



Alamogordo City Commission

NOTICE OF MEETING

Regular Meeting Agenda

September 8, 2015 - 7:00 PM
City Hall, City Commission Chambers
1376 E. Ninth St.

Susie Galea Mayor
Robert Rentschler Mayor Pro-Tem, District 3
Jason Baldwin District 1
Nadia Sikes District 2
Jenny Turnbull District 4
Al Hernandez District 5
Dr. George Straface District 6

Jim Stahle City Manager
Stephen Thies City Attorney
Renee Cantin City Clerk

MISSION STATEMENT as Adopted by the City Commission on March 24, 1995.

The City of Alamogordo is a Municipal Corporation that exists solely for the purpose of providing the best possible services to our customers, the citizens of Alamogordo. We are committed to providing these services with honesty, integrity, compassion, fairness, and a commitment to excellence.

We are committed to the long-term financial stability and responsible growth of the City and all decisions will be driven by our commitment to provide the best services possible in a financially sound and responsible manner given the economic realities facing the City.

In accordance with Section 10-15-1.D, NMSA 1978 (2010 Cumulative Supplement), this agenda has been posted on the bulletin board located in the east/west lobby of the City Hall and in the glass case located outside the north entrance of the City Hall, distributed to the appropriate news media, and posted on the City website: <http://ci.alamogordo.nm.us> within the required time frame. As a courtesy, the entire Agenda Packet has also been posted on the City of Alamogordo website: <http://ci.alamogordo.nm.us>

The Mayor and City Commission request that all cell phones be turned off or set to vibrate. Members of the audience are requested to step outside the Commission Chambers to respond to or to conduct a phone conversation. The Alamogordo Commission Chambers is wheelchair accessible. Other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Clerk's Office at 575-439-4205.

CALL TO ORDER & ROLL CALL

Announce the presence of a Quorum.

INVOCATION & PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

PRESENTATIONS

1. Presentation of Proclamation to Raini O'Connor, Miss Alamogordo and Brandi Blair, Miss Otero County for Miss Alamogordo/Miss Otero County Day; and another Proclamation to Amanda Madigan, Miss Alamogordo's Outstanding Teen and Jessica Hatfield, Miss Otero County's Outstanding Teen for Miss Alamogordo/Miss Otero County's Outstanding Teen Day. (Susie Galea, Mayor)

PUBLIC COMMENT

Residents must sign up with the City Clerk to address the City Commission. Comments are limited to 3 Minutes, and there will be a maximum of 21

Minutes allowed for Public Comment.

CONSENT AGENDA (Roll Call Vote Required for Item No. 4)

All matters listed under the Consent Agenda are considered to be routine by the City Commission and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

2. Approve the Minutes for the August 25, 2015 Regular City Commission Meeting and the August 24, 2015 Special City Commission Meeting. *(Renee Cantin, City Clerk)*
3. Approve the statement related to the Executive Session held on August 24, 2015 and August 25, 2015. *(Renee Cantin, City Clerk)*
4. Approve the final publication of Ordinance No. 1501 Amending Article 19-04 of the City Code to Provide for the Adoption of Park Rules. **(Roll call vote required)** *(Stephen Thies, City Attorney)*
5. Approve a Special Dispenser Permit Application and a Temporary Alcoholic Beverage Dispenser's License for Johnny Carino's for the Holloman Air Force Ball on September 25, 2015 at the NM Museum of Space History. *(Renee Cantin, City Clerk)*
6. Approve a Special Dispenser Permit Application and a Temporary Alcoholic Beverage Dispenser's License for Johnny Carino's for the NM Museum of Space History/International Space Hall of Fame event on October 3, 2015 at the Tays Special Events Center. *(Renee Cantin, City Clerk)*
7. Approve a Public Celebration Permit Application and a Temporary Alcoholic Beverage Dispenser's License for Heart of the Desert Winery for the Republican Women of Otero County fundraiser on October 24, 2015 at Creative Designs located at 917 New York Ave. *(Renee Cantin, City Clerk)*
8. Approve the purchase of property located at 801 First Street for the First Street/Florida Avenue Re-Alignment Project in the amount of \$290,000.00. *(Stephen Thies, City Attorney)*
9. Approve the award of RFP No. 2015-003 to Unifirst Corporation, related to the Uniform and Linen Rental and Laundry Services for various department for the City of Alamogordo. *(Barbara Pyeatt, Central Purchasing Officer and Veronica Ortega, Community Services Director/Assistant City Manager)*

ITEMS REMOVED FROM CONSENT AGENDA

PUBLIC HEARINGS

10. Consider, and act upon, a Variance Request Case Number V-2015-0004(A) to reduce the side yard setback line from fifteen (15) feet to ten (10) feet in the SILVERADO SUBDIVISION, BLK A, LT 5, Tax Parcel Number 01-15739 with an address of 848 Sky Ranch. *(Ruben Segura, City Planner)*

UNFINISHED BUSINESS

11. Discussion, and possible action concerning Resolution 2015-35 declaring 2405 Cuba Avenue (Sahara apartments) ruined, damaged and dilapidated and ordering its abatement. *(Stephen Thies, City Attorney & Lora Nelson, Code Enforcement Manager)*

NEW BUSINESS

12. Consider, and act upon, Resolution No. 2015-42 supporting the Pecos League in continuing the White Sands Pupfish Baseball Team in Alamogordo in honor of Matt McNeile. **(Roll call vote required)** *(Renee Cantin, City Clerk)* **WITHDRAWN**
13. Consider, and act upon, Resolution No. 2015-43 Supporting the Application of the Public Service Company of New Mexico (PNM) for Revision of its Retail Electric Rates. (Roll call vote required)
14. Consider, and act upon a Gross Receipts Investment Program (GRIP) Application for HJBM,

LLC. *(Stephen Thies, City Attorney)*

15. Consider, and act upon, the complaints submitted related to the Code of Conduct Ordinance No. 1478. *(Stephen Thies, City Attorney)*

16. Discussion related to the cost of the In-House Engineering Services to date. *(Robert Rentschler, Mayor Pro-Tem)*

17. Discussion related to an update on the NMED Grant for the Water Reuse System awarded in 2012. *(Robert Rentschler, Mayor Pro-Tem)*

18. Appointments to Boards and Committees. *(Susie Galea, Mayor)*

PUBLIC COMMENT (Continued if needed)...

CITY MANAGER'S REPORT

REMARKS AND INQUIRIES BY THE CITY COMMISSION

EXECUTIVE SESSION (Roll Call Vote Required)

19. Recess into Closed Session in compliance with Section 10-15-1.H, NMSA 1978 (2010 Cumulative Supplement) to discuss Limited Personnel Matters (Interim City Manager recruitment) and Collective Bargaining Negotiations (APSOA). **(Roll call vote required)**

RECONVENE INTO OPEN SESSION

20. Action, if any, related to Limited Personnel Matters (Interim City Manager).

ADJOURNMENT

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 09/08/2015

Report Date: 8/27/2015

Report No: 1.

Submitted By: Nancy Jacobs, Deputy
Clerk

Subject: Presentation of Proclamation to Raini O'Connor, Miss Alamogordo and Brandi Blair, Miss Otero County for Miss Alamogordo/Miss Otero County Day; and another Proclamation to Amanda Madigan, Miss Alamogordo's Outstanding Teen and Jessica Hatfield, Miss Otero County's Outstanding Teen for Miss Alamogordo/Miss Otero County's Outstanding Teen Day. *(Susie Galea, Mayor)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: None. Presentation only.

Background: The 2015 Miss Alamogordo/Miss Otero County and Miss Alamogordo Outstanding Teen/Miss Otero County Outstanding Teen Scholarship Pageant was held on Saturday, July 25th at the Flickinger Center for Performing Arts.

Mayor Galea will present the proclamations to the winners of these prestigious titles.

Proclamation

The City Of Alamogordo Executive Offices

Whereas, on July 25, 2015, the Miss Alamogordo / Miss Otero County Scholarship Pageant was held at the Flickinger Center in downtown Alamogordo; and

Whereas, at the conclusion of the pageant, Raini O'Connor was named Miss Alamogordo and Brandi Blair was named Miss Otero County; and

Whereas, for over 35 years the pageant has awarded over \$90,000 in scholarships to contestants; and

Whereas, these young women will represent Alamogordo and Otero County in Portales, New Mexico at the 2016 Miss New Mexico Scholarship Pageant, as well as at many events and occasions throughout their reign, giving generously of their time to promote Alamogordo and Otero County; and

Whereas, Miss O'Connor and Miss Blair have brought acknowledgment and acclamation to themselves and their families with these achievements and are a source of enormous pride to the City of Alamogordo and Otero County..

Now, therefore, I, Susie Galea, Mayor of the City of Alamogordo, New Mexico, do hereby declare Tuesday, September 8, 2015 as:

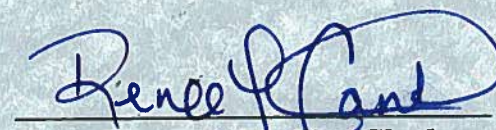
MISS ALAMOGORDO / MISS OTERO COUNTY DAY

in the City of Alamogordo and encourage area citizens to applaud these young women for their accomplishments.





Susie Galea, Mayor



Renee L. Cantin, City Clerk

Proclamation

The City Of Alamogordo Executive Offices

Whereas, on July 25, 2015, the Miss Alamogordo / Miss Otero County Outstanding Teen Pageant was held at the Flickinger Center in downtown Alamogordo; and

Whereas, at the conclusion of the pageant, Samantha Madigan was named Miss Alamogordo Outstanding Teen and Jessica Hatfield was named Miss Otero County's Outstanding Teen; and

Whereas, these two young ladies will represent Alamogordo and Otero County in Portales, New Mexico at the Miss New Mexico Outstanding Teen Pageant in 2016, as well as at many events and occasions throughout their reigns, giving generously of their time to promote Alamogordo and Otero County; and

Whereas, both Miss Madigan and Miss Hatfield have brought acclaim and honor to themselves and their families with these achievements and are a source of tremendous pride to the City of Alamogordo and Otero County.

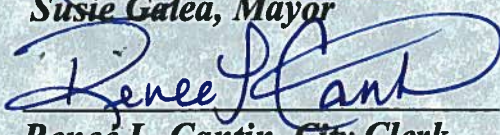
Now, therefore, I, Susie Galea, Mayor of the City of Alamogordo, New Mexico, do hereby declare Tuesday, September 8, 2015 as:

MISS ALAMOGORDO / MISS OTERO COUNTY OUTSTANDING TEEN DAY

in the City of Alamogordo and encourage area citizens to show their appreciation to these young women for their accomplishments.





Susie Galea, Mayor


Renee L. Cantin, City Clerk

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 09/08/2015

Report Date: 8/27/2015

Report No: 2.

Submitted By: Renee Cantin, City Clerk

Subject: Approve the Minutes for the August 25, 2015 Regular City Commission Meeting and the August 24, 2015 Special City Commission Meeting. *(Renee Cantin, City Clerk)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve the minutes.

Background: This is required per the Open Meetings Act.

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION SPECIAL MEETING MINUTES
7:00 P.M., COMMISSION CHAMBERS
AUGUST 24, 2015**

SUSIE GALEA, MAYOR
JASON BALDWIN, COMMISSIONER
NADIA SIKES, COMMISSIONER
MANAGER
JENNY TURNBULL, COMMISSIONER
AL HERNANDEZ, COMMISSIONER

ROBERT RENTSCHLER, MAYOR PRO-TEM
DR. GEORGE STRAFACE, COMMISSIONER
VERONICA ORTEGA, ACTING CITY
STEPHEN THIES, CITY ATTORNEY
RENEE CANTIN, CITY CLERK

CALL TO ORDER & ROLL CALL

Mayor Galea called the meeting to order at 7:00 p.m. Roll Call was taken by the City Clerk. Clerk Cantin announced there was a quorum present.

EXECUTIVE SESSION

1. Recess into Closed Session in compliance with Section 10-15-1.H, NMSA 1978 (2010 Cumulative Supplement), to discuss Limited Personnel Matters (Acting City Manager)

Mayor Pro-Tem Rentschler moved to recess into Executive Session to discuss Limited Personnel Matters (Acting City Manager). Roll call vote was taken by the Clerk. Commissioner Straface seconded the motion. Motion carried with a vote of 7-0-0.

RECONVENE INTO OPEN SESSION

2. Motion to reconvene into open session, and Action, if any, as a result of Executive Session.

Mayor Pro-Tem Rentschler moved to reconvene into open session at 7:49 p.m. Commissioner Straface seconded the motion. Motion carried with a vote of 7-0-0.

Mayor Pro-Tem Rentschler moved to approve Police Chief Robert Duncan as Acting City Manager for up to 30 days. Commissioner Straface seconded the motion. Motion carried with a vote of 7-0-0.

The Mayor explained that the Commission would expect Acting City Manager Duncan to give them any information on decisions made, and expressed that no major decisions were to be made. She said they would want to discuss the upcoming Budget Workshop with the acting city manager, and there would not be any hiring or firing unless approved in the budget.

Mayor Pro-Tem Rentschler agreed with firing, but the hiring needed to continue as long as it was in the budget. Commissioner Hernandez said Veronica Ortega would remain as Acting Assistant City Manager.

ADJOURNMENT

Mayor Pro-Tem Rentschler moved to adjourn at 7:52 p.m. Commissioner Hernandez seconded the motion. Motion carried with a vote of 7-0-0.

Mayor Susie Galea

ATTEST:

City Clerk Reneé L. Cantin

(Prepared by Nancy Jacobs, Deputy Clerk)

Approved at the Regular Meeting held on September 8, 2015.)

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
7:00 P.M., COMMISSION CHAMBERS
AUGUST 25, 2015**

**SUSIE GALEA, MAYOR
TEM**

**JASON BALDWIN, COMMISSIONER
COMMISSIONER**

**NADIA SIKES, COMMISSIONER
MANAGER**

JENNY TURNBULL, COMMISSIONER

AL HERNANDEZ, COMMISSIONER

ROBERT RENTSCHLER, MAYOR PRO-

DR. GEORGE STRAFACE,

ROBERT DUNCAN, ACTING CITY

STEPHEN THIES, CITY ATTORNEY

RENEE CANTIN, CITY CLERK

CALL TO ORDER, ROLL CALL, INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Galea called the meeting to order at 7:00 p.m. Roll Call was taken by the City Clerk. Clerk Cantin announced there was a quorum present. Invocation given by Pastor Vaden and the Pledge of Allegiance was led by Commissioner Straface.

APPROVAL OF AGENDA

Mayor Pro-Tem Rentschler moved to approve adding the Addendum items to the agenda. Commissioner Baldwin seconded the motion. Motion carried with a vote of 7-0-0.

Mayor Pro-Tem Rentschler moved to approve the agenda as amended. Commissioner Hernandez seconded the motion. Motion carried with a vote of 7-0-0.

PRESENTATIONS

Item Number 1 was skipped because the presenter was running late.

2. Presentation by CDM Smith related to the permitting and design of the 1 MGD Desalination Facility. (*Robert A Fowlie, P.E., BCEE, Presenter*)

Mr. Robert A. Fowlie of CDM Smith gave a short update (see Power Point in Agenda Book).

Mayor Galea asked why it was taking so long to design the RO unit. Mr. Fowlie told her there were buildings to design, chemical feed systems that go with the treatment process, site-specific conditions to be dealt with, and most importantly, how to integrate a new water supply source into the existing system.

Mayor Pro-Tem Rentschler said the original intention was to use skids such as the US Navy used, and he asked if this would remain the same. Mr. Fowlie told him yes. There would be two, half a million gallon per day treatment capacity skids. It was essentially a modular type treatment unit on a skid set on a concrete pad with the piping is connected to them.

Commissioner Straface asked about the project schedule and any anticipated possible delays. Mr. Fowlie said they had anticipated potential delays, however, the schedule established going from 30% to 60% was extended more than normal, because they knew there would be additional site investigations. Commissioner Straface asked what delays were anticipated, if any, to build this schedule. Mr. Fowlie told him any anticipated potential delays would be mainly due to reviews by the State of New Mexico. Commissioner Straface asked what plans he had made to deal with those delays, and was told they had kept the New Mexico Construction Programs Bureau informed of the project in the hopes the review would be speeded up. They also pushed

out the bidding date to handle this. Commissioner Straface asked Mr. Fowlie if he would bet his career on this schedule, and was told he wouldn't go so far as to bet his career, but noted he had done this for a long time and dealt with the State a lot.

1. Update on Atari game auction and presentation of final proceeds check to the City of Alamogordo. (Joe Lewandowski, Operational Consultants)

Mayor Pro-Tem Rentschler moved to table Item #1 - Update on Atari game auction and presentation of final proceeds check to the City of Alamogordo. Commissioner Straface seconded the motion. No vote was taken.

PUBLIC COMMENT

A. Bob La Rosa commented on the following:

1) Mr. LaRosa made the Commission aware of the problem of rock gray squirrels in his area and specifically his property, 1900 Hubbard Drive. He felt the city had created this problem when they lined the arroyo, about 200 yards from his house, with rocks and wire. This had become home to these squirrels. They had damaged his property twice and two cars had been ruined. He will file a lawsuit against the city if nothing is done. He had talked to the city manager two weeks ago and all he did was send Animal Control to his house to look at the damage and the traps he had set. They recommended he get another trap, but he said the squirrels have become wary of the traps. Mr. LaRosa had photos of the damage (see Agenda Report) for the commissioners to see.

Mayor Pro-Tem Rentschler asked him what he did with the squirrels after trapping them and Mr. LaRosa said he let them go up on Hwy. 82. He said the city manager told him he could shoot them with an air rifle, but the Animal Control officers told him he could only use a paint gun. Mayor Pro-Tem Rentschler told him he could use a pellet gun/BB gun.

Mayor Galea asked him to leave his contact information for the acting city manager.

CONSENT AGENDA

3. Approve the Minutes for the August 11, 2015 Regular City Commission Meeting and the August 19, 2015 Special City Commission Meeting. (Renee Cantin, City Clerk)

4. Approve the statement related to the Executive Session held on August 11, 2015. (Renee Cantin, City Clerk)

5. Approve the Lodger's Tax Expenditures for Tourism & Travel. (Jan Wafful, Community Services Admin. Assistant)

6. Accept the Investment Report for the quarter ending June 30, 2015, in accordance with the City of Alamogordo Investment Ordinance. (LeeAnn Nichols, Finance Director)

7. Approve an Application for participation in the Fire Protection Fund Grant FY 2016 for the Alamogordo Fire Department. (Mikel Ward, Fire Chief)

8. Approve an agreement for Assignment of Airport Lease from Skyline Aviation LLC to Rick T. Carrier. (Area E6-D) . (Jim Talbert, Airport Manager)

11. Approve the removal of uncollectible and unsecured amount of \$163,283 Due To - General Fund (11) / Due From - Bonito (88), from the City's Balance Sheet. (Julianne Hall, Accounting Manager and LeeAnn Nichols, Finance Director)

Item # 13 was removed by request of the clerk; Items #9, 10, and 12 were removed by Commissioner Hernandez.

Commissioner Hernandez moved to approve items # 3, 4, 5, 6, 7, 8, 11 of the consent calendar. Commissioner Turnbull seconded the motion. Roll call was taken for item #11. Motion carried with a vote of 7-0-0.

ITEMS REMOVED FROM CONSENT AGENDA

9. Approve the award of Public Works Bid No. 2015-009 to Silva Electric & Construction LLC, related to Plaza Hacienda Electrical Renovation Apartment Circuit Separation at Public Housing, in the amount not to exceed \$41,812.35. (*Maggie Paluch, Housing Manager*)

Commissioner Hernandez asked Evelyn Huff, Property Manager if this was the only bid, and she told him yes. She said it is a strange project in that they will be going into the one-bedroom and efficiency apartments to trace the circuits; it will be labor intensive as opposed to installation intensive.

Commissioner Hernandez moved to approve Public Works Bid No. 2015-009 to Silva Electric & Construction LLC, related to Plaza Hacienda Electrical Renovation Apartment Circuit Separation at Public Housing, in the amount not to exceed \$41,812.35. Commissioner Baldwin seconded the motion. Motion carried with a vote of 7-0-0.

10. Approve the purchase of property located at 800 Miami Street related to the First & Florida Realignment project. (*Stephen Thies, City Attorney*)

Commissioner Hernandez explained this property purchase was part of the Florida Street Realignment, and the price paid was higher than the appraisal, but within the range of being fair.

Commissioner Hernandez moved to approve the purchase of property located at 800 Miami Street related to the First & Florida Realignment project. Mayor Pro-Tem Rentschler seconded the motion. Motion carried with a vote of 7-0-0.

12. Approve a Professional Services Agreement between Alamogordo MainStreet and the City of Alamogordo for the MainStreet program. (*Ruben Segura, City Planner and Robert Rentschler, Commissioner*)

Commissioner Hernandez said he wanted to give Dr. Terry Marquardt and City Planner Segura a chance to speak on this item.

City Planner Segura said the MainStreet Program was visionary and one of the main goals and objectives was the redevelopment of the Down Town area.

Mayor Galea looked at minutes of January 2013 and August of 2014 where they talked about a cost share agreement of two thirds. She said the City would be paying \$15,000 from the General Fund in the First Phase (first three years), and in the Second Phase the City would be paying \$40,000 from the General Fund each year. There wasn't anything in the agreement stating the MainStreet organization would provide a two thirds cost share in fund raising. She asked why this was not added to this agreement. Mr. Marquardt responded the state has a requirement for emerging communities, and one of the requirements is any city involved make a contribution of at least \$15,000 in a service agreement. The requirements of the local MainStreet operation are to basically organize, and there is not a financial requirement of the local MainStreet organization in emerging status.

Mayor Galea referred to the minutes of August 25, 2014 where it stated a cost share and agreement. Dr. Marquardt respectfully denied there was an agreement of one third sharing and said it is a public/private partnership that includes the City, State and the local MainStreet Community. He explained the State requirements during the Emerging Phase and the Start-Up Phase. He gave some examples of how MainStreet programs work with their communities. Dr. Marquardt told the Commission that if the State puts in \$50,000 every year, they would expect the cities to put in at least \$15,000 during the emerging stage.

Commissioner Hernandez moved to approve a Professional Services Agreement between Alamogordo MainStreet and the City of Alamogordo for the MainStreet program. Commissioner Straface seconded the motion. Motion carried with a vote of 7-0-0.

13. Approve Change Orders #2 and #3, and request to substitute subcontractors related to the Airport Runway 3 Extension Project. (Stephen Thies, City Attorney)

Airport Manager Talbert gave an overview of the project, and noted the FAA had not honored their agreement and had not provided promised funding. The grant has been divided into three parts; the first part is complete, the second part has not been completed and is what we are talking about tonight, and the third part we hope to see by the second week of September when the FAA closes their books for grants for the fiscal year. This will not increase the amount of money needed for the project. He explained the three alternatives for this request tonight – electrical and paving.

Mayor Pro-Tem Rentschler asked about the changes in electrical costs, and Mr. Jeff Rabon of Mesa Verde, Inc. explained they are rebidding this.

Commissioner Straface asked if they anticipated an increase in cost for Phase Three, and Mr. Rabon did not think there would be an increase. He felt the complete project would finish \$200,000 to \$300,000 less and would not go over budget.

Mayor Galea asked about the subcontractors and City Attorney Thies said Mesa Verde was still negotiating with the subcontractors. These would be brought back to the Commission in the future.

Mr. Rabon said it was the same three local contractors who originally bid the job.

Mayor Galea asked what was holding the FAA back from funding. Mr. Rabon said they have been difficult to work with and he didn't know why. He said the FAA would be closing their books in mid-September and would have to have the remaining funds allocated by then.

Commissioner Hernandez spoke about contracting and sub-contracting. City Attorney Thies remarked this was a public works project and the general contractor had to identify their subcontractors for the project. Mr. Raybon said they had extended their pricing twice for this project.

Commissioner Straface moved to approve Change Orders #2 and #3, and requested to substitute subcontractors as presented in the agenda related to the Airport Runway 3 Extension Project. Commissioner Turnbull seconded the motion. Motion carried with a vote of 7-0-0

NEW BUSINESS

14. Consider, and act upon, the first publication of Ordinance No. 1500 to amend Section 16-02-090 of the City Code to define a quorum for the conduct of business for the Alamogordo Public Library Advisory Board. (Stephen Thies, City Attorney)

City Attorney Thies said the Library Advisory Board had asked for this change in order to have a simple majority to conduct business.

Mayor Pro-Tem Rentschler moved to approve the first publication of Ordinance No. 1500 to amend Section 16-02-090 of the City Code to define a quorum for the conduct of business for the Alamogordo Public Library Advisory Board. Commissioner Sikes seconded the motion. Motion carried with a vote of 7-0-0.

15. Consider, and act upon, directing staff to create a policy to allow military recruiting at or on the city public facilities. (Susie Galea, Mayor)

City Attorney Thies told the commission that if you open this up to one entity, you will be opening it up to everyone regardless of their reason; if opened to military recruiters, we would have to open up to other recruiters. He would research this further about restricting only to the Department of Defense if the commission wished him to do so. When Mr. Thies was asked for examples of other groups, he said religious groups or other towns recruiting for their police department.

Commissioner Straface said he could support an ordinance that limits the recruiting to military.

Commissioner Baldwin felt he could not support this because it opens the door to things we don't want to deal with. He thought most in Alamogordo would have an issue with any kind of recruitment at city facilities.

Commissioner Straface said the school district allowed military recruiting on school property under certain conditions and did not run into problems.

Mayor Galea said the recruiters would like to frequent city facilities especially during the summer months, so she suggested limiting their time to summer months.

Commissioner Hernandez didn't have a problem with them being set up in one spot and not moving around. His biggest concern was there were a couple of church groups in town who would probably go ahead and recruit and not challenge the ordinance.

Mayor Pro-Tem Rentschler supported military recruitment at city facilities, but felt events like Fourth Fridays would be inappropriate. He would support a well written ordinance.

Mayor Galea said she had asked them about renting a booth at the various events, but they did not have any budget so could not afford the rental.

Commissioner Sikes asked if recruiters could talk to anyone under the age of 18. She was concerned that recruiters could approach younger children without parental permission.

Commissioner Baldwin said you are expecting to educate young people as to their career plans after high school, but not during flag football or Fourth Fridays. He didn't think the city should use any of their facilities as a recruitment tool.

Commissioner Straface said the school system had these recruiters come during Career Days, and he felt his thinking had been modified since listening to the thoughts of other commissioners.

Mayor Galea asked if anyone on the commission would support a designated place in the city where recruiters would be welcomed.

Commissioner Hernandez couldn't see this happening during the summer months.

Commissioner Baldwin suggested local sources could provide funding for booth rental at events.

Mayor Galea said the commission consensus was to not create an ordinance at this time.

Rich Merrick spoke to the commission and stated he found it disgraceful that there are places in the city where a military recruiter cannot talk to potential military candidates. He addressed the comments made by some of the commissioners. He felt recruiters could be invited to an event and stay in one location during the event. Mr. Merrick said military individuals were always very professional, and there should be a middle ground on this issue. He felt it could be allowed with some restrictions.

Commissioner Hernandez said his comments were based on the fact recruiters have quotas to be met.

16. Appointments to Boards and Committees. (*Susie Galea, Mayor*)

Mayor Galea announced the Boards and Committees with current vacancies. With no objection she appointed Amy Krzeszewski, Carrie Balasz, and Vicki Flores to the Disability Council; Tony Mandalia to the Promotions Board.

PRESENTATIONS

Mayor Pro-Tem Rentschler moved to approve removing Item No. 1 from the table. Commissioner Hernandez seconded the motion. No vote was taken.

1. Update on Atari game auction and presentation of final proceeds check to the City of Alamogordo. (*Joe Lewandowski, Operational Consultants*)

Mr. Joe Lewandowski reported he had finished the last of the sale, but there were some Atari's left that he would sell at a later date (Power Point in Agenda Book). The tally at this point was 881 sold, 23 placed in museums, 100 to film companies, and the 297 being held for further sale. Florida was the state that had bought the most in the United States – 114 to date. The final total was \$107,930.15 with the City receiving \$65,037.78, the Tularosa Basin Historical Society receiving \$16,259.44, and expenses totaling \$26,632.93. He had presented the City with a check earlier in the year for \$35,147.48 and tonight presented a check to the City for \$29,890.30. He will come back to the September 22, 2015 Commission meeting with recommendations for what to do with the money the City had made, and to present awards to those who helped with the project.

Commissioner Sikes thanked Mr. Lewandowski for all his work on this project.

PUBLIC COMMENT

A. Paul Sanchez commented on the following:

1) Mr. Sanchez spoke on the subject of military recruiters. He didn't agree 100% with the comments made by Mr. Merrick on this subject, and leaned more towards comments made by Commissioner Sikes, Commissioner Baldwin, Commissioner Hernandez, and Mayor Pro-Tem Rentschler. He felt recruiters could be positioned at an event in a booth so individuals could come or not to them. He thought an event could waive the booth fee for the recruiters since they did not have any funds to work with. He hoped the commission would take a hard look at this issue.

CITY MANAGER'S REPORT

1) Acting City Manager Robert Duncan thanked the commission and his coworkers for their support and confidence. He had met with all the directors and said he would be meeting with the Finance Director concerning the city's long term financial stability.
2) He reminded everyone of the Budget Work Shop on August 31, 2015.

3) He passed out a list of suggestions from the City Clerk concerning the Agenda process (see Agenda Book). The main change was the agenda book would no longer be posted two weeks prior to the meeting; instead, it would be posted on the Wednesday before the upcoming meeting. He asked that they give this a try.

Commissioner Straface said this needed to be published so the public would be aware, and Acting City Manager Duncan agreed. Mayor Pro-Tem Rentschler clarified the deadlines and agreed to this.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Commissioner Sikes commented on the following:

1) Commissioner Sikes reported on the Holloman Big Give projects. She noted all the wonderful work done by these groups, especially the projects done for the City. Some of the City of Alamogordo projects were the planting of trees and the laying of gravel at the Library, cleaning up Founder's Park, painting 5,800 square feet of wall space at the Senior Center as well as working on the woodwork, and working on various areas of the Zoo. She listed some of the projects done for others, and noted some of the community individuals and organizations that donated supplies, time, money and prizes. She would like to have the team individuals who directly affected the City come and give a presentation and be recognized by us with certificates.

Mayor Galea commented on the following:

1) The Mayor had an opportunity to go to Ft. Bliss along with other mayors in the surrounding Triad. This group is interested in how the City of Alamogordo interacts with other agencies, and is specifically interested in our Utility Department. They would like to bring 100 folks up to see how we operate.

2) Ms. Galea said we will be asking for an extension of the WTB Funding of over a million dollars. The last phase of mostly water line projects is almost complete.

3) She said there would be a ribbon cutting for the new Tiger Field this Friday at 5:30 p.m. before the game.

4) Mayor Galea noted the County Commission Meeting next week. She hoped the City Commission could have an advocate at this meeting to address the item concerning the move of the Court House to outside the city limits. She felt it would impact the MainStreet Project to move the Court House. She was also concerned about the proposed increase of the GRT by 1/8th percent.

Commissioner Hernandez commented the city could incorporate land into the city that was being looked at for the relocation of the Court House. We would then get the tax revenues from the project.

Mayor Pro-Tem Rentschler said he had been to many of these county meetings and he didn't believe the direction would be to move the Court House from its current location. He thought they were anticipating MainStreet would increase their traffic. He would be willing to speak again to the County Commission about the GRT tax.

Mayor Pro-Tem Rentschler commented on the following:

1) Mr. Rentschler spoke about the recent flooding and specifically the flooding at the Las Alturas subdivision. He said we are looking at a way to help them and asked for them to let him know what is needed.

2) Mayor Pro-Tem Rentschler asked to see an item on the next agenda concerning the \$400,000 designated for a loop for our effluent system that has not been spent since 2012. He wanted the Legislative Bulletin attached to this.

3) He said the Walking/Riding Trail from First to Tenth Street had not been done. He said the

federal people had caused this problem and he expected this to continue.

4) On the next agenda he also asked for information on the Engineers contract. Since we don't have an engineer, we have contracted an engineering company and he felt we need to discuss what direction the city should take with this. Approximately \$107,000 had been spent just since February. Either we need to hire a City Engineer or we need to curtail what we are sending to our contracted engineering company.

5) He said he had been called over to the ditch between 15th & 18th Streets, next to the Lutheran Church. The city had done some work, but had been told it had to be on the agenda to be corrected. Robert Blanton had told them this and he asked Public Works Director Cesar if this was the case. Public Works Director Cesar told him the ditch could be fixed without commission direction, and they are addressing it as quickly as they can; they currently have many ditches to work on.

EXECUTIVE SESSION

17. Recess into Closed Session in compliance with Section 10-15-1.H, NMSA 1978 (2010 Cumulative Supplement), to discuss Limited Personnel Matters (City Manager). (Roll call vote required)

Commissioner Hernandez moved to recess into Executive Session Limited Personnel Matters (City Manager) at 8:42 p.m. Commissioner Turnbull seconded the motion. Roll call vote was taken. Motion carried with a vote of 7-0-0.

RECONVENE INTO OPEN SESSION

18. Motion to reconvene into open session. And Action, if any, as a result of Executive Session.

Mayor Pro-Tem Rentschler moved to go into Open Session at 9:54 p.m. Commissioner Hernandez seconded the motion. Motion carried with a vote of 7-0-0.

The Mayor stated the Commission was confident Acting City Manager Duncan would do a great job for the next 30 days. The commissioners had discussed at length the process for recruiting an interim city manager, and it would be discussed further in Executive Session at the next commission meeting.

ADJOURNMENT

Mayor Pro-Tem Rentschler moved to adjourn at 9:56 p.m. Commissioner Hernandez seconded the motion. Motion carried with a vote of 7-0-0.

Mayor Susie Galea

ATTEST:

City Clerk Reneé L. Cantin

(Prepared by Nancy Jacobs, Deputy Clerk)

Approved at the Regular Meeting held on September 8, 2015.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 09/08/2015

Report Date: 8/28/2015

Report No: 3.

Submitted By: Renee Cantin, City Clerk

Subject: Approve the statement related to the Executive Session held on August 24, 2015 and August 25, 2015. *(Renee Cantin, City Clerk)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve the following statements and authorize them to be included in the minutes of September 8, 2015: "The Governing Body of the City of Alamogordo, New Mexico, hereby states that on August 24th, 2015 a Closed Executive Session was held during the Special Meeting and the matters discussed in the closed meeting were limited only to: Limited Personnel Matters (Acting City Manager) as posted on the meeting notice." AND "The Governing Body of the City of Alamogordo, New Mexico, hereby states that on August 25th, 2015 a Closed Executive Session was held during the Regular Meeting and the matters discussed in the closed meeting were limited only to: Limited Personnel Matters (City Manager) as posted on the meeting notice."

Background: This statement is required per the Open Meetings Act.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 09/08/2015

Report Date: 8/31/2015

Report No: 4.

Submitted By: Stephen Thies, City Attorney

Subject: Approve the final publication of Ordinance No. 1501 Amending Article 19-04 of the City Code to Provide for the Adoption of Park Rules. **(Roll call vote required)** *(Stephen Thies, City Attorney)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve the ordinance for final publication. **(Roll call vote required)**

Background:

A recent incident which occurred at the zoo has prompted management to consider means by which to address misconduct at the zoo and other recreational facilities operated by the City. At the current time, City Code does not contain an effective means to address misconduct which does not rise to the level of criminal behavior. As a result, the attached ordinance has been prepared that allows the Director of Community Services to develop rules and regulations applicable to the city's many recreational facilities and programs. Once such rules and regulations are developed, they would then be presented to the City Commission for formal approval. Provided the Commission approves the rules and regulations, they would be posted at the facilities. The enforcement mechanism created by the ordinance is to temporary, or in certain situations, permanently revoke the offending party's privileges to use the facility. If the person returns during the revocation period, they could be charged with criminal trespass. The ordinance creates an appeal mechanism in the event the individuals desires to challenge the revocation of their use of the facility.

Commission is requested to approve the ordinance for first publication.

ORDINANCE NO. 1501**AN ORDINANCE AMENDING ARTICLE 19-04 OF THE CITY CODE TO PROVIDE FOR THE ADOPTION OF PARK RULES**

BE IT ORDAINED by the City Commission of the City of Alamogordo, New Mexico that Article 19-04 of the *Code of Ordinances of the City of Alamogordo, New Mexico, Parks, Playgrounds and Recreation* is amended to add the following:

19-05-020. Certain conduct and activities in public parks prohibited; establishment and enforcement of rules and regulations in parks and other recreational facilities; suspension/revocation of park privileges.

(a) "Park" shall mean and refer to any park, open space, arena, golf course, recreation centers, special-use area, trail corridor or any other area owned, improved, maintained, operated or otherwise controlled by the City for recreation or natural resource preservation purposes.

(b) Establishment and Enforcement of Park Rules and Regulations.

(1) Establishment of park rules and regulations: The Director of Community Services (hereinafter referred to as the "Director"), subject to the approval of the City Commission, is hereby authorized and directed to adopt any and all rules and regulations reasonable and necessary for the proper and orderly use of all city parks and other recreational facilities and shall post all duly adopted rules and regulations applicable to each city park or facility upon an appropriate sign conspicuously placed at each entrance thereto. In addition, a copy of said rules and regulations, may be amended from time to time, shall be lodged of record in the office of the city clerk, and shall be made available for public inspection during normal business hours at city hall, upon request. All rules and regulations pertaining to the use of city parks and other recreational facilities, duly adopted and promulgated as required herein, and as may be amended from time to time, are hereby adopted and incorporated herein by reference thereto.

(2) Enforcement of park rules and regulations: The Director of Community Services, or his designee, in charge of the city's parks and recreational facilities shall enforce all park rules and regulations, and are hereby authorized, in their individual discretion, to temporarily suspend the privilege of any person or persons to use any one (1) or more of the city's parks or recreational facilities upon his or her determination, based on observation, reliable information or other probative evidence that said person or persons have violated one (1) or more laws, rules or regulations for the authorized use of city parks and recreational facilities. The suspension of the privilege to enter upon and use city parks and recreational facilities shall be effective immediately from and after oral

notification to the person or persons involved by the Director, or his designee, and shall remain in effect for a maximum period of forty-eight (48) hours following the notice of suspension unless the privilege is further suspended or revoked as provided herein below. Any person or persons temporarily suspended under this section shall upon notification of suspension, immediately leave the premises of any city park and shall not return until said privilege has been reinstated as provided herein. Any person suspended under this section who refuses to leave a city park or other recreational facility shall be deemed to have committed a trespass and may be forcibly removed from the premises by a law enforcement officer and arrested, if necessary.

(e) Unlawful Conduct or Violation of Rules and Regulations in City Parks;
Authority of City Manager Regarding Suspension/Revocation of Privileges.

- (1) Authority of city manager; suspension/revocation: The city manager, upon the recommendation of the Director, is authorized, in his sole discretion, to suspend and/or revoke temporarily (indefinitely) or permanently, the privilege of any person or persons to use any one (1) or more of the city's parks or recreational facilities if, upon review of all evidence relevant thereto, he finds by a preponderance of the evidence, that a person or persons have, while in a city park or other recreational facility, violated one (1) or more state or local laws or violated any rules or regulations governing the proper use thereof and determines that it is in the best interest of the city to suspend or revoke that person or persons' privileges.
- (2) Suspension/revocation; notice requirements; factors considered: Prior to consideration of any recommendation regarding suspension or revocation in excess of forty-eight (48) hours, temporary or permanent, the city manager shall attempt to notify in writing the person or persons whose privileges may be suspended or revoked, if the identity and address of the person or persons are known or may be reasonably ascertained. The notice shall advise said person that a recommendation has been submitted to the city manager to suspend or revoke his or her privilege to enter upon and use a city park and/or other recreational facility, and shall advise said person that he or she has ten (10) days to "show cause" in writing why his or her park privileges should not be suspended or revoked as recommended. In rendering his decision, the city manager shall consider all relevant evidence, including any statements or evidence submitted by the person or persons whose privileges may be suspended or revoked. Within three (3) days of receipt of the parks and recreation manager or public works director's recommendation, the city manager shall accept, reject or modify the recommendation regarding suspension or revocation, as he deems necessary and appropriate, and shall notify the Director and the person or persons whose privileges are subject to suspension or revocation, of his decision in writing. The suspension or revocation of the privilege to

use city parks or recreational facilities shall be effective immediately from and after oral notification to the person involved by the city manager, or any other designated employee of the city, or the mailing of the notice of suspension or revocation to the last known address of the person or persons thus offending, whichever occurs first. Notice of suspension or revocation shall include information and instructions regarding the appeal process set forth in subsection (d) of this section.

(3) The city police department shall be notified of any and all suspensions or revocations under subsections (b) and (c) of this section.

(c) Appeal Procedure. Any person aggrieved by a decision of the city manager under subsection (c)(1) of this section may appeal same to the City Commission by filing a written notice of appeal with the city clerk within ten (10) days after the decision is rendered. The appeal shall be heard within twenty (20) days after the notice of appeal is filed. The appeal shall be based solely on the record of evidence considered by the city manager in rendering his decision, except when the City Commission, in its sole discretion, requests additional evidence from interested parties or other witnesses.

(d) Law Enforcement Authority; Penalties.

(1) The police power of the city shall extend over and apply to all city parks and recreational facilities, now owned and hereafter acquired. In addition to any other criminal offenses and penalties provided by state law, it shall be unlawful for any person to violate any provision in this section or any rules and regulations governing the proper use of city parks and recreational facilities. Any person found to be in violation thereof, shall upon conviction, shall be punished as provided in section 1-01-100 of this Code.

(2) It shall be unlawful for any person to enter upon, use or remain within any city park or other recreational facility in violation of any order of suspension or revocation issued under the provisions of this section to said person. Any person found to be in violation of a suspension or revocation shall, upon conviction thereof, shall be punished as provided in section 1-01-100 of this Code. In addition, violation of any order of suspension or revocation by any person thus offending shall constitute a trespass, and any and all members of local law enforcement agencies with proper jurisdiction are hereby authorized to forcibly remove from city parks or recreational facilities and arrest, if necessary, any person who violates any such suspension or revocation order and commits a criminal trespass.

SECTION 2. EFFECTIVE DATE. This ordinance shall take effect upon its adoption and publication.

DONE this _____ day of _____, 2015

CITY OF ALAMOGORDO, NEW MEXICO
A New Mexico municipal corporation

By: _____
Susie Galea, Mayor

ATTEST:

Renee L. Cantin, City Clerk

APPROVED AS TO FORM:

Stephen P. Thies, City Attorney

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 09/08/2015

Report Date: 8/31/2015

Report No: 5.

Submitted By: Renee Cantin, City Clerk

Subject: Approve a Special Dispenser Permit Application and a Temporary Alcoholic Beverage Dispenser's License for Johnny Carino's for the Holloman Air Force Ball on September 25, 2015 at the NM Museum of Space History. *(Renee Cantin, City Clerk)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve the Special permit and temporary license.

Background: According to Ordinance No. 1303, Section 5-01-035(a) states: The governing body of the city has deemed it advisable to allow and license limited public sale of alcoholic beverages at retail and consumption on the sale premises of alcoholic beverages approved by the city commission in specific areas of the public parks of said city, and, during community-wide celebrations, on certain other public places. Such sale shall be by responsible persons duly licensed under the Code of Ordinances, and shall be allowed for limited periods of time, as hereinafter specifically provided.

Carino's does hold a current liquor license with the City and is asking for approval for this temporary license for their event on September 25, 2015.

The fee of \$50.00 per temporary location has been paid for this license. The attached application has been sent for investigation to the P & Z Coordinator, Assistant City Manager, Police Chief, and Fire Chief.

RECEIPT NO. 20389
DATE PAID: AUG 25 2015

City of Alamogordo

City Clerk's Office / 1376 E. Ninth Street / Alamogordo, NM 88310 / (575) 439-4205 / (575) 439-4396 FAX

APPLICATION FOR TEMPORARY ALCOHOLIC BEVERAGE DISPENSER'S LICENSE

FEE: \$50.00 PER TEMPORARY LOCATION

LIQUOR LICENSE HOLDER INFORMATION:

NAME OF LICENSEE: SWXC Alamo LLC.
BUSINESS NAME: Johnny Carino's
BUSINESS ADDRESS: 260 Panorama TELEPHONE NO.: 575-434-2615
STATE LIQUOR LICENSE NO.: 28048 CITY BUSINESS LICENSE NO.: _____
SOCIAL SECURITY NO.: on file DATE OF BIRTH: on file

EVENT INFORMATION:

NAME OF EVENT UTILIZING TEMPORARY LICENSE: Air Force Ball
SPONSOR(S) OF EVENT: Holloman Air Force Ball committee
PHYSICAL LOCATION OF EVENT: NM Museum of Space History 3198 State
Route 2001, Alamogordo, NM 88310
AREA WHERE ALCOHOLIC BEVERAGES WILL BE DISPENSED; IF AVAILABLE, ATTACH MAP (SPECIFY AREA TO BE
USED FOR THE PURPOSES OF THIS LICENSE. DESIGNATE SPECIFICALLY THE AREA IN A CITY PARK, OR ALTERNATIVELY, OTHER PUBLIC
GROUNDS IN THE CITY): See attached map (outside of Museum in
Pavilion and lot floor)
DATE(S) OF EVENT: 9/25/15

TIME TEMPORARY LICENSE WILL BE OPERATIONAL: 6 A.M. P.M. THROUGH 10 A.M. P.M.
I hereby certify that I have read and understand the following statements and will comply with all applicable laws and Ordinances:

-No alcoholic beverages may be sold at retail or consumed in any City park of the City, or on any other public grounds of said City, whether in the central business district or otherwise, except that a Temporary Alcoholic Beverage Dispenser's Licensee may use the area designated on the License for purposes of retail sale, and consumption by adult consumers of alcoholic beverages on the premises of the designated area.

