



Alamogordo City Commission

NOTICE OF MEETING

Regular Meeting Agenda

November 3, 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
Vacant District 6

George Straface Interim City Manager
Stephen Thies City Attorney
Nancy Jacobs Deputy 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

1. Approve November 3, 2015 Agenda.
2. Appointment of District 6 Commissioner.
3. Oath of Office administered by Deputy City Clerk Nancy Jacobs.

PRESENTATIONS

4. Presentation of the July - September 2015 Quarterly Report for Otero County Economic Development Council (OCEDC). (*Mike Espiritu, Chamber of Commerce/OCEDC President & CEO*)

CONSENT AGENDA

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.

5. Approve the minutes for the October 27, 2015 Regular City Commission meeting. (*Nancy Jacobs, Deputy City Clerk*)
6. Consider, and act upon, the Award of Public Works Bid No. 2015-012 to Gallardo Construction related to Community Block Grant (CDBG) Project No. 14-C-NR-I-03-G-15 Domestic Violence Center Improvements in an amount not to exceed \$775,410.95, including tax (\$719,405.25 + \$56,005.70) for Base Bid and Additive Alternative #3. (*Ruben Segura, City Planner/Grants Coordinator*)
7. Consider, and act upon, purchase of a water line easement between First Street and Eighth Street from S&J Development Co.,LLC related to the Reclaimed Water Line Looping Project in the amount of \$33,171. (*Stephen Thies, City Attorney*)

WORK SESSION

8. Discussion of the Infrastructure Capital Improvement Plan (ICIP) Projects report. (*LeeAnn Nichols, Finance Director*)
9. Discussion and direction to staff concerning amendment to Chapter 28 of the Alamogordo Code of Ordinances and related policies for Customer Service. (*Mark Threadgill, Customer Service Manager*)

CITY MANAGER'S REPORT

REMARKS AND INQUIRIES BY THE CITY COMMISSION

EXECUTIVE SESSION

10. Adjourn into Executive Session in compliance with Section 10-15-1.H, NMSA 1978 (2010 Cumulative Supplement) to discuss limited personnel matters. (**Roll Call vote required**)

ADJOURNMENT

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 11/03/2015

Report Date: 10/30/2015

Report No: 1.

Submitted By: Nancy Jacobs, Deputy
Clerk

Subject: Approve November 3, 2015 Agenda.

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background: Approve agenda.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 11/03/2015

Report Date: 10/30/2015

Report No: 2.

Submitted By: Nancy Jacobs, Deputy
Clerk

Subject: Appointment of District 6 Commissioner.

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background: At the October 27, 2015 Commission meeting, the interviews were held for the three Candidates for District 6 City commissioner. The alphabetical list of Candidates are as follows:

William G. Dennis II

Eugene C. "Cliff" Hudson

Beverly C. Taylor

Nominations should be made by the Commissioners and they will be voted on in the order they were nominated. The first vote with a Majority of the Commission will be the newly appointed Commissioner for District 6.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 11/03/2015

Report Date: 10/30/2015

Report No: 3.

Submitted By: Nancy Jacobs, Deputy
Clerk

Subject: Oath of Office administered by Deputy City Clerk Nancy Jacobs.

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background: As required by law, the newly appointed Commissioner Candidate must take the Oath of Office, administered by the Deputy City Clerk. Once the Oath is administered, the new Commissioner can vote on any items on the agenda.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 11/03/2015

Report Date: 10/29/2015

Report No: 4.

Submitted By: Nancy Jacobs, Deputy
Clerk

Subject: Presentation of the July - September 2015 Quarterly Report for Otero County Economic Development Council (OCEDC). (*Mike Espiritu, Chamber of Commerce/OCEDC President & CEO*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background: As per the agreement (Section 1.2.six), which was signed November 27, 2013, OCEDC is required to give a brief presentation of their Quarterly Report to the Commission. They will be presenting the 1st Quarter (July- September 2015) at this meeting.

The Presentation is attached.



Otero County Economic Development Council, Inc.

1301 N. White Sands Blvd.
Alamogordo, NM 88310
(575) 434-5882 • (575) 437-7139-Fax
www.ocedc@alamogordo.com

Reporting Period: July-September 2015

1. Economic Development Web Site. Active website with demographic information available. Identification of public owned, shovel ready sites are continuously being updated with area realtors and property owners. Incentive packages and materials are available.

Web activity (July - September 2015)

Total Unique Visitors	Total Number of Visits	Total Pages	Total Hits
2,662	6,310	52,010	80,476

2. Support Services for Existing Businesses.

- a. Retention rate for existing businesses. Current registered businesses as of September 30, 2015 is 1,727. This is an increase of 165 additional registered businesses since June 30, 2015 (Alamogordo city clerk office).

- b. Current employee headcount of area's top employers:

HAFB - 3882	Xerox - 124	OFCU - 96	French Brothers - 22
APS - 800 FT / 200 PT	Lowe's Pay N Save - 208	Otero County Coop. - 66	Morrison Supply - 10
GCRMC - 837	PreCheck - 175	White Sands Const. - 40	PNM - 23
Walmart - 433	Mesa Verde - 144	Bank'34 - 28	Jack Wayte Construction - 25
NMSU-A - 383	Lowe's Home Imprv. - 128	Western Bank - 33	Texas NM Gas - 20
City - 254	Home Depot - 123	TBTC - 30	Home Service Contractors- 24
County - 251	First National Bank - 82	Wells Fargo Bank - 22	McDonalds - 131
Albertsons - 240	TDS - 75	National Construction - 20	Alamogordo Dental Group - 20

3. Prospective Company Recruitment.

- a. Number of sales, trade show, or similar events attended:
 - i. Project A-S sales mission
 - ii. Azerbaijan and Turkey
 - iii. Air Force Association Symposium
 - iv. Industrial Asset Management Council

- b. Number of “home-grown” businesses locating in Alamogordo:
 - i. Emerging Technology Ventures (ETV) has hired 7 personnel, and expecting return of two NMSU interns for full time employment upon graduation this December.
 - ii. Project Blue (Neptune Aviation) Project completed at City Commission meeting on May 26, 2015. Awaiting final on hangar door modification actions.
 - iii. Project Pole is applying for state Local Economic Development Act (LEDA) funds. Once the company provides satisfactory security pledges, the City of Alamogordo and the NM Economic Development Department will begin preparation of the IGA and PPA documents with a presentation to the city commission for consideration.
 - iv. Project Protect are still seeking funding for equipment needs.
 - v. Project Well are still awaiting contractual awards.
 - vi. Project Garnet is a mining company in Oro Grande. Property and Industrial Revenue Bond actions are complete. Awaiting environmental permit before manufacturing plant can be constructed.
- c. Listing of contacts or potential businesses obtained through serving as the lead contact:
 - i. ASCAR, Inc.
 - ii. Nuvite Chemical Compounds
 - iii. Port of Portland
 - iv. KPMG LLP, Global Location and Expansion Solutions
 - v. Lockheed Martin Aeronautics Co.
 - vi. Orbital ATK
 - vii. Plane Techs
 - viii. SAAB Defense and Security USA LLC
 - ix. Northrup Grumman Corporation, LVC Systems
 - x. Universal Avionics Systems Corporation
 - xi. Missile Defense Agency
 - xii. Penske Truck Leasing (Facilities)
 - xiii. Kidder Mathews Commercial Real Estate
 - xiv. IDS Real Estate Group
 - xv. McGuire Woods Consulting
 - xvi. McGowan Corporate Real Estate Advisors
 - xvii. CLECO Power LLC
 - xviii. CN Wire Corporation
 - xix. Top Gun Advisors
- d. Property Inquiries: 3
- e. Business Facilities Magazine leads:
 - i. RECON Show 2015 – 28
 - ii. SBDC Lead - 1
- f. NM Partnership Prospective Recruitment Opportunities (PRO): 3

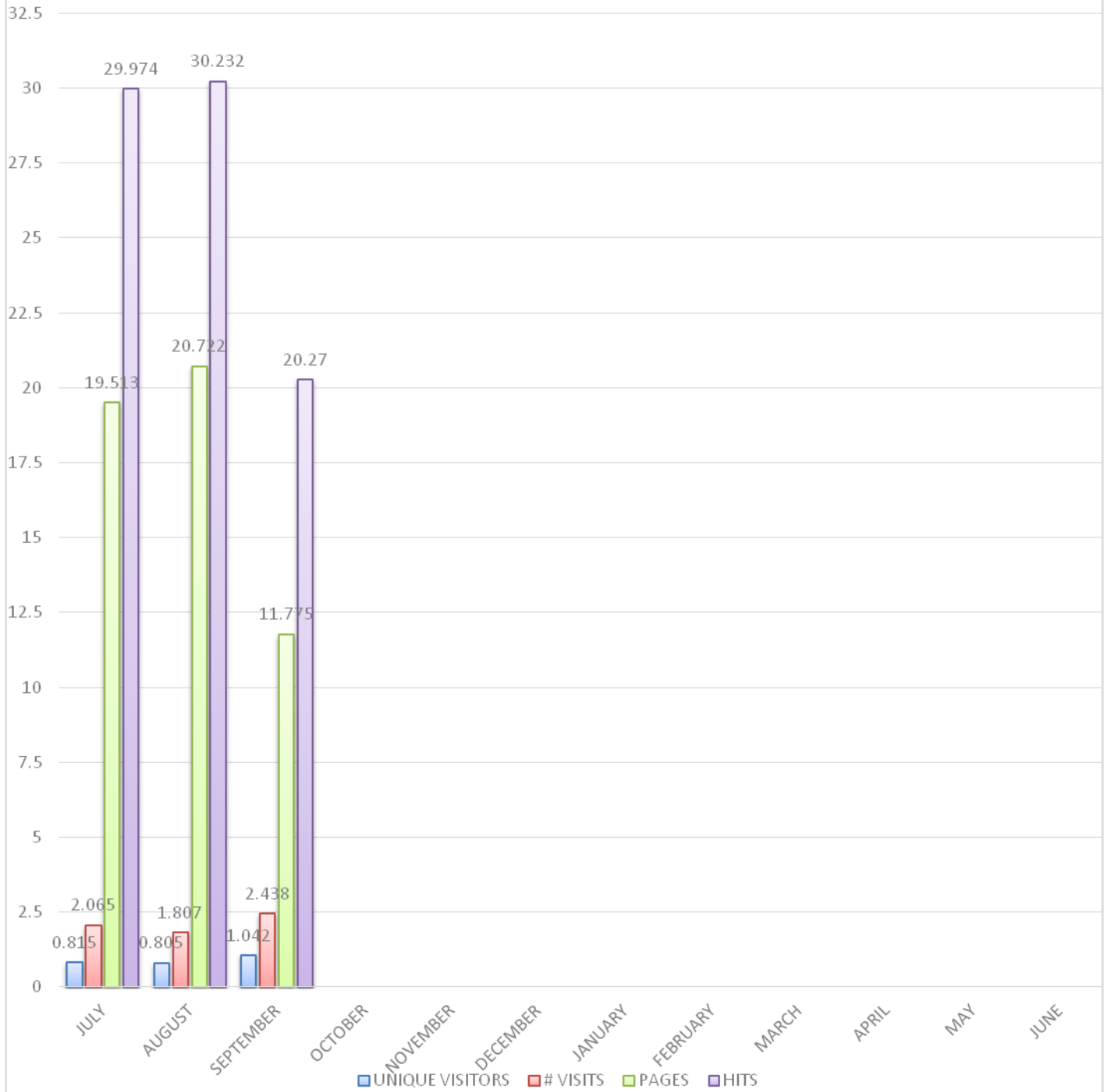
4. Marketing Materials Directed Toward Target Businesses.

In the developmental process of a new collateral piece for trade and sales missions to target High Tech industries.

