



City of Las Cruces

City Council Action and Executive Summary

23-055

Type of Action:

☒ Resolution

☐ Ordinance

☐ TIDD Resolution

District: ☐ 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ N/A

1st Reading: Adopted: November 7, 2022

Drafter: Jennifer Vega-Brown Department: Legal

Program: Office of Director Line of Business:

Title: A RESOLUTION APPROVING A NUISANCE, SUBSTANDARD DWELLING OR STRUCTURE IN NEED OF ABATEMENT AT 1045 SOUTH MAIN STREET WITHIN THE CITY LIMITS OF LAS CRUCES, NEW MEXICO, SO RUINED, DAMAGED, AND DILAPIDATED AS TO BE A MENACE TO THE PUBLIC COMFORT, HEALTH, PEACE, OR SAFETY AND THAT IS REQUIRED TO BE REMOVED.

TYPE OF ACTION: ☒ Administrative ☐ Legislative ☐ Quasi-Judicial

PURPOSE(S) OF ACTION:

The resolution requests that the building located at 1045 South Main Street, Las Cruces, NM, be abated and removed. Council approval is required in accordance with NMSA 1978, §3-18-5. The statute allows the governing body of a municipality to remove a structure that is a menace to the public comfort, health, peace, or safety.

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The City of Las Cruces (city) has received many calls for service and complaints regarding the property throughout the years and most recently received over 300 calls between August 2021 through August 2022. The city applied for and was granted, an Inspectorial Search Order on August 5, 2022. See Attachment A. The City's Chief Building Official submitted a report with the findings of the Inspectorial Search, which included severe hazards and unsanitary conditions which deemed the property uninhabitable and substandard. See Attachment B. The proposed resolution complies with state law and is a remedial measure taken to protect the health and safety of the community.

In the event that the owners fail to demolish the condemned structure, the City will contract for demolition and place a lien on the property. The estimated cost for demolition is \$125,373.10. See Attachment C.

SUPPORT INFORMATION:

[Attachment "A" - Inspectorial Search Order](#)

[Attachment "B" - Property Report](#)

[Attachment "C" - Demo Estimate](#)

PLAN(S):

None

COMMITTEE/BOARD REVIEW:

None

DOES THIS AMEND THE BUDGET?:

☐ Yes

☒ No

Does this action amend the Capital Improvement Plan (CIP)?

☐ Yes

☒ No

Does this action align with Elevate Las Cruces?

☒ Yes

☐ No

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will approve the abatement and removal of the building located at 1045 S. Main St.
2. Vote "No"; this will not approve the abatement and removal of the building located at 1045 S. Main St.
3. Vote to "Amend"; this will require additional direction to staff.
4. Vote to "Table"; this will not approve the abatement and removal of the building located at 1045 S. Main St. and will require additional direction to staff.

RESOLUTION 23-055

A RESOLUTION APPROVING A NUISANCE, SUBSTANDARD DWELLING OR STRUCTURE IN NEED OF ABATEMENT AT 1045 SOUTH MAIN STREET WITHIN THE CITY LIMITS OF LAS CRUCES, NEW MEXICO, SO RUINED, DAMAGED, AND DILAPIDATED AS TO BE A MENACE TO THE PUBLIC COMFORT, HEALTH, PEACE, OR SAFETY AND THAT IS REQUIRED TO BE REMOVED.

The City Council is informed that:

WHEREAS, the building, structure, or premises is located at 1045 South Main Street, Las Cruces, NM, and is more particularly described as the Kilby Motel; and

WHEREAS, the Community Development Department and the Code Enforcement Division of the Las Cruces Police Department has investigated the condition of said Building, structure of premises and has found same to be so ruined, damaged, and dilapidated that it constitutes a menace to the public comfort, health, peace, or safety and warrants abatement and removal; and

WHEREAS, the Las Cruces Police Department has responded to this property 303 times between August 5, 2021, to August 5, 2022, for calls including:

- 22 Codes Enforcement calls
- 7 Domestic disturbances
- 5 Disturbances for fighting
- 2 Motor vehicle thefts
- 2 Narcotic/ illegal drugs
- 2 Overdoses
- 3 Shots fired
- 6 Thefts
- 7 Warrants
- 2 Weapons violations
- 15 Welfare checks

NOW, THEREFORE, Be it Resolved by the Governing Body of the City of Las Cruces:

(I)

THAT the findings of said Code Enforcement and the Community Development, regarding the building, structure, or premises, be and are hereby approved and adopted and that said building, structure, or premises is found to be ruined, damaged and dilapidated, as to be a menace to the public comfort, health, peace, or safety pursuant to NMSA 1978 Section 3-18-5.

