



Alamogordo City Commission

NOTICE OF MEETING

Regular Meeting Agenda

August 26, 2025 - 6:30 PM

Donald E. Carroll City Commission Chambers
City Hall, 1376 E. Ninth Street

Susan L. Payne Mayor
Sharon McDonald Mayor Pro-Tem, District 5
Crystal Guthrie District 1
Stephen Burnett District 2
Warren Robinson District 3
Josh Rardin District 4
Mark Tapley District 6

Stephanie Hernandez Acting City Manager
Darrell Mori City Attorney
Rachel Hughs 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 east bulletin board located in the south 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 575-439-4100.

CALL TO ORDER & ROLL CALL

Announce the presence of a Quorum.

INVOCATION & PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

PRESENTATIONS

1. City of Alamogordo Water Master Plan Update. (Justen Boyle, Senior Project Manager/ David Nunnelley, Utilities Director/ Samantha Kufrin, Engineer, CDM Smith)

PUBLIC COMMENT

Residents must sign up with the City Clerk to address the City Commission. The standard allotted time is 3 minutes, but the Mayor reserves the right to change depending on the number of public comments.

CITY MANAGER'S REPORT

REMARKS AND INQUIRIES BY THE CITY COMMISSION

CONSENT AGENDA (Roll Call Vote Required for an Ordinance or Resolution)

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 Regular Commission meeting on August 12, 2025. *(Rachel Hughes, City Clerk)*
3. Consider, and act upon, the Investment Report for the quarter ending June 30, 2025 in accordance with the City of Alamogordo Investment Ordinance. *(Sue Ashe, Accounting Manager)*
4. Consider, and act upon, the Contract Between Otero County and the City of Alamogordo for Housing of City Prisoners. *(David Kunihiro, Chief of Police)*
5. Consider, and act upon, the Public Works Bid No. 2025-002 award, Alameda Zoo Wall Improvements Project No. ZO2402, to Perimeter Ironwork, Fence and Block LLC, related to the Alameda Zoo Wall Improvements project for an amount not to exceed \$352,108, excluding NMGR. *(Justen Boyle, Senior Project Manager)*
6. Consider and act upon an emergency funds appropriation of \$28,171.50 through the Capital Outlay Bureau with the Aging & Long-Term Services Department to purchase a new hot truck for the Senior Center's Home-delivered Meal program *(Magdalena Morales, ASC Manager / Veronica Ortega, Community Services Director)*
7. Consider, and act upon, the award of Public Works Bid No. 2025-005, Lower Heights and Upper Heights Waterline Replacement WSRP 009 Project No. UC2210, to Crosstown Construction related to the Lower Heights and Upper Heights Waterline Replacement WSRP 009 project in an amount not to exceed \$1,067,880.02, including NMGR. *(Justen Boyle, Senior Project Manager)*
8. Consider, and act upon, the award of Public Works Bid No. 2025-003, La Luz South Reservoir Cover, Tower, and Catwalk Replacement WSRP 013 Project No. UC2209, to KE&G Construction INC., related to the La Luz South Reservoir Cover, Tower, and Catwalk Replacement WSRP 013 project in an amount not to exceed \$4,493,741.99, including NMGR. *(Justen Boyle, Senior Project Manager/ Eddie Livingston, Engineer)*

ITEMS REMOVED FROM CONSENT AGENDA

ADJOURNMENT

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 8/26/2025

Report Date: 08/18/2025

Report No: 1.

Submitted By: Justen Boyle

Subject: City of Alamogordo Water Master Plan Update. (*Justen Boyle, Senior Project Manager/ David Nunnelley, Utilities Director/ Samantha Kufrin, Engineer, CDM Smith*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Presentation

Background: CDM Smith and the Utilities Department have completed a comprehensive hydraulic model of the City's water system as part of the Water Master Plan. The model identifies areas where the system is strong and capacity or fire flow limitations may emerge. These findings will help guide future capital improvements and support long-term planning for growth and resiliency.

City of Alamogordo Water Master Plan

Commission Meeting



Sam Kufrin

Elena Bronisz

Dave Nunnelley

August 12, 2025





Agenda

1. Introductions
2. Model Development
3. Demands
4. Calibration
5. Existing and Future System Modeling
6. Alternatives Evaluated
7. CIP Recommendations

Introductions





Model Development



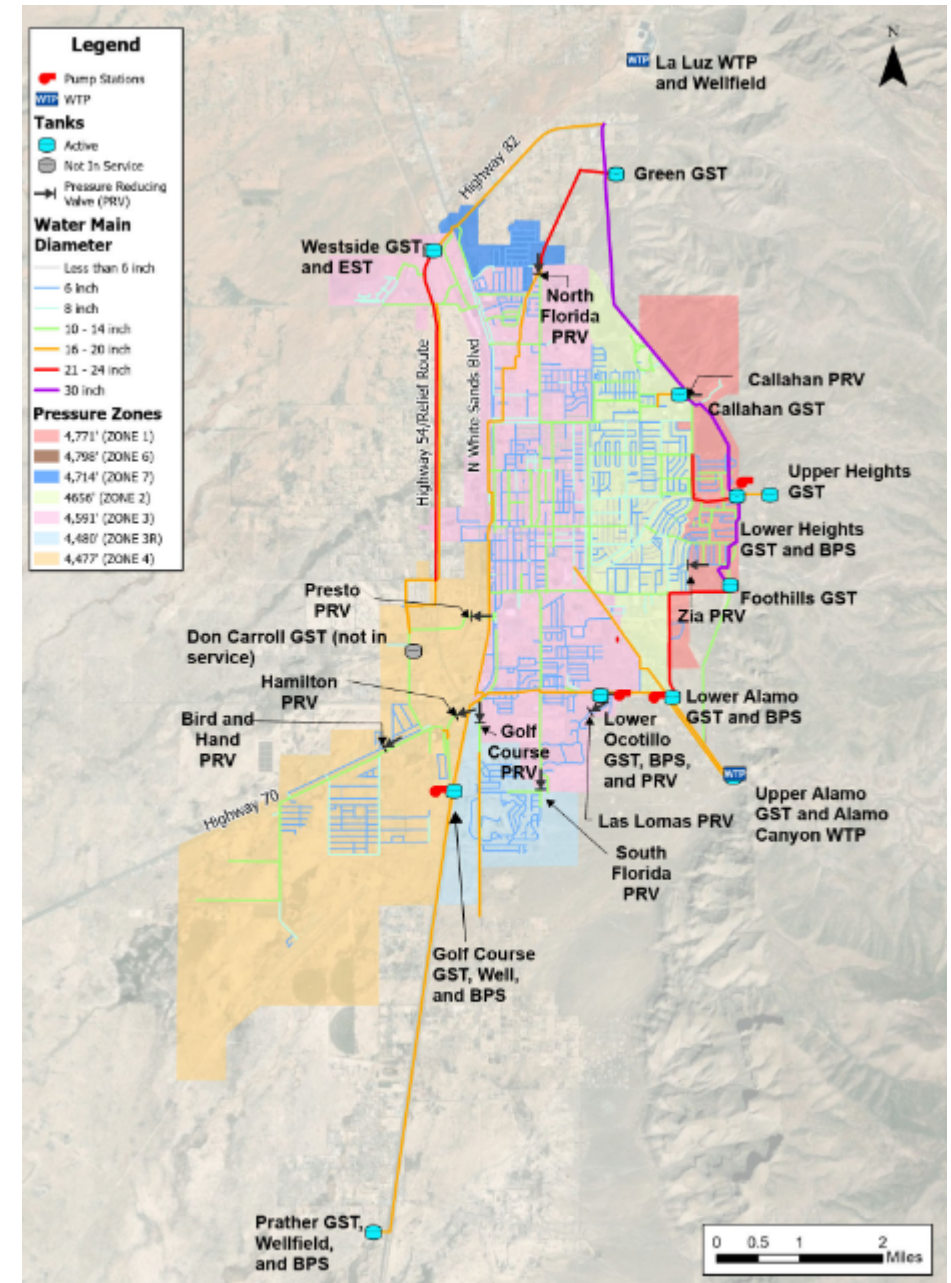


Model Development

- GIS water shape files from December 2023
 - Assumed connectivity where GIS was unclear
- 1998 Elevation Contours from City
- Assumed Diameters when Unknown
- Pump Curves or Pump Design Point provided by City
- SCADA Data provided by City for week of field testing (October 2 – 5, 2023)

Existing Water Distribution System

- Approximately 240 miles of pipe
- Supply Sources:
 - La Luz Water Treatment Plant
 - Alamo Canyon
 - Eleven Wells
- Six (6) Pressure Zones
- Twelve (12) in service storage tanks
- Five (5) in service booster pump stations
- Ten (10) Pressure Reducing Valves (PRVs)
 - Multiple smaller PRVs for water quality/circulation
- Two (2) Pressure Sustaining Valves (PSVs)

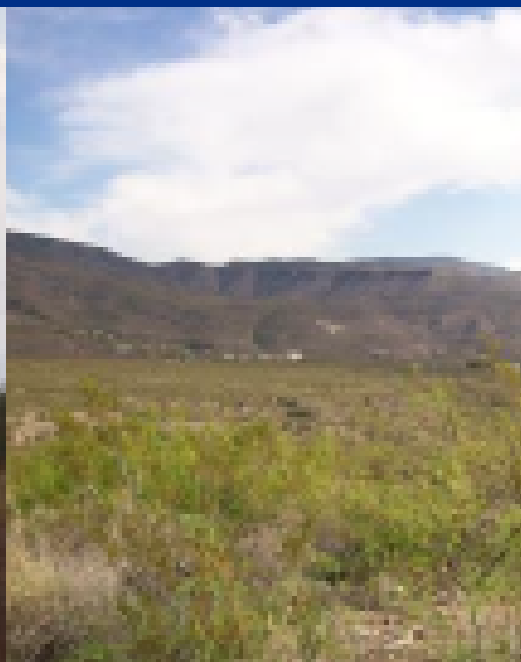




Modeling Criteria

- Based off of NMED
- Maximum pressure ≤ 80 psi
- Minimum operating pressure
 - 35 psi: normal operating conditions
 - 20 psi: fire flow conditions
 - Normal working pressure: 60 to 80 psi
- Maximum pipe velocity: 5 feet per second (fps)
- Water Age: No criteria provided
 - Assumed 7 days maximum
- Fire Flow: 500 gpm minimum across system
- Storage and Pumping – per Texas Commission of Environmental Quality (TCEQ)

Demands

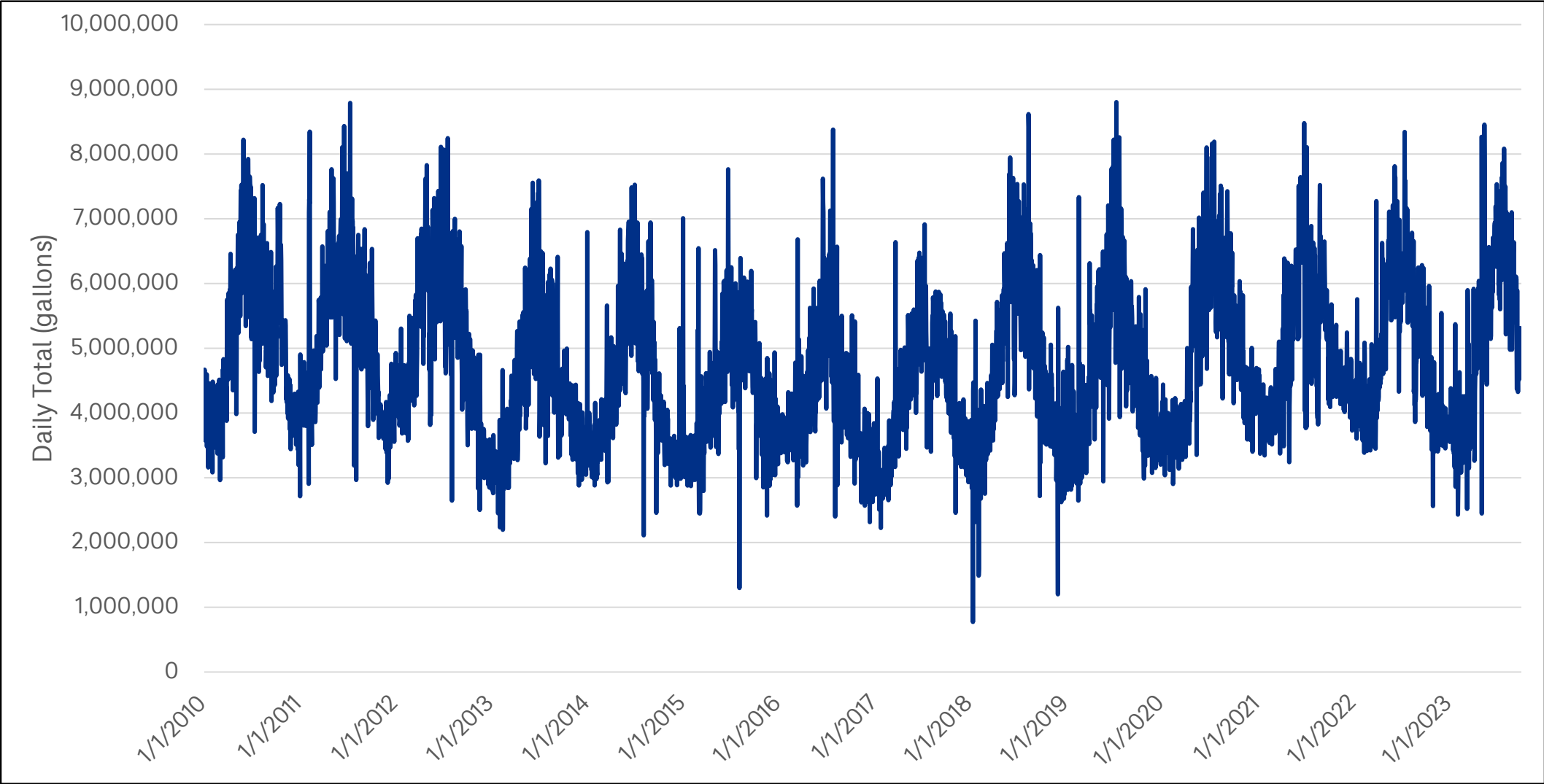




Existing Water Demand

- Analyzed FY2019 – 2023 Billing Data
- ~14,000 customers
- FY2023 used for existing current conditions
 - Supply: 4.9 MGD
 - 3.3 MGD billing data/consumption
 - 1.6 MGD NRW (33%)

Historic Water Production



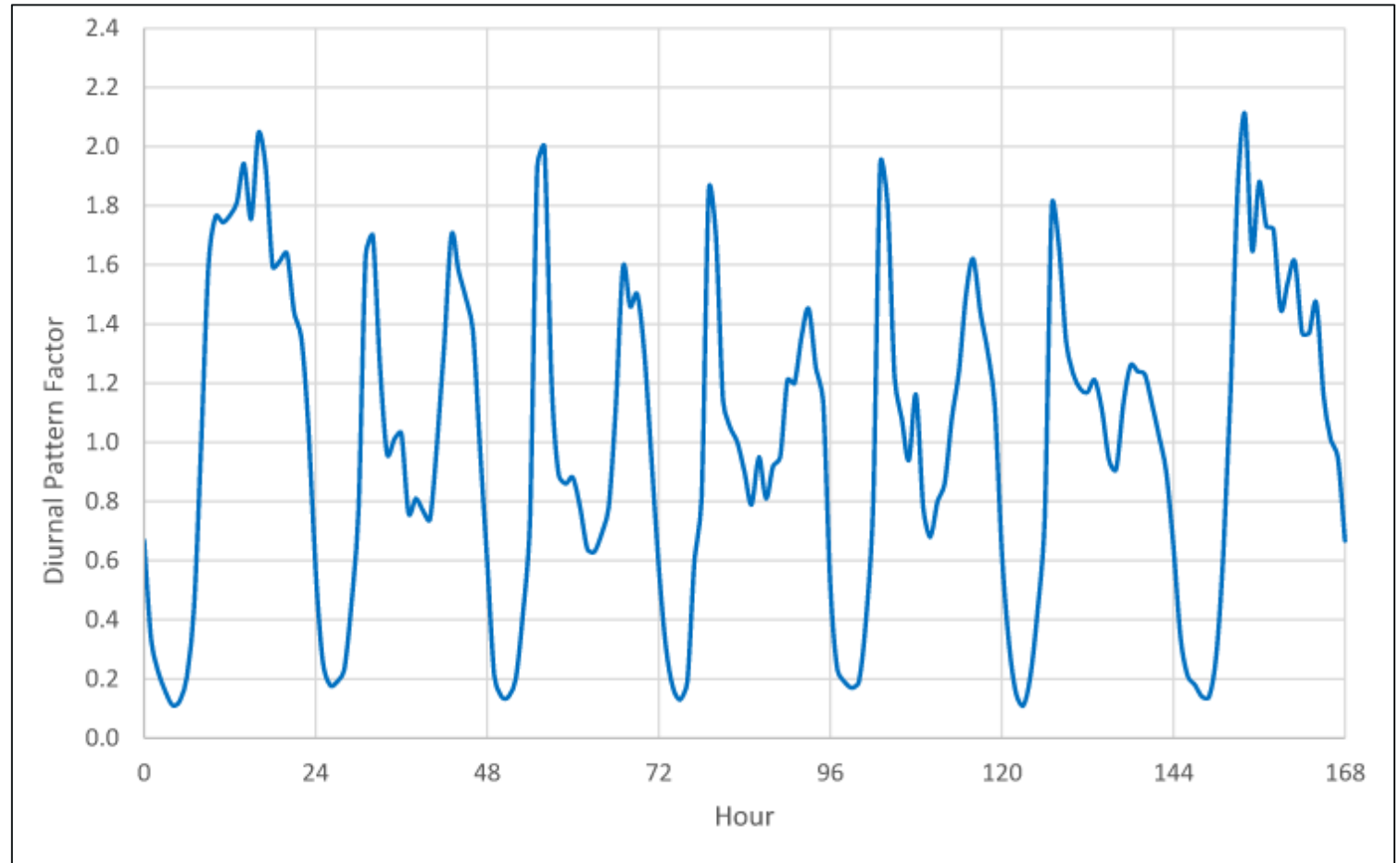
Historical Water Production

- FY2023 is a good indicator of recent existing conditions
- ADD: Average Daily Demand
- MDD: Maximum Daily Demand
- MDD:ADD Factor: 1.8

Year	Average Day Production (gpd)	Average Day Production (gpm)	Maximum Day Production (gpd)	Maximum Day Production (gpm)	MDD Factor (MDD/ADD)
2010	5,146,429	3,574	8,220,968	5,709	1.60
2011	5,183,769	3,600	8,789,000	6,103	1.70
2012	5,055,967	3,511	8,245,000	5,726	1.63
2013	4,376,933	3,040	7,592,128	5,272	1.73
2014	4,400,874	3,056	7,525,842	5,226	1.71
2015	4,299,824	2,986	7,764,512	5,392	1.81
2016	4,236,289	2,942	8,377,496	5,818	1.98
2017	4,272,684	2,967	6,913,280	4,801	1.62
2018	4,704,651	3,267	8,616,104	5,983	1.83
2019	4,713,563	3,273	8,801,925	6,112	1.87
2020	5,018,439	3,485	8,191,000	5,688	1.63
2021	4,981,986	3,460	8,477,000	5,887	1.70
2022	4,960,269	3,445	8,341,000	5,792	1.68
2023 (January through September only)	5,211,430	3,619	8,454,064	5,871	1.62
Average (2010 – 2022)	4,719,360	3,277	8,142,712	5,655	1.73
Average of Last 5 Years (2018 - 2022)	4,875,782	3,386	8,485,406	5,893	1.74
Average FY 2023 (July 2022 – June 2023)	4,864,692	3,378	8,454,064	5,871	1.74

Diurnal Patterns

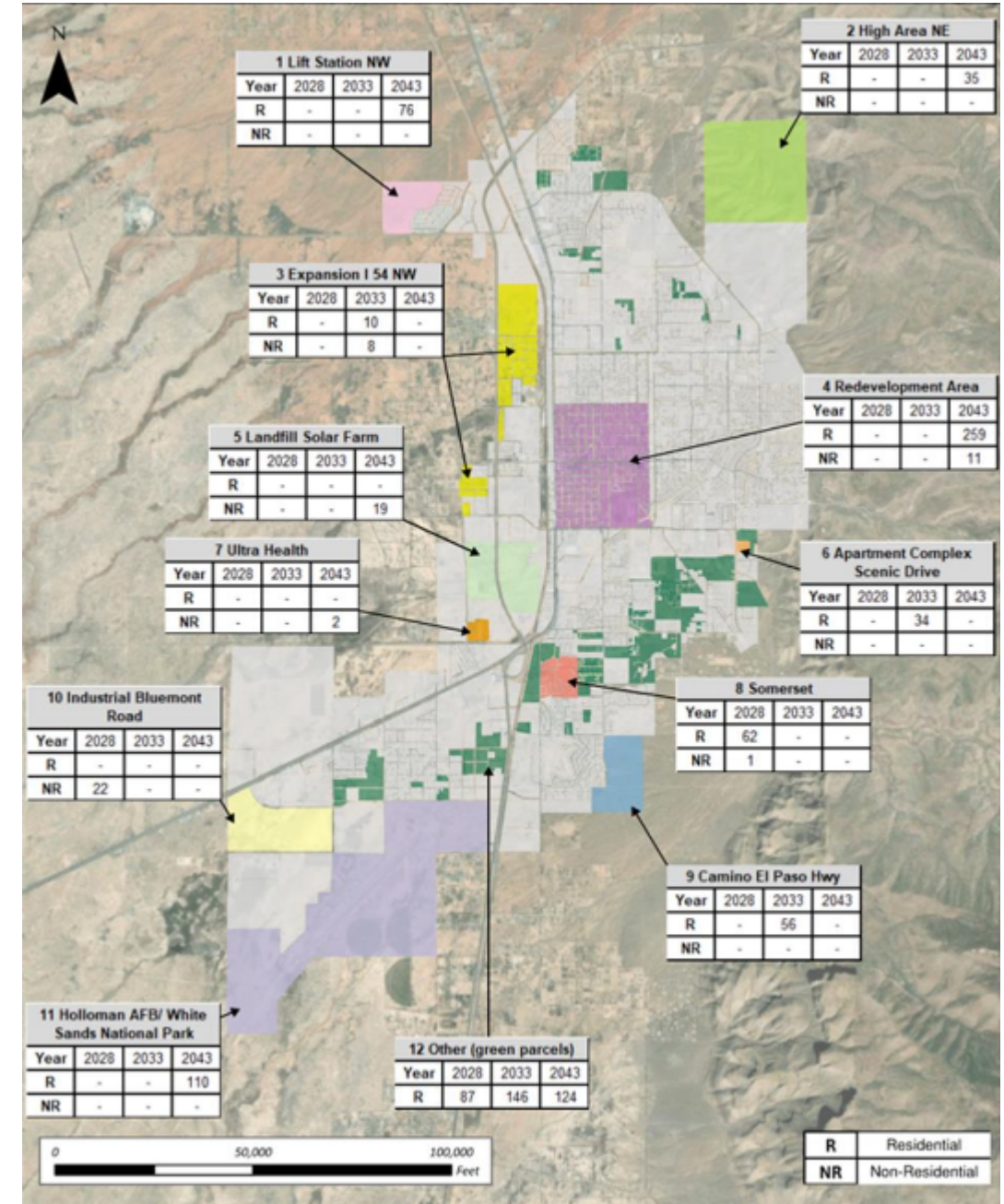
- Used to model daily fluctuations in demand per customer type (residential, commercial, industrial, institutional, etc.)
- Used to simulate peak hour demands in a maximum day scenario



Single Family Residential Diurnal Curve

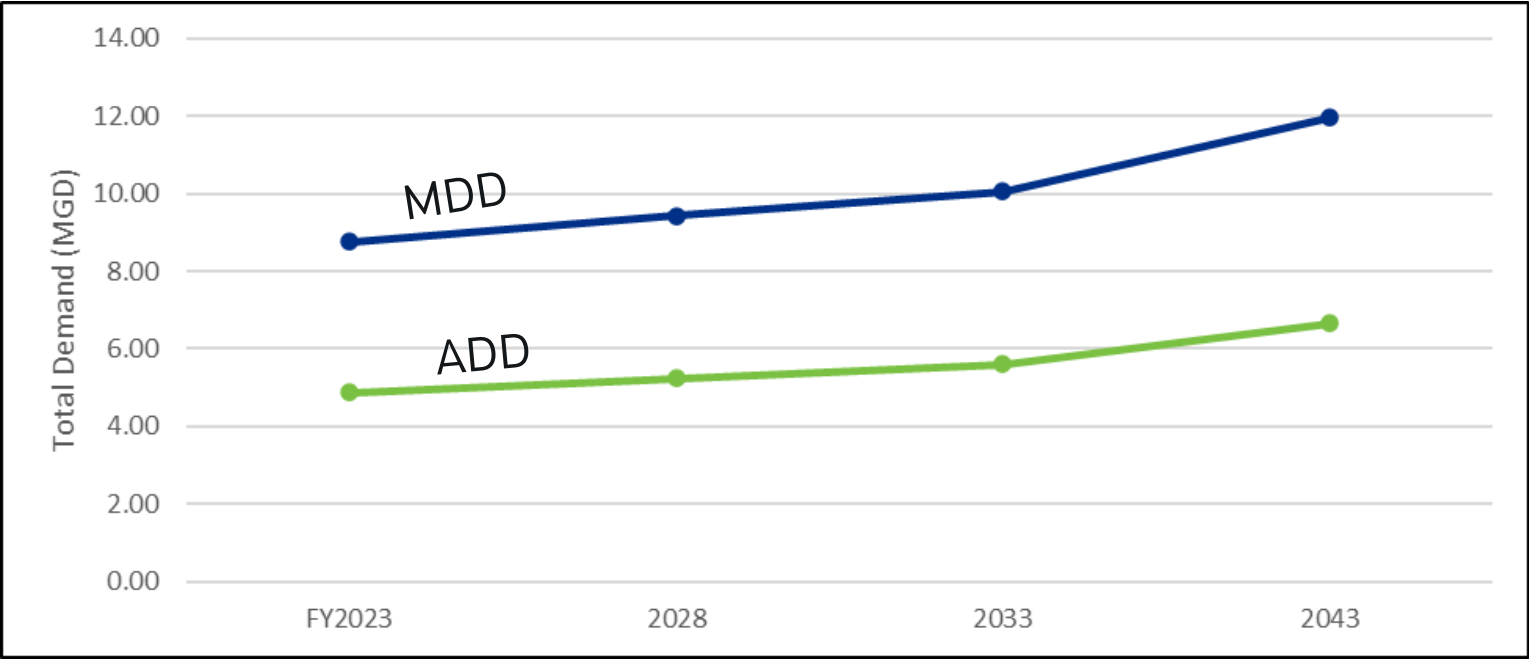
Development Projects

- Assumptions:
 - Future demand applied to areas assumed to develop, per conversations with the City
 - Not globally applied
 - Annual Growth Rate: 1.2%
 - Utilized people per household: 2.34 (US Census Bureau Data), annual growth rate (1.2%), and land-use parcel data for distribution into model

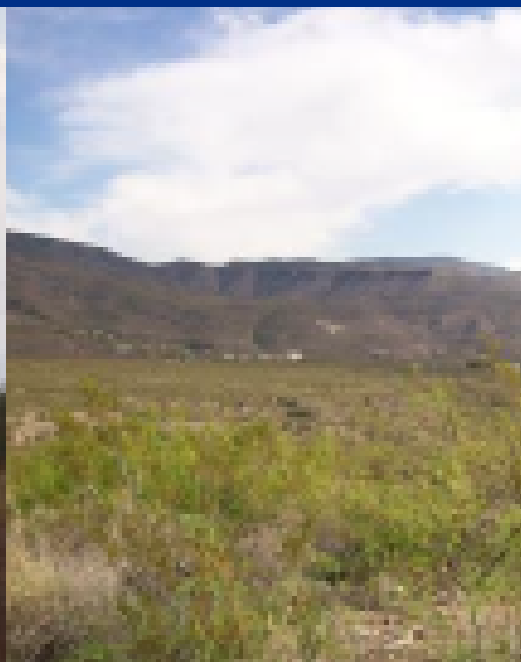


Summary of Existing and Future Projected Demands

Year	ADD Demand (MGD)	Incremental ADD Increase (MGD)	MDD Demand (1.8 x ADD) (MGD)	Supply per Water Rights (MGD)
FY2023	4.86		8.76	17.25
2028	5.23	0.37	9.42	17.25
2033	5.59	0.36	10.07	17.25
2043	6.65	1.05	11.96	17.25

