

AGENDA
TOWN OF EDGEWOOD
REGULAR COUNCIL MEETING – July 6, 2016 @ 6:30 P.M.
EDGEWOOD COMMUNITY CENTER - #27 E. FRONTAGE ROAD
PLEASE SILENCE ALL ELECTRONIC DEVICES DURING MEETING
THANK YOU.

(The Town of Edgewood Council is pleased to have residents of the community take time to attend Council Meetings. Attendance and participation is encouraged. Individuals wishing to be heard during Public Hearing proceedings are encouraged to be prepared. Public comments may not be disruptive or harassing, and all persons are expected to maintain respect and decorum. Accordingly, rude, slanderous, or abusive comments and/or boisterous behavior will not be permitted. Written comments are welcomed and should be given to the Clerk-Treasurer prior to the start of the meeting).

- **CALL TO ORDER.**
- **PLEDGE OF ALLEGIANCE.**
- 1. **APPROVAL OF AGENDA.**
- 2. **APPROVAL OF CONSENT AGENDA.**
 - A. Approval of the Draft Regular Council Meeting Minutes of June 15, 2016.
 - B. Approval of the Draft Special Meeting Minutes of June 20, 2016.
- 3. **MATTERS FROM THE MAYOR.**
 - A. Engineering Services Selection Update
 - B. Deputy Clerk Position
 - C. Walmart Update
- 4. **DISCUSSION, CONSIDERATION, AND ACTION ON ALTERNATE JUDGE POSITION.**
- 5. **MATTERS FROM THE COUNCILORS and/or ANNOUNCEMENTS.**
- 6. **MATTERS FROM THE MUNICIPAL JUDGE.**
 - A. Judge White will present his report for the month of June 2016.
 - B. NM Municipal League Policy Committee Meeting Update.
- 7. **PUBLIC HEARING.**

Quasi Judicial Procedure: Certification that Public Notice of this Meeting has been posted as required: This case is being heard under provisions required by the New Mexico Court of Appeals intended to protect the rights of all parties and their witnesses and the swearing in of all parties giving testimony. The affected parties will have the right to cross-examine persons giving testimony.

Confirmation of no conflict of interest or ex-parte communication.

MINUTES
TOWN OF EDGEWOOD
REGULAR COUNCIL MEETING – JUNE 15, 2016 @ 6:30 P.M.
EDGEWOOD COMMUNITY CENTER - 27 E. FRONTAGE ROAD

• **CALL TO ORDER.**

Mayor Bassett called the meeting to order at 6:30 p.m.

Councilors Present: Chuck Ring, Sherry Abraham, and John Abrams

Councilors Not Present: Rita Loy Simmons

Also Present: Deputy Clerk Linda Holle, Attorney Robert White, and Rebecca Sanchez

• **PLEDGE OF ALLEGIANCE.**

1. APPROVAL OF AGENDA.

MOTION: Councilor Abrams made a motion to approve the Agenda.
Councilor Abraham seconded the motion.

VOTE: All Councilors voted aye. The motion carried.

2. ORGANIZATIONAL MEETING.

A. Approval of Library Advisory Board Chairman.

Mayor Bassett announced Mrs. Barbara Holden has offered to serve as the Library Advisory Board Chairman. The position has been vacant for almost one year. At the Library Advisory Board meeting on May 19, 2016, a motion was made to nominate Mrs. Holden the new Chairman. The motion passed. The Mayor brought forth for Council's approval, Barbara Holden as Chairman of the Library Advisory Board.

MOTION: Councilor Ring made a motion to approve Mrs. Barbara Holden as the Library Advisory Board Chairman.
Councilor Abraham seconded the motion.

VOTE: All Councilors voted aye. The motion carried.

3. APPROVAL OF CONSENT AGENDA.

- A. Approval of the Draft Regular Council Meeting Minutes of June 1, 2016.
- B. Acknowledge Receipt of the Draft Planning & Zoning Commission Meeting Minutes of June 6, 2016.
- C. Acknowledge Receipt of the Draft Library Board Meeting Minutes and Library Report for the month of May 2016.
- D. Acknowledge Receipt of the Draft Parks & Recreation Committee Meeting Minutes for the months of April and May 2016.
- E. Acknowledge Receipt of the Draft Animal Control Advisory Board Meeting Minutes for the month of May 2016.
- F. Acknowledge Receipt of Judge White's Report for May 2016.

MOTION: Councilor Abrams made a motion to approve the Consent Agenda.
Councilor Abraham seconded the motion.

VOTE: All Councilors voted aye. The motion carried.

4. MATTERS FROM THE MAYOR.

A. Approval to Hire Police Chief.

Mayor Bassett offered for Council's consideration and approval, Mr. Ronald Crow, as the new Police Chief. He stated Mr. Crow is currently employed by the Santa Fe County Sheriff's Department and is a local resident and graduate of Moriarty High School. Mr. Crow was introduced and spoke about his accomplishments and experience. After Council's vote to approve Mr. Crow's hire, Mayor Bassett announced the new Chief would begin his employment with the Town in early July. Arrangements will be made for his swearing-in at that time.

MOTION: Councilor Abraham made a motion to offer the Chief of Police position to Mr. Ronald Crow.
Councilor Abrams seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Abraham voted aye. Councilor Ring voted aye.
The motion carried.

B. BMX Park Update.

Mayor Bassett stated insurance for the BMX Park will cost the Town \$500 per year. He advised the Park will need to be monitored to ensure it is safe. No motorized vehicles will be permitted.

Councilor Rita Loy Simmons arrived at 6:39 pm.

C. Banning Fireworks

Mayor Bassett stated a letter was received from the Governor's Office advising the Town consider a ban on fireworks. The Town usually follows Santa Fe County's lead. The County passed a Resolution yesterday proclaiming severe drought conditions and banning fireworks in certain areas. Mayor Bassett asked Council if they would like to enact a similar resolution, given the fact of the Dog Head Fire in the area. He stated the 72-hour rule would need to be honored to call a Special Meeting to put a Resolution on the Agenda. Councilor Simmons inquired whether the meeting could be conducted via phone. Councilor Abraham requested a Special Meeting be called to act on the proposed resolution. Councilor Simmons wanted to address the matter during the current meeting and asked for the Legal Counsel's input. Attorney Mr. Robert White stated this matter could be addressed in an Emergency Meeting but that would require a 24-hour notice. He stated scheduling a Special Meeting, with a 72-hour notice would be the better option; the statute addressing Emergency Meetings calls for an immediate threat. Councilor Ring asked Mr. White if the Dog Head Fire would be cause to call for an Emergency Meeting.

Mr. White stated he did not believe this specific fire was caused by fireworks and he would be more comfortable if a Special Meeting was called to address the ban on fireworks. The Council discussed holding a Special Meeting on Saturday, June 18, 2016 at 8:00 pm at the Town Offices. Mr. White stated the 72-hour notice would begin at the time of posting. The Governing Body then discussed other options and decided it would be best to have the Special Meeting on Monday, June 20, 2016 at 7:00 pm at the Town Offices.

MOTION: Councilor Simmons made a motion to have a Special Meeting on June 20, 2016 at 7:00 pm at the Town Offices to address the ban on fireworks. Councilor Ring seconded the motion.

VOTE: All Councilors voted aye. The motion carried.

D. Alternate Judge Update

Mayor Bassett stated the Town of Edgewood received letters of interest from two applicants for the Alternate Judge position, only one of whom was a qualified elector, as defined by NMSA 1978 § 3-1-2. Councilor Abraham asked whether more applicants might apply if the deadline was extended. Councilor Abrams stated since this was not an item on the agenda, Council could not take any action. He recommended extending the deadline and reposting the position to obtain a larger pool of applicants.

E. Wal-Mart Update

Wal-Mart District Manager, James Torres, contacted Mayor Bassett to inform him Wal-Mart was reviewing the Town's request to change the exterior paint scheme back to the original colors of green and brown. Mr. Torres believes upper management will agree to the request but has nothing concrete to report yet. Mayor Bassett stated he spoke to Mr. Torres about the trash in the vicinity and suggested Wal-Mart consider installing some fencing to contain some of the fugitive trash.

F. Engineering Proposals

Mayor Bassett stated the Selection Committee is reviewing the engineering proposals and may have something to report next week.

5. **MATTERS FROM THE COUNCILORS and/or ANNOUNCEMENTS.**

Councilor Ring stated he is working to obtain funding to build a new 28,000 sq. ft. Medical Center west of the Santa Fe County Fire Station.

Councilor Abraham suggested taking another look at what the Town is doing with its administrative staff. Upon her review of the following job descriptions: Town Administrator, Planning and Zoning Administrator, Clerk-Treasurer, and Deputy Clerk, Councilor Abraham found some of them to be duplicative. Some positions are doing jobs not covered in the job descriptions. She also stated a concern with consistency in advertising positions; that job ads should match the job descriptions. Councilor Abraham's concern with the Planning and Zoning Administrator job posting is that it calls for qualifications that are not requirements in the job description, which might limit our candidates. Councilor Abraham also expressed concern that the pay code for the

Planning & Zoning Administrator, which is currently being advertised, is higher than the pay code for the Clerk/Treasurer, and does not have near the same job requirements and responsibilities as the Clerk/Treasurer.

Councilor Simmons announced her attendance at the Estancia Basin Water Planning Subcommittee meeting, where work is being done to complete a state water planning template.

Councilor Abrams expressed his appreciation that the Planning and Zoning Commission has picked up Resolutions 2012-01 and 2012-02 for review.

**6. ESTANCIA VALLEY ECONOMIC DEVELOPMENT ASSOCIATION (EVEDA)
– Ms. Myra Pancrazio**

Ms. Pancrazio thanked Mayor Bassett for hosting EVEDA's annual meeting at Alta Maes in May and introduced Betty Cabber, EVEDA's Chairman and Torrance County Assessor. Ms. Pancrazio announced it was time to renew the Professional Services Agreement between the Town and EVEDA. She stated it is identical to the agreements with all the surrounding communities, thus EVEDA does not play favorites. Ms. Pancrazio stated EVEDA had assisted three new businesses in locating to the Town of Edgewood in the last two months and the Association had been working with a retail franchise for the past eighteen months. She informed Council there is a big investor on EVEDA's Board by the name of Brycon Construction, who finances projects such as hospitals and big office complexes. Regarding Councilor Ring's earlier mention of a Medical Center project, she recommended the Council talk to Torrance County about the project to see what the two governments could do together. She stated on June 29th the Wind Project will make its first PILOT (payment in lieu of taxes) payment to Torrance County. Ms. Pancrazio applauded the Edgewood Town Council for passing the GRIP (Gross Receipts Investment Policy) Ordinance, as it is an incentive to small businesses to open up in rural areas. Per Ms. Pancrazio, to attract foreign manufacturers one must be in a foreign trade zone. Albuquerque requested a ninety mile extension of their foreign trade zone which now includes Edgewood as well as all of Torrance County. There is interest in the I-40 corridor here for warehouse opportunities, as there is easy on and off access to the highway. EVEDA has a new website with up-to-date demographic data at all times.

7. MATTERS FROM THE ATTORNEY.

A. Infill Annexation Appeal

Attorney Robert White stated on May 27th an appeal was filed regarding the Municipal Boundary Commission's decision on the infill annexation. He stated the appellant has thirty days to file a statement of issues, which runs out next week.

8. TOWN OF EDGEWOOD POLICE REPORT – Interim Chief Kuchan.

A. Police Report and Animal Control Report for the month of May 2016.

Interim Chief Kuchan summarized the Police and Animal Control Reports and provided a breakdown of data by Beats with Beat #2 being the busiest. The Animal Control Division took in eleven animals, reclaimed two and adopted out three. Volunteers donated 37.5 hours in the Animal Shelter. Councilor Ring inquired about shop-lifting calls, since he

did not see any listed in the report. Interim Chief Kuchan stated the reporting system does not break out calls for shop-lifting. Mayor Bassett expressed his appreciation to Interim Chief Kuchan for his service and leadership during the transition between Police Chiefs. Interim Chief Kuchan concluded by welcoming Mr. Ronald Crow as the new Edgewood Police Chief.

MOTION: Councilor Abrams made a motion to accept the Police and Animal Control Reports for the month of May 2016.
Councilor Simmons seconded the motion.

VOTE: All Councilors voted aye. The motion carried.

9. PUBLIC COMMENTS OF GENERAL MATTERS. Limit to 2 minutes per person.

Ms. Julia Wood spoke about banning fireworks. She stated the State of Arizona has not allowed personal fireworks for decades and said the Town should follow suit. She does not understand why the Town follows Santa Fe County's lead to ban fireworks and stated we should lead the County. Ms. Wood commented Planning and Zoning personnel carry more power than any other entity in the country, so if they get paid more they probably earn it.

Ms. Susan Simons shared a reminder that the Spay and Neuter Van will be in Edgewood on Friday and Saturday, June 17 & 18. She thanked the Town for the \$1,000 allocated to support this service.

10. CALL FOR PUBLIC HEARING.

A. Infrastructure Capital Improvement Plan (ICIP) Discussions scheduled July 6, July 20, and August 3, 2016.

MOTION: Councilor Abrams made a motion to call a Public Hearing for discussion on the Infrastructure Capital Improvement Plan (ICIP) scheduled for July 6, July 20, and August 3, 2016.
Councilor Simmons seconded the motion.

VOTE: All Councilors voted aye. The motion carried.

11. CALL FOR PUBLIC HEARING.

A. Request for a zone change from SU – Special Use zoning to R2 – Conventional Residential for the property located at: 506 Dinkle Road, Tract B, as shown on “Land Division of a portion of the Lands of Donald E. & Mary E. Huston” being located in portions of Sections 14, 23, & 24, T10N, R7E, N.M.P.M. Town of Edgewood, Santa Fe County, NM.

Mayor Bassett stated the date for this hearing will be July 20, 2016.

MOTION: Councilor Abraham made a motion to call for a Public Hearing on July 20, 2016 to discuss the zone change from SU – Special Use zoning to R2 – Conventional Residential for the property located at: 506 Dinkle Road.

Councilor Simmons seconded the motion.

Councilor Ring requested discussion. He asked if this matter is in regard to the portion of the property where the house sits. Mayor Bassett responded in the affirmative. Councilor Simmons stated the area in question is about seven acres. She added it is always helpful for Council to have a map.

VOTE: All Councilors voted aye. The motion carried.

12. APPROVAL OF RESOLUTION.

A. Equestrian Rest Stop Resolution No. 2016-06.

MOTION: Councilor Simmons made a motion to adopt the Resolution of Support to Designate and Manage the Santa Fe County Equestrian Center as an Overnight Equestrian Rest Stop.
Councilor Abrams seconded the motion with discussion.

Councilor Abrams asked about the kiosk to be installed by the Town and whether it would be a highway sign on the federal highway. Mayor Bassett stated the kiosk would be right on the property like those found in national parks. Councilor Abraham asked if the Town would collect and keep the funds. Councilor Ring stated the expectation is that those using the overnight Equestrian Rest Stop would also spend money at local businesses, generating additional GRTs (gross receipt taxes). Councilor Abraham would like to see the funds collected at the Equestrian Rest Stop earmarked for Parks and Recreation or trails. Councilor Simmons suggested the funds be used for summer camps at Wildlife West. Councilor Abrams stated cost of the facility upkeep must be considered.

VOTE: Councilor Ring voted aye. Councilor Abraham voted aye. Councilor Simmons voted aye. Councilor Abrams voted aye.
The motion carried.

13. APPROVAL OF RESOLUTION.

A. BLM (Bureau of Land Management) 80 Acre No Cost Lease Resolution No. 2016-07.

Mayor Bassett stated this property abuts the southwest corner of Section 32.

MOTION: Councilor Simmons made a motion to adopt Resolution No. 2016-07 a Resolution of Support for a No Cost Lease of BLM Department of Interior Land in Torrance County.
Councilor Abrams seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Simmons voted aye. Councilor Abraham voted aye. Councilor Ring voted aye.
The motion carried.

14. MATTERS FROM THE CLERK/TREASURER.

A. Road Projects Update

Mayor Bassett announced the Entrada del Norte paving project is complete. He stated a strip of paving was put down on Dinkle Road overlaying the old chip seal. The contractors are working on the large culvert on Horton Rd at Bachelor Draw. Other culverts have already been installed. Mr. Tappan Mahoney of Dennis Engineering stated the Horton Road is on or ahead of schedule. The scheduled completion date is early September, however, Mr. Mahoney is now anticipating an early August or late July wrap-up of the project.

15. APPROVAL OF THE FINANCIAL REPORT FOR THE MONTH OF MAY 2016.

Mayor Bassett stated Mr. Juan Torres had an emergency so the Mayor would be covering for him tonight. The Mayor announced the Gross Receipts Tax (GRT) report for June has not yet been received from the State. Councilor Abraham stated she still has concerns with certain months' distribution figures on revenue from sales of food. She stated there was a total of \$92,000 in April, but wondered if that made up for the \$30,000 in each of March and January. She stated the Town receives between \$73,000 and \$76,000 each month. Councilor Simmons concurred. Councilor Ring requested a GRT comparison spanning a two year time period.

MOTION: Councilor Simmons made a motion to approve the Financial Report for the month of May 2016.

Councilor Ring seconded the motion with discussion.

Councilor Ring stated the financial report shows tires purchased for police vehicles either in Bernalillo County or the Town of Bernalillo. He inquired as to why they were not purchased locally, so the Town could receive the GRTs from the purchases. Councilor Abrams asked if the Town was paying for 2 months of electricity, since the report showed payments made on May 4th and 25th to the utility. Councilor Abraham asked when the Town will go solar. Mayor Bassett stated Mr. Torres working on scheduling a meeting with a solar power company representative.

VOTE: All Councilor voted aye. The motion carried.

16. ANNOUNCEMENTS and/or CALENDAR REVIEW.

A. Regular Council Meeting – July 6, 2016 @ 6:30 P.M.

B. Regular Council Meeting – July 20, 2016 @ 6:30 P.M.

NOTE: The Town Hall Offices will be closed on Monday, July 4, 2016 in observance of Independence Day.

NOTE: The Town Hall Offices will be closed at 3:00 P.M. on Friday, July 1, 2016 for carpet cleaning.

17. FUTURE AGENDA ITEMS.

A. Speed Limit Recommendations for Various Roads.

- B. Dedication Request for Barton Ct.
- C. Proposed Resolution for application of 2018/2019 Transportation Alternatives Program (TAP) funds.
- D. Proposed Resolution for application through NMFA for a Drainage Study Grant.

18. CLOSED SESSION.

As per motion and roll call vote, pursuant to NMSA 1978, 10-15-1 (H)(7) the following will be discussed in Closed Session.

MOTION: Councilor Ring made a motion to go into Closed Session at 8:12 pm. Councilor Simmons seconded the motion.

VOTE: Councilor Ring voted aye. Councilor Abraham voted aye. Councilor Simmons voted aye. Councilor Abrams voted aye.
The motion carried.

- Infill Annexation Appeal
- Pending Litigation – Hellen Gonzalez v. Town of Edgewood; and Town of Edgewood Police Department; and Chief of Police Fred Radosevich, in his individual and representative capacities.

MOTION: Councilor Abrams made a motion to come back into Open Session at 8:35 pm. Councilor Abraham seconded the motion.

Councilor Abrams affirmed only items noted on the Agenda were discussed and no decisions were made in Closed Session.

Councilor Simmons so affirmed.

Councilor Abraham so affirmed.

Councilor Ring so affirmed.

Mayor Bassett so affirmed also.

VOTE: Councilor Abrams voted aye. Councilor Simmons voted aye. Councilor Abraham voted aye. Councilor Ring voted aye.
The motion carried.

MOTION: Councilor Abrams made a motion to accept the Attorney's suggestion in Closed Session that we file a motion on behalf of the Town to intervene as an Interested Party in the Infill Annexation Appeal. Councilor Simmons seconded the motion.

VOTE: Councilor Ring voted aye. Councilor Abraham voted aye. Councilor Simmons voted aye. Councilor Abrams voted aye.
The motion carried.

19. ADJOURN.

MOTION: Councilor Simmons made a motion to adjourn the meeting of June 15, 2016. Councilor Abraham seconded the motion.

VOTE: All Councilors voted aye. The motion carried.

Mayor Bassett adjourned the meeting of June 15, 2016 at 8:37 p.m.

PASSED, APPROVED AND ADOPTED THIS 6th day of July, 2016

John Bassett, Mayor

ATTEST:

Juan Torres, Clerk/Treasurer

- A. Adoption of proposed Ordinance No. 2016-03 granting the approval of a zone change from SU–Special Use to RE–Residential Estate for property located at 17 Hill Ranch Road, Tract C, SE1/4 of Section 4, T10N, R7E, Town of Edgewood, Santa Fe County, NMPM, Lands of Howard and Dona Hill Trust.
 - B. Adoption of Zone Map Amendment for property located at 17 Hill Ranch Road, Tract C, SE1/4 of Section 4, T10N, R7E, Town of Edgewood, Santa Fe County, NMPM, Lands of Howard and Dona Hill Trust.
 - C. Infrastructure Capital Improvements Program (ICIP) Discussion
8. **PUBLIC COMMENTS OF GENERAL MATTERS. Limit to 2 minutes per person.**
 9. **DISCUSSION/ADOPTION OF SPEED LIMIT RECOMMENDATIONS FOR VARIOUS ROADS.**
 10. **DISCUSSION, CONSIDERATION, AND ACTION ON DEDICATION REQUEST FOR BARTON CT.**
 11. **APPROVAL OF RESOLUTION 2016-09, FEDERAL FY2018/2019 TRANSPORTATION PROGRAM (TAP) FUNDS.**
 12. **APPROVAL OF RESOLUTION 2016-10, DRAINAGE STUDY GRANT THROUGH NMFA.**
 13. **APPROVAL OF EVEDA PROFESSIONAL SERVICES AGREEMENT.**
 14. **CALL FOR PUBLIC HEARING ON JULY 20, 2016.**
 - A. Request for an amendment to the Town of Edgewood Zoning Ordinance 2014-02, as amended August 5, 2014. – District Standards – Building Heights.
 15. **MATTERS FROM THE CLERK/TREASURER.**
 - A. Interim Budget Update
 - B. Employee Evaluation Update
 - C. Phone System Update
 16. **ANNOUNCEMENTS and/or CALENDAR REVIEW.**
 - A. Budget Preparation Workshop – July 16, 2016 @ 10:00 A.M.
 - B. Regular Council Meeting – July 20, 2016 @ 6:30 P.M.
 - C. Regular Council Meeting – August 3, 2016 @ 6:30 P.M.
 17. **FUTURE AGENDA ITEMS.**
 - A. Approval of Application for Drainage Study Grant Through NMFA

18. CLOSED SESSION.

As per motion and roll call vote, pursuant to NMSA 1978, 10-15-1 (H)(7) the following will be discussed in Closed Session.

A. Possible Real Estate Transaction

19. ADJOURN.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Clerk at the Town Offices located at 1911 Historic Route 66, at least five (5) days prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Town Clerk at (505)286-4518, or by e-mail at clerk@edgewood-nm.gov if a summary or other type of accessible format is needed. **The complete council packet may be viewed on the web, visit www.edgewood-nm.gov click on Agendas & Minutes.**

MINUTES
TOWN OF EDGEWOOD
SPECIAL COUNCIL MEETING – JUNE 20, 2016 @ 7:00 P.M.
EDGEWOOD TOWN HALL – 1911 HISTORIC ROUTE 66

- **CALL TO ORDER**

Mayor Bassett called the meeting to order at 7:00 p.m.

Councilors Present: Sherry Abraham, John Abrams, Chuck Ring, Rita Loy Simmons

Also Present: Deputy Clerk Linda Holle

- **PLEDGE OF ALLEGIANCE**

1. **APPROVAL OF RESOLUTION NO. 2016-08, A RESOLUTION TO PROCLAIM EXTREME OR SEVERE DROUGHT CONDITIONS WITHIN THE TOWN OF EDGEWOOD AND TO BAN THE SALE AND USE OF CERTAIN FIREWORKS WITHIN THE BOUNDARIES OF THE TOWN AND ITS WILDLANDS.**

Mayor Bassett introduced the Resolution by stating the Town had essentially copied Santa Fe County's Resolution banning certain fireworks. He mentioned Mr. Randy Van Vleck, General Counsel for the Municipal League, had been called for guidance. Mr. Van Vleck stated if the Town passed an Ordinance banning fireworks, the Town would not have to pass an annual Resolution to do so. Councilor Ring stated individual fireworks were not worth the risk. Councilor Simmons inquired about the definition of a missile-type rocket, as she wanted to ensure it included aerial devices.

MOTION: Councilor Simmons made a motion to adopt Resolution No. 2016-08, a Resolution to proclaim extreme or severe drought conditions within the Town of Edgewood and to Ban the Sale and Use of Certain Fireworks within the Boundaries of the Town and its Wildlands.
Councilor Abraham seconded the motion.

VOTE: All Councilors voted aye. The motion carried.

2. **ADJOURN.**

MOTION: Councilor Simmons made a motion to adjourn.
Councilor Abraham seconded the motion.

VOTE: All Councilors voted aye. The motion carried.

Mayor Bassett adjourned the Special Meeting of June 20, 2016 at 7:10 p.m.

PASSED, APPROVED AND ADOPTED this 6th day of July, 2016

John Bassett, Mayor

ATTEST:

Juan Torres, Clerk/Treasurer

Initials

Monthly Activity Report
 June 2016
 Citations and Non-Citations By Disposition Date
 Financial Type: Fines and Fees
 Cases With and Without Disposition

Citations	Last Month	This Month	Change	Last YTD	This YTD	Change
ANIMAL CONTROL	4	0	-4	10	9	-1
CRIMINAL 2006-10	1	4	3	23	15	-8
DWI	0	1	1	3	2	-1
Miscellaneous	1	0	-1	8	10	2
TRAFFIC	84	127	43	461	472	11
Totals:	90	132	42	505	508	3
Non-Citations						
CRIMINAL 2006-10	0	0	0	4	2	-2
LITTER_ANTI-BLIGHT	0	0	0	1	0	-1
Miscellaneous	0	0	0	0	1	1
TRAFFIC	0	0	0	1	0	-1
Totals:	0	0	0	6	3	-3
Fines and Fees						
Correction Fee	1,028.00	1,097.00	69.00	5,211.00	5,643.00	432.00
Court Automation Fee	306.00	330.00	24.00	1,566.00	1,677.00	111.00
DWI Lab	0.00	85.00	85.00	0.00	170.00	170.00
DWI Prevention	0.00	75.00	75.00	0.00	150.00	150.00
Fine	1,807.84	2,740.24	932.40	16,326.48	13,389.08	(2,937.40)
Judicial Education Fee	153.00	165.00	12.00	779.00	836.00	57.00
Totals:	\$3,294.84	\$4,492.24	\$1,197.40	\$23,882.48	\$21,865.08	\$(2,017.40)

Fine Fee Summary
From 06/01/2016 12:00 AM to 06/30/2016 11:59 PM
All Case Types and Sub-Types
All Clerks

Receipts

Case Payment

Correction Fee	1,077.00
Court Automation Fee	324.00
Fine	2,929.24
Judicial Education Fee	162.00
Subtotal:	<u>4,492.24</u>
Total Receipts:	4,492.24

Transfers

Case Payment

Correction Fee	20.00
Court Automation Fee	6.00
DWI Lab	85.00
DWI Prevention	75.00
Fine	100.00
Judicial Education Fee	3.00
Subtotal:	<u>289.00</u>
Total Transfers:	289.00

Report Total: 4,781.24

Edgewood Municipal Court

User: KSMITH

Epayment Payments Received
 From 06/01/2016 12:00 AM to 06/30/2016 11:59 PM
 By Payment Date And Time

Case No.	Defendant	Transaction No.	Payment Type	Charge Payment	Payment Date and Time	Receipt No.
CitePayUSA Payments						
201300200-AC-RA	Garcia, Joe S	892357870	CitePayUSA	40.00	06/02/2016 9:42 AM	6131
201503727-TR-SP	Gleason, Austin	894590879	CitePayUSA	229.00	06/06/2016 2:40 PM	6138
201600098-TR-SP	Strite, Marvin	895577589	CitePayUSA	59.00	06/08/2016 12:18 PM	6146
201600346-TR-SP	DeBuck, Robert	895624641	CitePayUSA	59.00	06/08/2016 1:34 PM	6147
201600307-TR-NI	Bynon, Alldyth	897807349	CitePayUSA	29.00	06/13/2016 9:23 AM	6150
201600308-TR-SP	Schmit, Logan	897850273	CitePayUSA	94.00	06/13/2016 10:30 AM	6152
201600290-TR-SU	Reed, Jeanne	897874018	CitePayUSA	29.00	06/13/2016 11:08 AM	6154
201600290-TR-SU	Reed, Jeanne	897874018	CitePayUSA	39.00	06/13/2016 11:08 AM	6155
201600325-TR-SP	Vigil, Ashley	899135611	CitePayUSA	59.00	06/15/2016 2:26 PM	6161
201600335-TR-SB	Casey, Elton	899711454	CitePayUSA	54.00	06/16/2016 3:52 PM	6163
201600323-TR-SP	O'Neil, Mackenzie	902510346	CitePayUSA	39.00	06/22/2016 1:02 PM	6172
201402691-TR-DI	Gallegos, Aaron	903159905	CitePayUSA	40.00	06/23/2016 6:03 PM	6174
201503767-TR-DI	Thompson, Lorie	903371129	CitePayUSA	289.00	06/24/2016 9:10 AM	6175
201600336-TR-SP	Nuckols, Theresa	903584742	CitePayUSA	44.00	06/24/2016 2:20 PM	6177
201402691-TR-DI	Gallegos, Aaron	903646444	CitePayUSA	37.00	06/24/2016 4:01 PM	6180
201402691-TR-DI	Gallegos, Aaron	904679249	CitePayUSA	105.40	06/27/2016 9:33 AM	6181
201600291-TR-SP	Archibeque, Monique	904757728	CitePayUSA	49.00	06/27/2016 11:36 AM	6183
201600331-TR-SP	Ulibarri, Kasey	905489653	CitePayUSA	59.00	06/28/2016 7:50 PM	6186
201600338-TR-SP	Magoffe, Tamara	905668661	CitePayUSA	44.00	06/29/2016 9:13 AM	6187
201600417-TR-SP	Sharp, Charles	906172122	CitePayUSA	44.00	06/30/2016 8:44 AM	6189
No. of Payments: 20			Subtotal:	1,441.40		
Total no. of Payments: 20			Total:	1,441.40		

COMMUNITY, ECONOMIC DEVELOPMENT, GOVERNMENTAL
OPERATIONS & HUMAN RESOURCES
POLICY COMMITTEE

- Staff Recommendations -

2015-2016 ANNUAL RESOLUTIONS

2015-1

Concerning the Requirement to Confirm Persons to be Employed by the Municipality at the Organizational Meeting

Don't want employees subject to loss of employ. very 2-4 yrs.

Amended in the 2012 Resolutions Committee, this resolution seeks repeal of legislation in the Municipal Code that requires every employee to be confirmed at the Organizational Meeting removing the requirement of confirmation every two years.

Pass unan.

Staff recommendation is to retain this resolution.

2015-2

Concerning the International Building Code on Airports

Public vs. private property on airports. Stds. more strict for public bldgs

Introduced in the 2008 Resolutions Committee, this resolution supports legislation or clarification from the International Code Council to exempt or to clarify the language concerning airport hangars.

Pass unan.

Staff recommendation is to retain this resolution.

Intl. bldg. code

2015-3

Concerning Personnel Public Records and the Inspection of Public Records Act

Shield applicants until they become finalists. Also add. exemptions for addresses, phone #s

Introduced in the 2009 Resolutions Committee, this resolution supports and amendment to the Inspection of Public Records Act to clarify what employment records are subject to disclosure under the Act.

Text msg. issue oppose blanket exemptions.

Staff recommendation is to retain this resolution.

Talk to Juan @ retention of text msgs suggest no official business by text.

only exempt- NMSSC decisions are in IPRA law.

2015-4

Concerning the Return to Work Provisions of the Public Employees Retirement Act

Prob. not going anywhere in legislature.

Introduced in the 2010 CEDGOHR Policy Committee, this resolution asks the Municipal League to urge the State of New Mexico to enact legislation that exempts law enforcement, water and waste water operators and correction retirees from the current return to work law.

Delete unan.

Staff recommendation is to delete this resolution. It is covered in the Statement of Municipal Policy §1.4.04. S. of M.P. is actually broader.

2015-5 **Concerning the Sale, Transfer and Issuance of Liquor Licenses in New Mexico**

Same prob. as always w/ diminishing value of existing licenses.

Introduced in the 2011 CEDGOHR Policy Committee, this resolution urges communities to participate in the legislative process to amend the manner in which liquor licenses are sold and transferred in New Mexico.

Geographically tied issue.

Staff recommendation is to retain this resolution.

Passes

Econ. devel. issue for some communities. For Edgewood? maybe have rural licenses?

2015-6 **Concerning the Time Limit for Municipalities in a Class A County to Act on Annexation Petitions**

Passes Unan.

Introduced in the 2011 Resolution Committee, this resolution seeks legislation to extend the time for a municipality in a Class A county to approve or disapprove an annexation petition.

Staff recommendation is to retain this resolution.

Extend from 60-180 days. N/A to Edgewood.

2015-7 **Concerning Amending the Municipal Election Code to Conform to Voting Convenience Center Procedures.**

Deleted Unan.

Introduced in the 2012 GOHR Policy Committee, this Resolution seeks a legislative change to amend the Municipal Election Code to provide for alternative voting procedures when a municipality utilizes voter convenience centers.

Existing law probably supports this practice.

Staff recommendation is to delete this resolution.

2015-8 **Concerning the Election Process Where all Candidates are Unopposed**

*

High priority for clerks 40% in this category in 2012.

Introduced in the 2012 GOHR Policy Committee, this Resolution seeks NMML support of legislation and a potential Constitutional amendment that would change the election process when all candidates for all municipal offices are running unopposed. ← no issues on ballot, or no candidates on ballot.

Staff recommendation is to retain this resolution as amended. Pass Unan.

2015-9 **Concerning Merging the Municipal Election Code with the State Election Code**

Delete Unan.

Introduced in the 2015 GHCHR Policy Committee, this Resolution urges the New Mexico Legislature to merge the Municipal Election Code into the State election Code, and further invites municipal clerks, county clerks and the Secretary of State to work together to merge the two codes.

Staff recommendation is to move this resolution into the Statement of Municipal Policy.

2015-10 Concerning the 2015 GO Bond Issue for Libraries

*Pass
Unam.*

Introduced in the 2012 GOHR Policy Committee, this Resolution seeks NMML support of the 2012 Library Acquisition Bond Issue "B".

Staff recommendation is to retain this resolution as amended.

Key funding for smaller libraries

2015-2016 STATEMENT OF MUNICIPAL POLICY

1.3.02 **Insert:** "Inspection of" and ("IPRA") into the first line to make the references more precise.

Add at the end of the current statement:

"Provisions should be made to accommodate public inspection of police audio recordings and bodycam footage while preserving the privacy rights of our citizens. The abusive and harassing use of the Inspection of Public Records Act is on the rise. The state should consider some minimal level of protection for municipalities from the abusive and harassing use of the IPRA."

Get arguments pro + con

1.3.03 **Add at the end of the second sentence:**

"Strong consideration should be given to consolidating the Municipal Election Code with the State Election Code so as to provide a uniform process for electing government officials."

1.3.04 **Delete and renumber.**

1.5.05 **Delete and move to Environment, Energy & Natural Resources.**

Respectfully submitted,

Randall D. Van Vleck
Liaison, GOHR Policy Committee
General Counsel
New Mexico Municipal League

Upcoming session

- 68 mil. shortfall now
- Poss. of ~~extra~~ special session.

Bill Fulginitti - Ex Dir ML

- * - At < 1% reserve. Normally @ 10%
- If a deficit, special session.
 - + ugly cuts.
 - + Hold harmless in jeopardy.
 - \$268 mil.
 - \$180-200 mil. on food tax exemption.
- Push forward w/ resolutions, even if funding not avail.

NEW MATERIAL

RESOLUTION 2016 - _____

CONCERNING THE SAFER NEW MEXICO ACT

Whereas, the State of New Mexico has legislative mandated uniform guidelines for the QUALIFICATIONS FOR CERTIFICATION of all law enforcement officers employed within the entire state as outlined in 29-7-6 NMSA 1978; but legislation restricts authority determined city and county boundaries.

Whereas, within the State of New Mexico, each law enforcement agency is bound to "Territorial Jurisdiction," regardless of the type and size of the law enforcement agency, and State legislative law enforcement authority exists only within those jurisdictions, with the exception of an agreement referred to as "Cross Commission"; and

Whereas, within the State of New Mexico the State Police, County Sheriffs, and Municipal Law Enforcement agencies are limited in authority based upon "Territorial Jurisdiction." The State Police have state wide jurisdiction, the County Sheriffs have county wide jurisdiction, and Municipal Agencies have sole jurisdiction within the city boundaries, unless a "Cross Commission" agreement exists. The authority of a certified law enforcement officer to investigate crimes which have an absolute "Nexus" to their "Territorial Jurisdiction" is limited should the witnesses and or suspect(s) reside or have fled outside of the employing agency's "Territorial Jurisdiction." Based on the lack of authority, in such cases the investigating agency must seek assistance from the jurisdictional agency in which the investigation has led them to in the course of their duties. Based upon man power shortages and the unavailability of resources of that agency; they may not be able to accommodate the request, or the time frame for accommodation is unreasonable; and

Whereas, within the State of New Mexico there currently are an estimated 2000 vacant certified law enforcement positions statewide, with that number expected to increase in the future. Many law enforcement agencies statewide are experiencing a lack of personnel and limited resources; many do not have the availability to adequately accommodate requests from outside agencies to assist in their investigations; and

Whereas, the lack of law enforcement authority experienced by County Sheriffs, and Municipal Police Agencies have been the direct cause of solvable cases becoming inactive simply because law enforcement officers are limited in authority to "Territorial Jurisdiction." Many cases never see the light of a courtroom and many victims are left without justice. Currently, should a law enforcement officer outside their "Territorial Jurisdiction" engage in any type of law enforcement activity excluding Mutual Aid or a Cross Commission agreement, they could potentially face criminal prosecution based on the lack of law enforcement authority; and

Whereas, the intent of this resolution **IS NOT** to change or alter or increase the "Territorial Jurisdiction" of any agency within the State of New Mexico; and

Whereas, the term "Nexus" as referred to, is defined as having a direct connection to, or linked to a crime committed in the "Home Jurisdiction" of the investigating law enforcement agency; and

Whereas, the term "Policy & Procedure" is defined as an operational guideline, overall plan embracing the general goals and acceptable procedures, a definite course or method of action in light of given circumstances; and

Whereas, this resolution is the general model of legislative law enforcement authority for individual States within the United States of America. Nothing in this resolution is in contrast to or minimizes guaranteed individual rights which are protected under the State of New Mexico Constitution.

Now, Therefore, Be it Resolved, that the New Mexico Municipal League and the New Mexico Association of Chiefs of Police supports the legislation of the Safer New Mexico Act; and

Be it Further Resolved, that the New Mexico Municipal League and the New Mexico Association of Chiefs of Police seek legislation of the Safer New Mexico Act, whereas any fulltime employed law enforcement officer within the State of New Mexico, who have met the State Legislative uniform requirements as outlined in 29-7-6 NMSA 1978 (Law Enforcement Training), and are certified as a peace officer through the State of New Mexico, shall have uniform law enforcement authority statewide to conduct, within the scope of his/her duties, any investigation which has a direct "Nexus" to the "Territorial Jurisdiction" of his/her employing agency, and the prosecution venue of such crimes is within their "Territorial Jurisdiction"; and

Be it Further Resolved, within the State of New Mexico that each ~~law enforcement agency~~ ^{Municipality} will develop and implement policy and procedures to accommodate extended law enforcement authority, and place guidelines in which the primary goal is the focus of criminal investigations and prosecution for crimes that have a direct "Nexus" to their specific "Territorial Jurisdiction." The "Policy and Procedures" should include, but not be limited to addressing each agency's personnel are primarily responsible for enforcing laws within their own "Territorial Jurisdiction." This includes notification to the appropriate jurisdictional agency when an investigation has led them to an outside jurisdiction. Every agency and or entity has the ability to develop policy and procedure defining guidelines for their law enforcement personnel.

Be it Further Resolved, that the New Mexico Municipal League and the New Mexico Association of Chiefs of Police seeks legislation as part of the Safer New Mexico Act to address general liability as the result of a New Mexico certified law enforcement officer exercising his/her authority, within the scope of his/her duties as being incurred by the employing agency, should the foundation for such liability take place in an outside jurisdiction. This shall be addressed in each agency or entity "Policy & Procedure" for law enforcement personnel.

Passed, Approved and Adopted this _____ day of _____ at the City of Albuquerque, New Mexico.

RESOLUTION 201[5]6-[10] __

CONCERNING 2016 BOND ISSUE FOR LIBRARIES

Whereas, New Mexico public libraries provide books and other materials to meet the informational, educational, cultural and recreational needs of all New Mexicans; and

Whereas, the effectiveness of a library is determined by its ability to deliver current, accurate information in a timely manner through books and materials answering community needs; and

Whereas, advances in technology have made information resources increasingly accessible electronically; and

Whereas, the demand for library resources continues to rise while the cost of providing the resources is beyond local funding capacity; and

Whereas, publicly funded libraries have increased their effectiveness by sharing their resources electronically, enabling public, tribal, school and college libraries to coordinate the use of scarce library funds within the community and statewide; and

~~[Whereas, a bill will be presented to the Legislature during the 2016 Legislative Session to place a general obligation bond issue on the November 2016 ballot to raise \$18 million for libraries statewide; and]~~

Whereas, public libraries have experienced a substantial growth in usage, yet many municipalities lack resources to support adequate funding for library collections.

Now, Therefore, Be It Resolved that the New Mexico Municipal League endorses ~~[legislative passage of a General Obligation bond bill for \$18 million for libraries on the November 2016 general election ballot]~~ the Library Acquisition GO Bond "B" on the November 8, 2016 ballot.

Passed, Approved and Adopted this [3rd] 1st day of September at the City of [Albuquerque] Hobbs, New Mexico.

NEW MATERIAL

RESOLUTION 2016 - _____

CONCERNING THE WHISTLEBLOWER PROTECTION ACT

Whereas, the Whistleblower Protection Act ("Act") was enacted by the New Mexico Legislature in 2010; and

Whereas, the Act was intended to prohibit public employers from retaliating against public employees who take action, object to, or refuse to participate in a matter the employee believes, in good faith, to be an unlawful or improper act.; and

Whereas, the Act provided for a 2 year statute of limitations for bringing a claim and authorized the claim to be filed in any court of competent jurisdiction; and

Whereas, the Act is a non-exclusive remedy, meaning that a claim under the Act may be brought independently of any other employment-related claim; and

Whereas, it is in the interest of municipal governments in promoting the safety of their citizens to deal with these offenders quickly and effectively; and

Whereas, current state and federal law provided for legal remedies against employers for prohibited activities, including retaliation-based claims; and

Delete **Whereas**, municipal governments have experienced a significant increase in the number of employment-related lawsuits that include a whistleblower claim; and

Whereas, portions of the Act are vague and subject to multiple interpretations; and

have concerns **Now, Therefore, Be It Resolved**, that the New Mexico Municipal League supports amending the Whistleblower Protection Act to better define the definition of "good faith" by requiring some minimal threshold of evidence for an employee to file a claim under the Act; and

Needs fixing **Be It Further Resolved**, that the Act be amended to narrow the definition of "retaliatory action" as the current definition encompasses any "adverse employment action against a public employee"; and

Be It Further Resolved, that the Act be amended to limit "unlawful or improper act(s)" to violations of state or federal law; and

Be It Further Resolved, that the Act be amended to narrow the universe of individuals to whom a complaint may be communicated as a precondition to filing a claim under the Act.

Passed, Approved and Adopted this _____, 2016 at the _____ New Mexico.

Accept
I moved.
second ✓

NEW MATERIAL

RESOLUTION 2016 - 13

CONCERNING SERVICE OF MUNICIPAL WARRANTS

Pass
Unan.

Whereas, municipal warrants are currently enforceable only within the county in which they are issued; and

Whereas, many municipalities are close to other counties in which offenders reside and evade arrest; and

Whereas, if those who evade arrest by virtue of such residency could be served, justice itself would ultimately be better served; and

Whereas, on May 6, 2016 a proposal was made to the Chief Judges Council of the Supreme Court where a motion was presented and voted upon to recommend to the Supreme Court that the jurisdiction of municipal arrest warrants be extended to adjoining counties; and

Whereas, on May 18, 2016, the New Mexico Supreme Court met and agreed to support legislation to expand municipal arrest warrant jurisdiction to adjoining counties.

Now, Therefore, Be It Resolved that the New Mexico Municipal League seek legislation to amend Section 35-15-4 NMSA 1978 to read:

Section 35-15-4: [**Authority of constable or sheriff to serve process and make arrests.**]

Any constable or sheriff of the county in which the municipality is located or a county adjacent to the county in which the municipality is located may serve any process or make any arrests authorized to be made by the city or town officer of the municipality where the violation occurred, except for parking violations.

Passed, Approved and Adopted this 5th day of May, 2016 in Albuquerque by the New Mexico Municipal Judges Association.

**TOWN OF EDGEWOOD
PLANNING & ZONING COMMISSION
STAFF REPORT**

SUBJECT : 2016-ZC 004

APPLICANT: Mr. Robert Milford

REQUESTED ACTION:

The applicant is seeking a Zone Change from SU- Special Use to RE-Residential Estate for property located at 17 Hill Ranch Road, Tract C, SE1/4 of Section 4, T10N, R7E, Town of Edgewood, Santa Fe County, NMPM Lands of Howard and Dona Hill Trust.

APPLICATION EXHIBITS:

- A) Staff Report
- B) Application for Zone Change
- D) Plat: Lands of Howard and Dona Hill Trust
- E) Warranty Deed: Recorded April 28, 2004
- F) Zone Atlas Map
- G) Google Aerial Map

APPLICABLE REGULATIONS

Zoning Ordinance 2014-02

Section 17. RE- Residential Estate

Section 25. SU- Special Use

Section 40. Amendments

LOCATION

Subject property is located at:

17 Hill Ranch Road, Tract C, SE1/4 of Section 4, T10N, R7E, Town of Edgewood, Santa Fe County, NMPM Lands of Howard and Dona Hill Trust.

BACKGROUND

The applicant submitted a request for Zone Change for 9.4 acres located at 17 Hill Ranch Road on May 10, 2016.

The current owner of the property is Calvary Chapel. They were granted a Special Use around 2004 for the purpose of a church.

The property is divided into 4 parcels. Since the church is not using the two western parcels, they have decided to sell them. The southwest parcel has a prospective buyer who has requested the parcel be returned to the residential zoning. The applicant is requesting RE- Residential Estate zoning due to the size for the land and for the purpose of having more than one outbuilding.

The property to the north and south is zoned R-1 Residential and to the west and east is Santa Fe County jurisdiction, properties included in the recent infill annexation.

The request to change to RE- Residential Estate on the subject parcel is consistent with the zoning on surrounding properties.

PROJECT DESCRIPTION

The subject parcel is currently vacant land. The new owner will build a family home on the property with outbuildings for animals and storage of equipment.

STAFF ANALYSIS

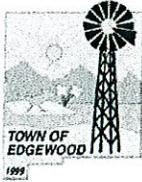
1. Staff performed a review of the application, submitted materials, and applicable ordinances.
2. The request is in compliance with the requirements of the RE Residential Estate zoning and is consistent with the zoning on the adjacent properties.
3. It is the opinion of staff that this request is not detrimental to the general public welfare; and will not impair the value of adjacent properties, not impair the integrity and character of the zoning district.

STAFF RECOMMENDATION

It is the recommendation of staff that the request for zone change from SU-Special Use to RE-Residential Estate for the subject properties be approved.

Future development of lots shall be required to meet the provisions of the following Town of Edgewood Ordinances:

- Fire And Rescue Impact Fees
- Grading & Drainage Ordinance
- Landscaping Ordinance
- Sign Ordinance
- Uniform Fire Code
- Zoning Ordinance
- Subdivision Ordinance



BEFORE THE TOWN OF EDGEWOOD PLANNING & ZONING COMMISSION

FINDINGS OF FACT, CONCLUSIONS OF LAW AND RECOMMENDED ORDER

IN THE MATTER OF AN APPLICATION BY:

MILFORD, TERRY

CASE: 2016-ZC 004

ZONE CHANGE FROM SU-SPECIAL USE TO RE-RESIDENTIAL ESTATE
FOR PROPERTY LOCATED AT 17 HILL RANCH ROAD, LANDS OF HOWARD AND DONA HILL TRUST, SE
¼ OF SECTION 4, T10N, R7E, N.M.P.M., SANTA FE COUNTY, EDGEWOOD, NM 87015

I. APPLICATION PROCESS

1.1 LEGAL

A request by Terry Milford, for a Zone Change from SU- Special Use to RE-Residential Estate zoning for property located at:

17 Hill Ranch Road, Lands of Howard and Dona Hill Trust, SE ¼ of Section 4, T10N, R7E, NMPM, Santa Fe County, Edgewood, NM 87015.

2. PUBLIC MEETING

On May17, 2016 the Planning & Zoning Commission reviewed this application for recommendation to the Town Council.

Applicant Presenting Information : Mr. Terry Milford
Staff Presenting Information : Bonnie Pettee

3. FINDINGS OF FACT

3.1 The Edgewood Planning & Zoning Commission is authorized to hear this case and to make a recommendation to the Edgewood Town Council to approve this Zone Change application for Mr. Terry Milford.

3.2 The authority to recommend approval of this application is within the jurisdiction of the Commission.

3.3 Recommendation for approval of this Zone Change will not adversely affect the general plan of the Town or be contrary to the general public health and welfare.

4. CONCLUSIONS OF LAW

The request for a Zone Change from SU-Special Use zoning to RE-Residential Estate zoning for a 9.4 acre parcel located at 17 Hill Ranch Road is:

4.1 Determined to have met the requirements for a Zone Change Request per the Zoning Ordinance 2014-02, Section 40 Amendments and Section 17. RE- Residential Estate Zone, with the following conditions:

A. Town Ordinances to be followed as the project moves forward in development.

- Zoning Ordinance
- Subdivision Ordinance
- Grading & Drainage Ordinance
- Landscaping Ordinance
- Uniform Fire Code
- Fire and Rescue Impact Fees

4.2 Approval of this request is not detrimental to the public health, safety or welfare in the zone in which it is proposed.

4.3 Approval of this request will not result in adverse impact on neighboring properties.

5. ORDER OF DECISION

Based on the Findings of Fact, Conclusions of Law and the reasons stated, the Town of Edgewood Planning and Zoning Commission recommends that Zone Change Application 2016-ZC 004, a request for a change to the zoning designation from SU- Special Use to RE- Residential Estate for the property identified as 17 Hill Ranch Road, Lands of Howard and Dona Hill Trust, SE ¼ of Section 4, T10N, R7E, NMPM, Santa Fe County, Edgewood, NM 87015 be forwarded to the Town Council for approval and Zone Map Amendment.

THIS RECOMMENDATION WAS APPROVED BY THE EDGEWOOD PLANNING AND ZONING COMMISSION MAY 17, 2016.

Dan Thompson
Dan Thompson, Chairman
Town of Edgewood Planning & Zoning Commission

6/6/16
Date

Attest:

Garry Bryant
Garry Bryant, Secretary
Town of Edgewood Planning & Zoning Commission

6-6-16
Date

**TOWN OF EDGEWOOD
ORDINANCE NO. 2016-03**

**AN ORDINANCE GRANTING THE APPROVAL OF A ZONE CHANGE
TO MIXED USE (M U) ZONE WITHIN THE TOWN OF EDGEWOOD,
NEW MEXICO.**

WHEREAS: the owner Terry Milford is requesting Residential Estate (RE) zoning for the property located at 17 Hill Ranch Road – Tract C – SE ¼ of Section 4, T10N, R7E, NMPM, Edgewood, Santa Fe County, New Mexico, and

WHEREAS: the zone change complies with the requirements of Town of Edgewood Zoning Ordinance No. 2014-02, Section 40 Amendments and Section 17 RE Residential Estate Zone, duly approved by the Town Clerk/Treasurer, and

WHEREAS: the zone request is accompanied by a map, known as Exhibit “A”, showing the boundary of the proposed property and is also accompanied by a written description of the land; and

WHEREAS: a public hearing, or hearings, regarding this ordinance have been published and held in conformance with the requirements of State law that:

1. The requested zone change is located in the municipal boundary and will not adversely affect the general plan of the Town or be contrary to the general public health and welfare.

**THEREFORE: BE IT ORDAINED BY THE GOVERNING BODY OF THE
TOWN OF EDGEWOOD THAT:**

The Governing Body of the Town of Edgewood does hereby grant said zone change with the following conditions:

1. Property to be zoned Residential Estate (RE)
2. The property being zoned as Residential Estate (RE) will be in compliance with the Town’s current Planning & Zoning Ordinance and 2000 Comprehensive Master Plan.

The zone map of the Town of Edgewood shall be amended accordingly and a copy of this Ordinance amending the zone map of the Town of Edgewood

shall be recorded in the office of the County Clerk of Santa Fe County, New Mexico.

APPROVED, PASSED AND ADOPTED this 6th day of July, 2016 at an open meeting held at the Edgewood Community Center, Edgewood, New Mexico.

John Bassett, Mayor

ATTEST:

Juan Torres, Clerk/Treasurer

Infrastructure Capital Improvement Plan FY 2017-2021

Annual Operating Revenues 5,000 5,000 6,000 6,000 7,000 29,000

Does the project lower out-year operating costs? 0 0 0 0 0 0 Yes

If yes, please explain and provide estimates of operating costs It is estimated that the Town will save at least \$ 15,000 and \$ 17,000 in potable water savings by using reuse water on the recreation field.

Entities who will assume the following responsibilities for this project:	Own:	Operate:	Fiscal Agent:	Own Land:	Own Asset:
	Town of Edgewood				

Does the project have life expectancy of 10 or more years? Yes

Has the project had public input and buy-in? Yes

Is the project necessary to address population or client growth? Yes

Has the land and all necessary easement or rights of way been acquired to complete the project? Yes

Legislators affected by this project:

House: _____

22-Smith _____

50-McQueen _____

Senate: _____

19-Beffort _____

Is this project a regional priority? For example, is it supported by more than one legislator or by more than one local government entity? Yes

If yes, please explain. All three legislators that represent the Town of Edgewood are aware of the plans and efforts of the Town to develop and expand collection, reuse, and treatment systems within the Town.

Are there oversight mechanisms built in that would ensure timely construction and completion of the project on budget? Yes

Infrastructure Capital Improvement Plan FY 2017-2021

If yes, please explain.

The New Mexico Environment Department monitors and performs comprehensive oversight on projects associated with the Town of Edgewood Wastewater System.

Do the requested funds complete a fully functional phase of the project or complete a project previously funded by a legislative appropriation? No

If yes, please explain.

Other than the temporary construction jobs associated with the project, does the project maintain or advance the region's economy? Yes

If yes, please explain. Increased capacity of the Wastewater System will benefit the regional economy by allowing more businesses to locate in Edgewood and providing jobs and increased services for the region's residents.

Does the project benefit all citizens within a recognized region, district or political subdivision? Yes

If yes, please explain and describe the population benefiting from the project. Aside from the economic benefits associated with this project, all residents of the Town and region should

benefit from reuse water being used in place of potable water.

Does the project eliminate a risk or hazard to public health and/or safety that immediately endangers occupants of the premises such that corrective action is urgent and unavoidable? No
Emergencies must be documented by a Subject Matter Expert.

If yes, please explain. (If mandatory, provide Summary Page of the Federal, State or Judiciary Agency who issued the mandate.)

Infrastructure Capital Improvement Plan FY 2017-2021

ICIP Capital Project Description

Year/Rank 2017 002 ID:31277
Project Title: Road Maintenance Water Truck Category: Hiways/Roads/Streets/Bridges
Contact Name: Steve Shepherd Contact E-mail: sshepherd@edgewood-nm.gov
Project Location: Roads within the Town of Edgewood, NM and Edgewood Wastewater Plant Longitude: -106W 11' 38.1222
Latitude: +35N 3' 46.2636
Legislative Language: To purchase and equip a new Water Truck to be used to use treated wastewater to maintain roads within the boundaries of the Town of Edgewood, New Mexico to reduce dust and aid in maintaining roads.
Description/Scope of Work: The new Water Truck will be used by the Town of Edgewood Road Crew to reduce dust on dirt roads when dry, as well as reduce the amount of wastewater discharged from the Town of Edgewood Wastewater Plant.

Previous and Potential Funding Budget:	Applied	Matching	Funded to Date	Date
Has this project received previous legislative or other funding? Please explain.	for?	Funds?	Amt Previously Spent / Secured	Received
State Grant Funding should only be requested when all other funding sources have been exhausted if entity is providing matching funds, i.e. Federal, Local Taxes, Fees, NM Finance Authority Loans (NMFA), Tribal Infrastructure Fund (TIF), Water Trust Board (WTB), Public School Facility Authority (PSFA), Colonia's Infrastructure Board (CIB), etc. Please complete table below with funding source, etc. (No commas, decimals or \$ signs)	No	No	0	
Funding Sources:	No	No	0	
	No	No	0	
	No	No	0	
TOTALS	0		0	

Project Budget - Complete the Budget below. Only include unfunded or unsecured funds under each project year. Note: Funded to Date column must equal the amounts listed above here.

	Completed	Estimated Costs Not Yet Funded			Total Project Cost
		2017	2018	2019	
Water Rights	N/A	0	0	0	0
Easements and Rights of Way	N/A	0	0	0	0
Acquisition	N/A	0	0	0	0

Infrastructure Capital Improvement Plan FY 2017-2021

Archaeological Studies	N/A	0	0	0	0	0	0	0	0	0
Environmental Studies	N/A	0	0	0	0	0	0	0	0	0
Planning	N/A	0	0	0	0	0	0	0	0	0
Design (Engr./Arch.)	N/A	0	0	0	0	0	0	0	0	0
Construction	N/A	0	0	0	0	0	0	0	0	0
Furnishing/Equipment	No	0	200,000	0	0	0	0	0	0	200,000
TOTALS		0	200,000	0	0	0	0	0	0	200,000
Amount Not Yet Funded 200,000										

Can this project be phased? No

Phase: A project phase is a fundable, standalone, functional or operable stage during the development and/or life of a project.

Project phases: Unfunded amounts broken down by phase and category.

Phase	Amount	Plan	Design	Construct	Furnish/Equip	Other (Wtr Rights, Easements, Acq)	# Mos to Complete
1	0	No	No	No	No	No	0
2	0	No	No	No	No	No	0
3	0	No	No	No	No	No	0
4	0	No	No	No	No	No	0
5	0	No	No	No	No	No	0
TOTAL	0						0

Has your local government/agency budgeted for operating expenses for the project when it is completed? No

If no, please explain why: Operating expenses will be budgeted in FY17

ANNUAL OPERATING BUDGET

Annual Operating Expenses plus Debt Service	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	TOTAL
Annual Operating Revenues	0	0	0	0	0	0
	3,000	3,000	3,000	3,000	4,000	16,000

Does the project lower out-year operating costs? No

If yes, please explain and provide estimates of operating costs We assume this will reduce the cost of discharging treated wastewater, but do not have an estimate yet.

Infrastructure Capital Improvement Plan FY 2017-2021

Entities who will assume the following responsibilities for this project:	Own:	Operate:	Fiscal Agent:	Own Land:	Own Asset:
	Town of Edgewood	Town of Edgewood	Town of Edgewood		Town of Edgewood

Does the project have life expectancy of 10 or more years? Yes

Has the project had public input and buy-in? Yes

Is the project necessary to address population or client growth? Yes

Has the land and all necessary easement or rights of way been acquired to complete the project? No

Legislators affected by this project:

House:	Senators:
22-Smith	19-Beffort
50-McQueen	

Is this project a regional priority? For example, is it supported by more than one legislator or by more than one local government entity? No

Are there oversight mechanisms built in that would ensure timely construction and completion of the project on budget? No

Do the requested funds complete a fully functional phase of the project or complete a project previously funded by a legislative appropriation? Yes

Other than the temporary construction jobs associated with the project, does the project maintain or advance the region's economy? No

Does the project benefit all citizens within a recognized region, district or political subdivision? Yes

If yes, please explain. This project will benefit all residents of Edgewood and other jurisdictions who drive on dirt roads, and pay rates and taxes to support wastewater treatment in the Town of Edgewood.

Infrastructure Capital Improvement Plan FY 2017-2021

Does the project eliminate a risk or hazard to public health and/or safety that immediately endangers occupants of the premises such that corrective action is urgent and unavoidable? No
Emergencies must be documented by a Subject Matter Expert.

If yes, please explain. (If mandatory, provide Summary Page of the Federal, State or Judiciary Agency who issued the mandate.)

Infrastructure Capital Improvement Plan FY 2017-2021

ICIP for Edgewood

Contact: Stephen Shepherd, Administrator **Telephone No.:** (505) 286-4518
P.O. Box 3610
Edgewood, NM 87015

County: Santa Fe

COG District: 3 **Fax:** (505) 286-4519

Entity Type: MU **Email Address:** sshepherd@edgewood-nm.gov

Provide your entity's most current audit opinion: Unmodified Modified Qualified Adverse Disclaimer AUP
No No No No No No

For what fiscal year was opinion issued? 2014

Is your entity REQUIRED to report to the NM State Auditor's Office? Yes

Does your entity fall under the No **Tiered Number:**

Tiered System Reporting?

If your entity falls under Tiers 1 or 2, have you provided a copy of the certification to:

NM State Auditor's Office: No **LGD:** No

Findings for Tiers 3-6: 0 **FY for these findings:** 1900

Is entity required to submit budgets/quarterly reports to LGD?: Yes

Fiscal Year for the most current budget approved by LGD: 2016

Current report to LGD /Year: 2015 **Current report to LGD / Qtr:** 4

Does entity have an asset management plan/inventory listing?: Yes

Project Priority Process

The Council reviewed and prepared the budget for fiscal year 2016 and reviewed the ICIP prepared for the 5 year planning period. Upon review of the goals and budget, the Council held public discussions about the needs and priorities of the Town for the next five year planning period. A Call for Public Hearing was made at Town of Edgewood Council meeting on July 15, 2015. On August 19, 2015 a final Public Hearing was held in where public comment was allowed for, priorities were finalized, and a resolution adopting the 2017-2021 ICIP plan was approved.

Capital Improvement Goals

To establish a comprehensive, thorough plan for the next five years which will provide our legislators with a solid planning document. Also, provide a funding strategy including the federal grants/loans and funding from the State of New Mexico. The Town of Edgewood Council is looking at local bonding and taxing powers to raise additional funding.

Factors/Trends Considered

The Town of Edgewood is situated in a tri-county area in the lower portion of Santa Fe County, bordering Bernalillo County and Torrance County. As a new municipality we have a tremendous need to develop our wastewater/water reuse plant, roads and road maintenance equipment, and community facilities and parks/open space areas.

THE TOWN OF EDGEWOOD

COUNTY OF SANTA FE

RESOLUTION NO. 2015-16

**A RESOLUTION ADOPTING AN INFRASTRUCTURE CAPITAL IMPROVEMENT
PLAN (I.C.I.P.)**

WHEREAS: the Town of Edgewood recognizes that the financing of public projects has become a major concern in New Mexico nationally; and

WHEREAS: in times of scarce resources, it is necessary to find new financing mechanisms and maximize the use of existing resources; and

WHEREAS: systematic capital improvements planning is an effective tool for communities to define their development needs, establish priorities and pursue concrete actions and strategies to achieve necessary project development; and

WHEREAS: this process contributes to local and regional efforts in project identification and selection in short and long range capital planning efforts.

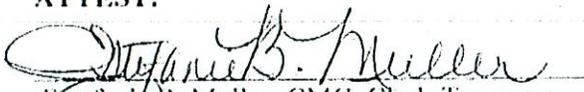
NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF EDGEWOOD that:

1. The Town of Edgewood has adopted the attached 2017-2021 Infrastructure Capital Improvement Plan; and
2. It is intended that the Plan be a working document and is the first of many steps toward improving rational, long-range capital planning and budgeting for New Mexico's infrastructure.
3. This Resolution supersedes Resolution No. 2014-18.

PASSED, APPROVED and ADOPTED by the governing body at its meeting of August 19, 2015.


Brad E. Hill, Mayor

ATTEST:


Stefanie B. Muller, CMC, Clerk-Treasurer

Infrastructure Capital Improvement Plan FY 2017-2021

Edgewood Project Summary

ID	Year	Rank	Project Title	Category	Funded to date					Total Project Cost	Amount Not Yet Funded	Phases?
					2017	2018	2019	2020	2021			
26705	2017	001	Waste Water Collection, Effluent, and Treatment	Wastewater	0	634,500	687,000	600,000	0	1,921,500	1,921,500	Yes
31277	2017	002	Road Maintenance Water Truck	Hiways/Roads/Streets/Bridges	0	200,000	0	0	0	200,000	200,000	No

Number of projects: 2

Grand Totals	Funded to date:	Year 1:	Year 2:	Year 3:	Year 4:	Year 5:	Total Project Cost:	Total Not Yet Funded:
	0	834,500	687,000	600,000	0	0	2,121,500	2,121,500

Infrastructure Capital Improvement Plan FY 2017-2021

ICIP Capital Project Description

Year/Rank 2017 001 ID:26705
Project Title: Waste Water Collection, Effluent, and Treatment Category: Wastewater
Contact Name: Stephen Shepherd Contact E-mail: sshpherd@edgewood-nm.gov
Project Location: 209 State Hwy 344, Edgewood NM 87015 Longitude: -106W 1' 92.431
Legislative Language: To plan, design, and construct, and equip the Wastewater Collection and Effluent Line Extension System, and plan, design, construct, and equip the Edgewood Town Wastewater Plant Treatment System in order to increase capacity and perform improvements for the Town of Edgewood in Santa Fe County.

Description/Scope of Work: Planning, design, archaeological studies, environmental studies and construction to expand the Town's wastewater collection, reuse, and treatment system with an emphasis on Section 16 development and sports field and landscape irrigation with respect to the distribution, transmission lines, pumpstation(s), storage, and appurtenances to collect wastewater and conserve potable water. The first year will consist of the planning, design, and archaeological/environmental studies (if required by the funding source), and construction and/or purchasing and installing needed equipment. The second and third years will consist of construction of the collection and effluent extension lines and construction or purchasing and installing equipment concerning the treatment portion of the system.

Previous and Potential Funding Budget:	Applied for?	Matching Funds?	Amt Previously Spent / Secured	Date Received
Has this project received previous legislative or other funding? Yes Please explain: A grant of \$ 440,000 (14-1700-STB) was received in February of 2015, and a grant of \$ 620,000 is pending a bond sale in December of 2015.	No	No	0	
State Grant Funding should only be requested when all other funding sources have been exhausted if entity is providing matching funds, i.e. Federal, Local Taxes, Fees, NM Finance Authority Loans (NMEFA), Tribal Infrastructure Fund (TIF), Water Trust Board (WTB), Public School Facility Authority (PSFA), Colonia's Infrastructure Board (CIB), etc. Please complete table below with funding source, etc. (No commas, decimals or \$ signs)	Yes	No	0	
Potential Funding Amt applied for or to be applied for 500,000	Yes	No	0	
Sources: SLOAN	Yes	No	0	
TOTALS			0	

Project Budget - Complete the Budget below. Only include unfunded or unsecured funds under each project year. Note: Funded to Date column must equal the amounts listed above here.	2017	2018	2019	2020	2021
Completed					
Funded to Date					
Estimated Costs Not Yet Funded					
Total Project Cost					

Kay Davis

From: Fred Radosevich
Sent: Thursday, June 26, 2014 5:05 PM
To: Kay Davis
Subject: Speed limits

Kay,
I have reviewed the speed studies that MRGCOG conducted last month and would like to recommend the following changes in speed limits:

1. Edgewood 7 from SR 344 to Windmill from 30MPH to 35MPH.
2. Church Street from Cactus to Quail(end of pavement) from 30 MPH to 35 MPH.
3. Dinkle from SR 344 to east Town limits 30 MPH to 35 MPH.
4. Dinkle from SR344 to Horton Road 30 MPH to 35 MPH.
5. West Hill Ranch Road from SR344 to Moonlight Meadows 30 MPH to 35 MPH
6. East Venus from SR344 to end of pavement 30 MPH to 35 MPH. I know that there was no study but due to the fact that we just paved it and there are no houses, cross streets or driveways I feel that the current speed limit is too low. The current speed limit is the same for the paved portion as it is for the dirt portion and that needs to be changed.

If you have any questions please feel free to contact me.

Chief Fred Radosevich
Edgewood Police Department
1916 Old Hwy 66
PO Box 3610
Edgewood NM,87015
505-281-5717

(4) the posted speed limit in construction zones posted as double fine zones or other safety zones posted as double fine zones as designated by the municipality or highway and transportation department, provided that the posted speed limit be determined by an engineering study performed by the state highway and transportation department.

B. In every event, speed shall be so controlled as may be necessary:

(1) to avoid colliding with any person, vehicle or other conveyance on, or entering, the street;

(2) to comply with legal requirements as may be established by the municipality, the state highway department or the New Mexico state police, and the duty of all persons to use due care; and

(3) to protect workers in construction zones posted as double fine zones or other safety zones posted as double fine zones as designated by the municipality or highway and transportation department. (66-7-301 NMSA 1978)

12-6-1.3 ESTABLISHMENT OF SPEED ZONES.

A. Whenever the administrator determines, upon the basis of an engineering survey and traffic investigation, that any speed limit permitted under state law or local ordinance is greater or less than is reasonable or safe under the conditions found to exist upon any part of a street within his jurisdiction, he may declare a speed limit for that part which is effective at times determined, when appropriate signs giving notice thereof are erected at the particular part of the street.

B. Alteration of speed limits on state highways by the administrator are not effective until approved by the state highway commission. (66-7-303 NMSA 1978)

C. The administrator shall adhere to and abide by all applicable state statutes in making his determination of speed limits in the municipality.

D. Whenever the administrator declares a speed limit, he shall submit a schedule of the speed limit to the police department, the municipal judge, the municipal clerk and the municipal attorney. (*)

E. Speed zones may be marked by a sign containing a flashing yellow light and, when the light is in operation, the speed limit, instructions or regulations on the sign are in effect.

F. The provisions of Subsection A of this section shall not apply to changes of speed limit in construction zones authorized pursuant to 12-6-1.3 G through K of this section.

G. When construction, repair or reconstruction of any street or highway is being done, the administrator or other governmental authority with jurisdiction over that

**Town of Edgewood
Speed Studies and Proposed Speed Limits**

Date	Road Name	No. of Vehicles	Average Speed	85% speed	Current Speed	Proposed Speed	Proposed Change
06/29/15	Calle Encantada	47.0	15.0	30.0	15.0	25.5	25.0
06/30/15		55.0	15.0		15.0	25.5	
06/29/15	Epoch Drive	100.0	15.0	30.0	15.0	25.5	25.0
06/29/15	Serrania North	55.0	15.0	30.0	15.0	25.5	25.0
06/30/15		48.0	15.0		15.0	25.5	
06/29/15	Camino Drecho South	84.0	15.4	30.0	15.4	26.1	25.0
06/30/15		85.0	15.0		15.0	25.5	
06/29/15	Hermosa Montana	59.0	22.1	30.0	22.1	33.9	30.0
06/30/15		56.0	21.1		21.1	33.2	
06/29/15	Williams Ranch Road	224.0	26.0	30.0	26.0	44.5	35.0
06/30/15		252.0	34.8		34.8	44.5	
06/29/15	East Venus Road	138.0	34.0	30.0	34.0	43.5	35.0
06/30/15		145.0	33.8		33.8	43.2	
06/29/15	Plaza Loop Drive	441.0	15.1	30.0	15.1	25.6	25.0
06/30/15		529.0	15.0		15.0	25.6	
06/29/15	Salida Del Sol Trail	52.0	16.8	30.0	16.8	28.5	25.0
06/30/15		60.0	18.1		18.1	30.6	
06/29/15	El Prado	65.0	15.0	25.5			25.0
06/30/15		62.0	15.0	25.5			25.0
09/28/15 - 10/01/15	E. Frost Road Section A	3,479.0	49.0	40.0	49.0	64.0	45.0
09/28/15 - 10/01/16	E. Frost Road Section B	4,027.0	49.0		49.0	58.0	45.0

February 23, 2016

To Whom It May Concern,

I am writing this letter on behalf of the residents of Barton Court in Edgewood, NM. My name is Christine Baird at 10 Barton Ct. We have lived on this street since 1994. As long as we have lived here our street has been maintained and graded. It may have been a few times a year, but it was maintained (graded, plowed, and graveled). There should be a public record of maintenance. There were no ruts on our street. Recently this fall, a sign was put up at the end of the street that states "Edgewood Maintenance Ends Here." There has been no further maintenance on this street. With the heavy rains and snow, our street now has ruts. The ruts are getting deeper and more difficult to drive through. During the rain, only 4-wheel or all-wheel drive vehicles could get up the street. We are also concerned about the wear and tear on our vehicles.

On our street, many of the homes have elderly residents. With the exception of two homes, all have small toddlers and children. We have a Special Needs child with multiple disabilities in 1st grade. The school bus has had problems driving to our door. We are all concerned about safety issues. We feel as the street deteriorates that emergency help will be hindered. We heard that this was designated as a Private Road. Our road is not a dead end, and curves around to Moriarty Road. We are all taxpayers and pay to maintain our roads. We have been a part of Edgewood since it became a town, and we are in the town limits.

Thank you,

Craig and Christine L Baird

10 Barton Ct.

Edgewood, NM 87015

505-235-2043

PETITION REQUESTING DEDICATION/MAINTENANCE OF RIGHT-OF-WAY OR EASEMENT

The Undersigned, being the true owner[s] of record in fee simple thereof, hereby offer[s] And petition[s] the Town of Edgewood to accept the express dedication of _____ road as a public road for all purposes, and to that end, the undersigned hereby [do does] certify:

1. LEGAL DESCRIPTION: _____ Road as platted in exhibit "A"
2. PROOF OF OWNERSHIP. The undersigned petitioners swear under penalty of law to be the owners of property abutting upon or contiguous to the above described road, right-of-way or easement.

Name: Shane Kepinski
Address: 7 Barton Ct.
Telephone: 974-5797

Name: Wayne Chestmolewicz
Address: 03 Barton Ct
Telephone: ~~488~~ 780-3553

Name: John Horvath
Address: 13 Barton Ct.
Telephone: 505-728-7196

Name: Rebecca Chestmolewicz
Address: 03 Barton Ct
Telephone: 850-3519

Name: Julia Herrera
Address: 9 Barton Ct.
Telephone: 505) 905-8712

Name: John Ronquillo
Address: 17 Barton Ct.
Telephone: (505) 414-0090

Name: Craig Baird
Address: 10 Barton Ct.
Telephone: 505-280-2577
235-2043

Name: Stephanie Ronquillo
Address: 17 Barton Ct.
Telephone: (505) 414-0090

Name: Christine Baird
Address: 10 Barton Ct.
Telephone: 505-280-2577

Name: _____
Address: _____
Telephone: _____

Name: Robert Villa
Address: 12 Barton Ct.
Telephone: (505) 8040067

Name: _____
Address: _____
Telephone: _____

Name: Brittany Heffelfinger
Address: 17 Barton Ct
Telephone: 315-418-5773

Name: _____
Address: _____
Telephone: _____

Barton Court Investigation

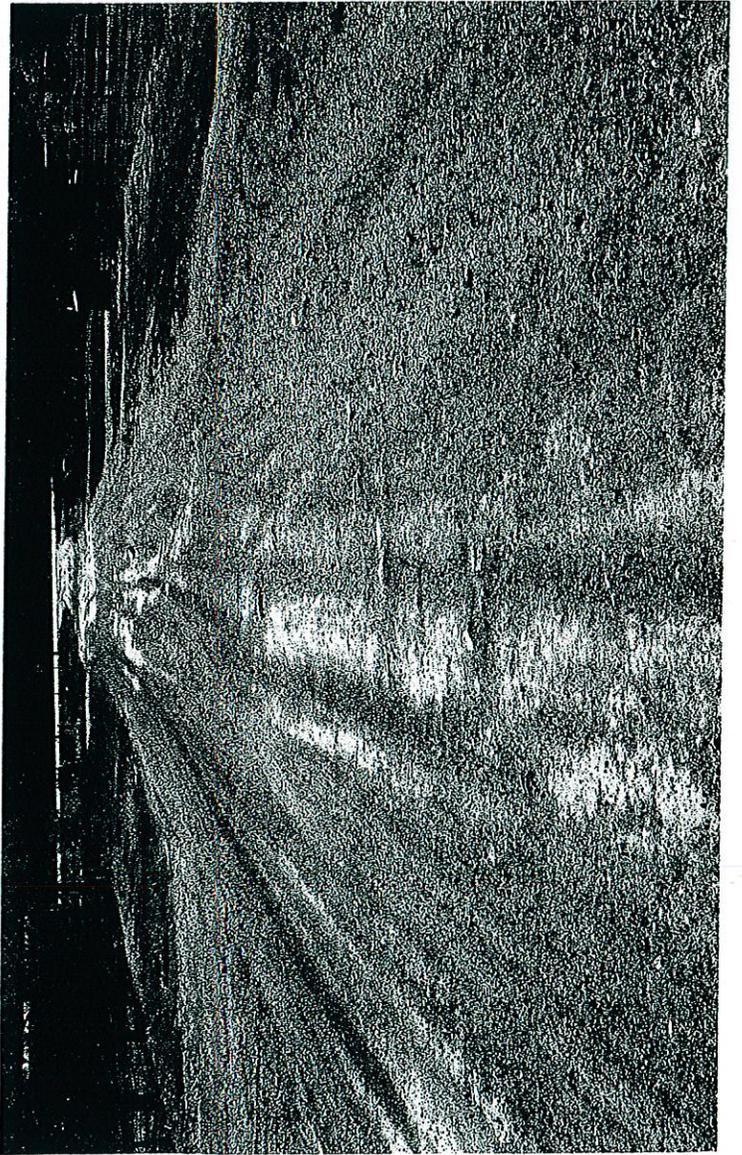
As requested an investigation of Barton Court was performed due to a petition requesting dedication / maintenance of right-of-way or easement. A visual inspection was performed and the following conditions were found. The road is approximately 938' in length and 20' wide for about the first 800' and then narrows to 16' wide. There are no ditches or culverts at driveways for drainage and the center of the road is rutted in areas due to water draining down the center of the road. There is base course in spots and is approximately 1" - 1 ½" thick. Currently the town maintains the first 175' of Barton Court from Edgewood 7 going west and the remainder is private. Edgewood maintenance ends signs were installed last year so that the road crew was aware that we only maintained the first 175' and didn't continue doing work on a private road and violate the states anti donation law. At the present time Barton Court does not meet the standards set forth in the Subdivision Ordinance No.2014-03 section 12. Design Standards Item K-3b Public Right of Way Standards for culverts at driveways entering roads and Item U Geometric Standard Summary that calls for a minimum width of 20' and 6" of base course thickness for a local place, lane or cul-de-sac. Based on these findings it is my recommendation that the remainder of Barton Court not be accepted for maintenance at this time. Photos attached

Respectfully

Norton Henninger

Road Supervisor

Town of Edgewood





Santa Fe County Fire Department Fire Prevention Division

Official Submittal Review Town of Edgewood

Date	06/01/2016		
Project Name	Barton Court – Town adoption		
Project Location	Edgewood Road 7 and State Road 66		
Description	Adoption of road	Case Manager	Bonnie Pettee
Applicant Name	n/a	County Case #	T of E
Applicant Address		Fire District	Edgewood
Applicant Phone			

Review Type: Commercial Roads

Project Status: Approved Approved with Conditions Denial

The Fire Prevention Division/Code Enforcement Bureau of the Santa Fe County Fire Department has reviewed the above submittal and requires compliance with applicable Santa Fe County fire and life safety codes, ordinances and resolutions as indicated (Note underlined items):

At This time Barton Court does not meet the 1997 Uniform Fire Code standards or the 2003 International code standards

Access and Addressing (1997 Uniform Fire Code 901.4.4 & 902.4):

Approved building numbers or addresses shall be placed on all buildings in such a position so that they are plainly visible and legible from the street or road fronting the property.

All gates on a public way shall be operable by means of a key or switch, which is located in a Knox Lock entry system, keyed to the Santa Fe County system.

Roads shall meet the minimum County standards of 20' wide driving surface for fire apparatus access roads within this type of proposed development.

Fire apparatus road, driveway, turnouts and turnarounds shall have an approved, all weather driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds.

Minimum gate and driveway width shall be 14' and an unobstructed vertical clearance of 13'6".

The turnaround at the end of the roadway shall incorporate a turnaround area for emergency vehicle purposes such as a cul-de-sac conforming to the access and turnaround requirements and dimensions of the Santa Fe County Fire Department.

Driveway/fire access shall not exceed 11% slope and shall have a minimum 28' inside radius on curves. (1997 UFC, Section 902.2.2.6)

Life Safety

Fire Protection requirements listed for this development have taken into consideration the hazard factors of potential occupancies as presented in the developer's proposed use list. Each and every individual structure of a private occupancy designation will be reviewed and must meet compliance with the Santa Fe County Fire Code (1997 Uniform Fire Code and applicable NFPA standards) and the 1997 NFPA 101, Life Safety Code, which have been adopted by the State of New Mexico and/or the County of Santa Fe.

General Requirements/Comments

Inspections/Acceptance Tests

The fire prevention bureau shall inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provision of this code and of any other law or standard affecting fire safety. (1997 UFC Article 1, Section 103.3.1.1).

Permits

As required

Final Status

Recommendation for Road adoption denied with the above conditions applied.

Renec Nix, Inspector

Renec Nix
Code Enforcement Official

6-1-16
Date

Through: Chief David Sperling

PLANNING & ZONING COMMISSION
RECOMMENDATION ON BARTON COURT-ROAD DEDICATION

The Planning & Zoning Commission conducted a site visit to Barton Court during the regular meeting on June 5, 2016.

Mr. Juan Torres reviewed the Fire Department report that states that Barton Court does not meet the 1997 Uniform Fire Code Standard or the 2003 International Code Standards. The road must be able to support the imposed load of emergency vehicles weighing up to 75,000 pounds. The minimum gate and driveway width shall be 14 feet wide and unobstructed. The turnaround at the end of the road shall conform to the requirements and dimensions of the Santa Fe County Fire Department. For these reasons, they do not recommend approval.

Mr. Norton Henninger reported his findings. He stated Barton Court has no base course, curbs, or culverts. The road does appear to be 20 feet wide until the end by Mountainair Road. He reiterated the Fire Department would not be able to access that area.

A brief discussion followed about improvements to various roads and funding available for that purpose.

With a motion and second, the Commissioners voted to recommend to Council the denial of the road dedication due to the substandard conditions of the road and based on the inability for access by the Fire Department.

A handwritten signature in black ink, appearing to read "Dan Thompson", is written over a horizontal line.

Dan Thompson, P&Z Chairman

RESOLUTION NO. 2016-09

A RESOLUTION DECLARING THE ELIGIBILITY AND INTENT OF THE TOWN OF EDGEWOOD TO SUBMIT AN APPLICATION TO THE NEW MEXICO DEPARTMENT OF TRANSPORTATION FOR FEDERAL FISCAL YEAR 2018/2019 TRANSPORTATION ALTERNATIVES PROGRAM (TAP) FUNDS

WEREAS, the Town of Edgewood, New Mexico, has the legal authority to apply for, receive and administer federal funds; and,

WHEREAS, the Town of Edgewood is submitting an application for Federal Fiscal Year 2018/2019 (FFY18/19) New Mexico TAP funds in the amount of \$ __, ____, as set forth by the Federal legislation, Fixing America's Surface Transportation (FAST) Act, and as outlined in the FFY 18/19 New Mexico TAP/RTP Guide; and,

WHEREAS, the Edgewood 7 Trail named in the TAP application is an eligible project under New Mexico TAP and the FAST Act; and,

WHEREAS, the Town of Edgewood acknowledges availability of the required local match of 14.56% and the availability of funds to pay all costs up front, as TAP is a cost reimbursement program; and,

WHEREAS, the Town of Edgewood, agrees to pay any costs that exceed the project amount if the application is selected for funding; and,

WHEREAS, the Town of Edgewood, agrees to maintain all projects constructed with TAP funding for the useable life of the project;

NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY of the Town of Edgewood, that:

1. The Town of Edgewood, authorizes Juan Torres, Clerk/Treasurer to submit an application for FFY18/19 New Mexico TAP funds in the amount of \$ __, ____, from the New Mexico Department of Transportation (NMDOT) on behalf of the Town of Edgewood.
2. That the Town of Edgewood assures the NMDOT that if TAP funds are awarded, sufficient funding for the local match and for upfront project costs are available, since TAP is a reimbursement program, and that any costs exceeding the award amount will be paid for by the Town of Edgewood.
3. That the Town of Edgewood, assures the NMDOT that if awarded TAP funds, sufficient funding for the operation and maintenance of the TAP project will be available for the life of the project.

4. That Juan Torres of the Town of Edgewood, is authorized to enter into a Cooperative Project Agreement with the NMDOT for TAP projects using these funds as set forth by the FAST Act on behalf of the citizens of the Town of Edgewood. Juan Torres is also authorized to submit additional information as may be required and act as the official representative of the Town of Edgewood in this and subsequent related activities.

5. That the Town of Edgewood, assures the NMDOT that the Town of Edgewood is willing and able to administer all activities associated with the proposed project.

PASSED, ADOPTED, AND APPROVED this _____ day of _____, 2016.

Town of Edgewood

John Bassett, Mayor

ATTEST:

Juan Torres, Clerk/Treasurer

RESOLUTION NO. 2016-10

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

WHEREAS, the Town of Edgewood ("Governmental Unit") is a qualified entity under the New Mexico Finance Authority Act, Sections 6-21-1 through 6-21-31, NMSA 1978 ("Act"), and the Town Council ("Governing Body") is authorized to submit an Application (as defined below) for financial assistance for a Planning Document (as defined below) for the benefit of the Governmental Unit; and

WHEREAS, the New Mexico Finance Authority ("Finance Authority") has instituted a program for providing grants to evaluate and estimate the costs of implementing feasible alternatives for meeting drainage infrastructure needs or to develop water conservation plans, long-term master plans, asset management plans or economic development plans and has developed an application procedure whereby the Governing Body may submit an application ("Application") for planning grant financial assistance from the Finance Authority; and

WHEREAS, the Governing Body intends to prepare a drainage study for the benefit of the Governmental Unit and its citizens; and

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

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY:

Section 1. That all actions previously taken by the Governing Body and the Governmental Unit and their respective officers and employees in connection with the Application and the Project are hereby ratified, approved and confirmed.

Section 2. That the completed Application submitted to the Governing Body is hereby approved and confirmed.

Section 3. That the officers and employees of the Governing Body are hereby directed and requested to submit the completed Application to the Finance Authority, and are further authorized to take such other action as may be requested by the Finance Authority in connection with the Application and to proceed with arrangements for financing the Project.

Section 4. All acts and resolutions in conflict with this Resolution are hereby rescinded, annulled and repealed.

Section 5. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED, AND ADOPTED this XXth day of July 2016.

John Bassett, Mayor

ATTEST:

Juan Torres, Clerk/Treasurer

**PROFESSIONAL SERVICES AGREEMENT
FOR ECONOMIC DEVELOPMENT SERVICES**

This Agreement made and entered into the 1st day of July 2016 by and between THE TOWN OF EDGEWOOD, NEW MEXICO, a municipal corporation (the "Town") and the ESTANCIA VALLEY ECONOMIC DEVELOPMENT ASSOCIATION, a nonprofit New Mexico Corporation ("EVEDA"). The purpose of this Agreement is to establish a EVEDA as a contractor to provide professional services for economic development for the Town.

WHEREAS, the Town desires to foster the economic development of the Town for the purpose of providing employment opportunities and economic stability for its residents by making reasonable efforts to attract, retain and expand business and commercial enterprises within the Town or its immediate vicinity;

WHEREAS, the Town is in need of professional services to perform economic development activities necessary to attract, retain and expand business and commercial enterprises within the Town or its immediate vicinity;

WHEREAS, the Town has adopted Ordinance No. 2003-14 (the "Ordinance") as authorized by the Local Economic Development Act, NMSA 1978, §§ 5-10-1 through 5-10-13, ("LEDA") to conduct economic development;

WHEREAS, EVEDA is a certified regional economic development agency that is qualified to provide economic development services;

WHEREAS, the Town desires to contract with EVEDA to perform economic development services authorized by the Ordinance and LEDA;

NOW, THEREFORE, for and in consideration of the premises and mutual obligations herein, the parties agree as follows:

I. SCOPE OF SERVICES. EVEDA shall, through its own staff or its consultants, provide economic development services to the Town as follows:

A. REVIEW, EVALUATION AND PRESENTATION OF ECONOMIC DEVELOPMENT PROJECT APPLICATIONS. EVEDA shall:

1. Review applications for proposed economic development projects, including applications for industrial revenue bonds, within the Town;
2. Evaluate proposed economic development projects against the criteria established in the Ordinance and LEDA;
3. Present proposed economic development projects to the Town Council;
4. Recommend a proposed action to the Town Council regarding proposed economic development projects; and

5. Not enter into negotiations with any economic development project as a representative or on the behalf of the Town without formal consent of the Town.

B. RECRUITMENT OF ECONOMIC DEVELOPMENT PROJECTS. EVEDA shall work with the New Mexico Economic Development Department (NMEDD), governmental entities at the local, state and federal level, elected officials, economic development agencies, business organizations, and educational institutions to identify and recruit:

1. Businesses and enterprises to the Town and its vicinity which would create new employment opportunities to residents of the Town;
2. Businesses and enterprises within the Town and its vicinity that are candidates for expansion which would increase employment opportunities to residents of the Town; and
3. Businesses and enterprises within the Town and its vicinity that may require economic development assistance in order to retain existing employment opportunities to residents of the Town.

C. PLANNING. EVEDA shall:

1. Propose, from time to time, Town economic development incentive policies;
2. Serve as a resource for economic development information, data and issues, to the Town and the public and to provide current information and materials to the public; and
3. Allow an appointee of the Town to sit as an ex-officio member to the Board of Directors of EVEDA.
4. **REPORTS.** A minimum of once during the term and additionally upon the Town's request, EVEDA shall prepare and present in person a written comprehensive report to the Town of EVEDA's activities related to this contract, including a summary of economic development project applications reviewed and a summary of economic development recruitment prospects.
5. EVEDA will permit authorized representatives of the Town to inspect EVEDA's books and records upon reasonable notice, during ordinary business hours. During the term of this contract and thereafter until the Town's annual audit of the fiscal year, EVEDA will also cooperate with the Town's designated auditor in any reasonable manner.

II. COMPENSATION AND METHOD OF PAYMENT. In consideration of the performance by EVEDA, the Town shall pay EVEDA the amount of \$ 7,500.00. Payable on July 1, 2016 in the amount of \$7,500.00. This contract is for the period beginning July 1, 2016 and ending June 30, 2017.

III. TERM. The effective date of this contract is July 1, 2016, and this contract shall expire on June 30, 2017. Activities conducted by EVEDA since the effective date of this contract, but before the date of the expiration of this contract, shall be deemed to have been performed by EVEDA in compliance with this contract.

IV. CONFLICT OF INTEREST. No officer or employee of the Town or member of the Town Council, and no employee of EVEDA, or member of EVEDA's Board of Directors, and no person who exercises any functions or responsibilities, in the review or approval of the undertaking or the carrying out of this agreement, shall participate in any decision relating to this agreement which is prohibited by law. Employees and members of EVEDA's Board of Directors shall disclose any conflict of interest with any economic development project or activity conducted by EVEDA on behalf of the Town.

V. HOLD HARMLESS. EVEDA and the Town, in pursuance of the services provided for herein shall use reasonable care to avoid damage or injury to persons or property and shall save and hold harmless each other of and from any and all damages, injuries and expenses caused by the negligence of EVEDA or the Town, their respective agents or employees, or by reason of the failure of EVEDA or the Town to comply with the provisions of this agreement. In no way shall this provision be construed as a waiver of any immunity available to the Town under New Mexico law.

VI. EQUAL OPPORTUNITY.

A. Non-Discrimination. EVEDA agrees that no person shall be excluded from, or denied the benefits of, or be subjected to discrimination under, any program or activity of EVEDA, on the grounds of race, religion, national origin, color, sex, physical handicap, political affiliation or age.

B. Nonsegregated Facilities. EVEDA certifies that all employee facilities under its control are provided in a manner that segregation, whether by habit, local custom, or otherwise, and whether on the basis of race, religion, color, handicap, age, sex, national origin or political affiliation, cannot occur. Further EVEDA certifies that it will not assign, or permit employees to perform services at any location under its control where facilities are segregated.

C. Employment. EVEDA will not discriminate against any employee or applicant for employment because of race, religion, color, handicap, age, sex, national origin or political affiliation; and will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, with regard to any of the same factors. Moreover, EVEDA will state, in all solicitation or advertisements for employees, that all qualified applicants will receive consideration for employment without regard to the factors listed above.

D. COMPLIANCE WITH LAW. EVEDA will at all times conduct itself in accordance with the laws of the United States, the State of New Mexico, and the Town of Edgewood.

VII. RIGHT OF TERMINATION. This agreement may be terminated by either party at any time after sixty (60) days notice in writing given to the opposite party. In the event of such

termination, the Town will have no obligation to make any additional payments as specified in Section II above.

- VIII. ENTIRE AGREEMENT.** This Agreement represents the entire understanding between the parties and supersedes any prior agreements or understandings with respect to the subject matter of this Agreement. No verbal agreement of conversation with any officer, agent, or employee of the Town, either before, during, or after execution of this agreement, shall affect or modify any of the terms or obligations of this Agreement.
- IX. WAIVER OF BREACH.** The waiver by either party of a breach or violation of any provision of his Agreement will not operate as or be construed as a waiver of any subsequent breach of this Agreement.
- X. COOPERATION AND DISPUTE RESOLUTION.** The parties agree that they will maintain effective liaison and close cooperation. If a dispute arises related to the obligations or performance of either party under this Agreement, representatives of the parties will meet in good faith to resolve the dispute.
- XI. BINDING EFFECT.** This Agreement is binding upon, and inures to the benefit of, the parties to this Agreement and their respective successors and assigns.
- XII. NOTICES.** Any notice that will be given in accordance with this Agreement, will be deemed appropriate when sent by certified mail to the following:

Town Clerk
Town of Edgewood
PO Box 3610
Edgewood, NM 87015

and

Executive Director
EVEDA
PO Box 3209
Moriarty, NM 87035

- XIII. PENALTIES.** The Procurement Code, Sections 13-1-28 through 13-1-199, NMSA 1978, imposes civil and criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for illegal bribes, gratuities and kickbacks.
- XIV. APPROVAL REQUIRED:** This Agreement shall not become effective or binding until signed by both parties.

IN WITNESS THEREOF this contract has been executed by the parties hereto in an original and one counterpart copy.

THE TOWN OF EDGEWOOD

Mayor
(SEAL)

Date

ATTEST:

Town Clerk

Date

ESTANCIA VALLEY ECONOMIC DEVELOPMENT ASSOCIATION, INC.

President

Date

SUSANA MARTINEZ
GOVERNOR



DUFFY RODRIGUEZ
ACTING CABINET SECRETARY

RICK LOPEZ
DIRECTOR

BILL R. GARCIA
DEPUTY DIRECTOR

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

June 22, 2016

The Honorable John Bassett
Town of Edgewood
PO Box 3610
Edgewood, NM

Dear Mayor Bassett:

In accordance with Section 6-6-2 (B) NMSA 1978, the Department of Finance and Administration, Local Government Division (LGD) has examined the proposed budget of your local government entity for Fiscal Year 2017 and hereby grants approval and certification for use. Sufficient resources appear to be available to cover proposed budgeted expenditures. However, we must point out that the final approval will be certified no later than the first Monday of September 2016.

Approval and certification of your final budget is contingent upon submission of the following by no later than **July 31, 2016**:

- A resolution adopting the 2016-17 operating budget
- The June 30, 2016 (4th) quarter financial report
- A resolution approving the June 30, 2016 (4th quarter) financial report
- Insurance schedule which reconciles with budgeted amounts
- Debt service schedule which reconciles with budgeted amounts
- Salary schedule by fund which reconciles with budgeted amounts
- Revenue checklist by fund which reconciles with budgeted amounts
- Investment schedule which reconciles with budgeted amounts on recap
- Budget Work Plan questionnaire
- Revised budget recap page to include updated Unaudited Beginning Cash Balances as of July 1, 2016 that agree with Ending Cash Balances as of June 30, 2016 per the 4th quarter financial report (or an explanation as to why these balances don't match)
- Adjustments/revisions discussed with staff (attached)

Please note final budget certification will be "conditional" per 2.2.3 NMAC if Fiscal Year 2015 audit has not been filed with the Office of the State Auditor.

If you have questions regarding this matter, please call Paul Ludi of my staff at 505-827-4333.

Sincerely,

A handwritten signature in black ink that reads "Rick Lopez".

Rick Lopez, Director
Local Government Division

xc: file

Town of Edgewood

**DEPARTMENT OF FINANCE AND ADMINISTRATION, LOCAL GOVERNMENT DIVISION'S
ADJUSTMENTS TO THE FISCAL YEAR 2017 BUDGET:**

FUND	EXPLANATION
LEPF	Correct funding amounts to reconcile with LGD distribution. Please note: these grant revenues must be fully expended in the fiscal year. State law prohibits accumulation of grant revenue in this fund. Furthermore, if there will be a carryover amount, approval must be requested in the LGD carryover request form.
GRT	Verify, and adjust if necessary, if Gross Receipts Tax Revenue needs to be more in line with actuals.

NOTE:

Depletion of the general fund cash balance could be detrimental to the future fiscal health and operations of your local public body. The practice of using cash reserves to support a level of expenditures above the level of budgeted revenues cannot be sustained. If such depletion is an intentional draw-down of revenues for one-time needed projects, then a clear understanding that such purposeful expenditures should be a rarity and treated as such. As stated in Memorandum #BFB-16-04, we are fully aware of the many financial challenges due to the State of New Mexico's recent economic downturn and as oversight take our responsibility seriously in local government oversight.