-Any sale and consumption of alcoholic beverages shall be limited to the designated area.

DATE: 8/25/15 LIQUOR LICENSEE'S SIGNATURE: 

ALL TEMPORARY LICENSES SHALL NOT EXCEED THREE DAYS. NO PERSON SHALL BE ISSUED MORE THAN THREE TEMPORARY ALCOHOLIC BEVERAGE DISPENSER'S LICENSES DURING ANY CALENDAR MONTH. THESE LICENSES ARE NON-TRANSFERABLE.

FOR CITY CLERK'S USE ONLY

DATE TEMPORARY LICENSE APPROVED BY THE CITY COMMISSION:

Sept 8, 2015

ALCOHOLIC BEVERAGES APPROVED BY THE CITY COMMISSION: ☐ Beer ☐ Wine ☒ Distilled Spirits ☐

Other _____

TEMPORARY LICENSE NO. _____ **DATE FEE PAID:** _____

CALENDAR MONTH: Sept ☐ FIRST ☒ SECOND ☐ THIRD

DATE SPECIAL DISPENSER'S PERMIT or PUBLIC CELEBRATION PERMT APPROVAL VERIFIED WITH ALCOHOL & GAMING: _____

[01/2008]

ALCOHOL & GAMING DIVISION

\$25.00 Private Event (Catered) (all fees are non refundable)

A copy of all approved permits will be sent to the Special Investigations Division of the Department of Public Safety. They will notify you directly if they need additional information.

Liquor License # 28048

Business Name (DBA) Solana Carinos Owner Name SWC Alamo LLC Local Option District _____

Mailing Address 760 Riverside City, State & Zip El Paso TX 79922

Contact Telephone # 575-434-2615 Fax # 575-434-2644 Email Address c310310@swcarinos.com

Circle those that apply – All Age Event – Beer Garden – Indoor/Outdoor **EVENT INFORMATION** Event Begin Time 6 PM End Time 10 PM

Wrist Band/ Stamps
Description and Name of Event A - Force Ball Date(s) of Event 9/25/15 Alcohol Service Begin Time 6 PM End Time 10 PM

Physical Address of Event and Name of Building or Business 3198 STATE Route 2001, ALAMOGADO, NM 88310 Number of Persons expected to Drink 300

Description of Security Security Concepts Inc Number of Security 3 Security Contact Name Michael J Gonzales Contact Telephone # (575) 526-415

Sponsor of Event Holloman AF Base Committee Contact Name Lavette Berran Contact Telephone # 334-398-1387

Sponsor of Event Holloman AF Base Committee Contact Name Lavette Berrian Contact Telephone # 334-398-1387

Name (print) CHRISTOPHER ORWOLL NMMSH Signature Telephone # 575-437-2840 Date 8/25/15
EXEC DIRECTOR

Name (print) CHRISTOPHER ORWOLL NMAASH Signature  Telephone # 575-437-2840 Date 8/25/15
EXEC DIRECTOR

LICENSE HOLDER & SERVER CERTIFICATION: I, Dae Rowley (Licensee) hereby certify that this event is within the same local option district as the dispenser's license, that event is not within 300 Ft. of a church or school unless alcoholic beverages were sold there prior to July 1, 1981 or a waiver is obtained from the local governing body. I further certify that all persons providing the service of alcoholic beverages are server certified and that they are my employees and that **ALL** the information in this application is true and correct.

NOTE: List of servers including name, server permit # and server expiration date must be attached to permit application.

Licensee agrees that if any statements or representations herein are found to be false, the director may refuse to issue additional permits.

Licensee Name (print) Dave Roukey Signature [Signature] Date 8/25/15
All profits derived from the sale of liquor will go only to the licensee. Only the owner or authorized person under this license may sign the permit.

Only the owner or authorized person under this license may sign the permit.

Subscribed and Sworn before me this 25th day of August, 20 15 Notary Public Rachel Hughes Exp. 11/16/16

Subscribed and Sworn before me this 25th day of August, 20 15 Notary Public Rachel Hughes Exp. 11/16/16

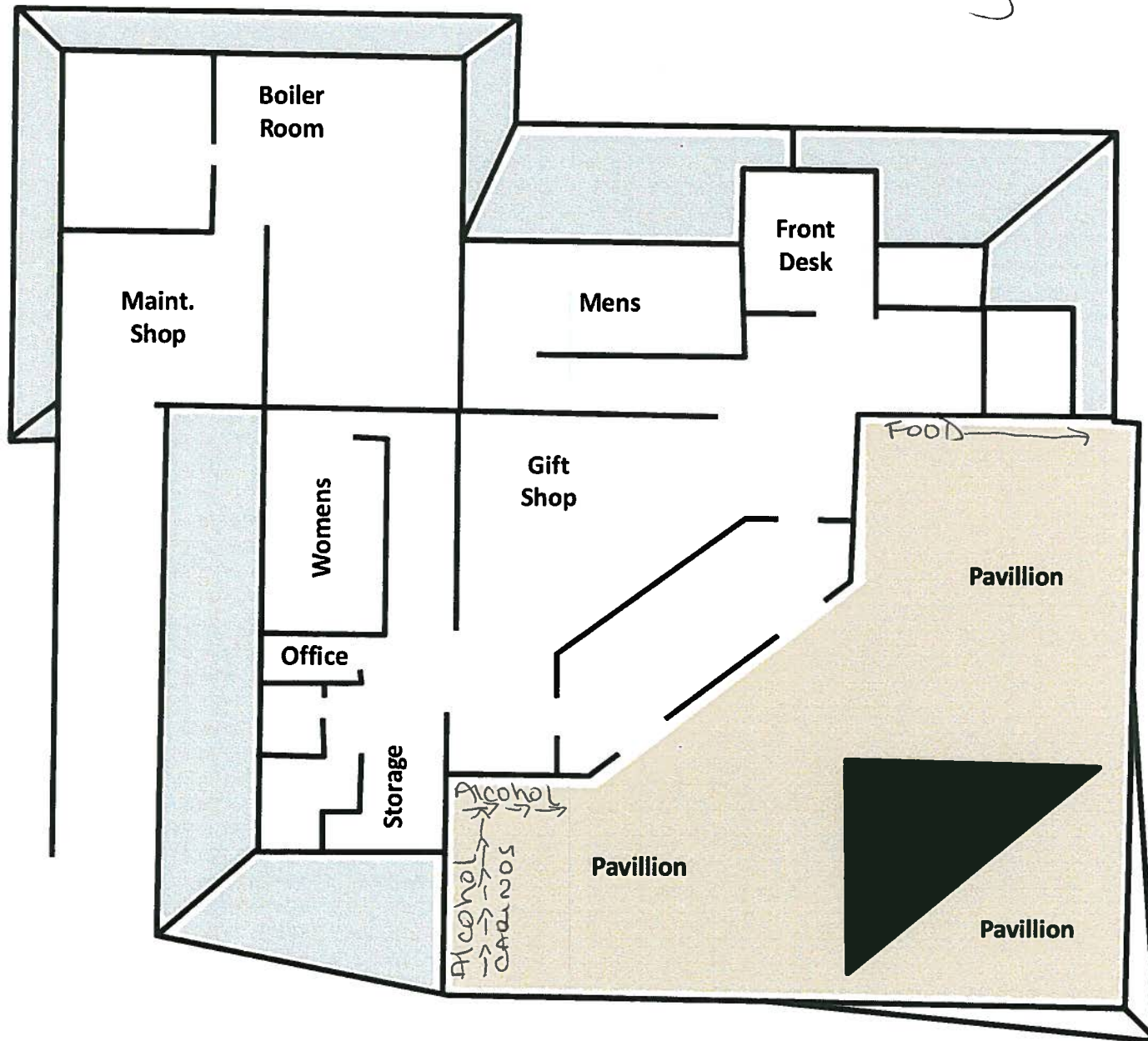
Print Name	Title	Date	Signature	Phone	Fax
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Approved by:	Date	Permit Number
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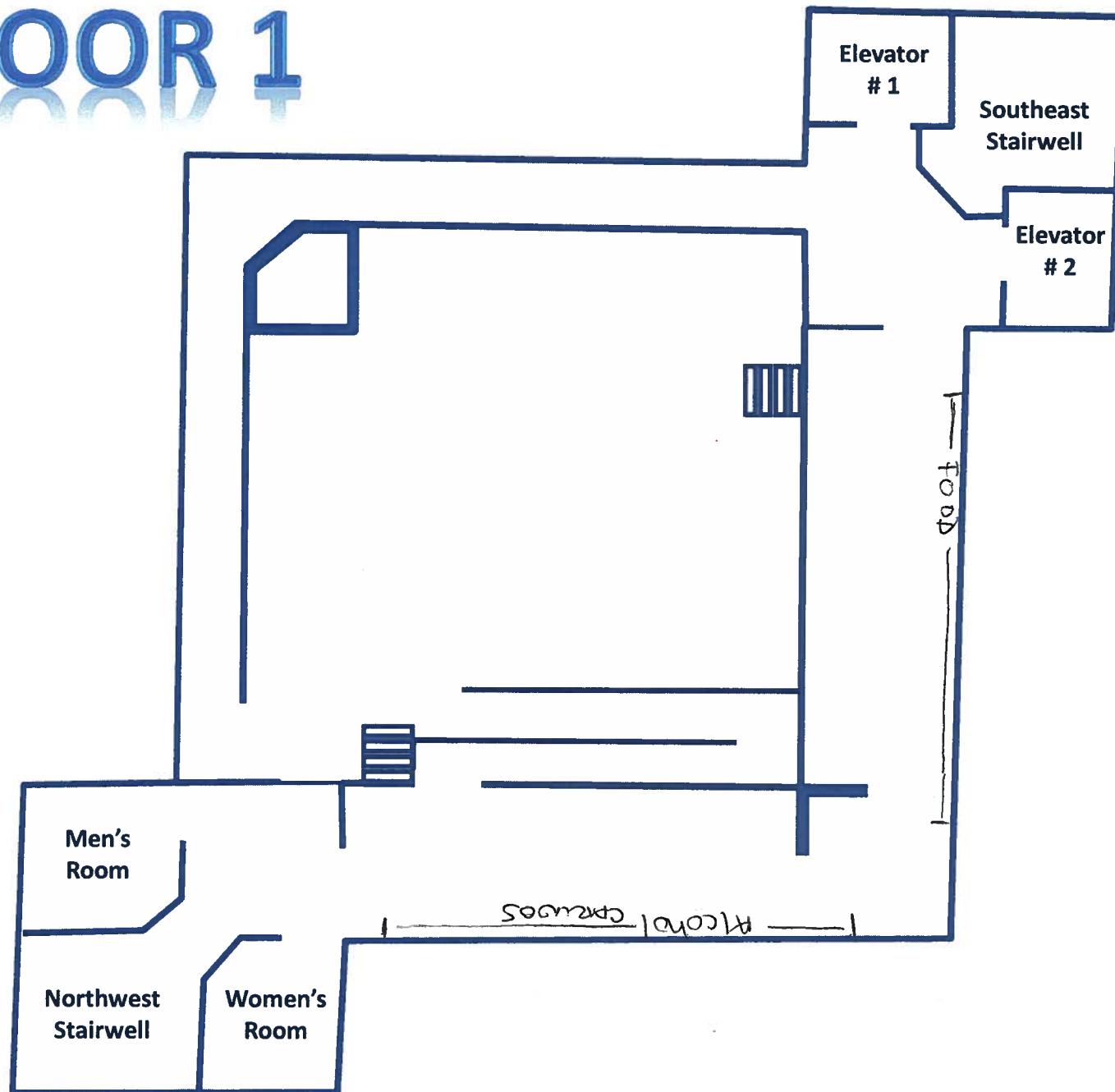
Approved by:	Date	Permit Number
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At Day Catering & Alcohol

Parking Area



FLOOR 1



AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 09/08/2015

Report Date: 8/31/2015

Report No: 6.

Submitted By: Renee Cantin, City Clerk

Subject: Approve a Special Dispenser Permit Application and a Temporary Alcoholic Beverage Dispenser's License for Johnny Carino's for the NM Musuem of Space History/International Space Hall of Fame event on October 3, 2015 at the Tays Special Events Center. *(Renee Cantin, City Clerk)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve the Special permit and temporary license.

Background: According to Ordinance No. 1303, Section 5-01-035(a) states: The governing body of the city has deemed it advisable to allow and license limited public sale of alcoholic beverages at retail and consumption on the sale premises of alcoholic beverages approved by the city commission in specific areas of the public parks of said city, and, during community-wide celebrations, on certain other public places. Such sale shall be by responsible persons duly licensed under the Code of Ordinances, and shall be allowed for limited periods of time, as hereinafter specifically provided.

Carino's does hold a current liquor license with the City and is asking for approval for this temporary license for their event on October 3, 2015.

The fee of \$50.00 per temporary location has been paid for this license. The attached application has been sent for investigation to the P & Z Coordinator, Assistant City Manager, Police Chief, and Fire Chief.

RECEIPT NO. 20390
DATE PAID: 10 25 2015

City of Alamogordo

City Clerk's Office / 1376 E. Ninth Street / Alamogordo, NM 88310 / (575) 439-4205 / (575) 439-4396 FAX

APPLICATION FOR TEMPORARY ALCOHOLIC BEVERAGE DISPENSER'S LICENSE

FEE: \$50.00 PER TEMPORARY LOCATION

LIQUOR LICENSE HOLDER INFORMATION:

NAME OF LICENSEE: SWXC ALAMO LLC.
BUSINESS NAME: Johany Carinos
BUSINESS ADDRESS: 260 Panorama Blvd TELEPHONE NO.: 575-44-2615
STATE LIQUOR LICENSE NO.: 28048 CITY BUSINESS LICENSE NO.: _____
SOCIAL SECURITY NO.: on file DATE OF BIRTH: on file

EVENT INFORMATION:

NAME OF EVENT UTILIZING TEMPORARY LICENSE: New Mexico Museum of Space History
SPONSOR(S) OF EVENT: International Space Hall of Fame
PHYSICAL LOCATION OF EVENT: Tags Special Event Center
2400 N. Scenic Dr. Alamogordo NM

AREA WHERE ALCOHOLIC BEVERAGES WILL BE DISPENSED; IF AVAILABLE, ATTACH MAP (SPECIFY AREA TO BE USED FOR THE PURPOSES OF THIS LICENSE. DESIGNATE SPECIFICALLY THE AREA IN A CITY PARK, OR ALTERNATIVELY, OTHER PUBLIC GROUNDS IN THE CITY): _____

DATE(S) OF EVENT: October 3rd

TIME TEMPORARY LICENSE WILL BE OPERATIONAL: 5 A.M. (P.M.) THROUGH 9 A.M. (P.M.)
I hereby certify that I have read and understand the following statements and will comply with all applicable laws and Ordinances:

-No alcoholic beverages may be sold at retail or consumed in any City park of the City, or on any other public grounds of said City, whether in the central business district or otherwise, except that a Temporary Alcoholic Beverage Dispenser's Licensee may use the area designated on the License for purposes of retail sale, and consumption by adult consumers of alcoholic beverages on the premises of the designated area.

-Any sale and consumption of alcoholic beverages shall be limited to the designated area.

DATE: 8/24/15 LIQUOR LICENSEE'S SIGNATURE: 

ALL TEMPORARY LICENSES SHALL NOT EXCEED THREE DAYS. NO PERSON SHALL BE ISSUED MORE THAN THREE TEMPORARY ALCOHOLIC BEVERAGE DISPENSER'S LICENSES DURING ANY CALENDAR MONTH. THESE LICENSES ARE NON-TRANSFERABLE.

FOR CITY CLERK'S USE ONLY

DATE TEMPORARY LICENSE APPROVED BY THE CITY COMMISSION:

Sept 8, 2015

ALCOHOLIC BEVERAGES APPROVED BY THE CITY COMMISSION: ☒ Beer ☒ Wine ☐ Distilled Spirits ☐

Other _____

TEMPORARY LICENSE NO. _____ **DATE FEE PAID:** _____

CALENDAR MONTH: Oct ☒ **FIRST** ☐ **SECOND** ☐ **THIRD**

DATE SPECIAL DISPENSER'S PERMIT or PUBLIC CELEBRATION PERMT APPROVAL VERIFIED WITH ALCOHOL & GAMING: _____

[01/2008]

Fee Per day: \$50.00 Public Event

A copy of all approved permits will be sent to the Special Investigations Division of the Department of Public Safety. They will notify you directly if they need additional information.

Liquor License # 28048

Contact Telephone # 575-434-2615 Fax # 575-434-2644 Email Address C3102@uscg.mil

Description of Security Texas Enforcer Number of Security 1 Security Contact Name Lorenzo Sosa Contact Telephone # 575 524 6819

Sponsor of Event NM Museum of Space History Contact Name Cathy Harper Contact Telephone # 575-437-2840
ext. 41153

Name (print) KEW VAN WINKLE Signature [Signature] Telephone # 525-439-3640 Date 8-25-15

Licensee agrees that if any statements or representations herein are found to be false, the director may refuse to issue additional permits.

Licensee Name (print) David Roukey Signature [Signature] Date 8/28/15
All profits derived from the sale of liquor will go only to the licensee. Only the owner or authorized person under this license may sign the permit.

Subscribed and Sworn before me this 25th day of August, 20 15 Notary Public Rachel Hughes Exp. 11-16-16

Print Name _____ Title _____ Date _____ Signature _____ Phone _____ Fax _____

Approved by: _____ Date _____ Permit Number _____

TAYS CENTER FLOOR LAYOUT

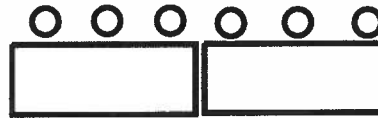
INDUCTION 2015 - SATURDAY OCT. 3

EXIT

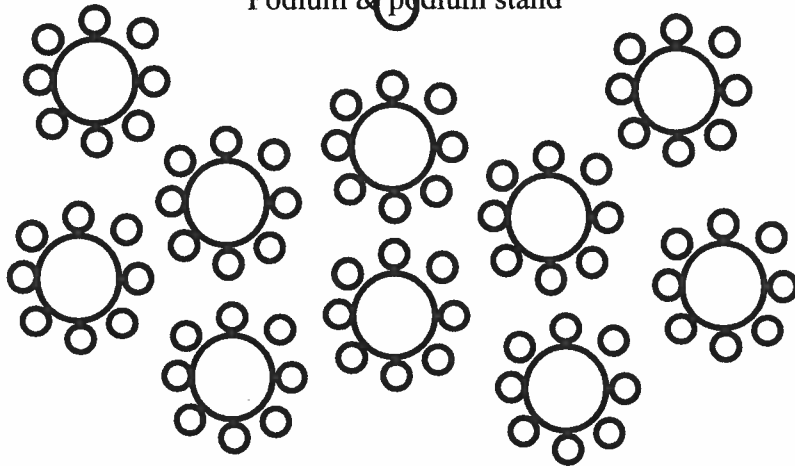
Projection screen
STAGE

Caterer - 2 tables

Alcohol Servers
- 2 tables



Podium & podium stand



EXIT

EXIT



Two Guest Registration
Tables - 2 chairs

Lobby Area & Main Entrance

Not to scale

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 09/08/2015

Report Date: 8/31/2015

Report No: 7.

Submitted By: Renee Cantin, City Clerk

Subject: Approve a Public Celebration Permit Application and a Temporary Alcoholic Beverage Dispenser's License for Heart of the Desert Winery for the Republican Women of Otero County fundraiser on October 24, 2015 at Creative Designs located at 917 New York Ave. *(Renee Cantin, City Clerk)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve the Special permit and temporary license.

Background: According to Ordinance No. 1303, Section 5-01-035(a) states: The governing body of the city has deemed it advisable to allow and license limited public sale of alcoholic beverages at retail and consumption on the sale premises of alcoholic beverages approved by the city commission in specific areas of the public parks of said city, and, during community-wide celebrations, on certain other public places. Such sale shall be by responsible persons duly licensed under the Code of Ordinances, and shall be allowed for limited periods of time, as hereinafter specifically provided.

Heart of the Desert does hold a current liquor license for the winery with the City and is asking for approval for this temporary license for their event on October 24, 2015.

The fee of \$50.00 per temporary location has been paid for this license. The attached application has been sent for investigation to the P & Z Coordinator, Assistant City Manager, Police Chief, and Fire Chief.

RECEIVED

AUG 28 2015

CITY CLERK

RECEIPT NO. 18453

DATE PAID

AUG 20 2015

City of Alamogordo

City Clerk's Office / 1376 E. Ninth Street / Alamogordo, NM 88310 / (575) 439-4205 / (575) 439-4396 FAX

APPLICATION FOR TEMPORARY ALCOHOLIC BEVERAGE DISPENSER'S LICENSE

FEE: \$50.00 PER TEMPORARY LOCATION

LIQUOR LICENSE HOLDER INFORMATION:

NAME OF LICENSEE: Marianne Schweers

BUSINESS NAME: Heart of the Desert

BUSINESS ADDRESS: 7288 Hwy 54/70

TELEPHONE NO.: 575-434-0035

STATE LIQUOR LICENSE NO.: 6087

CITY BUSINESS LICENSE NO.: _____

SOCIAL SECURITY NO.: on file

DATE OF BIRTH: on file

EVENT INFORMATION:

NAME OF EVENT UTILIZING TEMPORARY LICENSE: Republican Fundraiser

SPONSOR(S) OF EVENT: Republican Women of Otero County

PHYSICAL LOCATION OF EVENT: Creative Designs

917 New York Ave, Alamogordo, NM 88310

AREA WHERE ALCOHOLIC BEVERAGES WILL BE DISPENSED; IF AVAILABLE, ATTACH MAP (SPECIFY AREA TO BE USED FOR THE PURPOSES OF THIS LICENSE. DESIGNATE SPECIFICALLY THE AREA IN A CITY PARK, OR ALTERNATIVELY, OTHER PUBLIC GROUNDS IN THE CITY): see map - in-store

DATE(S) OF EVENT: Oct 24, 2015

TIME TEMPORARY LICENSE WILL BE OPERATIONAL: 1 A.M. (P.M.) THROUGH 7 A.M./P.M.

I hereby certify that I have read and understand the following statements and will comply with all applicable laws and Ordinances:

-No alcoholic beverages may be sold at retail or consumed in any City park of the City, or on any other public grounds of said City, whether in the central business district or otherwise, except that a Temporary Alcoholic Beverage Dispenser's Licensee may use the area designated on the License for purposes of retail sale, and consumption by adult consumers of alcoholic beverages on the premises of the designated area.

-Any sale and consumption of alcoholic beverages shall be limited to the designated area.

DATE: Aug 12, 2015 LIQUOR LICENSEE'S SIGNATURE: Marianne Schweers

ALL TEMPORARY LICENSES SHALL NOT EXCEED THREE DAYS. NO PERSON SHALL BE ISSUED MORE THAN THREE TEMPORARY ALCOHOLIC BEVERAGE DISPENSER'S LICENSES DURING ANY CALENDAR MONTH. THESE LICENSES ARE NON-TRANSFERABLE.

ALCOHOL & GAMING DIVISION
PUBLIC CELEBRATION PERMIT APPLICATION WINEGROWER, SMALL BREWER & CRAFT DISTILLER LICENSE HOLDERS
(60-6A-11 / 60-6A-26.1 NMSA)

FEES ARE \$10 PER DAY – Fees are Non-Refundable

LICENSE HOLDER INFORMATION:

Business Name (DBA) Heart of the Desert Owner Name Marianne Schweers Liquor License # 6087
Mailing Address 7288 Hwy 54/70 City, State & Zip Alamogordo, NM 88310
Contact Telephone # 575-434-0080 Fax # 575-434-2132 Email Address remi@heartofthedesert.com

EVENT INFORMATION: Celebration type: State Fair ☐ County Fair ☐ Community Fiesta ☒ Cultural/Artistic Performance ☐ Athletic ☐

Circle those that apply – All Age Event / Wrist Bands and/or Stamps – Beer Garden – Indoor / Outdoor Event Begin Time 1pm End Time 7pm

Description and Name of Event Repub. Fundraiser Date(s) of Event 10/24/15 Alcohol Service Begin Time 2p End Time 6p

Physical Address of Event & Name of Building or Business Creative Designs 917 New York Ave, Alamogordo, 88310 Number of Persons expected to Drink 100

Description of Security Security Concepts Inc. Number of Security 1 Security Contact Name Blinda Gabry Contact Telephone # 575-526-4151

SPONSOR INFORMATION

Sponsor of Event Republican Women of Delco Contact Name Victoria Gustafson Contact Telephone # 575-921-1190

BUILDING/PROPERTY OWNER APPROVAL

Name (print) Jess King Signature [Signature] Telephone # 575-434-4420 Date 8/12/15

LICENSE HOLDER & SERVER CERTIFICATION: I, Marianne Schweers (Licensee) hereby certify that this event is not within 300 Ft. of a church or school unless alcoholic beverages were sold there prior to July 1, 1981 or a waiver is obtained from the local governing body. I further certify that all persons providing the service of alcoholic beverages are server certified and that they are my employees and that ALL the information on this application is true and correct.

NOTE: List of servers including name, server permit # and server expiration date must be attached to permit application.

Licensee agrees that if any statements or representations herein are found to be false, the director may refuse to issue additional permits.

Licensee Name (print) Marianne Schweers Signature [Signature] Date 8-12-15
All profits derived from the sale of liquor will go only to the licensee.



NOTARY INFORMATION

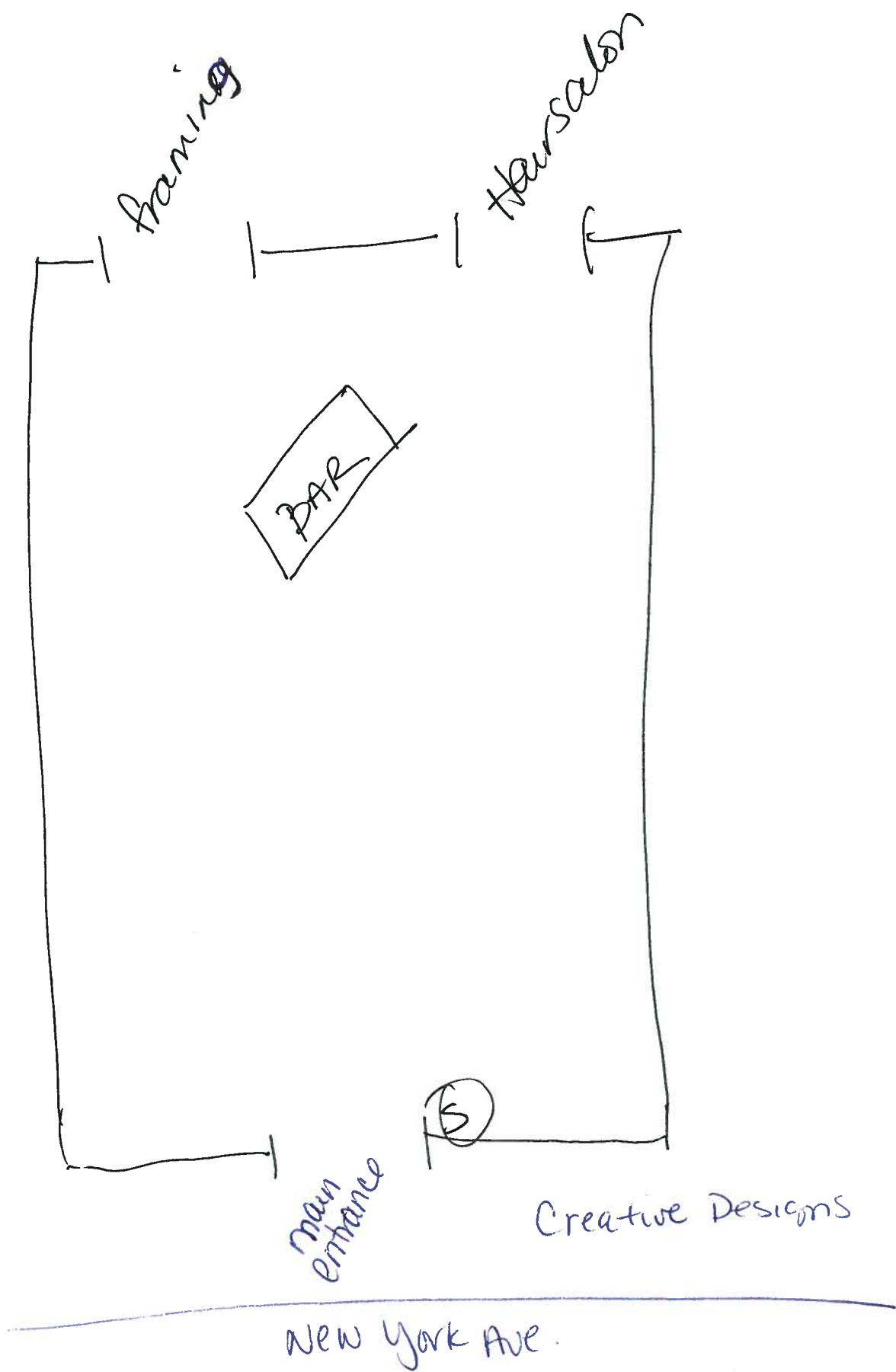
Subscribed and Sworn before me this 12th day of AUGUST, 20 15 Notary Public [Signature] Exp. 7.10.18

LOCAL GOVERNING BODY APPROVAL

Print Name _____ Title _____ Date _____ Signature _____ Phone _____ Fax _____

ALCOHOL & GAMING DIVISION USE ONLY

Approved by: _____ Date _____ Permit Number _____
Attachments: 1) Floor plan – (Pictures) 2) Fees per day (listed on top of page) 3) Server information list



AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 09/08/2015

Report Date: 8/28/2015

Report No: 8.

Submitted By: Stephen Thies, City Attorney

Subject: Approve the purchase of property located at 801 First Street for the First Street/Florida Avenue Re-Alignment Project in the amount of \$290,000.00. *(Stephen Thies, City Attorney)*

Fiscal Impact: \$290,000
Amount Budgeted: \$977,797.00
Fund: EN1405 122-9499-430.61-20

Additional Fiscal Impact:

Recommendation: Approve purchase of property located at 801 1st Street.

Background: The Commission approved the purchase of a parcel of real property at its August 25th meeting needed for the completion of the 1st Street and Florida Avenue intersection realignment project. A second parcel is now be brought before the Commission for that same reason. This particular parcel is located at 801 1st Street, the red brick building located in the northeast quadrant of the 1st & Florida intersection. After having the property appraised, the former City Manager negotiated a purchase price with the property owner. The agreed upon price is \$290,000. The agreed upon price is inclusive of relocation expenses and other fees which the property owner is entitled to receive. If the purchase is approved by the City Commission, the City will close the purchase with property owner within the next couple of days. However, the property owner will be allowed to continue to operate her business from the site for upwards to seven plus weeks. Rental payments for this period are part of the consideration being paid to the property owner.

Staff requests approval of the purchase of the property located at 801 1st Street for the price of \$290,000.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 09/08/2015

Report Date: 8/31/2015

Report No: 9.

Submitted By: Barbara Pyeatt, Central
Purchasing Officer

Subject: Approve the award of RFP No. 2015-003 to Unifirst Corporation, related to the Uniform and Linen Rental and Laundry Services for various department for the City of Alamogordo. *(Barbara Pyeatt, Central Purchasing Officer and Veronica Ortega, Community Services Director/Assistant City Manager)*

Fiscal Impact: \$44,000.00
Amount Budgeted: \$44,000.00
Fund: Varies by Department

Additional Fiscal Impact:

Recommendation: Approve award of Uniform and Linen Rental & Laundry Services for the City of Alamogordo with Unifirst Corp. for an estimated yearly total of \$ 40,000.00 (including NMGRT).

Background: RFP 2015-003 was advertised on May 31, 2015. Proposal was sent to 4 vendors. The City received one response, Unifirst Corp.

The uniform and linen rental service will include but not limited to: providing various city departments with floor mats, linen and uniforms rental as well as timely pick up and delivery.

The contract will be for an initial one (1) year period of time. The City reserves the right to exercise the option to extend the service agreement for up to three (3) additional one (1) year periods for a maximum term of four (4) years.

Proposal for RFP 2015-003 is available in City Clerk's Office.

PRICE PROPOSAL

NAME OF FIRM:

UniFirst Corporation

For the price(s) listed below, our firm hereby offers to provide uniform services at all locations in accordance with the Specifications, Schedule and Terms and Conditions of this bid:

The Contractor shall furnish at the start of the program, all brand new uniforms for all employees.

Weekly prices are based on 5 changes per week. To calculate price for a different number of change per week, multiply the unit cost (price per change) x the number of changes.

LONG TERM PRICING the pricing listed shall remain firm for 48 months

ITEM	DESCRIPTION	CHANGES PER WEEK	ESTIMATED NUMBER OF EMPLOYEES	PRICE PER CHANGE	TOTAL ANNUAL COST	INDICATE STOCK ITEM NUMBER YOU ARE BIDDING
A370 CITY MAINTENANCE SHOP 2600 N. Florida A386						
Work shirts Solid color Short /long Sleeve	4.25 oz. poplin; 65% poly/35% combed cotton;	5	48	.352	4,392.96	01024/s 0202 3/s
Pants/Denim Jean	100% cotton	5	40	.484	5,033.60	1090
Work Pants Synthetic	.75 oz. twill 65% poly, 35% combed cotton;	5	8	.457	950.56	1002
Shop Coat		1	5	.64	166.40	2525
Jacket		1	48	.78	1,946.88	1506
Coverall		1	27	.64	898.56	3002
Fire Retardant Welder Pant		5	1	1.45	429.00	11K6
Mat 3 X 5	Visitors	9		1.82	851.76	76 AQ
Mat 4 X 6	Visitors	4		2.81	584.48	76 AR
Mat 3 X 10	Visitors	4		3.12	648.96	76 AS
Safety Mat	3 X 4	1		2.00	104.00	9857
Wipers	18 X 18			.052		8021
Fender Covers		5		.52	135.20	7521
Dry Mop	24"	2		.674	70.31	8324
Dry Mop	36"	3		.832	129.79	8334
Handle/Frame	24"	2		φ	φ	8141
Handle/Frame	36"	3		φ	φ	8142
LANDFILL HWY 54 MILE MARKER 43 A327						

Work shirts Solid color Short /long Sleeve	4.25 oz. poplin; 65% poly/35% combed cotton;	5	6	.352	549.12	0102 4/s 0202 4/s
Blue Jeans	100% cotton	5	6	.484	755.04	#1091
Jacket		1	4	.78	162.24	1506
Coverall		1	4	.64	123.12	3002
Mat 3 X 5	Visitors	2		1.82	189.28	76 AQ
Wipers	18 X 18			.052		8021
Dry Mop	24"	2		.676	70.30	8324
Dry Mop	36"	3		.832	129.79	8336
Handle/Frame	24"	1		φ	φ	8141
Handle/Frame	36"	1		φ	φ	8142
A3141 AIRPORT 3500 AIRPORT A314						
Work shirts Solid color Short /long Sleeve	4.25 oz. poplin; 65% poly/35% combed cotton;	5	4	.352	346.08	0102 4/s 0202 4/s
Work Pants Synthetic	7.75 oz. twill 65% poly, 35% combed cotton;	5	4	.457	475.28	1002
Jacket		1	1	.78	40.56	1506
Coverall		1	1	.64	33.28	3002
Mat 3X5	Visitors	1		1.82	94.64	76 AQ
Mat 4X6	Visitors	4		2.81	584.48	76 AR
Mat 3X10	Visitors	2		3.12	324.48	76 AS
Wipers	18 X 18			.052		8021
Handle/Frame	24"	1		φ	φ	8141
Dry Mop	24"	1		.676	35.15	8324
GOLF COURSE HAMILTON RD A384						
Work shirts Solid color Short /long Sleeve	4.25 oz. poplin; 65% poly/35% combed cotton;	5	5	.352	457.60	0102 4/s 0202 4/s
Blue Jeans	100% cotton	5	5	.484	629.20	1091
CONVIENIENCE CENTER 800 1 st STREET A307						
Work shirts Solid color Short /long Sleeve	4.25 oz. poplin; 65% poly/35% combed cotton;	5	4	.352	346.08	0102 4/s 0202 4/s
Blue Jeans	100% cotton	5	2	.484	251.68	1091
Work Pants Synthetic	.75 oz. twill 65% poly, 35% combed cotton;	5	1	.457	118.82	1002
Jacket		1	4	.78	162.24	1506
Mat 4X6	Visitors	2		2.81	292.24	76 AR
Mat 3X10	Visitors	1		3.12	162.24	76 AS
Dry Mop	36"	1		.832	43.26	8336
Dry Mop	48"	1		1.04	54.08	8348

Handle /Frame	48"	1		Ø	Ø	Ø	8142
Bar Towel		25			.187	243.10	8581
FAMILY RECREATION 100 OREGON STREET A374							
Mat 4X6	Visitors	1			2.81	146.12	76 AR
Mat 3X5	Visitors	7			1.82	662.48	76 AC
Mat 4X6	Visitors	10			2.81	1461.20	76 AR
Mat 3X10	Visitors	3			3.12	486.72	76 AS
Mop handle	24 oz	4			Ø	Ø	8145
Handle /Frame	36"	3			Ø	Ø	8142
Handle /Frame	48"	2			Ø	Ø	8143
Mops Wet		4			1.04	216.32	8116
Dry Mop	36"	5			.832	216.32	8336
Dry Mop	48"	4			1.04	216.32	8348
Ribbed Bar Towels		18			.187	175.03	8581
Glass Towel		25			.12	156.00	8561
ZOO 1100 WHITESANDS A376							
Work shirts Solid color Short /long Sleeve	100% cotton	5	2		.57	297.44	0101 / 0201
Blue Jeans	100% cotton	5	2		.484	251.68	1091
CITY HALL/UTILITY BILLING 1376 E. NINTH STREET A354							
Work shirts Solid color Short /long Sleeve	Exxon	5	3		.594	463.32	0348 4/s 0448 4/s
Ribbed Bar Towels	Bag	25			.187	243.10	8581
CIVIC CENTER 800 1 ST STREET A331							
Mat 4X6	Visitors	2			2.81	292.24	76 AR
Mat 3X10	Visitors	1			3.12	162.24	76 AS
Dry Mop	36"	1			.832	43.26	8336
Dry Mop	48"	1			1.04	54.08	8348
Handle /Frame	48"	1			Ø	Ø	8142
Bar Towel	Bag	25			.187	243.10	8581
CEMETERY 1 ST STREET A353							
Work shirts Solid color Short /long Sleeve	100% cotton	5	2		.57	297.44	0101 4/s 0201 4/s
Blue Jeans	100% cotton	5	2		.484	251.68	1091
Jacket		1	4		.78	162.24	1506
LIBRARY 920 OREGON A355							
Work shirts Solid color Short /long Sleeve	4.25 oz. poplin; 65% poly/35% combed cotton;	5	1		.352	91.52	0102 4/s 0202 4/s
Mat 3X5	Visitors	3			1.82	283.92	76 AC

Mat 4X6	Visitors	3		2.81	438.36	76 AR
Mat 3X10	Visitors	1		3.10	162.24	76 AS
Dry Mop with Handle	24"	1		.476 ø	35.15 ø	8324 8141
Duster	36 X 36	10		.11	57.20	85410
DEPARTMENT OF PUBLIC SAFETY 700 VIRGINIA ST. A385						
Mat 4X6	Visitors	4		2.81	584.48	76 AR
Mat 3X10	Visitors	1		3.12	162.24	76 AS
FIRE STATION #1 619 TEXAS						
Mat 3X5	Visitors	4		1.82	378.56	76 AR
Mat 3X10	Visitors	2		3.12	324.48	76 AS
Dry Mop with Handle	24"	2		.476 ø	70.30 ø	8324 8141
Glass Towel		30		.12	187.20	8541
FIRE STATION #5 1492 S. FLORIDA						
Mat 3X5	Visitors	4		1.82	378.56	76 AQ
Mat 3X10	Visitors	2		3.12	324.48	76 AS
Dry Mop with Handle	24"	2		.476	70.30	8324
FIRE STATION #6 3100 N FLORIDA						
Mat 3X5	Visitors	2		1.82	189.28	76 AQ
Mat 3X5	Visitors	2		1.82	189.28	76 AQ
ANIMAL CONTROL 2910 N. FLORIDA						
Mat 3X5	Visitors	4		1.82	378.56	76 AQ
Mat 4X6	Visitors	2		2.81	292.24	76 AR
Dry Mop with Handle	24"	2		.476	70.30	8324
Glass Towel		40		.12	249.60	8541

- Dept. 1.75
 Indicate Price for name Patch each - Employee Name \$.75
 Indicate Percentage Discount Off Retail Catalog Price for Purchased Items: 20 %

NON-ALLOWED CHARGES. The following, but not limited to this list of charges, and including other incidental or standard industry charges not identified herein, are not allowed under this contract.

- Buy Back Items will not be allowed
- Start-up costs (new uniforms, etc)
- Setup charges (new employee after the initial setup of program)
- Weekly or Trip Minimum charges
- Seasonal Sleeve Change
- Special Cut Garment
- Environmental charges
- Energy Charges
- Fuel charges
- Delivery minimum
- Repairs
- Changes: new location, size change, start/stop service, etc

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 09/08/2015

Report Date: 8/28/2015

Report No: 10.

Submitted By: Ruben Segura, City Planner

Subject: Consider, and act upon, a Variance Request Case Number V-2015-0004(A) to reduce the side yard setback line from fifteen (15) feet to ten (10) feet in the SILVERADO SUBDIVISION, BLK A, LT 5, Tax Parcel Number 01-15739 with an address of 848 Sky Ranch. (*Ruben Segura, City Planner*)

Fiscal Impact: None

Amount Budgeted: \$0.00

Fund: N/A

Additional Fiscal Impact:

Recommendation: Staff recommends the approval of V-2015-0004(A).

Background: Property owner requests a variance to Alamogordo Municipal Code §29-03-030 to reduce the side yard setback line from fifteen (15) feet to ten (10) feet to allow for the construction of a new single family dwelling on a corner lot located at 848 Sky Ranch. If approved, applicant, French Brothers, will construct a new family dwelling on set lot.

Staff recommendation for approval is based on the following Findings of Fact (please see attached staff report):

1. The property is located at 848 Sky Ranch and is 0.20 acres in an R1 (Single Family Dwelling) zone; more specifically identified as Tax Parcel # 01-15739.
2. The request is for a relief of Section 29-03-030 of the City of Alamogordo Municipal Code to reduce the side setback from fifteen feet to ten feet to allow the construction of a new single family dwelling on lot 5, BLK A , Silverado Subdivision better known as 848 Sky Ranch.
3. The application was filed on August 13, 2015.
4. The adjoining property owners were notified on, August 14, 2015.
5. The legal notice was run on August 16, 2015.
6. Seven (7) letters were mailed by first class mail to all property owners of record within two hundred (200) feet, excluding public right-of-way, of the property for which the variance is sought.



City of Alamogordo **CITY COMMISSION**

VARIANCE REQUEST

CASE: V-2015-0004(A)



Ruben Segura, City Planner
September 8, 2015

Ruben Segura, City Planner
August 6, 2015

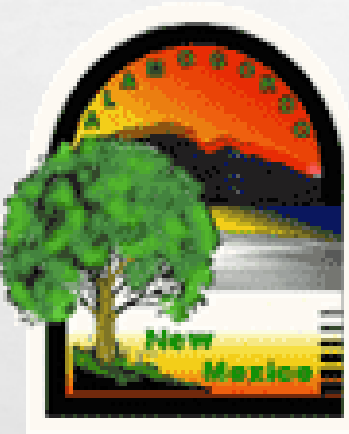
VARIANCE REQUEST CASE: V-2015-0004(A)

OWNER(S)/APPLICANT:

FRENCH BROTHERS
1010 ZUNI ROAD
ALAMOGORDO, NM 88310

REQUEST:

THE APPLICANT IS REQUESTING A VARIANCE RELIEF FROM SECTION 29-03-030 OF THE CITY OF ALAMOGORDO MUNICIPAL CODE TO REDUCE THE SIDE YARD SETBACK LINE FROM FIFTEEN (15) FEET TO TEN (10) FEET TO ALLOW FOR THE CONSTRUCTION OF A NEW SINGLE FAMILY DWELLING ON A CORNER LOT LOCATED AT 800 SILVERADO.

