CITY OF LAS VEGAS
REGULAR CITY COUNCIL AGENDA
May 15, 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 (April 10th Work Session, April 17th Regular and April 26th , 2019 Special)

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)

- Presentation by Lori Ann Encinias, Gina Harris and Zachary McNellis of winners of Book Reading Contest.
- Presentation by Chief of Police David T. Bibb on certificates of Appreciation.
- Presentation by Utilities Director Maria Gilvarry on certificates of appreciation to Water and Waste Water division employees.
- Presentation by Utilities Director Maria Gilvarry on Peak Shaving Plant.

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 Crack Sealing Project on Mills Avenue from Grand Avenue to Hot Springs Boulevard. Total amount $61,844.37.

   Daniel Gurule, Public Works Director Road improvements on Mills Avenue from Grand Avenue to Hot Springs Boulevard in the form of crack sealing in which cracks will be routed, cleaned and sealed of bituminous pavement as per NM State Price Agreement #61-805-16-14054. Budgetary provisions have been made in the Public Works Department.

2. Approval to Award request for bid #2019-10 for the solid waste tipping fees for municipal solid waste per ton to GGH Wagon Mound, LLC, as the primary landfill and Waste Management of NM, Inc., as the secondary landfill.

   Maria Gilvarry, Utilities Director This allows the City to haul refuse and waste to a landfill.

3. Approval of Resolution 19-20 of the Governing Body authorizing the application submission of a New Mexico Community Development Block Grant Program to the Department of Finance and Administration and authorizing the Mayor of the City of Las Vegas as the authorized Chief Executive Officer and Authorized Representative to participate in the Community Development Block Grant (CDBG) program.

   Virginia Marrujo, Interim Community Development Director The City of Las Vegas is applying for the 2019 CDBG grant and has met all criteria year to date to include, threshold compliance, attending the application workshop, Low to Moderate Income (LMI) methodology approval, and LMI calculation to qualify for submission of the grant application.

XIV. BUSINESS ITEMS

1. Approval /Disapproval of Resolution No. 19-25 assuring available funds for NMDOT call for projects. Total project cost $4,122,505.42, 5% City Match $206,125.27.

Daniel Gurule, Interim Public Works Director as per NMDOT submittal criteria for call for projects, it is required that a resolution of support from our Local Governing Body be attached to application. In complying with this criteria staff is requesting that this resolution be approved for the plan, design, construction, construction management, reconstruction, pavement rehabilitation, drainage improvements and miscellaneous construction to Legion Drive from Grand Avenue to 7th Street. National Avenue from 12th Street down Bridge Street, around Plaza Park, to include Camino De La Escuelas, South Gonzales and South Pacific Street to end at Moreno Street and Hot Spring Blvd, and North Gonzales to end at Valencia St.

2. Approval/Disapproval of Resolution No. 19-16 Abatement of nuisances located at 1221 San Francisco St.

   Virginia Marrujo, Interim Community Development Director Property noted above has several nuisances on the property. The property owner is deceased and the property has not been cleaned or maintained Request to grant abatement.

3. Approval/Disapproval of Resolution No. 19-24 MOU for the New Mexico True FY20 grant.

   Virginia Marrujo, Interim Community Development Director The City of Las Vegas officials and staff, per MOU, will provide the funding match, creative assets, design work an submission of all creative work due as scheduled.

4. 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.

5. 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 WORK SESSION MEETING HELD ON WEDNESDAY, APRIL 10, 2019 AT 5:30 P.M. IN THE CITY COUNCIL CHAMBERS

MAYOR: Tonita Gurulé-Girón

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

ALSO PRESENT: Ann Marie Gallegos, Interim City Manager
Danielle Sena, Recorder
Esther Garduno Montoya, City Attorney
Martin Gallegos, Deputy Chief of Police

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Councilor Ulibarri, Jr., asked for a moment of silence for the Garduno family who had a family member pass away and to keep them in our mind and pray for them.

APPROVAL OF AGENDA

Councilor Casey made a motion to approve the agenda as presented. Councilor Howell and Councilor Ulibarri, Jr., both 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 Casey	Yes

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

PUBLIC INPUT

James Alarid spoke about the proposal by the planning and zoning committee to change a 22 acre lot between 7th and 8th Street and Williams and Sperry Drive. Mr. Alarid advised the proposal is changing from a R-1 to a C-3 and did not think it was a good idea due to ruining residential areas. Mr. Alarid advised that the residents within those areas suggested a recommendation to split the 22 acres in half, with residential section on the 8th Street and a commercial section on 7th Street and Ridge Runner. Mr. Alarid advised he hoped they look at alternatives.

Christian Mendoza spoke on behalf of Oscar Loya and represented The Closet which is a LGBTQ student organization at the United World College. Mr. Mendoza thanked Mayor and Council for their dedication to making Las Vegas a crossworld of cultures, a historic center and a place for people from all backgrounds and nations to come together in one community. Mr. Mendoza thanked The Prism Club from Highlands University and their hard work for organizing the first ever LGBTQ Pride event in Las Vegas and for supporting them. Mr. Mendoza also thanked his peers and mentors from the United World College for showing up in solidarity with all the LGBTQ members from the school and the City.

Mr. Mendoza proposed a city beautification project to paint a crosswalk in the Plaza with pride rainbow colors and briefly discussed an alternative to reduce the cost of a permanent crosswalk. Mr. Mendoza advised the small gesture by the City of Las Vegas would prove to be an empowering testimony to the sense of community and hospitality that our beautiful state is known for. Mr. Mendoza stated if approved, Las Vegas would become the first City in New Mexico to adopt such a symbol of inclusion, tolerance and empowerment, by being a beacon of acceptance and LGBTQ people across the nation would know that Las Vegas is a safe place to be. Mr. Mendoza stated this would contribute to an increase in tourism to the City and would send a message against bigotry and hatred against oppressed bodies that don't align with the body of our shared humanity and it would also show that our City and community accepts everyone regardless of their sexual orientation or gender identity.

Billy Rogers spoke about his opposition to the zoning board's proposal for a zone change of 22 acres of land south of Williams Drive and 7th and 8th Street. Mr. Rogers spoke about the history of zone changes and the importance of having a plan and citizens knowing what those plans are. Mr. Rogers advised, to change the zoning to a commercialized property without a development plan is not in his favor.

DISCUSSION ITEMS

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

Deputy Police Chief Martin Gallegos advised the contract was a yearly contract for repairs to their patrol vehicles. Deputy Chief Gallegos advised D.A.G. was the sole response and the proposal was published and placed on the City's website.

Discussion and questions took place regarding what kind of work was done to the vehicles by D.A.G.

Councilor Howell asked if the lack of poor maintenance was an issue before the vehicles were taken to D.A.G.

Discussion took place regarding the department staying on top of routine maintenance to their vehicles.

Councilor Romero asked when the advertisement of the RFP was done and if it was in the Optic and how long they ran the advertisement.

Deputy Chief Gallegos advised the Optic received it and was placed on the City's website.

Interim City Manager Ann Marie Gallegos advised they ran the advertisement for 3 weeks, was advertised on January 10, 2019, was opened on January 30, 2019 and was also on the City website.

Councilor Romero advised he had been confronted by business owners that weren't aware of the RFP and was curious if it was advertised.

Interim City Manager Gallegos advised the advertisement was sent to the Las Vegas Daily Optic on December 19, 2018.

Discussion and questions took place regarding how much D.A.G. would be paid for maintenance on the vehicles.

Discussion and questions took place regarding different departments using the same contract for vehicle maintenance.

Interim Finance Director Tana Vega advised the contract would be with the City of Las Vegas and not the Police Department.

Discussion and questions took place regarding the term of the contract and the contract being approved by the Council on a yearly basis.

Councilor Casey advised on pg. 3 under "amendment" states, "This contract will not be altered, changed, or amended except by a written document signed by the parties to this contract" and that it did not say it would go back to Council for changes.

Interim City Manager Gallegos advised if it is an amendment to the contract, it did have to go to Mayor and Council.

Councilor Casey advised they would have to change the language to state that.

Councilor Casey advised numbers 1 & 3 under the Scope of Work was contradictory and advised to cross out "routine maintenance" on number 3.

Councilor Casey advised on pg. 2, number 10 of the contract states, "Small gas engines to include: Generators and ATV's. D.A.G. at times may have to provide service or repairs onsite to machinery describes in this section" and should be changed to "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".

Councilor Casey advised she was concerned that there was only one bid and was wondering why.

Mayor Gurulé-Girón stated, "since I have been with the City, D.A.G. has been a sole source and has been consistent with procurement and are the only ones who can provide the service and are within a 5 mile radius".

Mayor Gurulé-Girón advised they have had others come in that bid higher due to travel costs being a factor.

Councilor Casey stated what they pay D.A.G. in a year is not exactly cheap.

Mayor Gurulé-Girón stated, "the higher bidders would be around $750,000 to $100,000 and is not a sole source contract and they have not treated it as such because they have opened it up".

Discussion and questions took place regarding the amount D.A.G. was paid yearly, that included diesel repairs that were more expensive also discussed was the contract and the money that was already allocated.

Interim City Manager Gallegos advised there were no allocations, that it was by repair and there could be less repairs as the Police Department gets newer vehicles.

Discussion and questions took place regarding how much was spent at Big O for general repairs and of the response time between D.A.G. and City vehicles being repaired.

Councilor Casey asked "if there is no contract with D.A.G. who do we have a contract with now"?

Interim Finance Director Vega advised nobody.

Councilor Casey asked who repairs the vehicles for the Police Department, specifically for gasoline services.

Interim Finance Director Vega advised there is a month to month contract with D.A.G. and advised other vendors do not have the facilities to address larger vehicles.

Interim City Manager Gallegos stated, "we have tried to go out and solicit vendors and visit with them to see if they are interested but they don't have the facilities or the equipment".

Interim City Manager Gallegos stated, "D.A.G. does do quite a bit of business on behalf of the City but they are the ones who are licensed and can work on both gasoline and diesel and we also tried looking at diesel mechanics and they were unable to to that as well".

Councilor Casey asked if the $70 an hour was for labor only and if we also pay for the parts.

Interim City Manager Gallegos advised yes.

Discussion and questions took place regarding a tracking system to see if the vehicles were being properly maintained, if any had been taken to D.A.G. for lack of maintenance and of the different departments using the same contract for D.A.G. on other vehicles.

Councilor Romero asked why the RFP wasn't in general instead of specifically for the Police Department.

Interim Finance Director Vega advised the Police Department took the initiative to put out the RFP because their contract was expiring.

Discussion and questions took place regarding businesses not knowing about the RFP, the repair software used to determine labor hours and who within the City kept track of the billing hours and if the language of the scope of work in the RFP was the same as the contract and if the RFP would have to be redone.

Lengthy discussion and questions continued regarding the RFP to be redone entirely to the City, if they kept track of repairs that were done on vehicles, if they returned for the same type of repair and if additional repairs were needed and were considered to be repaired by the City.

Discussion and questions took place regarding the budget amount specifically for the D.A.G. contact for the Police Department.

Councilor Casey advised she would like to request a break down of how much the departments have for vehicle repairs.

The governing body agreed not to place the item as a consent agenda item.

2. Resolution 19-18.

Interim Finance Director Tana Vega advised the finance department was requesting increases and decreases to 2018 budgeted revenues and expenditures for the Senior Center. Interim Finance Director Vega advised AAA gave the Senior Center additional funding.

The governing body agreed to place the item as a consent agenda item.

EXECUTIVE SESSION

Interim City Manager Ann Marie Gallegos advised there was no need for executive session.

ADJOURN

Councilor Casey made a motion to adjourn. 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 Casey	Yes
David G. Romero	Yes	Vincent Howell	Yes

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

_____

Mayor Tonita Gurulé-Girón

ATTEST:

_____

Casandra Fresquez, City Clerk

MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL REGULAR MEETING HELD ON WEDNESDAY, APRIL 17, 2019 AT 6:00 P.M. IN THE CITY COUNCIL CHAMBERS

MAYOR:	Tonita Gurulé-Girón
COUNCILORS:	Barbara A. Casey Vincent Howell David A. Ulibarri, Jr. David G. Romero
ALSO PRESENT:	Ann Marie Gallegos, Interim City Manager Danielle Sena, Recorder Esther Garduno Montoya, City Attorney David T. Bibb III, Sergeant at Arms

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Councilor Ulibarri, Jr. asked to keep in prayer, the family of Randy Garcia, a local contractor who recently passed away and also to pray for the family of Alvin Jiron, as his daughter had recently been in a tragic accident.

APPROVAL OF AGENDA

Interim City Manager Ann Marie Gallegos advised that they were unable to contact all the parties on Business Items 2 and 3, therefore her recommendation was to table those two items until a later date.

Councilor Romero advised he had one question pertaining to the notices on the Public Hearings and advised that Zoning Ordinance 450-114 stated "Council to vote Public Hearings on Commission's recommendations". He added that in that

Ordinance it stated that it should be published 15 days prior to said hearings and knew they were holding a hearing and the 72 hour notice had been given and based off of that, were they going to have to redo the 15 days?

Interim City Manager Gallegos advised that she would turn that over to City Attorney Garduno Montoya.

City Attorney Garduno Montoya advised that that was correct and that there was a notice that must be published. She advised that they planned to notify the local paper and to have it in the paper at least 15 days in advance.

Interim City Manager Gallegos clarified to Mayor, they would be tabling items #2 and #3.

Councilor Casey stated that parliamentarily, you should be adopting the agenda before you table any of the items on it.

Councilor Casey made a motion to approve the agenda as presented and then table the items when they got to them.

Brief discussion took place regarding the process of how the items would be tabled.

City Attorney Garduno Montoya stated that she believed that if they had a motion to approve the agenda and then a motion to table items #2 and #3 would be needed.

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	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.

Mayor Gurulé-Girón asked if they table at this point in time or would they wait until they got to the actual business item.

City Attorney Garduno Montoya advised that she suggested to table at this time due to there being people in the audience who would like to be advised whether those items were on the agenda.

Councilor Howell advised that a lot of the audience came a long way to speak to Council.

Mayor Gurulé-Girón stated that they were not removing them from Public Input.

Councilor Ulibarri, Jr. made a motion to table items #2 and #3. Councilor Howell seconded the motion.

Mayor Gurulé-Girón asked that Business Items#2 and #3 be read into the record.

Recorder Danielle Sena read Business Items #2 and #3 into the record as follows:

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.

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.

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

Barbara A. Casey	Yes	David A. Ulibarri, Jr.	Yes
David G. Romero	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 March 20, 2019. Councilor Romero 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
Barbara A. Casey	Yes	David G. Romero	Yes

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

MAYOR'S APPOINTMENTS/REPORTS

Mayor Gurulé-Girón advised that she would give a report regarding the Municipal League presentation they had last week pertaining to Municipal League updates and advised that Interim City Manager Gallegos would give that report for her.

Interim City Manager Gallegos reported that Legislative issues were discussed at the New Mexico Municipal League which included:

-Statewide Minimum Wage Increase
-Legislative appropriation submitted - City of Las Vegas received 2.2 million
-Waiting on road project funding & Emergency funding (Waterlines)
-Congratulations from NMFA (City of Las Vegas 2018 Audit)

Mayor Gurulé-Giron advised that she felt that the City of Las Vegas 2018 Audit should have received more coverage from the Las Vegas Optic as the City was a part of 3 Municipalities, out of 35 that received an unmodified opinion, with no findings which had never happened. She commended Interim Finance Director Vega for incredible work and fortitude, Interim City Manager Gallegos and all Directors for all their hard work on the audit and hoped that the Optic would cover that.

Interim City Manager Gallegos reported there was some discussion regarding opting in on the election process for the November election, giving Municipalities the opportunity to opt in. She stated that they were informed that there may be some legal issues that come up from it and they highly recommended that they wait to see what would transpire, that there was legislation that still needed to be written so that the City could either opt in or opt out of the November election. Interim City Manager Gallegos advised that Mayor and Councilors would either serve a shorter period or a longer period and she asked City Attorney Garduno Montoya if that was correct and asked her if she remembered anything else on that legislation. She advised they had not opted in on the November election at this point and would still hold our regular election.

Mayor Gurulé-Girón advised that one of the concerns they had on the opt in was that when every elected official was elected to the office, they have a four year term that was consistent with the City Charter law and if they were to opt in/opt out, that would have extended or shortened, either way. She stated that that would essentially put the City in a litigious or liable situation with regards to the contracts of every elected official and felt that was best at that point in time. Mayor Gurulé-Girón stated that a concern in opting in was that the Secretary of State would have to review and amend about 280 pages of the election code and asked if that was correct, and stated that she did recall that statement.

Mayor advised that they had been working and moving forward on a proclamation with the family of Cipriano Aguilar "Gallo Copeton" in dedicating a plaque for Mr. Aguilar at the Plaza Park for serving the community with the Fiestas and many other community events.

MAYOR'S RECOGNITIONS/PROCLAMATIONS

Mayor Gurulé-Girón thanked Interim Clerk for doing a great job, and recognized her for the outstanding job she had been doing and was very impressed with her work.

Deputy Clerk Danielle Sena read a recognition on behalf of Tonita Gurulé-Girón, Mayor of the City of Las Vegas, along with members of the Governing Body recognizing April 18, 2019 as National Lineman Appreciation Day and appreciating the PNM linemen for their hard work, their dedication and for representing Las Vegas and the State of New Mexico.

Deputy Clerk Danielle Sena read a recognition on behalf of Tonita Gurulé-Girón, Mayor of the City of Las Vegas, along with members of the Governing Body recognizing the Robertson Lady Cardinal Basketball Team for their dedication to the sport of basketball and for representing Las Vegas and the State of New Mexico, bringing home the Class 3A Championship. Team members were as follows:

Kaitlyn Arguello, Jasmine Barela, Alianza Darley, Stella Garcia, Shayla Hillis, Jasmine Jaramillo, Jazmyne Jenkins, Jayden Jenkins, Cailyn Marrujo, Tessa Ortiz, Leann Salazar, Trinity Sena, Gabby Trujillo and Pasepa Tuineau.

PUBLIC INPUT

Marshall Poole gave a detailed monthly progress report for the month of March 2019.

Mayor Gurulé-Girón thanked Mr. Poole for the outstanding job he was doing at the shelter and personally thanked him and the AWC for returning her dog, who had been gone for over a year. She thanked him for showing compassion to the entire community.

Andy Trujillo spoke briefly regarding being against the zone change on the 7th & 8th Streets.

Brief discussion took place regarding why the item would not be on the agenda and zoning matters.

Cordia Sammeth spoke in support of the zone change regarding the 2513 Hot Springs Blvd., and spoke regarding being against the zone change regarding 7th & 8th Street.

Kathleen Dudley spoke in regards to supporting the rezone on 2513 Hot Springs Blvd.

Joe Cooney spoke as a resident in regards of opposing the zone change of the 7th & 8th Street property.

Andrew Urioste spoke regarding the request for a dirt track to ride four wheelers and dirt bikes in the proposed zone change on the 7th & 8th Street area.

James Alarid spoke as a resident against the proposed zone change on 7th & 8th Streets.

Steve Montano spoke in detail regarding the services offered by his business (All Terrain), relating to the proposed RFP for Las Vegas Police Dept. fleet repair.

J. Emilio Aragon spoke in regards to his support of the work from Diane Lyndsey and Cordia Sammeth at the Tierra Encantada Farmers Market.

Kathy Maes and Jesus Ortiz spoke in regards to her support of the Tierra Encantada Farmers Market and working with Diane Lyndsey and Cordia Sammeth.

Billy Rogers spoke in regards to his opposition of the zone change R-1 to C-3 commercial zone on 7th & 8th Street.

José Maestas spoke in regards to his support of the process to keep the beneficial Tierra Encantada Farmers Market going.

Rose Salazar spoke in regards to her support of the Tierra Encantada Farmers Market and asked for the support of the Governing Body.

Marcos Herrera spoke regarding the support of creating a dirt track for recreational services to the community.

Pat E. Romero spoke in regards to not receiving notice pertaining to the R-1 to C-3 zone change at the 7th & 8th Street location and questioned the procedure.

Mayor Gurulé-Girón stated that the procedure had already been addressed and that was why it had been postponed or tabled until further notice.

Clara Lucero spoke regarding her support of keeping the Tierra Encantada Farmers Market at the same location.

Corinna Laszlo-Henry spoke in regards to the support of the decision for tabling Business Items 2 and 3, due to the need of contacting all persons involved. She had questions regarding scheduling tabled items, asked under the Governing Body Rules of Procedure, Resolution 02-17 Section 3.4, would the Governing Body allow to move the video of tonight's Public Input into evidence if and when those two items came back. She spoke of the need of enforcing City ordinance rules regarding zoning and site development plans and read Section: *New Construction, New Uses* of Ordinance 450-13.

Ben Romero spoke in regards to water issues on the property on Grand Avenue where he resides.

Mayor Gurulé-Girón advised that Interim City Manager would follow up and directed the issue to the Utilities Director regarding the water issue.

Lalo Sanchez spoke regarding high vendor fees for spaces during the 4th of July Fiestas and the Rough Rider Motorcycle Rally and also spoke about parking for motorcycle enthusiasts.

PRESENTATIONS

None at this time.

CITY MANAGER'S REPORTS

Interim City Manager Ann Marie Gallegos reported that the City would be closed on Friday afternoon, April 19th on Good Friday. She advised that they began planning for this year's ICIP plan, would attend training in May and asked the Governing Body to prepare any ideas for the plan and that it was due in September.

Utilities Director Maria Gilvarry reported that Bradner Dam was complete although the State Engineer's Office was requiring removal of vegetation and that they were coordinating with them regarding modification to the required piezometer testing. She advised that the Bradner Dam dedication was also in the works.

Police Chief David T. Bibb III reported that he had recently attended a FEMA training through NM Tech in Socorro in *"Preparation & Responding to a Suicide Bombing Incident"*. He also discussed issues pertaining to terrorists focusing on high visibility events and encouraged Department Heads and staff to be force multipliers in recognizing terrorists and what it entailed.

Councilor Casey advised that she would like to attend the next FEMA training, as she had attended before and felt it was very informative and beneficial to have information in case of an emergency at any events.

Interim Community Development Director Virginia Marrujo gave a Lodger's Tax update and advised the board met on April 2nd, and gave this year's recommendation approving the following:

Events: Salute to Troops, Fireman's Ball, Las Vegas Film Festival, Fiber Thread (Fiber Crawl) and Peoples Fair. *Advertising*: New partnership with the Albuquerque Journal (visitors guide). *Infrastructure*: Bob Mishler- the purchase of Gordon's

clock for restoration. She reported they would be bringing the FY20 Grant through NM True to Council for approval of an increase of matching funds and advised of a Special Lodger's Tax meeting in May to address upcoming events.

Councilor Casey asked if Lodger's Tax Board had made a decision of how much money would be going to fund the events and would they come to Council to approve.

Interim Community Development Director Marrujo advised that Council had approved the budget at the beginning of the fiscal year which was in the amount of $60,000.00 that Lodgers Tax Board had requested, which would go towards non- profits and marketing and this would be worked into that. She advised that she would provide the report which was a breakdown on what was approved and the amounts and that it was part of the budget that would be presented to Council under Lodger's Tax.

Councilor Romero advised that he had a concern regarding the meeting minutes not being available to review and suggested to keep in mind that per State Statute, meeting minutes should be available to the public, 10 days after the meeting. He asked if they advertised the meeting that was held on April 2nd and suggested date stamping minutes as to when they had been posted online.

Ms. Marrujo advised that regular meetings were held every three months through the Open Meetings Act Resolution and only advertised Special meetings, she stated she would relay the information to the I.T. department, regarding stamp dating online minutes.

Interim Community Development Director Marrujo gave a detailed report regarding a film training for vendors and businesses with NM State Representative Don Grace and advised that they would be attending on April 24, 2019.

Councilor Howell asked questions regarding Lodger's Tax and how they voted regarding the events, was there a vote from each one and was there an online vote?

Ms. Marrujo explained that some situations come up where members are not available at the time of the meeting in order to vote on certain items therefore they are able to vote electronically, with a quorum.

Discussion took place regarding the procedure of voting on-line, whether it be adopted into by-laws or was included in State Statute.

Mayor Gurulé-Girón advised that she provided Council a memorandum pertaining to electronic communication/electronic participation. She advised that a copy of that memorandum would be provided to Councilor Romero and City Attorney Garduno Montoya.

Councilor Howell asked for the names of the Lodger's Tax Board members.

Ms. Marrujo advised that the Lodger's Tax Board members were: Emilio Aragon, Krutik Bhatka, Lisa Saiz, Allan Allfeldt and Abraham Garcia.

Mayor Gurulé-Girón made a statement to Councilor Casey for the record, "I believe that you were an elected official at the time during the reorganization when you were presented the memorandum, so you should have it, but Esther needs to have it."

Interim City Manager Gallegos advised that she would locate it and forward it over.

Interim Finance Director Tana Vega reported on the status of the budget, advising there was a slight delay due to waiting on the Governor's signature for certain bills which included the minimum wage, which was signed and another was an increase in PERA that would only affect the employer. Ms. Vega added that they were notified by NM Self Insurer's Fund that health premiums would increase by 5%, meaning the City would cover 75% at 3.75% and the employee would cover 25% at 1.25%. She advised that she was currently meeting with departments regarding any changes requested and that some grants ended on June 30th and could not be budgeted without any award letters in place.

Mayor Gurulé-Girón thanked Ms. Vega for her due diligence to the City, for always having answers to her questions. She commended her for her foresight regarding the budget and the experience she brought, which made everyone's job easier.

FINANCE REPORT

Interim Finance Director Vega presented the Finance Report for the month ending March 31, 2019 (75% of year lapsed-9 of 12 mos.), reporting that the General

Fund revenues were at 78% and expenditures came in at 62%. Ms. Vega advised the Enterprise Funds revenue was at 75% , the expenditures were at 66% and reported the Recreation Center revenue was at 65% and expenditures came in at 56%.

Lengthy discussion and questions took place regarding General Fund property tax revenues and Gross Receipts Tax increases.

CONSENT AGENDA

Recorder Danielle Sena read the Consent Agenda as follows:

1. Approval of Resolution 19-18.

Councilor Casey made a motion to approve Consent Agenda Item #1 as read into the record. Councilor Howell seconded the motion.

Resolution 19-18 was presented as follows:

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

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
David G. Romero	Yes	Vincent Howell	Yes

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

BUSINESS ITEMS

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

Chief of Police David T. Bibb advised that RFP #2019-6 was 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, Las Vegas, New Mexico. The Offerer met all requirements. This request is to award RFP #2019-6 to D.A.G Enterprises.

Police Chief Bibb III advised that the LVPD Financial Specialist had prepared a list of questions that the Governing Body had and read them into the record as follows:

1. How DAG Enterprises estimated labor rates for various service procedures?

Answer*: Software utilized for labor rates consists of Ident A-Flix and Mitchell ProDemand, these databases provide labor guides as well as information regarding labor time. This information can be found under facility description in the supplemental questionnaire within the completed RFP.*

2. What types of routine and preventive maintenance was performed on police units?

Answer: *We perform preventative maintenance based on a schedule brought to us by the Police Department, this schedule is located within schedule A of the RFP and maintenance schedule is based on 5,000 mile intervals and only carrying out preventive maintenance work from the schedule when more than just an oil change is required.*

3. What type of warranties were offered on the work?

Answer*: Any work performed on the police department will have warranty on all materials and work for 120 days or 4,000 miles, whichever occurs first, this information can also be found in exhibit A. and scope of service section of the RFP.*

4. A concern arose in the accessibility of the RFP to other shops within the City of Las Vegas.

Answer: *The RFP was first published on December 19, 2018 on the City of Las Vegas website as well as Las Vegas Optic, a problem occurred with the structure of the RFP after the allotted time frame to respond and led for the RFP to be published a second time, along with an addendum on January 14, 2019, which was also published on the City's website and the Las Vegas Optic.*

Police Chief Bibb III advised he was provided with a reference letter on D.A.G. Enterprises submitted from Luna Community College and their Trades Automotive faculty and read the letter into the record as follows:

"To whom it may concern, I currently serve as the full time faculty for the Automotive Technology Program at Luna Community College, the program was in the process of securing NATEF accreditation and we were seeking qualified individuals interested in serving on the evaluation team, D.A.G. was more than willing to volunteer his time to be on that team. One of the reasons that I asked D.A.G. is because he is one of the few shops in Las Vegas that is A.S.C., Automotive Service Excellence Certified. I reached out to a majority of the shops in *the Las Vegas area and would say that 85% of the shops are not A.S.C. certified or have certified individuals as employees. Being an Educator, I stress to my students the importance of being an A.S.C. Certified Technician or if they get their education in a different field, it is stressed the importance of taking their vehicles to A.S.C.*

certified shops or technicians for repairs. D.A.G. being one of the few shops in the Las Vegas area, I would not hesitate to take my vehicle to him or recommending D.A.G. for repairs to other people who ask for a suggested shop. If you have any questions, do not hesitate to call, signed: *Eugene Sandoval, Automotive Instructor, Luna Community College."*

Councilor Howell referred to the statement made by Mr. Montano regarding his concern of not receiving the information like he used to in previous years through the Police Department and asked if that was still ongoing and that Mr. Montano stated that Marla at the Police Department would alert shops, that there was an RFP out there.

Police Chief Bibb III stated that what has been the practice, since he took the seat, was that it was advertised, then they wait the allotted amount of time and whoever puts in their bid was looked at and that in this case, there was only one that was placed.

Mayor Gurulé-Girón asked Interim Finance Director Tana Vega if that practice was consistent with our process.

Interim Finance Director Vega replied "Yes".

Howell stated that we needed to find a better way to alert our community members about these RFPs due to them apparently not getting it or aware of it.

Councilor Casey stated that at last week's meeting, one of her concerns was that the agreement was inconsistent, regarding the Scope of Work (#1 and #3) and that it was her understanding that the language in the agreement would be changed, so there would be no conflict of what the scope of work actually was. She advised that a lot of the work already being done by D.A.G. was regular maintenance and had many questions on what they would be doing. She stated that after looking at her packet information, the itemized invoices sent in by D.A.G. did have some regular maintenance that had been done. Councilor Casey asked would there be other vendors providing other services and that she would like the agreement to be clear on exactly what D.A.G. would be doing.

Mayor Gurulé-Girón asked "Councilor Casey, you raised a concern that based on your information, that there were itemized invoices from D.A.G., where did you review those itemized invoices?

Councilor Casey stated that they were included in their packets.

Mayor Gurulé-Girón stated if that was the case, she thought there was a concern and was not certain who wanted to answer Councilor Casey. She stated that the issue of language change, once it had been advertised and ready to award, she believed it could not be changed unless putting it back out and rebid, which would be consistent with the actual process. She advised there were a couple of issues raised by Councilor Casey which were general information and charges of that versus specialized charges for specialized equipment. Mayor Gurulé-Girón added that she might vote on this, so she did not want to provide testimony with contract review, so she was going to ask who was going to answer those questions and asked that they be very specific.

Interim City Manager Gallegos stated that they had two or three changes to the contract to exclude the routine maintenance that had been requested by Councilor Casey last week. She advised that the other item was that the addendums would come back to Mayor and Council for approval and the last was a spelling error and would refer the scope of the contract to the City Attorney to write it up the way the RFP was written and issued and have her verify it along with Chief Bibb and herself.

Councilor Casey stated that the contractual terms that they had on their computer and in our packets received did not show those changes, she read pg. 2 Term: "*the term of this agreement shall be for a period of one year renewable year to year with a maximum of four years with the annual approval of the City Manager, so it is still there.*"

Interim City Manager Gallegos stated that the amendment on #9 on page 3, which she thought they referred to said " *this contract will not be altered changed or amended except by approval of mayor and council and signed by the parties of this contract.*"

Councilor Casey advised that that was for alteration, changing or amendment, and did not say anything about the actual renewal of the contract and that was her concern. She clarified to Interim City Manager Gallegos that it pertained to not just the amendment but also the renewal.

Councilor Romero stated that the biggest concern was the actual RFP, and stated that contract cannot be amended if the RFP has the language.

Lengthy discussion and questions took place regarding some language in the RFP referring to preventative maintenance.

Interim City Manager Gallegos advised that the reason they go with proposals was so that the final terms can be negotiated with the vendor due to some issues and changes that may occur on an annual basis which come back to Mayor and Council for approval, as requested by Councilor Casey. She added that the bid process prevents from negotiating with the vendor.

Councilor Romero stated that he had a concern of the RFP stating that the City would use OEM parts (for regular use vehicles) and thought those parts were too expensive.

Lengthy discussion took place regarding differences in the RFP and RFB processes, and the language of the RFP.

Councilor Ulibarri, Jr. stated that D.A.G. was familiar with doing business with the City and thought that the costs D.A.G. was charging were reasonable.

Councilor Ulibarri, Jr. made a motion to approve to award RFP #2019-6 to D.A.G Enterprises for gasoline fleet repair services for the City of Las Vegas Police Department.

Mayor Gurulé-Girón asked for a second motion, she advised there was no second and asked if there was another motion or does the motion die.

Councilor Romero made a motion to disapprove to award RFP #2019-6 to D.A.G. Enterprises for gasoline fleet repair services for the City of Las Vegas Police Department and to redo the RFP for the Police Department's gasoline fleet repair. Councilor Howell seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

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

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

-*Tabled*

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.

Planning and Zoning Coordinator Maria Pera advised that 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 zoned 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.

-*Tabled*

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.

Planning and Zoning Coordinator Perea advised that the 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.

COUNCILOR'S REPORTS

Councilor Romero asked Interim City Manager Gallegos for the status of the issue pertaining to the plan on how to deal with the skunk issues, discussed and brought up by Council last fall.

Interim City Manager Gallegos advised that the City was not allowed to handle any skunks, as well as the Wildlife service and advised that there were two vendors in town that would work with the City in addressing the issues. She informed Councilor Romero that the County would be funding the skunk removal.

Councilor Romero spoke of several issues that had come up with the lack of skunk removal. He stated that regarding director's reports noted pest and insects at the Museum.

Interim City Manager Gallegos agreed and informed they would be contacting the contractor that provided services at the Housing Department to address that issue.

Councilor Romero brought issues from constituents being overcharged on their water bills and contacted school districts to compare water bills and asked for a Special meeting to discuss water billing issues and detailed explanations and procedures and asked for signatures on the request for the Special meeting.

Mayor Gurulé-Girón stated that before moving forward regarding a Special meeting, she felt that they should hear from Utilities Director Gilvarry and stated that commercial rates differed from residential rates and that the rate structure study was being conducted and would meet and bring to Council for discussion.

Utilities Director Gilvarry advised that the consultant was looking at all rates, that the billing process was done electronically and would be verified if needed. Ms. Gilvarry stated that the automation was more accurate and recommended that anyone with water leaks or increases go to Utilities and they would research and address these issues.

Councilor Romero stated that he did not mention the structures, that it would be for discussion regarding water billing issues and detailed explanation of procedures.

Mayor Gurulé-Girón advised that all of that would fall into the actual rate structure, what has already been approved by Council and strongly advised that we hold off on that until we get something from the individuals who have been hired to conduct the rate structure.

Councilor Romero stated that it was his responsibility as a Council member, to request a Special meeting and added that he felt this may be a City wide issue.

Lengthy discussion took place regarding several issues and reasons for water bill increases and billing procedures.

Councilor Romero stated that he understood the explanations and comments from Utilities Director Gilvarry regarding water billing issues although he wanted a discussion and explanation in detail of the whole billing process.

Interim City Manager Gallegos stated that every customer had different issues and suggested that in order to give a more detailed explanation, Ms. Gilvarry had a standard operating procedure that she could share although that was up to the Governing Body.

Councilor Romero brought up pothole issues and understood being short staffed and suggested a detailed crew to specifically work on potholes and asked if the street problem area in front of Plaza Drugs would be repaired soon.

Streets Director Chris Rodarte advised that they were able to obtain hot mix from Santa Fe on Monday, that pothole patching was taking place on the West side and that they had provided a list to Council of potholes that had been completed. He stated that yes they would address the area of Plaza Drugs.

Councilor Casey stated that she had an ongoing concern regarding Code Enforcement and the property on the corner of Railroad and National, it had been a problem for years and had been cleaned by the City before although was back to its original state and tires were being burned in that area, which was very toxic.

Interim City Manager Gallegos stated it had been cleaned up before and thought the City may have to abate it one more time.

Councilor Casey advised that she had received about 5 calls regarding properties that had not been addressed that she had brought up since last May and asked for status reports regarding the abatement process on these properties in order to have updates to report to those concerned.

Interim City Manager Gallegos asked Councilor Casey to inform her of the properties and she would work on them.

Councilor Casey advised she attended a talk by an Asylum & Immigration Attorney recently and asked if the City had some sort of plan to deal with refugees and people seeking asylum and to help them the best we can. She mentioned that according to HUD guidelines people who had asylum status were eligible to live in public housing as well as temporary housing for mixed families (children who were

born in the U.S. and mother undocumented) and that other issues regarding sancuary needed to be addressed.

Councilor Casey requested that Council receive a monthly breakdown of the Lodger's Tax Budget.

Interim City Manager Gallegos advised they would provide the reports to Council and that the report for March would be placed in their mailboxes.

Councilor Casey stated that Executive Director Northeast Economic Development Organization, Thomas Garcia would be leaving his post and looked on their website and found that Mayor Gurulé-Girón was a member of the Board of Directors. She stated that she also read the bylaws which stated that the person that was appointed to the Board of Directors should be appointed by the Council, and was not disputing that she shouldn't be there although she thought Council should have had the opportunity to appoint and that no one should self-appoint.

Councilor Casey advised that she had a complaint from a constituent regarding an IPRA request they had submitted. She requested to go into Executive Session when the time came because it would specifically address a City employee.

Councilor Howell advised of a damaged sidewalk in the area of 7th Street (*brief discussion took place regarding the specific area needing repair*). He added that regarding skunk control issues, suggested putting out an RFP to businesses for that in order to move forward due to no one wanting to take on this ongoing problem.

Interim City Manager Gallegos advised that she would contact the County to see how they were handling the skunk issues.

Councilor Ulibarri, Jr. brought up issues regarding the lighting on Mills and 8th and North Gonzales had a street light out and mentioned to Chief Bibb regarding heavy traffic flow near Rodriguez Park after games.

Interim Public Works Director Danny Gurule advised that they addressed the short on the line on 8th and Mills although would send a crew out to look into the other areas.

Councilor Ulibarri, Jr. asked the status of the Valencia water tank flow adjustment.

Utilities Director Gilvarry advised that they were looking at system pressures to see if what was causing the Valencia tank overflow.

Mayor Gurulé-Girón stated that with regards to her defense, Councilor Casey raised a question regarding the Mayor appointment to the NED Board of Directors, she advised that Councilor Howell had brought it to her attention wanting to be appointed to the committee. She advised she contacted the President who said it was the Mayor who appointed, consistent with the Charter and took that appointment herself because she was the Mayor and nowhere did they provide her any guidelines about the actual process. Mayor Gurulé-Girón stated that she honestly had no knowledge, advised that the previous mayor had the knowledge and was tied into all the appointments statewide and added that Councilor Howell had the knowledge as well. She stated that she was Chief Executive Officer of the City of Las Vegas and believed she was well versed in the processes of ICIP and many others.

Councilor Casey stated that she believed that the Director of the Chamber of Commerce used to hold that position.

EXECUTIVE SESSION

Councilor Romero made a motion to go into Executive Session to discuss personnel matters, as permitted by Section 10-15-1 (H) (2) of the New Mexico Open Meetings Act, NMSA 1978. Councilor Casey 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.

RECONVENE INTO REGULAR SESSION

Councilor Romero made a motion to reconvene into regular session and advised that only discussion took place, that no action was taken and no decisions were made. 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 G. Romero	Yes	David A. Ulibarri, Jr.	Yes

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

ADJOURN

Councilor Casey made a motion to adjourn. 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	David A. Ulibarri, Jr.	Yes
Vincent Howell	Yes	Barbara A. Casey	Yes

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

_____

Mayor Tonita Gurulé-Girón

ATTEST:

_____

Casandra Fresquez, City Clerk

MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL SPECIAL MEETING HELD ON FRIDAY, APRIL 26, 2019 AT 10:30 A.M. IN THE CITY COUNCIL CHAMBERS

MAYOR: Tonita Gurulé-Girón

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

ALSO PRESENT: Ann Marie Gallegos, Interim City Manager
Anna Gonzales, Recorder
Esther Garduno Montoya, City Attorney
David T. Bibb III, Chief of Police

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Councilor Howell asked to keep in our minds, thoughts and prayers for all the wonderful community members that have passed away, including Loretta Lopez and Judge Sandoval and to keep their families in mind.

APPROVAL OF AGENDA

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

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

Recorder Anna Gonzales re-read the motion and advised that the motion carried.

BUSINESS ITEMS

1. Approval/Disapproval of Resolution No. 19-19 assuring the City of Las Vegas supports a request for a one year extension to project No. MAP-7647(911), Control No. L400321, Contract No. D15612, (Mountain View Drive from Grand Avenue to 7th Street) due to road and weather delays.

Interim Public Works Director Daniel Gurule advised they will be starting the project this year and have started submitting paperwork to the State for approval and should have an RFB out by May. Interim Public Works Director Gurule advised the project should be done by the end of summer and will be combining the COOP project (W. National to Keen St) to help save costs for moving equipment. Interim Public Works Director Gurule advised they are waiting on cost estimates for Keen St., and will see what they could do about drainage issues.

Councilor Casey asked if the resolution for the project extension had already been done.