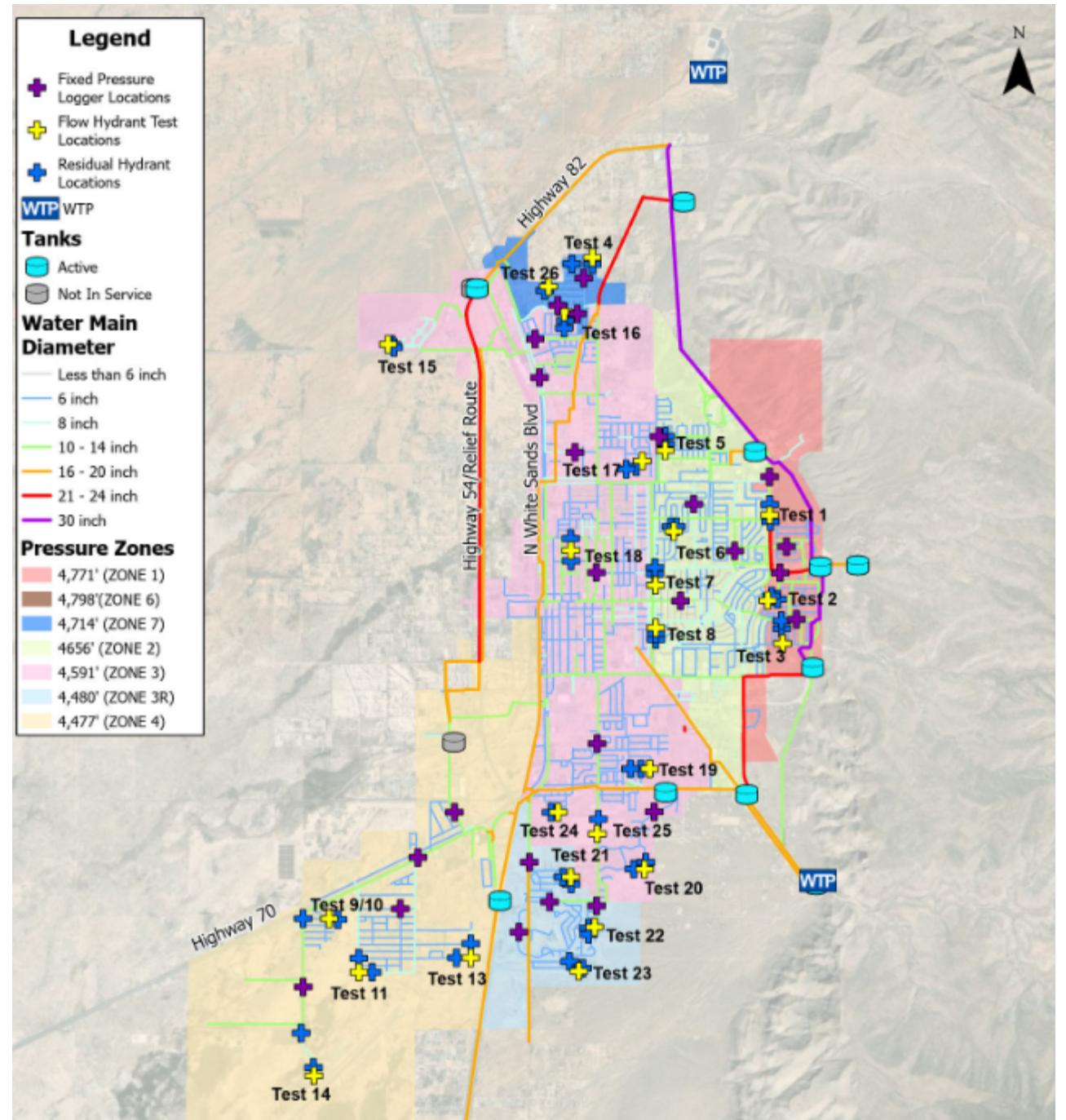


Calibration



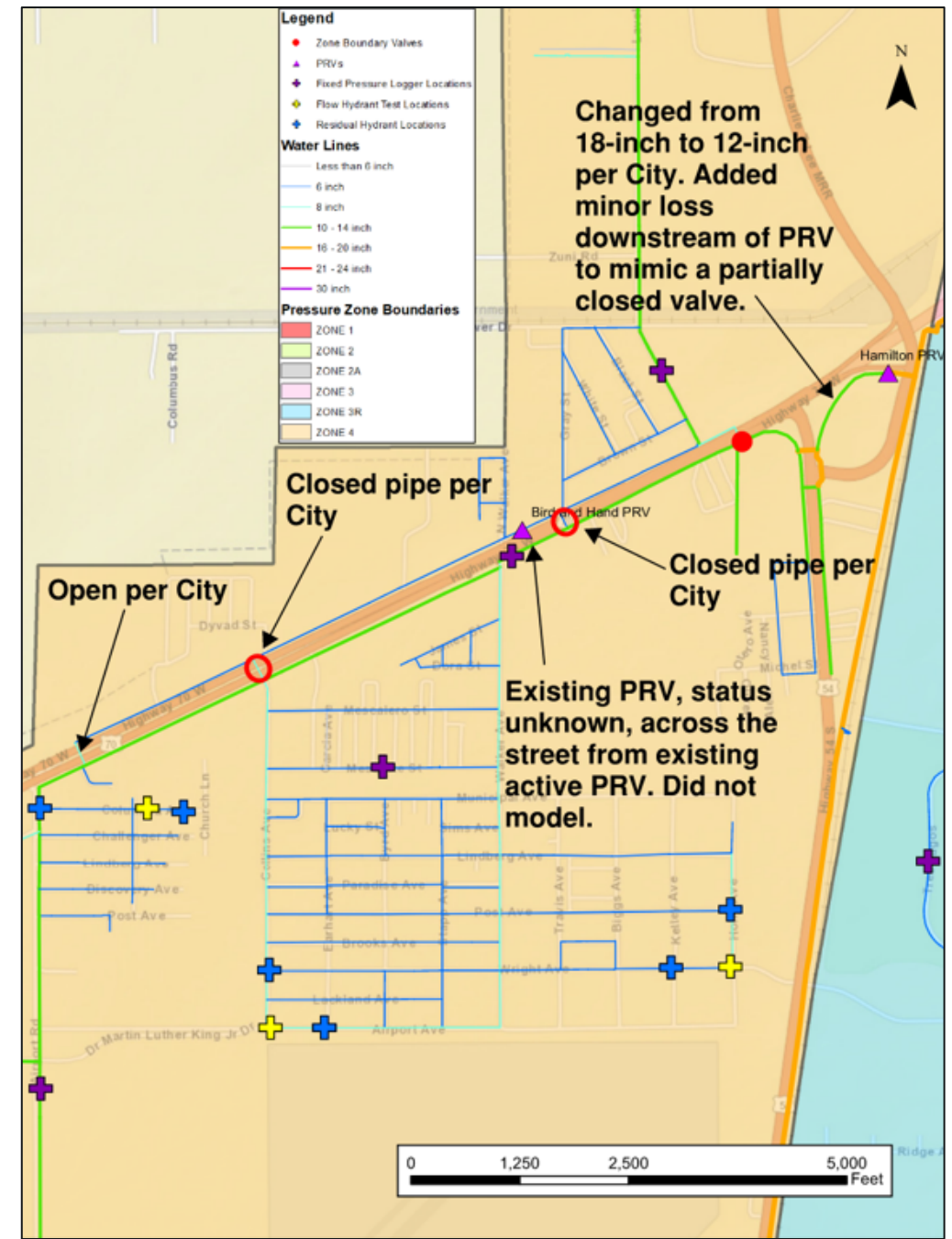
Hydrant Testing and Calibration

- 26 Hydrant Tests
- Calibrated to degree suitable for model to be used for planning level purposes
- Recommended City Staff investigate various areas for partially closed valves and verification of pipe sizes
- Recommended further investigation of Zone 4



Calibration: Take-Aways

- Zone 4:
 - CDM Smith will work to optimize operations in Zone 4 as a part of subsequent modeling





Existing and Future System Modeling

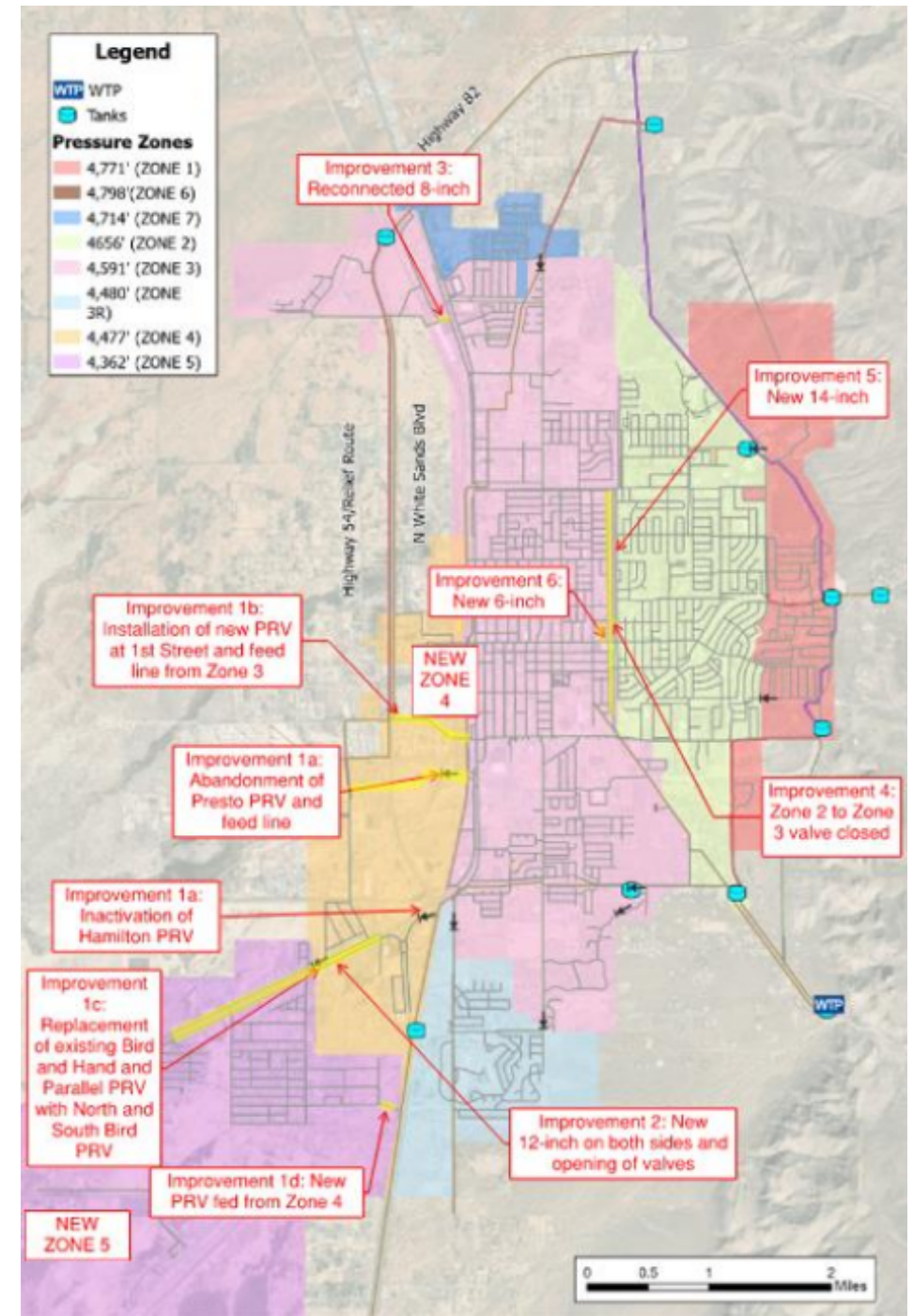


Existing and Future System Modeling

- Average Daily Demand Scenario (ADD): Used to evaluate maximum pressures and water age
- Maximum Daily Demand Scenario (MDD): Used to evaluate minimum pressures, maximum velocities, available fire flow
- ADD demands will go from ~4.9 MGD currently to ~6.7 MGD in 2043
- MDD demands will go from ~8.8 MGD currently to ~12 MGD in 2043
- Additional Supply assumed to come from La Luz WTP

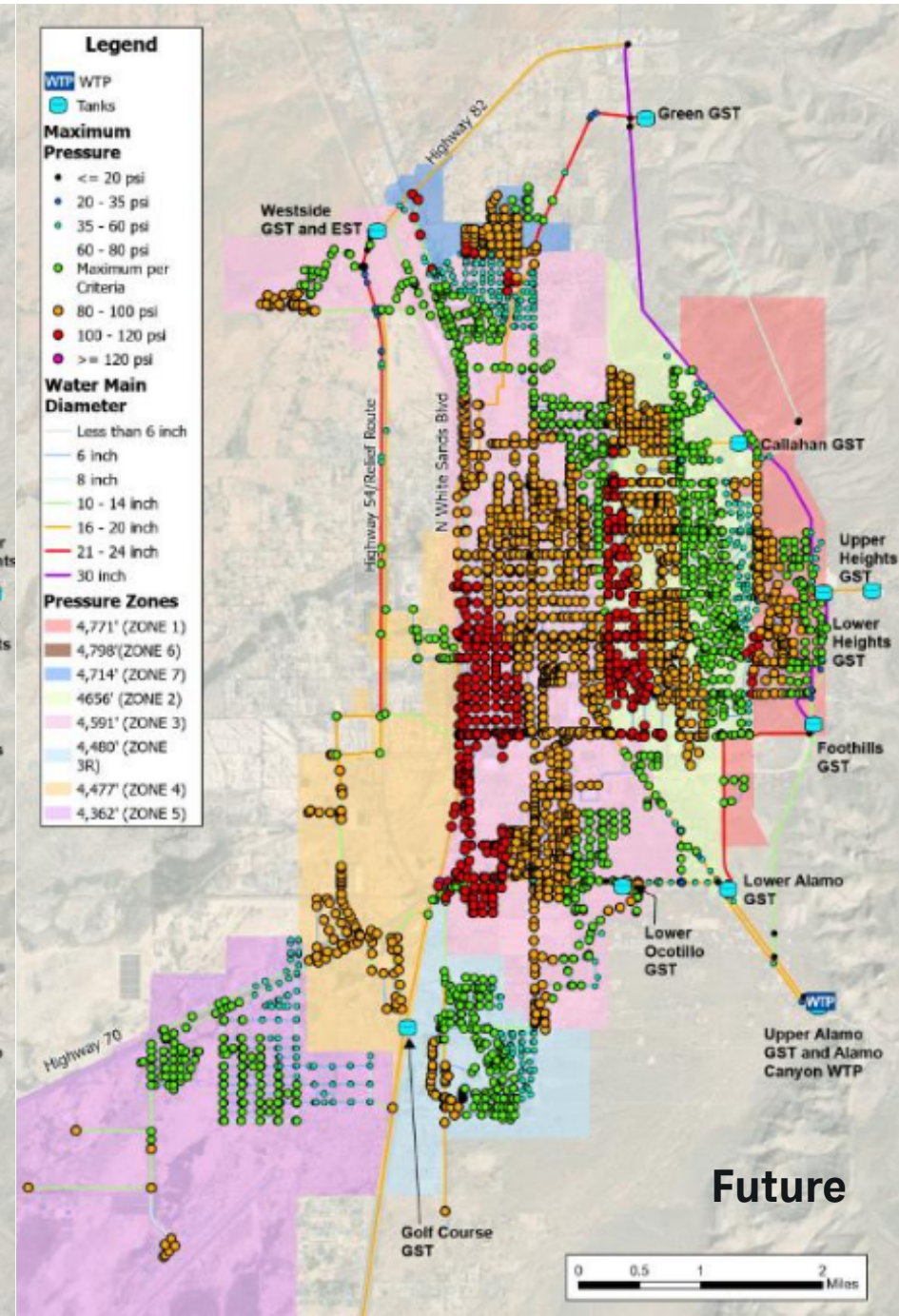
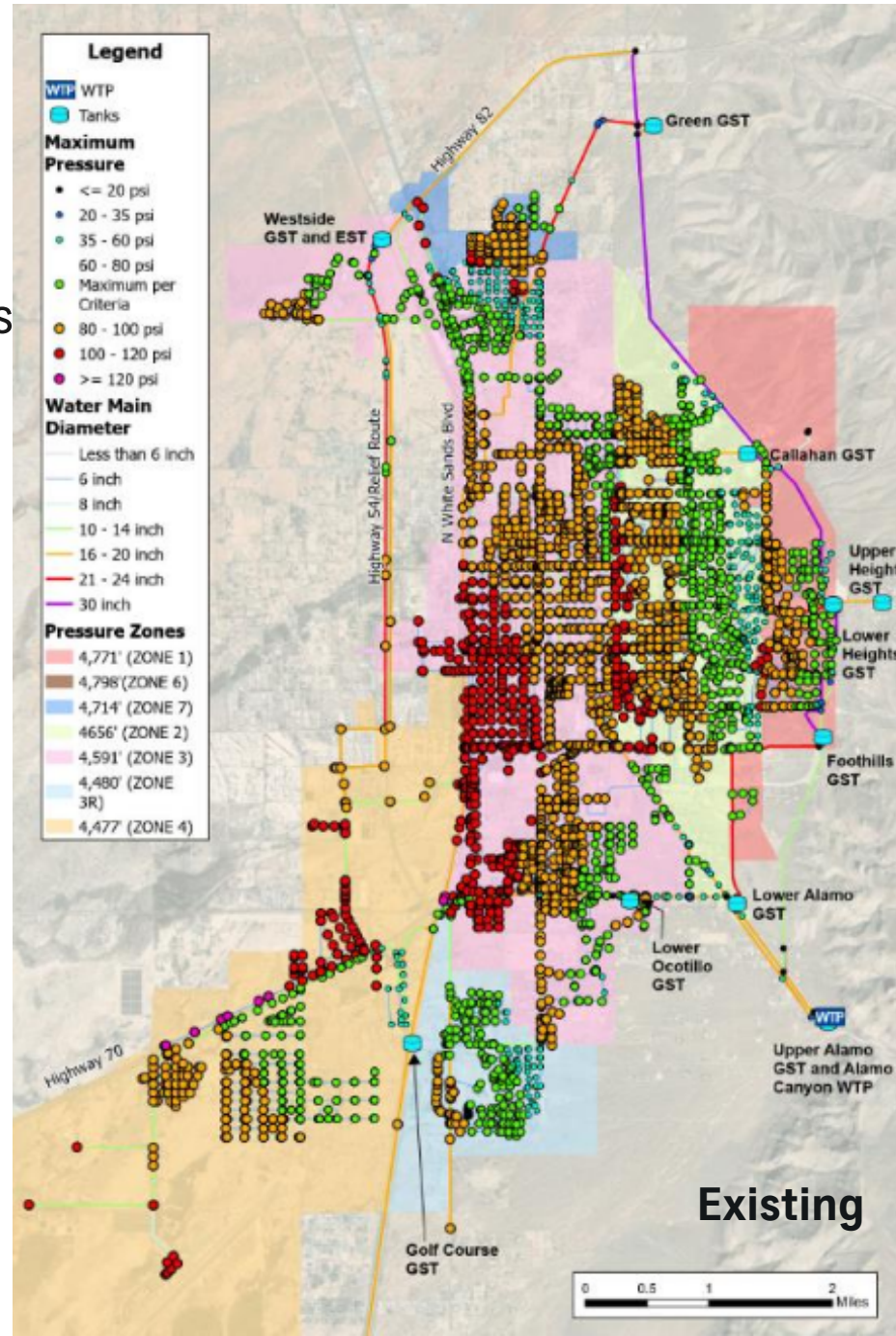
Future Scenario Modeling: City Capital Improvements Plan (as of 2023)

- Zone 4 and 5 Improvements
- New 14-inch line along Oregon Ave from Mountain View Ave to Indian Wells Rd
- Zone Boundary Revisions (Zone 2/3)
- Other smaller projects



ADD Maximum Pressure

- All zones in system observe high pressures (more prevalent in Zones 2, 3, and 4)
- Elevation Driven
- Future similar to existing



ADD Water Age

Water age high in the following tanks:

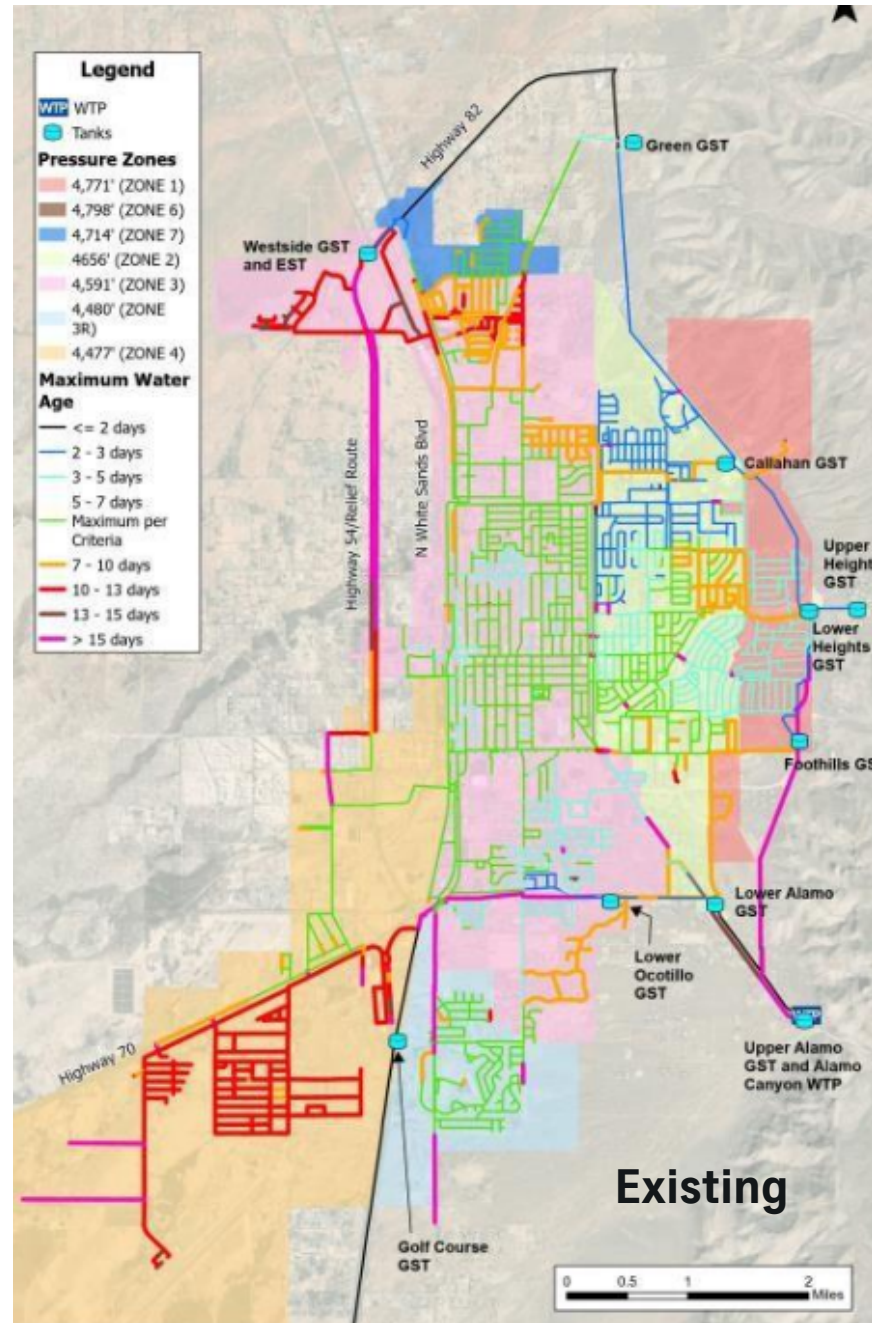
- Zone 1: Upper Alamo GST (almost stagnant)
- Zone 2: Foothills GST
- Zone 3: Westside EST
- Zone 4: Lower Ocotillo GST

Results slightly different than existing due to Zone 4 improvements and closing of Zone Bleeding Pipe

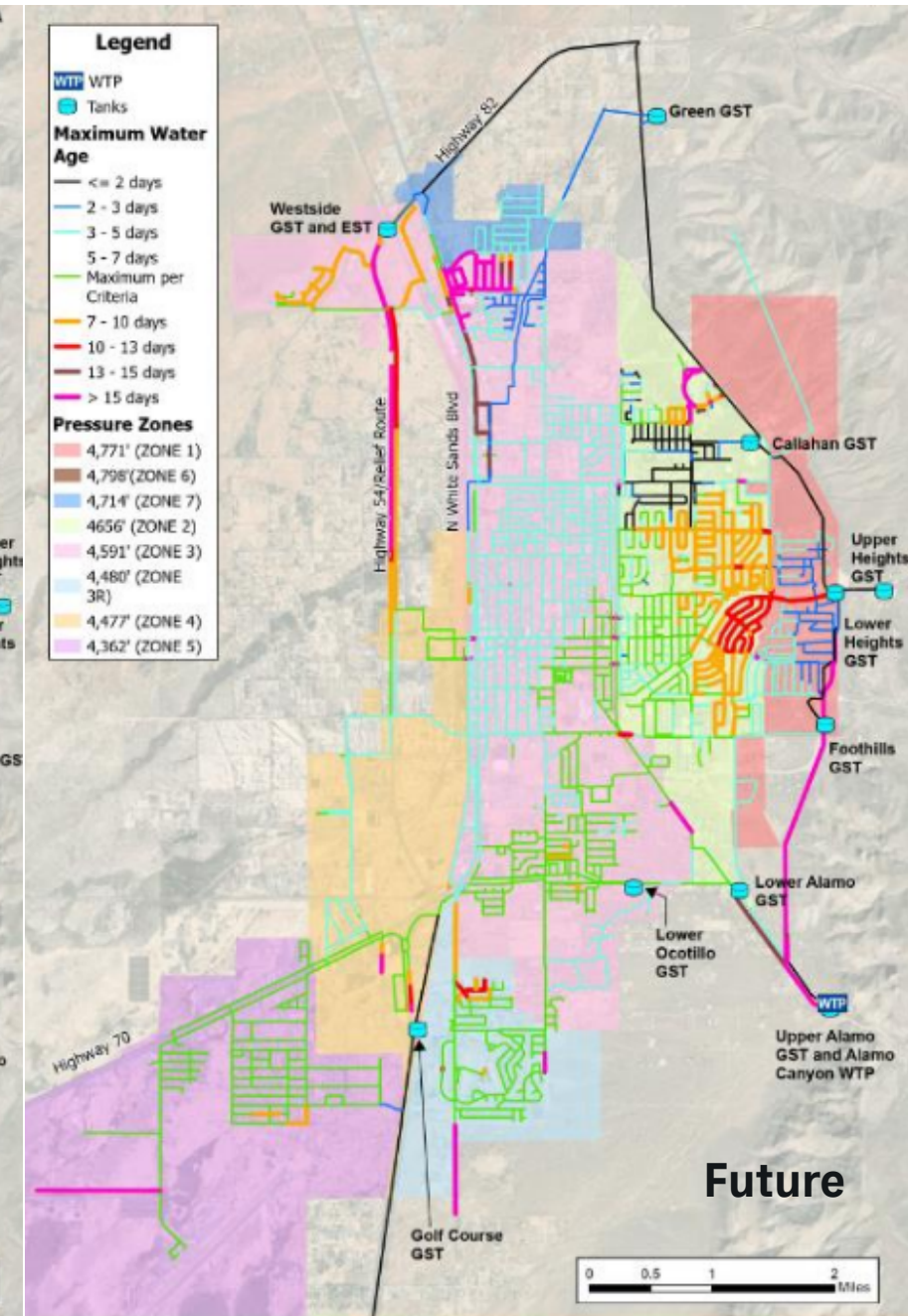
- Water age worse in Zones 2 and 3 (Green/Orange to Orange/Red/Pink)
- Water age better in Zone 4 (Red to Green)

Water age high in the following tanks:

- Zone 1: Upper Alamo GST (almost stagnant)