(II)

THAT Rosendo Reyes Moreno, record owner of said building, structure, or premises shall commence removal of same within ten (10) days after service of a copy of this Resolution or within said ten (10) day period, file written objection to findings herein with the City Clerk of the City of Las Cruces, asking for a hearing before the City Council.

(III)

THAT if there is a failure of compliance with the provision of Section II herein, the City of Las Cruces shall proceed to remove said building, structure, or premises and abate said unsafe condition and the cost thereof shall constitute a lien against such property so removed and against said lot or parcel of land from which such removal be made, all as required and allowed by law.

(IV)

SEVERABILITY CLAUSE. If any section, paragraph, sentence, clause, word, or phrase of this resolution is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this resolution. The Council hereby declares that it would have passed this resolution and each section, paragraph, sentence, clause, word or phrase thereof irrespective of an provisions being declared unconstitutional or otherwise invalid.

(V)

THAT City staff is hereby authorized to do all deeds as necessary in the accomplishment of the herein above.

DONE AND APPROVED this 07 day of November 2022

APPROVED

Mayor

ATTEST:

City Clerk

Moved by: Tessa Abeyta

Seconded by: Becky Corran

AYES Kasandra Gandara, Ken Miyagishima, Yvonne Flores, Johana Bencomo, Becky Corran,
Tessa Abeyta

NAYS

ATTACHMENT A

**STATE OF NEW MEXICO
COUNTY OF DONA ANA
THIRD JUDICIAL DISTRICT COURT**

FILED
3rd JUDICIAL DISTRICT COURT
Dona Ana County
8/5/2022 5:10 PM
DAVID S. BORUNDA
CLERK OF THE COURT
Sandra Aguirre

Arrieta, Manuel I.

CITY OF LAS CRUCES,

Plaintiff,

v.

No. D-307-CV-2022-01366

**ROSENDO MORENO, the owner(s) of the Premises
at 1045 SOUTH MAIN STREET, LAS CRUCES, NEW MEXICO,**

Defendant.

APPLICATION FOR INSPECTORAL SEARCH ORDER

Larry Nichols, Chief Building Officer for the City of Las Cruces, being duly sworn, on his oath, states that:

1. he is an officer authorized by law to make inspectoral searches;
2. an inspection of the following described premises: the ruined building, structures, rubbish, wreckage and debris at 1045 South Main Street, Las Cruces, NM, is necessary for the purpose of ascertaining the existence or nonexistence of the following described conditions: excessive electrical hazards, inoperative plumbing, inoperative heating, inoperative cooling, unsanitary premise, structural failure or carport framing, impeded egress from rooms, excessive debris or rubbish surrounding the perimeter of the facility; or any other condition that would create an unsafe, unsanitary, or substandard living condition;
3. an inspectoral search by consent of the owner of the entire premises is not obtainable within a reasonable period of time; Code Enforcement employees and the City Building Officer, were granted permission to enter a limited portion of the premises

STATE OF NEW MEXICO
COUNTY OF DONA ANA
THIRD JUDICIAL DISTRICT COURT

FILED
3rd JUDICIAL DISTRICT COURT
Dona Ana County
8/8/2022 11:00 AM
DAVID S. BORUNDA
CLERK OF THE COURT
Josephina Gomez

CITY OF LAS CRUCES,

Plaintiff,

v.

No. D-307-CV-2022-01366

Arrieta, Manuel, I.

ROSENDO MORENO, the owner(s) of the Premises
at 1045 SOUTH MAIN STREET, LAS CRUCES, NEW MEXICO
Defendant.

INSPECTION ORDER

THE CITY OF LAS CRUCES, TO ANY OFFICER AUTHORIZED TO MAKE AN
INSPECTORIAL SEARCH OF THE PREMISES:

An application for an inspectorial search order, which is attached to and hereby made a
part of this order, having been submitted to me by Larry Nichols, Chief Building Officer for the
City of Las Cruces, who has made a sufficient showing that inspection of the (*check appropriate
box*) ☒ premises ☐ vehicle described in the application is in accordance with reasonable
legislative or administrative standards.

(*check appropriate box*)

☐ I am satisfied that seven (7) days' notice has been given to the owner of the (*premises*)
(*vehicle*) described in the application and consent has not been given to make an inspectorial
search.

Emergency Order of Inspection

☐ I am satisfied that an inspectorial search by consent of the owner of the (*premises*) (*vehicle*)
described in the application is not obtainable within a reasonable period of time.

(*check if appropriate*)

☐ Inspection of the (*premises*) (*vehicle*) at night is reasonable under the circumstances
described in the application.

YOU ARE HEREBY COMMANDED TO SEARCH FORTHWITH:

(*check one or both*)

☒ the premises ☐ the vehicle

described in the application

☒ between the hours of 6:00 a.m. and 10:00 p.m.

☐ at any time of the day or night

(check if appropriate)

☒ You are hereby authorized to be accompanied by one or more law enforcement officers.

You are to return this order within three (3) days after the search is completed to make a sworn report of the circumstances of the execution or failure to execute this order.

A handwritten signature in blue ink, appearing to read "C. H. H.", is written over a horizontal line.

Dona Ana County District Court Judge

RETURN

Larry Nichols, being duly sworn, on his oath, states that:

they received the attached order on 8/4/, 2022, and searched the (premises)
(vehicle) described at 9:00 o'clock (a.m.) (p.m.) on August 5, 2022

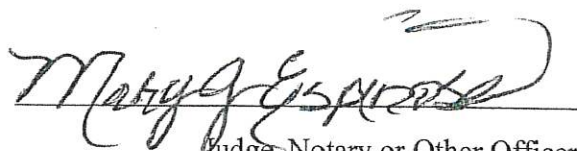
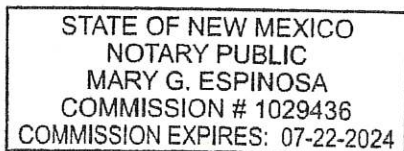
The following is a report of the circumstances of execution or failure to execute the order of the court:

(see Report, Attachment A)



Signature of Affiant
Larry Nichols
City of Las Cruces Chief Building Officer

Subscribed and sworn to before me in Las Cruces, Doña Ana County in the State of New Mexico this 5th day of August 2022.



Judge, Notary or Other Officer
Authorized to Administer Oaths

Official Title

STATE OF NEW MEXICO
COUNTY OF DONA ANA
THIRD JUDICIAL DISTRICT COURT

Attachment A

CITY OF LAS CRUCES,

Plaintiff,

v.

No. D-307-CV-2022-01366

Arrieta, Manuel, I.

ROSENDO MORENO, the owner(s) of the Premises
at 1045 SOUTH MAIN STREET, LAS CRUCES, NEW MEXICO,

Defendant.

REPORT OF LARRY NICHOLS
CITY OF LAS CRUCES CHIEF BUILDING OFFICER

I, Larry Nichols, am the Chief Building Officer for the City of Las Cruces and state under penalty of perjury, that to the best of my knowledge and belief the following statements are true and correct:

1. On August 5, 2022, from approximately 9:00 a.m. to 1:00 p.m., an Inspection Order was executed at 1045 South Main Street, Las Cruces, New Mexico;
2. The following entities assisted and were present in the execution of the Order, the Las Cruces Police Department, the Las Cruces Fire Department, and the City of Las Cruces Codes Enforcement and Building Inspectors;
3. Rosendo Moreno, owner of the premises at 1045 South Main Street, Las Cruces, New Mexico and named Defendant in the above caption, was provided with the Order which was signed by District Court Judge, Conrad Perea on August 4, 2022;

4. I did note and report conditions of the building and the building has temporary been designated substandard and a Notice of Condemnation and a Stop Work Order were posted on all sleeping units and the main building;
5. A Notice and Order with appeal was posted on the main building.



Larry Nichols
City of Las Cruces Chief Building Officer



City of Las Cruces
MOUNTAINS OF OPPORTUNITY

Community Development
700 N. Main Street, Suite 1100
Las Cruces, NM. 88001
Telephone (575) 528-3022

Reyes Rosendo Moreno
P.O. Box 237
Salem, NM 87941

Herman Ortiz, Esq.
P.O. Box 937
Mesilla, NM 88047

NOTICE AND ORDER WITH APPEAL

Property Owners:

REYES ROSENDO MORENO
PO BOX 237 SALEM, NM 87941

Property Location:

1045 SOUTH MAIN STREET
LAS CRUCES, NM. 88005

Dear Property Owner:

On August 5, 2022, Community Development Department and Code Enforcement Division, inspected the building or structure owned, occupied, or controlled by you at:

1045 SOUTH MAIN STREET, LAS CRUCES, NM. 88005

The property is more particularly described as:

Parcel Number 4-007-136-236-022

Legal Summary S: 19 T: 23S R: 2E MAP 9 TR 5A THE KILBY MOTEL

Violations of the Las Cruces Municipal Building Code Ch. 30, Art. II, Div. 17, Sec. 30-721 ("LCMC Sec 30-721" or "Code") which adopts and makes effective NMAC 14.7.2.8, were found that must be corrected to maintain the accepted standards of health and safety provided for in the Code.

A right to appeal this notice and order by filling a written application for appeal with the Legal Department for the City of Las Cruces, Per LCMC Section 30-142. The application for appeal must be filled within twenty (30) days after the day this notice is served.

FINDINGS

City of Las Cruces Code Enforcement and the City's Building Official have found the building to be substandard under the provisions of the Code. The findings of the inspection are listed and will be provided to you

Sincerely,

Larry F. Nichols, CBO 575-528-3340

**NOTICE OF
CONDEMNATION**

July 6, 2022

Mr. Rosendo Reyes Moreno
PO Box 237
Salem, NM 87941

Subject: Kilby Motel

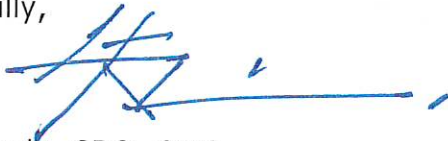
Based on the inspection of your property, 1045 S. Main, on June 13, 2022, I hereby condemn the structure because it is an unsafe structure pursuant to International Building Code ,Section 104.3. (IBC). As amended and adopted by reference in the City of Las Cruces Municipal Code in that it is dangerous to the life, health, property, or safety of the public or the occupants of the structure. Therefore, I am serving you with this notice of condemnation.

As property owner you are hereby being directed to correct violations as noted in the property Condemnation Report.

You have a right to appeal this notice and order by filling a written application for appeal with the Legal Department for the City of Las Cruces. The application for appeal must be filled within twenty (20) days after the day this notice is served upon you and shall be based on a claim that the true intent of the code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of the code do not fully apply, or the requirements of the code are adequately satisfied by other means.

If you fail to correct these violations, any action taken by the City of Las Cruces, the authority having jurisdiction, may be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

Respectfully,



Larry Nichols, CBO, CPM
Community Development Director

CITY OF LAS CRUCES

Community Development Department

NOTICE OF CONDEMNATION

Do Not Remove this Notice

THIS STRUCTURE IS UNSAFE AND ITS OCCUPANCY IS PROHIBITED. ALL OCCUPANTS MUST VACATE THE PREMISES FORTHWITH. IT SHALL BE UNLAWFUL FOR ANY PERSON TO ENTER SUCH STRUCTURE EXCEPT FOR THE PURPOSE OF SECURING THE STRUCTURE, MAKING THE REQUIRED REPAIRS, REMOVING THE HAZARDOUS CONDITION, OR DEMOLISHING THE SAME BUT ONLY AFTER HAVING SECURED THE REQUIRED PERMITS.

1045 S. MAIN ST.
PROPERTY ADDRESS

THIS NOTICE HAS BEEN POSTED ON THIS THE 6 DAY OF JULY

CODE OFFICIAL

INSPECTOR


DATE

L. Nichols 7.6.2022

(COPY)

PROPERTY REPORT
1045 South Main / The Kilby Motel
Aug 10, 2022

Larry F Nichols, CBO, CPM
Building Official



FINDINGS

The Code Enforcement Section and City of Las Cruces Building Official have found the facility to be substandard and represent imminent hazards to life and property.

The findings of the inspection, as supervised by the Certified Building Official and performed by Certified Staff Inspectors are as listed:

Description of Violation (s) found on the property located at:

Kilby Motel
1045 South Main Street 88005

Statutory Authority (Section 60-13-9, 60-13-10.3 and 60-13-44 NMSA 1978): Any building or portion thereof, including any dwelling unit, guest room, or suite of rooms, or the premises on which the same is located, in which there exists any of the following listed conditions to an extent that endangers the life, limb, health, property, safety or welfare of the public, or the occupants thereof shall be deemed and declared a SUBSTANDARD BUILDING.

Substandard Dwelling Findings -Certified Building Inspector- Cesar Grado

Building and premises deficiencies:

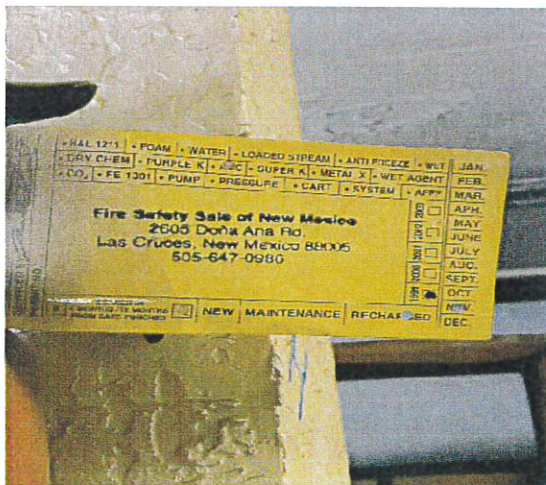
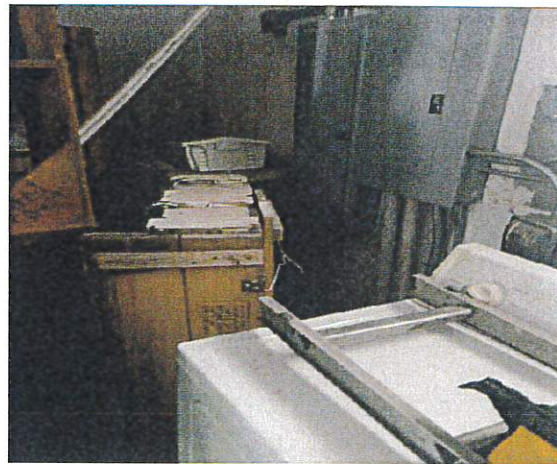
1. Property driveways and parking are not stabilized by impervious surface materials
2. Stormwater management – urban drainage LCMC Chap 34 Article 3
3. ADA parking not provided, and signage not posted.
4. Office access and egress non- compliant with ADA standards.
5. Office did not have public restrooms (ADA non- compliant).
6. Structural deficiencies on ceiling, roof, and beam framing. Structural issues seen throughout property.
7. Means of egress from sleeping units was not present, all windows barricaded with no panic hardware.
8. Sleeping units are missing proper fire walls (2 hour rated assemblies).
9. Rodent infestation within the interior of sleeping units and Office.
10. Faulty weather protection due to several broken windows, door weatherstrip and missing exterior door thresholds.
11. Sleep units and office lacking proper locksets.
12. Existing repairs are non- compliant with building codes and were conducted without proper permits or NM licensed contractors.



Unsafe Structure or Other Safety Hazards (NMAC 14.5.1.12): *Inadequate sanitation includes general dilapidation or inadequate maintenance.*

General dilapidation or inadequate maintenance Findings-Fire Investigator -Michael Danner

1. All fire extinguishers were out of date. Last service was in 1999. The minimum size is a 2A10BC and must be mounted on the wall. If the extinguisher is less than 40lbs, it can be hung no higher than 5ft on the wall. If it is over 40lbs, then it cannot be hung any higher than 3.5ft on the wall.
2. There needs to be enough extinguishers on the property so that no one would have to travel any further than 75 linear feet to get to one.
3. All missing or damaged ceiling tiles throughout the property need to be replaced.
4. There needs to be a minimum of a 3ft clearance around the electrical panel. We must always have free and clear access to the electrical panel.
5. Extension cords cannot be used as permanent wiring. NMAC 14.10.5 Devices must be either plugged directly into the wall or into an approved surge protector.
6. Flammable materials in the front office area, subject to fire ignition.
7. Remove Weeds, trash, debris, and outside storage that are fire Hazards.



3. Property Report



2012 NM Electrical Safety Code (NMAC 14.10.5): Hazardous wiring includes all wiring except that which conformed with all applicable laws in effect at the time of installation and which has been maintained in good condition and is being used in a safe manner.

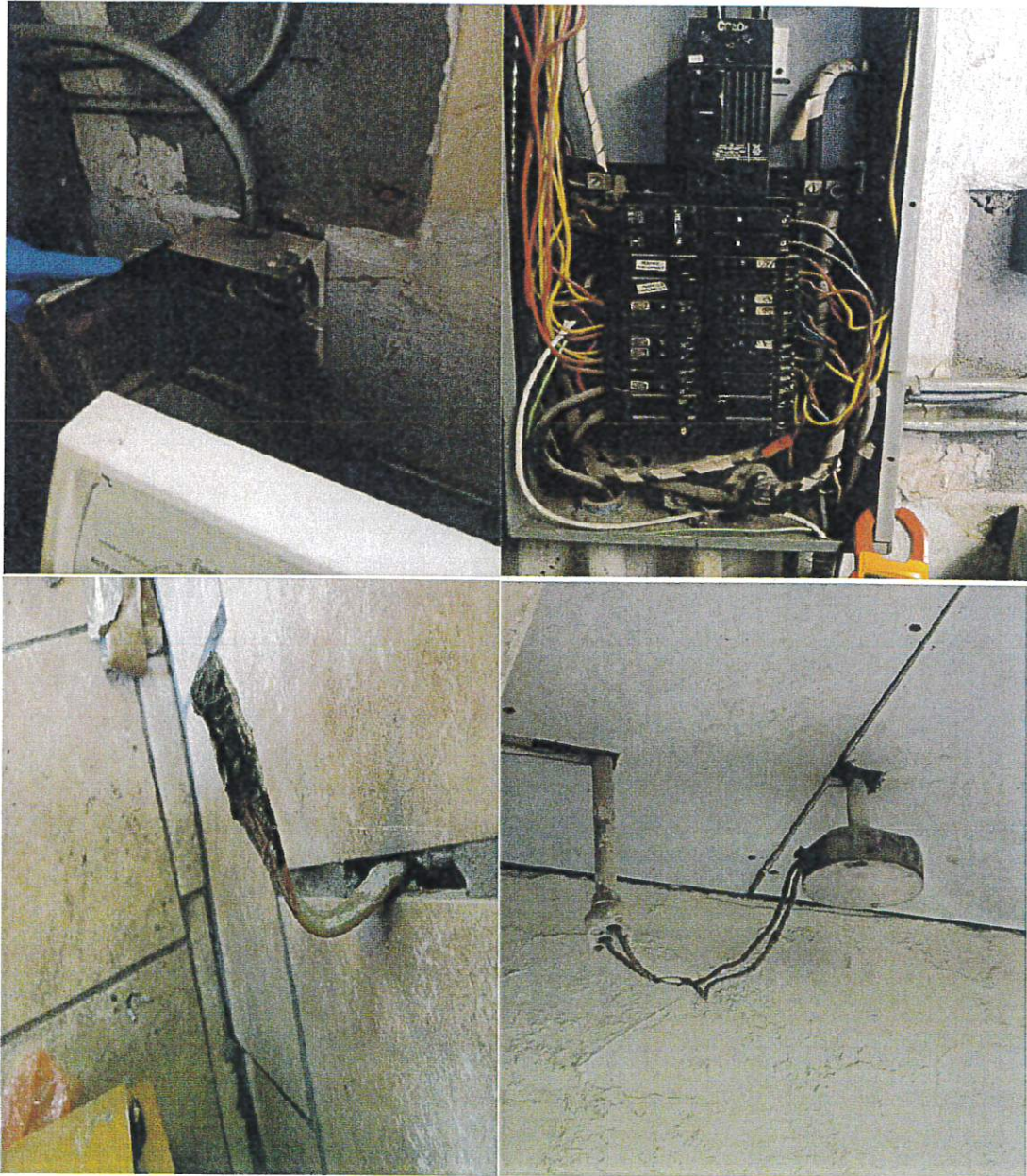
*Permits and installations by NM licensed contractors required
All utilities shall be restored prior to occupancy*

Hazardous Electrical wiring Findings -Certified Electrical Inspector- Ben Edwards

1. Newer panel at breezeway
 - A. Mixed breaker brands in panel not listed for service panel.
 - B. Missing dead-front allowing exposed live bus and wiring.
 - C. Missing bridge on breaker for 240V circuit. Unable to turn circuit off safely.
 - D. Has a ground wire used as a ungrounded conductor.
2. Outside perimeter
 - A. Missing covers on boxes and conduit bodies allowing exposed live wiring.
 - B. Exposed live wiring prohibited use in wet locations, nor sunlight resistant.
 - C. Broken ground rod clamp to electrical service panel not bonded to earth.
 - D. Unsupported / unanchored conduit.
 - E. Low voltage wiring attached to tree trunk for anchoring.
 - F. Low voltage camera system not rated for exterior use, wiring inadequate.
3. Breezeway and carport have new MC cable installed without permitting.
4. Electrical service
 - A. Does not have required 36 inch working clearance in front that is required when new sub-panel was installed.
 - B. Service is not bonded to earth.
 - C. Water bond grounding electrode connected at wrong location.
 - D. Service does not have a bond of grounded conductor to missing grounding electrode conductor.
 - E. Service equipment was modified for a new sub-panel, , modification voids UL listing.
 - F. Rigid nipples between service equipment and new sub panel missing bushings to protect wiring and preventing electrical faults.
 - G. Has mismatched breaker not UL listed for panel.
 - H. Under sized equipment ground for circuits.
 - I. Sub-panel has the grounded and equipment ground bonded, prohibited after service disconnect.
5. Laundry room has electrical conduit installed without being securely anchored
6. Sleeping Unit rooms
 - A. Several receptacles have reverse polarity.
 - B. Several receptacles unattached or anchored to the wall support
 - C. Several broken receptacles allowing an imminent shock and fire hazard when plugging in devices and while items are installed.
 - D. Most receptacles were missing protective over plates allowing an imminent shock hazard when plugging in items into receptacles.
 - E. Several ground fault circuit interrupters were inoperative, unable to trip breaker.
 - F. Several spaces had electric ovens with no indication of circuit availability. IE insufficient number of breakers installed in panels.
 - G. Several sleeping units with new electrical wiring installed without permit (e.g., receptacles).
 - H. Some spaces had outlets replaced within 6 feet of sinks without installing GFCI protection.
 - I. Several switches that had broken handles making them non-operational. One such location was at the bottom of a stairwell.

5. Property Report

- J. Exterior egress lighting from sleeping rooms was not operational.
 - K. portable air conditioning unit(s) overloaded the circuit for an individual sleeping unit.
 - L. Portable air conditioning units require a dedicated circuit. (per manufacture specification)
 - M. No means of electric heat was evident on any room.
 - N. Several extension cord and power strips were observed in most rooms and being used as a permanent means of wiring.
 - O. Sleeping rooms had overloaded circuits, with refrigerators, lighting, tv's, microwaves, portable AC units on a single circuit.
7. Office
- A. Has same issues as Sleeping units' rooms
 - B. Inadequate wiring, lamp cord(18ga) used for electrical circuit wire (12 ga)
 - C. Office exit sign is only the cover screwed to the wall. Exit not identified or illuminated.



6. Property Report



2021 NM Plumbing Code (NMAC 14.8.2): *Hazardous plumbing includes all plumbing except that which conformed with all applicable laws in effect at the time of installation and which has been maintained in good condition and which is free of cross-connections and siphonage between fixtures.*

Hazardous Plumbing Findings Certified Plumbing Inspector- Ray Sartan

Exterior plumbing

1. Multiple open sewer clean outs discharging sewage
2. Several PVC drains broken and allowing sewage ponding and sewer gas to escape
3. Domestic water piping exposed in multiple locations with no freeze protection and leaking causing ponding
4. Underground domestic water piping leaking up through the ground causing ponding
5. Gas piping on exterior of building unsecured in places
6. Rusting on gas piping noted near ground level
7. No backflow control device at the water meter to isolate the building water system from the City's water supply system

Interior plumbing

1. Several fixtures with broken valves, or missing handles, shower heads, etc.
2. The drains to all sinks have been re-piped with non-compliant, non-drainage fittings and the sewer vents had been removed making the drain vent system non-compliant.
3. All fixture traps require a vent to the atmosphere to maintain a water seal in the traps that keeps sewer gas from escaping into the occupied spaces

Laundry/storage room

1. No ventilation for washer or dryer, detected sewer gas odor
2. There were two unused gas outlets that were not plugged/capped
3. A water leak from appliance connection dripping onto the floor





2006 NM Mechanical Code (NMAC 14.9.2): *Hazardous mechanical equipment includes all mechanical equipment, including vents, except that which conformed with all applicable laws in effect at the time of installation and which has been maintained in a good and safe condition.*

Hazardous Mechanical Findings - Certified Mechanical Inspector- Ray Sartan

Interior mechanical

1. No permanent heating is being provided; all original heating systems (gas wall heaters) have been removed
2. No permanent cooling is provided
3. The windows in the bathrooms have been painted or otherwise sealed shut, no ventilation
4. no exhaust fans for moisture removal from showers

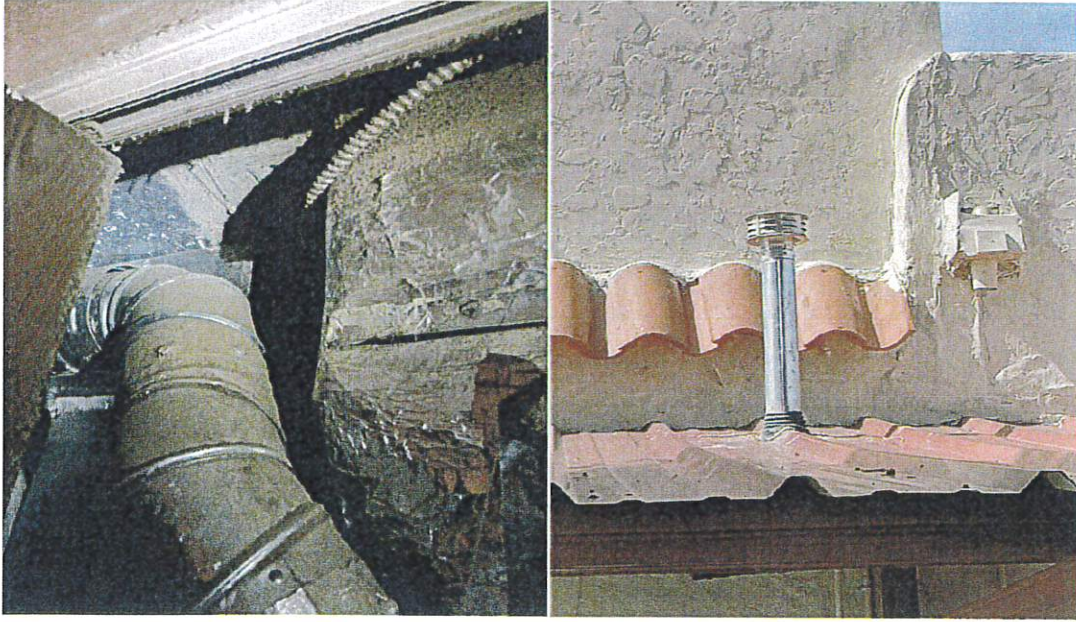
Laundry/storage room

1. No ventilation for washer or dryer, detected sewer gas odor
2. Multiple unused gas outlets that were not plugged/capped
3. A water leak from appliance connection dripping onto the floor

Mechanical room

1. There are two, approximate 100-gallon, gas water heaters with faulty service connection
2. No permanent combustion air provided to the mechanical room.
3. The control wiring on both water heaters is tampered with and unattached to units
4. Gas piping to units is undersized to provide for BTU input requirement
5. Gas piping at floor level is rusted from exposure to moisture
6. Unconnected gas valves without a plug or cap.
7. The units are no longer vented to the exterior a dangerous condition during operation
8. The temperature and pressure relief valves (T&P) on both units are not installed to code
9. The T&P valve on one unit had been tampered with and inoperative.





2009 NM Energy Conservation Code (NMAC 14.7.2.8; NMAC 14.7.6.8):

Faulty weather protection includes deteriorated or ineffective waterproofing of exterior walls, roof, foundations, or floors, including broken windows, doors, and basement hatchways.

Faulty weather protection finding Certified Building Inspector-Cesar Grado

1. Faulty weather protection due to several broken windows, door weatherstrip and missing exterior door thresholds.
2. Sleeping units and Office non-compliant with Energy Efficiency Code, insulation, air leakage.





ATTACHMENT C



PROPOSAL ESC19 Contract # 21-7410

G. Sandoval Construction, Inc.
650 Montana, Suite B
Las Cruces NM 88001

DATE: 8/31/2022

Project:	1045 S. Main St. Kilby Motel
Owner:	1045 S. Main Street Las Cruces, NM 88001
Owner's PO#:	Pending
Attention:	Larry Nichols lnichols@las-cruces.org

DESCRIPTION	Cost
Kilby Motel Vacant Building Demolition Complete Demolition of All Room Structures including The Two (2) Story Office Area Demolition of Roofs, Walls, Foundations, Plumbing, Mechanical approx. 10,350 sq.ft. Demolition of Seven (7) Mature Trees Demolition of the Kilby Motel Sign and its Structure Water Truck for dust control Trucking and hauling of material including dump fees Temporary Construction Fence Hydro Seeding Excludes Asbestos Testing and Remediation Final Cleanup	\$159,885.00
Subtotal:	\$115,885.00
Tax: 8.1875%	\$9,488.10
TOTAL:	\$125,373.10

Prepared by:
Michael Q. Hernandez, Project Manager