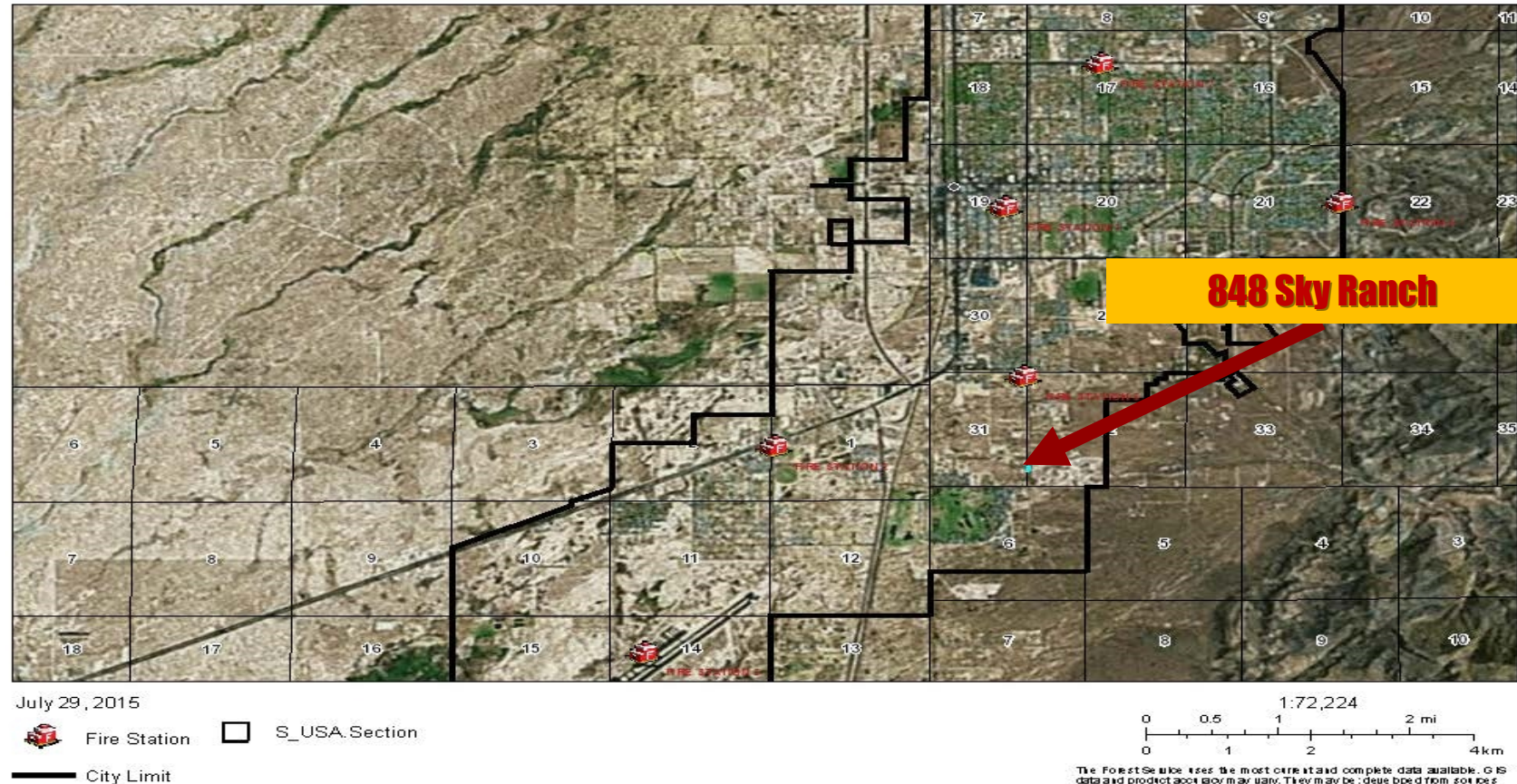


VARIANCE REQUEST CASE: V-2015-0004(A)



Location

Alamogordo Web Map





VARIANCE REQUEST CASE: V-2015-0004(A)

**Aerial
Photo**





VARIANCE REQUEST CASE: V-2015-0004(A)

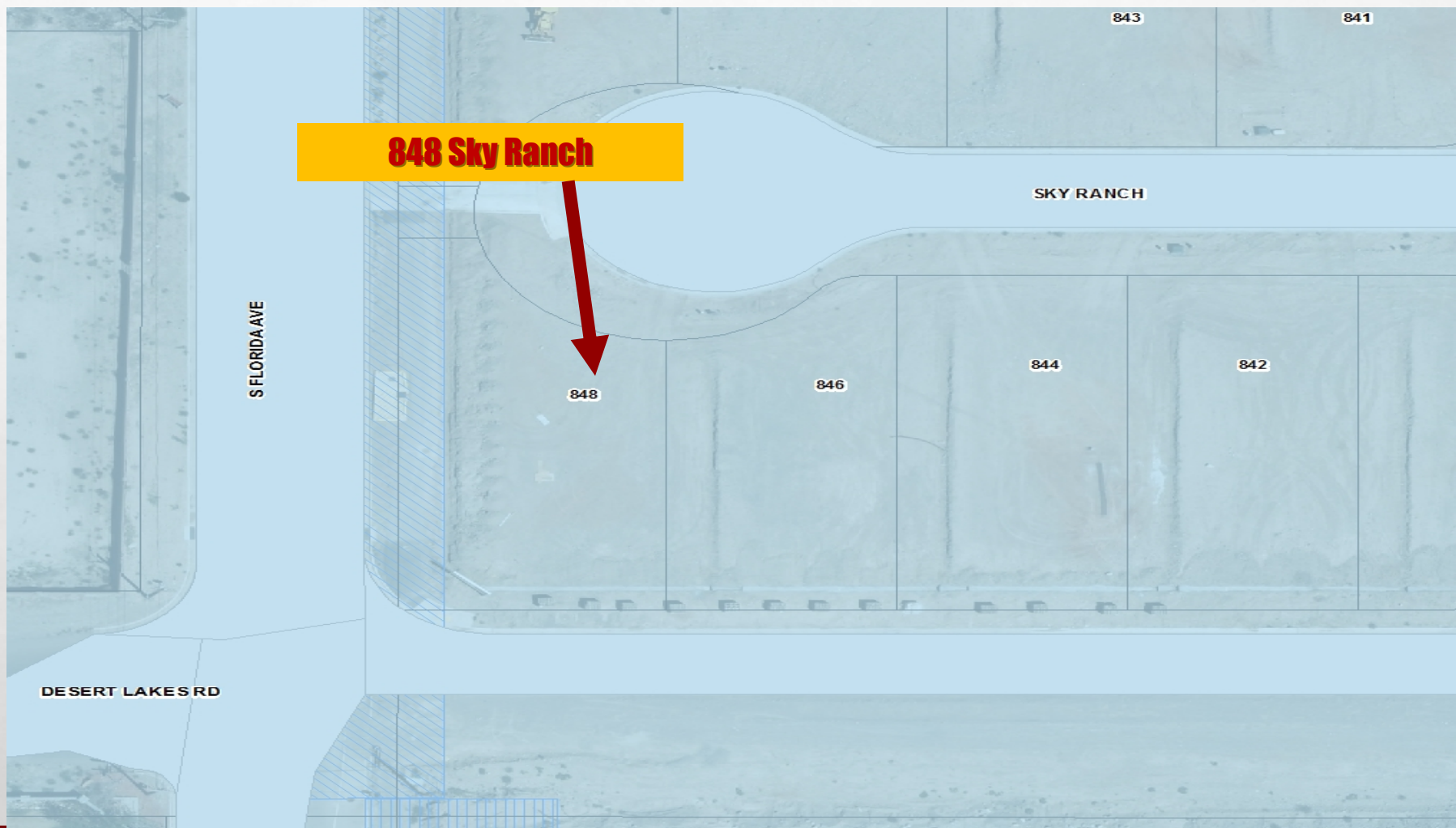
Section 29-03-070 – Side Yards – District R-1

There shall be a side yard on each side of the one-story portions of buildings having a width of not less than five (5) feet and a side yard on each side of the two-story portions of buildings having a width of not less than seven and one-half (7½) feet. **The side yard on the street side of a corner lot shall be not less than fifteen (15) feet in width.**

VARIANCE REQUEST CASE: V-2015-0004(A)



Zoning





VARIANCE REQUEST CASE: V-2015-0004(A)

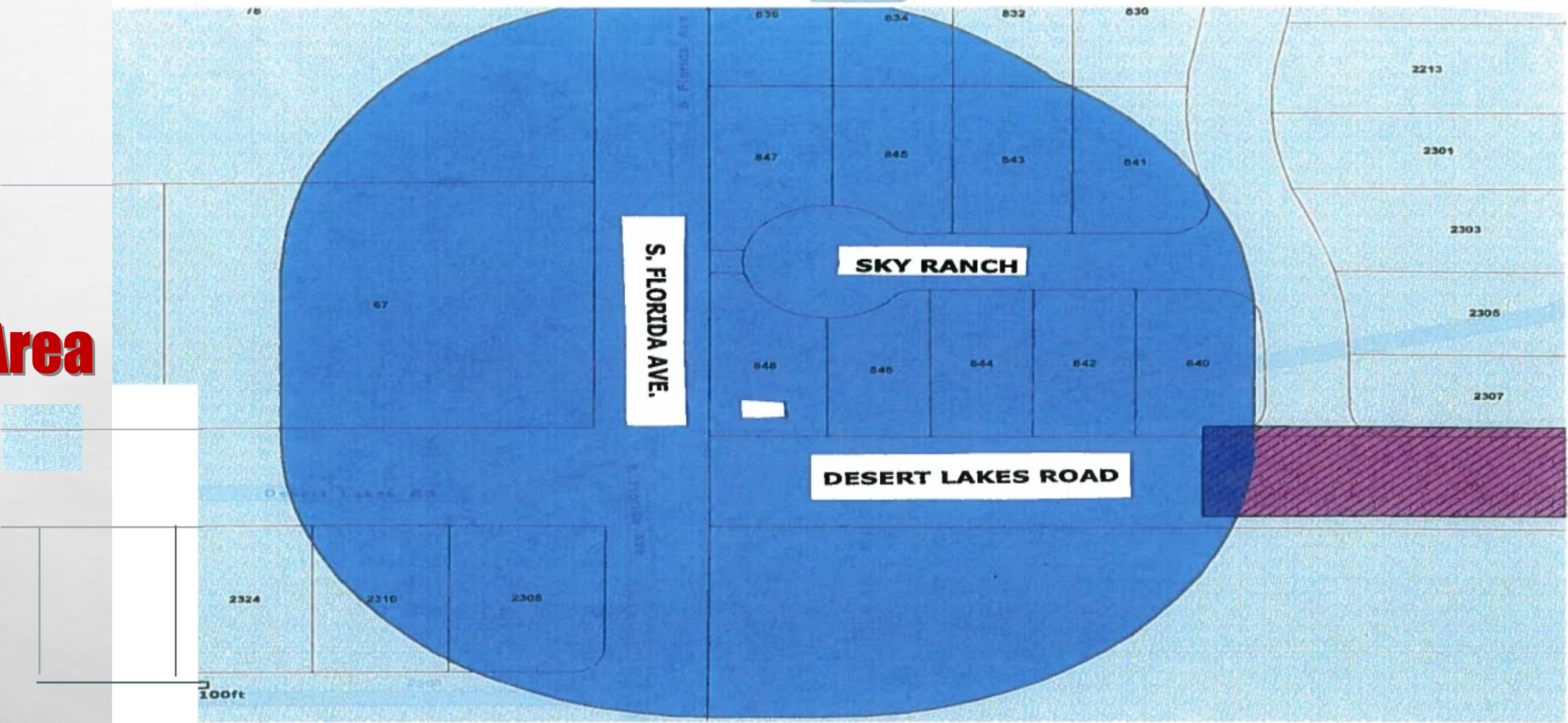
Section 29-01-070 – Variances

- a. **Definition.** A variance is a dispensation permitted by the City of Alamogordo of the dimensional regulations of the "Code of Ordinances of the City of Alamogordo, New Mexico," where:
1. Such action will not be materially detrimental to the public interest; and,
 2. Such action will not grant a discriminatory benefit to the land owner and/or harm neighboring properties; and,
 3. Such action, owing to conditions peculiar to the property or the neighborhood and not the result of actions or the situation of the applicant, a literal enforcement of the Code of Ordinances of the City of Alamogordo, New Mexico, and not in conflict with any other adopted code, would result in practical difficulties or unnecessary hardship.



VARIANCE REQUEST CASE: V-2015-0004(A)

**200 Ft.
Radius
Protest Area**





VARIANCE REQUEST CASE: V-2015-0004(A)

Findings of Facts:

- 1.The property is located at 848 Sky Ranch and is 0.20 acres in an R1 (Single Family Dwelling) zone; more specifically identified as Tax Parcel # 01-15739.
- 2.The request is for a relief of Section 29-03-030 of the City of Alamogordo Municipal Code to reduce the side setback from fifteen feet to ten feet to allow the construction of a new single family dwelling on lot 5, BLK A , Silverado Subdivision better know 848 Sky Ranch.
- 3.The application was filed on August 13, 2015.
- 4.The adjoining property owners were notified on, August 14, 2015.
- 5.The legal notice was run on August 16, 2015.
- 6.Seven (7) letters were mailed by first class mail to all property owners of record within two hundred (200) feet, excluding public right-of-way, of the property for which the variance is sought.
- 7.No letters were returned undeliverable.
- 8.On September 3, 2015 the Planning and Zoning Commission recommended approval of the requested variance to the City Commission.



VARIANCE REQUEST CASE: V-2015-0004(A)

Site Photos





VARIANCE REQUEST CASE: V-2015-0004(A)

Site Photos





VARIANCE REQUEST CASE: V-2015-0004(A)

●STAFF RECOMMENDATION:

STAFF RECOMMENDS THE APPROVAL OF V-2015-0004(A) TO ALLOW A TEN (10) FOOT SIDE YARD SETBACK AT 800 SILVERADO.



City of Alamogordo

New Mexico

Community Development Department

1376 E. Ninth Street

Alamogordo, NM 88310

Phone: (575) 439-4202

Variance Staff Report

Case: V-2015-0004 (A) 848 Sky Ranch		
Reference Name	848 Sky Ranch	
Proposed Request	Variance Relief from Section: * §29-03-030 – Side Yards— District R-1.	
Existing Site Characteristics	Existing Zoning	R1-Single Family Dwelling
	Existing Use	Vacant Lot
	Site Acreage	0.20 Acres
Applicant	James French, French Brothers Owner	
PNZ Hearing Date	September 3, 2015	
Location	848 Sky Ranch	
Tax Parcel Number(s)	01-15739	
Plan Consistency	Designation	SILVERADO BLK A LT 5
	Consistency with Request	Complies

A. Variance Request

Request: The applicant is requesting a variance from Section 29-03-030 of the City of Alamogordo Municipal Code to reduce the side yard setback line from fifteen (15) feet to ten (10) feet to allow for the construction of a new single family dwelling on a corner lot located at 848 Sky Ranch and Desert Lakes Road.

B. Owner/Applicant

Owner(s): French Brothers
1010 Zuni Road
Alamogordo, NM 88310

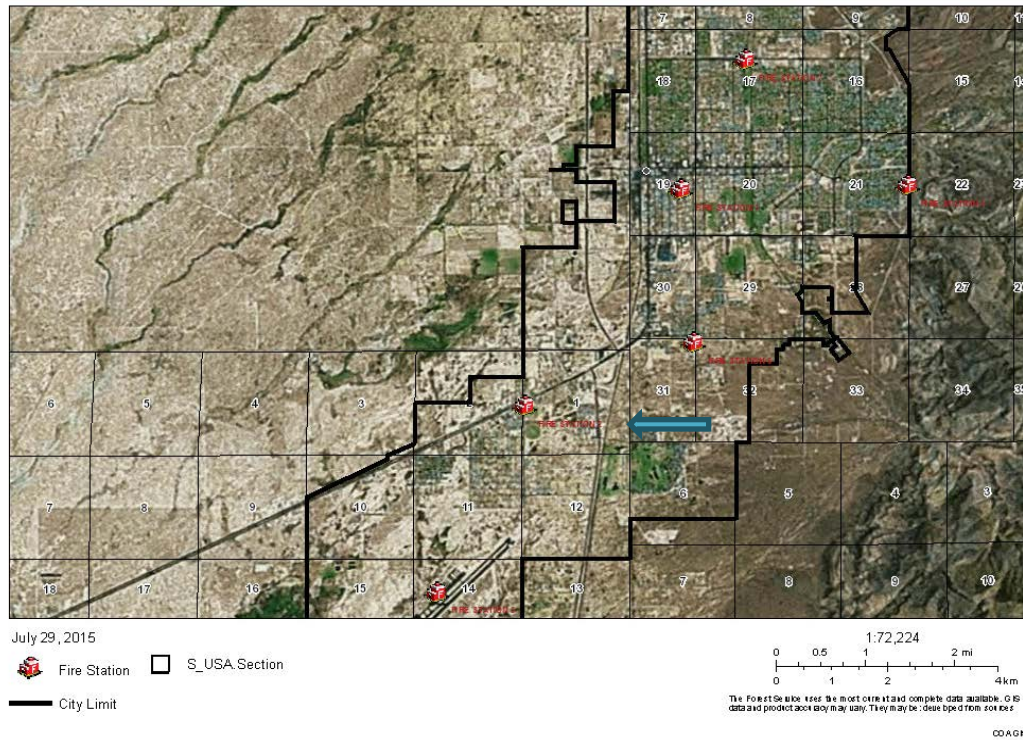
Applicant: James French/French Brothers
1010 Zuni Road
Alamogordo, NM 88310

C. Background

Petitioner is seeking to build a new single family dwelling on the subject lot in at 848 Sky Ranch in the Silverado Subdivision. The lot is located on the southern corner of the intersection of South Florida Avenue and Desert Lakes Road. Given that the lot is a corner lot and zoned R1-Single Family Dwelling, petitioner is required under Section 29-03-030 of the City of Alamogordo Municipal Code to provide a fifteen (15) foot side yard setback. Petitioner was

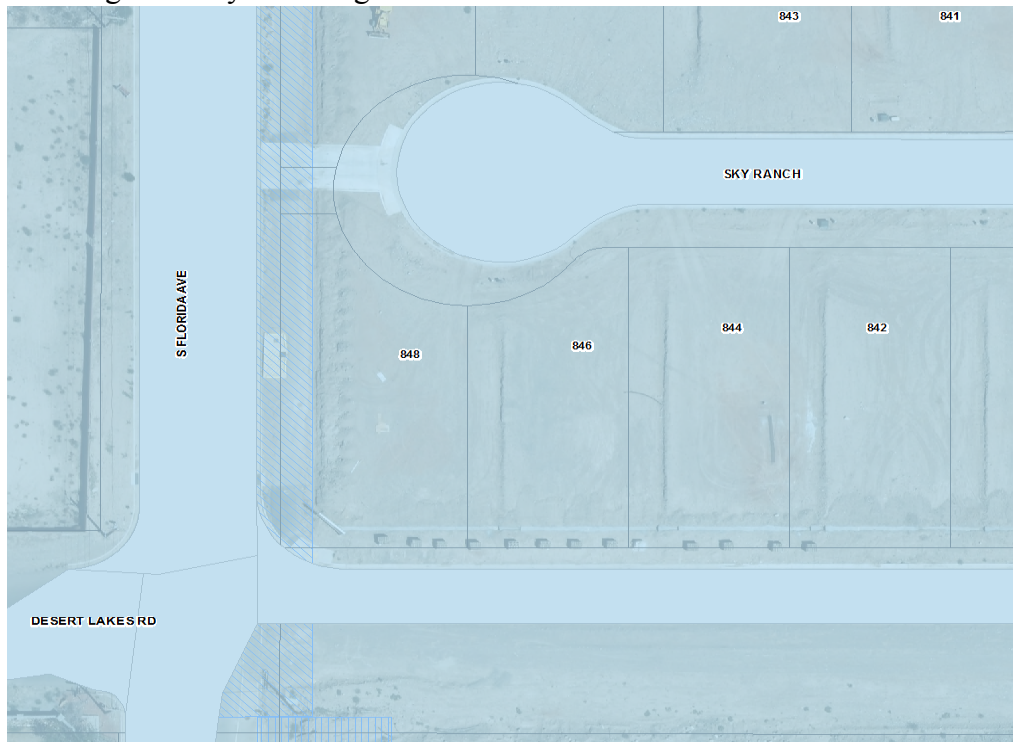
under the assumption that a 10 foot side yard setback was allowable since the City Commission approved the final plat with five (5) foot side yard setbacks. Staff acknowledges the technical error with final plat, but made it clear that Section 29-03-030 needed to be adhered to. Staff also informed the petitioner that given the circumstances that they would have to apply for a variance request if they wanted to have a ten (10) foot side setback at a corner lot. As a result, petitioner is requesting a variance.

Alamogordo Web Map

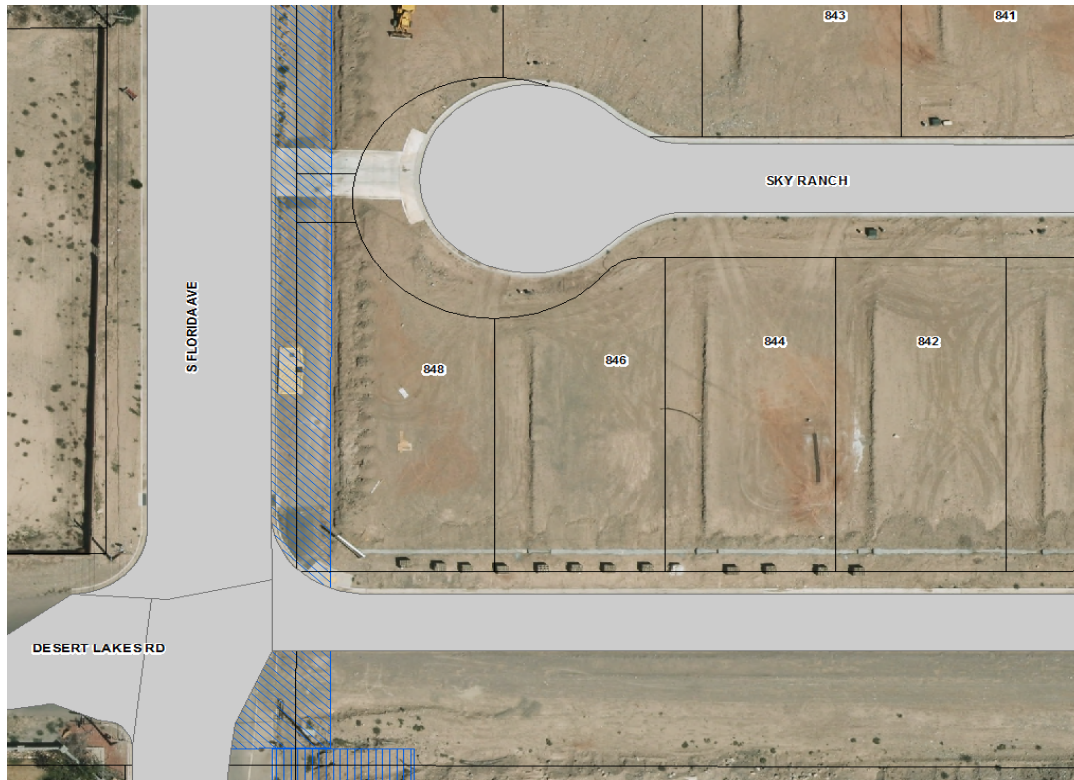


Zoning

R1- Single Family Dwelling



Aerial



Site Photos

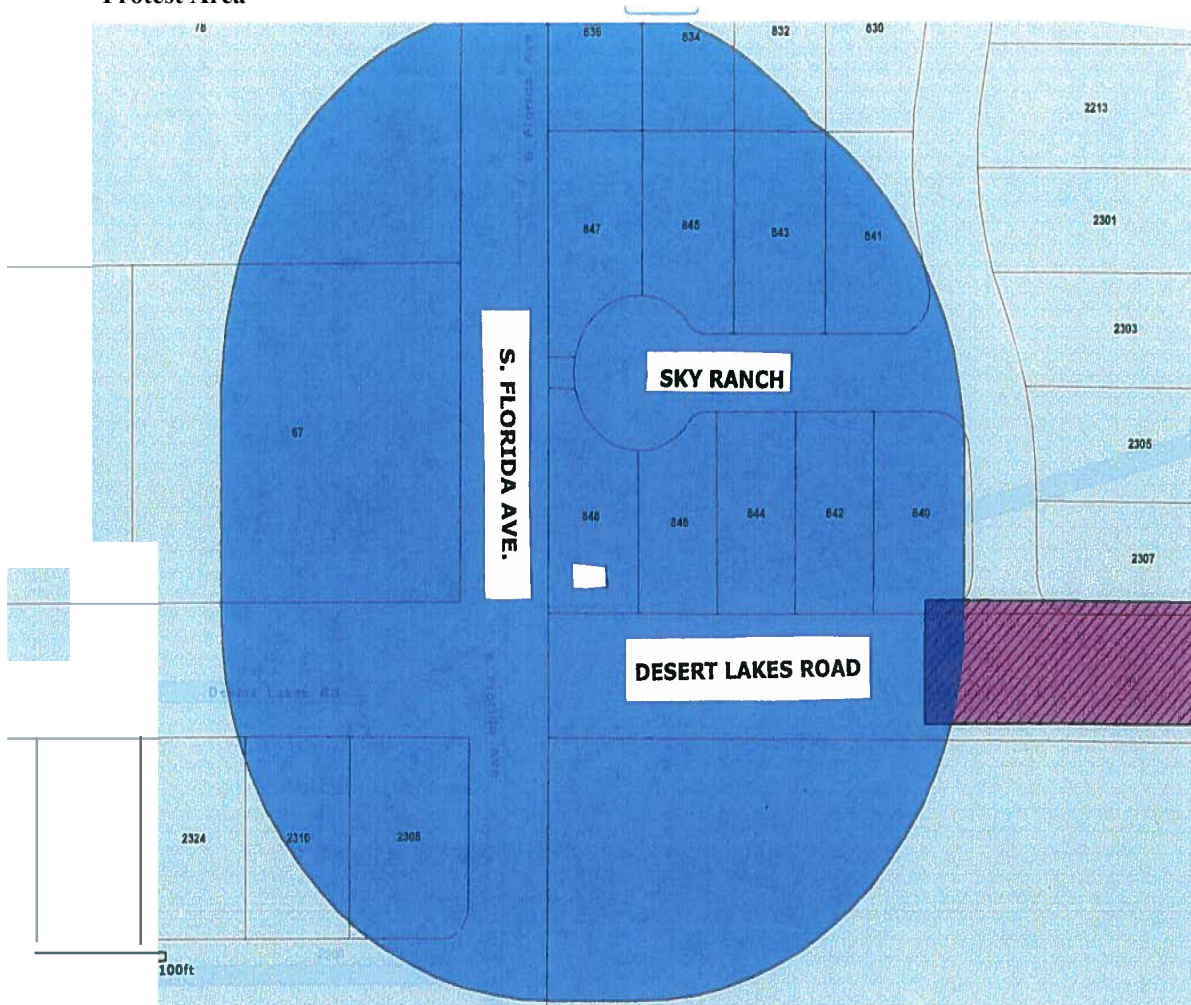




Corner View (S. Florida & Desert Lakes Road)



Protest Area



D. Alamogordo Municipal Code

a. Section 29-03-030. Side Yards – District R-1

There shall be a side yard on each side of the one-story portions of buildings having a width of not less than five (5) feet and a side yard on each side of the two-story portions of buildings having a width of not less than seven and one-half (7½) feet. The side yard on the street side of a corner lot shall be not less than fifteen (15) feet in width.

b. Section 29-01-070 Variances.

(a) *Definition.* A variance is a dispensation permitted by the City of Alamogordo of the dimensional regulations of the "Code of Ordinances of the City of Alamogordo, New Mexico," where:

(1) Such action will not be materially detrimental to the public interest; and

(2) Such action will not grant a discriminatory benefit to the land owner and/or harm neighboring properties; and

(3) Such action, owing to conditions peculiar to the property or the neighborhood and not the result of actions or the situation of the applicant, a literal enforcement of the Code of Ordinances of the City of Alamogordo, New Mexico, and not in conflict with any other adopted code, would result in practical difficulties or unnecessary hardship.

E. Applicant's Responses to Section -29-01-070 Variance Requirements

1. **Construction or other activity authorized by the requested variance will not be materially detrimental to the public interest because:** Variance request affects setback between house and community property line. House location is in a cul-de-sac will not impede any traffic movement.
2. **Construction or other activity authorized by the requested variance will not grant a discriminatory benefit to the land owner and/or harm neighboring properties:** Builders agreement has been accepted by home-owner where a specific site plan has been agreed upon by both parties.
3. **This variance request is owing to conditions peculiar to the property or the neighborhood is not the result of actions or the situation of the applicant because:** Final plat allows 5' setback on side adjacent to Florida Ave.
4. **Owing to the above conditions peculiar to the property or the neighborhood a literal enforcement of the Code of Ordinance of the City of Alamogordo, New Mexico would result in a practical difficulties or unnecessary hardship because:** See #3
5. **Applicant affirms that to the best of his knowledge that construction or other activity authorized by the requested variance will not be in conflict with any other adopted code, ordinance, statute, regulation, or other restrictions, including covenants or deed restrictions that may limit the applicants use of the subject property.** See #3
6. **The City, after public notice and hearing, may approve variances and may require conditions as will secure substantially the objectives of the regulations varied. Please indicate conditions, if any, that you can suggest that would allow the City to grant your requested variance while at the same time securing substantially the objectives of the regulations.** See #3

F. Staff Analysis

In order to make a staff recommendation on the applicant's variance request, staff analyzed the applicant's responses in the application and the particulars of case number V-2015-0004(A) with Section: 29-03-030.

In reviewing the particulars, staff considered a number of factors; one being traffic safety. Staff considered if driver visibility would be affected at the intersection of South Florida Avenue and Desert Lakes Road.

In its analysis, Staff determined that there is ample distance to provide drivers adequate visibility to effectively turn at the intersection. The site in question already has an existing twenty (20) foot distance from the street curb to the lot line on both sides of the lot which parallel South Florida Avenue and Desert Lakes Road. This 20 foot width area is served with a side walk landscaping on Desert Lakes Road and with a walking path along South Florida Avenue. In addition, given that the set lot's front yard will be facing a cul-de-sac on Sky Ranch (street), the

applicant will be required to adhere to the rear yard setback requirements outlined in Section 29-03-040 of the Municipal Code, which call that a rear yard have a “depth of not less than thirty (30) feet or twenty (20) percent of the entire lot, whichever is smaller,..”. Therefore, a ten (10) foot yard side setback would be ample distance to provide drivers with the necessary site visibility to effectively turn at the intersection, since the distance from the street curb and the yard side setback along South Florida Avenue would be thirty (30) feet.

Staff concluded that granting a side setback variance relief at 848 Sky Ranch:

1. will not be materially detrimental to the public interest;
2. does not grant a discriminatory benefit to the land owner and/or harm the neighboring properties;
3. the variance request is owing to conditions particular to the property and neighborhood and not the result of the actions or situation of the application;
4. the literal enforcement of the Code of Ordinance of the City of Alamogordo, New Mexico would result in practical difficulties or unnecessary hardship to the property owner; and,
5. the variance is not in conflict with any other adopted code.

The basis for such conclusion is founded on the distinctive set of fact(s):

1. that adequate distance currently exists between the property line and existing street; and,
2. that granting a ten (10) foot yard side setback variance, instead of the required fifteen (15) foot yard setback, is sufficient to ensure the proposed single family dwelling will not obstruct turning traffic visibility, as explained in Section F of this report.

G. Staff Recommendation

Staff recommends the approval of V-2015-0004(A) to allow a ten (10) foot side setback at 848 Sky Ranch.

H. Findings of Fact

1. The property is located at 848 Sky Ranch and is 0.20 acres in an R1 (Single Family Dwelling) zone; more specifically identified as Tax Parcel # 01-15739.
2. The request is for a relief of Section 29-03-030 of the City of Alamogordo Municipal Code to reduce the side setback from fifteen feet to ten feet to allow the construction of a new single family dwelling on lot 5, BLK A , Silverado Subdivision better know 848 Sky Ranch.
3. The application was filed on August 13, 2015.
4. The adjoining property owners were notified on, August 14, 2015.
5. The legal notice was run on August 16, 2015.
6. Seven (7) letters were mailed by first class mail to all property owners of record within two hundred (200) feet, excluding public right-of-way, of the property for which the variance is sought.
7. No letters were returned undeliverable.

I. Motions

MOTION TO APPROVE THE VARIANCE REQUEST:

I move to approve the request for variance at 848 Sky Ranch, Case # V-2015-0004(A): The applicant is requesting a variance from Section 29-03-030 of the City of Alamogordo Municipal Code to reduce the side yard setback line from fifteen feet (15) to ten feet (10) to allow the construction of a new single family dwelling on the existing lot located at 848 Sky Ranch

The testimony presented in this public hearing has shown that the granting of the variance will not be materially detrimental to the public interest; will not grant a discriminatory benefit to the land owner and/or harm neighboring properties; and that a literal enforcement of the Code of Ordinances of the City of Alamogordo, New Mexico, not in conflict with any other adopted code, will result in practical difficulties or unnecessary hardship, and such action is owing to conditions peculiar to 848 Sky Ranch (or to neighborhood) and not the result of actions or the situation of the applicant.

OR

MOTION TO DENY THE VARIANCE REQUEST:

I move to deny the request for variance at 848 Sky Ranch, Case # V-2015-0004(A): The applicant is requesting a variance from Section 29-03-030 of the City of Alamogordo Municipal Code to reduce the side yard setback line from fifteen (15) feet to ten (10) feet to allow the construction of a new single family dwelling on the existing lot located at 848 Sky Ranch.

Sufficient testimony has **not** be presented in the this public hearing that the requested variance meet the criteria in Section **29-01-070** entitled “Variances” of the City of Alamogordo Municipal Code as:

(Choose one or more appropriate finding(s) and specific items)

1. Such action will be materially detrimental to the public interest;
2. Such action will grant a discriminatory benefit to the land owner and/or harm neighboring properties; and
3. Such action, owing to conditions peculiar to the property or the neighborhood and not the result of actions or the situation of the applicant, a literal enforcement of the Code of Ordinances of the City of Alamogordo, New Mexico, and not in conflict with any other adopted code, would result in practical difficulties or unnecessary hardship.

J. Exhibits

- | | |
|------------|-------------------------------|
| Exhibit 1. | Variance Application |
| Exhibit 2. | Adjoining Owners and Zone Map |
| Exhibit 3. | 2012 Aerial Map |

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 09/08/2015

Report Date: 9/3/2015

Report No: 11.

Submitted By: Stephen Thies, City Attorney

Subject: Discussion, and possible action concerning Resolution 2015-35 declaring 2405 Cuba Avenue (Sahara apartments) ruined, damaged and dilapidated and ordering its abatement. (*Stephen Thies, City Attorney & Lora Nelson, Code Enforcement Manager*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Schedule a public hearing on Resolution No. 2015-35 for September 22, 2015

Background: During the August 11, 2015 City Commission meeting, the Commission enacted Resolution No. 2015-35 declaring the property at 2405 Cuba Avenue ruined, damaged and dilapidated and ordering its abatement. The owner of the property, Karen Monica Krieger filed an objection to the Resolution through her attorney on August 18, 2015.

Section 3-18-5 (D)(1) NMSA 1978 requires the governing body to fix a date for a hearing on its resolution and the objection.

Staff recommends a hearing on Resolution No. 2015-35 be set for the next scheduled meeting of September 22, 2015.

THE LAW OFFICES OF
JOHN R. HAKANSON, P.C.

307 EAST 11TH STREET
ALAMOGORDO, NEW MEXICO 88310

TELEPHONE (575)437-2874
FACSIMILE (575)434-9794

JOHN R. HAKANSON
MIGUEL GARCIA

LICENSED IN NEW MEXICO & KANSAS
LICENSED IN NEW MEXICO

August 18, 2015

Via Facsimile & U.S. Mail (575) 439-4396
Stephen P. Thies
1376 9th Street
Alamogordo, N.M. 88310

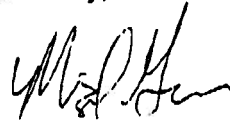
Renec Cantin
1376 9th Street
Alamogordo, N.M. 88310

Re: Karen Krieger;
2405 Cuba Avenue.

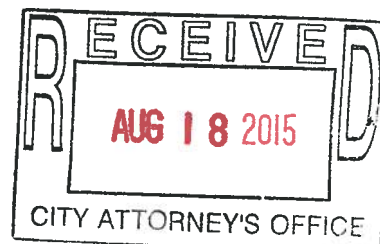
Dear Mr. Thies and Ms. Cantin:

Please accept this letter as a formal objection to the Commission's Resolution Number 2015-035. Pursuant to this objection, Ms. Krieger requests a hearing as provided for in section 3-18-15 NMSA.

Sincerely,



Miguel Garcia



RESOLUTION NO. 2015-35

A RESOLUTION DECLARING ALL THE BUILDINGS OR STRUCTURES, OR THE PREMISES LOCATED AT 2405 CUBA AVENUE ALAMOGORDO, NEW MEXICO, TO BE RUINED, DAMAGED AND DILAPIDATED TO BE A MENACE TO THE PUBLIC COMFORT, HEALTH, PEACE OR SAFETY, AND ORDERING ITS ABATEMENT

WHEREAS, the governing body of the City of Alamogordo, New Mexico, finds that there is located within the City certain buildings, structures or premises at 2405 Cuba Avenue, as more particularly described as on the attached Exhibit 1 (the "Property"); and,

WHEREAS, the governing body does further find that the Code Enforcement Manager has investigated the condition of the Property and has found the same to be so ruined, damaged and dilapidated, or covered with ruins, rubbish, wreckage or debris, that it constitutes a menace to the public comfort, health, peace or safety so as to warrant abatement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION:

Section 1. That the findings of said Code Enforcement Manager, in regard to the Property, attached hereto as Exhibit 2, are hereby approved and adopted, and that the Property is found to be ruined, damaged and dilapidated, so as to constitute a menace to the public comfort, health, peace or safety pursuant to Section 3-18-5, NMSA, 1978.

Section 2. That Karen Monica Kreiger, record owner of the Property is hereby ordered to commence removal of the building or structure from the Property 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 Alamogordo, asking for a hearing before the City Commission.

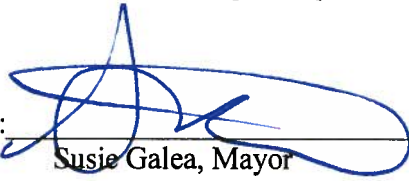
Section 3. That if there is a failure of compliance with the provision of Section 2 herein, the City of Alamogordo shall proceed to remove said building or structure from the Property, and abate said unsafe condition, at the cost and expense of said record, with said cost and expense constituting a lien against the building or structure so removed, and against the Property, as allowed by law.

Section 4. **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 Commission hereby declares that it would have passed this resolution and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provisions being declared unconstitutional or otherwise invalid.

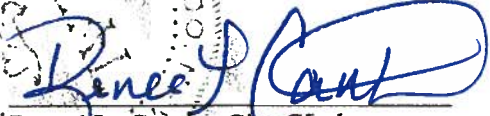
PASSED, APPROVED AND ADOPTED, this 11th day of August, 2015.

CITY OF ALAMOGORDO, NEW MEXICO
a New Mexico municipal corporation

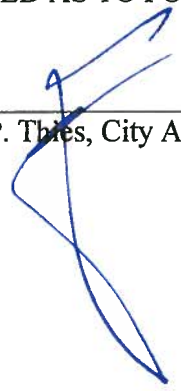
By:


Susie Galea, Mayor


ATTEST:


Renee L. Cantin, City Clerk

APPROVED AS TO FORM:


Stephen P. Thies, City Attorney

**Sahara Apartments
2405 Cuba Avenue
Case # 14-01**

Report and Reasoning

**Lora Nelson, Code Enforcement Manager
August 5, 2015**

Table of Contents

Site Map1

Report Narrative.....2

Reasoning.....5

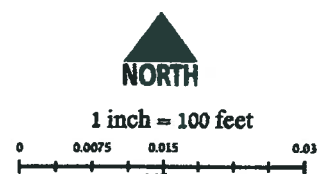
Violations.....6

Photos.....14

Process Flow Chart22



Sahara Apartments
2405 Cuba Avenue



Report Narrative

Sahara Apartments is located on Cuba Avenue between 23rd and 25th Street. The property consists of five full lots and 2 partial lots beginning on the southwest corner of Cuba and 25th Street and running south along the west side of the Cuba, less the small southern parcel at the turn in the street. On it are four two-story wood framed structures housing four apartments each, and a small accessory structure in the rear utilized for storage. The property is currently zoned R-1 (Single Family Dwelling) and has been vacant since July 11, 2010. The city currently has five liens for both weed abatement utility service on the property totaling approximately \$15,300.00.

Background:

On July 11, 2010 the Sahara Apartments were flooded during a heavy rainstorm where emergency personnel on site had to evacuate the residents. On July 13, 2010 the apartment manager submitted photos of the damaged apartments to the city and requested an inspection of the structures to determine if the flooding had rendered the apartments unsafe to occupy. On July 14, 2010 an inspection of the apartments was performed utilizing the provisions of the 2006 International Property Maintenance Code. The manager, Mr. Richard Ross, accompanied me on the inspection of apartments A, B, C and D of each of the four buildings (2405, 2403, 2401 and 2309 Cuba) and gave permission for photographs to be taken.

The property was found to be in violation of nine (9) sections of the 2006 International Property Maintenance Code as listed in this report. Based upon the findings from the inspection the structures have been declared unfit for human occupancy as defined in Section 108.1.3 of the 2006 International Property Maintenance Code (IPMC). Section 107.1 of the IPMC requires the code official to give notice to the property owner of the violations, including a correction order allowing a reasonable time to make repairs. On August 2, 2010 a 10-day notice was sent to the property owner. The property owner responded requesting a 30-day extension that was subsequently granted. The 30-day period passed with no contact from the owner or work performed to abate the violations. Attempts to contact the owner by telephone and e-mail were unsuccessful. A second 10-day notice was sent to the owner ordering the vacant structures secured. The property was declared uninhabitable and posted along with an order to close the vacant structures. On October 26, 2010 the second notice letter was returned as unclaimed. On November 1, 2010 documentation was filed by the mortgage holder to foreclose on the property.

On November 18, 2010 the property owner called indicating he was in Alamogordo and would like to meet in person. During the meeting he indicated that he will be receiving a settlement from the insurance company in the next 4-6 weeks and at that point would begin repairs to the structures. If the settlement was not enough to cover the repairs, his intention was to demolish the structures. By the following day the structures were secured and the second case on the property closed. No further response was received from the owner until September 22, 2011 when the attorney's office received a Notice of Intent to file suit claiming the City was responsible for the flood damage and loss of

income from the property. At this point all contact with the owner was to go through the City Attorneys office.

In December of 2013 complaints began coming in from neighbors concerning the condition of the property including, odors, roach and rodent infestation, vagrant population and a deterioration of the entire neighborhood due the condition of the apartments. On January 2, 2014 photographs were taken of the property and another case was started on the property for violations of the IMPC. A 10-day notice was sent to the owner of record both certified and first class. The notice was returned with a new forwarding address and notices to the new address were mailed four days later on January 13, 2014. On February 5, 2014 I received a call from the property owner requesting a 14-day extension as he had been hospitalized for the last week. He indicated in conversation that he may be interested in selling the property, yet repeatedly mentioned that he still wants to pursue litigation for the flood damage and income loss. His extension was granted.

On February 19, 2014 the property owner was on site to secure the structures. I inquired of his intent for the property and discussed several options with him. He indicated that he was attempting to obtain a construction loan to reopen the apartments and would be meeting with his banker on February 28th and would be in touch with me by March 3 with the details. I reached out again to the owner on March 7th with no success. On March 10th I received a request for another 30-45 day extension to prepare cost estimates for his construction loan. His request for extension was granted and he was gently reminded that the property needs to remain in compliance as far as weeds and structure security during this period. I attempted contact again on May 2, 2014 with no success.

Since this time contact has continued with the property owner by mail regarding the maintenance of the weeds and growth on the property and the need to continue maintain the security of the structures as vandalism continues.

Recent Issues:

In December 2014 and again in July 2015, the structure at 2401 Cuba has caught fire causing further damage to the property. The December 2014 fire was found to be caused by transients squatting in the structure and the July 2015 fire was caused by vandalism. On August 4, 2015 a search warrant was executed and the premises were reinspected. The inspection shows the violations cited back in 2010 still exist and the structures continue to deteriorate with the passage of time and lack of maintenance. The structures continue to show evidence of transient occupation as windows and doors continue to be broken into and left unsecured. Graffiti now marks the interior of several units. Surrounding property owners feel a mounting and continued threat posed by the condition of the structures.