5. Other items:

- a. Met with local citizen who wishes to begin manufacturing here, as a small start-up company with his son. We will continue to follow-up, as they were seeking a suitable property location.
- b. Had meeting with Otero County Manager about their Local Economic Development Act (LEDA) ordinance. She was very receptive, and feels that it is sufficient to support future projects in the county.
- c. Attended the Interim Legislative Jobs Council meeting in Ruidoso, NM.
- d. Selected as the incoming Chairman for the NM Rural Economic Development Council (NMEDD) beginning term in October 2015.
- e. Hosted meetings for NM Cabinet Secretary Bussey concerning excessive Unemployment Insurance fees with local business-owners.
- f. Attended presentation on Green City Water project at the National Brackish Water and Desalination Research Facility.
- g. Attended the Small Community Economic Development Professional Development training session in Las Vegas, NM.
- h. Hosted the New Mexico Finance Authority in local sessions with community lenders and businesses.
- i. Judged the Big Give program at Holloman AFB.
- j. Meet with NM Economic Development International Affairs office and the New Mexico Trade and Higher Education Center representatives.
- k. Laurie Anderson attended as our representative at Alamogordo Main Street meetings.
- l. Attended the New Mexico Partnership Board meeting in Farmington, NM, and the NM IDEA Board meeting in Los Alamos, NM.
- m. Attended a lunch meeting with USAF Secretary of International Affairs, Ms. Heidi Grant and several key Holloman AFB leaders and international Remotely Piloted Vehicle students.

Web Site Activity 2015-2016 (measured in thousands)



AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 11/03/2015

Report Date: 10/30/2015

Report No: 5.

Submitted By: Nancy Jacobs, Deputy
Clerk

Subject: Approve the minutes for the October 27, 2015 Regular City Commission meeting. *(Nancy Jacobs, Deputy City Clerk)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve the Minutes.

Background:

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: November 3, 2015 **Report Date:** October 21, 2015 **Report No:** 6

Submitted By: Ruben Segura
City Planner

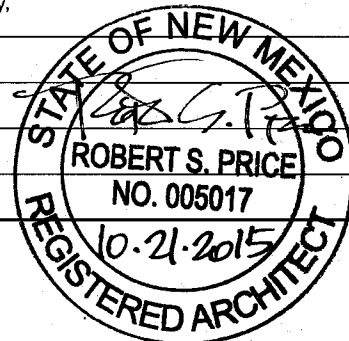
Subject: Consider, and act upon, the Award of Public Works Bid No. 2015-012 to Gallardo Construction related to Community Block Grant (CDBG) Project No. 14-C-NR-I-03-G-15 Domestic Violence Center Improvements in an amount not to exceed \$775,410.95, including tax (\$719,405.25 + \$56,005.70) for Base Bid and Additive Alternative #3.

Fiscal Impact: \$275,410.95 (GC1402)
Amount Budgeted: \$775,410.95
Fund: 48-0207-463.61-62

Recommendation: Award Public Works Bid No. 2015-012 to Gallardo Construction related to Community Block Grant (CDBG) Project No. 14-C-NR-I-03-G-15 Domestic Violence Center Improvements in an amount not to exceed \$775,410.95, including tax for Base Bid and Additive Alternative #3.

Background: Approximately one year ago the City Commission selected the Center of Protective Environment's (COPE) "Raise the Roof" project for submission to the 2014 Community Development Block Grant program. The project was selected and staff has been working with COPE, the consulting architectural firm and the Department of Finance and Administration since that time towards the completion of the project. In late August, 2015, appropriate notice was published requesting interested parties to submit sealed bids for the construction component of this project. Six bids were received and opened on September 29, 2015. Shortly after the bid opening the lowest bidder withdrew its bid due to clerical errors in its bid tabulations. Gallardo Construction, LLC, a Las Cruces contractor, was the next lowest bidder. Its bid has been reviewed and determined to be responsible. The Department of Finance and Administration has reviewed and concurred with staff's recommendation to award the construction contract to Gallardo Construction. Please note that since the project involves federal funds, local and state preferences do not apply. Staff recommends award of the contract to Gallardo Construction for a not to exceed sum of \$775,410.95, which includes Gross Receipts Tax.

BID TABULATION 2014 CDBG Domestic Violence Center Improvements CDBG No. 14-C-NR-I-03-G-15 / Public Works Bid No. 2015-012 September 29, 2015			ASA Architects Option of Probable Cost	JRP Master Builders LLC Lic. No. 360479 GB98	Gallardo Construction Lic. No. 376817 EE98, GA01 GB98, GF10	White Sands Construction Inc. Lic. No. 50235 GB98, GF10	C&E Industrial Services Inc Lic. No. 84266 GB98, MM98, GF09 MDHMM98, LP04	Jack Wayne Const. Co. Inc. Lic. No. 14270 GB98, GA98, GF98
DESCRIPTION	QTY	UNIT	Unit Price	Unit Price	Unit Price	Unit Price	Unit Price	Unit Price
Base Bid General construction of a single story building renovation and addition to existing building as indicated on bid documents exclusive of additive alternates listed below and referenced on Specification Section 011100-Sumary of Work	1	LS	\$586,327.00	\$578,000.00	\$693,493.67	\$724,000.00	\$782,488.00	\$1,136,500.00
NMGRT (7.875%)			\$45,645.56	\$44,997.30	\$53,988.48	\$56,363.40	\$60,916.69	\$88,476.53
TOTAL BASE BID			\$631,972.56	\$622,997.30	\$747,482.15	\$780,363.40	\$843,404.69	\$1,224,976.53
Remove existing roof shingles & felt down to exist. roof deck. Replace any damaged deck as necessary. Provide Standing Seam Metal Roof System as specified in lieu of shingle roof.	1	LS		\$24,200.00	\$51,974.66	\$57,500.00	\$24,564.00	\$30,000.00
NMGRT (7.875%)			\$0.00	\$1,883.97	\$4,046.23	\$4,476.38	\$1,912.31	\$2,335.50
TOTAL BASE BID			\$0.00	\$26,083.97	\$56,020.89	\$61,976.38	\$26,476.31	\$32,335.50
Add. Alt. #2: Landscape and Irrigation as shown on Landscape drawings	1	LS		\$12,000.00	\$13,900.00	\$15,500.00	\$15,520.00	\$19,000.00
NMGRT (7.875%)			\$0.00	\$934.20	\$1,082.12	\$1,206.68	\$1,208.23	\$1,479.15
TOTAL BASE BID			\$0.00	\$12,934.20	\$14,982.12	\$16,706.68	\$16,728.23	\$20,479.15
Add. Alt. #3: Extend new asphalt paving to include entire east parking lot in lieu of gravel. Omit depressed portion of conc. side walk shown on drawings	1	LS		\$21,300.00	\$25,911.58	\$23,500.00	\$24,619.00	\$35,500.00
NMGRT (7.875%)			\$0.00	\$1,658.21	\$2,017.22	\$1,829.48	\$1,916.59	\$2,763.68
TOTAL BASE BID			\$0.00	\$22,958.21	\$27,928.80	\$25,329.48	\$26,535.59	\$38,263.68
Bid Bond 4A-25				YES	YES	YES	YES	YES
Bid Security with Agent's Affidavit 4A-27				YES/NO	YES/NO	YES	YES	YES
Subcontractors Listing & NMDWS Registration form 4A-29				YES/NO	YES/NO	YES	YES/NO	YES
Certification of Bidder Regarding Equal Employment Opportunity, Form 950.1 4A-31				YES	NO	YES	YES	YES
Certification of Bidder Regarding Section 3 and Segregated Facilities 4A-32				YES	YES	YES	YES	YES
Section 3 Plan 4A-33				YES	YES	YES	YES	YES
Table A Proposed Subcontracts Breakdown 4A-34				NO	NO	YES	YES	NO
Table B Estimated Project Workforce Breakdown 4A-35				NO	NO	YES/NO	YES	NO



Zimbra

rsegura@ci.alamogordo.nm.us

Fwd: CBDG: 14-C-NR-1-03-G-15 - Domestic Violence Center Improvement Project

From : Ruben Segura <rsegura@ci.alamogordo.nm.us> Fri, Oct 16, 2015 04:50 PM
Subject : Fwd: CBDG: 14-C-NR-1-03-G-15 - Domestic Violence Center Improvement Project 1 attachment
To : Karen Ramage <karen.ramage@state.nm.us>
Cc : Edward Balderrama <ebalderrama@ci.alamogordo.nm.us>, Stephen Thies <sthies@ci.alamogordo.nm.us>, Stella Rael <srael@ci.alamogordo.nm.us>

Karen,

I made a mistake by transposing some numbers. The total base bid amount plus the additive alternative #3 equals \$775,410.95, instead of \$775,464.95 (\$54 difference). Therefore, the we are requesting to move \$24,585.95 (instead of \$24,639.95) from the Architect/Engineering category to Construction.

Sorry for the confusion.

Respectfully,

Ruben Segura, MPA
City Planner

City of Alamogordo
1376 E, Ninth Street
Alamogordo, NM 88310
Phone (575) 439-4231
Fax (575) 439-4343

----- Forwarded Message -----

From: "Karen Ramage" <Karen.Ramage@state.nm.us>
To: "Ruben Segura" <rsegura@ci.alamogordo.nm.us>
Cc: "Edward Balderrama" <ebalderrama@ci.alamogordo.nm.us>, "Stephen Thies" <sthies@ci.alamogordo.nm.us>
Sent: Friday, October 16, 2015 3:58:41 PM
Subject: RE: CBDG: 14-C-NR-1-03-G-15 - Domestic Violence Center Improvement Project

Good Afternoon Ruben,

I have also received your voicemail on this topic.

Thank you for keeping us informed. I will review the emails, correspondence, details of the bid, budget and plans for the project and provide some information for you next week.

Karen Ramage, Community Development Project Manager
Department of Finance and Administration
Local Government Division
407 Galisteo Street, Room 202C
Santa Fe, New Mexico 87501
505-827-4963

-----Original Message-----

From: Ruben Segura [mailto:rsegura@ci.alamogordo.nm.us]
Sent: Friday, October 16, 2015 3:38 PM
To: Ramage, Karen, DFA <Karen.Ramage@state.nm.us>
Cc: Edward Balderrama <ebalderrama@ci.alamogordo.nm.us>; Stephen Thies <sthies@ci.alamogordo.nm.us>
Subject: Fwd: CBDG: 14-C-NR-1-03-G-15 - Domestic Violence Center Improvement Project

Karen,

Please be advised that the lowest bidder withdrew his bid. Please see the following series of emails. As a result, staff will be moving forward and recommending that the City Commission approve the next lowest bidder: Gallardo Construction. In particular, staff will be recommending that the City accept Gallardo Construction's base bid and Additive Alternative #3 for a total construction amount (including GRT) equaling \$775,464.95. I have attached a copy of the bid table for your information.

As you are aware, City currently has \$548,625 in its CDBG approved budget. Therefore, we are requesting to move \$24,639.95 from the Architect/Engineering category to Construction and pledging to add \$202,200.00 for a total of \$775,464.95, since the cost for architectural services did not amount to the total allocated amount of \$44,000. (Please see Exhibit 1-C).

Please advise.

Thanks,

Ruben Segura, MPA
City Planner

City of Alamogordo
1376 E, Ninth Street
Alamogordo, NM 88310
Phone (575) 439-4231
Fax (575) 439-4343

----- Forwarded Message -----

From: "Barbara Pyeatt" <bpyeatt@ci.alamogordo.nm.us>
To: "Ruben Segura" <rsegura@ci.alamogordo.nm.us>
Sent: Friday, October 16, 2015 2:26:01 PM
Subject: Fwd: CBDG: 14-C-NR-1-03-G-15

Ruben

This is the email for the COPE project.

Thanks
Barb

Barbara Pyeatt
Chief Procurement Officer
City of Alamogordo
(575) 439-4116

----- Forwarded Message -----

From: "james parker" <jrpbuilders@yahoo.com>
To: "Barbara Pyeatt" <bpyeatt@ci.alamogordo.nm.us>
Sent: Wednesday, October 7, 2015 1:26:12 PM
Subject: Re: CBDG: 14-C-NR-1-03-G-15

Barbara,
Thank You for your Email. We appreciate your flexibility and your open communication with us. We wish you the best of luck on the COPE building and look forward to working with you in the near future.

Best Regards,
James ParkerJRP Builders

On Wednesday, October 7, 2015 7:36 AM, Barbara Pyeatt
<bpyeatt@ci.alamogordo.nm.us> wrote:

Mr. Parker

Thank you for your timely response. Unfortunately we are unable to award this project to you for \$625,000.00. Please do not concern yourself about the bid bond. We will not be filing on it. The City of Alamogordo accepts this email as withdrawal of your original bid for PW Bid 2015-012 CDBG Domestic Violence Center Improvements. Thank you for your interest and we hope that you will bid with us again in the future.