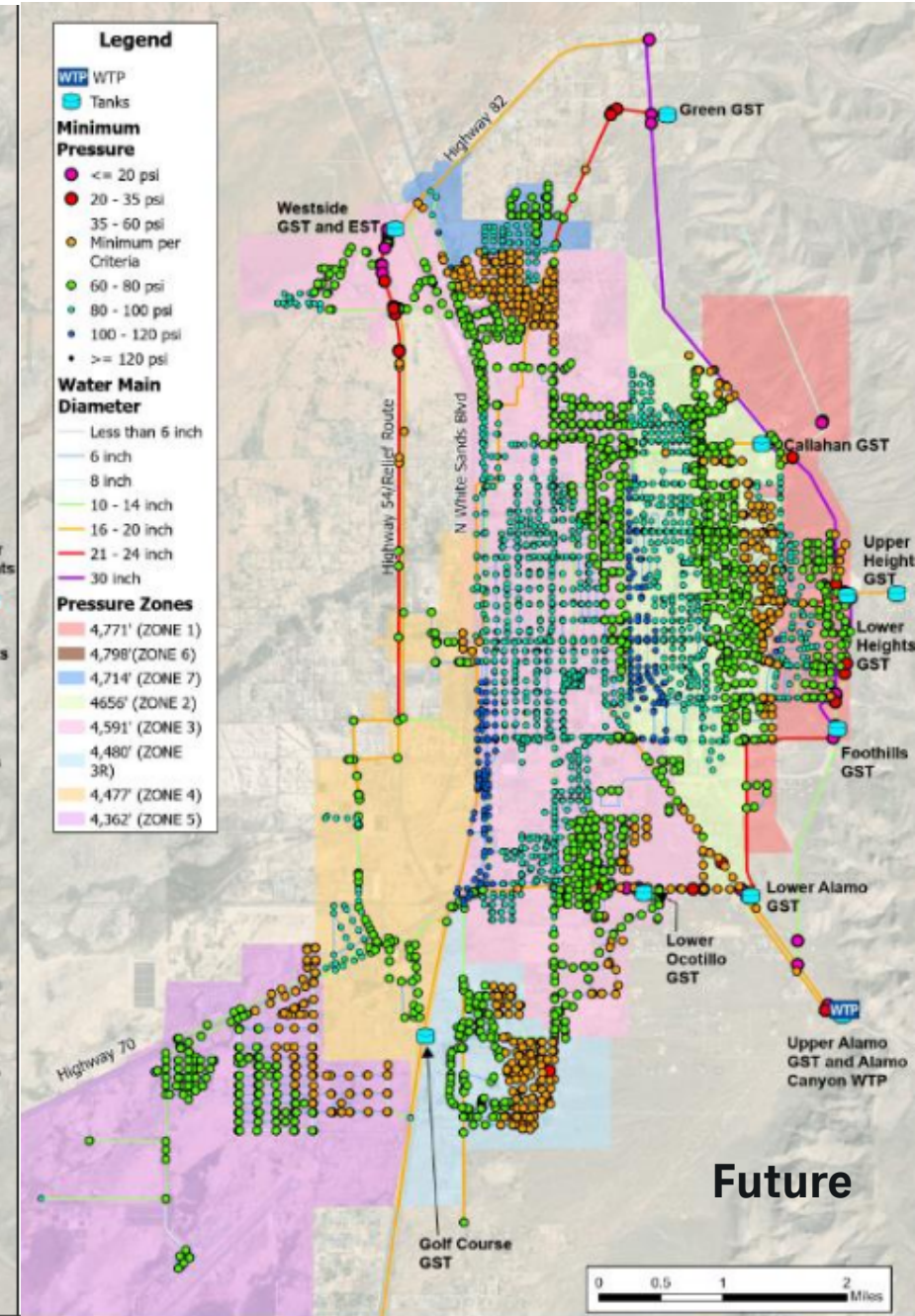
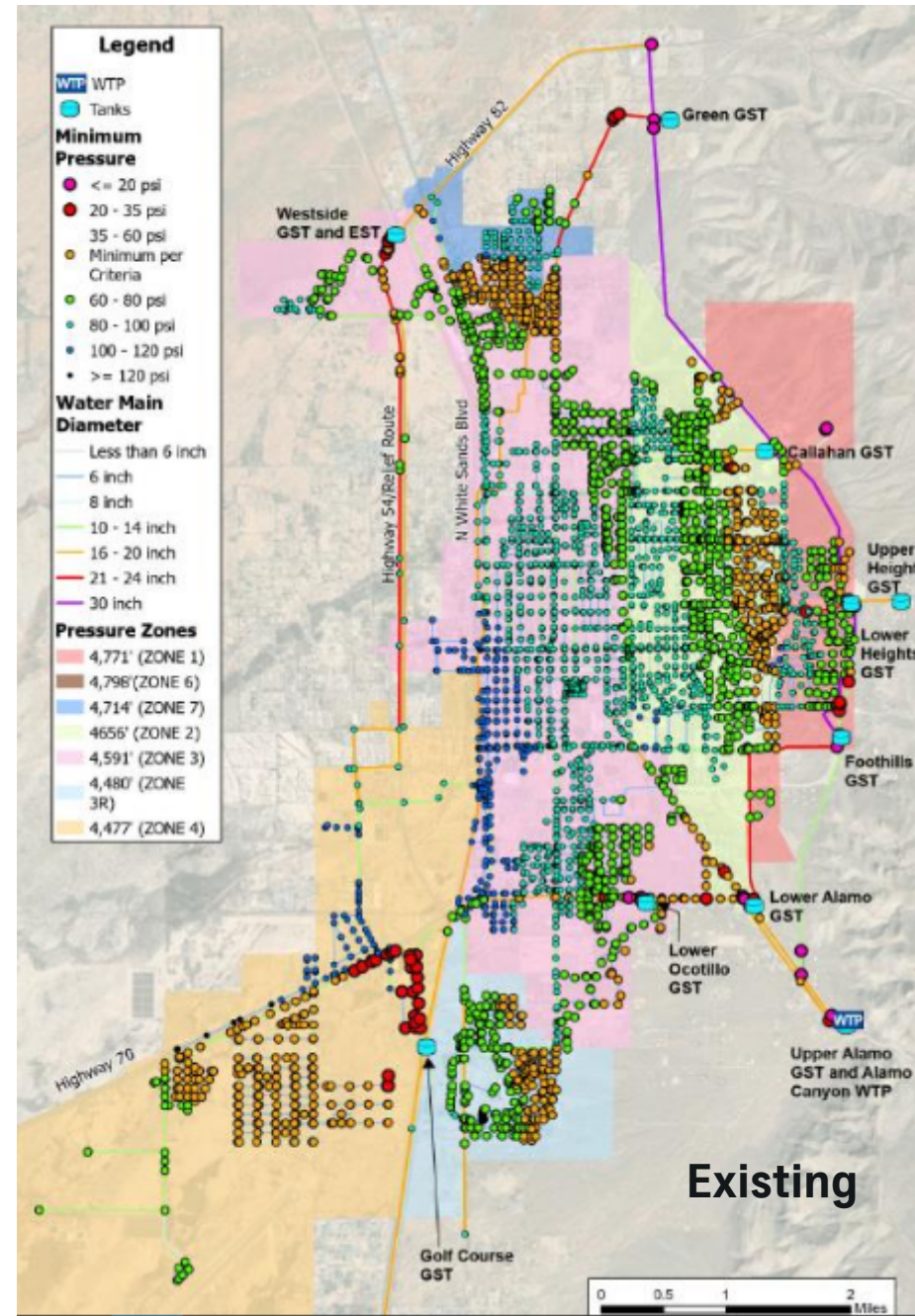
Existing



Future

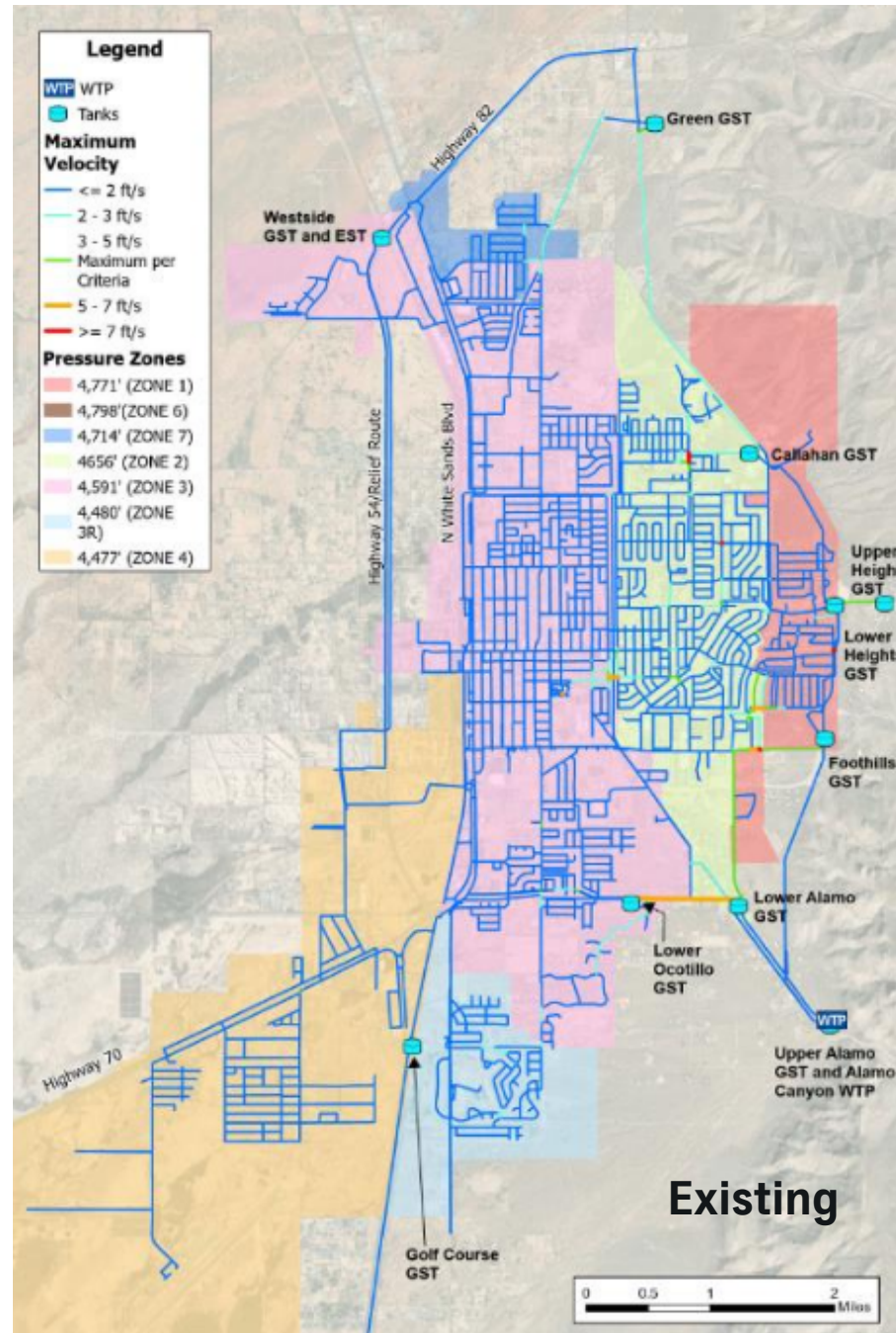
MDD Minimum Pressure

- Majority of existing system meets pressure requirements
- Zone 4: Intersection near Highway 54 and Highway 70 and Lindberg and Holly Ave
- Hamilton PRV setting (~51 psi)
- Minimum Pressures slightly improved from Existing System due to Zone 4 Improvements
- Zone 1: NE Corner for new demand
- Zone 3R: Area near Sedona Ridge and Oakmont Drive (very close to 35 psi)

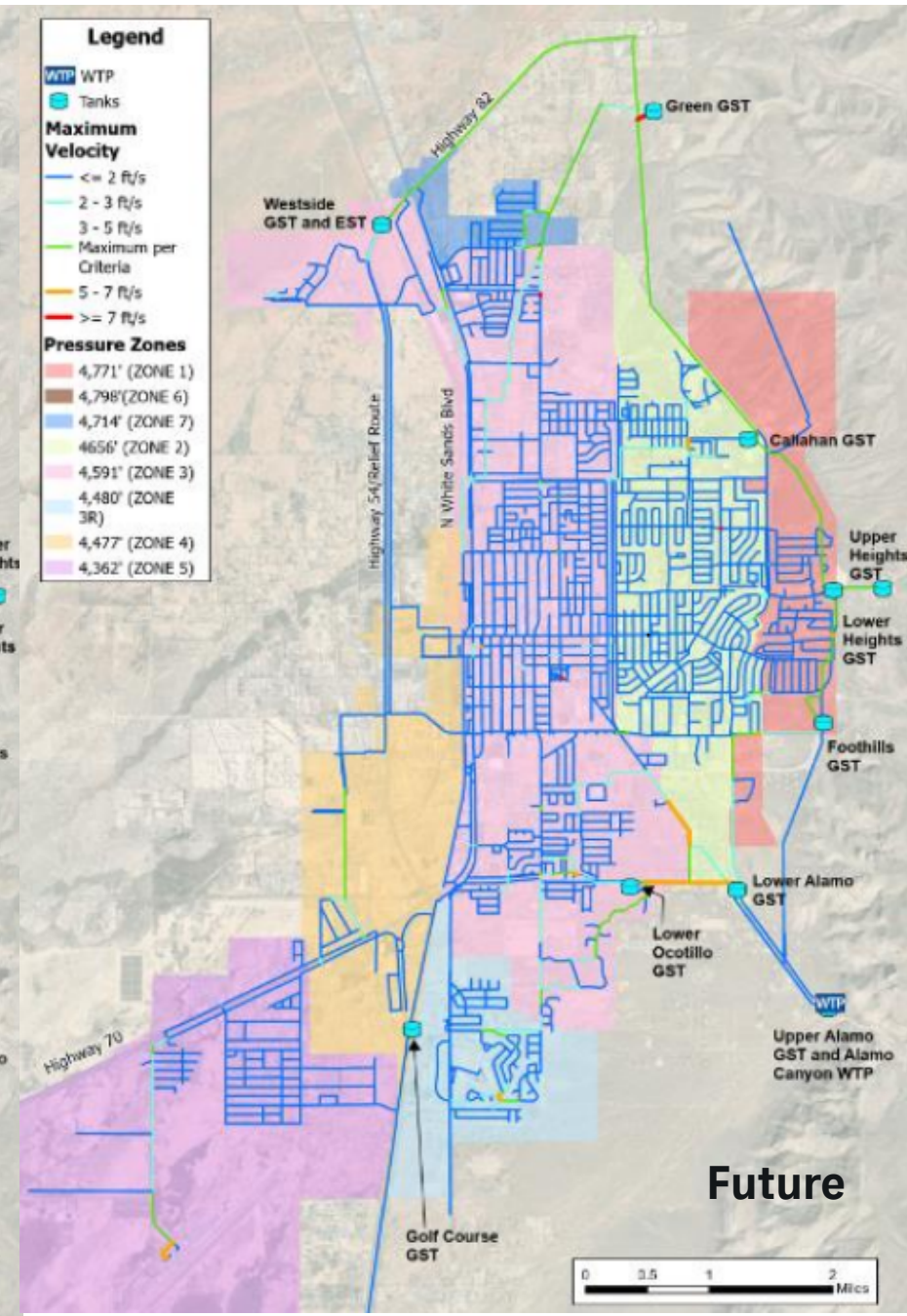


MDD Maximum Velocity

- Majority of system meets maximum velocity requirements
- Secondary criterion
- Some exceptions through the system
- Future similar to existing



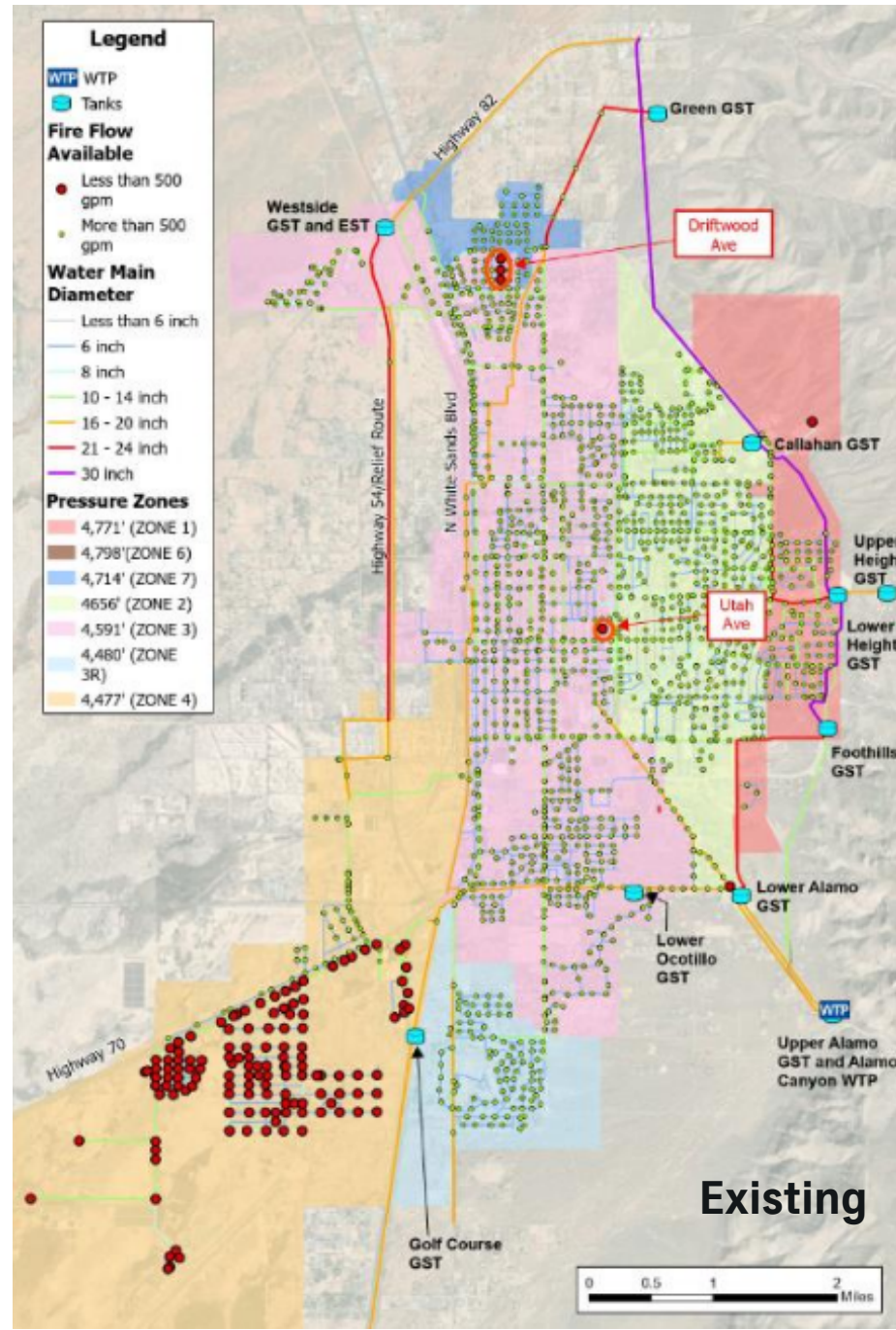
Existing



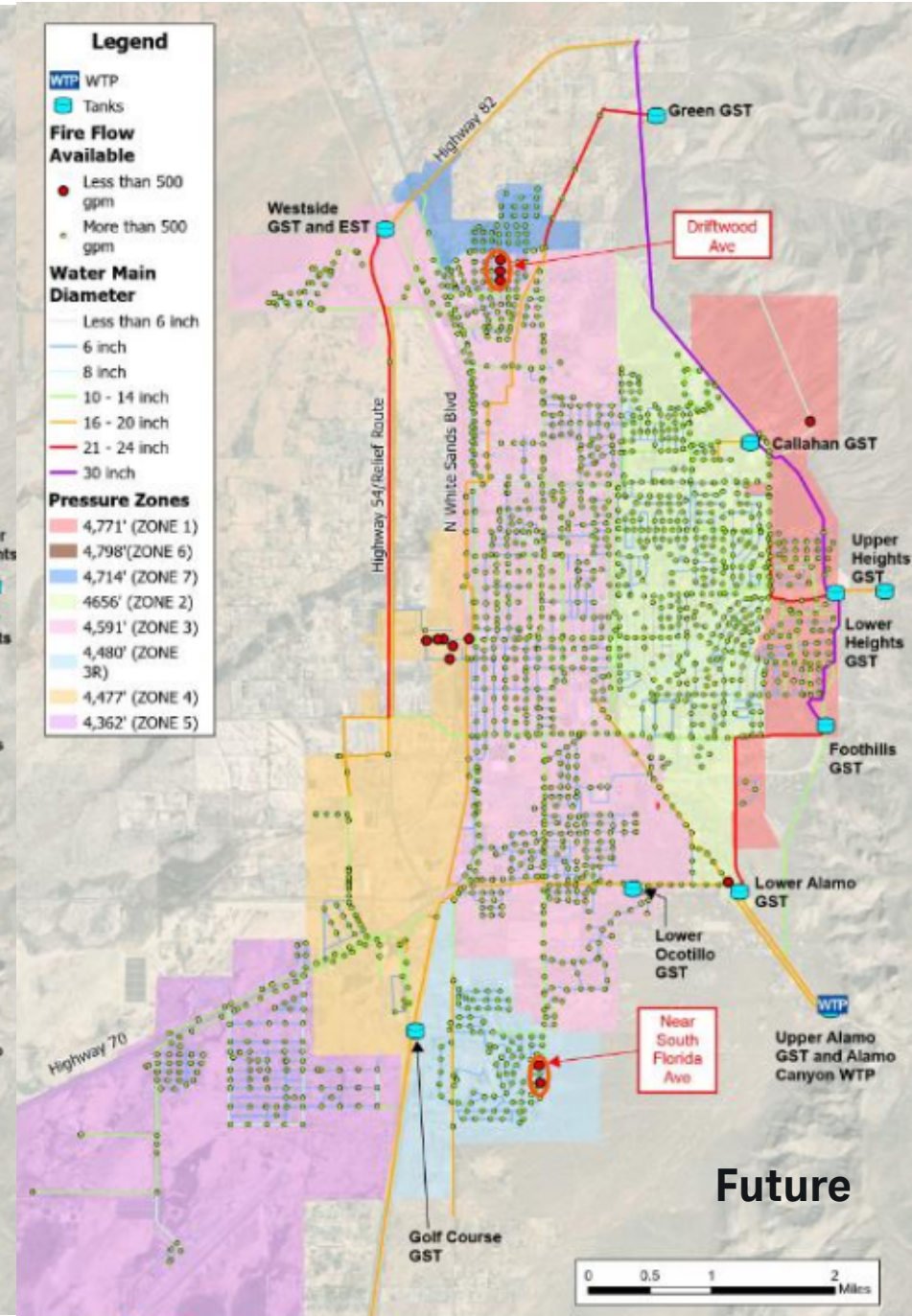
Future

MDD Fire Flow

- Majority of hydrants in Zone 4 have less than 500 gpm available for fire flow
- Zone 3: Hydrants near Boundary between Zone 7
- Zone 3 Hydrant: 2-inch in model along Utah Ave
 - This will be replaced within the year with a 6-inch, per City
- Zone 4 fire flow availability improved with proposed improvements
- Zone 3R: Hydrants near South Florida Ave



Existing



Future

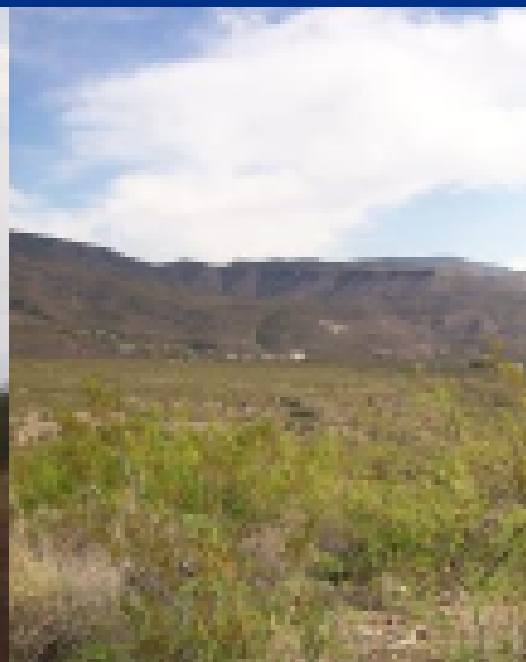


Storage and Pumping

- Utilized TCEQ Storage Criterion 1, 2, and 3, and Pumping Requirements
- Analysis did not include Brackish Water Reverse Osmosis Treatment Plant (BWROTP) and associated infrastructure online
- Analysis indicates that the City has sufficient storage and pumping through 2043



Alternatives Evaluated



Isolated Hydrants with Low Fire Flow

- Recommendation: New 6-inch Main in Zone 3R (South Florida Avenue)
 - Also helps low pressure



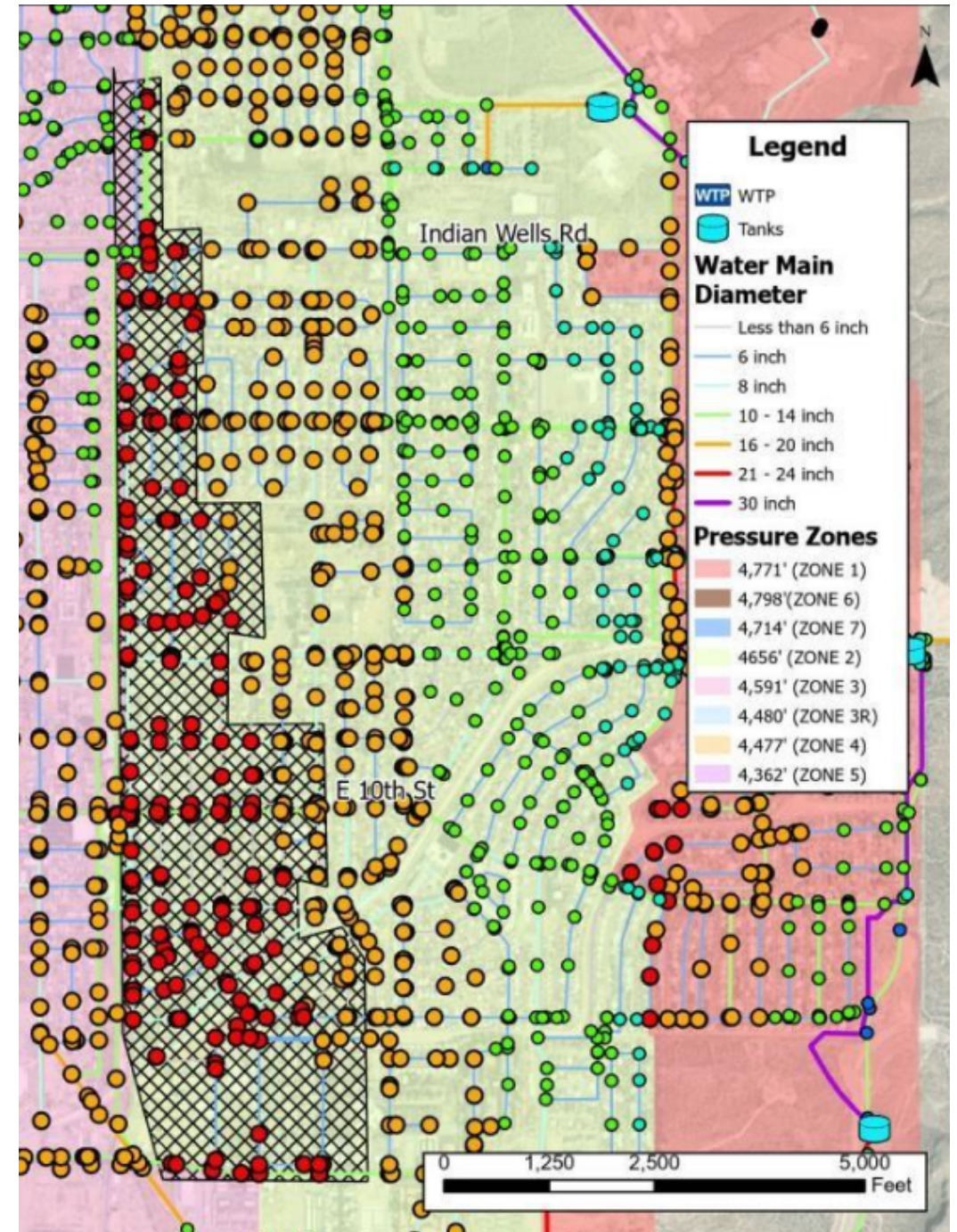
Isolated Hydrants with Low Fire Flow

- Recommendation: New 6-inch loop on Scenic Drive between Rosewood Avenue and Mosswood Drive
- Install 8-inch to form loop between Zone 3 and move boundary valve



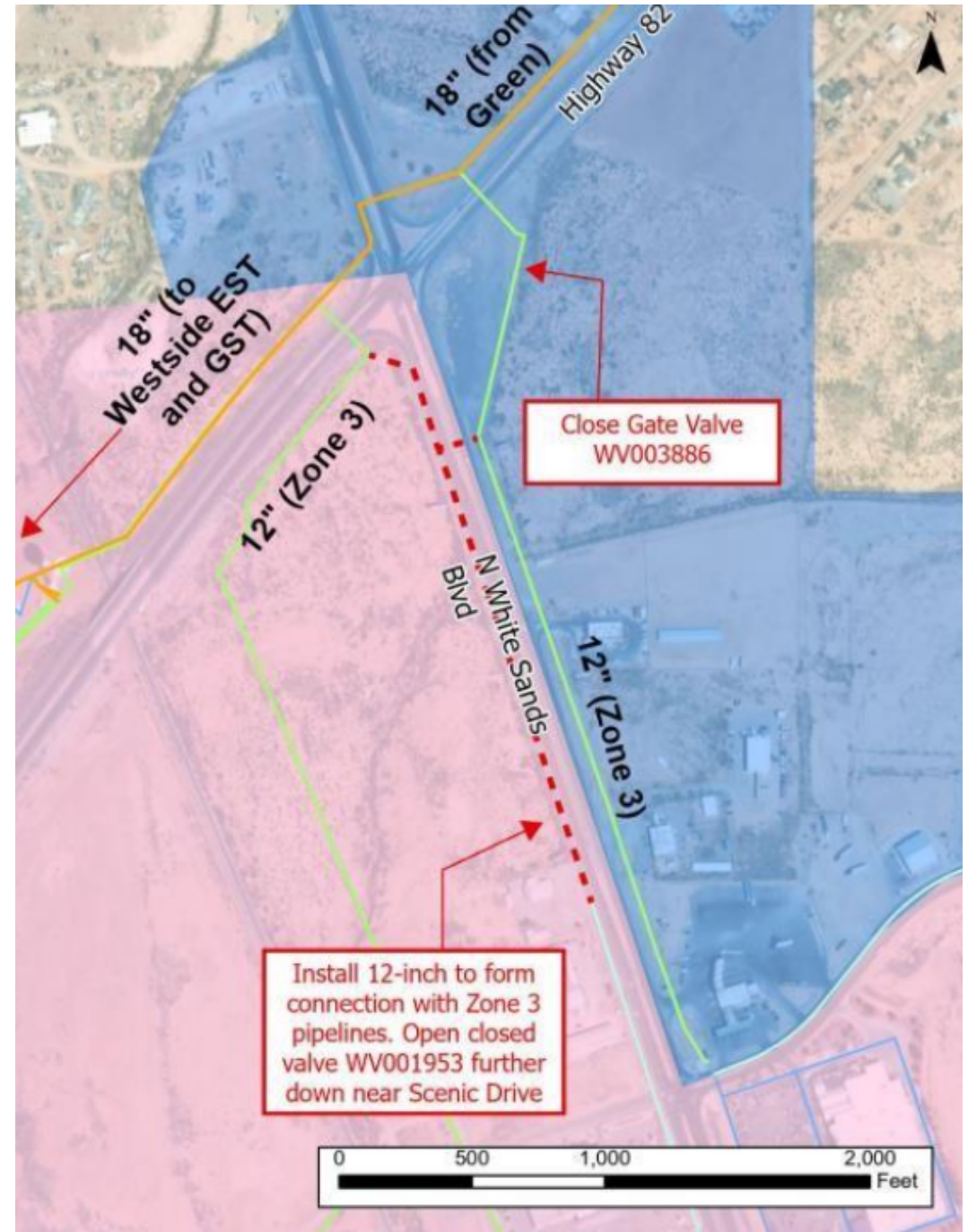
High Static Pressures in Zones 2 and 3

- Would require closing ~50 valves for Zones 2 and 3, creating ~100 dead ends
- Not a practical solution
- Recommendation: City require individual PRVs where system pressure is above 80 psi



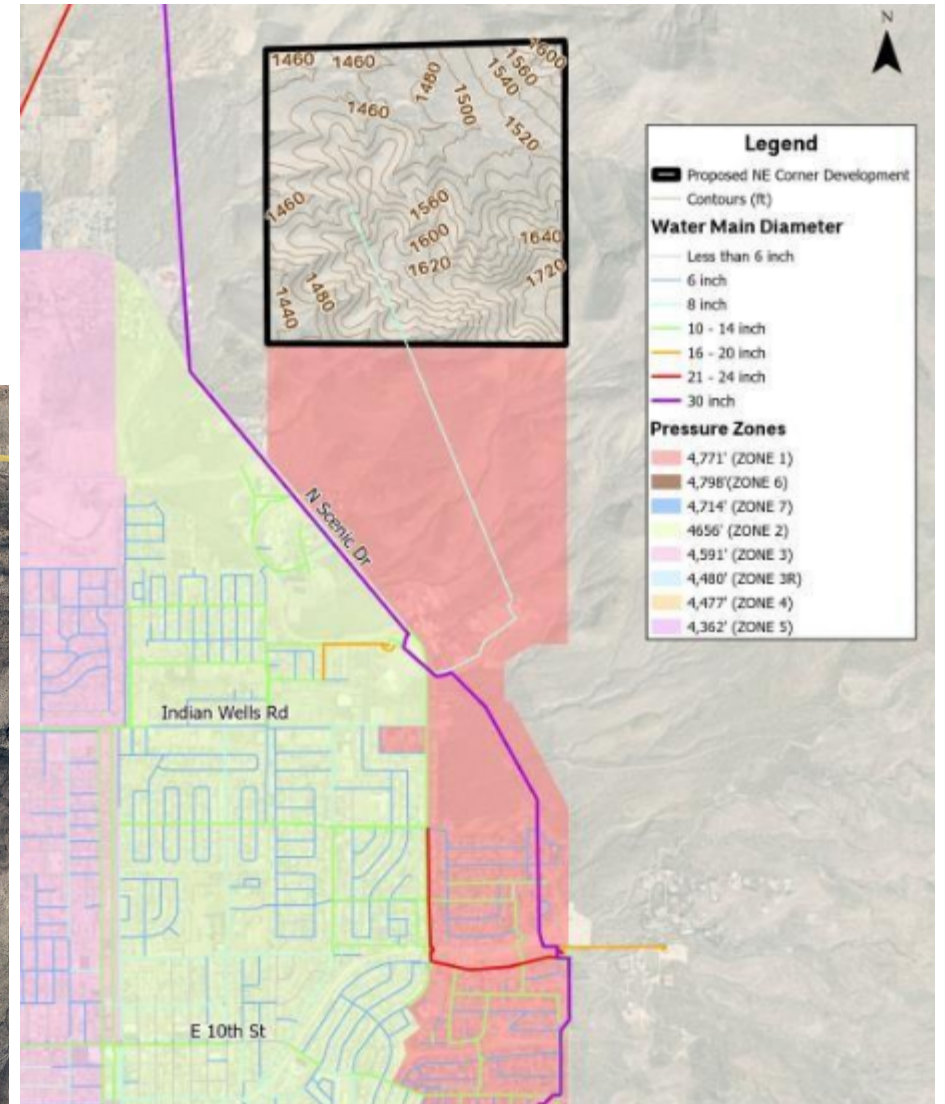
Reconfigured Zone 3 Connection at White Sands and Highway 82

- Recommendation: Close Gate Valve to 18-inch (high pressure)
 - Connect 12-inch from Zone 3 to 12-inch (Zone 3) along White Sands Blvd (open closed valve near Scenic to allow more continuous flow in Zone 3)



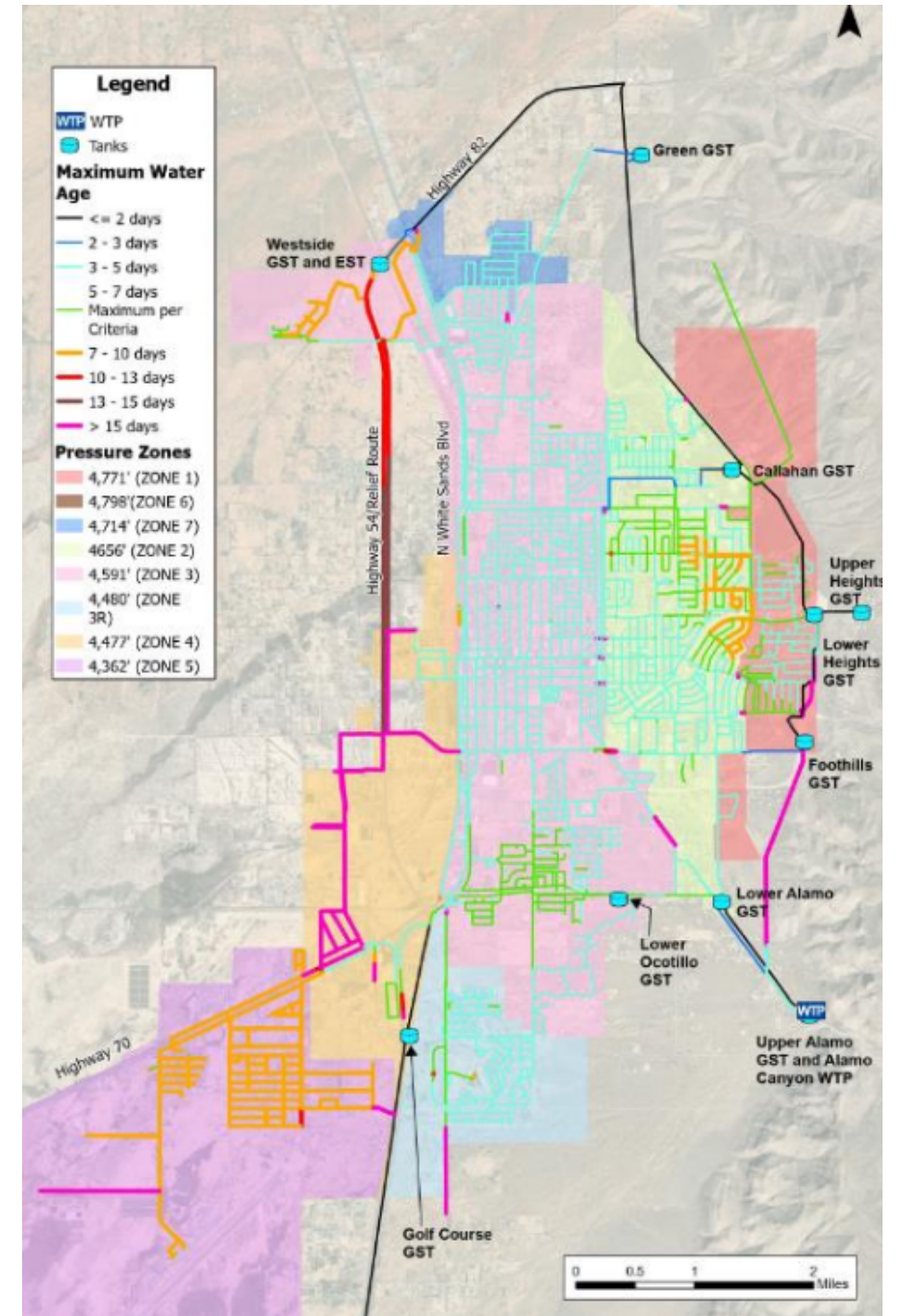
Service to Planned New Developments North of Zone 1

- Large variation in elevation (~4,670 – 5,770)
- Would require 11 pressure zones of about 104 feet to have pressures within 35 – 80 psi
- Would need BPSs to serve 95 gpm of MDD
- Searching for a water source near top of area would be beneficial, especially if the top of the parcel develops first

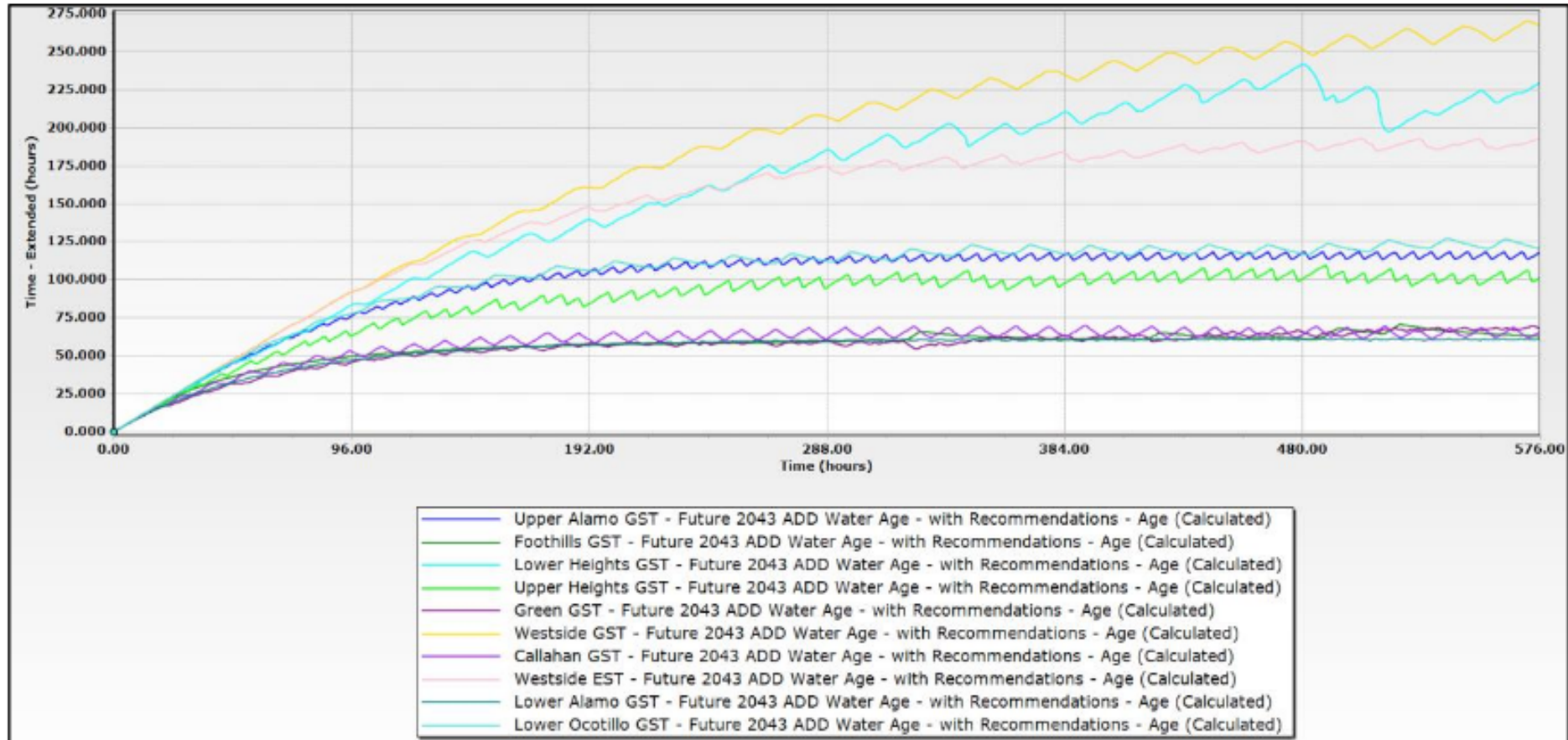


High Water Age Mitigation

- Recommendations:
 - Open 1-inch PRV near Alamo WTP as much as possible
 - Close First Street PRV, Wright Ave PRV, Callahan PRV (or lower settings), and Zia PRV during low flow periods to decrease water age and promote circulation through the zones
 - Send less flow to the Lower Heights GST



High Water Age Mitigation



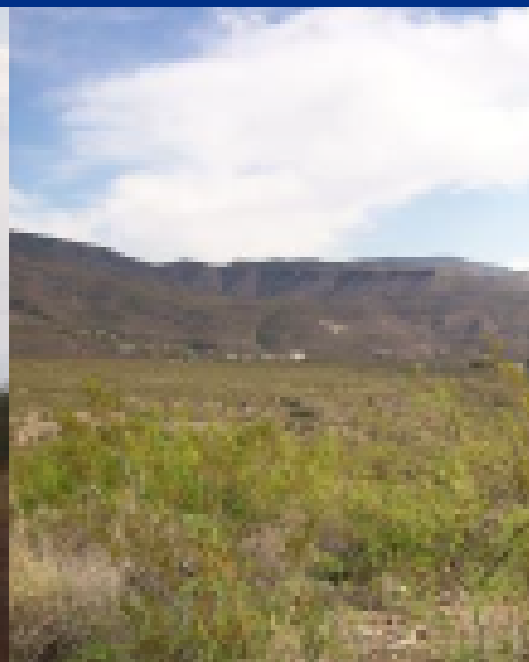


Other Recommendations

- Implement a SCADA program for all infrastructure
- Perform a water audit
- Implement a systematic valve exercising program
- Implement an asset management plan (AMP)



CIP Recommendations



Recommended CIP

Project	Description	Cost
1	Install 620 LF of 6-inch water main loop between Rosewood Avenue and Mosswood Avenue on Scenic Drive to improve fire flow, eliminate dead ends and water hammer, and to improve water quality. Install 190 LF of 8-inch pipe that connects the existing 8-inch pipe on the east end of Cottonwood Drive to an existing 10-inch pipe.	\$259,000
2	Install 700 LF 6-inch pipe along South Florida Ave between Desert View Court and Oakmont Drive to improve fire flow.	\$196,000
3	Install 2,060 LF of 12-inch pipe near N White Sands Drive to improve water circulation in Zone 3.	\$1,009,000
4	Implement a SCADA program ¹	\$2,800,000
5	Perform a water audit to determine non-revenue water ²	\$50,000
6	Implement valve exercising program and train staff	\$20,000
7	Implement an Asset Management Plan ³	\$50,000
Total		4,384,000

Notes:

1. The implementation cost (including study, design, planning, and integration) of a SCADA program is heavily dependent on the current state of the SCADA system and if it can be improved upon or if it needs to be replaced. The City currently has a plan for SCADA upgrades, the cost of which is represented in the table.
2. A water audit consists of a systematic examination of records, accounts, and other data to account for water passed through the system. Cost of improvements that would potentially be recommended as a part of this study are not included in the cost estimate.
3. The cost for the asset management plan is a planning level estimate for solely the development of the plan. Components of the plan including asset inventory, condition assessment, risk assessment, and pipe replacement plan are not included in the cost estimate.



Non-CIP Recommendations

- Move the proposed Zone 3 to Zone 4 neighborhood near Alamogordo Relief Road and 8th to 11th Street back into Zone 3 to improve fire flow
- Rename Zone 2A to 4,714' (Zone 7)
- Adopt Language in City ordinance to require individual PRVs for pressures above 80 psi
- Change PRV setting on planned improvement PRVs for Zone 4 to Zone 5. One will be a lead PRV with a pressure setting of 50 psi, the other as a lag PRV set at least 5 psi lower
 - Prevents PRV 'chattering'
- Adopt language in City ordinance to require a minimum of 500 gpm for fire flow systemwide while maintaining a minimum pressure of 20 psi in the system



Questions?

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 8/26/2025

Report Date: 08/19/2025

Report No: 2.

Submitted By: Rachel Hughs

Subject: Approve the minutes for the Regular Commission meeting on August 12, 2025. *(Rachel Hughs, City Clerk)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve the minutes.

Background: This is required by the Open Meetings Act.

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING DRAFT MINUTES
6:30 PM, DONALD E. CARROLL COMMISSION CHAMBERS
August 12, 2025**

**SUSAN PAYNE, MAYOR
SHARON MCDONALD, MAYOR PRO-TEM
CRYSTAL GUTHRIE, COMMISSIONER
STEPHEN BURNETT, COMMISSIONER
WARREN ROBINSON, COMMISSIONER**

**JOSHUA RARDIN, COMMISSIONER
MARK TAPLEY, COMMISSIONER
STEPHANIE HERNANDEZ, ACTING CITY
MANAGER
DARREL MORI, CITY ATTORNEY
RACHEL HUGHS, CITY CLERK**

CALL TO ORDER & ROLL CALL

Mayor Payne called the meeting to order at 6:29 PM. Roll Call was taken by the City Clerk. Mayor Pro-Tem McDonald was initially absent, but later attended the meeting by phone at 6:58 PM. City Clerk Hughes announced there was a quorum present.

INVOCATION & PLEDGE OF ALLEGIANCE

The Invocation was given by Commissioner Robinson, and the Pledge of Allegiance was led by Commissioner Burnett.

APPROVAL OF AGENDA

Mayor Payne pulled Item 6 off the agenda at the request of Senior Project Manager Boyle

Commissioner Robinson moved to approve as amended.

Commissioner Tapley seconded the motion.

Motion with a vote of 6 - 0 - 0.

PRESENTATIONS

1. Letters of appreciation to Captain Michael Toscano, Captain Xavier Perches, Staff Sergeant Tanner Daniels, Staff Sergeant Joseph De Leon, Staff Sergeant James Fletcher, and Senior Airman Alexis Morris for their selfless efforts and heroic actions while volunteering at the Big Give project; they assisted citizens involved in a multi-vehicle accident.

The Mayor presented Letters of Appreciation to military members Captain Michael Toscano, Captain Xavier Perches, Staff Sergeant Tanner Daniels, Staff Sergeant Joseph De Leon, Staff Sergeant James Fletcher, and Airman Alex Morris. Members of the 29th's Attack Squadron's Big Give Team were at the Alameda Park Zoo working on a project, where there was a two-vehicle collision. They took swift action and provided assistance until emergency responders arrived.

PUBLIC COMMENT

1. Dean Hackett said the Fairgrounds Parking Lot is on the agenda tonight, and it looks like you are all looking to leave it alone for five years. I hope you vote that through. The Fair is growing, but we are not outgrowing anything except the parking lot. The amount of money spent to remodel and rebuild somewhere else will be astronomical. Maybe in five years, there will be something different on the agenda. I hope there will be more discussion on the use.

2. Clarissa Sheehan said the property management company, Future Rentals, is engaging in harmful, intimidating, and unlawful practices towards their tenants, myself being one of them. This company damages tenants' credit, threatens housing stability, and twists contracts to their advantage while operating outside the scope of the law. Tenants face harassment, retaliation, and intimidation for standing up for their rights. Many remain silent out of fear of losing their homes. I was one of those until I signed a lease in Texas, and only now do I feel safe enough to speak out. As a tenant, I endured numerous unsafe living conditions and felt deeply unsafe to push back or assert my rights. I am calling on this Council to take immediate action and launch an investigation into Future Rental's business practices. Strengthen local tenant protections to ensure no company can abuse its position without consequences,

and create a clear reporting channel so tenants can safely document and report misconduct without fear of retaliation. If something is not done properly, my next step and action is to contact news outlets across the state, so the public is fully aware of what is happening behind closed doors.

CITY MANAGER'S REPORT

Acting City Manager Hernandez made the following comments:

1. The 10th Street Bridge has finally been paved. The striping company could not come out for two weeks to get it striped. However, our Streets Department will stripe it tomorrow, and the bridge should be open on Friday.
2. We have been receiving questions about the new Natatorium. We will have final, engineer-stamped designs by December, and it will go out to bid shortly afterwards. In the near future, the Parks and Recreation Director will put out a survey regarding the naming of the Natatorium. Those ideas will come forward to the Commission to vote on.
3. Candidate Filing Day is on August 26th.
4. Hilton Chapman is our Dispatch Consultant, and he has done a phenomenal job working with the State and TBRDA and getting us up and going.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Commissioner Burnett asked if we could clear debris out of the ditch on Jefferson Avenue. Acting City Manager Hernandez said we have been working on that one. It has gas lines running through it that are being exposed. We bumped it up on the priority list for when we get a contractor to come in and maintain it. That particular ditch is an overflow. We will clean it out, but it will be slow. The whole thing is at different grades and slopes, and it probably has not been worked on in twenty years. We also bumped it up on the priority list for the potential of shutting down that block. Commissioner Burnett said the alleyway is washing out.

Commissioner Guthrie asked if a traffic study had been done on Juniper Drive and Indian Wells. Acting City Manager Hernandez said no. That is the Streets Department, which is a bit busy, but we will get on that.

Commissioner Rardin asked why the Fourth Fridays were canceled a few times in a row. Acting City Manager Hernandez said that with the last one in July, Community Affairs Manager Gonzalez had to go out of town, and we did not have the staff or volunteers to set it up. I do not remember why we canceled June. Commissioner Rardin asked if the August one was planned to be canceled. She said not unless the weather is bad, or we do not have the staff. Commissioner Rardin said three officers responded to something on White Sands Boulevard this morning, around 7:35 AM, heading southbound. The first two were going at forty-five miles per hour, but the third was going about ninety to one hundred miles per hour. That seems excessive. Due to other lawsuits we are in, speed seems to be a factor. Also, I was walking around City Hall the other day, and all of City Hall was closed between 12 PM and 1 PM. I have an issue with that. City Hall should be open all day from 8 AM to 5 PM for people to come in. We should look at staggering lunches. There were only three employees in the entire building. I feel that having City Hall closed for a full hour is unacceptable so that staff can all go to lunch at the same time. I understand certain departments may not have enough people.

Commissioner Guthrie asked for an update on the Recreation Center parking areas. We still have parents with no clue as to where to pick up their children after school. Senior Project Manager Boyle said he put out a PSA before the west parking lot was closed, but we still have people going in and walking kids across the ditch. It is unsafe. We tried everything we could do. Police have even shown up to send everyone to the north parking lot, which is the only one open right now. On the PSA, I even put where to drive. She said she did not know if there was anything else we could do. He said they could have the contractor park their equipment right behind the closed sign. She said maybe. I do not know if people are getting out and moving barrels. I think there is still confusion about where the direct path is to go. Maybe move those road closure signs up and close them? He said we cannot move them up anymore because I want to ensure the people who live on 12th Street have access to parking. If I move them any further west, it will be an issue for them. She asked if more barrels could be put up and tied together. He said we could, but they will still move them. Maybe we could have the contractor start dumping material behind the sign. My Safety Specialist is out there every morning to try and help, but I have witnessed people yelling at the contractors and City employees. She said that with school, it is not so bad in the morning. We see trouble after school when people pick up their kids who go to the after-school program. He said the contractors cleaned up Oregon Avenue from 13th Street to the parking lot just for access. Commissioner Robinon asked if maybe a large vehicle could be put there. Senior Project Manager Boyle said yes, the excavator. She said they may jump the curb, but anything we can do to try. Senior

Project Manager Boyle said he would try to figure out another solution. I have had police service aids out there to help, but it is still an issue. Commissioner Burnett said it needs to be filled in where it crosses over on 14th Street and Oregon Avenue. Senior Project Manager Boyle said 14th Street is going to be closed down at that intersection so we can tie the water line to close the hole. We held that detour open as much as possible because of 10th Street. Commissioner Rardin asked if 18th Street would be open or if all of Oregon Avenue would be closed. Senior Project Manager Boyle said he had been trying to get a schedule from the contractor to see when they would pave up to 18th Street, but did not have any insight as to when that may be. They have sixty-six days left. Unfortunately, I cannot force them on how to do their job; I just ensure it is done correctly. Commissioner Rardin asked if we had jersey barriers. Could you put concrete jersey barriers there behind the signs? Senior Project Manager Boyle said he did not know if the City had those. Senior Project Manager Boyle said he would probably just have them dump material.

Acting City Manager Hernandez said to address Commissioner Rardin's earlier comment, just so everyone knows, we will have to close Water Billing from 8 AM to 12 PM starting on the 18th. We have one staff member, and they cannot keep up with everything that is happening. There are also two in the back trying to help. We are at a critical staffing level until we can get cashiers at the front. We will start blasting that out and getting signage up. Regarding lunches, we also have one person in Planning and Zoning. We allowed everyone to have lunch even before Covid because staggering lunches is extremely difficult when we do not have staff members. We ran into FLSA issues by not allowing them to have their hour away. Commissioner Rardin said the whole building is locked down at lunch. I feel that is unacceptable because we are here to provide a service. People take off their jobs during lunch to pay water bills, and they cannot. Acting City Manager Hernandez said we provide online and drop-off. We haven't gotten complaints about that, but the lunches have been going on for about five years. I think it is reasonable to allow staff dedicated time to go to lunch and come back. Commissioner Robinson asked if this was a staffing issue. Acting City Manager Hernandez said that Water Billing is a staffing issue with turnover. Commissioner Rardin asked why there was turnover. Acting City Manager Hernandez said you are customer service when you apply for this job. They think they are just taking phone calls and do not realize they will deal with a bunch of angry people yelling at them about their water bills. Commissioner Rardin said he has had several conversations with people about paying their bills. We need to make the best effort we can to make it accessible. They are here trying to pay us, and we are closed. I drop bills off. I do not pay online. I still write checks. Acting City Manager Hernandez said she understood that. We have a population that likes to pay in cash.

Commissioner Tapley said someone called him about the closure of the front nine at the Golf Course, but he knew nothing about it. Acting City Manager Hernandez said she met with Grant Dalpes and Jason about that. As you know, we are going to extend their contract from October to June. We are going to close the front nine. Mr. Dalpes agrees to it as long as we have the driving range and back nine open. That is going to be in the amended contract. It was a conversation, but I had not had the chance to sit down with Grant Dalpes, Jason, and Lori to discuss their concerns about it. So yes, we will close the front nine, and we discussed that just today. Commissioner Tapley asked if discounts would be given on trail fees and things people have already paid for. Acting City Manager Hernandez said Mr. Dalpes had that discretion. It is not a City decision. We could pose that question. We are extending his contract with an increase in price for the loss of revenue. The City would not object to him doing that. Commissioner Tapley asked about the cracking on Sedona Ridge. Acting City Manager Hernandez said we do not have the equipment to do that one, but there are several roads we need to fix. We are looking at renting and getting a list together. It is an issue. We will also see if there is money in the Capital Budget to buy our own. That issue will cause bigger ones once the water gets into it. Commissioner Tapley said a house on Tierra de Suenos and Hamilton had an issue with a water valve. Did you bring that up with Utilities Director Nunnelley? Acting City Manager Hernandez said yes, we spoke about it. That house gets flushed for this reason every quarter. Aaron went out there the day you reached out to me, checked the valves, flushed it, and looked for visible leakage. There was no visible leakage. They do not know if it is on the property owner's side. If he believes it is an issue, he can file a tort claim to have us investigate it.

Commissioner Burnett said regarding the Golf Course, what would be done to help water the greens and tee boxes on the front nine while it is down? The greens on the front nine are starting to go. Senior Project Manager Boyle said Mid-America Golf has one person designated to water the greens. They constantly water any holes without water. That is what they did with the back nine. The plans and contract show that the contractor is responsible for watering. They are watering it.

Commissioner Burnett said we did the Color Run last Saturday, and around one hundred and fifty people participated in our foundation's first fundraiser. My daughter passed away in May 2024, and we started a foundation in her honor to deal with epilepsy.

Mayor Payne said she attended the Big Give celebration about a week ago. It was good to see our military there. The grand opening of the Family Fun Center was great and a good time. I also attended a Leadership Conference by the Global Leadership Summit hosted at the Worship Center.

CONSENT AGENDA

- 2. Approve the minutes for the Regular Commission meeting on July 22, 2025, and the Special Commission Meeting on July 30, 2025. (Rachel Hughs, City Clerk)**
- 3. Approve the statements related to the Executive Closed Sessions held on July 22, 2025. (Rachel Hughs, City Clerk)**
- 4. Consider, and act upon, the City of Alamogordo becoming a member of National Purchasing Partners (NPP). (Barbara Pyeatt, Chief Procurement Officer)**
- 5. Consider, and act upon, an agreement with Otero County for Alamo Senior Center services to County residents. The total amount budgeted is \$51,279.00 (\$30,185.00 for home-delivered meals and \$21,094.00 for transportation). (Magdalena Morales, ASC Manager, and Veronica Ortega, Community Services Director)**
- 6. Consider, and act upon, the award of Public Works Bid No. 2025-003, La Luz South Reservoir Cover, Tower, and Catwalk Replacement No. UC2209, to Lone Mountain Contracting Inc., related to the La Luz South Reservoir Cover, Tower, and Catwalk Replacement project in an amount not to exceed \$3,989,869.53, including NMGR. (Justen Boyle, Senior Project Manager)**
- 7. Consider, and act upon, the City of Alamogordo becoming a member of the Purchasing Cooperative of America (PCA). (Barbara Pyeatt, Chief Procurement Officer)**
- 8. Consider, and act upon, the award of RFP 2025-008 Fire Flow Testing, Marking and Maintenance of Fire Hydrants. (Jerry Ramirez, Fire Chief)**

Commissioner Tapley said he wished to pull Items 4 and 7.

**Commissioner Robinson moved to approve as amended.
Commissioner Guthrie seconded the motion.
Motion Passed with a vote of 7 - 0 - 0.**

ITEMS REMOVED FROM CONSENT AGENDA

- 4. Consider, and act upon, the City of Alamogordo becoming a member of National Purchasing Partners (NPP). (Barbara Pyeatt, Chief Procurement Officer)**

Finance Director Huff said Item 4 is entering us into a membership in a cooperative. This one is to purchase the software needed for Dispatch. This is the pivotal software needed to handle all calls that come in. We will miss our Dispatch go-live date if we cannot procure that software.

**Commissioner Robinson moved to approve.
Commissioner Tapley seconded the motion.
Motion Passed with a vote of 7 - 0 - 0.**

- 7. Consider, and act upon, the City of Alamogordo becoming a member of the Purchasing Cooperative of America (PCA). (Barbara Pyeatt, Chief Procurement Officer)**

Finance Director Huff said Item 7 is entering us into a membership in a cooperative. We are looking at something called Infrastructure as a Service, and becoming a member would allow us to do that. We will bring it before the

Commission in a few months once we do more research.

Commissioner Rardin asked what Infrastructure as a Service was. Finance Director Huff said it is where we purchase services that come in and improve our infrastructure. We pay it on a monthly basis, but it does not have interest like traditional debt. There are other caveats. If you default on it, there are ownership things that are different from traditional debt. Acting City Manager Hernandez said it is a new concept. Like if our roofs need to be replaced, and we do not have \$5,000,000, we can go with Infrastructure as a Service which finances it for us on a monthly payment we can afford. Commissioner Rardin asked if the RFP process for a contractor would stay similar. Finance Director Huff said the RFP process would go through the company that we chose to do the Infrastructure as a Service. We would still have input. They handle everything from the design, project management, procurement of the contractor, construction, and construction management. We would be paying a full package instead of piecing it together. Acting City Manager Hernandez said we would look at what caveats we have and see if they would subcontract local vendors. We understand the concerns about the Yearout contract. Commissioner Rardin said so it is similar to a statewide price agreement, but nationwide? Finance Director Huff said correct. Commissioner Rardin asked what Infrastructure as a Service covers. Finance Director Huff said we have been looking at it mostly for water meters. Water meters do not fit the traditional debt model because they do not last for thirty years, and so I cannot go out and get a loan for water meters. This would allow us to do a debt-style replacement and make monthly payments instead of funding all the cash upfront. We could get all our water meters replaced at once instead of in phases. Commissioner Rardin said if we approve this, does it come back to us for approval? Would this cut the Commission out of the loop? Finance Director Huff said we would bring Infrastructure as a service to the Commission because it is a large contract. Other purchases under cooperative agreements would not come before the Commission. Commissioner Rardin asked if there was a dollar amount on those. Finance Director Huff said there was not. Commissioner Rardin said so you could do a \$20,000,000 with the Commission's consent. Finance Director Huff said we could if we went through a co-op, yes.

Commissioner Tapley asked how it would be cheaper for the City to do something like this. Finance Director Huff said, per my direction over the past years, we stopped using cooperatives as much as we used to. There was a point in time when we used cooperatives almost completely. There are situations where it can fit well, like software. Software is hard for in a traditional RFP because there are so many different companies and they do not have to respond. Most software is procured under a cooperative agreement because that is the preferred method of software companies. Another example is playground equipment, where there are only a few companies in high demand. Those companies would not respond to an RFP. We go through a cooperative to buy Dell computers at a greatly reduced rate. However, there are things cooperatives are not cheaper in, like construction. Competitively bid construction is better, opens more doors, and gives more information. We do not use cooperatives for construction projects unless there is an unusual mitigating circumstance. Cooperatives are huge and varied. Some work well, some do not. Commissioner Tapley said so Items 4 and 7 do not go hand-in-hand. Finance Director Huff said they are similar but separate entities.

Commissioner Rardin asked if there were membership fees on Items 4 or 7. Finance Director Huff said no.

Commissioner Rardin asked if the statewide price agreement and CES were similar to this. Finance Director Huff said yes, they are similar. Statewide pricing agreements are bids put out by the State Purchasing Office. CES puts out a procurement, and everyone responds to that. However, they do not cover everything, especially big national software, which is what Item 4 is focused on. There are so many options on the national level that the states do not issue those for software anymore. Commissioner Rardin said he was concerned because there was no cap on the dollar amount, like a statewide price agreement. Finance Director Huff said our purchasing ordinance specifically says that if it is purchased through a cooperative, it is considered competitively purchased and does not require Commission approval. So that would be an ordinance change.

Commissioner Rardin asked if this was the same as Item 4. Finance Director Huff said no. In this, we are joining specifically to look at Infrastructure as a Service.

Commissioner Robinson moved to approve.
Mayor Payne seconded the motion.

Motion Passed with a vote of 4 - 3 - 0. Commissioner Stephen Burnett, Commissioner Josh Rardin, Commissioner Mark Tapley voted nay.

UNFINISHED BUSINESS

9. Discussion and possible action on request from Patriot Pointe Apartments that the City provide funding for perimeter sidewalks in the City right of way and to waive water and sewer tap and impact fees, along with the dedication of the infrastructure in the City. (Crystal Guthrie, Commissioner, and Eduardo Valencia, Patriot Pointe Apartments Manager Member)

Commissioner Guthrie said this was from the last meeting, where we did not finish the discussion because we were looking into what we could and could not do. Has there been any progression? Acting City Manager Hernandez said as far as what was being asked originally, that goes against ordinances. A new letter from them was sent with what they were asking for. Commissioner Guthrie said the letter said an incentive grant, but we do not provide those. Acting City Manager Hernandez said correct. I am asking that we table this until we have our housing discussion. City Attorney Mori is working on things with the Otero County Attorney, and I am working on research myself. I think that if the Commission wants to do this, there needs to be a housing or incentive grant with an application process that is afforded to all developers. We could discuss what the criteria would have to be. We could discuss it further at the housing discussion. Commissioner Guthrie said she would prefer that as well. City Attorney Mori said in talks with the Otero County Attorney, they are looking at different options they could help with. They are leaning towards declaring it a redevelopment area, which would require an action from the City, where it would be labeled a blighted area, which would open up different funding. I am looking into the legal ramifications should the City declare an area blighted. We are still exploring options, and I am also talking to other city attorneys who have done redevelopment areas. Commissioner Rardin said Otero County is looking at a property tax freeze to keep it at the current level for a few years. Maybe we could retool our GRIP ordinance and bring it back. If we gave away sidewalks, sewer taps, and water taps, it would set a precedent. Acting City Manager Hernandez said she was looking into GRIP to see how we could bring it back better with a better application process. Commissioner Rardin said an actual dollar amount is needed. Acting City Manager Hernandez said yes sir. Mayor Payne said they would have to buy local. Commissioner Rardin said a project of that scope would be difficult to buy locally. We may have to tweak the ordinance due to the nature of that project. Commissioner Guthrie said deadlines were mentioned at the last meeting. Acting City Manager Hernandez said the workshop would have no action items.

City Attorney Mori said he was set to go to meet other city attorneys in Santa Fe about this and see what they have experienced. We want to promote development but not set a dangerous precedent. Mayor Payne said you cannot just go and declare a site to be built on blighted. Are you talking about the entire area? City Attorney Mori said he was looking into legal specifications for the Redevelopment Act, like the size of a blighted area. I am also in contact with a private attorney who has done many redevelopment projects in the state and will help walk us through them. We want to make sure people's property values do not drop or that there are no other ramifications to that approach. Mayor Payne said apartments are being built out in Mesa Verde. Are we going to do anything for them? We cannot declare it blighted. City Attorney Mori said New Mexico statutes state that the Redevelopment Act has ties to State funds. It is not commonly used, but it is an emerging practice.

Commissioner Rardin said we could also freeze our portion of the property tax if we go that route. Mayor Payne said if we do that for him, we have to do it for everyone. Commissioner Rardin said not necessarily. Mayor Payne asked how you could not, especially for local builders? I am not against these apartments, but I am against freebies. We cannot just pick and choose. Mr. Valencia has his funding now, so that is no longer the issue.

**Commissioner Rardin moved to table this item.
Commissioner Robinson seconded the motion.
Motion Passed with a vote of 7 - 0 - 0.**

NEW BUSINESS

10. Consider, and act upon, Resolution 2025-24, updating the Notice of Right to Inspection of Public Records. (Rachel, Hughs, City Clerk) (Roll Call Vote Required)

City Clerk Hughs said the Acting City Manager wanted all public records requests under the Inspection of Public Records Act to be centrally located under the City Clerk. This is the reason for the Notice to Inspect Public Records amendment. There will now be only one custodian of public records under the Act instead of the City Clerk, the Alamogordo Police Department, and the Municipal Court. On September 15th, the notice before you to inspect the public records will take effect. It will include: the purpose of the Act, how to submit requests, including on the new portal, required information for a written request, the response time, broad and burdensome requests, the inspection hours, production of records, uncollected records, and the cost of records. The changes to the costs are, paper copies from \$0.50 to \$1.00, as the Act permits, some electronic records, including videos, audio, photographs, emails, and records over thirty-one pages, will be provided on a USB flash drive, USB flash drives will go from \$7.00 to \$10.00, and we will no longer put records on CDs and DVDs, as someone pointed out, who uses them anymore.

This is the overview of where we are with public records requests. The City Clerk: Since January, my office has received one hundred and three requests for public records, which my Deputy Clerk and I have filled. Twelve percent were for City Commission records, as you all know. Fifteen percent were for the Fire Department records. Twelve percent for Planning & Zoning records. Eleven percent for emails, and these are our most time-consuming requests. We have been working on one since May, which has over sixteen thousand emails, and we are more than half done. The two of us and my new IPRA Specialist who started last week, have been working on this request for 56 hours total. It takes so long because we open each email and attachments to ensure they can be released or need to be redacted, which is to black out information that cannot be released. Our biggest request for emails took over six months, with my Deputy Clerk and me working on it. Then, when it was completed, the requester said they did not want the emails anymore. The average time spent on a single request, other than an email search, is two to three hours.

Since January, the Alamogordo Police Department has received seven hundred and twenty-nine requests for public records. Of these, over fifty percent are for officers' body-worn videos. One twenty-minute lapel video can take at least an hour to watch and redact. If multiple officers are on scene, all their body-worn videos must be viewed for a single request. Currently, the two Records ladies from the Police Department have been working diligently on the numerous requests, but even then, they are backlogged by approximately sixty requests. Over forty-five requests for body-worn videos have been completed, but have not been paid for and picked up. Many requests that come to the Alamogordo Police Department are known as commercial requests. These are requesters that want the records, mainly police videos, to make a profit on social media. This is very unfortunate for the people in the videos. A family came to me years ago with tears in their eyes, to ask if anything could be done about these requesters posting videos of their loved one in a terrible incident. Sadly, I told them the Act does not prohibit such requesters from requesting these videos.

The Inspection of Public Records Act was created to increase government transparency. I strongly believe that in the last few years, it has evolved into something that it was not intended to be with these types of requests. Studies show there has been a two-hundred percent increase in public records requests in New Mexico. Moving forward, after gathering all the records and before sorting through them to extract and redact, we will advise the requester of the fees and collect payment, as listed on the notice. I do not have the numbers for the Municipal Court; they do not have many requests under the Act. They mainly do window requests when someone wants to pay for their citation. I would ask the Commission to approve this resolution.

Commissioner Robinson asked if this was customer service. City Clerk Hughs said we have to fill requests according to the Act. He said so State law. She said yes. He asked if we are being asked to have people pay for the work you do. She said no, we do not get paid for that work. He said so it was just the materials provided. She said yes. We are allowed to charge for the materials like flash drives, CDs, or DVDs. The Act says we can charge for the transmission of records, but we have not done that. He asked if anything else was being asked for, considering the alarming rate. She said that currently, with the new division under me, the IPRA Clerk from the Police Department was transferred to me, and another new employee, I will have two IPRA Specialists. However, with the requests coming in, I assure you we will need more people. Albuquerque has an entire division with the City Clerk and a Manager. The Manager has five IPRA Specialists. Each IPRA Specialist has four Tech Specialists. Under each Tech Specialist, they have part-timers. It is a huge operation.

Commissioner Rardin said regarding the whereas 203-240, it has the City Manager setting fees rather than the Commission. City Clerk Hughs said yes, that is in the ordinance. If you go under City Clerk duties, it talks about records being provided to the Commission. The City Manager can set fees for those that will be charged to the public. He said what about the Commission setting the fees. She said anything brought to the City Manager would not go outside the Act. He asked if there was a cap on how much we could charge. She said the cap is \$1.00. The only other cost it talks about is for an electronic method, which is the cost of whatever the device may be. We do not charge for the transmission. Commissioner Guthrie said that it was cheap for the amount of work being done. City Clerk Hughs said it was. There are times my Deputy Clerk and I work as much as we can, and it offsets both of us in our normal duties, like working the Commission, Front Office, and administrative work, plus public records requests. Although requestors may not be happy with the turnaround time, that can be considered burdensome because we have to do our own duties. Even though we will have two IPRA Specialists, the Deputy Clerk and I will still have to do this work. Commissioner Guthrie said we discussed this at the MOLI conference. There needs to be more than just two people. This is something that needs to be discussed. Acting City Manager Hernandez said we are moving IPRA under one department because there were inconsistencies with how it was done. The idea was to have more, but because of the budget, we wanted to see what we are doing, how it is working, and then see what staffing levels need to be. The City Clerk originally asked for three people, one of whom would be a supervisor. These requests are crazy, and I believe more people need to be dedicated to it. Commissioner Guthrie said we need to revisit this topic once this is switched over. Acting City Manager Hernandez said we are also exploring software like Next Request, an online portal for requests.

Commissioner Guthrie moved to approve.

Commissioner Robinson seconded the motion.

Motion Passed with a vote of 7 - 0 - 0.

11. Consider, and act upon, Resolution 2025-27, delaying the sale of the fairgrounds parking lot for five years to allow Otero County time to identify an alternate location and develop a phased plan. (Stephanie Hernandez, Acting City Manager, Priyam Chevawala, Intern) (Roll Call Vote Required)

Acting City Manager Hernandez said her Intern, Priyam Chevawala, would speak on this. Mr. Chevawala said this resolution would give Otero County time to make a phased plan to develop an alternate location for the Otero County Fairgrounds.

Commissioner Robinson asked if it was possible to move this faster, like in three years. Mr. Chevawala said that was a good idea, but realistically, developing the new Fairgrounds will be expensive. It could work, but we need to see the County's ideas.

Commissioner Guthrie said we never decided to actually sell this. So we are just talking about delaying a decision. Acting City Manager Hernandez said yes, no decision to sell the parking lot was ever made. This is just giving time to develop an alternative site and plan. Mayor Payne said we previously offered alternative sites. Commissioner Guthrie asked to clarify whether we are halting all conversations or halting a decision. It is important to continue discussing this with the County and the Fairgrounds Board. Acting City Manager Hernandez said here, it is a discussion as far as selling the parking lot. If a developer were to come and wanted to buy it, we could say there is a resolution to not sell this, and we would not enter those conversations. There have been three times I have had to bring this forward because someone wanted to buy it, but with this, I would not have to do that with a resolution in place.

Commissioner Rardin said this was being done in good faith with the County and Board. This says we are giving them time to develop a site and phase plan, and it sounds like we are forcing them to do that. Commissioner Guthrie said she did not like how it was written. Can we revise the resolution to make sure what we are stating is clear? Acting City Manager Hernandez asked for the wording. Mr. Chevawala said the wording does sound forceful but this has been an issue for decades. Commissioner Guthrie said it says at the Joint Meeting that the Commission stated the Fair and Rodeo had outgrown their location. That is a bold statement because they may not feel the same way. It also mentions the development and phase plan. Can we just take those out? Acting City Manager Hernandez said that was a statement at the meeting. Commissioner Guthrie said we are just holding off. We have not agreed to do anything. Commissioner Robinson said it needs to move down the road a bit. We will just get more pressure on that property. As much as I respect the County, there needs to be plans for the future. If you don't have a plan within

five years, that would show they are not serious about this. Acting City Manager Hernandez said a portion of the title after the mention of five years needs to be struck. Commissioner Guthrie said also to strike the last whereas. Mayor Payne asked if this needed to be brought back. Acting City Manager Hernandez said we could approve it with those changes.

Mr. Chevawal said his father owns the hotel next to the Fairgrounds Parking Lot, and people have parked at our hotel during events. Right now it isn't an issue, but I can see it becoming one.

Acting City Manager Hernandez said for the record, the changes are, to the title, keeping "A RESOLUTION TO DELAY THE SALE OF THE FAIRGROUNDS PARKING LOT FOR A PERIOD OF FIVE YEARS.", and striking the rest. Also, striking the last whereas, "WHEREAS, the City Commission has agreed to give the Otero County Commission, staff, and fair board time to identify a site to develop a phased plan." Commissioner Guthrie said yes.

Commissioner Guthrie moved to approve as amended.

Commissioner Rardin seconded the motion.

Motion Passed with a vote of 7 - 0 - 0.

12. Discussion on the Code of Ordinances sections 2-02-060 Code of conduct, 2-03-570 Code of conduct, and 2-02-050 City Commission use of social media. (Josh Rardin, Commissioner)

Commissioner Rardin said in doing research on this, we have two Code of Conducts in the ordinances now. One was passed in 2014, and the other in 2022. They contradict each other. I think we need to amend the Social Media Policy as well. I sometimes see things from staff members. I do not know if that just applies to staff or to the Commission. In IPRA discussions, whether we have disclosures on our pages or not, when you are discussing City business on Facebook or a social media page, then it is technically public record. I want the City Attorney and staff to take a look at these. Maybe combine them into one. Mayor Payne said I thought we rescinded the 2014 Code of Conduct. Commissioner Rardin said no, there was another in 2019. I had thought we had repealed it as well. There were actually three. We repealed one, and then another was put in place of the 2019 one. I guess we didn't realize we had another one because it was in a different section.

City Attorney Mori said two Codes of Conduct are on the books. One is older, and they are separate sections, which is likely why they got missed. The newest 2022 one did not repeal the 2014 one, so we could have situations where both apply, but there are different remedies. I do not believe that has yet come up, but it is something that could pose challenges. The Commission could do different things depending on what it wishes. I could present that to the Commission at a later date. Commissioner Rardin said when these were originally passed, they were for when the public had an issue with an elected official and to be utilized as a remedy, rather than for elected officials to use against other elected officials. We need to look at both and clean up the language. I think the 2014 ordinance is better than the 2022 one. It is clearer on complaints. Commissioner Guthrie said she agreed with cleaning this up, combining, and doing the differences. Mayor Payne said there needs to be a mechanism for everyone, whether employees or Commissioners. City Attorney Mori said absolutely. Both use different vehicles for remedies for things like breaches of conduct. Commissioner Rardin asked how long it would take before this could be brought back and presented. Acting City Manager Hernandez said the first meeting in September. City Attorney Mori said he could do that.

13. Appointments to Boards and Committees. (Susan L. Payne, Mayor)

Mayor Payne appointed Stephen Butler to his seventh term on the Senior Volunteer Programs Advisory Council. No one was opposed.

EXECUTIVE SESSION

14. Recess into Executive Closed Session in compliance with 10-15-1(H)(8) NMSA (as amended) to discuss: Real Property: 1100 Michigan, Alamogordo, New Mexico and Parcel R023917 (Legal Description: S: 16 T: 16 R: 10 TR IN SE1/4) and 10-15-1(H)(2)NMSA (as amended) to discuss: Limited Personnel Matters (City Manager). (Roll Call Vote Required)

Commissioner Robinson moved to Recess into Executive Session at 8:24 PM.
Commissioner Tapley seconded the motion.
Motion Passed with a vote of 7 - 0 - 0.

RECONVENE INTO OPEN SESSION

15. Motion to reconvene into open session.
Commissioner Robinson moved to reconvene into Open Session at 9:36 PM.
Commissioner Tapley seconded the motion.
Motion Passed with a vote of 7 - 0 - 0.

16. Take action, if any, as a result of the Executive Closed Session concerning Real Property: 1100 Michigan, Alamogordo, New Mexico and Parcel R023917 (Legal Description: S: 16 T: 16 R: 10 TR IN SE1/4).
Commissioner Rardin moved to approve the purchase of Parcel R023917 for \$2,800.
Commissioner Robinson seconded the motion.
Motion Passed with a vote of 7 - 0 - 0.

17. Take action, if any, as a result of the Executive Session concerning Limited Personnel Matters (City Manager).

Mayor Payne said the motion would be to open the search for the City Manager position, utilizing both Trifecta and Hiring Hub Executive Search.

Commissioner Rardin moved to approve.
Commissioner Guthrie seconded the motion.
Motion Passed with a vote of 7 - 0 - 0.

ADJOURNMENT

Commissioner Rardin moved to adjourn at 9:39 PM.
Commissioner Tapley seconded the motion.
Motion Passed with a vote of 7 - 0 - 0.

ATTEST:

Mayor Susan Payne

City Clerk Rachel Hughs

(Prepared by Dylan Aleshire, Deputy Clerk)
Approved at the Regular Meeting held on August 26, 2025.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 8/26/2025

Report Date: 08/12/2025

Report No: 3.

Submitted By: Sue Ashe

Subject: Consider, and act upon, the Investment Report for the quarter ending June 30, 2025 in accordance with the City of Alamogordo Investment Ordinance. *(Sue Ashe, Accounting Manager)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact: None

Recommendation: Accept the Quarterly Investment Report for the period ending June 30, 2025.

Background: The City of Alamogordo ended the quarter with an investment portfolio totaling \$ 90,794,143
The portfolio was made up of:

State Investment Pool	\$ 6,416	or	0.01%
Short Term Investments	\$ 4,605,082	or	5.07%
US Treasury Notes/Agency Bonds	\$ 62,058,009	or	68.35%
Certificates of Deposits	\$ 24,124,636	or	26.57%
Total Investments:	\$ 90,794,143		100.00%

Total gains (losses) for the quarter ended June 30, 2025 on maturities and/or called agency notes were \$0.
Interest earned during the quarter on a cash basis was \$611,807.

Interest Income Budget Comparison for all Funds is as follows:

Interest Earned Budget	\$ 1,883,014
Interest Received to Date	\$ 2,739,721 145.50% of budget

Note: The investments mature at different times throughout the year and 57.44% of the investments mature within three years. They are reinvested as they mature, so that they continue to roll over to be available for projects when needed. The difference between the above total and the Investment Summary is accrued interest of \$14,473.24

CITY OF ALAMOGORDO
COLLATERALIZATION SUMMARY REPORT

MONTH CLOSING:

June 30, 2025

<u>Financial Institution</u>	<u>Amount of City Funds</u>	<u>FDIC Amount</u>	<u>Amount Uninsured</u>	<u>Required Collateral per NMSA 1978 6-10-17</u>	<u>Amount to be Collateralized</u>	<u>Collateral Pledged by Financial Institutions</u>	<u>Over/(Under) Pledged</u>	<u>At Risk</u>
1) State Treasurer's Pool - COA	\$ 6,416	n/a			-			-
Wells Fargo	\$ 435,876							
Wells Fargo - PHA	\$ -	-	\$ -					
	<u>\$ 435,876</u>	250,000	\$ 185,876	50.00%	92,938	3,131,422.71	3,038,485	(2,945,547)
2) Moreton Capital Markets								
a. Cash and Money Market	\$ 4,605,082	4,605,082						
Certificates of Deposit	\$ 20,235,880	20,235,880	\$ -					
b. Securities	<u>\$ 62,058,009</u>	n/a						
	<u>\$ 86,898,971</u>							
First National - Alamogordo	\$ 5,133,503	250,000	\$ 4,883,503	50.00%	2,441,752	5,885,823.73	3,444,072	(1,002,320)
First Savings Bank	\$ 3,593,215	250,000	\$ 3,343,215	50.00%	1,671,608	3,760,847.10	2,089,239	(417,632)
Bank '34	\$ -	-	\$ -	50.00%	-	-	-	-
Pioneer Bank	\$ 295,532	250,000	\$ 45,532	50.00%	22,766	179,983.33	157,217	(134,451)
Bank of the West	\$ 0	-	\$ 0	50.00%	0	-	(0)	0
Washington Federal	\$ 8	-	\$ 8	50.00%	4	-	(4)	8
3) New Mexico Finance Authority	\$ 1,881,459	n/a						
TOTAL	\$ 98,244,981		\$ 8,458,135		4,229,067	12,958,076.87	\$ 8,729,009	\$ (4,499,942)

- 1) These funds are invested in 7-day and 14 day Treasury bills and fully-collateralized bank deposits; per NM STO correspondence Feb. 27, 2009. Per State Treasurer's Investment Policy authorized investments are U.S. Govt. Obligations, Investment Grade commercial paper, AA rated or better Corporate bonds, asset-backed obligations, and etc. (pages 4-8). - Per LGIP statements - New MexiGROW LGIP deposits are not guaranteed or insured by any bank, the State of New Mexico, the Federal Deposit Insurance Corporation, the Federal Reserve Board, or any other agency. New MexiGROW LGIP deposits involve certain investment risks. Yield and total return may fluctuate and are not guaranteed.
- 2) Moreton Capital Markets - transferred on May 2016 from WFBS, which included RBC
 - a. Securities and cash are protected up to \$500,000 (including a \$250,000 limit for cash only)
 - b. Federal Home Loan Notes, Freddie Mac, Fannie Mae, etc. are backed by the full faith and credit of the U.S. government.
- 3) NMFA is a governmental agency which must itself comply with state investment policies

**CITY OF ALAMOGORDO
ANALYSIS OF INVESTMENT AND YIELDS
TWELVE MONTHS ENDED**

MONTH	(1) TOTAL INVESTMENTS	(2) RETURN ON INVESTMENTS	(3) YIELDS ON INVESTMENTS	TOTAL RETURN ON INVESTMENTS
July 2024	88,287,821	201,870	2.744%	201,870
August 2024	88,586,291	298,470	4.043%	298,470
September 2024	88,898,474	312,183	4.214%	312,183
October 2024	89,066,777	168,304	2.268%	168,304
November 2024	89,192,194	125,417	1.687%	125,417
December 2024	89,475,170	282,976	3.795%	282,976
January 2025	89,555,324	80,154	1.074%	80,154
February 2025	89,918,439	363,115	4.846%	363,115
March 2025	90,200,543	282,104	3.753%	282,104
April 2025	90,410,957	210,414	2.793%	210,414
May 2025	90,644,304	233,347	3.089%	233,347
June 2025	90,808,616	164,312	2.171%	164,312
ANNUAL AVERAGE	89,587,076	226,889	3.0398%	\$226,889
12 MONTH TOTALS		2,722,665	3.0391%	2,722,665
			This Quarter	608,073

- (1) AVERAGE TOTAL INVESTMENTS (BOOK VALUE)
(2) ALL RETURNS AND YIELDS ARE CALCULATED ON A CASH BASIS
(3) AVERAGE YIELD ON INVESTMENTS

CITY OF ALAMOGORDO
INVESTMENT SUMMARY
BY FUND
June 30, 2025

FUND NO.	FUND DESCRIPTION	PER FUND INVESTMENT
11	GENERAL OPERATING	10,421,397.03
21	D.A.R.E. DONATIONS	7,280.16
28	POLICE CONTINGENCY	58,222.64
31	CEMETERY-PERPETUAL CARE	854,793.05
33	FIRE PROTECTION FUND	2,154,152.36
37	ST HIGHWAY CLEANUP	70,250.85
38	TRAFFIC SAFETY	52,092.28
42	84 GRT	2,621,178.33
44	TRANSPORTATION FUND	300,000.00
49	86 GRT	6,681,040.94
53	GO BOND P&I	1,000,000.00
61	91 GRT INFRASTRUCTURE	2,620,850.00
69	94 GROSS RECEIPTS TAX	5,646,530.99
74	SENIOR GIFT FUND	96,598.78
81	WATER/SEWER OPERATIONS	17,198,336.75
86	SOLID WASTE	1,286,070.36
88	BONITO LAKE	370,933.54
89	ESGRT .0625%	2,387,583.35
94	LANDFILL OPERATIONS	5,207,220.65
96	FLEET COLLISION	226,421.62
104	UTILITY DEPOSITS	623,181.76
105	ECONOMIC DEVELOPMENT GRT	3,875,050.38
107	LIABILITY/DEDUCTABLE INSURANCE	719,627.37
109	2004 CAPITAL OUTLAY GRT	19,448,988.49
114	SIDEWALK REVOLVING LOANS	2.41
119	11 GRT REF/IMP REV BOND	8,154.44
121	2015 GO BONDS-FUN CENTER	96,924.19
122	2015 GO BONDS - STREETS	187,834.82
124	AMERICAN RESCUE PLAN ACT	2,287,898.45
125	CANNABIS REGULATION ACT	300,000.00
127	QUALITY OF LIFE CAPITAL	4,000,000.00
TOTAL:		90,808,615.99

INSTITUTION INVESTED IN	INV TYPE	CUSIP	INVESTMENT AMOUNT BOOK VALUE	MARKET VALUE	MARKET GAIN (LOSS)	RATE OF RETURN	MATURITY DATE	PURCHASE DATE
ST. INVESTMENT POOL - COA	ST. INVEST POOL-COA		6,416.30	\$6,416.30	0	1.907%	DAILY	N/A
	CD		-	-	0	1.250%	02/07/26	02/07/18
	CD		-	-	0	1.250%	03/22/26	03/22/18
First Savings Bank (CD# 81187231)	CD		606,181.03	606,181.03	0	0.800%	02/11/29	02/10/19
First Savings Bank (CD# 81187926)	CD		294,917.54	294,917.54	0	1.250%	03/12/28	03/12/18
	CD		-	-	0	1.000%	02/07/26	02/07/18
First Savings Bank (CD# 13401520)	CD		1,151,796.29	1,151,796.29	0	1.000%	03/12/26	03/12/18
First Savings Bank (Money Market 2072498156)	MM		1,540,320.62	1,540,320.62		1.000%		02/22/23
	CD		-	-	0	1.650%	02/08/23	02/08/18
Pioneer Bank (CD#30100640)	CD		295,531.93	295,531.93	0	1.600%	02/12/26	02/12/18
Bank of the West (CD#029771907)	CD		0.16	0.16	0	1.600%	03/20/26	03/20/18
Washington Federal (CD# 172-200282-9)	CD		8.00	8.00	0	2.050%	03/22/23	03/22/18
	CD		-	-	0	1.250%	04/09/23	04/09/18
Moreton (Preferred Bk Los Angeles)	CD	740367LK1	250,000.00	\$249,947.50	(53)	0.550%	07/02/25	07/02/20
Moreton (Enterprise Bk NA NB)	CD	29367QCZ9	250,000.00	\$242,710.00	(7,290)	0.850%	06/05/26	06/05/20
Moreton (Farmers & Merchants BK Col)	CD	30781JAP5	249,893.84	\$249,222.50	(671)	0.500%	07/29/25	07/29/20
Moreton (Texas Exchange Bk Crowley)	CD	88241TJB7	249,798.29	\$242,125.00	(7,673)	0.950%	07/17/26	07/17/20
Moreton Lincoln 1st BK Lincoln Pk)	CD	53362LBE3	249,893.84	\$248,902.50	(991)	0.500%	08/11/25	08/12/20
Moreton (Northeast Cmnty Bk White)	CD	664122AF5	249,904.45	\$248,642.50	(1,262)	0.450%	08/20/25	08/20/20
Moreton (Bank3 Memphis Tenn)	CD	06653LAP5	249,915.07	\$248,405.00	(1,510)	0.400%	08/28/25	08/28/20
Moreton (Home LN Invt Bk F S B Warwick)	CD	43719LAF2	249,915.07	\$248,405.00	(1,510)	0.400%	08/29/25	08/31/20
Moreton (Bridgewater Bk Bloomington)	CD	108622KT7	249,915.07	\$247,907.50	(2,008)	0.400%	09/16/25	09/18/20
Moreton (American Comm Bk NA Bremen GA)	CD	02519TBB1	249,915.07	\$247,740.00	(2,175)	0.400%	09/22/25	09/22/20
Moreton (First Natl Bk Amer E Lansing)	CD	32110QSS7	249,915.07	\$247,657.50	(2,258)	0.400%	09/25/25	09/25/20
Moreton (JPMorgan Chase Bk)	CD	48128UNC9	249,498.63	\$247,477.50	(2,021)	0.400%	09/30/25	09/30/20
Moreton (Insbank Nashville Tenn)	CD	45776NDV5	244,916.77	\$242,569.60	(2,347)	0.400%	09/30/25	10/15/20
Moreton (Uinta BK MTN View WYO)	CD	903572EX9	249,915.07	\$246,760.00	(3,155)	0.400%	10/30/25	10/30/20
Moreton (Old Dominion Natl Bk North CD)	CD	679585AS8	249,915.07	\$246,397.50	(3,518)	0.400%	11/13/25	11/13/20
Moreton (Oakstar Bk NA Springfield MO)	CD	67389LAR4	249,915.07	\$246,175.00	(3,740)	0.400%	11/20/25	11/20/20
Moreton (Landmark Community Bank)	CD	51507LCA0	249,904.45	\$246,140.00	(3,764)	0.450%	11/25/25	11/25/20
Moreton (Security Bk & TR CO Paris CD)	CD	814010CK8	250,000.00	\$238,180.00	(11,820)	0.450%	11/13/26	11/13/20
Moreton (Bank Grove Okla)	CD	06246PCB9	249,915.07	\$244,702.50	(5,213)	0.400%	01/22/26	01/22/21
Moreton (Connectone Bk Englewood)	CD	20786ADE2	249,904.45	\$244,772.50	(5,132)	0.450%	01/22/26	01/22/21
Moreton (BankUnited Natl Assn)	CD	066519QC6	250,000.00	\$244,922.50	(5,078)	0.550%	01/22/26	01/22/21
Moreton (Chambers BK Davville AK)	CD	157767AG9	250,000.00	\$244,700.00	(5,300)	0.450%	01/27/26	01/27/21
Moreton (Metropolitan Cap Bk Chicago IL)	CD	591803CA7	250,012.38	\$238,462.50	(11,550)	0.550%	11/18/26	02/19/21
Moreton (Legacy Bk & Tr CO, Rogersville)	CD	52470QAS3	249,904.45	\$244,015.00	(5,889)	0.450%	02/26/26	02/26/21
Moreton (Sunwest Bak Irvine Calif)	CD	86804DCT3	249,851.37	\$236,655.00	(13,196)	0.700%	03/05/27	03/05/21
Moreton (FNB Oxford BK)	CD	30259XAW2	249,840.75	\$236,572.50	(13,268)	0.750%	03/19/27	03/19/21
Moreton (Home Savings Bk Chanutte KS)	CD	43733WAH6	248,991.78	\$236,820.00	(12,172)	0.800%	03/19/27	03/19/21
Moreton (Goldman Sachs Bk USA N Y)	CD	38149MWH2	249,808.90	\$243,132.50	(6,676)	0.900%	05/19/26	05/19/21
Moreton (Peoples Svgs BK)	CD	71224LAB0	249,861.99	\$243,290.00	(6,572)	0.650%	05/19/26	05/19/21
Moreton (Sandhills St Bk Bassett NEB)	CD	800037AP8	249,830.14	\$235,552.50	(14,278)	0.800%	05/21/27	05/21/21
Moreton (National BK Comm Superior)	CD	633368FE0	249,872.60	\$242,440.00	(7,433)	0.600%	05/21/26	05/21/21
Moreton (Poppy Bk Santa Rosa Calif)	CD	73319FBB4	249,915.07	\$249,230.00	(685)	0.400%	07/28/25	05/28/21
Moreton (Spring Bk Bronx NY)	CD	849430BM4	250,000.00	\$242,065.00	(7,935)	0.500%	05/28/26	05/28/21
Moreton (Pinnacle Bk Jasper ALA)	CD	723451BX7	250,000.00	\$241,765.00	(8,235)	0.500%	06/11/26	06/11/21
Moreton (Southeast Bank Athens Tenn)	CD	84133PFD5	250,000.00	\$241,870.00	(8,130)	0.600%	06/17/26	06/17/21
Moreton (Denver Svgs Bk Iowa)	CD	249398BZ0	250,000.00	\$241,652.50	(8,348)	0.600%	06/28/26	06/28/21
Moreton (One Cmnty Bk Ore Wis)	CD	682325AH8	250,000.00	\$245,365.00	(4,635)	0.500%	12/29/25	06/29/21
Moreton (National BK New York City)	CD	634116CX3	250,000.00	\$243,367.50	(6,633)	0.500%	03/30/26	06/30/21
Moreton (Toyota Finl Svgs BK)	CD	89235MLE9	250,000.00	\$241,942.50	(8,058)	0.950%	07/29/26	07/29/21
Moreton (Prime Alliance BK Utah)	CD	74160NHL7	250,000.00	\$228,230.00	(21,770)	1.000%	07/31/28	07/30/21
Moreton (Sallie Mae Bk Murray Utah)	CD	795451AT0	250,000.00	\$241,685.00	(8,315)	1.050%	08/25/26	08/25/21
Moreton (Availa Bk)	CD	05290BAA1	250,000.00	\$248,432.50	(1,568)	0.400%	08/27/25	08/27/21
Moreton (Nebraskaland Natl Bk)	CD	63970QFY7	250,013.71	\$244,020.00	(5,994)	0.500%	02/27/26	09/08/21
Moreton (Farm Bur Bk FSB Sparks Nev)	CD	307660LN8	250,000.00	\$227,142.50	(22,858)	0.950%	09/08/28	09/10/21
Moreton (Henderson ST Bk Neb)	CD	425246AY1	250,000.00	\$226,192.50	(23,808)	0.850%	09/18/28	09/17/21

INSTITUTION INVESTED IN	INV TYPE	CUSIP	INVESTMENT AMOUNT BOOK VALUE	MARKET VALUE	MARKET GAIN (LOSS)	RATE OF RETURN	MATURITY DATE	PURCHASE DATE
Moreton (Grant CNTY Bank Ulysses Kans)	CD	38762PDW9	250,000.00	\$233,727.50	(16,273)	0.150%	01/15/27	12/15/21
Moreton (Fidelity Co-Operative Bk)	CD	316077DW3	250,000.00	\$239,557.50	(10,443)	0.150%	01/26/27	01/26/22
Moreton (Discover BK Greenwood Del)	CD	254673F76	250,000.00	\$246,367.50	(3,633)	3.200%	06/01/27	06/01/22
Moreton (Capital One Bank)	CD	14042THS9	250,000.00	\$247,177.50	(2,823)	3.400%	07/20/27	07/20/22
Moreton (Saco & Biddeford Svgs)	CD	785777THR9	250,000.00	\$247,425.00	(2,575)	3.450%	07/21/27	07/21/22
Moreton (Drake Bk St Paul Minn)	CD	26144KAS6	250,000.00	\$246,762.50	(3,238)	3.450%	01/21/28	07/22/22
Moreton (Capital Cmnty BK Inc Provo UT)	CD	14005LBD0	250,000.00	\$246,375.00	(3,625)	3.500%	07/24/28	07/22/22
Moreton (Parkside Finl Bk & TR Clay)	CD	70147AEM2	250,000.00	\$250,162.50	163	4.500%	08/03/27	02/03/23
Moreton (Farmers ST BK Lagrange Ind)	CD	310567AH5	250,000.00	\$250,117.50	118	4.500%	02/03/28	02/03/23
Moreton (Bank Hope LA)	CD	062683JB4	245,000.00	\$245,242.55	243	5.150%	06/14/28	06/14/23
Moreton (STRUV BK WICHITA KANS)	CD	86368LAK4	250,000.00	\$250,117.50	118	5.150%	06/21/28	06/21/23
Moreton (Timberland & BK Hoquiam WA)	CD	88709RAP4	250,000.00	\$250,137.50	138	5.200%	06/23/28	06/23/23
Moreton (KCB BK Lakin Kans)	CD	48669KAA4	250,026.08	\$250,132.50	106	5.250%	06/21/28	06/21/23
Moreton (First Keystone Cmnty Bk)	CD	32065RAN5	250,000.00	\$250,167.50	168	5.500%	09/21/28	09/21/23
Moreton (Bankers Bk Madison)	CD	06610RCK3	250,000.00	\$248,545.00	(1,455)	3.800%	07/19/28	01/19/24
Moreton (Citizens Bk Batesville)	CD	173477BY5	250,000.00	\$248,530.00	(1,470)	3.850%	01/19/29	01/19/24
Moreton (New Rep Bk Charlotte North)	CD	64832JAW8	250,000.00	\$250,070.00	70	4.650%	11/24/26	05/24/24
Moreton (Frontier BK Madison NE)	CD	35907XFS1	250,000.00	\$250,107.50	108	4.650%	05/10/27	05/10/24
Moreton (Northwest BK Boise Idaho)	CD	66736ACK3	250,000.00	\$250,125.00	125	4.600%	05/28/27	05/29/24
Moreton (Stanley Bk)	CD	61768UN60	250,000.00	\$250,720.00	720	5.200%	05/31/29	05/31/24
Moreton (Southern Bancorp BK ARK)	CD	84223QBQ9	250,000.00	\$250,050.00	50	4.700%	06/25/31	06/25/24
Moreton (Bank Utah Ogden Utah)	CD	065427BX3	250,000.00	\$247,977.50	(2,023)	3.500%	09/28/29	09/25/24
Moreton (Security First Bk Lincoln Neb)	CD	81425PBT7	250,000.00	\$249,050.00	(950)	3.600%	09/28/29	09/25/24
Moreton (Maple City Svgs Bank)	CD	56511PBK3	250,000.00	\$245,720.00	(4,280)	3.500%	10/12/27	10/11/24
Moreton (Bankwest Inc Pierre SD)	CD	06652CJD4	250,000.00	\$241,937.50	(8,063)	3.600%	10/11/29	10/11/24
Moreton (First Premier Bk Sioux Falls)	CD	33610RVX8	250,000.00	\$244,520.00	(5,480)	3.600%	10/18/30	10/18/24
Moreton (Merit Bk Huntsville, AL)	CD	58986LAG4	250,000.00	\$250,025.00	25	4.050%	01/28/30	01/28/25
Moreton (Method Bk Wyandotte Okla)	CD	59151MBR4	250,000.00	\$249,735.00	(265)	4.350%	03/06/29	03/06/25
Moreton (First Finl Bk Dakota)	CD	32022RZF7	250,000.00	\$249,382.50	(618)	3.900%	03/24/28	03/25/25
Moreton (First St Bk Winchester Ohio)	CD	33650TAR1	250,000.00	\$247,957.50	(2,043)	4.300%	05/13/30	05/13/25
Moreton (West Gate Bk Lincoln Neb)	CD	95285QCP1	250,000.00	\$246,305.00	(3,695)	4.150%	05/16/30	05/16/25
Moreton (Celtic Bk Salt Lake City Utah)	CD	15118RV53	250,000.00	\$243,417.50	(6,583)	4.000%	05/17/32	05/16/25
Moreton (Medallion BK Utah)	CD	58404DXX4	250,000.00	\$249,460.00	(540)	4.000%	06/17/30	06/17/25
Moreton (Morgan Stanley Private BK)	CD	61768UBZ7	250,000.00	\$247,812.50	(2,188)	4.300%	06/21/30	06/23/25
Moreton (Truist BK)	CD	897926BR1	250,000.00	\$249,302.50	(698)	4.450%	06/27/30	06/27/25
Moreton (CFG CMNTY BK Lutherville MD)	CD	12527CME9	250,000.00	\$247,765.00	(2,235)	4.300%	06/30/32	06/30/25
Moreton (Freddie Mac)	FreddieMac	3134GXDF8	1,000,024.15	\$956,850.00	(43,174)	0.700%	11/24/26	12/11/20
Moreton (Freddie Mac)	FreddieMac	3134GW6C5	998,896.67	\$959,200.00	(39,697)	0.800%	10/28/26	04/05/21
Moreton (Federal Natl Mtg Assn)	Fed Natl Mtg Assn	3135G06L2	1,499,624.10	\$1,435,080.00	(64,544)	0.875%	12/18/26	04/05/21
Moreton (Federal Home Loan Bank)	Fed Natl Mtg Assn	3130ALDA9	1,995,863.80	\$1,906,960.00	(88,904)	1.000%	02/26/27	04/05/21
Moreton (Farmer Mac)	Farmer Mac	31422DXD7	1,000,083.33	\$975,560.00	(24,523)	0.830%	03/27/26	04/05/21
Moreton (Federal Farm Credit Bank)	Federal Farm	3133EM2C5	499,413.27	\$482,595.00	(16,818)	0.710%	08/10/26	08/11/21
Moreton (Federal Farm Credit Bank)	Federal Farm	3133ELN34	997,440.00	\$944,030.00	(53,410)	0.875%	06/22/24	09/10/21
Moreton (Federal Farm Credit Bank)	Federal Farm	3133EM3Q3	1,000,000.00	\$909,570.00	(90,430)	1.290%	02/26/26	09/10/21
Moreton (Federal Home Loan banks)	Federal Home	3130AKYH3	997,870.00	\$952,720.00	(45,150)	0.830%	02/10/27	09/13/21
Moreton (Federal Home Loan banks)	Federal Home	3130AKYH3	993,000.00	\$952,720.00	(40,280)	0.830%	02/10/27	09/24/21
Moreton (Federal Farm Credit Bank)	Federal Farm	3133ENBR0	1,000,000.00	\$943,830.00	(56,170)	1.300%	10/20/27	10/25/21
Moreton (Federal Farm Credit Bank)	Federal Farm	3133EMUB6	999,494.57	\$940,320.00	(59,175)	1.300%	03/23/28	12/13/21
Moreton (Federal Farm Credit Bank)	Federal Farm	3133ENAW0	499,440.13	\$465,325.00	(34,115)	1.300%	10/12/28	12/13/21
Moreton (Federal Home Loan Banks)	Federal Home	3130ALGL2	498,063.74	\$477,405.00	(20,659)	1.300%	02/26/27	12/17/21
Moreton (Federal Home Loan Banks)	Federal Home	3130AQU8	998,902.89	\$969,300.00	(29,603)	2.010%	02/17/27	02/17/22

INSTITUTION INVESTED IN	INV TYPE	CUSIP	INVESTMENT AMOUNT	MARKET	MARKET GAIN	RATE OF RETURN	MATURITY DATE	PURCHASE DATE
			BOOK VALUE	VALUE	(LOSS)			
Moreton (Federal Farm Credit Bank)	Federal Farm	3133ENSU5	1,000,000.00	\$981,670.00	(18,330)	2.860%	03/29/27	03/30/22
Moreton (Federal Farm Credit Bank)	Federal Farm	3133ENST8	1,076,096.16	\$1,063,766.25	(12,330)	2.770%	03/30/26	03/31/22
Moreton (Federal Home Loan Bank)	Federal Home	3130ARGQ8	1,000,000.00	\$981,030.00	(18,970)	2.875%	04/14/27	04/14/22
Moreton (Freddie Mac)	FreddieMac	3134GXRM8	1,000,000.00	\$990,710.00	(9,290)	3.550%	05/18/27	05/18/22
Moreton (Federal Farm Credit Bank)	Federal Farm	3133ENVL1	996,902.68	\$993,940.00	(2,963)	3.840%	04/27/28	08/25/22
Moreton (Federal Farm Credit Bank)	Federal Farm	3133ENYM6	997,897.97	\$992,550.00	(5,348)	3.780%	06/08/28	08/30/22
Moreton (Federal Farm Credit Bank)	Federal Farm	3133ENG53	1,500,000.00	\$1,496,340.00	(3,660)	4.070%	08/16/28	08/30/22
Moreton (Federal Home Loan Bank)	Federal Home	3130ASV22	1,000,000.00	\$998,840.00	(1,160)	3.750%	08/28/25	08/30/22
Moreton (Federal Home Loan Bank)	Federal Home	3130ASZ69	1,500,000.00	\$1,490,925.00	(9,075)	4.050%	08/27/27	08/30/22
Moreton (Federal Farm Credit Bank)	Federal Farm	3133ENF96	1,000,000.00	\$998,160.00	(1,840)	3.960%	08/17/26	08/30/22
Moreton (Federal Home Loan Bank)	Federal Home	3130B0N47	999,750.00	\$1,000,880.00	1,130	5.000%	03/26/29	04/17/24
Moreton (Federal Home Loan Bank)	Federal Home	3130B2DX0	\$500,476.29	\$499,585.00	(891)	4.550%	11/27/26	08/27/24
Moreton (Farmer Mac)	Farmer Mac	31424WMK5	\$1,002,014.21	\$998,670.00	(3,344)	4.690%	08/12/27	08/19/24
Moreton (Freddie Mac)	Federal Farm	3134HACV3	\$997,350.03	\$998,390.00	1,040	4.300%	08/07/29	08/19/24
Moreton (Federal Farm Credit Bank)	Federal Farm	3133ERPD7	\$1,003,251.03	\$999,570.00	(3,681)	5.000%	08/12/30	08/19/24
Moreton (Federal Home Loan Bank)	Federal Home	3130B2N68	\$1,004,063.59	\$994,220.00	(9,844)	4.700%	09/12/30	09/18/24
Moreton (Federal Home Loan Bank)	Federal Home	3130B2QP3	\$1,003,898.32	\$991,580.00	(12,318)	4.900%	06/23/31	09/23/24
Moreton (Federal Farm Credit Bank)	Federal Farm	3133ERVW1	\$999,250.00	\$999,380.00	130	4.440%	04/07/28	10/30/24
Moreton (Federal Home Loan Bank)	Federal Home	3130B2UT0	\$986,450.39	\$989,770.00	3,320	4.300%	09/26/29	10/09/24
Moreton (Federal Home Loan Bank)	Federal Home	3130B2Y41	\$999,640.13	\$994,780.00	(4,860)	4.100%	09/29/29	10/09/24
Moreton (Federal Farm)	Federal Farm	3133ERVQ1	\$1,500,000.00	\$1,497,735.00	(2,265)	4.780%	10/01/30	10/30/24
Moreton (Federal Home Loan Bank)	Federal Home	3130B2ZF5	\$995,485.13	\$979,010.00	(16,475)	4.000%	10/02/30	10/09/24
Moreton (Federal Home Loan Bank)	Federal Home	3130B2ZP3	\$1,021,616.18	\$998,985.50	(22,631)	4.000%	10/07/31	10/09/24
Moreton (Federal Home Loan Bank)	Federal Home	3134HAC35	\$995,580.50	\$998,360.00	2,780	4.375%	11/26/29	11/27/24
Moreton (Federal Farm Credit Bank)	Federal Farm	3133ERB26	\$1,000,458.33	\$996,730.00	(3,728)	5.000%	11/14/31	11/27/24
Moreton (Federal Home Loan Bank)	Federal Home	3130B3P64	\$1,000,817.43	\$996,820.00	(3,997)	5.150%	11/18/32	11/27/24
Moreton (Fannie Mae)	Fannie Mae	3136GAZJ7	\$2,008,201.61	\$1,999,960.00	(8,242)	4.750%	09/05/29	12/12/25
Moreton (Federal Farm Credit Bank)	Federal Farm	3133ERJ28	\$2,008,131.29	\$2,000,700.00	(7,431)	4.760%	12/10/29	12/12/25
Moreton (Federal Home Loan Bank)	Federal Home	3130B44K4	\$997,954.96	\$994,980.00	(2,975)	4.820%	06/26/30	01/28/25
Moreton (Federal Farm Credit Bank)	Federal Farm	3133ERB26	\$1,001,000.00	\$996,730.00	(4,270)	4.760%	11/14/31	01/17/25
Moreton (Fannie Mae)	Fannie Mae	3135GAZX2	\$997,440.31	\$998,270.00	830	4.250%	11/26/29	02/27/25
Moreton (Federal Home Loan Mtg Corp)	Federal Home	3134HBBC4	\$998,000.00	\$999,080.00	1,080	4.300%	02/27/30	02/27/25
Moreton (Federal Farm Credit Bank)	Federal Farm	3133ERVP3	\$998,200.00	\$997,120.00	(1,080)	4.900%	04/01/31	02/12/25
Moreton (Federal Home Loan Mtg Corp)	Federal Home	3134HBDM0	\$1,995,000.00	\$1,993,780.00	(1,220)	4.250%	03/27/30	03/27/25
Moreton (Freddie Mac)	FreddieMac	3134HBHZ7	\$998,250.00	\$995,910.00	(2,340)	4.000%	04/17/29	04/17/25
Moreton (Freddie Mac)	FreddieMac	3134HBHY0	\$999,000.00	\$995,420.00	(3,580)	4.125%	10/15/29	04/15/25
Moreton (Freddie Mac)	FreddieMac	3134HBjq5	\$1,993,000.00	\$1,984,940.00	(8,060)	4.000%	04/17/30	04/17/25
Moreton (Federal Farm Credit Bank)	Federal Farm	3133ETDZ7	\$1,004,250.00	\$1,001,600.00	(2,650)	4.590%	04/22/30	04/23/25
Moreton (Federal Farm Credit Bank)	Federal Farm	3133ETCL9	\$1,000,000.00	\$996,160.00	(3,840)	5.040%	04/14/32	04/23/25
Moreton (Federal Home Loan Bank)	Federal Home	3130B6CG9	\$1,000,716.00	\$1,001,360.00	644	4.375%	05/22/29	05/22/25
Moreton (Federal Home Loan Bank)	Federal Home	3130B6A30	\$998,750.00	\$998,480.00	(270)	4.400%	05/13/30	05/16/25
Moreton (Federal Farm Credit Bank)	Federal Farm	3133ETDG9	\$1,001,000.00	\$1,001,960.00	960	4.730%	04/16/31	05/16/25
					</			

INSTITUTION INVESTED IN	INV TYPE	CUSIP	INVESTMENT AMOUNT BOOK VALUE	MARKET VALUE	MARKET GAIN (LOSS)	RATE OF RETURN	MATURITY DATE	PURCHASE DATE
Wells Fargo BS securities transferred to Moreton Capital Markets May 20, 2016								
Moreton Capital Markets Money Market and Cash			\$4,605,082.12	\$4,605,082.12	0	varies	N/A	N/A
Wells Fargo ST Money Market 6810881786			-	\$0.00	0	varies	N/A	N/A
Wells Fargo - PHA account			-	\$0.00	0	varies	N/A	N/A
TOTAL			90,794,143	89,496,913	(1,297,229.86)			
US Treasury Notes/Agency Bonds - WF / RBC			62,058,009.19	68.35%				
State Investment Pool			\$6,416.30	0.01%				
Certificate of Deposits			24,124,635.14	26.57%				
Money Market Accounts			4,605,082.12	5.07%				
			90,794,142.75	100.00%				

Investment Abbreviations
CD = Certificate of Deposit
FHLMC = Federal Home Loan Mortgage Corporation (Freddie Mac)
FNMA = Federal National Mortgage Association (Fannie Mae)
FHLB = Federal Home Loan Banks

Hide Rows

\$574,550.96	565,902.76	Average Value	Total weighted dollars
86,182,644.33	Investments less LGIP	Average Days to Maturity	895
		Average Years to Maturity	2.5

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 8/26/2025

Report Date: 08/15/2025

Report No: 4.

Submitted By: Teresa Gutierrez

Subject: Consider, and act upon, the Contract Between Otero County and the City of Alamogordo for Housing of City Prisoners. (*David Kunihiro, Chief of Police*)

Fiscal Impact: \$95.00 per day per City prisoner
Amount Budgeted: \$156,781
Fund: 015.400.2400.0000.54529

Additional Fiscal Impact:

Recommendation: Approve the Contract Between Otero County and the City of Alamogordo for Housing of City Prisoners.

Background: The City and County last executed a contract for the housing of City prisoners in June 2013, establishing a rate of \$80.00 per day per City prisoner. In February 2025, the County notified the City of a rate adjustment to \$95.00 per day per City prisoner, effective July 1, 2025. Additionally, each July 1st an additional rate increase of 5% will be enacted. Therefore, the rates will be set as follows:

07/01/2025: \$95.00 per day per City prisoner
07/01/2026: \$99.75 per day per City prisoner
07/01/2027: \$104.74 per day per City prisoner
07/01/2028: \$109.98 per day per City prisoner
07/01/2029: \$115.48 per day per City prisoner

The attached contract with the County reflects the schedule of updated rate increases and extends the Contract through June 30, 2030.



OTERO COUNTY DETENTION CENTER

1958 Business Center Blvd., Alamogordo, NM 88310-8121

Phone: (575) 437-6420 Fax: (575) 443-2946 E-Mail: oterojail@co.otero.nm.us

February 12, 2025

City of Alamogordo
Attn: Accounts Payable
2600 North Florida Ave.
Alamogordo, NM 88310

RE: Rate Increase for Daily Housing of Inmates

To Whom it May Concern:

Currently, the Otero County Detention Center's daily rate is \$80 per day for housing of detainees. Due to increasing operating and additional rising costs of healthcare services for the facility, the Otero County Detention Center will be raising the daily rate of housing of detainees to \$95 per day. The increase will be effective July 1st, 2025.

Additionally, facilities or agencies have Intergovernmental Agreements or Contracts will require renewal to reflect the increase of the new rate. The advanced notice of the increase will provide ample opportunity for updates/renewals before the effective increase.

The Otero County Detention Center appreciates the cooperative partnerships with other facilities and agencies.

Thank you,

Respectfully,

Nena Sisler
Correctional Services Director

CONTRACT BETWEEN OTERO COUNTY AND THE CITY OF ALAMOGORDO FOR HOUSING OF CITY PRISONERS

This Contract is entered into by and between the Board of County Commissioners of Otero County, New Mexico hereinafter referred to as "Otero" and the City of Alamogordo, hereinafter referred to as "Alamogordo." The parties hereto are authorized to enter into this Contract pursuant to state and local purchasing procedures for contracts of this type and amount.

IT IS MUTUALLY AGREED BETWEEN THE PARTIES:

ARTICLE 1. PURPOSE AND SCOPE OF WORK

- A. The purpose of this Contract is to provide for the housing of Alamogordo's City prisoners who have been committed to the custody of the Otero County Correctional Services Department.
- B. Otero agrees to accept custody of and provide care of Alamogordo's City prisoners subject to the terms and conditions of this contract.
- C. Otero will provide and operate the Otero County Correctional Services Department in accordance with and as required by law. Except as specifically set forth herein, Otero will provide security for Alamogordo's City prisoners.
- D. Upon reasonable notice to Otero, Alamogordo may inspect the Detention Center at pre-arranged times.
- E. Otero will give no preference, (first come-first booked), to any arresting agency, unless the facility is at full capacity in which case the protocol set forth in Exhibit "A" will be followed.
- F. Alamogordo is responsible for providing all appropriate court orders for the booking and release of its detainees.

ARTICLE 2. TERMS

The period of the contract is from the date of the last signature **through June 30, 2030**. The Contract may be terminated pursuant to Article 8 of this Contract.

ARTICLE 3. GOVERNING LAWS

This Contract is governed by local, state and federal law. Both parties shall comply with the terms and conditions of the federal, state and local laws applicable to the County Detention as those apply to the activities of each.

ARTICLE 4. COMPENSATION

- A. Daily Rate: Alamogordo shall pay Otero **ninety-five dollars and 00 cents (\$95.00) per day** per City prisoner **effective July 01, 2025**. The daily rate is a function of the annual direct and indirect cost of operation divided by total prisoner days. Effective July 1, 2026, and every July 1st thereafter, the daily rate will increase by 5% of the then-current rate. . Otero will provide Alamogordo with notice of its intent to request an increase in cost at least six months before the proposed increase.

- B. Minimum Stay: Otero will bill Alamogordo for any prisoner who stays in the jail for twelve hours or less ½ the daily rate. Otero will bill for the full day for any prisoner who stays more than twelve hours at the detention center.
- C. Terms: Otero shall bill Alamogordo on a monthly basis. All payments shall be due within thirty (30) days of the statement date. Should either party institute legal action and prevail, the prevailing party shall recover reasonable attorneys' fees and costs from the other.
- D. Adjustments: The daily rate may be renegotiated by either party prior to the termination date of the contract if significant changes, which increase Otero's expense, occur in the Otero County Correctional Services Department operations or facilities resulting from a court order.

ARTICLE 5. CARE OF CITY PRISONERS

- A. General Medical Care: All prisoners are responsible for the cost of their own medical care unless a Court of competent jurisdiction orders otherwise. Otero may not deny prisoners access to medical care. Otero does provide limited medical care within the Detention Center and may expand medical care services during the term of the Contract. Otero shall not be responsible nor liable for the cost of prisoner treatment for any pre-existing sickness, illness or injuries prior to incarceration. In the event that a prisoner is solely facing City charges and is unable to pay for his own medical care because the prisoner does not have Medicare, Medicaid, or private insurance and does not qualify for indigent care, Alamogordo agrees to reimburse Otero for the costs associated with that care. Otero will assist prisoners with the indigent claim process in the instance where the prisoner qualifies for the program and has medical debt that will qualify per the Otero County Indigent Ordinance #09-01. Otero assumes no responsibility or liability for the results of health care services. In case of emergency and Otero is unable to contact Municipal Court, Otero may seek emergency care for the prisoner(s) but will notify the Court as soon as possible. In the event that an Alamogordo City prisoner as defined herein is unable to pay for his own medical care, Alamogordo agrees to reimburse Otero for the costs associated with that care. The County assumes no responsibility or liability for the results of health care services.
- B. Transportation: Otero shall be responsible for transporting Alamogordo's City prisoners to all medical appointments and all hospital visits. Otero shall be responsible for the offender at the hospital should the offender be admitted or until a release order is obtained. When possible, the Otero County Correctional Services Department will notify the Municipal Court for other options. If the Otero County Correctional Services Department is not able to contact the Municipal Court and the inmate must be guarded, the Otero County Correctional Services Department will make arrangements for a security company to guard the inmate and Alamogordo will reimburse the County for actual charges incurred by the security company.
- C. Video Hearings: The Detention Center and Municipal Court will conduct video

arraignments at times agreeable to both parties. The Detention Center will guard and be responsible for the video court arrangements at the Detention Center and will work in conjunction with Municipal Court to provide video arraignments for municipal inmates in a professional and timely manner.

- D. Protective Custody: Protective Custody persons will be accepted by the Detention Center only when the individual is being held pending a transport to an emergency mental health evaluation facility and will be held in the Otero County Detention Center no longer than twelve (12) hours.
- E. Day Reporting Program: Otero operates a Day Reporting Custody Program for offenders in lieu of incarceration in the Detention Center. This program may be used if the offender meets the program's criteria established by the Otero County Correctional Services Department and the program is allowed by the Municipal Court. If an offender participates in the Day Reporting Custody Program, he/she will be responsible for all fees to include a one-time administrative fee and a determined weekly amount based on services provided. Alamogordo will not be charged a fee for prisoners accepted into the program.

ARTICLE 6. DEFINITION OF ALAMOGORDO PRISONERS

An Alamogordo City prisoner is any person who has been apprehended by Alamogordo Law Enforcement Officers solely for violation of an Alamogordo ordinance.

ARTICLE 7. ACCEPTANCE OF ALAMOGORDO PRISONERS

Upon arrival in the Detention Center, all Alamogordo prisoners shall complete a medical and mental health screening evaluation prior to the booking process. If further medical or mental health screening is needed for safe incarceration, then the Otero County Correctional Services Department may refuse acceptance and admittance of the prisoner. The decision of further medical care will be based on the Otero County Detention Policy: *OCDC 601.1.3.B. Staff will not accept an inmate bearing signs of injury or illness unless he has been treated by a physician or examined at the hospital and is not in need of immediate care or treatment.*

- 1. *An inmate should not be held in jail if such imprisonment would endanger his/her health or his/her life.*

If the prisoner does not meet the requirements of Policy 601.1.3.B, then the Otero County Correctional Services Department may refuse acceptance and admittance of the prisoner. In this event, Alamogordo shall be responsible for transporting the City prisoner, providing access to medical care, and obtaining written medical clearance for incarceration. Should the Otero County Correctional Services Department change the criteria it uses to determine medical admissibility into the Detention Center, Otero will give Alamogordo notice, thirty (30) days' advance notice in writing, of the change in criteria before it goes into effect.

ARTICLE 8. TERMINATION

The Contract may be terminated by Otero upon thirty (30) days' written notice to Alamogordo, in care of the City Manager, and the City Commissioners, prior to the intended date of termination. Alamogordo may also terminate the Contract upon thirty (30) days' written notice to the Otero

not operate to bar or prevent the other party from declaring a default for any succeeding breach either of the same covenant, term, condition, or agreement or another. All remedies afforded in this Contract shall be taken and construed as cumulative, that is, in addition to every other provided herein or by law.

ARTICLE 13. MERGER OF CONTRACT

This Contract incorporates all the agreements, covenants and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, agreements, and understandings have been merged into this written contract. No prior statements, representatives, promises, or agreement of understanding, verbal, or otherwise, of the parties or their agents shall be valid or enforceable unless embodied in this contract.

ARTICLE 14. SOVEREIGN IMMUNITY

Otero and Alamogordo and their "public employees" as defined in the New Mexico Tort Claims Act, do not waive sovereign immunity, do not waive any defense(s) and/or do not waive any limitation(s) or liability pursuant to the New Mexico Torts Claims Act. No provision in this Contract modifies and/or waives any provision of the New Mexico Torts Claim Act, as it relates to Otero, Alamogordo and their public employees.

ARTICLE 15. LIABILITY

Neither party shall be responsible for liability incurred as a result of the other party's acts or omissions in connection with this agreement. Any liability incurred in connection with this Agreement is subject to the immunities and limitations of the New Mexico Tort Claims Act, sections 41-4-1, et seq. NMSA 1978. Each party agrees to defend and indemnify the other for any actions brought seeking damages for the other party's acts or omissions.

ARTICLE 16. CO-PARTNERS

Nothing herein contained is intended or should be construed in any way to create or establish the relationship of Co-Partners between the parties or to establish as an agent, representative, or employee of the other for any purpose or manner whatsoever. Neither party nor its employees shall accrue leave, retirement, insurance, or any other benefits afforded to employees of the other as a result of the Contract.

ARTICLE 17. THIRD PARTY BENEFICIARIES

It is specifically agreed between the parties executing this Contract that it is not intended by any of the provisions of any part of the Contract to create the public or any other member thereof a third party beneficiary or to authorize anyone not a party to the Contract to maintain pursuant to the provisions of the Contract a suit of any nature based upon this Contract.

ARTICLE 18. EQUAL OPPORTUNITY COMPLIANCE

Otero agrees to abide by all federal and state laws, rules and regulations, and executive orders of the Governor of the State of New Mexico pertaining to equal employment opportunity. In accordance with all such laws and rules and regulations and executive orders of the Governor,

ARTICLE 26. NOTICE TO PROCEED

It is expressly understood that this Contract is not binding upon either party until approved and signed by both parties.

ARTICLE 27. NOTICES

Invoices shall be mailed to Administrative Manager, 700 Virginia Avenue, Alamogordo, New Mexico 88310. All other correspondence or notices shall be sent to:

Otero County Manager
1101 New York Avenue
Alamogordo, New Mexico 88310
(505) 437-7427 Phone
(505) 443-2904 Facsimile

Alamogordo City Manager
1376 E. Ninth Street
Alamogordo, New Mexico 88310
(505) 439- 4203 Phone
(505) 439- 4396 Facsimile

ARTICLE 28. DUPLICATE ORIGINAL DOCUMENTS

This document shall be executed in no less than two (2) counterparts, each of which shall be deemed an original.

COUNTY OF OTERO

CITY OF ALAMOGORDO

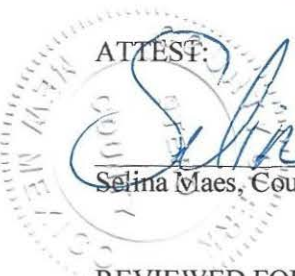


Pamela S. Heltner, County Manager
Date: 8/14/25

Stephanie J. Hernandez, PhD., Acting City Manager
Date: _____

ATTEST:

ATTEST:

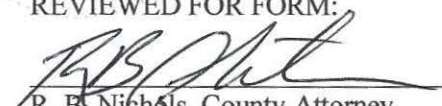



Selina Maes, County Clerk

Rachel Hughs, City Clerk

REVIEWED FOR FORM:

REVIEWED FOR FORM:



R. B. Nichols, County Attorney

Darrell Mori, City Attorney

EXHIBIT A

PROTOCOL FOR JUDICIAL RELEASE OF OFFENDERS WHEN THE OTERO COUNTY DETENTION CENTER IS AT FULL CAPACITY

1. The Correctional Services Staff and/or County Attorney shall contact the District, Magistrate, and Municipal Courts seeking release of offenders when the facility is at full capacity.
2. The Municipal, Magistrate, and District Judges will determine which offenders shall be released.
3. If a sufficient number of offenders are not released, the Correctional Services Director will contact the City Manager and inform him that no Municipal Offenders will be accepted in the facility unless alternative custody arrangements (at City's expense) can be arranged.
4. The Detention Center will continue to accept Municipal DWI and violent offenders.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 8/26/2025

Report Date: 08/18/2025

Report No: 5.

Submitted By: Justen Boyle

Subject: Consider, and act upon, the Public Works Bid No. 2025-002 award, Alameda Zoo Wall Improvements Project No. ZO2402, to Perimeter Ironwork, Fence and Block LLC, related to the Alameda Zoo Wall Improvements project for an amount not to exceed \$352,108, excluding NMGRT. (*Justen Boyle, Senior Project Manager*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve the Award

Background: During the bidding phase, the City created a bid alternate to finish the remainder of the Alameda Zoo Wall on the West side of the Zoo. This will take the zoo completely out of the UP ROW. USDA is requiring this wall to be completed and close to completion by November 2025. If not awarded, the zoo has a high chance of being closed down until completed.

BID LOT 1					
Item No	Estimated Quantity	UOM	Brief Description of Item	Unit Bid Price	Extended Amount (Qty. x Unit Price)
11	1	EA	12.5' Wide x 8' Tall Rolling Gate w/Lock, as specified and/or shown on the construction documents, complete, in place and accepted by the owner.	\$ <u>4,800.00</u>	\$ <u>4,800.00</u>
12	16	SY	Asphalt Parking Lot Patch , as specified and/or shown on the construction documents, complete, in place and accepted by the owner.	\$ <u>180.00</u>	\$ <u>2,880.00</u>
13	168	LF	Remove and Relocate Fence (Chainlink), as specified and/or shown on the construction documents, complete, in place and accepted by the owner.	\$ <u>34.75</u>	\$ <u>5,838.00</u>
14	1	EA	As-Built Plans, as specified and/or shown on the construction documents, complete, in place and accepted by the owner	\$ <u>3,500.00</u>	\$ <u>3,500.00</u>
15	2	EA	Remove & Dispose of Existing Gate, as specified and/or shown on the construction documents, complete, in place and accepted by the owner.	\$ <u>1,200.00</u>	\$ <u>2,400.00</u>
16	1	EA	Remove and Dispose of Existing Tree, as specified and/or shown on the construction documents, complete, in place and accepted by the owner.	\$ <u>600.00</u>	\$ <u>600.00</u>
17	8	LF	Sewer Sleeve w/caps, as specified and/or shown on the construction documents, complete, in place and accepted by the owner.	\$ <u>150.00</u>	\$ <u>1,200.00</u>
18	1	ALL	Temporary Fencing for overnight security and animal protection, as specified and/or shown on the construction documents, complete, in place and accepted by the owner.	\$ <u>1,500.00</u>	\$ <u>1,500.00</u>

Bid Lot 1 Total \$ 188,216.00

(Alternate) Bid Lot 2					
Item No	Estimated Quantity	UOM	Brief Description of Item	Unit Bid Price	Extended Amount (Qty. x Unit Price)
1	1	LS	Mobilization, as specified and/or shown on the construction documents, complete, in place and accepted by the owner	\$ <u>7,000.00</u>	\$ <u>7,000.00</u>

(Alternate) Bid Lot 2					
Item No	Estimated Quantity	UOM	Brief Description of Item	Unit Bid Price	Extended Amount (Qty. x Unit Price)
2	1	LS	Construction Staking, as specified and/or shown on the construction documents, complete, in place and accepted by the owner.	\$ <u>8,000.00</u>	\$ <u>8,000.00</u>
3	1	LS	Clear and Grubbing of Bamboo & Plants for Construction, as specified and/or shown on the construction documents, complete, in place and accepted by the owner	\$ <u>10,000.00</u>	\$ <u>10,000.00</u>
4	151	LF	8' Tall, Split Faced CMU Wall (8x8x16 Blocks – Color – Sonoma), as specified and/or shown on the construction documents, complete, in place and accepted by the owner.	\$ <u>222.00</u>	\$ <u>33,522.00</u>
5	1203	LF	8" Tall, CMU Wall (8x8x16 Blocks – Color – Sonoma), as specified and/or shown on the construction documents, complete, in place and accepted by the owner	\$ <u>204.00</u>	\$ <u>245,412.00</u>
9	1462	LF	Remove & Dispose of Fence, as specified and/or shown on the construction documents, complete, in place and accepted by the owner.	\$ <u>27.00</u>	\$ <u>39,474.00</u>
11	1	EA	12.5' Wide x 8' Tall Rolling Gate w/Lock, as specified and/or shown on the construction documents, complete, in place and accepted by the owner	\$ <u>4,800.00</u>	\$ <u>4,800.00</u>
14	1	EA	As-Built Plans, as specified and/or shown on the construction documents, complete, in place and accepted by the owner	\$ <u>1,200.00</u>	\$ <u>1,200.00</u>
15	1	EA	Remove & Dispose of Existing Gate, as specified and/or shown on the construction documents, complete, in place and accepted by the owner	\$ <u>1,200.00</u>	\$ <u>1,200.00</u>
18	1	ALL	Temporary Fencing for overnight security and animal protection, as specified and/or shown on the construction documents, complete, in place and accepted by the owner.	\$ <u>1,500.00</u>	\$ <u>1,500.00</u>

(Alternative) Bid Lot 2 Total \$ 352,108.00

Total Base BID \$ 540,324.00

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 8/26/2025

Report Date: 08/18/2025

Report No: 6.

Submitted By: Britney Ybarra

Subject: Consider and act upon an emergency funds appropriation of \$28,171.50 through the Capital Outlay Bureau with the Aging & Long-Term Services Department to purchase a new hot truck for the Senior Center's Home-delivered Meal program (*Magdalena Morales, ASC Manager / Veronica Ortega, Community Services Director*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

The total amount budgeted is \$78,171.50.

The Senior Center FY25 contingency fund will provide \$50,000.

The Aging & Long-Term Services Department will provide the balance of \$28,171.50.

Recommendation: Approve the emergency funding.

Background: The new truck will replace a 2011 hot truck with 60,000 miles. We have had multiple electrical problems and hot/cold compartment issues with this vehicle. Additionally, the ABS system and traction control are non-working.



New Mexico Aging & Long-Term Services Department

Michelle Lujan Grisham, Governor
Emily Kaltenbach, Cabinet Secretary
Antoinette Vigil, Deputy Cabinet Secretary
Angelina Flores-Montoya, Deputy Cabinet Secretary

APPROPRIATION RECIPIENT:

Grantee: City of Alamogordo, Magdalena Morales
Contact: mmorales@ci.alamogordo.nm.us, 575-439-4150
Facility: Alamo Senior Center
Address: 201 Puerto Rico Avenue, Alamogordo, NM 88310

<u>APPROPRIATION NUMBER:</u>	<u>APPROPRIATION AMOUNT:</u>	<u>APPROPRIATION TERM DATE:</u>
A23H2068-39	\$28,171.50	June 30, 2027

APPROPRIATION LANGUAGE

In Laws 2023 Chapter 199, Section 4, Paragraph 65 - \$3,000,000 was identified for FY2024 through FY2027 for emergency requests to plan, design, renovate, improve, equip, and furnish senior centers, including delivery and installation of building systems and purchase and installation of meals equipment, and to purchase and equip vehicles for senior centers statewide.

CERTIFICATION

I hereby certify that the City of Alamogordo, Alamo Senior Center,

1. Only the appropriation funds will be used for permissible purposes as described in the appropriation language.
2. Will comply with the State Procurement Code and execution of binding written obligations or purchase orders with third-party contractors or vendors for the provision of services, including professional services, or the purchase of tangible personal property and real property for the project (if applicable).
3. Ensures that the appropriation funds only benefit entities per applicable law, including, but not limited to Article IX, Section 14 of the Constitution of the State of New Mexico, "Anti-Donation Clause."
4. Follow the procedure described in "Appropriation Reimbursement" to reimburse appropriated funds.

APPROPRIATION REIMBURSEMENT

The appropriation funds will be disbursed through a reimbursement process. The Appropriation Recipient will submit to the Agency Exhibit A: Request for Payment form along with supporting document(s) that evidence the expenses to be reimbursed. The Agency will review these documents to ensure all reimbursed expenses reflect the intent and purpose of the appropriation language. All expenditures for which the Appropriation Recipient requests reimbursement must occur before the reversion date. The latest date the Appropriation Recipient may submit a Request for Payment for FY27 (July 1, 2026 – June 30, 2027) is June 30th, 2027. With the submission of the final Exhibit A: Request for Payment, the Appropriation Recipient must include the completed Exhibit B: Final Report form to receive the final reimbursement.

Grantee Chief Elected Official Signature / Printed Name

Date

AUTHORITY

The State Agency on Aging (28-4-1 to 28-4-9 NMSA 1978: successor agency, Aging and Long-Term Services Department (9-23-1 to 9-23-12 NMSA 1978) may enter into grants and contracts as appropriated by law. I hereby approve this certification for the appropriation number.

Project #A23H2068-39 City of Alamogordo, Alamo Senior Center, to help cover shortfall in purchasing hot/cold truck (\$28,171.50)

Agency Designee signature

Date



Aging and Long-Term Services (ALTSD) Request for Statewide Funding EMERGENCY APPLICATION

In Laws 2023 Chapter 199, Section 4, Paragraph 65 - \$3,000,000 was identified for FY2024 through FY2027 for emergency requests to plan, design, renovate, improve, equip, and furnish senior centers, including delivery and installation of building systems and purchase and installation of meals equipment, and to purchase and equip vehicles for senior centers statewide.

ALTSD is seeking requests for funding that did not meet the \$10K threshold for capital outlay funding through the normal application process, or a project request that demonstrates an urgent or critical need to carry out a service offered at the senior center, and that without the asset, would disrupt a senior center from operating or failure is imminent.

Use of the asset must comply with NM Constitution Article IX, Section 14 (Anti-Donation Clause). A license to use agreement must be in place to allow a non-profit provider use of the asset. The asset must meet the useful life criteria of 7 - 10 years. The asset must be maintained by the local public body. Capital outlay funds cannot be used for indirect program costs or operating expenses, and items that are not tangible.

The local public body must agree to the conditions and restrictions of the grant agreement. The expense must be made and reimbursement for qualifying expenses submitted on the prescribed forms, including the copy of the purchase order, copy of the invoice and copy of the cancelled check within the quarter the expense was made.

DATE: 6/19/2025

APPLICANT NAME: City of Alamogordo CENTER NAME and ADDRESS: Alamo Senior Center, 2201 Puerto Rico Avenue, Alamogordo, NM 88310

CONTACT NAME: Magdalena Morales PHONE NUMBER: 575-439-4150 EMAIL: mmorales@ci.alamogordo.nm.us

Asset Description: Hot truck for the Home Delivered Meal Program

Provide a brief description of the condition and age of the old asset, and justification for the new needed asset.

Our 2011 hot truck is 14 years old with 60,000 miles. We are having electrical problems. The ABS system and traction control are not working.

In the past couple of years, we have had multiple electrical problems. We have also had numerous issues with the hot/cold compartments.

COST OF ASSETS: \$ 78,171.50 \$ _____ (Include delivery & installation if applicable).

TOTAL AMOUNT: \$ 28,171.50 (\$50,000.00 local funds)

Briefly describe outcome, if funds are not received, and what services will be disrupted and how many seniors

will be affected. Our Home Delivered Meal Program provides hot, nutritious meals to 150 homebound consumer M-F. Our program is one of

the few in NM that depend on volunteers in the community to assist with the deliveries which is also becoming a struggle. The hot truck

allows up to 40 deliveries of the 150 consumers when we are short volunteer drivers eliminating the stress of not having volunteers to assist.

PRINTED NAME: Stephanie Hernandez, Acting City Manager

Handwritten signature of Stephanie Hernandez in blue ink.

CHIEF ELECTED OFFICIAL SIGNATURE:

PRINTED NAME: Tasha Martinez
7/31/2025

CAPITAL OUTLAY BUREAU CHIEF SIGNATURE:

**Estimates or quotes must be attached in support of this request.*



Proposal

2500 Rio Rancho Blvd
Rio Rancho, NM 87124

QUOTE TO: City of Alamogordo

SHIPPED TO: 2025 Ford F-150 Regular Cab XL 4WD, w/ Hot/Cold Body.
Color: White

PROPOSAL # 061725-2
PROPOSAL DATE June 17th, 2025
MEMBER PO #.
TERMS Due on Receipt
SALES REP Jocelyn Hernandez
SHIPPED VIA Pick UP
F.O.B.
PREPAID or COLLECT

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
	Statewide Price Agreement #: 40-00000-24-00068		
1	Item #13, Pickup 1/2 Ton ICE / Single, Extended Cab.	\$ 45,970.00	\$ 45,970.00
	2025 Ford F150 Regular Cab XL 4x4		\$ -
	Options:		\$ -
	- 5.0L V8 Gas Engine		\$ -
	- 10 Speed Transmission		\$ -
	- 17" Steel Wheels		\$ -
	- Running Boards		\$ -
	- All Weather Mat		\$ -
	- Backup Alarm		\$ -
			\$ -
1	NMSPA Discount 5%	\$ (2,298.50)	\$ (2,298.50)
			\$ -
	Item #27 Up-Fitting for all types of new vehicles purchased under this price agreement		\$ -
	10% Discount MSRP \$43,890.00		\$ -
1	- Delivery Concepts HOT/COLD Body	\$ 39,500.00	\$ 39,500.00
1	Chalmers Discount	\$ (5,000.00)	\$ (5,000.00)
		SUBTOTAL	78,171.50
Units in stock three available			
Subject to Prior Sale			
DIRECT ALL INQUIRIES TO:			\$78,171.50
Jocelyn Hernandez			PAY THIS
505.610.3770			AMOUNT
jhernandez@chalmersford.com			



**COMMERCIAL
VEHICLE CENTER**

Emergency Application - HB 505 Statewide Emergency application form (blank) (002)

Final Audit Report

2025-06-19

Created:	2025-06-19
By:	Magdalena Morales (mmorales@ci.alamogordo.nm.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAA8vW8Ccls5gEdaDQCIm7IZTuhr_QGCN-7

"Emergency Application - HB 505 Statewide Emergency application form (blank) (002)" History

-  Document created by Magdalena Morales (mmorales@ci.alamogordo.nm.us)
2025-06-19 - 6:04:50 PM GMT
-  Document emailed to Stephanie Hernandez (shernandez@ci.alamogordo.nm.us) for signature
2025-06-19 - 6:06:03 PM GMT
-  Email viewed by Stephanie Hernandez (shernandez@ci.alamogordo.nm.us)
2025-06-19 - 6:26:45 PM GMT
-  Document e-signed by Stephanie Hernandez (shernandez@ci.alamogordo.nm.us)
Signature Date: 2025-06-19 - 6:27:46 PM GMT - Time Source: server
-  Agreement completed.
2025-06-19 - 6:27:46 PM GMT



Adobe Acrobat Sign

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 8/26/2025

Report Date: 08/18/2025

Report No: 7.

