM:	IX. CONSENT AGENDA (D)
AGENDA TITLE:	<u>ReBid 15-0481 Borrow Material</u>

ACTION REQUESTED BY:	Public Works, Finance
ACTION REQUESTED:	Award Bid
SUMMARY BY:	Kathy Lamb

PROJECT DESCRIPTION / FACTS

- In preparation for the Aztec Arterial, Phase 1B roadway construction, the City and Wilson & Company, consultants, determined it would be beneficial for the City to procure the fill dirt required for the project.
- The bid requires 63,000 cy of compacted fill material, a portion (20,000 cy compacted) must meet the required testing value (R=33) for use on the arterial project, be within one mile of the project and accessible to the road project contractor (East Aztec Arterial Phase 1B) from one year of the date of the award for the fill material. The material provider is responsible for any licenses, permits, clearances and fees for providing the material. The site(s) must have appropriate environmental and cultural reports. The road project contractor will be responsible for the transport and placement of the material on the road project.
- This project was previously bid resulting in all bids rejected due to determination that all were non-responsive (commission action was on March 30, 2015). Bid specifications were reviewed and revised prior to re-bidding and a mandatory pre-bid conference was scheduled to ensure clear communication between all parties.

PROCUREMENT / PURCHASING

- Invitation to Bid (ITB) was published on the city website and advertised in the Daily Times, Wednesday, April 8, 2015. The bid was publically opened on Tuesday, April 28, 2015. One addendum was issued after the pre-bid conference to address specific items discussed.
- Two bids were received
 - ✓ Bid from Ace Development is considered responsive
 - ✓ Bid from Four Corners Mechanical is considered Non-responsive for the following reasons:
 - ★ Map provided is not adequate to locate borrow site

- ★ Based on map provided, borrow material has not been stock-piled as discussed with both bidders in prebid meeting.
- The Ace Development site was evaluated for accessibility, material availability and suitability. Based on the assessment, the City Engineer has determined ACE Development will provide adequate accessibility for the Arterial contractor over the period of construction. Material is stock piled and available for the arterial contractor as soon as required and provider has ability to meet all compacted fill material requirements for the project. All material meets the R33 value which meets the specifications of the Arterial construction.
- Staff recommendation is to award the bid to ACE Development for all compacted fill material required on the Aztec Arterial Phase 1B project contingent on environmental and cultural clearances required for the borrow area because of the Federal funding used for the Arterial.

FISCAL INPUT / FINANCE DEPARTMENT

- Funding for the material will be purchased through the Municipal Road Fund with local funds. The material is not eligible for reimbursement under NMDOT/FHWA since the City procuring the material was not identified in the original scope of the project approved by NMDOT/FHWA.
- Estimated cost, with gross receipts tax, based on Wilson & Co quantity estimates: \$187,110. Payments will be processed monthly for material placed on the project as approved by Wilson & Co. (construction management team).

SUPPORT DOCUMENTS: Re-Bid 15-0481 Tabulation to be handed to commission before meeting

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve the Award of Re-Bid #15-0481 Borrow Material to ACE Development in the amount of \$2.75/cy plus gross receipts tax, Contingent on Environmental and Cultural Reports provided and accepted by the City.

Staff Summary

MEETING DATE:	May 12, 2015
AGENDA ITEM:	IX. CONSENT AGENDA (E)
AGENDA TITLE:	Visitor Center Document Destruction

ACTION REQUESTED BY:	Visitor Center
ACTION REQUESTED:	Approval
SUMMARY BY:	Wilann Thomas