Thank You

Barbara Pyeatt
Chief Procurement Officer
City of Alamogordo
(575) 439-4116

----- Original Message -----

From: "james parker" <jrpbuilder@yahoo.com>
To: "Barbara Pyeatt" <bpyeatt@ci.alamogordo.nm.us>
Sent: Tuesday, October 6, 2015 3:47:47 PM
Subject: Re: CBDG: 14-C-NR-1-03-G-15

Hi Barbara,

Thank You for getting back to us. We would love to work with you on the project based on our original bid. Unfortunately, for a lack of a better word, we screwed up. We can not perform this job for that price. We hope you will consider working with us somewhere in the middle.

We are a small company and so we are asking for some flexibility in either our bid or our bid bond. That said, we must withdraw our original bid if we cant negotiate to a more reasonable price. Our lowest possible price for this job would be \$625,000.00. Thank You.

James Parker
JRP Builders

On Monday, October 5, 2015 3:38 PM, Barbara Pyeatt
<bpyeatt@ci.alamogordo.nm.us> wrote:

Mr. Parker

I wanted to inform you that the City will be moving forward with your Original Bid as submitted on September 29, 2015 at 2:00 PM. If you choose to withdraw your bid for this project, please let me know as soon as possible.

Thank You

Barbara Pyeatt
Chief Procurement Officer
City of Alamogordo
(575) 439-4116

 **Exhibit 1-C - Revised 10-15-2015.xls**
41 KB

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 11/03/2015

Report Date: 10/30/2015

Report No: 7.

Submitted By: Stephen Thies, City Attorney

Subject: Consider, and act upon, purchase of a water line easement between First Street and Eighth Street from S&J Development Co.,LLC related to the Reclaimed Water Line Looping Project in the amount of \$33,171. (Stephen Thies, City Attorney)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve the purchase of a water line easement between First Street and Eighth Street from S&J Development Co. LLC related to the Reclaimed Water Line Looping Project in the amount of \$33,171.

Background: The Reclaimed Water Line Looping project will complete looping of the City's Reclaimed Water System by installing pipe between the existing line from the LaVelle pumping station and tying into the existing line in Alameda park in the vicinity of Sixteenth Street. The purchase of this easement is necessary for the section of pipe that will be constructed between First Street and Eighth Street on the west side of the railroad tracks.

PURCHASE AGREEMENT IN LIEU OF CONDEMNATION

This Purchase Agreement in Lieu of Condemnation is made on _____, 2015, by and between the City of Alamogordo, a New Mexico municipal corporation ("City"), and S & J Development Co LLC, a New Mexico limited liability company, with a business address of 4940 Braeburn Way, Colorado Springs, CO 80919 ("Property Owner").

RECITALS

Whereas, the Property Owner is the owner of certain real property situated in Otero County, New Mexico, and legally described on the attached Exhibit A, (the "Real Property"); and

Whereas, the City has proposed a public works project known as the Reclaimed Water Line Loop, Project No. EN1305 ("Looping Project"); and

Whereas, the City desires to acquire an easement in the Real Property to install a water line (the "Easement"); and

Whereas, the City is statutorily authorized pursuant to section 3-27-2.A(1)(e) NMSA 1978, to condemn private property for rights of way necessary for water facilities; and

Whereas, the parties to have negotiated certain conditions, memorialized herein, related to the condemnation of an Easement that will: (1) preclude the need for filing a condemnation petition and all issues related thereto; (2) transfer an easement interest in the Real Property to the City to be used for the Looping Project; and (3) provide just compensation, are required by law, to the Property Owners for the Easement, all conditioned upon the parties compliance with the terms and conditions of this Agreement.

NOW, THEREFORE, the City and the Property Owner agree as follows:

1. The City will pay to the Property Owner, as just compensation in lieu of condemnation for the Easement the sum of Thirty-Three Thousand, One Hundred Seventy-one Dollars (\$33,171.00)(the "Compensation"). Property Owner and City shall each pay the fees and expenses of their respective legal counsel, accountants, and other consultants or advisors incurred in connection with the transaction. There is no earnest money required for this Agreement. Both parties acknowledge that there is legally sufficient consideration for entering into this Agreement. The Compensation shall constitute full payment for Easement.

2. The Property Owner agrees to perform, and be bound to, the following:

(a) In exchange for the Compensation, the Property Owner shall convey an easement to the City in the Real Property on the Closing Date as hereinafter defined. The Property Owner represents and warrants that they hold marketable, fee title to the Real Property, that there are no encumbrances, subject to the provisions set forth at section 4 below and are able to convey the same in conformance herewith.

(b) The Property Owner represents and warrants that, to the best of their knowledge, there is no litigation pending or threatened against them or the Real Property that arises out of the ownership of the Real Property and that might materially and detrimentally affect (i) the use or operation of the Easement for the City's intended use, or (ii) the ability of the Property Owner to perform their obligations under this Agreement, or (iii) the Property Owner' ability to convey the Easement.

(c) The Property Owner represents and warrants that they have no knowledge of the release of or presence of any hazardous materials on, in, from or onto the Real Property ("Hazardous Materials" meaning any hazardous or toxic substance, petroleum product or wastes that are regulated or subject to cleanup authority under any state, federal or local statute, rule, regulation or ordinance).

(d) If any of the above requirements are breached or are otherwise not met, the City shall be allowed to proceed, in its sole discretion, with filing and prosecution of the Action.

3. The parties hereby acknowledge that they have entered into this Agreement under the premise that the Easement is necessary for a public use by the City. Subject to all the provisions of this Agreement, the closing of the transaction shall occur on or before December 31, 2016, (the "Closing Date") unless otherwise mutually agreed to by the parties in writing.

4. The Property Owner represents that the Real Property is not encumbered with a mortgage or deed of trust.

5. In consideration of payment of the Compensation set forth at section 1 above, the Property Owner shall release the City from any and all other costs, expenses, claims or liabilities arising from, or that may arise from the conveyance of the Easement to the City and from the City's construction, installation and operation of the water line.

6. In the event that either party believes that the other has not met or fulfilled any of the requirements of this Agreement, then upon delivery of written notice to the noncomplying party, said non-complying party shall have thirty days to cure any alleged non-compliance or breach of this Agreement. If after the expiration of said thirty day period, the party alleged to have breached this Agreement has failed to cure the alleged non-compliance, then either party may take any necessary action to enforce the terms and conditions of this Agreement, including writs of injunction, mandamus, or declaratory relief, and shall be entitled to any other relief provided at law or equity, including specific performance.

7. The individuals signing for the parties below affirm that they have all received the requisite approvals from the parties to this Agreement and have the authority to sign this Agreement.

8. Upon completion of the mutual obligations set forth herein, the parties forever waive any and all claims for damages or otherwise of any kind or nature known or unknown related to the subject matter of this Agreement.

9. The parties recognize, acknowledge and agree that this Agreement is a mutual compromise of the claims that each party may have had against the other, that each party admits no liability of any sort, and that this amount is a settlement and compromise for the sole purpose of terminating any and all controversies between the parties hereto.

10. Each of the provisions of this Agreement has been reviewed and negotiated, and represents the combined work product of all parties hereto. No presumption or other rules of construction which would interpret the provisions of this Agreement in favor of or against the party preparing the same shall be applicable in connection with the construction or interpretation of any of the provisions of this Agreement.

11. This Agreement and the parties' rights hereunder shall be governed by and construed in accordance with the laws of the State of New Mexico, without recourse to any principle of Conflicts of Laws and the parties agree that the venue of any suits shall lie exclusively in Otero County, New Mexico.

12. No failure by any of the foregoing parties to insist upon the strict performance of any covenant, duty, agreement, or condition of this Agreement or to exercise any right or remedy consequent upon a breach thereof shall constitute a waiver of any such breach. Any party hereto, by notice, and only by notice as provided herein, may, but shall be under no obligation to, waive any of its rights or any conditions to its obligations hereunder, or any duty, obligation or covenant of any other party hereto. No waiver shall affect or alter this Agreement, and each and every covenant, agreement, term and condition of this Agreement shall continue in full force and effect with respect to any other then existing or subsequent breach thereof.

13. This Agreement and its provisions are intended solely for the benefit of the parties hereto. No other person or entity is intended as a third-party beneficiary of any obligation or benefit of any of the parties hereunder. However, this Agreement shall inure to the benefit of and shall be binding upon the parties' respective successors and assigns.

14. Each party hereto acknowledges that such party has read this Agreement and understands its contents, that such party has had the opportunity to have this Agreement reviewed by an attorney of such party's choice, and that such party either has consulted with an attorney or has voluntarily chosen not to consult with an attorney before signing this Agreement.

15. In case anyone or more of the provisions contained in this Agreement shall, for any reason, be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision hereof, and this Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein; provided that any such revision does not obviate the parties substantial intent in entering into this Agreement.

16. The entire agreement between the parties hereto relating to this Settlement Agreement is contained herein and incorporates all written and oral understandings. Only a written instrument executed by the parties subsequent to the date hereof may amend this Agreement.

Executed this ____ day of _____, 2015,
for the Property Owner:

By: _____
Federal Taxpayer Identification Number: _____

Executed this ____ day of _____, 2015,
for the City of Alamogordo:

By: _____
Its Mayor

ATTEST:

Nancy Jacobs, Deputy City Clerk

APPROVED AS TO FORM:

Stephen P. Thies, City Attorney

EXHIBIT "A"

DESCRIPTION

A fifteen foot wide waterline easement, being seven and a half feet on each side of the following described centerline situated within the Southeast Quarter of Section 25, Township 16 South, Range 9 East and in the Southwest Quarter of Section 19, Township 16 South, Range 10 East, New Mexico Principal Meridian, Otero County, City of Alamogordo, New Mexico, being and comprising a portion of Tract 4, as the same is shown and designated in the Quit Claim Deed thereof, recorded in the Office of the Otero County Clerk, on May 26, 2015 in Instrument number 201503604 and being more particularly described by New Mexico State Plane Grid Bearings (Central Zone, NAD 83) and ground distances as follows:

BEGINNING at the most northerly point of the described centerline, being a point on the northerly boundary line of said Tract 4 and the southerly right of way line of 8th Street, WHENCE a found 2" iron pipe at the northeast corner of said Tract 4, bears S 89°52'42" E a distance of 37.37 feet;

THENCE leaving said northerly boundary of said Tract 4 and said southerly right of way line of 8th Street, the following three (3) courses;

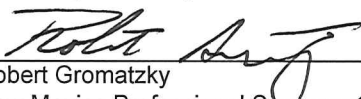
S 22°30'00" W a distance of 17.25 feet to a point;
S 0°05'20" E a distance of 2055.38 feet to a point;
S 45°00'00" E a distance of 161.03 feet to the southerly boundary line of said Tract 4.

The side lines of said fifteen foot easement to be lengthened or shortened so as to terminate at the northerly and southerly boundary lines of said Tract 4.

Easement contains ± 0.7615 acres, more or less.

CERTIFICATION

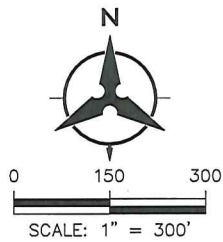
I, Robert Gromatzky, a registered Professional New Mexico Surveyor, certify that I am responsible for this survey and that this legal description was prepared by me or under my supervision, shows all easements of record, and conforms to the Minimum Requirements of the Board of Registration for Professional Engineers and Professional Surveyors and is true and accurate to the best of my knowledge and belief.


Robert Gromatzky
New Mexico Professional Surveyor 16469

10-21-15
Date:



EXHIBIT "A"



NOTES:

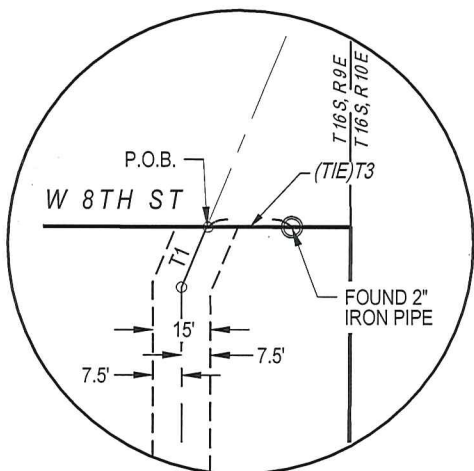
- 1. This survey is based on New Mexico State Plane Coordinate System, Central Zone, NAD83, US Survey foot.
- 2. Project combined factor for ground to grid transformation of the horizontal coordinates (scaled about N = 0.000', E = 1,640,416.667") is 0.999705222.
- 3. Basis of Bearings is N 03°45'28" E, between set survey control monuments as shown hereon.
CP BH-15-316-01
State Plane Grid Coordinates:
(N= 689,992.547' E= 1,728,674.894")

CP BH-15-316-02
State Plane Grid Coordinates:
(N= 694,378.040' E= 1,728,962.942")

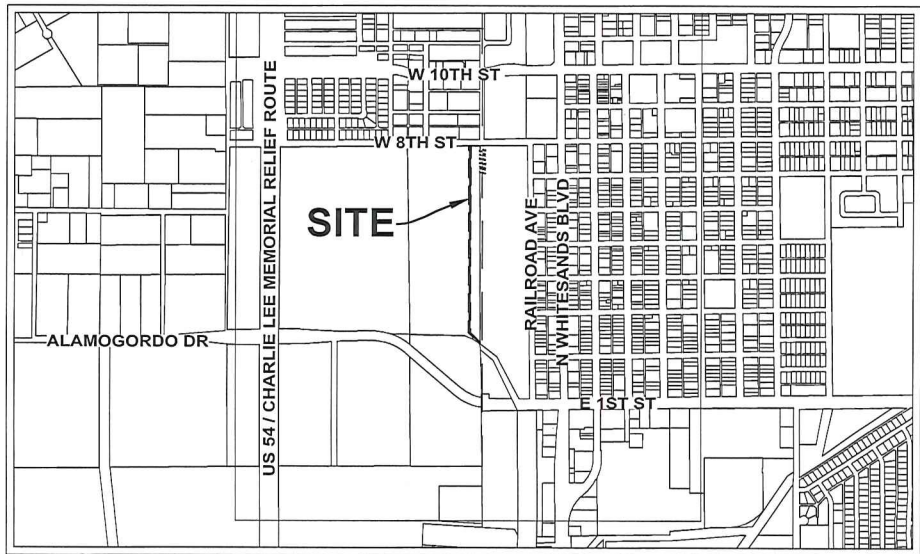
LEGEND

- △ CONTROL MONUMENT - 2" ALUMINUM CAP STAMPED (AS NOTED)
- FOUND 1" IRON PIPE
- (x) FOUND REBAR WITH CAP STAMPED AS NOTED
- TRACT 4 PROPERTY LINE
- - - - - NEW EASEMENT LINE
- - - - - SECTION LINE

TRACT 4
S & J DEVELOPMENT CO., L.L.C.,
QUITCLAIM DEED
FILED: MAY 26, 2015
(INSTR# 201503604)



DETAIL "A"
SCALE :1"=50'



LOCATION MAP
NOT TO SCALE

15' WATERLINE
EASEMENT

EASEMENT
0.7615 ACRES

Tangent Data		
ID	BEARING	DISTANCE
T1	S22°30'00"W	17.25'
T2	S45°00'00"E	161.03'
(TIE) T3	S89°52'42"E	37.37'



Bohannon & Huston
Courtyard I 7500 Jefferson St. NE
Albuquerque, NM 87109 (505) 823-1000

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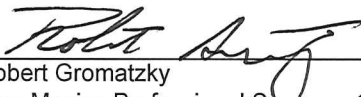
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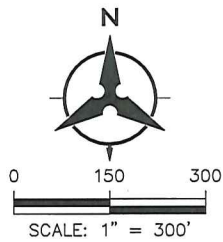
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New Mexico Professional Surveyor 16469

10-21-15
Date:



EXHIBIT "A"



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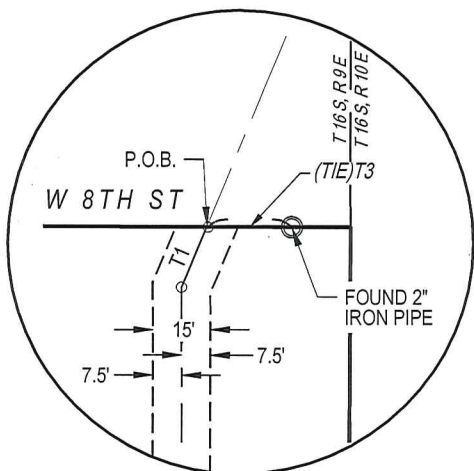
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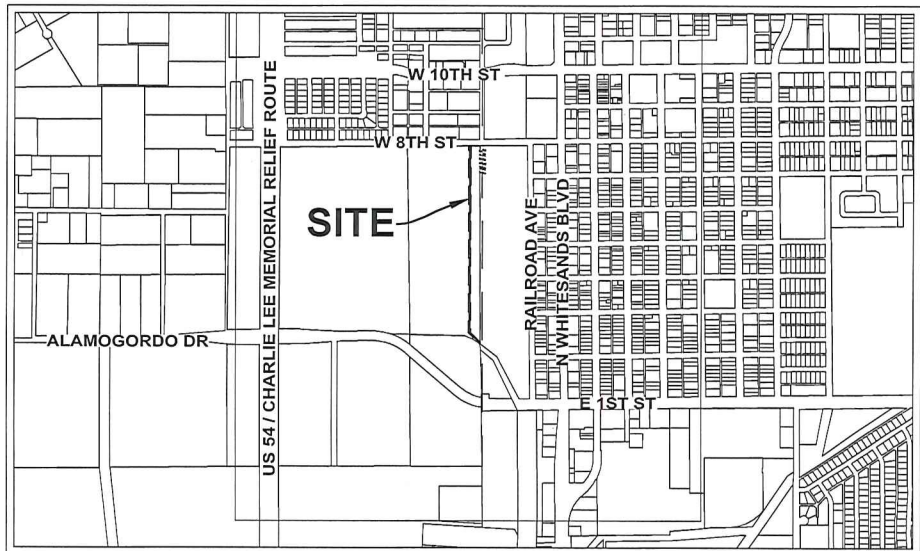
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TRACT 4
S & J DEVELOPMENT CO., L.L.C.,
QUITCLAIM DEED
FILED: MAY 26, 2015
(INSTR# 201503604)



DETAIL "A"
SCALE :1"=50'



LOCATION MAP
NOT TO SCALE

15' WATERLINE
EASEMENT

EASEMENT
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Bohannon & Huston
Courtyard I 7500 Jefferson St. NE
Albuquerque, NM 87109 (505) 823-1000

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 11/03/2015

Report Date: 10/29/2015

Report No: 8.

Submitted By: LeeAnn Nichols, Finance
Director

Subject: Discussion of the Infrastructure Capital Improvement Plan (ICIP) Projects report. *(LeeAnn Nichols, Finance Director)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background:

Capital Outlay 2017-2021

City
Of
Alamogordo

1 Upgrade/Replace 911 Equipment



2 Purchase New Police Vehicles



3 Alamogordo Recreation Center Locker Rooms Remodeling



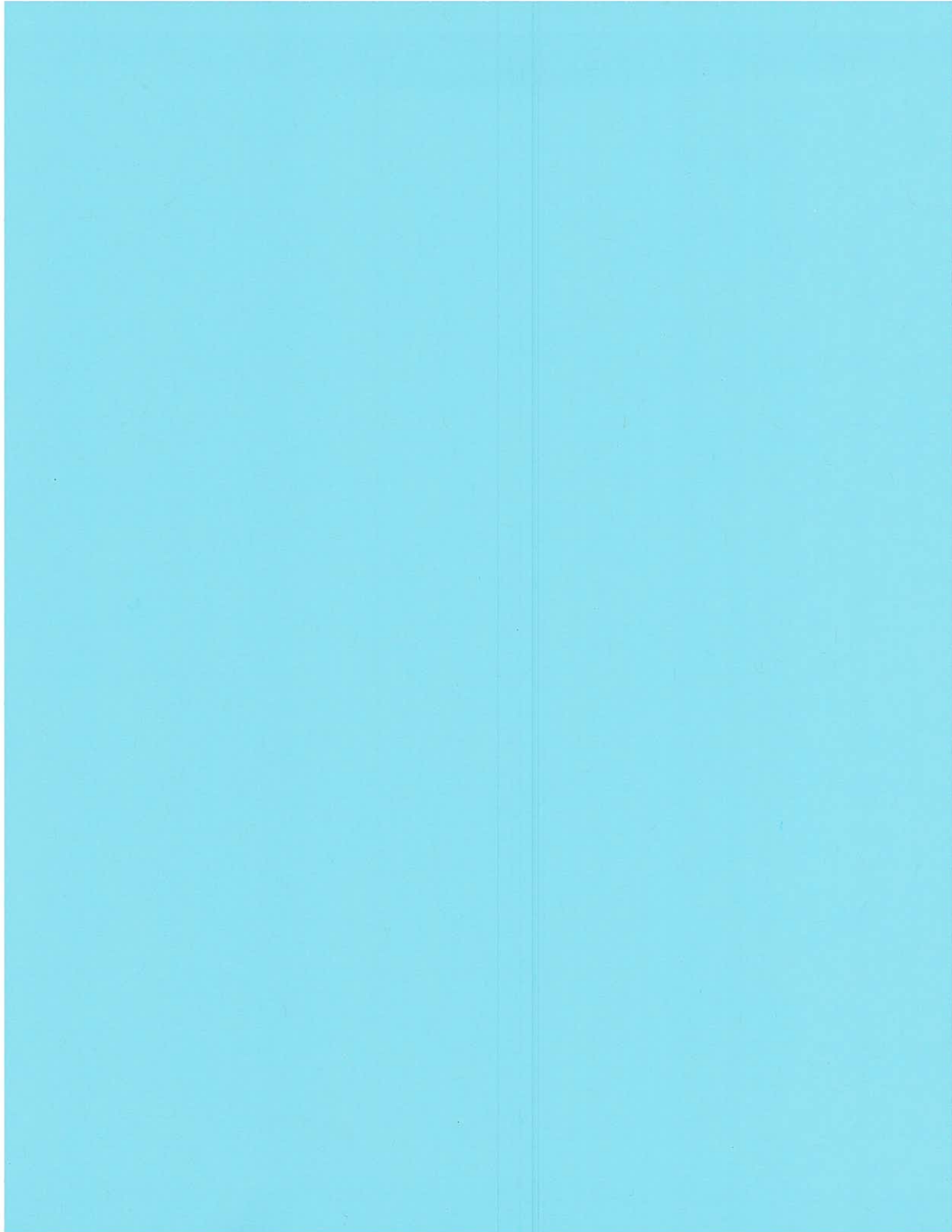
4 Griggs Field Detention Basin/Storm Project



5 Construct a Fire Fighting Training Center

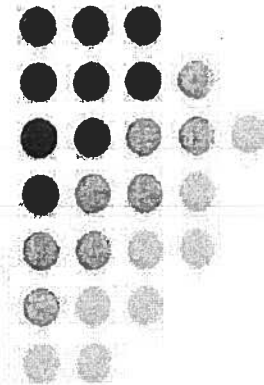


Just a reminder that the Otero County Legislative Capital Outlay hearing has been scheduled for Monday, November 9, 2015 from 1 pm to 3 pm. The hearing will be held in the Otero County Administrative Complex located at 1100 York in Alamogordo. The District will provide each of you with your Capital Outlay Project Book at the hearing.

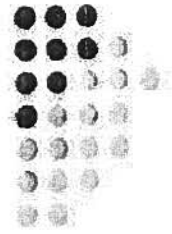


Capital Outlay

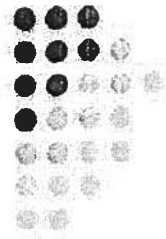
A Team Effort from Your
Community



How do we ask for a Capital Outlay Project?



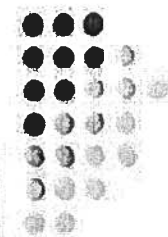
- All Capital Outlay Projects must be sponsored by your local Legislator. -
- Do you know who your local Representative and Senator is?
- Have you informed them of your project, the estimated or real cost in today's dollars?
- Who will benefit from the project?
- When will you need the money?
- Will they or have they agreed to sponsor your request?



What else is necessary?

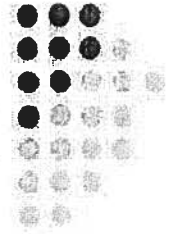
- Project must be on your or sponsoring entity's Infrastructure Capital Improvement Plan (ICIP).
- Should talk with your local government leaders – more on this later.
- Know what you want to do and be able to express or convey that in 25 words or less.
- Where will operation & maintenance funds come from if needed?

What can be funded with Capital Outlay monies?



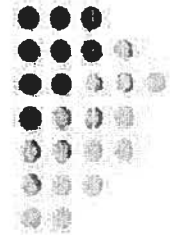
- Rolling Stock – Vehicles, Fire and Emergency Vehicles, Service Vehicles, Heavy Equipment
- Equipment – Playground, Office, Health and Safety, Kitchen
- Emergency
- Construction – Planning & Design, ADA Compliance, New Buildings for Services, Building Additions, Code Compliance
- Purchase – Land, Buildings, Water Rights

How quickly does the money have to be spent?



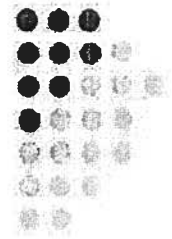
- Rolling Stock & Equipment purchases should take place within a year.
- Emergency funds should be expended within two years.
- Construction or Land and Building Acquisition funds should be expended within four years.

What happens if we don't spend the money that fast?



- The onus is really on you to spend the money in the time frame allotted by the State.
- It is possible your Legislative sponsor may work with you to obtain an extension through a re-authorization of the funds for a short period of time. Usually not more than a year
- It is also possible the State may require the funds revert to the State for some other use.

Why is it necessary to spend the money so quickly?



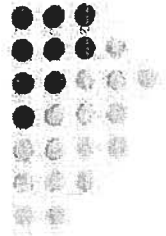
- Capital Outlay funds are essentially dollars borrowed by the State.
- The Governor and Legislature do not want to borrow money and pay interest on money that will not be used timely or wisely.
- The Capital Outlay funds are a form of economic development for your community creating work, providing services and growing the tax base.

How are Capital Outlay Projects funded?



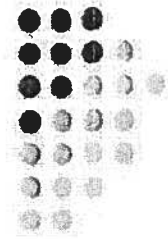
- The monies for Capital Outlay Projects come from the sale of bonds secured by either Severance Taxes or General Funds.
- Severance Tax funds are derived from the taxes the State receives from Oil, Natural Gas and other extractive industries.
- General Funds are derived from the many other taxes the State collects.

How do these bonds work?



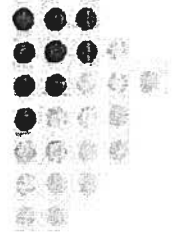
- The bonds, whether STB or GFB, are normally sold as 10 year bonds (loans).
- That means the State must re-pay the bonds in 10 years from the fund used to secure the bonds.
- **Your proposed project should have an anticipated useful life of at least 10 years and one day.**

When is the money available to us?



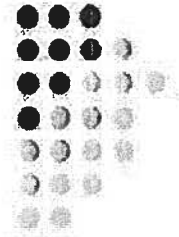
- Unless your project is certified as an emergency (a threat to life, health or safety) the funds will not be available, at the very earliest, until the middle of August following the closure of the Session.
- Bonds are normally sold in June and December.
- Funding from the June bond sale is available in mid-August.
- Funding from the December bond sale in mid-February of the following year.

Executive Order 2013-006



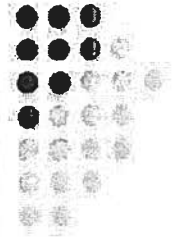
- Issued by Governor's Office in May, 2013
- Requires that grantees be current with all their audits, financial quarterly reports, budget submittals
- Audit Findings must be addressed and approved by the Office of the State Auditor with a plan in place to resolve the Findings
- Must be done before Bonds for you project are included on the Bond Sale in June or December

Can I apply for funding if I am not a local government?



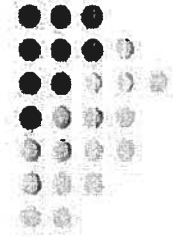
- Yes, but...
- You must agree that the building, land, vehicle, equipment or whatever your project is **will** belong to a local government and that you will to agree to have to lease or rent project from the sponsoring entity.
- If you own your building already and use Capital Outlay money to renovate, improve, etc., you must deed the building, land, equipment, etc. over to a local government.

Fair Market Lease for Project



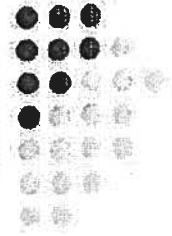
- The project must be leased or rented for a Fair Market price
- Will require an appraisal of the property, vehicle or equipment to determine Fair Market value
- Will require a “true Lease/Rental Agreement”
- May require an Operating Agreement
- Agreements must be approved by NM DFA

Will the money come to our organization?



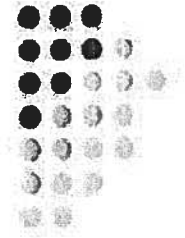
- **NO—NO—NO**
- A local government entity must agree to serve as your fiscal agent.
- They will sign a contract with the State for the funds and be responsible for completing the project, expending and accounting for the funds.
- In the end, they will own the project and you will be allowed to use it under agreed terms and conditions.
- This is why it is important you consult with your local government before preparing an application.

Do we have to provide matching funds?



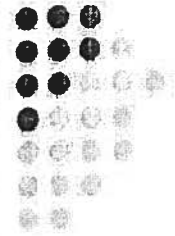
- Although not necessary, it is helpful to show you are committed to the project and prepared to make an investment.
- Usually the transfer of ownership of your building or land will make for a nice matching fund commitment.
- You should be prepared to show your ability to provide for the operation and maintenance of the project over the long haul.

Is there a minimum amount of funding we can request?



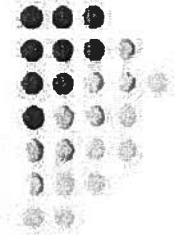
- There is no hard and fast minimum request amount, but the rule of thumb is nothing less than \$25,000.
- Capital Outlay grants smaller than that are not economically feasible when paperwork, personnel time and loan requirements are factored into the cost of doing business.
- There is also no real maximum dollar request amount.

Are there State priorities that will be considered for funding?



- The State will make a real effort to fund projects that can be completed in a timely fashion.
- The Governor has identified water and waste water and infrastructure projects as some of her priorities.
- Each local government has already submitted a list of their top 5 priorities to the Governor as a part of their ICIP.

Knowing that, what are my chances?



- Start working with your Legislators **now**.
- Last year, nearly \$229 million in projects were funded between STB and GFB monies.
- Last year, nearly \$5.2 billion in projects was requested.
- This year, Severance Tax and other revenues have been good but there may still be only about \$150 million available for projects.

**LEGISLATIVE COUNCIL SERVICE
52ND LEGISLATURE-SECOND SESSION-2016
CAPITAL OUTLAY REQUEST FORM**

Legislative Sponsor: _____

Sponsor's Signature: _____

Legislative Aide: _____ **Phone:** _____ **Email:** _____

Project Contact: Chief Duncan **Phone:** (575) 439-4325 **Email:** rduncan@ci.alamogordo.nm.us

Other Legislative Sponsors?: Senator William F. Burt, Senator Ron Griggs, Senator Cliff R. Pirtle, Rep. Zachary J. Cook, Rep Yvette Herrell, Rep Rick Little & Rep James G. Townsend
(Be sure to submit a separate signed Capital Outlay Request Form for each legislative sponsor.)

PROJECT DESCRIPTION

1. What is the TOTAL cost for the project or this phase of the project?: \$ 500,000
(Individual legislators may fund part or all of this cost during the funding phase following the request deadline.)

2. Brief project description (please specify the proposed use of capital funds, such as "to plan, design and construct a multipurpose center"; "to design and construct a dam"; or "to purchase and equip a vehicle"):

To acquire, upgrade and replace with wireless 911 equipment in Alamogordo, in Otero County.

Equipment to include ANI/ALI System Software, Power 911 Software, Power 911 hardware server and workstation, Power MIS-embedded Mapping License and Video Card.

3. Location of this project (city, town, school district, chapter, pueblo): City of Alamogordo

4. County in which the project will be located?: Otero County

5. Entity requesting funding for this project?: City of Alamogordo

6. Fiscal agent (entity to receive funding) for this project? (Only the state or political subdivisions of the state are eligible to receive funding.): City of Alamogordo

7. Entity that will own the project upon completion?: City of Alamogordo

8. Is the project:

	YES	NO	N/A
a public school project that is included in a school district capital master plan?:	_____	_____•_____	_____
a local government project that is included in the local Infrastructure Capital Improvement Plan (ICIP):	_____	_____•_____	_____

9. If the project is included in the ICIP, please provide the ICIP identification #: 21418

Continued ⇨

911 Wireless Upgrade

Priority #1

PROJECT BUDGET

Please provide a breakdown of the total estimated project cost, including completed phases of the project:

	COMPLETED	UNCOMPLETED	TOTAL
Planning:	\$ _____	\$ _____	\$ _____
Design (Architectural/Engineering):	\$ _____	\$ _____	\$ _____
Construction:	\$ _____	\$ _____	\$ _____
Land Purchase:	\$ _____	\$ _____	\$ _____
Equipment:	\$ _____	\$ 500,000	\$ 500,000
Rights of Way/Easements:	\$ _____	\$ _____	\$ _____
Other (specify _____):	\$ _____	\$ _____	\$ _____
Other (specify _____):	\$ _____	\$ _____	\$ _____
Other (specify _____):	\$ _____	\$ _____	\$ _____
Total Estimated Cost:	\$ _____	\$ 500,000	\$ 500,000

Please list **PRIOR FUNDING SOURCES** for the project:

YEAR	AMOUNT
_____	\$ _____
_____	\$ _____

Please list any **MATCHING FUNDS** secured for the project:

AMOUNT
\$ _____
\$ _____

OTHER INFORMATION

Will the project:

	YES	NO	N/A
eliminate health or safety hazards or other liability issues?	•	_____	_____
address federal, state or local judicial mandates or requirements?	•	_____	_____
prevent or correct deterioration of capital asset(s)?	•	_____	_____
address issues of population or client growth?	•	_____	_____
be constructed on state-owned property?	_____	•	_____

Has the project:

	YES	NO	N/A
been designed to be energy efficient?	•	_____	_____
received public input and endorsement?	•	_____	_____
planned for future operational costs?	•	_____	_____
acquired land for the project? (land owner: <u>City of Alamogordo</u>)	•	_____	_____

Can the project:

	YES	NO	N/A
be successfully phased, so that each phase will be operational?	_____	•	_____
be completed with this legislative appropriation?	•	_____	_____

If the project is located in a major metropolitan area (Albuquerque [including Los Lunas], Santa Fe, or Las Cruces) and will serve a state agency or facility, is the project in compliance with the state master plan for that area?

YES	NO	N/A
_____	•	_____

Proposed project start date: September 2016

If the capital asset will be leased to another organization, please submit a letter from the fiscal agent identifying the owner of the asset (capital assets must be owned by the state or a political subdivision of the state) and certifying that the asset will be leased at fair market value and appropriately maintained.

If the project is a local economic development project representing a public-private partnership under the Local Economic Development Act, please submit a copy of the project participation agreement between the private entity and the applicable local or regional government.



ALAMOGORDO POLICE DEPARTMENT

Located at 700 Virginia Avenue

The Alamogordo Police Department is requesting \$500,000 to upgrade/replace the 911 equipment. The replacement of the old, outdated and failing 911 equipment will enable the City of Alamogordo thru the APD to continue to provide rapid response to emergency situations that arise within the city limits of Alamogordo. In addition to maintaining the necessary level of response the new system will provide enhanced capabilities not possible with the current system. To include ANI/Ali system software, Power 911 software, Power 911 hardware sever and workstation, Power MIS-embedded Mapping License and Video Card.

Previous funding was requested from PSAP legislation in the past, however the APD was unable to complete requirement. The requested funds would complete a functional phase of the project.

**LEGISLATIVE COUNCIL SERVICE
52ND LEGISLATURE-SECOND SESSION-2016
CAPITAL OUTLAY REQUEST FORM**

Legislative Sponsor: _____

Sponsor's Signature: _____

Legislative Aide: _____ **Phone:** _____ **Email:** _____

Project Contact: Chief Duncan **Phone:** (575) 439-4325 **Email:** rduncan@ci.alamogordo.nm.us

Other Legislative Sponsors?: Senator William F. Burt, Senator Ron Griggs, Senator Cliff R. Pirtle, Rep. Zachary J. Cook, Rep Yvette Harrell, Rep Rick Little & Rep James G. Townsend
(Be sure to submit a separate signed Capital Outlay Request Form for each legislative sponsor.)

PROJECT DESCRIPTION

1. What is the TOTAL cost for the project or this phase of the project?: \$ 200,000
(Individual legislators may fund part or all of this cost during the funding phase following the request deadline.)

2. Brief project description (please specify the proposed use of capital funds, such as "to plan, design and construct a multipurpose center"; "to design and construct a dam"; or "to purchase and equip a vehicle"):

To purchase five (5) vehicles to include emergency equipment for the Alamogordo Police Department in Alamogordo, in Otero County. To include sirens, lights, control box, radio cage, window tinting, radars, MDT, decals, and the installment costs.

3. Location of this project (city, town, school district, chapter, pueblo)?: City of Alamogordo

4. County in which the project will be located?: Otero County

5. Entity requesting funding for this project?: City of Alamogordo

6. Fiscal agent (entity to receive funding) for this project? (Only the state or political subdivisions of the state are eligible to receive funding.): City of Alamogordo

7. Entity that will own the project upon completion?: City of Alamogordo

8. Is the project:

	YES	NO	N/A
a public school project that is included in a school district capital master plan?:	_____	_____ • _____	_____
a local government project that is included in the local Infrastructure Capital Improvement Plan (ICIP)?:	_____	_____ • _____	_____

9. If the project is included in the ICIP, please provide the ICIP identification #: 28071

Continued ⇨

Police Vehicles

Priority #2

PROJECT BUDGET

Please provide a breakdown of the total estimated project cost, including completed phases of the project:

	COMPLETED	UNCOMPLETED	TOTAL
Planning:	\$ _____	\$ _____	\$ _____
Design (Architectural/Engineering):	\$ _____	\$ _____	\$ _____
Construction:	\$ _____	\$ _____	\$ _____
Land Purchase:	\$ _____	\$ _____	\$ _____
Equipment:	\$ 200,000	\$ 700,000	\$ 900,000
Rights of Way/Easements:	\$ _____	\$ _____	\$ _____
Other (specify _____):	\$ _____	\$ _____	\$ _____
Other (specify _____):	\$ _____	\$ _____	\$ _____
Other (specify _____):	\$ _____	\$ _____	\$ _____
Total Estimated Cost:	\$ 200,000	\$ 700,000	\$ 900,000

Please list **PRIOR FUNDING SOURCES** for the project:

Legislative	YEAR	AMOUNT
_____	2015	\$ 200,000
_____	_____	\$ _____

Please list any **MATCHING FUNDS** secured for the project:

	AMOUNT
_____	\$ _____
_____	\$ _____

OTHER INFORMATION

Will the project:

	YES	NO	N/A
eliminate health or safety hazards or other liability issues?	•	—	—
address federal, state or local judicial mandates or requirements?	—	•	—
prevent or correct deterioration of capital asset(s)?	•	—	—
address issues of population or client growth?	•	—	—
be constructed on state-owned property?	—	—	•

Has the project:

	YES	NO	N/A
been designed to be energy efficient?	•	—	—
received public input and endorsement?	•	—	—
planned for future operational costs?	•	—	—
acquired land for the project? (land owner: _____)	—	—	•

Can the project:

	YES	NO	N/A
be successfully phased, so that each phase will be operational?	•	—	—
be completed with this legislative appropriation?	•	—	—

If the project is located in a major metropolitan area (Albuquerque [including Los Lunas], Santa Fe, or Las Cruces) and will serve a state agency or facility, is the project in compliance with the state master plan for that area?

YES	NO	N/A
—	•	—

Proposed project start date: September 2016

If the capital asset will be leased to another organization, please submit a letter from the fiscal agent identifying the owner of the asset (capital assets must be owned by the state or a political subdivision of the state) and certifying that the asset will be leased at fair market value and appropriately maintained.

If the project is a local economic development project representing a public-private partnership under the Local Economic Development Act, please submit a copy of the project participation agreement between the private entity and the applicable local or regional government.

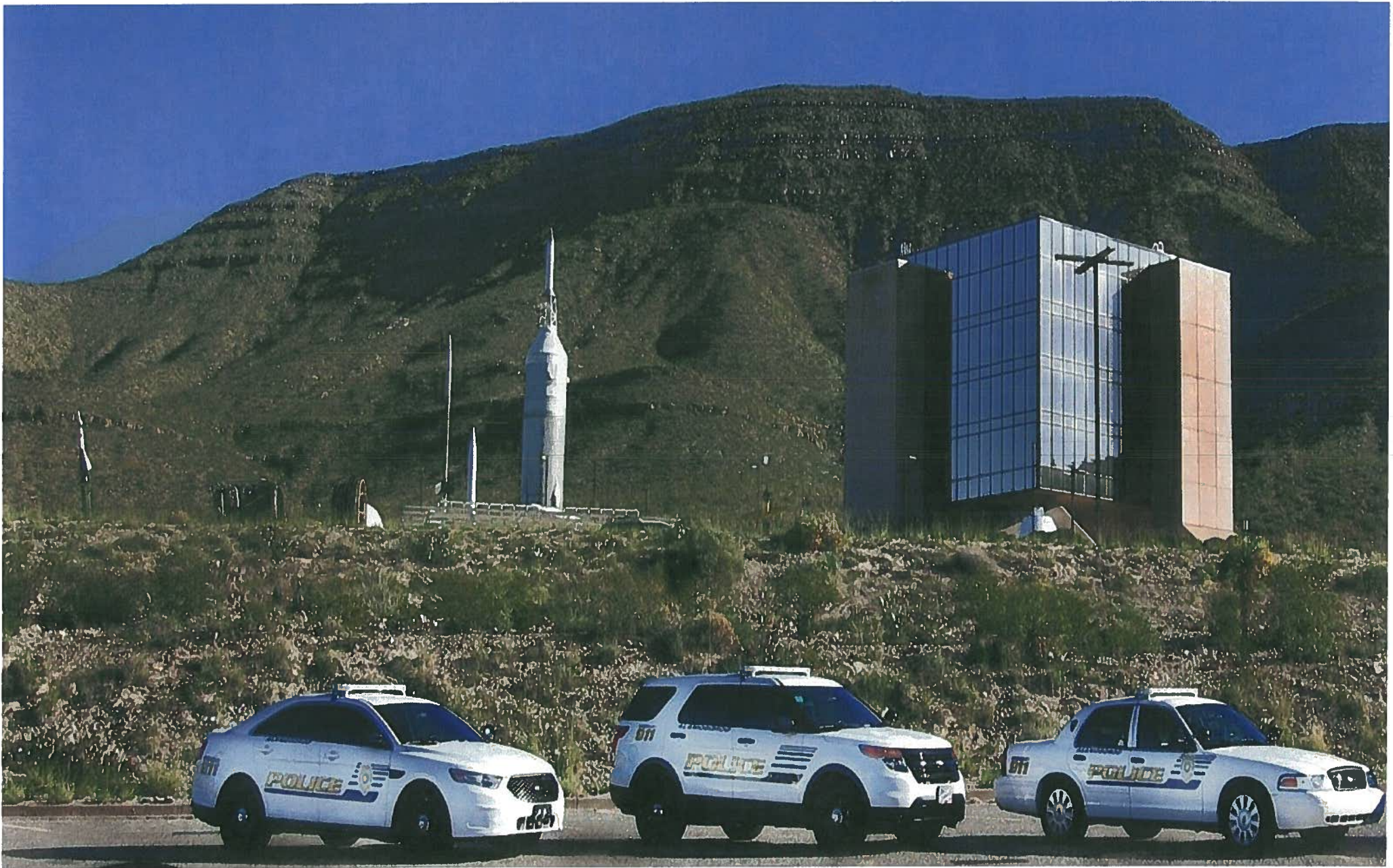


ALAMOGORDO POLICE DEPARTMENT

Located at 700 Virginia Avenue

The Alamogordo Police Department is requesting \$200,000 to purchase five vehicles and necessary equipment to enhance the police fleet to complete our goal of one on one vehicle program.

The replacement of the old vehicles will enable the Alamogordo Police Department to continue to provide rapid response to emergency situations that arise within the city limits of Alamogordo.



Family Recreation Locker Room Priority #3

LEGISLATIVE COUNCIL SERVICE 52ND LEGISLATURE-SECOND SESSION-2016 CAPITAL OUTLAY REQUEST FORM

Legislative Sponsor: _____

Sponsor's Signature: _____

Legislative Aide: _____ Phone: _____ Email: _____

Project Contact: Larry Garner Phone: (575) 439-4390 Email: lgarner@ci.alamogordo.nm.us

Other Legislative Sponsors?: Senator William F. Burt, Senator Ron Griggs, Senator Cliff R. Pirtle, Rep. Zachary J. Cook, Rep Yvette Herrell, Rep Rick Little & Rep James G. Townsend
(Be sure to submit a separate signed Capital Outlay Request Form for each legislative sponsor.)

PROJECT DESCRIPTION

1. What is the TOTAL cost for the project or this phase of the project?: \$ 300,000
(Individual legislators may fund part or all of this cost during the funding phase following the request deadline.)

2. Brief project description (please specify the proposed use of capital funds, such as "to plan, design and construct a multipurpose center"; "to design and construct a dam"; or "to purchase and equip a vehicle"):

To plan, design, construct renovations, and improvements at the Alamogordo Family Recreation Center
Men's and Ladies Locker Rooms to include toilets, toilet partitions, flooring, showers towers, shower deck,
sinks, ventilation, benches, and plumbing in Alamogordo, in Otero County.

3. Location of this project (city, town, school district, chapter, pueblo)?: City of Alamogordo

4. County in which the project will be located?: Otero County

5. Entity requesting funding for this project?: City of Alamogordo

6. Fiscal agent (entity to receive funding) for this project? (Only the state or political subdivisions of the state are eligible to receive funding.): City of Alamogordo

7. Entity that will own the project upon completion?: City of Alamogordo

8. Is the project:
a public school project that is included in a school district capital master plan?: YES NO N/A
a local government project that is included in the local Infrastructure
Capital Improvement Plan (ICIP)?: YES NO N/A

9. If the project is included in the ICIP, please provide the ICIP identification #: 28062

Continued ⇨

Family Recreation Locker Room Priority #3

PROJECT BUDGET

Please provide a breakdown of the total estimated project cost, including completed phases of the project:

	<u>COMPLETED</u>	<u>UNCOMPLETED</u>	<u>TOTAL</u>
Planning:	\$ _____	\$ _____	\$ _____
Design (Architectural/Engineering):	\$ _____	\$ 30,000	\$ 30,000
Construction:	\$ _____	\$ 270,000	\$ 270,000
Land Purchase:	\$ _____	\$ _____	\$ _____
Equipment:	\$ _____	\$ _____	\$ _____
Rights of Way/Easements:	\$ _____	\$ _____	\$ _____
Other (specify _____):	\$ _____	\$ _____	\$ _____
Other (specify _____):	\$ _____	\$ _____	\$ _____
Other (specify _____):	\$ _____	\$ _____	\$ _____
Total Estimated Cost:	\$ _____	\$ 300,000	\$ 300,000

Please list **PRIOR FUNDING SOURCES** for the project:

	<u>YEAR</u>	<u>AMOUNT</u>
_____	_____	\$ _____
_____	_____	\$ _____

Please list any **MATCHING FUNDS** secured for the project:

	<u>AMOUNT</u>
_____	\$ _____
_____	\$ _____

OTHER INFORMATION

<u>Will the project:</u>	<u>YES</u>	<u>NO</u>	<u>N/A</u>
eliminate health or safety hazards or other liability issues?	•	_____	_____
address federal, state or local judicial mandates or requirements?	_____	_____	•
prevent or correct deterioration of capital asset(s)?	•	_____	_____
address issues of population or client growth?	•	_____	_____
be constructed on state-owned property?	_____	•	_____

<u>Has the project:</u>	<u>YES</u>	<u>NO</u>	<u>N/A</u>
been designed to be energy efficient?	•	_____	_____
received public input and endorsement?	•	_____	_____
planned for future operational costs?	•	_____	_____
acquired land for the project? (land owner: <u>City of Alamogordo</u>)	•	_____	_____

<u>Can the project:</u>	<u>YES</u>	<u>NO</u>	<u>N/A</u>
be successfully phased, so that each phase will be operational?	_____	_____	_____
be completed with this legislative appropriation?	•	_____	_____

If the project is located in a major metropolitan area (Albuquerque [including Los Lunas], Santa Fe, or Las Cruces) and will serve a state agency or facility, is the project in compliance with the state master plan for that area?	<u>YES</u>	<u>NO</u>	<u>N/A</u>
	_____	•	_____

Proposed project start date: May 2017 if funded is received

If the capital asset will be leased to another organization, please submit a letter from the fiscal agent identifying the owner of the asset (capital assets must be owned by the state or a political subdivision of the state) and certifying that the asset will be leased at fair market value and appropriately maintained.

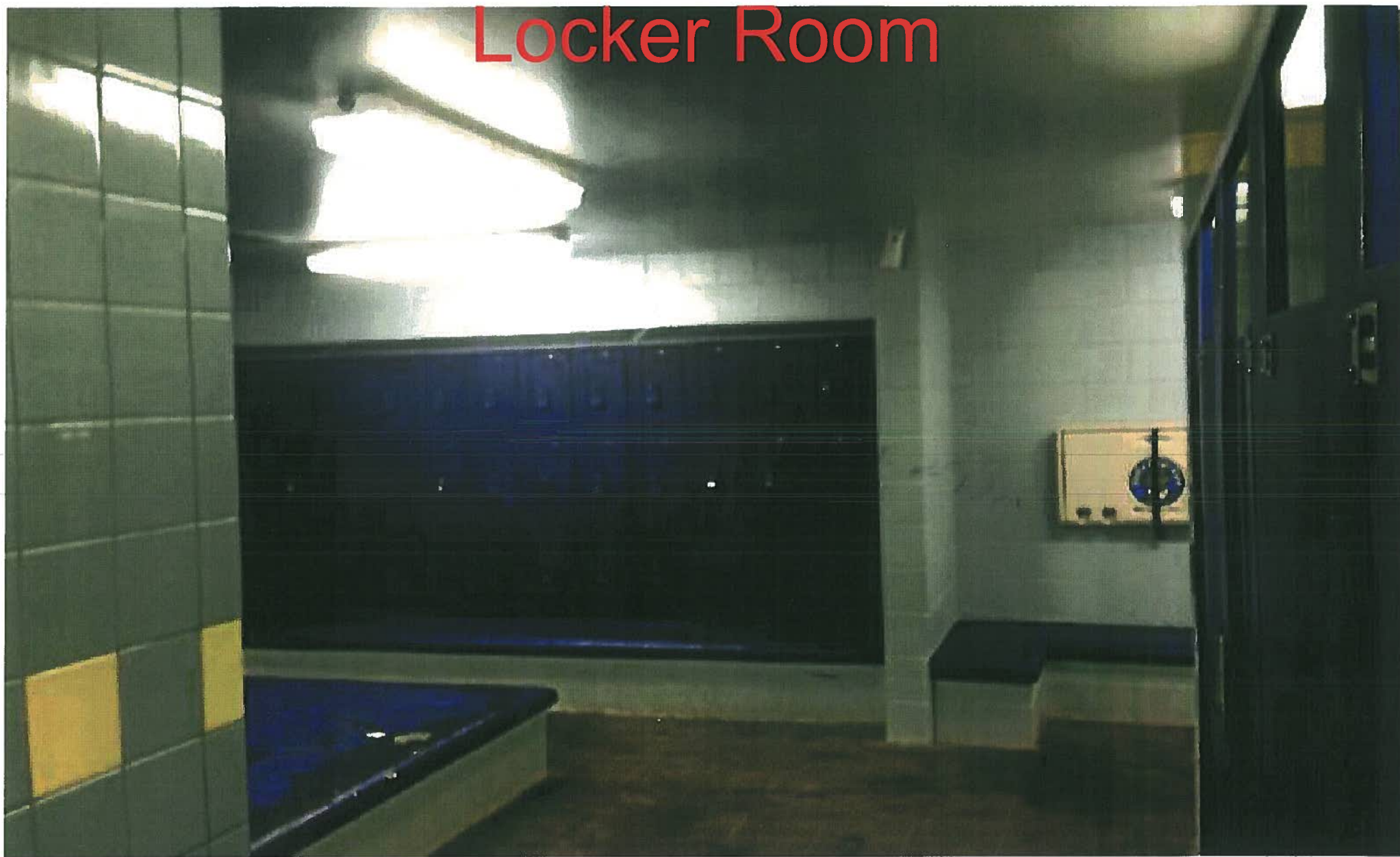
If the project is a local economic development project representing a public-private partnership under the Local Economic Development Act, please submit a copy of the project participation agreement between the private entity and the applicable local or regional government.

**ALAMOGORDO FAMILY
RECREATION CENTER**
Located at 1100 Oregon Ave

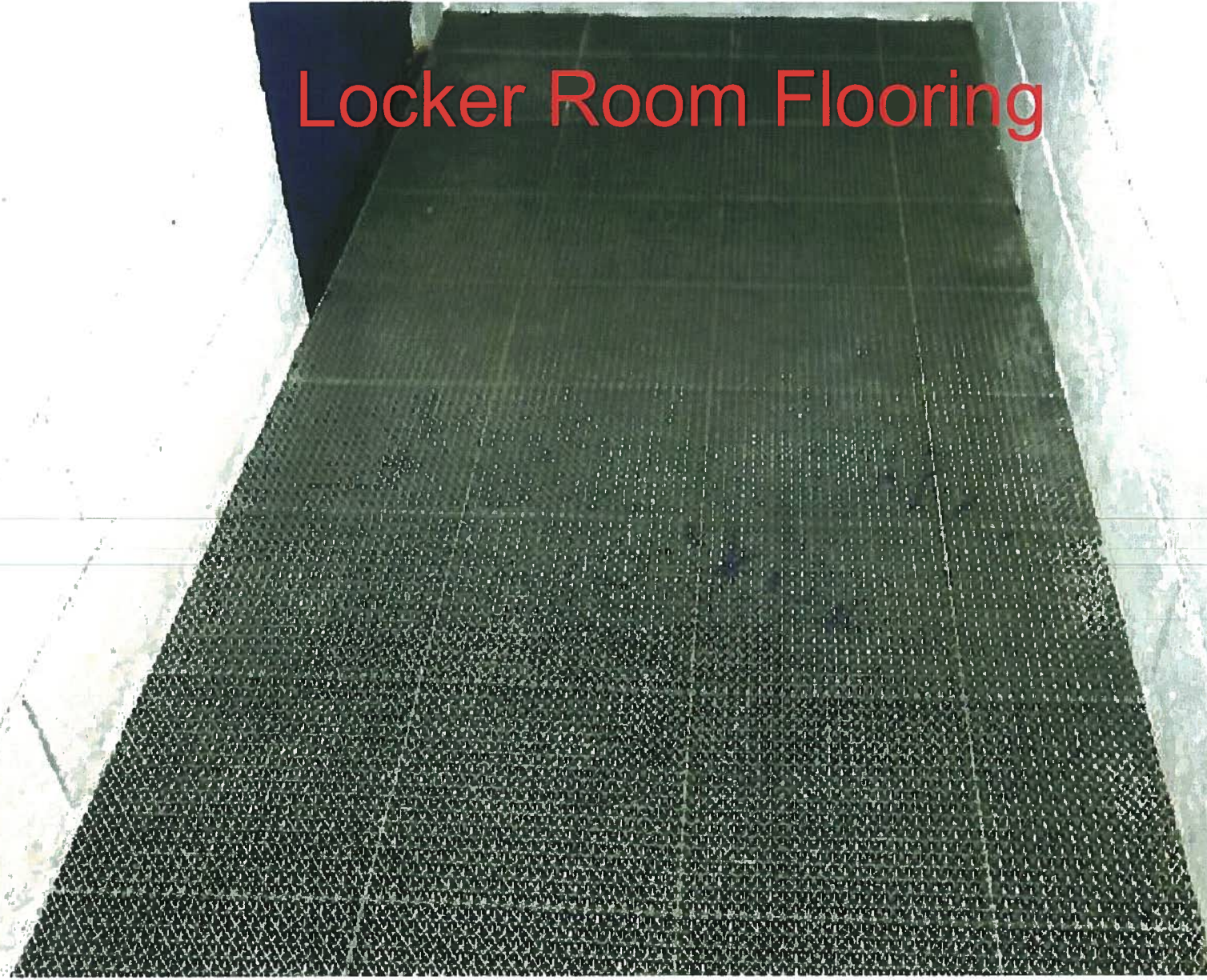


Design and construct renovations for the remodeling of the Men's and Ladies locker rooms at the Alamo Gordo Family Recreation Center. The scope of work will include the removal and replacement of toilets, toilet partitions, shower towers, sinks, benches, construction of shower deck and additional ventilation equipment. In addition the existing flooring shall be modified for proper drainage and a non-slip resistant surface incorporated into the flooring. All work shall comply with the Americans with Disabilities Act (ADA).

Locker Room



Locker Room Flooring



Shower Towers



Handicap Stall



**LEGISLATIVE COUNCIL SERVICE
52ND LEGISLATURE-SECOND SESSION-2016
CAPITAL OUTLAY REQUEST FORM**

Legislative Sponsor: _____

Sponsor's Signature: _____

Legislative Aide: _____ **Phone:** _____ **Email:** _____

Project Contact: Brian Cesar **Phone:** (575) 439-4240 **Email:** bcesar@ci.alamogordo.nm.us

Other Legislative Sponsors?: Senator William F. Burt, Senator Ron Griggs, Senator Cliff R. Pirtle, Rep. Zachary J. Cook, Rep Yvette Herrell, Rep Rick Little & Rep James G. Townsend
(Be sure to submit a separate signed Capital Outlay Request Form for each legislative sponsor.)

PROJECT DESCRIPTION

1. What is the TOTAL cost for the project or this phase of the project?: \$ 900,000
(Individual legislators may fund part or all of this cost during the funding phase following the request deadline.)

2. Brief project description (please specify the proposed use of capital funds, such as "to plan, design and construct a multipurpose center"; "to design and construct a dam"; or "to purchase and equip a vehicle"):

To design & construct phases 1a (Interim Phase) and 1b (Full Build Conditions) improvements to include all equipment for phases at the Griggs Field Detention Basin/Storm in Alamogordo, in Otero County.

3. Location of this project (city, town, school district, chapter, pueblo)?: City of Alamogordo

4. County in which the project will be located?: Otero County

5. Entity requesting funding for this project?: City of Alamogordo

6. Fiscal agent (entity to receive funding) for this project? (Only the state or political subdivisions of the state are eligible to receive funding.): City of Alamogordo

7. Entity that will own the project upon completion?: City of Alamogordo

8. Is the project:

	YES	NO	N/A
a public school project that is included in a school district capital master plan?:	_____	_____•	_____
a local government project that is included in the local Infrastructure Capital Improvement Plan (ICIP)?:	_____•	_____	_____

9. If the project is included in the ICIP, please provide the ICIP identification #: 29796

Continued ⇨

PROJECT BUDGET

Please provide a breakdown of the total estimated project cost, including completed phases of the project:

	<u>COMPLETED</u>	<u>UNCOMPLETED</u>	<u>TOTAL</u>
Planning:	\$ _____	\$ _____	\$ _____
Design (Architectural/Engineering):	\$ 17,500	\$ 925,000	\$ 925,000
Construction:	\$ _____	\$ 5,675,000	\$ 5,675,000
Land Purchase:	\$ _____	\$ _____	\$ _____
Equipment:	\$ _____	\$ _____	\$ _____
Rights of Way/Easements:	\$ _____	\$ _____	\$ _____
Other (specify _____):	\$ _____	\$ _____	\$ _____
Other (specify _____):	\$ _____	\$ _____	\$ _____
Other (specify _____):	\$ _____	\$ _____	\$ _____
Total Estimated Cost:	\$ 17,500	\$ 6,600,000	\$ 6,600,000

Please list **PRIOR FUNDING SOURCES** for the project:

	<u>YEAR</u>	<u>AMOUNT</u>
_____	_____	\$ _____
_____	_____	\$ _____

Please list any **MATCHING FUNDS** secured for the project:

	<u>AMOUNT</u>
Local Funds - (Engineer Design)	\$ 17,500
_____	\$ _____

OTHER INFORMATION

Will the project:

	<u>YES</u>	<u>NO</u>	<u>N/A</u>
eliminate health or safety hazards or other liability issues?	☒	☐	☐
address federal, state or local judicial mandates or requirements?	☒	☐	☐
prevent or correct deterioration of capital asset(s)?	☒	☐	☐
address issues of population or client growth?	☒	☐	☐
be constructed on state-owned property?	☐	☒	☐

Has the project:

	<u>YES</u>	<u>NO</u>	<u>N/A</u>
been designed to be energy efficient?	☒	☐	☐
received public input and endorsement?	☒	☐	☐
planned for future operational costs?	☒	☐	☐
acquired land for the project? (land owner: <u>City of Alamogordo</u>)	☒	☐	☐

Can the project:

	<u>YES</u>	<u>NO</u>	<u>N/A</u>
be successfully phased, so that each phase will be operational?	☒	☐	☐
be completed with this legislative appropriation?	☐	☒	☐

	<u>YES</u>	<u>NO</u>	<u>N/A</u>
If the project is located in a major metropolitan area (Albuquerque [including Los Lunas], Santa Fe, or Las Cruces) and will serve a state agency or facility, is the project in compliance with the state master plan for that area?	☐	☒	☐

Proposed project start date: September 2016

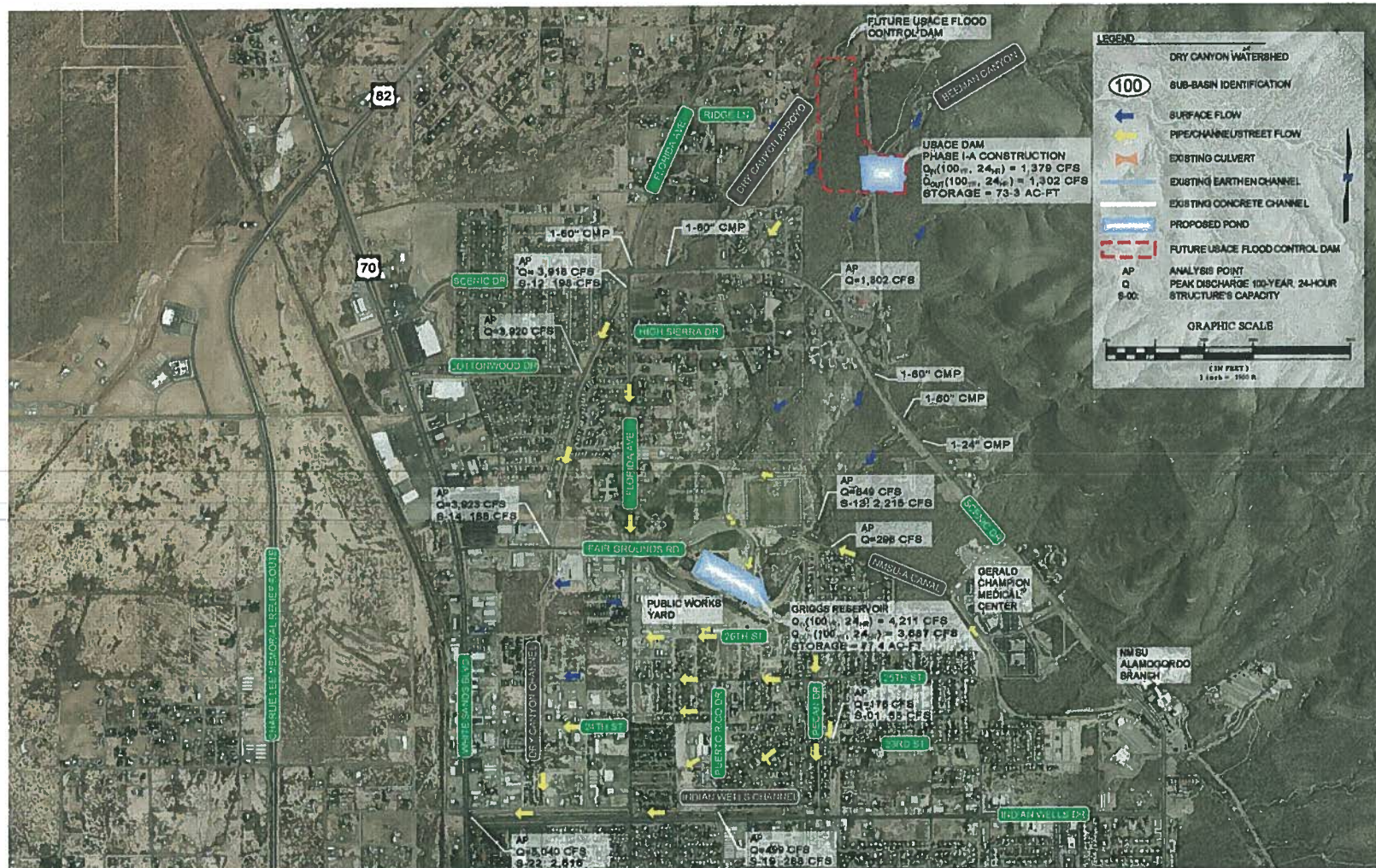
If the capital asset will be leased to another organization, please submit a letter from the fiscal agent identifying the owner of the asset (capital assets must be owned by the state or a political subdivision of the state) and certifying that the asset will be leased at fair market value and appropriately maintained.

If the project is a local economic development project representing a public-private partnership under the Local Economic Development Act, please submit a copy of the project participation agreement between the private entity and the applicable local or regional government.

Griggs Field Detention Basin Storm Summary

Large discharges originate from the large watersheds located upstream of the public Works Yard. Because of this a two-part phased approach was presented in the DMP to address immediate flooding concerns and ultimately provide a plan that will protect the Public Works Yard and surrounding areas from becoming flooded during rainfall events. Overall, the ultimate build-out will provide adequate detention and conveyance of the 100-year, 24-hour storm runoff while attempting to minimize impacts to private property within the area.





**LEGISLATIVE COUNCIL SERVICE
52ND LEGISLATURE-SECOND SESSION-2016
CAPITAL OUTLAY REQUEST FORM**

Legislative Sponsor: _____

Sponsor's Signature: _____

Legislative Aide: _____ **Phone:** _____ **Email:** _____

Project Contact: Chief Ward **Phone:** (575) 439-4119 **Email:** mward@ci.alamogordo.nm.us

Other Legislative Sponsors?: Senator William F. Burt, Senator Ron Griggs, Senator Cliff R. Pirtle, Rep. Zachary J. Cook, Rep Yvette Herrell, Rep Rick Little & Rep James G. Townsend
(Be sure to submit a separate signed Capital Outlay Request Form for each legislative sponsor.)

PROJECT DESCRIPTION

1. What is the TOTAL cost for the project or this phase of the project?: \$ 325,000
(Individual legislators may fund part or all of this cost during the funding phase following the request deadline.)

2. Brief project description (please specify the proposed use of capital funds, such as "to plan, design and construct a multipurpose center"; "to design and construct a dam"; or "to purchase and equip a vehicle"):

To plan, design construct, and equip a full service firefighter training burn building in Alamogordo,
in Otero County.

3. Location of this project (city, town, school district, chapter, pueblo)?: City of Alamogordo

4. County in which the project will be located?: Otero County

5. Entity requesting funding for this project?: City of Alamogordo

6. Fiscal agent (entity to receive funding) for this project? (Only the state or political subdivisions of the state are eligible to receive funding.): City of Alamogordo

7. Entity that will own the project upon completion?: City of Alamogordo

8. Is the project:

	YES	NO	N/A
a public school project that is included in a school district capital master plan?:	_____	_____•	_____
a local government project that is included in the local Infrastructure Capital Improvement Plan (ICIP)?:	_____	_____•	_____

9. If the project is included in the ICIP, please provide the ICIP identification #: 31270

Continued ⇨

Firefighter Training Building with Burn Building Priority #5

PROJECT BUDGET

Please provide a breakdown of the total estimated project cost, including completed phases of the project:

	<u>COMPLETED</u>	<u>UNCOMPLETED</u>	<u>TOTAL</u>
Planning:	\$ _____	\$ _____	\$ _____
Design (Architectural/Engineering):	\$ _____	\$ 50,000	\$ 50,000
Construction:	\$ _____	\$ 225,000	\$ 225,000
Land Purchase:	\$ _____	\$ _____	\$ _____
Equipment:	\$ _____	\$ 50,000	\$ 50,000
Rights of Way/Easements:	\$ _____	\$ _____	\$ _____
Other (specify _____):	\$ _____	\$ _____	\$ _____
Other (specify _____):	\$ _____	\$ _____	\$ _____
Other (specify _____):	\$ _____	\$ _____	\$ _____
Total Estimated Cost:	\$ _____	\$ 325,000	\$ 325,000

Please list **PRIOR FUNDING SOURCES** for the project:

	<u>YEAR</u>	<u>AMOUNT</u>
_____	_____	\$ _____
_____	_____	\$ _____

Please list any **MATCHING FUNDS** secured for the project:

	<u>AMOUNT</u>
_____	\$ _____
_____	\$ _____

OTHER INFORMATION

<u>Will the project:</u>	YES	NO	N/A
eliminate health or safety hazards or other liability issues?	_____	•	_____
address federal, state or local judicial mandates or requirements?	•	_____	_____
prevent or correct deterioration of capital asset(s)?	_____	•	_____
address issues of population or client growth?	•	_____	_____
be constructed on state-owned property?	_____	•	_____

<u>Has the project:</u>	YES	NO	N/A
been designed to be energy efficient?	•	_____	_____
received public input and endorsement?	•	_____	_____
planned for future operational costs?	•	_____	_____
acquired land for the project? (land owner: <u>City of Alamogordo</u>)	•	_____	_____

<u>Can the project:</u>	YES	NO	N/A
be successfully phased, so that each phase will be operational?	•	_____	_____
be completed with this legislative appropriation?	_____	•	_____

If the project is located in a major metropolitan area (Albuquerque [including Los Lunas], Santa Fe, or Las Cruces) and will serve a state agency or facility, is the project in compliance with the state master plan for that area?	YES	NO	N/A
	_____	•	_____

Proposed project start date: September 2017

If the capital asset will be leased to another organization, please submit a letter from the fiscal agent identifying the owner of the asset (capital assets must be owned by the state or a political subdivision of the state) and certifying that the asset will be leased at fair market value and appropriately maintained.

If the project is a local economic development project representing a public-private partnership under the Local Economic Development Act, please submit a copy of the project participation agreement between the private entity and the applicable local or regional government.

Fire Fighting Training Center with a Burn Building

The Alamogordo Fire Department is requesting \$325,000 for the construction of a Training Center with a Burn Building. This will permit the fire department to effectively train firefighters. The design and construction of this facility will address the unique needs and characteristics of administration and support training facilities in the following areas:

- drill towers
- live structural burn facilities
- smoke buildings
- vehicle extrication pad
- flammable liquids pit
- confined space props
- liquid propane props
- technical rope rescue
- fire arson investigation techniques





Because Fire Safety is Everyone's Concern.....



AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 11/03/2015

Report Date: 10/29/2015

Report No: 9.

Submitted By: Mark Threadgill, Customer
Service Manager

Subject: Discussion and direction to staff concerning amendment to Chapter 28 of the Alamogordo Code of Ordinances and related policies for Customer Service. *(Mark Threadgill, Customer Service Manager)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background: Provide direction to staff on the ordinance revisions and proposed policies outlined in the Utility Billing Review Report dated June 2015.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 11/03/2015

Report Date: 10/30/2015

Report No: 10.

Submitted By: Nancy Jacobs, Deputy
Clerk

Subject: Adjourn into Executive Session in compliance with Section 10-15-1.H, NMSA 1978 (2010 Cumulative Supplement) to discuss limited personnel matters. **(Roll Call vote required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background: