



City of Las Vegas

1700 N. Grand Avenue | Las Vegas, NM 87701 | T 505.454.1401 | lasvegasnm.gov

Madam Mayor Tonita Gurulé-Girón

**CITY OF LAS VEGAS
REGULAR CITY COUNCIL AGENDA
April 17, 2019–Wednesday– 6:00 p.m.
City Council Chambers
1700 N. Grand Avenue**

(The City Council shall act as the Housing Authority Board of Commissioners on any matters on the Agenda concerning the Housing Department.)

- I. **CALL TO ORDER**
- II. **ROLL CALL**
- III. **PLEDGE OF ALLEGIANCE**
- IV. **MOMENT OF SILENCE**
- V. **APPROVAL OF AGENDA**
- VI. **APPROVAL OF MINUTES (March 20, 2019)**
- VII. **MAYOR'S APPOINTMENTS/REPORTS**
- VIII. **MAYOR'S RECOGNITIONS/PROCLAMATIONS**
- IX. **PUBLIC INPUT**
(not to exceed 3 minutes per person and persons must sign up at least fifteen (15) minutes prior to meeting)
- X. **PRESENTATIONS (Not to exceed 10 minutes per person)**
- XI. **CITY MANAGER'S REPORT**
- XII. **FINANCE REPORT**
- XIII. **CONSENT AGENDA**
(Items may be moved to New Business at the request of any Councilor with approval of the Governing Body)
 1. Approval of Resolution 19-18

Tana Vega, Interim Finance Director The City of Las Vegas is requesting increases/decreases to the FY2019 Budgeted revenues and expenditures for the Senior Citizens Center.

XIV. BUSINESS ITEMS

1. Approval/Disapproval to award RFP #2019-6 to D.A.G. Enterprises for gasoline fleet repair services for the City of Las Vegas Police Department.

David T. Bibb III, Chief of Police RFP #2019-6 to provide gasoline fleet repair services for the City of Las Vegas Police Department. One Offerer submitted a proposal, which was D.A.G. Enterprises o Las Vegas New Mexico. The Offerer met all requirements. This request is to award RFP #2019-6 to D.A.G. Enterprises.

2. Conduct a Public Hearing and Approval/Disapproval to adopt Ordinance #19-02, amendment to the Official Zoning Map for rezone of a property located at 2513 Hot Springs Blvd., Las Vegas, New Mexico.

Maria Perea, Planning and Zoning Coordinator The City of Las Vegas, the owner of Lot 4, 5, 6, 7 & 8, Block 2, Miguel Romero Y Baca Addition and known as 2513 Hot Springs Blvd., Las Vegas, New Mexico appeared before the Las Vegas Planning & Zoning Commission on March 25, 2019. The City of Las Vegas is requesting that said property be rezoned from the present R-2 (Multi-Family Residential Zone) to a C-1 (Neighborhood Commercial Zone) with the intention of accommodating a Farmer's Market in the parking lot of above property for the Old Town residents.

3. Conduct a Public Hearing and Approval/Disapproval to adopt Ordinance #19-03, amendment to the Official Zoning Map for a 21.277 acre +/- parcel located north of Ridge Runner Road between 7th Street and 8th Street, Las Vegas, New Mexico.

Maria Perea, Planning and Zoning Coordinator Community 1st Bank- Las Vegas, the owner of a 21.277 acre +/- parcel located north of Ridge Runner Road between 7th Street and 8th Street, Las Vegas, New Mexico, is requesting that the property be rezoned from the present R-1 (Single Family Residential Zone) / R-R (Restricted Residential Zone) to a C-3 (General Commercial Zone) with the intention of selling the property for commercial development.

XV. COUNCILORS' REPORTS

XVI. EXECUTIVE SESSION

THE COUNCIL MAY CONVENE INTO EXECUTIVE SESSION IF SUBJECT MATTER OF ISSUES ARE EXEMPT FROM THE OPEN MEETINGS REQUIREMENT UNDER § (H) OF THE OPEN MEETINGS ACT.

- A. Personnel matters, as permitted by Section 10-15-1 (H) (2) of the New Mexico Open Meetings Act, NMSA 1978.**
- B. Matters subject to the attorney client privilege pertaining to threatened or pending litigation in which the City of Las Vegas is or may become a participant, as permitted by Section 10-15-1 (H) (7) of the New Mexico Open Meetings Act, NMSA 1978.**
- C. Matters pertaining to the discussion of the sale and acquisition of real property, as permitted by Section 10-15-1 (H) (8) of the Open Meetings Act, NMSA 1978.**

XVII. ADJOURN

ATTENTION PERSONS WITH DISABILITES: The meeting room and facilities are 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 prior to the meeting so that arrangements may be made.

ATTENTION PERSONS ATTENDING COUNCIL MEETING: By entering the City Chambers, you consent to photography, audio recording, video recording and its/their use for inclusion on the City of Las Vegas Web-site, and to be televised on Comcast.

NOTE: A final agenda will be posted 72 hours prior to the meeting. Copies of the Agenda may be obtained from City Hall, Office of the City Clerk, 1700 N. Grand Avenue, Las Vegas, NM 87701

MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL REGULAR MEETING HELD ON WEDNESDAY, MARCH 20, 2019 AT 6:00 P.M. IN THE CITY COUNCIL CHAMBERS

MAYOR: Tonita Gurulé-Girón

COUNCILORS: Vincent Howell
David G. Romero
Barbara A. Casey
David A. Ulibarri, Jr.

ALSO PRESENT: Ann Marie Gallegos, Interim City Manager
Danielle Sena, Recorder
Esther Garduno Montoya, City Attorney
Monica Vigil, Sergeant at Arms

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Councilor Ulibarri, Jr. asked for a moment of silence to remember and pray for the residents that may have experienced damage to their homes at the time of the bad weather and was glad that no one was injured.

APPROVAL OF AGENDA

Councilor Casey made a motion to approve the agenda as is. Councilor Howell and Councilor Ulibarri, Jr. seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	David A. Ulibarri, Jr.	Yes
Barbara A. Casey	Yes	Vincent Howell	Yes

Recorder Danielle Sena re-read the motion and advised that the motion carried.

APPROVAL OF MINUTES

Councilor Casey made a motion to approve the minutes for February 13th, February 19th and February 20, 2019, with very minor changes. Councilor Ulibarri, Jr. seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	David A. Ulibarri, Jr.	Yes
David G. Romero	Yes	Barbara A. Casey	Yes

Recorder Danielle Sena re-read the motion and advised that the motion carried.

MAYOR’S APPOINTMENTS/REPORTS

Mayor Gurulé-Girón stated there were no appointments/reports at this time.

MAYOR’S RECOGNITIONS/PROCLAMATIONS

Mayor Gurulé-Girón presented Certificates of Recognition for the NMAA State Wrestling Championship for the LV Robertson Cardinals as follows:

- | | |
|--|--|
| Kaleb Medina-1st Place, 8th Grade (106 wt. div.) | Mackenzie Ebell-4th Place, 11th Grade (182 wt. div.) |
| Adrian Rivera-4th Place, 8th Grade (152 wt. div.) | Estevan Marquez-3rd Place, 11th Grade (195 wt. div.) |
| Andres Grano-2nd Place, 10th Grade (138 wt. div.) | Justin Salazar-4th Place, 12th Grade (126 wt. div.) |
| Michael Yara-3rd Place, 11th Grade (113 wt. div.) | Javier Mares-2nd Place, 12th Grade (220 wt. div.) |
| Andrew Trujillo-1st Place, 11th Grade (132 wt. div.) | Michael Garcia-4th Place, 12th Grade (285 wt. div.) |

NMAA State Wrestling Championship for West Las Vegas Dons were as follows:

- | | |
|---|---|
| Jarred Baca-3rd Place, 9th Grade (106 wt. div.) | Eric Duran-2nd Place, 11th Grade (195 wt. div.) |
| Tristan Martinez-2nd Place, 9th Grade (113 wt. div.) | Miguel Martinez-State Qualifier,11th Grade (120 wt.div) |
| Damian Gutierrez-3rd Place, 10th Grade (126 wt. div.) | Javier Cordova-State Qualifier, 11th Grade (160 wt. div.) |
| Jonathan Chavez-3rd Place, 10th Grade (132 wt. div.) | Austin Abeyta-1st Place,12th Grade (170 wt. div.) |
| Emilio Lopez-3rd Place, 10th Grade (152 wt. div.) | Nathaeen Urioste-2nd Place, 12th Grade (285 wt. div.) |

Mayor Gurulé-Girón thanked all the parents and coaches for their part in helping the athletes from both schools and commended the students for a job well done.

PUBLIC INPUT

Marshall Poole gave a detailed monthly report for February 2019 regarding the Animal Welfare Coalition.

Mayor and Council commended Mr. Poole for a job well done at the AWC.

Clara Lucero reminded everyone of the upcoming Community Round Up event that would take place at Highlands University and wanted to encourage Council members to speak more with their community members of their wards to familiarize themselves with their needs.

Lalo Sanchez spoke on several ongoing issues he was experiencing regarding the Utilities Department pertaining to billing, unprofessional customer service and meter reading issues. He demanded that his electronic meter be replaced with the previous standard meter due to, what he believed were errors in meter reading and being accused of having water leaks. Mr. Sanchez stated he would keep returning to the Governing Body until these issues would be resolved and would hold the City of Las Vegas responsible if his health would worsen due to the stress regarding these issues.

PRESENTATIONS

Lieutenant Monica Vigil presented Certificates of Appreciation for Four (4) Police Personnel for their outstanding service and unselfish devotion to the Las Vegas Police Department and the community which included: Police Officers, Elias Rael and David Lautalo, Administrative Assistant Raelene Lopez and Dispatcher Brandon Graston.

Mayor Gurulé-Girón commended all those mentioned for their service to the department and the community and thanked their families as well.

CITY MANAGER'S REPORT

Interim City Manager Gallegos advised several department status reports would be presented by Interim Directors/Managers.

Recreation Manager Sonia Gomez gave a detailed report regarding the Recreation Department roof repair project (2017 hail damage). She advised that it would consist of two phases reporting that Phase 1 would begin April 4, 2019 and hopefully begin Phase 2 in May 2019. She thanked everyone who would be helping with accommodations while construction would take place.

Brief discussion took place regarding the completion date of the project and addressing Recreation Center staff issues.

Senior Center Manager Wanda Salazar gave a detailed report regarding the Senior Center ICIP plan requests that she would be submitting to the NCNMEDD Non-Metro Area Agency on Aging for review which consisted of the following requests:

- 1. Purchase of three (3) new vehicles-San Miguel Senior Center**
- 2. Purchase Kitchen Equipment-San Miguel Senior Center**
- 3. Las Vegas Senior Center- 1. South Parking Lot-Level 2.HVAC System 3.Kitchen Plumbing/ Electrical needs**
- 4. HVAC Unit Upgrade-Pecos Senior Center**

Ms. Salazar advised that NCNMEDD received requests from all senior centers and was hopeful they would be selected for submission to next year's Legislative Session.

Councilor Casey asked if the \$43,000.00 already received from Legislative Capital Outlay would be used for the South parking lot.

Ms. Salazar advised that the \$43,000.00 funding was solely for the North parking lot.

Utilities Director Maria Gilvarry reported that after the State Engineer's inspection, Bradner Dam had completed its substantial completion and explained they would now implement the State Engineer's 180 Day Fill Plan. She advised it would require to leave the reservoir full for 180 days before using and would require inspection by dedicated specific employees for 7 days a week, 6 hours per day for 180 days straight. Ms. Gilvarry advised that she was currently working on the positions for the Fill Plan, they were excited about moving to the next phase and advised regarding change orders, they stayed at a 3%.

Utilities Director Gilvarry reported that the Cabin Site Tank was also complete and online, regarding filling, they were at 4 million gallons in the 5 million gallon tank. She advised that the Cabin Site Tank had also passed its substantial completion, that final inspection would take place when it was 100% full and added that the tank was being used by the community.

Ms. Gilvarry reported that they received notice from Zia Natural Gas Co. on March 1, 2019, informing the City of Las Vegas that the PRC approved their request for a gas rate change, that would be passed on to the customer and would be implemented on April 1, 2019. She advised it would be roughly a \$0.40 increase, overall considering it over the next year, it would still be less than last year's rates.

Mayor Gurulé-Girón asked for the status on the Utility Rate study.

Ms. Gilvarry advised that staff had been providing all documentation requested by the engineering firm, they currently were scheduling meetings with division managers to obtain first hand information and would be held on April 2nd. She stated that she would be meeting with all managers that would be impacted by the rate study, with the Finance Director as well and that the rate study was moving according to schedule.

Councilor Romero asked Ms. Gilvarry to explain her comment regarding the rate price was increasing although overall the cost was going to be lower.

Ms. Gilvarry explained that she was comparing it to the large decrease between 2017 and 2018 and that in 2018 the average homeowner was paying about \$46.00 per month with the decrease last October which would affect FY2019 and added that the price went down from \$45.99 to \$41.75. She stated that with this increase, it would go up although would not be higher than it was in 2018.

Councilor Howell asked for an explanation of the process of filling Bradner Dam.

Ms. Gilvarry advised that they would likely take water from the river, if there was plenty of water, working closely with the Water Master and added that it would cost more to pump uphill from Storrie Lake although they would, if needed. She added that they would not be impacting any of the acequias due to being in the agricultural season. Ms. Gilvarry informed that it would be filled in stages and certain levels, they would provide the state engineers with regular reports to determine any seepage and once filled, they would let sit for another 180 days. She informed that Bradner Dam held a little less than 300 acre feet.

Councilor Howell asked Ms. Gilvarry for her projection regarding the start on Peterson Dam.

Ms. Gilvarry advised she had requested from the engineer, a Task Order with the costs and the schedule, hoping to bring to Council within the next two months for approval to move forward. She added that it would be in next year's budget for Phase I and that due to the cost, they were looking at a 3-4 year phase for planning and design, barring any funding received. Ms. Gilvarry stated they wanted to make sure they would have a quality plan before taking it to the Legislature for funding for construction.

Councilor Ulibarri, Jr. thanked Ms. Gilvarry, was happy about the filling of the reservoir and was anxious to see it when it was completely filled.

Ms. Gilvarry advised that she was working with Interim City Manager Gallegos regarding the dedication for Bradner Dam.

Brief discussion took place regarding the training for the employees inspecting Bradner Dam and the process of the inspection.

Interim City Manager Gallegos advised she had Code Enforcement information that she would provide to the Governing Body and continued her report with several department updates which included:

- Las Vegas Day-February 28, 2019
- Summer Youth Program
- NM Game & Fish-Youth ATV Safety Trainings
- Safety Training
- Severe Weather-(CLV,NMDOT, SM County & PNM)
- Recreation Ctr.-Youth Program
- 2018 Audit
- P.D.-Replaced 2 Investigator Units
- NM Hall of Fame-Film Industry
- 4th of July Fiestas-July 4-7, 2019
- Rough Rider Motorcycle Rally (end of July)
- Little League Opening Days: La Plaza 4-13-19
- East Las Vegas 4-6-19
- Museum-Easter Egg Hunt 4-13-19 @ Lincoln Park
- CDBG App.-Hot Springs Blvd. Project (deadline June 20th)

Councilor Casey asked how the \$70,000.00 received from the Legislative Capital Outlay for Little League would be used.

Interim City Manager Gallegos advised that the \$70,000.00 for parks was not submitted by the City of Las Vegas although was currently in the process of tracking down who submitted it in order to find out more information as to what parks it applied to and would provide the information to Council.

Councilor Casey asked questions regarding what would be covered under the CDBG Grant for Hot Springs Boulevard and stated that she thought it was submitted last year.

Interim City Manager Gallegos informed that the CDBG Grant would cover water and gas lines to be installed and would not allow paving, curb and gutter without the completion of the Utilities. She stated that the grant request was submitted last year although the Asset Management Plan and the Comprehensive Master Plan were not complete and the application was set aside. Interim City Manager Gallegos advised that they were working on the Asset Management Plan for Council to review.

Councilor Casey had a concern on the issue of the City possibly not owning Hot Springs Boulevard and also asked the status of the Comprehensive Master Plan and if the application regarding the loan from New Mexico Finance Authority had been submitted first by the City of Las Vegas.

Interim City Manager Gallegos explained that regarding the Hot Springs Boulevard property, they could not locate the ownership documents therefore would contract a surveyor to survey the area to determine ownership and do the necessary paperwork.

Interim City Manager Gallegos advised that the application was submitted first and were just waiting to hear from NMFA and DFA in order to move forward with the Comprehensive Master Plan and complete by June 20, 2019.

Councilor Romero asked if there was enough time to complete due to surveys and public input that needed to be conducted and asked how many residents that area would serve and understood that was a part of one of the surveys conducted.

Interim City Manager Gallegos advised that they completed surveys last year and would be allowed to use them this year and two public meetings had been held last year although would have one more this year. She added that other information needed, would be gathered in order to submit. Regarding the survey with Hot Springs residents, she informed that it was included in the survey and that Stantec and City personnel went house to house and spoke with residents.

Brief discussion took place on the funding for the Hot Springs Blvd. project.

Councilor Howell stated that he had concerns regarding the lights being out throughout the community during the recent storm and asked if there was a plan to address the issue. He stated that he felt the City of Las Vegas was being treated as a third world country due to the fact that at the time of outages, we need to wait up to 5 hours and recommended that PNM leadership meet with the Governing Body to address these issues.

Interim City Manager Gallegos advised that she would get a hold of a PNM contact and set up an invitation.

FINANCE REPORT

Interim Finance Director Tana Vega presented the Finance Report for the month ending February 28, 2019 (67% of Year Lapsed), reporting the General Fund revenues at 69%, (\$7,908,724) and expenditures at 55%, (\$7,219,037). She advised that Enterprise Funds revenue came in at 66% (\$10,977,614) and expenditures were at 58% (\$9,919,432). Ms. Vega reported the Recreation Center revenues at 57% (\$392,382) and expenditures at 50% (\$370,405).

Councilor Romero asked, regarding some of the recent re-assignments in departments that had occurred with salary increases, that included the library not having a position, how would that affect the budget?

Interim City Manager Gallegos advised that there was a position at the Library that was being filled.

Interim Finance Director Vega stated that it did not affect the budget due to it already being budgeted although not filled.

Councilor Romero advised that in his opinion with the increase of some positions, it affected the smaller budgets.

Ms. Vega advised that within the General fund, all departments had their separate budgets however in the General fund, budgets can be moved between departments as needed which normally happened at the end of the year when working on budget adjustments to ensure that no budget line item was over expended which was allowed within the same fund as needed.

Lengthy discussion took place regarding filling City personnel positions, possible minimum wage increase and 2020 Budget preparation.

BUSINESS ITEMS

1. Approval/Disapproval of Resolution 19-13.

Interim Finance Director Tana Vega advised that the City of Las Vegas was requesting acceptance of the FY2018 Audit Report per Section 2.2.2.10M (4) NMAC of the Audit Rule.

Axiom CPA, CITP, CFE, CISA, Partner, Jaime Rumbaoa gave a detailed presentation of the FY2018 Audit Report. He advised that the FY 2018 Audit was already a public record, as it was posted on the City's website and stated that Axiom had rendered a clean opinion.

Questions were addressed and lengthy discussion took place regarding the PERA & Retiree Health contributions (Liability), Audit Findings (physical inventory, credit cards & procurement), Special & HUD Audits, Conflict of Interest; Entrance/Exit Interviews.

Councilor Howell thanked Interim Finance Director Vega and her staff for all their hard work on the budget.

Ms. Vega thanked Mayor and Council, Interim City Manager, Finance staff and all of the City departments for all the support, hard work and contribution in the achievement that this audit report reflected, they faced many hurdles this past year and pulled together as a team and accomplished something that seemed impossible.

Mr. Rumbaoa congratulated everyone involved on completing this achievement of having a clean audit.

Councilor Ulibarri, Jr. thanked Ms. Vega and staff for their hard work regarding the FY 2018 Audit.

Councilor Romero stated that entities that had zero findings were very, very rare and commended staff and this was a positive thing and advised that the negative part of that, was going to be very hard to beat next year. He stated that some

people see findings and extra audits as negative although felt that they help with keeping staff on their toes and added everyone made mistakes although there would be extra pressure with zero findings, he thanked everyone for their hard work.

Mr. Rumbaoa stated that last year they had performed 35 audits and on 3 of the 35 had zero findings and it was very unusual causing to set a higher standard although the main goal was if you had findings, was to address them. He advised Councilor Romero that as part of the contractual agreement, they did give guidance.

Mayor Gurulé-Girón stated that she did not always agree with the Council and stated "I must say that some special audits are negative and unprofessional and are misused for target purposes, and that's unacceptable at any level in any municipality." She thanked and commended staff for their incredible work on the modified audit which was the highest standard of audits and was very proud of the dedication and determination they put into it.

Councilor Casey made a motion to approve Resolution 19-13 FY2018 Audit Report per Section 2.2.2.10M(4) NMAC of the Audit Rule. Councilor Ulibarri, Jr. seconded the motion.

Resolution 19-13 was presented as follows:

**ACCEPTANCE AND APPROVAL OF THE FY2018 AUDIT
RESOLUTION 19-13**

WHEREAS, the City of Las Vegas is required by statute to contract with an independent auditor to perform the required annual audit or agreed upon procedures for Fiscal Year 2018; and,

WHEREAS, the City of Las Vegas Governing Body has directed the accomplishment of the audit for FY2018 be completed; and,

WHEREAS, this audit has been completed and presented to the City of Las Vegas Governing Body per the February 23, 2019 Letter from the State Auditor authorizing release of the FY2018 audit;

WHEREAS, NMAC 2.2.2.10 (M) (4) provides in pertinent part that "Once the audit report is officially released to the agency by the state auditor (by a release letter) and the required waiting period of five calendar days has passed, unless waived by the agency in

writing, the audit report shall be presented by the IPA, to a quorum of the governing authority of the agency at a meeting held in accordance with the Open Meetings Act, if applicable,"; and,

NOW THEREFORE, BE IT RESOLVED, that the City of Las Vegas Governing Body does hereby accept and approve the completed audit report and findings as indicated within this document;

ACCEPTED AND APPROVED the 20th day of March 2019 in regular session by the City of Las Vegas Governing Body, at Las Vegas, San Miguel County, New Mexico.

Tonita Gurule-Giron, Mayor

David Ulibarri, Councilor

Vince Howell, Councilor

Barbara Perea-Casey, Councilor

David G. Romero, Councilor

ATTEST BY:

Casandra Fresquez, City Clerk

Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	David A. Ulibarri, Jr.	Yes
David G. Romero	Yes	Barbara A. Casey	Yes

Recorder Danielle Sena re-read the motion and advised that the motion carried.

2. Approval/Disapproval to apply for funding through the Department of Public Safety to reestablish the Region IV Narcotics Task Force.

Lieutenant Monica Vigil advised that the City of Las Vegas Police Department was requesting approval to apply for funding in the amount of \$84,205.00 from the Department of Public Safety to reestablish the Region IV Narcotics Task Force. The goal is to hire a dedicated Coordinator to run the program, request overtime funds for operations, contractual funds for other agencies involved, to send officers to training, confidential funds and vehicle maintenance of undercover vehicles.

Councilor Casey thought it was a wonderful idea to reconstitute the Narcotics Task Force program and asked if the money would be divided by the participating agencies and collaborative partnerships.

Interim City Manager Gallegos advised that we were awarded \$84,205.00 and added that the San Miguel County was awarded \$50,000.00 from the Legislature to get the Narcotics Program started and these monies would be used to hire a Coordinator to run the Narcotics Grants program.

Councilor Casey made a motion to approve to apply for funding through the Department of Public Safety to reestablish the Region IV Narcotics Task Force. Councilor Howell seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri, Jr.	Yes	Barbara A. Casey	Yes
Vincent Howell	Yes	David G. Romero	Yes

Recorder Danielle Sena re-read the motion and advised that the motion carried.

3. Approval/Disapproval to apply for funding through the Law Enforcement Protection fund.

Lieutenant Monica Vigil advised that the Las Vegas City Police Department was requesting approval to apply for funding in the amount of \$39,800.00 from the Law Enforcement Protection Fund for advanced training costs, equipment and to pay NMFA loan for Police Vehicles.

Councilor Casey asked if the \$50,000.00 awarded by the Legislature for Police vehicles would be used for training, equipment and the loan for the vehicles.

Interim City Manager Gallegos informed that that was a separate award, the \$50,000.00 would be for vehicle evidence collection which was totally separate from the Narcotics grant and the \$39,800.00 would be split between the three.

Councilor Howell made a motion to approve to apply for funding through the Law Enforcement Protection fund. Councilor Ulibarri, Jr. seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	David A. Ulibarri, Jr.	Yes
Barbara A. Casey	Yes	Vincent Howell	Yes

Recorder Danielle Sena re-read the motion and advised that the motion carried.

4. Approval/Disapproval of Resolution No. 19-14.

Interim Finance Director Tana Vega advised that the City of Las Vegas was requesting increases to the FY2019 Budgeted revenues and expenditures, transfers to and from within various funds of the FY2019 Budget.

Councilor Casey made a motion to approve of Resolution 19-14 to increase to the FY2019 Budgeted revenues and expenditures, transfers to and from within various funds of the FY2019 Budget. Councilor Howell seconded the motion.

Resolution 19-14 was presented as follows:

**STATE OF NEW MEXICO
MUNICIPALITY OF CITY OF LAS VEGAS
RESOLUTION NO. 19-14**

WHEREAS, The Governing Body in and for the Municipality of Las Vegas, State of New Mexico has developed a budget adjustment request for fiscal year 2018-19, and

WHEREAS, said budget adjustments were developed on the basis of increases in revenues, expenditures and transfers (in) out through cooperation with all user departments, elected officials and other department supervisors, please see attached schedule; and

WHEREAS, the City of Las Vegas is in need of making budget adjustments in the 2018-19 fiscal year budget; to include an increase of \$3,997.00 in revenues and expenditures for overtime salaries in the Police Dept. collected from reimbursements for security for movies; increase of \$10,165.00 in revenues and expenditures for raw food purchases in the Senior Citizens Center to be funded with a grant from the Non-Metro AAA Agency;

WHEREAS, it is the majority opinion of this governing body that the budget adjustment request be approved and meets the requirements as currently determined for fiscal year 2018-19;

NOW, THEREFORE BE IT RESOLVED, that the Governing Body of the Municipality of the City of Las Vegas, State of New Mexico hereby approves the budget adjustment request herein above described and respectfully requests approval from the Local Governing Division of the Department of Finance and Administration.

RESOLVED: In session this 20th day of March, 2019

Tonita Gurule-Giron. Mayor

ATTEST:

Casandra Fresquez, City Clerk

REVIEWED AND APPROVED AS TO LEGAL SUFFICIENCY ONLY:

Esther Garduno Montoya, City Attorney

Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	David A. Ulibarri, Jr.	Yes
Barbara A. Casey	Yes	Vincent Howell	Yes

Recorder Danielle Sena re-read the motion and advised that the motion carried.

5. Approval/Disapproval of resolution No. 19-15 to apply for financial assistance and project approval to NMFA for the purchase of a Class A Apparatus Fire Truck in the amount of \$218,677.00.

Fire Chief Billy Montoya advised that the Las Vegas Fire Department was moving forward in replacing an aging Fire Truck at an estimated cost of \$403,677.00. The Fire Department has \$188,682.00 in Grant Funding and Carry Over funds to be utilized in the purchase of this project. He gave a detailed report regarding the replacement of the 1997 and 1998 Fire Trucks which were well over the 20 year mark. Chief Montoya informed that the NMFA confirmed that they were eligible for the loan. He advised it would be for 10 years at a .1% interest rate with a 2 year bumper to bumper (internal parts) warranty.

Councilor Casey stated how necessary it was to replace the old fire trucks due to public and firemen safety being a concern and commended Fire Chief Montoya for his diligent lobbying at the Legislature to acquire funding.

Mayor Gurulé-Girón commended Chief Montoya for an outstanding job he had done for the City, she thanked everyone involved in the preparation of the application and those who lobbied at the Legislature for funding.

Councilor Casey made a motion to approve of Resolution No. 19-15 to apply for financial assistance and project approval to NMFA for the purchase of a Class A Apparatus Fire Truck in the amount of \$218,677.00. Councilor Ulibarri, Jr. and Councilor Howell seconded the motion.

Resolution 19-15 was presented as follows:

RESOLUTION NO. 19-15

AUTHORIZING AND APPROVING SUBMISSION OF A COMPLETED
APPLICATION FOR FINANCIAL ASSISTANCE AND PROJECT APPROVAL TO
THE
NEW MEXICO FINANCE AUTHORITY.

WHEREAS, the City of Las Vegas ("Governmental Unit") is a qualified entity under the New Mexico Finance Authority Act, Sections 6-21-1 through 6-21-31, NMSA 1978 ("Act"), and the Mayor and Council ("Governing Body") is authorized to borrow funds and/or issue bonds for financing of public projects for benefit of the Governmental Unit; and

WHEREAS, the New Mexico Finance Authority ("Authority") has instituted a program for financing of projects from the public project revolving fund created under the Act and has developed an application procedure whereby the Governing Body may submit an application ("Application") for financial assistance from the Authority for public projects; and

WHEREAS, the Governing Body intends to undertake acquisition, construction and improvement of Class A Fire Apparatus Fire Truck ("Project") for the benefit of the
Truck

Governmental unit and its citizens; and

WHEREAS, the application prescribed by the Authority has been completed and submitted to the Governing Body and this resolution approving submission of the completed Application to the Authority for its consideration and review is required as part of the Application.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF
THE
City of Las Vegas:

term of one (1) year. She added that this was the fourth year on the four year contract and advised Councilor Casey it was for the \$80 dollar a day confinement.

Councilor Casey made a motion to approve for Addendum to Contractual Agreement for inmate Confinement with the Las Vegas Police Department and San Miguel county Detention Center. Councilor Howell and Councilor Ulibarri, Jr. seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Vincent Howell	Yes
David A. Ulibarri, Jr.	Yes	Barbara A. Casey	Yes

Recorder Danielle Sena re-read the motion and advised that the motion carried.

7. Approval/Disapproval of the Las Vegas Police Officers' Association Fraternal Order of Police (FOP) Las Vegas Lodge #20 Agreement.

FOP Management/Union team advised that the City of Las Vegas entered into contract negotiations with FOP for purposes of negotiating a contract. The Fraternal Order of Police Las Vegas Lodge #20 has ratified and approved amendments to the collective bargaining agreement, subject to the approval by the Governing Body.

Councilor Romero commended everyone involved in the negotiations, was pleased that issues were resolved in coming to an agreement which was a difficult task and recognized their professionalism. He praised Chief Bibb III for the leadership he had brought to the Police department although not dismissing leadership brought by previous Police Chiefs. Councilor Romero encouraged the department to continue their bond and focus on doing their job of protecting and serving the community.

Councilor Casey advised this was a long process and was happy with the outcome, also with the addition of Lieutenants who were able to participate in the bargaining agreement process and with the \$.50 increase although thought they deserved more. She expressed she was excited regarding the incentive pay for speaking, understanding and able to translate fluently, a second language other than English and congratulated the team involved in the negotiations.

Interim City Manager Gallegos thanked the staff who were involved in the FOP negotiations and praised Caleb Marquez and Elias Rael for their professionalism during the process.

Councilor Howell congratulated Mr. Marquez and Mr. Rael for their work on the difficult task of FOP negotiations, he had been hearing good things about the department and felt that they were working well as a team. He added that he hoped everyone favored the agreement.

FOP Union President Caleb Marquez advised that there was no opposition from the entire union membership regarding the resolution.

Councilor Ulibarri, Jr. thanked Mr. Marquez and Mr. Rael for their work regarding the FOP negotiations and for their service to the community.

Mayor Gurulé-Girón stated she was very proud and that so many wonderful things were happening within the Police Department under the current Police Chief and Deputy Chief. She praised and thanked the entire department and encouraged Mr. Marquez and Mr. Rael to learn at this level in order to accomplish in achieving the climbing of ranks. Mayor Gurulé-Girón stated that they should be proud in our culture and having a dual language.

8. Conduct a Public Hearing and Approval/Disapproval to adopt Ordinance #19-01, for the 2019 Edition of the Official Zoning map.

Councilor Casey made a motion to go in to Public Hearing. Councilor Howell seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Vincent Howell	Yes
David A. Ulibarri, Jr.	Yes	Barbara A. Casey	Yes

Recorder Danielle Sena re-read the motion and advised that the motion carried.

City Attorney Garduno Montoya asked anyone who wished to speak on the issue, to stand and be sworn in. Maria Perea and Virginia Marrujo were sworn in.

Planning and Zoning Coordinator Maria Perea advised that all Zone changes that had been approved by City Council had been added to the Official Zoning Map.

The last Zoning Map approved was in 2012 and included changes done through December 2011. All zone changes approved since January 2012 through August 2018 are listed on Exhibit #1 and have been added to the map. She added that two zone changes that had been approved by the Governing Body had not been added to the Official Zone Map due to one being reversed (2513 Hot Springs Blvd.-appealed to District Court) and the other was still in litigation for appeal through District Court (338 Santa Ana), that she knew of.

Mayor Gurulé-Girón asked City Attorney Garduno Montoya for the status of the Hot Springs reversal.

City Attorney Garduno Montoya advised that there was a default, that the City Council's decision was reversed and would be taken to P&Z the following week.

Planning & Zoning Coordinator Perea advised it would again be taken to the Planning & Commission Board and brought back to Council.

Councilor Casey made a motion to accept the record proper. Councilor Howell seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri, Jr.	Yes	David G. Romero	Yes
Vincent Howell	Yes	Barbara A. Casey	Yes

Recorder Danielle Sena re-read the motion and advised that the motion carried.

Councilor Casey made a motion to close Public Hearing and reconvene into Regular session. Councilor Howell seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Barbara A. Casey	Yes
Vincent Howell	Yes	David A. Ulibarri, Jr.	Yes

Recorder Danielle Sena re-read the motion and advised that the motion carried.

Councilor Romero asked how often the Official Zoning Map should be updated.

Planning & Zoning Coordinator Perea advised that the Zoning map should be updated every 1-2 years, depending on how many changes there had been.

Mayor Gurulé-Girón thanked Ms. Perea for all the hard work regarding the Official Zoning Map and that she was very appreciated.

Councilor Casey made a motion to approve to adopt Ordinance #19-01, regarding all the zone changes beginning in the year 2011 to current, for the 2019 Edition of the Official Zoning map. Councilor Ulibarri, Jr. seconded the motion.

Ordinance 19-01 was presented as follows:

**CITY OF LAS VEGAS
CITY COUNCIL
ORDINANCE NO. 19-01**

AN ORDINANCE ADOPTING THE 2019 EDITION OF THE OFFICIAL ZONING MAP, PURSUANT TO CHAPTER 450, § 450-9 AND § 450-12, OF THE CODE OF THE CITY OF LAS VEGAS, NEW MEXICO, ADOPTED ON FEBRUARY 1, 2011.

WHEREAS, for the purpose related to the orderly development of the City of Las Vegas, New Mexico, and in order to carry out the provisions of the Ordinance, the City is hereby divided into fourteen (14) zones; and

WHEREAS, the establishment of zone boundaries shall be shown and delineated on the “**Official Zoning Map**” of the City of Las Vegas, and shall, upon its final adoption, be made part of the Municipal Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission met on February 25, 2019 and after receiving testimony therein, recommended approval of the 2019 Edition of the “**Official Zoning Map**”; and

NOW, THEREFORE BE IT ORDAINED that the governing body of the City of Las Vegas, New Mexico, hereby **ADOPTS** the 2019 “**Official Zoning Map**” of the City of Las Vegas, which also indicates the municipal boundaries of the City.

PASSED, APPROVED AND ADOPTED THIS ____ DAY OF _____, 2019.

Tonita Gurulé-Girón, Mayor

ATTEST:

Casandra Fresquez, City Clerk

REVIEWED AND APPROVED AS TO LEGAL SUFFICIENCY ONLY:

Esther Garduño-Montoya, City Attorney

Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	David G. Romero	Yes
David A. Ulibarri, Jr.	Yes	Barbara A. Casey	Yes

Recorder Danielle Sena re-read the motion and advised that the motion carried.

COUNCILORS' REPORTS

Councilor Casey mentioned a detailed listing of the Capital Outlay Expenditures that the City of Las Vegas received from the Legislature which included:

\$674,465.00-Fire Truck	\$50,000.00-Police Department Vehicle
\$70,000.00-E. Romero Fire Museum	\$43,000.00-Senior Ctr. Parking Lot
\$70,000.00-Gallinas River Park Improvements	\$652,214.00-Street Paving/Drainage
\$70,000.00-Little League Park Improvements	\$400,000.00-Water System/Main Replacement
\$70,000.00-General Park Improvements	

She advised the total amount was \$2,099,679.00 although the City had requested over 13 million, which was disappointing, was hopeful that the City would have received more funding and advised that it was a difficult task for our local Legislators reviewing so many applications from many counties and considering that these were top priorities on the ICIP, stated that we did not do too bad.

Council Casey advised that the other thing she wanted to talk about was and stated "I am very concerned that we have not brought back our City Clerk, we voted to retain her back in January and she is still on paid administrative leave and

I believe it is a violation of Charter and I believe we need to bring her back, Council voted to retain her as city clerk and I looked at the personnel ordinances and everything that I could find, the charter, municipal code and the issue is not really addressed in there but it does say, Chapter 66, 10B of the City Ordinance's Personnel Rules, dealing with the City Manager's.....

Mayor Gurulé-Girón interrupted Councilor Casey and stated "Councilor Casey that is a personnel matter and let me advise you before you continue that you were advised in Executive session about the rules, but continue.