The structures remain declared unfit for human occupancy as defined in Section 108.1.3. The structures and condition of the property continue to decline with little to no indication that the owner will address these issues responsibly. The City has attempted

for five years to assist the property owner with compliance at every opportunity. It is my recommendation that the City Commission move forward with approval of the resolution.

Reasoning

Unless specifically cited, all sections are of the 2006 International Property Maintenance Code.

Section 8-03-080 of the Code of Ordinances adopts the 2006 International Property Maintenance Code. (IPMC)

Section 104.1 compels the Code Official to enforce the provisions of the Code.

Section 104.3 compels the Code Official to make the necessary inspections to determine compliance with the Code.

Section 104.4 grants authority to enter property.

Section 106.1 states that it is unlawful to violate the Code.

Section 108.1.3 Conditions of a structure unfit for human occupancy.

Section 108.2 grants authority to placard vacant structure unfit for human occupancy

Section 108.3 Notice of condemnation.

Section 108.2 Closing of vacant structures. If property is vacant, unfit and not in danger of structural collapse, the Code Official shall placard and order structure to be closed up so not to be an attractive nuisance. If no compliance, Code Official may close up property and lien.

Sections 301.2 , 501.2 and 701.2 state that unless otherwise provided in the Code, the property owner is responsible for compliance.

Section 110.1 compels the Code Official to order the owner to repair and make safe and sanitary the structure. At the owner's option, the structure may be demolished in lieu of the repairs.

Section 110.2 states that all notices and orders shall comply with Section 107 of the Code.

Section 107.1 Notice to person responsible for violations, in this case the owner.

Section 107.2 Form. Shall be in writing, include description of real estate, statement of violation, correction order, reasonable amount of time to make repairs, right of appeal, and a statement of the right to file a lien in accordance with 106.3.

Section 107.3 Method of service. Shall be delivered personally, certified or first-class mail. If returned, posted on the property.

Section 107.4 and 106.4 cover violation penalties. Persons shall be prosecuted within the limits provided by state or local laws.

Violations - 2010

It has been determined that the property is in violation of the following sections of the 2006 IPMC:

301.3 Vacant structures and land. *All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.*

Photos 1-12 show the dilapidated, vacant structures and condition of the property are blight to the neighborhood and to the community.

304.1 Exterior Structure-General. *The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.* The structure shall perform four primary functions: be in good repair, structurally sound, sanitary condition and capable of preventing the elements and rodents from entering the interior areas.

- **Photo 6** shows the deteriorated condition of the fascia, drip edge, shingles.
- **Photo 2 and 4** show the gable vent in disrepair and open to elements and birds.
- **Photo 28** shows the stairway, swamp cooler, windows, screens and fascia all in disrepair along with pigeon feces accumulating on the second story window.
- **Photos 9, 11 and 7** shows the deteriorated condition of the stairway, hand rails and roof decking on the porch.
- **Photos 3, 5 and 7** show broken windows, open swamp coolers and deteriorated stairways.

302.5 Rodent Harborage. *All structures and exterior shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.*

- **Photo 28** shows the accumulation of pigeon feces on the building and window from the nesting birds above.
- **Photos 18 and 24** show the interior of the storage/utility room with holes in the walls and ceiling allow free travel of rodents throughout the structures.

302.7 Accessory Structures. *All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.*

- **Photo 10** shows the exterior of the accessory structure with deteriorated shingles, deteriorated stucco and trim. Windows are broken.

304.2 Protective Treatment. *All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.*

As shown in photos 3, 4, 6, 7, 8, 9, 11 and 12 the exterior of the structures, especially the decks and stairs have peeling paint, decayed members and unprotected and rotting decks. The wood trim and stucco have not been maintained and are damaged by the elements.

304.7 Roofs and Drainage. *The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.*

Several units show stains from roof leakage while others have considerable damage where the wall and ceiling sheetrock has collapsed from water leaking from the roof when it rains. The shingles on the roof are well past their useful or expected life and have curled and deteriorated in the sun.

- **Photos 25 and 27** show interior damage from roof leaks.
- **Photos 6 and 12** show deteriorated shingles, rotted decking, ruined and missing drip edge and no gutter system.

304.10 Stairways, decks, porches and balconies. *Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.*

- **Photos 8, 9, 11 and 12** shows evidence that the porches are in serious disrepair with failing structural members. The deck surfaces of the porches are exposed and rotting from moisture

305.1 Interior Structure-General *The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition...*

- **Photos 13-23 and 25-27** show the condition of disrepair of the interior of the structures from a lack of maintenance, including dangerous structural issues after the fires.

305.3 Interior Surfaces. *All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.*

- **Photos 13, 19 and 30** are representative of all lower unit floors. The photos show the interior of the units were found in an unsanitary condition due to flood waters and debris. With the temperatures experienced since the floods, this is a breeding ground for mold both in the carpet and the walls. Units were also found littered with animal feces and urine where animals were kept in vacant units.
- **Photo 13 and 22** are an examples of the majority of units containing foodstuff on the kitchen and appliance surfaces.
- **Photos 25, 27, 29 and 31** show damage to the sheetrock on both the wall and ceiling surfaces caused by tenants or damage from the leaking roof.

502.1 Dwelling units. *Every dwelling unit shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.*

- **Photo 32** is an example of units found lacking the proper plumbing fixtures.

505.4 Water heating facilities. *Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than 110°F (43°C). A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.*

- **Photos 17 and 20** show the gas fired water heaters were flooded well above the burners and thermostat and respectively the improper and unsupported ventilation of the water heaters. Until the heaters have been tested by a licensed plumber, it cannot be determined if they are operable or safe.

506.1 General. *All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.*

- **Photo 21** is an example of units where the sinks are not connected to the plumbing, tail pieces or traps are missing.

506.2 Maintenance. *Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.*

- **Photos 24** shows the sewer cleanouts have been damaged and left open. This not only causes an odor issue but is a means for the sewage to flow on the ground if there is an obstruction in the plumbing. This can also be a hazard for the small children in the area.

703.1 Fire-resistance-rated assemblies. *The required fire resistance rating of fire-resistance-rated walls, fire stops, shaft enclosures, partitions and floors shall be maintained.*

- **Photos 17, 18, 20 and 26** show years of repair and maintenance on the plumbing and electrical systems of the building have left the sheetrock riddled with large penetrations and entire sections of sheetrock missing. The sheetrock is intended to serve as the fire/smoke barrier between the laundry/furnace room and the apartments. This is a safety issue as there is no protection of the concealed areas (walls, second story floor assembly and roof/attic areas) from fire. If a fire would start in the laundry/furnace room, it could spread undetected into the floors and walls of the apartments leaving tenants unaware and severely limiting escape and rescue times.

Violations Observed – 2015

301.3 Vacant structures and land. *All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.*

2309, 2401, 2403 and 2405 remain vacant and unsecured. The blighting conditions noted in 2010 still remain today.

304.1 Exterior Structure-General. *The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare. The structure shall perform four primary functions: be in good repair, structurally sound, sanitary condition and capable of preventing the elements and rodents from entering the interior areas.*

There has been no repair or maintenance performed to the exterior of 2309, 2401, 2403 or 2405 Cuba since the initial 2010 violations. The fires in 2401 Cuba have caused further damage to the exterior of the structure. The remaining structures continue to decline with continued exposure to the elements.

302.5 Rodent Harborage. *All structures and exterior shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.*

The evidence of infestation is apparent with accumulations of bird nests, accumulation of feces on the exteriors and wasp nests both inside and out of all four structures. I have witnessed cats coming in and out of the structures and paw prints can be seen throughout the structures.

302.7 Accessory Structures. *All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.*

The accessory structure remains secure, and the exterior continues to deteriorate from exposure to the elements.

304.2 Protective Treatment. *All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.*

2309, 2401, 2403 and 2405 Cuba have had no repair or maintenance performed to the exterior surfaces. The exterior stairways continue to rot from exposure and structural members in the porches are deteriorating. Window frames in all the structures are peeling, rotting and failing from exposure and lack of maintenance. The vegetation

around the structures has broken through the unprotected window frames and is now growing inside the structures.

304.7 Roofs and Drainage. *The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.*

2309, 2403 and 2405 still show the same indicators of roof leaks that have with time and lack of repair have become worse, increasing the damage caused. 2401 Cuba is difficult to determine evidence of any new roof leaks since the fires. All four structures continue to have deteriorating shingles and roof decking. Pieces of trim, fascia and decking have rotted and fallen off several areas on each structure.

304.10 Stairways, decks, porches and balconies. *Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.*

The exterior wooden stairway and porches have continued to deteriorate on all four structures. The wood is unprotected and structural members are rotting and compromised. No visible maintenance has been performed on the stairs on decks on any of the structures since 2010.

305.1 Interior Structure-General. *The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition...*

The interior of the structure at 2401 Cuba has been substantially damaged by the fires. 2309, 2403 and 2405 continue to deteriorate from vandalism, theft and lack of maintenance. The structures have been broken into and tagged with graffiti and damage has been done to the walls where they have been kicked in breaking the sheetrock. The copper piping and wiring has been stolen. Lack of repair to the water and mud soaked carpet after the flooding has caused the first story floors to decay to the point of collapse and separation from the exterior walls. Coupled with the exposure to the elements, water has continued to make its way under the structures causing damage to the foundations evidenced by large cracks in the walls and ceiling of the structures.

305.3 Interior Surfaces. *All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.*

The interior surfaces in 2401 Cuba have been significantly damaged by the fires. 2309, 2403 and 2405 continue to deteriorate without repair and maintenance. Roof

leaks continue to damage ceilings and walls. Continued exposure to the elements through unsecured windows and vandalism has furthered the deterioration of all surfaces in the units. Food and dirty dishes remain in the apartments since 2010.

502.1 Dwelling units. *Every dwelling unit shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.*

The theft of the copper piping has rendered the plumbing in all four structures inoperable. Showers, tubs and lavatories have been ripped from the walls to obtain the copper. All four units have been vandalized in this way.

505.4 Water heating facilities. *Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than 110°F (43°C). A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.*

Since 2010 all four buildings have been vandalized for copper and the water heaters have been damaged or removed. Tempered water can no longer be provided to any to of the plumbing fixtures.

506.1 General. *All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.*

No further work has been performed on the plumbing system since 2010, the same lack of connection exists and has increased with the vandalism and theft of the copper piping.

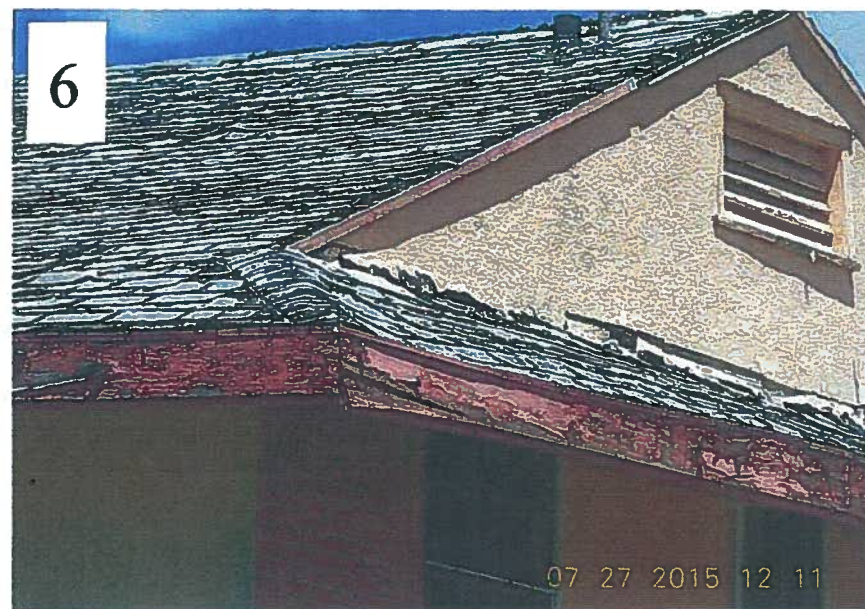
506.2 Maintenance. *Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.*

No further repair or maintenance has been performed on the sewer cleanouts to the structures.

703.1 Fire-resistance-rated assemblies. *The required fire resistance rating of fire-resistance-rated walls, fire stops, shaft enclosures, partitions and floors shall be maintained.*

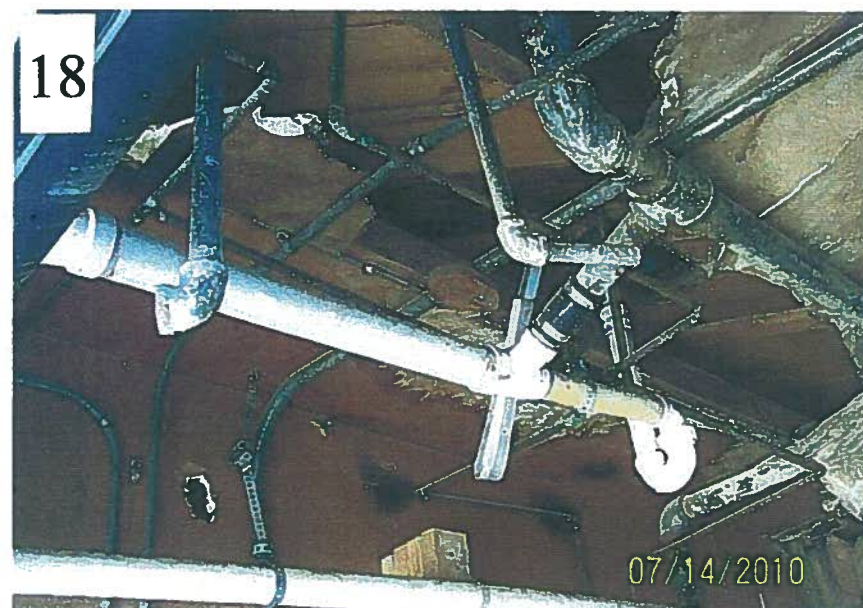
Due to the fires in 2401 Cuba, the fire resistant assemblies and means to contain a fire to allow for rescue and egress is gone. The structures at 2309, 2403 and 2405 have seen deterioration of fire safety measures with the sheetrock damage by vandals, plumbing walls and floor-ceiling assemblies exposed by the theft of the copper and the structures remaining unsecured posing an attractive nuisance attracting further vandalism that may result in fire. With no power to the structures, any means of detection or alarm of fire are not present. The rotting floors and walls that have separated from the floors and ceilings allow fire to spread faster undetected and pose considerable risk to emergency personnel responding to the call.



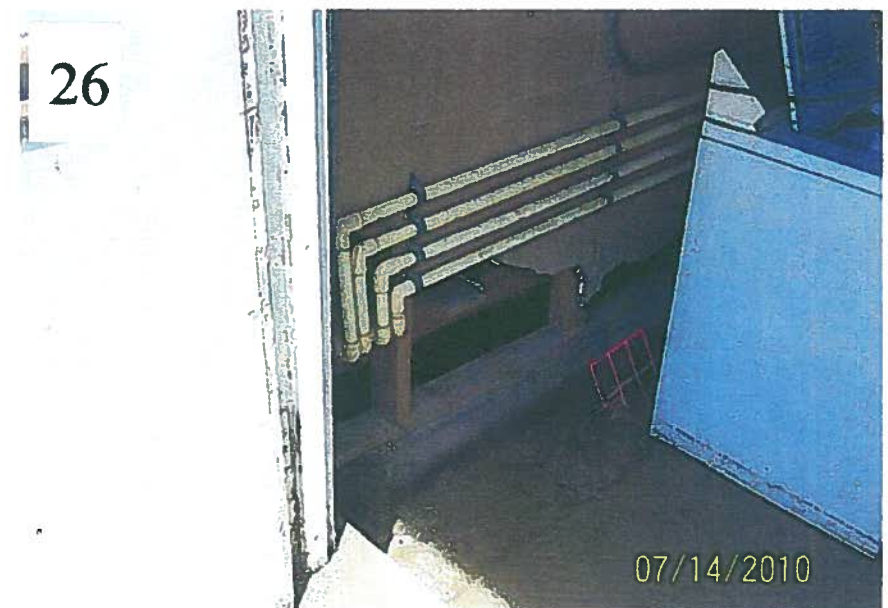






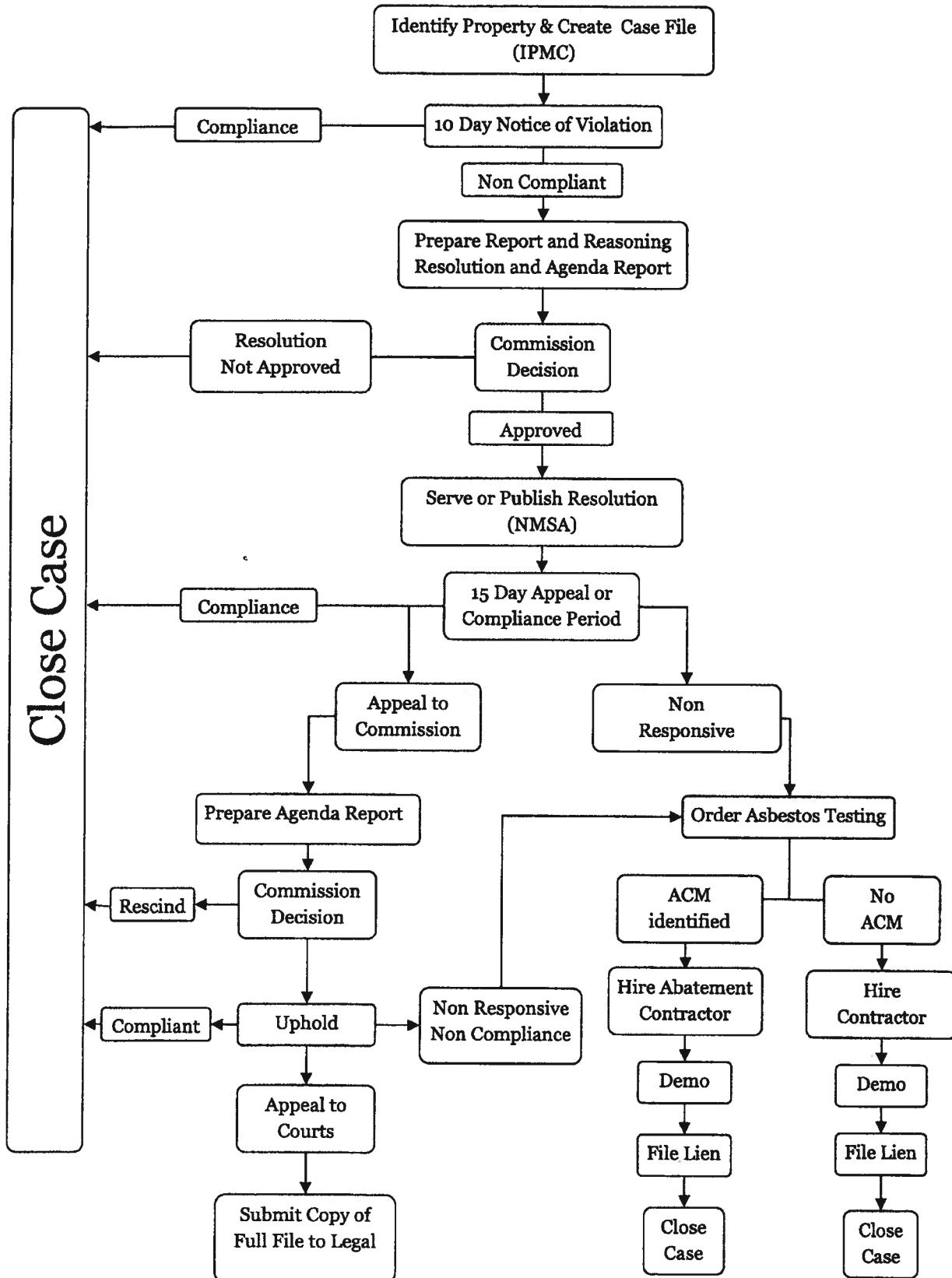








Dilapidated Structure Abatement Process



SAHARA APARTMENTS
2405 Cuba Avenue
Haynes Addition, Block 14, Lot 1, 2, 3, 4, 5, Pt of Lot 6, Pt of Lot 7

Lien #	Lien Type	Account #	Date Filed	Service Date	Amount	Admin Fee	Lien Total	Interest	Filing Fee	TOTAL
1074	Weed	10-9552	11/29/2010	11/11/2010	\$ 4,500.00	\$ 200.00	\$ 4,700.00	\$1,693.55	\$ 34.00	\$ 6,393.55
1116	Weed	11-7702	11/30/2011	10/26/2011	\$ 2,400.00	\$ 200.00	\$ 2,600.00	\$ 728.28	\$ 34.00	\$ 3,328.28
1204	Weed	12-8561	12/19/2012	11/11/2012	\$ 1,921.11	\$ 200.00	\$ 2,121.11	\$ 415.16	\$ 50.00	\$ 2,536.27
1350	Utility	72269-31130	10/23/2014	4/22/10 - 8/25/10	\$ 1,555.41	\$ 200.00	\$ 1,755.41	\$ 126.97	\$ 50.00	\$ 1,882.38
1443	Weed	14-4641	2/11/2015	10/29/2014	\$ 949.71	\$ 200.00	\$ 1,149.71	\$ 27.47	\$ 50.00	\$ 1,177.18

TOTAL AMOUNT DUE: \$ 15,317.66

Payoff amounts as of 5/14/2015

8/6/2015

Property Tax Inquiry

Accounts		Properties																																																																																																																																																												
Limit to 50 Results Click for Instructions 2405 cuba Go! KRIEGER, KAREN MONICA		Account # R014632	Parcel ID 01-05134	Owner Name KRIEGER, KAREN MONICA	Owner Address 1440 E ANDY DEVINE AVE KINGMAN, AZ, 86401	Property Address 2405 CUBA AVE	Legal/Description Subd: HAYNES ADDITION Lot: 1, 2, 3, 4, 5, LT 6 PT OF, LT 7 PT OF Block: 14																																																																																																																																																							
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Owner Information

Owner Name KRIEGER, KAREN
Mailing Address1 MONICA
Mailing Address2 1440 E ANDY DEVINE AVE
City KINGMAN
State AZ
Zip 86401
Owner ID C013920
Owner Number 86650
Account Number R014632

Property Description

Property Address 2405 CUBA AVE
 Subd: HAYNES ADDITION
 Lot: 1, 2, 3, 4, 5, LT 6 PT OF,
 LT 7 PT OF Block: 14
Legal Descript
Neighborhood A5
Account Number R014632
Previous ID 01-05134

Deeds

Description
BK 394 PG 848 - CLENDENEN
BK 690 PG 981- CLENDENEN & MELT
BK 394 PG 848- CLENDENEN
BK 762 PG 571-COOK
BK 977 PG 476-COOPER
BK 1049 PG 0905-SAHARA
BK 1049 PG 0908-CONTR
BK 1214 PG 0055-COVARRUBIAS
201012087-KELLEY
201202380-SSAG

Parcel Summary

Land Value \$56,463.00
Impr Value \$192,828.00
Full Value \$249,291.00
Taxable Value \$83,097.00

Mobile Summary

PropValue \$0.00
Mobile Taxable \$0.00

Exemptions

ExemptionType	Amount
---------------	--------

Total Full Value

Taxable
Total Exemptions \$0.00
Net Taxable Value \$83,097.00

Taxes

Bill # 13029161
Year 13
Original Amount \$2,019.73
Total Due \$2,019.73

Land Segments

SegNo	Description	Size	TaxYear
0	Multi-Family Res Lot	1.973 Acres	2015

Residential Buildings

Build No	Description	Year Built	Stories	Gross Living Area	Baths	Beds	Construction	Roof Cover	Heating	Cooling	Quality	TotalRooms
1	Multi-Family Apartment	1954	2	4800	4.00	8	Wood Frame	GABLE TAR & GRAVEL	HOT AIR PIPELESS	Evaporative Cooling	Low Quality	16.0
2	Multi-Family Apartment	1954	2	4800	4.00	8	Wood Frame	GABLE TAR & GRAVEL	HOT AIR PIPELESS	Evaporative Cooling	Low Quality	16.0
3	Multi-Family Apartment	1954	2	4800	4.00	8	Wood Frame	GABLE TAR & GRAVEL	HOT AIR PIPELESS	Evaporative Cooling	Low Quality	16.0
4	Multi-Family Apartment	1954	2	4800	4.00	8	Wood Frame	GABLE TAR & GRAVEL	HOT AIR PIPELESS	Evaporative Cooling	Low Quality	16.0

Other Improvements

Item No	Description	Length	Width	Area Units	Impr Value
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Commercial Buildings

Build No	Description	Year Built	Stories	Gross Area	Class	Quality	Story Height	HVAC	Extr Walls	DBA	Tax year
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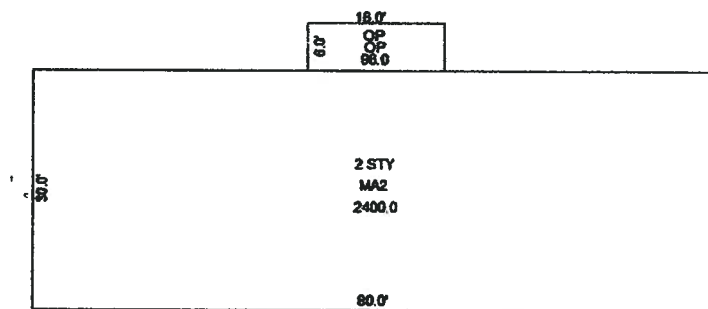
Mobile Homes

Licence Plate	Serial No	Make	Year Built	Length	Width	Area	Size
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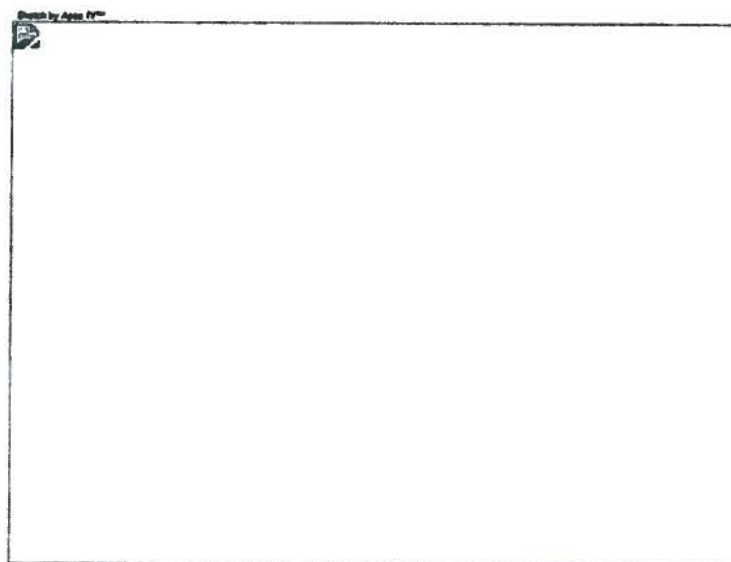
Photograph:



Sketch:



Maps:



**Estimated Demolition Costs
Sahara Apts
2405 Cuba Ave
July 2015**

Cost Breakdown:

Asbestos Survey (Terracon)		\$	7,000.00
Asbestos Abatement (Estimated)*			
Linoleum and mastic (400sf/bldg x 4bldgs)	\$	6,400.00	
Roofing Material (2400sf/bldg x 4 bldg)	\$	48,000.00	\$ 54,400.00
Demolition			
Outside firm (\$6,500 per bldg)	\$	45,000.00	
Disposal (Mesa Verde Landfill)	\$	72,500.00	
In-house equipment and labor	\$	12,500.00	\$ 130,000.00
Total Estimated Cost			\$ 191,400.00

Alternative Outcomes:

No asbestos identified, no in-house charges	\$ 124,500.00
Asbestos identified, no in-house charges	\$ 178,900.00

***Asbestos abatement cost/sf:**

Stucco/Exterior material	\$5.00/sf
Carpet Glue	\$1.00/sf
Linoloum	\$4.00/sf
Sheet rock/texture walls	\$3.50/sf
ceiling	\$4.00/sf

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 09/08/2015

Report Date: 9/1/2015

Report No: 12.

Submitted By: Renee Cantin, City Clerk

Subject: Consider, and act upon, Resolution No. 2015-42 supporting the Pecos League in continuing the White Sands Pupfish Baseball Team in Alamogordo in honor of Matt McNeile. **(Roll call vote required)**
(Renee Cantin, City Clerk) **WITHDRAWN**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve the resolution. **(Roll call vote required)**

Background: The White Sands Pupfish Baseball team of the Pecos League has been in Alamogordo since 2011. Former Assistant City Manager Matt McNeile was instrumental in bringing the team here and responsible for their success in the past. I was asked to take on the responsibility by Jim Stahle and would be honored to help keep the team in Alamogordo.

I have helped Matt each year with the set up and know what's involved to keep it moving. The tremendous support so far has been incredible of people who have helped in the past and are more than willing to continue. The Community Services and the Parks Department have also stated they will support bringing them back. Their hard work in taking care of the concessions and food vendors agreements and taking great care of the field should not go unnoticed. I also assisted with the food vendors scheduling and making sure they were all licensed.

Every year the Promotions Board dedicated Advertising money up to \$2,500 per year. As Lodger's tax can only be spent on Advertising 50 miles or more from the city, we have a billboard in Hondo Valley and would like to continue that and place other ads in the state to get the word out. Last year the City of Alamogordo patches were placed on the Pupfish uniforms which were worn and advertised the city at all away games.

Staff and the Pecos League are asking for your support to bring the Pupfish back for another season and to dedicate the 2016 in honor of Matt McNeile.

RESOLUTION NO. 2015-42

SUPPORTING THE PECOS LEAGUE IN CONTINUING THE WHITE SANDS PUPFISH BASEBALL TEAM IN ALAMOGORDO IN HONOR OF MATT MCNEILE

WHEREAS, the Pecos League is an independent professional baseball league which operates in cities in desert mountain regions throughout New Mexico, Western Kansas, West Texas and Southern Colorado. Pecos teams play in cities that do not have Major or Minor League Baseball teams and is not affiliated with either. The Pecos League is where the Land of Enchantment meets the Lone Star State; and,

WHEREAS, the Pecos league is named after the Pecos River which ran from Clovis to Del Rio. Matt McNeile agreed to allow the Coastal Kingfish to be a full time team in Alamogordo and named the team the White Sands Pupfish; and,

WHEREAS, the White Sands Pupfish team started the first season in 2011 playing at the Griggs Sports Complex field known as the Pupfish Aquarium; and,

WHEREAS, the Pecos League will have the following teams for 2016 season: Alpine Cowboys, Garden City Wind, Las Cruces Vaqueros, Roswell Invaders, Santa Fe Fuego, Topeka Robbers, Trinidad Triggers, and White Sands Pupfish; and,

WHEREAS, the League has traded 215 players to higher level leagues. One of this years players from the White Sands Pupfish was traded to the Arizona Diamondbacks and one from last season was traded to the Baltimore Orioles; and,

WHEREAS, the White Sands Pupfish wore MJM on their jersey the entire season while Matt McNeile was alive. Matt McNeile had no known illness but suddenly died on August 1, 2015 in his Alamogordo home. His legacy will not be forgotten. The 2015 season was the best year in Pupfish history. The Pupfish were in the playoff race until the last day; and,

WHEREAS, last seasons 37-30 record was the first winning season since going 41-26 in the inaugural season. The 2015 season was considered a banner year for the club as they boasted eight all-stars under first-year field manager Mickey Speaks.

BE IT THEREFORE RESOLVED that the City Commission of the City of Alamogordo, New Mexico extends its support of the Pecos League in continuing the White Sands Pupfish baseball team in Alamogordo in honor of Matt McNeile.

DONE this 8th day of September, 2015.

CITY OF ALAMOGORDO, NEW MEXICO
a New Mexico municipal corporation

By: _____
Susie Galea, Mayor

ATTEST:

Reneé L. Cantin, City Clerk

APPROVED AS TO FORM:

Stephen P. Thies, City Attorney

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 09/08/2015

Report Date: 9/4/2015

Report No: 13.

Submitted By: Stephen Thies, City Attorney

Subject: Consider, and act upon, Resolution No. 2015-43 Supporting the Application of the Public Service Company of New Mexico (PNM) for Revision of its Retail Electric Rates. (Roll call vote required)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve Resolution No. 2015-43

Background: The Public Service Company of New Mexico's ("PNM") has filed an application with the New Mexico Public Regulation Commission for an increase in electric rates, which if approved would take effect in the third quarter of 2016. If approved, the average residential customer residing in PNM's Alamogordo service territory would experience an increase in their monthly utility bill of \$1.21. PNM's last rate increase was in 2011. The requested rate increase would provide the means for PNM to continue to make significant investments in its electric system to maintain its reliability. The application also seeks approval for a restructure of PNM's current rate structure so that a customer's charges would more accurately reflect how that customer actually uses electricity while at the same time encouraging energy efficiency.

Attached is a proposed resolution which the Commission is being requested to consider and approve supporting PNM's application.

Resolution No. 2015-43

A RESOLUTION SUPPORTING THE APPLICATION OF THE PUBLIC SERVICE COMPANY OF NEW MEXICO (PNM) FOR REVISION OF ITS RETAIL ELECTRIC RATES

WHEREAS, the Public Service Company of New Mexico (“PNM”) has made significant and necessary capital investments in public utility plant and property since 2010, and must continue to do so in order to maintain reliable service to its customers, including:

- Four new solar centers online by 2016 (40 MW, \$65 million) capable of powering 16,200 average homes;
- La Luz Natural Gas Plant online by 2016 (40 MW, \$50 million) to serve customers when demand is highest, to support renewable energy growth and to ensure reliable power under a variety of grid conditions;
- Emission control equipment at San Juan Generating Station to comply with federal haze regulations (\$58 million);
- Critical resources for the future: Purchasing Rio Bravo Generating Station (formerly Delta Person) natural gas plant (\$32 million) and purchasing leases for Palo Verde Nuclear Generating Station Unit 2 (\$144 million); and
- Investments to keep our electric system reliable, including a \$61 million investment at PNM’s Rio Puerco Switching Station, \$8 million to improve substation security, and modernizing the company’s distribution system operations center.

and

WHEREAS, those investments, along with the PNM’s declining sales growth and other factors, have materially altered PNM’s operating and financial conditions from the conditions existing at the time PNM’s current rates were set in the 2010 Rate Case; and,

WHEREAS, in its application, PNM also proposes changes to rate design to better align electric rates with the actual costs to serve customers, while encouraging energy efficiency; and,

WHEREAS, specific regulatory improvements being proposed would provide for a Revenue Balancing Account pilot program for residential and small commercial customers, also known as decoupling, which is designed to support recovery of fixed costs that are critical to reliability of service at the lowest cost to customers, and an economic development tariff to support state and local efforts to retain and attract companies that provide locally based jobs; and,

WHEREAS, the rates being proposed will result in a monthly increase to the average residential customer residing in Alamogordo of only \$1.21, or \$0.04 per day; and,

WHEREAS, the residents of Alamogordo need a reliable source of energy at all times of the day, afforded with infrastructure to support peak demand, growing population, and growing economy, the cost of EPA mandated improvements must be supported by ratepayers; and,

WHEREAS, PNM's currently authorized rates are no longer just and reasonable and do not allow for a reasonable return on its investment in public utility plant and property; and,

WHEREAS, PNM's rates and authorized revenues as presently allocated do not adequately reflect the cost of service for the respective classes of electric customers; and,

WHEREAS, the rates being proposed by PNM are just and reasonable.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ALAMOGORDO that the City Commission hereby states its support of the application of the Public Service Company of New Mexico (PNM) for revision of its retail electric rates.

BE IT FURTHER RESOLVED, that the City Commission urges the New Mexico Public Regulation Commission to grant all necessary approvals required for PNM to implement the proposed rates.

PASSED, APPROVED AND ADOPTED, at the regular meeting of the City Commission of the City of Alamogordo, New Mexico, held on the 8th day of September, 2015.

CITY OF ALAMOGORDO, NEW MEXICO
a New Mexico municipal corporation

By: _____
Susie Galea, Mayor

ATTEST:

Reneé L. Cantin, City Clerk

APPROVED AS TO FORM:

Stephen P. Thies, City Attorney

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 09/08/2015

Report Date: 8/28/2015

Report No: 14.

Submitted By: Stephen Thies, City Attorney

Subject: Consider, and act upon a Gross Receipts Investment Program (GRIP) Application for HJBM, LLC. (*Stephen Thies, City Attorney*)

Fiscal Impact: \$4,050
Amount Budgeted: \$100,000.00
Fund: 011-2400-419-57-18

Additional Fiscal Impact:

Recommendation: Approve application and direct the City Attorney to prepare the required resolution and reimbursement agreement for future consideration and action.

Background:

In late 2010, the City passed an ordinance creating a "Gross Receipts Investment Program" ("GRIP"). As recited in the ordinance, the purpose of the program is "to attract new businesses or commercial activities, or encourage the expansion of an existing business or commercial activity whose gross receipts are subject to the imposition of gross receipts tax, thereby creating new job opportunities for the citizens of the City of Alamogordo while promoting the economic growth and welfare of the City of Alamogordo." This is accomplished through the refund of the City's portion of the gross receipts taxes directly attributable to a new or expanded business or commercial activity within the City.

HJBM, LLC has submitted such a GRIP application for its build-out of the property located at 1400 9th Street. Until recently, the site was used by the 1st National Bank. The drive through area has been enclosed and the entire structure has been remodeled into offices. Reconstruction was completed in late 2014. Prior to the reconstruction project, the value of the land and the improvements was \$159,718. Based upon the GRIP application submitted, a copy of which is attached, the value of the property after the improvements is estimated at \$356,909. An investment advisory firm currently occupies one half of the office building while an insurance company occupies the other half. Total cost of the reconstruction was \$245,409.75. Based upon the GRIP application submitted, a copy of which is attached, prior to the remodel, no gross receipts were being generated at this particular location. Estimated gross sales from the two services currently occupying the building are estimated to total \$350,000 annually. The general contractor and the subcontractors were all local.

Based upon the application submitted, the developer has satisfied the three eligibility requirements as set forth in the GRIP ordinance. Therefore, staff recommends approval of the application. If the application is approved, the next step in the process is the preparation of a GRIP agreement which would be brought before the Commission for its consideration.

APPLICATION FOR GROSS RECEIPTS TAX ABATEMENT

CITY OF ALAMOGORDO, NEW MEXICO

FILING INSTRUCTIONS:

This filing acknowledges familiarity and assumed conformance with "Ordinance No. 1379, Gross Receipts Investment Program"("GRIP"). NOTE: This application will become part of any later agreement or contract and knowingly false representations thereon will be grounds for the voiding of any later agreement or contract.

ORIGINAL COPY OF THIS APPLICATION AND ATTACHMENTS SHOULD BE SUBMITTED TO:

**CITY MANAGER
CITY OF ALAMOGORDO
1376 EAST 9th STREET
ALAMOGORDO, NM 88310**

PART 1-APPLICANT INFORMATION

- A. Business Name: **HJBM, LLC**
- B. Submittal Date: **February 19, 2015**
- C. Address/City: **PO Box 983, Alamogordo, NM 88311**
- D. Address/City: **Bill Mayton, PO Box 983, Alamogordo, NM (575) 430-2362**
- E. Business Owner (**X**); Developer (); Land Owner (); Tenant ()
- F. Type of Business: Corporation (); Partnership (); Proprietorship ();
Limited Liability Company (**X**); Other Legal Entity ()

PART II-PROJECT INFORMATION

- A. This application is for a: New Business (); Expanding Existing Business(**X**)
- B. Type of Activity: Commercial (**X**); Retail ()

- C. Attach a brief company overview, including a brief description of the product(s) and/or services, years in respective industry, and major clients/buyers of company's products and/or services.

Attachment: Yes () or No (X)

- D. Attach a brief description of the product(s) and/or services that will be produced or sold in Alamogordo?

Attachment: Yes () or No (X)

- E. Type of Construction: **Expanding/ New Construction(X); Rehabilitation of Existing Structure (X)**

- F. Proposed Facility Address and Legal Description: **See "Exhibit A"**

- G. Attach a map showing site: **See "Exhibit B"**

PART III- PROJECT DESCRIPTION

- A. Brief description of work:

Expand footprint of the building and reconfigure floor plan for office space.

- B. Please attach a statement:

- (1) describing the contractor's physical presence in the City sufficient to subject the project to Local Option Gross Receipts Tax;

National Construction is a locally owned and operated commercial contracting business. National has been in business in Alamogordo since 1989.

- (2) describing preference and priority the contractor gave to local manufacturers, suppliers, vendors, contractor and labor or if local preference and priority not reasonably possible to do so without significant added expense, substantial inconvenience, or sacrifice in operating efficiency, describing added expense, substantial inconvenience or sacrifice in operating efficiency;

All sub-contractors used are located in Alamogordo

- (3) providing a list of local manufacturers, suppliers, vendors contractors and labor used, or to be used, in this project; and

See "Exhibit C"

(4) providing a list of personal property for which abatement is requested.

N/A

Total cost of the expansion and new construction: \$245,409.75

Documentation provided in "Exhibit D".

PART IV-ECONOMIC IMPACT INFORMATION

November 2012 Permit:	#2013013824	\$108,500	Tax	\$8,273.13
June 2013 Permit:	#2014014257	<u>\$119,246</u>	Tax	<u>\$9,390.62</u>
	Total	\$227,746		\$17,663.75

A. Permanent employment estimates:

If existing facility, the current employment level:

N/A

Estimated number of new jobs created:

(7) Full-Time (0) Part Time

Construction employment estimates:

Construction to start: **Month: January, 2013**

Construction to be completed: **Month: December, 2014**

Number of construction jobs anticipated: () Full-Time; **(22)** Part-Time

At start: **(3)** Peak: **(9)** Finish: **(4)**

D. Estimated property tax base value increase:

- (1) Valuation of existing property as of January 1, preceding this application:

<u>LAND</u>	<u>IMPROVEMENTS</u>
\$ 51,749	\$ 107,969

- (2) Estimated value of property upon completion of the project subject.

<u>LAND</u>	<u>IMPROVEMENTS</u>
\$ 53,032	\$ 356,909

- (3) Estimated Gross Receipt Taxes generated by the business prior to the expansion or construction.

\$00.00

- (4) Estimated Gross Receipt Taxes to be generated by the business after the expansion or construction.

Suite A- Estimated gross sales \$200,000

Suite B- Estimated gross sales \$150,000

I declare under the penalties of falsification that this application, including all enclosed documents and statements, has been examined by me, and to the best of my knowledge and belief is true, correct, and complete.

2-19-15

Date



Signature of Applicant

Owner Information

Owner Name BLANKENSHIP, HARRIS &
 JUDY
Mailing Address1 2114 TIERRA DE SUENOS
Mailing Address2
City ALAMOGORDO
State NM
Zip 88310-7835
Owner ID C010325
Owner Number 72559
Account Number R013411

Property Description

Property Address 1400 9TH ST
 Subd: COLLEGE ADDITION
 Lot: 7 & 8 & 9 & 10 & 11 &
 12 Block: 39
Legal Descript
Neighborhood C37
Account Number R013411
Previous ID 01-03844

Deeds

Description
BK 460 PG 119-LOCO
CREDIT UN
201201011-FNB

Parcel Summary

Land Value
 \$53,032.00
Impr Value
 \$143,041.00
Full Value
 \$196,073.00
Taxable Value
 \$65,357.66

Mobile Summary

PropValue
 \$0.00
Mobile Taxable
 \$0.00

Exemptions

ExemptionType	Amount
---------------	--------

Total Full Value

Taxable

Total Exemptions
 \$0.00
 Net Taxable Value
 \$65,358.00

Taxes

Bill # 13005663
Year 13
Original Amount \$1,709.86
Total Due \$1,709.86

Land Segments

Exhibit "B"

Bank branch/ office property (# 11056)

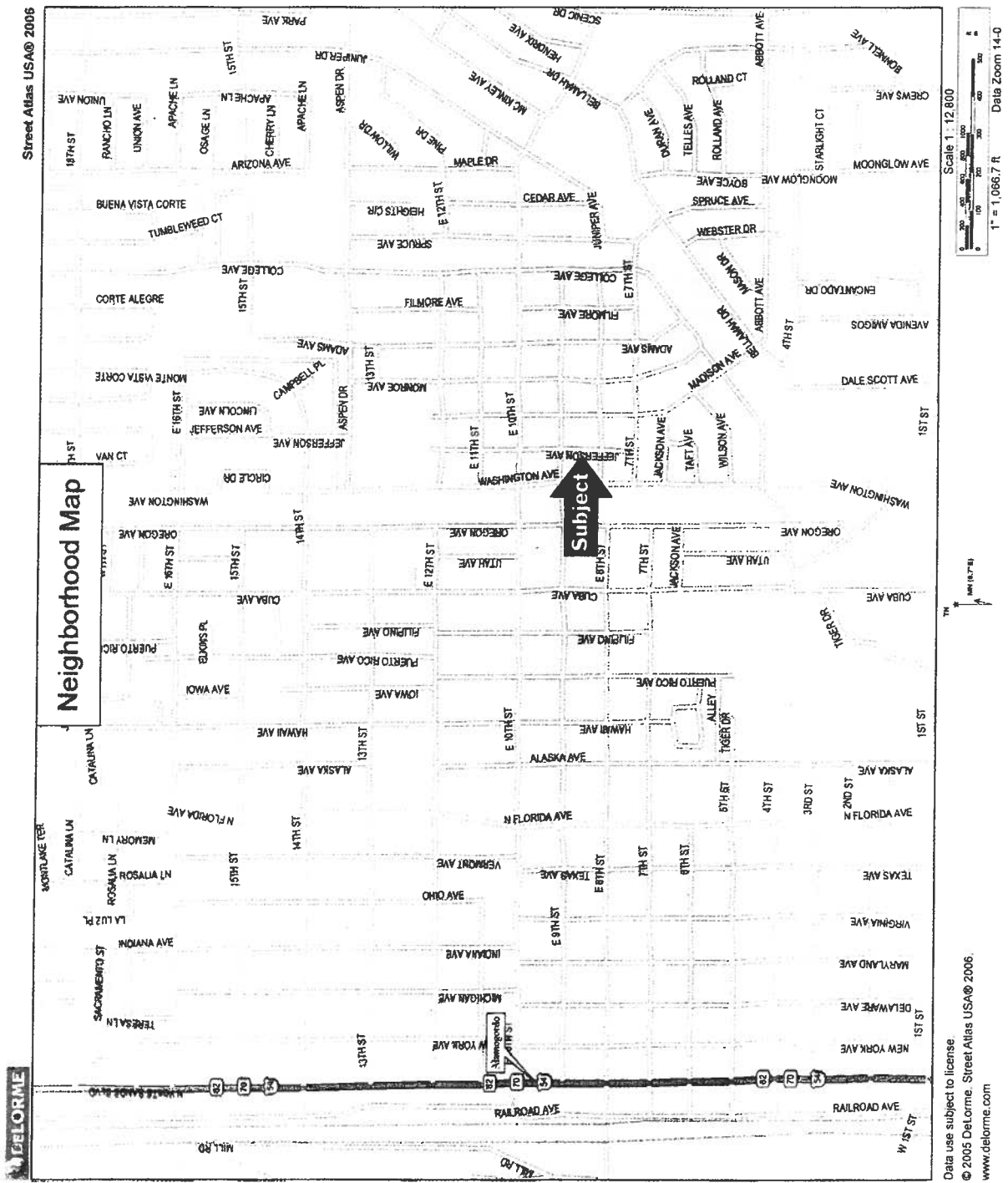


Exhibit "C"

General Contractor:

National Construction, Inc.
 PO Box 1479, Alamogordo, NM 88311
 (575) 437-2913 Fax (575) 434-8821
 Harris Blankenship – President

Project Architect:

Shelley Hughes, Architect
 500 Burro Ave., Cloudcroft, NM 88317
 (575) 682-2537 Fax (575) 682-6008
 Shelley Hughes

Superintendent:

George Robertson (575) 430-9962

Owner:

HJBM, LLC
 PO Box 1479, Alamogordo, NM 88311
 Harris Blankenship (575) 437-2913

Project Manager:

Jason Blankenship (575) 430-2915

Jobsite:

HJBM
 1400 Ninth Street
 Alamogordo, NM 88310

Subcontractors for #1405 **HJBM Build Out**

Code	Description	Company	License	Phone Number	Address
03300	Concrete	Tony Gonzales Construction Tony Gonzales	#81983	(575) 439-1772	2315 Osage Lane Alamogordo, NM 88310
09100	Masonry	M & S Quality Construction Marcelino Hendrickson	#87265	(575) 491-3718 Fax (575) 434-9569	PO Box 3609 Alamogordo, NM 88311
		Ochoa Stucco Rudy Ochoa	#380299	(575) 443-6745	1741 Van Court Alamogordo, NM 88310
09250	Gypsum Drywall	New Mexico Drywall Rick Sauerman	#21445	(575) 434-5532 Fax (575) 434-5532	1199 N. Scenic Dr. Alamogordo, NM 88310
09500	Acoustic Ceilings	Classic Builders, Inc. Ken McGinnis	#377498	(575) 430-2179 Fax (575) 437-0562	PO Box 520 La Luz, NM 88337
09900	Painting	National Construction, Inc.	#30047	(575) 437-2913 Fax (575) 434-8821	PO Box 1479 Alamogordo, NM 88311
01500	Plumbing	Polson & Grady, Ltd.		(575) 437-6484	1001 Zuni Ave. #A
01500	HVAC	Shannan Wright - Plumb Jack Graham HVAC	#15370	Fax (575) 434-6721	Alamogordo, NM 88310
01600	Electrical	Zuni Electric, Inc. Rodney Eaton	#27073	(575) 437-6514 Fax (575) 434-6721	PO Box 1909 Alamogordo, NM 88311

Material Suppliers for #1405

07200	Insulation	Selle Supply Company Bob Ludwig		(800) 926-3499 Fax (915) 778-0176	7344 Stiles El Paso, TX 79915
08111	Hollow Metal Frames & Doors	Stock Building Supply Eddie Justus		(505) 823-2206 Fax (505) 881-4353	5815 Edith Blvd. NE #B Albuquerque, NM 87107
08712	Finish Hardware				

National Construction, Inc.
P.O. Box 1479
Alamogordo, NM 88311

STATEMENT

Date:	Job #
12/16/2013	1219

Office: (575) 437-2913
Fax: (575) 434-8821

Bill To:

HJBM, LLC
P.O. Box 983
Alamogordo, NM 88311



P.O.#

Project:

Office Building Remodel

Item #	Description	Amount
	Remodel Office Building Located at 1400 Ninth Street, Alamogordo, NM	
1	Progress Billing #1 - Invoice #1219-1	\$ 40,768.35
2	Progress Billing #2 - Invoice #1219-2	\$ 26,594.14
3	Progress Billing #3 - Invoice #1219-3	\$ 2,522.73
4	Progress Billing #4 - Invoice #1219-4	\$ 31,200.49
5	Progress Billing #5 - Invoice #1219-5	\$ 15,687.42
AMOUNT DUE		\$ 116,773.13

National Construction, Inc.
P.O. Box 1479
Alamogordo, NM 88311

INVOICE

Date:	Invoice #
02/28/2013	1219-1

Office: (575) 437-2913
Fax: (575) 434-8821

Bill To:

HJBM, LLC
P.O. Box 983
Alamogordo, NM 88311



P.O.#

Project:
Office Building Remodel

Item #	Description	Amount
1	Progress Billing - Remodel Office Building Located at 1400 Ninth Street, Alamogordo, NM	\$ 37,880.00
2	Gross Receipts Tax (7.625%)	\$ 2,888.35
TOTAL DUE		\$ 40,768.35

National Construction, Inc.
P.O. Box 1479
Alamogordo, NM 88311

INVOICE

Office: (575) 437-2913
Fax: (575) 434-8821

Date:	Invoice #
04/25/2013	1219-2

Bill To:

HJBM, LLC
P.O. Box 983
Alamogordo, NM 88311



P.O.#

Project:

Office Building Remodel

Item #	Description	Amount
1	Progress Billing #2 - March 1, 2013 to April 30, 2013 Remodel Office Building Located at 1400 Ninth Street, Alamogordo, NM	\$ 24,710.00
2	Gross Receipts Tax (7.625%)	\$ 1,884.14
TOTAL DUE		\$ 26,594.14

National Construction, Inc.
P.O. Box 1479
Alamogordo, NM 88311

Office: (575) 437-2913
Fax: (575) 434-8821

INVOICE

Date:	Invoice #
06/28/2013	1219-3



Bill To:

HJBM, LLC
P.O. Box 983
Alamogordo, NM 88311

P.O.#

Project:
Office Building Remodel

Item #	Description	Amount
1	Progress Billing #3 - May 1, 2013 to June 30, 2013 Remodel Office Building Located at 1400 Ninth Street, Alamogordo, NM	\$ 2,344.00
2	Gross Receipts Tax (7.625%)	\$ 178.73
TOTAL DUE		\$ 2,522.73

National Construction, Inc.
P.O. Box 1479
Alamogordo, NM 88311

INVOICE

Office: (575) 437-2913
Fax: (575) 434-8821

Date:	Invoice #
10/31/2013	1219-4

Bill To:

HJBM, LLC
P.O. Box 983
Alamogordo, NM 88311



P.O.#

Project:
Office Building Remodel

Item #	Description	Amount
1	Progress Billing #4 - July 1, 2013 to October 31, 2013 Remodel Office Building Located at 1400 Ninth Street, Alamogordo, NM	\$ 28,990.00
2	Gross Receipts Tax (7.625%)	\$ 2,210.49
TOTAL DUE		\$ 31,200.49

National Construction, Inc.
P.O. Box 1479
Alamogordo, NM 88311

INVOICE

Office: (575) 437-2913
Fax: (575) 434-8821

Date:	Invoice #
12/13/2013	1219-5

Bill To:

HJBM, LLC
P.O. Box 983
Alamogordo, NM 88311



P.O.#

Project:

Office Building Remodel

Item #	Description	Amount
1	Progress Billing #5 - November 1, 2013 to November 30, 2013 Remodel Office Building Located at 1400 Ninth Street, Alamogordo, NM	\$ 14,576.00
2	Gross Receipts Tax (7.625%)	\$ 1,111.42
TOTAL DUE		\$ 15,687.42

**HJBM Office
2014 Finish Out**

12/29/2014

SCHEDULE OF VALUES

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D	E	F	G		H
			WORK COMPLETED			TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G/C)	BALANCE TO FINISH (C - G)
			Previous Applications	This Application				
				Work in Place	Stored Materials (not in D or E)			
1	General Conditions	10,429.00	0.00	10,429.00	0.00	10,429.00	100%	0.00
2	Site Work	1,002.00	0.00	1,002.00	0.00	1,002.00	100%	0.00
3	Concrete	6,056.00	0.00	6,056.00	0.00	6,056.00	100%	0.00
4	Carpentry - Rough	6,400.00	0.00	6,400.00	0.00	6,400.00	100%	0.00
5	Thermal & Moisture Protection	2,876.00	0.00	2,876.00	0.00	2,876.00	100%	0.00
6	Doors, Windows & Hardware	11,616.00	0.00	11,616.00	0.00	11,616.00	100%	0.00
7	Finishes	20,601.00	0.00	20,601.00	0.00	20,601.00	100%	0.00
8	Specialties	2,099.00	0.00	2,099.00	0.00	2,099.00	0%	0.00
9	Mechanical	29,002.00	0.00	29,002.00	0.00	29,002.00	0%	0.00
10	Electrical	23,869.00	0.00	23,869.00	0.00	23,869.00	0%	0.00
	SUBTOTALS	113,950.00	0.00	113,950.00	0.00	113,950.00	100%	0.00
CO#1	New AC @ East Side	5,296.00	0.00	5,296.00	0.00	5,296.00	100%	0.00
	TOTALS	\$119,246.00	\$0.00	\$119,246.00	\$0.00	119,246.00	100%	0.00

APPLICATION AND CERTIFICATE FOR PAYMENT

Exhibit D

Permit 2014017251

TO (OWNER):	HJBM, LLC PO Box 983 Alamogordo, NM 88311	PROJECT:	HJBM Office Build Out 1400 9th St. Alamogordo, NM 88310	APPLICATION NO:	1-FINAL	Distribution to: ☐ OWNER ☐ ARCHITECT ☐ CONTRACTOR
				PERIOD TO:	12/31/2014	
				ARCHITECT'S PROJECT NO.:		
FROM (CONTRACTOR):	National Construction, Inc. P.O. Box 1479 Alamogordo, NM 88311	VIA :	Shelley Hughes Architect PO Box 93 Cloudcroft, NM 88317			
CONTRACT FOR:	HJBM Build Out			CONTRACT DATE:	August 21, 2014	

CONTRACTOR'S APPLICATION FOR PAYMENT

CHANGE ORDER SUMMARY				
Change Orders approved in previous months by Owner		TOTAL	ADDITIONS	DEDUCTIONS
Approved this Month			5,713.06	
Number	Date Approved			
CO #1	New HVAC			
		TOTAL	5,713.06	0.00
Net change by Change Orders		5,713.06		

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown is now due.

CONTRACTOR: National Construction, Inc.

By: _____

12/29/2014

Application is made for Payment, as shown below, in connection with the Contract.
Continuation sheet, is attached

1. ORIGINAL CONTRACT SUM.....	\$ 113,950.00
2. NET CHANGE BY CHANGE ORDERS.....	\$ 5,296.00
3. CONTRACT SUM TO DATE (LINE 1 +/- 2).....	\$ 119,246.00
4. TOTAL COMPLETED & STORED TO DATE.....	\$ 119,246.00
(Column G)	
5. RETAINAGE:	
a. 0 % of completed work	\$ -
(Column D + E)	
b. 0 % of stored material	\$ -
(Column F)	
Total Retainage (Line 5a + 5b or Total in Column I)	\$ -
6. TOTAL EARNED LESS RETAINAGE.....	\$ 119,246.00
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT	\$ -
8. CURRENT PAYMENT DUE	\$ 119,246.00
9. CURRENT GROSS RECEIPTS TAX	\$9,390.62
10. TOTAL INCLUDING TAX	\$128,636.62

State of: New Mexico County of: Otero

Subscribed and sworn to before me

this _____ day of _____

2014

Notary Public: _____

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED:..... \$
(Attach explanation if amount differs from the amount applied for.)

ARCHITECT:

By: _____ Date: _____

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 09/08/2015

Report Date: 8/27/2015

Report No: 15.

Submitted By: Stephen Thies, City Attorney

Subject: Consider, and act upon, the complaints submitted related to the Code of Conduct Ordinance No. 1478. *(Stephen Thies, City Attorney)*

Fiscal Impact: N/A

Amount Budgeted: \$0.00

Fund: N/A

Additional Fiscal Impact:

Recommendation: None.

Background: Late last year the Commission adopted by ordinance a Code of Conduct for Elected Officials. A copy of the ordinance is attached for your reference. The ordinance lists eleven different codes by which the individuals members of the Commission are expected to comply with when acting in their capacity of an elected official. In the event another member of the Commission, a member of the public, or others believe that a Commissioner has violated the Code of Conduct, that person can file a complaint specifying the reasons they believe a violation occurred. Provided the complaint complies with the requirements of the ordinance as to form, the complaint is initially referred to a Preliminary Review Committee consisting of the three most senior members of the Commission. A copy is also provided to the subject of the complaint to allow that elected official the opportunity to submit any response or other documentation they want considered by the Commission. After the members of the Preliminary Review Committee review the complaint, they are required to make either a finding of cause or no-cause that the elected official either violated or did not violate the Code of Conduct. That preliminary finding is then forwarded to the full Commission for its consideration.

Several members of the public filed complaints against Mayor Galea relating to a letter to the editor authorized by her. Copies of the complaints are attached along with a response by the Mayor. A copy of an email sent to the Commissioner by Ms. Rocky Galassini is also included as requested by the Mayor. The complaints were forwarded to the Preliminary Review Committee two of which have made a finding of cause. Please note that the ordinance provides that a finding of cause by two or members of the Preliminary Review Committee does not result in any presumption that the elected official has violated the Code of Conduct. The remaining members of the Commission must make their own conclusions.

Since two of the members of the Preliminary Review Committee made a finding of cause, the complaints need to be considered by the full Commission in an open meeting. At this time, the Commission has three

course of action available to it:

- (1) If the Commission determines there is no cause to believe that the Commissioner violated the Code of Conduct, then the Commission shall take no further action in the matter;
- (2) If the Commission determines there is cause to believe that the Commissioner violated the Code of Conduct, but decides not to conduct a formal hearing on the matter, the Commission shall take no further action in the matter, except that the Commission may issue a warning to the Commissioner. If the Commission does issue a warning, the Commissioner who is the subject of the complaint has a right to request a formal hearing; or
- (3) If the Commission determines there is cause to believe that the Commissioner violated the Code of Conduct, and also decides to pursue action more severe than a warning, the Commission shall order that a formal hearing be conducted. The Commission is required to make a reasonable attempt to conduct the hearing within 90 days.

When considering the complaint, the Commission should remain remindful that the stated intent of the ordinance is to educate, and where necessary, discipline the elected official. Discipline shall be progressive unless the gravity of the individual's actions require otherwise.

ORDINANCE NO. 1478

AN ORDINANCE ADDING A NEW SECTION TO CHAPTER 2 CREATING A CODE OF CONDUCT FOR ELECTED OFFICIALS

WHEREAS, the residents and businesses of the City of Alamogordo expect and are entitled to a local government that reflects uncompromising integrity and serves the public interest.

WHEREAS, to this end, the City Commission desires to adopt a Code of Conduct for its members to assure public confidence in the integrity of local government and its effective and fair operation.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Alamogordo that a new section be added to Chapter 2 of the Code of Ordinances as follows:

2-03-051. Code of Conduct

A. Overview of Roles and Responsibilities of the Governing Body

Mayor (City Charter, Article VIII, § 2)

- Presides at all meetings of the Commission.
- Perform such duties as are imposed by the Commission.
- Has the same speaking and voting rights as any other Commissioner.
- Is the official head of the City for all ceremonial and military purposes.
- With the advice and approval of the Commission, appoints and removes members to boards, commissions and committees.
- Leads the Commission and management in developing short and long range plans and goals relating to City growth and development.
- Required to present an annual state of the City message or report.

Mayor Pro-Tem (City Charter, Article VIII, §§ 1 and 3)

- Elected by the Commission
- Performs the duties of the Mayor if the Mayor is absent.

Commission Members

- All members of the City Commission, including the Mayor and Mayor Pro-Tem, have equal votes. No member has more power than any other member, and all should be treated with equal respect. (City Charter, Article VII, § 1)
- Responsible to pass ordinances and other measures conducive to the welfare of the city, and to do all acts required for the general welfare of the city, except as are delegated to the city manager or other city officials. (Alamogordo Municipal Code § 2-02-040)
- Creates all necessary administrative offices. (Alamogordo Municipal Code § 2-02-040)

B. Code of Conduct

(a) **Application.** This Code of Conduct applies to all members of City Commission (including the Mayor).

(b) **Definitions.** When used in section 2-03-051, the following words, terms and phrases shall have the following meanings, unless expressly stated otherwise or unless the context indicates otherwise:

City Commission means the legislative and governing body of the City, consisting of the Mayor and City Commission members.

City shall mean the City of Alamogordo, Otero County, New Mexico.

Confidential information means any information to which an Official has access in such person's official capacity which may not be disclosed to the public except pursuant to state and/ or federal law and which is not otherwise a matter of public record or public knowledge.

Elected Official means the Mayor and all other City Commissioners.

Employee means any person employed by the City, including those individuals on a full-time, part-time or internship basis, but does not include independent contractors.

Intentionally means a person acts intentionally, or with intent, with respect to the nature of his conduct or to a result of his conduct when it is the person's conscious objective or desire to engage in the conduct or cause the result.

Knowingly means a person acts knowingly, or with knowledge, with respect to the nature of the person's conduct or to circumstances surrounding the conduct when the person is aware of the nature of the conduct or that the circumstances exist. A person acts knowingly, or with knowledge, with respect to a result of the person's conduct whether the person is aware that the conduct is reasonably certain to cause the result. Employee means any person employed by the City, including those individuals on a full-time, part-time or internship basis, but does not include independent contractors.

Official Action means any vote, decision, recommendation, approval, disapproval or other action, including inaction, which includes use of discretionary authority of any City Official.

Public Employee or **City Staff** means any non-appointed person holding any paid position of employment with the City.

(c) **Code of Conduct.** Each member of the City Commission has a duty to:

1. **Act in the Public Interest.** Recognizing that stewardship of the public interest must be their primary concern, the Commissioners will work for the common good of the people of Alamogordo and not for any private or personal interest, and they will endeavor to treat all persons, claims and transactions in a fair and equitable manner.

2. **Comply with the Law.** Commissioners shall comply with the laws of the federal government, the State of New Mexico and the City of Alamogordo in the

performance of their public duties. These laws include, but are not limited to: the United States and New Mexico constitutions; the New Mexico Governmental Conduct, Inspection of Public Records, and Open Meetings Acts; and the City of Alamogordo Charter, municipal code, resolutions and policies.

3. **Conduct of Members.** The professional and personal conduct of Commissioners must be above reproach and avoid even the appearance of impropriety. Commissioners shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of the Commission, City Staff or the public.

4. **Respect for Process.** Commissioners shall perform their duties in accordance with the processes and rules of order established by the City Commission governing the deliberation of public policy issues, the involvement of the public, and the implementation of policy decisions of the City Commission by City Staff.

5. **Conduct at Public Meetings.** Members shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of the meetings. Members shall commit to practice civility and decorum in discussions and debates. Members shall commit to honoring the role of the chair person in maintaining order, keeping discussion on track, and focusing discussion on agenda items at hand. Commissioners shall avoid debate and argument with the public. Commissioners shall not engage in personal attacks of any kind under any circumstance.

6. **Communication.** Commissioners shall publicly share substantive information that is relevant to a matter under consideration by the Commission which they have received from sources outside of the public decision-making process.

7. **Confidential Information.** Commissioners shall respect the confidentiality of information concerning the property, personnel or affairs of the City. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.

8. **Representing an Official City Position.** Commissioners may use their title only when conducting official City business, for information purposes, or as an indication of background and expertise, carefully considering whether they are exceeding or appearing to exceed their authority. Once the Commission has taken a position on an issue, all official City correspondence regarding that issue will reflect the Commission's adopted position. If a member of the Commission appears before another governmental agency organization to give a statement on an issue affecting the City, the Commissioner should indicate the majority position and opinion of the Commission. Personal opinions and comments may be expressed only if the Commissioner clarifies that these statements do not reflect the official position of the City Commission. Personal opinions and

comments may be expressed only if the Commissioner clarifies that these statements do not reflect the official position of the City Commission.

9. **Improper Influence.** Commissioner shall not attempt to pressure or influence the decisions, recommendations or priorities of advisory boards absent the approval of the majority of the Commission.

10. **Policy Role of Members.** Commissioners shall respect and adhere to the Commission-Manager structure of city government as provided by state law, City Charter and City Code. In this structure, the Commission determines the policies of the City with the advice, information and analysis provided by the public, advisory boards, and City Staff. Commissioners therefore shall not interfere with the administrative functions of the City or the professional duties of City Staff; nor shall they impair the ability of staff to implement Commission policy decisions. Commissioners should never express concerns about the performance of a City Employee in public, to the Employee directly, or to the Employee's Director. Comments about staff performance should be made only to the City Manager through private correspondence or conversation.

11. **Other Public Agencies.** If a Commission member appears before another governmental agency or organization to give a statement on an issue, the Commissioner must clearly state if his or her statement reflects personal opinion or is the official stance of the City. Even if the Commissioner is representing his or her own personal opinions, remember that this still may reflect upon the City as an organization. If the Commissioner is representing the City, the Commissioner must support and advocate the official City position on an issue, not a personal viewpoint. If the Commissioner is representing another organization whose position is different from the City, the Commissioner should withdraw from voting on the issue if it significantly impacts or is detrimental to the City's interest. Commissioners should be clear about which organizations they represent and inform the Mayor and Commission of their involvement. City letterhead may be used only when the Commissioner is representing the City and the City's official position. A copy of official correspondence should be given to the City Clerk to be filed as part of the permanent public record.

(d) Violations

follows:
(1) For the purpose of this section, the following words shall be interpreted as

(i) Warning. This is the least severe form of action. Warning warns the Commissioner that his or her conduct violated the Code of Conduct. The warning cautions the Commissioner that further violations could lead to a more severe action.

(ii) Sanction. This is the next most severe form of action. Sanction should be directed to a particular member of the City Commission based on a particular action (or set of actions) that is determined to be in violation of the Code of Conduct, but is considered by the Commission to be not sufficiently

serious to require censure. A sanction is distinguished from censure in that it is not a punishment.

(iii) Censure. Censure is the most severe form of action contemplated in this policy. Censure is a formal statement of the City Commission officially reprimanding one of its members. It is a punitive action, which serves as a penalty imposed for wrongdoing. Censure should be used for cases in which the Commission determines that the violation of the Code of Conduct is a serious offense. In order to protect the overriding principle of freedom of speech, the City Commission shall not impose censure on any of its members for the exercise of his or her First Amendment rights, no matter how distasteful the expression was to the Commission and the City. However, nothing herein shall be construed to prohibit the City Commission from collectively condemning and expressing their strong disapprobation of such remarks.

(iv) Cause. More than mere suspicion. There must be facts and circumstances within the Preliminary Review Committee members' knowledge, and of which they have trustworthy information, sufficient to justify the belief of a reasonable person that a violation of the Code of Conduct has occurred.

(v) Complainant. Complainant means a person or entity that makes a complaint alleging a violation of the Code of Conduct.

(2) **Preliminary Review Committee Established**. There is hereby created a City of Alamogordo Preliminary Review Committee consisting of the three (3) most senior members of the Commission. Seniority will be determined using the length of a Commissioner's continuous service as a Commissioner. Length of service will be calculated from the date that the Commissioner took the oath of office. In the event two or more Commissioner began their service at the same time, prior service on the Commission shall be used to determined seniority. For Commissioners who are elected or appointed to fill a vacancy, the Commissioner's time in office commences after he/she is sworn into office. Any Commissioner who is the subject of the complaint shall be disqualified from serving on the Committee.

(3) **Complaints against Commissioner**. Any person who believes a Commissioner in her or his official capacity has violated the Code of Conduct may file a sworn written complaint with the city attorney identifying:

- (i) The complainant's name, address, and telephone number;
- (ii) The name of the Commissioner who is the subject of the complaint;
- (iii) The nature of the alleged violation, including the specific provision of the Code of Conduct allegedly violated;
- (iv) A statement of facts constituting the alleged violation and the dates on which or period of time in which the alleged violation occurred;
- (v) All documents or other material in the complainant's possession that are relevant to the allegation, a list of all documents or other material relevant to

the allegation that are available to the complainant but not in the complainant's possession, and a list of all other documents or other material relevant to the allegations but unavailable to the complainant, including the location of the documents, if known;

✓ (vi) A list of witnesses, what they may know, and their contact information, if known; and

(vii) If the alleged violation occurred more than ninety days before the sworn complaint is filed with the city attorney, then the complaint must identify the date the complainant learned of the alleged violation and provide a statement of the facts surrounding the discovery of the violation, a list of the persons with knowledge about the date the violation was discovered, and a summary of the information they possess about the discovery.

The complaint shall include an affidavit stating that the information contained in the complaint is true and correct, or that the complainant has good reason to believe and does believe that the facts alleged constitute a violation of the Code of Conduct. If the complaint is based on information and belief, the complaint shall identify the basis of the information and belief, including all sources, contact information for those sources, and how and when the information and/or belief was conveyed to the complainant by those sources. The complainant shall swear to the facts by oath before a notary public or other person authorized by law to administer oaths under penalty of perjury.

(4) **Time for filing.** A complaint must be filed on or before the 90th day after the violation is alleged to have occurred. All complaints will be time barred after the lapse of ninety (90) days from the date of the alleged incident.

(5) **Procedures.** The City Attorney will develop written rules of procedure to govern the review process, including the right of a City Commissioner against whom the complaint has been lodged to respond to the complaint, attend any hearing, and present witnesses and other evidence on her or his own behalf.

(6) **Initial screening of complaints.** Upon receipt of a complaint, the city attorney shall notify in writing the City Commissioner who is the subject of the complaint. The Commissioner who is the subject of the complaint shall have the right to respond to the complaint. Any such response shall be provided to the city attorney in writing within fourteen (14) days of the Commissioner being provided with notification and a copy of the complaint. The city attorney shall review each complaint filed alleging a violation of the Code of Conduct by a member of the City Commission within twenty-one (21) days and either:

- (a) Return it for being incomplete;
- (b) Dismiss it for being untimely;
- (c) Refer alleged violations of New Mexico or federal laws to an appropriate law enforcement agency if the complaint states on its face allegations that, if true, would constitute a violation of New Mexico or federal law; or

(d) If the city attorney determines that the complaint complies with the requirements of subsection (d)(3) above, forward a copy to the Preliminary Review Committee along with any response submitted by the Commissioner who is the subject of the complaint.

When the City Attorney receives a vague complaint or one lacking in detail, the City Attorney shall contact the complainant to request written clarification. If the complainant fails to provide the City Attorney with written clarification, a written report to that effect shall be submitted to the Preliminary Review Committee.

(7) **Committee Review.** The members of the Preliminary Review Committee shall individually review the complaint and all other documents or other material submitted including any response submitted by the Commissioner who is alleged to have violated the Code of Conduct. Members of the Committee shall not communicate or cause another to communicate with another member of the Committee, the person who submitted the complaint, the Commissioner who is the subject of the complaint, or any other member of the City Commission during their period of review regarding the allegations contained in the complaint. Based on a review of the material provided to them, each individual member of the Preliminary Review Committee shall determine whether there is cause to believe that the Commissioner violated the Code of Conduct. Each Committee member shall, within twenty-one (21) calendar days of receipt of the material, return their finding of cause or no-cause to the city attorney.

(8) **Commission Consideration.**

(a) **Review of Committee's Findings.** After receiving the finding of cause or no-cause from the Preliminary Review Committee, the city attorney shall place the matter on the next regularly scheduled City Commission meeting for review by the full Commission.

(b) **Presumptions.** A finding of cause by two or more members of the Preliminary Review Committee does not mean that any of the complaint's allegations are true or that the Commissioner has violated this Code of Conduct.

(c) **No-Cause Finding.** If two or more members of the Preliminary Review Committee make a finding of no-cause, a vote of at least five (5) Commissioners shall be required in order for the Commissioner to take any further action on the complaint.

(d) **Cause Finding.** If two or more members of the Preliminary Review Committee make a finding of cause, the City Commission shall consider the complaint.

(i) If the Commission determines there is no cause to believe that the Commissioner violated the Code of Conduct, then the Commission shall take no further action in the matter.

(ii) If the Commission determines there is cause to believe that the Commissioner violated the Code of Conduct, but decides not to conduct a formal hearing on the matter, the Commission shall take no further action

in the matter, except that the Commission may issue a warning to the Commissioner. Notwithstanding a decision not to conduct a formal hearing, the affected Commissioner shall have the right to request a full and complete hearing before the City Commission if the Commission issues a warning.

(iii) If the Commission determines there is cause to believe that the Commissioner violated the Code of Conduct, and also decides to pursue action more severe than a warning, the Commission shall order that a formal hearing be conducted. If deemed necessary, the City Commission may direct the City Manager with the concurrence of the City Attorney to appoint a special legal counsel to conduct a further investigation and to provide a written report to the Commission. The Commission shall make reasonable attempts to conduct a formal hearing into the allegations contained in the complaint within ninety (90) calendar days of the Commission's decision to conduct a hearing. The city clerk shall give notice of the hearing at least fourteen (14) days prior to the date set for the hearing. The affected Commissioner shall have the right to file a written answer to the charge and to appear at the hearing with or without legal counsel, submit testimony, be fully heard, and to examine and cross examine witnesses.

(9) **Commission Action.**

(a) It is the intent of the City Commission to educate, and where necessary, discipline Commissioners who violate the Code of Conduct. Discipline shall be progressive, from the least punitive to the most punitive measures, unless the Commission believes progressive discipline does not provide the appropriate sanction because of the gravity of the offense, or because the Commission does not believe the sanction would deter future misconduct. In all instances, the totality of the circumstances shall be taken into consideration in resolving a matter, including the intent of the one accused of wrongdoing.

(b) Based on a review of the evidence presented, the Commission shall, by a concurring vote of at least four members, determine whether there is cause to believe that the Respondent violated the Code of Conduct; and, if so, whether to impose any sanctions against the Commissioner. In making a determination, the Commission should determine if taking all the facts and evidence into consideration, there are reasonable grounds to believe or not believe that the Commissioner violated the Code of Conduct. Any Commission Member found in violation of the Code of Conduct may face the following:

- (i) Warning;
- (ii) Sanction
- (iii) Censure by the Commission, which may include:
 - (1) Loss of City-related travel privileges for a specified time period;
 - (2) A civil fine;

- (3) A demand for non-monetary restitution (e.g., a public apology, the return of gifts); and/or
- (4) A demand for reimbursement of administrative, legal, and/or investigation costs and expenses incurred in investigating and prosecuting the violation of the Code of Conduct.

(c) The amount of any civil fine imposed by the Commission for a violation of this Code of Conduct shall not exceed the fine which may be imposed for a municipal code violation.

(d) In determining whether to impose a civil fine and the amount of the civil fine, the Commission shall consider the totality of the circumstances, including, but not limited to:

- (i) The nature and seriousness of the violation;
- (ii) The duration of the violation;
- (iii) The effort taken by the Commissioner to correct the violation;
- (iv) The presence or absence of any intention to conceal, deceive or mislead;
- (v) Whether the violation was negligent or intentional;
- (vi) Whether the Commissioner demonstrated good faith by consulting staff or another government agency or an attorney;
- (vii) Whether the Commissioner had prior notice that his or her conduct was prohibited;
- (viii) The amount, if any, of the financial or other loss to the city as a result of the violation;
- (ix) The value of anything received or sought in the violation;
- (x) Whether the officer was truthful and cooperative in the investigation; and
- (xi) Any other relevant circumstance.

(e) Any civil fines imposed pursuant to this section may be setoff against the expense reimbursement funds received by the Commissioner.

All action or decisions with regard to the complaint shall be made during a regularly scheduled meeting which is open to the public.

This ordinance shall take effect as set forth in section 3-17-5, NMSA 1978. The provisions of this ordinance shall apply only actions occurring after the effective date of the ordinance.

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such a decision shall not affect the validity of the remaining portions of this Ordinance. The City Commission hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance irrespective of the unconstitutionality or invalidity of any section, subsection, subdivision, paragraph, sentence, clause or phrase.

DONE this 16th day of December, 2014.

CITY OF ALAMOGORDO, NEW MEXICO
a New Mexico municipal corporation

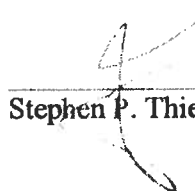
By: 

Susie Galea, Mayor

ATTEST:


Renee L. Cantin, City Clerk

APPROVED AS TO FORM:


Stephen P. Thies, City Attorney

Zimbra

sthies@ci.alamogordo.nm.us

Code of Conduct Complaints**From :** Susie Galea <sgalea@ci.alamogordo.nm.us>

Tue, Jul 28, 2015 12:05 AM

Subject : Code of Conduct Complaints**To :** "Commission" <commission@ci.alamogordo.nm.us>**Cc :** 'Stephen Thies' <sthies@ci.alamogordo.nm.us>

Commissioners,

RE: Code of Conduct, requests for punishment

I stand by the comments I made in an editorial regarding a law enforcement appreciation banquet. As I attended the event in my official capacity, and learned at the event that it was mostly a fundraiser for a partisan candidate that doesn't support all law enforcement – I feel strongly that I was acting in the best interest of the majority of citizens to not endorse the speaker as my proclamation seemed to do.

I am very sorry that the organizers of the event have chosen to take this personally. I did apologize to them. As you know, I have literally attended hundreds of events. It is not fair to say that I've hindered anyone's ability to do what is good and right for the people by hosting any other event. It is still my hope that a local law enforcement event will show our community's appreciation. I have no apology for supporting Robert's decision to do something bigger and better than what he originally proposed to do at a Commission meeting, which takes more time to plan, to show appreciation to law enforcement.

I apologize to the Commission that the disruptive conflict has seemed to have caused even an interpersonal conflict amongst us. I feel the only way to resolve this for everyone involved is through a rational level of communication. The citizens are always right – no matter what rational they choose to use. I ask that you pursue the action established in the code of conduct, to charge me with any possible or seemingly wrong doing, and then allow me to stand before you at the podium to provide my formal response to you and the citizens.

I thank you for all you do to serve the people of our amazing community. It is my hope such conflict doesn't detract from needful and good work we can better do collectively than separately.

Sincerely,
Susie

Susie A Galea
Mayor
City of Alamogordo
sgalea@ci.alamogordo.nm.us

Zimbra

sthies@ci.alamogordo.nm.us

Code of Conduct complaint**From :** Susie Galea <susiegalea2012@gmail.com>

Fri, Jul 24, 2015 02:59 PM

Subject : Code of Conduct complaint**To :** Stephen Thies <SThies@ci.alamogordo.nm.us>

Steve,

Thank you for the heads up about the two complaints related to my article from a few months ago. Please see the info below that I provided the Commission. My comments were made to avoid the appearance of impropriety. Once I found the event to be a fund raiser for the guest speaker's next campaign, and the guest speaker's support for law enforce was lacking, as noted by major media outlets, I had to avoid the appearance that the city supported the speaker and fundraising efforts. It appeared the city supported the event when I provided a proclamation for the event and attended in official capacity as the mayor.

You'll read below more about the guest speaker.

I was also personally disappointed the the HAFB security forces commander was not invited, and the HAFB nominated officer didn't have the equivalent representation as did the city police and deputy officers.

Nothing I stated in the article was my opinion. I didn't name any of the event organizers, and it's clear in their two complaints that they have chosen to take my comments personally.

Please see below:

Susie

----- Forwarded message -----

From: "Susie Galea" <susiegalea2012@gmail.com>

Date: May 26, 2015 4:38 PM

Subject: Info for Public Comment Tonight

To: "Susie Galea" <SGalea@ci.alamogordo.nm.us>

Cc:

Renee,

Criticism I've received for my op-ed piece, about the Otero County Law Enforcement Appreciation Banquet, may be evident during public comment tonight. Please be prepared to post this on the overhead for the meeting attendees tonight:

Here are key points I made in the article (Note: the article's title was given by the ADN):

- A. I provided proclamation on behalf of the City of Alamogordo recognizing all of our law enforcement officers that work within the community.
- B. I advised that I was embarrassed that LTC Castillo was invited to attend. His Airman was not represented by his superior like the other nominated candidates were.
- C. I stated that I support all law enforcement officers, but did not support the keynote speaker.
- D. I stated that I look forward to showing appreciation for the APD and working Mayor Pro Tem Rentschler, the City Commission on June 9th. This event is at no cost to the APD.
- E. I stated I was grateful to the event organizers that the banquet recognized Dispatcher Jason Luzano, Alamogordo Police Officer Swanson, and all other Officers within Otero County. I congratulated Officer of the Year NMSP Officer Keith Hanker

My criticism of the keynote speaker, as the Mayor of Alamogordo:

Dan Bongino is known for his criticism of several elected officials for presumably jumping to conclusions during police riots, and Bongino has widely supported law enforcement officers in the past. In the recent case that Dan Bongino hasn't done more than second guess good police work, I personally find it hypocritical that he would be the keynote speaker of a local law enforcement appreciation banquet. He is a potential candidate for a partisan office, and was promoting himself at the local event.

- **Five links to story of AZ police officer that received scrutiny from Dan Bongino (April 2015):**

1. <http://whnt.com/2015/04/15/excessive-force-or-justifiable-act-police-dashcam-video-spurs-debate-in-arizona/>
2. <http://republicbroadcasting.org/video-shows-arizona-police-officer-intentionally-runs-over-suspect/>
3. <http://walmartwall.com/2015/04/dashcam-video-shows-arizona-officer-intentionally-running-over-suspect-video/>
4. <http://hotair.com/headlines/archives/2015/04/16/three-cheers-for-arizona-pds-front-bumper-takedown-of-crime-spree-suspect/>
5. <http://www.azfamily.com/story/28816399/officer-who-hit-suspect-with-car-has-faced-past-scrutiny>

- **Less than one month later, not supporting a scrutinized officer that was later celebrated for his life saving response, Dan Bongino is our local keynote speaker and entertains the possibility of a new political campaign (May 2015)**

<http://www.sunshinestatenews.com/story/conservative-dan-bongino-considers-bid-patrick-murphys-seat>

-Conservative leader Dan Bongino, an ally of former U.S. Rep. Allen West, R-Fla., has moved to Florida and is considering running for the congressional seat currently held by U.S. Rep. Patrick Murphy, D-Fla., who is trying for the U.S. Senate in 2016.

"I'm entertaining the possibility," Bongino told Sunshine State News about entering the congressional race. "I'm considering it."

- Dan Bongino not elected to the **U.S. Senate in Maryland (2012)**: <https://journal.ijreview.com/2015/03/242852-dan-bongino-hey-gop-need-invest-marylands-open-senate-race/>
- Dan Bongino not elected to **U.S. Congress in Maryland (2014)**: <https://journal.ijreview.com/2015/03/242852-dan-bongino-hey-gop-need-invest-marylands-open-senate-race/>

Recently moved to his new home state of Florida from Maryland to potentially run a campaign (2016), and used the Otero County Law Enforcement Appreciation Banquet as a venue to earn campaign funds.

Since he doesn't support all law enforcement officers, and spoke at a law enforcement banquet, as the Mayor of Alamogordo, I want to distance myself from him as a candidate. During his key note address in our community, he didn't mention one thing about the purpose of Law Enforcement Appreciation Week, and it was clear that he was there to promote himself by his remarks.

I do not doubt the heroic record of Dan Bongino as a former Secret Service Agent, and his 4 years prior experience within the NYPD. I wish him well in his future political endeavors.

~Mayor Susie Galea

--

Susie A. Galea

Mayor

City of Alamogordo

susiegalea2012@gmail.com

"We are what we repeatedly do. Excellence, then, is not an act, but a habit." - Aristotle -

Formal Complaint

RECEIVED
JUL 27 2015
CITY CLERK

Name: Richard Merrick

Address: 3033 Los Robles

Alamogordo, NM 88310

Phone: 575-430-6697

Email: masmallworld@aol.com

This is a Formal Letter of Complaint against the Mayor of Alamogordo, Susie Galea, for the following alleged infractions of the Code of Conduct 2-03-570 Section 3, Subsections A, C, and H.

2-03-570. - Code of conduct.

(3) Code of Conduct. Each member of the city commission has a duty to:

- a. Act in the public interest. Recognizing that stewardship of the public interest must be their primary concern, the commissioners will work for the common good of the people of Alamogordo and not for any private or personal interest, and they will endeavor to treat all persons, claims and transactions in a fair and equitable manner.

I do not believe the Mayor was operating in the best interest of the public while berating a group of private citizens on their choice of speaker for a banquet honoring the officers of this community. Her actions have the ability to cause other citizens to rethink any kindness through community service they may have felt a need to express, for fear of verbal belittling by an elected official via a public avenue. (Misfeasance)

- c. Conduct of members. The professional and personal conduct of commissioners must be above reproach and avoid even the appearance of impropriety. Commissioners shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of the commission, city staff or the public.

I quote from the Opinion Editorial she pushed to have printed in the Alamogordo Daily News to illustrate the attack on Dan Bongino:

"I hope the \$25 per person ticket for the banquet; aimed at appreciating our law enforcement officers, goes toward no future campaign of Dan Bongino. His lack of support for law enforcement officers is simply unacceptable."

This is a personal attack on several members of the public and the committee for charging for a banquet that was funded by private donations and the selling of tickets.

"I look forward to working with Mayor Pro Tem Rentschler, the Alamogordo Chamber of Commerce, and City Commission to show appreciation for our APD on June 9, and this future appreciation event will not cost our APD to attend."

June 9th was the city commission meeting and we were told the Chamber of Commerce had taken over the afore mentioned event as the "picnic" idea would have excluded those members of the police department who had to work or were sleeping from being on duty. That never happened. An email was sent out asking members of the Chamber to collect "gift cards" from local businesses to be distributed to our police department to show appreciation for their hard work. There was no retraction printed in the paper after the Mayor lied to the entire community in print and therefore no acknowledgment on the Mayor's part or on the part of the commission bearing responsibility for this action and no apology to the public for her behavior.

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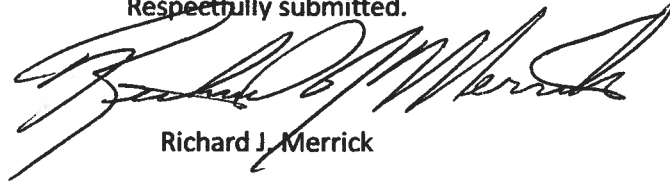
Mayor doesn't support guest speaker at banquet

By Mayor Susie Galea

"Susie Galea is serving in her first term as Mayor-at-Large. Galea previously served as District 6 City Commissioner."

I am asking as a concerned citizen of Alamogordo, NM, A member of the planning committee for the LEO Banquet and a member of a group providing honors for the banquet, for this commission to take swift and stern action to curtail behavior that has gone on far too long without any repercussions. I have spoken on a couple of occasions at commission meetings asking that the commission act upon these grievances with no discernible action as this Mayor continues this pattern of behavior to this day even after being admonished repeatedly by the commission, and numerous citizens via public speak at commission meetings, to cease and desist all public displays without express consent of the commission. I do not feel the Mayor has it in her character to refrain from her continued gaffing and grandstanding behavior and therefore I feel she must be formally punished under the disciplinary actions set forth in this code of conduct until such time as she finishes her term.