Interim Public Works Director Gurule advised they did not move forward because they were waiting on more money to work on the project for an additional phase up to 75 percent of the project.

Discussion and questions took place regarding when it was done and regarding the funding for the project.

Councilor Casey advised her concern was that they had not used the monies for the project and what if they ask for it back.

Interim Public Works Director Gurule advised he spoke with NMDOT and they advised him to go to Council for a special meeting because of the timeframe.

Councilor Romero advised they were voting on the item but still did not guarantee it's approval because NMDOT needed to approve it also.

Interim Public Works Director Gurule stated yes although chances were that they would approve it.

Councilor Romero asked who the contact person was.

Interim Public Works Director Gurule advised John Herrera who is the Grant Coordinator.

Interim City Manager Ann Marie Gallegos advised they were looking at both projects to mobilize once.

Councilor Romero asked if they charged a mobilization fee.

Interim Public Works Director Gurule advised yes, and was expensive. He stated that surveys had been done and they had spoken with the Utilities Department about running new lines before they start the projects.

Discussion and questions took place regarding when the second phase would be complete and when the money for the projects would be approved.

Discussion took place regarding the area between Longview and Grand Avenue.

Interim City Manager Gallegos advised they were hopeful there is road funding available and that they would be awarded that funding.

Discussion and questions took place regarding if they would restrict the area between Longview and Grand from semis and the completion of both projects.

Councilor Romero asked about restricting a certain amount of the area from semis.

Discussion took place regarding a 10 year lifespan of the road.

Discussion and questions took place regarding if the additional funding for South Grand was a part of the ICIP plan and what phase it was on and if there would be any type of reversion.

Councilor Casey made a motion to approve Resolution No. 19-19 assuring the City of Las Vegas supports a request for a one year extension to project No. MAP-7647(911), Control No. L400321, Contract No. D15612, (Mountain View Drive from Grand Avenue to 7th Street) due to road and weather delays. Councilor Howell seconded the motion.

Resolution No. 19-19 was presented as follows:

CITY OF LAS VEGAS
RESOLUTION NO. 19-19

PARTICIPATION IN LOCAL GOVERNMENT ROAD FUND PROGRAM ADMINISTERED BY THE NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT)

WHEREAS, the Governing Body of the City of Las Vegas support a request for a one year extension to jointly coordinated grant administered by the NMDOT.

WHEREAS, the City of Las Vegas and the NMDOT have entered into a joint coordinated effort, and

WHEREAS, the Governing Body does provide authorization and approval for a one year extension for project No. Map-7647(911), Control No. L400321, Contract No. D15612, (Mountain View Drive from Grand Avenue to 7th Street) due to road and weather delays, and

NOW, THEREFORE, it is respectfully requested that authorization be given of said request to the NMDOT District 4 office for approval of said request.

PASSED, APPROVED, AND ADOPTED this _____ day of April, 2019.

CITY OF LAS VEGAS

_____

TONITA GURULE-GIRON
MAYOR

ATTEST:

_____

CASANDRA FRESQUEZ
CITY CLERK

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

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

Recorder Anna Gonzales re-read the motion and advised that the motion carried.

Mayor Gurulé-Girón called for a 5 minute recess before entering into executive session due to attorneys running late.

EXECUTIVE SESSION

Councilor Casey made a motion to convene into executive session for the purpose of discussing 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, regarding the David Romero v. City of Las Vegas suit. 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	Vincent Howell	Yes
David G. Romero	Yes	Barbara Casey	Yes

Recorder Anna Gonzales re-read the motion and advised that the motion carried.

Councilor Casey made a motion to reconvene into Regular session after being in Executive session to discuss 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, regarding the David Romero v. City of Las Vegas suit and advised that no votes were taken in executive session. 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 Casey	Yes

Recorder Anna Gonzales re-read the motion and advised that the motion carried.

Mayor Gurulé-Girón thanked everyone for being there and the clarity they brought forth was tremendous and beneficial to the City and the Governing Body.

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

Recorder Anna Gonzales re-read the motion and advised that the motion carried.

_____

Mayor Tonita Gurulé-Girón

ATTEST:

_____

Casandra Fresquez, City Clerk

Regular

CITY COUNCIL MEETING AGENDA REQUEST

DATE: 04/30/2019 DEPT: Library MEETING DATE: 5/15/2019

ITEM/TOPIC: ***Presentation by Lori Ann Encinias, Gina Harris, and Zachary McNellis of winners of Book Reading Contest.***

BACKGROUND/RATIONALE:

STAFF RECOMMENDATION:

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 GURULÉ-GIRÓN
MAYOR

TANA VEGA
INTERIM FINANCE DIRECTOR
(PROCUREMENT)

ANN MARIE GALLEGOS

INTERIM CITY MANAGER

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

CITY COUNCIL MEETING AGENDA REQUEST

DATE: 3 May 2019 **DEPT:** ***Police*** **MEETING DATE:** ***May 15, 2019***

ITEM/TOPIC: *Presentation on Certificate of Appreciation*

ACTION REQUESTED OF COUNCIL: ***Presentation Only***

BACKGROUND/RATIONALE: *The Las Vegas Police Department would like to present a certificate of appreciation to the Las Vegas Fire Department, New Mexico Highlands University San Miguel Sheriff's, Mora County Sheriff's, NM State Police D2 & Motor Unit, Rio Rancho Police Traffic Section, Santa Fe PD traffic Section, And San Miguel County Fire Dept. for outstanding service and unselfish devotion to the Las Vegas Police Department & the Community of Las Vegas, New Mexico.*

STAFF RECOMMENDATION: ***No action***

COMMITTEE RECOMMENDATION: ***None***

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.

David T. Bibb III
Chief of Police

REVIEWED AND APPROVED BY:

TANA VEGA
INTERIM FINANCE DIRECTOR
(PROCUREMENT)

TONITA GURULÉ-GIRÓN
MAYOR

ANN MARIE GALLEGOS
INTERIM CITY MANAGER

Esther Garduño Montoya
City Attorney
(ALL CONTRACTS, ORDINANCES AND RESOLUTIONS MUST BE REVIEWED)

CERTIFICATE OF APPRECIATION

AWARDED TO

Mora County Sheriff's Department

FOR OUTSTANDING SERVICE AND UNSELFISH DEVOTION
TO THE LAS VEGAS POLICE DEPARTMENT
& TO THE COMMUNITY OF LAS VEGAS.

AWARDED THIS 1st DAY OF MAY 2019

Chief of Police, David T. Bibb III

Deputy Chief, M. David Gallegos

Mayor, Tonita Gurulé-Girón

CERTIFICATE OF APPRECIATION

AWARDED TO

Las Vegas Fire Department

FOR OUTSTANDING SERVICE AND UNSELFISH DEVOTION TO THE LAS VEGAS POLICE DEPARTMENT & TO THE COMMUNITY OF LAS VEGAS.

AWARDED THIS 1st DAY OF MAY 2019

Chief of Police, David T. Bibb III

Deputy Chief, M. David Gallegos

Mayor, Tonita Gurulé-Girón

CERTIFICATE OF APPRECIATION

AWARDED TO

Highlands University-Police Dept

FOR OUTSTANDING SERVICE AND UNSELFISH DEVOTION
TO THE LAS VEGAS POLICE DEPARTMENT
& TO THE COMMUNITY OF LAS VEGAS.

AWARDED THIS 1st DAY OF MAY 2019

Chief of Police, David T. Bibb III

Deputy Chief, M. David Gallegos

Mayor, Tonita Gurulé-Girón

CERTIFICATE OF APPRECIATION

AWARDED TO

San Miguel Sheriff's Department

FOR OUTSTANDING SERVICE AND UNSELFISH DEVOTION TO THE LAS VEGAS POLICE DEPARTMENT & TO THE COMMUNITY OF LAS VEGAS.

AWARDED THIS 1st DAY OF MAY 2019

Chief of Police, David T. Bibb III

Deputy Chief, M. David Gallegos

Mayor, Tonita Gurulé-Girón

CERTIFICATE OF APPRECIATION

AWARDED TO

San Miguel County Fire Department

FOR OUTSTANDING SERVICE AND UNSELFISH DEVOTION TO THE LAS VEGAS POLICE DEPARTMENT & TO THE COMMUNITY OF LAS VEGAS.

AWARDED THIS 1st DAY OF MAY 2019

Chief of Police, David T. Bibb III

Deputy Chief, M. David Gallegos

Mayor, Tonita Gurulé-Girón

CERTIFICATE OF APPRECIATION

AWARDED TO

New Mexico State Police District 2 and Motor Unit

FOR OUTSTANDING SERVICE AND UNSELFISH DEVOTION TO THE LAS VEGAS POLICE DEPARTMENT & TO THE COMMUNITY OF LAS VEGAS.

AWARDED THIS 1st DAY OF MAY 2019

Chief of Police, David T. Bibb III

Deputy Chief, M. David Gallegos

Mayor, Tonita Gurulé-Girón

CERTIFICATE OF APPRECIATION

AWARDED TO

Rio Rancho Police Traffic Section

FOR OUTSTANDING SERVICE AND UNSELFISH DEVOTION TO THE LAS VEGAS POLICE DEPARTMENT & TO THE COMMUNITY OF LAS VEGAS.

AWARDED THIS 1st DAY OF MAY 2019

Chief of Police, David T. Bibb III

Deputy Chief, M. David Gallegos

Mayor, Tonita Gurulé-Girón

CERTIFICATE OF APPRECIATION

AWARDED TO

Santa Fe Police Dept

Traffic Section

FOR OUTSTANDING SERVICE AND UNSELFISH DEVOTION
TO THE LAS VEGAS POLICE DEPARTMENT
& TO THE COMMUNITY OF LAS VEGAS.

AWARDED THIS 1st DAY OF MAY 2019

Chief of Police, David T. Bibb III

Deputy Chief, M. David Gallegos

Mayor, Tonita Gurulé-Girón

Regular or Special

CITY COUNCIL MEETING AGENDA REQUEST

DATE: 05/03/19 **DEPT:** Utilities **MEETING DATE:** 05/15/19

ITEM/TOPIC: Presentation of letters of appreciation to Water and Waste Water division employees who assisted during water and waste water emergencies.

ACTION REQUESTED OF COUNCIL: N/A

BACKGROUND/RATIONALE: Utilities Director Maria Gilvarry is requesting that Mayor Tonita Gurulé-Girón present letters of appreciation to water and waste water employees.

STAFF RECOMMENDATION: N/A

COMMITTEE RECOMMENDATION: N/A

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 GURULÉ-GIRÓN
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)

I hereby express my sincerest appreciation for the dedication, honesty and contributions by

FRANK BACA, DOMINIC MARES, JESUS HATHAWAY, MICHAEL HELM, ISSAC TRUJILLO, ANGELO ALIRES, ARCHIE ALLEMAND, TRAVIS HERN, MARVIN MARTINEZ, JOHN CARMODY and SMA Operations Staff

In recognition of staff members ongoing tireless efforts during an emergency and for working beyond standard hours to ensure potable, palatable, plentiful water and the prioritization of the health and safety of the residents of Las Vegas.

In November of 2018 and February of 2019, due to a power outage at the water treatment plant, the production of treated water was reduced resulting in a tremendous impact to the residents of the City of Las Vegas at Camp Luna. Water Treatment Plant staff and distribution staff worked tirelessly to maximize production and maintain high quality water while meeting or exceeding Safe Drinking Water Standards, communicating daily with the drinking water bureau and maintaining 24-hour plant coverage. Individual staff members were on hand for up to 32 straight hours during the holidays to troubleshoot the initial challenges, coordinate with contractors and find a solution.

On the 13th and 14th of March, 2019 the City and the County experienced a wide spread power outage which resulted in an impact to the water treatment plant and the WWTP. WTP staff assisted the WWTP staff by inspecting Lift stations and acquiring septic haulers services in cleaning out lift stations that were backing up due to lack of power for the pumps. The WTP did experience some brownouts resulting in staff remaining on hand to maintain the disinfection and filtration operations in manual control. The treatment plant staff maintained 24-hour coverage to ensure continuity of service and rapid response for any system changes due to the fluctuations in power supply.

Thank you to Frank Baca, Dominic Mares, Jesus Hathaway, Michael Helm, Issac Trujillo, Angelo Alires, Marvin Martinez, John Carmody and SMA Staff who monitored the plant and ensured continuity of operations for the in excess of 24 hours without reliable power. Additional thanks to Michael Helm, Issac Trujillo and Angelo Alires, Archie Allemand and Travis Hern who assisted the WTP, in November, with distribution system valve operations to minimize the impact to the plant and the community.

I speak for myself, the Council and the Community. Thank you for all you do and continue to do for our community.

I hereby express my sincerest appreciation for the dedication, honesty and contributions by

ROBERT ESPINOZA, DAVID PALOMINO, BERNADETTE GOLD, CODY STUMBERG, GENE SALAZAR and SMA Operations Staff, PNM, DENNIS LUCERO (Electric Horseman), and Diego Griego (DAG)

In recognition of staff members and contractors ongoing tireless efforts during an emergency to ensure and prioritize the health and safety of the residents of Las Vegas as well as the environment for the communities downstream of the plant.

On the 13th and 14th of March 2019 the City and County experienced a wide spread power outage. The waste water treatment plant (WWTP) along with the rest of the community was greatly impacted as transmission lines were damaged and several power poles along the access road to the plant were broken and the plant lost power. This was an emergency for the WWTP as without the system remaining operational, untreated waste would have discharged into the river. Staff were unable to enter or leave the property until PNM made it safe and assisted in providing limited access to critical personnel. The staff immediately jumped into action and worked tirelessly to maintain the operations of the plant. Due to the critical nature of the plant, the treatment system could not shut down and wait until power was restored. The priorities were to assess the needs of the plant, provide temporary electrical service, verify and restore service to the lift stations, coordinate with PNM, Electric Horsemen and DAG for rapid emergency services to restore power. The goal was maintaining the treatment process without violation of EPA standards. Staff determined that the onsite generators would not meet the needs of the plant for an extended period. With the expectation from PNM that power would possibly be out for a few days the staff responded quickly to obtain portable generator services from Power Generator Service out of Albuquerque, which due to their rapid response arrived by 5pm on the 13th of March. In addition, to ensure the continuity of waste water service and the health and safety of the environment, the City and contracted Staff responded with a plan for 24-hour coverage. The staff's quick response ensured that the environment and the health and safety of the community was not impacted, and there were zero violations.

Thank you to Robert Espinoza, David Palomino, Bernadette Gold, Cody Stumberg, Gene Salazar and SMA staff that monitored the plant and ensured continuity of operations well beyond normal work hours and for some in excess of 27 hours, as well as local community members that assisted in maintaining critical equipment.

I speak for myself, the Council and the Community, thank you for all you do, and continue to do for our community.

Certificate of Appreciation

This is to certify that

Frank F. Baca

is hereby recognized for dedication, honesty and contributions to the citizens of the City of Las Vegas for ongoing tireless efforts during emergency situations to ensure continued water service

Presented this 15th day of May, 2019

Maria Gilvarry, Utilities Director

Ann Marie Gallegos, Interim City Manager

Mayor Tonita Gurulé-Girón

David A. Ulibarri
Councilor, Ward 1

Vince Howell
Councilor, Ward 2

Barbara Casey
Councilor, Ward 3

David G. Romero
Councilor, Ward 4

Certificate of Appreciation

This is to certify that

Dominic Mares

is hereby recognized for dedication, honesty and contributions to the citizens of the City of Las Vegas for ongoing tireless efforts during emergency situations to ensure continued water service

Presented this 15th day of May, 2019

Maria Gilvarry, Utilities Director

Ann Marie Gallegos, Interim City Manager

Mayor Tonita Gurulé-Girón

David A. Ulibarri
Councilor, Ward 1

Vince Howell
Councilor, Ward 2

Barbara Casey
Councilor, Ward 3

David G. Romero
Councilor, Ward 4

Certificate of Appreciation

This is to certify that

Jesus Hathaway

is hereby recognized for dedication, honesty and contributions to the citizens of the City of Las Vegas for ongoing tireless efforts during emergency situations to ensure continued water service

Presented this 15th day of May, 2019

Maria Gilvarry, Utilities Director

Ann Marie Gallegos, Interim City Manager

Mayor Tonita Gurulé-Giron

David A. Ulibarri
Councilor, Ward 1

Vince Howell
Councilor, Ward 2

Barbara Casey
Councilor, Ward 3

David G. Romero
Councilor, Ward 4

Certificate of Appreciation

This is to certify that

Michael Helm

is hereby recognized for dedication, honesty and contributions to the citizens of the City of Las Vegas for ongoing tireless efforts during emergency situations to ensure continued water service

Presented this 15th day of May, 2019

Maria Gilvarry, Utilities Director

Ann Marie Gallegos, Interim City Manager

Mayor Tonita Gurulé-Girón

David A. Ulibarri
Councilor, Ward 1

Vince Howell
Councilor, Ward 2

Barbara Casey
Councilor, Ward 3

David G. Romero
Councilor, Ward 4

Certificate of Appreciation

This is to certify that

Issac Trujillo

is hereby recognized for dedication, honesty and contributions to the citizens of the City of Las Vegas for ongoing tireless efforts during emergency situations to ensure continued water service

Presented this 15th day of May, 2019

Maria Gilvarry, Utilities Director

Ann Marie Gallegos, Interim City Manager

Mayor Tonita Gurulé-Girón

David A. Ulibarri
Councilor, Ward 1

Vince Howell
Councilor, Ward 2

Barbara Casey
Councilor, Ward 3

David G. Romero
Councilor, Ward 4

Certificate of Appreciation

This is to certify that

Angelo Alires

is hereby recognized for dedication, honesty and contributions to the citizens of the City of Las Vegas for ongoing tireless efforts during emergency situations to ensure continued water service

Presented this 15th day of May, 2019

Maria Gilvarry, Utilities Director

Ann Marie Gallegos, Interim City Manager

Mayor Tonita Gurulé-Girón

David A. Ulibarri
Councilor, Ward 1

Vince Howell
Councilor, Ward 2

Barbara Casey
Councilor, Ward 3

David G. Romero
Councilor, Ward 4

Certificate of Appreciation

This is to certify that

Archie Allemand

is hereby recognized for dedication, honesty and contributions to the citizens of the City of Las Vegas for ongoing tireless efforts during emergency situations to ensure continued water service

Presented this 15th day of May, 2019

Maria Gilvarry, Utilities Director

Ann Marie Gallegos, Interim City Manager

Mayor Tonita Gurulé-Girón

David A. Ulibarri
Councilor, Ward 1

Vince Howell
Councilor, Ward 2

Barbara Casey
Councilor, Ward 3

David G. Romero
Councilor, Ward 4

Certificate of Appreciation

This is to certify that

Fred T. Hern

is hereby recognized for dedication, honesty and contributions to the citizens of the City of Las Vegas for ongoing tireless efforts during emergency situations to ensure continued water service

Presented this 15th day of May, 2019

Maria Gilvarry, Utilities Director

Ann Marie Gallegos, Interim City Manager

Mayor Tonita Gurulé-Girón

David A. Ulibarri
Councilor, Ward 1

Vince Howell
Councilor, Ward 2

Barbara Casey
Councilor, Ward 3

David G. Romero
Councilor, Ward 4

Certificate of Appreciation

This is to certify that

Robert Espinoza

is hereby recognized for dedication, honesty and contributions to the citizens of the City of Las Vegas for ongoing tireless efforts during emergency situations to ensure continued waste water service

Presented this 15th day of May, 2019

Maria Gilvarry, Utilities Director

Ann Marie Gallegos, Interim City Manager

Mayor Tonita Gurulé-Girón

David A. Ulibarri
Councilor, Ward 1

Vince Howell
Councilor, Ward 2

Barbara Casey
Councilor, Ward 3

David G. Romero
Councilor, Ward 4

Certificate of Appreciation

This is to certify that

David Palomino

is hereby recognized for dedication, honesty and contributions to the citizens of the City of Las Vegas for ongoing tireless efforts during emergency situations to ensure continued waste water service

Presented this 15th day of May, 2019

Maria Gilvarry, Utilities Director

Ann Marie Gallegos, Interim City Manager

Mayor Tonita Gurulé-Girón

David A. Ulibarri
Councilor, Ward 1

Vince Howell
Councilor, Ward 2

Barbara Casey
Councilor, Ward 3

David G. Romero
Councilor, Ward 4

Certificate of Appreciation

This is to certify that

Bernadette Gold

is hereby recognized for dedication, honesty and contributions to the citizens of the City of Las Vegas for ongoing tireless efforts during emergency situations to ensure continued waste water service

Presented this 15th day of May, 2019

Maria Gilvarry, Utilities Director

Ann Marie Gallegos, Interim City Manager

Mayor Tonita Gurulé-Girón

David A. Ulibarri
Councilor, Ward 1

Vince Howell
Councilor, Ward 2

Barbara Casey
Councilor, Ward 3

David G. Romero
Councilor, Ward 4

Certificate of Appreciation

This is to certify that

Cody Stumberg

is hereby recognized for dedication, honesty and contributions to the citizens of the City of Las Vegas for ongoing tireless efforts during emergency situations to ensure continued waste water service

Presented this 15th day of May, 2019

Maria Gilvarry, Utilities Director

Ann Marie Gallegos, Interim City Manager

Mayor Tonita Gurulé-Girón

David A. Ulibarri
Councilor, Ward 1

Vince Howell
Councilor, Ward 2

Barbara Casey
Councilor, Ward 3

David G. Romero
Councilor, Ward 4

Regular or Special

CITY COUNCIL MEETING AGENDA REQUEST

DATE: 04/26/19 **DEPT:** Utilities **MEETING DATE:** 05/15/19

ITEM/TOPIC: Presentation on the Peak Shaving Plant.

ACTION REQUESTED OF COUNCIL: N/A

BACKGROUND/RATIONALE: Utilities Director Maria Gilvarry will be presenting to the governing body on the peak shaving plant project.

STAFF RECOMMENDATION: N/A

COMMITTEE RECOMMENDATION: N/A

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 GURULÉ-GIRÓN
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)

GENERAL FUND REVENUE COMPARISON
THRU APRIL 30, 2019 84% (83.33%) OF YEAR LAPSED (10 of 12 months)
FISCAL YEAR 2019

Total Budget to Actual Comparison

	A	B	C	D	E	G
	FY 2018 BUDGET	FY 2019 BUDGET	FY 2019 YTD - BUDGET	FY 2018 YTD - ACTUAL	FY 2019 YTD - ACTUAL	(E/B) FY 2019 % REV
PROPERTY TAX	1,291,000	1,485,000	1,237,500	1,162,792	1,031,825	69%
GROSS RECEIPT TAX 1.225	3,550,000	3,550,000	2,958,333	3,021,863	2,952,514	83%
FRANCHISE TAX	775,000	750,000	625,000	588,829	675,729	90%
GROSS RECEIPT TAX .75	2,440,000	2,332,500	1,943,750	1,985,242	2,217,824	95%
1/8 INFRASTRUCTURE	360,000	372,000	310,000	316,013	322,674	87%
GRT .25 (JAN 2011)	725,000	1,060,000	883,333	895,624	910,451	86%
GRT -HOLD HARMLESS (JULY 2015	(110,400)	-	0	(92,000)	-	
LICENSE & FEES	61,000	83,500	69,583	86,214	44,563	53%
INTERGOVERNMENTAL	83,716	77,144	64,287	57,196	60,174	78%
LOCAL-FINES	77,000	66,500	55,417	48,877	49,085	74%
LOCAL-MISC	1,737,235	1,648,800	1,374,000	1,389,823	1,540,291	93%
TOTAL	10,989,551	11,425,444	9,521,203	9,460,473	9,805,129	86%

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

FISCAL YEAR 2019

Total Budget to Actual Comparison

	A	B	C	D	E	F	H
	FY 2018 BUDGET	FY 2019 BUDGET	FY 2019 YTD - BUDGET	FY 2018 YTD - ACTUAL	FY 2019 YTD - ACTUAL	FY 2019 AVAIL. BAL.	(E/B) % BDGT
JUDICIAL	307,959	294,648	245,540	230,181	230,506	64,142	78%
GOVERNING BODY		73,038	60,865		60,816	12,222	83%
MAYOR		60,736	50,613		44,966	15,770	74%
MANAGER		261,412	217,843		158,596	102,816	61%
EXECUTIVE	397,969		0	299,670		0	0%
MUNICIPAL CLERK	272,858	222,499	185,416	196,207	185,034	37,465	83%
CITY ATTORNEY	231,944	229,704	191,420	128,063	110,866	118,838	48%
PERSONNEL/HR	278,960	245,259	204,383	206,254	161,823	83,436	66%
FINANCE	452,393	467,223	389,353	350,364	334,693	132,530	72%
COMMUNITY DEV.	533,845	528,706	440,588	333,756	274,742	253,964	52%
POLICE	3,854,744	4,006,680	3,338,900	2,970,778	3,134,407	872,273	78%
CODE ENFORCEMENT	136,113	150,334	125,278	87,910	89,857	60,477	60%
ANIMAL SHELTER	135,490	135,490	112,908	92,435	112,861	22,629	83%
FIRE	1,257,365	1,357,467	1,131,223	952,412	958,825	398,642	71%
PUBLIC WORKS/AIRPORT	474,004	450,832	375,693	285,174	344,696	106,136	76%
PARKS	286,222	290,709	242,258	214,400	166,849	123,861	57%
AIRPORT	0	0	0	0	0		0%
LIBRARY	205,217	200,046	166,705	127,834	154,963	45,083	77%
MUSEUM	150,845	148,116	123,430	106,547	105,321	42,795	71%
GENERAL SERVICES	2,358,248	3,161,410	2,634,508	1,602,876	1,613,842	1,547,568	51%
SALARY CONTINGENCY	0	0	0	0	0		0%
TRANSFERS	719,667	751,352	626,127	599,591	623,264	128,088	83%
TOTAL	12,053,843	13,035,661	10,863,051	8,784,451	8,866,928	4,168,733	68%

ENTERPRISE FUNDS-REVENUE COMPARISON
THRU APRIL, 2019 84% (83.33%) YEAR LAPSED (10 of 12 months)
FISCAL YEAR 2019

Total Budget to Actual Comparison

	A	B	C	D	E	G
	FY 2018 BUDGET	FY 2019 BUDGET	FY 2019 YTD - BUDGET	FY 2018 YTD - ACTUAL	FY 2019 YTD - ACTUAL	(E/B) % BUDGET
WASTE WATER (610)	2,866,100	2,966,100	2,471,750	2,503,829	2,507,188	85%
NATURAL GAS (620)	5,236,000	5,036,000	4,196,667	4,257,747	4,463,417	89%
SOLID WASTE (630)	3,419,400	3,419,400	2,849,500	2,884,454	2,838,846	83%
WATER (640)	4,800,150	5,138,950	4,282,458	4,197,497	4,241,072	83%
Total of Enterprise Funds	16,321,650	16,560,450	13,800,375	12,198,396	14,050,523	85%

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ENTERPRISE FUNDS-EXPENDITURES COMPARISON
THRU APRIL, 2019 84% (83.33%) YEAR LAPSED (10 of 12 months)
FISCAL YEAR 2019

Total Budget to Actual Comparison

	A	B	C	D	E	F	H
	FY 2018 BUDGET	FY 2019 BUDGET	FY 2019 YTD - BUDGET	FY 2018 YTD - ACTUAL	FY 2019 YTD - ACTUAL	FY 2019 AVAIL. BAL.	(E/B) % BUDGET
WASTE WATER(610)	3,297,778	3,317,958	2,764,965	2,540,131	2,554,770	763,188	77%
NATURAL GAS (620)	5,938,908	5,387,273	4,489,394	3,944,940	4,127,169	1,260,104	77%
SOLID WASTE (630)	3,733,787	3,760,097	3,133,414	2,825,083	2,619,968	3,616,145	70%
WATER (640)	5,681,820	4,707,663	3,923,053	4,319,143	3,438,733	2,619,062	73%
Total of Enterprise Funds	18,652,293	17,172,991	14,310,826	12,007,561	12,740,641	8,258,499	74%

RECREATION DEPARTMENT-REVENUE COMPARISON
THRU APRIL 30, 2019 - 84% (83.33%) OF YEAR LAPSED 10 OF 12 MONTHS
FISCAL YEAR 2019

	A	B	C	D	E	G (E/B)
	FY 2018 BUDGET	FY 2019 BUDGET	FY 2019 YTD - BUDGET	FY 2018 YTD - ACTUAL	FY 2019 YTD - ACTUAL	% REV
RECREATION-TAXES (Cig)	0	0				0%
WELLNESS CENTER	115,000	115,000	95,833	98,051	90,437	85%
OPEN SWIM	20,000	20,000	16,667	6,760	7,158	34%
YAFL	0	0	0	0	0	0%
YABL	20,000	16,500	13,750	4,570	2,396	28%
SUMMER FUN PROGRAM	20,000	26,000	21,667	27,794	32,265	107%
RECREATION-OTHER	108,964	85,000	70,833	27,581	25,233	32%
GEN FUND TRANSFER	400,000	400,000	333,333	333,200	333,200	83%
TOTAL	683,964	683,964	552,083	497,955	490,688	73%

RECREATION DEPARTMENT- EXPENDITURE COMPARISON
THRU APRIL 30, 2019 - 84% (83.33%) OF YEAR LAPSED 10 OF 12 MONTHS
FISCAL YEAR 2019

	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.	% BDGT
EMPLOYEE EXP.	594,089	633,166	527,638	411,791	396,367	236,799	63%
YAFL	0	0	0	0	0	0	0%
YABL	4,050	8,500	7,083	2,835	6,872	1,628	81%
OTHER OPERATING EXP.	138,562	95,350	79,458	56,389	59,698	35,652	63%
CAPITAL OUTLAY	8,000	9,500	7,917	5,130	4,497	5,003	47%
TOTAL	744,701	746,516	622,097	476,145	467,434	279,082	63%

Regular Meeting

CITY COUNCIL MEETING AGENDA REQUEST

DATE: 4/25/19 **DEPT: Public Works** **MEETING DATE: 05/15/2019**

ITEM/TOPIC: Crack Sealing Project on Mills Avenue from Grand Avenue to Hot Springs Boulevard. Total amount $61,844.37.

ACTION REQUESTED OF COUNCIL: Approve/Disapprove Crack Sealing Project.

BACKGROUND/RATIONALE: Road improvements on Mills Avenue from Grand Avenue to Hot Springs Boulevard in the form of crack sealing in which cracks will be routed, cleaned and sealed of bituminous pavement as per NM State Price Agreement #61-805-16-14054. Budgetary provisions have been made in the Public Works Department.

STAFF RECOMMENDATION: Approval to proceed with Crack Sealing Project.

COMMITTEE RECOMMENDATION: N/A

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 GURULÉ-GIRON
MAYOR

TANA VEGA
INTERIM FINANCE DIRECTOR (PROCUREMENT)

ANN MARIE GALLEGOS,
INTERIM CITY MANAGER

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

Revised 9/18

Dismuke Construction Company
PO Box 30354, Station D
Albuquerque, NM 87190
(505) 884-1633
FX (505) 880-0391

February 27 2019

City of Las Vegas

Attention: Daniel Gurule Phone Number (505) 652-8750

Regarding: Asphalt Rubber Crack Sealing of Bituminous Pavement according to the State of New Mexico Price Agreement # 61-805-16-14054, Crack Sealing-Hot Mix and Concrete Pavements, Hot Poured to meet M324 -04 and ASTM D6690-01 TYPE 1. Rout, Clean and Seal

	Description				
	Mills Ave (Grand ave to HotSprings)				
	As designated by Engineer.				
#047	Estimated pounds material	38,900	x	$1.40	$54,460.00
#056	Traffic control - hours	32	x	$50.00	$1,600.00
#054	Mobilization (One Way)	124	x	$8.00	$992.00
	Estimated Sub-Total				$57,052.00
	Gross Receipts Tax (Las Vegas 12-122)			8.40%	$4,792.37
	Estimated Grand Total				$61,844.37

This is an estimate only, actual quantities will be determined in the field by the contractor and NMDOT personnel. Price includes routing, cleaning and sealing random cracks with Rubber Asphalt Sealant.

Prices include all necessary clean up. Estimate does not include sealing Alligator cracking. All workmanship, materials and traffic control will meet NMDOT Specifications. If you have any questions, please call me at (505) 362-5034.
This estimate is accurate for 90 days.

Sincerely,
Randy Carter
Dismuke Construction

GSD/PD (Rev. 01/11)

State of New Mexico
General Services Department
Purchasing Division

Price Agreement Amendment

Awarded Vendor **2 Vendors** **Telephone No.**

Ship To: **New Mexico Department of Transportation** **Various Locations**
Invoice: **New Mexico Department of Transportation** **Various Locations**
For questions regarding this Price Agreement please contact: **Angela Martinez 505-827-5127**

Price Agreement Number: **61-805-16-14054**

Price Agreement Amendment No.: **Three**

Term: **March 21, 2016 – March 20, 2020**

Procurement Specialist: **Raelynn Lujan**

Telephone No.: **(505) 827-0484**

Email: **raelynn.lujan@state.nm.us**

Title: **Crack Sealing Hot Mix Asphalt and Concrete Pavements**

This Price Agreement Amendment is to be attached to the respective Price Agreement and become a part thereof.

In accordance with Price Agreement provisions, and by mutual agreement of all parties, this Price Agreement is extended from March 21, 2019 to March 20, 2020 at the same price, terms and conditions.

Except as modified by this amendment, the provisions of the Price Agreement shall remain in full force and effect.

Accepted for the State of New Mexico

New Mexico State Purchasing Agent

Date: 1/4/2019

GSD/PD (Rev. 01/11)

State of New Mexico
General Services Department
Purchasing Division

Price Agreement Amendment

Awarded Vendor **2 Vendors** **Telephone No. _____**

Price Agreement Number: **61-805-16-14054**

Price Agreement Amendment No.: **Two**

Term: **March 21, 2016 – March 20, 2019**

Ship To: **New Mexico Department of Transportation** **Various Locations**
Invoice: **New Mexico Department of Transportation** **Various Locations**
For questions regarding this Price Agreement please contact: **Angela Martinez 505-827-5127**

Procurement Specialist: Yuliastuti Wulandari

Telephone No.: (505) 827-0485

Title: **Crack Sealing Hot Mix Asphalt and Concrete Pavements**

This Price Agreement Amendment is to be attached to the respective Price Agreement and become a part thereof.

In accordance with Price Agreement provisions, and by mutual agreement of all parties, this Price Agreement is extended from March 21, 2018 to March 20, 2019 at the same price, terms and conditions.

Except as modified by this amendment, the provisions of the Price Agreement shall remain in full force and effect.

Accepted for the State of New Mexico

New Mexico State Purchasing Agent

Date: 1/22/18

GSD/PD (Rev. 01/11)

State of New Mexico
General Services Department
Purchasing Division

Price Agreement Amendment

Awarded Vendor:
2 Vendors

Telephone No.: _____

Price Agreement Number: **61-805-16-14054**

Price Agreement Amendment No.: **One**

Term: **March 21, 2016-March 20, 2018**

Ship To:
New Mexico Department of Transportation
Various Locations

Invoice:
New Mexico Department of Transportation
Various Locations

For questions regarding this Price Agreement please contact:
Angela Martinez 505-827-5127

Procurement Specialist: **Eric Sanchez**

Telephone No.: **(505) 827-0554**

Title: **Crack Sealing Hot Mix Asphalt and Concrete Pavements**

This Price Agreement Amendment is to be attached to the respective Price Agreement and become a part thereof.

In accordance with Price Agreement provisions, and by mutual agreement of all parties, this Price Agreement is extended from March 21, 2017 to March 20, 2018 at the same price, terms and conditions.

The provisions of the Price Agreement shall remain in full force and effect, except as modified by this amendment.

Accepted for the State of New Mexico

New Mexico State Purchasing Agent

Date: **1/25/17**

GSD/PD (Rev. 5/16/12)

State of New Mexico
General Services Department

Price Agreement

Awarded Vendor: **2 Vendors (see page 7)** **Telephone No.:**

Price Agreement Number: **61-805-16-14054**

Payment Terms: **Net 30**

F.O.B.: **Destination**

Delivery: **As Requested**

Ship To: **New Mexico Department of Transportation** **Various Locations**
Invoice: **New Mexico Department of Transportation** **Various Locations**
For questions regarding this contract please contact: **Angela Martinez 505-827-5127**

Procurement Specialist: **Eric Sanchez**

Telephone No.: **505-827-0554**

Title: **Crack Sealing Hot Mix Asphalt and Concrete Pavements**

Term: **March 21, 2016-March 20, 2017**

This Price Agreement is made subject to the "terms and conditions" shown on the reverse side of this page, and as indicated in this Price Agreement.

Accepted for the State of New Mexico

New Mexico State Purchasing Agent

Date: 3/17/16

Terms and Conditions
(Unless otherwise specified)

1. **General:** When the State Purchasing Agent or his/her designee issues a purchase document in response to the Vendor's bid, a binding contract is created.

2. **Variation in Quantity:** No variation in the quantity of any item called for by this order will be accepted unless such variation has been caused by conditions of loading, shipping, packing or allowances in manufacturing process and then only to the extent, if any, specified in this order.

3. **Assignment:**

a. Neither the order, nor any interest therein, nor any claim thereunder, shall be assigned or transferred by the Vendor, except as set forth in Subparagraph 3b or as expressly authorized in writing by the State Purchasing Agent or his/her designee. No such assignment or transfer shall relieve the Vendor from the obligations and liabilities under this order.

b. Vendor agrees that any and all claims for overcharge resulting from antitrust violations which are borne by the State as to goods, services, and materials purchased in connection with this bid are hereby assigned to the State.

4. **State Furnished Property:** State furnished property shall be returned to the State upon request in the same condition as received except for ordinary wear, tear and modifications ordered hereunder.

5. **Discounts:** Prompt payment discounts will not be considered in computing the low bid. Discounts for payment within twenty (20) days will be considered after the award of the contract. Discounted time will be computed from the date of receipt of the merchandise invoice, whichever is later.

6. **Inspection:** Final inspection and acceptance will be made at the destination. Supplies rejected at the destination for nonconformance with specifications shall be removed at the Vendor's risk and expense, promptly after notice of rejection.

7. **Inspection of Plant:** The State Purchasing Agent or his/her designee may inspect, at any reasonable time, the part of the Contractor's, or any subcontractor's plant or place of business, which is related to the performance of this contract.

8. **Commercial Warranty:** The Vendor agrees that the supplies or services furnished under this order shall be covered by the most favorable commercial warranties the Vendor gives for such to any customer for such supplies or services. The rights and remedies provided herein shall extend to the State and are in addition to and do not limit any rights afforded to the State by any other clause of this order. Vendor agrees not to disclaim warranties of fitness for a particular purpose of merchantability.

9. **Taxes:** The unit price shall exclude all state taxes.

10. **Packing, Shipping and Invoicing:**

a. The State's purchasing document number and the Vendor's name, user's name and location shall be shown on each packing and delivery ticket, package, bill of lading and other correspondence in connection with the shipments. The user's count will be accepted by the Vendor as final and conclusive on all shipments not accompanied by a packing ticket.

b. The Vendor's invoice shall be submitted duly certified and shall contain the following information: order number, description of supplies or services, quantities, unit price and extended totals. Separate invoices shall be rendered for each and every complete shipment.

c. Invoices must be submitted to the using agency and NOT the State Purchasing Agent.

11. **Default:** The State reserves the right to cancel all or any part of this order without cost to the State, if the Vendor fails to meet the provisions of this order and, except as otherwise provided herein, to hold the Vendor liable for any excess cost occasioned by the State due to the Vendor's default. The Vendor shall not be liable for any excess costs if failure to perform the order arises out of causes beyond the control and without the fault or negligence of the Vendor,

such causes include but are not restricted to, acts of God or the public enemy, acts of the State or Federal Government, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, unusually severe weather and defaults of subcontractors due to any of the above, unless the State shall determine that the supplies or services to be furnished by the subcontractor were obtainable from other sources in sufficient time to permit the Vendor to meet the required delivery scheduled. The rights of the State provided in this paragraph shall not be exclusive and are in addition to any other rights now being provided by law or under this order.

12. **Non-Collusion:** In signing this bid the Vendor certifies he/she has not, either directly or indirectly, entered into action in restraint of free competitive bidding in connection with this offer submitted to the State Purchasing Agent or his/her designee.

13. **Nondiscrimination:** Vendor doing business with the State of New Mexico must be in compliance with the Federal Civil Rights Act of 1964 and Title VII of the Act (Rev. 1979) and the Americans with Disabilities Act of 1990 (Public Law 101-336).

14. **The Procurement Code:** Sections 13-1-28 through 13-1-99 NMSA 1978, imposes civil and criminal penalties for its violation. In addition the New Mexico criminal statutes impose felony penalties for bribes, gratuities and kickbacks.

15. All bid items are to be NEW and of most current production, unless otherwise specified.

16. **Payment for Purchases:** Except as otherwise agreed to: late payment charges may be assessed against the user state agency in the amount and under the conditions set forth in Section 13-1-158 NMSA 1978.

17. **Workers' Compensation:** The Contractor agrees to comply with state laws and rules pertaining to Workers' Compensation benefits for its employees. If the Contractor fails to comply with Workers' Compensation Act and applicable rules when required to do so, this Agreement may be terminated by the contracting agency.

18. Bids must be submitted in a sealed envelope with the bid number and opening date clearly indicated on the bottom left hand side of the front of the envelope. Failure to label bid envelope will necessitate the premature opening of the bid in order to identify the bid number.

19. **Contractor Personnel**: Personnel proposed in the Contractor's written proposal to the Procuring Agency are considered material to any work performed under this Price Agreement. Once a Purchase Order or contract has been executed, no changes of personnel will be made by the Contractor without prior written consent of the Procuring Agency. Replacement of any Contractor personnel, if approved, shall be with personnel of equal ability, experience, and qualifications. The Contractor will be responsible for any expenses incurred in familiarizing the replacement personnel to insure their being productive to the project immediately upon receiving assignments. Approval of replacement personnel shall not be unreasonably withheld. The Procuring Agency shall retain the right to request the removal of any of the Contractor's personnel at any time.

20. **Subcontracting:** The Contractor shall not subcontract any portion of the Price Agreement without the prior written approval of the Procuring Agency. No such subcontracting shall relieve the Contractor from its obligations and liabilities under this Price Agreement, nor shall any subcontracting obligate payment from the Agency.

21. **Records and Audit:** The Contractor shall maintain detailed time and expenditure records that indicate the date, time, nature, and cost of services rendered during this Price Agreement's term and effect, and retain them for a period of three (3) years from the date of final payment under this Price Agreement. The records shall be subject to inspection by the Agency, State Purchasing Division, Department of Finance and Administration, and for Information Technology contracts, State Chief Information Officer. The Agency shall have the right to audit billings, both before and after payment. Payment for services under this Price Agreement shall not foreclose the right of the Agency to recover excessive or illegal payments.

22. The foregoing requirements for Contractor Personnel, Subcontracting, and Audit shall be inserted into all subcontracts from the prime contractor to the subcontractor.

New Mexico Employees Health Coverage

A. If Contractor has, or grows to, six (6) or more employees who work, or who are expected to work, an average of at least 20 hours per week over a six (6) month period during the term of the contract, Contractor certifies, by signing this agreement, to have in place, and agrees to maintain for the term of the contract, health insurance for its New Mexico Employees and offer that health insurance to its New Mexico Employees if the expected annual value in the aggregate of any and all contracts between Contractor and the State exceeds $250,000 dollars.

B. Contractor agrees to maintain a record of the number of its New Mexico Employees who have (a) accepted health insurance; (b) declined health insurance due to other health insurance coverage already in place; or (c) declined health insurance for other reasons. These records are subject to review and audit by a representative of the state.

C. Contractor agrees to advise all of its New Mexico Employees of the availability of State publicly financed health care coverage programs by providing each of its New Mexico Employees with, as a minimum, the following web site link to additional information: http://insurenewmexico.state.nm.us/.

D. For purposes of this Paragraph, the following terms have the following meanings:

(1) "New Mexico Employee" means any resident of the State of New Mexico employed by Contractor who performs the majority of the employee's work for Contractor within the State of New Mexico, regardless of the location of Contractor's office or offices; and

(2) "offer" means to make available, without unreasonable restriction, enrollment in one or more health coverage plans and to actively seek and encourage participation in order to achieve the goals of Executive Order 2007-049. This could include State publicly financed public health coverage programs such as *Insure New Mexico!*

New Mexico Pay Equity Initiative

Contractor agrees, if it has ten (10) or more New Mexico employees OR eight (8) or more employees in the same job classification, at any time during the term of this contract, to complete and submit the PE10-249 form on the annual anniversary of the initial report submittal for contracts up to one (1) year in duration. If contractor has (250) or more employees, contractor must complete and submit the PE250 form on the annual anniversary of the initial report submittal for contracts that are up to one (1) year in duration. For contracts that extend beyond one (1) calendar year, or are extended beyond one (1) calendar year, contractor also agrees to complete and submit the PE10-249 or PE250 form, whichever is applicable, within thirty (30) days of the annual contract anniversary date of the initial submittal date or, if more than 180 days has elapsed since submittal of the last report, at the completion of the contract, whichever comes first. Should contractor not meet the size requirement for reporting at contract award but subsequently grows such that they meet or exceed the size requirement for reporting, contractor agrees to provide the required report within ninety (90) days of meeting or exceeding the size requirement. That submittal date shall serve as the basis for submittals required thereafter.

Contractor also agrees to levy this requirement on any subcontractor(s) performing more than 10% of the dollar value of this contract if said subcontractor(s) meets, or grows to meet, the stated employee size thresholds during the term of the contract. Contractor further agrees that, should one or more subcontractor not meet the size requirement for reporting at contract award but subsequently grows such that they meet or exceed the size requirement for reporting, contractor will submit the required report, for each such subcontractor, within ninety (90) days of that subcontractor meeting or exceeding the size requirement. Subsequent report submittals, on behalf of each such subcontractor, shall be due on the annual anniversary of the initial report submittal. Contractor shall submit the required form(s) to the State Purchasing Division of the General Services Department, and other departments as may be determined, on behalf of the applicable subcontractor(s) in accordance with the schedule contained in this paragraph. Contractor acknowledges that this subcontractor requirement applies even though contractor itself may not meet the size requirement for reporting and be required to report it self.

Two (2) copies of the Pay Equity Worksheet shall be submitted prior to Award by the prospective Awarded Vendor.

The PE10-249 and PE250 worksheet is available at the following website:
http://www.generalservices.state.nm.us/statepurchasing/GuidesProcedures.aspx

Department Price Agreement

Article I – Statement of Work
Under the terms and conditions of this Price Agreement, the using agency may issue orders for items and/or services described herein.

The terms and conditions of this Price Agreement shall form a part of each order issued hereunder.

The items and/or services to be ordered shall be listed under Article IX – Price Schedule. All orders issued hereunder will bear both an order number and this Price Agreement number. It is understood that no guarantee or warranty is made or implied by either the New Mexico State Purchasing Agent or the user that any order for any definite quantity will be issued under this Price Agreement. The Contractor is required to accept the order and furnish the items and/or services in accordance with the articles contained hereunder for the quantity of each order issued.

Article II –Term
The term of this Price Agreement for issuance of orders shall be as indicated in specifications.

Article III –Specifications
Items and/or services furnished hereunder shall conform to the requirements of specifications and/or drawings applicable to items listed under Article IX - Price Schedule. Orders issued against this schedule will show the applicable price agreement item(s), number(s), and price(s); however they may not describe the item(s) fully.

Article IV – Shipping and Billing Instructions
Contractor shall ship in accordance with the instructions of this form. Shipment shall be made only against specific orders which the user may place with the contractor during the term indicated in Article II – Term. The Contractor shall enclose a packing list with each shipment listing the order number, price agreement number and the commercial parts number (if any) for each item. Delivery shall be made as indicated on page 1. If vendor is unable to meet stated delivery the State Purchasing Agent must be notified.

Article V - Termination
This Price Agreement may be terminated by either signing party upon written notice to the other at least thirty (30) days in advance of the date of termination. Notice of termination of the price agreement shall not affect any outstanding orders.

Article VI – Amendment
This Price Agreement may be amended by mutual agreement of the New Mexico State Purchasing Agent or his/her designee and the Contractor upon written notice by either party to the other. An amendment to this Price Agreement shall not affect any outstanding orders issued prior to the effective date of the amendment as mutually agreed upon, and as published by the New Mexico State Purchasing Agent or his/her designee. Amendments affecting price adjustments and/or the extension of a price agreement expiration date are not allowed unless specifically provided for in the bid and price agreement specifications.

Article VII – Issuance or Orders
Only written signed orders are valid under this Price Agreement.

Article VIII – Packing (if applicable)
Packing shall be in conformance with standard commercial practices.

Article IX – Price Schedule
Prices as listed in the price schedule hereto attached are firm.

Awarded Vendors:

(AA) 0000051537
Dismuke Construction Company
PO Box 30354, Sta. D
Albuquerque, NM 87190-0354
505-362-5032

(AB) 0000045183
IPR LTD.
3740 Hawkins
Albuquerque, NM 87109
505-292-3331

Establish a Price Agreement for Crack Sealing of Hot Mix Asphalt and Concrete Pavements for the New Mexico Department of Transportation. Work shall consist of sealing of cracks in pavement with sealant material to prevent water from entering the underlying materials which may cause stripping, pumping, sub-grade and base failure. This price agreement includes materials, labor and equipment as per the specifications contained herein.

All work performed under this Price Agreement shall meet the specifications as set forth in this Price Agreement, the New Mexico State Department of Transportation Standard Specifications for Highway and Bridge Construction, current edition, current special provisions and supplemental specifications. They are available on the NMDOT website, at the following link: http://dot.state.nm.us/en/PSE.html and they are available for purchase at the General Office Financial Control Office contact (505) 827-5338.

The Contractor shall perform with its own organization at least 40% of the work based on the total purchase order amount and comply with section 108.1 of the New Mexico State Department of Transportation Standard Specifications for Highway and Bridge Construction, current edition.

Vendors are required to have prior product approval through the NMDOT Product Evaluation Program in order for bid item to be awarded.

Terms of Price Agreement:
The term of this agreement shall be for one year from date of award with an option to extend for up to three (3) additional one year periods, by mutual agreement of all parties and approval of the New Mexico State Purchasing Director at the same price, terms and conditions. This Price Agreement shall not exceed four (4) years.

Performance, Payment and Material Bonds:
Upon the issuance of a purchase order, the successful awarded contractor(s) must provide a performance bond and a payment and materials bond equal to 100% of the total purchase order. Said bonds must be provided to the requesting District Engineer or their designee prior to the commencement of work. Failure to comply shall result in the purchase order being issued to another vendor and difference being charged back to the awarded contractor(s).

The performance bond is to secure the New Mexico Department of Transportation for losses and damages sustained by reason of default by vendor. A payment bond is to guarantee that subcontractors and material suppliers on the project will be paid. The materials bond is to guarantee availability of equipment and acceptance of product.

Tax Note:
Price shall not include State Gross Receipts or Local Option Tax. Taxes shall be added to the invoice at current rates as a separate item to be paid by users.

Bidding Information:
The conditions and specifications set out in the invitation to bid are inseparable and indivisible. Any vendor, by submitting a bid, agrees to be bound by all such conditions and/or specifications. All conditions and specifications in the invitation to bid, and all other documents required to be submitted, shall be returned by the vendor in their bid package. Failure to do so or any attempt to vary or change the conditions or specifications of the invitation to bid shall, at the discretion of the State of New Mexico, constitute grounds for

rejection of the entire bid.

The prices quoted herein represent the total compensation to be paid by the State of New Mexico for goods and/or services provided. It is understood that the party providing said goods and/or services to the State of New Mexico is responsible for payment of all costs of labor, equipment, tools, materials, federal taxes, permits, licenses, fees, and any other items necessary to complete the work provided. The prices quoted in this price agreement include an amount sufficient to cover such costs.

The Contractor shall be considered an independent Contractor and not an employee of the State of New Mexico. The New Mexico Department of Transportation shall provide direction regarding the performance required by this price agreement.

Vendor is requested to indicate their Federal Tax ID Number, New Mexico Gross Receipts or Social Security Number _____.

Bid Review:
The New Mexico Department of Transportation shall perform a bid analysis of the bids received to include a determination of qualification in accordance with the standards and requirements of the price agreement. The analysis and recommendation for award will be sent to State Purchasing for a determination.

Method of Award:
Method of award shall be to multiple vendors for each district. Items shall be awarded to multiple vendors per district as follows:

Items 001 to 014 - District One
Items 015 to 028 - District Two
Items 029 to 042 - District Three
Items 043 to 056 - District Four
Items 057 to 070 - District Five
Items 071 to 084 - District Six

For a bid to be considered for award to a District, prices must be submitted for all items for that district. Failure to do so will result in the bid being deemed irregular and rejected from consideration for award to that district.

This Price Agreement may be awarded to one or more vendors, but not to exceed three vendors per district.

Utilization of Vendors:
The following procedure for the utilization of vendors shall be used on multiple source price agreements.

1. The selection of a vendor from a multiple source price agreement to complete a project shall be based on the purchase order.

2. The District Engineer or their designee shall evaluate the estimated quantities, unit costs, total costs per item, and total project costs for each awarded vendor.

3. The vendor selected to perform the work on the project shall be the vendor providing services for the specific project estimate at the lowest overall cost to the New Mexico Department of Transportation and able to meet all project delivery requirements including project schedule. A vendor **not** offering the lowest cost to the New Mexico Department of Transportation can be used for the specific project if the vendor providing the lowest overall cost is unable to meet all project requirements as determined and documented by the District Engineer or their designee. Any changes to the original purchase order will require a modification form signed by the District Engineer or their designee. All supporting documentation shall be maintained in the project file.

Public Works Minimum Wage Act:
This is a Public Works Contract subject to the provisions of the Public Works Minimum Wage Act, Section 13-4-11 through 13-4-17, et. Seq. NMSA 1978 as amended. Minimum wage rates as determined and published by the New Mexico Department of Work Force Solutions (NMDWS), Santa Fe, New Mexico shall be in effect and utilized by tl vendor during the life of this Price Agreement.

You are hereby advised that wherever differences exist between the minimum wage rates shown under wage decisions of NMDWS, Santa Fe, New Mexico and those shown under U.S. Department of Labor Wage Decision an any modification thereto noted in the contract assembly, the higher wage rates shall govern.

Price Agreement Order:
For projects over $60,000.00 where a purchase order has been issued, a Wage Rate Decision number must be requested by the User Agency. The Wage Rate Decision number can be obtained by completing and submitting the New Mexico Department of Work Force Solutions, Public Works request for a Wage Rate Decision form, available at:
http://www.dws.state.nm.us/LaborRelations/LaborInformation/PublicWorks

The Contractor Agrees To:

A. Provide competent supervision and skilled personnel to perform all work covered by this price agreement.

B. Comply with all local, state, and federal laws governing safety, health and sanitation. The Contractor shall provide all safeguards, safety devices and protective equipment, and take any other needed actions necessary to protect the safety and health of employees on-the-job, the safety of the public, and to protect property in connection with the performance of the work covered by the price agreement.

C. Indemnify and hold harmless The State of New Mexico, its officers and employees, against liability, claims, damages, losses and/or expenses arising out of bodily injury to persons or damage to property caused by, or resulting from, Contractor's and/or its employees, own negligent act(s) or omission(s) while Contractor, and/or its employees, perform(s) or fails to perform its obligations and duties under the terms and conditions of this price agreement. This hold harmless and indemnification clause is subject to the immunities, provisions and limitations of the tort claims act (41-4-1, et seq., N.M.S.A. 1978 comp.) and section 56-7-1 N.M.S.A. 1978 comp. and any amendments thereto.

It is specifically agreed between the parties executing this price agreement that it is not intended by any of the provisions of any part of the price agreement to create the public or any member thereof a third party beneficiary or to authorize anyone not a party to the price agreement to maintain a suit(s)

for wrongful death(s), bodily and/or personal injury(ies) to person(s), damage(s) to property(ies) and/or any other claim(s) whatsoever pursuant to the provisions of this price agreement.

D. Comply with state laws and rules pertaining to Worker's Compensation Insurance Coverage for its employees. If the Contractor fails to comply with the Worker's Compensation Act and applicable rules when required to do so, the purchase order may be cancelled effective immediately.

E. Be responsible for all cleanup work on the project site and at the equipment storage areas prior to the final inspection and acceptance.

Insurance Requirements:
The Contractor shall procure and maintain at the Contractors expense insurance of the kinds and in amounts herein provided. This insurance shall be provided by insurance companies authorized to do business in the State of New Mexico and shall cover all operations under the price agreement, whether performed by the Contractor, the Contractor's agents or employees or by Sub-Contractors. All insurance provided shall remain in full force and effect for the entire period of the work, up to and including final acceptance, and the removal of all equipment, employees, agents and Sub-Contractors therefrom.

(A) Public Liability and Automobile Liability Insurance

1. General Liability: bodily injury liability and property damage liability insurance applicable in full to the subject project shall be provided in the following minimum amounts:

   Bodily Injury Liability:
   $1,000,000 each person; $2,000,000 each occurrence (annual aggregate)

   Property Damage Liability:
   $2,000,000 each occurrence (annual aggregate)

   a. The policy to provide this insurance is to be written on a Comprehensive General Liability Form or Commercial General Liability Form which must include the following:

      1. Coverage for liability arising out of the operation of independent Contractors
      2. Completed operation coverage
      3. Attachment of the Broad Form Comprehensive General Liability Endorsement

   b. In the event that the use of explosives is a required part of the price agreement, the Contractor's insurance must include coverage for injury to or destruction of property arising out of blasting or explosion.

   c. In the event that a form of work next to an existing building or structure is a required part of price agreement, the Contractor's insurance must include coverage for injury to or destruction of property arising out of:

      1. The collapse of or structural injury to building or structures due to excavation, including burrowing, filling or backfilling in connection therewith, or to tunneling,

cofferdam work or caisson work or to moving, shoring, underpinning, razing or demolition of building or structures or removal or rebuilding of structural supports thereof.

d. Coverage must be included for injury to or destruction of property arising out of injury to or destruction of wires, conduits, pipes, mains, sewers or other similar property or any apparatus in connection therewith below the surface of the ground. If such injury or destruction is caused by or occurs during the use of mechanical equipment for the purpose of excavating, digging, or drilling, or to injury to or destruction of property at any time resulting there from.

2. Automobile liability insurance coverage for the Contractor (whether included in the policy providing general liability insurance or in a separate policy) must provide liability for the ownership, operation and maintenance of owned, non-owned, and hired cars. The limits of liability for automobile liability insurance shall be provided in the following amounts:

   Bodily Injury Liability:
   $1,000,000 each person; $2,000,000 each occurrence (annual aggregate)

   Property Damage Liability:
   $2,000,000 each occurrence (annual aggregate)

(B) **Worker's Compensation Insurance:** The Contractor shall also carry Worker's Compensation Insurance or otherwise fully comply with provisions of the New Mexico Workman's Compensation Act and Occupational Disease Disablement Law.

If the Contractor is an "owner-operator" of such equipment, it is agreed that the State of New Mexico assumes no responsibility, financial or otherwise, for any injuries sustained by the "owner-operator" during the performance of said price agreement.

(C) **Certificate of Insurance/Department as Additional Insured:** The Contractor being awarded Price Agreement shall furnish evidence of Contractor's insurance coverage by a Certificate of Insurance. The Certificate of Insurance shall be submitted prior to award of the Price Agreement.

The Contractor shall have the New Mexico Department of Transportation named as an additional insured on the Comprehensive General Liability Form or Commercial General Liability Form furnished by the Contractor pursuant to Paragraph (A) 1 and (A) 2, of this subsection. The Certificate of Insurance shall state that the coverage provided under the policy is primary over any other valid and collectible insurance.

The Certificate of Insurance shall also indicate compliance with these specifications and shall certify that the coverage shall not be changed, cancelled or allowed to lapse without giving the New Mexico Department of Transportation thirty (30) days written notice. Also, a Certificate of Insurance shall be furnished to the New Mexico Department of Transportation on renewal of a policy or policies as necessary during the terms of this price agreement.

The New Mexico Department of Transportation shall not issue a notice to proceed until such time as the above requirements have been met.

(D) **Umbrella Coverage:** The insurance limits cited in the above paragraphs are minimum limits. This specification is no way intended to define what constitutes adequate insurance coverage for individual Contractor. The New Mexico Department of Transportation will recognize following form excess coverage (Umbrella) as meeting the requirements of Subsection (A) 1.a of this price agreement, should such insurance otherwise meet all requirements of such subsections.

(E) **Other Required Insurance:** The Contractor shall procure and maintain, when required by the New Mexico Department of Transportation, form and types of bailee insurance such as, but not limited to, builder's risk insurance, Contractor's equipment insurance, rigger's liability property insurance, etc. In an amount necessary to protect the New Mexico Department of Transportation against claims, losses, and expenses arising from the damage, disappearance or destruction of property of others in the care, custody or control of the Contractor, including property of others being installed, erected or worked upon by the Contractor, his agents, or Sub-Contractors.

(F) **Railroad Insurance:** In the event that railroad property is affected by the subject price agreement, the Contractor, in addition to the above requirements, shall be required to furnish a Railroad Protective Liability policy in the name of the railroad company involved. In addition, on those rails that are used by the National Railroad Passenger Corporation (NRPC), the Contractor will also obtain a Railroad Protective Liability Policy in the name of NRPC.

The limits of liability for the Railroad Protective Liability Policy (or policies) must be negotiated with the railroad company on a hazard and risk basis. In no event will the limits exceed the following:

Bodily Injury Liability, Property Damage Liability:

$2,000,000 each occurrence

Liability and Physical Damage to Property:

$6,000,000 aggregate

The limits of liability stated above apply to the coverage's as set forth in the Railroad Protective Liability Endorsement Form, subject to the terms, conditions, and exclusions found in the form.

The policy must afford coverage as provided in the Standard Railroad Protective Liability Endorsement (AASHTO Form).

The Contractor shall be considered an independent Contractor and not an employee of the State of New Mexico. However, directions as to the time and place of performance and compliance with rules and regulations may be required.

The conditions listed in the above paragraphs are an integral part of this bid and shall be the conditions regulating the performance of any price agreement between the Bidder and the State of New Mexico and any Commission, Divisions, or Department thereof.

SPECIFICATIONS FOR CRACK SEALING – HOT MIX ASPHALT AND CONCRETE PAVEMENTS:

Specifications for Joint Sealants, Hot Applied, Elastomeric-Type, for Portland Cement Concrete Pavements AASHTO Designation: M 282-99 (ASTM Designation: D 3406-95):
All applicable sections of the New Mexico Department of Transportation Standard Specifications for Highway and Bridge Construction, current edition, current Special Provisions and Supplemental Specifications shall apply and be considered an integral part of these specifications.

All work done under this contract shall meet the following specifications as set forth in the New Mexico State Department of Transportation Standard Specifications for Highway and Bridge Construction, current edition, current special provisions and supplemental specifications:

Section 452.3 Construction Requirements

1.0 Scope

1.1 This specification covers a one component, hot-applied elastomeric type concrete joint sealant resistant to weathering, for use in sealing joints and cracks in Portland cement concrete pavements.

1.2 This standard is not intended to address all of the safety concerns, if any, associated with its use. It is the responsibility of the user of this standard to establish appropriate safety and health practices and determine the applicability of regulatory limitations prior to use. Specific precaution statements are given in appendix XI.

2.0 Referenced Documents

2.1 ASTM Standards

D 5167 practice for melting of hot-applied joint and crack sealant and filler for evaluation
D 5249 specification for backer material for use with cold and hot-applied joint sealants in Portland cement concrete and asphalt joints
D 5329 test methods for sealants and fillers, hot-applied, for joints and cracks in asphaltic and Portland cement concrete pavements.

3.0 General Requirements

3.1 The joint sealant, when in place, shall form a resilient and cohesive compound that is resistant to weathering, and shall effectively seal joints in concrete throughout repeated cycles of thermal expansion and contraction, and against the infiltration of moisture and incompressible. It shall not flow from the joint or be picked up by vehicle tires. The joint sealant, before placement, shall be stable at the safe heating temperature for up to 6 hours. The poured joints shall be free of internal voids due to placement or that develop subsequently while in service.

4.0 Physical Requirements

4.1 Safe Heating Temperature - The highest temperature to which the sealing compound can be heated & still conform to all the requirements specified herein. For the purposes of testing as specified hereafter, the pouring temperature for specimen preparation shall be the safe heating temperature, as recommended by the sealant manufacturer. The safe heating temperature shall be shown on all containers & shall be provided to the testing agency before any laboratory tests are begun. The safe heating temperature shall be a minimum of 20 degrees F (11 degrees C) Higher than the manufacturer's recommended application temperature. (See appendix XI).

4.2 Cone Penetration - Non-immersed at 77 +/- 0.2 degrees F (25 +/- 0.1 degrees C) 150 grams for 5 seconds shall not exceed 130 units.

4.3 Flow - There shall be no flow after 72 hours at 158 +/- 2 degrees F (70 +/- 1 degree C)

4.4 Bond - The sealant shall be tested at 0 +/- 2 degrees F (-17.8 +/- 1.1 degree C) for three complete cycles of 50 percent extension each. All three specimens shall meet the following requirements for bond.

4.4.1 Non-immersed - No specimen shall develop any crack, separation, or other opening in the sealing compound or between the sealing compound & the concrete blocks.

4.4.2 Water Immersed - No specimen shall develop any crack, separation, or other opening in the sealing compound or between the sealing compound and the concrete blocks.

4.5 Resilience - When tested at 77 +/- 0.2 degrees F (25 +/- 0.1 degree C). The recovery shall be a minimum of 60 %.

4.6 Resilience Oven Aged - When conditioned in a forced draft oven maintained at 158 +/- 2 degrees F (70 +/- 1 degree C) for 24 hours, & tested at 77 +/- 0.2 degree F (25 +/- 0.1 degree C) The recovery shall be a minimum of 60 percent.

4.7 Artificial Weathering - After 160 hours of exposure, the joint sealant shall not flow, show tackiness, the presence of an oil-like film or reversion to a mastic-like substance, form surface blisters, either intact or broken, form internal voids, have surface crazing, cracking, hardening, or loss of rubber-like properties. Evidence of physical change in the surface of the material by visual & tactile examination shall constitute failure of this test.

4.8 Tensile Adhesion - The average of three test specimens shall be a minimum of 500 percent elongation.

4.9 Flexibility - When conditioned in forced draft oven maintained at 158 +/- 2 degrees F (70 +/- 1 degree C) for 72 hours, and bent at 90 degrees over a 0.25 inch (6.4mm) diameter mandrel, the specimen shall have no indication of surface crazing or cracking.

5. Sampling and Heating

5.1 Sampling

5.1.1 Samples may be taken at the plant or warehouse prior to delivery or at the time of delivery, at the option of the Purchaser. If sampling is done prior to shipment, the inspector representing the Purchaser shall have free access to the material to be sampled. The inspector shall be afforded material to be sampled. The inspector shall be afforded all reasonable facilities for inspection and sampling which shall be conducted so as not to interfere unnecessarily with the operation of the works.

5.1.2 Samples shall consist of one of the manufacturer's original sealed containers selected at random from the lot or batch of finished material. A batch or lot shall be considered as all finished material that was manufactured simultaneously or continuously as a unit between the time of compounding and the time of packaging or placing in shipping containers.

5.1.3 The sealant portion for testing shall be obtained from the selected manufacturer's original sealed container in accordance with practice D 5167. The sample portion for testing which is added to and heated in the melter shall weigh a minimum of 2500 grams.

5.2 Heating - Heat the material in accordance with practice D 5167.

5.2.1 Initial Melting - Heat the oil bath in the melter to the safe heating temperature of the sealant being tested. Add the sample according to instructions in practice D 5167. After the sample has been added, the oil bath temperature may be increased to not more than 20 F (11 C) higher than the sealant safe heating temperature, to raise the sealant temperature to the safe heating temperature within the required 1 hour as stated in practice D 5167.

5.2.2 Extended Heating - Continue heating the sample at the safe heating temperature until 6 hours have elapsed after adding the first segment to the melter. Test specimens for evaluation are then immediately poured from the material that has seen heated for 6 hours.

6. Test Methods

6.1 The physical properties enumerated in this specification shall be determined in accordance with method D 5329.

7. Packaging & Package Marking

7.1 The joint sealant shall be packaged in 5-gallon (18.9 liter) sealed containers or as otherwise specified by the user. Each container shall be clearly marked with the name and address of the manufacturer, the trade name of the sealant, specification designation, the manufacturer's batch or lot number, recommended application temperature, safe heating temperature, & application instructions, unless otherwise specified in the contract or purchase order.

Appendix:

Xl.0 Precaution on use and application of joint sealant, hot applied, elastomeric-type, for portland cement concrete pavements.

X1.1 Temperature Control - Some, if not all the known materials conforming to this specification may be damaged by heating to too high a temperature, reheating, or by heating for too long a time. Ensure equipment for heating and application that is suitable for the purpose and approved by the

manufacturer of the sealant. Direct heating shall not be used. The sealant should be heated in a kettle or melter constructed as a double boiler, with a space between the inner and outer shells filled with high-flash heat transfer oil. Positive temperature control, mechanical agitation, and circulating pump should be provided.

X1.2 Pavement Joints in New Construction - Before sealant is applied into new construction pavement joints, the joints should be dry, clean of all scale, dirt, dust, curing compound, and other foreign material. The joints to be sealed are to be thoroughly sandblasted, sidewalls of the joint space should be thoroughly sandblasted and blown clean of loose sand by high pressure air of 100 PSI (689 KPA) minimum. Compressors should be equipped with adequate oil and a water trap to ensure that the compressed air is not contaminated. The joints should then be sealed by the use of a double-boiler melter or applicator, as described in X1.1. If the joints are cleaned by jet water blasting, jet water-blast machine shall be capable of discharging water at a rate of 8500 to 10,000 PSI (58.6 to 68.9 MPA) pressure and 20 to 22 gal of water/min (75.7 to 83.3 l of water/min). Joints shall be thoroughly dry before installation of backer rod, and then sealed using a melter or applicator as described in X1.1.

X1.3 Pavement Joints to be Resealed - When sealant covered by this specification is used for maintenance and resealing of joints that have previously been sealed with similar or dissimilar sealant, it is recommended that the joints be thoroughly cleaned with a plow, router, concrete saw, or other suitable tool or tools designed for the purpose of neatly cleaning pavement joints without spalling the joint. Loose material should be blown free of the joint. The joint sidewalls should be thoroughly sandblasted and blown free of loose sand with high pressure air of 100PSI (689 KPA) minimum. Compressors should be equipped with adequate oil and water trap to ensure that compressed air is not contaminated. The joints should then be sealed using a melter or applicator as described in Xl.1. If joints are cleaned by jet water-blasting, the jet water-blast machine will be capable of discharging water 8500 to 10, 000 PSI (58 .6 to 68. 9 MPA) pressure and 20 to 22 gal of water/min (75.5 to 63.3 l of water/min). Joints should be thoroughly dry before installation of backer rod or bond breaker. Joints should be sealed with a melter or applicator as described in X1.1.

X1.4 Backer Rod or Bond Breaker - The use of backer rod or bond breaker in the joint to be sealed is recommended to control the depth of the sealant, and to achieve the desired joint shape factor. Backup material and bond breakers should be compatible with the sealant. Due to elevated temperatures of sealants at application temperatures, exercise care in the selection of suitable back-up materials. Backer material should meet requirements of specification D 5249.

Xl.5 Workmanship-Practice care in applying the sealant to avoid overfilling of the joint space. Joints should be filled in a neat workmanlike manner to within 0.125 to 0.25 in. (3.2 to 6.4 mm) below flush with the pavement surface.

X1.6 Caution - As this material may contain polyvinyl chloride and coal-tar derivatives, special care must be taken when using this material. The manufacturer shall state necessary precautions clearly on the container and shall supply the applicator with U.S. Department of Labor material and safety data sheet (OSHA form 20), so that proper safe handling and application techniques may be used.

Specifications for Joint and Crack Sealants, Hot Applied, for Concrete and Asphalt Pavements AASHTO Designation M 324-08 (ASTM Designation D 6690-06a):

All applicable sections of The New Mexico Department of Transportation Standard Specifications for Highway and Bridge Construction current edition, current special provisions and Supplemental Specifications shall apply and be considered an integral part of these specifications.

All work done under this contract shall meet the following specifications as set forth in the New Mexico State Department of Transportation Standard Specifications for Highway and Bridge Construction, current edition, current special provisions and supplemental specifications:

Section 411: Hot-Poured Crack Sealant

1. Scope:

1.1 This specification covers joint and crack sealants of the hot-applied type intended for use in sealing joints and cracks in Portland cement concrete and asphalt pavements.

1.2 The values stated in SI units are the standard.

1.3 This standard is not intended to cover the properties required of sealants for use in areas of Portland cement concrete or asphaltic pavement subject to jet fuel or other fuel spillage such as vehicle and/or aircraft refuel and maintenance areas.

1.4 This standard is not intended to address all of the safety concerns, if any, associated with its use. It is the responsibility of the user of this standard to establish appropriate safety and health practices and determine the applicability of regulatory requirements prior to use.

2. Referenced Documents:

2.1 ASTM Standards

D 1190 Specification for concrete joint sealer, hot-applied elastic type.
D 3405 Specification for joint sealants, hot-applied for concrete and asphalt pavements.
D 5167 Practice for melting of hot-applied joint and crack sealant and filler for evaluation.
D5249 Specification for backer material for use with cold and hot-applied joint sealants in Portland cement concrete and asphalt joints
D 5329 Test methods for sealants and fillers, hot-applied, for joints and cracks in asphaltic and Portland cement concrete pavements.

2.2 Federal Specification

SS-S-1410C

3. General Requirements:

3.1 The sealant shall be composed of a mixture of materials that will form a resilient and adhesive compound capable of effectively sealing joints and cracks in concrete and asphaltic pavements against the infiltration of moisture and foreign material throughout repeated cycles of expansion and contraction with temperature changes, and that will not, at ambient temperatures, flow from the joint or be picked up by vehicle tires. The material shall be capable of being brought to a uniform pouring

consistency suitable for completely filling the joints without inclusion of large air holes or discontinuities and without damage to the material. It shall remain relatively unchanged in application characteristics for at least 6 H at the recommended pouring temperature in the field.

4. Classification:

4.1 Type I

A joint and crack sealant capable of maintaining an effective seal in moderate climates. The material is tested for low temperature performance at -18C using 50% extension (specification D 6690)

4.2 Type II

A joint and crack sealant capable of maintaining an effective seal in most climates. Material is tested for low temperature performance at -29C using 50% extension (specification D 6690).

4.3 Type III

A joint and crack sealant capable of maintaining an effective seal in most climates. Material is tested for low temperature performance at -29C using 50% extension. Special tests are included (Federal Spec. SS-S-1401C).

4.4 Type IV

A joint and crack sealant capable of maintaining an effective seal in most climates experiencing very cold temperatures. Material is tested for low temperature performance at -29C using 200% extension.

Note: It is the responsibility of the New Mexico Department of Transportation to determine which type is most applicable to their conditions.

5. Physical Requirements:

5.1 Maximum Heating Temperature - The maximum heating temperature is the highest temperatures to which a sealant can be heated and still conform to all the requirements specified herein. For purposes of testing as specified hereinafter, the application temperature hereinafter, the application temperature shall be the same as the maximum heating temperature. The maximum heating temperature shall be set forth by the manufacturer and shall be shown on all containers and shall be provided to the testing agency before any laboratory tests are begun.

6. Sampling and Heating:

6.1 Sampling

6.1.1 Samples may be taken at the plant or warehouse prior to delivery or at the time of delivery, at the option of the purchaser, if sampling is done prior to shipments, the inspector representing the purchaser shall have free access to the material to be sampled. The inspector shall be afforded all reasonable

facilities for inspection sampling which shall be conducted so as not to interfere unnecessarily with the operation of the works.

6.1,2 Samples shall consist of one of the manufacturer's original sealed containers selected at random from the lot or batch of finished material. A batch or lot shall be considered as all finished material that was manufactured simultaneously or continuously as a unit between the time of compounding and the time of packaging or placing in shipping containers.

6.1.3 Obtain the sealant portion for testing from the selected manufacturer's original sealed container in accordance with practice D 5167. The sample portion added to and heated in the melter shall weigh 800 +/-50 g,, for types I, II, IV, and 1600 +/— 50g for type III. Both pots of the melter described in practice D 5167 shall be used for type III.

6.2 Heating - Heat the material accordance with practice D 5167.

6.2,1 The oil bath in the melter shall be heated to a temperature between the sealant's maximum heating temperature and (42C) above the sealant's maximum heating temperature. Never allow the oil temperature to exceed (288 C). Add the sealant to the melter according to the instructions in practice D 5167, after the sample has been added to the melter; regulate the oil temperature within the listed temperature limits while raising the sealant's temperature to manufacturer's recommended maximum heating temperature within the required 1 hour of time, as stated in practice D 5167. Immediately upon reaching the maximum heating temperature, pour samples for testing except for type III which shall be heated for 3 hours from the time of first addition to the melter.

7. Test Methods:

7.1 The physical requirements enumerated in this specification shall be determined in accordance with test methods D 5329.

8. Packaging and Marking:

8.1.1 The sealing compound shall be delivered in the manufacturer's original containers. Each container shall be legibly marked with the name of the manufacturer, the trade name of the sealant, the manufacturer's batch, or lot number and specification number and type, the minimum application temperature and the maximum heating temperature. The maximum heating temperature must be at least 11 C (20 F) higher than the minimum application temperature.

XI. Appendix

X1.1 Some if not all, materials conforming to this specification may be damaged by heating to too high a temperature, reheating, or by heating for too long a time. Care should be exercised to secure equipment for heating and application that is suitable for the purpose and approved by the manufacturer of the material. The material should be heated in a kettle or melter constructed as a double boiler, with the space between the inner and outer shells filled with oil or other heat transfer medium. Thermostatic control for the heat transfer medium shall be provided and shall have sufficient sensitivity to maintain sealant temperature within the manufacturer's specified application temperature range. Temperature indicating devices shall have intervals no greater than S F (2.8 C) and shall be calibrated as required to

assure accuracy. The melter shall have a continuous sealant agitation and mixing system to provide uniform viscosity and temperature of material being applied. If equipped with an application system to deliver sealant to the pavement, the melter shall incorporate a recirculation pump or other means of maintaining sealant temperature in the delivery system. Sealant that has been damaged due to overheating, reheating or prolonged heating may experience poor adhesion, softening or bleeding, difficult application, or jelling in the melter. Direct heating must not be used. As a means of ascertaining whether or not the material covered by this specification is being or has been damaged in the field as a result of overheating, reheating, or prolonged heating, flow panel specimens may be prepared periodically by drawing off sealant directly from the melter-applicator during sealing operations and then tested for flow according to the methods of testing materials covered by this specification. Flow in excess of 3.0 mm for type II, III, and IV, and 5.0 mm for type I would indicate damage to material caused by improper heating procedures.

X1.2 Pavement joints in new construction for application of material covered by this specification should be dry, clean of all scale, dirt, dust, curing compound, and other foreign matter. The sidewalls of the joint space to be sealed should then be thoroughly sandblasted, blown clean of loose sand by high-pressure air, and sealed by use of the melter-applicator described in X1. 1.

X1.3 When material covered by this specification is used for maintenance or resealing of joints that have contained either similar or dissimilar sealing material, it is recommended that the joint be dry, cleaned thoroughly with a plow, router, wire brush, concrete saw, or other suitable tool or tools designed for the purpose of neatly cleaning pavement joints. Loose material should be blown out. The sidewall is of the joint space to be sealed should be thoroughly sandblasted, blown free of loose sand with high-pressure air and then sealed with material by use of the melter-applicator described in Xl.1.

X1.4 The use of a backer material or bond breaker in the bottom of the joint to be filled with material covered by this specification is recommended to control the depth of the sealant and achieve the desired shape factor, and to support the sealant against indentation and sag. Backup materials and bond breakers should be compatible with the material. Due to the elevated temperatures of application of material covered by this specification, care should be exercised in the selection of the suitable backer materials. Refer to specification D 5249 for recommended backer material.

X1.5 Care should be practiced in the application of material covered by this specification to avoid overfilling of the joint space. Joints should be filled in a neat workmanlike manner from 1/8 inch to 1/4 inch (3 to 6mm) below the adjacent pavement surface.

Special Warranty:
The Contractor shall furnish a five (5) year warranty to The New Mexico Department of Transportation from the manufacturer of the crack/joint sealant material which shall read as follows:

"We hereby warrant that our crack/joint seal material used to seal the cracks/joints in the pavement from M.P. _____ to M.P. _____ on the New Mexico route _____ _____ shall prevent infiltration of water and/or foreign material through the joint under normal usage, shall not flow, have loss of bond or cohesive failure, blister, bubble or crack, or lose resilient rubber-like properties. This warranty is for a period of five (5) years from the date of placement and any defective material shall be replaced and new sealant applied at no cost to The New Mexico Department of Transportation".

Method of Measurement and Payment:
Pay Items containing specifications for AASHTO M324-08 or ASTM D6690-06a, type I or Type II will be measured and paid for by the pound. Joint Sealing utilizing these items shall only apply to concrete/asphalt joint interfaces where the asphalt pavement butts up to concrete pavement or curb and gutter. Items containing specifications for AASHTO M282-99 or ASTM D3406-95 will be measured and paid for by the linear feet. Joint Sealing utilizing these items shall only apply to concrete interfaces. Backer Rod for these items shall be incidental to the Joint Sealing

All quantities are to be measured by the District Engineer or their designee and shall be considered final. All payments for quantities shall be based off the same determination and will also be considered final.

Traffic Control will be paid for by the hour as applicable for restricted or non-restricted work as indicated in the purchase order.

Traffic Control:
The Contractor shall abide with the New Mexico Department of Transportation standard specifications for road and bridge construction, most current edition and special provisions and supplemental specifications, Section 700 on traffic control devices and with the Manual of Uniform Traffic Control Devices current edition, Part 6 – Temporary Traffic Control. The Contractor shall submit a traffic control plan to the District Engineer or their designee three weeks prior to actual construction. The Traffic control plan shall include the proposed signing, location of signs and location and type of all traffic channelization devices to be utilized, all lane closures and detours. The traffic plan must be approved by the Traffic Engineer or their designee prior to the beginning of operations.

The Contractor shall also provide sufficient flagmen, when deemed necessary by the District Engineer or their designee, to assist with the traffic control during operations. The Contractor shall also remove or cover temporary signing that is required during nonworking hours and night-time hours. At least one lane shall remain open to traffic, with adequate flagging, when working on two lane road and treated roadways shall be reopened to traffic during night-time or nonworking hours.