Submitted By: Justen Boyle

Subject: Consider, and act upon, the award of Public Works Bid No. 2025-005, Lower Heights and Upper Heights Waterline Replacement WSRP 009 Project No. UC2210, to Crosstown Construction related to the Lower Heights and Upper Heights Waterline Replacement WSRP 009 project in an amount not to exceed \$1,067,880.02, including NMGR. *(Justen Boyle, Senior Project Manager)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve the Award

Background: Installation of 2,100 LF of 16", 580 LF of 14", and 30 LF of 6" AWWA C900 PVC pipe and fittings, 130 CY concrete pipe cap, and 14 total AWWA C509 and C504 Valves with boxes. Work also includes 25 SY asphalt concrete replacement, 15 EA tie-ins to existing waterlines, 4 EA water service line transfers, and other miscellaneous things. This line transfers from Zone 1 to Zone 2 with drinking water, from Upper Heights Tank and Lower Heights Tank.

Bid Comparison

Public Works Bid Number 2025-005

Project Title Lower and upper Heights

Bid Opening Date August 6,2025

				Engineer's Estimate		Crosstown Construction		GHU		DUB-L-EE		J29		KE&G	
ITEM NO.	DESCRIPTION OF WORK	Unit	Bid Quantity	Bid Item Cost	Extended	Bid Item Cost	Extended	Bid Item Cost	Extended	Bid Item Cost	Extended	Bid Item Cost	Extended	Bid Item Cost	Extended
1	MOBILIZATION	LS	1	\$125,000.00	\$125,000.00	\$80,000.00	\$80,000.00	\$13,225.00	\$13,225.00	\$39,263.73	\$39,263.73	\$112,660.00	\$112,660.00	\$60,626.00	\$60,626.00
2	CONSTRUCTION STAKING	LS	1	\$20,000.00	\$20,000.00	\$11,000.00	\$11,000.00	\$13,225.00	\$13,225.00	\$8,893.35	\$8,893.35	\$23,050.00	\$23,050.00	\$6,575.00	\$6,575.00
3	TRAFFIC CONTROL	LS	1	\$20,000.00	\$20,000.00	\$8,700.00	\$8,700.00	\$7,935.00	\$7,935.00	\$5,340.05	\$5,340.05	\$6,585.00	\$6,585.00	\$5,833.00	\$5,833.00
4	NPDES PERMIT	LS	1	\$30,000.00	\$30,000.00	\$10,000.00	\$10,000.00	\$7,935.00	\$7,935.00	\$5,821.11	\$5,821.11	\$5,930.00	\$5,930.00	\$9,655.00	\$9,655.00
5	UTILITY REMOVALS	LS	1	\$30,000.00	\$30,000.00	\$38,000.00	\$38,000.00	\$29,250.00	\$29,250.00	\$5,097.83	\$5,097.83	\$6,585.00	\$6,585.00	\$41,992.00	\$41,992.00
6	UNFORESEEN UTILITIES	ALLOW	1	\$60,000.00	\$60,000.00	\$25,000.00	\$25,000.00	\$29,250.00	\$29,250.00	\$24,793.58	\$24,793.58	\$13,175.00	\$13,175.00	\$22,000.00	\$22,000.00
7	PAVEMENT REPLACEMENT	SY	25	\$150.00	\$3,750.00	\$312.00	\$7,800.00	\$141.75	\$3,543.75	\$1,266.63	\$31,665.75	\$389.00	\$9,725.00	\$700.00	\$17,500.00
8	CONCRETE PIPE CAP	CY	130	\$650.00	\$84,500.00	\$192.30	\$25,000.00	\$386.23	\$50,209.90	\$551.99	\$71,758.70	\$367.00	\$47,710.00	\$477.00	\$62,010.00
9	REMOVE AND REPLACE RIP-RAP	CY	25	\$800.00	\$20,000.00	\$112.00	\$2,800.00	\$456.75	\$11,418.75	\$665.33	\$16,633.25	\$317.00	\$7,925.00	\$377.00	\$9,425.00
10	6" AWWA C-900 DR-18 PVC WATERLINE	LF	30	\$80.00	\$2,400.00	\$667.00	\$20,010.00	\$214.35	\$6,430.50	\$376.48	\$11,294.40	\$259.00	\$7,770.00	\$588.00	\$17,640.00
11	14" AWWA C-900 DR-18 PVC WATERLINE	LF	580	\$165.00	\$95,700.00	\$295.00	\$171,100.00	\$196.40	\$113,912.00	\$180.38	\$104,620.40	\$343.00	\$198,940.00	\$303.00	\$175,740.00
12	16" AWWA C-900 DR-18 PVC WATERLINE	LF	2100	\$200.00	\$420,000.00	\$145.46	\$305,466.00	\$196.31	\$412,251.00	\$177.45	\$372,645.00	\$173.00	\$363,300.00	\$229.00	\$480,900.00
13	12" AWWA C-509 GATE VALVE	EA	1	\$6,600.00	\$6,600.00	\$9,222.67	\$9,222.67	\$10,612.15	\$10,612.15	\$9,703.37	\$9,703.37	\$7,270.00	\$7,270.00	\$8,327.00	\$8,327.00
14	14" AWWA C-504 BUTTERFLY VALVE	EA	8	\$9,200.00	\$73,600.00	\$8,040.00	\$64,320.00	\$9,546.45	\$76,371.60	\$12,267.01	\$98,136.08	\$9,335.00	\$74,680.00	\$9,995.00	\$79,960.00
15	16" AWWA C-504 BUTTERFLY VALVE	EA	5	\$10,500.00	\$52,500.00	\$9,097.76	\$45,488.80	\$13,529.27	\$67,646.35	\$15,409.06	\$77,045.30	\$10,715.00	\$53,575.00	\$11,591.00	\$57,955.00
16	TIE-IN TO EXISTING WATER LINE	EA	15	\$3,300.00	\$49,500.00	\$4,113.25	\$61,698.75	\$6,215.26	\$93,228.90	\$5,259.59	\$78,893.85	\$7,280.00	\$109,200.00	\$7,677.00	\$115,155.00
17	WATER SERVICE TRANSFER	EA	4	\$2,600.00	\$10,400.00	\$1,829.50	\$7,318.00	\$4,114.47	\$16,457.88	\$4,166.68	\$16,666.72	\$2,179.00	\$8,716.00	\$11,117.00	\$44,468.00
18					\$0.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00
19	DEMO EXISTING CHAINLINK FENCE	LF	788		\$0.00	\$10.00	\$7,880.00	\$13.06	\$10,291.28	\$24.42	\$19,242.96	\$9.90	\$7,801.20	\$20.00	\$15,760.00
20	REPLACE EXISTING FENCE	LF	788		\$0.00	\$35.00	\$27,580.00	\$60.76	\$47,878.88	\$113.62	\$89,532.56	\$63.10	\$49,722.80	\$75.50	\$59,494.00
21	ENGINEER FILL	CY	45		\$0.00	\$40.00	\$1,800.00	\$184.11	\$8,284.95	\$123.77	\$5,569.65	\$256.50	\$11,542.50	\$206.00	\$9,270.00
22	GROUTED RIP RAP	CY	225		\$0.00	\$100.00	\$22,500.00	\$808.50	\$181,912.50	\$305.76	\$68,796.00	\$450.70	\$101,407.50	\$452.00	\$101,700.00
23	24" BUTTERFLY VALVE	EA	1		\$0.00	\$22,540.16	\$22,540.16	\$23,041.17	\$23,041.17	\$32,475.76	\$32,475.76	\$20,007.00	\$20,007.00	\$24,473.00	\$24,473.00
24	16 BUTTERFLY VALVE	EA	1		\$0.00	\$11,839.76	\$11,839.76	\$13,172.95	\$13,172.95	\$21,834.56	\$21,834.56	\$11,840.00	\$11,840.00	\$15,107.00	\$15,107.00
				Sub-Totals	\$1,103,950.00	Sub-Totals	\$987,064.14	Sub-Totals	\$1,247,484.51	Sub-Totals	\$1,215,723.96	Sub-Totals	\$1,259,117.00	Sub-Totals	\$1,441,565.00
				NMGRT (8.1875%)	\$90,385.91	NMGRT (8.1875%)	\$80,815.88	NMGRT (8.1875%)	\$102,137.79	NMGRT (8.1875%)	\$99,537.40	NMGRT (8.1875%)	\$103,090.20	NMGRT (8.1875%)	\$118,028.13
				TOTALS	\$1,194,335.91	TOTALS	\$1,067,880.02	TOTALS	\$1,349,622.30	TOTALS	\$1,315,261.36	TOTALS	\$1,362,207.20	TOTALS	\$1,559,593.13
				Engineer's Estimate		Crosstown Construction		GHU		DUB-L-EE		J29		KE&G	

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 8/26/2025

Report Date: 08/18/2025

Report No: 8.

Submitted By: Justen Boyle

Subject: Consider, and act upon, the award of Public Works Bid No. 2025-003, La Luz South Reservoir Cover, Tower, and Catwalk Replacement WSRP 013 Project No. UC2209, to KE&G Construction INC., related to the La Luz South Reservoir Cover, Tower, and Catwalk Replacement WSRP 013 project in an amount not to exceed \$4,493,741.99, including NMGR. *(Justen Boyle, Senior Project Manager/ Eddie Livingston, Engineer)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve the Award

Background: La Luz South Reservoir Cover, Tower, and Catwalk Replacement consists of the removal and replacement of the floating HDPE cover, portions of the HDPE liner, removal and replacement of the concrete outlet tower and steel catwalk, in accordance with the drawings, specifications, and other Contract Documents.



LIVINGSTON ASSOCIATES, P.C.
CONSULTING ENGINEERS

August 19, 2025

Mr. Justen Boyle, Project Manager
City of Alamogordo Utilities Dept.
1376 E. Ninth St.
Alamogordo, NM 88310

**LA LUZ SOUTH RESERVOIR COVER, TOWER AND CATWALK REPLACEMENT UC2209 -
RECOMMENDATION OF AWARD**

The Bid Opening for the LA LUZ SOUTH RESERVOIR COVER, TOWER AND CATWALK REPLACEMENT UC2209 project was held on July 23, 2025. Two bid were received, and both are considered responsive. The bids were checked for extension errors. The Bid from Lone Mountain Contracting, Inc. contained incorrect completions for the six Lump Sum Bid Item costs, and a minor extension error was found in Bid Item #8. A Bid Tabulation is attached with the completions and extension error corrected. The Bidders and Total Base Bids along with Bid Alternates and Total Bid plus Alternates are shown below (excluding NMGRT):

<u>Bidder</u>	<u>Total Base Bid</u>	<u>Bid Alternates</u>	<u>Total Bid plus Alternates</u>
KE&G Construction, Inc.	\$4,036,833.00	\$116,828.00	\$4,153,661.00
Lone Mountain Contracting, Inc.	\$3,451,36.00	\$236,600.00	\$3,687,916.00
Engineer's Cost Opinion	\$3,273,450.00	N/A	N/A

There is an 11.2% difference in the Total Bid plus Alternates between KE&G Construction, Inc. and Lone Mountain Contracting, Inc.

As shown on the Bid Tab, there are two Bid Items in the Bid from Lone Mountain Contracting, Inc. that are unrealistic. The Bid Amount for Bid Item #10, Outlet Tower construction is \$22,500.00. This amount is \$67,500.00 below the Engineer's Cost Opinion. The Bid Amount for Bid Item #12, Tower Gates construction is \$40,000.00. This amount is \$90,000.00 below the Engineer's Cost Opinion. Additional information regarding these two Bid Items was requested from Lone Mountain Contracting, Inc..

A cost breakdown was provided for Bid Item #10, Outlet Tower construction (see attached). Upon review, these costs appear unrealistically low. For Bid Item #12, Tower Gates construction, a quotation from Ferguson Water Works was provided (obtained by Lone Mountain after bidding). The cost to supply the gates alone is quoted at nearly \$160,000.00. The Bid Amount for this item was about \$120,000.00 below the quotation.

Email correspondance and telephone conversation with Lone Mountain Contracting, Inc. were initiated to clarify these Bid Items (see attached). Regarding the Bid Amount for Bid Item #12, Tower Gates construction, Mr. JJ Blea suggested they would utilize the higher Bid Amount from Bid Item #5, Repair Concrete Liner, to "make up" for the loss in Bid Item #12.

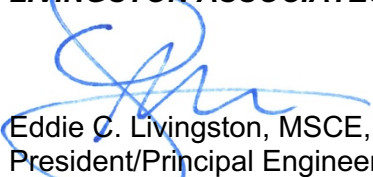
Lone Mountain Contracting, Inc.'s proposal to offset losses in Item #12 by using Item #5 is improper, as Bid Item amounts are required to represent the actual and complete cost of the associated Work. Moreover, Item #5 is a unit-cost item, and final payment will depend on actual measured quantities, which may be significantly less than estimated.

In sum, the Bid from Lone Mountain Contracting, Inc. contains materially unbalanced and unrealistic Bid Item Amounts, which create a substantial and unacceptable financial risk to the City. Specifically, Lone Mountain Contracting, Inc. acknowledged that Item #12 was submitted in error without supplier quotations. This failure to base the Bid on actual supplier quotations materially undermines the validity of the Bid Item amount. Additionally, Lone Mountain Contracting, Inc. proposed to offset this using Item #5. Because actual construction quantities may vary, this approach exposes the City to unpredictable and potentially excessive costs. Accordingly, it is recommended that the City reject the Bid from Lone Mountain Contracting, Inc. on the basis that the materially unbalanced Bid Item amounts create unacceptable financial risk, and therefore the Bid is not in the City's best interest.

Therefore, it is recommended that the LA LUZ SOUTH RESERVOIR COVER, TOWER AND CATWALK REPLACEMENT UC2209 project award be made to the second lowest responsive Bidder, KE&G Construction, Inc., for the Total Base Bid plus Alternatives amount of \$4,153,661.00 (excluding NMGRT).

Regards,

LIVINGSTON ASSOCIATES, P.C.



Eddie C. Livingston, MSCE, P.E.
President/Principal Engineer

coa-001-01.02/el

Attachments: Bid Tab, Email 8-14-25, telcon memo 8-15-25, Lone Mountain Contracting, Inc. documents

LA LUZ SOUTH RESERVOIR FLOATING COVER, TOWER AND CATWALK REPLACEMENT July 23, 2025				Engineer's Opinion of Probable Construction Cost		KE&G		LONE MOUNTAIN	
ITEM NO.	DESCRIPTION	Unit	Bid Quantity	Bid Item Cost	Extended	Bid Item Cost	Extended	Bid Item Cost	Extended
1	MOBILIZATION	LS	1	\$ 250,000.00	\$ 250,000.00	\$ 212,993.00	\$ 212,993.00	\$ 105,000.00	\$ 105,000.00
2	DEMO OF FLOATING COVER	LS	1	\$ 200,000.00	\$ 200,000.00	\$ 22,626.00	\$ 22,626.00	\$ 70,000.00	\$ 70,000.00
3	DEMO LINER	SY	4,000	\$ 45.00	\$ 180,000.00	\$ 40.00	\$ 160,000.00	\$ 37.50	\$ 150,000.00
4	REPAIR SOIL CEMENT BOTTOM	SY	1,000	\$ 50.00	\$ 50,000.00	\$ 29.00	\$ 29,000.00	\$ 45.00	\$ 45,000.00
5	REPAIR CONCRETE LINER	SY	3,000	\$ 60.00	\$ 180,000.00	\$ 29.00	\$ 87,000.00	\$ 100.00	\$ 300,000.00
6	DEMO OF TOWER/CATWALK	LS	1	\$ 89,000.00	\$ 89,000.00	\$ 24,817.00	\$ 24,817.00	\$ 50,000.00	\$ 50,000.00
7	45-MIL FLOATING COVER	LS	1	\$ 1,650,000.00	\$ 1,650,000.00	\$ 2,575,000.00	\$ 2,575,000.00	\$ 2,226,821.00	\$ 2,226,821.00
8	EARTHWORK	CY	165	\$ 330.00	\$ 54,450.00	\$ 287.00	\$ 47,355.00	\$ 303.00	\$ 49,995.00
9	TOWER FOUNDATION	CY	20	\$ 1,500.00	\$ 30,000.00	\$ 1,037.00	\$ 20,740.00	\$ 1,350.00	\$ 27,000.00
10	OUTLET TOWER	CY	15	\$ 6,000.00	\$ 90,000.00	\$ 15,382.00	\$ 230,730.00	\$ 1,500.00	\$ 22,500.00
11	CATWALK	LS	1	\$ 70,000.00	\$ 70,000.00	\$ 89,106.00	\$ 89,106.00	\$ 65,000.00	\$ 65,000.00
12	TOWER GATES	LS	1	\$ 130,000.00	\$ 130,000.00	\$ 237,466.00	\$ 237,466.00	\$ 40,000.00	\$ 40,000.00
13	GEOTECH ENGINEER REPORT	ALLOW	1	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00
14	NMPE ENGINEER	ALLOW	1	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00
15	FLOATING COVER	ALLOW	1	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00
	Sub-Total Base Bid				\$ 3,273,450.00		\$ 4,036,833.00		\$ 3,451,316.00
	Bid Alternates								
16	BID ALT 253 LF AC PIPE	LS	1	\$ -	\$ -	\$ 15,433.00	\$ 15,433.00	\$ 80,000.00	\$ 80,000.00
17	BID ALT 447 LF CONCRETE PIPE	LS	1	\$ -	\$ -	\$ 80,013.00	\$ 80,013.00	\$ 138,600.00	\$ 138,600.00
18	BID ALT 14 IN PIPE	LS	1	\$ -	\$ -	\$ 21,382.00	\$ 21,382.00	\$ 18,000.00	\$ 18,000.00
	Sub-Total Alternates				\$ -		\$ 116,828.00		\$ 236,600.00
	Sub-Totals				\$ 3,273,450.00	Sub-Totals	\$ 4,153,661.00	Sub-Totals	\$ 3,687,916.00
	NMGRT (8.1875%)				\$ 268,013.72	NMGRT (8.1875%)	\$ 340,080.99	NMGRT (8.1875%)	\$ 301,948.12
	TOTALS				\$ 3,541,463.72	TOTALS	\$ 4,493,741.99	TOTALS	\$ 3,989,864.12
	Engineer's Estimate					KE&G		LONE MOUNTAIN	

Fw: La Luz Reservoir Public Works Bid Number 2024-002

From : Justen Boyle <jpboyle@ci.alamogordo.nm.us> Thu, Aug 14, 2025 03:59 PM
Subject : Fw: La Luz Reservoir Public Works Bid Number 2024-002 8 attachments
To : Eddie Livingston <elivingston@livingston-associates.com>

Sent via the Samsung Galaxy A15 5G, an AT&T 5G smartphone
Get [Outlook for Android](#)



Justen Boyle

Senior Project Manager

T: 575-290-9784

E: jpboyle@ci.alamogordo.nm.us



 COA-Utilities.com

From: JJ Blea <jj@lonemountain.com>
Sent: Thursday, August 14, 2025 2:01:25 PM
To: Justen Boyle <jpboyle@ci.alamogordo.nm.us>
Cc: Nick Blea <nick@lonemountain.com>; Kelly Chittenden <kelly@lonemountain.com>
Subject: Re: La Luz Reservoir Public Works Bid Number 2024-002

Justen,

In response to your previous email dated 8/8/25 per the engineer wanting price confirmation please find the following excel breakdowns.

1. Mobilization Breakdown is attached. We feel comfortable with our breakdown and costs as bid
2. Concrete tower- we priced it as cast in place but will keep our options open for prestressed concrete. We feel comfortable with our bid
3. Tower gate- no bids received- but have since received 2 bids. The lowest bid we received was for \$145,000.00. Although this estimate is \$90,000 above the engineer's estimate, our pricing for item 5 . is \$120,000 above the engineer's estimate and over \$200,000 above the competitive bid received, we have reevaluated that bid item and feel the engineer's estimate is more appropriate. This will give us a comfortable cushion to

cover the tower gate pricing.

We are confident with the overall pricing and look forward to a very successful project installation. I have included Nick Blea, president of Lone Mountain Contracting in this email.

Please let me know if you have any more questions.

Respectfully submitted,

JJ Blea
Vice President
Lone Mountain Contracting
Inc.
jj@lonemountain.com
Cell: 713-530-2582
Office: 505-869-2996

From: Justen Boyle <j Boyle@ci.alamogordo.nm.us>
Date: Friday, August 8, 2025 at 9:21AM
To: JJ Blea <jj@lonemountain.com>
Cc: Nick Blea <nick@lonemountain.com>
Subject: Re: La Luz Reservoir Public Works Bid Number 2024-002

1. Bid Item #1 - Mobilization. Your Bid is \$105,000.00, which is \$150,000.00 below the Engineer's Estimate. Are you comfortable with your Bid Amount?
2. Bid Item #10 - Outlet Tower. Your Bid is \$22,500.00, which is \$67,500.00 below the Engineer's Estimate. Are you comfortable with your Bid Amount? Please provide a breakdown of your Bid by 1) Equipment, 2) Materials and 3) Labor. This can be an approximate breakdown. Is your plan to use cast-in-place concrete construction or pre-cast concrete construction, or a combination? Please explain.
3. Bid Item #12 - Tower Gates. Your Bid is \$40,000.00, which is \$90,000.00 below the Engineer's Estimate. Are you comfortable with your Bid Amount? Please provide a breakdown of your Bid by 1) Equipment, 2) Materials and 3) Labor. This can be an approximate breakdown. Please provide your supplier quotes and specs (cut sheets) for the materials.

Questions from engineer, please respond.



Justen Boyle
Senior Project Manager

T: 575-290-9784
E: j Boyle@ci.alamogordo.nm.us



 COA-Utilities.com

From: JJ Blea <jj@lonemountain.com>



TELEPHONE CONVERSATION LOG

To: JJ Blea, Lone Mountain Const.

From: Eddie C. Livingston, P.E.

CC:

Date: August 15, 2025, 3:00 PM

Subject: La Luz Res. Bid – Answers to Questions

Discussed email to Justen Boyle, dated 8-14-25. Mr. Blea explained Item 3. No bids for the gates were received prior to Bid, hence Bid of \$40,000. Afterwards received bids from supplier Ferguson for \$145,000 and said they will work with him to reduce price some. To make up for low amount on gates, he will use Item 5. (repair conc. liner) where he bid high. I explained that was a unit-cost item, not a lump sum, and final quantity could be much lower. He said he was OK with that. He also said he bid higher on the Alternates, and that is some cushion if the City awards those too. Overall he said they were comfortable with the Bid Amount.



FEL-EL PASO WATERWORKS #1975
1010 EASTSIDE ROAD
EL PASO, TX 79915-1004

Phone: 915-781-1054
Fax: 915-881-1775

Deliver To:
From: Mandy Escudero
mandy.escudero@ferguson.com
Comments:

12:46:06 AUG 05 2025

Page 1 of 2

FERGUSON WATERWORKS #3209

Price Quotation

Phone: 915-781-1054

Fax: 915-881-1775

Bid No: B589185
Bid Date: 08/05/25
Quoted By: ME

Cust Phone: 505-869-2996
Terms: NET 10TH PROX

Customer: LONE MOUNTAIN CONTRACTING
125 BOSQUE FARMS BLVD
BOSQUE FARMS, NM 87068

Ship To: LONE MOUNTAIN CONTRACTING
125 BOSQUE FARMS BLVD
BOSQUE FARMS, NM 87068

Cust PO#: TBD

Job Name: LA LUZ SOUTH RESERVE

Item	Description	Quantity	Net Price	UM	Total
ESLIDGTE24X24	S-600 CAST DI SLIDE GATE 24X24" QUOTE Y25Q16650-01 LINE 001	1	33307.310	EA	33307.31
ESLIDGTE24X24	S-600 CAST DI SLIDE GATE 24X24" QUOTE Y25Q16650-01 LINE 002	1	35071.340	EA	35071.34
ESLIDGTE24X24	S-600 CAST DI SLIDE GATE 24X24" QUOTE Y25Q16650-01 LINE 003	1	36835.340	EA	36835.34
ESLIDGTE24X24	S-600 CAST DI SLIDE GATE 24X24" QUOTE Y25Q16650-01 LINE 004 ---- LEAD TIME 26 WEEKS	1	40214.710	EA	40214.71

Net Total: \$145428.70
Tax: \$11334.36
Freight: \$3218.75
Total: \$159981.81



HOW ARE WE DOING? WE WANT YOUR FEEDBACK!

Scan the QR code or use the link below to
complete a survey about your bids:

<https://survey.medallia.com/?bidsorder&fc=1931&on=78206>

Fax: 915-881-1775

12:46:06 AUG 05 2025

Reference No: B589185

Quoted prices are based upon receipt of the total quantity for immediate shipment (48 hours). SHIPMENTS BEYOND 48 HOURS SHALL BE AT THE PRICE IN EFFECT AT TIME OF SHIPMENT UNLESS NOTED OTHERWISE. QUOTES FOR PRODUCTS SHIPPED FOR RESALE ARE NOT FIRM UNLESS NOTED OTHERWISE.

Due to the uncertain impact of potential tariffs, Ferguson's quotation/proposal has not included any provision or contingency for future tariffs or increase of existing tariffs. Ferguson reserves the right to adjust prices to reflect the impact of any new or increased tariffs that affect our costs at the time of shipment. Ferguson will provide notice of any such adjustments along with documentation supporting the changes.

CONTRACTOR CUSTOMERS: IF YOU HAVE DBE/MBE/WBE/VBE/SDVBE/SBE GOOD FAITH EFFORTS DIVERSITY GOALS/ REQUIREMENTS ON A FEDERAL, STATE, LOCAL GOVERNMENT, PRIVATE SECTOR PROJECT, PLEASE CONTACT YOUR BRANCH SALES REPRESENTATIVE IMMEDIATELY PRIOR TO RECEIVING A QUOTE/ORDER.

Seller not responsible for delays, lack of product or increase of pricing due to causes beyond our control, and/or based upon Local, State and Federal laws governing type of products that can be sold or put into commerce. This Quote is offered contingent upon the Buyer's acceptance of Seller's terms and conditions, which are incorporated by reference and found either following this document, or on the web at <https://www.ferguson.com/content/website-info/terms-of-sale>
Govt Buyers: All items are open market unless noted otherwise.



HOW ARE WE DOING? WE WANT YOUR FEEDBACK!

Scan the QR code or use the link below to
complete a survey about your bids:

<https://survey.medallia.com/?bidsorder&fc=1931&on=78206>

Concrete tower				Total	20,000.00
		Labor	Materials	Other	
15 CY 3500 psi cement		200		3000	3000
Reinfrocing bars				1000	1000
Forms				800	800
Form oil				50	50
Cement vibrator				250	250
Overhead concrete pump	one day			1200	1200
Snap ties				340	340
Labor - Form, pour and finish	8 men x 32 hours 40.00 an hour	10240			10,240.00
Supervision		800			800
Per Diem				800	800
		11040	6640	800	18480
O/H and profit	15%				2772
Total Cost					21252

Engineers Estimate										250000
Lone Mountain Estimate										105000
First Month:										
Preplanning meetings										
Estimator	40	\$	40.00	per Hou	\$	1,600.00			\$	1,600.00
Payroll Clerk	3	\$	18.00		\$	54.00			\$	54.00
Accountant	8	\$	28.00		\$	224.00			\$	224.00
Project Manager	24	\$	65.00		\$	1,560.00			\$	1,560.00
Equipment Manager	40	\$	35.00		\$	1,400.00			\$	1,400.00
Equipment to Site									\$	-
Skid Steer	1	\$	3,000.00			\$ 3,000.00			\$	3,000.00
Back Hoe	1	\$	3,000.00			\$ 3,000.00			\$	3,000.00
Dump Truck	1	\$	2,000.00			\$ 2,000.00			\$	2,000.00
Crew Truck	1	\$	700.00			\$ 700.00			\$	700.00
PM Truck	1	\$	700.00			\$ 700.00			\$	700.00
Tool Trailer	1	\$	800.00			\$ 800.00			\$	800.00
Office Trailer	1	\$	800.00			\$ 800.00			\$	800.00
Surveyors Level	1	\$	850.00			\$ 850.00			\$	850.00
Concrete Saws and appurtenances	1	\$	1,500.00			\$ 1,500.00			\$	1,500.00
Equipment fuel	1	\$	1,000.00			\$ 1,000.00			\$	1,000.00
Communication Equipment	1					\$ -			\$	-
Cell Phones	5		80			\$ 400.00			\$	400.00
Camera System	1		440			\$ 440.00			\$	440.00
Computer and Printer	1		200			\$ 200.00			\$	200.00
Office Supplies	1		150			\$ 150.00			\$	150.00
Hotel										
16 nights	3 Rooms	48	110			\$ 5,280.00			\$	5,280.00
Per Diem	16 days 4 Men	64	75			\$ 4,800.00			\$	4,800.00
Payroll	1	25000	25000						\$	25,000.00
	Total Labor					\$ 29,838.00				
	Payroll Burden 26 %	1				\$ 7,757.88			\$	7,757.88
Insurance									\$	-
General Liability/Auto	Based on Payroll	1	7225			\$ 7,225.00			\$	7,225.00
Total									\$	70,440.88
Bond	Payable in advance	2.5	367821						\$	9,195.53
	Total Mobilization Costs Anticipated								\$	79,636.41
Contingencies									\$	25,000.00
										\$ 104,636.41