Councilor Casey continued "Thank you, the personnel rule reads, in part, "the City Manager has and retains all rights to administer the affairs of the City, including but not limited to the exclusive right to: Section B) Hire, promote, demote, reclassify, transfer, retire, reassign, assign lay off, and recall employees to work." Councilor Casey stated, "I would like to personally request that the City Manager, because she has the authority to do so, recall our City Clerk to come back to work being that she has already been retained by this Council and that she return to work as soon as possible."

Mayor Gurulé-Girón stated "The appointment is made by the Mayor and not the City Manager, that appointment is solely made by the Mayor confirmed by the Council, if you choose to keep her then that is within your...uhh, you can keep her on administrative leave and we have discussed this, I'm not going to go and discuss this any further because all of this was discussed in executive session and it is a personnel matter."

Councilor Casey stated "I believe that you are violating the Charter, which is not the first time and I believe that that pretty much constitutes malfeasance in office."

Mayor Gurulé-Girón stated "Well you are incorrect with your assumptions, as you have been with a lot of your assumptions, Councilor Casey. I have written those assumptions and reported them to the Attorney General's Office, as you have and accused this administration of many other things and again you have been proven wrong in every single occasion and I believe also that all the allegations against this administration should be posted publicly so the people know what the actual responses have been, thank you very much Councilor Casey."

Councilor Howell stated “With respect Mayor, I would like to ask for a legal opinion from the City Attorney.

Mayor Gurulé-Girón stated “She gave you a legal opinion but shall we discuss this?”

City Attorney Garduno Montoya stated “I prefer to discuss this in Executive Session.”

Councilor Howell stated “That’s not what I was going to ask, my question to the City Attorney is, can you give me your legal opinion on the disciplinary actions of an appointed employee (4 appointees), does the discipline action have to be approved by the Council?”

City Attorney Garduno Montoya stated “Mayor, Council, it’s difficult to try to answer this hypothetical knowing full well that it involves the City Clerk, I prefer to make my opinion known to the Council in Executive session.”

Councilor Howell made a motion to go into Executive session. Councilor Romero seconded.

Mayor Gurulé-Girón advised they were not yet at Executive session on the agenda, they were still in Councilor Reports.

Councilor Howell stated “ Also, I'd like to have a legal opinion on the executive powers on our mayor, in regards to veto power.”

Mayor Gurulé-Girón stated “I don’t have veto power” and actually I just provided another legal opinion with some other questions to the Attorney General’s Office, regarding another allegation from another Councilor and I think it’s clearly addressed and I’m sure we can probably provide that to you.”

Councilor Ulibarri, Jr. asked Streets Director Chris Rodarte, the process of how they worked on potholes and asked if the sweeper was operating again.

Streets Director Rodarte advised that they clean, tack and then apply hot mix and would continue this coming week due to having warmer weather and advised that the sweeper would be transported back from Albuquerque tomorrow afternoon.

Councilor Ulibarri, Jr. thanked all the employees who went and lobbied at the Legislature for the City of Las Vegas.

Councilor Romero advised that it bothered him to hear the community talk about how the City was not doing anything regarding potholes and deterioration of the roads and recommended for the Streets Department to put out an actual developed plan as to when and where they would be doing work, so that the community is informed of those locations. He suggested putting the information in the Las Vegas Optic and it would help alleviate misinformation throughout the community.

Councilor Romero asked if there was a list with the number of Legislators who signed in at the Las Vegas Night at the Legislature. He praised the event although mentioned that he wondered if we got our return, considering the amount of money it cost and added that the focus should be on getting help for the City.

Mayor Gurulé-Girón advised that in regards to the response of the 13 million submitted to the Legislature, she was not at all disappointed and thought 2.2 million was very good. She stated that she had just received a message from Senator Pete Campos saying that the NM Road Fund had not been finalized at this point in time. She advised that NMDOT used a formula to calculate the actual percentage that will be coming to each local entity and stated we were still not done and there was still hope.

Mayor Gurulé-Girón stated that she had sent out a memo to the Council on February 25th regarding certain procedures and she received a response from Councilor Casey (she passed out copies of the response to all Council members)

Councilor Casey stated "My response was to be confidential Madam Mayor."

Mayor Gurulé-Girón stated that it was an open memo, that there was nothing confidential about it and the Council had to know exactly what was going on. She advised that she also provided a response to her questions due to there being a misunderstanding of what her memorandum entailed. She read the response from Councilor Casey and advised that she was referring to "contemporaneous notes" and issues regarding rules of procedure and hoped this would help in terms of any misunderstanding of her memo.

EXECUTIVE SESSION

Councilor Howell made a motion to go into Executive Session. Councilor Casey seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	David A. Ulibarri, Jr.	Yes
Barbara A. Casey	Yes	Vincent Howell	Yes

Recorder Danielle Sena re-read the motion and advised that the motion carried.

Councilor Howell made a motion to reconvene into Regular Session and advised that only personnel matters were discussed and no action was taken. Councilor Ulibarri, Jr. and Councilor Casey seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Barbara A. Casey	Yes
David A. Ulibarri, Jr.	Yes	Vincent Howell	Yes

Recorder Danielle Sena re-read the motion and advised that the motion carried.

Councilor Romero asked City Attorney Garduno Montoya if she was aware of the term “declaratory judgement” and gave the definition as: *“a declaratory judgement is a judicial proceeding to declare rights of parties who disagree about their obligations.”*

Councilor Romero stated to City Attorney Garduno Montoya, that the reason he brought this forth, was that it was not a secret in regards to the City Clerk being in limbo and that he had the idea to ask her, if he made a motion tonight, to have her give direction to a district judge to seek his legal judgement on employee status of the City Clerk and asked her if that was something she could do.

City Attorney Garduno Montoya advised that she believed first, it would be the direction of Mayor and Council.

Mayor Gurulé-Girón stated it would have to be on the agenda, to make a motion.

City Attorney Garduno Montoya stated that she believed it would be an action item as well first and second, she would have to do research on declaratory

judgment, and stated that she was not sure if the City would be seeking that because we're not an aggrieved party.

Councilor Romero stated "The way I read this is, is that there is obviously a disagreement as to what it is, the Optic had made that clear and one of the editorials had questions as to what was happening. This is a process that I almost went through as a school board member so I know as to what happens, you file, the two scenarios which is the City Clerk being put on paid leave, and the Mayor feels one way and Council feels another and the Charter is not clear as to what happens next and we cannot leave that position in limbo, so this would basically allow the District Judge to say what the next step is for Council to proceed, is one of the recommendations to move on , put another name or vice versa or does she stay on, there are a lot of questions to be answered."

Mayor Gurulé-Girón stated that she had already made her recommendation that was consistent with the Charter and that nothing had been violated.

Councilor Romero stated "This would be up to you, Madam Attorney, if you want to look in to it but I'm going to do this tonight, I make a motion to give direction to legal, seeking declaratory judgement..

Mayor stated "You can't make a motion, unless it's on the agenda."

Councilor stated " Madam Mayor, I have the floor, to seek a declaratory judgement from district court for the purpose of the employment status of city clerk Casandra Fresquez, with that I make my motion."

Councilor Casey seconded the motion.

Mayor Gurulé-Girón stated "I cannot honor a motion that is not on the agenda, you still have to fill out a form requesting to put that item on the agenda."

Councilor Romero stated "That's not going to happen, Madam Mayor."

Mayor Gurulé-Girón stated " We have discussed this a million times so right now your saying let's circumvent policy, with regards to action items, like you did when you censured me, like you did with other processes, that's not gonna happen, you must follow the rules of the City Charter and if you can't do that, then there's no way I'm going to put anything, follow the rule."

Councilor Casey stated "How can you say that when you're not following the rules yourself."

Mayor stated " I have been following the rules Councilor Casey, it is you that has been breaking the rules and that's clearly noted."

Councilor Romero stated "Madam Mayor, you've made your decision not to take the motion, under Robert's Rules of Orders, there's a process, and remember, we are a Governing Body and with that, I make a motion to appeal your decision to not take that motion."

Mayor Gurulé-Girón stated "I didn't say I didn't approve it, you have to approve consistent with the Resolution we adopted through consensus but to get that you still have to go through the process of requesting that item to be put on the agenda, for example the censuring items is a perfect example, to censure me publicly, that item was never an action item that was a direct violation of the Open Meetings Act , so you must follow the procedure and the best thing to do, if you feel that way, have our City Attorney through consensus, provide to you, a clear understanding of what it is your requesting."

Councilor Romero stated "So say the motion again, is that what your asking?"

Mayor Gurulé-Girón stated "That is part of the Resolution, you can request through consensus that our City Attorney provides to you clear direction on your declaratory judgement, the definition of it."

Councilor Romero stated " basically what I'm asking for is for her to give direction to do this procedure in order for us to move forward."

Mayor Gurulé-Girón stated "Well no, your seeking for a clarification of declaratory judgement, you can't move to the next step until you get clearance on this end at that point in time, so she can give you direction but you have to start with consensus of at least the explanation that you're asking and then you have to attempt to put it on the agenda."

Councilor Romero asked City Attorney Garduno Montoya if she had never dealt with a declaratory judgement action.

City Attorney Garduno Montoya advised she had never sought a declaratory judgement.

Councilor Romero stated “ I had my motion and I had a second, are you going to take the vote?”

Mayor Gurulé-Girón stated “We don't have to have a second.”

Councilor Romero stated “The consensus is not going to happen, Madam Mayor.”

Mayor Gurulé-Girón stated “ Why is it not going to happen, you have three Councilors that always vote for you, you three always vote together, that is a consensus but the key thing...”

Councilor Romero stated “Through consensus before, it was all of us.”

Mayor Gurulé-Girón stated “Exactly, because it includes the Governing Body through consensus.”

Councilor Romero stated “Then it should be majority.”

Mayor Gurulé-Girón stated “No, that was a Resolution that was passed and approved, no it's not majority.”

Councilor Casey stated “You just said that.”

Councilor Romero stated “I'm just trying to come up with a resolution, so that we could move forward.”

Mayor Gurulé-Girón stated “You've already asked the City Attorney to give you some direction, on your personal request for declaratory judgment, you can request that.”

Councilor Romero stated “I don't request, we want her to do it.”

Mayor Gurulé-Girón stated “Well she can provide that to you independently.”

Councilor Casey stated “ I think there's an issue here because what your saying is that you want the City Attorney to explain to Councilor Romero what a declaratory

judgement is, he already knows what it is, he wants her to request a declaratory judgement.”

Mayor Gurulé-Girón stated, “You have to file independently, you cannot have the City Attorney file a declaratory judgment against her own body, you would have to hire your own attorney, there's no way that would fly.”

Councilor Casey stated “ It's not against anything.”

Councilor Romero stated “It’s not against us, it's basically asking.”

Mayor Gurulé-Girón stated “ Against a city decision you'd have to go for your own opinion, Esther, what are your thoughts?”

City Attorney Garduno Montoya stated “I don't think I could do something unless it’s consensus of the board first and foremost and then direction, I can’t file some kind of action unless I think it's viable.”

Councilor Howell stated “Of the body of four what is considered...”

Mayor Gurulé-Girón stated “The Governing Body is included applied, that's the resolution we passed.”

Councilor Howell stated “So what is considered as consensus?”

Mayor Gurulé-Girón stated “Everybody agrees.”

Councilor Romero stated “ I’ll do this, if you decide not to, I’m making an effort to move forward and if it doesn't and you decide not to Madam Attorney, as I had mentioned to you before, if you feel it’s wrong, send that to me in writing, I'm just trying to come up with a solution because obviously it's not going to happen and we need to move forward.”

Mayor Gurulé-Girón stated “There is a solution, I’ve already presented it to you.”

Councilor Casey stated “And we don't agree with it.”

Mayor Gurulé-Girón stated “ Okay, so then.”

Councilor Romero stated “ Madame Mayor, were you going to take a vote on the first and second motion?”

Mayor Gurulé-Girón stated “Yeah and if there is one No, then there is no consensus.

Mayor Gurulé-Girón asked for roll call roll call vote was taken and reflected the following:

David G. Romero	Yes	Barbara A. Casey	Yes
Vincent Howell	Yes	David A. Ulibarri, Jr.	No

Recorder Danielle Sena re-read the motion and advised that the motion carried.

Mayor Gurulé-Girón stated “and the Mayor also votes on this and so there's no consensus, we have one No.”

Councilor Howell stated “ The Mayor only votes on ties.”

Mayor Gurulé-Girón stated “I know that, but we have one, that's all we need.”

ADJOURN

Councilor Casey made a motion to adjourn. Councilor Ulibarri, Jr. seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara A. Casey	Yes	Vincent Howell	Yes
David A. Ulibarri, Jr.	Yes	David G. Romero	Yes

Recorder Danielle Sena re-read the motion and advised that the motion carried.

Mayor Tonita Gurulé-Girón

ATTEST:

Casandra Fresquez, City Clerk

**GENERAL FUND REVENUE COMPARISON
THRU MARCH 31, 2019 75% OF YEAR LAPSED (9 of 12 months)
FISCAL YEAR 2019**

Total Budget to Actual Comparison

	A	B	C	D	E	G (E/B) FY 2019 % REV
	FY 2018 BUDGET	FY 2019 BUDGET	FY 2019 YTD - BUDGET	FY 2018 YTD - ACTUAL	FY 2019 YTD - ACTUAL	
PROPERTY TAX	1,291,000	1,485,000	1,113,750	1,116,002	959,470	65%
GROSS RECEIPT TAX 1.225	3,550,000	3,550,000	2,662,500	2,723,964	2,672,280	75%
FRANCHISE TAX	775,000	750,000	562,500	507,615	608,030	81%
GROSS RECEIPT TAX .75	2,440,000	2,332,500	1,749,375	1,789,543	2,033,710	87%
1/8 INFRASTRUCTURE	360,000	372,000	279,000	284,932	293,269	79%
GRT .25 (JAN 2011)	725,000	1,060,000	795,000	806,783	741,082	70%
GRT -HOLD HARMLESS (JULY 2015)	(110,400)	-	0	(82,800)	-	
LICENSE & FEES	61,000	83,500	62,625	82,008	41,255	49%
INTERGOVERNMENTAL	83,716	77,144	57,858	65,581	60,174	78%
LOCAL-FINES	77,000	66,500	49,875	45,623	42,160	63%
LOCAL-MISC	1,737,235	1,648,800	1,236,600	1,248,941	1,483,326	90%
TOTAL	10,989,551	11,425,444	8,569,083	8,588,191	8,934,756	78%

**(License& Fees-Business Licenses, Liquor Licenses and Building Permits,Development Fees)
(Local Fines- Court Fines, Library Fines, Traffic Safety Fines)**

Total Budget to Actual Comparison

	A	B	C	D	E	F	H (E/B) %
	FY 2018 BUDGET	FY 2019 BUDGET	FY 2019 YTD - BUDGET	FY 2018 YTD - ACTUAL	FY 2019 YTD - ACTUAL	FY 2019 AVAIL. BAL.	
JUDICIAL	307,959	294,648	220,986	209,544	201,371	93,277	68%
GOVERNING BODY		73,038	54,779		54,902	18,136	75%
MAYOR		60,736	45,552		40,105	20,631	66%
MANAGER		261,412	196,059		143,791	117,621	55%
EXECUTIVE		397,969	0	273,036		0	0%
MUNICIPAL CLERK	272,858	222,499	166,874	167,645	167,645	54,854	75%
CITY ATTORNEY	231,944	229,704	172,278	124,539	100,019	129,685	44%
PERSONNEL/HR	278,960	245,259	183,944	186,664	147,980	97,279	60%
FINANCE	452,393	467,223	350,417	315,573	300,258	166,965	64%
COMMUNITY DEV.	533,845	528,706	396,530	291,603	250,542	278,164	47%
POLICE	3,854,744	4,006,680	3,005,010	2,649,865	2,805,589	1,201,091	70%
CODE ENFORCEMENT		136,113	112,334		81,288	68,721	54%
ANIMAL SHELTER		135,490	101,618		90,535	100,948	75%
FIRE		1,257,365	1,357,467		852,882	870,087	64%
PUBLIC WORKS/AIRPORT		474,004	450,832		338,124	250,890	70%
PARKS		286,222	290,709		218,032	199,210	52%
AIRPORT		0	0		0	0	0%
LIBRARY		205,217	200,046		150,035	115,681	69%
MUSEUM		150,845	148,116		111,087	96,846	63%
GENERAL SERVICES		2,358,248	3,161,410		2,371,058	1,258,553	48%
SALARY CONTINGENCY		0	0		0	0	0%
TRANSFERS		719,667	751,352		563,514	539,632	74%
TOTAL	12,053,843	13,035,661	9,776,746	7,703,985	8,027,943	5,007,718	62%

**ENTERPRISE FUNDS-REVENUE COMPARISON
THRU MARCH, 2019 75% YEAR LAPSED (9 of 12 months)
FISCAL YEAR 2019**

<u>Total Budget to Actual Comparison</u>						
A	B	C	D	E	G	
	FY 2019	FY 2019	FY 2018	FY 2019	(E/B)	
	BUDGET	YTD - BUDGET	YTD - ACTUAL	YTD - ACTUAL	%	BUDGET
WASTE WATER (610)	2,866,100	2,224,575	2,258,858	2,264,623	76%	
NATURAL GAS (620)	5,236,000	3,777,000	3,571,555	3,785,786	75%	
SOLID WASTE (630)	3,419,400	2,564,550	2,567,762	2,555,540	75%	
WATER (640)	4,800,150	3,854,213	3,800,222	3,888,775	76%	
Total of Enterprise Funds	16,321,650	12,420,338	12,198,396	12,494,724	75%	

**ENTERPRISE FUNDS-EXPENDITURES COMPARISON
THRU MARCH, 2019 75% YEAR LAPSED (9 of 12 months)
FISCAL YEAR 2019**

<u>Total Budget to Actual Comparison</u>						
A	B	C	D	E	F	H
	FY 2019	FY 2019	FY 2018	FY 2019	FY 2019	(E/B)
	BUDGET	YTD - BUDGET	YTD - ACTUAL	YTD - ACTUAL	AVAIL. BAL.	%
						BUDGET
WASTE WATER(610)	3,297,778	2,488,469	2,237,865	2,292,174	1,025,784	69%
NATURAL GAS (620)	5,938,908	4,040,455	3,416,666	3,571,404	1,815,869	66%
SOLID WASTE (630)	3,733,787	2,820,073	2,501,229	2,370,093	3,616,145	63%
WATER (640)	5,681,820	4,707,663	3,851,801	3,088,819	2,619,062	66%
Total of Enterprise Funds	18,652,293	17,172,991	12,879,743	11,322,491	9,076,860	66%

**RECREATION DEPARTMENT-REVENUE COMPARISON
THRU MARCH 31, 2019 - 75% OF YEAR LAPSED 9 OF 12 MONTHS
FISCAL YEAR 2019**

	A		B		C		D		E		G (E/B) % REV
	FY 2018 BUDGET	FY 2019 BUDGET	FY 2019 YTD - BUDGET	FY 2019 YTD - BUDGET	FY 2018 YTD - ACTUAL	FY 2018 YTD - ACTUAL	FY 2019 YTD - ACTUAL	FY 2019 YTD - ACTUAL			
RECREATION-TAXES (Cig)	0	0	0	0	0	0	0	0	0	0%	
WELLNESS CENTER	115,000	115,000	86,250	86,250	88,569	88,569	83,119	83,119	77%		
OPEN SWIM	20,000	20,000	15,000	15,000	6,005	6,005	6,043	6,043	30%		
YAFL	0	0	0	0	0	0	0	0	0%		
YABL	20,000	16,500	12,375	12,375	4,570	4,570	2,396	2,396	28%		
SUMMER FUN PROGRAM	20,000	26,000	19,500	19,500	6,380	6,380	28,515	28,515	25%		
RECREATION-OTHER	108,964	85,000	63,750	63,750	40,432	40,432	23,911	23,911	48%		
GEN FUND TRANSFER	400,000	400,000	300,000	300,000	299,880	299,880	299,880	299,880	75%		
TOTAL	683,964	683,964	496,875	496,875	445,836	445,836	443,864	443,864	65%		

**RECREATION DEPARTMENT- EXPENDITURE COMPARISON
THRU MARCH 31, 2019 - 75% OF YEAR LAPSED 9 OF 12 MONTHS
FISCAL YEAR 2019**

	A		B		C		D		E		F		H (E/B) % BDGT
	FY 2018 BUDGET	FY 2019 BUDGET	FY 2019 YTD - BUDGET	FY 2019 YTD - BUDGET	FY 2018 YTD - ACTUAL	FY 2018 YTD - ACTUAL	FY 2019 YTD - ACTUAL	FY 2019 YTD - ACTUAL	FY 2019 AVAIL. BAL.	FY 2019 AVAIL. BAL.			
EMPLOYEE EXP.	594,089	633,166	474,875	474,875	373,652	373,652	356,864	356,864	276,302	276,302	56%		
YAFL	0	0	0	0	0	0	0	0	0	0	0%		
YABL	4,050	8,500	6,375	6,375	2,835	2,835	4,930	4,930	3,570	3,570	58%		
OTHER OPERATING EXP.	138,562	95,350	71,513	71,513	52,345	52,345	54,543	54,543	40,807	40,807	57%		
CAPITAL OUTLAY	8,000	9,500	7,125	7,125	4,943	4,943	4,161	4,161	5,339	5,339	44%		
TOTAL	744,701	746,516	559,887	559,887	433,775	433,775	420,498	420,498	326,018	326,018	56%		

Regular or Special

CITY COUNCIL MEETING AGENDA REQUEST

DATE: 04/08/2019

DEPT: Finance

MEETING DATE: 04/17/19

DISCUSSION ITEM/TOPIC: Resolution 19-18

ACTION REQUESTED OF COUNCIL: Approval/Disapproval of Resolution 19-18

BACKGROUND/RATIONALE: The City of Las Vegas is requesting increases/decreases to the FY2019 Budgeted revenues and expenditures for the Senior Citizens Center.

STAFF RECOMMENDATION: Approval

COMMITTEE RECOMMENDATION:

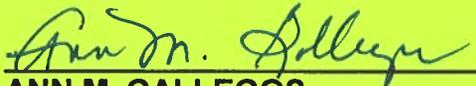
THIS REQUEST FORM MUST BE SUBMITTED TO THE CITY CLERK'S OFFICE NO LATER THAN 5:00 P.M. ON FRIDAY ONE AND A HALF WEEKS PRIOR TO THE CITY COUNCIL MEETING.

SUBMITTER'S SIGNATURE

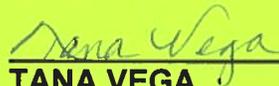
REVIEWED AND APPROVED BY:



TONITA GURULE-GIRON
MAYOR



ANN M. GALLEGOS
INTERIM CITY MANAGER



TANA VEGA
INTERIM FINANCE DIRECTOR
(PROCUREMENT)

PURCHASING AGENT
(FOR BID/RFP AWARD ONLY)

ESTHER GARDUNO MONTOYA
CITY ATTORNEY
(ALL CONTRACTS MUST BE
REVIEWED)

**STATE OF NEW MEXICO
MUNICIPALITY OF CITY OF LAS VEGAS
RESOLUTION NO. 19-18**

WHEREAS, The Governing Body in and for the Municipality of Las Vegas, State of New Mexico has developed a budget adjustment request for fiscal year 2018-19, and

WHEREAS, said budget adjustments were developed on the basis of increases in revenues, expenditures and transfers (in) out through cooperation with all user departments, elected officials and other department supervisors, please see attached schedule; and

WHEREAS, the City of Las Vegas is in need of making budget adjustments in the 2018-19 fiscal year budget; to include a net increase of \$116,965.00 in revenues and expenditures for various expenditures in the Senior Citizens Center to be funded with a grant from the Non-Metro AAA Agency;

WHEREAS, it is the majority opinion of this governing body that the budget adjustment request be approved and meets the requirements as currently determined for fiscal year 2018-19;

NOW, THEREFORE BE IT RESOLVED, that the Governing Body of the Municipality of the City of Las Vegas, State of New Mexico hereby approves the budget adjustment request herein above described and respectfully requests approval from the Local Governing Division of the Department of Finance and Administration.

RESOLVED: In session this 17th day of April, 2019

Tonita Gurule-Giron, Mayor

ATTEST:

Casandra Fresquez, City Clerk

REVIEWED AND APPROVED AS TO LEGAL SUFFICIENCY ONLY:

Esther Garduno Montoya, City Attorney

**CITY OF LAS VEGAS
RESOLUTION #19-18
BUDGET ADJUST REQUEST
FISCAL YEAR 2019**

Resolution	Fund	Revenues	Transfers	Expenditures
19-18				
Senior Citizens Center	282-6100-540-5998	\$ (15,000.00)		Grant Revenue decrease
Senior Citizens Center	282-6100-540-5529	\$ 41,000.00		Grant Revenue
Senior Citizens Center	282-6200-540-5530	\$ 60,750.00		Grant Revenue
Senior Citizens Center	282-6300-540-5528	\$ 18,909.00		Grant Revenue
Senior Citizens Center	282-6400-540-5998	\$ 11,306.00		Grant Revenue
Senior Citizens Center	282-6100-750-7101			\$ 5,000.00 Office Supplies
Senior Citizens Center	282-6100-750-7129			\$ 4,000.00 Kitchen Supplies
Senior Citizens Center	282-6100-750-7128			\$ 15,000.00 Raw Food
Senior Citizens Center	282-6100-750-7338			\$ 500.00 Food Service Permit & Fees
Senior Citizens Center	282-6100-750-7401			\$ 1,500.00 Maintenance of Buildings & Grounds
Senior Citizens Center	282-6200-750-7101			\$ 5,000.00 Office Supplies
Senior Citizens Center	282-6200-750-7127			\$ 10,000.00 Home Delivered Supplies
Senior Citizens Center	282-6200-750-7129			\$ 4,000.00 Kitchen Supplies
Senior Citizens Center	282-6200-750-7128			\$ 30,000.00 Raw Food
Senior Citizens Center	282-6200-750-7201			\$ 10,000.00 Supplies - Vehicle Fuel
Senior Citizens Center	282-6200-750-7205			\$ 1,750.00 Supplies - Vehicle Tires
Senior Citizens Center	282-6300-750-7201			\$ 5,000.00 Supplies - Vehicle Fuel
Senior Citizens Center	282-6300-750-7202			\$ 5,000.00 Travel Expense
Senior Citizens Center	282-6300-750-7401			\$ 5,000.00 Maintenance of Buildings & Grounds
Senior Citizens Center	282-6300-750-7408			\$ 3,909.00 Maintenance of Road Equipment
Senior Citizens Center	282-6400-750-7309			\$ 1,000.00 Telephone
Senior Citizens Center	282-6400-750-7374			\$ 2,000.00 Utilities - Electricity
Senior Citizens Center	282-6400-750-7301			\$ 306.00 Printing, Copying, &Reprod
Senior Citizens Center	282-6400-750-7305			\$ 8,000.00 Other Professional Services
Total		\$ 116,965.00		\$ 116,965.00

Agreement / Contract
 No. 3199-16
 City of Las Vegas
 Date

Contract No. 2018-19-68049

North Central New Mexico Economic Development District
 Non-Metro Area Agency on Aging

DIRECT PURCHASE OF SERVICES
 VENDOR AGREEMENT
 AMENDMENT NO. 1

This Amendment is made and entered into this 25th day, March 2019, by and between the North Central New Mexico Economic Development District, Non-Metro Area Agency on Aging hereinafter referred to as the "Agency" and City of Las Vegas, hereinafter referred to as the "Contractor".

1. Purpose of Amendment. The purpose of the Amendment is to:

TITLE FEDERAL	ORIGINAL CONTRACT AMOUNT	INCREASE/DECREASE DOLLAR AMOUNT BY	REVISED TOTAL AMOUNT	INCREASE D UNITS	FED/STATE RATE
III C1	\$ 35,000.00 ✓	\$41,000.00	\$76,000.00	6,000	\$4.06250
Congregate STATE	\$69,000.00 ✓	\$(15,000.00)	\$54,000.00		

TITLE FEDERAL	ORIGINAL CONTRACT AMOUNT	INCREASING DOLLAR AMOUNT BY	REVISED TOTAL AMOUNT	INCREASED UNITS	FED/STATE RATE
III C2	\$59,500.00 ✓	\$60,750.00	\$120,250.00	10,125	\$6.0000

TITLE FEDERAL	ORIGINAL CONTRACT AMOUNT	INCREASING DOLLAR AMOUNT BY	REVISED TOTAL AMOUNT	INCREASED UNITS	FED/STATE RATE
III B	\$34,056.00 ✓	\$18,909.01	\$52,965.01	1,890.75	\$10.0008

TITLE FEDERAL	ORIGINAL CONTRACT AMOUNT	INCREASING DOLLAR AMOUNT BY	REVISED TOTAL AMOUNT	INCREASED UNITS	FED/STATE RATE
III D	\$45,225.63 ✓	\$11,306.41	\$56,532.04	1,130	10.0021

2. Changes to Contract. The following changes are amendments to the contract:

Payment for services is amended to read: For the Services by the Agency to be satisfactorily provided by the Vendor hereunder, the Agency shall pay the vendor during the Term an aggregate amount, not to exceed \$ 359,747.05 said aggregate amount to be derived from the following sources, when units are met. No changes to other budgeted services are made with this amendment other than those contained in this agreement. The full budget including all State and Federal funding is reflected in the attached Summary of Budget Revenues (SBR).

1. \$ 52,965.01 from Title III-B of OAA;
2. \$ 76,000.00 from Title III-C1 of OAA;
3. \$ 120,250.00 from Title III-C2 of OAA;
4. \$ 56,532.04 from Title III-D of OAA;
5. \$ 0 from Title III-E of OAA;
6. \$ 54,000.00 from the NMGAA-State/HB-2.

3. All other clauses in the original Agreement will remain unchanged and together with this Agreement constitute the entire Agreement between the Contractor and NCNMEDD, Non-Metro AAA.
4. For the faithful performance of the terms of this agreement, the parties affix their signatures and bind themselves effective March 25, 2019.

City of Las Vegas
Legal Name of Vendor/Contractor

Tana Vega
Signature

TANA VEGA
Printed/Typed Name of Signatory

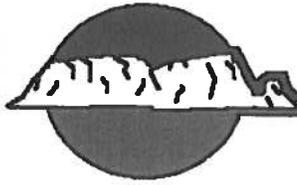
3/29/19
Date

NCNMEDD Non-Metro Area Agency on Aging
Name of Area Agency on Aging

[Signature]
Signature

Thomas A. Garcia, Interim Executive Director
Printed/Typed Name of Signatory

3/25/2019
Date



CITY OF LAS VEGAS

MAYOR TONITA GURULE-GIRON

MEMO

Date: March 27, 2019

To: Tana Vega, Interim Finance Director

Fr: Wanda Salazar, Senior Center Manager

Reg: Increase Budget to Reflect Amendment #1 for Direct Purchase of Services

The Direct Purchase of Services Contract has given the Senior Center program an increase in units which affects an increase in funding for FY 18/19 ending June 30th, 2019. The following accounts should be increased in both revenues and expenses to reflect the increase of \$116,945.42 with increased units affecting all services of 19,146.

Budget INCREASE to Revenue

282-6100-540-5529	\$41,000.00
282-6200-540-5530	\$60,750.00
282-6300-540-5528	\$18,909.01
282-6400-540-5998	<u>\$11,306.41</u>
Total Increase	\$131,965.42

Budget DECREASE to Revenue

282-6100-540-5998	<u>(\$15,000.00)</u>
Total REVENUE INCREASE	\$116,965.42

Budget INCREASE to Expense

282-6100-750-7101	\$5,000.00
282-6100-750-7129	\$4,000.00
282-6100-750-7128	\$15,000.00
282-6100-750-7338	\$500.00
282-6100-750-7401	\$1,500.00

DAVID ULIBARRI

VINCE HOWELL

BARBARA CASEY

DAVID L.ROMERO

Councilor, Ward 1

Councilor, Ward 2

Councilor, Ward 3

Councilor, Ward 4

1700 North Grand Avenue .Las Vegas, New Mexico, 87701 (505) 454-1401. Fax: 454-0596

282-6200-750-7101	\$5,000.00
282-6200-750-7127	\$10,000.00
282-6200-750-7129	\$4,000.00
282-6200-750-7128	\$30,000.00
282-6200-750-7201	\$10,000.00
282-6200-750-7205	\$1,750.00
282-6300-750-7201	\$5,000.00
282-6300-750-7202	\$5,000.00
282-6300-750-7401	\$5,000.00
282-6300-750-7408	\$3,909.01
282-6400-750-7309	\$1,000.00
282-6400-750-7374	\$2,000.00
282-6400-750-7301	\$306.41
282-6400-750-7305	\$8,000.00

The Budget Increase to Revenue/Expense is a total of \$116,965.42

Account	Amount
282-6200-750-7101	\$5,000.00
282-6200-750-7127	\$10,000.00
282-6200-750-7129	\$4,000.00
282-6200-750-7128	\$30,000.00
282-6200-750-7201	\$10,000.00
282-6200-750-7205	\$1,750.00
282-6300-750-7201	\$5,000.00
282-6300-750-7202	\$5,000.00
282-6300-750-7401	\$5,000.00
282-6300-750-7408	\$3,909.01
282-6400-750-7309	\$1,000.00
282-6400-750-7374	\$2,000.00
282-6400-750-7301	\$306.41
282-6400-750-7305	\$8,000.00

RECALCULATION OF SERVICE COST
 North Central New Mexico Economic Development District
 Non-Metro Area Agency on Aging

Program Name: City of Las Vegas
 Contact Person: Wanda Salazar
 Telephone #: 505-425-8139
 E-mail Address: wsalazar@lasvegasnm.gov

Fiscal Year 2018-2019

BE SURE TO SIGN AND DATE ON THE BOTTOM OF THIS DOCUMENT

Expenses	Congregate	Home Delivered	Transportation	Housekeeping	Adult Day Care	Assist Trans	Total
Labor Costs:							
Wages - Staff providing direct services							\$
Group Insurance							\$
Retirement							\$
FICA							\$
Worker's Compensation							\$
Unemployment							\$
Wages - Administrative Personnel not providing direct services							\$
Group Insurance							\$
Retirement							\$
FICA							\$
Worker's Compensation							\$
Unemployment							\$
Total Labor Costs	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Supplies:							
Office Supplies	\$ 5,000	\$ 5,000					\$ 10,000.00
Home Delivered Supplies	\$ -	\$ 10,000					\$ 10,000.00
Kitchen Supplies	\$ 4,000	\$ 4,000					\$ 8,000.00
Food	\$ 15,000	\$ 30,000					\$ 45,000.00
NSIP Raw Food							\$ -
Other Supplies: Specify							\$ -
Total Supplies	\$ 24,000	\$ 49,000	\$ -	\$ -	\$ -	\$ -	\$ 73,000.00
Travel:							
Gasoline and Oil	\$ -	\$ 10,000	\$ 5,000				\$ 15,000.00
Vehicle Maintenance	\$ -	\$ 1,750	\$ 5,000				\$ 6,750.00
Vehicle Insurance							\$ -
Mileage and per diem							\$ -
Other travel: Specify							\$ -
Total Travel	\$ -	\$ 11,750	\$ 10,000	\$ -	\$ -	\$ -	\$ 21,750.00
Maintenance and Repair:							
Equipment maintenance							\$ -
Maintenance supplies							\$ -
Food Service Permits and Fees	\$ 500						\$ 500.00
Building and Structure							\$ -
Ground/Roadway			\$ 5,000				\$ 5,000.00
Maintenance Services	\$ 1,500		\$ 3,909				\$ 5,409.01
Other Maintenance: Specify							\$ -
Total Maintenance and Repair	\$ 2,000	\$ -	\$ 8,909	\$ -	\$ -	\$ -	\$ 10,909.01
Contractual Services:							
Dues & Permits							\$ -
Audit Cost							\$ -
Insurance-general liability, bonding,							\$ -
Telephone, DSL, Internet, Postage (Communication)						\$ 1,000	\$ 1,000.00

RECALCULATION OF SERVICE COST
 North Central New Mexico Economic Development District
 Non-Metro Area Agency on Aging

Program Name: City of Las Vegas
 Contact Person: Wanda Salazar
 Telephone #: 505-425-9139
 E-mail Address: wsalazar@lasvegasmn.gov

Fiscal Year 2018-2019

BE SURE TO SIGN AND DATE ON THE BOTTOM OF THIS DOCUMENT

Expenses	Congregate	Home Delivered	Transportation	Housekeeping	Adult Day Care	Assist Trans	Total
Utilities						\$ 2,000	\$ 2,000.00
Advertising/Printing/Photo						\$ 306	\$ 306.41
Building Rent							
Equipment Rent							
Professional Services						\$ 8,000	\$ 8,000.00
Other Contractual: Specify							
Total Contractual	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 11,306	\$ 11,306.41
Other Operating Expenses							
Education & Training							
Grants & Services							
Board/Advisory Council In-State Travel							
Board/Advisory Council Out-State Travel							
Misc. Other Expense							
DAO Insurance							
Other costs: Specify							
Total Other Operating	\$ -	\$ 60,750	\$ 18,909	\$ -	\$ -	\$ -	\$ 79,659
Grand Total Expenses	\$ 26,000	\$ 60,750	\$ 18,909	\$ -	\$ -	\$ 11,306	\$ 116,965.42

Revenues	Congregate	Home Delivered	Transportation	Housekeeping	Adult Day Care	Assist Trans	Total
Increase/(Decrease) of Federal Revenue	\$ 41,000	\$ 60,750	\$ 18,909			\$ 11,306	\$ 131,965.42
Increase/(Decrease) of State Revenue	\$ (15,000)						\$ (15,000.00)
Increase/(Decrease) of Local Revenue							
Increase/(Decrease) of Program Income Revenue							
Total Revenue	\$ 26,000	\$ 60,750	\$ 18,909	\$ -	\$ -	\$ 11,306	\$ 116,965.42

Units of Service/Persons Served	Congregate	Home Delivered	Transportation	Housekeeping	Adult Day Care	Assist Trans	Evidence Based
Increase/(Decrease) of Units of Services	6,000	10,125	1,891				1,130
Increase/(Decrease) of Persons Served							
Total							19,146

Justification for Recalculation of Service Unit Cost:

This recalculation of Services is to increase the Direct Purchase of Services Agreement to Amendment #1. Increase in units are included. Thank you

Wanda Salazar
 Printed Name

I certify this recalculation of service cost is necessary for adequate program operation.
 Signature

3/29/19
 Date

Regular or Special

CITY COUNCIL MEETING AGENDA REQUEST

DATE March 11, 2019

DEPT: Police

MEETING DATE: April 17, 2019

ITEM/TOPIC: Award RFP # 2019-6 to D.A.G. Enterprises.