Respectfully submitted.

A handwritten signature in black ink, appearing to read 'Richard J. Merrick', written in a cursive style.

Richard J. Merrick

3033 Los Robles

Alamogordo, NM 88310

Attachment #1 Mayor Susie Galea op-ed article in the Alamogordo Daily News

Attachment #2 Affidavit of Complaint

Witnesses: anyone and everyone who reads the paper via internet or personal delivery methods.
I believe you can find all of their contact information in the Alamogordo phone book. Or the
subscriber records of the Alamogordo Daily News.

Mayor doesn't support guest speaker at banquet

By Mayor Susie Galea

Guest column

POSTED: 05/22/2015 04:32:49 PM MDT

The Otero County Law Enforcement Appreciation Banquet May 16 didn't include all law enforcement agencies in our county.

It was good of the organizers to recognize as many as they did though. I am embarrassed, having a working relationship with Holloman Air Force Base, though an Airmen from security forces was nominated and present, the HAFB Security Forces Commander, Colonel Castillo, wasn't invited to attend.

As I provided a proclamation on behalf of the City of Alamogordo, recognizing all of our law enforcement officers that work within our community with an interagency cooperative for the good of the citizens, I wish to clarify that I did not support the event itself.

The reason I do not support the event itself is because of the guest speaker, flown in for thousands of dollars, is someone with a political agenda and who doesn't support all law enforcement officers.

Dan Bongino, a former law enforcement officer and award winning secret service agent, didn't support officer Rapiejko of the Marana Police Department, whom saved lives at an industrial site from an allegedly suicidal man with a gun recently stolen with ammunition. The suspect, Valencia, faces 15 charges, including three counts of aggravated assault, three counts of armed robbery and possession of a deadly weapon by a prohibited possessor.

His next court appearance is May 18. He is in the Pima County Jail.

Meanwhile, Dan Bongino, the locally well hosted guest speaker of the Otero County Law Enforcement Appreciation Banquet, told CNN's Anderson Cooper the suspect had to be stopped but not with a vehicle running into him.

"I have to question this tactic a bit," Bongino said on April 15, 2015. "I think setting up a secure perimeter and at least making some attempt to negotiate may have been far more efficient."

Bongino remarks aren't agreed with by Harry Houck, a commentator as a former NYPD detective, who supported Officer Rapiejko 100 percent.

As the Mayor of Alamogordo, I have learned that our local officers go through more than 16 weeks of intense training before becoming a member of Alamogordo Police Department. It's an investment in our public's current and future safety, and with the training they are entrusted to use to protect us, I support our officers 100 percent — which is why I do not support the guest speaker Bongino.

Dan Bongino recently lost a campaign for a Congressional seat, November 2014, and has been reported to say that he intends to run for a seat in the U.S. Senate.

I hope the \$25 per person ticket for the banquet; aimed at appreciating our law enforcement officers, goes toward no future campaign of Dan Bongino. His lack of support for law enforcement officers is simply unacceptable, especially in the case of officer Rapiejko — who saved lives in a case Bongino criticizes.

I look forward to working with Mayor Pro Tem Rentschler, the Alamogordo Chamber of Commerce, and City Commission to show appreciation for our APD on June 9, and this future appreciation event will not cost our APD to attend.

I am grateful the recent banquet recognized the work of APD Dispatcher Jason Luzano and officer Chris Swanson, and many other officers within Otero County. Congratulations to the chosen Officer of the Year, New Mexico State Police officer Keith Hanker.

Susie Galea is serving in her first term as Mayor-at-Large. Galea previously served as District 6 City Commissioner.

Sheela M. Arora
Notary Public

Formal Complaint

Name: Lori Bies

Address: 1517 16th Street

Alamogordo, NM 88310

Phone: 575-437-8453

Email: ivytat69@yahoo.com

This is a Formal Letter of Complaint against the Mayor of Alamogordo, Susie Galea, for the following alleged infractions of the Code of Conduct 2-03-570 Section 3, Subsections A, C, and H.

2-03-570. - Code of conduct.

(3) Code of Conduct. Each member of the city commission has a duty to:

- a. Act in the public interest. Recognizing that stewardship of the public interest must be their primary concern, the commissioners will work for the common good of the people of Alamogordo and not for any private or personal interest, and they will endeavor to treat all persons, claims and transactions in a fair and equitable manner.

I do not believe the Mayor was operating in the best interest of the public while berating a group of private citizens on their choice of speaker for a banquet honoring the officers of this community. Her actions have the ability to cause other citizens to rethink any kindness through community service they may have felt a need to express, for fear of verbal belittling by an elected official via a public avenue. (Misfeasance)

- c. Conduct of members. The professional and personal conduct of commissioners must be above reproach and avoid even the appearance of impropriety. Commissioners shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of the commission, city staff or the public.

I quote from the Opinion Editorial she pushed to have printed in the Alamogordo Daily News to illustrate the attack on Dan Bongino:

"I hope the \$25 per person ticket for the banquet; aimed at appreciating our law enforcement officers, goes toward no future campaign of Dan Bongino. His lack of support for law enforcement officers is simply unacceptable."

This is a personal attack on several members of the public and the committee for charging for a banquet that was funded by private donations and the selling of tickets.

"I look forward to working with Mayor Pro Tem Rentschler, the Alamogordo Chamber of Commerce, and City Commission to show appreciation for our APD on June 9, and this future appreciation event will not cost our APD to attend."

June 9th was the city commission meeting and we were told the Chamber of Commerce had taken over the afore mentioned event as the "picnic" idea would have excluded those members of the police department who had to work or were sleeping from being on duty. That never happened. An email was sent out asking members of the Chamber to collect "gift cards" from local businesses to be distributed to our police department to show appreciation for their hard work. There was no retraction printed in the paper after the Mayor lied to the entire community in print and therefore no acknowledgment on the Mayor's part or on the part of the commission bearing responsibility for this action and no apology to the public for her behavior.

- h. Representing an official city position. Commissioners may use their title only when conducting official city business, for information purposes, or as an indication of background and expertise, carefully considering whether they are exceeding or appearing to exceed their authority. Once the commission has taken a position on an issue, all official city correspondence regarding that issue will reflect the commission's adopted position. If a member of the commission appears before another governmental agency organization to give a statement on an issue affecting the city, the commissioner should indicate the majority position and opinion of the commission. Personal opinions and comments may be expressed only if the commissioner clarifies that these statements do not reflect the official position of the city commission. Personal opinions and comments may be expressed only if the commissioner clarifies that these statements do not reflect the official position of the city commission.

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By Mayor Susie Galea

"Susie Galea is serving in her first term as Mayor-at-Large. Galea previously served as District 6 City Commissioner."

I am asking as a concerned citizen of Alamogordo, NM, for this commission to take swift and stern action to curtail behavior that has gone on far too long without any repercussions. This Mayor continues this pattern of behavior to this day even after being admonished repeatedly by the commission, and numerous citizens via public speak at commission meetings, to cease and desist all public displays without express consent of the commission. I do not feel the Mayor has it in her character to refrain from her continued gaffing and grandstanding behavior and therefore I feel she must be formally punished under the disciplinary actions set forth in this code of conduct until such time as she finishes her term.

Respectfully submitted.

My commission expires:

Zimbra

sthies@ci.alamogordo.nm.us

Formal Complaint**From :** Margaret Scanlon <scanmar2014@gmail.com>

Fri, Jul 24, 2015 08:58 AM

Subject : Formal Complaint

To : sthies@ci.alamogordo.nm.us, Renee Cantin <rcantin@ci.alamogordo.nm.us>, jstahle@ci.alamogordo.nm.us, sgalea@ci.alamogordo.nm.us, Jbaldwin@ci.alamogordo.nm.us, nsikes@ci.alamogordo.nm.us, rrentschler@ci.alamogordo.nm.us, jturnbull@ci.alamogordo.nm.us, ahernandez@ci.alamogordo.nm.us, gstraface@ci.alamogordo.nm.us

Formal Complaint

Name: Margaret Scanlon

Address: 2505 Eastmont Court

Alamogordo, NM 88310

Phone: 575-437-5968

Email: scanmar2014@gmail.com

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Respectfully submitted.

Margaret Scanlon

Formal Complaint

PO Box 461
Weed, NM 88354
575-687-4164
Mike@theweedstore.biz

July 30, 2015

Alamogordo City Commission
1376 East Ninth Street
Alamogordo, NM 88310
(575) 439-4100

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Referencing the article written by the Mayor found here: http://www.alamogordonews.com/alamogordo-news/ci_28172973/mayor-doesnt-support-guest-speaker-at-banquet

This article is public and witnessed by all who read the Alamogordo News.

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This conduct is unbecoming of an elected official, there for, I am asking for this commission to take swift and stern action to curtail behavior that has gone on far too long without any repercussions. This Mayor continues this pattern of behavior to this day even after being admonished repeatedly by the commission, and numerous citizens via public speak at commission meetings, to cease and desist all public displays without express consent of the commission. I do not feel the Mayor has it in her character to refrain from her continued gaffing and grandstanding behavior and therefore I feel she must be formally punished under the disciplinary actions set forth in this code of conduct until such time as she finishes her term.

Sincerely yours,

A handwritten signature in black ink that reads "Mike Jones". The signature is written in a cursive, slightly slanted style.

Michael Jones

Mayor doesn't support guest speaker at banquet

By Mayor Susie Galea

Guest column

POSTED: 05/22/2015 04:32:49 PM MDT

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AFFIDAVIT

The undersigned, Michael James, under oath, hereby states that he/she has read the foregoing (or the attached Complaint) and the information contained in the complaint is true and correct to the best of his/her knowledge, or that the undersigned has good reason to believe and does believe that the facts alleged constitute a violation of the Alamogordo Code of Conduct.

By: Mike Jones
Name

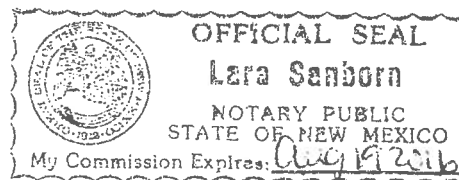
[illegible]

SUBSCRIBED AND SWORN to before me on this 30th day of July 2015, by Michael Jones.



Notary Public

My commission expires: Aug 1926



Hanker.

Susie Galea is serving in her first term as Mayor-at-Large. Galea previously served as District 6 City Commissioner.

Zimbra

sthies@ci.alamogordo.nm.us

Regarding complaint against Mayor Galea**From :** Rocky Galassini <rockygalassini@yahoo.com>

Tue, Jul 28, 2015 09:57 AM

Subject : Regarding complaint against Mayor Galea

To : Renee Cantin <rcantin@ci.alamogordo.nm.us>, Robert Rentschler <rrentschler@ci.alamogordo.nm.us>, ahernandez@ci.alamogordo.nm.us, Jenny Turnbull <jturnbull@ci.alamogordo.nm.us>, jbaldwin@ci.alamogordo.nm.us, nsikes@ci.alamogordo.nm.us, gstraface@ci.alamogordo.nm.us, ahernandez@ci.alamogordo.nm.us, sgalea@ci.alamogordo.nm.us, sthies@ci.alamogordo.nm.us

Reply To : Rocky Galassini <rockygalassini@yahoo.com>

Ladies and Gentlemen:

With regard to the same formal complaint on Mayor Susie Galea that has been submitted by others with regard to the Law Enforcement Banquet, I would just like to add that in order for Alamogordo to move forward in a direction that is positive for its citizens, not only of the city but the county as well, our leaders must be supportive of law enforcement and the laws of the land. We are all bound by laws, rules and regulations, and policies. If we the people must follow these laws, rules and regulations and policies then shouldn't all officials who were elected and swore to an oath to uphold the constitution and our laws also be held accountable.

We must lead by example.

In order to move forward we must deal with situations at hand with a swift and speedy hand. We put our faith, hope and trust into elected officials....not only to police our community but themselves as well. Elected officials are held to higher standards because we want someone better and stronger than us to lead the way to a better future for all of us. When we cannot trust an elected official to do that.....then steps must be taken. We are all accountable to someone. You all are accountable to the citizens of this community..... It is a shame and a sad day for Alamogordo that we have had to come to this.

I urge you to take action with regard to your Code of Conduct 2-03-570 against Mayor Galea.

Rocky Galassini
575.430.8220

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 09/08/2015

Report Date: 9/4/2015

Report No: 16.

Submitted By: Robert Rentschler, Mayor
Pro-Tem

Subject: Discussion related to the cost of the In-House Engineering Services to date. *(Robert Rentschler, Mayor Pro-Tem)*

Fiscal Impact: Unencumbered Line Balance \$ \$149,078.12

Amount Budgeted: \$180,000.00

Fund: 063-5005-419.57-57

Additional Fiscal Impact:

Recommendation: None.

Background: Mayor Pro-Tem Rentschler requested an update with the current costs of In-House Engineering Services which is currently awarded to Wilson & Co.

Attached is a spreadsheet of the current costs and what has been paid for Engineering Services.

Scope 1 - PO #083237
063-5005-419.57-57
Budgeted in Line \$180,000 FY16
Unencumbered Line Balance \$
\$162,080

Wilson Co On-Call Agreement Tracking

					BUDGETS:		\$ (1,656.82)
CoA TO#	Description	CM Date Approved	Amount	GRT (@7.9375%) (8.3125% after 7/1/15)	TOTAL	Paid to Date	Scope 1 (PO83237) PO Balance [above]
Scope 1	General Scope 1 services - weekly visits				\$ 10,000.00	\$ 17,925.42	
1	EN1505/EN1208 27th/Oasis Shyne Bridge, amend 1 - COMPLETE - any follow-on included in Scope 1	5/7/2015	\$ 10,370.00	\$ 823.12	\$ 11,193.12	\$ 7,950.72	\$ 3,242.40
Scope 1	S. Florida Flooding/Ditch Maintenance-COMPLETE	2/27/2015	\$ 785.00	\$ 62.31	\$ 847.31	\$ 169.46	
Scope 1	Drainage Report Rvw - Ridge View MHP-COMPLETE	2/27/2015	\$ 628.00	\$ 49.85	\$ 677.85	\$ 677.85	
2	School Zone Speed Limit on 1st Street	on hold	\$ 5,261.07	\$ 417.60	\$ 5,678.67		
Scope 1	UPRR Crossing for Scenic Dr-COMPLETE	2/27/2015	\$ 785.00	\$ 62.31	\$ 847.31	\$ 423.65	
Scope 1	Multi-Modal Transportation Plan RFQ Development-Ruben	3/5/2015	\$ 628.00	\$ 49.85	\$ 677.85		
Scope 1	Review White Paper Brief to Senator for Puerto Rico Street Flooding and PW Basin - Nancy	4/1/2015	\$ 314.00	\$ 24.92	\$ 338.92		
Scope 1	Review FEMA Project Worksheets - Mikel W - COMPLETE	3/5/2015	\$ 628.00	\$ 49.85	\$ 677.85		
Scope 1	Review plan for 2 Modular Building Placements-CANCELED	3/5/2015	\$ 2,200.00	\$ 174.63	\$ 2,374.63		
Scope 1	UPRR Request for Crossing Quiet Zones - COMPLETE	3/5/2015	\$ 785.00	\$ 62.31	\$ 847.31		
Scope 1	Rvw & Coordination with NMDOT for Washington Ave Trail Grant Project - Edward - COMPLETE	3/5/2015	\$ 628.00	\$ 49.85	\$ 677.85	\$ 510.15	
3	On-Street Parking at 10th Street	on hold	\$ 5,485.56	\$ 435.42	\$ 5,920.98		
4	Florida & 25th Street Speed Limit - COMPLETE	4/1/2015	\$ 5,282.78	\$ 419.32	\$ 5,702.10	\$ 3,932.04	\$ 1,770.06
5	Indian Wells Right Turnbay - COMPLETE	4/1/2015	\$ 4,651.10	\$ 369.18	\$ 5,020.28	\$ 4,109.54	\$ 910.74
6	Stops Signs along Pecan Drive and 23rd Street-COMPLETE	4/1/2015	\$ 4,127.94	\$ 327.66	\$ 4,455.60	\$ 2,476.75	\$ 1,978.85
Scope 1	Palo Duro Subdivision Wall Evaluation - COMPLETE	4/3/2015	\$ 942.00	\$ 74.77	\$ 1,016.77		
7	UC1401 - WSB Waterline Inspection Observation - Edward B - COMPLETE	3/31/2015	\$ 9,096.00	\$ 722.00	\$ 9,818.00	\$ 9,296.66	\$ 521.34
8	Bonito Lake BH Proposal Rvw - Bob J-COMPLETE	4/8/2015	\$ 1,256.00	\$ 99.70	\$ 1,355.70	\$ 1,355.70	\$ -
11	Abbott Ditch Improvements-LGRF grant \$58K-design from Bellamah to existing improvements west of Bonnell		\$ 67,349.00	\$ 5,598.39			\$ -
9	Water Conservation Plan - Bob Johnson	7/22/2015	\$ 41,124.00	\$ 3,418.43	\$ 44,542.43	\$ 1,198.20	\$ 43,344.23
Scope 1	Drainage Report Rvw - Burger King - COMPLETE	5/7/2015	\$ 628.00	\$ 49.85	\$ 677.85	\$ 594.00	
Scope 1	Drainage Report Rvw - Bella Vista 2 - COMPLETE	5/7/2015	\$ 628.00	\$ 49.85	\$ 677.85	\$ 678.44	
Scope 1	Fill Placement Recommendation	5/7/2015	\$ 628.00	\$ 49.85	\$ 677.85		

Scope 1 - PO #083237
063-5005-419.57-57
Budgeted in Line \$180,000 FY16
Unencumbered Line Balance \$
\$162,080

Wilson Co On-Call Agreement Tracking

CoA TO#	Description	CM Date Approved	Amount	GRT (@7.9375%) (8.3125% after 7/1/15)	TOTAL	Paid to Date	Scope 1 (PO83237) PO Balance [above]
Scope 1	Drainage Report Rvw - Tays Heights Market - COMPLETE	5/7/2015	\$ 628.00	\$ 49.85	\$ 677.85	\$ 677.85	
10	Public Works Yard Drainage Basin - Bob J	7/22/2015	\$ 19,000.00	\$ 1,579.38	\$ 20,579.38		
Scope 1	Fire Station 2 Structural Evaluation - COMPLETE	6/4/2015	\$ 1,169.00	\$ 92.79	\$ 1,261.79	\$ 1,171.84	
Scope 1	Palo Duro 3 Pavement Condition (Warranty Issue) - Dave B - COMPLETE			\$ -	\$ -		
	La Luz Water Plant Road (Valley View Dr) Erosion - evaluation			\$ -	\$ -		
Scope 1	Gate in Median at Cemetary - COMPLETE			\$ -	\$ -		
Scope 1	Downtown Drainage / Standing Water @ 15th & Hawaii			\$ -	\$ -		
12	Alta Vista Housing Re-Roof - Maggie/Evelyn		\$ 57,250.00	\$ 4,758.91	\$ 62,008.91		
				\$ -	\$ -		
				\$ -	\$ -		
				\$ -	\$ -		
				\$ -	\$ -		
				\$ -	\$ -		
	white cells = Scope 1 work				\$ 187,632.32		
	grey cells - either canceled or complete			44%	\$ 82,591.10	\$ 53,148.27	total pd to date
	yellow cells = work on hold						
	green cells = work other than Scope 1 (individual tasks)						

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 09/08/2015

Report Date: 8/31/2015

Report No: 17.

Submitted By: Robert Rentschler, Mayor
Pro-Tem

Subject: Discussion related to an update on the NMED Grant for the Water Reuse System awarded in 2012. *(Robert Rentschler, Mayor Pro-Tem)*

Fiscal Impact: \$400,750
Amount Budgeted: \$400,750.00
Fund: Project # EN1305

Additional Fiscal Impact:

Recommendation: None.

Background: At the August 25, 2015 Meeting, Mayor Pro-Tem Rentschler requested this item to be added to the agenda.

Attached are the Timeline and Timeline Back up documents prepared by Nancy Beshaler who is the Project Manager for this item.

TIMELINE: RECLAIMED WATER LINE LOOPING PROJECT

Information Requested by Mayor Pro-Tem Rentschler

August 2015

Budget (EN1305)

Grant SAP 12-1359-STB \$400,750 Executed: 12/12/2012 Expiration: 06/30/2016

Grant SAP 13-1473-STB \$243,750 Executed: 04/28/2014 Expiration: 06/30/2017

Fund 81 Water/Sewer \$300,000

\$944,500

Schedule

Design/Right of Way 01/05/2015 to 10/28/2015

Bidding 10/28/2015 to 11/24/2015

Award/Execution 12/01/2015 to 12/29/2015

Construction 12/30/2015 to 03/22/2016

Executive Summary:

This is a summary of events regarding the Reclaimed Water Line Looping project (Looping project). The project is currently on schedule to be completed in early March 2016 before the grant expiration date in June 2016.

The largest gaps in time without progress on the project occurred between November 2013 and April 2014 and then again between December 2014 and May 2015. These 2 gaps were attributed to: 1) New Mexico Environment Department (NMED) denial of the design RFQ in November 2013 and 2) the evaluation of 2 separate alignments for placement of the pipeline. Details are below:

1) RFQ -

The design RFQ for procurement of a design engineering firm was advertised without prior review by NMED and the RFQ neglected to include 3 required scoring criteria: proximity to or familiarity with the area, the amount of design work that will be produced within the state, and the volume of work with the entity that is not 75% complete. The exclusion of these 3 scoring criteria in the RFQ was an oversight by the project manager, Nancy Beshaler, and missed during internal review. The NMED grant requires prior review and approval of RFQs before advertisement.

2) Exploration of 2 alignments -

Several months were spent exploring an alignment option utilizing an abandoned concrete pipe. This alignment option was proven not to be feasible due to the pipe being blocked with concrete and a 90-degree bend in the pipe. The team concluded the best alignment for the pipe was the other alignment west of the railroad tracks along the Sheffield property.

Below is a narrative of the complete project timeline going back to execution of the Grant Agreement:

The NMED Grant Agreement SAP 12-1359-STB for \$400,750 was executed in December 2012 with expiration date of June 2016. The grant did not fully fund the

TIMELINE: RECLAIMED WATER LINE LOOPING PROJECT
Information Requested by Mayor Pro-Tem Rentschler
August 2015

project through construction and the plan was to issue a RFQ in May 2013 for the design. A draft RFQ was distributed May 23, 2013 to Brian Cesar, David Nunnelley, and Jason Thomas for review with copy to Ruben Segura and Stephen Thies.

Once the City Engineer came on board May 23, 2013 the project schedule was moved out based upon the prioritization of all Engineering Department projects. In the attached packet are several iterations of a Project Spending Spreadsheet which shows the timing for expending project funds, correlating to the Engineering Division's prioritization of projects. In 2013 / 2014 the priority projects were the Fund 118 projects since that funding was expiring in December 2014. In addition, the Water Reclamation Facility and Corps of Engineers Flood Control projects were actively moving forward. The Project Spending Spreadsheet from May 2013 indicates the design for the Reclaimed Water Line Looping Project would begin in the quarter Jan-Mar 2014 as other higher priority projects were moved forward. The design RFQ 2013-04 was advertised in June 2013 with proposals due July 2013 and Award of the design Agreement August 26, 2013. Then the August 2013 Project Spending Spreadsheet reflects re-prioritizing the project to begin sooner with the design starting in the last quarter (Oct-Dec 2013). A design scoping meeting was held October 2, 2013 with Nancy Beshaler, Brian Cesar, Jason Thomas, and David Nunnelley in attendance with the engineering firm Bohannon-Huston (BH). At this meeting it was decided to evaluate 2 alternative alignments for placement of the pipe line.

The project then stalled in November 2013 when the NMED did not approve the RFQ and procurement process that had been used for the BH agreement. An internal meeting was held November 21, 2013 to discuss the city's options for continuing the project in light of this NMED decision. The options were to re-advertise the design RFQ to fully meet the criteria laid out by NMED or move forward to execute the design agreement with BH and not utilize grant money to pay for the design work. The meeting was attended by Nancy Beshaler, Brian Cesar, Jason Thomas, Barbara Pyeatt, and Ruben Segura. A summary of the meeting is included in the attached packet. At the November 21, 2013 internal meeting it was relayed that there was a separate meeting scheduled to occur with NMED management, the city manager, Stephen Thies and Brian Cesar to discuss the administration of NMED grant agreements. It was suggested to wait until the results of that meeting with NMED to determine the direction to take with the Reclaimed Water Line Looping project. The project was set aside at that point. The engineering department was working on getting Fund 118 money expended before the end of the year as well as developing estimates and concepts for the First Street / Florida Avenue Intersection Realignment project for the March 2014 Bond Measure.

On February 6, 2014 a conference call was held with NMED to discuss getting the Looping project started again. The city decided to re-advertise the design RFQ and make sure NMED was involved in the review and approval of the procurement process. The March 2014 Project Spending Spreadsheet was updated to reflect project design to begin in the first quarter of 2014 (Jan – Mar 2014).

TIMELINE: RECLAIMED WATER LINE LOOPING PROJECT
Information Requested by Mayor Pro-Tem Rentschler
August 2015

The second design RFQ 2014-07 was developed and reviewed in April and May 2014. The RFQ was advertised in June 2014 with proposals due July 14, 2014. NMED sent an email concurring with the selection of Bohannon Huston for design. The design agreement with BH was Awarded at the August 12, 2014 Commission Meeting. The August 2014 Project Spending Spreadsheet was updated to reflect the new project schedule with the beginning of design in the last quarter of 2014 (Oct-Dec 2014) and at that time construction was estimated to be completed by June 2015. The design agreement with BH was executed on December 18, 2014. The design engineer developed a project schedule showing the construction to be complete in October 2015, well before the June 2016 grant expiration date.

The design engineer's first task was to investigate the abandoned concrete water pipe which took place in March and April 2015. On May 4, 2015 the city directed BH to discontinue investigation of the abandoned pipe alignment and move forward with the alignment that runs along the west side of the railroad tracks. The survey and design were started and the project schedule was updated to reflect construction completion in March 2016.

The project is currently on schedule to be completed in early March 2016 before the Grant Expiration date in June 2016. The design engineer is aware of the urgency to meet the deadlines. The project is relatively simple with the most risk-related activities being securing the necessary easement(s) and the railroad permit. These 2 activities are in progress and will be diligently monitored and progressed. Larry Sheffield has agreed to sell an easement to the city for the pipe and the Railroad Permit Application has been submitted. The 60% design review was held on August 31, 2015. The project is scheduled to advertise for construction in October 2015.

TIMELINE: RECLAIMED WATER LINE LOOPING PROJECT
Information Requested by Mayor Pro-Tem Rentschler
August 2015

	Oct 23, 2012	Resolution for NMED Grant Agreement	
	Dec 19, 2012	NMED Grant Executed	
	Apr 2, 2013	Email to Ruben with cc to Brian that RFQ for design will be developed May 2013	
Apr 25, 2013		2 nd NMED Grant Application	
	May 23, 2013	Emailed draft design RFQ to Barbara, Brian, Dave N, and Jason T asking for review by May 29, 2013 email cc to Ruben and Stephen T	
May 2013		Project Spending Spreadsheet update showing design work starting Jan-Mar 2014	
	June 10, 2013	Email to Barbara with cc to Brad B, Brian, Dave N, and Jason T with RFQ advertisement schedule mid-June and proposals due July 2013	
	June 16, 2013	RFQ 2013-04 for design advertised	
	July 17, 2013	RFQ Proposals due	
	July 26, 2013	Email to Jason with cc to Brian and Dave N notifying Award of design services would be on Aug 26, 2013 Commission Agenda	
	Aug 22, 2013	Internal meeting to discuss project scope	
Aug 2013		Project Spending Spreadsheet update showing design work starting Oct – Dec 2013	
	Oct 2, 2013	Project Scoping Meeting – discussed exploring 2 alignments for pipe	
	Nov 18, 2013	Letter from NMED advising the procurement process for design services is not approved due to missing scoring criteria in RFQ 2013-04 and no review from NMED prior to advertisement	
	Nov 21, 2013	Email to Brian, Jason, Stephen, Barbara & Ruben reviewing options for project and grant. Refers to scheduled meeting with NMED management, Brian, Stephen and CM and to wait until after that meeting to decide how to move forward. No follow-up occurred about NMED management meeting.	
	Feb 6, 2014	Conference call with NMED to start project back up	
March 2014		Project Spending Update Spreadsheet showing design to begin Jan – Mar 2014	
	Apr 22 & 28, 2014	2 nd RFQ2014-07 to NMED for review – for re-advertisement of design services	
	May 6, 2014	NMED returned comments on RFQ	

TIMELINE: RECLAIMED WATER LINE LOOPING PROJECT
Information Requested by Mayor Pro-Tem Rentschler
August 2015

	May 28, 2014	2 nd email response from NMED concurring with RFQ	
	June 15, 2014	Advertise RFQ 2014-07 for design services	
	July 14, 2014	Design RFQ Proposals Due	
	July 23, 2014	Letter to NMED requesting concurrence to Award design to BH	
	July 28, 2014	NMED concurrence to Award design agreement to BH	
	Aug 12, 2014	Award to Commission	
Aug 2014		Project Spending Update Spreadsheet showing design to begin Oct - Dec 2014 – this is the first time the project shows as fully funded through construction with 2 NMED grants in place along with some local funds	
	Dec 16, 2014	Engineering Agreement to NMED for review and approval	
	Dec 18, 2014	Engineering Agreement executed with BH – schedule shows construction completion October 2015	
	March 2015	Field investigation of alignment in abandoned concrete pipe – required utility locates, coordination with Public Works to have line exposed, and task order with GH to do video investigation	
	April 30, 2015	Email from BH concluding that the abandoned concrete pipe alignment alternative is likely not feasible	
	May 4, 2015	Direction to BH to pursue PNM/Sheffield alignment west of the railroad tracks instead of abandoned concrete pipe	
	June 17, 2015	Schedule updated by BH to reflect selection of an alignment for the pipe and moving forward with design	
	June 24, 2015	BH Technical Memo documenting alignment evaluation	
	June 29, 2015	Email to UPRR requesting information on obtaining a permit from the railroad to cross under their tracks – UPRR responded that process takes between 30 to 60 days	
	June 29, 2015	Email to Sheffield's requesting contact for easement	
	July 6, 2015	Telephone conversation with Larry Sheffield discussing easement	

TIMELINE: RECLAIMED WATER LINE LOOPING PROJECT
Information Requested by Mayor Pro-Tem Rentschler
August 2015

	July 20, 2015	Larry Sheffield called back stating he would write the city a letter giving his proposal for purchase of the easement. He requested verification of the length of easement needed.	
	July 23, 2015	Easement length emailed to Larry Sheffield	
	Aug 19, 2015	Phone message left for Larry Sheffield	
	Aug 19, 2015	Email to Mayor Pro Tem with project status and asking to contact Project Manager directly with questions about the project	
	Aug 26, 2015	Meeting with Stephen and Brian to discuss Sheffield easement. Follow up 2 nd message and email to Larry Sheffield. Sheffield responded via email with a proposed purchase price for easement	
	Aug 31, 2015	60% plan review with BH	
	Oct 28, 2015	Scheduled advertisement of project for construction bids	
	Dec 1, 2015	Scheduled Award of construction contract	
	March 1, 2016	Scheduled Substantial Completion of project	
	June 30, 2016	Grant expiration	

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: October 23, 2012

Report Date: October 16, 2012

Report No: 7

Submitted By: Ruben Segura,
Grants Coordinator

Approved For Agenda: *Ruben Segura*

Subject: Consider, and act upon, Resolution No. 2012-41 accepting NMED Grant SAP 12-1359-STB and designating the Mayor, City Manager, and Assistant City Manager as the signatory authorities for the City of Alamogordo Water Reuse System Addition.

Fiscal Impact: \$400,750.00

Amount Budgeted: \$400,750.00

Fund: 81

Recommendation: Approve the resolution.

[Roll call vote required]

Background: The New Mexico Environment Department on July 16, 2012 notified the City of Alamogordo of special appropriation project funding for water reuse system addition that was approved by the New Mexico State Legislature in the amount of \$400,750.00. Before project can be implemented, the City Commission needs to grant authorization to specific designated individuals to be authorized signatories.

*7.

Approve Resolution No. 2012-41 accepting NMED Grant SAP 12-1359-STB and designating the Mayor, City Manager, and Assistant City Manager as the signatory authorities for the City of Alamogordo Water Reuse System Addition. [Roll call vote required] (Ruben Segura, Grants Coordinator)

Approved as
recommended.
7-0-0.

Reviewed By:

City Attorney *SPC* City Clerk _____ Community Development _____ Community Services _____
Finance *WV* Housing Authority _____ Planning _____ Personnel _____ Public Safety _____
Public Works _____ Purchasing _____ Assistant City Manager _____



SUSANA MARTINEZ
Governor
JOHN A. SANCHEZ
Lieutenant Governor

NEW MEXICO
ENVIRONMENT DEPARTMENT

Construction Programs Bureau

1190 St. Francis Drive
PO Box 5469 Santa Fe, NM 87502-5469
Phone (505) 827-2806 • Fax (505) 827-2837
www.nmenv.state.nm.us/cpb/cpbtop.html
Jim Chiasson, Bureau Chief



DAVE MARTIN
Secretary
BUTCH TONGATE
Deputy Secretary

December 19, 2012

Mr. Matt McNeile, Assistant City Manager
City of Alamogordo
1376 E. Ninth Street
Alamogordo, NM 88310

Re: SAP 12-1359-STB

Dear Mr. McNeile,

Congratulations on the successful execution of your Grant Agreement. Enclosed you will find:

1. **Executed copy of the Grant Agreement** – This copy is for your project file.

Our operation is committed to continuous improvement; therefore, also enclosed is a Customer Satisfaction Survey form to collect your feedback on the grant agreement process. I will use the information to evaluate our performance. You may note any issues of concern on the survey or call me at (505) 476-3036 to discuss. Included is a self-addressed, stamped envelop for your convenience. A response within thirty days is greatly appreciated.

Please call our office at (505) 827-2806 if you have any questions. We look forward to working with you on this project.

Sincerely,

Saroj Baxter
Administrative Section Manager

cc: File

ENC.

Ruben Segura - Re: EN1305 Reclaim Water / L Looping

From: Nancy Beshaler
To: Ruben Segura
Date: 4/2/2013 11:23 AM
Subject: Re: EN1305 Reclaim Water / L Looping
CC: Brian Cesar

Ruben - I plan to develop a Request for Qualifications (RFQ) to advertise for a consultant to begin the design work. I probably won't get this done until May. The advertisement and selection process takes a few weeks then the contract must be negotiated and go to Commission for approval. Design will likely begin in July.

Nancy Beshaler
Project Manager
1376 E. Ninth St.
Alamogordo, NM 88310
575.439.4230 (office)
575.551.1394 (cell)
Fax 575.439.4343

>>> Ruben Segura 3/29/2013 2:56 PM >>>
Nancy:

Good afternoon! Could you please provide an up-date status on where the above SAP project? I need to place this information in my report.

Thank you,

Ruben Segura

Ruben Segura - Draft RFQ for review - Reclaimed Water Line Looping Project (EN1305)

From: Nancy Beshaler
To: Barbara Pyeatt; Brian Cesar; David Nunnelley; Jason Thomas
Date: 5/23/2013 4:41 PM
Subject: Draft RFQ for review - Reclaimed Water Line Looping Project (EN1305)
CC: Ruben Segura; Stephen Thies

Reply Requested: By 5/29/2013

All -

Please review the attached Draft RFQ for the Reclaimed Water Line Looping Project and provide comments back to me by 8:00 am Wednesday, May 29th. If you have no comments, please respond accordingly.

Barb - I highlighted in yellow the areas that still need to be finalized.

Thanks in advance for taking time to look at this.

Nancy Beshaler
Project Manager
1376 E. Ninth St.
Alamogordo, NM 88310
575.439.4230 (office)
575.551.1394 (cell)
Fax 575.439.4343

From: Jason Thomas
To: Barbara Pyeatt; Brian Cesar; David Nunnelley; Nancy Beshaler
Date: 5/24/2013 8:09:07 AM
Subject: Re: Draft RFQ for review - Reclaimed Water Line Looping Project (EN1305)

Brian - is there a need to mention pump station capacity upgrades or a new pump station?

Other than that, I'm OK with it. Thanks Nancy!

>>> Nancy Beshaler 5/23/2013 4:41 PM >>>

All -

Please review the attached Draft RFQ for the Reclaimed Water Line Looping Project and provide comments back to me by 8:00 am Wednesday, May 29th. If you have no comments, please respond accordingly.

Barb - I highlighted in yellow the areas that still need to be finalized.

Thanks in advance for taking time to look at this.

Nancy Beshaler
Project Manager
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Alamogordo, NM 88310
575.439.4230 (office)
575.551.1394 (cell)
Fax 575.439.4343
nbeshaler@ci.alamogordo.nm.us

CC: Ruben Segura; Stephen Thies

FY 2013/2014 Project Spending Projection						Project Projects - PM Nancy Besnair															
						QTR				QTR				QTR						Estimated Future Expenditures (Apr 2013 to end of project)	
Capital Expenditure/Project Description	Project #	Total Project Funding	Estimated Total Project Expenditures (Actuals + Future)	Total Project Estimated Balance at Completion or (deficit)	Actuals Prior to FY13	2 Quarters July - December 2012 (Actuals)	Jan-Mar 2013 (Actuals)	Apr-Jun 2013	FY 13 Total	Jul-Sep 2013	Oct-Dec 2013	Jan-Mar 2014	Apr-Jun 2014	FY 14 Total	Jul-Sep 2014	Oct-Dec 2014	Jan-Mar 2015	Apr-Jun 2015	FY 15 Total	Future	
Corps Flood Control Projects (Match) - complete McKinley Channel & Basin - Phases 1-7	EN0226	\$ 9,003,861	\$ 13,028,116	\$ (4,024,255)	\$ 8,216,050	\$ 12,065	\$ -	\$ -	\$ 12,065	\$ -	\$ 1,000,000	\$ 2,000,000	\$ -	\$ 3,000,000	\$ 1,800,000	\$ -	\$ -	\$ -	\$ 1,800,000		\$ 4,800,000
Flood Control Phase 6 Utilities (White Sands to S Florida) - included in EN0226		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -
Flood Control Phase 5 Utilities (work completed - not paid 100%)	EN0911	\$ 1,904,309	\$ 1,848,340	\$ 55,969	\$ 1,293,658	\$ 363,280	\$ 181,402	\$ 10,000	\$ 554,682	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ 10,000
WWTP (Construction Phases 1 & 2)	PW0809	\$ 12,465,842	\$ 14,004,902	\$ (1,539,060)	\$ 3,942,579	\$ 5,857,385	\$ 1,174,938	\$ 400,000	\$ 7,432,323	\$ 200,000	\$ 800,000	\$ 900,000	\$ 730,000	\$ 2,630,000	\$ -	\$ -	\$ -	\$ -	\$ -		\$ 3,030,000
Hamilton Road Reconstruction (project complete)	PW0922	\$ 4,267,161	\$ 4,239,833	\$ 27,328	\$ 4,166,895	\$ 71,453	\$ 1,485	\$ -	\$ 72,938	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -
Hamilton Road CBC Repair	PW0922	\$ 259,295	\$ 188,622	\$ 70,673	\$ -	\$ 74,147	\$ 114,475	\$ -	\$ 188,622	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -
Hamilton / Panorama All-Way Stop	EN1306	\$ 500,000	\$ 499,865	\$ 135			\$ 5,865	\$ 50,000	\$ 55,865	\$ 300,000	\$ 144,000	\$ -	\$ -	\$ 444,000	\$ -	\$ -	\$ -	\$ -	\$ -		\$ 494,000
Reclaimed Water Line Looping - Grant 12-1359-STB (expires June 30, 2016)	EN1305	\$ 400,750	\$ 675,000	\$ (274,250)			\$ -	\$ -	\$ -	\$ -	\$ -	\$ 60,000	\$ 60,000	\$ 120,000	\$ 80,000	\$ 80,000	\$ 170,000	\$ 200,000	\$ 530,000	\$ -	\$ 650,000
Juniper Widening	EN1303	\$ 1,035,000	\$ 1,040,465	\$ (5,465)			\$ 5,465	\$ 35,000	\$ 40,465	\$ 50,000	\$ 50,000	\$ 250,000	\$ 300,000	\$ 650,000	\$ 250,000	\$ 100,000	\$ -	\$ -	\$ 350,000		\$ 1,035,000
updated 5-7-2013 by NB						\$ 6,378,331	\$ 1,483,630	\$ 495,000	\$ 8,356,961	\$ 550,000	\$ 1,994,000	\$ 3,210,000	\$ 1,090,000	\$ 6,844,000	\$ 2,130,000	\$ 180,000	\$ 170,000	\$ 200,000	\$ 2,680,000	\$ -	\$ 10,019,000
comparison						estimated was (over) / under	\$ 1,300,000														

From: Barbara Pyeatt
To: Beshaler, Nancy
Date: 6/10/2013 3:26:18 PM
Subject: Re: Effluent Looping RFQ

Nancy

I know we talked about those dates but I need to change it just a little. Questions up till July 2nd and proposals due July 11th. I have to space things out to avoid problems. Sorry.

Thanks
Barb

>>> Nancy Beshaler 6/10/2013 2:12 PM >>>

Barb - The Design RFQ for the Effluent Looping project (EN1305) will advertise on the 16th and 23rd, the last day for proposer questions will be June 28th and the proposals will be due on July 9th. Proposal scorers will be: me, Bradley Bowman, and David Nunnelley

Thanks -
Nancy B

CC: Bowman, Bradley; Cesar, Brian; Nunnelley, David; Thomas, Jason

CITY OF ALAMOGORDO

REQUEST FOR QUALIFICATIONS

RFQ NO. 2013-04

Engineering Services For Reclaimed Water Line Looping
LaVelle Road to Fourteenth Street
For the City of Alamogordo, New Mexico

SEALED PROPOSAL SUBMISSION DEADLINE
NO LATER THAN 3:00 P.M., July 17th, 2013

Interested parties may secure a copy of the RFQ and any updates from:
City of Alamogordo
Purchasing Department
2600 N. Florida
Alamogordo, NM 88310
(575)-439-4115

Or at
http://ci.alamogordo.nm.us/coa/Finance_Accounting/purchasing/Bids_and_Requests_for_Proposals.htm Please contact the Purchasing Office @ (575) 439-4115 to be included in the procurement distribution list in order to receive amendments to the RFQ.

36x54
paper width
42"

Effluent AS-Builts

8/22/13

- Gray St.

GPR

internal
meeting

- tracer wire

call
in locates

1-20-

Zimbra

rsegura@ci.alamogordo.nm.us

Fwd: RFQ 2013-04

From : BCesar <bcesar@ci.alamogordo.nm.us>

Fri, Jul 26, 2013 08:56 AM

Subject : Fwd: RFQ 2013-04 1 attachment**To :** Ruben Segura <rsegura@ci.alamogordo.nm.us>

----- Forwarded Message -----

From: "NBeshaler" <nbeshaler@ci.alamogordo.nm.us>

To: "JThomas" <jthomas@ci.alamogordo.nm.us>

Cc: "BCesar" <bcesar@ci.alamogordo.nm.us>, "DNunnelley"

<dnunnelley@ci.alamogordo.nm.us>

Sent: Friday, July 26, 2013 8:47:17 AM

Subject: Fwd: RFQ 2013-04

Jason - Bohannon Huston was the high scorer for the Reclaimed Water Line Looping project with 237 points and Engineers Inc was second with 220 points. I will put together an Agenda Report for the August 26th Commission meeting to Award to BH.

Nancy Beshaler
Project Manager
1376 E. Ninth Street
Alamogordo, NM 88310
Office 575.439.4230
Cell 575.551.1394
nbeshaler@ci.alamogordo.nm.us

----- Forwarded Message -----

From: "BPyatt" <bpyeatt@ci.alamogordo.nm.us>

To: "Nancy Beshaler" <nbeshaler@ci.alamogordo.nm.us>

Sent: Thursday, July 25, 2013 4:24:18 PM

Subject: RFQ 2013-04

Forgot the attachment

--

Barbara Pyeatt
Purchasing Manager
(575) 439-4116
bpyeatt@ci.alamogordo.nm.us

Composite Score Sheet RFQ 2013-04 Eng. Services Reclaimed water.xls 23 KB

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: August 26, 2013 **Report Date:** July 29, 2013 **Report No:** _____

Submitted By: Jason Thomas **Approved For Agenda:** _____
City Engineer

Subject: Consider, and act upon, award of RFQ No. 2013-04 Engineering Design Services for Reclaimed Water Line Looping Project

Fiscal Impact: n/a – Agreement to be negotiated
Amount Budgeted: \$75,000
Fund: 89-9303-461-62.35 (EN 1305)

Recommendation: Award RFQ No. 2013-04 Engineering Design Services for Reclaimed Water Line Looping Project to Bohannon Huston, Inc. and approve negotiation of the professional design services agreement.