PROJECT DESCRIPTION / FACTS

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

- Deposit – April
- Deposits 2014
- Parade Applications 2010
- Aztec Sparkles December 2014
- Misc Labels
- Aztec Through The Years (2) copies
- Business Cards
- Spa at Loretto Itinerary
- March deposits
- Performance Review (Taylor Hawke)
- Volunteer Application (Beverly Benford)
- Visitor Guest Sheets 2014
- Visitor Guest Log 2010
- Fiesta Days 2014 5 Min Survey
- VC 2015 5 Min Survey
- Alien Run 5 Min Survey
- Earth Day 2014 5 Min Survey
- VC 5 2014 Min Survey
- Deposits 2014
- Visitor Survey 2014
- Job Application Stephanie Huntington
- Deposits 2015
- Guest Book 2014
- Advertising
- 2011 Deposits
- 2013 Deposits
- 2014 Deposits
- Deposits April
- SPO's 53822-53824
- Deposits April
- Guest Book – VC Jan-April
- Staff Correspondence Chris Duthie
- Staff Correspondence Wilann Thomas
- Staff Correspondence Sandra Harber
- Geo Tourism
- Staff Correspondence Roshanna Moojen
- Proposal for City of Aztec Event Coordinator Professional April
- Guest Book

- Outlaw Days Binder
- Guest Book
- SPO'S 45751 Thru 45775
- 4/21 Deposit
- Guestbook April
- Deposits 2015 January -March
- SPO'S 48201 thru 48225
- SPO'S 48901-48925
- Deposits 3/16/2015 thru 3/26/2015

SUPPORT DOCUMENTS: None

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

Staff Summary Report

MEETING DATE:	May 12, 2015
AGENDA ITEM:	XII. LIQUOR LICENCE HEARING (A)
AGENDA TITLE:	ThanThip Thai Café-Waiver and New Restaurant Liquor License

ACTION REQUESTED BY:	Thipsuda Orbesen DBA Than Thip Thai Cafe
ACTION REQUESTED:	Approval of ThanThip Thai Café-New Restaurant Liquor License
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 a new restaurant liquor license for ThanThip Thai Cafe.
- ThanThip Thai Café is located at 104 S. Main St., Aztec, NM and is within 300 feet of the Aztec Methodist Church, therefore; ThanThip Thai Café is required to also request approval for a "Waiver".
- 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 April 15, 2015). The Public hearing notice was published in the Farmington Daily Times on April 26 and May 3, 2015)
- Previous restaurant owners at this location have held beer and wine licenses.

SUPPORT DOCUMENTS:	1) Letter from the State Office 2) State Liquor License Application 3) Copy of State Statute 60-6B4
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DEPARTMENT'S RECOMMENDED MOTION: Move to Approve the New Restaurant Liquor License for ThanThip Thai Café Located at 104 S. Main Avenue, Aztec, NM



New Mexico Regulation and Licensing Department
ALCOHOL AND GAMING DIVISION

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

April 10, 2015

Certified Mail No.: 7013 2250 0001 5426 6345

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

Re: Lic. No. /Appl. No.: Appl. No. 943432
Name of Applicant: Thipsuda Orbesen
Doing Business As: Thanthip Thai Cafe
Proposed Location: 104 S. Main Avenue
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 RESTAURANT LIQUOR LICENSE.

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

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

- 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 of 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,



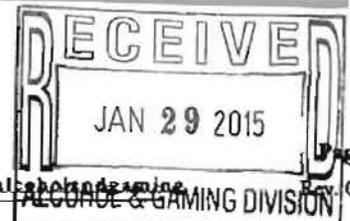
Brenda Mares
Hearing Officer
NM Regulation & Licensing Dept.
Alcohol & Gaming Division
Phone: 505-476-4548
Fax: 505-476-4595
Email: brenda.mares2@state.nm.us

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



1/29/15
Brenda Q



RESTAURANT LIQUOR LICENSE APPLICATION

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

AGD USE ONLY - APPLICATION # 943432 LOD _____

R# 1677086
PAID
\$200.00
1/29/15 C# 1180

Application is for: New License / Change of Stock among existing members only / Change of Officers (no ownership interest)

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

NAME OF APPLICANT (company or individual) Thipsuda Orbesen

ADDRESS (including city, state, zip) 29 Road 2290 Aztec Nm 87410

TELEPHONE NUMBER OWNER 505-215-2077 EMAIL Randyo@foursunsbuilders.com

D/B/A name to be used: Thanhip Thai Cafe Phone number for licensed premises: 505-334-1234

Physical location where license is to be used: 104 S. Main Ave Aztec, Nm 87410
(Include street number / highway number / state road, city and county, state, and zip code) 505-215-2077-cell

Mailing address: 104 S. main Aztec, Nm 87410

Are alcoholic beverages currently being dispensed at the proposed location? Yes _____ No X If yes, give license number and type _____

I, (print name) Thipsuda Orbesen, as (title) owner 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 Thipsuda Orbesen



OFFICIAL SEAL
Shanay Keels

NOTARY PUBLIC - STATE OF NEW MEXICO

Date 1-15-15

SUBSCRIBED AND SWORN TO before me this 15th day of January, 20 15 by Thipsuda Orbesen

Notary Public Shanay Keels My Commission Expires 02-13-2018

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

Check one: Approved _____ Disapproved _____ City/County Official _____

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) Chanya Mitchell / Ramsey Realty

B. Date and term of lease ~~7/2/15~~ - 11/1/2014 - 10/31/16

3. Premises location is zoned (example 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 500 ft. Name of church Artec united methodist Address/location of church corner of S. Church + Chaco St

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

Miles/feet 0.4 miles Name of school Artec High School Address/location of school 500 W. Chaco St

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

Miles 200 miles 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).

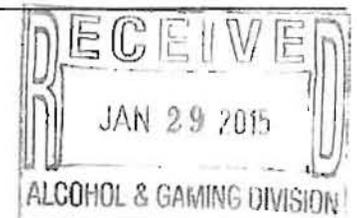
7. Attach, on a separate sheet, the detailed floor plan for each level (floor) where alcoholic beverages will be sold or consumed. Show exterior walls, doors, and interior walls. This will be the licensed premises. The floor plan should be no larger than 8 1/2 x 11 inches, and must include the total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

Return this form to the Alcohol and Gaming Division, PO Box 25101, Santa Fe, New Mexico 87505-5101.



Mayor
Sally Burbridge

Mayor Pro-Tem
Jim Crowley



Commissioners
Roberta S. Locke
Katee McClure
Sheri L Rogers

January 26, 2015

To Whom It Concern,

The ThanThip Thai Café restaurant located at 104 South Main Avenue, Aztec, New Mexico is located in a C-1 (Limited Retail and Neighborhood Commercial) district. This commercial district provides permits for restaurant and taverns for alcohol sales, the proposed business would be in conformance with the C-1 zoning district.

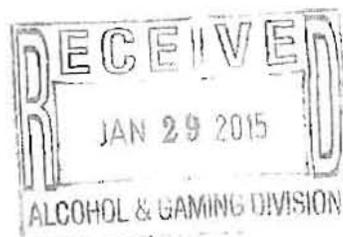
This district also allows for a mixed use neighborhood commercial district which contains the major bulk of the shopper's goods, specialty goods, and professional services needed to satisfy the day-to-day requirements of the City's population. The district should also encourage in-fill housing, institutional uses, public buildings, and spaces.

If you have further questions, please contact me at 505-334-7605.

Sincerely,

A handwritten signature in black ink, appearing to read "William Homka".

William Homka
Community Development Director



ALCOHOL & GAMING DIVISION
2550 CERRILLOS ROAD
SANTA FE, NEW MEXICO 87505
POSTING CERTIFICATE

DISPENSER (FULL SERVICE) RETAILER (PACKAGE ONLY)
 RESTAURANT (BEER/WINE ONLY) DISPENSER (ON PREMISE ONLY)
 CANOPY (DISPENSER-C) INTER-LOCAL DISPENSER
 OTHER: TRANSFER OF OWNERSHIP LOTTERY

LICENSE NUMBER /APPLICATION NUMBER: _____ APPL. NO. 943432

TRANSFER OF OWNERSHIP & LOCATION TRANSFER OF LOCATION ONLY
 TRANSFER OF OWNERSHIP ONLY NEW LICENSE

TRANSFERRED FROM: _____

CURRENT LOCATION: _____

TRANSFERRED TO:/APPLICANT: _____

PROPOSED LOCATION: 104 SOUTH MAIN AVENUE, AZTEC, NM

PROPOSED BUSINESS NAME THANTHIP THAI CAFE

I CERTIFY THAT I HAVE POSTED THE REQUIRED NOTICE OF LIQUOR LICENSE PURSUANT TO SECTION 60-6B-2, NMSA, AND FURTHER CERTIFY AS FOLLOWS:

1. LOCATION POSTED IS WITHIN CORPORATE LIMITS OF: Aztec ; NM
2. LOCATION POSTED IS IN UNINCORPORATED LIMITS OF: 0
3. DISTANCE FROM NEAREST CHURCH IS: 0.1 mile
NAME OF CHURCH IS: Aztec United Methodist Church
4. DISTANCE FROM NEAREST SCHOOL IS: 0.3 mile
NAME OF SCHOOL IS: Aztec High School
5. DISTANCE FROM NEAREST MILITARY INSTALLATION: 183 miles
NAME OF INSTALLATION IS: KIRTLAND AFB
6. IF RURAL, DISTANCE FROM NEAREST EXISTING LIQUOR LICENSE IS:
BY PASSABLE ROAD: _____ BY STRAIGHT AIRLINE: _____
7. NOTICE POSTED ON:
 BUILDING BILLBOARD
 BUILDING UNDER CONSTRUCTION
 BUILDING BEING REMODELED NO BUILDING

DATE POSTED: 02-18-2015

EXPIRATION DATE: 03-19-2015

Thipsuda oobesa
APPLICANT'S SIGNATURE
Thipsuda
PRINTED

[Signature]
S.I.D. SPECIAL AGENT SIGNATURE
Jesse Williamson
PRINTED

Staff Summary Report

MEETING DATE:	May 12, 2015
AGENDA ITEM:	XIV. Land Use Hearing (A)
AGENDA TITLE:	<u>2015-042 Conoco Phillips Capping Gas Well</u>
ACTION REQUESTED BY:	William M. Homka AICP, Community Development Director
ACTION REQUESTED:	Approve Oil & Gas Permit for Pubco Federal Gas Com 1N San Juan County, New Mexico
SUMMARY BY:	William M. Homka AICP

PROJECT DESCRIPTION / FACTS

Conoco Phillips Company applied for permission to cap an existing well known as Harvey #1. Burlington Resources Oil & Gas Company LP submitted a drawing that indicates the location of the wellhead drawn as of 3/31/2015. The type of work is cited as 'Plug and Reclaim Gas Well' and the proposed dates of work is between May 26-29, 2015.

The general location of the well is south of W. Chaco Street, east of the Hi Country Chevrolet and east of the Animas River. It is about equidistant from the car dealer, river and the A&W Restaurant site. The existing pad area is 1.5 acres in size. Attachments to this report indicate the location and surrounding properties. The official latitude and longitude of the well location is:

LAT: 36^o 49' 26" N
LON: 108^o 00' 07"
SEC: 09 T030N R011W
DEPTH: 7,590'

Chapter 15 sets forth the City of Aztec's Gas and Oil Standards. The following requirement is the reason this case is brought before the commission:

Sec. 15-43. Use of Abandoned Well. All abandoned wells which shall not be used and equipped for disposal purposes or general purpose water well, shall be plugged and abandoned in accordance with applicable rules of state or federal agencies having jurisdiction thereof. The entire area of the well location shall be reclaimed to its original state or as close to its original state prior to the installation of the well. Any abandoned well scheduled to be re-used will be subject to the same process and regulations as new oil and gas facilities or wells.

The application conforms to the city's submittal requirements. It includes a detailed site map, weed/vegetation plan; visual mitigation plan; wildlife mitigation plan; noise mitigation plan; dust/access mitigation plan/ certificate of insurance, copy of original lease, surface damage/ROW agreement, and the APD Sundry Notice. The application was submitted by Ms Kerry Hutchins, agent for Conoco Philips. Ms. Hutchins appeared before the commission in December, 2014 to answer questions about a new well being constructed within Aztec's three mile jurisdictional review. She plans to attend this public meeting as well.

Upon review of all of the aforementioned submittal documents there does not appear to be any reason to deny this request. The site will be returned to its original state except for a well marker/cap. The cap serves as a permanent marker to enumerate and locate the well, and is an industry wide requirement. There will be new seedlings planted that will match the surrounding vegetation. No threat(s) were identified or can be seen to affect any existing or threatened wildlife in this project.

After a review of all the proposed studies, tables, images and maps, it appears there are no negative impacts resulting from capping the well, Harvey 1, a well generally situated in land between W. Chaco Street, the Hi Country Chevrolet Auto Dealer, and the Animas River. Therefore staff recommends the commission approve this application.

Only general location maps and the original application are attached to this report. The full application with all of the studies and required documents can be viewed in the application file by request.

SUPPORT DOCUMENTS: Application
 Project Location Map
 400' Radius Map

DEPARTMENT'S RECOMMENDED MOTION: Move to approve **2015-042 Conoco Phillips Capping Gas Well** because materials submitted by the applicant validate there will be No Negative Impact to the Environment.



**CITY OF AZTEC
OIL & GAS APPLICATION**

**(APPLICATIONS ARE VALID FOR 90 DAYS FROM DATE OF SUBMISSION)
NEW WELL SITES AND MAJOR MAINTENANCE WORK REQUIRE COMMISSION
APPROVAL; APPLICATIONS FOR SUCH APPROVAL MUST BE SUBMITTED A
MINIMUM OF 21 DAYS BEFORE THE SCHEDULED COMMISSION MEETING.**

APPLICANT CONTACT INFORMATION	
Name of Operator:	ConocoPhillips Company
Address:	3401 East 30th Street
Contact Name:	Keri Hutchins, PTRRC Agent
Phone:	(505) 321-2434
Email:	Keri.Hatley@conocophillips.com
Name of Off-set Lease/Owner(s):	
WELL INFORMATION	
Name:	Harvey 1
API #:	3004509669
Type of Lease:	Fee
Lease Number:	Old and Bold, LLC
Depth:	7590
Formation:	Aztec Pictured Cliffs
Location:	NWSW Sec. 9, T30N, R11W, N.M.P.M.
Type of Work:	Plug and Reclaim Gas Well
Contractor:	A+ Drilling
Proposed Work Dates:	May 26-29, 2015
WELL SITE INFORMATION	
Address: 1718' FSL, 923' FWL	
Tax ID:	Parcel Size (acres):
Zone District:	Current Use: Grazing
Flood Plain:	<input type="checkbox"/> YES <input type="checkbox"/> NO SFHA Zone:
Well Pad Area (sqft):	Existing Pad Area: 1.50 acres
	New Pad/ Expansion: n/a
	Total Pad Area: 1.50 acres
Setbacks:	Building: None
	Arroyo: None
PERMIT FEES ARE DUE AT TIME OF APPLICATION; additional fees may be assessed at time of permit approval.	

THIS IS AN APPLICATION
AN OFFICIAL LAND USE PERMIT WILL BE ISSUED BY THE CITY OF AZTEC ONCE THIS APPLICATION IS REVIEWED AND APPROVED

CITY OF AZTEC USE ONLY

PERMIT FEES

Admin. Fee	\$ 10
Permit Fee	\$ 500
Electric Fees	\$
GRAND TOTAL	\$ 510

THE FOLLOWING ITEMS MUST BE COMPLETED BY APPLICANT ONCE LAND USE PERMIT IS ISSUED

Arrange City Utility Inspections/Connections	_____
County Building Permit	_____
One Call (811)	_____
Install Address Numbers	_____

CITY COMMENTS

Meets SB:	
Meets Height:	
Zone Compliance:	
Visual/Weed Mit.:	
Noise Mit.:	
Fencing:	
Dust/Access Mit.:	
Wetlands:	
EPA CGP:	
NM OCD:	
USACE:	

*SCHEDULED FOR COMMISSION
MAY 12, 2015*

RECEIVED
APR 16 2015
CITY OF AZTEC
COMMUNITY DEVELOPMENT

Permit #:

Date Started:

Date Finalized:

COA#:

WELL SITE INFORMATION, Cont.

Compressors:		No.	Horse Power	Gas/ Electric
	Existing:	none		
	New:	none		
	Total:	none		

Features	Existing	New	Removed
Meter House:			X
Separators:			X
Valves:			X
Evaporative Tanks:			X
Production Tanks:			X
Reserve Pits:			X
Pump Jacks:			
Sound Enclosures:			

ATTACHED DOCUMENTATION (AS REQUIRED)
Consult the Community Development Dept. for Guidance

DOCUMENTATION ITEMS	YES	NO	N/A
Owner Verification			X
Detailed Site Map	X		
Weed/Vegetation Plan	X		
Electrical Load Calculation			X
Visual Mitigation Plan	X		
Wildlife Mitigation Plan	X		
Noise Mitigation Plan	X		
Dust/Access Mitigation Plan	X		
Certificate of Insurance	X		
Copy of Original Lease	X		
Surface Damage/ROW Agreement	X		
APD Sundry Notice	X		
C-144			X
Elevation Certificate			X
Land Use Hearing Application (Variance, etc.)			X
Business License Application			X

CITY STAFF APPROVAL

Community Development	_____
Electric Dept.	_____
Utility Office	_____
Public Works Dept.	_____
Floodplain Management	_____
Storm Water Mgmt.	_____
Parks and Recreation	_____
Addressing	_____
Police Dept.	_____
Fire Dept.	_____
City Commission	_____

APPLICANT SIGNATURE

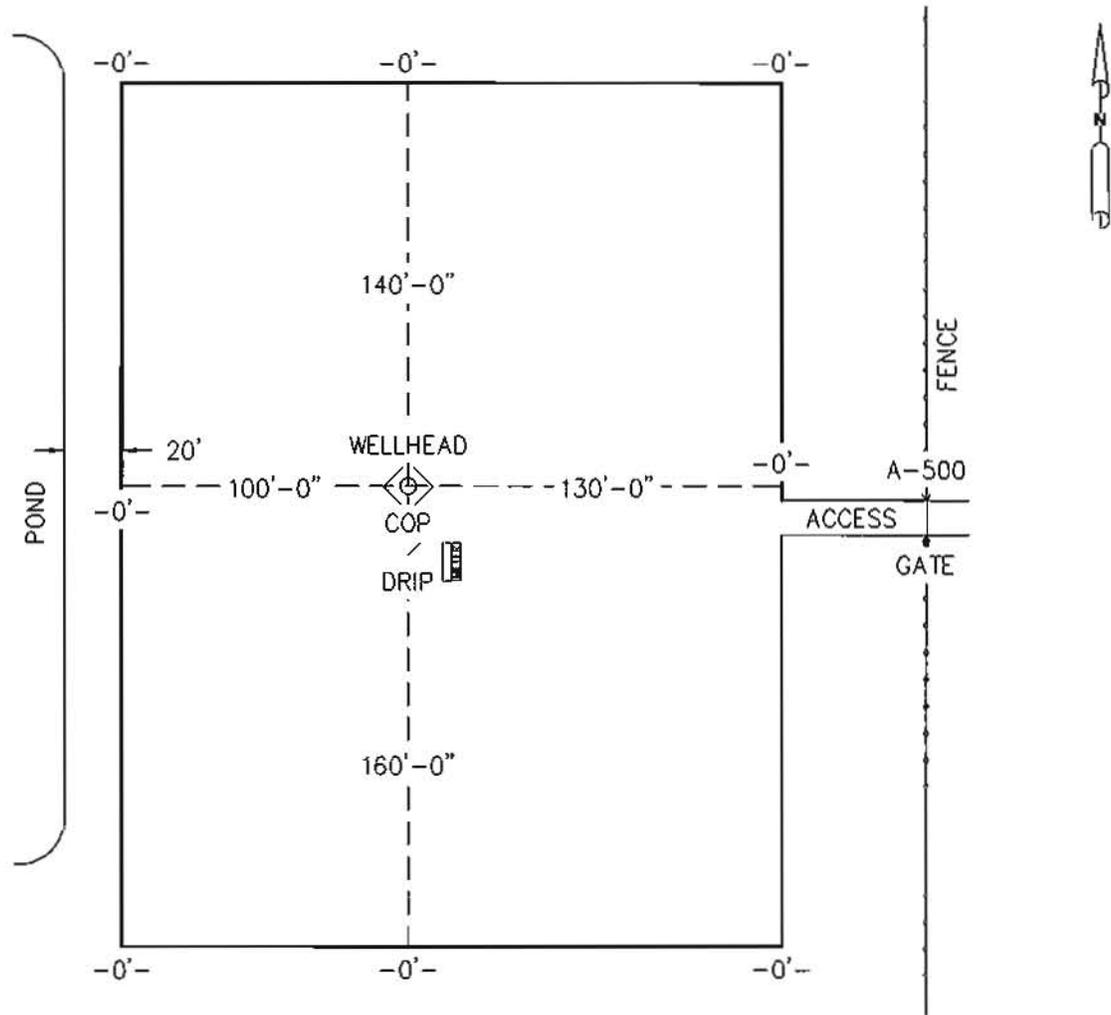
I, Keri Hutchins
 representing ConocoPhillips Company
 hereby certify that I have read this application and hereby dispose and state under penalty of perjury that all statements, proposals, sketches, and/or plans submitted with this application are true and correct and that I shall adhere to the Municipal Regulations of the City of Aztec.
 Signature: 
 Date: 04/15/2015

BURLINGTON RESOURCES OIL & GAS COMPANY LP

HARVEY #1

U-L-SECTION 9, T-30-N, R-11-W, NMPM, SAN JUAN COUNTY, NM

LAT. - 36.823900 / LONG. - 108.001300



(TOPOGRAPHY - FLAT) SOIL - CLAY - LOAM SEED MIX; ANTELOPE BITTERBRUSH, INDIAN RICE GRASS, BLUE GRAMA, WESTERN WHEAT GRASS, BOTTLE BRUSH SQUIRREL TAIL, SMALL BURNETT, LEWIS FLAX.

LANDOWNER; LOAD LARGE BOULDERS ALONG ACCESS, STACK NEAR WATER WELL WEST OF LOCATION (DO NOT RIP SOIL) DISC/SEED. DISPOSE OF TWO PILES OF SLASH. LEAVE ACCESS IN PLACE FOR LANDOWNER.

NOTES:

FINAL RECLAMATION

BURLINGTON™ RESOURCES

DRAWN BY:
T. M. YOUNG

DATE DRAWN:
03/31/2015

SCALE:
NONE

DRAWING NO.

SHEET:
1 of 1

REV:
0

REV. DATE:

HARVEY #1_FINAL RECLAMATION_3/24/2015 10:50:41 AM_becpmty