ACTION REQUESTED OF COUNCIL: Approval or disapproval to award RFP# 2019-6 to D.A.G. Enterprises.

BACKGROUND/RATIONALE:

RFP # 2019-6 to provide gasoline fleet repair services for the City of Las Vegas Police Department. One Offerer submitted a proposal, which was D.A.G. Enterprises of Las Vegas New Mexico. The Offerer met all requirements. This request is to award RFP # 2019-6 to D.A.G. Enterprises.

STAFF RECOMMENDATION: Consideration of approval by Mayor and Council

COMMITTEE RECOMMENDATION:

THIS REQUEST FORM MUST BE SUBMITTED TO THE CITY CLERK'S OFFICE NO LATER THAN 5:00 P.M. ON FRIDAY ONE AND A HALF WEEKS PRIOR TO THE CITY COUNCIL MEETING.



SUBMITTER'S SIGNATURE

REVIEWED AND APPROVED BY:



TONITA GURULE-GIRON
MAYOR

TANA VEGA, INTERIM
FINANCE DIRECTOR
(PROCUREMENT)



ANN MARIE GALLEGOS,
INTERIM CITY MANAGER

PURCHASING AGENT
(FOR BID/RFP AWARD)

ESTHER GARDUNO MONTOYA,
CITY ATTORNEY
(ALL CONTRACTS MUST BE
REVIEWED)



City of Las Vegas

318 Moreno Street • Las Vegas New Mexico 87701 • Ph# (505) 425-7504 • Fax # (505) 425-6346

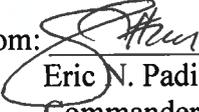


David T. Bibb III
Chief of Police

TO: City of Las Vegas, Certified Procurement Officer

Thru: David T. Bibb III Chief of Police

From:


Eric N. Padilla
Commander

DATE: March 5, 2019

RE: Contract Award for Police Department Vehicle Maintenance

I am writing this memorandum as a request to award D.A.G. Enterprises the Police Departments Gasoline Fleet Repair Services contract. The police department did send out request for proposals required by State of New Mexico Procurement code and State of New Mexico State Statute guidelines. There were plenty of opportunities for vendors to submit proposals to the City of Las Vegas as they were instructed to do by proper release of public information.

D.A.G Enterprises is a locally owned mechanic shop and has provided services for the police department for many years. D.A.G Enterprises was the only vendor to submit their proposals to the City of Las Vegas. After careful review and the request we asked specifically for. D.A.G Enterprises does meet our requirements for services for our gasoline fleet vehicles.

The department did meet with Mr. Diego Griego owner and operator of D.A.G. Enterprises on March 1, 2019. We came to a verbal agreement on a \$70.00 hourly labor rate. Therefore once again I am asking the City of Las Vegas award D.A.G Enterprises the police departments gasoline fleet maintenance contract.

XC: Marla Martinez, Finance Specialist
File

AGREEMENT
CITY OF LAS VEGAS
D.A.G. Enterprises

THIS AGREEMENT is made and entered into by and between the City of Las Vegas, hereinafter referred to as the "City" and "D.A.G. Enterprises of N.M. LLC", hereinafter referred to as "D.A.G." Enterprises of N.M. LLC .

The City of Las Vegas is a Municipality in the State of New Mexico, as represented by the City Council. The Council's authorized representative to sign this Agreement is Ann Marie Gallegos, Interim City Manager.

IT IS AGREED BETWEEN THE PARTIES THAT:

1. Scope of Work

D.A.G. shall perform Gasoline Mechanical services on an as needed basis. D.A.G. must be an Automotive Service Excellence (ASE) Certified Gasoline Mechanic.

1. Perform Gasoline Fleet mechanical duties as assigned as a redundant solution. This does **NOT** include the following:
 - a. Oil Changes
 - b. Flat repairs
 - c. Vehicle alignments
 - d. Mount & Balance of tires
 - e. Rotation and balance of tires
 - f. Replacement of air filters
 - g. Purchase of tires
 - h. Towing of City Vehicles
2. Prepare necessary records pertaining to work performed.
3. Perform specialized Gasoline mechanical duties in the repair and inspection of Gasoline Fleet.
4. Trouble shooting to include schematic diagnostic system.
5. Must provide a secure fenced and garage area for City owned Gasoline fleet and equipment.
6. Must have an "On Call" person for after hours, holidays, and/or emergency repairs.
7. Shall include itemized prices on all invoices. **All part warranty's must be provided with invoices.**

8. Provide on-site service when necessary either at City premises or Patrol Street.
9. Provide Gasoline services to other Departments within the City as required under the same terms.
10. Small gas engines to include: Generators and ATV's. D.A.G. at times may have to provide service or repairs onsite to machinery described in this section.
11. Must be able to accommodate a minimum of five (5) fleet vehicles.

Qualifications shall include the following:

1. Work requires a practical knowledge and Automotive Service Excellence (ASE) certified of Gasoline Fleet Service & Maintenance.
2. Valid New Mexico Driver's License Class A.
3. Electrical schematic diagnosis training.
4. Certified to perform Gasoline Mechanical Inspection and provide cost estimate.
5. Must possess a valid City business license and tax identification number.
6. Must be within 10 miles of the City of Las Vegas.

Contractual Terms

The following contractual terms will be included in any Contract entered into by the City and D.A.G.:

1. Funding

This solicitation is subject to the availability of funds to provide this service. Payment and performance obligations for succeeding fiscal year shall be subject to the appropriation of funds. Therefore, when funds are not appropriated, or otherwise made available to support continuation of performance of the contract in a subsequent fiscal period, the contract will be terminated.

2. Term

The term of this agreement shall be for a period of one (1) year. Due to the need for continuity of the Gasoline services, the term may be extended from year to year for a maximum of four (4) years, with the annual approval of the City Manager.

Sixty (60) days prior to the end of each year of the agreement, the City may, without stating a cause, give notice of its intention to terminate the contract. If no such notice of termination is given, then the contract shall be submitted to the City Manager for renewal on a year to year basis for a maximum of four (4) years.

3. Termination

This Contract may be terminated by either of the parties hereto upon written notice delivered to the other party at least thirty (30) days prior to the intended date of termination. The written notice referred herein need not set forth reasons for any such termination. By such termination neither party may nullify obligations already incurred prior to the date of termination. The two parties may shorten this notice requirement only upon a written agreement. Should the D.A.G. default on the Contract, the City shall retain the right to terminate this agreement immediately.

4. Timeliness

All work shall be performed on a priority basis (24-48 hours), as requested.

5. Communication with the City of Las Vegas

D.A.G. shall be required to communicate and update City staff on the status of repairs.

6. Work Stoppage

The City retains a unilateral right to order, in writing, temporary stoppage of the work or delay of the performance of the work.

7. Assign ability/ Subcontracting

D.A.G. shall not assign, sublet or transfer their interests in this Contract without the written agreement of the City. If such an assignment is allowed, D.A.G. shall be ultimately responsible to insure that the work is performed satisfactorily.

8. Scope of Contract

This Contract incorporates all the agreements, covenants, and understandings between the parties concerning the subject matter of this Contract, and all such agreements, covenants, or understandings, oral or written, of the parties or their agents shall not be valid or enforceable, unless embodied into this Contract.

9. Amendment

This Contract will not be altered, changed, or amended except by approval of Mayor & Council and signed by the parties to this Contract.

10. Registration

All work shall be under the direction of an Automotive Service Excellence (ASE) Certified Gasoline Fleet Mechanic.

11. Professional Standards

D.A.G. agrees to abide by and perform its duties in accordance with the ethics of its profession and abide by all safety compliances mandated by the profession.

12. Authority to Bind the City

D.A.G. shall not have the authority to enter into any contract binding upon the City or to create any obligations on the part of the City, except such as shall be specifically authorized by the City's representative, acting pursuant to authority granted by the City.

13. Notices

Any notice required to be given under this Contract shall be deemed sufficient if given in writing by mail or hand delivery to the City Clerk's Office and/or department designee.

14. Subject to other Documents

This Contract is subject to the terms and conditions of the statutes of the State of New Mexico and Ordinances of the City of Las Vegas, New Mexico as they exist at the time that this Contract is signed or as they are hereafter amended. All such statutes and ordinance are incorporated by reference into this agreement.

15. Insurance

D.A.G. must at all times hold General Liability insurance of at least \$1,500,000.00 per occurrence with a \$2,000,000.00 aggregate and list the City as an additional insured. Proof of Compliance with this insurance requirement is to be provided to the City upon execution of the Contract.

D.A.G. will be required to furnish insurance certification for the insurance required, upon exaction of this agreement.

16. Conflict of Interest

D.A.G. warrants that it presently has no interest and will not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of services under this Contract.

17. Method of Payment

D.A.G. shall submit itemized monthly invoices and statements of work performed on behalf of each City Department. The City will pay the contractor within thirty (30) days of the City's receipt of an acceptable invoice. Invoices shall incorporate vehicle license plate numbers and include detail of hours worked and parts replaced, including warranty period for each repaired item. The City reserves the right to request additional documentation from the Contractor prior to paying any disputed portion of the invoice. The City reserves the right to audit this documentation at any time.

18. Penalties for violation of law

The Procurement Code, Sections 13-1-28 through 13-1-199, NMSA 1978, and City of Las Vegas Resolution number 07-41, imposes civil and criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for illegal bribes, gratuities and kickbacks.

19. Governing Law

The law of the State of New Mexico shall govern this Agreement, without giving effect to its choice of law provisions. Venue shall be proper only in a New Mexico court of competent jurisdiction in accordance with Section 38-3-1 (G) NMSA 1978. By executing this Agreement, D.A.G. acknowledges and agrees to the jurisdiction of the courts of the Fourth Judicial District including any and all lawsuits arising under or out of any term of this Agreement.

20. Indemnification

D.A.G. will indemnify, keep and hold harmless the City of Las Vegas, its agents, officials, and employees, against all suits or claims that may be based on injury to persons or property that are a result of an error, omission, or negligent act of the Mechanic or any person employed by or acting on behalf of Mechanic.

21. Warrant and Recall Work The Contractor will administer all warranties for parts associated with management of the City's Gasoline Fleet.

22. Rework

- a. All materials, parts, and workmanship furnished by the Contractor will be of high standards and free from defects and imperfections and meet all OEM standards and specifications. The Contractor will track and identify in its billings multiple repairs for the same deficiency on the same vehicle (rework) and will not bill the City any rework that occurs within the following timeframes:

- ❖ Engine and Transmission overhauls – 12 months or 12,000 miles

- ❖ Brake overhaul with the exception of excessive wear items such as pads, shoes rotors and drums- 12 months or 6,000 miles.
- ❖ Tune up- 12 months or 6,000 miles
- ❖ General Repair (excluding electronic components) 12 months or 6,000 miles
- ❖ All rework must be performed within 24 hours after City notification of corrective action, except for major component rework, the time allowed for which will be determined by the City.

23. RECORD KEEPING AND REPORTING:

- a. A complete file will be maintained by the Mechanic for all maintenance and repair work done, including all contracted/commercial work. This folder will contain, by repair order number, all repair orders generated for the fleet. Upon prior notice by the city, the Mechanic will provide authorized City representatives with access at all reasonable times to all electronic, hard data and will provide the City cost verification for work. An annual report on repairs may be required. These records become the property of the City at contract termination or conclusion.

24. Compensation

- a. The City shall pay D.A.G. in full payment for services satisfactorily performed at the rate of \$ 70.00 per hour plus parts as needed, and to include tax on labor only.
- b. D.A.G. must submit a detailed invoice accounting for all services performed and expenses incurred. City Representative must sign the invoice to indicate that work was complete. D.A.G. must provide a copy of receipt of purchase for parts from there supplier upon request. Upon certification by the City that the services have been received and accepted, payment shall be tendered to D.A.G. within thirty (30) days after the date of acceptance.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date of signature below.

By: _____
Ann Marie Gallegos, Interim City Manager

Date: _____

By: _____
D.A.G. Enterprises of N.M. LLC

Date: _____

Approved as to Legal Sufficiency:

Esther Garduño-Montoya, City Attorney

ATTEST:

Casandra Fresquez, City Clerk

CITY OF LAS VEGAS
RFP/BID/OPENING

DATE: 10-Jan-2019

OPENING NO.: 2019-06

TIME: 2:00 PM

DEPARTMENT: POLICE DEPARTMENT

LOCATION: City of Las Vegas Chambers
1700 N. Grand Ave.
Las Vegas, NM 87701

ITEM(S): **GASOLINE FLEET REPAIR SERVICES FOR
THE CITY OF LAS VEGAS POLICE DEPARTMENT**

RECEIVED FROM:	AMOUNT	SUB CONTRACTOR LIST	BID BOND	AFFIDAVIT NOTARIZED	CAMPAIGN DISC. FORM
1 <u>D.A.C. Enterprises</u>				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2					
3					
4					
5					
6					

COMPANY REPRESENTATIVE	COMPANY NAME
1 <u>Gruper Dipodaca</u>	<u>Colr. Yacendary</u>
2 <u>Marla Mang</u>	<u>City Purchasing</u>
3 <u>Eric N. Pasillo</u>	<u>Las Vegas Police Dept.</u>
4	<u>Las Vegas Police Dept.</u>
5	
6	
7	
8	
9	
10	

(use other side of form when full)

ORIGINALS TAKEN BY CITY CLERK:

Annelle Jeyan
DATE: 1/30/19

OPENED BY: FINANCE DEPARTMENT

[Signature]
DATE: 1/30/2019

COPIES TAKEN BY DEPT:

Marla Mang
DATE: 1/30/19

REQUEST FOR PROPOSALS

The City of Las Vegas, New Mexico will open Sealed Qualifications/Proposals at 2:00 am/pm, Jan 10, 2019 at the City Council Chambers, 1700 North Grand Avenue, Las Vegas, New Mexico, or other designated area at the City Offices; ON THE FOLLOWING:

GASOLINE FLEET REPAIR SERVICES FOR THE CITY OF LAS VEGAS POLICE DEPARTMENT

Proposal Forms and Specifications may be obtained from the following location:

City Clerk's Office @ 1700 N Grand Avenue, Las Vegas, NM 87701

Mailed proposals should be addressed to the City Clerk, 1700 N. Grand Ave., Las Vegas, New Mexico 87701; with the envelope marked **GASOLINE FLEET REPAIR SERVICES FOR THE CITY OF LAS VEGAS POLICE DEPARTMENT** Opening No. 2019-6 ; on the lower left-hand corner of the submitted envelope. It shall be the responsibility of the Offeror to see that their proposal is delivered to the **City Clerk** by the date and time set for the proposal request. If the mail or delivery of proposal request is delayed beyond the opening date and time, proposal thus delayed will not be considered. Proposals will be reviewed at a later date with possible negotiations to follow.

The City of Las Vegas reserves the right to reject any/or all proposals submitted.

CITY OF LAS VEGAS,

Ann Marie Gallegos
ANN MARIE GALLEGOS, INTERIM CITY MANAGER

Esther Garduno Montoya
ESTHER GARDUNO MONTOYA, CITY ATTORNEY

Casandra Fresquez
CASANDRA FRESQUEZ, CITY CLERK

Tana Vega
TANA VEGA, INTERIM FINANCE DIRECTOR

Helen Vigil
HELEN VIGIL, PURCHASING OFFICER

Opening No. 2019-6

Date Issued: 12/14/2018

Published: LAS VEGAS OPTIC
www.lasvegasnm.gov

Dec 19 .2018
Dec 19 .2018

OFFEROR INFORMATION

OFFEROR: _____

AUTHORIZED AGENT: _____

ADDRESS: _____

TELEPHONE NUMBER (_____) _____

FAX NUMBER (_____) _____

DELIVERY: _____

STATE PURCHASING RESIDENT CERTIFICATION NO.: _____

NEW MEXICO CONTRACTORS LICENSE NO.: _____

SERVICE (S): **GASOLINE FLEET REPAIR SERVICES FOR THE CITY OF LAS VEGAS POLICE DEPARTMENT.**

THE CITY OF LAS VEGAS RESERVES THE RIGHT REJECT ANY OR ALL PROPOSALS AND TO WAIVE ANY TECHNICAL IRREGULARITY IN THE FORM.

AFFIDAVIT FOR FILING WITH COMPETITIVE PROPOSAL

STATE OF _____ }

} ss

COUNTY OF _____ }

I, _____ of lawful age, being of first duly sworn in oath, say that am the agent authorized by the offerors to submit the attached proposal. Affiant further states that the offeror has not been a party to any collusion among offerors in restraint of freedom of competition by agreement to a fixed price or to refrain from submitting a proposal; or with any city official or employee as to the quantity, quality or price in the prospective contract, or any other terms of said prospective contract; or in any discussion between offerors with any City official concerning an exchange of money or any other thing of value for special consideration in the letting of a contract.

Signature

Subscribed and sworn to before me, this _____ day of _____, 20_____.

(SEAL)

Notary Public Signature

My Commission Expires: _____

AWARDED PROPOSAL

Awarding of proposal shall be made to the responsible offeror whose proposal best meets the specification. The City of Las Vegas (City) reserves the right to reject any or all proposals submitted.

TIMETABLE

Proposal pursuant to this request must be received at the City Clerk's Office at 1700 North Grand Avenue, Las Vegas, New Mexico, on or before: Jan 10, 2019 2:00 am/pm at which time all proposal received will be opened. The opening will occur at the City Council Chambers or other designated area at the City Offices. Awarding of proposal is projected for: _____, 2019. The successful offeror will be notified by mail.

ENVELOPES

Sealed proposal envelopes shall be clearly marked on the lower left-hand corner, identified by the Proposal Name and Opening Number. Failure to comply with this requirement may result in the rejection of the submitted proposal.

BRIBERY AND KICKBACK

The Procurement Code of New Mexico (Section 13-1-28 through 13-1-199 N.M.S.A. 1978) imposes a third degree felony penalty for bribery of a public official or public employee. In addition, the New Mexico Criminal Statutes (Section 30-4-1, N.M.S.A. 1978) states that it is a third degree felony to commit the offense of demanding or receiving a bribe by a public official or public employee. (Section 30-24-2 N.M.S.A. 1978) it is a fourth degree felony to commit the offense of soliciting or receiving illegal kickbacks. In addition (Section 30-41-1 through 30-41-3, N.M.S.A. 1978) states that it is a fourth degree felony to commit the offense of offering or paying illegal kickbacks.

RESPONSIBILITY OF OFFEROR

At all times it shall be the responsibility of the offeror to see that their proposal is delivered to the City Clerk by the Date and Time scheduled for the opening. If the mail or delivery of said proposal is delayed beyond the scheduled opening date and time set, this proposal will not be considered.

NON-COLLUSION

In signing of their proposal and affidavit the offeror certifies that he/she has not, either directly or indirectly entered into action of restraint of free competition in connection with the submitted proposal.

CLARIFICATION OF PROPOSAL

Offeror requiring clarification or interpretation of the proposal specifications shall make a written request to the Department involved in the proposal request at least five (5) days prior to the scheduled proposal opening date; with a copy forwarded to the Finance Department. Any interpretations, corrections, or changes (not part of the negotiation stage) of said proposal specifications shall be made by "ADDENDUM" only; including any Opening Dates or Time Change. Interpretations, corrections, or changes of said proposal made in any other manner (before opening and negotiation stage) will not be binding and offeror shall not rely upon such interpretations, corrections, and changes.

MODIFICATION OR WITHDRAWAL OF PROPOSAL

A proposal may not be withdrawn or cancelled by the offeror following the scheduled opening date and time; the offeror does so agree in submitting their proposal. Prior to the scheduled time and date of opening, proposals submitted early may be withdrawn but may not be re-submitted.

APPLICATION OF PREFERENCE

Pursuant to (Section 13-1-21 and 13-1-22, N.M.S.A. 1978), any New Mexico resident business or resident manufacturer who wishes to receive the benefit of an "Application of Preference" must provide their Certificate Number (issued by N.M. State Purchasing); with their proposal on the "OFFEROR INFORMATION/AFFIDAVIT" form.

FEDERAL TAX IDENTIFICATION NUMBER

Pursuant to IRS requirements, offerors shall provide their Federal Tax ID Number if offeror is incorporated. If offeror is a sole proprietorship or partnership, then shall provide their Social Security Number.

FEDERAL TAX ID NUMBER: _____

SOCIAL SECURITY NUMBER: _____

NEW MEXICO TAX IDENTIFICATION NUMBER

Payment may be withheld under; (Section 7-10-5, N.M.S.A. 1978) if you are subject to New Mexico Gross Receipts Tax and have not registered for New Mexico (CRS) Tax Identification Number. Contact the New Mexico Taxation & Revenue Department at (505) 827-0700 for registering instructions.

SPECIAL NOTICE

Proposals will be opened and all submitted copies will be checked for accuracy of Department's specific amount of copies requested. Any price or other factors of the submitted proposals will not be read out loud to anyone in attendance at the proposal opening. All factors of the submitted proposals are not public record to other offerors or interested parties before the negotiation or awarding process.

The department involved in the proposal request will evaluate all proposals submitted according to the evaluation criteria indicated in the proposal specifications.

NEGOTIATION

Pursuant to the City of Las Vegas Purchasing Rules and Regulations (section 6.7); discussions or negotiations may be conducted with a responsible offeror who submits an acceptable or potentially acceptable proposal. Negotiations of price will be done after all evaluation criteria have been met.

CONTRACT

When the City issues a purchase order in response to an awarded proposal, a binding contract is created (unless a specific contract has been created).

TAXES:

Bidder must pay all applicable taxes.

NOTE:

If bidder is from outside the City of Las Vegas, the successful bidder must pay Gross Receipts Tax in the City of Las Vegas.

CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Pursuant to Chapter 81, Laws of 2006, any prospective contractor seeking to enter into a contract with any state agency or local public body must file this form with that state agency or local public body. The prospective contractor must disclose whether they, a family member or a representative of the prospective contractor has made a campaign contribution to an applicable public official of the state or a local public body during the two years prior to the date on which the contractor submits a proposal or, in the case of a sole source or small purchase contract, the two years prior to the date the contractor signs the contract, if the aggregate total of contributions given by the prospective contractor, a family member or a representative of the prospective contractor to the public official exceeds two hundred and fifty dollars (\$250) over the two year period.

THIS FORM MUST BE FILED BY ANY PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBER, OR THEIR REPRESENTATIVE HAS MADE ANY CONTRIBUTIONS SUBJECT TO DISCLOSURE.

The following definitions apply:

"Applicable public official" means a person elected to an office or a person appointed to complete a term of an elected office, who has the authority to award or influence the award of the contract for which the prospective contractor is submitting a competitive sealed proposal or who has the authority to negotiate a sole source or small purchase contract that may be awarded without submission of a sealed competitive proposal.

"Campaign Contribution" means a gift, subscription, loan, advance or deposit of money or other thing of value, including the estimated value of an in-kind contribution, that is made to or received by an applicable public official or any person authorized to raise, collect or expend contributions on that official's behalf for the purpose of electing the official to either statewide or local office. "Campaign Contribution" includes the payment of a debt incurred in an election campaign, but does not include the value of services provided without compensation or unreimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political committee, nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee.

"Contract" means any agreement for the procurement of items of tangible personal property, services, professional services, or construction.

"Family member" means spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law.

"Pendency of the procurement process" means the time period commencing with the public notice of the request for proposals and ending with the award of the contract or the cancellation of the request for proposals.

"Person" means any corporation, partnership, individual, joint venture, association or any other private legal entity.

"Prospective contractor" means a person who is subject to the competitive sealed

proposal process set forth in the Procurement Code or is not required to submit a competitive sealed proposal because that person qualifies for a sole source or a small purchase contract.

"Representative of a prospective contractor" means an officer or director of a corporation, a member or manager of a limited liability corporation, a partner of a partnership or a trustee of a trust of the prospective contractor.

DISCLOSURE OF CONTRIBUTIONS:

Contribution Made By: _____

Relation to Prospective Contractor: _____

Name of Applicable Public Official: _____

Date Contribution(s) Made: _____

Amount(s) of Contribution(s) _____

Nature of Contribution(s) _____

Purpose of Contribution(s) _____

(The above fields are unlimited in size) _____

Signature

Date

Title (position)

-OR-

NO CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER TWO HUNDRED FIFTY DOLLARS (\$250) WERE MADE to an applicable public official by me, a family member or representative.

Signature

Date

Title (Position)

REQUEST FOR PROPOSAL
FOR GASOLINE FLEET REPAIR MAINTENANCE SERVICES
FOR THE LAS VEGAS POLICE DEPARTMENT

I. PURPOSE OF REQUEST.

The City of Las Vegas Police Department ("PD") is requesting proposals for the selection of a primary vendor and location to furnish maintenance and repair services, to include all labor, parts and material necessary for the various classifications, types and makes/models of vehicles. Please note this would not be an exclusive maintenance contract. A list of existing city vehicles are attached herein as examples only. The number, make/model and composition may change without prior notice. Contractors located in the general areas of Las Vegas, within a ten (10) mile radius of the police department are preferred. The selection will be based on overall price, services, performance and reliability of the proposers. The PD needs are outlined in the following Request for Proposal ("RFP"). Please provide one (1) original and three (3) copies of the RFP.

II. SELECTION CRITERIA.

Criteria.....	Weight	Given
1. Responsiveness of the written proposal To the purpose and scope of service, completeness and clarity of all required information and any supplemental information provided by Contractor that will demonstrate the quality of services.	40%	
2. Price.....	50%	
3. Ability, experience, financial resources..... and history of successfully completing contracts of this type, meeting projected deadlines and experience in similar work, location, the character, integrity, reputation, judgment and efficiency of the Contractor.	10%	
Total Criteria Weight.....		100%

Each proposal will be independently evaluated on Factors 1 through 3.

III. SCOPE OF SERVICES

The scope of service, operating procedures, and vehicles to be covered are attached herein as Exhibit A, B, and D respectively.

IV. TERMS AND CONDITIONS.

- A. The term of the contract shall be for a period of one (1) year from the initial date the contract is signed. The initial term may be extended from year to year through addendum for a maximum of four (4) years upon mutual agreement by all parties.
- B. The City reserves the right to request clarification of information submitted, and to request additional information from any proposer.
- C. The City reserves the right to award any contract to the next most qualified proposer, if the

successful proposer does not execute a contract within fifteen (15) days after award of proposal

- D. The City reserves the right to award all or a portion of the required services to more than one qualified contractor at the City's sole discretion.
- E. The contract resulting from acceptance of a proposal by the City shall be in a form supplied or approved by the City, and shall reflect the specifications in this RFP. It shall include requirements to comply with ADA, Civil Rights Act and EEP requirements.
- F. Prior to contract award, the City will meet with the Contractor to review procedures for invoicing, payment, reporting, if any, and clarification of services to be provided by terms.
- G. The Contractor should expect semi annual meetings with Police and City personnel to review service performance.
- H. The City shall not be responsible for any costs incurred by the firm in preparing, submitting or presenting its response to the RFP.
- I. The City reserves the right to perform unannounced site visits, interview staff and management, and test repairs prior to selection to determine, among other things:
 - a. Customer service responsiveness
 - b. Shop organization and operation efficiency
 - c. Response time

V. COMPENSATION

- A. Present detailed information the firm's proposed fee schedule for the specifications proposed and for any variation for the non-routine services, inclusive of New Mexico sales tax and any other applicable governmental charges. Provide specifics as to definitions of routine versus non routine tasks, what is fixed as opposed to variable, and how costs are adjusted according to that classification
- B. Payment by the City for the services will only be made after the services have been performed and accepted by authorized City representatives. The City requires that all its vendors have a Department of Treasury Internal Revenue Service Form W-9 on file with the City to accommodate payment. Itemized billings shall be submitted upon completion containing information specified by the City as described in Exhibit A under Repair Order. Monthly statements shall be submitted by the 30th of each month with a listing of all Repair Order Numbers, cost, and date identified. Payment will be made within thirty (30) days after receipt of an invoice. Discount periods must be extended if the billing invoice is returned for credit or correction.

VI. RFP CONTENTS AND ATTACHMENTS

1 This RFP

2 Exhibit A – Scope of Service

 Schedule A: Preventive Maintenance Schedule

3 Exhibit B – Operating Procedures

4 Exhibit C – Proposal Forms, consisting of

 I. Management Information

 II. References

 III. Supplemental Questionnaire

 IV. Facility Description

 V. Subcontractor List

 VI. Cost and Conditions

 VII. Proposal Pricing Work Sheet.....

5 Exhibit D – Vehicle List

6 Exhibit E – Sample of Maintenance/Labor contract agreement.....

**EXHIBIT A
SCOPE OF SERVICE**

GENERAL PROVISIONS

The successful contractor must be able to perform diagnostic services, preventative maintenance and common repair services on vehicles and equipment that include, but are not limited to, brakes, suspension, heat/air conditioning systems, electrical systems, engine, etc. The City's preference is to have a primary Contractor that has the ability to perform all required services if possible.

This Request for Proposal is divided into vehicle manufactures, service items and sub-items to allow the award of more than one contract, if it is deemed to be in the City's best interest. The City of Las Vegas reserves the right to award all items and sub-items to one or more vendors, multiple items with sub-items to one vendor or in any manner deemed to be most advantageous to the City.

The Contractor must have the ability to provide required preventative maintenance and repair service listed in Section E (below) for the fleet listed on Exhibit D (page 17). Any exception including subcontracting must be noted in the response.

A. Preventative Maintenance

The City's vehicles are routinely driven in short distance: frequent start/stop; and long idle periods. The attached Schedule A (page 6) outlines preventative maintenance requirements due to the use conditions. The average annual usage is normally around 10,000 miles for administrative purposes vehicles and 16,000 Police patrol vehicles.

B. Repairs and Maintenance

- Provide service/repairs to all common mechanical and electrical systems as needed. Excludes oil changes, vehicle alignments, flat tire repair, mount and balance of tires, rotation and balance of tires, tire replacement, and air filters.

C. Conditions on Required Services

- 24-hour turn-around on common repairs excluding oil changes, vehicle alignments, flat tire repair, mount and balance of tires, rotation and balance of tires, tire replacement, and air filters.
- When a prior appointment has been made for routine maintenance, the turn-around time should be four (4) hours.

D. Repair Order Content and Procedure

The Contractor shall provide repair orders for all services provided containing the following information:

- Repair estimates with anticipated work to be performed, estimated completion time, and estimated cost signed by the city staff upon pick-up/drop-off. A confirming copy with final cost shall be delivered to City Police Departments Fleet Supervisor or designee upon completion of the work, and a billing copy shall be delivered to the City Police Departments Financial Specialist upon completion of the work.
- Actual work/cost above written estimate requires the Police Department Fleet Commanders approval prior to work start.
- Authorization of work by designated Police Department Fleet Commander or designee is required for all repair orders.
- Individual vehicle charges shall be submitted on separate repair orders for each service visit. The repair order must include:
 - a. Date work performed

- b. Vehicle and/or license #, make/model
- c. Vehicle mileage at time of service/repair
- d. Date in / date out / time completed

e. Detail type of service, hours, material used, and cost associated with each.

f. Officers name or Police Department personnel name.

- The Contractor guarantees and warrants that all material furnished and all services performed under said contract will be free from defects in material and workmanship and will conform to the requirements of this contract for a period of 120 days or 4,000 miles, whichever occurs first. The Contractor shall remedy all such defects at his/her own expense within one (1) working day after notification by the PD.
- Warranty repair orders need to be provided by the Contractor to the PD fleet supervisor or designee on all material and services covered by warranty.

E. Hours of Operation

The PD is active on a 24/7 basis and desires the most comprehensive hour coverage possible. Please identify normal business hours and emergency business hours if available.

Las Vegas Police Department

Vehicle Maintenance Record

OFFICER ASSIGNMENT _____

*Notice
THIS FORM IS TO REMAIN IN VEHICLE

UNIT # _____ 1ST START MILEAGE _____

YEAR _____ 2ND START MILEAGE _____

MAKE _____ 3RD START MILEAGE _____

MODEL _____ 4TH START MILEAGE _____

	MILEAGE IN THOUSANDS																							
	5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100	105	110	115	
Oil & Filter	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Lubrication	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Air Filter	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Brakes (inspect pads/shoes)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Front Wheel Bearings							X												X					X
Drain & replace gear oil							X												X					X
Transmission Service				X									X											X
Suspension steering (inspect)			X			X			X					X										
Cooling System (change)									X										X					
Exhaust System (inspect)			X			X			X					X					X					
Belts (Inspect)			X			X			X					X					X					
Tune Engine						X						X												X
Fuel Filter (inspected)			X			X			X					X								X		X
Assigned Officers Initials																								

Major Component Replacement Or Repair

Engine Replace/Overhaul	Date	Mileage	Cost
Transmission	Date	Mileage	Cost
Suspension (Major)	Date	Mileage	Cost
Speedometer	Date	Mileage	Difference

EXHIBIT B
OPERATING PROCEDURES
FOR VEHICLE MAINTENANCE
SERVICES

This section sets forth the operating policy and procedures for servicing City vehicles and equipment. It discusses maintenance scheduling procedures, loaner procedures and invoicing requirements.

Contracted maintenance facilities are expected to provide prompt, courteous and competent service to drivers. Garage staff must be knowledgeable about service procedures, and initiate the service transaction within 15 minutes of their arrival and/or service call is placed. It is important that the service desk is staffed adequately to provide efficient customer service in a timely manner.

To assist the Contractor with the maintenance program, the PD will provide:

1. Listing of covered vehicles (Exhibit D) by work order number, updated as necessary.
2. Repair orders and billing invoices must refer to the vehicles by their work order number.
3. PD preventative maintenance schedule (Schedule A)
4. Designated staff contacts.

A. Scheduling of Maintenance and Service Procedures

1. PD has designated the Fleet Supervisor as the Service Representative (SR). Although the garage will have contact with other Police Department staff, the SR is your primary contact with the PD.
2. The contracted garage shall identify a single individual by name to serve as the responsible contact for daily communication with the PD regarding vehicle scheduling and vehicle status update(s).
3. The SR will contact the designated garage representative between 7:30 a.m. and 5:00 p.m., weekdays to determine the status of vehicles and/or equipment being serviced. The garage contact should provide accurate and timely information to the SR on vehicle status including but not limited to:
 - What vehicles/equipment is ready by vehicle number.
 - What vehicles/equipment is being serviced/require repair.
 - Estimated completion of vehicles/equipment under repair.
 - Description of repairs and costs.
4. For other services besides preventative maintenance, the vehicle driver will deliver the vehicle to your facility, and provide a description of problem of the vehicle.
 - a. Contractor to contact SR for estimates and obtain authorization to proceed. For services estimated over \$500, Contractor must obtain SR approval.
5. After the service is completed:
 - a. Complete Vehicle Service Order ready for SR or designee to sign.
 - b. Place service reminder label on the driver's side windshield stating the next maintenance Mileage and Date for routine preventative maintenance.
 - c. Contact SR or officer to provide time that vehicle is ready. If the SR or officer is not available, leave a voicemail message.
 - d. SR or designee will check work performed, sign off Service Order, and accept the keys from Contractor representative.

6. When repairs cannot be accomplished at your facility in the proposal, you must contact the SR for instructions. No repairs shall be made by non-authorized facilities without notification of the SR.
7. The City asks that you report to the SR any vehicle brought in for service or specific concern with problems caused by driver misuse.
8. The Contractor will be responsible for loss and damage to all City vehicles under its custody and/or control.

B. Preventive Maintenance

The PD will provide a listing of vehicles due for preventive maintenance service at the beginning of each month. Vehicles will be listed by work order number, the type of preventative maintenance the vehicle is to receive, and the week the vehicle is due for service. PD SR or designee will notify Contractor for specific dates the vehicle will be available for service.

The preventative maintenance services will be in accordance with the preventative maintenance schedule (Schedule A). Additionally:

1. If projected brake pad/shoe life is less than 1500 miles, contact the SR or designee for authorization to replace brake pads/shoes.
2. Turn-around time of 24 hours for preventive maintenance is expected.
3. When a prior appointment has been made for preventative maintenance, the turnaround time should be four (4) hours.

C. Non-Preventative Maintenance Service and Emergencies

1. Non-routine maintenance, other than emergencies, will be handled by appointment through the SR or designee. If a driver stops at your facility Monday through Friday between 7:30 a.m. and 5:00 p.m. requesting service without prior notification to you from the PD, call the SR/designee for instructions.
2. After Contractor hours, if a vehicle has a breakdown or is involved in an accident and must be towed, the driver has been instructed to have the vehicle towed to your facility. The operator will then provide their own transportation. You may, therefore, encounter a disabled vehicle that has been towed to your facility during non-working hours. In such a situation, you will be notified and someone from your garage must accept the vehicle for proper storage, you shall notify the SR or designee for instructions.
3. There may be times when the SR calls early in the day with a specific set of instructions, and later in the day changes them; or, another staff member will call to change them if the SR is not available. The last set of instructions will prevail.
4. Turn-around time of 24 hours for non-preventative maintenance service is expected unless otherwise approved by SR.

**EXHIBIT C
PROPOSAL FORMS**

I. MANAGEMENT INFORMATION

Proposers must have prior successful experience performing maintenance and repair services on automobiles, must be licensed to conduct business in the State of New Mexico, and must possess all permits, licenses, certifications (ASE), approvals, equipment, materials, and staff necessary to perform and/or carry out the requirements of the contract.

1. SHOP PROFILE RESPONSIBILITY

SHOP NAME: _____

NAME OF SHOP OWNER(S) _____

SHOP ADDRESS: _____

PHONE NUMBER: _____

FAX NUMBER: _____

NUMBER OF YEARS IN BUSINESS: _____

NUMBER OF YEARS IN BUSINESS AT THIS LOCATION: _____

2. PROXIMITY TO POLICE DEPT. _____ MILES.

3. NAME OF SHOP MANAGER(S): _____
State the duties and qualifications of shop manager(s)

4. ASSIGNED CONTACT/SERVICE REPRESENTATIVE:

Name: _____

Title/Duties: _____

Qualifications: _____

Years with Contractor: _____

Phone Numbers: Work: _____ Pager: _____

5. Emergency Contact (365 days/year; 24 hours): _____

6. Operating Hours – The Contractor shall be currently operating out of a commercial facility, which is open and accessible to PD personnel, without prior notice during normal business hours. Facilities shall be available for vehicle service between the hours of 8:00am and 5:00pm. Monday through Friday (excluding holidays). Please state hours that your facility is open for maintenance service.

Monday	_____	a.m.	to	_____	p.m.
Tuesday	_____	a.m.	to	_____	p.m.
Wednesday	_____	a.m.	to	_____	p.m.
Thursday	_____	a.m.	to	_____	p.m.
Friday	_____	a.m.	to	_____	p.m.
Saturday	_____	a.m.	to	_____	p.m.
Sunday	_____	a.m.	to	_____	p.m.

7. Please provide an experience/qualification profile for each member of your **technical staff** to include the following information. Attach additional sheets if needed.

<u>Name</u>	<u>Job Title/Years in Job</u>	<u>Years with Contractor</u>	<u>Job-Related Training/ Cert./Date</u>

8. Given the size and composition of your current staffing, will it be necessary for you to increase staffing to meet requirements of this contract? (Explain)
9. Please describe your hiring and continued education/training requirements for mechanics?

II. REFERENCES

1. Describe your shop's experience providing vehicle maintenance services including the number of years in business, and type of services provided.
2. Please provide 3 commercial client references, their size of fleet by vehicle type, years of contract relation, type and frequency of the service provided. Please identify the contact person and phone number for each. Use additional sheets if necessary.

Company Name _____
Company Address _____ Company Phone _____
Contact Person _____ Fleet Size/Type _____
Years of Contract _____ Frequency of Service _____

Company Name _____
Company Address _____ Company Phone _____
Contact Person _____ Fleet Size/Type _____
Years of Contract _____ Frequency of Service _____

Company Name _____
Company Address _____ Company Phone _____
Contact Person _____ Fleet Size/Type _____
Years of Contract _____ Frequency of Service _____

3. Approximately what percent of your shop work is currently derived from fleet business? _____ %

4. Has your shop ever been a subject of Better Business Bureau action? Yes No

Describe:

5. Are you currently or have you ever previously contracted with a municipality to provide vehicle maintenance service? Yes No

Describe:

6. Are you currently or have you ever previously provided repair services to other government entities?

Yes No

If yes, please list the entity names, contract person and phone number:

7. Briefly describe your interest in servicing the City's fleet and what factors make you the best candidate in your opinion. (Include here any information or materials that you want the City to take into consideration while evaluating your ability to perform this contract.)

8. The PD reserves the right to perform unannounced site visits, interview staff and management, and test repairs prior to selection to determine, among other things:
 - the customer service responsiveness
 - the shop organization and operation efficiency
 - the response time

III. SUPPLEMENTAL QUESTIONNAIRE

1. PD drivers are usually in a hurry and need to return to work. Their expectation is to be acknowledged and served promptly, courteously and competently. How will you do this?

2. What procedures are followed to ensure successful completion of service work prior to the vehicle being released to the customer?

3. PD requires the Contractor to designate one person from the shop to work with the PD representatives and communicate vehicle repair status and scheduling on a routine basis. Please identify this position and the qualifications you will establish for this position.

4. The PD expects 24 hours turnaround time for preventive and for routine repair services. Can you meet this standard and provide quality repair work? Yes [] No []

5. Please specify whether OEM or after-market parts will be used for repairs? If after-market parts will be used, please explain under what circumstances(s). *Please be aware the City requires use of OEM parts for all services unless specifying herein or otherwise approved by SR prior to repair for all services.*

6. List days and hours of shop operations and after-hour emergency services availability.

7. Describe the availability of secured parking for vehicles in for repairs.

IV. FACILITY DESCRIPTION

1. How many bays are available for vehicles?

2. Indicate the number and type of vehicle lifts in the shop

Describe the diagnostic and service equipment currently used. List equipment by function, make, model and year.

Equipment/Function	Make	Model	Age
--------------------	------	-------	-----

3. Describe what provisions and procedures you have in place to dispose of hazardous substances, oils, coolants, etc.

4. Do you have a certified emissions specialist on staff? Yes No

5. Do you have an electrical systems specialist on staff? Yes No

6. Describe any experience that you have in servicing/maintaining lift-equipped vehicles.

7. The PD requires the Contractor to coordinate warranty work. Please describe how you would perform that and which dealership / service departments you will use for Chevrolet, Ford, GMC, and Dodge etc.

Please provide name of dealership, shop location and phone number.

8. Can you perform emergency roadside service as required? Yes No

All repair parts are to be OEM or equivalent. Exceptions will be individually considered on a case by case basis. Price for each service shall include parts, labor and all necessary fluids and free fluid top off between service intervals. Service reminder stickers are required with each service.

Proposers must state the UNIT PRICE separately for each item and extend the total. Unit prices shall include all packing charges. Unit prices will be used as a basis for awards when an error in extending total amounts occurs. Proposers who restrict offers to the basis of "Lots" or "All or None" must clearly indicate such restriction in writing in the offer.

The City is required to pay New Mexico State Sales or Use Taxes for most goods and services. The City is exempt from Federal Excise and transportation taxes. Taxes shall NOT be included in the bid prices. Applicable taxes will be applied to labor only.

COMPANY	DELIVERY GUARANTEED	DAYS AFTER ORDER	
ADDRESS	PROMPT PAYMENT DISCOUNT TERMS:		
CITY	STATE	ZIP CODE	PHONE
AUTHORIZED REPRESENTATIVE (<i>Print</i>)	TITLE	SIGNATURE	

Proposals signed by an agent are to be accompanied by evidence of their authority.

COST AND CONDITIONS

Services/Costs	Passenger Veh & Light Trucks ATV (gasoline)		4x4 Trucks and Utility Vehicles (diesel)		Police Patrol Vehicles (gasoline)	
	Labor Hr	Material Cost	Labor Hr	Material Cost	Labor Hr	Material Cost
Scheduled Preventive Maintenance:						
Service A: 4 months or 4000 miles Service						
Service B: 8 months or 8000 miles Service						
Service C: 12 months or 12000 miles Service						
Cost of Hourly Labor Rate (not included in Service A,B,C)	\$	-	\$	-	\$	-
Replacement Dealer Parts (not included in Service A,B,C)		%		%		%
Replacement None Dealer Parts (not included in Service A,B,C)		%		%		%

Conditions:

1. Prices for the services listed above must include all labor and material needed to complete the services specified.
2. Prices proposed in this section are firm fixed prices for the initial period of the contract (one year).
3. All repair parts are to be OEM or equivalent. Exceptions will be individually considered on a case- by-case basis. Price for each service shall include parts, labor and all necessary fluids and free fluid top off between service intervals.
4. For police patrol vehicles, all parts are to be OEM. Heavy Duty Police Pursuit Vehicles parts.
5. Service reminder stickers are required with each service.
6. Provide break down of labor hours for each periodic repair item and indicate any exceptions, if applicable. Labor hours shall be repair time, not factory time.
7. Unless otherwise specified and/or agreed to, a standard 120-day or 4000 mile warranty will be required on all labor and materials.

Exhibit D
City of Las Vegas
Police Department Vehicles

YEAR	MODEL	MAKE
1974	Nova	Chevy
1984	Silverado 2500	Chevy
1992	Truck	Nissan
1995	Grand Prix	Pontiac
1995	Silverado	Chevy
1996	Van	Dodge
99-2008	Crown Vic	Ford
2000-2004	Blazer	Chevy
2001	Polaris Scrambler	
2001	F150 truck	Ford
2003	Blazer	Chevy
2003	Impala	Chevy
2004	F150 truck	Ford
2007	Expedition	Ford
2007	Escape	Ford
2009	Charger	Dodge
2010	Suburban	Chevy
2010	Charger	Dodge
2011	Impala	Chevy
2012	Polaris Sportsman	
2013	Interceptor Taurus	Ford
2016	Fusion	Ford
2017	Fusion	Ford

CITY COUNCIL MEETING AGENDA REQUEST

DATE: 04/05/19

DEPT: Community Development

MEETING DATE: 04-17-19

ITEM/TOPIC:

Ordinance #19-02, amendment to the Official Zoning Map for rezone of a property located at 2513 Hot Springs Blvd., Las Vegas, New Mexico.

ACTION REQUESTED OF COUNCIL:

Conduct a public hearing and approve or disapprove of the adoption of the proposed ordinance.

BACKGROUND/RATIONALE:

The City of Las Vegas, the owner of Lots 4, 5, 6, 7 & 8, Block 2, Miguel Romero Y Baca Addition and known as 2513 Hot Springs Blvd., Las Vegas, New Mexico appeared before the Las Vegas Planning & Zoning Commission on March 25, 2019. The City of Las Vegas is requesting that said property be rezoned from the present R-2 (Multi-Family Residential Zone) to a C-1 (Neighborhood Commercial Zone) with the intention of accommodating a Farmer's Market in the parking lot of above property for the Old Town residents.

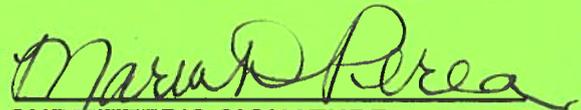
STAFF RECOMMENDATION:

Consideration and approval or disapproval by Mayor and Council.

COMMITTEE RECOMMENDATION:

The Planning & Zoning Commission recommended approval of the rezone from R-2 (Multi-Family Residential Zone) to a C-1 (Neighborhood Commercial Zone) at the regular meeting held on Monday, March 25, 2019.

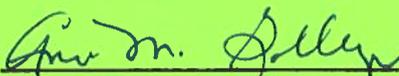
THIS REQUEST FORM MUST BE SUBMITTED TO THE CITY MANAGER'S OFFICE NO LATER THAN 5:00 P.M. ON FRIDAY ONE AND A HALF WEEKS PRIOR TO THE CITY COUNCIL MEETING.


SUBMITTER'S SIGNATURE

REVIEWED AND APPROVED BY:



TONITA GURULÉ-GIRÓN
MAYOR



ANN MARIE GALLEGOS
INTERIM CITY MANAGER

TANA VEGA
INTERIM FINANCE DIRECTOR
(PROCUREMENT)

PURCHASING AGENT
(FOR BID/RFP AWARD)

CITY ATTORNEY
(ALL CONTRACTS MUST BE
REVIEWED)

**CITY COUNCIL
RECORD PROPER**

Applicant/Owner: City of Las Vegas
1700 N. Grand Avenue
Las Vegas, NM 87701

Location: 2513 Hot Springs Blvd.
Las Vegas, NM 87701

Meeting Date: April 17, 2019

ACTION REQUESTED:

Approve or disapprove the adoption of Ordinance No. 19-02, amending the Official Zoning Map from an R-2 (Multi Family Residential Zone) to a C-1 (Neighborhood Commercial Zone) for property located at 2513 Hot Springs Blvd., Las Vegas, New Mexico 87701.

BACKGROUND:

Applicant/Owner, City of Las Vegas, has applied for an amendment to the official zoning map of the City of Las Vegas. The application is to change the zoning of a 0.4304 +/- acre parcel also known as Lots 4, 5, 6, 7 and 8, Block 2, of the Miguel Romero Y Baca Addition to the Town of Las Vegas. Property is located at 2513 Hot Springs Blvd., Las Vegas, New Mexico. Applicant/Owner is requesting to have property rezoned from a Residential Zone to a Commercial Zone to accommodate a Farmers Market on in the parking lot of property located at 2513 Hot Springs Blvd., Las Vegas, New Mexico 87701.

The City's Planning and Zoning Commission held a public hearing on Monday, March 25, 2019 to review testimony in favor or in opposition of the request. A total of 14 notices were mailed out to property owners within a radius of 100 feet.

The City's Planning and Zoning Commission made the recommendation for approval for the requested zone change.

In accordance with Chapter 450-98 of the zoning ordinance, an amendment to the Official Zoning Map may be initialized by the landowner by application. The City of Las Vegas filed their application with the Planning & Zoning Department on February 28, 2019..

This project was presented to the Planning & Zoning Commission and City Council in 2018 to be rezoned as a C-3 (General Commercial Zone) and was approved by both the Commission and Council via Ordinance No. 18-14 on May 16, 2018. Zone Change was subsequently reversed as the Zone Change was appealed to District Court by Ms. Corinna Laszlo-Henry, under Court Case No. D-412-CV-2018-365. A copy of the final order on the Appeal signed on October 23, 2018 is attached.

EXHIBITS

Exhibit No.	Description (Document Name, date and number of pages)
1	Application to rezone property located at 2513 Hot Springs Blvd., Las Vegas, New Mexico, received on February 28, 2019 - 1 page
2	Letter of Intent to rezone above property, dated February 28, 2019 - 1 page
3	Quit Claim Deed from City of Las Vegas Housing Authority to the City of Las Vegas, recorded on 09-21-17, Inst. # 201703206 - 2 pages
4	Warranty Deed from Mountain View Church of Christ of Las Vegas to the City of Las Vegas Public Housing Authority, recorded on 07-22-04, DB 239, Page 6245 and 07-09-04, DB 239, Page 6148 - 1 page
5	Boundary Survey of Subject Property, completed by Winston & Associates, Inc. in June 2004, and recorded at the San Miguel County Clerk's Office on July 7, 2004, PB 47, Page 51 (Area for Farmers Market is highlighted on map) - 1 page
6	Letter to property owner advising of the meeting date and time, dated dated March 8, 2019 - 1 page
7	List of Property Owners within 100-feet of the Subject Property given notice via certified mail, Assessor's Map of the area around Subject Property, Vicinity Map sent to property owners and copy of Zoning Map of subject property, 5 pages
8	Photos of Notice posted on subject property on March 9, 2019 - 2 pages
9	Aerial of area with Subject Property highlighted - 1 page
10	Copy of Notice published in the Las Vegas Daily Optic on Sunday, March 10, 2019 - 1 page
11	Staff report on Application - 3 pages
12	Copy of Final Order on Appeal, District Court Case D-412-CV-2018-365 - 4 pages
13	Copy of the Planning & Zoning Commission Record Proper - 1 page
14	Findings of Fact and Conclusions of Law and recommendations not signed by Planning & Zoning Commission Chair - 2 pages
15	Copy of Ordinance # 19-02, along with a copy of the Approval Form approved by the City Attorney and Interim City Manager - 3 pages
16	Letter from Matt Martinez on behalf of Matias Jr. & Connie Martinez, giving permission to Tierra Encantada Farmers Market to use their property across the street for parking - 1 page

CITY OF LAS VEGAS ZONE CHANGE APPLICATION

Name of applicant(s): City of Las Vegas

Address of applicant: 1700 N. Grand Avenue, Las Vegas, NM 87701

Property interest of applicant(s): Owners
Owner, under contract, purchaser, etc.

Home phone #: N/A work #: (505) 454-1401 cell# N/A

Address of property to be rezoned: 2513 Hot Springs Blvd., Las Vegas, NM 87701

If an address does not exist for this property, staff can assist you with assignment of an address.

What is the present use of the property? Residential (R-2)
Commercial, residential, agricultural

Why do you want to rezone your property? To accommodate the Farmers Market for the Old Town area on the property, which is not allowed on Residential Zones.

Signature of applicant _____ Date _____

Eric M. Solley
Signature of owner _____ Date 2/28/19
(If different from applicant)

This area to be filled in by staff

1. DB _____ page _____ of recorded deed

2. Present zone classification? _____

3. What will the zone classification be after the zone change?

Date fee was paid? _____ receipt # _____

Amount paid? _____

Please provide applicant with copy of this application



Madam Mayor Tonita Gurulé-Girón

February 28, 2019

To whom it may concern:

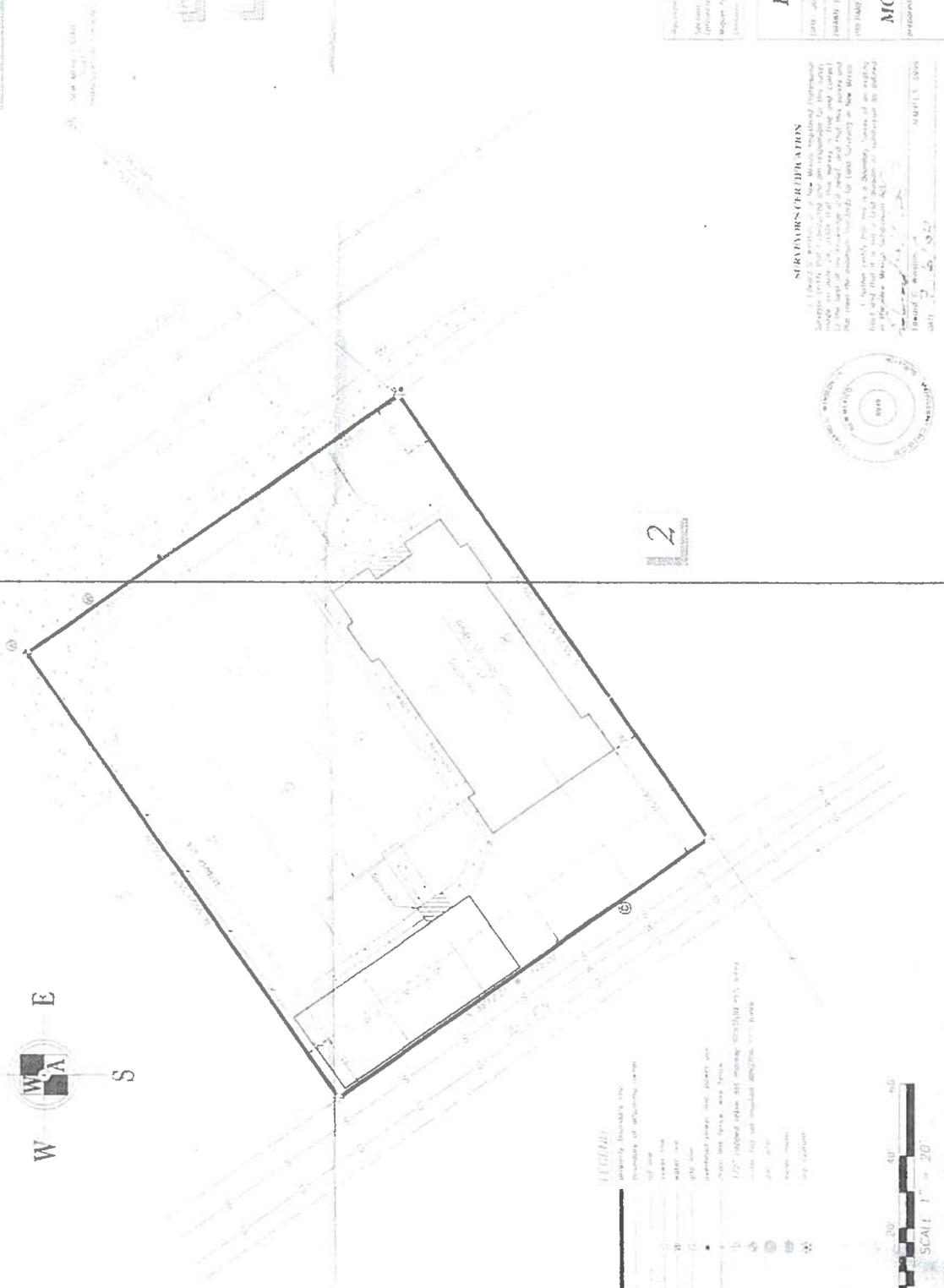
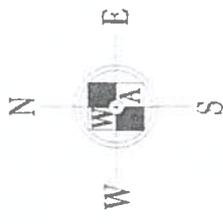
The City of Las Vegas is requesting to do a Zone Change from an R-2 (Multi-Family Residential Zone) to a C-1 (Neighborhood Commercial Zone) for property located at 2513 Hot Springs Blvd., Las Vegas, NM 87701. The purpose of the Zone Change Request is to accommodate a Farmer's Market at this location for the Old Town area.

Thank you,

Anne Marie Gallegos
Interim City Manager
City of Las Vegas

BOUNDARY SURVEY OF LOTS 4,5,6,7, & 8 OF BLOCK 2 OF THE MIGUEL ROMERO AND BACA ADDITION TO LAS VEGAS, SAN MIGUEL COUNTY, NEW MEXICO.

1. The purpose of this survey is to establish the boundaries of the lots shown on the attached plat and to determine the area of each lot. 2. The survey was made in accordance with the provisions of the laws of the State of New Mexico and the rules and regulations of the Board of Surveyors and the Board of Engineers and Architects of the State of New Mexico. 3. The survey was made by the undersigned surveyor and the results are shown on the attached plat. 4. The survey was made on the 15th day of August, 1981. 5. The survey was made in accordance with the provisions of the laws of the State of New Mexico and the rules and regulations of the Board of Surveyors and the Board of Engineers and Architects of the State of New Mexico.



Lot Area Multi-Family Residential
Total Area - 0.4304 acres

PAID BY MORTGAGEE
AT THE OFFICE OF THE COUNTY CLERK
ON THE 15th DAY OF AUGUST 1981
BY Paul M. Adams
COUNTY CLERK AND RECORDER
OF SAGUO COUNTY
SAGUO COUNTY, NEW MEXICO

LEGEND
 Property boundary line
 Boundary line
 Easement line
 Right-of-way line
 Survey line
 Survey point
 Survey monument
 Survey marker
 Survey stake
 Survey nail
 Survey pipe
 Survey iron
 Survey steel
 Survey copper
 Survey brass
 Survey zinc
 Survey lead
 Survey tin
 Survey aluminum
 Survey plastic
 Survey wood
 Survey stone
 Survey concrete
 Survey brick
 Survey tile
 Survey glass
 Survey paper
 Survey cloth
 Survey fabric
 Survey leather
 Survey rubber
 Survey metal
 Survey wood
 Survey stone
 Survey concrete
 Survey brick
 Survey tile
 Survey glass
 Survey paper
 Survey cloth
 Survey fabric
 Survey leather
 Survey rubber
 Survey metal

NEAR RECONSTRUCTION
 The survey was made in accordance with the provisions of the laws of the State of New Mexico and the rules and regulations of the Board of Surveyors and the Board of Engineers and Architects of the State of New Mexico. The survey was made on the 15th day of August, 1981. The survey was made in accordance with the provisions of the laws of the State of New Mexico and the rules and regulations of the Board of Surveyors and the Board of Engineers and Architects of the State of New Mexico.

EXHIBIT # 3

BOUNDARY SURVEY PLAT

DATE: 8/15/81
 COUNTY: SAGUO
 PREPARED BY: WINSTON & ASSOCIATES, INC.
 1520 DOUGLAS AVENUE
 LAS VEGAS, NEW MEXICO 87101
 PHONE (505) 425-7717

**CITY OF LAS VEGAS/
 MOUNTAINVIEW CHURCH OF CHRIST**

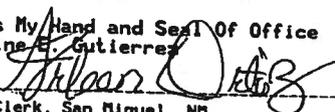
REVISIONS:
 REVISION NO. 01
 REVISION DATE 04-07-77

County of San Miguel
State of New Mexico

QUITCLAIM DEED
Pages: 2

I Hereby Certify that this Instrument was filed
for record 09/21/2017 09:07:19 AM and was
duly recorded as Instrument No. 201703206 of the
Records of San Miguel County, NM.

Witness My Hand and Seal Of Office
Geraldine E. Gutierrez

Deputy 
County Clerk, San Miguel, NM



4654

EXHIBIT # 5

Territorial Title Of Las Vegas, Inc.

New Mexico Statutory Form
Rev. 5-75

Escrow #00024185

4654

WARRANTY DEED

Mountain View Church of Christ of Las Vegas for consideration paid, grant to City of Las Vegas Public Housing Authority, [REDACTED] whose address is 2400 Sagebrush Las Vegas, NM 87701 the following described real estate in San Miguel County, New Mexico:

Lots Four (4), Five (5), Six (6), Seven (7) and Eight (8), Block Two (2), Miguel Romero y Baca Addition, Las Vegas, San Miguel County, New Mexico.

This conveyance voids, releases and eliminates the conditions and restrictions set out in that certain Special Warranty Deed recorded January 13, 1959 in Book 197, page 384

****THIS DOCUMENT IS BEING RE-RECORDED IN ORDER TO CORRECT THE NAME OF THE GRANTEE BY REMOVING THE NAME: "LAWRENCE QUINTANA", WHO IS DIRECTOR OF THE CITY OF LAS VEGAS PUBLIC HOUSING AUTHORITY. LARRY QUINTANA'S NAME WAS INCLUDED ON THE GRANTEE PORTION OF THIS DOCUMENT IN ERROR.**

SUBJECT TO: Reservations, restrictions, easements of record & taxes for 2004 and subsequent years.

TOGETHER WITH: All rights appurtenant thereto

with warranty covenants.

WITNESS our hands and seals this 9th day of July, 2004

OFFICE OF SAN MIGUEL
COUNTY CLERK
FILED FOR RECORD ON
DATE: 7-9-04
TIME: 2:48pm
BOOK 239 PG 6148
[Signature]

Ralph Ortiz (Seal) _____ (Seal)
Mountain View Church of Christ of Las Vegas

by: Ralph Ortiz
its: Trustee

COUNTY OF SAN MIGUEL
FILED FOR RECORD ON
DATE: 7-22-04
TIME: 2:38
BOOK 239 PG 6245
[Signature]

ACKNOWLEDGMENT FOR CORPORATION

STATE OF NEW MEXICO ss.
COUNTY OF SAN MIGUEL
The foregoing instrument was acknowledged before me this 9 day of July, 2004
by, Ralph Ortiz Trustee
(Name Of Officer) (Title Of Officer)
of Mountain View Church of Christ of Las Vegas a New Mexico Corporation
(Name Of Corporation) (State Of Incorporation)

corporation, on behalf of said corporation.
My commission expires: Sept 30, 2004
(Seal) [Signature]
Notary Public



Madam Mayor Tonita Gurulé-Girón

Ms. Anne Marie Gallegos
Interim City Manager
City of Las Vegas
1700 N. Grand Avenue
Las Vegas, NM 87701

Dear Ms. Gallegos:

This is to formally give you notice that the Board of Adjustment/Planning and Zoning Commission will conduct a Public Hearing on **Monday, March 25, 2019**, to consider your application for a Zone Change from an R-2 (Mixed Residential Zone) to a C-1 (Neighborhood Commercial Zone) for property located at 2513 Hot Springs Blvd., Las Vegas, NM 87701.

Staff will initially present the item to the Board, at the end of the staff presentation the Chairperson will open the hearing. In all cases dealing with property issues, all persons, witnesses who wish to speak for or against the issue will have to be sworn in.

It is required that you or a representative be present at the hearing to answer any questions the Board/Commission may have of your project. Failure to be present may result in your application being heard at a future meeting. Staff also encourages you to speak on your behalf when given the opportunity and if you choose, you may bring in other parties in support of your request.

If you have any questions, please feel free to contact me at (505) 454-1401, Ext. 1608.

Sincerely,

Maria D. Perea
Planning & Zoning Coordinator

Enclosures: Copy of Agenda
Vicinity Map

XC: Applicant File

APPLICATION FOR ZONE CHANGE/SPECIAL USE PERMIT - - An Application for Zone Change from an R-2 (Multi- Family Residential Zone) to a C-3 (General Commercial Zone) and an Application for a Special Use Permit for the purpose of accommodating a Farmer's Market in the parking lot of property located at 2513 Hot Springs Blvd., Las Vegas, NM 87701.

APPLICANT(S): City of Las Vegas
1700 N. Grand Avenue
Las Vegas, NM 87701

1-094-093-166-181 - - Lots 4, 5, 6, 7 and 8, Block 8, Miguel Romero Y Baca Addition,
within T16n, R163, Section 22
Warranty Deed recorded on July 9, 2004, DB 239, Page 6148
Warranty Deed recorded on July 22, 2004, DB 239, Page 6245 (Corrected)
Quit Claim Deed recorded on September 21, 2017, Inst. # 201703206

OWNER(S): City of Las Vegas
1700 N. Grand Avenue
Las Vegas, NM 87701

1. 1-094-093-126-195
Gilbert Abeyta
500 Colonias Street
Las Vegas, NM 87701

2. 1-094-093-131-215
High Five Capital, LP
2301 Winton Terrace West
Ft. Worth, TX 76109

3. 1-094-093-139-206
High Five Capital, LP
2301 Winton Terrace West
Ft. Worth, TX 76109

4. 1-094-093-138-168
City of Las Vegas
1700 N. Grand Avenue
Las Vegas, NM 87701

5. 1-094-093-146-151
Aurelia C. Montoya
2505 Church Street
Las Vegas, NM 87701

6. 1-094-093-127-174
Dolores Martinez &
Henrietta Griego
P. O. Box 2171
Las Vegas, NM 87701

7. 1-094-093-160-166
Mary Gallegos
2506 Church Street
Las Vegas, NM 87701

8. 1-094-093-163-160
Laura Marie Salazar
Box 204-A, Montezuma Rt.
Las Vegas, NM 87701

APPLICATION FOR ZONE CHANGE/SPECIAL USE PERMIT - - An Application for Zone Change from an R-2 (Multi- Family Residential Zone) to a C-3 (General Commercial Zone) and an Application for a Special Use Permit for the purpose of accommodating a Farmer's Market in the parking lot of property located at 2513 Hot Springs Blvd., Las Vegas, NM 87701.

City of Las Vegas

Page 2

- | | | | |
|-----|---|-----|--|
| 9. | 1-094-093-161-191
Pamela Romero
2034 East Drive (Rear)
Las Vegas, NM 87701 | 10. | 1-094-093-172-172
Manuel & Virginia Chavez
P. O. Box 1692
Las Vegas, NM 87701 |
| 11. | 1-094-093-177-165
Estate of Donaldo A. Martinez
& Linda M. Montoya
2507 Hot Springs Blvd.
Las Vegas, NM 87701 | 12. | 1-094-093-165-235
Sandman Investments, LLC
C/O Eric Sandoval
10372 Carriage Club Drive
Lone Tree, CO 80124 |
| 13. | 1-094-093-175-205
Comcast Corporation
32nd Floor
Philadelphia, PA 19103 | 14. | 1-094-093-198-207
Matias Jr. & Connie F. Martinez
296 S. Grand Avenue
Las Vegas, NM 87701 |
| 15. | 1-094-093-192-179
Sueños Grandes, LLC
P. O. Box 2822
Las Vegas, NM 87701 | | |

ONLY ONE (1) LETTER SENT - - Both properties belong to the City of Las Vegas

ONLY ONE (1) LETTER SENT - - Both properties belong to High Five Capital, LP

Above list was compiled on March 28, 2018 as per September 30, 2015 Map/Parcel Data provided by the San Miguel County Assessor's Office. List was verified at the San Miguel County Assessor's Office against actual property cards on April 6, 2018 at approximately

10:00am and are current. List was completed and verified by Maria D. Perea, Planning & Zoning Coordinator for Community Development Department.



The Planning & Zoning Commission / Board of Adjustment will hold a **PUBLIC HEARING** on Monday, March 25, 2019 at 4:00pm, in the City Council Chambers, 1700 North Grand Avenue, Las Vegas, New Mexico, to consider an application for a **ZONE CHANGE** from an R-2 (Multi-Family Residential Zone) to a C-1 (Neighborhood Commercial Zone) for property located at 2513 Hot Springs Blvd., Las Vegas, NM 87701. The purpose of the Zone Change is to accommodate a Farmers Market for residents of the Old Town area in the parking lot, which are not allowed in residential zones. Application was submitted by the City of Las Vegas (Applicant/Owner). The legal description for this property is on file at Community Development Department, 1700 N. Grand Avenue, Las Vegas, New Mexico 87701.

This letter is notifying you because you own property within 100 feet (excluding public right-of-way) of the proposed **ZONE CHANGE** request. You may appear at the hearing to enter your testimony in favor or in opposition to this request. The applicant or anyone aggrieved by the decision of the Board of Adjustment, may file a written appeal.

If you require further information, please contact Maria D. Perea, Planning & Zoning Coordinator at (505) 454-1401, ext. 1608.

CITY OF LAS VEGAS

COMMUNITY DEVELOPMENT DEPARTMENT
1700 NORTH GRAND AVENUE
LAS VEGAS, NEW MEXICO 87701

'NOT TO SCALE'



12

R3
84-20

R3
75-40

C3

PC

R3
98-9

3

R
99-

SAN MIGUEL ST

R-3
03-09

C-1
04-12

R2

3

4

4

NOTICE OF PUBLIC HEARING

APPLICANT: City of Las Vegas
ADDRESS: 1700 N. Grand Ave., LV, NM 89701
LOCATION OF PROPERTY: 2513 Hot Springs Blvd Las Vegas, NM 89701
APPLICATION FOR: Zone Change - R-2 to C-1

The Planning & Zoning Commission will hear any and all recommendations concerning proposed Zone change from R-2 to C-1 (Neighbor hood Commercial zone) to allow a farmers Market to operate on property parking lot

on March 25, 2019 at 4:00 a.m. (p.m) at the City Council Chambers, 1700 North Grand Avenue, Las Vegas, New Mexico 89701.

ALL PERSONS HAVING AN INTEREST IN THE MATTER HAVE A RIGHT TO BE HEARD AT THIS HEARING. FOR MORE INFORMATION ON THIS CASE, YOU MAY CONTACT THE CITY OF LAS VEGAS, COMMUNITY DEVELOPMENT DEPT. AT (505) 454-1401.

Posted - 03/09/19

NOTICE OF PUBLIC HEARING

APPLICANT: City of Las Vegas

ADDRESS: 1700 N. Grand Ave., LV, NM 89701

LOCATION OF PROPERTY: 2515 Hot Springs Blvd
Las Vegas, NV 89101

APPLICATION FOR: Zone Change R-2 to C-1

The Planning & Zoning Commission will hear any and all
recommendations concerning proposed Quilley Family Residential Zone
to a C-1 (Neighborhood Commercial Zone) to also a
Business Medium to operate on Property, Making Lot
170004
on March 25, 2019 at 4:00 a.m. at the City Council
Chambers, 1700 North Grand Avenue, Las Vegas, New Mexico 89701.

ALL PERSONS HAVING AN INTEREST IN THE MATTER HAVE A
RIGHT TO BE HEARD AT THIS HEARING. FOR MORE
INFORMATION ON THIS CASE, YOU MAY CONTACT THE CITY OF
LAS VEGAS, COMMUNITY DEVELOPMENT DEPT. AT (951) 654-1401.

Posted - 03/09/19



Area to be utilized by the Farmer's Market

Google Earth

**NOTICE OF THE
CITY OF LAS VEGAS
Planning & Zoning
Commission/Board
of Adjustment
MEETING**

Notice is given that the City of Las Vegas Planning & Zoning Commission / Board of Adjustment will hold a Public

Meeting on Monday, March 25, 2019 at 4:00 p.m., at the City of Las Vegas Council Chambers, 1700 N. Grand Avenue, Las Vegas, New Mexico 87701.

The public is invited to attend. A copy of the Agenda may be obtained from City of Las Vegas Community Development, whose office is located at 1700 N. Grand Avenue, Las Vegas, NM during regular business hours. The agenda can also be obtained from the City of Las Vegas website at www.lasvegasnm.gov.

The Planning & Zoning Commission/Board of Adjustment may convene in Executive Session, if the subject matter of such discussion or action is exempted from the open meeting requirement under Section 10-15-1 (H) of the Open Meetings Act.
CITY OF LAS VEGAS
/s/ Casandra Fresquez
City Clerk

PUB: Las Vegas Optic,
Mar 10, 2019

#19030069

**CITY OF LAS VEGAS
PLANNING & ZONING COMMISSION
STAFF REPORT**

**For
March 25, 2019 - Regular Meeting**

APPLICATION/REQUEST

TYPE OF APPLICATION

An Amendment to the Official Zoning Map for a Zone Change from an R-2 (Multi-Family Residential Zone) to a C-1 (Neighborhood Commercial Zone).

APPLICANT/OWNER:

City of Las Vegas
1700 N. Grand Avenue
Las Vegas, NM 87701

INTENDED LAND USE:

Petition to rezone lots 4, 5, 6, 7 and 8, Block 2, of the Miguel Romero Y Baca Addition, Town of Las Vegas, and located at 2513 Hot Springs Boulevard from an R-2 (Multi-Family Residential Zone) to a C-1 (Neighborhood Commercial Zone). The applicant proposes to allow a Farmers Market to be at this location, as the proposed use is not allowed in Residential Zones. The property is currently zoned as an R-2 (Multi-Family Residential Zone) and this zone designation does not allow for Farmers/Flea Markets, therefore, it is required that the property be rezoned to a zone designation that does allow this.

SITE INFORMATION

- ★ **LOCATION:**
Lots 4, 5, 6, 7 and 8, Block 2, Miguel Romero & Baca Addition and known as 2513 Hot Springs Boulevard, Las Vegas, NM 87701
- ★ **SITE ACREAGE:**
Subject property contains 0.4304 +/- acres and described as Lots 4, 5, 6, 7 and 8, Block 2, Miguel Romero & Baca Addition
- ★ **CURRENT ZONING CLASSIFICATION:**
Property is currently zoned as an R-2 (Multi-Family Residential Zone).
- ★ **CURRENT LAND USE:**
Property currently has a building on it which used to be utilized as a church. The building is not usable as it is very dilapidated and it is dangerous.
- ★ **SAN MIGUEL COUNTY TAX PARCEL IDENTIFICATION NO:**
1-094-093-166-181
- ★ **SCHOOL DISTRICT:** 2-IN
- ★ **TOWNSHIP, RANGE & SECTION:**
Township 16 north, Range 16 east, Section 22 (Projected)

ADJACENT PROPERTY OWNERS

- ★ **NORTH** C-3 (General Commercial Zone)
- ★ **EAST** R-3 (Mixed Residential Zone) and R-2 (Multi-Family Residential Zone)
- ★ **SOUTH** R-2 (Multi-Family Residential Zone)
- ★ **WEST** pc (Planned Community)

COMMENTS PROVIDED BY CITY UTILITY DEPARTMENTS AND OTHERS

- ★ No comments were requested from Utility Departments, but Water, Sewer, Gas and Solid Waste are available to the area by the City of Las Vegas
- ★ Electric (PNM), Cable (Comcast) and Telephone (CenturyLink) are available to the area
- ★ Fire Department - The nearest Fire Department is on New Mexico Avenue, and is approximately 0.50 miles from subject property.

CHAPTER 450 ZONING ORDINANCE REGULATIONS

- ★ **Land Use Designation:** Per the City of Las Vegas Municipal Code, §450-2. Purpose. The official zoning plan for the City of Las Vegas was established and adopted to serve the public health, safety and general welfare of the community and to provide for the economic and social advantage from an orderly, planned use of resources.
 - § 450-122. R-2 Multi-Family Residential Zone. A. Purpose. The R-2 zone is composed of medium density concentrations of residential uses and open spaces where similar development appears likely to occur. The standards for this district are designed to stabilize and protect the essential character of the area so designated and to protect and encourage, insofar as compatible with the intensity of land use, a suitable environment for family life. Development is, therefore, limited from low to medium concentrations.
- ★ **Proposed Land Use Designation:** § 450-124. C-1 Neighborhood Commercial Zone. A. Purpose. This zone is intended to provide for the development of limited commercial enterprises in the neighborhood areas in which they are situated in order to supply convenience goods and services to the residents of this neighborhood areas.
 - § 450-124. E. Development Standards. A copy of Chapter 450-124 is attached for your information and review.
- ★ **Zone Change Definition:** An amendment to the Official Zoning Map to allow for land uses consistent within a specific area.

COMPREHENSIVE MASTER PLAN ELEMENTS:

- ★ IV. Land Use Element - The purpose of the land use element is to guide future pattern of land use in the city and adjacent unincorporated county area over the next 20 years.

The following goals and objectives of the City of Las Vegas Comprehensive Master Plan are relevant to this request
- D. Land Use Goal: Guide development of the community through land use planning and regulations to protect the health, safety and general welfare of the residents

of the city and visitors to the city, and promote the economy, convenience and good appearance of the community.

- ★ V. Economic Development Element - The purpose of the Economic Development Element is to provide overarching themes, strategies and policies to guide the economic development of the City of Las Vegas and its environs for the next 20 years

The following goals and objectives of the City of Las Vegas Comprehensive Master Plan are relevant to this request

- D. Land Use Goal: Pursue economic development strategies that build upon community strengths, resulting in a growing economy.

COMPREHENSIVE MASTER PLAN ELEMENTS

Adjacent Streets, Street Name and Classification

★ EAST	Hot Springs Boulevard	Public Thoroughfare
★ WEST	Church Street	Public Thoroughfare
★ NORTH	Mills Avenue / Colonias Street	Public Thoroughfares
★ SOUTH	San Miguel Street	Public Thoroughfare

PUBLIC NOTICE AND AGENCY REVIEW

- ★ Application was filed by City Manager Ann Marie Gallegos, on behalf of the City of Las Vegas on February 28, 2019.
- ★ There was no Development Review Team (DRT) meeting conducted and no comments were requested or submitted
- ★ Notice of Public Meeting was published in the Las Vegas Optic on March 10, 2019 for the March 25, 2019 meeting
- ★ Notices were mailed on March 8, 2019 to adjacent property owners within 100 feet of subject property, giving notice of meeting to be held on Monday, March 25, 2019
- ★ Public Notice sign was posted on March 9, 2019

**FILED
4th JUDICIAL DISTRICT COURT
San Miguel County
10/23/2018 3:24 PM
CLERK OF THE COURT**

**STATE OF NEW MEXICO
COUNTY OF SAN MIGUEL ✓
FOURTH JUDICIAL DISTRICT**

JNB

**CORINNA LASZLO-HENRY, ✓
Appellant,**

V.

D-412-CV-2018-365 ✓

**CITY OF LAS VEGAS, ✓
Owner-Applicant, and
Zoning Authority**

FINAL ORDER ON APPEAL

THIS MATTER, having come before the Court for a status conference on October 11, 2018; Appellant, Corinna Laszlo-Henry, having appeared in person, Appellee/Zoning Authority having failed to appear; the Court having reviewed the entire record, and being otherwise fully informed in the premises, FINDS and CONCLUDES:

- 1. This appeal of Las Vegas City Ordinance 18-04, amending the official zoning map of the City of Las Vegas, was filed on June 18, 2018.**
- 2. No record on appeal has been filed by the Zoning Authority pursuant to Rule 1-074(H) NMRA.**
- 3. The failure or refusal to timely file the record on appeal affects the substantive rights of the appellant and the Court's ability to efficiently control its docket.**
- 4. The decision of the Zoning Authority is not supported by substantial evidence.**
- 5. The appeal is well taken.**

IT IS THEREFORE ORDERED:

- A. Las Vegas City Ordinance 18-04, amending the official zoning map of the City of Las Vegas, is REVERSED.**

B. Appellant shall recover her reasonable costs incurred in connection with prosecuting this appeal from the City of Las Vegas.

SO ORDERED.

10/22/18
Date


HON. ABIGAIL P. ARAGON
District Court Judge, Div. II

Submitted,

/s/ Corinna Laszlo-Henry
Corinna Laszlo-Henry
Appellant, *pro se*
P.O. Box 4032
Las Vegas, NM 87701
Tel: (575) 425-1379
laszlohenry@gmail.com

City of Las Vegas.

Corinna Laszlo-Henry
PO Box 4032
Las Vegas, NM 87701
505-699-8383

Ms. Esther Garduño Montoya
City Attorney, City of Las Vegas
1700 N. Grand Ave.
Las Vegas, NM 87701

November 5, 2018

Ms. Garduño Montoya:

I transmit, with this letter, a copy of the Final Order on Appeal in cause No. D-412-CV-2018-365, administrative appeal of the zoning authority decision of the City of Las Vegas (Ordinance 18-04), as well as a copy of my Bill of Costs, previously served on you.

I am forwarding copies of the order to Community Development, who maintains the Official Zoning Map, and to the City Clerk, who maintains the official record and also forwards enacted and overturned ordinances to the ecode360 vendor. I trust you will instruct them accordingly.

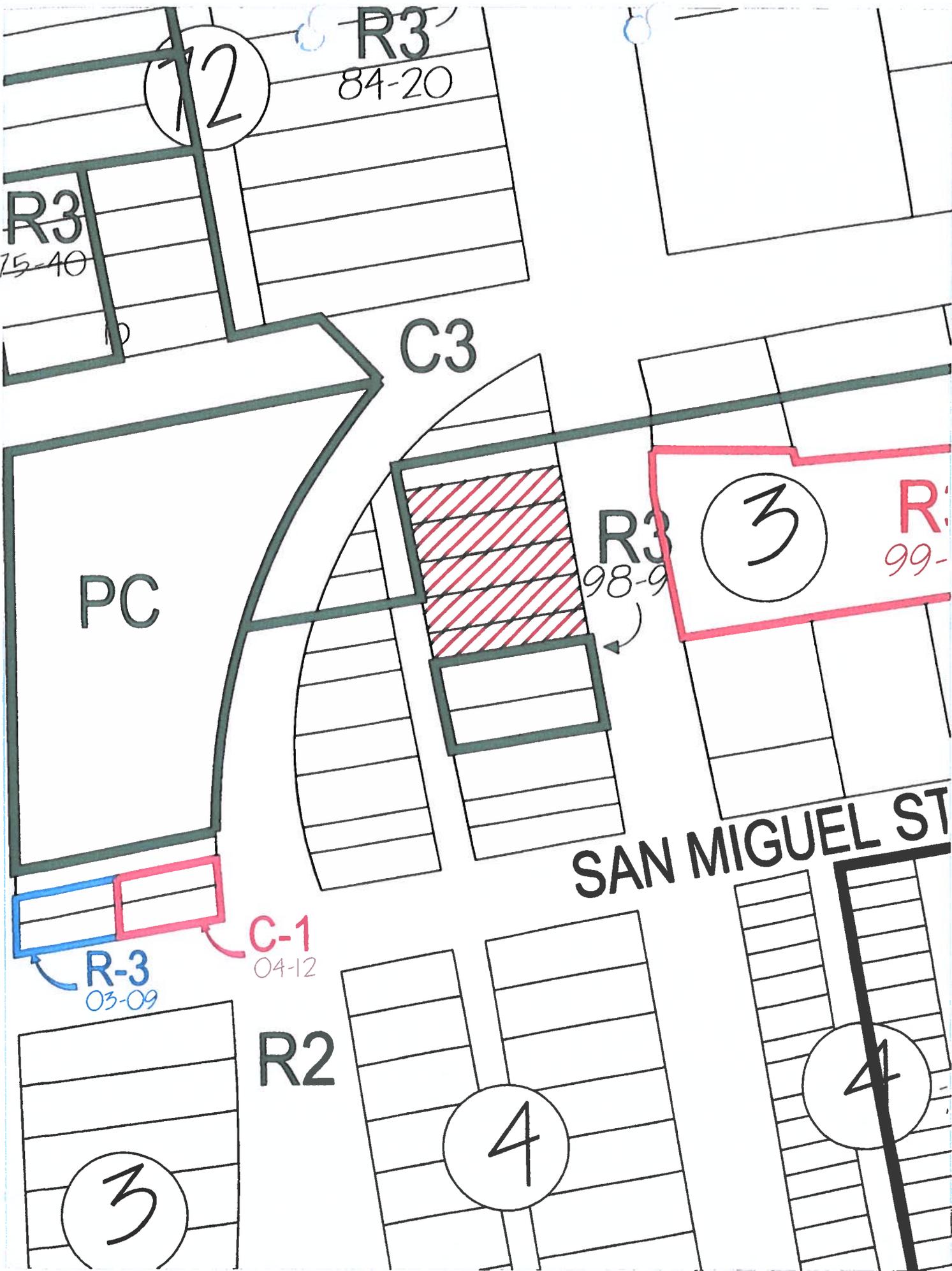
As a transactional takeaway, I want to alert you to the possibility that the Community Development department may be unaware of the publication requirements of NMSA 1978, § 3-21-6 (B)(1981) or LVMC §§ 450-104, 450-114 (Relating to zoning map boundaries). This was something that I did not know when I testified at public hearing to implore the Governing Body to enforce the site plan requirement uniformly.

Sincerely,


Corinna Laszlo-Henry

Encl: Final Order; Bill of Costs

CC: City Clerk; Community Development



PLANNING & ZONING COMMISSION

**RECORD PROPER
ZONE CHANGE APPLICATION**

Applicant/Owner: City of Las Vegas
Location: 2513 Hot Springs Blvd.
Las Vegas, NM 87701
Date: Monday, March 25, 2019

ACTION REQUESTED:

A recommendation for approval of a Zone Change from an R-2 (Multi Family Residential Zone) to a C-1 (Neighborhood Commercial Zone) to allow for a Farmers Market for property located at 2513 Hot Springs Blvd., Las Vegas, New Mexico 87701.

BACKGROUND:

Applicant/Owner, City of Las Vegas, would like to change the zoning on a 0.4304 +/- acre parcel also known as Lots 4, 5, 6, 7 and 8, Block 2, of the Miguel Romero Y Baca Addition to the Town of Las Vegas. The purpose of the zone change is to accommodate a Farmers Market for the Old Town area in the parking lot of property located at 2513 Hot Springs Blvd., Las Vegas, New Mexico 87701.

EXHIBITS

**Exhibit No. Description
(Document Name, date and number of pages)**

1	Zone Change Application, filed on 02-28-19 - 1 page
2	Letter of Intent dated 02-28-19 - 1 page
3	Boundary Survey of Subject Property, completed by Winston & Associates, Inc. in June 2004, and recorded at the San Miguel County Clerk's Office on July 7, 2004, PB 47, Page 51 (Area for Farmers Market is highlighted on map) - 1 page
4	Quit Claim Deed from City of Las Vegas Housing Authority to the City of Las Vegas, recorded on 09-21-17, Inst. # 201703206 - 2 pages
5	Warranty Deed from Mountain View Church of Christ of Las Vegas to the City of Las Vegas Public Housing Authority, recorded on 07-22-04, DB 239, Page 6245 and 07-09-04, DB 239, Page 6148 - 1 page
6	Notice of Public Meeting to Applicant, dated March 8, 2019 - 1 page

7	List of Property Owners within 100-feet of the Subject Property given notice via certified mail, Assessor's Map of the area around Subject Property, Vicinity Map sent to property owners and copy of Zoning Map of subject property - 5 pages
8	Photos of Notice posted on subject property on March 9, 2019 - 2 pages
9	Aerial of area with Subject Property highlighted - 1 page
10	Copy of Notice published in the Las Vegas Daily Optic on Sunday, March 10, 2019 - 1 page
11	Staff report on Application - 3 pages
12	Draft Findings of Fact prepared for review - 2 pages

FINDINGS OF FACT, CONCLUSIONS OF LAW AND RECOMMENDATION

On March 25, 2019, the Las Vegas Planning and Zoning Commission considered an application submitted by the City of Las Vegas (Applicant/Owner) for an amendment to the City of Las Vegas Zoning Map. The proposed amendment would change the zoning of Lots 4, 5, 6, 7 and 8, Block 2, Miguel Romero Y Baca Addition from an R-2 (Multi-Family Residential Zone) to a C-1 (Neighborhood Commercial Zone) for property located at 2513 Hot Springs Blvd., Las Vegas, New Mexico. The Commission having been presented with the record testimony hereby makes the following Findings of Fact, Conclusions of Law and Recommendation.

NOTICE

Notice for the Public Hearing before the Planning and Zoning Commission was published in the Las Vegas Optic on March 10, 2019, faxed to area media on March 15, 2019, mailed via certified mail on March 8, 2019 to property owners within 100 feet, and notice was posted on the external boundaries of the property on March 9, 2019..

APPLICATION

The applicant/owner, City of Las Vegas has applied for an amendment to the official zoning map of the City of Las Vegas. The application would change the zoning of Lots 4, 5, 6, 7 and 8, Block 2, of the Miguel Romero & Baca Addition. The re-zone would allow for the described property to be utilized as a location for a Farmer's Market for the Old Town residents, which is not allowed in Residential zones.

LAND HISTORY

The property currently has a building on it, which used to be a church. The property is in disrepair and would not be utilized. The Farmers Market would only be using the parking lot.

TESTIMONY

The City of Las Vegas has stated in the application that the request is being made to accommodate a Farmers Market. At the Planning & Zoning Commission meeting there were several citizens stating that they would like approval of the zone change as this is something needed in the area. There were several citizens that were against the zone change, stating the procedure was not followed in the way it was advertised in the paper, that there was no proper posting on the boundaries of the property and that there was no site plan for the development of the property.

COMMISSION'S RECOMMENDATION

Based upon the Findings of Fact, the Commission made the following recommendation:

1. Motion was made to recommend approval of the amendment to the Zoning Map.

CONCLUSION OF LAW AND DECISION

Based upon the above findings of fact, the Commission makes the following Conclusions of Law and Decision:

1. Adequate notice, pursuant to § 450-104 of the Las Vegas Municipal Code was provided.
2. The Zoning Map amendment is in accordance with the Las Vegas Comprehensive Plan.
3. The Commission recommends to the City Council that the proposed Zone Change amendment be approved for a zone change from an R-2 (Multi-family Residential Zone) to a C-1 (Neighborhood Commercial Zone).

Signed this ____ day of _____, 2019

Mack Crow, Chairperson
Planning & Zoning Commission

**CITY OF LAS VEGAS, CITY COUNCIL
ORDINANCE NO. 19-02**

AN ORDINANCE AMENDING THE CITY OF LAS VEGAS OFFICIAL ZONING MAP FROM AN R-2 (MULTI-FAMILY RESIDENTIAL ZONE) TO A C-1 (NEIGHBORHOOD COMMERCIAL ZONE) FOR LOTS 4, 5, 6, 7 AND 8, BLOCK 2, OF THE MIGUEL ROMERO Y BACA ADDITION, ALSO KNOWN AS 2513 HOT SPRINGS BLVD., LAS VEGAS, NEW MEXICO AS REQUESTED BY THE CITY OF LAS VEGAS, (APPLICANT/OWNER).

WHEREAS, The City of Las Vegas, has applied for an amendment to the official zoning map for property located at 2513 Hot Springs Blvd., Las Vegas, New Mexico, for accommodating a Farmers Market, pursuant to provisions of the Las Vegas City Zoning Code §450, and;

WHEREAS, on March 25, 2019, the City of Las Vegas Planning and Zoning Commission, following adequate public notice, held a public hearing to receive testimony concerning the amendment of the Official Zoning Map to rezone the property located at 2513 Hot Springs Blvd. from an R-2 (Multi-Family Residential Zone) to a C-1 (Neighborhood Commercial Zone), and on March 25, 2019 adopted a motion recommending approval of the proposed amendment.

WHEREAS, on April __, 2019, the Governing Body of the City of Las Vegas, following adequate public notice, held a public hearing to receive testimony concerning the recommendations of the Planning and Zoning Commission.

NOW, THEREFORE BE IT ORDAINED that the Governing Body of the City of Las Vegas, New Mexico, hereby **GRANTS** the amendment to the Official Zoning Map by rezoning and changing the district classification of certain property located at 2513 Hot Springs Blvd. from an R-2 (Multi-Family Residential Zone) to a C-1 (Neighborhood Commercial Zone), and more fully described as follows:

Lots 4, 5, 6, 7 and 8, Block 2, of the Miguel Romero Y Baca Addition

BE IT FURTHER ORDAINED that the Governing Body of the City of Las Vegas, New Mexico, hereby adopts the following findings of fact upon which the Council's decision is based:

1. The boundaries of the zones established by the City's Ordinances, the classification of property herein, or other provisions of said Ordinances may be amended whenever public necessity, convenience, or general welfare require.
2. That duly public notice and public hearings were in accordance with the legal requirements and a site plan for the zone change has been provided which is acceptable to the City Council.

PASSED, APPROVED AND ADOPTED ON THIS ____ DAY OF _____, 2019.

ATTEST:

Casandra Fresquez, City Clerk

Tonita Gurulé-Girón, Mayor

**REVIEWED AND APPROVED
AS TO LEGAL SUFFICIENCY ONLY**

Esther Garduno-Montoya, City Attorney



Approval Form

Date Submitted:

Department Submitting: Community Development Point of Contact: María Perea

Documents to be reviewed: Ordinance # 19-02

Amount of Pages: 2 PGS

Upon Completion of review: Contact María, Ext 1608

Deadline: 03/26/19

Comments:

Please review and make necessary changes

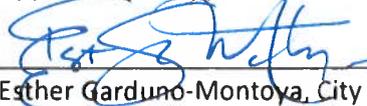
Please mark according to how they should be reviewed by the following:

Approved / Disapproved:

Tana Vega, Interim Finance Director

_____ Date

Approved / Disapproved:


Esther Garduno-Montoya, City Attorney

04/04/19
_____ Date

Approved / Disapproved:


Ann Marie Gallegos, Interim City Manager

4/05/19
_____ Date

Documents Picked Up: _____

By: _____
Print Name

Signature

EXHIBIT # 16

March 25, 2019

To whom it may concern,

We Give permission for Tierra Encantada to use our property for parking overflow at there location on Hots Springs Blvd. They must insure our property along with its property in order to protect our liability. The City of Las Vegas and us should listed as an additional insured.

Matt Martinez on behalf of Matias Jr. And Connie Martinez
296 South Grand Ave.
Las Vegas, NM 87701.

CITY COUNCIL MEETING AGENDA REQUEST

DATE: 04/05/19

DEPT: Community Development

MEETING DATE: 04-17-19

ITEM/TOPIC:

Ordinance #19-03, amendment to the Official Zoning Map for a 21.277 acre +/- parcel located north of Ridge Runner Road between 7th Street and 8th Street, Las Vegas, New Mexico.

ACTION REQUESTED OF COUNCIL:

Conduct a public hearing and approve or disapprove of the adoption of the proposed ordinance.

BACKGROUND/RATIONALE:

Community 1st Bank - Las Vegas, the owner of a 21.277 acre +/- parcel located north of Ridge Runner Road between 7th Street and 8th Street, Las Vegas, New Mexico, is requesting that the property be rezoned from the present R-1 (Single Family Residential Zone) / R-R (Restricted Residential Zone) to a C-3 (General Commercial Zone) with the intention of selling the property for commercial development.

STAFF RECOMMENDATION:

Consideration and approval or disapproval by Mayor and Council.

COMMITTEE RECOMMENDATION:

The Planning & Zoning Commission recommended approval of the rezone from R-1 (Single Family Residential Zone) / R-R (Restricted Residential Zone) to a C-3 (General Commercial Zone) at the regular meeting held on Monday, March 25, 2019.

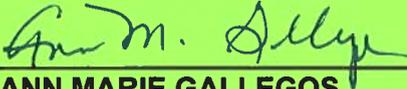
THIS REQUEST FORM MUST BE SUBMITTED TO THE CITY MANAGER'S OFFICE NO LATER THAN 5:00 P.M. ON FRIDAY ONE AND A HALF WEEKS PRIOR TO THE CITY COUNCIL MEETING.


SUBMITTER'S SIGNATURE

REVIEWED AND APPROVED BY:


TONITA GURULÉ-GIRÓN
MAYOR

TANA VEGA
INTERIM FINANCE DIRECTOR
(PROCUREMENT)


ANN MARIE GALLEGOS
INTERIM CITY MANAGER

PURCHASING AGENT
(FOR BID/RFP AWARD)

CITY ATTORNEY
(ALL CONTRACTS MUST BE
REVIEWED)

CITY COUNCIL
RECORD PROPER

Applicants/Owners: **Community 1st Bank - Las Vegas**

Location: **North and west of Enchanted Hills
Mobile Home Park, Las Vegas, NM**

Hearing Date: **April 17, 2019**

ACTION REQUESTED:

Consideration and approval or disapproval of an Application for a Zone Change from an R-1 (Single Family Residential Zone) / RR (Restricted Residential Zone) to a C-3 (General Commercial Zone) for a 21.277 acres +/- located north of Ridge Runner Road, between 7th Street and 8th Street. Property owner is Community 1st Bank - Las Vegas and they want to sell property for commercial development.

BACKGROUND:

Community 1st Bank - Las Vegas owns a 21.277 +/- acre parcel right behind the Social Security offices and other businesses off of Ridge Runner Road. Community 1st Bank is wanting to change the zoning from residential to commercial as it will be easier to sell as commercial. The surrounding area is predominantly commercial to the south and east, and residential to the west. The subject property is currently Single Family Residential to the west and Restricted Residential to the East, as shown on portion of the Zoning Map attached. Application was originally scheduled to be heard by the Planning & Zoning Commission on Monday, April 24, 2017. Notices to surrounding property owners were mailed out, notices were posted on the external boundaries of the subject property, but application was pulled prior to the meeting. Letter was sent to Community 1st Bank by Director, but no copy of said letter was placed in the file.

EXHIBITS

Exhibit No. Description (Document Name, date and number of pages)
Submitted with Original application

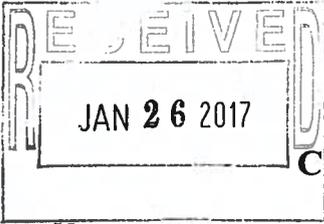
1	Zone Change Application filed on January 26, 2017 - 1 page
2	Applicants letter of intent, not dated but submitted the same day as the Zone Change Application - 1 page
3	Board Resolution acknowledging authorized personnel to sell any properties owned by Community 1st Bank - 1 page
4	Special Master's Deed for the 21.77 +/- Acres - 1 page
5	Survey by Winston & Associates, Inc. showing the 21.277 acres +/- (page 2 only) - 1 page
6	Letter to property owner and Attorney representing owner, dated March 8, 2019, advising of the date and time of the Planning & Zoning Commission meeting - 1 page
7	Legal description of the subject property, including other information

	pertaining to zoning, site description and photographs of the area - 6 pages
8	100-foot list of property owners given notice, a copy of the Assessor's Office map with map codes, Vicinity map and a copy of the zoning map of the area with subject property highlighted - 8 pages
9	Copy of notice of the meeting advertised in the Las Vegas Optic on April 12, 2017 - 1 page
10	Photos of two (2) notices posted on the boundaries of the Subject Property on Friday, April 10, 2017 - 2 pages
11	Aerial photo of subject property - a page
12	Copy of Ordinance #17-01, along with a copy of the Review and Approval form submitted on April 17, 2017 to the City Attorney and City Manager for review and corrections, if any - 4 pages
13	Copies of Certified Mail Receipts for all letters mailed out to property owners listed on the 100-footers list (Exhibit 8) - 7 pages
14	Letters received from surrounding property owner in regards to the Zone Change for subject property - 7 pages

Addition information submitted with this application

15	Copy of Agenda prepared for original meeting scheduled for Monday, April 24, 2017 - 2 pages
16	Copy of letter dated May 9, 2017 from Mr. Mike Fields, V/P Loan Officer for Community 1st Bank - Las Vegas to Ms. Annette Velarde, Community Development Director - 3 pages
17	Letter to property owner and Attorney representing owner, dated March 8, 2019, advising of the date and time of the Planning & Zoning Commission meeting - 2 pages
18	Letter from Attorney for Community 1st Bank - Las Vegas dated October 9, 2018 requesting meeting to discuss application - 2 pages
19	Copy of notice of the meeting advertised in the Las Vegas Optic on March 8m 2019 - 1 page
20	Copy of Vicinity Map mailed via certified mail to property owners within 100-feet of the subject property. Same list as shown on Exhibit 8 with original submission of application was utilized - 1 page
21	Copies of Certified Mail Receipts for all letters mailed out to property owners listed on the 100-footers list on March 8, 2019 (Exhibit 8) - 7 pages
22	Photos of two (2) notices posted on the boundaries of the Subject Property on Saturday, March 9, 2019 - 3 pages
23	Staff Report on Application - 3 pages

24	Findings of Fact, Conclusions of Law and Recommendation not signed by the Planning & Zoning Commission Chair - 2 pages
25	Copy of Planning & Zoning Record Proper - 2 pages
26	Copy of Ordinance # 19-03 (Corrected), along with a copy of the Approval Form approved by the City Attorney and Interim City Manager - 3 pages



CITY OF LAS VEGAS ZONE CHANGE APPLICATION

Name of applicant(s): COMMUNITY 1ST BANK - LAS VEGAS

Address of applicant: 600 DOUGLAS AVENUE, LAS VEGAS, NM 87701

Property interest of applicant(s): OWNER
Owner, under contract, purchaser, etc.

Home phone #: _____ work #: 505-425-7584 cell# 505-614-7249

Ridge Runner Road between 7th and 8th Street

Address of property to be rezoned: Parcel A-1 LV Land Grant - Twnshp 16 N, Range 16 E, Section 10

If an address does not exist for this property, staff can assist you with assignment of an address.

What is the present use of the property? Residential
Commercial, residential, agricultural

Why do you want to rezone your property? Highest and best use is Commercial. No more city water taps available, so Residential use would be difficult.

[Signature]
Signature of applicant

Date 1/24/17

Signature of owner
(If different from applicant)

Date _____

This area to be filled in by staff

1. DB Deed # 201304063 page _____ of recorded deed, recorded 11-7-2013

2. Present zone classification? R-1 (Single Family Residential) / R-RL (Restricted Residential)

3. What will the zone classification be after the zone change?

C-3 - General Commercial

Date fee was paid? 2-13-17 receipt # 423944

Amount paid? \$705.54

Please provide applicant with copy of this application



City of Las Vegas
Planning and Zoning
Las Vegas, NM 87701

Letter of intent: Ridgerunner Road

To Whom It May Concern:

Mike Fields is submitting this letter of intent on behalf of Community 1st Bank Las Vegas.

North Ridgerunner Road (Otherwise known as Parcel A-1 within the Las Vegas Land Grant) is 21.277 acres of land currently zoned as Restricted Residential.

We are requesting this land be zoned as Commercial (C-3). There are several state offices in the vicinity and this rezoning will provide The Bank and The City of Las Vegas the highest and best use. This will provide The Bank the opportunity to promote the property to a wider market, and The City of Las Vegas will benefit for years to come off of the GSRT a Business would produce.

If you have any questions you may speak with Ed Swanson, CEO or Mike Fields, VP Loans at 505-425-7584.

Thank you,

A handwritten signature in black ink, appearing to read "Mike Fields".

Mike Fields

BOARD RESOLUTION

Resolved:

WHEREAS the Board of Directors of Community 1st Bank Las Vegas recognizes the need to sell Other Real Estate Owned from time to time;

The Board hereby adopts the following as its course of action;

The following persons are authorized to sell those properties:

Ed Swanson, CEO

Mike Fields, Vice President

Approved this date June 28, 2016 by Alan Franken, Chairman

A handwritten signature in black ink, appearing to read "Alan Franken", written over a horizontal line.

Alan Franken, Chairman

CITY OF LAS VEGAS
1700 NORTH GRAND AVE.
LAS VEGAS, NM 87701

T 505.454.1401
F 505.425.7335
LASVEGASNM.GOV
VISITLASVEGASNM.COM

April 10, 2017

TONITA GURULÉ-GIRÓN
MAYOR

DAVID ULIBARRI
COUNCILOR, WARD 1

VINCE HOWELL
COUNCILOR, WARD 2

BARBARA PEREA-CASEY
COUNCILOR, WARD 3

DAVID L. ROMERO
COUNCILOR, WARD 4

Mr. Mike Fields
Community 1st Bank - Las Vegas
600 Douglas Avenue
Las Vegas, NM 87701

Dear Mr. Fields:

This is to formally give you notice that the Board of Adjustment/Planning and Zoning Commission will conduct a public hearing on Monday, April 24, 2017 to consider your application for the rezoning of property located north of Ridge Runner Road, between 7th Street and 8th Street. The meeting is scheduled for 4:00pm in the City Council Chambers, 1700 North Grand Avenue, Las Vegas, NM 87701.

Staff will present the item to the Commission, at the end of the staff presentation the Chairperson will open the hearing. In all cases dealing with property issues, all persons, witnesses who wish to speak for or against the issue will have to be sworn in.

It is required that you or a representative be present at the hearing to answer any questions the Commission may have of your project. Failure to be present may result in your application being heard at a future meeting. Staff also encourages you to speak on your behalf when given the opportunity and if you choose, you may bring in other parties in support of your request.

If you have any questions, please feel free to contact me at (505) 426-3279.

Sincerely,

Maria D. Perea
Planning & Zoning Coordinator

XC: Applicant File



Legal Description

As provided by a copy of an unsigned Quitclaim Deed legally describes the subject as:

Parcel A-1 located within the Las Vegas Land Grant in projected Section 10, Township 16 North, Range 16 East, NMPM, within the city of Las Vegas, San Miguel County, New Mexico, as shown on Plat of survey by Winston & Associates, LLC, dated June 16, 2008, Drawing no. 08-066, filed for record in the office of the San Miguel County Clerk, September 24, 2008, in Plat Book 60, page 24, Document no. 1778.

Containing 21.277 acres, more or less. A copy of the survey is found in the addenda of the report.

Zoning

The subject property located within Las Vegas where its use is regulated by the City of Las Vegas. Current zoning is RR, Restricted Residential uses. The RR zone permits single family residential and agricultural uses. The City has allowed zone changes within the RR zone including the tract immediately to the south of the subject which allowed office development. It is unknown if the City would allow any change in zoning on the subject property.

The Neighborhood

The subject property lies within the commercial corridor of 7th Street within the northern sector of the City of Las Vegas. The immediate subject area is comprised of small to medium size blocks of vacant lands used primarily for commercial activity serving the city as well as surrounding communities. Newer commercial and office structures as well as converted residential structures dominate the land use along 7th Street, north of Mills Avenue. 7th Street (State Road 518) extends north of Las Vegas to Story Lake and further north to other communities. Neighborhood boundaries are considered to be that area north of Mills Avenue and terminate approximately 2.5 miles.

Subject Property Description

The subject property is comprised of one tract irregular in shape containing a total of 21.277 acres. Physical access to the site is by 7th Street and 8th Street. The property is not improved.

Photographs located in the addenda best depict current condition of property.

Site Description

A copy of the survey of the property has been supplied, and is found in the addenda of the report. It shows current layout of the property. Also located in the addenda are photographs as well as an aerial photo showing the features of the property. Subject property is bounded on the east by a mobile home park, the south by government offices and residential, on the north by residential houses and on the east by residential uses. Site information is summarized below.

Size:	21.277 acres, more or less.
Shape:	Irregular in shape. Frontage along 7 th Street is limited to 68' and extends approximately 1,015 feet west where the land widens and is the bulk of the tract. The shape of the tract essentially makes the parcel a back land tract.
Topography:	Property is composed of native ground cover to an overburden of land on the southern portion of the tract.
Access:	The site is accessed off of 7 th Street and along 8 th Street. Both streets are paved with curb, gutter and on 7 th Street sidewalk. Additional access points are available along Stern Drive (off of 8 th Street) and Trudder Drive, both are only platted at this time. Access is considered average.
Easements:	Tract is encumbered by a utility easement along the northern boundary, a storm sewer and sewer easement near the east/west center of the parcel. Lastly a sewer easement along a small portion of the southern tip of the property.
Encroachments:	No encroachments were noted on the survey.

Flood Hazard Potential:

A check with the flood maps impacting the show the property is outside the special flood zone. The area is subject to FEMA flood hazard map, community panel number 35047C0876D, Dated December 3, 2010. A copy of the map panel is found in the addenda of the report.



Easterly view of subject property and Stern Drive from 8th Street.



Looking south at southern portion of subject property.



Northerly view along 7th Street from subject property.



Southerly view along 7th Street from subject property.

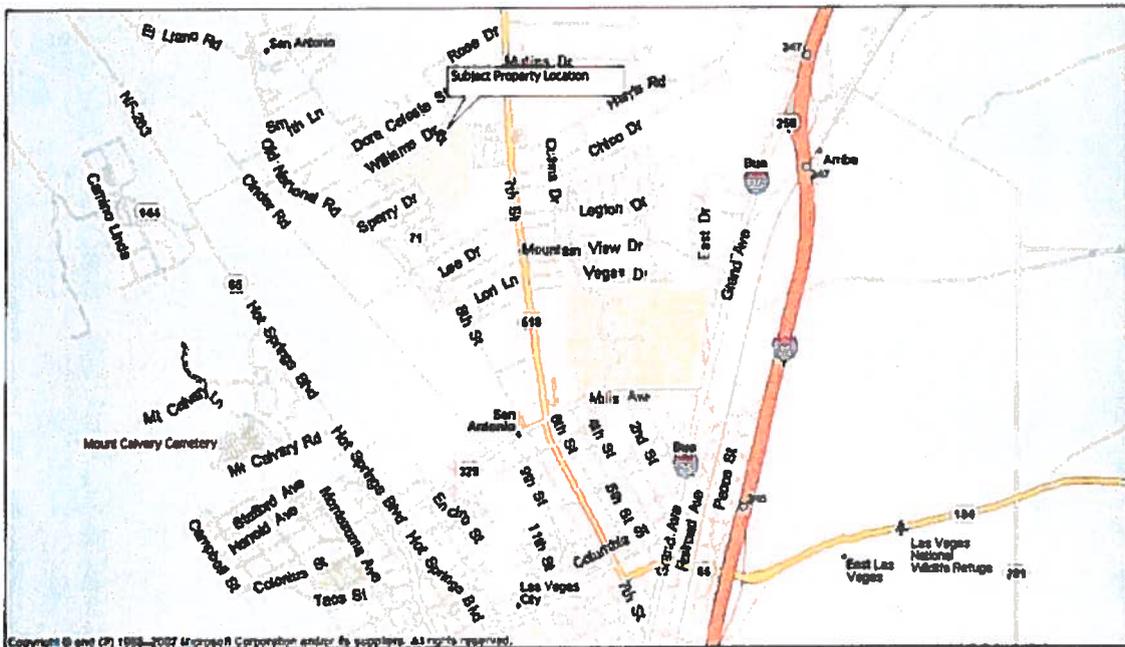


Easterly view along 7th Street access point.

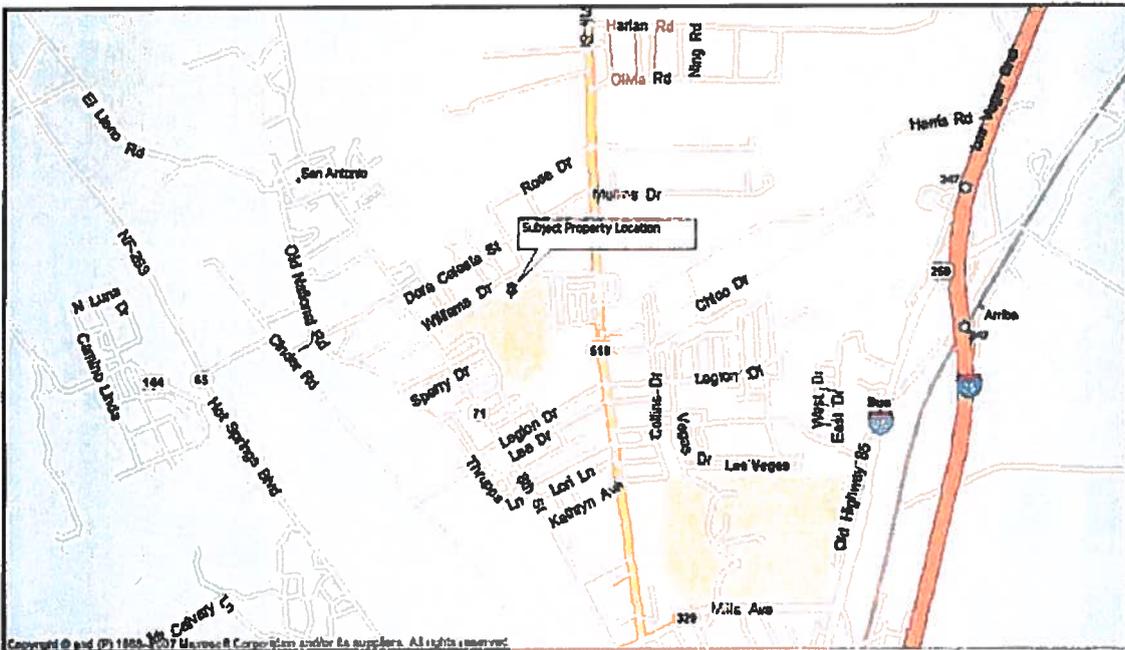


Westerly view of body of property.

General Location Map



Neighborhood Map



APPLICATION FOR ZONE CHANGE - - An Application for a Zone Change from an R-1 (Single Family Residential Zone) / R-R (Restricted Residential Zone) to a C-3 (General Commercial Zone) for a 21.277 acre ± parcel north of Ridge Runner Road, between 7th Street and 8th Street, for the purpose of selling parcel for commercial development.

APPLICANT(S): Mr. Mike Fields, Bank Rep.
Community 1st Bank - Las Vegas
600 Douglas Avenue
Las Vegas, NM 87701

1-094-095-384-055 - - A 21.277 acres ± parcel within T16n, R16e, Section 10, District 2-In Warranty Deed recorded on November 7, 2013, Instrument # 201304063

OWNER(S): Mr. Mike Fields, Bank Rep.
Community 1st Bank - Las Vegas
600 Douglas Avenue
Las Vegas, NM 87701

- | | | | |
|----|--|-----|--|
| 1. | 1-094-095-165-024
Janis L. Santistevan
3005 - 8th Street
Las Vegas, NM 87701 | 2. | 1-094-095-174-008
Thomas R. & Dolores G. Espinoza
P. O. Box 2958
Las Vegas, NM 87701 |
| 3. | 1-094-095-179-517
James M. & Marlene M. Alarid
P. O. Box 90, NMHU
Las Vegas, NM 87701 | 4. | 1-094-095-185-035
Bud R. Geng &
Rebecca M. Mathews-Geng
18 Prairie Hill Road
Las Vegas, NM 87701 |
| 5. | 1-094-095-185-048
Thomas K. Trigg IV &
Mary S. Schipper
2908 -8th Street
Las Vegas, NM 87701 | 6. | 1-094-095-204-048
Billy G. Rogers & the
Rogers Family Trust
P. O. Box 2190
Las Vegas, NM 87701 |
| 7. | 1-094-095-214-048
Joseph N. & Glenna S. Martinez
751 Williams Drive
Las Vegas, NM 87701 | 8. | 1-094-095-219-048
Rene & Maricela Hidalgo
P. O. Box 1513
Las Vegas, NM 87701 |
| 9. | 1-094-092-221-061
Mora-San Miguel Electric Coop.
P. O. Box 240
Mora, NM 87732 | 10. | 1-094-095-247-074
Carroll D. & Linda L. Craig
HC 80, Box 258-C
Las Vegas, NM 87701 |

APPLICATION FOR ZONE CHANGE - - An Application for a Zone Change from an R-1 (Single Family Residential Zone) / R-R (Restricted Residential Zone) to a C-3 (General Commercial Zone) for a 21.277 acre ± parcel north of Ridge Runner Road, between 7th Street and 8th Street, for the purpose of selling parcel for commercial development.

Community 1st Bank-Las Vegas

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|-----|---|-----|--|
| 11. | 1-094-095-267-085
Joe A. Jr. & Theresa L. Aragon
& Sharon Aragon-Montoya
743 Williams Drive
Las Vegas, NM 87701 | 12. | 1-094-095-267-088
Larry M. & Victoria Norrid
741 Williams Drive
Las Vegas, NM 87701 |
| 13. | 1-094-095-292-094
Judy Ann Gurule
739 Williams Drive
Las Vegas, NM 87701 | 14. | 1-094-095-304-104
Joe E. & Carmen Yara
737 Williams Drive
Las Vegas, NM 87701 |
| 15. | 1-094-095-304-103
Joe E. & Carmen Yara
737 Williams Drive
Las Vegas, NM 87701 | 16. | 1-094-095-329-117
Reynaldo & Virginia Gonzales
731 Williams Drive
Las Vegas, NM 87701 |
| 17. | 1-094-095-264-122
Jeffrey & Frances Gonzales
729 Williams Drive
Las Vegas, NM 87701 | 18. | 1-094-095-352-128
Diamond Pro Service, Inc.
P. O. Box 3053
Las Vegas, NM 87701 |
| 19. | 1-094-095-368-137
Nancy & Albert Kersey
NM Revocable Trust
5612 NW 160th Street
Edmond, OK 73013 | 20. | 1-094-095-468-179
Sandra E. Nepstad
P. O. Box 1203
Las Vegas, NM 87701 |
| 21. | 1-094-095-508-234
David Sanchez
Mora Rte., Box 32-AA
Las Vegas, NM 87701 | 22. | 1-094-095-499-185
Gilbert & Doris Varela
2620 Hot Springs Blvd.
Las Vegas, NM 87701 |
| 23. | 1-094-095-499-124
Carmen U. & Leroy M. Garcia
8036 Bluffs Edge Street, NW
Albuquerque, NM 87120 | 24. | 1-094-095-194-013
Donna Pettine
2906 - 8th Street
Las Vegas, NM 87701 |

APPLICATION FOR ZONE CHANGE - - An Application for a Zone Change from an R-1 (Single Family Residential Zone) / R-R (Restricted Residential Zone) to a C-3 (General Commercial Zone) for a 21.277 acre ± parcel north of Ridge Runner Road, between 7th Street and 8th Street, for the purpose of selling parcel for commercial development.

Community 1st Bank-Las Vegas

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25. 1-094-095-196-008

Donna Pettine
2906 - 8th Street
Las Vegas, NM 87701

26. 1-094-095-196-009
Leroy G. & Roberta Fulgenzi
217 Railroad Avenue
Las Vegas, NM 87701

27. 1-094-094-202-520
Eloy M. & Charlene B. Lujan
2810 - 8th Street
Las Vegas, NM 87701

28. 1-094-094-209-523
Carlos & Juliette Gallegos
Revocable Trust
706 Sperry Drive
Las Vegas, NM 87701

29. 1-094-094-216-526
Carlos & Juliette Gallegos
Revocable Trust
706 Sperry Drive
Las Vegas, NM 87701

30. 1-094-095-222-004
Carlos & Juliette Gallegos
Revocable Trust
706 Sperry Drive
Las Vegas, NM 87701

31. 1-094-095-229-006
Carlos & Juliette Gallegos
Revocable Trust
706 Sperry Drive
Las Vegas, NM 87701

32. 1-094-095-235-010
Carlos & Juliette Gallegos
Revocable Trust
706 Sperry Drive
Las Vegas, NM 87701

33. 1-094-095-243-013
Carlos & Juliette Gallegos
Revocable Trust
706 Sperry Drive
Las Vegas, NM 87701

34. 1-094-095-250-016
Carlos & Juliette Gallegos
Revocable Trust
706 Sperry Drive
Las Vegas, NM 87701

35. 1-094-095-269-023
Carlos & Juliette Gallegos
Revocable Trust
706 Sperry Drive
Las Vegas, NM 87701

36. 1-094-095-277-025
Carlos & Juliette Gallegos
Revocable Trust
706 Sperry Drive
Las Vegas, NM 87701

37. 1-094-095-287-025
Carlos & Juliette Gallegos
Revocable Trust
706 Sperry Drive
Las Vegas, NM 87701

38. 1-094-095-296-003
Carlos & Juliette Gallegos
Revocable Trust
706 Sperry Drive
Las Vegas, NM 87701

APPLICATION FOR ZONE CHANGE - - An Application for a Zone Change from an R-1 (Single Family Residential Zone) / R-R (Restricted Residential Zone) to a C-3 (General Commercial Zone) for a 21.277 acre ± parcel north of Ridge Runner Road, between 7th Street and 8th Street, for the purpose of selling parcel for commercial development.

Community 1st Bank-Las Vegas

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- | | |
|---|--|
| <p>39. 1-094-095-317-055
DDLV, LLC
190 Central Park Square
Los Alamos, NM 87544</p> | <p>40. 1-094-095-319-035
San Miguel County
500 West National Avenue
Suite #200
Las Vegas, NM 87701</p> |
| <p>41. 1-094-095-318-010
Citizens for the Developmentally
Disabled
P. O. Box 1589
Raton, NM 87740</p> | <p>42. 1-094-095-334-035
Lawrence A. & Breena Tafoya
P. O. Box 84
Mora, NM 87701</p> |
| <p>43. 1-094-095-344-035
Raggs, LLC
190 Central Park Square
Los Alamos, NM 87544</p> | <p>44. 1-094-095-354-035
Fossil, LLC
190 Central Park Square
Los Alamos, NM 87544</p> |
| <p>45. 1-094-095-374-070
Sarajo, LLC
P. O. Box 90513
Albuquerque, NM 87199</p> | <p>46. 1-094-095-367-041
Sarajo, LLC
P. O. Box 90513
Albuquerque, NM 87199</p> |
| <p>47. 1-094-095-400-015
Wal-Mart Stores East, Inc.
P. O. Box 8050, MS0555
Bentonville, AR 72712-8050</p> | <p>48. 1-094-095-454-143
Mia Prieskorn
P. O. Box 867
Las Vegas, NM 87701</p> |
| <p>49. 1-094-095-444-075
Enchanted Hills MHP, LLC
P. O. Box 25965
Shawnee, KS 66225-5965</p> | <p>50. 1-094-095-424-015
Hacienda Home Centers, Inc.
P. O. Box 30148
Albuquerque, NM 87109</p> |

- ONLY ONE (1) LETTER SENT** - - Both properties belong to Joe E. & Carmen Yara
- ONLY ONE (1) LETTER SENT** - - Both properties belong to Donna Pettine
- ONLY ONE (1) LETTER SENT** - - All properties belong to Carlos & Juliette Gallegos Revocable Trust
- ONLY ONE (1) LETTER SENT** - - Both properties belong to Sarajo, LLC

APPLICATION FOR ZONE CHANGE - - An Application for a Zone Change from an R-1 (Single Family Residential Zone) / R-R (Restricted Residential Zone) to a C-3 (General Commercial Zone) for a 21.277 acre ± parcel north of Ridge Runner Road, between 7th Street and 8th Street, for the purpose of selling parcel for commercial development.

Community 1st Bank-Las Vegas

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Above list was compiled on February 17, 2017 as per September 30, 2015 Map/Parcel Information provided by the San Miguel County Assessor's Office. List was verified at the San Miguel County Assessor's Office against actual property cards and 2016 information on February 24, 2017 at approximately 1:30pm and are current for 2016. List was completed and verified by Maria D. Perea, CADD Technician for Community Development Department.



Title, R16c, Section 10
 1-994-095
 Title, R16c, Section 15
 1-994-094
 SCALE: 1" = 100'
 Original map is to scale; copy
 attached is not



The Board of Adjustment and Planning & Zoning Commission will hold a **PUBLIC HEARING** on Monday, April 24, 2017 at 4:00 pm, in the City Council Chambers, 1700 North Grand Avenue, Las Vegas, New Mexico, to consider an application for a **ZONE CHANGE** from an R-1 (Single Family Residential Zone) / R-R (Restricted Residential Zone) to a C-3 (General Commercial Zone) for the purpose of selling a 21.277 acre ± property for commercial development. Application was submitted by Mike Fields on behalf of Community 1st Bank-Las Vegas (Applicant/Owner). The legal description for this property is on file at Community Development Department, 1700 North Grand Avenue, Las Vegas, New Mexico 87701.

This letter is notifying you because you own property within 100 feet (excluding public right-of-way) of the proposed **ZONE CHANGE** location. You may appear at the hearing to enter your testimony in favor or in opposition to this request or you may forward written statements, which shall be entered into the record. Please forward all statements to the Community Development Department, 1700 North Grand Avenue, Las Vegas, New Mexico 87701. The applicant aggrieved by the decision of the Board of Adjustment and Planning & Zoning Commission, may file a written notice of appeal.

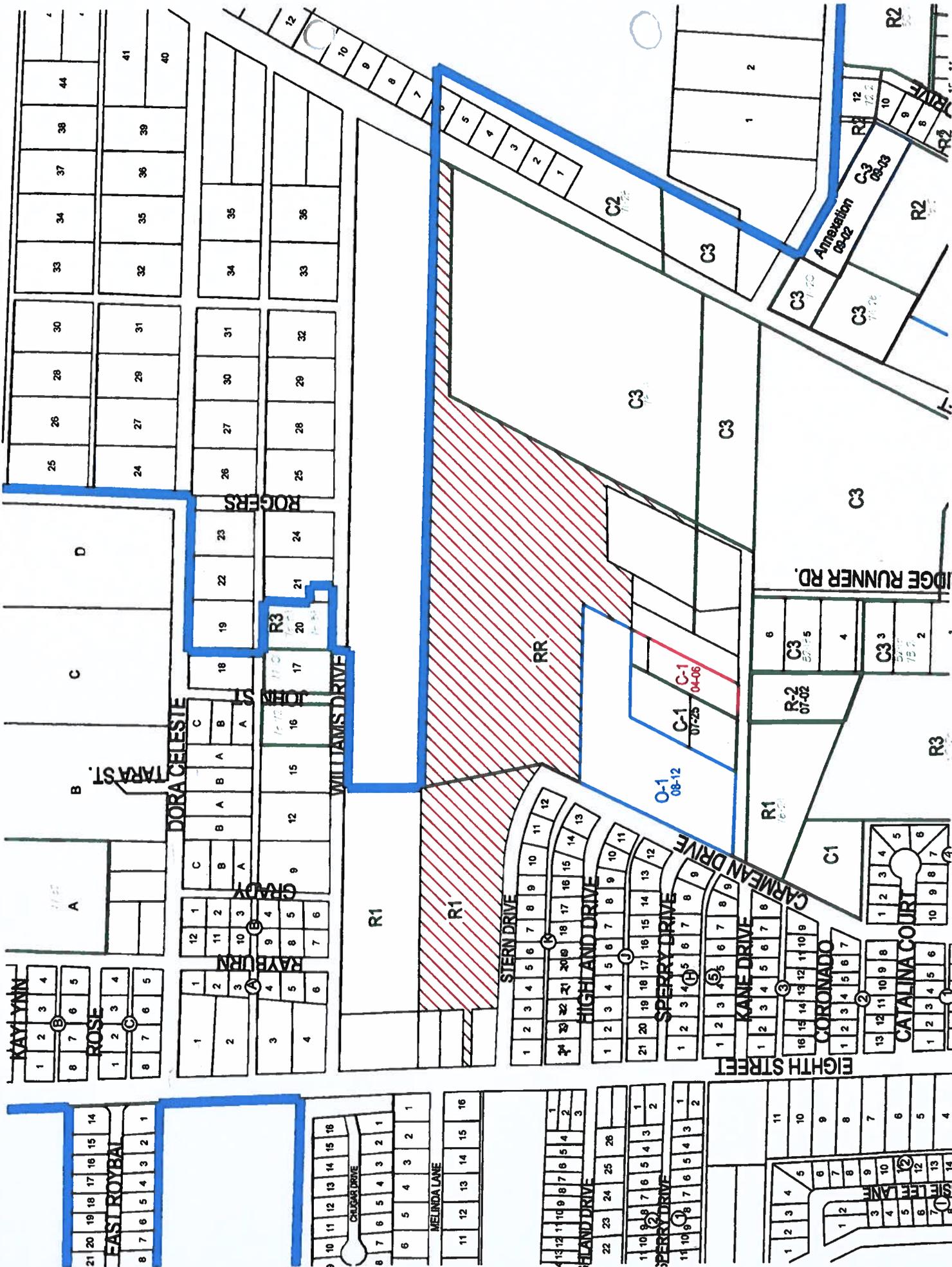
If you require further information, please contact Maria Perea, Planning & Zoning Coordinator (505) 454-1401, extension 3279.

CITY OF LAS VEGAS

COMMUNITY DEVELOPMENT DEPARTMENT
1700 NORTH GRAND AVENUE
LAS VEGAS, NEW MEXICO 87701

'NOT TO SCALE'





**NOTICE OF THE
CITY OF LAS VEGAS
Planning & Zoning
Commission/Board
of Adjustment
MEETING**

Notice is given that the City of Las Vegas Planning & Zoning Commission / Board of Adjustment will hold a Public Meeting on Monday, April 24, 2017 at 4:00 p.m. , at the City of Las Vegas Council Chambers, 1700 N. Grand Avenue, Las Vegas, New Mexico 87701.

The public is invited to attend. A copy of the Agenda may be obtained from City of Las Vegas Community Development, whose office is located at 1700 N. Grand Avenue, Las Vegas, NM during regular business hours. The agenda can also be obtained from the City of Las Vegas website at www.lasvegasnm.gov.

The Planning & Zoning Commission / Board of Adjustment may convene in Executive Session, if the subject matter of such discussion or action is exempted from the open meeting requirement under Section 10-15-1 (H) of the Open Meetings Act.

CITY OF LAS VEGAS
/s/ Casandra Fresquez,
City Clerk

PUB: Las Vegas Optic,
Apr 12, 2017

#29425

NOTICE OF PUBLIC HEARING #1

APPLICANT: Community 1st Bank- Las Vegas

ADDRESS: 600 Douglas Avenue, Las Vegas, NM 87701

LOCATION OF PROPERTY: 21.277 +/- acres north of Ridge Runner Road, between 7th St. & 8th St.

APPLICATION FOR: Zone Change - R-1 / R-R to an R-1

The Planning & Zoning Commission will hear any and all

recommendations concerning proposed Zone Change from an R-1 (Restricted Residential) zone to a C-3 (General Commercial) zone for 21.277 acre tract

on Monday April 24, 2017 at 4:00 a.m. (P.M.) at the City Council

Chambers, 1700 North Grand Avenue, Las Vegas, New Mexico 87701.

ALL PERSONS HAVING AN INTEREST IN THE MATTER HAVE A RIGHT TO BE HEARD AT THIS HEARING. FOR MORE INFORMATION ON THIS CASE, YOU MAY CONTACT THE CITY OF LAS VEGAS, COMMUNITY DEVELOPMENT DEPT. AT (505) 454-1401.

Posted. 04/10/17

NOTICE OF PUBLIC HEARING #2

APPLICANT: Community 1st Bank- Las Vegas

ADDRESS: 600 Douglas Avenue, Las Vegas, NM 87701

LOCATION OF PROPERTY: 21.277 +/- acres north of

Ridge Runner Road, between 7th St. & 8th St

APPLICATION FOR: Zone Change - R-1/R-R to

The Planning & Zoning Commission

will hear any and all recommendations concerning proposed Zone Change from an R-1 R-R (Restricted Residential) Zone to a C-3 (General Commercial) Zone for 21.277 acre tract on Monday

on April 24, 2017 at 4:00 a.m. (p.m.) at the City Council Chambers, 1700 North Grand Avenue, Las Vegas, New Mexico 87701.

ALL PERSONS HAVING AN INTEREST IN THE MATTER HAVE A RIGHT TO BE HEARD AT THIS HEARING. FOR MORE INFORMATION ON THIS CASE, YOU MAY CONTACT THE CITY OF LAS VEGAS, COMMUNITY DEVELOPMENT DEPT. AT (505) 454-1401.

Posted - 04/10/17





**City Manager & City Attorney's Office
Review and Approval Form**

Date Submitted: April 17, 2017

Department Submitting and Person: Community Development/Maria D. Perea

I am in receipt of the document for review titled: Ordinance #17-01

Amount of Pages to be reviewed: 3 pages

Upon Completion of review please: Contact Maria Perea @ Ext. 3279

Urgency: **High Priority** **Medium Priority** **Low Priority**

Deadline: Wednesday, April 19, 2017

Comments: _____

Approved / Disapproved:

Summary Included: Yes / No

Corrina Lazlo-Henry, City Attorney

Date

Approved / Disapproved:

Richard Trujillo, City Manager

Date

Date Documents Picked Up: _____

By: _____
Printed Name

Signature

**CITY OF LAS VEGAS, CITY COUNCIL
ORDINANCE NO. 17-01**

AN ORDINANCE AMENDING THE CITY OF LAS VEGAS OFFICIAL ZONING MAP FROM AN R-1 (SINGLE FAMILY RESIDENTIAL ZONE) AND R-R (RESTRICTED RESIDENTIAL ZONE) TO A C-3 (GENERAL COMMERCIAL ZONE) FOR A 21.277 ACRE ± PROPERTY LOCATED NORTH OF RIDGE RUNNER ROAD, BETWEEN 7TH STREET AND 8TH STREET AS REQUESTED BY COMMUNITY 1ST BANK - LAS VEGAS (APPLICANT/OWNER).

WHEREAS, Community 1st Bank - Las Vegas has applied for an amendment to the official zoning map for property located north of Ridge Runner Road between 7th Street and 8th Street, pursuant to provisions of the Las Vegas City Zoning Ordinance, and;

WHEREAS, on April 24, 2017 the City of Las Vegas Planning and Zoning Commission, following adequate public notice, held a public hearing to receive testimony concerning the amendment of the Official Zoning Map to re-zone the property located north of Ridge Runner Road between 7th Street and 8th Street, from an R-1 (Single Family Residential Zone) and R-R (Restricted Residential Zone) to a C-3 (General Commercial Zone), and on April 24, 2017 adopted a motion recommending approval of the proposed amendment.

WHEREAS, on May __, 2017, the Governing Body of the City of Las Vegas, following adequate public notice, held a public hearing to receive testimony concerning the recommendations of the Planning and Zoning Commission.

NOW, THEREFORE BE IT ORDAINED that the Governing Body of the City of Las Vegas, New Mexico, hereby **GRANTS** the amendment to the Official Zoning Map by re-zoning and changing the district classification of certain property located north of Ridge Runner Road between 7th Street and 8th Street, from an R-1 (Single Family Residential Zone) and R-R (Restricted Residential Zone) to a C-3 (General Commercial Zone), and more fully described as follows:

Parcel A-1 as shown on Plat #08-066 prepared by Winston & Associates, LLC, dated June 2008, and recorded in Plat Book 60, Page 24, Office of the San Miguel County Clerk, and more particularly described as follows:

Commencing for reference at the New Mexico State Triangulation Station "SOUTH MESA"; thence, S 47°32'09" E a distance of 2,916.31 feet to the point of beginning of said Parcel A-1.

Thence, N 59° 57' 56" E a distance of 1,015.64 feet; Thence, S 02° 34' 42" E a distance of 67.62 feet; Thence, S 59° 57' 56" W a distance of 1,014.65 feet; Thence, S 03° 16' 43" E a distance of 1,053.08 feet; Thence, S 60° 54' 34" W a distance of 169.61 feet; Thence, S 60° 54' 34" W a distance of 279.39 feet; Thence, S 60° 55' 48" W a distance of 600.72 feet; Thence, N 07° 16' 32" W a distance of 43.08 feet; Thence, N 60° 55' 48" E a distance of 260.40 feet; Thence, N 60° 55' 48" E a distance of 179.30 feet; Thence, N 60°

55' 48" E a distance of 119.53 feet; Thence, N 60° 55' 48" E a distance of 25.49 feet; Thence, N 59° 28' 23" E a distance of 94.61 feet; Thence, N 60° 19' 21" E a distance of 360.00 feet; Thence, N 03° 19' 15" W a distance of 405.79 feet; Thence, S 60° 19' 15" W a distance of 253.56 feet; Thence, S 02° 59' 25" W a distance of 96.16 feet; Thence, S 60° 19' 21" W a distance of 53.56 feet; Thence, S 02° 59' 25" E a distance of 96.16 feet; Thence, S 60° 19' 21" W a distance of 106.44 feet; Thence, S 60° 19' 21" W a distance of 119.53 feet; Thence, N 03° 19' 15" W a distance of 185.07 feet; Thence, S 60° 19' 21" W a distance of 605.81 feet; Thence, N 07° 16' 32" W a distance of 69.89 feet; Thence, S 83° 41' 53" W a distance of 93.77 feet to a point of curvature; Thence, for a distance of 312.63 feet along the arc of a curve to the left, whose radius is 780.33 feet, and whose interior angle is 22° 57' 18" to the point of tangency; Thence, S 60° 44' 39" W a distance of 549.97 feet; Thence, N 33° 31' 04" W a distance of 74.08 feet; Thence, S 60° 01' 56" W a distance of 150.00 feet; Thence, N 33° 31' 04" W a distance of 20.60 feet; Thence, N 60° 01' 56" E a distance of 150.00 feet; Thence, N 33° 31' 04" W a distance of 150.00 feet; Thence, N 59° 57' 56" E a distance of 2,244.71 feet to the point of beginning of this description.
Said Parcel A-1 contains 21.277 acres, more or less.

BE IT FURTHER ORDAINED that the Governing Body of the City of Las Vegas, New Mexico, hereby adopts the following findings of fact upon which the Council's decision is based:

1. The boundaries of the zones established by the City's Ordinances, the classification of property herein, or other provisions of said Ordinances may be amended whenever public necessity, convenience, or general welfare require.
2. That duly public notice and public hearings were in accordance with the legal requirements and a site plan for the zone change has been provided which is acceptable to the City Council.

PASSED, APPROVED AND ADOPTED ON THIS _____ DAY OF _____, 2017.

ATTEST:

Casandra Fresquez, City Clerk

Tonita Gurulé-Girón, Mayor

**REVIEWED AND APPROVED
AS TO LEGAL SUFFICIENCY ONLY**

Corrina Lazlo-Henry, City Attorney

TOTAL ACREAGE = 25.847 ac
RIP ZONE (Restricted Residential)

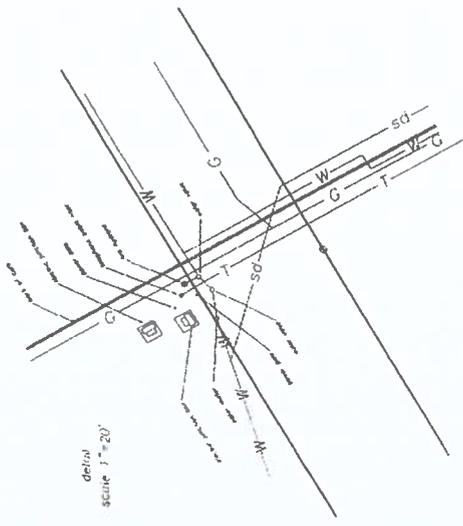
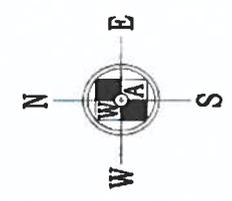
LEGEND

- Survey line
- Boundary line
- Easement line
- Right-of-Way line
- Utility line
- Proposed road
- Proposed easement
- Proposed subdivision
- Proposed lot
- Proposed street
- Proposed driveway
- Proposed fence
- Proposed wall
- Proposed structure
- Proposed pool
- Proposed pond
- Proposed well
- Proposed septic tank
- Proposed driveway
- Proposed fence
- Proposed wall
- Proposed structure
- Proposed pool
- Proposed pond
- Proposed well
- Proposed septic tank

1778
 FILED IN OFFICE
 AT
 DATE
 COUNTY, CLERK AND RECORDER
 BY
 EXAMINED
 INDEXED

LINE	BEARING	DISTANCE
1	S 89° 58' 12" E	150.00
2	S 89° 58' 12" E	150.00
3	S 89° 58' 12" E	150.00
4	S 89° 58' 12" E	150.00
5	S 89° 58' 12" E	150.00

SUMMARY PLAT
 DATE AND YEAR
 SHEET NO.
 PREPARED BY
 TIMOTHY M. OTT
 08-066



detail
 scale 1" = 20'

WINSTON & ASSOC., INC. PLAT NUMBER 0812147 RECORDED IN PLAT BOOK 22, PAGE 217
 IN THE OFFICE OF THE SON, ANNEAU COUNTY, CLERK
 PROPERTY BELONGING NOW OR FORMERLY TO ENLIGHTENED MULLS AND LIC
 DEED INSTRUMENT # 200001150

PARCEL A-1
 926826.12± SQ. FT.
 21.277± ACRES

Parcel 6
 100031871.50. FT.
 4.970± ACRES



Bk 60-Pg 24

7015 0640 0007 7548 6156

U.S. Postal Service™ P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL® RECEIPT ZONE CHANGE
 Domestic Mail Only

City of Las Vegas
 Community Development Dept.

USE

Certified Mail Fee \$
 Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$
 Return Receipt (electronic) \$
 Certified Mail Restricted Delivery \$
 Adult Signature Required \$
 Adult Signature Restricted Delivery \$
 Postage \$
 Total Postage and Fees \$

Sent To
 Street and Apt. No., or PO Box Mike Fields, Representative
 Community 1st Bank - LV
 City, State, ZIP+4® 600 Douglas Avenue
 Las Vegas, NM 87701

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Postmark Here
 APR 10 2017
 87701

7015 0640 0007 7548 6262

U.S. Postal Service™ P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL® RECEIPT ZONE CHANGE
 Domestic Mail Only

City of Las Vegas
 Community Development Dept.

USE

Certified Mail Fee \$
 Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$
 Return Receipt (electronic) \$
 Certified Mail Restricted Delivery \$
 Adult Signature Required \$
 Adult Signature Restricted Delivery \$
 Postage \$
 Total Postage and Fees \$

Sent To
 Street and Apt. No., or PO Box Janis L. Santistevan
 3005 - 8th Street
 City, State, ZIP+4® Las Vegas, NM 87701

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Postmark Here
 APR 10 2017
 87701

7015 0640 0007 7548 6149

U.S. Postal Service™ P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL® RECEIPT ZONE CHANGE
 Domestic Mail Only

City of Las Vegas
 Community Development Dept.

USE

Certified Mail Fee \$
 Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$
 Return Receipt (electronic) \$
 Certified Mail Restricted Delivery \$
 Adult Signature Required \$
 Adult Signature Restricted Delivery \$
 Postage \$
 Total Postage and Fees \$

Sent To
 Street and Apt. No., or PO Box Thomas R. & Dolores G. Espinoza
 P. O. Box 2958
 City, State, ZIP+4® Las Vegas, NM 87701

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Postmark Here
 APR 10 2017
 87701

7015 0640 0007 7548 6248

U.S. Postal Service™ P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL® RECEIPT ZONE CHANGE
 Domestic Mail Only

City of Las Vegas
 Community Development Dept.

USE

Certified Mail Fee \$
 Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$
 Return Receipt (electronic) \$
 Certified Mail Restricted Delivery \$
 Adult Signature Required \$
 Adult Signature Restricted Delivery \$
 Postage \$
 Total Postage and Fees \$

Sent To
 Street and Apt. No., or PO Box James M. & Marlene A. Alarid
 P. O. Box 90, NMHU
 City, State, ZIP+4® Las Vegas, NM 87701

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Postmark Here
 APR 10 2017
 87701

7015 0640 0007 7548 6279

U.S. Postal Service™ P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL® RECEIPT ZONE CHANGE
 Domestic Mail Only

City of Las Vegas
 Community Development Dept.

USE

Certified Mail Fee \$
 Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$
 Return Receipt (electronic) \$
 Certified Mail Restricted Delivery \$
 Adult Signature Required \$
 Adult Signature Restricted Delivery \$
 Postage \$
 Total Postage and Fees \$

Sent To
 Street and Apt. No., or P Bud R. Geng &
 Rebecca M. Mathews-Geng
 18 Prairie Hill Road
 City, State, ZIP+4® Las Vegas, NM 87701

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Postmark Here
 APR 10 2017
 87701

7015 0640 0007 7548 6125

U.S. Postal Service™ P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL® RECEIPT ZONE CHANGE
 Domestic Mail Only

City of Las Vegas
 Community Development Dept.

USE

Certified Mail Fee \$
 Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$
 Return Receipt (electronic) \$
 Certified Mail Restricted Delivery \$
 Adult Signature Required \$
 Adult Signature Restricted Delivery \$
 Postage \$
 Total Postage and Fees \$

Sent To
 Street and Apt. No., or PO Box Thomas K. Trigg IV &
 Mary S. Schipper
 2908 - 8th Street
 City, State, ZIP+4® Las Vegas, NM 87701

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Postmark Here
 APR 10 2017
 87701

U.S. Postal Service™ P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL® RECEIPT ZONE CHANGE # 6
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City of Las Vegas
 Community Development Dept.

Certified Mail Fee \$
 Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$
 Return Receipt (electronic) \$
 Certified Mail Restricted Delivery \$
 Adult Signature Required \$
 Adult Signature Restricted Delivery \$
 Postage \$
 Total Postage and Fees \$

Sent To Billy G. Rogers & the
 Street and Apt. No., or PO Box No. Rogers Family Trust
 P. O. Box 2190
 City, State, ZIP+4® Las Vegas, NM 87701

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

U.S. Postal Service™ P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL® RECEIPT ZONE CHANGE # 8
 Domestic Mail Only

City of Las Vegas
 Community Development Dept.

Certified Mail Fee \$
 Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$
 Return Receipt (electronic) \$
 Certified Mail Restricted Delivery \$
 Adult Signature Required \$
 Adult Signature Restricted Delivery \$
 Postage \$
 Total Postage and Fees \$

Sent To Rene & Maricela Hidalgo
 Street and Apt. No., or PO Box No. P. O. Box 1513
 City, State, ZIP+4® Las Vegas, NM 87701

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

U.S. Postal Service™ P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL® RECEIPT ZONE CHANGE # 10
 Domestic Mail Only

City of Las Vegas
 Community Development Dept.

Certified Mail Fee \$
 Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$
 Return Receipt (electronic) \$
 Certified Mail Restricted Delivery \$
 Adult Signature Required \$
 Adult Signature Restricted Delivery \$
 Postage \$
 Total Postage and Fees \$

Sent To Carroll D. & Linda L. Craig
 Street and Apt. No., or PO Box No. HC 80, Box 258-C
 City, State, ZIP+4® Las Vegas, NM 87701

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

U.S. Postal Service™ P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL® RECEIPT ZONE CHANGE # 7
 Domestic Mail Only

City of Las Vegas
 Community Development Dept.

Certified Mail Fee \$
 Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$
 Return Receipt (electronic) \$
 Certified Mail Restricted Delivery \$
 Adult Signature Required \$
 Adult Signature Restricted Delivery \$
 Postage \$
 Total Postage and Fees \$

Sent To Joseph N. & Glenna S. Martinez
 Street and Apt. No., or PO Box No. 751 Williams Drive
 City, State, ZIP+4® Las Vegas, NM 87701

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

U.S. Postal Service™ P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL® RECEIPT ZONE CHANGE # 9
 Domestic Mail Only

City of Las Vegas
 Community Development Dept.

Certified Mail Fee \$
 Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$
 Return Receipt (electronic) \$
 Certified Mail Restricted Delivery \$
 Adult Signature Required \$
 Adult Signature Restricted Delivery \$
 Postage \$
 Total Postage and Fees \$

Sent To Mora-San Miguel Electric Coop.
 Street and Apt. No., or PO P. O. Box 240
 City, State, ZIP+4® Mora, NM 87732

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

U.S. Postal Service™ P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL® RECEIPT ZONE CHANGE # 11
 Domestic Mail Only

City of Las Vegas
 Community Development Dept.

Certified Mail Fee \$
 Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$
 Return Receipt (electronic) \$
 Certified Mail Restricted Delivery \$
 Adult Signature Required \$
 Adult Signature Restricted Delivery \$
 Postage \$
 Total Postage and Fees \$

Sent To Joe A. Jr. & Theresa L. Aragon / Sharon Aragon-Montoya
 Street and Apt. No., or PO Box No. 743 Williams Drive
 City, State, ZIP+4® Las Vegas, NM 87701

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7548 6217

U.S. Postal Service™ P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL™ ZONE CHANGE # 12
 Domestic Mail Only

City of Las Vegas website at www.usps.com
 Community Development Dept.

Certified Mail Fee \$
 Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$
 Return Receipt (electronic) \$
 Certified Mail Restricted Delivery \$
 Adult Signature Required \$
 Adult Signature Restricted Delivery \$

Postage \$
 Total Postage and Fees \$

Sent To
 Street and Apt. No., or PO Box No. Larry M. & Victoria Norrid
 741 Williams Drive
 City, State, ZIP+4® Las Vegas, NM 87701

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7548 6309

U.S. Postal Service™ P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL™ ZONE CHANGE # 13
 Domestic Mail Only

City of Las Vegas website at www.usps.com
 Community Development Dept.

Certified Mail Fee \$
 Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$
 Return Receipt (electronic) \$
 Certified Mail Restricted Delivery \$
 Adult Signature Required \$
 Adult Signature Restricted Delivery \$

Postage \$
 Total Postage and Fees \$

Sent To
 Street and Apt. No., or PO Box Judy Ann Gurule
 739 Williams Drive
 City, State, ZIP+4® Las Vegas, NM 87701

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7548 6118

U.S. Postal Service™ P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL™ ZONE CHANGE # 14 / # 15
 Domestic Mail Only

City of Las Vegas website at www.usps.com
 Community Development Dept.

Certified Mail Fee \$
 Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$
 Return Receipt (electronic) \$
 Certified Mail Restricted Delivery \$
 Adult Signature Required \$
 Adult Signature Restricted Delivery \$

Postage \$
 Total Postage and Fees \$

Sent To
 Street and Apt. No., or PO Box No. Joe E. & Carmen Yara
 737 Williams Drive
 City, State, ZIP+4® Las Vegas, NM 87701

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7548 6200

U.S. Postal Service™ P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL™ ZONE CHANGE # 16
 Domestic Mail Only

City of Las Vegas website at www.usps.com
 Community Development Dept.

Certified Mail Fee \$
 Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$
 Return Receipt (electronic) \$
 Certified Mail Restricted Delivery \$
 Adult Signature Required \$
 Adult Signature Restricted Delivery \$

Postage \$
 Total Postage and Fees \$

Sent To
 Street and Apt. No., or PO Box Reynaldo & Virginia Gonzales
 731 Williams Drive
 City, State, ZIP+4® Las Vegas, NM 87701

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7548 6316

U.S. Postal Service™ P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL™ ZONE CHANGE # 17
 Domestic Mail Only

City of Las Vegas website at www.usps.com
 Community Development Dept.

Certified Mail Fee \$
 Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$
 Return Receipt (electronic) \$
 Certified Mail Restricted Delivery \$
 Adult Signature Required \$
 Adult Signature Restricted Delivery \$

Postage \$
 Total Postage and Fees \$

Sent To
 Street and Apt. No., or PO Box Jeffrey & Frances Gonzales
 729 Williams Drive
 City, State, ZIP+4® Las Vegas, NM 87701

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7548 6095

U.S. Postal Service™ P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL™ ZONE CHANGE # 18
 Domestic Mail Only

City of Las Vegas website at www.usps.com
 Community Development Dept.

Certified Mail Fee \$
 Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$
 Return Receipt (electronic) \$
 Certified Mail Restricted Delivery \$
 Adult Signature Required \$
 Adult Signature Restricted Delivery \$

Postage \$
 Total Postage and Fees \$

Sent To
 Street and Apt. No., or PO Box Diamond Pro Service, LLC
 P. O. Box 3053
 City, State, ZIP+4® Las Vegas, NM 87701

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7548 6194

U.S. Postal Service P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL RECEIPT ZONE CHANGE # 19
 Domestic Mail Only

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

City of Las Vegas
 Community Development Dept.

Certified Mail Fee \$	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$	
<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$	
Total Postage and Fees \$	
Sent To	
Street and Apt. No., or PO Box Nancy & Albert Kersey	
5612 NW 160th Street	
City, State, ZIP+4® Edmond, OK 73013	

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7548 6323

U.S. Postal Service P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL RECEIPT ZONE CHANGE # 20
 Domestic Mail Only

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

City of Las Vegas
 Community Development Dept.

Certified Mail Fee \$	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$	
<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$	
Total Postage and Fees \$	
Sent To	
Street and Apt. No., or PO Box Sandra E. Nepstad	
P. O. Box 1203	
City, State, ZIP+4® Las Vegas, NM 87701	

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7548 6071

U.S. Postal Service P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL RECEIPT ZONE CHANGE # 21
 Domestic Mail Only

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

City of Las Vegas
 Community Development Dept.

Certified Mail Fee \$	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$	
<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$	
Total Postage and Fees \$	
Sent To	
Street and Apt. No., or PO Box No. David Sanchez	
Mora Rte., Box 32-AA	
City, State, ZIP+4® Las Vegas, NM 87701	

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7548 6187

U.S. Postal Service P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL RECEIPT ZONE CHANGE # 22
 Domestic Mail Only

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

City of Las Vegas
 Community Development Dept.

Certified Mail Fee \$	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$	
<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$	
Total Postage and Fees \$	
Sent To	
Street and Apt. No., or PO Box No. Gilbert & Doris Varela	
2620 Hot Springs Blvd.	
City, State, ZIP+4® Las Vegas, NM 87701	

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7548 6330

U.S. Postal Service P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL RECEIPT ZONE CHANGE # 23
 Domestic Mail Only

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

City of Las Vegas
 Community Development Dept.

Certified Mail Fee \$	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$	
<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$	
Total Postage and Fees \$	
Sent To	
Street and Apt. No., or P Carmen U. & Leroy M. Garcia	
8036 Bluffs Edge Street, NW	
City, State, ZIP+4® Albuquerque, NM 87120	

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7548 6088

U.S. Postal Service P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL RECEIPT ZONE CHANGE # 24 / # 25
 Domestic Mail Only

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

City of Las Vegas
 Community Development Dept.

Certified Mail Fee \$	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$	
<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$	
Total Postage and Fees \$	
Sent To	
Street and Apt. No., or PO Box No. Donna Pettine	
2906 - 8th Street	
City, State, ZIP+4® Las Vegas, NM 87701	

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7548 6170

U.S. Postal Service P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL RECEIPT ZONE CHANGE # 26
 Domestic Mail Only

City of Las Vegas website at www.usps.com
 Community Development Dept.

Certified Mail Fee \$	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$	
<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$	
Total Postage and Fees \$	
Sent To	
Street and Apt. No., or PO Box Leroy G. & Roberta Fulgenzi	
217 Railroad Avenue	
City, State, ZIP+4 [®] Las Vegas, NM 87701	

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7548 6347

U.S. Postal Service P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL RECEIPT ZONE CHANGE # 27
 Domestic Mail Only

City of Las Vegas website at www.usps.com
 Community Development Dept.

Certified Mail Fee \$	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$	
<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$	
Total Postage and Fees \$	
Sent To	
Street and Apt. No., or PO Box Eloy M. & Charlene B. Lujan	
2810 - 8th Street	
City, State, ZIP+4 [®] Las Vegas, NM 87701	

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7548 6064

U.S. Postal Service P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL RECEIPT ZONE CHANGE #28 / #29 / #30 / #31 / #32 / #33 / #34 / #35 / #36 / #37 / #38
 Domestic Mail Only

City of Las Vegas website at www.usps.com
 Community Development Dept.

Certified Mail Fee \$	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$	
<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$	
Total Postage and Fees \$	
Sent To	
Street and Apt. No., or PO Box No. Carlos & Juliette Gallegos	
Revocable Trust	
706 Sperry Drive	
City, State, ZIP+4 [®] Las Vegas, NM 87701	

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7548 6163

U.S. Postal Service P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL RECEIPT ZONE CHANGE # 39
 Domestic Mail Only

City of Las Vegas website at www.usps.com
 Community Development Dept.

Certified Mail Fee \$	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$	
<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$	
Total Postage and Fees \$	
Sent To	
Street and Apt. No., or PO Box DDLV, LLC	
190 Central Park Square	
City, State, ZIP+4 [®] Los Alamos, NM 87544	

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7548 6361

U.S. Postal Service P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL RECEIPT ZONE CHANGE # 40
 Domestic Mail Only

City of Las Vegas website at www.usps.com
 Community Development Dept.

Certified Mail Fee \$	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$	
<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$	
Total Postage and Fees \$	
Sent To	
Street and Apt. No., or PO San Miguel County	
500 West National Avenue	
Suite #200	
City, State, ZIP+4 [®] Las Vegas, NM 87701	

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7548 6446

U.S. Postal Service P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL RECEIPT ZONE CHANGE # 41
 Domestic Mail Only

City of Las Vegas website at www.usps.com
 Community Development Dept.

Certified Mail Fee \$	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$	
<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$	
Total Postage and Fees \$	
Sent To	
Street and Apt. No., or P Citizens for the Developmentally	
Disabled	
P. O. Box 1589	
City, State, ZIP+4 [®] Raton, NM 87740	

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7548 6408

U.S. Postal Service P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL ZONE CHANGE # 42
Domestic Mail Only

City of Las Vegas website at www.usps.com®
Community Development Dept.

Certified Mail Fee \$
Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$
 Return Receipt (electronic) \$
 Certified Mail Restricted Delivery \$
 Adult Signature Required \$
 Adult Signature Restricted Delivery \$

Postmark Here

Postage \$
Total Postage and Fees \$

Sent To
Street and Apt. No., or P.O. Box Lawrence A. & Breena Tafoya
P. O. Box 84
City, State, ZIP+4® Mora, NM 87732

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7548 6378

U.S. Postal Service P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL ZONE CHANGE # 43
Domestic Mail Only

City of Las Vegas website at www.usps.com®
Community Development Dept.

Certified Mail Fee \$
Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$
 Return Receipt (electronic) \$
 Certified Mail Restricted Delivery \$
 Adult Signature Required \$
 Adult Signature Restricted Delivery \$

Postmark Here

Postage \$
Total Postage and Fees \$

Sent To
Street and Apt. No., or P.O. Box Raggs, LLC
190 Central Park Square
City, State, ZIP+4® Los Alamos, NM 87544

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7548 6422

U.S. Postal Service P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL ZONE CHANGE # 44
Domestic Mail Only

City of Las Vegas website at www.usps.com®
Community Development Dept.

Certified Mail Fee \$
Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$
 Return Receipt (electronic) \$
 Certified Mail Restricted Delivery \$
 Adult Signature Required \$
 Adult Signature Restricted Delivery \$

Postmark Here

Postage \$
Total Postage and Fees \$

Sent To
Street and Apt. No., or P.O. Box Fossil, LLC
190 Central Park Square
City, State, ZIP+4® Los Alamos, NM 87544

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7548 6415

U.S. Postal Service P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL ZONE CHANGE # 45 / # 46
Domestic Mail Only

City of Las Vegas website at www.usps.com®
Community Development Dept.

Certified Mail Fee \$
Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$
 Return Receipt (electronic) \$
 Certified Mail Restricted Delivery \$
 Adult Signature Required \$
 Adult Signature Restricted Delivery \$

Postmark Here

Postage \$
Total Postage and Fees \$

Sent To
Street and Apt. No., or P.O. Box Sarajo, LLC
P. O. Box 90513
City, State, ZIP+4® Albuquerque, NM 87199

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7548 6385

U.S. Postal Service P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL ZONE CHANGE # 47
Domestic Mail Only

City of Las Vegas website at www.usps.com®
Community Development Dept.

Certified Mail Fee \$
Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$
 Return Receipt (electronic) \$
 Certified Mail Restricted Delivery \$
 Adult Signature Required \$
 Adult Signature Restricted Delivery \$

Postmark Here

Postage \$
Total Postage and Fees \$

Sent To
Street and Apt. No., or P.O. Box Wal-Mart Stores East, Inc.
P. O. Box 8050, MS0555
City, State, ZIP+4® Bentonville, AR 72712-8050

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7548 6439

U.S. Postal Service P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL ZONE CHANGE # 48
Domestic Mail Only

City of Las Vegas website at www.usps.com®
Community Development Dept.

Certified Mail Fee \$
Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$
 Return Receipt (electronic) \$
 Certified Mail Restricted Delivery \$
 Adult Signature Required \$
 Adult Signature Restricted Delivery \$

Postmark Here

Postage \$
Total Postage and Fees \$

Sent To
Street and Apt. No., or P.O. Box Mia Prieskorn
P. O. Box 867
City, State, ZIP+4® Las Vegas, NM 87701

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7548 6394

U.S. Postal Service P&Z COMM. Comm. 1st Bank
CERTIFIED MAIL ZONE CHANGE # 49
 Domestic Mail Only

For delivery information, visit our website at www.usps.com[®]

City of Las Vegas
 Community Development Dept.

Certified Mail Fee \$	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$	
<input type="checkbox"/> Return Receipt (electronic) \$	
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<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$	
Total Postage and Fees \$	
Sent To	
Street and Apt. No., or P.O. Box Enchanted Hills MHP, LLC	
City, State, ZIP+4 [®] P. O. Box 25965 Shawnee, KS 66225-5965	

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7548 6354

U.S. Postal Service P&Z COMM. Comm. 1st Ba
CERTIFIED MAIL ZONE CHANGE # 50
 Domestic Mail Only

For delivery information, visit our website at www.usps.com[®]

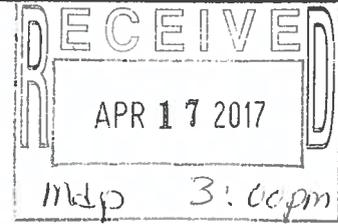
City of Las Vegas
 Community Development Dept.

Certified Mail Fee \$	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
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Postage \$	
Total Postage and Fees \$	
Sent To	
Street and Apt. No., or P.O. Box Hacienda Home Centers, Inc.	
City, State, ZIP+4 [®] P. O. Box 30148 Albuquerque, NM 87109	

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instruction

Maria Perea

From: Mary Schipper [starrschip@gmail.com]
Sent: Monday, April 17, 2017 2:36 PM
To: mariaperea@ci.las-vegas.nm.us
Cc: mike@cfblv.com
Subject: Zone Change



To Whom It May Concern:

Thank you for listening to our concerns.

My husband, Tom Trigg and I, (Mary Schipper) of 2908 8th Street, received the certified letter re: the proposed Zone Change, and would like to express our opposition to such a change.

We are relative newcomers to Las Vegas (13 years, as homeowners on 8th Street), and respectfully wish to voice our concerns re: the Zone change. We love the City of Las Vegas, and are both active volunteers in the community.

The northern 8th Street neighborhood in which we reside, and in which we have also built a new home, is one of the more stable residential areas of the city. While we generally support beneficial and well-planned commercial development, we can see no justification for changing the 8th Street 1/2 of the parcel to commercial zoning. Eighth Street has NO substantial commercial development on the entire length of the street. There is NO reason to change the current zoning from R-R to C-3, that would enhance the quality or stability or services to our neighborhood. Throwing residential zoning out the window can markedly harm a neighborhood, and can begin the "death toll" of a community. However, a park, or open area, void of vehicular traffic, has the opposite effect. It would increase the desirability and stability of this northern 8th Street neighborhood. Currently, this parcel of land, has provided intermittent shelter to the homeless, and has become a "dumping grounds" for trash, tires, furniture, and dead animals. We would humbly ask Community First Bank to consider donating this acreage to the neighborhood/city to serve as an open grasslands and pedestrian park. The residents of the neighborhood have already expressed community interest in maintaining the area.

Please vote AGAINST the proposed zone change. Keep Las Vegas beautiful!

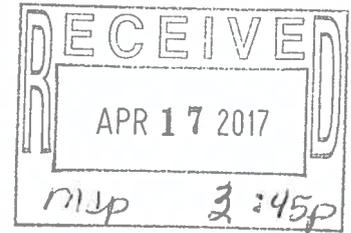
Thank you for giving serious consideration to our concerns.

Sincerely,

Mary Schipper MD, and Thomas K. Trigg IV; 2908 8th Street. (Tom 505-426-5821) (Mary 505-429-0285)

Maria Perea

From: Joe [vegascatbird@gmail.com]
Sent: Monday, April 17, 2017 3:33 PM
To: mariaperea@ci.las-vegas.nm.us
Cc: mike@cfblv.com
Subject: pending zoning change application



4/17/2017

Dear Planning and Zoning Commissioners,

My name is Joe Cooney. I live at 707 Kane Dr, in Las Vegas, in the neighborhood where there is a pending application for a zoning change from Residential to Commercial. This is the area bounded by 7th, Williams Dr. and 8th Streets. I am writing to express my strong disapproval of such a change.

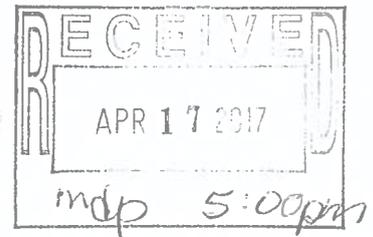
This area, along the whole length of 8th St. North of Mill Ave, is effectively entirely residential, and has been so for a very long time. This change would be a big departure from that status. We who live here do not want such a change. I have spoken to my neighbors and the sentiment is universal that we believe introducing a commercial-zone intrusion into our midst would cause permanent negative effects in this neighborhood.

Among such effects would be: a burdensome increase in automobile traffic, a loss of open space, and a violation of the peaceful nature of our area. In this time where there is a clear lack of exercise among our youth, it would make so much more sense to dedicate this area to recreational use. I believe that was the original intent behind the Legion Park parcel of land. In this part of town, there are no parks or designated open spaces.

I don't know if that need can be answered in this case. I hope so. But certainly you have it in your power to prevent the damage of bringing commercial intrusion into our neighborhood.

Thank you for your consideration of my viewpoint. Sincerely, Joe Cooney

Yvonne M. Bond
810 Highland Drive
Las Vegas, NM 87701
505-718-0027
yvonnebond10@gmail.com



April 17, 2017

To: Members of the City of Las Vegas Planning and Zoning Commission
Subject: Proposed zone change to C-3 of the 21-acre parcel that lies between 7th Street and 8th Street
cc: George and Joanne Sprenger, Joe Cooney

Dear Commissioners,

Because the parcel involved is large – 21 acres – I recommend that **plans for the property be made as a whole, rather than rezoning at as Commercial and selling it off parcel by parcel.**

I strongly believe that at least some of the land should be public use land, with areas to walk and bicycle, and a set-aside for ATV use that is already in use by the ATVers and dirt bikers. Our side of town has no parks! **A park and walking trails would attract people to stay here rather than leave town in search of a more family-friendly environment.** The area is already used by many walkers, dog walkers, and others. Wildlife and wildflowers are abundant in the area, including a rain-fill pond that produces spade-foot frogs in wet years.

I recommend that **mixed-use zoning be considered for the parcel** (see the article by this name on Wikipedia). Overall planning could be done which would include set-asides for businesses and public use (parks, walking and bike trails, playgrounds, mini-green belts). There are already residences within the area (senior housing and I believe developmentally disabled housing). The businesses could be in a self-contained area with parking lots that connect to 7th Street and Williams.

Perhaps an architecture/planning students from the UNM School of Architecture could consult pro bono or low cost on this (contact Levi Romero, UNM School of Architecture, native of Dixon NM).

In this category, businesses, parks, and residences exist side-by-side and are connected by green belts and bicycle paths, with parking lots that connect to the main streets. As George and Joanne Sprenger say, **“Quality of life items spur residential development which is an economic development.”**

Where the elementary school is being torn down on Legion, **the playground could be saved and used as a public playgroud and toddler park for children.**

I agree with George and Joanne Sprenger that **commercial development should be limited to 7th Street.** Williams Drive should be improved, especially the intersection with 7th Street, to facilitate access to the 7th Street business area. The old nursery should be removed, Williams paved, and new visible stop signs installed.

I do not think that any street should be cut through the property that empties onto 8th Street near Highland Drive and Sperry Drive. It is not necessary. These streets already carry too much traffic at rush hours from Luna Community College, the state hospital, and the World College. Highland Drive is very narrow. If commercial development were limited to 7th Street, that business district could be self-contained and accessed via 7th Street, Williams, and Legion, with no need to empty traffic onto 8th. This would leave our residential neighborhood in peace.

I am willing to work with the Trust for Public Land (please see their website), which helps to finance parks in areas that don't have them. They could potentially provide financial support for the park once that portion of the parcel is set aside. The TPL has one of the highest charity ratings on the Charity Navigator.

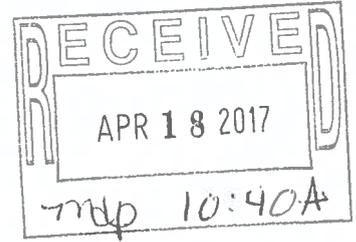
Friends, this is an opportunity to enhance our town and especially this side of town. Let's take advantage of it and work together to come up with a win-win plan that will benefit everyone – families, children, walkers and bicyclists, and shoppers.

Sincerely,

Yvonne M. Bond

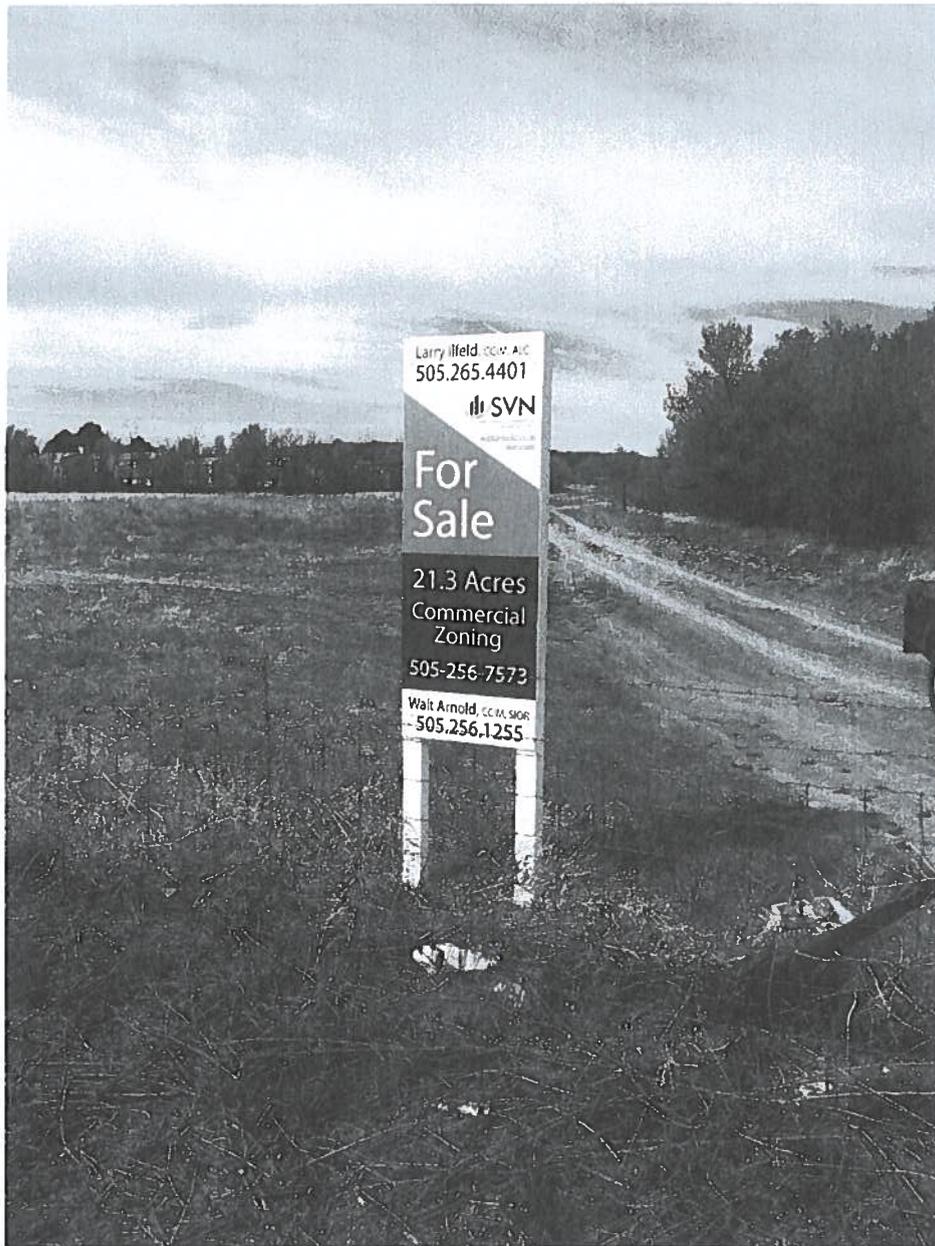
Maria Perea

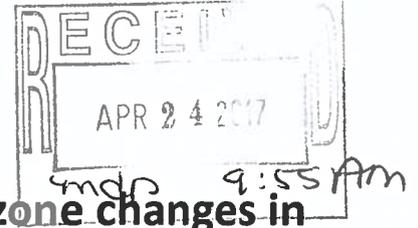
From: Joe [vegascatbird@gmail.com]
Sent: Tuesday, April 18, 2017 10:27 AM
To: mariaperea@ci.las-vegas.nm.us
Subject: To the planning and zoning commission
Attachments: IMG_0257.JPG



Dear Commissioners, please see attached photo of the 7th St. Entrance to the property that has a pending zone change application. Well ahead of your decision, the Community 1st Bank and it's representatives seem to think it's already a done deal!

Thanks, Joe Cooney





George & Joanne Sprenger views on proposed zone changes in the north 8th Street area.

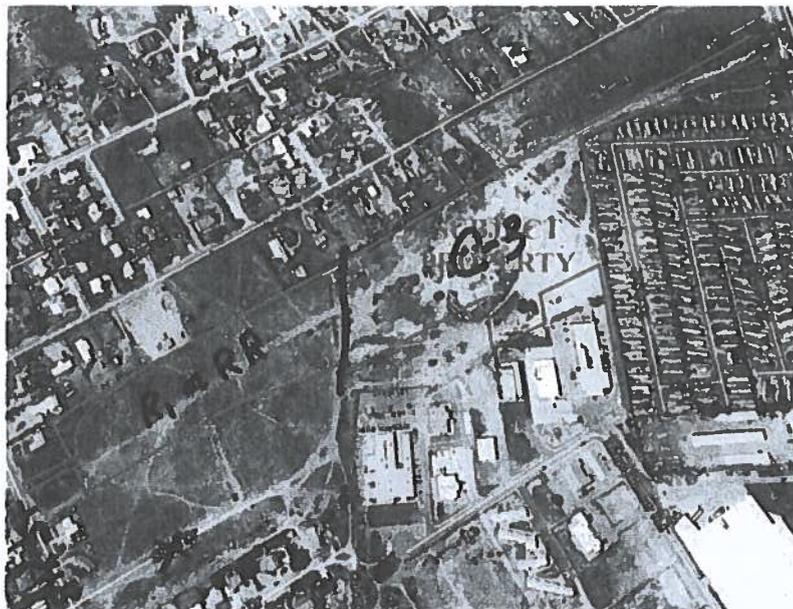
454-0551

We view the proposed zone change with general support with a few reservations. It should be noted that 7th Street has 4 lanes and 8th Street has 2 lanes in this region of the City. There are many businesses along 7th Street and the 8th Street area is entirely residential.

The 21.227 acre parcel has access to 7th street *via* a route north of the mobile home park and routes through the Ridge Runner road business area. We feel that commercial development should proceed along the 7th Street area. The defunct Williams Greenhouse is an eyesore and there are several open areas out toward Tractor Supply. Commercial development should proceed on the east end of the property north of Walmart and back of the mobile home park.

The west end of the property should be zoned residential because of the nearness to other residential areas along 8th Street. A second reason is because of the difficult possibilities for safe access from 8th Street to the west end of the property. The City should be concerned with the traffic flow between 7th and 8th streets. The Junction between Williams Drive and 8th street is a mess. An unsightly lawn barricade is required to keep the Saturday night drivers from one of the house's living room. The Stern Drive location tends to move on various City maps. Most times it tends to junction with 8th Street opposite Dr. James Allarid's home. Dr. Allarid would have problems with those Saturday night drivers. The existing Highlands drive is very narrow and is about 1½ lanes wide. Most street parking straddles the curb. Development would require an extension of Highlands drive. The intersection with 8th Street and Highlands drive would be a problem.

For these reasons, we feel that the property should be zoned in the picture below. There is a natural drainage which divides the property. Carlos Gallegos apparently owns adjacent property with too small plots. We feel that the west end if zoned RR (½ Acre) would be more salable.



George H Sprenger

CITY OF LAS VEGAS
1700 NORTH GRAND AVE.
LAS VEGAS, NM 87701

T 505.454.1401
F 505.425.7335
LASVEGASNM.GOV
VISITLASVEGASNM.COM

TONITA GURULÉ-GIRÓN
MAYOR

DAVID ULIBARRI
COUNCILOR, WARD 1

VINCE HOWELL
COUNCILOR, WARD 2

BARBARA PEREA-CASEY
COUNCILOR, WARD 3

DAVID L. ROMERO
COUNCILOR, WARD 4

AGENDA

**CITY OF LAS VEGAS
BOARD OF ADJUSTMENT / PLANNING & ZONING COMMISSION**

Monday, April 24, 2017, 4:00pm
City of Las Vegas Council Chambers
1700 North Grand Avenue, Las Vegas, NM 87701

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. APPROVAL OF AGENDA**
- IV. APPROVAL OF MINUTES - Monday, March 27, 2017**
- V. PLANNING & ZONING COMMISSION**
 - 1. Application for consideration of a Zone Change from an R-1 (Single Family Residential Zone) / R-R (Restricted Residential Zone) to a C-3 (General Commercial Zone) for a 21.277 acres ± parcel located north of Ridge Runner Road, between 7th Street and 8th Street. Property owner is Community 1st Bank-Las Vegas and they want to sell property for commercial development.
- VI. BOARD OF ADJUSTMENT:**
 - None
- VII. OTHER BUSINESS**
- VIII. ADJOURNMENT**

The Board of Adjustment and Planning & Zoning Commission may convene in Executive Session if the subject matter of such discussion or action is exempted from the Open Meetings Requirement under Section 10-15-1 (H) of the Open Meetings Act.



OLD TRAILS, NEW ADVENTURE

NOTE: Action of the Planning & Zoning Commission is not final, but is a recommendation to the City Council. Zoning hearings before the City Council are held on the first and third Wednesday of each month at 6:00 p.m. in the City Council Chambers, 1700 North Grand Avenue, Las Vegas, New Mexico. Special Use or Conditional Use Permits, Variances and Appeals are heard by the Board of Adjustment and are final, except that Variances which are associated with a Subdivision are final by action of the City Council; however, any person aggrieved by a decision of the Board of Adjustment may appeal the decision to City Council.

NOTICE OF PERSONS WITH DISABILITIES: If you have a disability and require special assistance to participate at this meeting, please call the Zoning Department at (505) 426-3276 four days prior to the meeting date.



May 9, 2017

City of Las Vegas
Annette Velarde, Community Development Director
1700 North Grand Avenue
Las Vegas, New Mexico 87701

Dear Ms. Velarde:

The Community First Bank filed an application with the City of Las Vegas on January 20, 2017 to rezone a 21+ acre parcel of land located along the northwest boundary of Las Vegas from residential to commercial. The City accepted the application and the application fee of \$705.54 was paid on February 13, 2017.

As stated in the application, the sole purpose of the zone change is to market the property as commercial. The Bank has no intention to develop the property. According to our appraiser, commercial zoning would be the highest and best use based on its proximity to similar uses, access to 7th and 8th streets, and is consistent with other commercial zone changes that have been granted in the past. We have not been able to appropriately market the property because of its current residential classification.

On April 10th, we finally received notice that our application would be heard on April 24, 2017 by the Planning & Zoning Commission. On April 20, 2017 I received a letter from you stating that the meeting was cancelled because the application was missing required items specifically identified in Ordinance Section 450-101, paragraphs E, G, and I.

Section 450-101 E reads: .

Existing conditions of the site and its environs shall include the following:

- (1)
Easements on site. Location, width, and purpose.
- (2)
Public right-of-way on the site.
- (3)
Utilities on and adjacent to the site.
- (4)

Ground elevation on the site based on mean area level datum (unless property is within an existing platted subdivision) as estimated by the Geological Survey (USGS).

If you look closely at our submittal, the above items are shown on the Survey Plat by Winston & Associates which was included with the application. These are also discussed within the appraisal documents which were included with our application.

As to item G.,

Design of off-street parking (if required). The intent of the zone change is not for a specific development but to change the classification. The Bank does not intend to develop the property. Therefore, a design for off-street parking should not be required until a future purchaser makes a development decision that would then establish parking requirements and submits an off-street parking design for review and approval.

The letter also required item I be addressed. Which reads:

Storm drainage plan (unless property is within an existing platted subdivision). The plan shall include a detailed scheme for controlling the increased runoff for a one-hundred-year frequency storm such as catch basin or ponding area for controlled entry of water into natural drainageways or storm sewers to insure that the increase does not overload the system or cause damage to property and areas at lower elevations.

There is an existing subdivision within the property. The Legion Heights Subdivision. Therefore, the above exception should apply. In addition, there is a storm sewer system on the property. It is shown on the survey plat and also referenced in the appraisal which was included with our application. The storm sewer was installed many years ago to accommodate future development on the property.

As stated previously, the Bank has no intention to develop the property. A drainage design should not be required until a purchaser makes a development decision and submits a drainage plan to incorporate existing drainage infrastructure for review and approval.

Hence, our application was not incomplete and in fact was reviewed, approved, posted and published by the City's Planning & Zoning Coordinator and should have been considered by the Planning & Zoning Commission on April 24th. It has now been **110 days** since our application and fee were accepted by the City. We herein request consideration based on the following:

Section 450-102 of City Ordinance states that the Planning Commission **shall** hold a public hearing upon the proper application for an amendment (zone change).

And, Section 450-103 states that the date of the first hearing **shall be** not less than 15 days **nor more than 40 days** from the time of the filing of the application.

Since it has been 110 days since our proper application was filed, more than twice exceeding the 40-day requirement, the Bank respectfully requests that the City waive the hearing process of the application by default and issue administrative zoning approval as required under the ordinance.

Following is a copy of the referenced and applicable ordinances:

§ 450-102 **Commission to hold hearings.**

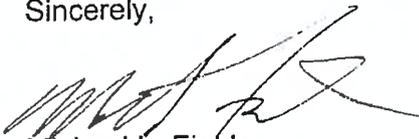
Upon the filing of a proper application for an amendment, or on order of the Planning Commission or the City Council, the Planning Commission shall hold a public hearing thereon, and notice thereof shall be given as prescribed herein.

§ 450-103 **Setting hearings.**

All applications for amendments to zone boundaries or classification of property uses within such zones as are defined by this chapter shall be set by the City Manager for public hearing when such hearings are to be held before the Planning Commission and by the City Clerk for hearings to be held before the City Council. **The date of the first of these hearings shall not be less than 15 days nor more than 40 days from the time of the filing of the application or the adoption of the order upon which such hearing is predicated.**

Thank you for your consideration and we look forward to a productive meeting on this matter.

Sincerely,



Michael L. Fields
V/P Loan Officer

xc: City Attorney



City of Las Vegas

EXHIBIT # 17

1700 N. Grand Avenue | Las Vegas, NM 87701 | T 505.454.1401 | lasvegasnm.gov

Madam Mayor Tonita Gurulé-Girón

March 8, 2019

Mr. Mike Fields
Community 1st Bank - Las Vegas
600 Douglas Avenue
Las Vegas, NM 87701

Dear Mr. Fields:

This is to formally give you notice that the Board of Adjustment/Planning and Zoning Commission will conduct a public hearing on Monday, March 25, 2019 to consider your application for the rezoning of property located north of Ridge Runner Road, between 7th Street and 8th Street. The meeting is scheduled for 4:00pm in the City Council Chambers, 1700 North Grand Avenue, Las Vegas, NM 87701.

Staff will present the item to the Commission, at the end of the staff presentation the Chairperson will open the hearing. In all cases dealing with property issues, all persons, witnesses who wish to speak for or against the issue will have to be sworn in.

It is required that you or a representative be present at the hearing to answer any questions the Commission may have of your project. Failure to be present may result in your application being heard at a future meeting. Staff also encourages you to speak on your behalf when given the opportunity and if you choose, you may bring in other parties in support of your request.

If you have any questions, please feel free to contact me at (505) 454-1401, Ext. 1608

Sincerely,

Maria D. Perea
Planning & Zoning Coordinator

XC: Applicant File



City of Las Vegas

1700 N. Grand Avenue | Las Vegas, NM 87701 | T 505.454.1401 | lasvegasnm.gov

Madam Mayor Tonita Gurulé-Girón

March 8, 2019

Mr. Eugenio S. Mathis
Mathis Law Office, LLC
P. O. Box 285
Las Vegas, NM 87701

Dear Mr. Mathis:

This is to formally give you notice that the Board of Adjustment/Planning and Zoning Commission will conduct a public hearing on Monday, March 25, 2019 to consider the application for the rezoning of property located north of Ridge Runner Road, between 7th Street and 8th Street, submitted by Community 1st Bank Las Vegas. The meeting is scheduled for 4:00pm in the City Council Chambers, 1700 North Grand Avenue, Las Vegas, NM 87701.

Staff will present the item to the Commission, at the end of the staff presentation the Chairperson will open the hearing. In all cases dealing with property issues, all persons, witnesses who wish to speak for or against the issue will have to be sworn in.

It is required that you or a bank representative be present at the hearing to answer any questions the Commission may have of your project. Failure to be present may result in your application being heard at a future meeting. Staff also encourages you to speak on your behalf when given the opportunity and if you choose, you may bring in other parties in support of your request.

If you have any questions, please feel free to contact me at (505) 454-1401, Ext. 1608

Sincerely,

Maria D. Perea
Planning & Zoning Coordinator

MATHIS LAW OFFICE LLC

1650 Seventh Street

PO Box 285

Las Vegas, NM 87701

Telephone: (505) 425-3204

Fax: (505) 425-3207

mathislawoffice@gmail.com

October 9, 2018

Via email to egmontoya@lasvegasnm.gov

Esther Garduno-Montoya, Esq.
City Attorney
1700 N. Grand Avenue
Las Vegas, NM 87701

Re: CFB Las Vegas Zoning Issue.

Dear Esther:

This office represents Community First Bank Las Vegas (CFB).

CFB filed an application with the City of Las Vegas on January 20, 2017 to rezone a 21+ acre parcel of land along the northwest boundary of Las Vegas from residential to commercial. The sole purpose of the zone change is to market the property as commercial. CFB has no intention to develop the property. The City accepted CFB's application and the application fee of \$705.54 was paid on February 13, 2017.

On April 10, 2017 CFB received notice that its application would be heard on April 24, 2017 by the Planning & Zoning Commission. On April 20, 2017, CFB was notified that the hearing before the Planning & Zoning Commission was cancelled because the application was missing required items specifically identified in Municipal Ordinance, Section 450-101, paragraphs E, G, and I.

As to subparagraph E, CFB contends that the information required was included in the survey plat and other documentation in CFB's application for a zone change.

As to subparagraph G, CFB contends that since the intent of the zone change is not for a specific development but to simply change the classification, a design for off-street parking should not be required until a future purchaser makes a development decision.

As to subparagraph I, CFB contends there is an existing subdivision within the property, the Legion Heights Subdivision. Therefore, the exception should apply. In addition, there is a storm sewer system on the property, shown on the survey plat and also referenced

in the appraisal which was included with CFB's application. The storm sewer was installed many years ago to accommodate future development on the property. CFB believes that a drainage design should not be required until a purchaser makes a development decision.

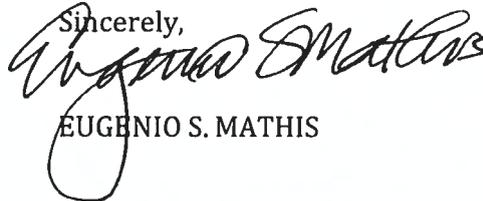
CFB feels that its application was not incomplete. The application was reviewed, approved, posted, and published by the City's Planning & Zoning Coordinator. It should have been considered by the Planning & Zoning Commission on April 24, 2017.

Section 450-102 of City Ordinance provides that the Planning & Zoning Commission shall hold a public hearing upon the filing of a proper application for a zone change and provide proper notice. The City published and posted notice as required by Section 450-104. Section 450-103 states that the date of the first hearing shall be not less than 15 days nor more than 40 days from the time of the filing of the application.

CFB and I would like to meet with you and staff from the Community Development Office to discuss this issue in an effort to resolve the issue and not end up in litigation.

I realize that your schedule is likely hectic with the amount of work and issues you have inherited. Please call me so we can discuss a date and time for a meeting.

I look forward to working with you on this matter.

Sincerely,

EUGENIO S. MATHIS

cc: Mike Fields via email

**NOTICE OF THE
CITY OF LAS VEGAS
Planning & Zoning
Commission/Board
of Adjustment
MEETING**

Notice is given that the City of Las Vegas Planning & Zoning Commission / Board of Adjustment will hold a Public

Meeting on Monday, March 25, 2019 at 4:00 p.m., at the City of Las Vegas Council Chambers, 1700 N. Grand Avenue, Las Vegas, New Mexico 87701.

The public is invited to attend. A copy of the Agenda may be obtained from City of Las Vegas Community Development, whose office is located at 1700 N. Grand Avenue, Las Vegas, NM during regular business hours. The agenda can also be obtained from the City of Las Vegas website at www.lasvegasnm.gov.

The Planning & Zoning Commission/Board of Adjustment may convene in Executive Session, if the subject matter of such discussion or action is exempted from the open meeting requirement under Section 10-15-1 (H) of the Open Meetings Act.

CITY OF LAS VEGAS
/s/ Casandra Fresquez
City Clerk

PUB: Las Vegas Optic,
Mar 10, 2019

#19030069



The Board of Adjustment will hold a **PUBLIC HEARING** on Monday, March 25, 2019 at 4:00pm, in the City Council Chambers, 1700 North Grand Avenue, Las Vegas, New Mexico, to consider an application for a **ZONE CHANGE** from an R-1 (Single Family Residential Zone) / R-R (Restricted Residential Zone) to a C-3 (General Commercial Zone) for the purpose of selling a 21.277 acre ± property for commercial development. Property is currently vacant. Application was submitted by Mike Fields on behalf of Community 1st Bank-Las Vegas (Applicant/Owner). The legal description for this property is on file at Community Development Department, 1700 N. Grand Avenue, Las Vegas, New Mexico 87701.

This letter is notifying you because you own property within 100 feet (excluding public right-of-way) of the proposed **ZONE CHANGE** request. You may appear at the hearing to enter your testimony in favor or in opposition to this request. The applicant or anyone aggrieved by the decision of the Planning & Zoning Commission and Board of Adjustment, may file a written appeal.

If you require further information, please contact Maria D. Perea, Planning & Zoning Coordinator at (505) 454-1401, ext. 1608.

CITY OF LAS VEGAS

COMMUNITY DEVELOPMENT DEPARTMENT
 1700 NORTH GRAND AVENUE
 LAS VEGAS, NEW MEXICO 87701

'NOT TO SCALE'

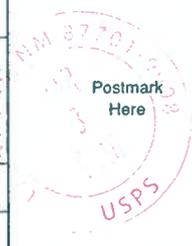


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Total Postage and Fees \$	
Sent To Mr. Mike Fields, Bank. Rep. Community 1st Bank - Las Vegas Street and Apt. No., or PO Box No. 600 Douglas Avenue City, State, ZIP+4* Las Vegas, NM 87701	

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Postage \$	
Total Postage and Fees \$	
Sent To Mr. Eugenio S. Mathis Mathis Law Office, LLC Street and Apt. No., or PO Box No. P. O. Box 285 City, State, ZIP+4* Las Vegas, NM 87701	

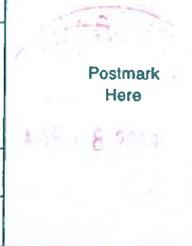
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Postage \$	
Total Postage and Fees \$	
Sent To Thomas R. & Dolores G. Espinoza P. O. Box 2958 Street and Apt. No., or PO Box No. Las Vegas, NM 87701 City, State, ZIP+4*	

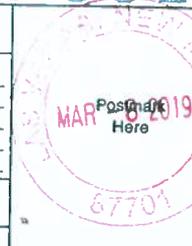
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<input type="checkbox"/> Certified Mail Restricted Delivery \$	
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Postage \$	
Total Postage and Fees \$	
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Postage \$	
Total Postage and Fees \$	
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<input type="checkbox"/> Adult Signature Required	\$
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 Street and Apt. No., or PO Joseph N. & Glenna S. Martinez
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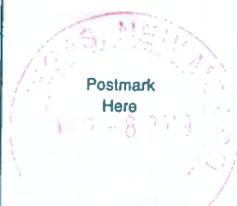
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 HC 80, Box 258-C
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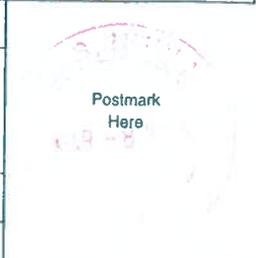
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Postage	\$
Total Postage and Fees	\$



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Total Postage and Fees	\$



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 City, State, ZIP+4® 731 Williams Drive Las Vegas, NM 87701

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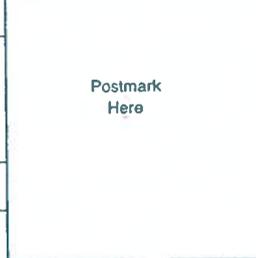
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Postage	\$
Total Postage and Fees	\$



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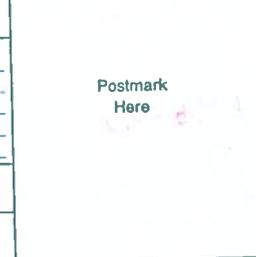
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Total Postage and Fees	\$



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 City, State, ZIP+4® 737 Williams Drive Las Vegas, NM 87701

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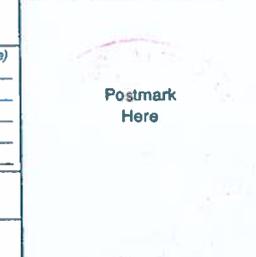
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(3)

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Adult Signature Restricted Delivery \$

Postage
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Total Postage and Fees
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 Las Vegas, NM 87701

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Return Receipt (electronic) \$

Certified Mail Restricted Delivery \$

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Adult Signature Restricted Delivery \$

Postage
 \$

Total Postage and Fees
 \$

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 Nancy & Albert Kersey
 NM Revocable Trust
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 City, State, ZIP+4®
 Edmond, OK 73013

Postmark Here

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P&Z **Community 1st Bank**
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Adult Signature Restricted Delivery \$

Postage
 \$

Total Postage and Fees
 \$

Sent To
 Street and Apt. No., or PO Box No.
 Sandra E. Nepstad
 P. O. Box 1203
 City, State, ZIP+4®
 Las Vegas, NM 87701

Postmark Here

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7548 5579

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P&Z **Community 1st Bank**
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Certified Mail Fee
 \$

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$

Return Receipt (electronic) \$

Certified Mail Restricted Delivery \$

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage
 \$

Total Postage and Fees
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Sent To
 Street and Apt. No., or PO Box No.
 David Sanchez
 Mora Rte., Box 32-AA
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Return Receipt (electronic) \$

Certified Mail Restricted Delivery \$

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage
 \$

Total Postage and Fees
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Sent To
 Street and Apt. No., or PO Box No.
 Gilbert & Doris Varela
 2620 Hot Springs Blvd.
 City, State, ZIP+4®
 Las Vegas, NM 87701

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PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7548 5395

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P&Z **Community 1st Bank**
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Certified Mail Fee
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Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$

Return Receipt (electronic) \$

Certified Mail Restricted Delivery \$

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage
 \$

Total Postage and Fees
 \$

Sent To
 Street and Apt. No., or PO Box
 Carmen U. & Leroy M. Garcia
 8036 Bluffs Edge Street, NW
 City, State, ZIP+4®
 Albuquerque, NM 87120

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14

7015 0640 0007 7548 5562

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P&Z Community 1st Bank
Zone Ch. # 24 / # 25

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OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$



Postage	\$
Total Postage and Fees	\$

Sent To
Street and Apt. No., or PO Box No. Donna Pettine
2906 - 8th Street
City, State, ZIP+4[®] Las Vegas, NM 87701

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7548 5074

U.S. Postal Service
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P&Z Community 1st Bank
Zone Ch. # 26

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OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$



Postage	\$
Total Postage and Fees	\$

Sent To
Street and Apt. No., or PO Box Leroy G. & Roberta Fulgenzi
217 Railroad Avenue
City, State, ZIP+4[®] Las Vegas, NM 87701

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7548 5425

U.S. Postal Service
CERTIFIED MAIL RECEIPT
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P&Z Community 1st Bank
Zone Ch. # 27

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

OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$



Postage	\$
Total Postage and Fees	\$

Sent To
Street and Apt. No., or PO Box Eloy M. & Charlene B. Lujan
2810 - 8th Street
City, State, ZIP+4[®] Las Vegas, NM 87701

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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P&Z Community 1st Bank
Zone Ch. # 28 / # 29 / # 30 / # 31 / # 32 /
33 / # 34 / # 35 / # 36 / # 37 / # 38

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OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$



Postage	\$
Total Postage and Fees	\$

Sent To
Street and Apt. No., or PO Box Carlos & Juliette Gallegos
706 Sperry Drive
City, State, ZIP+4[®] Las Vegas, NM 87701

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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U.S. Postal Service
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P&Z Community 1st Bank
Zone Ch. # 39

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OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$



Postage	\$
Total Postage and Fees	\$

Sent To
Street and Apt. No., or PO Box DDLV, LLC
190 Central Park Square
City, State, ZIP+4[®] Los Alamos, NM 87544

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7548 5418

U.S. Postal Service
CERTIFIED MAIL RECEIPT
Domestic Mail Only

P&Z Community 1st Bank
Zone Ch. # 40

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

OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$



Postage	\$
Total Postage and Fees	\$

Sent To
Street and Apt. No., or PO Box San Miguel County
500 West National Avenue
Suite # 200
City, State, ZIP+4[®] Las Vegas, NM 87701

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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7015 0640 0007 7548 5548

U.S. Postal Service P&Z Community 1st Bank
CERTIFIED MAIL Zone Ch. # 41
Domestic Mail Only

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

OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$



Sent To: Citizens for the Developmentally Disabled
 Street and Apt. No., or PO Box: P. O. Box 1589
 City, State, ZIP+4: Raton, NM 87740

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

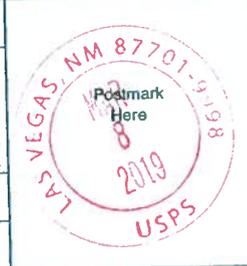
7015 0640 0007 7548 5784

U.S. Postal Service P&Z Community 1st Bank
CERTIFIED MAIL Zone Ch. # 42
Domestic Mail Only

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

OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$



Sent To: Lawrence A. & Brena Tafoya
 Street and Apt. No., or PO Box: P. O. Box 84
 City, State, ZIP+4: Mora, NM 87701

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7546 7063

U.S. Postal Service P&Z Community 1st Bank
CERTIFIED MAIL RECEIPT Zone Ch. # 43
Domestic Mail Only

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

OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$



Sent To: Raggs, LLC
 Street and Apt. No., or PO Box No.: 190 Central Park Square
 City, State, ZIP+4: Los Alamos, NM 87544

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7546 7070

U.S. Postal Service P&Z Community 1st Bank
CERTIFIED MAIL RECEIPT Zone Ch. # 44
Domestic Mail Only

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

OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$



Sent To: Fossil, LLC
 Street and Apt. No., or PO Box No.: 190 Central Park Square
 City, State, ZIP+4: Los Alamos, NM 87544

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7548 5791

U.S. Postal Service P&Z Community 1st Bank
CERTIFIED MAIL RECEIPT Zone Ch. # 45 / # 46
Domestic Mail Only

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

OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$



Sent To: Sarajo, LLC
 Street and Apt. No., or PO Box No.: P. O. Box 90513
 City, State, ZIP+4: Albuquerque, NM 87199

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7546 7087

U.S. Postal Service P&Z Community 1st Bank
CERTIFIED MAIL RECEIPT Zone Ch. # 47
Domestic Mail Only

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

OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$



Sent To: Wal-Mart Stores East, Inc.
 Street and Apt. No., or PO Box: P. O. Box 8050, MS0555
 City, State, ZIP+4: Bentonville, AR 72712-8050

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

16

7015 0640 0007 7546 7056

U.S. Postal Service
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Domestic Mail Only

P&Z Community 1st Bank
Zone Ch. # 48

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

OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$



Sent To
Street and Apt. No., or PO Box No. **Mia Prieskorn**
P. O. Box 867
City, State, ZIP+4® **Las Vegas, NM 87701**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7546 7100

U.S. Postal Service
CERTIFIED MAIL RECEIPT
Domestic Mail Only

P&Z Community 1st Bank
Zone Ch. # 49

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

OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$



Sent To
Street and Apt. No., or PO Box No. **Enchanted Hills MHP, LLC**
P. O. Box 25965
City, State, ZIP+4® **Shawnee, KS 66225-5965**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0007 7546 7094

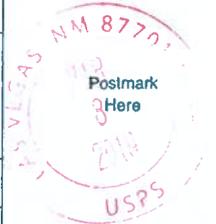
U.S. Postal Service
CERTIFIED MAIL RECEIPT
Domestic Mail Only

P&Z Community 1st Bank
Zone Ch. # 50

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

OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$



Sent To
Street and Apt. No., or PO Box No. **Hacienda Home Centers, Inc.**
P. O. Box 30148
City, State, ZIP+4® **Albuquerque, NM 87109**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

17

Commercial Zoning

NOTICE OF PUBLIC HEARING #1

APPLICANT: Community 1st Bank - Las Vegas

ADDRESS: 600 Douglas Ave., Las Vegas, NM 87701

LOCATION OF PROPERTY: 21.277 +/- Acres north of Bidge Runner Road, between 7th St. & 8th St.

APPLICATION FOR: Zone Change - R-1/RR to R.C.-3 Zone

The Planning & Zoning Commission will hear any and all recommendations concerning proposed Zone Change from an R-1/ R-1 (Restricted Residential) zone to an R.C.-3 (General Commercial Zone) for a 21.277 acre tract

on Monday March 25, 2019 at 4:00 a.m. (p.m) at the City Council Chambers, 1700 North Grand Avenue, Las Vegas, New Mexico 87701.

ALL PERSONS HAVING AN INTEREST IN THE MATTER HAVE A RIGHT TO BE HEARD AT THIS HEARING. FOR MORE INFORMATION ON THIS CASE, YOU MAY CONTACT THE CITY OF LAS VEGAS, COMMUNITY DEVELOPMENT DEPT. AT (505) 454-1401.

Poster - 3/9/19

NOTICE OF PUBLIC HEARING #7

APPLICANT: Community 1st Bank - Las Vegas
ADDRESS: 600 Douglas Avenue, Las Vegas, NM 87701

LOCATION OF PROPERTY: 21.277 +/- acres North of
Ridge Runner Road between 7th St & 8th St.

APPLICATION FOR: zone change - R-1/R-R to
a C-3 zone

The Planning & Zoning Commission will hear any and all
Zone Change from an R-1/
R-R (Restricted Residential) zone to a C-3 (General
Commercial zone) for 21.277 acre tract

Monday
on March 25, 2019 at 4:00 a.m. (p.m.) at the City Council
Chambers, 1700 North Grand Avenue, Las Vegas, New Mexico 87701.

ALL PERSONS HAVING AN INTEREST IN THE MATTER HAVE A
RIGHT TO BE HEARD AT THIS HEARING. FOR MORE
INFORMATION ON THIS CASE, YOU MAY CONTACT THE CITY OF
LAS VEGAS, COMMUNITY DEVELOPMENT DEPT. AT (505) 454-1401.

Posted - 3/9/19

NOTICE OF PUBLIC HEARING

APPLICANT: Community 1st Bank- Las Vegas
ADDRESS: 600 Douglas Avenue, Las Vegas, NV 89101
LOCATION OF PROPERTY: 21,277 +/- acres North of
Bridge Runner Road between 7th St & 5th St.
Zone change - R-1/R-2 to

APPLICATION FOR: a C-3 Zone
The Planning & Zoning Commission will hear any and all
Zone Change for an R-1/
recommendations concerning proposed Single family Residential/
R-1 (Restricted Residential) zone to a C-3 (General
Commercial Zone) for 21,277 acre tract
Monday

on March 25, 2019 at 5:00 a.m. at the City Council
Chambers, 1700 North Grand Avenue, Las Vegas, New Mexico 87701.

ALL PERSONS HAVING AN INTEREST IN THE MATTER HAVE A
RIGHT TO BE HEARD AT THIS HEARING. FOR MORE
INFORMATION ON THIS CASE, YOU MAY CONTACT THE CITY OF
LAS VEGAS, COMMUNITY DEVELOPMENT DEPT. AT (505) 454-1401.

Posted - 3/9/19

**CITY OF LAS VEGAS
Planning & Zoning Commission
STAFF REPORT
FOR
March 25, 2019 - Regular Meeting**

APPLICATION:

An Application for a Zone Change from an R-1 (Single Family Residential Zone) / R-R (Restricted Residential Zone) to a C-3 (General Commercial Zone) for a 21.277 acres +/- located north of Ridge Runner Road, between 7th Street and 8th Street, Las Vegas, NM 87701

APPLICANT/OWNER:

Community 1st Bank - Las Vegas
600 Douglas Avenue
Las Vegas, NM 87701

INTENDED LAND USE:

Community 1st Bank - Las Vegas has applied for a Zone Change from an R-1 (Single Family Residential Zone) / R-R (Restricted Residential Zone) to a C-3 (General Commercial Zone) as they are planning to sell the property for future commercial development.

SITE INFORMATION:

- Location: Property is located within T16n, R16e, Section 10 and T16n, R16e, Section 15, is District 2-IN, Las Vegas, NM 87701
- Site Acreage: Property is approximately 21.277 acres +/- located north of Ridge Runner Road, between 7th Street and 8th Street, Las Vegas, NM 87701
- Current Zoning Classification: Property is currently zoned as an R-1 (Single Family Residential Zone) / R-R (Restricted Residential Zone)
- Current Land Use: Property is currently vacant
- SM County Tax Parcel No. and School District: 1-094-095-384-055, District 2-IN

ADJACENT PROPERTY OWNERS:

- North: R-A (Residential Agricultural Zone) within the ETZ / R-1 (Single Family Residential Zone) within City Limits
- East: C-3 (General Commercial Zone)
- South: C-1 (Neighborhood Commercial Zone) and O-1 (Office Zone)
- West: R-1 (Single Family Residential Zone)

COMMENTS PROVIDED BY CITY UTILITY DEPARTMENTS AND OTHERS:

- No comments were requested from Utility Departments and others, but Water, Sewer, Gas and Solid waste services are available to the area by the City of Las Vegas. Electric (PNM), Cable (Comcast), and Telephone (CenturyLink) are all available to the area.

- The nearest Fire Department is located on Legion Drive is approximately 0.65 miles from subject property

CHAPTER 450 ZONING REGULATIONS:

- **Land Use Designation:** Per the City of Las Vegas Municipal Code, §450-2. Purpose. The official zoning plan for the City of Las Vegas was established and adopted to serve the public health, safety and general welfare of the community and to provide for the economic and social advantage from an orderly, planned use of resources.
 - § 450-121. R-1 Single Family Residential Zone. A. Purpose. This zone promotes low-density residential developments. The standards set forth for this district are designed to stabilize and protect the essential character of the areas so delineated, to promote and encourage a suitable environment for family life where there are children, to provide areas for suitable expansion of the City's facilities.
 - § 450-120. R-R Restricted Residential Zone. A. Purpose. This zone is intended to promote and encourage a suitable environment for single-family residential on large parcels of land near the periphery of the City where a low density of population is desired.
- **Proposed Land Use Designation:** § 450-126. C-3 General Commercial Zone. A. Purpose. This zone is intended to provide for those retail businesses and services which require a location other than the Central Business District, being either highway-oriented or requiring larger tracts of land not normally available in the Central Business District
 - § 450-126. E. Development Standards. A copy of Chapter 450-126 is attached for your information and review.
- **Zone Change Definition:** An amendment to the Official Zoning Map to allow for land uses consistent within a specific area.

FINAL NOTES:

- Application was filed by Mike Fields, on behalf of Community 1st Bank - Las Vegas on January 26, 2017. Application was to be reviewed by Planning & Zoning Commission on April 24, 2019
- There was no Development Review Team (DRT) meeting conducted and no comments were requested or submitted
- Original Notice of Public Meeting was published in the Las Vegas Optic on April 12, 2017 for the April 24, 2017 meeting. Second Notice of Public Meeting was published in the Las Vegas Optic on March 10, 2019 for the March 25, 2019 meeting
- Original notices were mailed via certified mail on April 10, 2017 to adjacent property owners within 100-feet of subject property, giving notice of meeting to be held on Monday, April 24, 2017. Second notices were mailed on March 8, 2019 to adjacent property owners within 100 feet of subject property, giving notice of meeting to be held on Monday, March 25, 2019
- Original Notices were posted on the external boundaries of the subject property on April 10, 2017. Second Notices were posted on the external boundaries of the subject property on March 9, 2019.
- The Community Development Department received several protest letters from surrounding property owners when original notices were sent in 2017. They are

attached as Exhibit #14 for review. As of March 19, 2019, there have been two calls in regards to the Zone Change. One property owner had no problem with the project, the other wanted to know if they could submit written statement to oppose. I advised that they had to be present at the meeting to voice their concerns of the project.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND RECOMMENDATION

On March 25, 2019, the Las Vegas Planning and Zoning Commission considered an application submitted by Community 1st Bank - Las Vegas for an amendment to the City of Las Vegas Zoning Map. The proposed amendment would change the zoning of a 21.277 acres +/- located north of Ridge Runner Road, between 7th Street and 8th Street, Las Vegas, NM 87701 within T16n, R16e, Section 10 and T16n, R16e, Section 15 (projected) from an R-1 (Single Family Residential Zone) / R-R (Restricted Residential Zone) to a C-3 (General Commercial Zone). The property is located north of Ridge Runner Road, between 7th Street and 8th Street, Las Vegas, New Mexico. The Commission having been presented with the record testimony hereby makes the following Findings of Fact, Conclusions of Law and Recommendation.

NOTICE

Notice for the Public Hearing before the Planning and Zoning Commission was published in the Las Vegas Optic on March 10, 2019, faxed to area media on March 18, 2019, mailed via certified mail on March 8, 2019 to property owners within 100 feet, and notice was posted on the external boundaries of the property on March 9, 2019.

APPLICATION

The applicant, Community 1st Bank - Las Vegas, has applied for an amendment to the official zoning map of the City of Las Vegas. The application would change the zoning of a 21.277 acres +/- located north of Ridge Runner Road, between 7th Street and 8th Street, Las Vegas, NM 87701 within T16n, R16e, Section 10 and T16n, R16e, Section 15 (projected) from an R-1 (Single Family Residential Zone) / R-R (Restricted Residential Zone) to a C-3 (General Commercial Zone). The property is located north of Ridge Runner Road, between 7th Street and 8th Street, Las Vegas, New Mexico. The re-zone would make the subject easier to sell for commercial development.

LAND HISTORY

The subject property is currently vacant.

TESTIMONY

Community 1st Bank stated in their application that they are requesting a zone change from Single Family Residential / Restricted Residential to a General Commercial property for the purpose of selling the property for commercial development in the future. Attorney for Community 1st Bank stated that the property owner does not intend to develop the property. There were various citizens that spoke against the zone change because they do not want a commercial development in the area. There were concerns of more traffic on 8th Street, there were concerns about safety because of the increased traffic. There was also concerns because there was no development plan submitted by Community 1st Bank with the application for a zone change. Several citizens stated that they would like the portion to the west to remain as an R-1 and the portion to the east, which is currently an R-R to be changed to the commercial zone. It was also stated that citizens of the area use the property to walk their pets and that the property needs to be cleaned up.

COMMISSION'S RECOMMENDATION

Based upon the Findings of Fact, the Commission made the following recommendation:

1. Motion was made to recommend approval of the amendment to the Zoning Map.

CONCLUSION OF LAW AND DECISION

Based upon the above findings of fact, the Commission makes the following Conclusions of Law and Decision:

1. Adequate notice, pursuant to § 450-104 of the Las Vegas Municipal Code was provided.
2. The Zoning Map amendment is in accordance with the Las Vegas Comprehensive Plan.
3. The Commission recommends to the City Council that the proposed Zone Change amendment be approved for a zone change from an R-1 (Single Family Residential Zone) / R-R (Restricted Residential Zone) to a C-3 (General Commercial Zone).

Signed this ____ day of _____, 2019

Mack Crow, Chairperson
Planning & Zoning Commission

PLANNING & ZONING
RECORD PROPER

Applicants/Owners: **Community 1st Bank - Las Vegas**

Location: **North and west of Enchanted Hills**
 Mobile Home Park, Las Vegas, NM

Hearing Date: **Monday, March 25, 2019**

ACTION REQUESTED:

Consideration of and recommendation for approval or disapproval of an Application for a Zone Change from an R-1 (Single Family Residential Zone) / RR (Restricted Residential Zone) to a C-3 (General Commercial Zone) for a 21.277 acres +/- located north of Ridge Runner Road, between 7th Street and 8th Street. Property owner is Community 1st Bank - Las Vegas and they want to sell property for commercial development.

BACKGROUND:

Community 1st Bank - Las Vegas owns a 21.277 +/- acre parcel right behind the Social Security offices and other businesses off of Ridge Runner Road. Community 1st Bank is wanting to change the zoning from residential to commercial as it will be easier to sell as commercial. The surrounding area is predominantly commercial to the south and east, and residential to the west. The subject property is currently Single Family Residential to the west and Restricted Residential to the East, as shown on portion of the Zoning Map attached. Application was originally scheduled to be heard by the Planning & Zoning Commission on Monday, April 24, 2017. Notices to surrounding property owners were mailed out, notices were posted on the external boundaries of the subject property, but application was pulled prior to the meeting. Letter was sent to Community 1st Bank by Director, but no copy of said letter was placed in the file.

EXHIBITS

Exhibit No. **Description (Document Name, date and number of pages)**
Submitted with Original application

1	Zone Change Application filed on January 26, 2017 - 1 page
2	Applicants letter of intent, not dated but submitted the same day as the Zone Change Application - 1 page
3	Board Resolution acknowledging authorized personnel to sell any properties owned by Community 1st Bank - 1 page
4	Special Master's Deed for the 21.77 +/- Acres - 1 page
5	Survey by Winston & Associates, Inc. showing the 21.277 acres +/- (page 2 only) - 1 page
6	Letter to property owner and Attorney representing owner, dated March 8, 2019, advising of the date and time of the Planning & Zoning Commission meeting - 1 page
7	Legal description of subject property, including other information pertaining

	to zoning, site description and photographs of the area - 6 pages
8	100-foot list of property owners given notice, copy of Assessor's Office map with map codes, Vicinity map and a copy of the zoning map of the area with subject property highlighted - 8 pages
9	Copy of notice of the meeting advertised in the Las Vegas Optic on April 12, 2017 - 1 page
10	Photos of two (2) notices posted on the boundaries of the Subject Property on Friday, April 10, 2017 - 2 pages
11	Aerial photo of subject property - a page
12	Copy of Ordinance #17-01, along with a copy of the Review and Approval form submitted on April 17, 2017 to the City Attorney and City Manager for review and corrections, if any - 4 pages
13	Copies of Certified Mail Receipts for all letters mailed out to property owners listed on the 100-footers list (Exhibit 8) - 7 pages
14	Letters received from surrounding property owner in regards to the Zone Change for subject property - 7 pages

Addition information submitted with this application

15	Copy of Agenda prepared for original meeting scheduled for Monday, April 24, 2017 - 2 pages
16	Copy of letter dated May 9, 2017 from Mr. Mike Fields, V/P Loan Officer for Community 1st Bank - Las Vegas to Ms. Annette Velarde, Community Development Director - 3 pages
17	Letter to property owner and Attorney representing owner, dated March 8, 2019, advising of the date and time of the Planning & Zoning Commission meeting - 2 pages
18	Letter from Attorney for Community 1st Bank - Las Vegas dated October 9, 2018 requesting meeting to discuss application - 2 pages
19	Copy of notice of the meeting advertised in the Las Vegas Optic on March 8m 2019 - 1 page
20	Copy of Vicinity Map mailed via certified mail to property owners within 100-feet of the subject property. Same list as shown on Exhibit 8 with original submission of application was utilized - 1 page
21	Copies of Certified Mail Receipts for all letters mailed out to property owners listed on the 100-footers list on March 8, 2019 (Exhibit 8) - 7 pages
22	Photos of two (2) notices posted on the boundaries of the Subject Property on Saturday, March 9, 2019 - 3 pages
23	Staff Report on Application - 3 pages

**CITY OF LAS VEGAS, CITY COUNCIL
ORDINANCE NO. 19-03**

AN ORDINANCE AMENDING THE CITY OF LAS VEGAS OFFICIAL ZONING MAP FROM AN R-1 (SINGLE FAMILY RESIDENTIAL ZONE) AND R-R (RESTRICTED RESIDENTIAL ZONE) TO A C-3 (GENERAL COMMERCIAL ZONE) FOR A 21.277 ACRE ± PROPERTY LOCATED NORTH OF RIDGE RUNNER ROAD, BETWEEN 7TH STREET AND 8TH STREET AS REQUESTED BY COMMUNITY 1ST BANK - LAS VEGAS (APPLICANT/ OWNER).

WHEREAS, Community 1st Bank - Las Vegas has applied for an amendment to the official zoning map for property located north of Ridge Runner Road between 7th Street and 8th Street, pursuant to the provisions of the Las Vegas City Zoning Ordinance, and;

WHEREAS, on March 25, 2019, the City of Las Vegas Planning and Zoning Commission, following adequate public notice, held a public hearing to receive testimony concerning the amendment of the Official Zoning Map to rezone the property located north of Ridge Runner Road between 7th Street and 8th Street, from an R-1 (Single Family Residential Zone) and R-R (Restricted Residential Zone) to a C-3 (General Commercial Zone), and on March 25, 2019 adopted a motion recommending approval of the proposed amendment.

WHEREAS, on April ___, 2019, the Governing Body of the City of Las Vegas, following adequate public notice, held a public hearing to receive testimony concerning the recommendations of the Planning and Zoning Commission.

NOW, THEREFORE BE IT ORDAINED that the Governing Body of the City of Las Vegas, New Mexico, hereby **GRANTS** the amendment to the Official Zoning Map by rezoning and changing the district classification of certain property located north of Ridge Runner Road between 7th Street and 8th Street, from an R-1 (Single Family Residential Zone) and R-R (Restricted Residential Zone) to a C-3 (General Commercial Zone), and more fully described as follows:

Parcel A-1 as shown on Plat #08-066 prepared by Winston & Associates, LLC, dated June 2008, and recorded in Plat Book 60, Page 24, Office of the San Miguel County Clerk, and more particularly described as follows:

Commencing for reference at the New Mexico State Triangulation Station "SOUTH MESA"; thence, S 47°32'09" E a distance of 2,916.31 feet to the point of beginning of said Parcel A-1.

Thence, N 59° 57' 56" E a distance of 1,015.64 feet; Thence, S 02° 34' 42" E a distance of 67.62 feet; Thence, S 59° 57' 56" W a distance of 1,014.65 feet; Thence, S 03° 16' 43" E a distance of 1,053.08 feet; Thence, S 60° 54' 34" W a distance of 169.61 feet; Thence, S 60° 54' 34" W a distance of 279.39 feet; Thence, S 60° 55' 48" W a distance of 600.72 feet; Thence, N 07° 16' 32" W a distance of 43.08 feet; Thence, N 60° 55' 48" E a distance of 260.40 feet; Thence, N 60° 55' 48" E a distance of 179.30 feet; Thence, N 60°

55' 48" E a distance of 119.53 feet; Thence, N 60° 55' 48" E a distance of 25.49 feet; Thence, N 59° 28' 23" E a distance of 94.61 feet; Thence, N 60° 19' 21" E a distance of 360.00 feet; Thence, N 03° 19' 15" W a distance of 405.79 feet; Thence, S 60° 19' 15" W a distance of 253.56 feet; Thence, S 02° 59' 25" W a distance of 96.16 feet; Thence, S 60° 19' 21" W a distance of 53.56 feet; Thence, S 02° 59' 25" E a distance of 96.16 feet; Thence, S 60° 19' 21" W a distance of 106.44 feet; Thence, S 60° 19' 21" W a distance of 119.53 feet; Thence, N 03° 19' 15" W a distance of 185.07 feet; Thence, S 60° 19' 21" W a distance of 605.81 feet; Thence, N 07° 16' 32" W a distance of 69.89 feet; Thence, S 83° 41' 53" W a distance of 93.77 feet to a point of curvature; Thence, for a distance of 312.63 feet along the arc of a curve to the left, whose radius is 780.33 feet, and whose interior angle is 22° 57' 18" to the point of tangency; Thence, S 60° 44' 39" W a distance of 549.97 feet; Thence, N 33° 31' 04" W a distance of 74.08 feet; Thence, S 60° 01' 56" W a distance of 150.00 feet; Thence, N 33° 31' 04" W a distance of 20.60 feet; Thence, N 60° 01' 56" E a distance of 150.00 feet; Thence, N 33° 31' 04" W a distance of 150.00 feet; Thence, N 59° 57' 56" E a distance of 2,244.71 feet to the point of beginning of this description.
Said Parcel A-1 contains 21.277 acres, more or less.

BE IT FURTHER ORDAINED that the Governing Body of the City of Las Vegas, New Mexico, hereby adopts the following findings of fact upon which the Council's decision is based:

1. The boundaries of the zones established by the City's Ordinances, the classification of property herein, or other provisions of said Ordinances may be amended whenever public necessity, convenience, or general welfare require.
2. That duly public notice and public hearings were in accordance with the legal requirements and a site plan for the zone change has not been provided to the City Council, because the sole purpose of the zone change is to market the property as commercial and not to develop the property.

PASSED, APPROVED AND ADOPTED ON THIS _____ DAY OF _____, 2019.

ATTEST:

Casandra Fresquez, City Clerk

Tonita Gurule-Giron, Mayor

**REVIEWED AND APPROVED
AS TO LEGAL SUFFICIENCY ONLY**

Esther Garduno-Montoya, City Attorney



Approval Form

Date Submitted:

Department Submitting: Community Development Point of Contact: Maria Perez

Documents to be reviewed: Ordinance # 19-03

Amount of Pages: 2 pgs

Upon Completion of review: Contact Maria, Ext 1608

Deadline: 03/24/19

Comments:

Please review and make necessary changes

Please mark according to how they should be reviewed by the following:

Approved / Disapproved:

Tana Vega, Interim Finance Director Date

Approved / Disapproved: Please make changes.
 [Signature] Date 04/04/19

Corrections done

Approved / Disapproved:
 [Signature] Date 4/5/19
Ann Marie Gallegos, Interim City Manager

Documents Picked Up: _____

By: _____
Print Name

Signature