Background: This project will complete looping of the reclaimed water infrastructure between north and south portions of the city. Approximately 6600 feet of 10" reclaimed water line will connect the existing line running east/west between the La Velle Pumping Station and the railroad tracks, north to tie into the existing line in the vicinity of 14th Street at Alameda Park.

Four (4) responsive proposals were received on July 17, 2013 in response to RFQ 2013-04: Smith Engineering Company, Engineers Inc., Bohannon Huston Inc., and Ocean Consulting Engineers Inc.

As a result of the evaluation process, Bohannon Huston, Inc. was selected for award. The RFQ and the submitted proposals are available in the City Clerk's office. The composite Score sheet is attached.

Reviewed By:

City Attorney _____ City Clerk _____ Assistant City Manager _____ Community Services _____
Finance _____ Housing Authority _____ Planning _____ Police Chief _____ Fire Chief _____
Public Works _____ Purchasing _____ City Engineer _____ Human Resources _____

FY 2013/2014 to future Project Spending Projection						Project Projects - PM Nancy Besnaier															
						QTR				QTR				QTR							
Capital Expenditure/Project Description	Project #	Total Project Funding	Estimated Total Project Expenditures (Actuals + Future)	Total Project Estimated Balance at Completion or (deficit)	Actuals Prior to FY13	2 Quarters July - December 2012 (Actuals)	Jan-Mar 2013 (Actuals)	Apr-Jun 2013	FY 13 Total	Jul-Sep 2013	Oct-Dec 2013	Jan-Mar 2014	Apr-Jun 2014	FY 14 Total	Jul-Sep 2014	Oct-Dec 2014	Jan-Mar 2015	Apr-Jun 2015	FY 15 Total	Future	Estimated Future Expenditures (FY14 to end of project)
Corps Flood Control Projects (Match) - complete McKinley Channel & Basin - Phases 1-7 plus N. Detention Study	EN0226	\$ 9,003,861	\$ 13,280,289	\$ (4,276,428)	\$ 8,216,050	\$ 12,065	\$ -	\$ 2,173	\$ 14,238	\$ 4,000	\$ -	\$ 246,000	\$ -	\$ 250,000	\$2,000,000	\$ -	\$ -	\$ -	\$ 2,000,000	\$ 2,800,000	\$ 5,050,000
Flood Control Phase 5 Utilities (work completed - not paid 100%)	EN0911	\$ 1,904,309	\$ 1,848,340	\$ 55,969	\$ 1,293,658	\$ 363,280	\$ 181,402	\$ -	\$ 544,682	\$ 10,000	\$ -	\$ -	\$ -	\$ 10,000	\$ -	\$ -	\$ -	\$ -	\$ -		\$ 10,000
WWTP (Construction Phases 1 & 2)	PW0809	\$ 12,465,842	\$ 15,019,078	\$ (2,553,236)	\$ 3,942,579	\$ 5,857,385	\$ 1,174,938	\$ 180,366	\$ 7,212,689	\$ 115,000	\$ 230,000	\$ 740,000	\$ 1,050,000	\$ 2,135,000	\$1,018,810	\$ 710,000	\$ -	\$ -	\$ 1,728,810		\$ 3,863,810
Hamilton Road Reconstruction (project complete except real estate)	PW0922	\$ 4,267,161	\$ 4,281,253	\$ (14,092)	\$ 4,166,895	\$ 71,453	\$ 1,485	\$ -	\$ 72,938	\$ -	\$ 41,420	\$ -	\$ -	\$ 41,420	\$ -	\$ -	\$ -	\$ -	\$ -		\$ 41,420
Hamilton / Panorama All-Way Stop	EN1306	\$ 500,000	\$ 729,200	\$ (229,200)			\$ 5,865	\$ 3,275	\$ 9,140	\$ 30,060	\$ 150,000	\$ 300,000	\$ 240,000	\$ 720,060	\$ -	\$ -	\$ -	\$ -	\$ -		\$ 720,060
Reclaimed Water Line Looping - Grant 12-1359-STB (expires June 30, 2016)	EN1305	\$ 400,750	\$ 956,000	\$ (555,250)			\$ -	\$ -	\$ -	\$ -	\$ 95,000	\$ 80,000	\$ 220,000	\$ 395,000	\$ 150,000	\$ 135,000	\$ 276,000	\$ -	\$ 561,000	\$ -	\$ 956,000
updated 8-22-2013 by NB						\$ 6,378,331	\$ 1,483,630	\$ 224,359	\$ 8,086,321	\$ 159,060	\$ 516,420	\$ 1,366,000	\$ 1,510,000	\$ 3,551,480	\$ 3,168,810	\$ 845,000	\$ 276,000	\$ -	\$ 4,289,810	\$ 2,800,000	\$ 10,641,290
						estimated was	\$ 1,300,000	\$ 495,000	\$ 8,173,331	155,060	1,481,420	3,100,000	1,100,000								
comparison						(over) / under	\$ (183,630)	\$ 270,641	\$ 87,010												

Reclaimed Water Line Looping
LaVelle to 14th Street
DESIGN SCOPING MEETING
October 2, 2013

1. Attendee sign-in and introduction
2. General project concept – map review
3. Alignment discussion
 - a. Terminus points
 - b. Verification of existing lines
 - c. Right-of-way / easements
 - d. Railroad
4. Existing Survey
5. Budget
 - a. Grant
 - b. Conceptual Estimate
 - c. Phasing the work
6. Schedule
7. Next steps

2 alignments

interconnect
between sewer left
at 16th St.

as-built plans for
area behind Walgreens

Cobb Finley, ABA
SUE

hydraulic
pressure zones

Reclaimed Water Line Looping
LaVelle to 14th Street

DESIGN SCOPING MEETING SIGN-IN SHEET

October 2, 2013

NAME	ORGANIZATION	PHONE
Nancy Beshaker	City - Project Mgr	575.434.4230
DAVID SHIELER	Environmental Health	575-434-5678
Rob McNamee	Public Works	575-434-5678
DAVID NUNHELEA	COG WATER TREATMENT	575-434-1321
Tom Cosse	City	575-434-4230
JASON THOMAS	COA - CITY ENGINEER	439-4537



SUSANA MARTINEZ
Governor

JOHN A. SANCHEZ
Lieutenant Governor

State of New Mexico
ENVIRONMENT DEPARTMENT
Construction Programs Bureau
Las Cruces Office
1170 North Solano Drive, Suite M
Las Cruces, NM 88001

Phone: (575) 524-6300 Fax: (575) 526-3891

www.nmenv.state.nm.us/cpb/cpbtop.html
Bureau Chief: Jim Chiasson, P.E.



RYAN FLYNN
Cabinet Secretary Designate

BUTCH TONGATE
Deputy Secretary

November 18, 2013

City of Alamogordo
Attn: Ms. Nancy Beshaler
1376 East 9th Street
Alamogordo, NM 88310

RE: ENGINEERING SERVICES PROCUREMENT REVIEW (12-1359-STB AND 13-1473-STB), OTERO COUNTY, NEW MEXICO

The New Mexico Environment Department (NMED) Construction Programs Bureau (CPB) received the Request for Qualifications (RFQ) No. 2013-04 for the City of Alamogordo on November 8, 2013. The project consists of design of 6,600 linear feet of 10 inch reclaimed water line from the existing effluent line, including a railroad crossing permit. The Procurement Process is not approved. As the City of Alamogordo is a home rule city, please direct this reviewer to the City rules that contradict the following comments.

Comments:

1. Per NMSA 1978, Article 13-1-120, Competitive sealer qualification-based proposals; architects; engineers; landscape architects; surveyors; selection process, the following criteria must be considered: (1) specialized design and technical competence, (2) capacity and capability of the business to perform the work, (3) past record of performance, (4) proximity to or familiarity with the area, (5) the amount of design work that will be produced within the state and (6) the volume of work with the entity that is not 75% complete. In addition, State of New Mexico contracts must ask for the resident business and or the resident veteran business certifications. RFQ No. 2013-04 included: technical competence (1), capacity and capability (2), past record of performance (3), approach to providing services and the resident veteran's preference certification. This does not meet the minimum standards for governmental procurement in the State of New Mexico according to Article 13-1-120.
2. A RFQ completed by the City of Alamogordo (RFQ No. 2013-10) does meet the requirements with the exception of the resident and resident veteran preferences and the addition of Federal Cross-cutters. The preferences were not required because of federally sourced funding. Also, the NMED CPB provides a Request for Proposals (RFP) template on our website that covers all the requirements for State of NM funded projects.
3. Please be aware that the resident and resident veteran preferences are bonus points added to the proposal evaluation scores. How these points are applied is well described on page 10 of the submitted RFQ No. 2013-04.

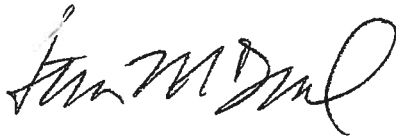
Ms. Nancy Beshaler
November 18, 2013

Page 2 Of 2

4. Per the NMED CPB grant agreement (Attachment B, Article 1, Section D) for the Legislative Special Appropriations Projects (SAP), the City of Alamogordo is required to use the NMED CPB contract. This contract can be found in the Technical section of the NMED CPB website.
5. Unless there are extenuating conditions in the City of Alamogordo Procurement Code, a revised RFQ/RFP will need to be submitted to NMED CPB for review and approval, and the engineering consultant procurement process will need to be redone.

The procurement process has been reviewed and is **not recommended for approved.**

Sincerely,



Steven M. Deal, P.E.
Project Engineer

cc: Ms. Barbara Pyeatt – City of Alamogordo Procurement Manager
NMED CPB Project File
NMED CPB Reading File

Zimbra

nbeshaler@ci.alamogordo.nm.us

EN1305 Effluent Looping Project - NMED Letter

From : Nancy Beshaler <nbeshaler@ci.alamogordo.nm.us> Thu, Nov 21, 2013 10:59 AM
Subject : EN1305 Effluent Looping Project - NMED Letter
To : Brian Cesar <bcesar@ci.alamogordo.nm.us>
Cc : Jason Thomas <jthomas@ci.alamogordo.nm.us>,
Stephen Thies <sthies@ci.alamogordo.nm.us>,
Barbara Pyeatt <bpyeatt@ci.alamogordo.nm.us>,
Ruben Segura <rsegura@ci.alamogordo.nm.us>

In review of our meeting this morning:

- 1- Steve Deal's letter related to RFQ 2013-04 for engineering services states that the RFQ was missing 3 scoring criteria:
 - proximity to or familiarity with the area,
 - the amount of design work that will be produced within the state, and
 - the volume of work with the entity that is not 75% complete.

The other scoring criteria required were covered in the RFQ, including the points for veteran's preference. Steve Deal offered that we could justify the RFQ scoring criteria if we followed city procurement code as a home rule city but we can't make that argument because the RFQ did not fully follow city procurement code.

- 2- In order to use the NMED grant money for design we will need to re-issue the RFQ and include all the required scoring criteria.

3- We have not yet executed an Agreement with BH for the design work. Steve Deal has also provided the Agreement for Engineering Services (Contract) template that he says must be used in lieu of the City Agreement. Stephen Thies is not in agreement that we should have to use the Contract that Steve Deal has provided. If we are going to re-advertise the RFQ in order to get Steve Deal's approval to use grant money for design, then not be able to come to agreement with him on the Engineering Services contract, then we are back in the same position anyway.

4- We could opt to use the grant money for construction and right of way only and not for the design services.

5- We will likely have to come up with additional funding to complete the project anyway. We currently have only the grant money \$400,750 in the project. We will receive another NMED grant for

\$243,000 for a total of \$643,750 in funding by NMED grants. The current construction estimate to complete the looping from the LaVelle line to 14th Street is ~\$800,000 plus an additional ~\$50,000 for right of way/easement purchase, in-house engineering, and testing for a total construction-related estimate of \$850,000. The estimate for engineering services is ~\$95,000 just based on a percentage. So we have an estimated shortfall of ~\$200,000. [note: these are planning-level/conceptual estimates]. If we pay for the design using city funds, that would free up the grant money to be used for construction.

BRIAN - this would be up to you whether you have other funds available to cover the design costs of about \$100,000.

6- There is a meeting to occur with NMED (Stephen, City Manager, and Brian) to cover some issues the city has had with the administration of their grant agreements. The direction we go with this project may be determined by the outcome of that meeting. We have time on this project in terms of the grant reversion date which is June 30, 2016.

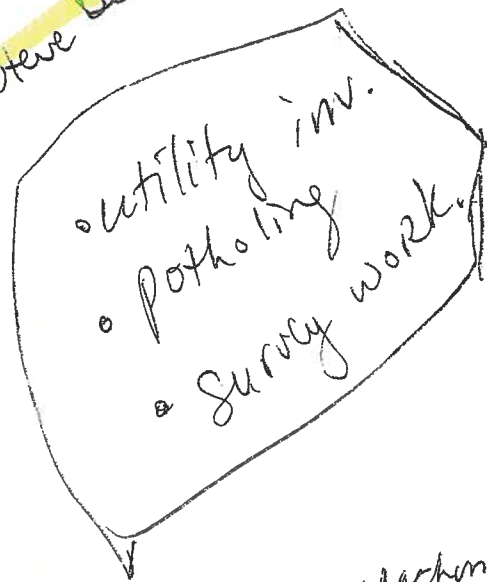
7- Project costs and schedule may change if the proposed alignment is changed. Under the current alignment we would have to get a permit/easement from the railroad and purchase some right of way. One thing we were going to have BH look at is moving the alignment over to Railroad Avenue.

We should meet again after the other meeting with NMED. Once I find out when that meeting is, I'll put another meeting on calendars to discuss how we want to move forward.

Thanks- Nancy B.

conference call
with NMED

2/6/14
Steve Deal



has to
be
NMED
contract

see attachment B

- In-house engineering Reimbursable? —
- define indirect project costs that are not reimbursable
Administrative **costs** — review time.
- Reporting — paper report and paperless?
- ~~list of approved contractors~~ No —

Reversion — June 30, 2016

Oct. 2014	utility investigation	— 3 months	
March 2015	Right of way	— 6 months	Octo 2015
Jan 2015	Schedule — design	4 months ?	• May 2015
Jan 2014	Construction	— 3 months	• April 2016

1 per month, over \$1500

- send scope in writing by email
- other funding sources paying for the project.

FY 2013/2014 to future Project Spending Projection						Project/Projects - PM Nancy Beshaler																
March 2014						QTR				QTR				QTR								
Capital Expenditure/Project Description	Project #	Total Project Funding	Estimated Total Project Expenditures (Actuals + Future)	Total Project Estimated Balance at Completion or (deficit)	Actuals Prior to FY13	2 Quarters July - December 2012 (Actuals)	Jan-Mar 2013 (Actuals)	Apr-Jun 2013 (Actuals)	Actuals FY 13 Total	Jul-Sep 2013 (Actuals)	Oct-Dec 2013 (Actuals)	Jan-Mar 2014	Apr-Jun 2014	FY 14 Total	Jul-Sep 2014	Oct-Dec 2014	Jan-Mar 2015	Apr-Jun 2015	FY 15 Total	Future	Estimated Future Expenditures (FY14 to end of project)	
Corps Flood Control Projects (Match) - complete McKinley Channel & Basin - Phases 1-7 plus N. Detention Study	EN0226	\$ 8,819,378	\$ 12,448,539	\$ (3,629,161)	\$ 8,216,050	\$ 12,065	\$ -	\$ 2,173	\$ 14,238	\$ 1,663	\$ 10,588	\$ 6,000	\$ -	\$ 18,251	\$ 1,650,000	\$ -	\$ -	\$ -	\$ 1,650,000	\$ 2,550,000	\$ 4,218,251	
Flood Control Phase 5 Utilities (work completed - not paid 100%-outstanding PNM Invoice)	EN0911	\$ 1,904,309	\$ 1,849,186	\$ 55,123	\$ 1,293,658	\$ 363,280	\$ 181,402	\$ 554	\$ 545,236	\$ 6,792	\$ -	\$ -	\$ 3,500	\$ 10,292	\$ -	\$ -	\$ -	\$ -	\$ -		\$ 10,292	
WWTP (Construction Phases 1 & 2)	PW0809	\$ 15,217,843	\$ 15,006,606	\$ 211,237	\$ 3,942,579	\$ 5,857,385	\$ 1,174,938	\$ 180,366	\$ 7,212,689	\$ 128,719	\$ 82,618	\$ 120,000	\$ 120,000	\$ 451,338	\$ 1,000,000	\$ 1,050,000	\$ 875,000	\$ 475,000	\$ 3,400,000		\$ 3,851,338	
Pecan Drive Extension	EN1111	\$ 1,890,270	\$ 1,262,893	\$ 627,377	\$ 15,590	\$ 80	\$ 1,554	\$ 1,292	\$ 2,926	\$ 3,379	\$ 5,768	\$ 20,000	\$ 800,000	\$ 829,148	\$ 415,230				\$ 415,230		\$ 1,244,378	
Panorama / Hamilton Intersection Improvements	EN1306	\$ 500,326	\$ 380,940	\$ 119,386			\$ 5,865	\$ 3,275	\$ 9,140	\$ 5,827	\$ 17,348	\$ 60,000	\$ 200,000	\$ 283,175	\$ 88,625	\$ -	\$ -	\$ -	\$ 88,625		\$ 371,800	
Reclaimed Water Line Looping - Grant 12-1359-STB (expires June 30,2016)	EN1305	\$ 643,750	\$ 955,906	\$ (312,156)			\$ -	\$ -	\$ -	\$ 3,672	\$ 3,234	\$ 88,000	\$ 80,000	\$ 174,906	\$ 220,000	\$ 150,000	\$ 135,000	\$ 276,000	\$ 781,000	\$ -	\$ 955,906	
Florida Avenue at First Street Realignment	EN1103	\$ -	\$ 4,500,000	\$ (4,500,000)					\$ -	\$ -								\$ 4,500,000	\$ 4,500,000		\$ 4,500,000	
Washington Avenue Phase I - 10th Street to 16th Street	EN1403	\$ 620,000	\$ -	\$ 620,000					\$ -	\$ -									\$ -		\$ -	
updated 3-4-2013 by NB						\$ 6,378,411	\$ 1,485,185	\$ 226,205	\$ 8,089,800	\$ 150,052	\$ 119,556	\$ 294,000	\$ 1,203,500	\$ 1,767,108	\$ 3,373,855	\$ 1,200,000	\$ 1,010,000	\$ 5,251,000	\$ 10,834,855	\$ 2,550,000	\$ 15,151,963	
						estimated was	\$ 1,300,000	\$ 495,000	\$ 8,173,411	159,060	516,420	204,000	1,103,500	\$ 1,427,056	3,373,855	1,200,000	1,010,000	5,651,000	\$ 7,861,000	2,550,000		
comparison						(over) / under	\$ (185,185)	\$ 268,795	\$ 83,611	\$ 9,008	\$ 396,864											

Zimbra

nbeshaler@ci.alamogordo.nm.us

RE: FOR REVIEW-RFQ Re-advertisement - Reclaimed Water Line Looping-Alamogordo

From : Steven Deal, NMENV <Steven.Deal@state.nm.us> Tue, May 06, 2014 04:25 PM
Subject : RE: FOR REVIEW-RFQ Re-advertisement - Reclaimed Water Line Looping-Alamogordo 1 attachment
To : Nancy Beshaler <nbeshaler@ci.alamogordo.nm.us>
Cc : Barbara Pyeatt <bpyeatt@ci.alamogordo.nm.us>, Stephen Thies <sthies@ci.alamogordo.nm.us>, Jason Thomas <jthomas@ci.alamogordo.nm.us>, Brian Cesar <bcesar@ci.alamogordo.nm.us>, Ruben Segura <rsegura@ci.alamogordo.nm.us>

Good Afternoon Nancy:

I have reviewed the RFQ, and I have the following comments. Please address the comments and resubmit the RFQ for final review, including tentative dates for the placeholders.

- 1) The attached contract form is required to be used for this funding per the grant agreement.
- / 2) I recommend that you add criteria for construction management and oversight. Full time construction observation is the default requirements, and there will be no less than half time construction observation for this project.
- / 3) I recommend that a minimum font size be included in the formatting section.
- / 4) On page 6, bottom of the 5th paragraph, I found the statement "This right is at the sole discretion of the Purchasing Manager". Please remove the word "sole" and add the following clause to the end of the sentence, "pending review and approval by the New Mexico Environment Department Construction Programs Bureau". Remember that the grant agreement gives NMED CPB final say on all aspects of the funding, including procurement.
- / 5) In the Sequence of Events, please add after the 2nd Interview - Review of Recommended Award by NMED CPB with at least a week of time for review.
- / 6) Under Contractual Terms - Fees, the contract will be the NMED Agreements For Engineering Services (Publically Funded Project) as attached to this email.

- 7) Under Contractual Terms - Funding, the solicitation is subject to the availability of funds and approval of all phases by NMED CPB.
- 8) Under Contractual Terms - Right to Waive Minor Irregularities, the conditions for comment #4 of this email apply here too.
- Barb 9) Under Contractual Terms - Utilization of Proposals, please provide the cooperative purchasing agreements that are subject to this RFQ and potential contract.
- 10) On Page 10 under In-state preference, the amount of preference points is 5% not 10%. Please revise.

Thanks,

Steve

-----Original Message-----

From: Nancy Beshaler [mailto:nbeshaler@ci.alamogordo.nm.us]
Sent: Monday, April 28, 2014 4:01 PM
To: Deal, Steven, NMENV
Cc: Barbara Pyeatt; Stephen Thies; Jason Thomas; Brian Cesar; Ruben Segura
Subject: Re: FOR REVIEW-RFQ Re-advertisement - Reclaimed Water Line Looping-Alamogordo

Steve - please replace the RFQ I previously sent with the one attached to this email. I made changes based upon comments from our Purchasing Manager. The changes are highlighted in green.

Thanks-

Nancy Beshaler
575.439.4230

----- Original Message -----

From: "Nancy Beshaler" <nbeshaler@ci.alamogordo.nm.us>
To: "Steven Deal, NMENV" <steven.deal@state.nm.us>
Cc: "Barbara Pyeatt" <bpyeatt@ci.alamogordo.nm.us>, "Stephen Thies" <sthies@ci.alamogordo.nm.us>, "Jason Thomas" <jthomas@ci.alamogordo.nm.us>, "Brian Cesar" <bcesar@ci.alamogordo.nm.us>, "Ruben Segura" <rsegura@ci.alamogordo.nm.us>
Sent: Tuesday, April 22, 2014 11:51:29 AM
Subject: FOR REVIEW-RFQ Re-advertisement - Reclaimed Water Line Looping-Alamogordo

Steve - attached for your review is the RFQ for professional engineering services for the Alamogordo Reclaimed Water Line Looping Project funded by NMED Grants SAP 13-1473-STB and SAP 12-1359-STB.

Per our discussion this morning the Grant Attachment B Article 1C requirement to contact the Professional Technical Advisory Board for this RFQ is met by your review of the RFQ.

Article XVI of the Grant Agreement states that the following language "or a termination clause" be included in contracts: "This contract is funded in whole or in part by funds made available under a NMED Grant Agreement. should the NMED early terminate the grant agreement, the City of Alamogordo may early terminate this contract by providing Contractor written notice of such termination. In the event of termination pursuant to this paragraph, the City of Alamogordo's only liability shall be to pay Contractor for acceptable goods delivered and services rendered before the termination date."

Should we add this language to the contract or is Alamogordo's contract termination language sufficient?

Thank you in advance for your review of the RFQ and attached Agreement. I am available at your convenience for discussion of the documents, if necessary.

Nancy Beshaler
Project Manager
City of Alamogordo
575.439.4230

RevisedENGINEER_PDC_CONTRACT_FORMfinal6-17-13.docx
85 KB

Zimbra

nbeshaler@ci.alamogordo.nm.us

RE: FOR REVIEW-RFQ Re-advertisement - Reclaimed Water Line Looping-Alamogordo

From : Steven Deal, NMENV <Steven.Deal@state.nm.us> Wed, May 28, 2014 11:40 AM
Subject : RE: FOR REVIEW-RFQ Re-advertisement - Reclaimed Water Line Looping-Alamogordo

To : Nancy Beshaler <nbeshaler@ci.alamogordo.nm.us>

Cc : Barbara Pyeatt <bpyeatt@ci.alamogordo.nm.us>,
 Stephen Thies <sthies@ci.alamogordo.nm.us>,
 Jason Thomas <jthomas@ci.alamogordo.nm.us>,
 Brian Cesar <bcesar@ci.alamogordo.nm.us>, Ruben Segura <rsegura@ci.alamogordo.nm.us>

2014-07

Issue RFB
June 15th.

Nancy:

The RFQ looks good, but I have two things.

1) Please run a spell check on the document. The new provision in the NMED Contract Section D has a misspelled word at the end ("...remdered before the termination...")

2) Please add the language in Article XV of the grant agreement to the same Section D of the Contract.

There are some formatting issues in the Contract, but I expect those will be corrected when the contract is negotiated and are not a big deal. If you make these two changes, you may advertise this RFQ. Please remember when the consultant is selected, the City is to send the scoring sheets and summary to me for approval before officially awarding to the consultant. It is possible to have your council award contingent on my review, if you wish.

Thanks,

Steve

-----Original Message-----

From: Nancy Beshaler [mailto:nbeshaler@ci.alamogordo.nm.us]

Sent: Wednesday, May 21, 2014 4:07 PM

To: Deal, Steven, NMENV

Cc: Barbara Pyeatt; Stephen Thies; Jason Thomas; Brian Cesar; Ruben Segura

Subject: Re: FOR REVIEW-RFQ Re-advertisement - Reclaimed Water Line Looping-Alamogordo



REQUEST FOR QUALIFICATION BASED PROPOSALS
RFQ NO. 2014-07

**PROFESSIONAL ENGINEERING SERVICES FOR
RECLAIMED WATER LINE LOOPING
LAVELLE TO FOURTEENTH STREET
FOR THE CITY OF ALAMOGORDO, NEW MEXICO**

The City of Alamogordo is soliciting sealed proposals from qualified firms (RFQ No. 2014-07) to provide professional engineering services for design of **Reclaimed Water Line Looping Project** located within the City of Alamogordo, New Mexico.

Written, sealed proposals will be received by the City of Alamogordo Purchasing Manager at the Purchasing Department, 2600 North Florida Avenue, Alamogordo, New Mexico **until 4:00 pm on July 14, 2014, for the project known as RFQ No. 2014-07, Reclaimed Water Line Looping Project.** Interested parties may secure a copy of the RFQ and any updates from:

City of Alamogordo
Purchasing Department
2600 N. Florida Avenue
Alamogordo, NM 88310
575.439.4115

Or at:

http://ci.alamogordo.nm.us/coa/Finance_Accounting/purchasing/Bids_and_Requests_for_Proposals.htm

Contact the Purchasing Department to be included in the procurement distribution list in order to receive amendments to this RFQ.

Scope of Work

The Project Scope includes design and preparation of bid-ready plans, specifications, and estimates for construction of approximately 6600 linear feet of 10" reclaimed water line from the existing effluent line running east/west between LaVelle Pumping Station and the railroad tracks, north to tie into the existing effluent line in the vicinity of Fourteenth Street at Alameda Park north of the Zoo. Purchase of utility easements and/or right-of-way will be necessary. A railroad permit may be necessary depending upon the alignment. Engineer will provide technical support for easement, right-of-way purchases and railroad permit coordination. Construction management and oversight may be included.

The engineer will evaluate alignments to meet the goal of looping the reclaimed water system between the north and south portions of the city. The engineer will provide technical support to identify right-of-way / easement and utility relocation required for construction of the project. The engineer will assist in coordination with the railroad on behalf of the City for railroad permitting requirements.

Alamogordo RFQ 2014-07 Award Concurrence

From : Nancy Beshaler <nbeshaler@ci.alamogordo.nm.us>
Subject : Alamogordo RFQ 2014-07 Award Concurrence

Wed, Jul 23, 2014 09:01 AM

 1 attachment

To : steven deal <steven.deal@state.nm.us>

Cc : Brian Cesar <bcesar@ci.alamogordo.nm.us>, Ruben Segura <rsegura@ci.alamogordo.nm.us>, Barbara Pyeatt <bpyeatt@ci.alamogordo.nm.us>

SAP 13-1473-STB

SAP 12-1359-STB

Steve - attached is a letter requesting concurrence to Award the Engineering Services Agreement for the Alamogordo Reclaimed Looping Project to Bohannon Huston, Inc. based upon the proposal scores.

Thanks-

Nancy Beshaler

Project Manager

1376 E. Ninth Street

Alamogordo, NM 88310

575.439.4230

NMED Award Concurrence Request.pdf 80 KB



City of Alamogordo



Engineering Department □ 1376 E. Ninth Street □ Alamogordo, New Mexico 88310 □ Ph 575.439.4220 FAX 575.439.4343
ENG-036-2014

July 23, 2014

Steven Deal, PE
NM Environment Department
Construction Programs Bureau
1170 North Solano Drive, Suite M
Las Cruces, NM 88001

Re: RFQ 2014-07 Award for Engineering Services
SAP 13-1473-STB and SAP 12-1359-STB

Mr. Deal:

A Request for Qualifications (RFQ) was advertised for the City of Alamogordo Reclaimed Water Line Looping Project on June 15, 2014. Four proposals were submitted on July 14, 2014 by Bohannon Huston, Inc; Engineers, Inc.; Occam Consulting Engineers; and Smith Engineering. Attached you will find a summary of the scoring results with Bohannon Huston, Inc. receiving the highest score.

Based upon the proposal scores I am requesting your concurrence to Award the Engineering Agreement to Bohannon Huston, Inc. Given your concurrence I would like to take this Award to the August 25, 2014 City Commission Meeting for Commission approval to Award. My deadline to place items on the August 25th Commission Meeting Agenda is August 13th; therefore I request your response before that date.

Thank you in advance for your review. If you have questions or need more information please contact me at 575.439.4230 or via email at nbeshaler@ci.alamogordo.nm.us.

Sincerely,

Nancy Beshaler
Project Manager

Enclosures

cc: Brian Cesar, Public Works Director
Ruben Segura, Grant Coordinator
Barbara Pyeatt, Purchasing Manager
Project File

Zimbra

nbeshaler@ci.alamogordo.nm.us

RE: Alamogordo RFQ 2014-07 Award Concurrence**From :** Steven Deal, NMENV <Steven.Deal@state.nm.us>

Mon, Jul 28, 2014 03:57 PM

Subject : RE: Alamogordo RFQ 2014-07 Award Concurrence**To :** Nancy Beshaler <nbeshaler@ci.alamogordo.nm.us>**Cc :** Brian Cesar <bcesar@ci.alamogordo.nm.us>, Ruben Segura <rsegura@ci.alamogordo.nm.us>, Barbara Pyeatt <bpyeatt@ci.alamogordo.nm.us>

Good Afternoon:

I have reviewed the submittal, and I concur with the selection of Bohannon Huston Inc. Please send me the negotiated contract with the consultant before it is executed. Please use the NMED contract form. Additions to Section D should include the language in Articles XV and XVI of your grant agreement.

Also, please tell me if any other funding will be used for this contract beyond funds from the City of Alamogordo.

Thanks,

Steve

-----Original Message-----

From: Nancy Beshaler [mailto:nbeshaler@ci.alamogordo.nm.us]

Sent: Wednesday, July 23, 2014 9:01 AM

To: Deal, Steven, NMENV

Cc: Brian Cesar; Ruben Segura; Barbara Pyeatt

Subject: Alamogordo RFQ 2014-07 Award Concurrence

SAP 13-1473-STB

SAP 12-1359-STB

Steve - attached is a letter requesting concurrence to Award the Engineering Services Agreement for the Alamogordo Reclaimed Looping Project to Bohannon Huston, Inc. based upon the proposal scores.

Thanks-

Nancy Beshaler

Project Manager

376 E. Ninth Street

Alamogordo, NM 88310

575.439.4230

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: August 12, 2014 **Report Date:** July 28, 2014 **Report No:** _____

Submitted By: Nancy Beshaler **Approved For Agenda:** _____
Project Manager

Subject: Consider, and act upon, award of RFQ No. 2014-07 Engineering Design Services to Bohannon-Huston, Inc. for the Reclaimed Water Line Looping project

Fiscal Impact: Agreement to be negotiated
Amount Budgeted: \$75,000
Fund: 89-9303-461.62-35 (EN 1305)

Recommendation: Award RFQ No. 2014-07 Engineering Design Services for the Reclaimed Water Line Looping project to Bohannon-Huston, Inc. and approve negotiation of the professional Engineering Design Services Agreement.

Background: This project will complete the looping of the reclaimed water line by connecting the existing effluent line running east/west between the LaVelle Pumping Station and the railroad tracks, north to tie into the existing effluent line in Alameda Park north of the Zoo.

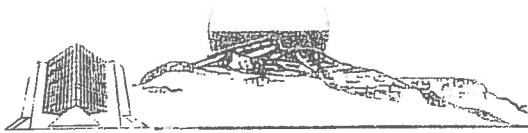
An RFQ for Engineering Services was advertised June 15, 2014. Four (4) responsive proposals were received on July 14, 2014 in response to RFQ 2014-07: Bohannon-Huston, Inc; Engineers Inc; Occam Consulting Engineers; and Smith Engineering.

As a result of the evaluation process, Bohannon-Huston, Inc. was selected for Award. This project has received 2 New Mexico Environment Department grants and their Project Engineer has provided his concurrence of the award, which is required as part of the grant agreements. The RFQ and the submitted proposals are available in the City Clerk's office. The composite Score sheet is attached as well as NMED's concurrence.

Reviewed By:

City Attorney _____ City Clerk _____ Assistant City Manager _____ Community Services _____
Finance _____ Housing Authority _____ Planning _____ Police Chief _____ Fire Chief _____
Public Works _____ Purchasing _____ City Engineer _____ Human Resources _____

FY 2013/2014 to future Project Spending Projection						Project Projects - PM Nancy Beshaler														
Aug 2014						QTR				QTR				QTR						Estimated Future Expenditures (FY15 to end of project)
Capital Expenditure/Project Description	Project #	Total Project Funding	Estimated Total Project Expenditures (Actuals + Future)	Total Project Estimated Balance at Completion or (deficit)	Actuals Prior to FY13	2 Quarters July - December 2012 (Actuals)	Jan-Mar 2013 (Actuals)	Apr-Jun 2013 (Actuals)	Actuals FY 13 Total	Jul-Sep 2013 (Actuals)	Oct-Dec 2013 (Actuals)	Jan-Jun 2014 (Actuals)	Actuals FY 14 Total	Jul-Sep 2014	Oct-Dec 2014	Jan-Mar 2015	Apr-Jun 2015	FY 15 Total	Future	
Corps Flood Control Projects (Match) - complete McKinley Channel & Basin - Phases 1-7 plus N. Detention Study	EN0226	\$ 10,371,637	\$ 12,325,770	\$ (1,954,133)	\$ 8,216,050	\$ 12,065	\$ -	\$ 2,173	\$ 14,238	\$ 1,663	\$ 10,588	\$ 9,730	\$ 21,981	\$ 1,510,000	\$ 4,500	\$ 4,500	\$ 4,500	\$ 1,523,500	\$ 2,550,000	\$ 4,073,500
WWTP (Construction Phases 1 & 2)	PW0809	\$ 15,496,213	\$ 15,197,183	\$ 299,030	\$ 3,942,579	\$ 5,857,385	\$ 1,174,938	\$ 180,366	\$ 7,212,689	\$ 128,719	\$ 82,618	\$ 45,577	\$ 256,915	\$ 110,000	\$ 45,000	\$ 30,000	\$ 1,200,000	\$ 1,385,000	\$ 2,400,000	\$ 3,785,000
Pecan Drive Extension	EN1111	\$ 1,118,327	\$ 957,045	\$ 161,282	\$ 15,590	\$ 80	\$ 1,554	\$ 1,292	\$ 2,926	\$ 3,379	\$ 5,768	\$ 569,382	\$ 578,530	\$ 360,000				\$ 360,000		\$ 360,000
Panorama / Hamilton Intersection Improvements	EN1306	\$ 322,648	\$ 189,390	\$ 133,258			\$ 5,865	\$ 3,275	\$ 9,140	\$ 5,827	\$ 17,348	\$ 97,075	\$ 120,250	\$ 50,000	\$ 10,000			\$ 60,000		\$ 60,000
Reclaimed Water Line Looping - NMED Grants	EN1305	\$ 958,750	\$ 902,591	\$ 56,159			\$ -	\$ -	\$ -	\$ 3,672	\$ 3,234	\$ 685	\$ 7,591		\$ 95,000	\$ 500,000	\$ 300,000	\$ 895,000	\$ -	\$ 895,000
Florida Avenue at First Street Realignment	EN1405	\$ 4,415,000	\$ 4,415,000	\$ -					\$ -	\$ -	\$ -	\$ -	\$ -		\$ 50,000	\$ 50,000	\$ 50,000	\$ 150,000	\$ 4,265,000	\$ 4,415,000
									\$ -	\$ -	\$ -	\$ -	\$ -					\$ -		\$ -
																				\$ -
Updated 08-06-2014						\$ 6,378,411	\$ 1,485,185	\$ 226,205	\$ 8,089,800	\$ 150,052	\$ 119,556	\$ 722,450	\$ 992,058	\$ 2,030,000	\$ 204,500	\$ 584,500	\$ 1,554,500	\$ 4,373,500	\$ 9,215,000	\$ 13,595,292
					comparison	estimated was	\$ 1,300,000	\$ 495,000	\$ 8,173,411	\$ 159,060	\$ 516,420	\$ 1,307,500	\$ 1,973,972	\$ 2,030,000	\$ 204,500	\$ 584,500	\$ 1,554,500	\$ 4,373,500	\$ 9,215,000	
						(over) / under	\$ (185,185)	\$ 268,795	\$ 83,611	\$ 9,008	\$ 396,864	\$ 585,050	\$ 981,914							



City of Alamogordo



Engineering Department □ 1376 E. Ninth Street □ Alamogordo, New Mexico 88310 □ Ph 575.439.4220 FAX 575.439.4343

ENG-061-2014

December 16, 2014

Steven Deal, PE
NM Environment Department
Construction Programs Bureau
1170 North Solano Drive, Suite M
Las Cruces, NM 88001

Re: Engineering Services Contract
SAP 13-1473-STB and SAP 12-1359-STB

Mr. Deal:

Please find enclosed three originals of the Engineering Services Contract for execution.

If you have questions or need more information please contact me at 575.439.4230 or via email at nbeshaler@ci.alamogordo.nm.us.

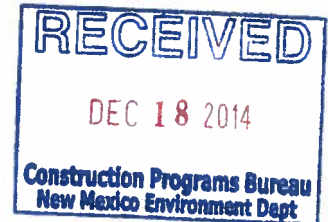
Sincerely,

Nancy Beshaler
Project Manager

Enclosures

cc: Project File

**AGREEMENTS FOR ENGINEERING SERVICES
(Publicly Funded Project)**



THIS Agreement, made this 12 day of DECEMBER 2014 by and between City of Alamogordo hereinafter referred to as the OWNER, and Bohannon Huston, Inc. hereinafter referred to as the ENGINEER. **Contract becomes effective on the date of the last signature.**

The OWNER intends to construct a Project consisting of bid-ready plans, specifications, and estimates for construction of approximately 6600 linear feet of 10" reclaimed water line from the existing effluent line running east/west between LaVelle Pumping Station and the railroad tracks, north to tie into the existing effluent line in the vicinity of Sixteenth Street at Alameda Park north of the Zoo. The effluent line will cross under the roadway at First Street, Eighth Street, and Tenth Street. Purchase of utility easements and/or right-of-way will be necessary to tie in at the south end and the crossing at Eighth Street. A railroad permit will be necessary at the north end of the project to cross the railroad tracks in the vicinity of Eddy Drive/Mill Road. Engineer will provide technical support for easement, right-of-way purchases and railroad permit application.

in Otero County, State of New Mexico, which may be paid for in part with financial assistance from the United States of America acting through the United States Department of Agriculture – Rural Development, hereinafter referred to as USDA-RD; and/or through the United States Environmental Protection Agency, hereinafter referred to as EPA; and/or the New Mexico Environment Department, hereinafter referred to as NMED; and/or the New Mexico Finance Authority, hereinafter referred to as NMFA; and/or the New Mexico Department of Finance, hereinafter referred to as DFA; all collectively referred to as the Funding Agency. Neither the United States or the State of New Mexico nor any of its departments, agencies, or employees is or will be a party to this Agreement or any subagreement. The ENGINEER agrees to perform the various professional engineering services for the planning, design, and construction of said Project in accordance with the provisions of this Agreement.

IN WITNESS THEREOF, the parties hereto have executed, or caused to be executed, by their duly authorized officials, this Agreement in triplicate on the respective dates indicated below. The parties further certify by their signatures below that no modifications have been made to the standard language of this Agreement, other than those detailed in Section D.



ATTEST: [Signature]
Type Name Renee Cortin
Title City Clerk
Date 12/15/14

OWNER: City of Alamogordo

By [Signature]

Type Name James Stahle

Title City Manager

Date 12/12/14

ATTEST: _____

Type Name _____

Title _____

Date _____

ENGINEER: Behanman Huston, Inc.

By [Signature]

Type Name Robert P. Richardson, P.E.

Title Sr. Vice President

Address 425 S. Telshor Blvd. STE

Las Cruces, NM 88011

Date 12-10-14

REVIEWED: FUNDING AGENCY

NAME: _____

By _____

Type Name _____

Date _____

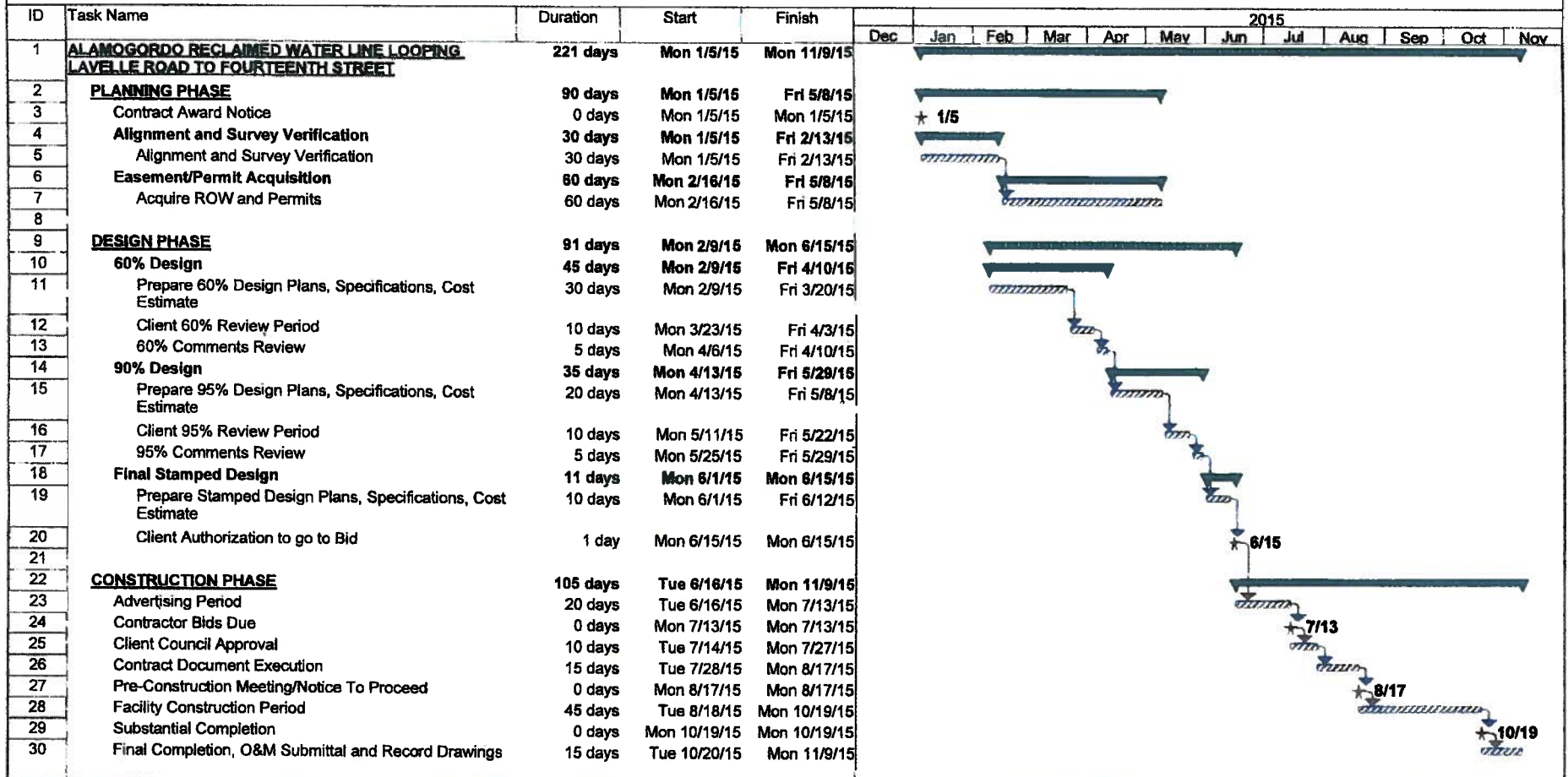
Reviewed by: [Signature]

Steven Deal, Project Engineer

Construction Programs Bureau-NMED

Date: DECEMBER 18, 2014

PROJECT SCHEDULE



CITY OF ALAMOGORDO
RECLAIMED WATER LINE LOOPING
LAVELLE ROAD TO FOURTEENTH STREET

Task		Inactive Task	Manual Summary	
Split		Inactive Task	Start-only	
Milestone		Inactive Milestone	Finish-only	
Summary		Inactive Summary	Progress	
Project Summary		Manual Task	Deadline	
External Tasks		Duration-only		
External Milestone		Manual Summary Rollup		

*duration is in working days

Zimbra

nbeshaler@ci.alamogordo.nm.us

RE: video investigation of 22" RCP

EN 1305 use city funds

From : David Shields <dshields@bhinc.com>

Wed, Mar 11, 2015 11:27 AM

Subject : RE: video investigation of 22" RCP

1 attachment

To : 'Nancy Beshaler' <nbeshaler@ci.alamogordo.nm.us>

Nancy,

If they went from 8th. St. to 16th. St. it would be about 6700 LF or about \$5,000. We may feel better about it after the first couple thousand feet and not need to do the full reach. Since their camera cable is only 200 ft. long then that would require about 18 locations to excavate and saw cut an opening.