Payments and Invoicing:
Within fifteen (15) days after the date the Department receives written notice from the Contractor that payment is requested for services, construction or items of tangible personal property delivered on site and received, the Department shall issue a written certification of complete or partial acceptance or rejection of the services, construction, or items of tangible personal property. If the Department finds that the services, construction, or items of tangible personal property are not acceptable, it shall, within thirty (30) days after the date of receipt of written notice from the Contractor that payment is requested, provide to the Contractor, a letter of exception explaining the defect or objection to the services, construction, or delivered tangible personal property along with the details of how the Contractor may proceed to provide remedial action.

Upon certification by the Department that the services, construction, or delivered tangible personal property have been received and accepted, payment shall be tendered to the Contractor within thirty (30) days after the date of certification. If payment is made by mail, the payment shall be deemed tendered on the date it is postmarked. After the thirtieth (30th) day from the date that written certification of acceptance is issued, late payment charges shall be paid on the unpaid balance due on the contract to the Contractor at the rate of one and one half percent (1-1/2%) per month. For purchases funded by state or federal grants to local public bodies, if the local public body has not received the funds from the federal or state funding agency, but has already certified that the services or items of

tangible personal property have been received and accepted, payments shall be tendered to the Contractor within five (5) working days of receipt of funds from that funding agency.

Final payment shall be made within thirty (30) days after the work has been approved and accepted by the Department's Secretary or his duly authorized representative.

The Contractor agrees to comply with state laws and rules pertaining to Workers' Compensation Insurance coverage for its employees. If Contractor fails to comply with the Workers' Compensation Act and applicable rules when required to do so, the Price Agreement may be cancelled effective immediately.

Invoice To:
NM Department of Transportation
General Office
P.O. Box 1149
Santa Fe, NM 87504-1149

NM Department of Transportation
District One
P.O. Box 231
Deming, NM88030-0231

NM Department of Transportation
District Two
P.O. Box 1457
Roswell, NM 88202-1457

NM Department of Transportation
District Three
P. O. Box 91750
Albuquerque, NM 87199-1750

NM Department of Transportation
District Four
P.O. Box 10
Las Vegas, NM 87701-0010

NM Department of Transportation
District Five
P.O. Box 4127
Santa Fe, NM 87502-4127

NM Department of Transportation
District Six
P.O. Box 2159
Milan, NM 87021-2159

Escalation Clause:
In the event of a product cost increase, an escalation request will be reviewed by this office on an individual basis. This measure is not intended to allow any increase in profit margin, only to compensate for an actual cost increase.

Effective dates for increase will not be any sooner than fifteen days from the date the written request is received by this office. To facilitate prompt consideration, all requests for price increase must include all information listed below:

1. Price Agreement Item Number
2. Current Item Price
3. Proposed New Price
4. Percentage of Increase
5. Mill/Supplier Notification of price increase indicating percentage of increase including justification for increase.

An approved escalation will be evaluated on an ongoing basis the Department and will be terminated as soon as an escalation is no longer justified. Should you have questions concerning this policy, please contact the NMDOT State Purchasing Division.

Mobilization:
Mobilization for moves within the State of New Mexico to any job site as required. No payment will be made for moves of less than twenty-five (25) miles. Mileage will be measured and paid from the Contractor's designated base station to the job site or when applicable mileage will be measured from an existing job site to the new job site and payment will be for whichever distance is less. No payment will be made for the Contractor's return to his/her designated base station. The District Engineer or their designee will approve the distance used for payment and their decision shall be final. For the purpose of this item, the Contractor shall designate a New Mexico base station _____.

All quantities are to be measured by the District Engineer or their designee and shall be considered final. All payments for quantities shall be based off the same determination and will also be considered final.

Quantities:
The approximate quantities for each item are estimated and are for bidding purposes only. Actual requirements will be as determined by the District Engineer or their designee and quantities may be increased or decreased as necessary to meet actual field requirements. The State of New Mexico does not guarantee any amount of work.

State of New Mexico
General Services Department
Purchasing Division
Price Agreement #: 61-805-16-14054

Item	Approx. Qty.	Unit	Article and Description	Unit Price
001	20,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District One. AASHTO M324-08 or ASTM D6690-06a type I (1 to 10,000 lbs)	AA)$2.00 AB)$1.55
002	20,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District One. AASHTO M324-08 or ASTM D6690-06a type II (1 to 10,000 lbs)	AA)$2.05 AB)$1.60
003	60,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District One. AASHTO M324-08 or ASTM D6690-06a type I (10,001 to 30,000 lbs)	AA)$1.70 AB)$1.45
004	60,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District One. AASHTO M324-08 or ASTM D6690-06a type II (10,001 to 30,000 lbs)	AA)$1.75 AB)$1.50
005	90,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District One. AASHTO M324-08 or ASTM D6690-06a type I (30,001 to 50,000 lbs)	AA)$1.40 AB)$1.53
006	90,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District One. AASHTO M324-08 or ASTM D6690-06a type II (30,001 to 50,000 lbs)	AA)$1.45 AB)$1.45
007	100,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District One. AASHTO M324-08 or ASTM D6690-06a type I (over 50,000 lbs)	AA)$1.25 AB)$1.40
008	100,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District One. AASHTO M324-08 or ASTM D6690-06a type II (over 50,000 lbs)	AA)$1.35 AB)$1.39
009	10,000	LF	Joint sealing, hot applied, elastomeric type, for Portland cement concrete pavements for District One. AASHTO M282-99 or ASTM D3406-95 (1 to 1,000 L.F.)	AA)$5.00 AB)$.97
010	50,000	LF	Joint sealing, hot applied, elastomeric type, for Portland cement concrete pavements for District One. AASHTO M282-99 or ASTM D3406-95 (1,001 to 10,000 L.F.)	AA)$3.00 AB)$.97

011	99,999	LF	Joint sealing, hot applied, elastomeric type, for Portland cement concrete pavements for District One. AASHTO M282-99 or ASTM D3406-95 (over 10,000 L.F.)	AA)$2.45 AB)$.97
012	2,000	mi	Mobilization to District One - one way as defined	AA)$8.00 AB)$10.00
013	600	hr	Traffic control, restricted and/or night time hours, where operation hours are limited to less than 8 hrs. per day or night time work is required for District One.	AA)$450.00 AB)$100.00
014	600	hr	Traffic control non-restricted hours where operation hours are 8 hrs. or more per day for District One	AA)$50.00 AB)$90.00
015	20,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Two. AASHTO M324-08 or ASTM D6690-06a type I (1 to 10,000 lbs)	AA)$2.00 AB)$1.46
016	20,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Two. AASHTO M324-08 or ASTM D6690-06a type II (1 to 10,000 lbs)	AA)$2.00 AB)$1.60
017	60,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Two. AASHTO M324-08 or ASTM D6690-06a type I (10,001 to 30,000 lbs)	AA)$1.70 AB)$1.50
018	60,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Two. AASHTO M324-08 or ASTM D6690-06a type II (10,001 to 30,000 lbs)	AA)$1.75 AB)$1.50
019	90,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Two. AASHTO M324-08 or ASTM D6690-06a type I (30,001 to 50,000 lbs)	AA)$1.40 AB)$1.45
020	90,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Two. AASHTO M324-08 or ASTM D6690-06a type II (30,001 to 50,000 lbs)	AA)$1.45 AB)$1.50
021	100,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District One. AASHTO M324-08 or ASTM D6690-06a type I (over 50,000 lbs)	AA)$1.25 AB)$1.40

022	100,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Two. AASHTO M324-08 or ASTM D6690-06a type II (over 50,000 lbs)	AA)$1.35 AB)$1.39
023	10,000	LF	Joint sealing, hot applied, elastomeric type, for Portland cement concrete pavements for District Two. AAHSTO M282-99 or ASTM D3406-95 (1 to 1,000 L.F.)	AA)$5.00 AB)$.97
024	50,000	LF	Joint sealing, hot applied, elastomeric type, for Portland cement concrete pavements for District Two. AASHTO M282-99 or ASTM D3406-95 (1,001 to 10,000 L.F.)	AA)$3.00 AB)$.97
025	99,999	LF	Joint sealing, hot applied, elastomeric type, for Portland cement concrete pavements for District Two. AASHTO M282-99 or ASTM D3406-95 (over 10,000 L.F.)	AA)$2.45 AB)$.97
026	2,000	mi	Mobilization to District Two - one way as defined	AA)$8.00 AB)$10.00
027	600	hr	Traffic control, restricted and/or night time hours, where operation hours are limited to less than 8 hrs. per day or night time work is required for District One.	AA)$450.00 AB)$100.00
028	600	hr	Traffic control non-restricted hours where operation hours are 8 hrs. or more per day for District Two	AA)$50.00 AB)$90.00
029	20,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Three. AASHTO M324-08 or ASTM D6690-06a type I (1 to 10,000 lbs)	AA)$2.00 AB)$1.50
030	20,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Three. AASHTO M324-08 or ASTM D6690-06a type II (1 to 10,000 lbs)	AA)$2.05 AB)$1.51
031	60,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Three. AASHTO M324-08 or ASTM D6690-06a type I (10,001 to 30,000 lbs)	AA)$1.70 AB)$1.37

032	60,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Three. AASHTO M324-08 or ASTM D6690-06a type II (10,001 to 30,000 lbs)	AA)$1.70 AB)$1.45
033	90,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Three. AASHTO M324-08 or ASTM D6690-06a type I (30,001 to 50,000 lbs)	AA)$1.40 AB)$1.37
034	90,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Three. AASHTO M324-08 or ASTM D6690-06a type II (30,001 to 50,000 lbs)	AA)$1.45 AB)$1.45
035	100,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Three. AASHTO M324-08 or ASTM D6690-06a type I (over 50,000 lbs)	AA)$1.25 AB)$1.32
036	100,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Three. AASHTO M324-08 or ASTM D6690-06a type II (over 50,000 lbs)	AA)$1.35 AB)$1.34
037	10,000	LF	Joint sealing, hot applied, elastomeric type, for Portland cement concrete pavements for District Three. AAHSTO M282-99 or ASTM D3406-95 (1 to 1,000 L.F.)	AA)$5.00 AB)$.97
038	50,000	LF	Joint sealing, hot applied, elastomeric type, for Portland cement concrete pavements for District Three. AASHTO M282-99 or ASTM D3406-95 (1,001 to 10,000 L.F.)	AA)$3.00 AB)$.97
039	99,999	LF	Joint sealing, hot applied, elastomeric type, for Portland cement concrete pavements for District Three. AASHTO M282-99 or ASTM D3406-95 (over 10,000 L.F.)	AA)$2.45 AB)$.97
040	2,000	mi	Mobilization to District Three - one way as defined	AA)$8.00 AB)$5.00
041	600	hr	Traffic control, restricted and/or night time hours, where operation hours are limited to less than 8 hrs. per day or night time work is required for District Three	AA)$450.00 AB)$100.00
042	600	hr	Traffic control non-restricted hours where operation hours are 8 hrs. or more per day for District Three	AA)$50.00 AB)$90.00

043	20,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Four. AASHTO M324-08 or ASTM D6690-06a type I (1 to 10,000 lbs)	AA)$2.00 AB)$1.45
044	20,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Four. AASHTO M324-08 or ASTM D6690-06a type II (1 to 10,000 lbs)	AA)$2.05 AB)$1.55
045	60,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Four. AASHTO M324-08 or ASTM D6690-06a type I (10,001 to 30,000 lbs)	AA)$1.70 AB)$1.43
046	60,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Four. AASHTO M324-08 or ASTM D6690-06a type II (10,001 to 30,000 lbs)	AA)$1.75 AB)$1.50
047	90,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Four. AASHTO M324-08 or ASTM D6690-06a type I (30,001 to 50,000 lbs)	AA)$1.40 AB)$1.45
048	90,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Four. AASHTO M324-08 or ASTM D6690-06a type II (30,001 to 50,000 lbs)	AA)$1.45 AB)$1.50
049	100,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Four. AASHTO M324-08 or ASTM D6690-06a type I (over 50,000 lbs)	AA)$1.25 AB)$1.37
050	100,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Four. AASHTO M324-08 or ASTM D6690-06a type II (over 50,000 lbs)	AA)$1.35 AB)$1.45
051	10,000	LF	Joint sealing, hot applied, elastomeric type, for Portland cement concrete pavements for District Four. AAHSTO M282-99 or ASTM D3406-95 (1 to 1,000 L.F.)	AA)$5.00 AB)$.97
052	50,000	LF	Joint sealing, hot applied, elastomeric type, for Portland cement concrete pavements for District Four. AASHTO M282-99 or ASTM D3406-95 (1,001 to 10,000 L.F.)	AA)$3.00 AB)$.97

053	99,999	LF	Joint sealing, hot applied, elastomeric type, for Portland cement concrete pavements for District Four. AASHTO M282-99 or ASTM D3406-95 (over 10,000 L.F.)	AA)$2.45 AB)$.97
054	2,000	mi	Mobilization to District Four - one way as defined	AA)$8.00 AB)$10.00
055	600	hr	Traffic control, restricted and/or night time hours, where operation hours are limited to less than 8 hrs. per day or night time work is required for District Four.	AA)$450.00 AB)$100.00
056	600	hr	Traffic control non-restricted hours where operation hours are 8 hrs. or more per day for District Four	AA)$50.00 AB)$90.00
057	20,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Five. AASHTO M324-08 or ASTM D6690-06a type I (1 to 10,000 lbs)	AA)$2.00 AB)$1.55
058	20,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Five. AASHTO M324-08 or ASTM D6690-06a type II (1 to 10,000 lbs)	AA)$2.05 AB)$1.60
059	60,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Five. AASHTO M324-08 or ASTM D6690-06a type I (10,001 to 30,000 lbs)	AA)$1.70 AB)$1.45
060	60,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Five. AASHTO M324-08 or ASTM D6690-06a type II (10,001 to 30,000 lbs)	AA)$1.75 AB)$1.50
061	90,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Five. AASHTO M324-08 or ASTM D6690-06a type I (30,001 to 50,000 lbs)	AA)$1.40 AB)$1.45
062	90,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Five. AASHTO M324-08 or ASTM D6690-06a type II (30,001 to 50,000 lbs)	AA)$1.45 AB)$1.50

063	100,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Five. AASHTO M324-08 or ASTM D6690-06a type I (over 50,000 lbs)	AA)$1.25 AB)$1.37
064	100,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Five. AASHTO M324-08 or ASTM D6690-06a type II (over 50,000 lbs)	AA)$1.35 AB)$1.40
065	10,000	LF	Joint sealing, hot applied, elastomeric type, for Portland cement concrete pavements for District Five. AASHTO M282-99 or ASTM D3406-95 (1 to 1,000 L.F.)	AA)$5.00 AB)$.97
066	50,000	LF	Joint sealing, hot applied, elastomeric type, for Portland cement concrete pavements for District Five. AASHTO M282-99 or ASTM D3406-95 (1,001 to 10,000 L.F.)	AA)$3.00 AB)$.97
067	99,999	LF	Joint sealing, hot applied, elastomeric type, for Portland cement concrete pavements for District Five. AASHTO M282-99 or ASTM D3406-95 (over 10,000 L.F.)	AA)$2.45 AB)$.97
068	2,000	mi	Mobilization to District Five - one way as defined	AA)$8.00 AB)$10.00
069	600	hr	Traffic control, restricted and/or night time hours, where operation hours are limited to less than 8 hrs. per day or night time work is required for District Five	AA)$450.00 AB)$100.00
070	600	hr	Traffic control non-restricted hours where operation hours are 8 hrs. or more per day for District Five	AA)$50.00 AB)$90.00
071	20,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Six. AASHTO M324-08 or ASTM D6690-06a type I (1 to 10,000 lbs)	AA)$2.00 AB)$1.55
072	20,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Six. AASHTO M324-08 or ASTM D6690-06a type II (1 to 10,000 lbs)	AA)$2.05 AB)$1.60

073	60,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Six. AASHTO M324-08 or ASTM D6690-06a type I (10,001 to 30,000 lbs)	AA)$1.70 AB)$1.45
074	60,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Six. AASHTO M324-08 or ASTM D6690-06a type II (10,001 to 30,000 lbs)	AA)$1.75 AB)$1.50
075	90,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Six. AASHTO M324-08 or ASTM D6690-06a type I (30,001 to 50,000)	AA)$1.40 AB)$1.37
076	90,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Six. AASHTO M324-08 or ASTM D6690-06a type II (30,001 to 50,000 lbs)	AA)$1.45 AB)$1.50
077	100,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Six. AASHTO M324-08 or ASTM D6690-06a type I (over 50,000 lbs)	AA)$1.25 AB)$1.35
078	100,000	lbs	Joint and crack sealing, hot applied, for concrete and asphalt pavements for District Six. AASHTO M324-08 or ASTM D6690-06a type II (over 50,000 lbs)	AA)$1.35 AB)$1.40
079	10,000	LF	Joint sealing, hot applied, elastomeric type, for Portland cement concrete pavements for District Six. AASHTO M282-99 or ASTM D3406-95 (1 to 1,000 L.F.)	AA)$5.00 AB)$.97
080	50,000	LF	Joint sealing, hot applied, elastomeric type, for Portland cement concrete pavements for District Six. AASHTO M282-99 or ASTM D3406-95 (1,001 to 10,000 L.F.)	AA)$3.00 AB)$.97
081	99,999	LF	Joint sealing, hot applied, elastomeric type, for Portland cement concrete pavements for District Six. AASHTO M282-99 or ASTM D3406-95 (over 10,000 L.F.)	AA)$2.45 AB)$.97
082	2,000	mi	Mobilization to District Six - one way as defined	AA)$8.00 AB)$10.00

083	600	hr	Traffic control, restricted and/or night time hours, where operation hours are limited to less than 8 hrs. per day or night time work is required for District Six	AA)$450.00 AB)$100.00
084	600	hr	Traffic control non-restricted hours where operation hours are 8 hrs. or more per day for District Six	AA)$50.00 AB)$90.00

84 Items Total

Regular or Special

CITY COUNCIL MEETING AGENDA REQUEST

DATE: 04/26/19 **DEPT:** Utilities **MEETING DATE:** 05/15/19

ITEM/TOPIC: Award request for bid #2019-10 for the solid waste tipping fees for municipal solid waste per ton to GGH Wagon Mound, LLC. as the primary landfill and Waste Management of NM, Inc. as the secondary landfill.

BACKGROUND/RATIONALE: This allows the City to haul refuse and waste to a landfill.

Advertised:	03/10/19 – Las Vegas Optic, Albuquerque Journal and City website
Bid Opening:	April 3, 2019
Number of Bidders:	2 – Wagon Mound GGH, LLC; Waste Management of NM, Inc.
Amount:	$27.40 per ton (GGH) and $25.34 per ton (WM)-see attached bid tabulation
Funding Source:	City Funding
Budget Line Item:	630-0000-610-7211

ACTION REQUESTED OF COUNCIL: Award request for bid #2019-10 to GGH Wagon Mound, LLC. as primary and Waste Management of NM, Inc. as secondary.

STAFF RECOMMENDATION: Approval to award request for bid #2019-10 to GGH Wagon Mound, LLC. as primary and Waste Management of NM, Inc. as secondary.

COMMITTEE RECOMMENDATION: This item was discussed at the Utility Advisory committee meeting on May 13, 2019. Their recommendation will be provided at the Council Meeting.

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 GURULÉ-GIRÓN
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
RFP/BID/OPENING

DATE: 3-Apr-2019

OPENING NO.: **2019-10**

TIME: 2:00 PM

DEPARTMENT: **SOLID WASTE**

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

ITEM(S): **SOLID WASTE TIPPING FEES**
FOR MUNICIPAL SOLID WASTE (MSW)
PER TON

RECEIVED FROM:		AMOUNT	SUB CONTRACTOR LIST	BID BOND	AFFIDAVIT NOTARIZED	CAMPAIGN DISC. FORM
GGH Wasson Mound LLC		See attached			✓	✓
Waste Management of NM Inc		See attached			✓	✓

COMPANY REPRESENTATIVE	COMPANY NAME
Jennifer Montoya	Utilities - Purchasing
Dominic Chavez	Finance Dept
[illegible]	CLV Purchasing
INEZ. MAY	GGH Wasson Mound, LLC

(use other side of form when full)

GINALS TAKEN BY CITY CLERK:
[illegible]
DATE: 4/3/19

IES TAKEN BY DEPT:
Jennifer Montoya
DATE: 4/3/19

OPENED BY: FINANCE DEPARTMENT
[illegible]
DATE: 4/3/2019

Bid Tabulation for Landfill Contract

WAGON MOUND GGH

Truck and Trailer can haul 22 Tons per trip

At $27.40 per ton the cost of disposal of one truckload is ***$594.00***

A single round trip to Wagon Mound is 72 Miles

At 0.50 cents per mile the cost is ***$36.00***

Trip to WM, discharging trash and returning is approximately 2:20 hours

In a 8 hour day up to 3 trips can be made

<u>One trip to Wagon Mound will cost $630.00 and take 2 hours</u>

RIO RANCHO WM

Truck and Trailer can haul 22 Tons per trip

At $25.35 per ton the cost of disposal of one truckload is ***$557.70***

A single round trip to Rio Rancho is 230 Miles

At 0.50 cents per mile the cost is ***$115.00***

Trip to RR, discharging trash and returning is approximately 4:50 hours

In a 8 hour day only 1 trip can be made

<u>One trip to Rio Rancho will cost $672.70 and take a little under 5 hours</u>

REQUEST FOR BIDS

The City of Las Vegas, New Mexico will open Sealed Bids at 2:00 a.m./p.m. April 3rd, 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:

SOLID WASTE TIPPING FEES FOR MUNICIPAL SOLID WASTE (MSW) PER TON

The BIDDING FORMS AND TECHNICAL SPECIFICATIONS may be examined at the following location: **1700 N. Grand, Las Vegas, NM 87701**

Copies of the BIDDING FORMS AND TECHNICAL SPECIFICATIONS may be obtained at the office of : **1700 N. Grand Las Vegas, NM 87701**

Mailed Bids should be addressed to the City Clerk, 1700 N. Grand Ave., Las Vegas, New Mexico 87701; with the envelope marked: **SOLID WASTE TIPPING FEES FOR MUNICIPAL SOLID WASTE (MSW) PER TON**, Opening No. 2019-10 ; on the lower left-hand corner of the submitted envelope. It shall be the responsibility of the bidder to see that their bid is delivered to the **City Clerk** by the date and time set for the bid request. If the mail or delivery of bid request is delayed beyond the opening date and time, bid thus delayed will not be considered. A public opening will be held and any bidder or their authorized representative is invited to attend.

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

CITY OF LAS VEGAS,

Ann M. Gallegos

Ann Marie Gallegos, Interim, City Manager

Esther Garduno-Montoya, City Attorney

Casandra Fresquez by DS

Casandra Fresquez, City Clerk

Tana Vega, Interim Finance Director

Helen Vigil, Purchasing Officer

Opening No. 2019- 10 Date Issued: March 5, 2019

Date Issued: Published: Las Vegas Optic 3/10/2019
Albuquerque Publishing 3/10/2019
www.lasvegasnm.gov 3/10/2019

STANDARD BID CLAUSES

AWARDED BID

Awarding of Bid shall be made to the responsible Bidder whose Bid meets the required specifications. The City of Las Vegas (City) reserves the right to reject or accept any of all Bid specifications and to waive any insubstantial irregularity in the form of the Bid.

The City of Las Vegas may make multiple awards of the bid, related services. The City Reserves the right to award the bid to the most advantageous Bidder to the City.

TIMETABLE

Bids 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 2:00pm April 3, 2019 at which time all bids received will be opened. An opening will occur at the City's Council Chambers or other designated area at the City Offices. Awarding of Bid is projected for_____. The successful Bidder will be notified by mail.

ENVELOPES

Sealed Bid envelopes shall be clearly marked on the lower left-hand corner, identified by the Bid Name and Opening Number. Failure to comply with this requirement may result in the rejection of your submitted Bid. *Enclose one (1) original and three (3) copies of Bid.*

BRIBERY AND KICKBACK

The Procurement Code of New Mexico; (Section 13-1-28 through 13-1-99 N.M.S.A. 1978), impose 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): state that it is a third degree felony to commit the offense of demanding or receiving a bribe by a public official of public employee. And (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. Also (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.

NON-COLLUSION

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

RESPONSIBILITY OF BIDDER

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

CLARIFICATION OF BID

Bidder requiring clarification or interpretation of Bid specifications shall make a written request to the Department involved in this bid request at least five (5) days prior to the scheduled bid opening date with a copy forwarded to the Finance Department. Any interpretation, corrections or changes of said Bid Specifications, Opening Date, or Time Change will be made by Addendum only. Interpretations, Corrections or changes of said bid made in any other manner will not be binding and the Bidder shall not rely upon such interpretation, corrections and changes.

MODIFICATION OF BID

Bids may be withdrawn upon receipt of written request prior to the scheduled bid opening for the purpose of making any corrections or changes. Such corrections must be properly identified and signed or initialed by the Bidder. Resubmission must be prior to the scheduled bid opening time in order to be considered. After bid opening, no price modifications of submitted bids or other provisions shall be permitted.

WITHDRAWAL OF BID

A low Bidder alleging a material mistake of fact, after bids have been opened may request their bid be withdrawn upon receipt of a written request to the Finance Department prior to the scheduled awarding date.

INSPECTION

Final inspection and acceptance will be made at the City's discretion. Products rejected for nonconformance with the specifications shall be removed by the Bidder; at his/her risk and expense promptly after notice of rejection.

FEDERAL TAX IDENTIFICATION NUMBER

Pursuant to IRS requirements, Bidder shall provide their Federal Tax ID Number if Bidder is incorporated. If Bidder is a sole proprietorship or partnership then they 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 a New Mexico (CRS) Tax Identification Number. Contact the New Mexico Taxation & Revenue Department at (505) 827-0700 for registering instructions.

NEW MEXICO TAX IDENTIFICATION NO. (CRS):_____

CAMPAIGN CONTRIBUTION DISCLOSURE FORM

The Bidder shall submit a completed Campaign Contribution Disclosure Form Pursuant to Chapter 81, Laws of 2006.

COMMERCIAL WARRANTY

The Bidder agrees that the products or services furnished under a Purchase Order shall be covered by the most favorable commercial warranties that the Bidder gives to any customer for such products or services. And that the rights and remedies provided therein shall extend to the City and are in addition to and do not limit any rights afforded to the City by any other clause of its Purchase Order. Bidder agrees not to disclaim warranties of fitness for any particular purpose or merchantability.

Furthermore, Bidder agrees that its warranty for all products furnished under a Purchase Order pursuant to this Call for Bids shall be for a period of one year following the installation of said products by others. Also a receipt of a notice by the City's Engineer that the products have been installed correctly and have been demonstrated to be capable of performing their intended function.

SPECIAL NOTICE

To preclude possible errors and/or misinterpretations, bid prices must be affixed in ink or typewritten legibly. *Enclose one (1) original and three (3) copies of Bid documents.*

DEFAULT

The City reserves the right to cancel all or any part of an order without cost to the City if the Bidder fails to meet the provisions of the City's Purchase Order or the product specifications and to hold the Bidder liable for any excess costs occasioned due to the Bidder's default. The Bidder shall not be liable for any excess costs if failure to perform on an order arises out of cause beyond the control and without fault or negligence of the Bidder. Such causes include, but are not restricted to, acts of God or public enemy; acts of State or Federal Government; fires, floods, epidemics, quarantine restrictions, strikes, embargoes, unusually severe weather, or defaults of subcontractors. Due to any of the above unless the City shall determine that the supplies or services to be furnished by the subcontractor are obtainable from other sources in the City in this paragraph shall not be exclusive and are in addition to any other rights now being provided by law.

BID PROTESTS

If any Bidder is of the opinion that the specifications as written preclude him/her from submitting a bid, his/her opinion should be made known to the Department involved in this bid request at least fifteen (15) days prior to the scheduled bid opening date with a copy forwarded to the Finance Department. Bid protests will not be considered from parties which do not also furnish satisfactory documentation with their protest that their proposed system fully meets the functional intent of the TECHNICAL SPECIFICATIONS which accompany a Call for Bids.

NON-EXCLUSION

Specifications of the bid request are not meant to exclude any Bidder or Manufacturer. Where a brand name or equal is indicated, it is for the purpose of describing the standard of quality, performance and characteristics desired and is not intended to restrict competition. "No Substitute" specifications may be authorized, only if required to match existing equipment.

If any Bidder is of the opinion that the specifications as written preclude him/her from submitting a bid, his/her opinion should be made known to the Department involved in this bid request at least five (5) days prior to the scheduled bid opening date; with a copy forwarded to the Finance Department.
Brand names and numbers are for reference only and equivalents will be considered. If bidding "EQUIVALENT" Bidder must be prepared to furnish complete data upon request, preferably with the bid to avoid awarding delay.

CONTRACT

When the City issues a Purchase Order in response to an awarded Bid a binding contract is created (unless a specified contract has been created).

TERMINATION

This Price Agreement may be terminated by either party upon signing a written notice to the other party at least thirty (30) days in advance of the date of termination. Notice of termination of this Price Agreement shall not affect any outstanding orders.

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 in the City of Las Vegas.

The City of Las Vegas Solid Waste Department intends to make multiple awards to qualified bidders and will use the lowest bidder and most advantageous bidder to accommodate the need for service of the City.

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

BIDDER INFORMATION

BIDDER: _____

AUTHORIZED AGENT: _____

ADDRESS: _____

TELEPHONE NUMBER (_____)_____

FAX NUMBER (_____)_____

DELIVERY: _____

STATE PURCHASING RESIDENT CERTIFICATION NO.: _____

NEW MEXICO CONTRACTORS LICENSE NO.: _____

BID ITEM (S): **SOLID WASTE TIPPING FEES FOR MUNICIPAL SOLID WASTE (MSW) PER TON**

ITEM (S) UNDER THIS BID ARE TO BE F.O.B. LAS VEGAS, NEW MEXICO 87701. THE CITY OF LAS VEGAS RESERVES THE RIGHT REJECT ANY OR ALL BIDS AND TO WAIVE ANY TECHINCAL IRREGULARITY IN THE FORM OF THE BID.

AFFIDAVIT FOR FILING WITH COMPETITIVE BID

STATE OF _____}
}
COUNTY OF _____}

I _____ , of lawful age, being of first duly sworn in oath, say that I am the agent authorized by the bidder to submit the attached bid. Affiant further states that the bidder has not been a party to any collusion among bidders in restraint of freedom of competition by agreement to bid at a fixed price or to refrain from bidding; or with any city official or employee as to the terms of said prospective contract, or any other terms of said prospective contract; or in any discussion between bidders 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: _____

CITY OF LAS VEGAS
BID FORM

BID ITEM (S): Solid Waste Tipping Fees for Municipal Solid Waste (MSW) Per Ton
**PLEASE SEE NOTE ON PAGE 5 OF RFB*

A. Residential Waste $ _____

B. Commercial Waste $ _____

C. Construction & Demolition $ _____

D. Tires $ _____

E. Other Fees/Costs $ _____

F. _____ $ _____

G. _____ $ _____

H. _____ $ _____

I. _____ $ _____

J. _____ $ _____

K. _____ $ _____

L. _____ $ _____

M. _____ $ _____

N. _____ $ _____

O. _____ $ _____

P. _____ $ _____

Q. _____ $ _____

R. _____ $ _____

S. _____ $ _____

REQUEST FOR BIDS

The City of Las Vegas, New Mexico will open Sealed Bids at 2:00 a.m./p.m. April 3rd, 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:

SOLID WASTE TIPPING FEES FOR MUNICIPAL SOLID WASTE (MSW) PER TON

The BIDDING FORMS AND TECHNICAL SPECIFICATIONS may be examined at the following location: **1700 N. Grand, Las Vegas, NM 87701**

Copies of the BIDDING FORMS AND TECHNICAL SPECIFICATIONS may be obtained at the office of : **1700 N. Grand Las Vegas, NM 87701**

Mailed Bids should be addressed to the City Clerk, 1700 N. Grand Ave., Las Vegas, New Mexico 87701; with the envelope marked: **SOLID WASTE TIPPING FEES FOR MUNICIPAL SOLID WASTE (MSW) PER TON**, Opening No. 2019-10 ; on the lower left-hand corner of the submitted envelope. It shall be the responsibility of the bidder to see that their bid is delivered to the **City Clerk** by the date and time set for the bid request. If the mail or delivery of bid request is delayed beyond the opening date and time, bid thus delayed will not be considered. A public opening will be held and any bidder or their authorized representative is invited to attend.

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

CITY OF LAS VEGAS,

Ann M. Gallegos

Ann Marie Gallegos, Interim, City Manager

Esther Garduno-Montoya, City Attorney

Casandra Fresquez by DS

Casandra Fresquez, City Clerk

Tana Vega

Tana Vega, Interim Finance Director

Helen Vigil, Purchasing Officer

Opening No. 2019- 10

Date Issued: March 5, 2019

Date Issued: Published:

Las Vegas Optic 3/10/2019
Albuquerque Publishing 3/10/2019
www.lasvegasnm.gov 3/10/2019

STANDARD BID CLAUSES

AWARDED BID

Awarding of Bid shall be made to the responsible Bidder whose Bid meets the required specifications. The City of Las Vegas (City) reserves the right to reject or accept any of all Bid specifications and to waive any insubstantial irregularity in the form of the Bid.

The City of Las Vegas may make multiple awards of the bid, related services. The City Reserves the right to award the bid to the most advantageous Bidder to the City.

TIMETABLE

Bids 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 2:00pm April 3, 2019 at which time all bids received will be opened. An opening will occur at the City's Council Chambers or other designated area at the City Offices. Awarding of Bid is projected for_____. The successful Bidder will be notified by mail.

ENVELOPES

Sealed Bid envelopes shall be clearly marked on the lower left-hand corner, identified by the Bid Name and Opening Number. Failure to comply with this requirement may result in the rejection of your submitted Bid. *Enclose one (1) original and three (3) copies of Bid.*

BRIBERY AND KICKBACK

The Procurement Code of New Mexico; (Section 13-1-28 through 13-1-99 N.M.S.A. 1978), impose 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): state that it is a third degree felony to commit the offense of demanding or receiving a bribe by a public official of public employee. And (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. Also (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.

NON-COLLUSION

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

RESPONSIBILITY OF BIDDER

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

CLARIFICATION OF BID

Bidder requiring clarification or interpretation of Bid specifications shall make a written request to the Department involved in this bid request at least five (5) days prior to the scheduled bid opening date with a copy forwarded to the Finance Department. Any interpretation, corrections or changes of said Bid Specifications, Opening Date, or Time Change will be made by Addendum only. Interpretations, Corrections or changes of said bid made in any other manner will not be binding and the Bidder shall not rely upon such interpretation, corrections and changes.

MODIFICATION OF BID

Bids may be withdrawn upon receipt of written request prior to the scheduled bid opening for the purpose of making any corrections or changes. Such corrections must be properly identified and signed or initialed by the Bidder. Resubmission must be prior to the scheduled bid opening time in order to be considered. After bid opening, no price modifications of submitted bids or other provisions shall be permitted.

WITHDRAWAL OF BID

A low Bidder alleging a material mistake of fact, after bids have been opened may request their bid be withdrawn upon receipt of a written request to the Finance Department prior to the scheduled awarding date.

INSPECTION

Final inspection and acceptance will be made at the City's discretion. Products rejected for nonconformance with the specifications shall be removed by the Bidder; at his/her risk and expense promptly after notice of rejection.

FEDERAL TAX IDENTIFICATION NUMBER

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

FEDERAL TAX ID NUMBER: 46-0928493

SOCIAL SECURITY NUMBER: N/A

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 a New Mexico (CRS) Tax Identification Number. Contact the New Mexico Taxation & Revenue Department at (505) 827-0700 for registering instructions.

NEW MEXICO TAX IDENTIFICATION NO. (CRS): 03-261060-00-2

CAMPAIGN CONTRIBUTION DISCLOSURE FORM

The Bidder shall submit a completed Campaign Contribution Disclosure Form Pursuant to Chapter 81, Laws of 2006.

COMMERCIAL WARRANTY

The Bidder agrees that the products or services furnished under a Purchase Order shall be covered by the most favorable commercial warranties that the Bidder gives to any customer for such products or services. And that the rights and remedies provided therein shall extend to the City and are in addition to and do not limit any rights afforded to the City by any other clause of its Purchase Order. Bidder agrees not to disclaim warranties of fitness for any particular purpose or merchantability.

Furthermore, Bidder agrees that its warranty for all products furnished under a Purchase Order pursuant to this Call for Bids shall be for a period of one year following the installation of said products by others. Also a receipt of a notice by the City's Engineer that the products have been installed correctly and have been demonstrated to be capable of performing their intended function.

SPECIAL NOTICE

To preclude possible errors and/or misinterpretations, bid prices must be affixed in ink or typewritten legibly. *Enclose one (1) original and three (3) copies of Bid documents.*

DEFAULT

The City reserves the right to cancel all or any part of an order without cost to the City if the Bidder fails to meet the provisions of the City's Purchase Order or the product specifications and to hold the Bidder liable for any excess costs occasioned due to the Bidder's default. The Bidder shall not be liable for any excess costs if failure to perform on an order arises out of cause beyond the control and without fault or negligence of the Bidder. Such causes include, but are not restricted to, acts of God or public enemy; acts of State or Federal Government; fires, floods, epidemics, quarantine restrictions, strikes, embargoes, unusually severe weather, or defaults of subcontractors. Due to any of the above unless the City shall determine that the supplies or services to be furnished by the subcontractor are obtainable from other sources in the City in this paragraph shall not be exclusive and are in addition to any other rights now being provided by law.

BID PROTESTS

If any Bidder is of the opinion that the specifications as written preclude him/her from submitting a bid, his/her opinion should be made known to the Department involved in this bid request at least fifteen (15) days prior to the scheduled bid opening date with a copy forwarded to the Finance Department. Bid protests will not be considered from parties which do not also furnish satisfactory documentation with their protest that their proposed system fully meets the functional intent of the TECHNICAL SPECIFICATIONS which accompany a Call for Bids.

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Brand names and numbers are for reference only and equivalents will be considered. If bidding "EQUIVALENT" Bidder must be prepared to furnish complete data upon request, preferably with the bid to avoid awarding delay.

CONTRACT

When the City issues a Purchase Order in response to an awarded Bid a binding contract is created (unless a specified contract has been created).

TERMINATION

This Price Agreement may be terminated by either party upon signing a written notice to the other party at least thirty (30) days in advance of the date of termination. Notice of termination of this Price Agreement shall not affect any outstanding orders.

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 in the City of Las Vegas.

The City of Las Vegas Solid Waste Department intends to make multiple awards to qualified bidders and will use the lowest bidder and most advantageous bidder to accommodate the need for service of the City.

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

BIDDER INFORMATION

BIDDER: GGH Wagon Mound, LLC

AUTHORIZED AGENT: Thad Owings

ADDRESS: 134 Riverstone Terrace, Suite 203 Canton, GA 30114

TELEPHONE NUMBER (770) 720-2717

FAX NUMBER (770) 720 - 2747

DELIVERY: Federal Express

STATE PURCHASING RESIDENT CERTIFICATION NO.: N/A

NEW MEXICO CONTRACTORS LICENSE NO.: MSW SW Permit # SWM-181102

BID ITEM (S): **SOLID WASTE TIPPING FEES FOR MUNICIPAL SOLID WASTE (MSW) PER TON**

ITEM (S) UNDER THIS BID ARE TO BE F.O.B. LAS VEGAS, NEW MEXICO 87701. THE CITY OF LAS VEGAS RESERVES THE RIGHT REJECT ANY OR ALL BIDS AND TO WAIVE ANY TECHINCAL IRREGULARITY IN THE FORM OF THE BID.

AFFIDAVIT FOR FILING WITH COMPETITIVE BID

STATE OF Georgia }
COUNTY OF Cherokee }

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

Thad Owings, Vice President
Signature

Subscribed and sworn to before me, this 28th day of March, 2019.

(SEAL)

JOY HAMMONDS
NOTARY PUBLIC
MY COMMISSION EXPIRES JANUARY 07, 2021
CHEROKEE COUNTY, GEORGIA

Notary Public Signature
My Commission Expires: Jan. 7, 2021

CITY OF LAS VEGAS
BID FORM

BID ITEM (S): Solid Waste Tipping Fees for Municipal Solid Waste (MSW) Per Ton
**PLEASE SEE NOTE ON PAGE 5 OF RFB*

A.	Residential Waste	$ $27.40
B.	Commercial Waste	$ $27.40
C.	Construction & Demolition	$ $27.40
D.	Tires	$ $250.00 per ton
E.	Other Fees/Costs	$
F.	Bulky - Non Compact-able Waste	$ $250.00 per ton
G.	Batteries	$ $2.00 each
H.	White Goods -Refrigerator	$ $40.00 each
I.	White Goods - General	$ $4.00 each
J.	Direct Burial Fee	$ $20.00
K.	Recycle Fee - Motor Oil	$ $5.00 per gallon
L.	Loader Charge	$ $50.00 minimum
M.	Tires - Up to 16 Inches	$ $3.50 per tire
N.	Tires - Truck Tires	$ $5.00 per tire
O.	Tires - Tractor Tires	$ $10.00 per tire
P.		$
Q.		$
R.		$
S.		$

*GGH Wagon Mound, LLC is interested in discussing a longer term contract which could produce an alternate pricing structure.

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.

Ted Cunningham 3-28-19

Signature Date

Vice President, GG 14 Wagon Mound LLC

Title (Position)

BIDDER INFORMATION

BIDDER: Waste Management of New Mexico, Inc.

AUTHORIZED AGENT: Greg Wermes

ADDRESS: 402 INDUSTRIAL PARK N.E. LOOP, RIO RANCHO, NM 87124

TELEPHONE NUMBER (489) 340-8124 (mark Anderson) 505-473-0982

FAX NUMBER (866) 601-8153 / 480-457-4897 (mark Anderson) FAX (NM 505-438-3801)

DELIVERY: N/A

STATE PURCHASING RESIDENT CERTIFICATION NO.: L 0573120304

NEW MEXICO CONTRACTORS LICENSE NO.: 01-799015007

BID ITEM (S): **SOLID WASTE TIPPING FEES FOR MUNICIPAL SOLID WASTE (MSW) PER TON**

ITEM (S) UNDER THIS BID ARE TO BE F.O.B. LAS VEGAS, NEW MEXICO 87701. THE CITY OF LAS VEGAS RESERVES THE RIGHT REJECT ANY OR ALL BIDS AND TO WAIVE ANY TECHINCAL IRREGULARITY IN THE FORM OF THE BID.

AFFIDAVIT FOR FILING WITH COMPETITIVE BID

STATE OF Arizona }
COUNTY OF Maricopa }

I Greg Wermes, of lawful age, being of first duly sworn in oath, say that I am the agent authorized by the bidder to submit the attached bid. Affiant further states that the bidder has not been a party to any collusion among bidders in restraint of freedom of competition by agreement to bid at a fixed price or to refrain from bidding; or with any city official or employee as to the terms of said prospective contract, or any other terms of said prospective contract; or in any discussion between bidders 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 27th day of March, 2019.

(SEAL)

Jennifer Haggard
Notary Public Signature
My Commission Expires: February 25, 2021

JENNIFER L. HAGGARD
Notary Public - State of Arizona
MARICOPA COUNTY
My Commission Expires Feb. 25, 2021

02

Copy

CITY OF LAS VEGAS
BID FORM

BID ITEM (S): Solid Waste Tipping Fees for Municipal Solid Waste (MSW) Per Ton
**PLEASE SEE NOTE ON PAGE 5 OF RFB*

A.	Residential Waste	$25.34/ton + NM GROSS RECEIPTS
B.	Commercial Waste	$25.34/ton + NM GROSS RECEIPTS
C.	Construction & Demolition	$25.34/ton + NM GROSS RECEIPTS
D.	Tires	$260.00/ton + NM GROSS RECEIPTS
E.	Other Fees/Costs	$
F.	ANNUAL PI = CPI - Water, Sewer, Trash	$
G.	Current NM GROSS RECEIPTS = 7.6875%	$
H.		$
I.		$
J.		$
K.		$
L.		$
M.		$
N.		$
O.		$
P.		$
Q.		$
R.		$
S.		$

STATE OF NEW MEXICO

TAXATION AND REVENUE DEPARTMENT

RESIDENT BUSINESS CERTIFICATE

Issued to: **WASTE MANAGEMENT OF NM**

DBA: **WASTE MANAGEMENT OF NM**
402 INDUSTRIAL PARK LOOP NE
RIO RANCHO, NM 87124-1412

Expires: **30-Jul-2021**

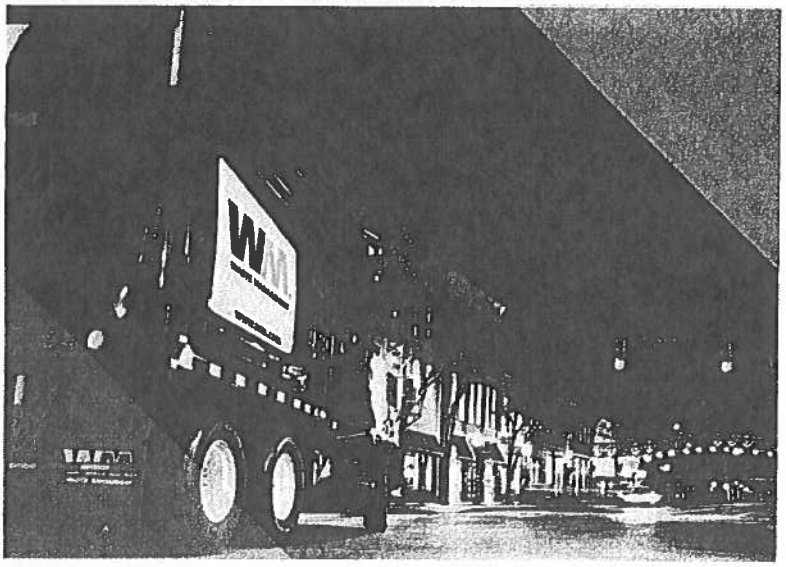
Certificate Number:

L0573120304

John Monforte, *Acting Cabinet Secretary*

THIS CERTIFICATE IS NOT TRANSFERABLE

CITY OF LAS VEGAS, NEW MEXICO



Solid Waste Tipping Fees for Municipal Solid Waste (MSW) Per Ton

April 3, 2019

Submitted by
Waste Management of New Mexico, Inc.
402 Industrial Park N.E. Loop
Rio Rancho, NM 87124

Mark Anderson, Sr. Third Party Industrial Account Manager
(480) 340-8124, MAnder28@wm.com

WASTE MANAGEMENT

Waste Management of New Mexico, Inc.
402 Industrial Park N.E. Loop
Rio Rancho, NM 87124

April 3, 2019

City of Las Vegas
Attn: City Clerk
1700 N. Grand Ave.
Las Vegas, NM 87701

Dear City Clerk:

Waste Management of New Mexico, Inc. is pleased to submit a response for Solid Waste Tipping Fees for Municipal Solid Waste (MSW) Per Ton. Waste Management of New Mexico, Inc., uses the Rio Rancho Landfill, located at 1132 33rd Street, Rio Rancho, NM 87144 for disposal of solid waste. Stephen "Steve" Miceli is the district manager of disposal for the Rio Rancho Landfill. Mark Anderson is your primary contact person and has the ability to negotiate contracts on behalf of Waste Management. Mark can be contacted by phone at 480) 340-8124, or by email at MAnder28@wm.com.

Steve is supported by several Waste Management team members. Rodney Walter is the landfill engineer and Douglas Diemer is the Director of Post Collection Operations. Both team members work with Steve to provide superior service to our customers.

Waste Management will comply with all governing conditions of the procurement stated in RFP for Solid Waste Tipping Fees for Municipal Solid Waste (MSW) Per Ton.

Waste Management proposes this response to RFP Solid Waste Tipping Fees for Municipal Solid Waste (MSW) Per Ton, and verifies that MSW Landfill Disposal will be valid for sixty (60) days after the deadline for submission of proposals.

Sincerely,

Mark Anderson, Sr. Third Party Industrial Account Manager

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SECTION 1 | CAPABILITIES STATEMENT

Local Service Capabilities

Waste Management is a proven superior solid waste provider from our Rio Rancho Landfill to the surrounding area for over 45 years. We are well-positioned to provide the services and operations required by the City. Our local office, located in Rio Rancho, offers operational, management, financial, and reserve resources, as well as outstanding past performance, regulatory compliance history, safety records, and other applicable qualifications specific to the requirements of this solicitation. Waste Management of New Mexico, Inc. was incorporated on February 15, 1974 in New Mexico. City of Las Vegas will utilize our solid waste landfill located at:

Rio Rancho Landfill
402 Industrial Park N.E. Loop
Rio Rancho, NM 87124

Waste Management - Who We Are and What We Do

When most of us think about Waste Management, we often think of our drivers, our big green trucks, and our waste and recycling bins. That is a big part of who we are, but we are much more than that. As society's concept of how to most effectively manage waste is evolving, Waste Management understands this and is ready to help the City of Las Vegas find innovative solutions to maximize your recycling and reduce your waste and environmental impact.

Waste Management is the leading provider of comprehensive waste management services in North America. Through our subsidiaries, we provide collection, transfer, recycling, and resource recovery, and disposal services. We are a leading developer, operator, and owner of landfill gas-to-energy facilities in the United States. Our mission is to maximize resource value while minimizing environmental impact to improve economic and environmental sustainability for our stakeholders.

With headquarters in Houston, Texas, our 42,300 employees provide environmental services and solutions to customers throughout North America each day. With our extensive network of facilities, in 2017 we processed more than 15.3 million tons of recyclables and produced enough energy to power nearly 1.59 million homes while meeting the unique collection needs of 21 million customers. In total, our facilities include:

4 landfill gas-to-fuel facilities that convert landfill gas to Renewable Natural Gas (RNG) used to fuel our collection fleet

96 recycling processing centers, including 43 single stream recycling facilities that sort and prepare recyclables for end markets

4 CORe® processing facilities that process source separated organics into a slurry that is delivered to wastewater treatment facilities to increase energy production

43 organics processing facilities that transform food scraps and yard debris into nutrient-rich compost, fuel, and green electricity	**390** collection operations that serve as local home-bases for our collection drivers and vehicles	**310** transfer stations that allow us to efficiently consolidate and transport the material we collect
127 landfill gas-to-energy (LFGTE) projects that capture methane and convert it to renewable energy	**243** active solid waste landfills for the proper disposal of residential, commercial, and industrial waste	**5** hazardous waste sites that allow for the safe disposal of materials such as paint, fluorescent bulbs, and used automotive fluids

Financial Strength

The Foundation for Our Commitment to the City of Las Vegas

As a wholly-owned, indirect subsidiary of Waste Management, Inc., Waste Management of New Mexico, Inc. does not report financial results. All financial reporting occurs through our parent entity. As a publicly traded company, Waste Management is held to the most stringent regulations for accurate and timely financial disclosure. Key statements from Waste Management's 2017 annual report are provided below. Full financial results are available on our website at http://www.investors.wm.com/financial-information/annual-reports.

Revenue in 2017 was $14.5 billion, and Waste Management has an asset base of nearly $22 billion. The company generates strong and consistent cash flow and has access to an extensive line of credit. Waste Management's financial strength is the foundation for our commitment to serve our customers, perform our obligations, and protect the environment in carrying out our broad waste management services.

Waste Management has achieved solid investment-grade credit ratings from three major rating agencies. Most recently, the company has been assigned ratings of A-/A-2 by Standard & Poor's, BBB+ by Fitch, and Baa1 by Moody's. The ratings are based on expectations that management will maintain good liquidity, pursue a moderate financial policy, and allocate capital in a disciplined manner. The credit outlook from each agency for Waste Management is characterized as stable.

SECTION 2 | QUALITY OF LANDFILL

Waste Management of New Mexico, Inc. (WMNM), Rio Rancho Landfill, is permitted by New Mexico Environment Department (NMED) to accept solid waste and special waste. Waste Management of New Mexico, Inc. has owned and operated this landfill since 1974.

Waste Management has the largest network of landfills in the solid waste industry. Waste Management currently operates 243 solid waste landfill disposal sites. We use state-of-the-art liners, leachate collection, ground water monitoring, gas control systems, and operational procedures to help protect the environment. Each site is carefully maintained, with a goal to meet or exceed federal, state, and local regulations.

Waste Management maintains a high standard for landfill design, construction, and operation. Our extensive compliance programs and industry experience enable Waste Management to provide an unmatched ability to reduce our customer's liabilities. Groundwater monitoring is also conducted on a regular basis at every facility and results are sent to proper regulatory agencies.

Waste Management's Landfill Operations

After recycling or diverting various materials for reuse, Waste Management safely manages the disposal of over 340,000 tons of New Mexico waste annually, including common municipal trash and highly specialized materials such as special wastes and industrial waste. On a national scale, Waste Management operates the largest network of landfills in our industry and works hard to minimize the impact of those facilities on neighbors and the environment.

Modern landfills are the products of sophisticated engineering, providing both secure containment systems for the disposal of waste and the opportunity to capture value through the conversion of waste to energy. Waste Management's modern landfills in the United States were developed under the federal Resource Conservation and Recovery Act (RCRA), which requires rigorous siting evaluation, site characterization and scientific engineering design, as well as a comprehensive permitting and regulatory approval process that includes public notification and comment. RCRA standards also require a range of measures to prevent environmental contamination, including the use of engineered liners and covers, collection and control systems for landfill gas, and collection and treatment systems for leachate (water that accumulates in and filters through waste).

Our modern sites are designed and operated to ensure that our landfills go beyond regulatory requirements. We continually monitor and work to improve the safety and environmental security of our disposal facilities, and are committed to reporting the results of these efforts. We strive to avoid conditions that cause concern for neighbors and communities, including odors and noise, regardless of whether those conditions are covered in our regulatory obligations. We also work with waste sector experts to understand what happens within landfills after they are closed. Studies have shown that modern municipal solid waste landfills tend to improve predictably over time, steadily producing less gas and less (and cleaner) leachate. Many of our landfills are designed and managed to ensure they can be used after closure for commerce, industry or even conversion into wildlife habitat or public parks.

Regulatory Compliance

Environmentally responsible business practices are an important component of a broader cultural commitment to ethical business practices. For the eleventh consecutive year, in 2017 Waste Management was named one of the world's most ethical companies by the Ethisphere Institute, a research-based organization advancing recognition of corporate social responsibility, business ethics, anti-corruption and sustainability best practices.

Environmental stewardship is the core of our business – our promise to customers, our competitive advantage and our obligation to the communities in which we operate. How we manage potential environmental impacts and opportunities is a critical element of being a sustainable enterprise. In a business as highly regulated as ours, protecting the environment, maintaining compliance and innovating to improve operations require unwavering focus, expertise, comprehensive systems and internal checks and balances. Our approach has evolved over decades, with a focus on integrating environmental functions into key management systems.

We have a long track record of both supporting high regulatory standards and striving to go beyond them. Our environmental management approach has led us to undertake the following actions:

Urge the U.S. Environmental Protection Agency (EPA) in 1991 to revise regulations implementing the Resource Conservation and Recovery Act's Subtitle D and to establish strong and prescriptive federal standards for managing municipal solid waste (MSW). We supported specific, rigorous, governmentally sanctioned and publicly reviewed standards to ensure environmental protection at all MSW landfills. Information on our environmental policies, as well as on our management team, practices and training, is available on our website, **www.wm.com**.

Innovate beyond compliance. As part of Waste Management's internal formal performance review, the results of regulatory inspections, internal audits, external audits, and regulatory compliance issues and their precursors are all tracked, managed and remedied as part of the company's continuous improvement process. Members of senior management, up to and including the Board of Directors, review performance, and management review has been made stronger by the inclusion of environmental matters in the company's monthly and quarterly business reviews. Environmental performance also remains a factor in determining employees' compensation.

Extend the company's commitment to continuous improvement in environmental performance to events that are not necessarily regulatory in nature but that nonetheless are public concerns, such as noise, litter and odors. Such events are tracked, managed and remedied on a real-time basis. We also employ best management practices and conduct routine training to eliminate the dissemination of dust from our facilities.

Test our internal systems to ensure their thoroughness and accuracy. We periodically conduct gap analyses of our Corporate Environmental Management System against the International Organization for Standardization (ISO) 14001 standards to ensure the sufficiency of our systems for landfills, transfer stations, hauling operations, waste-to-energy plants, hazardous waste treatment and disposal facilities and recycling facilities. These systems continue to be evaluated and supplemented as appropriate.

Certify all of our Waste Management Sustainability Services United States' operations projects (formerly Upstream), including projects at more than 100 customer-operated locations, plus our Canadian operations projects and our Canadian consulting services (formerly Green Squad), to the globally recognized ISO14001 and ISO 9001 standards.

Audit the rest of our operations through an independent environmental audit team that employs nationally recommended compliance audit practices approved by the American Standards for Testing and Materials (ASTM) and the Board of Environmental, Health and Safety certification standards for

professional auditors. Nearly all of Waste Management revenues come from operations subject to environmental management systems that are audited.

Test our facilities to assure stakeholders that our operations protect human health and the environment. Our environmental experts hold a number of patents on innovative monitoring and analysis technologies, and we often provide monitoring data to outside parties to evaluate how our systems are performing.

Details on our Environmental Management System can be found in our 2016 Sustainability Report, which can be accessed by the following link: **https://www.wm.com/sustainability/index.jsp**

Environmental Excellence

Waste Management provides services to more than 21 million customers across North America. But we do it one city, one neighborhood, one business and one home at a time. This makes us an integral part of every community where we operate.

We have a stake in helping to make our cities, towns and counties better places in which to work and live — not just for today, but for the future. It's a responsibility we take to heart. Our vision is to be a trusted and valued partner, working hand-in-hand with the communities where we operate. Our efforts focus on making these communities cleaner, safer and more vibrant.

The events and organizations that we support are as varied as the thousands of communities and individuals that we serve. We concentrate on initiatives that enhance our environment, promote education and improve the livability of our communities, priorities that tie directly to our company's four key sustainability targets for the year 2020: increasing recycling; producing renewable energy; reducing fleet emissions; and preserving wildlife habitat.

We have long been involved in environmental projects that preserve and protect healthy ecosystems, and we optimize our work with national organizations such as Keep America Beautiful and the Wildlife Habitat Council. These national programs allow us to have an impact at the local level at hundreds of sites across our operating areas. Our employees also work in partnership with community-based groups, including conservationists, universities and environmental organizations, to support healthy ecosystems.

All of these efforts are outlined in our 2016 Sustainability Report, which can be accessed by the following link: https://www.wm.com/sustainability/index.jsp

Regular or Special
CITY COUNCIL MEETING AGENDA REQUEST

DATE: May 3, 2019 **DEPT: Community Development** **MEETING DATE**: May 15, 2019

ITEM/TOPIC: Resolution 19-20 of the Governing Body authorizing the application submission of a New Mexico Community Development Block Grant Program to the Department of Finance and Administration and authorizing the Mayor of the City of Las Vegas as the authorized Chief Executive Officer and Authorized Representative to participate in the Community Development Block Grant (CDBG) program.

ACTION REQUESTED OF COUNCIL: Approval/Disapproval to: Approve Resolution 19-20 of the Governing Body authorizing the application submission of a New Mexico Community Development Block Grant Program to the Department of Finance and Administration and authorizing the Mayor of the City of Las Vegas as the authorized Chief Executive Officer and Authorized Representative to participate in the Community Development Block Grant (CDBG) program

BACKGROUND/RATIONALE: The City of Las Vegas is applying for the 2019 CDBG grant and has met all criteria year to date to include, threshold compliance, attending the application workshop, Low to Moderate Income (LMI) methodology approval, and LMI calculation to qualify for submission of the grant application.

The 2019 CDBG grant application will be for Street and Drainage improvements for Hot Springs Blvd. in between Mora Street and Bernalillo Street to provide adequate services to the residents of Las Vegas, NM and is requesting that the Governing Body approve submission of the grant application that is due on June 20, 2019..

STAFF RECOMMENDATION: Approve resolution 19-20 for the CDBG funding application.

COMMITTEE RECOMMENDATION: N/A

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 GURULÉ-GIRÓN
MAYOR

TANA VEGA
INTERIM FINANCE DIRECTOR
(PROCUREMENT)

ANN MARIE GALLEGOS
INTERIM CITY MANAGER

CITY ATTORNEY
(ALL CONTRACTS, ORDINANCES AND RESOLUTIONS MUST BE REVIEWED)

RESOLUTION NO. 19-20

A RESOLUTION OF THE COUNCIL OF CITY OF LAS VEGAS, NEW MEXICO, AUTHORIZING THE SUBMISSION OF A NEW MEXICO COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION/LOCAL GOVERNMENT DIVISION; AND AUTHORIZING THE MAYOR TO ACT AS THE CITY OF LAS VEGAS CHIEF EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY OF LAS VEGAS PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

WHEREAS, the need exists within the City of Las Vegas for neighborhood improvement projects in several low and moderate income neighborhoods, and the City of Las Vegas desires to apply to the Housing and Urban Development's Community Development Block Grant Program to obtain funding for neighborhood improvement projects; and

WHEREAS, the City has held (4) four public hearings for public input and comment on March 27, 2018 at 10:00 a.m. and 5:00 p.m. and March 28, 2018 at 10:00 a.m. and 5:00 p.m. prior to the 2019 application process and the public hearings have been authorized by DFA to be used in the 2019 application; and

WHEREAS, the Council finds that there is a significant need to undertake the 2019 CDBG Street and Drainage Improvements – Hot Springs Blvd. from Mora Street to Bernalillo Street to provide adequate services to the community; and

WHEREAS, the Council determines that the 2019 CDBG Street and Drainage Improvements – Hot Springs Blvd. from Mora Street to Bernalillo Street meets the requirements of the Community Development Block Grant Program.

NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LAS VEGAS, NEW MEXICO, that

1. The City of Las Vegas is hereby authorized to prepare and submit a Community Development Block Grant application to the New Mexico Department of Finance and Administration/Local Government Division (DFA) for the 2019 CDBG Street and Drainage Improvements – Hot Springs Blvd. from Mora Street to Bernalillo Street;

2. That the Council directs and designates the Mayor as the City of Las Vegas' Chief Executive Officer and Authorized Representative to act in all matters in connection with this application and the City of Las Vegas' participation in the New Mexico Community Development Block Grant Program;

3. The City of Las Vegas officials and staff are directed to do any and all acts necessary to carry out the intent of this Resolution;

4. That the full application amount the City is requesting will be for ($750,000.00) from DFA and the Phase I project cost of three phases is estimated at ($665,971.35);

5. That it further be stated, that the City of Las Vegas is committing a Match of 10% which is $75,000 to carry out the 2019 CDBG Street and Drainage Improvements – Hot Springs Blvd. from Mora Street to Bernalillo Street for this 2019 CDBG Street and Drainage Improvements – Hot Springs Blvd. from Mora Street to Bernalillo Street;.

PASSED, ADOPTED AND APPROVED this___day of_____, 2019.

_____
Signature, Chief Elected Official

_____
Applicant Entity (County or Municipality)

_____
Name (Typed or Printed)

_____
Title Date

SWORN TO AND SUBSCRIBED
Before me on this_____day
Of_____, 20____

Notary Public

_____

My commission expires

_____

Place Seal Here

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

Scott Wright, Bureau Chief
Community Development Bureau
Local Government Division
407 Galisteo Room 202
Santa Fe, NM 87501

RE: Threshold Compliance

Dear Scott,

Thank you for the opportunity to apply for Community Development Block Grant (CDBG) funding. The City of Las Vegas on March 4, 2019 received a letter advising us that our 2018 Annual Audit was completed and ready to be released and taken to the Governing Body for approval through Resolution.

Therefore, in order to meet the criteria for the Open Meetings Act, we are presenting the 2018 Audit for adoption through resolution on March 20, 2019 which is our regular scheduled Council meeting. We will then send the signed Resolution by our presiding officer Mayor Tonita Gurulé Girón on the next day to DFA.

We appreciate your consideration in this matter to meet our Threshold Compliance for our proposed CDBG project and we are requesting a waiver. The Audit will be in good standing and we are confident that it will be adopted by the Governing Body.

If there are any questions or concerns, please call me at 505-454-1401 ext. 1002. Thank you.

Sincerely,

Ann Marie Gallegos,
Interim City Manager

Cc: Tonita Gurulé Girón, Mayor

David Ulibarri
Councilor Ward 1

Vince Howell
Councilor Ward 2

Barbara Perea-Casey
Councilor Ward 3

David G. Romero
Councilor Ward 4

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

Scott Wright, Bureau Chief
Community Development Bureau
Local Government Division
Department of Finance and Administration
Bataan Memorial Building, Suite 201
Santa Fe, NM 87501

Re: Request for Reuse and approval of the Low and Moderate Income (LMI) Methodology and Survey
City of Las Vegas 2019 CDBG Application
Street and Drainage Improvements - Hot Springs Blvd.
from Mora Street to Bernalillo Street

Dear Mr. Wright,

The City of Las Vegas received approval from the Department of Finance Administration (DFA), Local Government Division (LGD) on April 6, 2018 and May 8, 2018 for the LMI methodology and survey for the above referenced project (letters attached).

At this time the City is requesting approval to reuse the previously approved survey methodology and LMI Survey data for the same proposed Street and Drainage Improvements (Hot Springs Blvd. from Mora Street to Bernalillo Street) within the City of Las Vegas.

The LMI survey included 51 responses covering 55 households which met the required sample size. The project will potentially benefit 79.18% low- and moderate-income residents.

Thank you for your time and assistance on this project. We look forward to hearing from you on your approval of the reuse of the previously approved LMI data. If you have any questions or concerns regarding this request please do not hesitate to me a call at (505) 454-1401 ext 1606.

Sincerely,

Ann M. Gallegos

Ann Marie Gallegos,
Interim City Manager

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

Scott Wright, Bureau Chief
CDB/Local Government Division
Department of Finance and Administration

Re: Request for Reuse and approval of the Low and Moderate Income (LMI) Methodology and Survey
City of Las Vegas 2019 CDBG Application
Street and Drainage Improvements - Hot Springs Blvd.
from Mora Street to Bernalillo Street

Enclosed:
- Letter dated May 9, 2018 approval for LMI Survey
- LMI worksheet
- Tabulation worksheet
- Income survey certification
- Surveys
- Master Listing (Revised)
- Aerial Map (Revised)

Cc: Donna Stewart, Community Development Bureau

MICHELLE LUJAN GRISHAM
GOVERNOR

DONNIE J. QUINTANA
DIRECTOR

OLIVIA PADILLA JACKSON
CABINET SECRETARY

STATE OF NEW MEXICO
DEPARTMENT OF FINANCE AND ADMINISTRATION
LOCAL GOVERNMENT DIVISION
Bataan Memorial Building ♦ 407 Galisteo St. ♦ Suite 202 ♦ Santa Fe, NM 87501
PHONE (505) 827-4950 ♦ FAX (505) 827-4948

March 22, 2019

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

Attn: Ms. Ann Marie Gallegos

RE: Threshold waiver

Dear Ms. Gallegos:

Your request of March 8, 2019 for a threshold waiver for the 2019 CDBG application process is approved.

Thank you for your interest in CDBG and we look forward to receiving your application.

Sincerely,

Donna Stewart
Project Manager

Cc: Scott Wright, Community Development Bureau Chief

MICHELLE LUJAN GRISHAM
GOVERNOR

DONNIE J. QUINTANA
DIRECTOR

OLIVIA PADILLA JACKSON
CABINET SECRETARY

STATE OF NEW MEXICO
DEPARTMENT OF FINANCE AND ADMINISTRATION
LOCAL GOVERNMENT DIVISION
Bataan Memorial Building ♦ 407 Galisteo St. ♦ Suite 202 ♦ Santa Fe, NM 87501
PHONE (505) 827-4950 ♦ FAX (505) 827-4948

March 22, 2019

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

Attn: Ms. Ann Marie Gallegos

RE: Approval to reuse survey from 2018

Dear Ms. Gallegos:

Your request of March 8, 2019 to reuse your survey from your 2018 CDBG application is approved. Please include all the documentation of this 55 household survey (including copies of our methodology and survey approval letters) in your 2019 application for the Hot Springs Street and Drainage project.

Good luck with your CDBG application.

Sincerely,

Donna Stewart
Project Manager

Cc: Scott Wright, Community Development Bureau Chief

Regular Session

CITY COUNCIL MEETING AGENDA REQUEST

DATE: 5/10/19 **DEPT: Public Works** **MEETING DATE: 5/15/19**

DISCUSSION ITEM/TOPIC: Approval of Resolution No. 19-25 assuring available funds for NMDOT call for projects. Total project cost = $4,122,505.42, 5% City match = $206,125.27.

ACTION REQUESTED OF COUNCIL: Approval/Disapproval of Resolution No. 19-25.

BACKGROUND/RATIONALE: as per NMDOT submittal criteria for call for projects, it is required that a Resolution of support from our Local Governing Body be attached to application. In complying with this criteria staff is requesting that this Resolution be approved for the plan, design, construction, construction management, reconstruction, pavement rehabilitation, drainage improvements and miscellaneous construction to Legion Drive from Grand Avenue to 7th Street. National Avenue from 12th Street down Bridge Street, around Plaza Park, to include Camino De La Escuelas, South Gonzales and South Pacific Street to end at Moreno Street, and Hot Springs Blvd. and North Gonzales to end Valencia St.

STAFF RECOMMENDATION: Approval of Resolution No. 19-25

COMMITTEE RECOMMENDATION: N/A

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 GURULÉ-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, ORDINANCES AND RESOLUTIONS MUST BE REVIEWED)

Revised 1/3/18

New Mexico DEPARTMENT OF TRANSPORTATION

April 30, 2019

RE: Call for Projects

Metropolitan and Regional Transportation Planning Organizations:

The New Mexico Department of Transportation (NMDOT) is pleased to announce its call for projects. Local and tribal governments in New Mexico are eligible to apply for state funded grants. Eligible projects are in the following categories: (1) environmental and other studies; (2) planning; (3) design; (4) construction; and (5) acquisition of rights of way necessary for the development of transportation infrastructure, which includes highways, streets, roadways, bridges, crossing structures and parking facilities, including all areas for vehicular use for travel, ingress, egress and parking.

For qualified projects, funding will be available via a disbursement program that will pay for up to between 75% and 95% of the project costs and will require up to a 5% to 25% match from the grantee.[1] Grantees may provide more than 5% to 25% of the total project cost. If the grantee anticipates funding any part of the project with federal funds at any point in the project, the project must comply with all federal requirements. The grant funds awarded must be spent by January 2024. The State Transportation Commission (STC) selects the project.

NMDOT must provide a list of potential projects to the STC by August 1, 2019. In order to meet this deadline and streamline this process, the NMDOT will work directly with the Metropolitan Planning Organizations (MPOs) and Regional Transportation Planning Organizations (RTPOs) to create the list of potential projects and application packages. The NMDOT is also encouraging the MPOs and RTPOs to use their existing lists of prioritized projects to help determine regional priorities. For MPOs, this list is the current prioritized project list created as part of your Transportation Improvement Program (TIP) development. For RTPOs, this list is your current Regional Transportation Improvement Program Recommendations (RTIPR). Using these lists will ensure that there is a higher degree of project readiness because the projects are already determined to be feasible by the NMDOT District, and these projects are determined to be a regional priority and have likely received approval by the policy board/committee of the MPO or RTPO.

Although the NMDOT is requesting that MPOs/RTPOs use their existing prioritized project lists, MPOs/RTPOs are encouraged to reach out to potential grantees with projects not currently on the TIP or RTIPR.

[1] Most potential grantees may apply for hardship if they are unable to pay the required match. During the call for projects, potential grantees must indicate in their cover letter if they intend to apply for hardship. If the NMDOT selects a potential grantee for funding, the potential grantee will go through the hardship application process at that time. The Department of Finance and Administration (DFA) conducts the hardship determination process using the same process as used for the Local Government Road Fund. Tribal governments are not eligible to apply for a hardship.

Michelle Lujan Grisham
Governor

Michael R. Sandoval
Cabinet Secretary

Commissioners

Jennifer Sandoval
Commissioner
District 1

Bruce Ellis
Commissioner
District 2

Keith Mortensen
Commissioner
District 3

Walter G. Adams
Commissioner
District 4

Vacant
Commissioner
District 5

Charles Lundstrom
Commissioner
District 6

If potential grantees would like to apply for available funds, they must prepare/update and submit the following documents (application package) to the appropriate MPO/RTPO:

1. Cover letter including: (1) brief overview of project; (2) whether the potential grantee intends to apply for hardship (match waiver); (3) the timeframe in which the potential grantee is prepared to spend the grant funds, if received (project readiness); and (4) whether the project falls into category (a) or (b):
    a) Project is located on or within locally-owned right-of-way and the project does not include federal funds; or
    b) Project is located within or on NMDOT owned right-of-way or is an NHS route and/or may include federal funds;
2. Project must fall into one or more of the following categories, including: (1) environmental and other studies; (2) planning; (3) design; (4) construction; and (5) acquisition of rights of way necessary for the development of transportation infrastructure, which includes highways, streets, roadways, bridges, crossing structures and parking facilities, including all areas for vehicular use for travel, ingress, egress and parking;
3. Project Feasibility Form (PFF) signed by District representative (MPOs that conduct a different process for determining feasibility do not need to include a signed PFF); if the project does not have a signed PFF but is in an RTPO area or an MPO area that uses PFFs, then the potential grantee must work with the District on the PFF at the application update meeting (see below);
4. Project Prospectus Form (PPF);
5. Resolution of Sponsorship from their governing body, indicating the availability of the 5% match. Alternatively, the potential grantee may submit an official letter signed by the potential grantee's chief executive or official with budget authority, indicating the availability of the 5% match;
6. Map of project location; and
7. (If applicable) Letters of support from entities that own the project right-of-way, if the applying potential grantee does not own all of the project right-of-way. This includes getting a letter from the NMDOT District if the project is partially or fully within NMDOT right-of-way.

The PFF and PPF are available on the NMDOT local government webpage: http://dot.state.nm.us/content/nmdot/en/POD_Pubs.html.

Once the MPO/RTPO has the PPFs (and PFFs as necessary), they and the potential grantees must meet with the appropriate NMDOT District to review the projects. This meeting is an opportunity to (re)review the feasibility of the application and update the project costs estimates. Once the NMDOT District (re)reviews the PFFs and PPFs, and the potential grantees update the PPFs accordingly, the MPO/RTPO must submit the updated application packages in PDF form to NMDOT's FTP site by June 14, 2019. The MPO/RTPO planner also must upload the list of prioritized projects or RTIPR to NMDOT's FTP site. Directions for uploading documents to the FTP site are forthcoming.

While each MPO/RTPO may create their own timeline to provide the final applications to NMDOT by June 14, 2019, below is example timeline that MPOs/RTPOs may elect to use:

- Upon receipt of this letter:
  - MPO/RTPO staff reviews current prioritized projects list or current RTIPR and reaches out to potential grantees with projects to inform them of the call for projects and ask them to: (1) update or complete the PPF (and PFF if not previously obtained); (2) get a resolution or letter of sponsorship; and (3) and get letters of support for ROW (if applicable);
  - MPO/RTPO staff schedule meeting with potential grantees and appropriate NMDOT District, to take place between May 27 and June 7.
- May 24, 2019: Updated/completed PPFs (and PFFs if not previously obtained) due to MPO/RTPO Planner; MPO/RTPO Planner distributes to NMDOT District for review prior to meeting.
- May 27-June 7, 2019: MPO/RTPO, potential grantees, NMDOT District and NMDOT Planning Liaison meet to go over applications and update as necessary. This may be one group meeting per MPO/RTPO, rather than individual meetings.
- From date of the meeting through June 12, 2019: potential grantees may make additional updates (if necessary) to application materials, and send their complete and final application packages to MPO/RTPO.
- June 14, 2019: MPO/RTPO transmit final application packages to NMDOT via FTP site (directions forthcoming).

Thank you for your assistance in awarding the available funds. NMDOT appreciates the responsiveness of the MPOs and RTPOs during this process, in order to ensure that it awards the available funds to projects that meet regional priorities that are processed and vetted through MPO and RTPO planning processes.

If you have any questions regarding this program, please contact Clarissa Martinez in the NMDOT Project Oversight Division at (505) 699-9946 or clarissa.martinez@state.nm.us. For additional support and questions about the application process, please contact your NMDOT Gov't to Gov't Planning Liaison.

Sincerely,

Michael R. Sandoval
Cabinet Secretary

Copy via Email: Trent Doolittle, D1 District Engineer
Tim Parker, D2 District Engineer
Ken Murphy, D3 District Engineer
James Gallegos, D4 Acting District Engineer
Paul Brasher, D5 District Engineer
Larry Maynard, D6 District Engineer

David Trujillo, Special Projects Engineer
Ken Baca, General Counsel
Mallery Manzanares, Budget Director
Marcos Trujillo, Project Oversight Division Director
Tamara Haas, Asset Management & Planning Division Director
Rebecca Maes, STIP Coordinator
Jessica Griffin, Statewide Planning Bureau Chief
Clarissa Martinez, State Programs Coordinator
Jolene Herrera, STIP Staff Manager
Rosa Kozub, Gov't to Gov't Unit Supervisor

CITY OF LAS VEGAS
RESOLUTION NO. 19-25

A resolution declaring the eligibility and intent of the City of Las Vegas to submit an application to the New Mexico Department of Transportation (NMDOT) for Fiscal Year 2019/2020 Local Government Transportation Project Fund.

WHEREAS; the City of Las Vegas has the legal authority to apply for, receive and administer state funds; and

WHEREAS; the City of Las Vegas is submitting an application for Fiscal Year 2019/2020. New Mexico funds in the amount of $4,122,505.42 as set forth by State legislation; and

WHEREAS; the Legion Drive Rehabilitation project (from Grand Avenue to 7th Street) and the National Avenue/Bridge Street Rehabilitation project (from National Avenue from 12th Street down Bridge Street, around Plaza Park, to include Camino De La Escuelas, South Gonzales and South Pacific Street to end at Moreno Street, Hot Springs Blvd. and North Gonzales to end Valencia Street.) named in the Local Government Transportation Project Fund Application is an eligible project under New Mexico Local Government Transportation Project Fund requirements; and

WHEREAS; the City of Las Vegas acknowledges availability of the required local match of 5% for the State of New Mexico; and

WHEREAS; the City of Las Vegas agrees to maintain the project constructed with Local Government Transportation Project Fund for the usable life of the project;

NOW THEREFORE, BE IT RESOLVED; by the governing body of the City of Las Vegas, that:

1. The City of Las Vegas authorizes Mayor or City Manager to submit an application for Fiscal Year 2019/2020 New Mexico Local Government Transportation Project Fund funds in the amount $4,122,505.42 from the New Mexico Department of Transportation (NMDOT) on behalf of City of Las Vegas.
2. That the City of Las Vegas assures the NMDOT that if Local Government Transportation Project Fund is rewarded, sufficient funding for the local match are available. That the City of Las Vegas assures the NMDOT that if awarded Local Government Transportation Project Fund, sufficient funding for the operation and maintenance of the Local Government Transportation Fund project will be available for the life of the project.
3. That Mayor or City Manager is authorized to enter into a Cooperative Project Agreement with the NMDOT for the Local Government Transportation Project Fund project using these funds as set forth by state legislation on behalf of the citizens of the City of Las Vegas. Mayor or City Manager is also authorized to submit additional information as may be required and act as the official representative of the City of Las Vegas in this and subsequent related activities.

4. That the City of Las Vegas assures that the City of Las Vegas is willing and able to administer all activities with the proposed project.

PASSED, APPROVED, AND ADOPTED THIS_____DAY OF MAY, 2019.

CITY OF LAS VEGAS

ATTEST:

_____
Mayor

_____
Casandra Fresquez, City Clerk

National Ave./Bridge St. Rehabilitation (12th Street to S. Gonzales including Camino De La Escuelas), Plaza St. (Around Plaza) Estimated Construction Cost						
Item No.	**NMDOT Spec No.**	**Description**	**Unit**	**Estim. Quantity**	**Unit Price**	**Amount**
1	207000	12 inch Subgrade prep	SY	3630	$ 3.40	$ 12,342.00
3	303010	Base Course 6-inch	SY	3630	$ 10.00	$ 36,300.00
4		Geogrid textile	SY	3630	$ 5.00	$ 18,150.00
5	407000	Tack Coat Material	TON	5	$ 425.00	$ 2,125.00
6	408100	Prime Coat Material	TON	10	$ 450.00	$ 4,500.00
8	414130	Cold Milling 4 inch	SY	14490	$ 5.00	$ 72,450.00
10	423282	HMA SP-IV 4 inch (2x2-inch lifts)	SY	14490	$ 25.00	$ 362,250.00
11	570000	Curb and Gutter	LF	1140	$ 26.00	$ 29,640.00
12	601000	Removal of Structures and Obstructions	ALLOW	1	$ 25,000.00	$ 25,000.00
13	601110	Removal of Surfacing (concrete, turnouts, etc.)	SY	1000	$ 9.00	$ 9,000.00
14	603281	SWPPP Prep and Maintenance	LS	1	$ 3,000.00	$ 3,000.00
15	608000	4-inch Concrete Sidewalk	SY	1000	$ 46.00	$ 46,000.00
16	608240	Detectable Warning Surface	SF	220	$ 23.00	$ 5,060.00
17	617000	Video Taping	LS	1	$ 2,500.00	$ 2,500.00
18	618000	Traffic Control Management	LS	1	$ 45,000.00	$ 45,000.00
19	621000	Mobilization, Demobilization, Closeout	LS	1	$ 50,000.00	$ 50,000.00
20	623000	Drop Inlet	EA	4	$ 6,000.00	$ 24,000.00
21	701000	Panel Signs	SF	200	$ 30.00	$ 6,000.00
22	701100	Steel Post and Base Post for Aluminum Panel Sign	LF	400	$ 12.00	$ 4,800.00
23	704000	Retroreflectorized Markings 4" White	LF	4550	$ 0.50	$ 2,275.00
24	704000	Retroreflectorized Markings 4" Yellow	LF	9100	$ 0.50	$ 4,550.00
25	704763	Retroreflectorized Pavement Marking 24" Wide	LF	640	$ 7.00	$ 4,480.00
26	801000	Construction Staking by the Contractor	LS	1	$ 20,000.00	$ 20,000.00
27	802000	Post Construction Plans	LS	1	$ 2,000.00	$ 2,000.00
28		Laboratory Testing	ALLOW	1	$ 10,000.00	$ 10,000.00
29		Pre-Authorized Construction Changes	ALLOW	1	$ 25,000.00	$ 25,000.00

Utilty Replacements	$ 330,000.00
20% contingency	$ 231,284.40
Subtotal	$ 1,387,706.40
NMGRT (8.3958%)	$ 116,509.05
Total Construction Cost	**$ 1,504,215.45**

National Ave./Bridge St. Rehabilitation (12th Street to S. Gonzales including Camino De La Escuelas), Plaza St. (Around Plaza) Estimated Engineering Services Cost						
1		Topographic Survey				$ 15,000.00
2		Geotechnical Investigation				$ 5,000.00
3		Environmental Clearance				$ 10,000.00
4		Preliminary Design				$ 50,000.00
5		Final Design				$ 20,000.00
6		Bid and Award				$ 6,000.00
7		Construction Phase Services				$ 28,000.00
8		Construction Observation				$ 50,000.00

20% contingency	$ 36,800.00
Subtotal	$ 220,800.00
NMGRT (7.5%)	$ 16,560.00
Total Engineering Services Cost	**$ 237,360.00**
Total Project Cost	**$ 1,741,575.45**

Legion Drive Rehabilitation 7th Street to Grand Avenue Estimated Construction Cost						
Item No.	NMDOT Spec No.	Description	Unit	Estim. Quantity	Unit Price	Amount
1	207000	12 inch Subgrade prep	SY	3130	$ 3.40	$ 10,642.00
3	303010	Base Course 12-inch	SY	3130	$ 15.00	$ 46,950.00
4		Geogrid textile	SY	3130	$ 5.00	$ 15,650.00
5	407000	Tack Coat Material	TON	10	$ 425.00	$ 4,250.00
6	408100	Prime Coat Material	TON	15	$ 450.00	$ 6,750.00
8	414130	Cold Milling 4 inch	SY	31330	$ 5.00	$ 156,650.00
10	423282	HMA SP-IV 4 inch (2x2-inch lifts)	SY	31330	$ 25.00	$ 783,250.00
11	570000	Curb and Gutter	LF	1900	$ 26.00	$ 49,400.00
12	601000	Removal of Structures and Obstructions	LS	1	$ 10,000.00	$ 10,000.00
13	601110	Removal of Surfacing (concrete, turnouts, etc.)	SY	1000	$ 9.00	$ 9,000.00
14	603281	SWPPP Prep and Maintenance	LS	1	$ 2,500.00	$ 2,500.00
15	608000	4-inch Concrete Sidewalk	SY	750	$ 46.00	$ 34,500.00
16	608240	Detectable Warning Surface	SF	320	$ 23.00	$ 7,360.00
17	617000	Video Taping	LS	1	$ 1,500.00	$ 1,500.00
18	618000	Traffic Control Management	LS	1	$ 30,000.00	$ 30,000.00
19	621000	Mobilization, Demobilization, Closeout	LS	1	$ 60,000.00	$ 60,000.00
20	623000	Drop Inlet	EA	4	$ 6,000.00	$ 24,000.00
21	701000	Panel Signs	SF	150	$ 30.00	$ 4,500.00
22	701100	Steel Post and Base Post for Aluminum Panel Sign	LF	300	$ 12.00	$ 3,600.00
23	704000	Retroreflectorized Markings 4" White	LF	12126	$ 0.50	$ 6,063.00
24	704000	Retroreflectorized Markings 4" Yellow	LF	12126	$ 0.50	$ 6,063.00
25	704763	Retroreflectorized Pavement Marking 24" Wide	LF	640	$ 7.00	$ 4,480.00
26	801000	Construction Staking by the Contractor	LS	1	$ 15,000.00	$ 15,000.00
27	802000	Post Construction Plans	LS	1	$ 1,500.00	$ 1,500.00
28		Laboratory Testing	ALLOW	1	$ 10,000.00	$ 10,000.00
29		Pre-Authorized Construction Changes	ALLOW	1	$ 15,000.00	$ 15,000.00

Utilty Replacements	$ 400,000.00
15% contingency	$ 257,791.20
Subtotal	$ 1,976,399.20
NMGRT (8.3958%)	$ 165,934.52
Total Construction Cost	**$ 2,142,333.72**

Legion Drive Estimated Engineering Services Cost						
1		Topographic Survey				$ 15,000.00
2		Geotechnical Investigation				$ 5,000.00
3		Preliminary Design				$ 60,000.00
4		Final Design				$ 25,000.00
5		Bid and Award				$ 6,000.00
6		Construction Phase Services				$ 30,000.00
7		Construction Observation				$ 52,000.00

15% contingency	$ 28,950.00
Subtotal	$ 221,950.00
NMGRT (7.5%)	$ 16,646.25
Total Engineering Services Cost	**$ 238,596.25**
Total Project Cost	**$ 2,380,929.97**

Regular or Special

CITY COUNCIL MEETING AGENDA REQUEST

DATE: 5/1/2019 **DEPT:** Community Development **MEETING DATE:** 5/15/2019

ITEM/TOPIC: Resolution No. 19-16. Abatement of nuisances located at 1221 San Francisco St.

ACTION REQUESTED OF COUNCIL: Approval or disapproval for the abatement of 1221 San Francisco St.

BACKGROUND/RATIONALE: Property noted above has several nuisances on the property. The property owner is deceased and the property has not been cleaned or maintained. Request to grant abatement.

STAFF RECOMMENDATION: Consideration 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
RESOLUTION NO. 19-16

A RESOLUTION DECLARING 1221 San Francisco St. WHICH IS OWNED AND CONTROLLED BY Adelina & Alice Crespin C/O Raymond Sanchez TO BE DANGEROUS, COVERED WITH RUINS, RUBBISH, WRECKAGE AND DEBRIS AND A NUISANCE REQUIRING ABATEMENT

WHEREAS, pursuant to Section 3-18-5, NMSA, 1978, whenever any building or structure is ruined, or any premise is covered with ruins, rubbish wreckage or debris, the governing body of a municipality may by resolution find that the ruined, damaged and dilapidated building, structure or premises is a menace to the public comfort, health, peace or safety and require the removal from the municipality the building, structure, ruins, rubbish, wreckage or debris; and

WHEREAS, the Las Vegas City Council has received evidence from the Police Department/ Enforcement Service Specialist as to the condition of a parcel of land described herein, which are owned, occupied or controlled by Adelina & Alice Crespin whose address is 1221 San Francisco St. according to the records at the San Miguel County Assessor's Office and described in said records as Lopez Sulzbacher and Rosenwald add Lot 2-5 Block 12.

WHEREAS, the property is a public nuisance and the premises are a menace to the public comfort, health, peace or safety of the community and is in violation of City of Las Vegas Ordinance 301-6 Sections, Littering(A), Unsanitary Premises(B), Hazardous Premises(C) and Accumulation of Solid Waste(D). Items on the premises and visible from the public right of way in violations of City ordinances include but are not limited to excessive papers,weeds, trees, dead branches, wood, pallets, boards, vehicle parts, cinder blocks, chicken wire and other debris.

WHEREAS, the City has attempted to notify the legal property owner, Adelina & Alice Crespin via certified mail, and postings of the violations requiring abatement.

WHEREAS, proper notices personally served upon the property included: a Red Tag Notice on 1/30/2019; a Notice of Pending Abatement on March 21st,2019 In the face of these notices, the owner has allowed the nuisances to remain and has done no work within 30 days to correct the violations.

NOW, THEREFORE, the City Council, the governing body of the City of Las Vegas, New Mexico does hereby resolve:

A. That the above described parcel of land is a nuisance pursuant to Section 3-18-5, NMSA, 1978, is a menace to the public comfort, health, peace or safety and requires abatement as follows: All Wreckage, Rubbish and Debris creating a nuisance to the surrounding neighbors since 7/25/2018 (the date the above inventory was taken) must be removed and properly disposed of and the premises must be left in a clean, level and safe condition.

B. The City shall serve a copy of this resolution on the owner, occupant or agent, including Adelina & Alice Crespin in charge of the premises as shown by the records of the County Clerk. If the owner occupant or agent in charge of the building, structure or premises cannot be served within the municipality, a copy of the resolution shall be posted on the building, structure or premises and a copy of the resolution shall be published one time.

C. Thereafter, and within ten (10) days after receipt of a copy of this resolution or of the posting and publishing of a copy of the resolution, the owner occupant or agent, in charge of the building, structure or premises shall commence removing the ruins, rubbish, wreckage and debris or file a written objection with the Municipal Clerk asking for a hearing before the governing body of the City of Las Vegas. .

D. That if a written objection is filed, the Governing Body shall follow the provisions as set forth of 3-18-5 D. NMSA 1978; fix a date for a hearing in its resolution and objection; consider all evidence for and against the removal resolution at the hearing; and determine if its resolution should be enforced or rescinded.

E. Any person aggrieved by the determination of the governing body may appeal to the district court by: giving notice of appeal to the governing body within 5 days after the determination made by the governing body; filing a petition in the district court within twenty days after the determination made by the governing body. The district court shall hear the matter de novo and enter judgment in accordance with its findings.

F. If the owner occupant or agent in charge of the building, structure or premises fails to commence removing the ruins, rubbish wreckage and debris as provided under NMSA 3-18-5 F, the municipality may remove ruins, rubbish wreckage and debris at the cost and expense of the owner. The reasonable cost of removal shall constitute a lien against the building, structure, ruins, rubbish wreckage and debris so removed and against the lots or parcels of land from which it was removed. The lien shall be foreclosed in the manner provided in sections 3-36-1 through 3-36-6 NMSA 1978.

F. The municipality may pay for the costs of removal of any condemned building, structure, wreckage, rubbish or debris by granting to the person removing such materials, the legal title to all salvageable materials in lieu of all other compensation.

H. Any person or firm removing any condemned building, structure, wreckage, rubbish or debris shall leave the premises from which the material has been removed in a clean, level and safe condition, suitable for further occupancy or construction and with all excavations filled.

PASSED, APPROVED AND ADOPTED THIS _____DAY OF_____2019

Tonita Gurulé-Girón, Mayor

ATTEST:

Casandra Fresquez, City Clerk

REVIEWED AND APPROVED BY:

Esther Garduño-Montoya, City Attorney

CITY OF LAS VEGAS

RED TAG

FIRST NOTICE OF CODE VIOLATION

Name: Adelina & Alice Crespin
Address: 1221 San Francisco Avenue
City, State, Zip: Las Vegas NM 87701

You, the owner, occupant or agent of property located at 1221 San Francisco Ave, Las Vegas, New Mexico or legally described as Lopez Sulzbacher and Rosenwald Add Lot 2-5 Block12 was inspected on **January 29, 2019** and has been determined to be a public nuisance per §301-5 based on the following:

- ✓ Littering §301-6 A- Trash and solid waste from the property noted above is blowing on city streets and is creating a menace to the public and obstructing traffic.

- ✓ Unsanitary Premises §301-6 B- The accumulation of solid waste, weeds, and overgrowth of trees on the property is creating a menace to the public welfare and comfort. This shall be cleaned and the property maintained.

- ✓ Hazardous Premises §301-6 C- The conditions noted above are supplying a breeding and feeding grounds for insects and vermin. This is creating a menace to the public health, and safety.

- ✓ Accumulation of Solid Waste §301-6 D- The solid waste throughout the property must be cleaned and disposed of properly.

[ ] Solid Waste Receptacles §301-6 E
[ ] Polluting Water §301-6 F
[ ] Outdoor Vehicle Storage §301-6 G

[ ] Dangerous/Unsafe Buildings or Structures §301-6 H

Correction of the above violation(s) must be done by **February 14, 2019.** Your immediate cooperation is greatly appreciated. Should you have any questions, you may contact Code Enforcement at 505-426-4119.

Sincerely,

Code Enforcement Officer

1-30-2019
Date

CITY OF LAS VEGAS

RED TAG

FIRST NOTICE OF CODE VIOLATION

Name: Adelina & Alice Crespin OR C/O Raymond Sanchez
Address: 1221 San Francisco Avenue
City, State, Zip: Las Vegas NM 87701

You, the owner, occupant or agent of property located at 1221 San Francisco Ave, Las Vegas, New Mexico or legally described as Lopez Sulzbacher and Rosenwald Add Lot 2-5 Block12 was inspected on **March 12th, 2018** and has been determined to be a public nuisance per §301-5 based on the following:

- ✓ Littering §301-6 A- Trash and solid waste from the property noted above is blowing on city streets and is creating a menace to the public and obstructing traffic.
- ✓ Unsanitary Premises §301-6 B- The accumulation of solid waste, weeds, and overgrowth of trees on the property is creating a menace to the public welfare and comfort. This shall be cleaned and the property maintained.
- ✓ Hazardous Premises §301-6 C- The conditions noted above are supplying a breeding and feeding grounds for insects and vermin. This is creating a menace to the public health, and safety.
- ✓ Accumulation of Solid Waste §301-6 D- The solid waste throughout the property must be cleaned and disposed of properly.

[ ] Solid Waste Receptacles §301-6 E
[ ] Polluting Water §301-6 F
[ ] Outdoor Vehicle Storage §301-6 G
[ ] Dangerous/Unsafe Buildings or Structures §301-6 H

Correction of the above violation(s) must be done by **March 29th, 2018.** Your immediate cooperation is greatly appreciated. Should you have any questions, you may contact Code Enforcement at 505-426-4119.

Sincerely,

Code Enforcement Officer

3-14-2019
Date

PRIVATE
PROPERTY

CITY OF LAS VEGAS

RED TAG

SECOND NOTICE OF CODE VIOLATION

& NOTICE OF PENDING PROSECUTION AND/OR ABATEMENT

Name: Adelina & Alice Crespin OR C/O Raymond Sanchez
Address: 1221 San Francisco Avenue
City, State, Zip: Las Vegas NM 87701

You, the owner, occupant or agent of property located at 1221 San Francisco Ave, Las Vegas, New Mexico or legally described Lopez Sulzbacher and Rosenwald Add Lot 2-5 Block12 have been previously informed of a violation(s) at this location and asked to come into compliance. The property was RE- INSPECTED on March 21st, 2019 and has been found to continue to be a public nuisance per §301-5 based on the following:

- ✓ Littering §301-6 A- Trash and solid waste from the property noted above is blowing on city streets and is creating a menace to the public and obstructing traffic.
- ✓ Unsanitary Premises §301-6 B- The accumulation of solid waste, weeds, and overgrowth of trees on the property is creating a menace to the public welfare and comfort. This shall be cleaned and the property maintained.
- ✓ Hazardous Premises §301-6 C- The conditions noted above are supplying a breeding and feeding grounds for insects and vermin. This is creating a menace to the public health, and safety.
- ✓ Accumulation of Solid Waste §301-6 D- The solid waste throughout the property must be cleaned and disposed of properly.

[ ] Solid Waste Receptacles §301-6 E
[ ] Polluting Water §301-6 F
[ ] Outdoor Vehicle Storage §301-6 G
[ ] Dangerous/Unsafe Buildings or Structures §301-6 H
[ ] Dangerous/Unsafe Buildings or Structures §301-6 H
Other:

The property will be re-inspected on April 4th,2019. If the violation(s) upon the property are not corrected, please consider this formal notice that the City will either initiate prosecution as provided by law or commence abatement of the nuisance as provided under §301 9 and file a lien on the property per §301-10. Your immediate cooperation will avert further action by the City. Should you have any questions, you may contact Code Enforcement at 505-426-4119.

Sincerely,

Code Enforcement Officer

3-21-2019
Date

PRIVATE
PROPERTY

1700 N. Grand Ave.
Las Vegas NM 87701

CERTIFIED MAIL®

7015 0640 0002 1460 0259

Hasler FIRST CLASS MAIL
01/30/2019
US POSTAGE $006.80

ZIP 87701
011D11649417

Adelina & Alice Crespin
1221 San Franc... Ave
Las Vegas NM

Ready for abatement

MIXIE 871 CE 1 2202/08/19

RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD

9400921755038450 ANK BC: 87701473100 *0768-07839-31-40

87701-9402821

1700 N. Grand Ave
Las Vegas NM 87701

CERTIFIED MAIL™

7011 3500 0002 4177 2101

Hasler
03/21/2019
US POSTAGE $006.80

ZIP 87701
011D11649417

Raymond Sanchez
HC 70 Box
Pecos NM

NIXIE 871 DE 1 0003/28/19
RETURN TO SENDER
INSUFFICIENT ADDRESS
UNABLE TO FORWARD

9326090130118918

87701473100 *0268-05335-21-42

87701>4731
8755289613 H074

1700 N. Grand Ave
Las Vegas NM 87701

CERTIFIED MAIL

7011 3500 0002 4177 2088

Hasler FIRST-CLASS MAIL
03/14/2019
US POSTAGE $006.80

ZIP 87701
011D11649417

Raymond Sanchez
HC 70 Box 9
Pecos NM 87
IA
87552-9613337

NIXIE 571 CE 1 2205/20/19
RETURN TO SENDER
INSUFFICIENT ADDRESS
UNABLE TO FORWARD
BC: 87701473100 *0768-05843-15-41

Regular or Special

CITY COUNCIL MEETING AGENDA REQUEST

DATE: 5/3/2019 **DEPT:** Community Development **MEETING DATE:** 5/15/2019

ITEM/TOPIC: Resolution No. 19-24. MOU for the New Mexico True FY20 Grant.

ACTION REQUESTED OF COUNCIL: Approval or disapproval to enter into an MOU with Las Vegas First Independent Alliance for the City to fund and maintain the FY20 grant.

BACKGROUND/RATIONALE: The City of Las Vegas officials and staff, per MOU, will provide the funding match, creative assets, design work and submission of all creative work due as scheduled.

STAFF RECOMMENDATION: Consideration 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
CITY COUNCIL
RESOLUTION NO. 19-24

A RESOLUTION OF THE COUNCIL OF LAS VEGAS, NEW MEXICO, AUTHORIZING THE CITY TO ENTER INTO AN MOU WITH LAS VEGAS FIRST BUSINESS ALLIANCE FOR THE MATCH FUNDING, CREATIVE WORK AND MAINTENANCE OF THE NEW MEXICO TRUE FY20 CO-OP GRANT.

WHEREAS, the City of Las Vegas and Las Vegas First Independent Business Alliance will enter into an MOU; and

WHEREAS, the City will provide creative and submission of creative work to ensure deadlines are met in a timely manner; and

WHEREAS, Las Vegas First Independent Alliance will file the FY2020 application; and

WHEREAS, the City will provide the funding match for the FY2020 grant.

NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LAS VEGAS, NEW MEXICO that

1. Las Vegas First Independent Alliance is hereby authorized to prepare and submit an application to New Mexico True for the marketing FY2020 Co-op Grant;

2. The City of Las Vegas and Las Vegas First Independent Alliance is hereby authorized to enter into an MOU;

3. The City of Las Vegas officials and staff, per MOU, will provide the funding match, creative assets, design work and submission of all creative work due as scheduled;

4. That the full application amount requested will be for ($120,000) from New Mexico State Tourism FY2020 Grant;

5. That it further be stated, that the City of Las Vegas is committing a Match of 50% which is $60,000 to carry out the 2020 marketing of Las Vegas and the events.

PASSED, APPROVED AND ADOPTED THIS _____DAY OF _____, 2019.

_____
Tonita Gurulé-Girón, Mayor

ATTEST:

_____
Casandra Fresquez, City Clerk

REVIEWED AND APPROVED BY:

_____
Esther Garduño-Montoya, City Attorney

Proposed Budget

Expenses

First Half	$40,459
Second Half	$19,541

FY2020 Grant

City Match	$60,000
NM Tourisn	$60,000

Print

	Actual
Totals	*$23,946*
Photography Shoot	$1,762
ABQ Magazine Advet.	$1,366
ABQ Magazine 3x	$3,864
NM True Adventure	$7,596
NM Magazine Advet.	$4,140
TX Monthly	$5,218

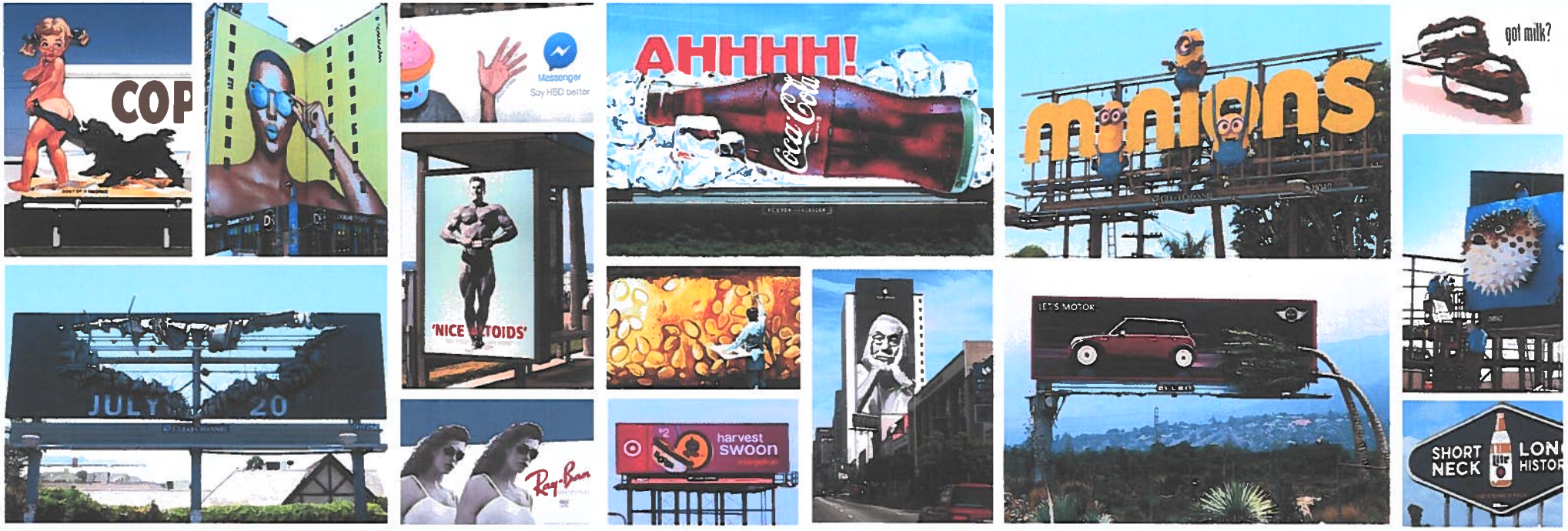
Digital

	Actual
Totals	*$16,513*
Pandora	$6,613
ABQ Airport	$3,718
Video 2-day	$6,182

FLEX

	Actual
Totals	*$19,541*
Billboards	$19,541

GET SEEN. BE LOVED.



Clear Channel Outdoor

LAS VEGAS, NM – NM TOURISM MMP CO-OP

FY19 CAMPAIGN RECAP

Table of Contents:

1. Campaign Overview
2. I-25 Billboard Campaign
3. Digital Poster Campaign
4. Mobile Advertising Campaign
5. Bonus
6. Summary

Campaign Overview:

The New Mexico Tourism Department – MMP Co-Op FY19- Las Vegas, NM

7/8/18—7/28/19

Traditional Billboards:

- Two 12'x40" Billboards on I-25 between Albuquerque and Santa Fe.
- Each board had different copy promoting various events in Las Vegas, NM

Digital Billboards:

- Ten 12'x24' Digital Billboards located through the Albuquerque Metro and Rio Rancho.
- Ran at various times in four week segments throughout the year to promote events in Las Vegas

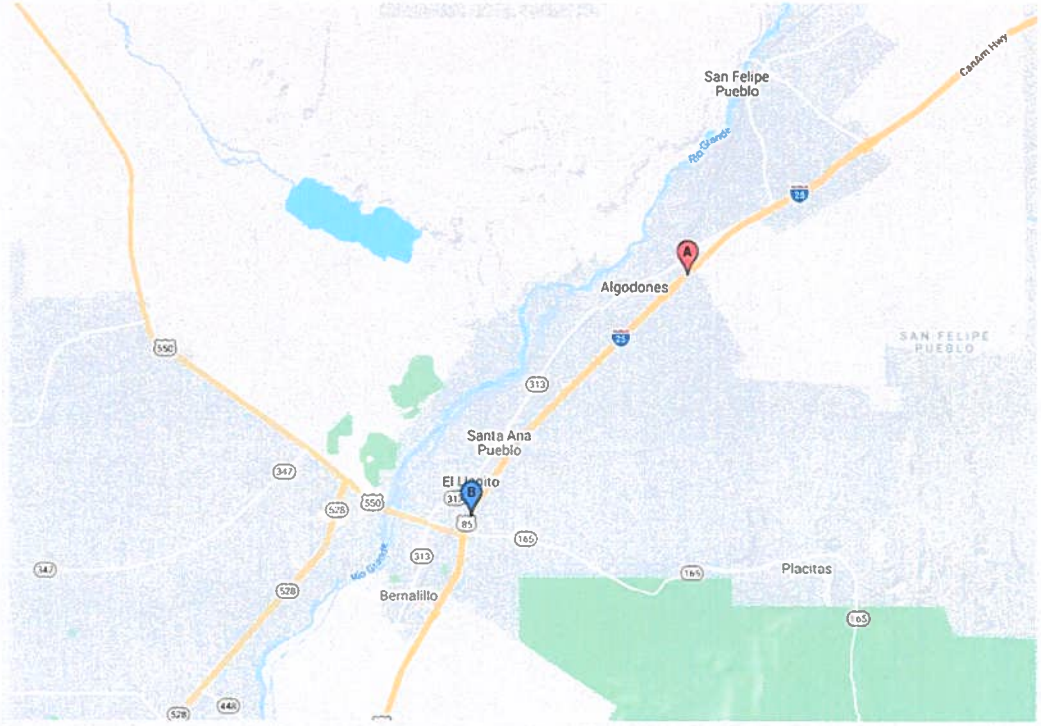
Mobile Connect:

- Used Mobile phone advertising to target people attending Balloon Fiesta in Albuquerque. Target areas also included Rio Rancho, Bernalillo and Santa Fe. (10/17/18—11/3/18).

Bonus Digital Campaign:

- Clear Channel Outdoor promised a minimum of 5 Digital Posters at no additional charge from 8/21/18 to 9/24/18 to help promote "Castaneda Under the Stars".

Interstate 25 Bulletins: #36132 and #36152



These two 12'x40' Bulletins are located on Interstate 25 between Albuquerque and Santa Fe

A

ALGODONES 87001
PanelID: 036132
Panel Description: I-25 ES 0 25mi N/O Algodones F/S - 1
Hours Illuminated: 18
HeightxWidth: 12x40
Total A18+ Wkly Impressions : 132,028
Panel Facing: S
Read: Right

B

PLACITAS 87043
PanelID: 036152
Panel Description: I-25 ES 0 25mi N/O Hwy 550 F/S - 1
Hours Illuminated: 18
HeightxWidth: 12x40
Total A18+ Wkly Impressions : 126,528
Panel Facing: S
Read: Right

Proof of Posting Photos #36132

"Fiestas"
5/8/18—7/5/18
Delivered 976,790 impressions

"Heritage Week"
7/6/18--8/12/18
Delivered 620,244 impressions

Proof of Posting Photos #36132

"NM Painters Exhibition"
8/13/18--9/16/18.
Delivered 620,244 impressions

"Dia De Los Muertos"
9/17/18—10/28/18
Delivered 744,293 impressions

Proof of Posting Photos #36132

"Holiday Home Tour"
10/29/18—12/2/18
Delivered 620,244 impressions

"Winter In Las Vegas"
12/3/18—3/20/19
Delivered1,860731 impressions

Still to be Installed on #36132 for FY 19:

- "Riverwalk": 3/21/19—5/5/19 (744293 impressions)
- "Spring in Las Vegas": 5/6/19—6/6/19 (496,195 impression
- "Fiestas": 6/7/19—7/7/19 (496,195 impressions)

Proof of Posting Photos #36152

"Rough Rider Motorcycle Rally"
5/8/18—7/30/18
Delivered 1,404,153 impressions

"People's Faire"
7/30/18—8/26/18
Delivered 517,764 impressions

Proof of Posting Photos for #36152

"Art Bark"
8/27/18—11/4/18
Delivered 1,294,410 impressions

"Electric Light Parade"
11/5/18—12/2/18
Delivered 517, 764 impressions

Proof of Posting Photos #36152

"Polar Bear Plunge"
12/3/18—1/1/19
Delivered 517,764 impressions

"Winter In Las Vegas"
1/2/19—3/31/19
Delivered 1,294,410 impressions

Still to be Installed on #36152 for FY 19:

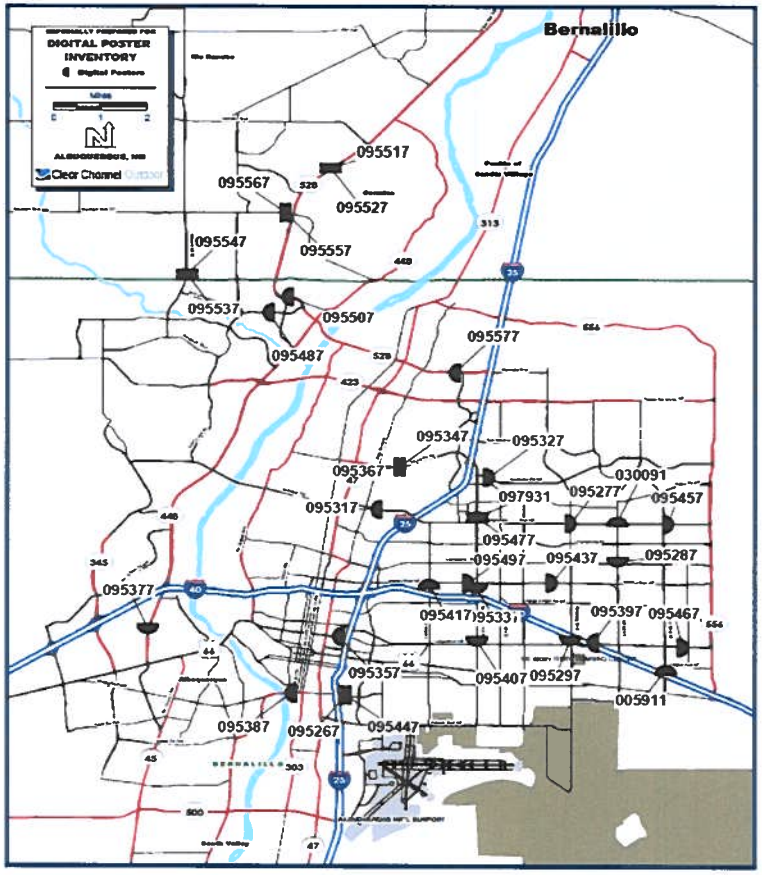
- "Spring in Las Vegas": 4/1/19—6/20/19 (1,423,851 impressions)
- "Rough Rider Rally" 6/21/19—7/28/19 (647,205 impressions)

Digital Poster Campaign

The FY 19 Campaign utilized a minimum of 10 digital slots, located throughout the Albuquerque Metro and Rio Rancho.

Each event was promoted in four weeks segments, and we moved your digital ads to different locations for each flight to gain maximum exposure.

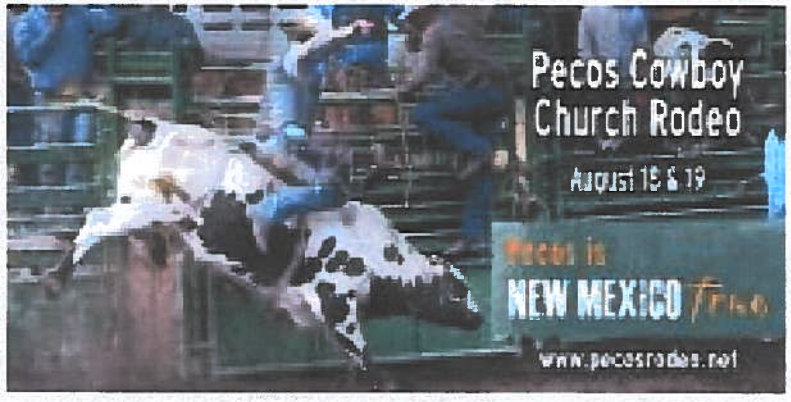
Clear Channel Outdoor has a total of 34 12'x24' Digital Posters displays throughout the Albuquerque Metro area and Rio Rancho (as shown on this map.)



Digital Poster Campaign

*Daily and Weekly Spots are averages Grand Totals	Daily Spots* Per Display	Weekly Spots* Per Display	Total Spots for This POP Period
Spots Delivered	1,567	10,969	391,866
Spots Guaranteed	1,250	8,750	312,500
Variance	317	2,219	79,366
Variance %	25.36 %	25.36 %	25.40 %

Impressions (18+) Display Name	Average Weekly Impressions	Average Total Impressions
ABQ 95307 Lead Ave SE	28,324	113,296
ABQ 95317 Montano NE	25,118	100,472
ABQ 95327 Academy NE	33,900	135,600
ABQ 95357 Lomas NE	37,651	150,604
ABQ 95367 Osuna NE	22,240	88,960
ABQ 95387 Bridge St SW	34,574	138,296
ABQ 5911 Juan Tabo	29,725	118,900
ABQ 95467 Lomas @ Juan Tabo	28,498	113,992
ABQ 95527 Rio Rancho Blvd. @ Sundt SF	31,379	125,516
ABQ 97931 San Mateo @ Montgomery NF	32,894	131,576
	Total:	1,217,212



*Daily and Weekly Spots are averages Grand Totals	Daily Spots* Per Display	Weekly Spots* Per Display	Total Spots for This POP Period
Spots Delivered	1,372	9,604	384,067
Spots Guaranteed	1,250	8,750	350,000
Variance	122	854	34,067
Variance %	9.76 %	9.76 %	9.73 %

Impressions (18+) Display Name	Average Weekly Impressions	Average Total Impressions
ABQ 95337 San Mateo NE	34,248	136,992
ABQ 95357 Lomas NE	37,651	150,604
ABQ 95437 Menaul NE	39,880	159,520
ABQ 5911 Juan Tabo	29,725	118,900
ABQ 95447 Avenida Cesar Chavez	34,515	138,060
ABQ 95507 Alameda Blvd. @ Cottonwood	71,037	284,148
ABQ 95537 Unser Blvd. @ Wellspring Ave. SF	40,893	163,572
ABQ 95547 Unser Blvd. @ Wellspring Ave. NF	31,137	124,548
ABQ 95557 Southern Blvd SE EF	21,313	85,252
ABQ 030091 Eubank @ Montgomery	74,627	298,508
	Total:	1,660,104

Digital Poster Campaign cont'd

*Daily and Weekly Spots are averages Grand Totals	Daily Spots* Per Display	Weekly Spots* Per Display	Total Spots for This POP Period
Spots Delivered	1,404	9,828	325,781
Spots Guaranteed	1,250	8,750	290,000
Variance	154	1,078	35,781
Variance %	12.32 %	12.32 %	12.34 %

Impressions (18+) Display Name	Average Weekly Impressions	Average Total Impressions
ABQ 95267 Avenida Cesar Chavez	27,293	109,172
ABQ 95287 Eubank NE	34,893	139,572
ABQ 95297 Wyoming NE	48,438	193,752
ABQ 95317 Montano NE	25,118	100,472
ABQ 95337 San Mateo NE	34,248	136,992
ABQ 5911 Juan Tabo	29,725	118,900
ABQ 95537 Unser Blvd. @ Wellspring Ave. SF	40,893	163,572
ABQ 95547 Unser Blvd. @ Wellspring Ave. NF	26,689	106,755
ABQ 95557 Southern Blvd SE EF	21,313	85,252
ABQ 95567 Southern Blvd SE WF	15,667	62,668
	Total:	1,217,107

*Daily and Weekly Spots are averages Grand Totals	Daily Spots* Per Display	Weekly Spots* Per Display	Total Spots for This POP Period
Spots Delivered	1,423	9,961	318,685
Spots Guaranteed	1,250	8,750	280,000
Variance	173	1,211	38,685
Variance %	13.84 %	13.84 %	13.82 %

Impressions (18+) Display Name	Average Weekly Impressions	Average Total Impressions
ABQ 95327 Academy NE	33,900	135,600
ABQ 95357 Lomas NE	37,651	150,604
ABQ 95367 Osuna NE	22,240	88,960
ABQ 95397 Lomas NE	22,275	89,100
ABQ 95407 San Mateo NE	57,244	228,976
ABQ 95417 Carlisle NE	38,833	155,332
ABQ 95527 Rio Rancho Blvd. @ Sundt SF	31,379	125,516
ABQ 030091 Eubank @ Montgomery	74,627	298,508
	Total:	1,272,596

Digital Poster Campaign Cont'd

*Daily and Weekly Spots are averages Grand Totals	Daily Spots* Per Display	Weekly Spots* Per Display	Total Spots for This POP Period
Spots Delivered	1,381	9,667	338,331
Spots Guaranteed	1,250	8,750	306,250
Variance	131	917	32,081
Variance %	10.48 %	10.48 %	10.48 %

Impressions (18+)		
Display Name	Average Weekly Impressions	Average Total Impressions
ABQ 95267 Avenida Cesar Chavez	27,293	109,172
ABQ 95297 Wyoming NE	48,438	193,752
ABQ 95307 Lead Ave SE	28,324	113,296
ABQ 95327 Academy NE	33,900	135,600
ABQ 95357 Lomas NE	37,651	150,604
ABQ 95377 Coors NW	55,743	222,972
ABQ 95417 Carlisle NE	38,833	155,332
ABQ 95507 Alameda Blvd. @ Cottonwood	71,037	284,148
ABQ 95527 Rio Rancho Blvd. @ Sundt SF	31,379	125,516
ABQ 95537 Unser Blvd. @ Wellspring Ave. SF	40,893	163,572
	Total:	1,653,964

*Daily and Weekly Spots are averages Grand Totals	Daily Spots* Per Display	Weekly Spots* Per Display	Total Spots for This POP Period
Spots Delivered	1,569	10,983	395,507
Spots Guaranteed	1,250	8,750	315,000
Variance	319	2,233	80,507
Variance %	25.52 %	25.52 %	25.56 %

Impressions (18+)		
Display Name	Average Weekly Impressions	Average Total Impressions
ABQ 95317 Montano NE	25,118	100,472
ABQ 95407 San Mateo NE	57,244	228,976
ABQ 95437 Menaul NE	39,880	159,520
ABQ 5911 Juan Tabo	29,725	118,900
ABQ 95447 Avenida Cesar Chavez	34,515	138,060
ABQ 95497 Menaul @ Quincy NE	44,885	179,540
ABQ 95537 Unser Blvd. @ Wellspring Ave. SF	40,893	163,572
ABQ 95547 Unser Blvd. @ Wellspring Ave. NF	31,137	124,548
ABQ 95557 Southern Blvd SE EF	21,313	85,252
	Total:	1,298,840

Digital Poster Campaign cont'd

There are still two Digital Poster Campaigns to run in 2019:

- Conchos Lake Walleye Tournament
- Pendaries Fields Golf Tournament

MOBILE ADVERTISING

Data Through: *10/17/2018 - 11/03/2018*

Advertiser: *New Mexico Tourism Department*

Campaign: *CCO: : New Mexico Tourism Depart. Mobile October 801740*

IO Start Date: *10/17/2018*

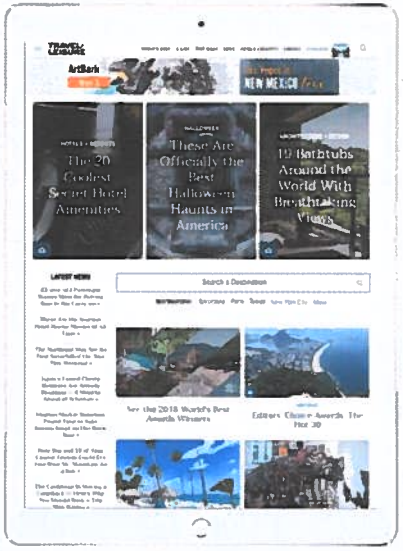
IO End Date: *11/3/2018*

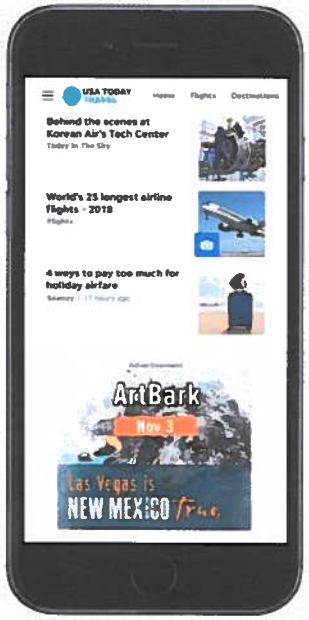
Key Data:	
Total Days:	17
Overall % Delivered:	100.07%
Overall Budget:	$ 2,500.00
$ Remaining:	*DELIVERED*

Insertion Order Summary							Delivery Summary			Budget Summary	
PLACEMENT NAME	TARGETING	LAUNCH DATE	END DATE	COST METHOD	RATE	GOAL	IMPRESSIONS	CLICKS	CTR%	BUDGET	BUDGET DELIVERED
320x50 Banner	Geofence select locations	10/17/18	11/3/18	CPM	$10.00	250,000	202,263	943	0.47%	$ 2,500.00	$ 2,022.63
300x50 Banner	Geofence select locations	10/17/18	11/3/18	CPM	$10.00		850	3	0.35%		$ 8.50
300x250 Banner	Geofence select locations	10/17/18	11/3/18	CPM	$10.00		23,007	82	0.36%		$ 230.07
728x90 Banner	Geofence select locations	10/17/18	11/3/18	CPM	$10.00		24,062	134	0.56%		$ 240.62
Totals							*250,182*	*1,162*	*0.46%*		

MOBILE ADVERTISING

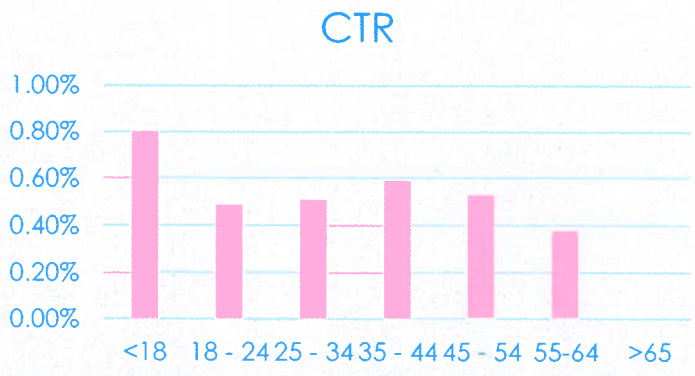
EXAMPLES



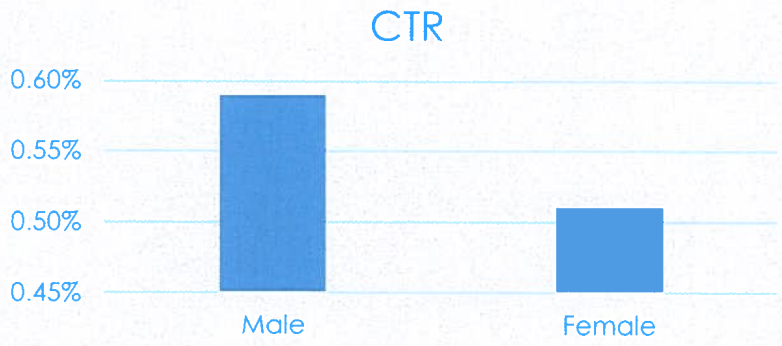


MOBILE ADVERTISING – INSIGHTS showing Click Through Rates (CTR)

Age	CTR
<18	0.80%
18 - 24	0.49%
25 - 34	0.51%
35 - 44	0.59%
45 - 54	0.53%
55-64	0.38%
>65	0.00%

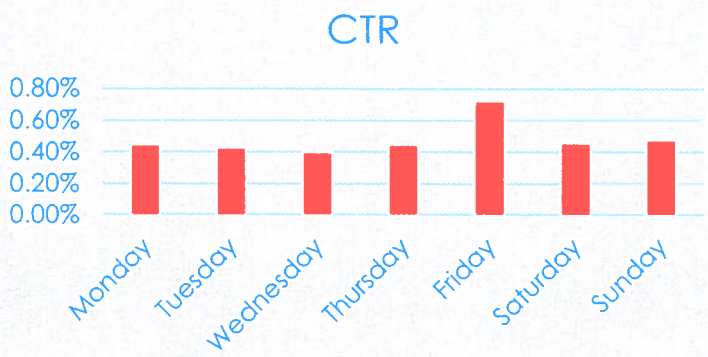


Gender	CTR
Male	0.59%
Female	0.51%

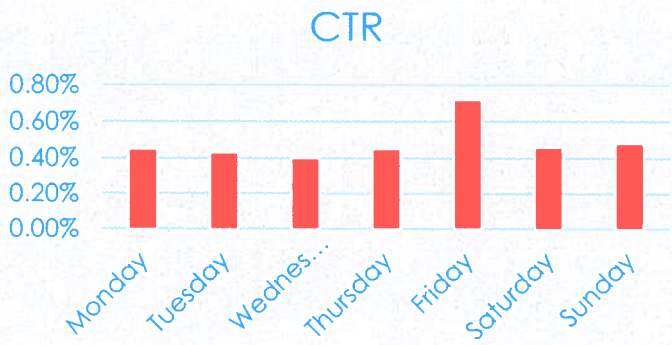


MOBILE ADVERTISING – INSIGHTS cont'd

Day of Week	CTR
Monday	0.44%
Tuesday	0.42%
Wednesday	0.39%
Thursday	0.44%
Friday	0.71%
Saturday	0.45%
Sunday	0.47%



Household Income	CTR
<$30,000	0.72%
$30k - $50k	0.44%
$50k - $75k	0.45%
$75 - $100k	0.44%
> $100k	0.87%



Bonus Digital Campaign:

*Daily and Weekly Spots are averages Grand Totals	Daily Spots* Per Display	Weekly Spots* Per Display	Total Spots for This POP Period
Spots Delivered	1,404	9,828	227,474
Spots Guaranteed	1,250	8,750	202,500
Variance	154	1,078	24,974
Variance %	12.32 %	12.32 %	12.33 %

Impressions (18+)		
Display Name	**Average Weekly Impressions**	**Average Total Impressions**
ABQ 95267 Avenida Cesar Chavez	27,293	136,465
ABQ 95287 Eubank NE	34,893	174,465
ABQ 95297 Wyoming NE	48,438	242,190
ABQ 95307 Lead Ave SE	28,324	141,620
ABQ 95367 Osuna NE	22,240	111,200
ABQ 95387 Bridge St SW	34,574	172,870
ABQ 95397 Lomas NE	22,275	111,375
ABQ 95417 Carlisle NE	38,833	194,165
	Total:	**1,284,350**

Provided at no charge to Las Vegas Main Street.
VALUED AT $23,860
Schedule ran from 8/21/18 – 9/24/18

Summary:

Clear Channel Outdoor is proud to partner with Las Vegas Main Street!

- The FY 19 schedule will deliver a total of 4,961,951 impressions to Adults 18+ on Panel # 36132.
- The FY 19 schedule will deliver a total of 4,660,869 impressions to Adults 18+ on Panel # 36152.
- To date, the FY 19 schedule has delivered a total of 8,379,823 impressions to Adults 18+ on various Digital Posters. (The remaining amount of Digital Posters for the FY 19 contract cannot be determined until the schedule is complete.)
- The Mobile Advertising program delivered a total of 250,182 impressions to Adults 18+.
- The Bonus Digital Campaign delivered 1,284,350 impressions to Adults 18+ and is valued at $23,860
- Contract total: $64,000.

GET SEEN. BE LOVED.

Clear Channel Outdoor

Contact Info:

Susan Richards
Account Executive
susanrichards@clearchannel.com
505-219-4728

CITY COUNCIL MEETING AGENDA REQUEST

DATE: 05/03/19 **DEPT: Community Development** **MEETING DATE: 05-15-19**

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

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)

Approved to form 1-26-15

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:	**May 15, 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

ADDENDUM TO ORIGINAL RECORD PROPER
CITY COUNCIL

17	Letter to City Manager and Tierra Encantada Farmers Market, advising of the date and time of the City Council meeting scheduled for Wednesday, May 15, 2019 - 2 pages
18	Copy of notice published in the Las Vegas Optic on April 28, 2019 regarding the public hearing scheduled for Wednesday, May 15, 2019 - 1 page

EXHIBIT # 1

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.

_____ **Date** _____
Signature of applicant

_____ **Date** 2/28/19
Signature of owner
(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

City of Las Vegas
1700 N. Grand Avenue | Las Vegas, NM 87701 | T 505.454.1401 | lasvegasnm.gov
Madam Mayor Tonita Gurulé-Girón

EXHIBIT # 2

February 28, 2019

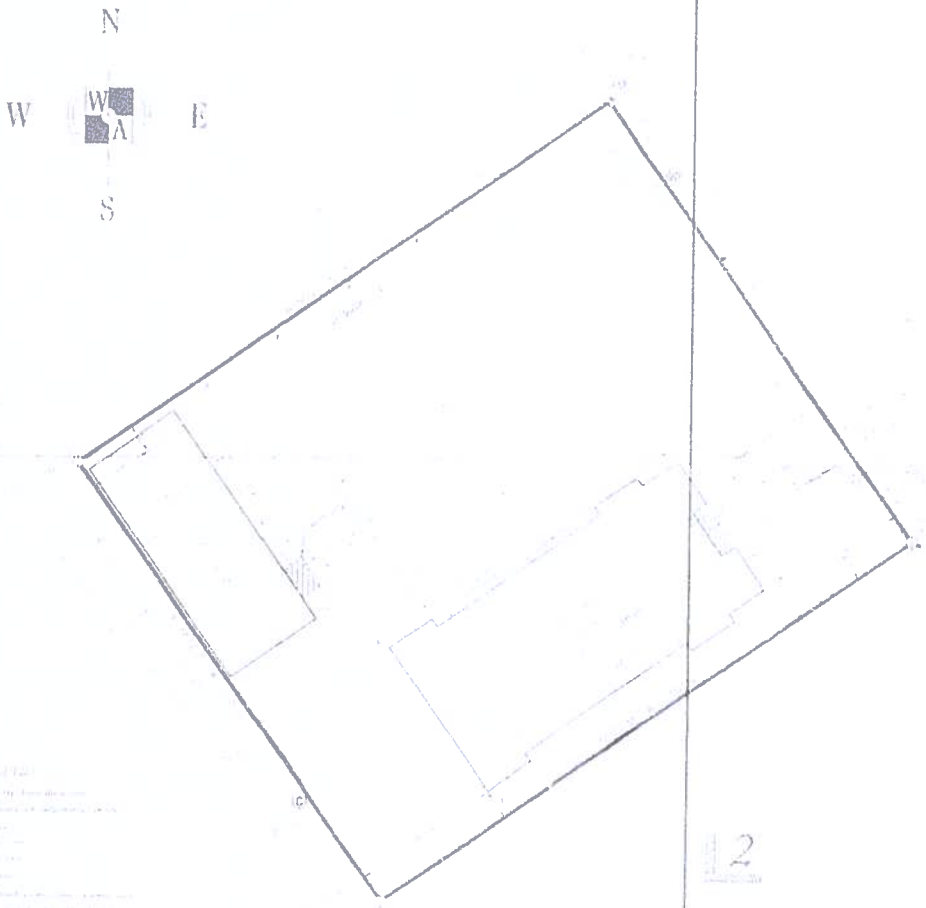
To whom it may concern:

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.



BOUNDARY SURVEY PLAT

CITY OF LAS VEGAS/
MOUTAINVIEW CHURCH OF CHRIST

WINSTON & ASSOCIATES, INC

04-077

EXHIBIT # 3

EXHIBIT # 4

QUITCLAIM DEED

The **City of Las Vegas Housing Authority** for consideration paid, grants to the **City of Las Vegas**, whose address is 1700 North Grand Avenue, Las Vegas, New Mexico 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

SUBJECT TO: Reservations, restrictions, easements of record

TOGETHER WITH: All rights appurtenant thereto

with warranty covenants.

WITNESS our hand(s) and seal(s) this 20th day of September, 2017

Tonita Gurule-Giron (Seal) _____ (Seal)
City of Las Vegas Housing Authority

by: Tonita Gurule-Giron
its: Mayor

ACKNOWLEDGEMENT

STATE OF NEW MEXICO }
} ss.
COUNTY OF SAN MIGUEL }

The foregoing instrument was acknowledged before me this 20th day of September 2017 by Tonita Gurule-Giron Mayor
(Name of Official) (Title of Official)

of the City of Las Vegas Housing Authority, 2400 Sagebrush Drive, Las Vegas, New Mexico 87701.

My Commission Expires: 01-10-19
(Seal)

_____
Notary Public

01-10-19

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

#4297 **EXHIBIT # 5**

Territorial Title Of Las Vegas, Inc.

New Mexico Statutory Form
Rev. 5-75

#4654

Escrow #00024185

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.

SAN MIGUEL
PAUL MAEZ
COUNTY CLERK
FILED FOR RECORD ON
DATE 7-9-04
TIME 2:11pm
239 WD PG 6448
M. Lucero

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

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

by: Ralph Ortiz
its: Trustee

COUNTY OF SAN MIGUEL
PAUL
COUN
FILED FO
DATE: 7-22-04
TIME 2:38
239 WD 6245
M. Sena

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 (Name Of Officer) Trustee (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)

Sherry A Romero
Notary Public

City of Las Vegas
1700 N. Grand Avenue | Las Vegas, NM 87701 | T 505.454.1401 | lasvegasnm.gov
Madam Mayor Tonita Gurulé-Girón

EXHIBIT # 6

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

EXHIBIT # 7

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.

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.

T16n, R16e, Section 22
1-094-093
SCALE: 1" = 100'
HOT SPRINGS BLVD.
MILLS AVENUE
HOT SPRINGS
SAN MIGUEL STREET
NEW MEXICO AVENUE
SUBJECT PROPERTY
166-181
191-243
73
12 164-226
176-244
119-232
123-227
131-225
135-220
123-214
72
116-204
3 139-204
2 131-215
1 126-195
122-193
146-205
13 175-205
14 198-207
3
15
9 161-191
6 157-174
10 172-172
2
7 160-166
8 163-160
11 177-165
181-160
166-155
1
4 138-168
5 146-151
145-146
116-147
120-142
189-151
174-144
175-160
193-144

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.

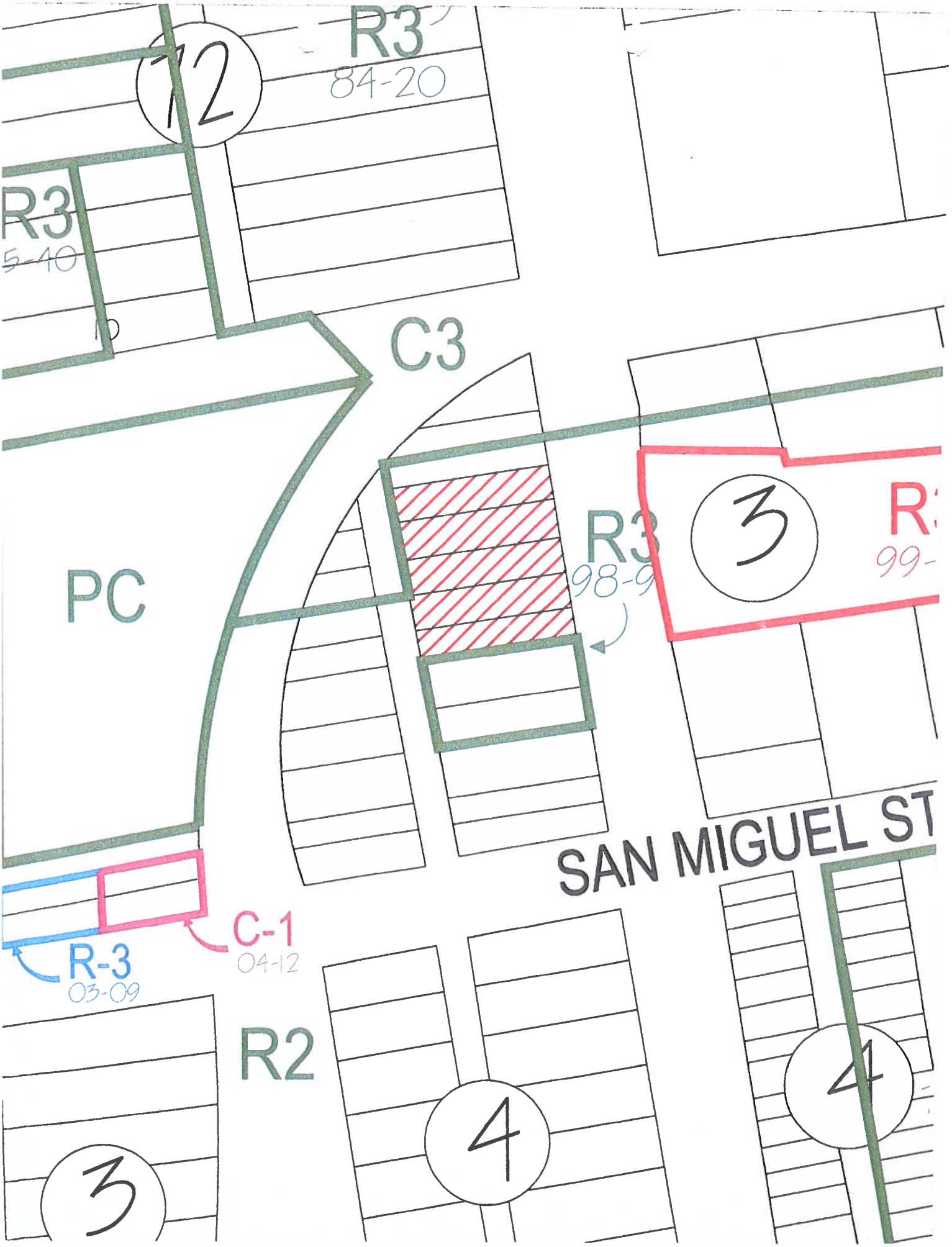
If you require further information, please contact Maria D. Perea, Planning & Zoning Coordinator at (505) 454-1401, ext. 1608.

CITY OF LAS VEGAS

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

'NOT TO SCALE'

N


R3
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04-12
R-3
03-09
R2
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4
4

NOTICE OF PUBLIC HEARING

APPLICANT: City of Las Vegas

ADDRESS: 1700 N. Grand Ave., LV, NM 87701

LOCATION OF PROPERTY: 2513 Hot Springs Blvd
Las Vegas, NM 87701

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 (Multi-family Residential Zone) to a C-1 (Neighborhood 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 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 - 03/09/19

EXHIBIT # 8

NOTICE OF PUBLIC HEARING
APPLICANT: City of Las Vegas
ADDRESS: 1700 N. Grand Ave., LV, NM 87701
LOCATION OF PROPERTY: 2513 Hot Springs Blvd
Las Vegas, NM 87701
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
(Multi-family Residential Zone) to a C-1 (Neighborhood Commercial Zone) to allow
Farmers Market to operate on property parking lot
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 - 03/08/19

EXHIBIT # 9

Area to be utilized by the Farmer's Market
Hot Springs Blvd
Google Earth

EXHIBIT # 10

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

EXHIBIT # 11

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, Wewer, 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

EXHIBIT # 12

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

JNB

STATE OF NEW MEXICO
COUNTY OF SAN MIGUEL
FOURTH JUDICIAL DISTRICT

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

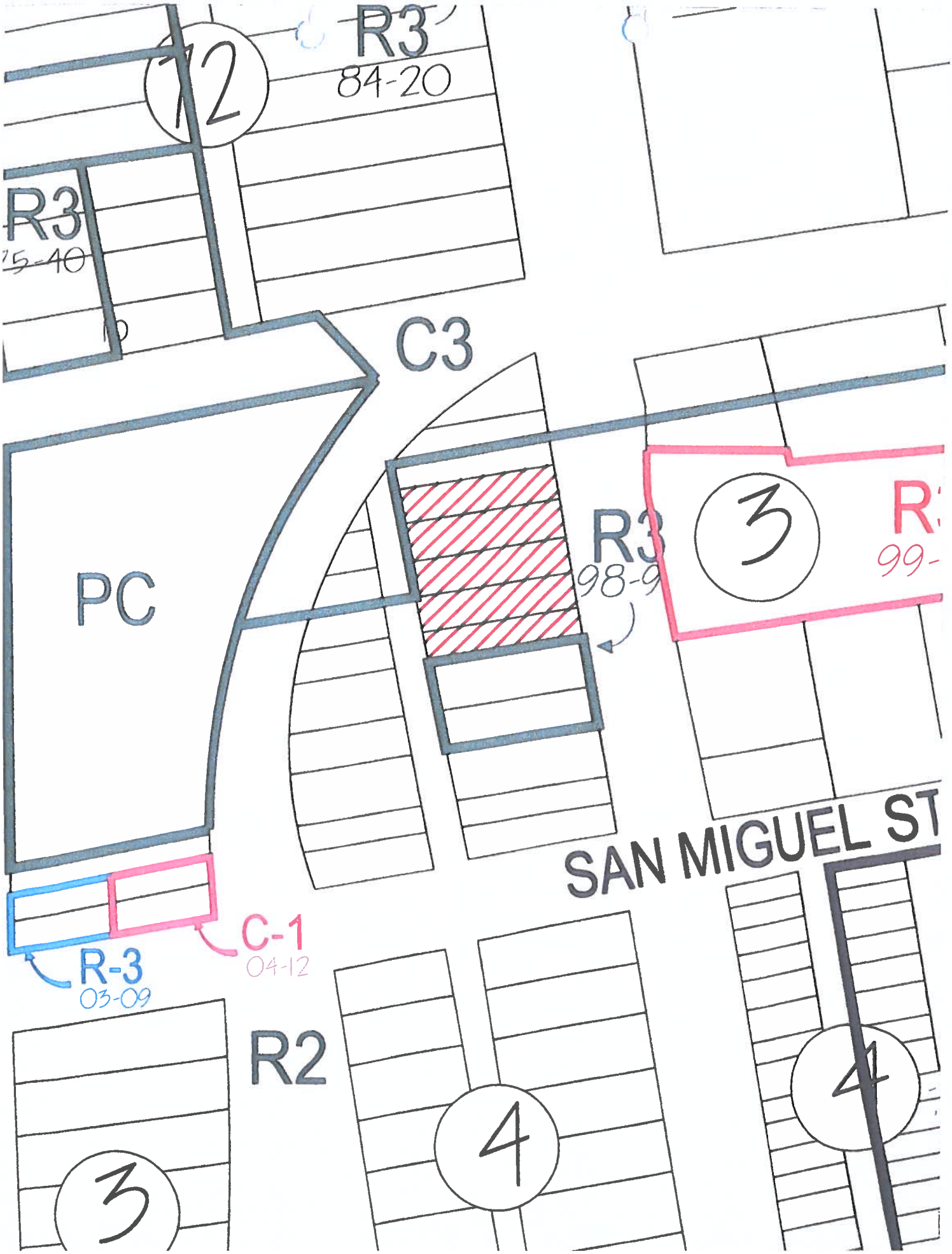
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EXHIBIT # 13

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

EXHIBIT # 14

CITY OF LAS VEGAS
PLANNING AND ZONING COMMISSION

FINDINGS OF FACT, CONCLUSIONS OF LAW AND RECOMMENDATION

On March 25, 2019, the Las Vegas Planning and Zoning Commission held a public hearing and 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 Commission received reports from staff, received testimony and evidence from the Applicant, and heard testimony offered by members of the Public. 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

Under the circumstances and given the evidence and testimony submitted during the hearing, 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

EXHIBIT #15

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 the 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 May __, 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:** Maria Perea

Documents to be reviewed: Ordinance # 19-02

Amount of Pages: 2 pgs

Upon Completion of review: Contact Maria, 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 of Las Vegas
1700 N. Grand Avenue | Las Vegas, NM 87701 | T 505.454.1401 | lasvegasnm.gov
Madam Mayor Tonita Gurulé-Girón

EXHIBIT # 17

April 30, 2019

Ms. Ann 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 City Council will conduct a public hearing on Wednesday, May 15, 2019 to consider the recommendation made by the Planning & Zoning Commission on March 25, 2019 approving the application for the rezoning of property located at 2513 Hot Springs Blvd., Las Vegas, NM 87701. The Council meeting is scheduled for 6:00pm in the City Council Chambers, 1700 North Grand Avenue, Las Vegas, NM 87701.

Staff will initially present the item to the Council. At the end of the staff presentation the Mayor 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 Council 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

April 30, 2019

Ms. Cordia Sammeth &
Ms. Diane Lindsay
Tierra Encantada Farmers Market
846 Sperry Drive
Las Vegas, NM 87701

Dear Cordia & Diane:

This is to formally give you notice that the City Council will conduct a public hearing on Wednesday, May 15, 2019 to consider the recommendation made by the Planning & Zoning Commission on March 25, 2019 approving the application for the rezoning of property located at 2513 Hot Springs Blvd., Las Vegas, NM 87701. The Council meeting is scheduled for 6:00pm in the City Council Chambers, 1700 North Grand Avenue, Las Vegas, NM 87701.

Staff will initially present the item to the Council. At the end of the staff presentation the Mayor 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 Council 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

David Ulibarri
Councilor Ward 1

Vince Howell
Councilor Ward 2

Barbara Perea-Casey
Councilor Ward 3

David G. Romero
Councilor Ward 4

EXHIBIT # 18

NOTICE OF THE CITY OF LAS VEGAS City Council Meeting

Notice is given that the Las Vegas City Council will hold a Public Hearing on Wednesday, May 15, 2019 at 6:00 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. The following items will be presented to City Council by Community Development:

Conduct a Public Hearing and Approve/Disapprove the adoption of Ordinance # 19-02, an amendment to the Official Zoning Map for rezoning of property located at 2513 Hot Springs Blvd., Las Vegas, New Mexico from an R-2 (Multi-Family Residential Zone) to a C-1 (Neighborhood Commercial Zone). Application submitted by the City of Las Vegas, property owner.

Conduct a Public Hearing and Approve/Disapprove the adoption of Ordinance #19-03, an amendment to the Official Zoning Map for the rezoning of a 21.277 acre +/- parcel located north of Ridge Runner Road between 7th Street and 8th Street, Las Vegas, New Mexico from an R-1 (Single Family Residential Zone) / R-R (Restricted Residential Zone) to a C-3 (General Commercial Zone). Application submitted by Community First Bank - Las Vegas, property owner.

The City Council 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 28, 2019

#19040141

CITY COUNCIL MEETING AGENDA REQUEST

DATE: 05/03/19 **DEPT: Community Development** **MEETING DATE: 05-15-19**

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 by Mayor and Council.

COMMITTEE RECOMMENDATION:
The Planning & Zoning Commission recommends 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.

Maria D Perea

SUBMITTER'S SIGNATURE

REVIEWED AND APPROVED BY:

Tonita Gurulé-Girón

TONITA GURULÉ-GIRÓN
MAYOR

TANA VEGA
INTERIM FINANCE DIRECTOR
(PROCUREMENT)

Ann M. Gallegos

ANN MARIE GALLEGOS
INTERIM CITY MANAGER

PURCHASING AGENT
(FOR BID/RFP AWARD)

CITY ATTORNEY
(ALL CONTRACTS MUST BE REVIEWED)

Approved to form 1-26-15

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: **May 15, 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

ADDENDUM TO ORIGINAL RECORD PROPER
CITY COUNCIL

27	Letter to Property Owner and Legal Counsel, advising of the date and time of the City Council meeting scheduled for Wednesday, May 15, 2019 - 2 pages
28	Copy of Notice published in the Las Vegas Optic on April 28, 2019 regarding the public hearing scheduled for Wednesday, May 15, 2019 - 1 page

RECEIVED
JAN 26 2017

EXHIBIT # 1

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

Address of property to be rezoned: Ridge Runner Road between 7th and 8th Street 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.

_____ **Date** 1/23/17

Signature of applicant

_____ **Date** _____

Signature of owner
(If different from applicant)

This area to be filled in by staff

1. ~~DB~~ _____ ~~page~~ _____ of recorded deed Doc # 201304063, recorded 11-7-2013
2. Present zone classification? R-1 (Single Family Residential) / R-R (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

EXHIBIT # 2

Community 1ST Bank
Las Vegas

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,

Mike Fields

P.O. Box 100 • 600 Douglas Ave, Las Vegas, NM 87701 • Phone: (505) 425-7584
www.cfblv.com

EXHIBIT # 3

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

Alan Franken, Chairman

EXHIBIT # 4

SPECIAL MASTER'S DEED

WHEREAS, by that certain Default Judgment and Decree of Foreclosure entered September 24, 2013 in the Fourth Judicial District Court, County of San Miguel, State of New Mexico, Case No. D-412-CV-2013-00270 styled COMMUNITY 1ST BANK LAS VEGAS, Plaintiff, v. TIMOTHY OTT, et al., Defendant, the undersigned was appointed Special Master to sell the Property conveyed hereby to satisfy said Default Judgment and Decree of Foreclosure;

WHEREAS, after notice was duly given, the undersigned did on October 30, 2013, at 11:45 a.m. on the front steps of the San Miguel County Courthouse, 496 W. National Avenue, Las Vegas, New Mexico, offer the Property for sale;

WHEREAS, Community 1st Bank Las Vegas made the highest and best bid for the property;

WHEREAS, the Special Master's Report of Sale has been approved, and the sale to Community 1st Bank Las Vegas as purchaser, has been confirmed by Order of the Court;

NOW THEREFORE, in consideration of the premises, I, Eugenio Mathis, as Special Master, hereby grant to Community 1st Bank Las Vegas the real property containing a parcel of real property (Parcel A-1) located within the Las Vegas Land Grant and situated north of Ridgerunner Road between 7th Street and 8th Street, San Miguel County, Las Vegas, New Mexico (the "Property"). The Property is more particularly described as follows:

Parcel A-1 located within the Las Vegas Land Grant projected Section 10, Township 16 North, Range 16 East, N.M.P.M., 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.

together with all structures and improvements thereon.

DATED this 31st day of October, 2013.

EUGENIO MATHIS, Special Master

STATE OF NEW MEXICO)
) ss.
COUNTY OF SAN MIGUEL)

This Special Master's Deed was subscribed, acknowledged, and sworn to before me on October 31, 2013 by Eugenio Mathis, Special Master.

My commission expires: 04/02/15

Cecilia Larson
Notary Public

OFFICIAL SEAL
Cecilia Larson
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires: 04/02/15

COUNTY OF SAN MIGUEL)
STATE OF NEW MEXICO) ss
I Hereby Certify That This Instrument Was Filed for Record On The 7TH Day Of November, 2013 at 01:25:34 PM And Was Duly Recorded as Instrument #201304063 Of The Records Of San Miguel
Witness My Hand And Seal Of Office
Melanie Y. Rivera
Deputy County Clerk, San Miguel, NM

SPECIAL MASTERS DEED
PAGES: 1

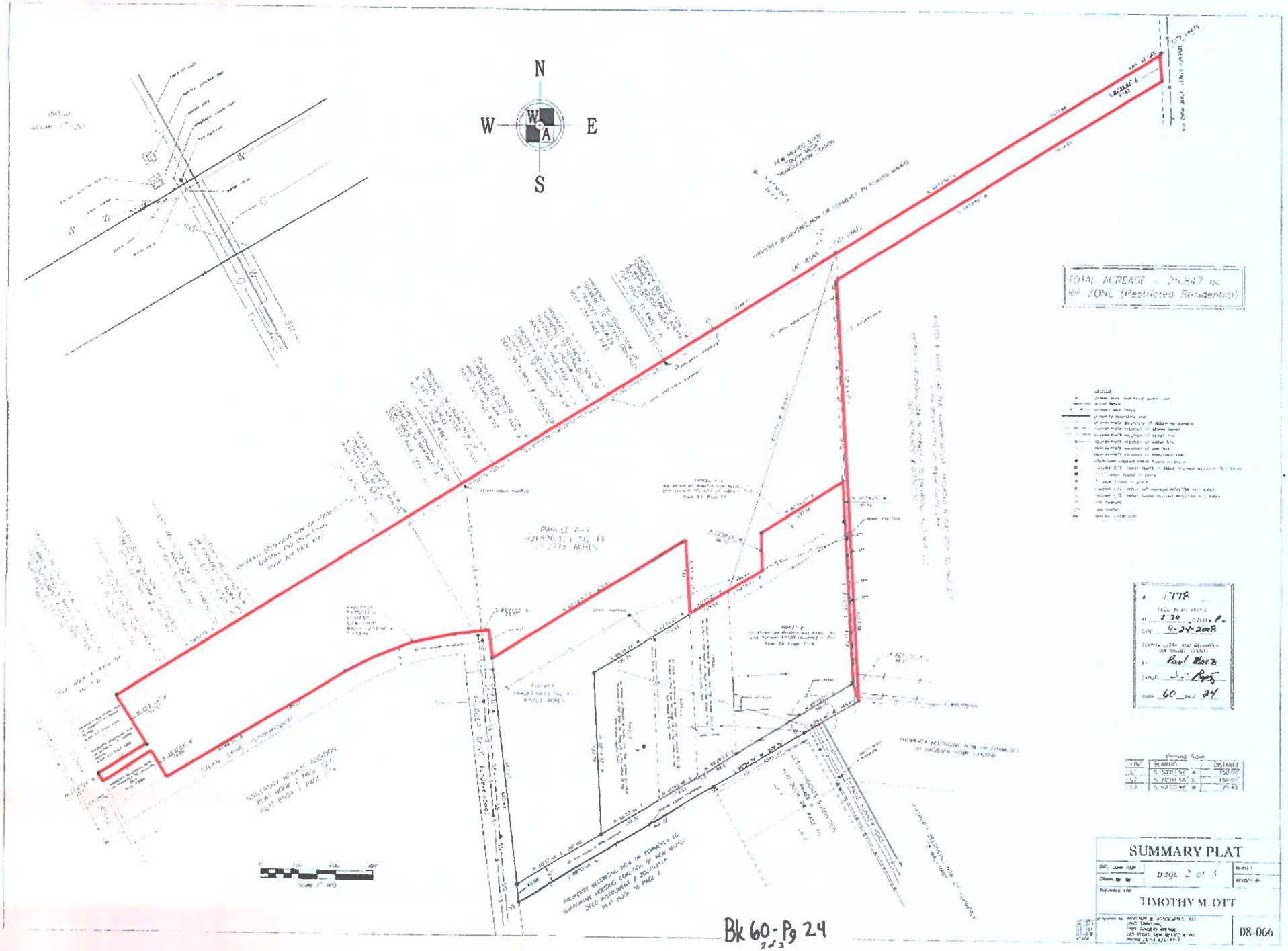

N
W
E
S
TOTAL ACREAGE = 29.847 ac
ZONE (Restricted Residential)
SUMMARY PLAT
page 2 of 3
TIMOTHY M. OFT
08-066
Bk 60-Pg 24
2 of 3

EXHIBIT # 5

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

OLD TRAILS, NEW ADVENTURES.

EXHIBIT # 6

April 10, 2017

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

Maria D. Perea
Planning & Zoning Coordinator

XC: Applicant File

LAS VEGAS

EXHIBIT # 7

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 7th 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 7th Street and along 8th Street. Both streets are paved with curb, gutter and on 7th Street sidewalk. Additional access points are available along Stern Drive (off of 8th 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.

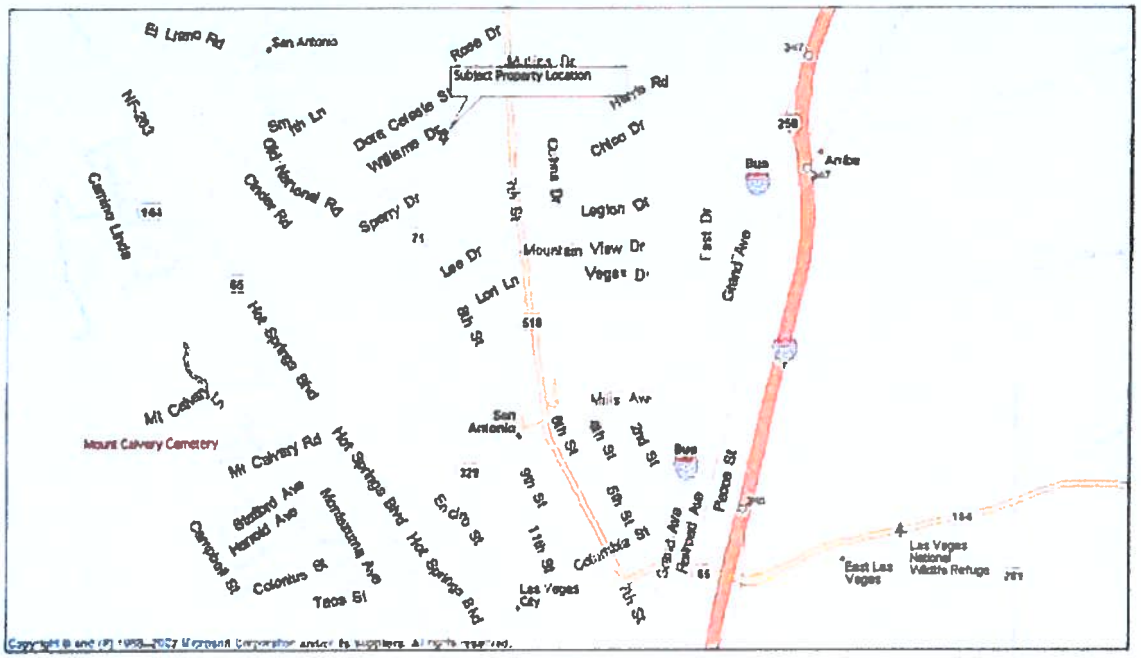
Northerly view along 7th Street from subject property.

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

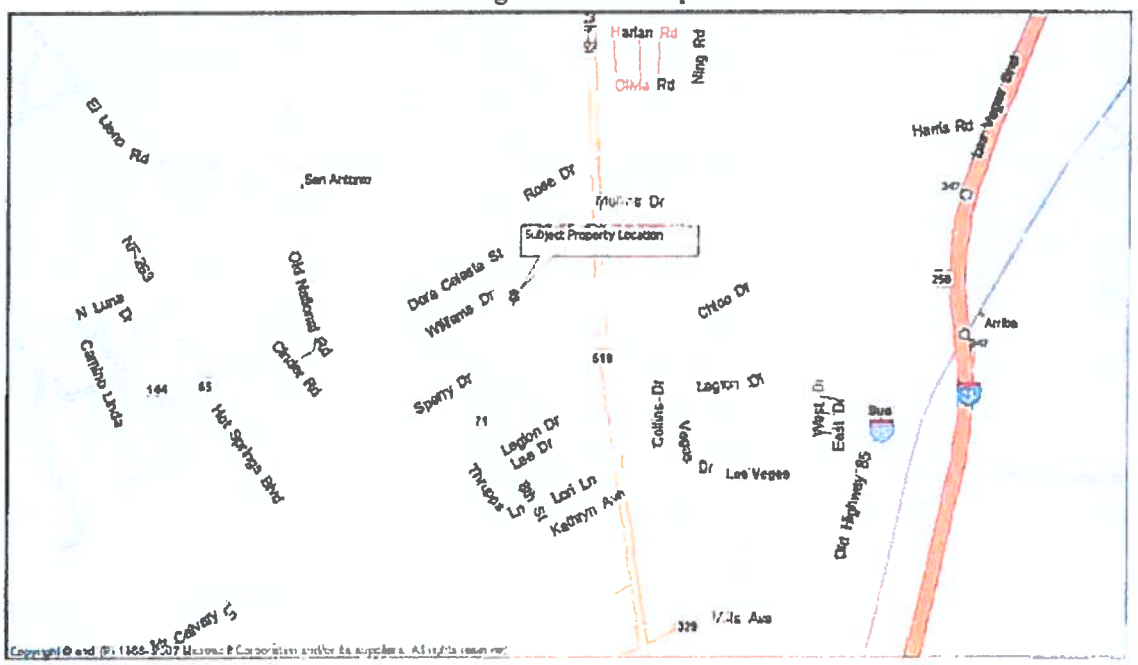


EXHIBIT # 8

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.

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

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

39. 1-094-095-317-055
DDLV, LLC
190 Central Park Square
Los Alamos, NM 87544

40. 1-094-095-319-035
San Miguel County
500 West National Avenue
Suite #200
Las Vegas, NM 87701

41. 1-094-095-318-010
Citizens for the Developmentally Disabled
P. O. Box 1589
Raton, NM 87740

42. 1-094-095-334-035
Lawrence A. & Breena Tafoya
P. O. Box 84
Mora, NM 87701

43. 1-094-095-344-035
Raggs, LLC
190 Central Park Square
Los Alamos, NM 87544

44. 1-094-095-354-035
Fossil, LLC
190 Central Park Square
Los Alamos, NM 87544

45. 1-094-095-374-070
Sarajo, LLC
P. O. Box 90513
Albuquerque, NM 87199

46. 1-094-095-367-041
Sarajo, LLC
P. O. Box 90513
Albuquerque, NM 87199

47. 1-094-095-400-015
Wal-Mart Stores East, Inc.
P. O. Box 8050, MS0555
Bentonville, AR 72712-8050

48. 1-094-095-454-143
Mia Prieskorn
P. O. Box 867
Las Vegas, NM 87701

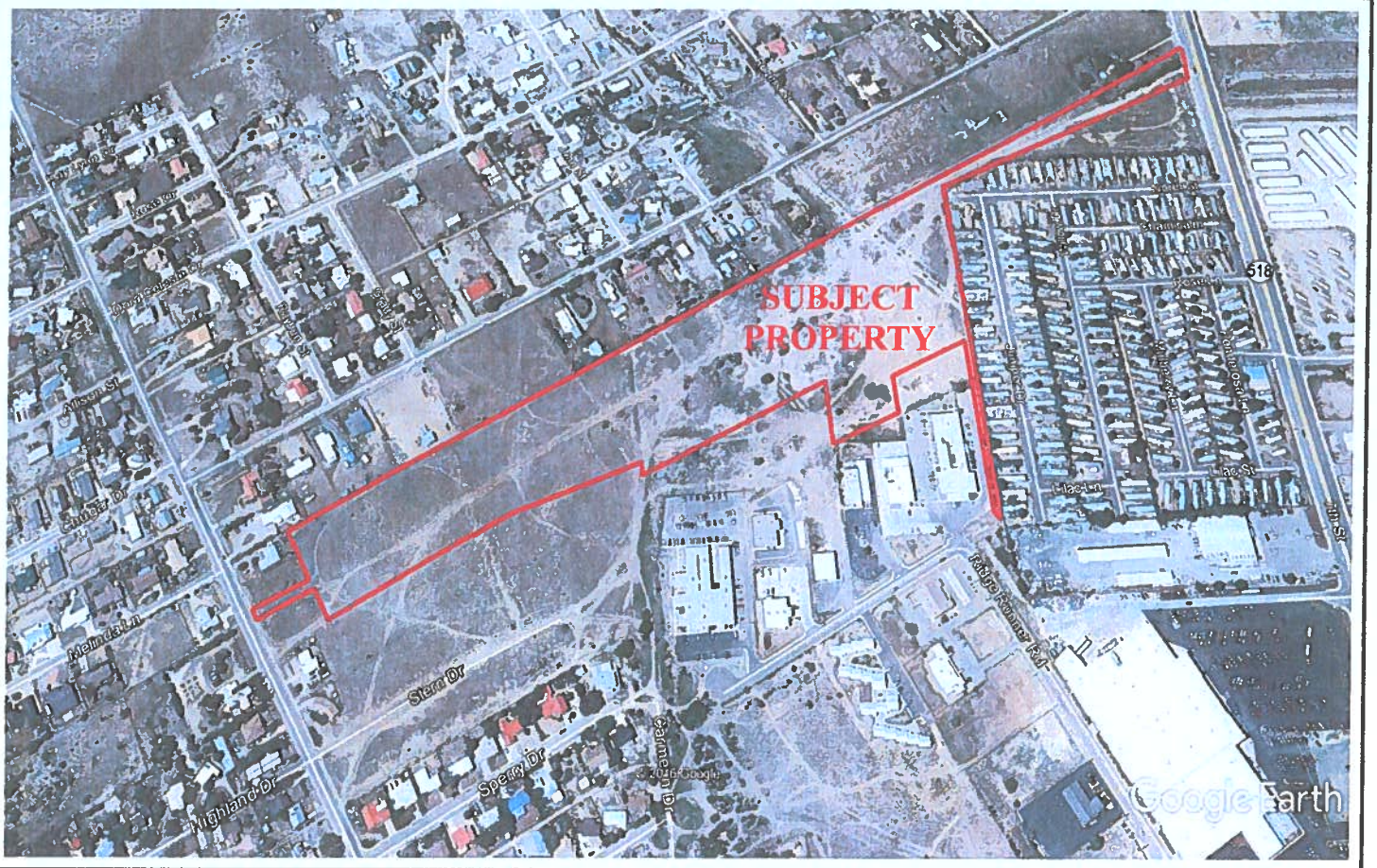
49. 1-094-095-444-075
Enchanted Hills MHP, LLC
P. O. Box 25965
Shawnee, KS 66225-5965

50. 1-094-095-424-015
Hacienda Home Centers, Inc.
P. O. Box 30148
Albuquerque, NM 87109

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

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.

T16n, R16e, Section 10
1-094-095
T16n, R16e, Section 15
1-094-094
SCALE: 1" = 100'
Original map is to scale, copy attached is not
SEVENTH STREET
WILLIAMS DRIVE
ROGER ST.
ST. JOHN
CRADY
RAYBURN
COPA CELEYE
Subject property



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'

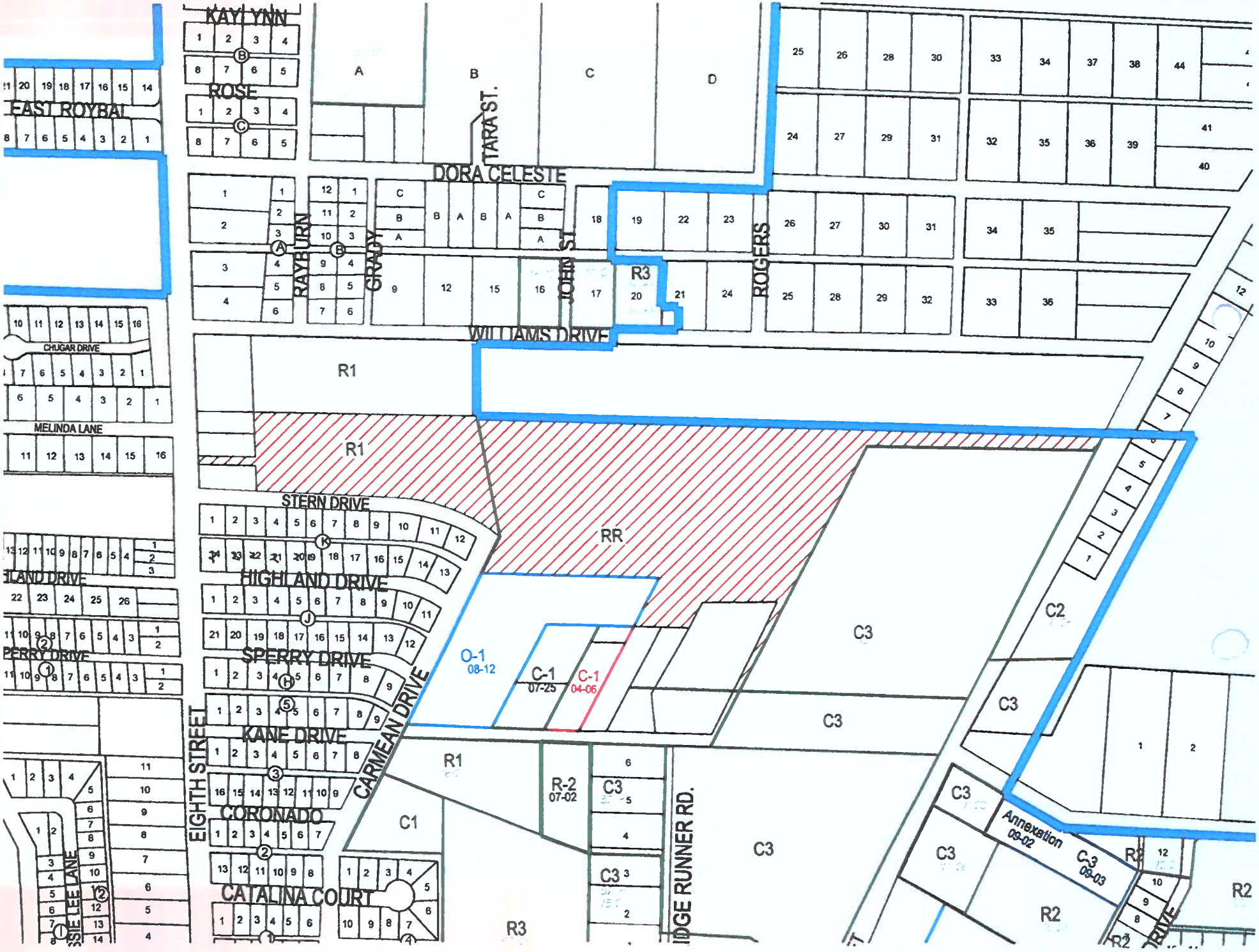

KAYLYNN
ROSE
EAST ROYBAL
DORA CELESTE
TARA ST.
RAYBURN
GRADY
JOHN ST
ROGERS
WILLIAMS DRIVE
CHUGAR DRIVE
MELINDA LANE
STERN DRIVE
HIGHLAND DRIVE
SPERRY DRIVE
KANE DRIVE
CORONADO
CATALINA COURT
EIGHTH STREET
CARMEAN DRIVE
RIDGE RUNNER RD.
R1
R2
R3
RR
C1
C2
C3
O-1
08-12
C-1
07-25
C-1
04-06
R-2
07-02
Annexation
09-02
C-3
09-03

EXHIBIT # 9

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

EXHIBIT # 10

NOTICE OF PUBLIC HEARING #1

Posted - 04/10/17

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 recommendations concerning proposed Zone Change from an R-1 (Single Family Residential) / R-R (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.

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 a C-3 zone.

The Planning & Zoning Commission will hear any and all recommendations concerning proposed Zone Change from an R-1 (Single Family Residential)/ R-R (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

EXHIBIT # 11

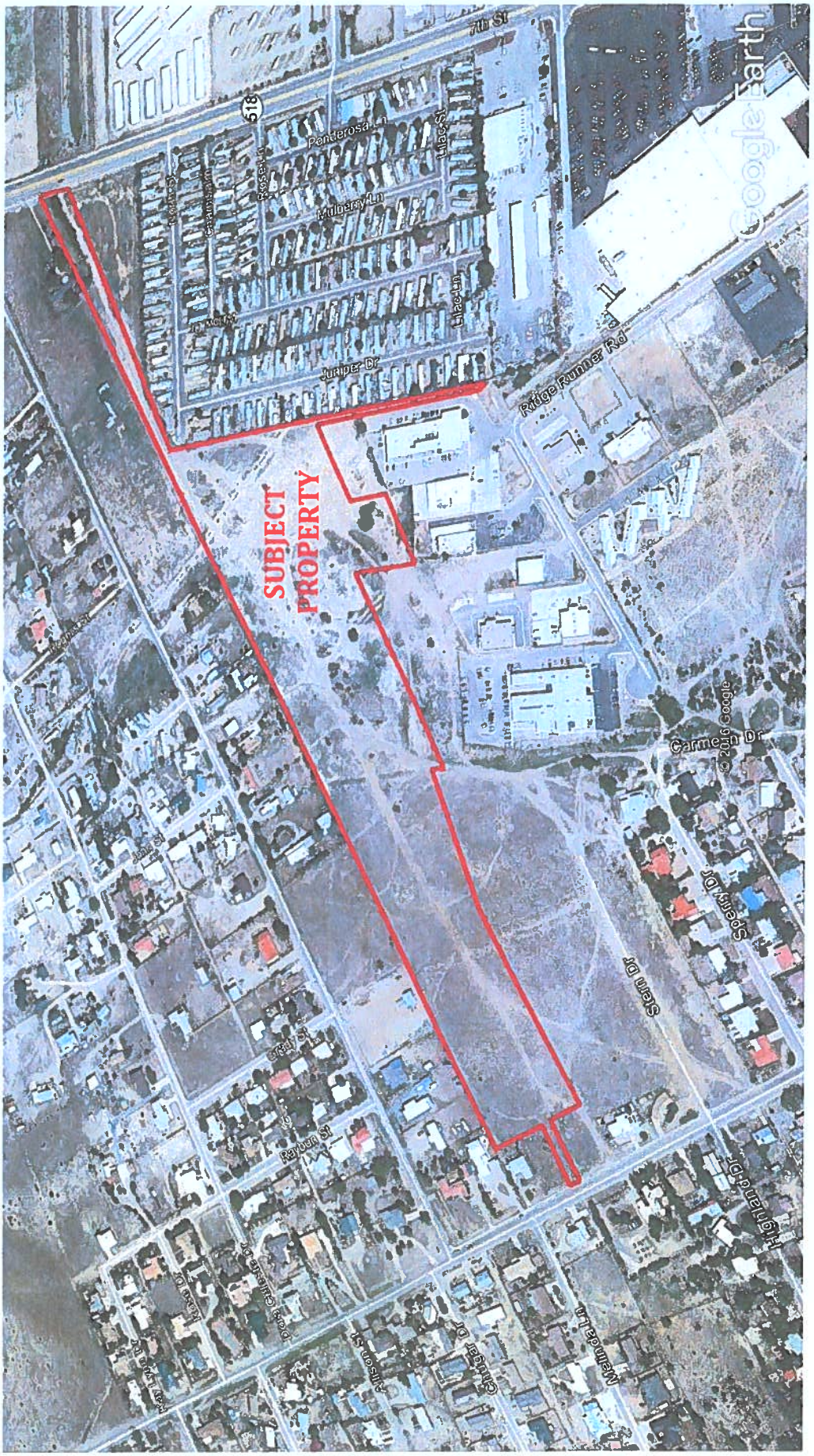

SUBJECT PROPERTY
7th St
518
Ponderosa Ln
Mulberry Ln
Lilac Ln
Juniper Dr
Ridge Runner Rd
Carmen Dr
Stein Dr
S Stein Dr
Highland Dr
Mellinda Ln
Ghingher Dr
Ayison St
Revuor St
Park Guard Dr
Earl Ln
© 2016 Google
Google Earth

EXHIBIT # 12

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 SUFFIENCY ONLY

_____

Corrina Lazlo-Henry, City Attorney

N

W E

S

TOTAL ACREAGE - 29.847 ac
RR ZONE (Restricted Residential)

PARCEL A-1
926826.121 SQ. FT
21.2778 ACRES

LINE	BEARING	DISTANCE
L1	S 84°[illegible]'56" E	150.00'
L2	N 89°[illegible]'56" E	[illegible]
L3	N 84°[illegible]'56" W	[illegible]

1778
FILED IN MY OFFICE
AT 2:30 O'CLOCK P.M.
DAY 9-24-2008
COUNTY CLERK AND RECORDER
SAN JUAN COUNTY
BY Paul Baez
DEPUTY
BOOK 60 PAGE 24

SUMMARY PLAT

page 2 of 3

TIMOTHY M. OTT

08-066

Bk 60-Pg 24
2 of 3

EXHIBIT # 13

U.S. Postal Servi
CERTIFIED MAIL RECEIPT
Domestic Mail Only

P&Z COMM. ZONE CHANGE — Comm. 1st Bank Representative

7015 0640 0007 7548 6156

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 $

Postmark Here APR 1 2017

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

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

U.S. Postal Service™
CERTIFIED MAIL RECEIPT
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P&Z COMM. ZONE CHANGE — Comm. 1st Bank # 1

7015 0640 0007 7548 6262

City of Las Vegas
Community Development Dept.

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- Adult Signature Restricted Delivery $

Postage $
Total Postage and Fees $

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

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U.S. Postal Service™
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P&Z COMM. ZONE CHANGE — Comm. 1st Bank # 2

7015 0640 0007 7548 6149

City of Las Vegas
Community Development Dept.

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- Adult Signature Required $
- Adult Signature Restricted Delivery $

Postage $
Total Postage and Fees $

Postmark Here APR 1 3 2017

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

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U.S. Postal Service™
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P&Z COMM. ZONE CHANGE — Comm. 1st Bank # 3

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City of Las Vegas
Community Development Dept.

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- Return Receipt (hardcopy) $
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- 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
City, State, ZIP+4®
James M. & Marlene A. Alarid
P. O. Box 90, NMHU
Las Vegas, NM 87701

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

U.S. Postal Service
CERTIFIED MAIL RECEIPT
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P&Z COMM. ZONE CHANGE — Comm. 1st Bank # 4

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 $

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

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
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P&Z COMM. ZONE CHANGE — Comm. 1st Bank # 5

7015 0640 0007 7548 6125

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 $

Postmark Here

Sent To
Street and Apt. No., or PO Box
City, State, ZIP+4®
Thomas K. Trigg IV &
Mary S. Schipper
2908 - 8th Street

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT
Domestic Mail Only

P&Z COMM. ZONE CHANGE — Comm. 1st Bank # 6

7015 0640 0007 7548 6231

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 $

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Street and Apt. No., or PO Box No.
City, State, ZIP+4®

Billy G. Rogers & the
Rogers Family Trust
P. O. Box 2190
Las Vegas, NM 87701

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

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P&Z COMM. ZONE CHANGE — Comm. 1st Ban # 7

7015 0640 0007 7548 6286

City of Las Vegas
Community Development Dept.

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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 $

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Sent To
Street and Apt. No., or PO Bo
City, State, ZIP+4®

Joseph N. & Glenna S. Martinez
751 Williams Drive
Las Vegas, NM 87701

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

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT
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P&Z COMM. ZONE CHANGE — Comm. 1st Bank # 8

7015 0640 0007 7548 6101

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 $

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Street and Apt. No., or PO Box No.
City, State, ZIP+4®

Rene & Maricela Hidalgo
P. O. Box 1513
Las Vegas, NM 87701

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

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P&Z COMM. ZONE CHANGE — Comm. 1st Bank # 9

7015 0640 0007 7548 6224

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 $

Postmark Here

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Street and Apt. No., or PO
City, State, ZIP+4®

Mora-San Miguel Electric Coop.
P. O. Box 240
Mora, NM 87732

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

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P&Z COMM. ZONE CHANGE — Comm. 1st Bank # 10

7015 0640 0007 7548 6293

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Community Development Dept.

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City, State, ZIP+4®

Carroll D. & Linda L. Craig
HC 80, Box 258-C
Las Vegas, NM 87701

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P&Z COMM. ZONE CHANGE — Comm. 1st Ba # 11

7015 0640 0007 7548 6132

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Joe A. Jr. & & Theresa L. Aragon /
Sharon Aragon-Montoya
743 Williams Drive
Las Vegas, NM 87701

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P&Z COMM. ZONE CHANGE — Comm. 1st Bank # 12

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- Certified Mail Restricted Delivery $
- Adult Signature Required $
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Postage $
Total Postage and Fees $

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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

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- Certified Mail Restricted Delivery $
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- Adult Signature Restricted Delivery $

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Sent To
Street and Apt. No., or PO Box: Judy Ann Gurule, 739 Williams Drive
City, State, ZIP+4®: Las Vegas, NM 87701

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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.: Joe E. & Carmen Yara, 737 Williams Drive
City, State, ZIP+4®: Las Vegas, NM 87701

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- 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 B: Reynaldo & Virginia Gonzales, 731 Williams Drive
City, State, ZIP+4®: Las Vegas, NM 87701

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Extra Services & Fees (check box, add fee as appropriate)
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- Return Receipt (electronic) $
- Certified Mail Restricted Delivery $
- Adult Signature Required $
- Adult Signature Restricted Delivery $

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Total Postage and Fees $

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Sent To
Street and Apt. No., or PO B: Jeffrey & Frances Gonzales, 729 Williams Drive
City, State, ZIP+4®: Las Vegas, NM 87701

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7015 0640 0007 7548 6095

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City of Las Vegas
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Extra Services & Fees (check box, add fee as appropriate)
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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 B: Diamond Pro Service, LLC, P. O. Box 3053
City, State, ZIP+4®: Las Vegas, NM 87701

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P&Z COMM. ZONE CHANGE — Comm. 1st Bank # 19

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Community Development Dept.

Certified Mail Fee $

Extra Services & Fees (check box, add fee as appropriate)
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- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage $

Total Postage and Fees $

Postmark Here

Sent To
Street and Apt. No., or PO Box: Nancy & Albert Kersey, NM Revocable Trust, 5612 NW 160th Street
City, State, ZIP+4: Edmond, OK 73013

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P&Z COMM. ZONE CHANGE — Comm. 1st Bank # 20

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City of Las Vegas
Community Development Dept.

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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 $
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Postage $

Total Postage and Fees $

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Sent To
Street and Apt. No., or PO Box: Sandra E. Nepstad, P. O. Box 1203
City, State, ZIP+4: Las Vegas, NM 87701

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P&Z COMM. ZONE CHANGE — Comm. 1st Bank # 21

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City of Las Vegas
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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

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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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Community Development Dept.

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- ☐ Adult Signature Required $
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Postage $

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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

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P&Z COMM. ZONE CHANGE — Comm. 1st Ba # 24 / # 25

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Community Development Dept.

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Postage $

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Street and Apt. No., or PO Box No.: Donna Pettine, 2906 - 8th Street
City, State, ZIP+4: Las Vegas, NM 87701

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P&Z COMM.
ZONE CHANGE

Comm. 1st Bank
26

7015 0640 0007 7548 6170

City of Las Vegas
Community Development Dept.

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Leroy G. & Roberta Fulgenzi
217 Railroad Avenue
Las Vegas, NM 87701

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P&Z COMM.
ZONE CHANGE

Comm. 1st Bank
27

7015 0640 0007 7548 6347

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City, State, ZIP+4

Eloy M. & Charlene B. Lujan
2810 - 8th Street
Las Vegas, NM 87701

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ZONE CHANGE

Comm. 1st Bank
#28 / #29 / #30 / #31 /
#32 / #33 / #34 / #35 /
#36 / #37 / #38

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Community Development Dept.

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Carlos & Juliette Gallegos
Revocable Trust
706 Sperry Drive
Las Vegas, NM 87701

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39

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City, State, ZIP+4

DDLV, LLC
190 Central Park Square
Los Alamos, NM 87544

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40

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Sent To
Street and Apt. No., or PO
City, State, ZIP+4

San Miguel County
500 West National Avenue
Suite #200
Las Vegas, NM 87701

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P&Z COMM.
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Comm. 1st Bank
41

7015 0640 0007 7548 6446

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Community Development Dept.

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City, State, ZIP+4

Citizens for the Developmentally
Disabled
P. O. Box 1589
Raton, NM 87740

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Community Development Dept.

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Street and Apt. No., or PO
City, State, ZIP+4
Lawrence A. & Breena Tafoya
P. O. Box 84
Mora, NM 87732

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City, State, ZIP+4
Raggs, LLC
190 Central Park Square
Los Alamos, NM 87544

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City, State, ZIP+4
Fossil, LLC
190 Central Park Square
Los Alamos, NM 87544

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P&Z COMM. ZONE CHANGE — Comm. 1st Bank # 45 / # 46

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City, State, ZIP+4
Sarajo, LLC
P. O. Box 90513
Albuquerque, NM 87199

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P&Z COMM. ZONE CHANGE — Comm. 1st Bank # 47

City of Las Vegas
Community Development Dept.

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- Return Receipt (electronic) $
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- Adult Signature Restricted Delivery $

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Total Postage and Fees $

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Sent To
Street and Apt. No., or P
City, State, ZIP+4
Wal-Mart Stores East, Inc.
P. O. Box 8050, MS0555
Bentonville, AR 72712-8050

7015 0640 0007 7548 6439

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P&Z COMM. ZONE CHANGE — Comm. 1st Bank # 48

City of Las Vegas
Community Development Dept.

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Extra Services & Fees (check box, add fee as appropriate)
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- 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
City, State, ZIP+4
Mia Prieskorn
P. O. Box 867
Las Vegas, NM 87701

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

7015 0640 0007 7548 6392

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ZONE CHANGE

Comm. 1st Bank
49

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City of Las Vegas
Community Development Dept.

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- ☐ Adult Signature Required $
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Sent To
Street and Apt. No., or P
City, State, ZIP+4

Enchanted Hills MHP, LLC
P. O. Box 25965
Shawnee, KS 66225-5965

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

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ZONE CHANGE

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50

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City of Las Vegas
Community Development Dept.

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
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Sent To
Street and Apt. No., or
City, State, ZIP+4

Hacienda Home Centers, Inc.
P. O. Box 30148
Albuquerque, NM 87109

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EXHIBIT # 14

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

RECEIVED
APR 17 2017
mdp 3:00pm

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!

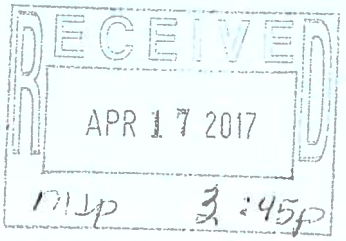
Thank you for giving serious consideration to our concerns.

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

RECEIVED
APR 17 2017
mdp 5:00pm

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

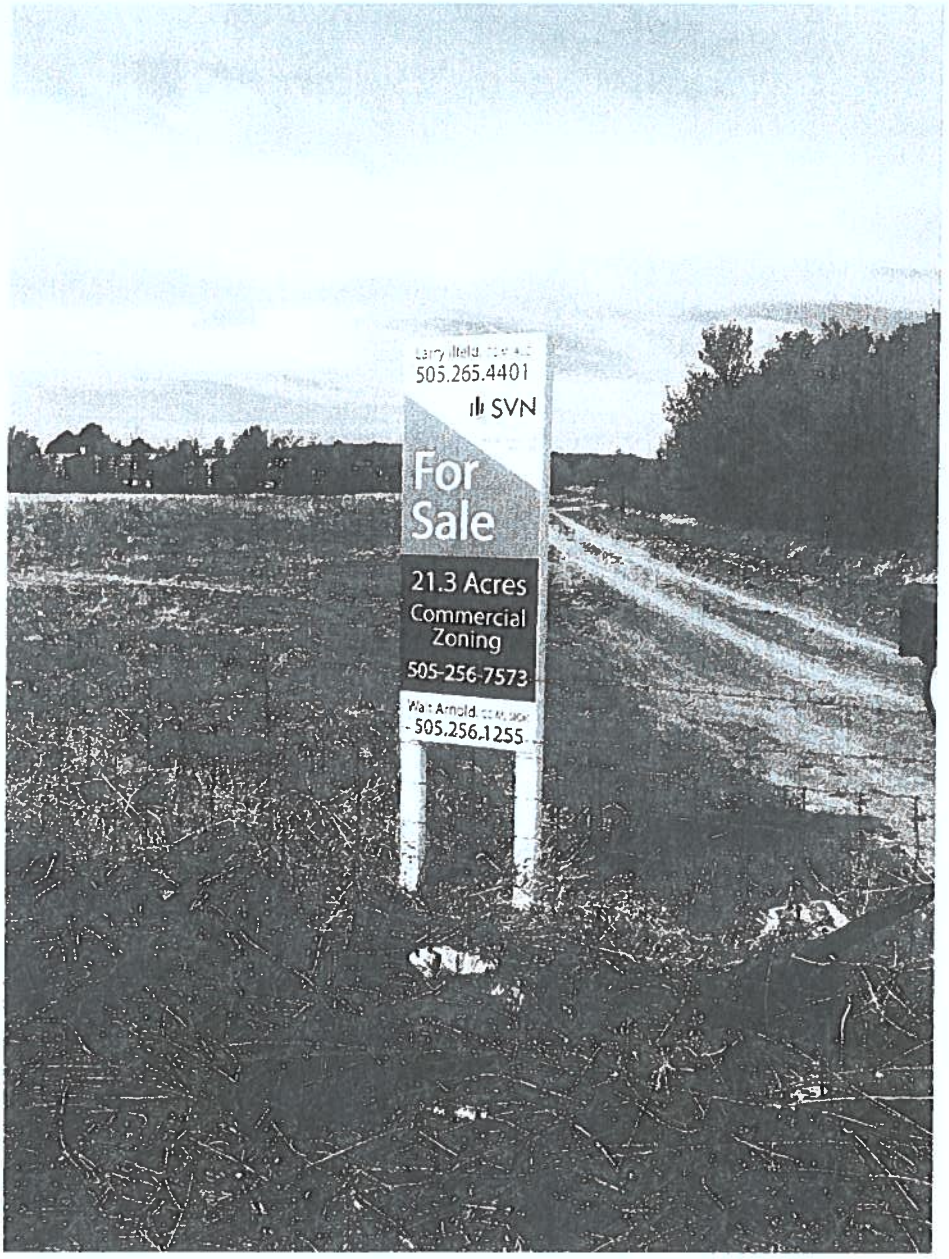
Maria Perea

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

RECEIVED
APR 18 2017
TWP 10:40A

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


505.265.4401
SVN
For Sale
21.3 Acres
Commercial Zoning
505-256-7573
505.256.1255

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APR 2 4 2007
9:55 AM

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.

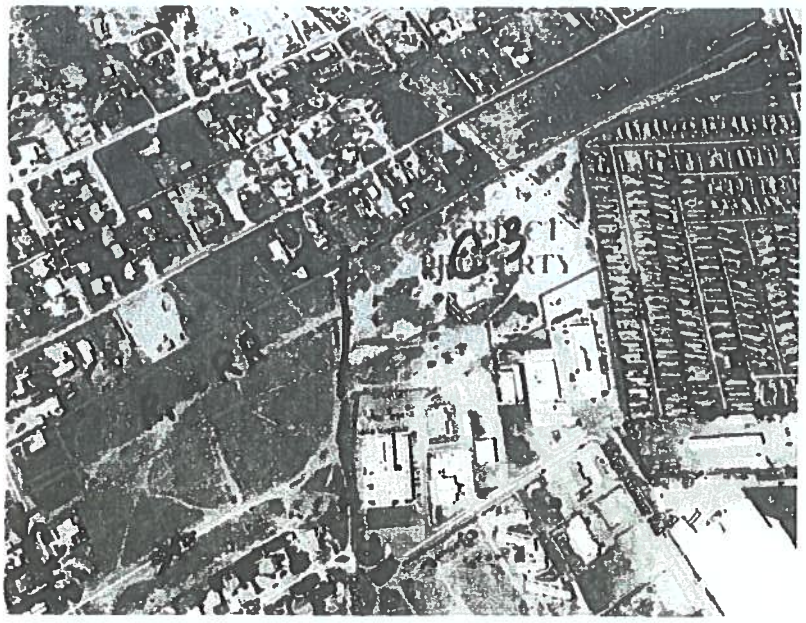

EXHIBIT # 15

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.

LAS VEGAS

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.

EXHIBIT # 16

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)

P.O. Box 100 Las Vegas, New Mexico 87701-0100 Phone: (505) 425-7584 Fax: (505) 454-1607
www.cfblv.com

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
1700 N. Grand Avenue | Las Vegas, NM 87701 | T 505.454.1401 | lasvegasnm.gov
Madam Mayor Tonita Gurulé-Girón

EXHIBIT # 17

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

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2810 - 8th Street
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Carlos & Juliette Gallegos
Revocable Trust
706 Sperry Drive
Las Vegas, NM 87701

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DDLV, LLC
190 Central Park Square
Los Alamos, NM 87544

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500 West National Avenue
Suite # 200
Las Vegas, NM 87701

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City, State, ZIP+4® Shawnee, KS 66225-5965

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EXHIBIT # 18

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

EXHIBIT # 19

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.

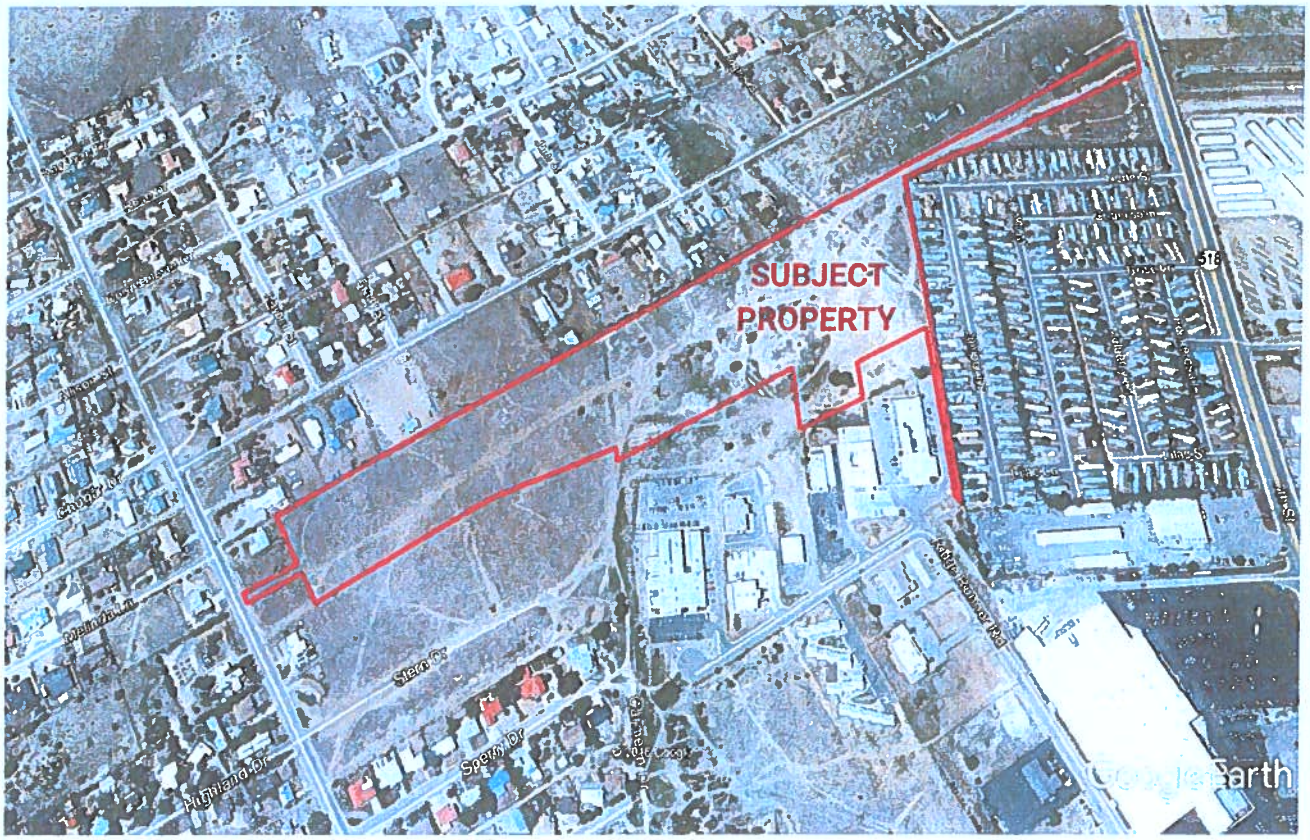
The Planning & Zoning Commission/Board of Adjustment may convene in Executive Session, if the subject matter of such discussion or action is exempted from the open meeting requirement under Section 10-15-1 (H) of the Open Meetings Act.

CITY OF LAS VEGAS
/s/ Casandra Fresquez
City Clerk

PUB: Las Vegas Optic, Mar 10, 2019

#19030069

EXHIBIT # 20



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'

N

EXHIBIT # 21

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Mr. Mike Fields, Bank. Rep.
Community 1st Bank - Las Vegas
600 Douglas Avenue
Las Vegas, NM 87701
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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Mr. Eugenio S. Mathis
Mathis Law Office, LLC
P. O. Box 285
Las Vegas, NM 87701
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Janis L. Santistevan
3005 - 8th Street
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James M. & Marlene M. Alarid
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Las Vegas, NM 87701

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Rebecca M. Mathews-Geng
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Las Vegas, NM 87701

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751 Williams Drive
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Carroll D. & Linda L. Craig
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Reynaldo & Virginia Gonzales
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Las Vegas, NM 87701

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8036 Bluffs Edge Street, NW
Albuquerque, NM 87120

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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 Bridge Bunner Road, between 7th St. & 8th St.

APPLICATION FOR: Zone Change - R-1/RR to a C-3 Zone

The Planning & Zoning Commission will hear any and all recommendations concerning proposed Zone Change from an R-1/R-R (Restricted Residential) zone to an a 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.

Posted - 3/9/19

EXHIBIT # 22

NOTICE OF PUBLIC HEARING

#2

Posted - 3/9/19

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 recommendations concerning proposed Zone Change from an R-1/ (Single Family Residential)/ R-R (Restricted Residential) zone to a C-3 (General Commercial Zone) for 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.

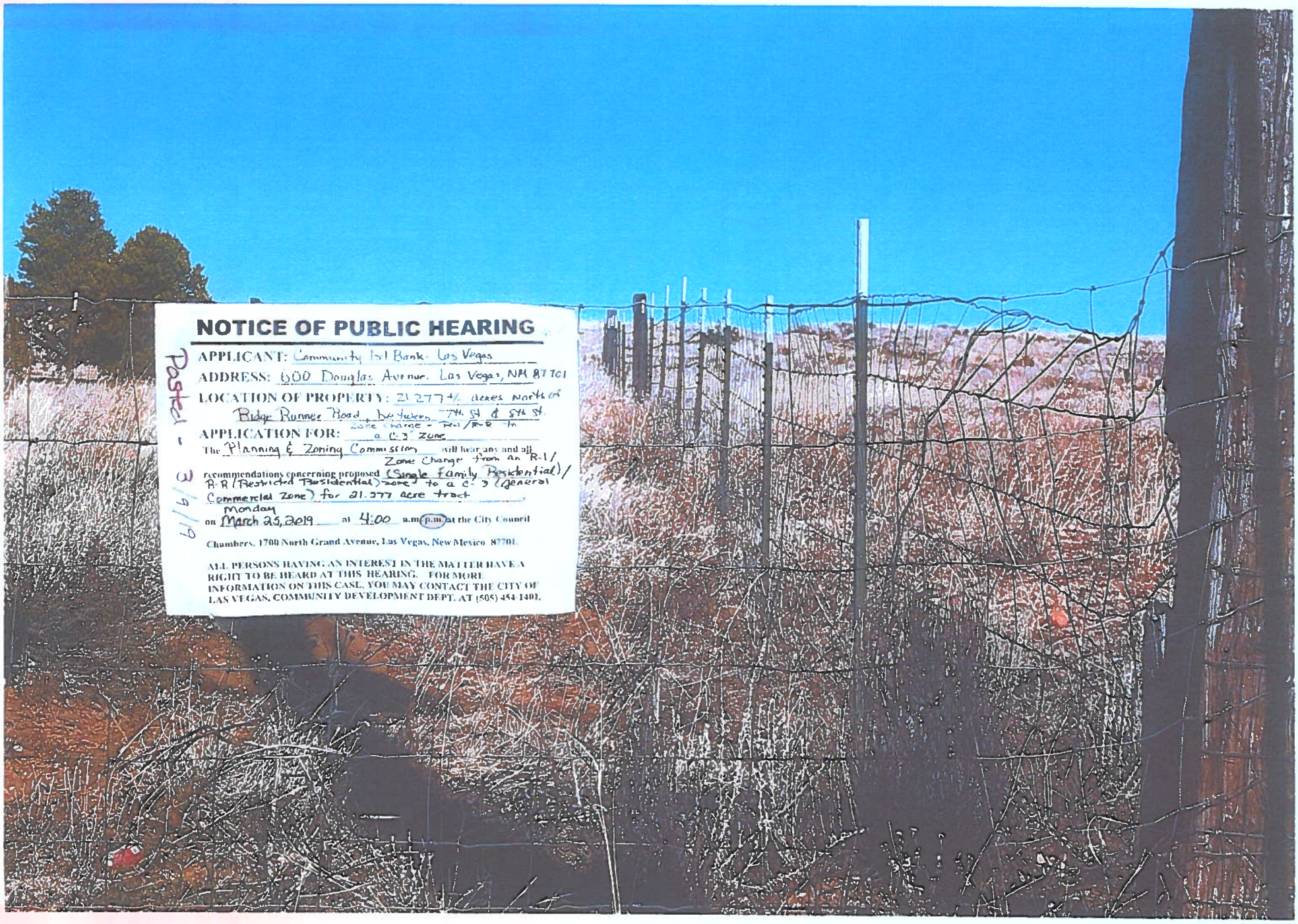
NOTICE OF PUBLIC HEARING
APPLICANT: Community 1st Bank - Las Vegas
ADDRESS: 600 Douglas Avenue, Las Vegas, NM 87701
LOCATION OF PROPERTY: 21.277 +/- acres North of Bridge Runner Road between 7th St & 8th St
APPLICATION FOR: Zone Change - R-1/R-B to a C-3 Zone
The Planning & Zoning Commission will hear any and all recommendations concerning proposed Zone Change from an R-1/ (Single Family Residential)/ R-B (Restricted Residential) zone to a C-3 (General Commercial Zone) for 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.
Posted - 3/6/19

EXHIBIT # 23

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.

EXHIBIT # 24

CITY OF LAS VEGAS
PLANNING AND ZONING COMMISSION

FINDINGS OF FACT, CONCLUSIONS OF LAW AND RECOMMENDATION

On March 25, 2019, the Las Vegas Planning and Zoning Commission held a public hearing and 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

The Commission received reports from staff, received testimony and evidence from the Applicant, and heard testimony offered by members of the public. 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

Under the circumstances and given the evidence and testimony submitted during the hearing, 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

EXHIBIT # 25

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

EXHIBIT #26

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 May ___, 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.

☐ 1 _____ Esther Garduno-Montoya, City Attorney — Date 04/04/19

corrections done

Approved /Disapproved:

☐ 2 _____ Ann Marie Gallegos, Interim City Manager — Date 4/5/19

Documents Picked Up: _____

By: _____ Print Name — _____ Signature

City of Las Vegas
1700 N. Grand Avenue | Las Vegas, NM 87701 | T 505.454.1401 | lasvegasnm.gov
Madam Mayor Tonita Gurulé-Girón

EXHIBIT # 27

April 30, 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 City Council will conduct a public hearing on Wednesday, May 15, 2019 to consider the recommendation made by the Planning & Zoning Commission on March 25, 2019 approving your application for the rezoning of property located north of Ridge Runner Road, between 7th Street and 8th Street. The Council meeting is scheduled for 6:00pm in the City Council Chambers, 1700 North Grand Avenue, Las Vegas, NM 87701.

Staff will initially present the item to the Council. At the end of the staff presentation the Mayor 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 Council 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

April 30, 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 City Council will conduct a public hearing on Wednesday, May 15, 2019 to consider the recommendation made by the Planning & Zoning Commission on March 25, 2019 approving the application submitted by Community 1st Bank for the rezoning of property located north of Ridge Runner Road, between 7th Street and 8th Street. The Council meeting is scheduled for 6:00pm in the City Council Chambers, 1700 North Grand Avenue, Las Vegas, NM 87701.

Staff will initially present the item to the Council. At the end of the staff presentation the Mayor 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 Council 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

David Ulibarri
Councilor Ward 1

Vince Howell
Councilor Ward 2

Barbara Perea-Casey
Councilor Ward 3

David G. Romero
Councilor Ward 4

EXHIBIT # 28

NOTICE OF THE CITY OF LAS VEGAS City Council Meeting

Notice is given that the Las Vegas City Council will hold a Public Hearing on Wednesday, May 15, 2019 at 6:00 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. The following items will be presented to City Council by Community Development:

Conduct a Public Hearing and Approve/Disapprove the adoption of Ordinance # 19-02, an amendment to the Official Zoning Map for rezoning of property located at 2513 Hot Springs Blvd., Las Vegas, New Mexico from an R-2 (Multi-Family Residential Zone) to a C-1 (Neighborhood Commercial Zone). Application submitted by the City of Las Vegas, property owner.

Conduct a Public Hearing and Approve/Disapprove the adoption of Ordinance #19-03, an amendment to the Official Zoning Map for the rezoning of a 21.277 acre +/- parcel located north of Ridge Runner Road between 7th Street and 8th Street, Las Vegas, New Mexico from an R-1 (Single Family Residential Zone) / R-R (Restricted Residential Zone) to a C-3 (General Commercial Zone). Application submitted by Community First Bank - Las Vegas, property owner.

The City Council 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 28, 2019

#19040141