David M. Shields, C.E.T.
Project Manager
Engineering Las Cruces
Mobile: (575) 644-4813

Bohannon  **Huston**

Suite C-103
425 South Telshor Blvd.
Las Cruces, NM 88011-7237
www.bhinc.com

voice: 575.532.8670 facsimile: 575.532.8680 toll free: 800.877.5332

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met w/ Ronnie and Dave
3-25-15
① - wide area
conference locate

From: Nancy Beshaler [mailto:nbeshaler@ci.alamogordo.nm.us]**Sent:** Wednesday, March 11, 2015 11:11 AM**To:** David Shields**Cc:** David Nunnelley**Subject:** Re: video investigation of 22" RCP

Yes, have them put together a proposal. Do we know how many feet?

From: "David Shields" <dshields@bhinc.com>**To:** "Nancy Beshaler" <nbeshaler@ci.alamogordo.nm.us>**Cc:** "David Nunnelley" <dnnunnelley@ci.alamogordo.nm.us>**Sent:** Wednesday, March 11, 2015 10:12:49 AM**Subject:** RE: video investigation of 22" RCP

Nancy

I talked to Dusty at GH today about video investigation of the 22" ECP and he said that .75/LF would be the price for the task with the City of Alamogordo excavating the pipe and opening a 12" x 12" hole in the pipe for camera access. If this is reasonable and want to proceed, just let me know and I'll have them work up a formal proposal and schedule for the work. We'd probably want to see what kind of time and availability Dave's crew will need as well.

David M. Shields, C.E.T.
Project Manager
Engineering Las Cruces
Mobile: (575) 644-4813

Bohannon Huston

Suite C-103
425 South Telshor Blvd.
Las Cruces, NM 88011-7237
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From: Nancy Beshaler [<mailto:nbeshaler@ci.alamogordo.nm.us>]
Sent: Tuesday, March 10, 2015 10:45 AM
To: David Shields
Subject: Re: video investigation of 22" RCP

did you hear back from Shannon?

From: "David Shields" <dshields@bhinc.com>
To: NBeshaler@ci.alamogordo.nm.us
Cc: "David Nunnelle" <dnunnelle@ci.alamogordo.nm.us>
Sent: Thursday, March 5, 2015 8:23:18 AM
Subject: video investigation of 22" RCP

Nancy,

I've requested a price from Shannan at General Hydronics to video the old concrete pipe at the zoo. Also checking to see how long of leads they have on their camera so we can get an idea of how many openings we will need. I'll let you know what they come back with on it.

David M. Shields, C.E.T.
Project Manager
Engineering Las Cruces
Mobile: (575) 644-4813

Reuse line locates**From :** David Shields <dshields@bhinc.com>

Tue, Mar 31, 2015 02:09 PM

Subject : Reuse line locates

1 attachment

To : NBeshaler@ci.alamogordo.nm.us

Nancy,

The vault in the Llama pen is for a valve on the 22" pipe. In the vault it tees off to a 6" or 8" that continues east. I think Ronnie may be able to just remove the flanged tee in the vault to access the 22" line. That may be the best starting point is in the vault, before they starting digging up the line in other locations. Since the vault is readily accessible, other than keeping the Llama at bay . I'll send some pictures and see what you think. (We are uploading them now.)

David Shields C -

Project Manager

Engineering Services

Job # 100 0444 010

4 3 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200

image001.jpg

3 KB

Zimbra

nbeshaler@ci.alamogordo.nm.us

RE: Reuse looping line video**From :** David Shields <dshields@bhinc.com>

Mon, May 04, 2015 09:56 AM

Subject : RE: Reuse looping line video**To :** Nancy Beshaler <nbeshaler@ci.alamogordo.nm.us>

Okay, We'll not continue with the 22" RCP investigation and start the design based on that alignment.

Thanks Nancy.

David M. Shields, C.E.T.
Project Manager
Engineering Las Cruces
Mobile: (575) 644-4813

Suite C-103
425 South Telshor Blvd.
Las Cruces, NM 88011-7237

www.bhinc.com

voice: 575.532.8670 facsimile: 575.532.8680 toll free: 800.877.5332

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-----Original Message-----

From: Nancy Beshaler [mailto:nbeshaler@ci.alamogordo.nm.us]

Sent: Monday, May 04, 2015 9:21 AM

To: David Shields

Subject: Fwd: Reuse looping line video

Brian is on board with going with the PNM/Sheffield alignment

----- Forwarded Message -----

From: "Brian Cesar" <bcesar@ci.alamogordo.nm.us>

To: NBeshaler@ci.alamogordo.nm.us

Sent: Friday, May 1, 2015 10:06:45 AM

Subject: Re: Reuse looping line video

Nancy,

I think we should just have them go with the PNM/Sheffield alignment.

----- Original Message -----

From: "David Shields" <dshields@bhinc.com>

To: bcesar@ci.alamogordo.nm.us, NBeshaler@ci.alamogordo.nm.us

Cc: "David Nunnelley" <dnunnelley@ci.alamogordo.nm.us>

Sent: Thursday, April 30, 2015 3:03:54 PM

Subject: Reuse looping line video

Brian & Nancy,

As you know we had a camera run through the 22" RCP on Railroad to determine the viability of using it as a carrier pipe for the new reuse looping line. Dusty at GH sent me the dropbox link, and I've viewed the previews only, but was on site for the actual camera run. I haven't been able to view the full video until I can get IT to all the download on my PC. Anyway, the result of the two locations that the City Utility crews opened for the camera (the south side of the Zoo and Railroad and 8 th St) was that the existing 22" pipe runs very close to the west exterior wall of Walgreens, however it is blocked with concrete at the drop inlet on Railroad & 8 th . On the Zoo side there was a 90 degree bend about 40' south of the opening. So basically the 22" pipe is blocked on both side of the Walgreens parking lot. It was clear for at least 200' from 8 th St/ Railroad running south.

Based on this information, how would you prefer to proceed. Continue to investigate the possibility of using the 22" RCP or begin pursuing the alignment across the PNM easement/ Sheffield property. I met with Nancy the day we found the blockage in the 22" pipe, and just need your input on what alignment you prefer. I'll send the link from GH on the video.

Thanks,

David M. Shields, C.E.T.

Project Manager

Engineering Las Cruces

Zimbra

nbeshaler@ci.alamogordo.nm.us

Reclaimed Water Looping Line Schedule

From : David Shields <dshields@bhinc.com> Wed, Jun 17, 2015 01:32 PM
Subject : Reclaimed Water Looping Line Schedule 2 attachments
To : NBeshaler@ci.alamogordo.nm.us
Cc : Rob Richardson <rrichardson@bhinc.com>, Erin Clements <eclements@bhinc.com>

Nancy,

I've revised the schedule to reflect where we are to date on the project. As you know it took some time to investigate the 22" RCP and get the camera run through, and we also had some disconnect on our end when we had an employee leave and we had some regrouping to do. We will have the Technical Memorandum on the alignment investigation to you on Wednesday 6/24/15. With that said, after your review and approval of the alignment options, we can send survey out the following week to begin the alignment survey. I've adjusted the attached schedule to show the project based on the survey starting the end of June and property acquisition complete within 90 days. Property acquisition for easements and permitting may take more or less than shown, but for the schedule we are assuming all property owners are agreeable to the easement and we can get the task done within the time frame. That will have 100% design complete by the end of October. We can advertise for bids the end of October 2015 and start construction the first of the year 2016. We would expect substantial completion the first of March 2016.

Will this schedule be acceptable? Let me know if you need anything prior to the Technical Memo next week.

Thanks,

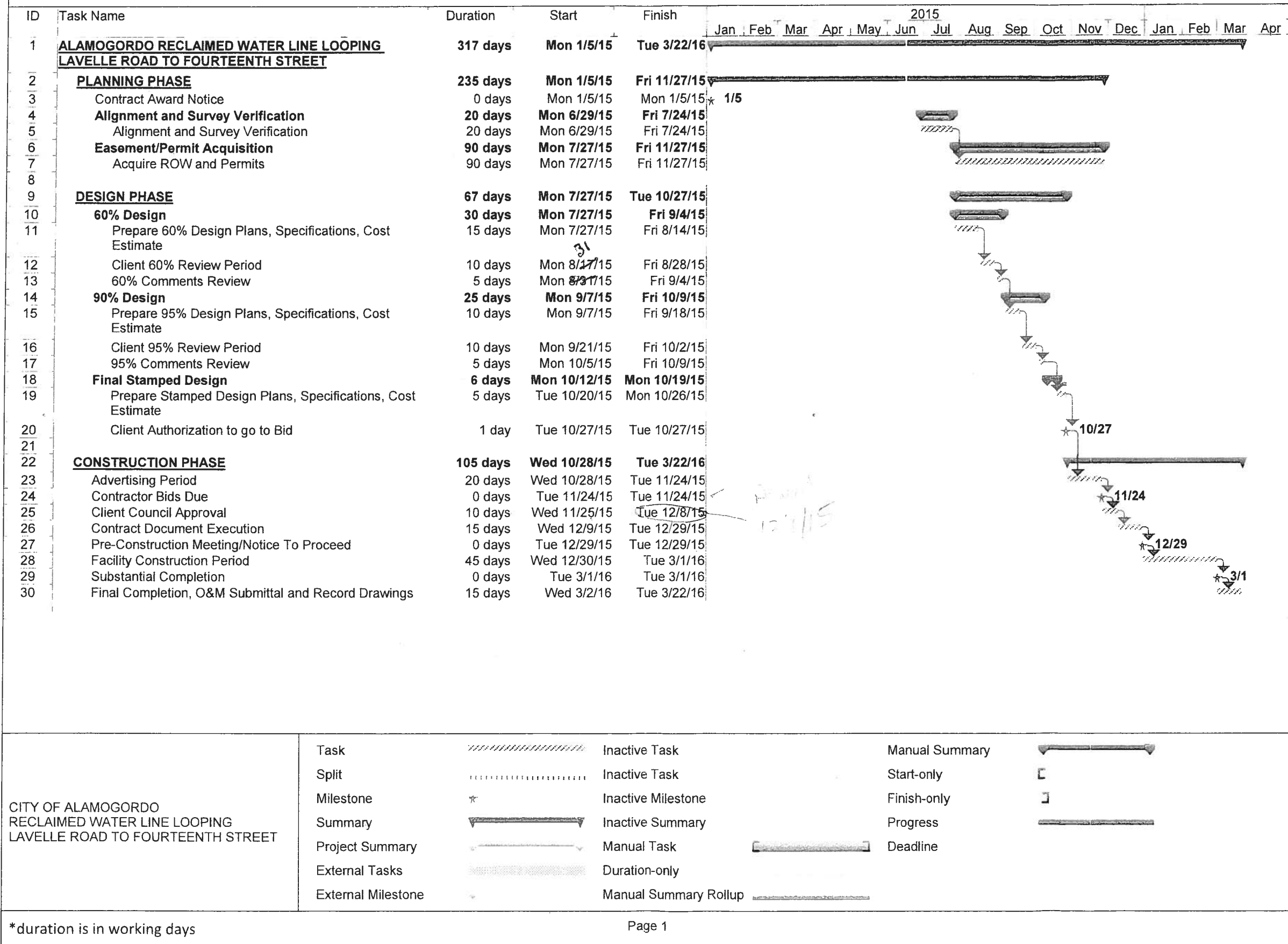
David M. Shields, C.E.T.
Project Manager
Engineering Las Cruces
Mobile: (575) 644-4813

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PROJECT SCHEDULE



TECHNICAL MEMORANDUM

DATE: June 24, 2015

TO: Nancy Beshaler, City of Alamogordo

FROM: Dave Shields, CET
Erin Clements, P.E.
Rob Richardson, P.E.

SUBJECT: Reuse Line Loop Alignment Evaluation

Background

The "City of Alamogordo Wastewater Reuse Master Plan Update" was published in June, 2015 and included an evaluation of the existing wastewater reuse system through the creation of a hydraulic model. The Master Plan Update recommended several system improvements and prioritized the proposed projects. The highest priority recommended improvement was the construction of a line loop between the existing 14-inch line running east-west near First Street, to extend north from the existing LaVelle Reservoir site to an existing 10 and 6-inch line that runs north-south through Alameda Park and Zoo and ends near Fourteenth Street.

The construction of the proposed line loop will partially relieve some of the large pressure fluctuations currently experienced in the system and will improve water flow and quality throughout the system by eliminating the dead end at the Zoo. The hydraulic model confirmed the diameter of the new reuse line should be 10 inches to limit headloss and velocities to acceptable ranges for both present and future demands.

Alignment Alternatives

The two alignment alternatives considered for construction of the line loop are shown in **Figure 1**.

Alternative 1 would tie to the existing 14-inch reuse line running east-west leaving the LaVelle Reservoir site and head north east of the existing railroad. The line would cross First Street, Eighth Street, Tenth Street, then turn east, crossing the existing Union Pacific Railroad and tie to the existing 6-inch reuse line near the intersection of White Sands Boulevard and Fourteenth Street. Approximately 1,050 linear feet of 6-inch reuse line running north-south along the Alameda Park/Zoo area would need to be upsized to a 10-inch line to prevent a bottleneck in the system in this area.

The advantage of this alignment is that it is largely over undeveloped land and away from traffic. This alignment would minimize the effect on businesses and the public during construction. The disadvantage of this alignment is that it will require a permit to cross the existing Union Pacific Railroad, which can be time-consuming and costly to obtain.

Alternative 2 would tie to the existing 14-inch reuse line running east-west leaving the LaVelle Reservoir site and head north following Railroad Avenue, east of the existing railroad. There is an existing abandoned 22-inch diameter reinforced concrete pipe (RCP) on this alignment that runs between Second and Fourth Streets and between Fifth and Ninth Streets. The intention of **Alternative 2** would be to install the new 10-inch reuse line inside the 22-inch RCP along the approximately 1,800 feet where their alignments coincide.

The main advantage of this alignment is that a certain length of the line could be installed inside the existing 22-inch RCP at a lower cost than directly burying the pipe in the ground. Also, this alignment would not require a railroad crossing permit, since it is entirely on the east side of the railroad. The disadvantages of this alignment are that the condition of the existing 22-inch RCP is not fully known and problems could arise with blockages or breaks in the RCP during construction. Also, this alignment is in close proximity to several businesses, the railroad, and is in a higher traffic area. Construction would cause greater inconvenience to businesses and the public to install the line along the **Alternative 2** alignment. The portion of the new 10-inch reuse line installed inside the existing 22-inch RCP could pose future operational problems as any reuse line breaks that occurred inside the carrier pipe would be nearly impossible to precisely locate for repairs. Repairs of the line inside the carrier pipe would require breaking apart the existing RCP to remove and replace any broken pipe spools. Pipe repairs inside the 22-inch RCP would be more costly than typical water line repair work and might eventually negate the initial capital cost savings of using a carrier pipe.

Field Investigation

Bohannon Huston worked with Cobb Fendley to field locate the alignment of the abandoned 22-inch RCP pipe adjacent to the existing railroad, running north-south along Railroad Avenue. The field investigation also included utility test holes for reuse line locations in other parts of the system that were previously unverified. The existing 22-inch line was located in two sections as shown in **Figure 1**. The locating signal failed going north through the strip mall between Eighth and Tenth Streets because of interference from other utilities. While the original alignment of the RCP appears to miss the mall footprint locations, it is assumed that the RCP was demolished or filled with concrete in this area during the construction of the mall.

The 22-inch RCP line depth was between 3 feet and 10 feet. The line is directly east of an existing overhead electric line and drainage ditch, and about 6 feet west of an existing 20-inch ductile iron water line. The pipe has been partially exposed by runoff water in some locations. The line was videoed by General Hydronics, Inc. for the City of Alamogordo to determine if it might be usable as a carrier pipe over and was found to be blocked near the intersection of Railroad and Tenth Street by a 90 degree bend and filled with concrete at the intersection of Railroad and Eighth Street. The video showed no further blockage from Eighth Street south for approximately 200 linear feet. No further video investigation of the existing 22" RCP was completed. The remainder of the interior condition of the pipe has not been determined. **Photo 1** shows one loca-

tion where the RCP has been exposed by runoff and the line's location relative to the existing overhead electric line.



Photo 1. Existing 22-inch RCP

Recommended Alignment and Preliminary Cost Estimate

The field investigation showed the existing 22-inch RCP is not continuous over the **Alternative 2** reuse line loop alignment, but rather is blocked in some areas and has already been demolished in others. It has also been exposed by stormwater in several locations that would require re-grading and slope protection if it was made part of the reuse system. Therefore, the cost savings of using 22-inch RCP line as a carrier pipe where it is present would not be offset by the increased cost of constructing the new line in a more densely developed area, repairing and protecting the eroded areas, and the potential higher operational cost of making repairs to this line in the future if it were partially located within a carrier pipe.

Alignment 1 is recommended for the reuse line loop because it is located in largely undeveloped areas that will minimize inconvenience to the public and be easier and less costly to construct when compared to the **Alignment 2** option.

Property Owners

BHI did a preliminary investigation of the property owners in the recommended alignment. **Table 1** below lists all of the parcels that would be crossed and would require easements to construct the new reuse line. **Figure 2** shows the recommended alignment over the GIS parcel map for the area. All of the street crossings for the alignment appear to be in City of Alamogordo right-of-way.

Table 1. Property Owners along Recommended Alignment

Property Owner	Parcel ID	Length of Alignment in Parcel	Entity
City of Alamogordo	01N4055094074103	1,050' +/-	Government
Union Pacific Railroad	01N4055094030202	57' +/-	Business
Sheffield Trust	01N4054095484294	2,072' +/-	Private
JLM & Associates, Inc	01N4054095480470	590' +/-	Business
JLM & Associates, Inc	01N4054095480470	667' +/-	Business
City of Alamogordo	01N4054096396196	95' +/-	Government

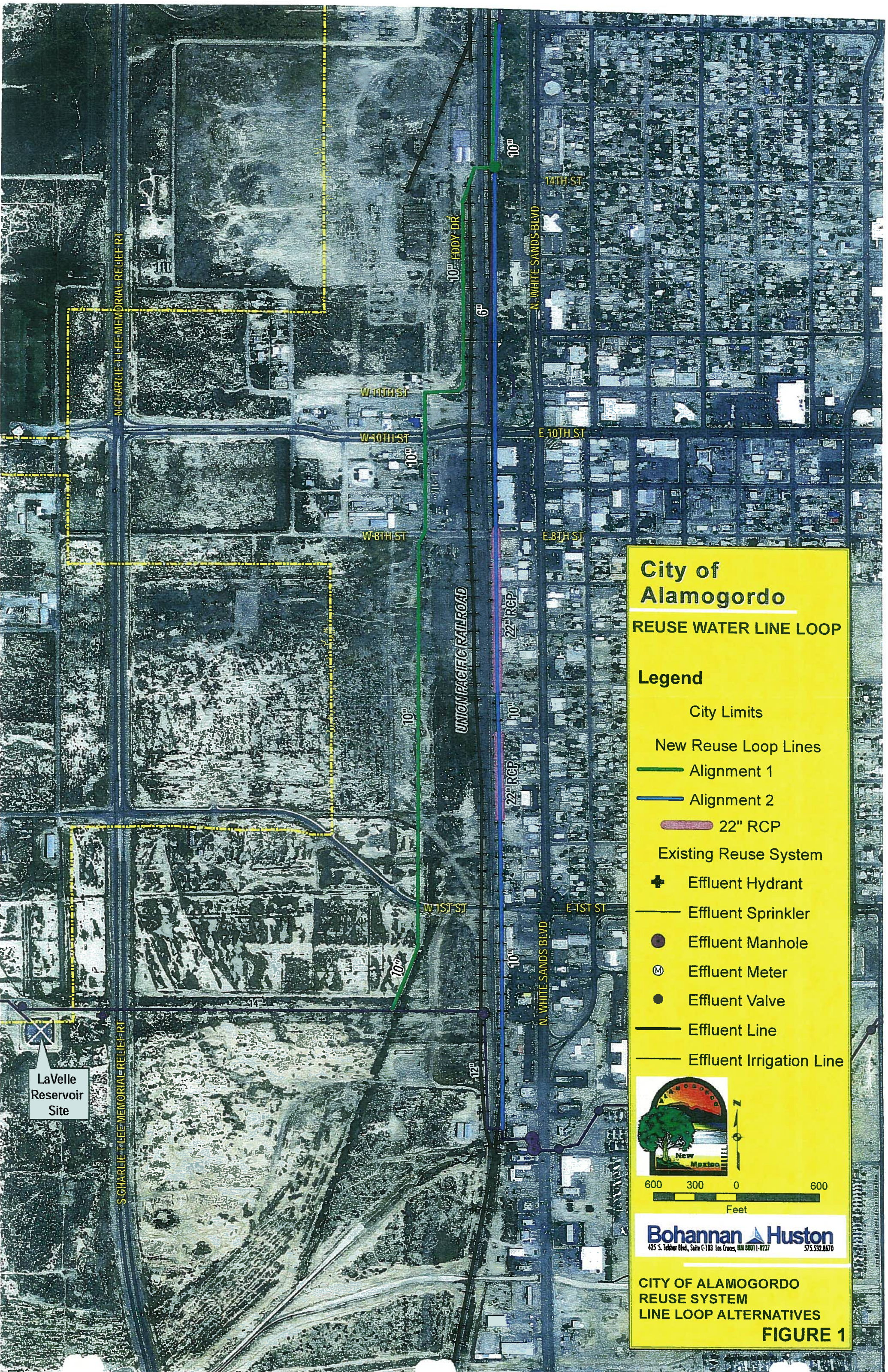
Conclusions and Recommendations

As described in the preceding sections to minimize construction and operational costs, **Alignment 1** is the recommended alignment for the reuse line loop. **Table 2** shows a preliminary construction cost for the recommended alignment.

Table 2. Preliminary Construction Cost for Recommended Alignment

Item	Description	Unit	Quantity	Unit Price	Extension
1	Mobilization/Demobilization (Maximum 10% of Contract sum)	LS	1	\$45,000	\$45,000
2	SWPPP Implementation and maintenance (Complete and in place, including all documentation for the entire duration of construction).	LS	1	\$5,000	\$5,000
3	Traffic Control Plan and Maintenance, Complete in Place.	LS	1	\$10,000	\$10,000
4	Water line connections installed and all materials	EA	3	\$5,000	\$15,000
5	10" C905 DR-18 or HDPE waterline, incl. trenching, backfill and compaction, fittings, & all Incidentals, complete in place, installed and all materials	LF	6,650	\$47	\$312,550
6	Install new 10" HDPE waterline parallel to existing 6" line in Alameda Park and Zoo and abandon 6" line in place	LF	1,050	\$47	\$49,350
7	10" Gate Valve With Box, complete in place, installed and all materials.	EA	2	\$4,800	\$9,600
8	Asphalt Pavement removal and replacement, three road crossings	SY	1,000	\$55	\$55,000
9	Curb & Gutter removal and replacement, complete in place.	LF	60	\$65	\$3,900
10	Sidewalk removal and replacement, complete in place	SY	18	\$15	\$267
11	Materials Inspection & Testing Allowance	ALW	1	\$8,000	\$8,000
12	Easement acquisition, railroad crossing permit	LS	1	\$80,000	\$80,000
13	Construction Contingencies (5%)	LS	1	\$29,700	\$29,700
14	NMGRT (7.625%)	LS	1	\$47,500	\$47,500
Total Line Loop Estimated Construction Cost					\$671,000

It is recommended that the City of Alamogordo begin to acquire easements from the property owners listed in **Table 1** as soon as possible. While easements are being obtained, permission for survey access to each property to complete the field survey will also be required from each property owner. Preliminary design of the waterline will begin as soon as the field survey data is obtained.



City of Alamogordo

REUSE WATER LINE LOOP

Legend

City Limits

New Reuse Loop Lines

Alignment 1

Alignment 2

22" RCP

Existing Reuse System

Effluent Hydrant

Effluent Sprinkler

Effluent Manhole

Effluent Meter

Effluent Valve

Effluent Line

Effluent Irrigation Line

600 300 0 600

Feet

Bohannon **Huston**

425 S. Tebbel Blvd., Suite C-103 Los Cruces, NM 88011-8237 575.532.8670

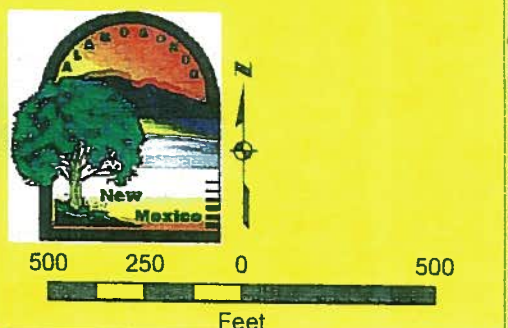
CITY OF ALAMOGORDO
REUSE SYSTEM
LINE LOOP ALTERNATIVES

FIGURE 1



City of Alamogordo
REUSE WATER LINE LOOP

- Legend**
- City Limits
 - New Reuse Loop Lines
 - Recommended Alignment
 - Existing Reuse System
 - Effluent Hydrant
 - Effluent Sprinkler
 - Effluent Manhole
 - Effluent Meter
 - Effluent Valve
 - Effluent Line
 - Effluent Irrigation Line



Bohannon & Huston
425 S. Telhar Blvd., Suite C-103 Los Cruces, NM 88011-0237 575.532.0670

**CITY OF ALAMOGORDO
REUSE SYSTEM
PROPOSED LINE LOOP
FIGURE 2**

PARCEL DATA				
NUMBER	OWNER	PARCEL ID	LENGTH OF WATERLINE	ENTITY
1	CITY OF ALAMOGORDO	01N4055094074103	1,050'+/-	GOV
2	UNION PACIFIC RR	01N4055094030202	57'+/-	BUSINESS
3	SHEFFIELD TRUST	01N4054095484294	2,072'+/-	PRIVATE
4	JLM & ASSOCIATES INC	01N4054095480470	590'+/-	BUSINESS
5	JLM & ASSOCIATES INC	01N4054095480470	667'+/-	BUSINESS
6	CITY OF ALAMOGORDO	01N4054096396196	95'+/-	GOV

Zimbra

nbeshaler@ci.alamogordo.nm.us

Re: Pipe Crossing**From :** Alexander Popovici <APOPOVIC@UP.COM>

Mon, Jun 29, 2015 04:06 PM

Subject : Re: Pipe Crossing

1 attachment

To : Nancy Beshaler
<nbeshaler@ci.alamogordo.nm.us>**Cc :** Erin Clements <eclements@bhinc.com>

Nancy,

The City will need to apply for a permit online or you can have your consultant to do so in the name of the City. To do apply you'll need a complete set of plans, please follow the links below for all pertinent information. The process takes between 30 and 60 days assuming the plans are approved by UP without changes requested. The links below also provide you or your consultant with details of our requirements for crossing under the railroad.

I hope this helps, if you need additional information please feel free to email me back

Thank you

Alexander Popovici
Manager Industry & Public Projects - UPRR
631 S. 7 St.
Phoenix AZ, 85034
Office 602 322 2510

<http://www.uprr.com/reus/pipeline/install.shtml>

For pipe or wire encroachments

<http://www.uprr.com/reus/pipeline/app/index.cfm>

To use the online form of application - just for utility crossings.

Nancy Beshaler <nbeshaler@ci.alamogordo.nm.us>
apopovic@up.com
Erin Clements <eclements@bhinc.com>
06/29/2015 01:28 PM
Pipe Crossing

Alexander - I am in the early stages of a project here in Alamogordo that will be placing 10" effluent water line. The alignment proposed by our engineers will require the 10" pipe to cross under the tracks to tie into our existing system. See attached alignment

Zimbra**nbeshaler@ci.alamogordo.nm.us****Pipe Crossing**

From : Nancy Beshaler
<nbeshaler@ci.alamogordo.nm.us>

Mon, Jun 29, 2015 02:26 PM

1 attachment

Subject : Pipe Crossing

To : apopovic@up.com

Cc : Erin Clements <eclements@bhinc.com>

Alexander - I am in the early stages of a project here in Alamogordo that will be placing 10" effluent water line. The alignment proposed by our engineers will require the 10" pipe to cross under the tracks to tie into our existing system. See attached alignment map. Who is the correct person to contact at UP? Thanks in advance for your assistance.

Nancy Beshaler
Project Manager
575.439.4230

Alignment.pdf

4 MB

Zimbra

nbeshaler@ci.alamogordo.nm.us

Fwd: Alamogordo - property in vicinity of First Street

From : Nancy Beshaler
<nbeshaler@ci.alamogordo.nm.us>

Thu, Jul 09, 2015 11:18 AM

 1 attachment

Subject : Fwd: Alamogordo - property in vicinity of First Street

To : Ruben Segura <rsegura@ci.alamogordo.nm.us>, Stephen Thies <sthies@ci.alamogordo.nm.us>

Cc : Stella Rael <srael@ci.alamogordo.nm.us>, Brian Cesar <bcesar@ci.alamogordo.nm.us>

Below is the email I sent to Sheffield asking for discussion of an easement for our Reclaimed Looping Project. The alignment is included in the attachment. I briefly talked with Larry Sheffield and he was going to get back with me.

From: "Nancy Beshaler" <nbeshaler@ci.alamogordo.nm.us>

To: "sheff2000" <sheff2000@yahoo.com>, "shef4jtjk" <shef4jtjk@aol.com>

Cc: "Erin Clements" <eclements@bhinc.com>

Sent: Monday, June 29, 2015 2:18:02 PM

Subject: Alamogordo - property in vicinity of First Street

Larry / John - you and I communicated back in 2009 when we were constructing First Street as I was the project manager on that project. I am now working on a project which will loop our effluent water system for the city. Our engineers have been working on a proposed alignment for the 10" water line. See attached map. The proposed alignment will require right of way or easement along 2 JLM Associates' parcels and one parcel belonging to Sheffield Trust. I am looking for the right individual(s) to discuss this with.

Please give me a call at your earliest convenience. Thanks in advance.

Nancy Beshaler
575.439.4230

 **Alignment.pdf**
4 MB

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From: Nancy Beshaler [<mailto:nbeshaler@ci.alamogordo.nm.us>]

Sent: Monday, July 20, 2015 2:48 PM

To: Erin Clements; David Shields

Subject: Sheffield property

I got a call back from Larry Sheffield and he is going to write us a letter giving us his proposal for purchase of an easement for the Reclaimed Water Line Looping project.

He asked what the width of the easement needs to be - he was estimating 15' wide - and also asked the length. He would like the easement to hug the eastern property boundary. Can you give me those dimensions for the parcels 3, 4, and 5 on the attached map?

Thanks-

Nancy B.

575.439.4230



image001.jpg

3 KB

From : Nancy Beshaler
<nbeshaler@ci.alamogordo.nm.us>

Thu, Jul 23, 2015 08:22 AM

 1 attachment

Subject : Fwd: Sheffield property

To : sheff2000@yahoo.com

Larry - the total easement will be 3352 LF x 15 LF estimated at this time. David Shields' email below breaks it down by lot.

From: "David Shields" <dsields@bhinc.com>

To: "Nancy Beshaler" <nbeshaler@ci.alamogordo.nm.us>

Sent: Thursday, July 23, 2015 7:54:32 AM

Subject: RE: Sheffield property

Zimbra

nbeshaler@ci.alamogordo.nm.us

Fwd: Sheffield property

From : Nancy Beshaler
<nbeshaler@ci.alamogordo.nm.us>

Thu, Jul 23, 2015 08:22 AM

 1 attachment

Subject : Fwd: Sheffield property

To : sheff2000@yahoo.com

Larry - the total easement will be 3352 LF x 15 LF estimated at this time. David Shields' email below breaks it down by lot.

From: "David Shields" <dshields@bhinc.com>
To: "Nancy Beshaler" <nbeshaler@ci.alamogordo.nm.us>
Sent: Thursday, July 23, 2015 7:54:32 AM
Subject: RE: Sheffield property

Nancy,

Then we would need to add another 50' for a total of 3,352 LF.

David M. Shields, C.E.T.
Project Manager
Engineering Las Cruces
Mobile: (575) 644-4813

Bohannon  **Huston**

Suite C-103
425 South Telshor Blvd.
Las Cruces, NM 88011-7237
www.bhinc.com
voice: 575.532.8670 facsimile: 575.532.8680 toll free: 800.877.5332

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From: Nancy Beshaler [mailto:nbeshaler@ci.alamogordo.nm.us]
Sent: Wednesday, July 22, 2015 1:44 PM
To: David Shields
Subject: Re: Sheffield property

add in the old 1st Street because I believe we vacated that.

From: "David Shields" <dshields@bhinc.com>

To: "Nancy Beshaler" <nbeshaler@ci.alamogordo.nm.us>

Sent: Wednesday, July 22, 2015 12:01:11 PM

Subject: RE: Sheffield property

Nancy,

I have lot 3 at 2,150'

Lot 4 at 492' and Lot 5 at 660'. For a total of 3,302 LF x 15' wide. I excluded the city ROW of 1st as well as the old 1st street ROW. We'll have an exact length after the survey next week.

David M. Shields, C.E.T.

Project Manager

Engineering Las Cruces

Mobile: (575) 644-4813

Bohannon  Huston

Suite C-103

425 South Telshor Blvd.

Las Cruces, NM 88011-7237

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From: Nancy Beshaler [<mailto:nbeshaler@ci.alamogordo.nm.us>]

Sent: Wednesday, July 22, 2015 11:41 AM

To: David Shields

Subject: Re: Sheffield property

Did you get a length of pipe yet?

From: "David Shields" <dshields@bhinc.com>

To: "Nancy Beshaler" <nbeshaler@ci.alamogordo.nm.us>

Sent: Tuesday, July 21, 2015 12:01:20 PM

Subject: RE: Sheffield property

Okay I'll have Julian scale that today.

David M. Shields, C.E.T.

Project Manager

Engineering Las Cruces

Mobile: (575) 644-4813

Bohannon  Huston

Suite C-103

425 South Telshor Blvd.

Las Cruces, NM 88011-7237

www.bhinc.com

voice: 575.532.8670 facsimile: 575.532.8680 toll free: 800.877.5332

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From: Nancy Beshaler [<mailto:nbeshaler@ci.alamogordo.nm.us>]
Sent: Tuesday, July 21, 2015 8:14 AM
To: David Shields
Cc: sheff2000@yahoo.com
Subject: Re: Sheffield property

Let's get an approximate length for now then we will pin it down once the surveyors have done their field work.

From: "David Shields" <dshields@bhinc.com>
To: "Nancy Beshaler" <nbeshaler@ci.alamogordo.nm.us>
Sent: Tuesday, July 21, 2015 8:00:13 AM
Subject: RE: Sheffield property

Nancy,

Erin is out this week, but I'd say the 15' width is good, but we won't have an exact length until after the 30th when the surveyor does the field work. They are scheduled to be out on the 27 thru 30 for the field work and then we need a little time to process the data. Would an approximate length work for now or should we wait and get the exact length for the property purchase?

David M. Shields, C.E.T.
Project Manager
Engineering Las Cruces
Mobile: (575) 644-4813

Bohannon  Huston

Suite C-103
425 South Telshor Blvd.
Las Cruces, NM 88011-7237
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From: Nancy Beshaler [<mailto:nbeshaler@ci.alamogordo.nm.us>]
Sent: Monday, July 20, 2015 2:48 PM
To: Erin Clements; David Shields
Subject: Sheffield property

I got a call back from Larry Sheffield and he is going to write us a letter giving us his

Zimbra

nbeshaler@ci.alamogordo.nm.us

Fwd: August 2015 Newsletter

From : Nancy Beshaler
<nbeshaler@ci.alamogordo.nm.us>

Wed, Aug 19, 2015 09:45 AM

Subject : Fwd: August 2015 Newsletter

To : Robert Rentschler
<rrentschler@ci.alamogordo.nm.us>

Cc : Brian Cesar <bcesar@ci.alamogordo.nm.us>

Bohannon Huston is on notice. I do need to follow up with Larry Sheffield on the easement we need which I will do today. If you have any questions about the project please feel free to contact me directly.

Thanks-
Nancy B.

----- Forwarded Message -----

From: "rrichardson" <rrichardson@bhinc.com>
To: "Nancy Beshaler" <nbeshaler@ci.alamogordo.nm.us>, "David Shields" <dshields@bhinc.com>, "Erin Clements" <eclements@bhinc.com>
Cc: "Matthew Thompson" <mthompson@bhinc.com>
Sent: Wednesday, August 19, 2015 9:36:55 AM
Subject: RE: August 2015 Newsletter

Nancy,

We will hit the current schedule.

Rob Richardson, PE
Senior Vice President
Direct line: 505.798.7878

Bohannon Huston
7500 Jefferson NE
Albuquerque, NM 87109

www.bhinc.com

voice: 505.823.1000 facsimile: 505.798.7988 toll free: 800.877.5332

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-----Original Message-----

From: Nancy Beshaler [mailto:nbeshaler@ci.alamogordo.nm.us]
Sent: Wednesday, August 19, 2015 9:31 AM
To: David Shields; Rob Richardson; Erin Clements
Subject: Fwd: August 2015 Newsletter

The Reclaimed Water Line Looping project is getting attention as grant money that is not being spent. We need to make sure this project gets advertised and constructed per the current schedule.

Thanks-
Nancy B.

----- Forwarded Message -----

From: "Brian Cesar" <bcesar@ci.alamogordo.nm.us>
To: "Robert Rentschler" <rentschler@zianet.com>
Cc: "Nancy Beshaler" <nbeshaler@ci.alamogordo.nm.us>
Sent: Wednesday, August 19, 2015 8:49:13 AM
Subject: Re: August 2015 Newsletter

Robert,

The \$400,000 is legislative monies to complete the reclaimed line looping. Nancy Beshaler is the project manager with Bohannon Hustons, Inc., as the engineering firm for the project. The City will have 60% design by the end of August and it is scheduled for advertisement for construction on October 28th. The project should be completed by March 2016.

----- Original Message -----

From: "Robert Rentschler" <rentschler@zianet.com>
To: bcesar@ci.alamogordo.nm.us
Sent: Tuesday, August 18, 2015 1:42:41 PM
Subject: FW: August 2015 Newsletter

Brain, Look at this and let us figure out how to spend that 400K that John Arthur Smith points out the City of Alamogordo has not spent before we lose it... Or give it back.

Robert Rentschler

575.446.9140

From: Ron Griggs [mailto:griggsholdings2@gmail.com]
Sent: Monday, August 17, 2015 10:03 PM
To: Robert Rentschler <rentschler@zianet.com>; Susie Galea
<susiegalea2012@gmail.com>; Dale Janway Mayor <djanway44@hotmail.com>
Subject: Fwd: August 2015 Newsletter

All

This comes out every month. This one talks about capital outlay monies that are unspent as well as the need for road dollars. As you may know, Senator Smith held one of my bills in Senate Finance and the Governor vetoed the other bill that could have helped with roads. We will see what ideas come up this next session.

But I would suggest you move forward as quickly as you can to address projects funded with legislative capital outlay to avoid any opportunities for the state to try to take the money back.

Ron

----- Forwarded message -----

From: "Lujan, Adreena" <Adreena.Lujan@nmlegis.gov >
Date: Aug 17, 2015 3:03 PM
Subject: August 2015 Newsletter
To:
Cc:

Image removed by sender.

Please see attached.

Thank you,
adreena.lujan@ nmlegis.gov

Legislative Finance Committee
325 Don Gaspar, Suite 101
Santa Fe, NM 87501

Phone (505) 986-4550

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 09/08/2015

Report Date: 8/28/2015

Report No: 18.

Submitted By: Rachel Hughs, Admin.
Assistant

Subject: Appointments to Boards and Committees. (*Susie Galea, Mayor*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Appoint Kim Lopez Gallagher to the Public Library Board.

Background:

Airport Zoning Board. Two (2) vacancies. Staff Liaison - Jan Wafful
(*Opening due to the resignation of Fran Nelson and Paul Vigneault.*)
No nominations received.

Alamogordo Disability Council. Two (2) vacancies. Staff Liaison - Edward Balderrama
(*Openings due to the expiring terms of Rita Martinez, Suzanne Bertrand and Larry Chapman and the resignation of Bradley Mauger.*)
No nominations received.

Cemetery Board. One (1) vacancy. Staff Liaison - Jan Wafful
(*Opening due to the expiring term Larry T. Rachel*)
No nominations received.

Community Development Advisory Committee. Five (5) vacancies. Staff Liaison - Ruben Segura
(*Opening due to the expiring term of Bruce Knee, Susan Payne, Tony Alger and Melanie Hall and the resignation of Arthur Alterson.*)
No nominations received.

Housing Authority Advisory Board. One (1) vacancy. Staff Liaison - Maggie Paluch
(*One of the members appointed on December 3rd has not returned his acceptance letter; therefore another person needs to be appointed.*)
No nominations received.

Promotion Board. One (1) vacancies. Staff Liaison - Jan Wafful
(Opening due expiring term of Tony Mandalia and the resignation of Kathleen Beall)
No nominations received.

Public Library Board. Two (2) vacancy. Staff Liaison – Melissa Garcia
(Opening due to the expiring term of Kim Lopez Gallagher and Joann Reynolds)
The following existing board member is interested in being reappointed:
Kim Lopez Gallagher - if appointed this will be her second term.

Senior Volunteer Programs Advisory Council. Three (3) vacancies. Staff Liaison - Maria Roque
(Openings due to the expiring term of, Angela Axtolis and the resignations of William Whitley
and Thomas Rich V.)
No nominations received.

**ALAMOGORDO LIBRARY
ADVISORY BOARD**

RECEIVED

AUG 26 2015

CITY CLERK

City of Alamogordo
APPLICATION TO SERVE ON A
CITY BOARD/COMMITTEE

Name: Kim Lopez Gallagher
Home Phone: 8 Work Phone: 575-439-3730
Cell Phone: 575-443-4116 Fax No: _____
e-mail address: klopez@nmsu.edu
Physical Address: 3013 Del Cerra, Alamogordo, NM 88310
Is the above address within City limits? Yes ☒ No _____
Mailing Address: Same as above
Present Employer: NMSU Alamogordo Job Title: Associate Professor

Board/Committee you wish to serve on:

First choice: Public Library Board
Second choice: _____

Are you related to anyone who is presently employed by the City of Alamogordo:

Yes _____ No ☒ If so, what is their relation to you? _____

Are you related to any Elected Official of the City of Alamogordo?

Yes _____ No ☒ If so, what is their relation to you? _____

Experience and education relating to the Board/Committee: I have served
on the Board since November 2013 as Secretary.
I was just elected to serve as Chair in July 2015.

Please indicate your interest in serving on a City Board/ Committee: I wish to
contribute meaningfully to my city. I care most
about keeping access to information open to all
through the public library.

Please return completed application to:

City Clerk's Office
1376 E. Ninth Street
Alamogordo, NM 88310
PHONE: (575)439-4205
FAX: (575)439-4396

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 09/08/2015

Report Date: 8/31/2015

Report No: 19.

Submitted By: Stephen Thies, City Attorney

Subject: Recess into Closed Session in compliance with Section 10-15-1.H, NMSA 1978 (2010 Cumulative Supplement) to discuss Limited Personnel Matters (Interim City Manager recruitment) and Collective Bargaining Negotiations (APSOA). **(Roll call vote required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve to Recess into Closed Session in compliance with Section 10-15-1.H, NMSA 1978 (2010 Cumulative Supplement) to discuss Limited Personnel Matters (Interim City Manager recruitment) and Collective Bargaining Negotiations (APSOA). **(Roll call vote required)**

Background:

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 09/08/2015

Report Date: 9/4/2015

Report No: 20.

Submitted By: Stephen Thies, City
Attorney

Subject: Action, if any, related to Limited Personnel Matters (Interim City Manager).

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background: