Amanda Forrister Mayor

Rolf Hechler Mayor Pro-Tem

Merry Jo Fahl Commissioner



Destiny Mitchell Commissioner

Shelly Harrelson Commissioner

Angie Gonzales City Manager

#### 505 Sims St. Truth or Consequences, New Mexico 87901 P: 575-894-6673 ♦ F: 575-894-7767 www.torcnm.org

# **REGULAR MEETING**

THE REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO, TO BE HELD IN THE COMMISSION CHAMBERS, 405 W. 3RD ST., ON WEDNESDAY, JUNE 28, 2023; TO START AT 9:00 A.M.

- A. CALL TO ORDER
- B. INTRODUCTION
  - 1. ROLL CALL

Hon. Amanda Forrister, Mayor Hon. Rolf Hechler, Mayor Pro-Tem Hon. Destiny Mitchell, Commissioner Hon. Merry Jo Fahl, Commissioner Hon. Shelly Harrelson, Commissioner

- 2. SILENT MEDITATION
- 3. PLEDGE OF ALLEGIANCE
- 4. APPROVAL OF AGENDA
- C. PUBLIC COMMENT (3 Minute Rule Applies)

# D. REPORTS

- 1. City Manager
- 2. City Attorney
- 3. City Commission
- E. CONSENT CALENDAR
  - 1. City Commission Regular Minutes, June 14, 2023
  - 2. Acknowledge Regular Public Utility Advisory Board Minutes, May 15, 2023
  - 3. Take Home Vehicle Form

- F. PUBLIC HEARINGS (5 Minute Rule Applies)
  - Discussion/Action: Final Adoption of Ordinance No. 720 amending the City of Truth or Consequences Municipal Code of Ordinances Section 7-201 (A1) and (A2) pertaining to Lodgers Tax Exemptions. City Clerk Torres
- G. ORDINANCES/RESOLUTIONS/ZONING
  - 1. Discussion/Action: Resolution No. 50 22/23 Budget Adjustment Request. Kristie Wilson, Finance Director
  - 2. Discussion/Action: Resolution No. 51 22/23 Gravity Pad Tower Lease Resolution. City Manager Gonzales
- H. NEW BUSINESS
  - 1. Discussion/Action: Approval of Purchase Requisitions over \$20,000. Kristie Wilson, Finance Director
  - 2. Discussion/Action: Summary Plat Amendment at 401/405 Austin Street. Assistant City Manager Alvarez
  - 3. Discussion/Action: Sign Code Variance request at 2270 N. Date St. Assistant City Manager Alvarez
  - 4. Discussion/Action: Request for the City to vacate a section of alley adjacent to 2911 Cook Street. Assistant City Manager Alvarez
  - 5. Discussion/Action: Special Use Permit for Parcel #3022078314491. Applicant wishes to use the land as an art park/display park. Assistant City Manager Alvarez
  - 6. Discussion/Action: Variance Request at 1012 Kopra St. Assistant City Manager Alvarez
  - 7. Discussion/Action: Approval of contract for Steven Sage as the appointed Attorney for the Municipal Court. City Attorney Rubin
  - 8. Discussion/Action: Appointment of Lisa Kent to serve as a member on the Planning & Zoning Commission. City Clerk Torres
  - 9. Discussion/Action: Approval of proposed funding of Investigator position. Chief of Police Tavizon
- I. ADJOURNMENT

# The meeting will be broadcast live through KCHS on 101.9 FM.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting please contact the City Clerk's Office, at 505 Sims Street, Truth or Consequences, New Mexico 87901, phone (575) 894-6673 at least one (1) week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the City Clerk's Office if a summary or other type of accessible format is needed.

# NEXT REGULAR CITY COMMISSION MEETING JULY 12, 2023

A AND AND AND A	AGENDA REQUEST FORM	
	<b>MEETING DATE</b> : June 28, 2023	Agenda Item #: <u>E. </u>
	ity Commission Regular Minutes, June 14, 2023	
DEPARTMENT: C DATE SUBMITTED: Ju	ity Clerk's Office	
	ngela A. Torres, Clerk-Treasurer	
	THE ITEM: Consent Calendar	
Summary/Backgroui	nd:	
Minutes approval.		
Recommendation:		*
Approve the minutes	5.	
Attachments:		
<ul> <li>CC Minutes</li> </ul>		
-		
Fiscal Impact (Financ	ce): N/A	
\$0.00		
<b>\$0.00</b>		
Legal Review (City A	ttorney): N/A	
None.		
Approved For Submit	<i>ttal By:</i> Department Director	
	ty Clerk 🛛 Finance 🗆 Legal 🗆 Other: Click he	ere to enter text.
Final Approval: 🖂 C		
	CITY CLERK'S USE ONLY - COMMISSION A	
	CITT CLERK 3 05E ONET - COMMISSION A	
Resolution No Continued To: - R	Ordinance No	

# CITY COMMISSION MEETING MINUTES CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO CITY COMMISSION CHAMBERS, 405 W. 3<sup>RD</sup> St. WEDNESDAY, JUNE 14, 2023

# A. CALL TO ORDER:

The meeting was called to order by Mayor Amanda Forrister at 9:00 a.m., who presided and Angela A. Torres, City Clerk-Treasurer, acted as Secretary of the meeting.

# **B. INTRODUCTION:**

# 1. ROLL CALL:

Upon calling the roll, the following Commissioners were reported present.

Hon. Amanda Forrister, Mayor Hon. Rolf Hechler, Mayor Pro-Tem Hon. Destiny Mitchell, Commissioner was absent Hon. Merry Jo Fahl, Commissioner Hon. Shelly Harrelson, Commissioner

Also Present: Angie Gonzales, City Manager Traci Alvarez, Assistant City Manager Jay Rubin, Assistant City Manager Angela A. Torres, City Clerk-Treasurer Kristie Wilson, Finance Director Luis Tavizon, Chief of Police

There being a quorum present, the Commission proceeded with the business at hand.

# 2. SILENT MEDITATION:

Mayor Forrister called for fifteen seconds of silent meditation and asked that everyone keep the family of Benny Fuentes in their thoughts and prayers.

# 3. PLEDGE OF ALLEGIANCE:

Mayor Forrister called for Mayor Pro-Tem Hechler to lead the Pledge of Allegiance.

### 4. APPROVAL OF AGENDA:

Mayor Pro-Tem Hechler moved to approve the agenda as submitted. Commissioner Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

# C. PRESENTATIONS:

# 1. Presentation of City of Truth or Consequences Employee Service Anniversary Awards:

City Manager Gonzales presented an Employee Service Anniversary Award for Jessica Halsey for 2 years of service with the City of Truth or Consequences.

City Manager Gonzales and Chief of Police Tavizon presented an Employee Service Anniversary Award to Ted Ontiveros for 18 years of service with the City of Truth or Consequences.

City Manager Gonzales and Chief of Police Tavizon presented an Employee Service Anniversary Award to Tyler Knull for 1 year of service with the City of Truth or Consequences.

City Manager Gonzales presented an Employee Service Anniversary Award for Christopher Rees for 8 years of service with the City of Truth or Consequences.

City Manager Gonzales and Librarian Pat O'Hanlon presented an Employee Service Anniversary Award to Elizabeth Kelemen for 1 year of service with the City of Truth or Consequences.

# D. PUBLIC COMMENT (3 Minute Rule Applies):

Cathy Mears Martin addressed the Commission with comments related to:

She is here on behalf of MainStreet T or C. She updated the Commission on • their "at a glance" program which goes over some of projects that MainStreet has been working on. One of the projects is the New Mexico Resiliency Alliance where they received a grant for 5 years. They are calling it "here's your sign" and that will be kicking off with the intention of helping five local businesses. They are supporting local artists as well. They will be collaborating with the Sierra Arts Council and the Chamber of Commerce. They are just waiting to hear back from the Leeds Grenville Economic ecommerce project where they put in an application for \$10,000 in order to support e-commerce education for local businesses. They should find out in the next couple of weeks, but so far it looks promising. The also had their June Art Hop which was a good turnout so they are looking forward to the one in July which they will soon start the advertising process for that one. Lastly, they have already started planning the parade of lights and the Down Town Christmas Event as well as other projects that they work on.

Kathleen Sloan addressed the Commission with comments related to:

• She has questions concerning the Electric Rate Study. What is the evidence for the projection that solar customers will reduce the revenue as opposed to

possible evidence that transmission laws is or may cause the reduction in revenue. Her second question is page 112 of the city packet, she doesn't understand the revenue figure, and if it is subtracting the cost of energy before giving revenue. On page 113 of the packet, the expenses theory year to year. She's wondering why and if they are capital projects, please explain the capital projects, and why they are being done in those years. Her fourth question is that there is a reference to other revenue that increases at 27.6% in 2024 on page 116 of the packet, what is the other revenue? Also, why is the energy cost adjustment separated? Mr. Swingle in the past was asked this same question, about the base rate, the energy cost adjustment, and then the per kilowatt charge. He said that everything's thrown into the same revenue pot, she doesn't understand. It makes the rate study much more complicated. She'd like to know the rationality behind separating them.

• Regarding the ICIP, you have \$5million for water meters. Why do they cost so much? You asked for \$20 million for water emergency funding, but she doesn't see that here on the ICIP. You also asked for \$1.5 million emergency sewer funding. Where is that on the ICIP? Where are the asset management plans to support this?

# E. REPORTS:

# City Manager Gonzales reported the following:

- The Mayor and I were honored to be able to give a welcome at the recycling facility operator certification course that is being held across the alley next door. There were 20-25 people over there, but the whole room was full. They are here for re-certification. They are all over the state so it is really exciting to see them. Traci and Arnie attended a webinar with me, and it was horrifyingly boring, but it was good for our community. It's a webinar for communities along the U.S./Mexico border on the environmental and climate justice program designed for infrastructure. It's a \$2 billion environmental and climate justice program, notice of funding opportunity and local governments. They don't have the definitions together. They're just putting the program together, and they are hoping that maybe they can get everything done by mid-summer, around August. They might start taking applications in October or November, so we have already put together our little spill for that.
- There was a notice of proceed on August 31, 2022 for the water street project that is going on downtown. This is for the MSD Water System Improvements that are going on downtown, and I know they have been in front of the board lots of times, but I'm going to go over it one more time. Notice of the board was on 8/31/2022. The notice to proceed was on 10/24/22, and the end of the contract will be on 10/19/2023. We have meetings about it every two weeks on Thursdays at 9:00 a.m. They finished up the tie ins on South Pershing, Mims, McAdoo, Main, Post Street, and Daniels Street, and everything is in compliance. There is a little bit of an issue with electric, but that really has to do more with the Cook Street Treatment Plant. By the next meeting, they should have already finished the tie-ins, and what that is, is it ties into the new

equipment, and new construction to the older stuff. Garst Street, Jones on the north and south, Foch, Pershing North, and Main Street at the dog park. Arnie (Water/Waste Water Dept Head), and the construction company were going to look at that because we may have just put a pause on that due to the water issues that we were having at that time. The work performed on the downtown area is on schedule. All water connection is to be completed toward the end of this month. There is a slight delay because the city had a well down. Once the connections are done, pavement, curb, and gutter will be inspected by the New Mexico Department of Transportation around July 1st. The roadway pavement will start around July 1<sup>st</sup>. The roadway pavement should be completed approximately two or three weeks after the start date, so it should be done towards late July. Cook Street is delayed because there are so many electric components to it, that it's being drawn on the supply and demand issue that is going on across the country. The Cook Street work is being delayed until April of next year. Our engineers, and staff, are all working with the contractor to see how that can be expedited by the end of this year. We will keep you on notice on whether or not that gets done, but I am trying to learn very quick. The staff is staying on top of this, as well as the engineer. I feel like we are moving very well. That is a lot of work to get done in one year so I want to thank the staff for helping me out with this.

# City Attorney Rubin had no reports.

# City Commission Reports:

# Commissioner Fahl reported the following:

I attended the Sierra County Recreation and Tourism Board meeting, and the Rio • Grande Economic Development Association on behalf of the city. The Jornada RCND also, but I just wanted to say that the past fire that we all know that's going on its almost 50,000 acres according to the last update that I got. You can find out what's going on with that fire, and other fires in New Mexico at the New Mexico fire info website. I wanted to just remind folks that we are going to continue to experience smoke throughout fire season. The Gila has guite a few fires going on, and to deal with smoke, a lot of people that have health issues. If you have central air, you can just put HEPPA filters in your system and that will reduce the impacts. If you have a swamp cooler, and if the smoke is really heavy, you should just turn off your swamp cooler. Last week the smoke was really bad, but we will continue to experience smoke. The past fire is a wildfire that was lighting ignited. They're managing that fire and not suppressing it, and that is good for the forest. We will still have issues with smoke. I have always said, we need to embrace the smell of smoke because prescribed fires are a lot better than those catastrophic fires, so we need to support that. I think that the city as a whole has talked about this before. We as Commissioners, and the city need to have a closer working relationship with the Forest Service because whatever happens there impacts us, good or bad, and we have a lot of economy that's based on activities on the forest. We have recreation, hunting, guiding and so

maybe Angie when you have a chance you can meet with the new ranger. I intend to meet with him as soon as I can too.

# Commissioner Harrelson reported the following:

- On Monday I went to the School Board Meeting. I'm always about the education of T or C, and I'm going to report only the positive things. We have some good things that happened. The School Board passed to put a bond on the next election. They did not talk about the language but it will be something to improve building structures, and this is something that we do all the time. When you have a bond that comes through, it doesn't raise taxes. It just continues the money. The language that goes into the bond when it goes on for election is to support, I think roofing and the AC in the Middle School. I think it's really important for us as constituents to understand that our buildings need maintenance, and that's how school districts get maintenance, is through the bonds.
- We have 14 teachers that are going through what is called National Boards, and that is the highest certification in the United States for licensing for teachers. We have a co-hoard of 14 teachers on staff that are headed through that, so that is really exciting. That means they are going to be highly certified in the United States and go to any school in the United States, and be highly certified after they finish their National Boards.
- We were awarded a grant through PED the Public Education Department to be a model school, so T or C will be a model school for New Mexico. There was only 8 chosen in New Mexico. That means that school districts and teachers will be coming to our school to observe our teachers doing their good work, and take that back to do that in their own sites. I think that is really exciting for our teachers and our staff. They have been working really hard, and all of the things they talked about were really positive.

# Mayor Pro-Tem Hechler reported the following:

I want to thank our community for being patient because I think we're all
experiencing some construction critique and that's exacerbated by our water
situation and I can feel it in the community I can see it on Facebook and it's just
something that we need some patience with and I really thank the community for
being as patient as they can and getting through it, this will pass and we are
going to be a better community for it when we get there. So, thank you to the
employees at the city for their patience and working so hard to get us through it
and putting up with the things we have to put up with, these things are not selfgenerated to a large extent, they are a hand we've been dealt and we have to get
through and I want to continue to ask the community to support the city and be
patient with us.

# Mayor Forrister reported the following:

 We attended the New Mexico Road Runner chapter of Solid Waste Association of North America welcoming party and I think they are called SWANA for short. It's a three day class. This class had about 20 people in there. There were more people in attendance, but 20 students, and after scheduling class a few years back in T or C, they were very impressed with the welcome that they got here. They also enjoyed the cleanliness of our facility, so now they hold this training here annually in T or C. They go and tour our facility and they always have really good things to say, but it was really neat. I asked a question on how many out of those 20 students or anybody that was in attendance had ever been to T or C, and most of them, probably like 75% of them had never been here, so it's really neat that we can bring these trainings here time and time again. Where we're getting new people coming into the community and then they are returning afterwards. The recycling committee were there handing out pamphlets and stuff to the students on things that they could do in our community. They often bring their spouses and their children here as well, so they are spending time getting to know our community while their significant others are in training for three days, so it was a really good event.

- I also just want to hit on what we talked about earlier. The city suffered a big loss losing Benny, and it just seems like when it rains it pours. There are so many families out there suffering right now, so just make sure to keep his family, the Ortiz family, the Godinez family and all of the people who have experienced a loss this weekend in your thoughts and prayers.
- We have a big event happening at the Fair Grounds. It's the livestock school southern regional livestock. It kicks off today, and it will go through Sunday. If you get a chance, you should go look at it because this event used to be held in Albuquerque, and it is now moved here. Lodgers Tax has also given some money to that event, and they helped them with some pens that they could keep it here. Las Cruces has been trying to steal this away from us. They want grow it, and so growing it right here, that place will be jam packed this weekend. 4-H kids are 2.3 times more likely to be physically active, and nearly 2 times more likely plan to go to college, and are 3.4 times more likely to contribute to their communities compared to youth who do not participate in 4-H and FFA. These are some really good high quality kids that will be here all weekend long in our communities so welcome them with open arms. There were 150 participants last year, and this year it was expected to grow, and it did because when you try to go and register, the goats closed in a matter of 3 hours and were supposed to open the whole month, but it was full in 3 hours.

Commissioner Harrelson: For those of you that have children K-5<sup>th</sup> grade. Every Tuesday we have a volleyball camp going for all kids. It's a two hour event where you get to learn volleyball skills and work with all of the big girls. It's \$10 to come and join the group. We're really trying to promote exercise, activity, and learning the skills of volleyball.

Mayor Forrister: It's been a really fun event. It's been great to see those younger girls get to come in and work with the older volleyball girls, and just really get a sense of community, and being able to teach each other different things. Camp of champs also closed last weekend. They had a really awesome turn out, so those are some good events. We have two more weeks of the volleyball camp on Tuesdays.

# F. CONSENT CALENDAR:

- 1. City Commission Regular Minutes, May 24, 2023
- 2. Acknowledge Regular Lodgers Tax Advisory Board Minutes, March 27, 2023
- 3. Take-home vehicle form
- 4. Accounts Payable, May 2023

Commissioner Fahl moved to approve the Consent Calendar as submitted. Mayor Pro-Tem Hechler seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

### G. PUBLIC HEARINGS:

1. Public Hearing/Discussion/Action: Final Adoption of Ordinance No. 752 Amending the City of Truth or Consequences Code of Ordinances, by Amending Section 14-96 of the Code Pertaining to Waste Water Connection Fees:

Arnie Castaneda, Water/Wastewater Director: A couple of meetings ago we had the first screening about the connection fees for water and waste water. I mentioned that the old fees were not covering any other cost that we were incurring for the installation or buying the parts for any water or sewer connections, so that was the reason why we recommended the increase.

City Attorney Rubin: What you have before you is the proposed ordinance. It's the same that we already have in the book, so you have A,B,C and B and C are the same. The only thing we're changing is just the service tap fees, and are you aware of what the previous rates were, and what they are now. According to my notes here, the 4 inch was \$675 dollars and now going to be \$1,200 the 6 inch was \$725 and now it's going to be \$1,600.

Mayor Forrister opened the public hearing.

### **Proponents:**

There were no proponents.

### **Opponents**:

There were no opponents.

Mayor Forrister closed the public hearing.

Mayor Pro-Tem Hechler: Just for clarification so, a new bill would have to pay at the minimum \$1200 for sewer, and another \$1200 for water? So, a total of \$2400, and that's just for a new bill not if you are transferring or anything else?

Arnie Castaneda, Water/Wastewater Director: That is the brand new connection.

Mayor Pro-Tem Hechler: So that is quite a bit of money to somebody that's looking to add to our community, or bill in our community. I can understand this recouping our cost. The other question I guess I have is the developer we have on Wyona Street. He's building a multitude of units there. Has he already paid, or is he going to have to pay?

Arnie Castaneda, Water/Wastewater Director: I believe he already paid this won't affect him, it's already done.

Mayor Forrister: This is just on new stuff. If you move to another property, if it's already an established property, that's not a fee. This is just if you're a new build.

Commissioner Fahl: There's programs that help people with low incomes, so maybe they won't be out of pocket as much.

Mayor Pro-Tem: If you have a unit that has multiple units, it's still either a 4inch or a 6inch connection for the one time the big unit, or does each apartment going to be separate?

Arnie Castaneda, Water/Wastewater Director: This would be for the main connection, so if they have say a 6inch line that comes into the apartment complex, they would be charged for the 6inch line then they'll separate it.

Mayor Pro-Tem Hechler moved to approve adoption of Ordinance No. 752 amending the City of Truth or Consequences Code of Ordinances, by Amending Section 14-96 of the Code Pertaining to Waste Water Connection Fees. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

> 2. Public Hearing/Discussion/Action: Final Adoption of Ordinance No. 753 Amending the City of Truth or Consequences Code of Ordinances, by Amending Section 14-95 of the Code Pertaining to Water Connection Fees.

Arnie Castaneda, Water/Wastewater Director: This is similar to the wastewater. We did the charges again for covering our cost and the price of the material.

City Attorney Rubin: It's the same legal principal the rest of the ordinance stays the same and if you want, I am happy to articulate what they were before. 3/4 of an inch is going from \$675 to \$1,200, 1 inch is going from \$867 to \$1,300, 1 1/2 inch is \$1,500. That's a new figure. 2 inches is going from \$2,000 is now \$2,057. The 4 inch is \$3,000, and the 6 inch will be \$4,000. The last three are all new ones.

Mayor Forrister opened the public hearing.

### Proponents:

There were no proponents.

### **Opponents:**

There were no opponents.

Mayor Forrister closed the public hearing.

Mayor Pro-Tem Hechler: You arrived at these figures on our own cost or have you compared these figures with other communities?

Arnie Castaneda, Water/Wastewater Director: I looked at our real life cost that we incur including man power and prices of material, plus I checked with Los Lunas, I think Alamogordo, and there was a third community that I checked to see what the average was down the state, so I came to this conclusion with all of that involved.

Mayor Pro-Tem Hechler: What was the result of you checking with the other communities. Are we in the ball park, are we high, or are we low?

Arnie Castaneda, Water/Wastewater Director: We were very low. Everybody else was high, and this is what the average came out to be. So, we are now in the ballpark with the state, or just the communities I checked.

Commissioner Fahl: The ones that were new, the communities that you checked with did they have 4,6, and 8 inch lines?

Arnie Castaneda, Water/Wastewater Director: No, most of the communities topped off at about 4inches, but we have the possibility of getting 8 inch lines.

Commissioner Fahl: So then how did you come up with those costs if nobody else was doing that?

Arnie Castaneda, Water/Wastewater Director: Again, just the cost that we incur and the man power.

Commissioner Fahl moved to approve adoption of Ordinance No. 752 amending the City of Truth or Consequences Code of Ordinances, by Amending Section 14-96 of the Code Pertaining to Waste Water Connection Fees. Mayor Pro-Tem Hechler seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

> Public Hearing/Discussion/Action: Final Adoption of Ordinance No. 755 authorizing the lease of real property to Tower Point Acquisitions, LLC (Water tank site on 2nd Street) pursuant to section 3-54-1 NMSA 1978.

City Attorney Rubin: As you know, I've been a broken record on all these cell tower ordinances. We have to go through the bases of section 3-54-1. We are talking about a lease, or an easement, or a sale of real property. We had to go through the process of getting an appraisal which we articulated within the ordinance, and then I set forth throughout the reasons on why we felt this is beneficial to the city. Getting back to paragraph C it articulates that we already have a 2019 lease with Gravity Pad. They are paying us monthly rent. The last sentence reads, currently there is one sub carrier with a second sub carrier (Verizon) expected to commence a sub carrier lease with Gravity Pad within twelve months from the commencement date, so that's important. I'll get to that in just a moment. Then in paragraph D, we've negotiated a separate easement agreement with Tower Point, and that's the subject of this ordinance. We're granting them an easement for telecom purposes to a portion of real property, including the lease of the premises to the tenant. E then talks about the appraisal under 3-54-1 for requirements. Paragraph F is actually the important part. This actually gets to the monetary issue. They contemplate the purchase price to the city as a onetime upfront payment of \$80,000 to be paid to the city at the inception of the easement. Now here is where it gets interesting. Additionally, there shall be a second payment of \$80,000 if Verizon commences a sublease with Gravity Pad, and a tenant receives an increase in rent from Gravity Pad within 12 months of the commencement date. The easement shall be for a 99 year term commencement date. And talking with Mrs. Alvarez, I understand that is now in the works. We feel this is in the best interest of the city, and getting these upfront payments is good, and this is the best use of the property. As we've said before, we don't really know what the use of the property would be many years from now, so we're locking-in our advantage at this point. Maintaining the property has been a labor intensive task, so these are several advantages. That's basically the terms of the ordinance. I would also add, paragraph D talks about a couple of agreements that are going to be attached. I don't know if the city has gotten to those yet, but we would approve the ordinance subject to us getting those agreements taken care of.

City Manager Gonzales: The agreements are sitting on my desk.

Mayor Forrister: It's the easement agreement is that what it is?

City Attorney Rubin: Yes, there is a letter of intent to purchase.

City Manager Gonzales: Why that is sitting on my desk, and not here is because you guys, the board, approves the ordinance as per the governing body, and then as per my position, I will sign the documents.

Mayor Forrister opened the public hearing.

#### Proponents:

There were no proponents.

#### **Opponents:**

There were no opponents.

Mayor Forrister closed the public hearing.

Mayor Pro-Tem Hechler moved to approve adoption of Ordinance No. 752 amending the City of Truth or Consequences Code of Ordinances, by Amending Section 14-96 of the Code Pertaining to Waste Water Connection Fees. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

### D. ORDINANCES/RESOLUTIONS/ZONING

1. Discussion/Action: Resolution 43 22/23 Adoption of Required Community Development Block Grant (CDBG) Certifications and Commitments.

Assistant City Manager Alvarez: We have done this approval before. This is a fund requirement for municipalities that accept Community Development Block Grant (CDBG) funds. They must adopt certain required federal regulations, certifications and required commitments. This includes the participation plan which pertains to the open meetings act and publication of notices. As well as the fair housing plan which prohibits the discrimination for sale, lease rental and financing of housing and land. The anti-displacement and relocation assistance in the event that a person is displaced as a result of our CDBG project. Section 3 encourages the use of small businesses and hiring of low income residents of the community and the procurement plan ensuring that we are all in compliance with the New Mexico Procurement Code. Each plan is explained in the packet.

# Commissioner Fahl moved to approve Resolution 43 22/23 Adoption of Required Community Development Block Grant (CDBG) Certifications and Commitments.

Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

# 2. Discussion/Action: Resolution No. 49 22/23 Budget Adjustment Request.

Kristie Wilson, Finance Director reviewed the budget adjustments provided in the packet.

Mayor Pro-Tem Hechler moved to approve Resolution No. 49 22/23 Budget Adjustment Request. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

### E. NEW BUSINESS:

### 1. Discussion/Update: Water Update.

Arnie Castaneda, Water/Wastewater Director: I wanted to give an update of what has been happening with our water system so that everybody is aware of the situation. When I was hired in late January, one of the first things I did was go out and look at all of the equipment between water and wastewater. There were some issues with wastewater that we immediately addressed and the one thing that stuck out on the water system was well #6. It is a good producer of water for our community, but it was in a pretty bad state. It was leaking oil, and we were having to refill it pretty often, and it looked like it might give out at any moment so my discussions with City Manager Swingle were to go ahead and work on Well #6 to refurbish it and put it back online. We went out to see if someone could do that work, but everyone is busy right now. However, we did find Mullen drilling who were willing to work on our well. It took a couple of weeks for them to come in and work on it. We spent some time waiting for that and they finally came in and opened up the well, pulled it, and we ordered a pump for it. The existing well had a pump that sits outside on top of the well. The well that we were going to replace it with was a submersible pump which the newer type of pumps that are now being used so we ordered one and it took another 3 or 4 weeks to get here while the well was down. Temperatures outside were still very cool so it wasn't a problem. After the contractor put it in, something happened and it fell off and it dropped into the aquafer so they had to fish it out. They finally got the pump online, but it ended up burning out, so this was going on 3 weeks that it had been down. We ended up ordering a second pump, and fortunately they drilled it, and hand delivered it over to us because by this time the weather was getting a little hot so we were using more water, and we were losing storage capacity in our tanks. While all of this was going on, the Cook Station (which is our main booster pump that pumps the water from Morgan up to the tanks on the other side of the interstate) lost connection between Cook Street and Morgan tank so Cook Street was not pumping any water into Morgan for a while. This happened in the middle of the night and we don't have any audible alarms or anything like that so in the morning when the employees went to check it out, nothing was being pushed up to Morgan. So now we are losing a little bit more water in our tanks. We finally got the 3<sup>rd</sup> pump in for well #6, and we installed it and it started pumping water. That was sometime last week, so in the matter of 2 or 3 weeks we had a perfect storm of bad things happening to our water system. We finally got somebody from Albuguergue to come and check the Cook Street and the SCADA system connection between the Morgan and Cook. We installed some new equipment in there and we finally got that going so that is now working correctly. As of yesterday, well # 6 is back online. We had to wait a couple of days because by state law we have to get it tested and make sure that it is correct and there is nothing in there that is going to affect our health. We passed the test and it is back online as of vesterday. Our tank is also now up on the upper zone. The lowest it got was about 3 ft. and that tank is 30 ft. high. The Morgan Street tank is also about 30 ft. high and we were keeping around 10 ft. in that one. The wells that we had that were working were maintaining, but we were not gaining any water so we were getting a lot of low pressure calls from around the community. As of this morning, everything is working correctly so it will take a couple of days before we reach our capacity in our storage tanks.

# 2. Discussion/Update: Electric Rate Study.

Craig Brown 1898 & Co. reviewed the Electric Rate Study. (Complete presentation attached hereto and made a part hereof).

# 3. Discussion/Action: Customer Service Agreement for the Teesnap Golf Course Point of Sale System.

Rick Artman, Golf Course Supervisor: The Teesnap program that we are looking at is a point of sale system that is computerized, which is something the golf course has never had. We are still writing down people's names, and then calculating, and in order to get reporting. I take those figures on paper and turn them into excel spreadsheets in order to pass that information on so we can make some informed decisions. This will consolidate that entire process into one proven system. It is designed specifically for golf courses. It has a tee time sheet built in so not only can we sign people up as they walk in the door, but you can actually go online and book your own tee time. I tested one and as soon as you book your tee time, it automatically send the customer an email confirming your tee time, and when you put in your name for the first time it send you a welcome so it is really interacting with the customer and you will have a lot less no shows with that type of a system in place. As of right now, people will call in to get a tee time, and we have a wonderful system called the sticky note system, so if you are from out of town and you want to come play on a Saturday, you call to reserve your time slot, and we put a sticky note down, but we have two different clerks that work weekdays and weekends and that weekend clerk may not see that sticky note when it becomes a floaty note and so that tee time did not get reserved. This system will allow that tee time to be reserved in that particular person's name. There is also an option for them to prepay at the time of the reservation. One of the neat thing about this system is that it is an iPad based system so they are providing two IPads for us. We have one that is on a permanent stand and the other one is a portable one. The system is designed for not only golf, but for a restaurant so it is already combined together so when we bring this system on board, we will have the ability to do all of our golf tracking as well as refreshment, alcohol and food sales when we get to the point of a grill.

Mayor Forrister: Will you talk a little bit about the price on this because when I look at this it shows that we are not going to have to pay anything for it.

Rick Artman, Golf Course Supervisor: That is a program they call their tee pay. It is pretty cool and that is one of the main reasons why we looked at this company vs other companies. When a person goes online and makes a tee time, and they are given a 10% discount if you pre-pay. Teesnap will keep up to 8 of those per day. That is their max, and that is the only payment that we make to this company. If we were to use their pay you option, it would be an \$8,500 per year cost, but we can do the tee pay and in essence at the worst it would cost us 8 people per day. Most of our local golfers don't sign up online so I think most of our online sales are going to come from new golfers. This system will also allow for me to take the tee times out when the leagues and our core membership of the course are playing so that nobody can book that particular time online. I explained to Teesnap that they are not going to get 8 people per day, and they are okay with that. They make their money on larger courses. Belen also uses this system. Another aspect that would be good if we get it approved, is the restaurant side. When out liquor license gets completely in place, we will be able to charge the customer for the golf game when they walk in, and then if we had a golf cart with beer, the "beer girl" would have a portable IPad and could charge into the same account automatically. That would be very convienient for the guys out on the golf course as they are playing golf. We can also put disc golf into the same system.

OJ Hechler, Community Services Director: The way that Teesnap is going to make money off of this is that they are going to help market our Golf Course. Anybody who pays with Teesnap is more than likely going to be a new customer. This contract is also at will so if we don't like what we are seeing, and if we don't feel like we are getting a benefit out of this we can terminate this contract.

Commissioner Fahl moved to approve the Customer Service Agreement for the Teesnap Golf Course Point of Sale System. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

4. Discussion/Action: Appointment of Jesus Baray to serve a 3 year term as a City Representative on the Sierra Vista Hospital Governing Board.

City Manager Gonzales: Jesus Baray submitted an application to serve as a City Representative on the Sierra Vista Hospital Governing Board. We have a 3 year term available, and staff recommends approval of his appointment to the board.

Mayor Pro-Tem Hechler moved to appoint Jesus Baray to serve a 3 year term as a City Representative on the Sierra Vista Hospital Governing Board. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

# 5. Discussion/Action: Approval of proposed Mutual Aid Agreement between the Sierra County Sheriff's Office and the Truth or Consequences Police Department.

Chief of Police Tavizon: This is a proposal for a Mutual Aid Agreement with the Sierra County Sheriff's Office, the officers of the Truth or Consequences Police Department. The police officers at the Truth or Consequences Police Department are statutorily restricted within their authority to the city limits of Truth or Consequences with very few exceptions outside of that. Under emergency circumstances, this would give the authority to those officers to conduct their jobs as police officers within the State of New Mexico. There have been numerous occasions of when there has been an incident of where our officers respond to a call to assist into taking a person into custody, but anytime that we are operating outside of the scope of our authority or jurisdiction there are concerns for liability that the city and the officer holds personally. When acting upon the request for mutual aid both the Truth or Consequences Police Department and the Sierra County Sheriff officers shall have the same jurisdiction, powers, rights, privileges, and immunities as officers from the requesting agency. When requested by the Sierra County Sheriff's Office, the Truth or Consequences Police Department officers will be cross-commissioned as Sierra County Sheriff Office Special Deputies to enforce state criminal statutes when violations occur in Sierra County, outside the Truth or Consequences Police Department jurisdiction.

Josh Baker, Sierra County Sheriff: One of my goals when I took office was to build working relationships. I have a similar Mutual Aid Agreement with Dona Ana County Sheriff's Office which came into play during our officer involved shooting. They actually sent two deputies up right away to help us. It was pretty chaotic. The State Police Department was involved so their personnel were tied up. It was quite the mess. I also have one with the Socorro County Sheriff's Office and it only makes sense for this because the city has a 13 or 14 man department and we have a 13 man department. We are dealing with the same criminal element. Chief Tavizon and I are working on several projects together. This will hopefully be the cement of a good foundation to build off of with the Operations Stonegarden grant, HIDA operations and other things hopefully in the future. My main concern in the coverage for the officers. There are times when we have one deputy out, and in the past one T or C Police Department deputy out so we have to help each other. There was a recent case in Eddy County where an officer took some action outside of their jurisdiction and they wound up getting criminally charged so this would have prevented that whole situation and covered both sides.

Commissioner Fahl moved to approve the proposed Mutual Aid Agreement between the Sierra County Sheriff's Office and the Truth or Consequences Police Department. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

# 6. Discussion/Action: Award Recommendation for RFP #22-23-003 for IT Services.

City Manager Gonzales: This has gone for the request for proposals as per the New Mexico procurement code. It was advertised, and then it was opened. The proposals were due on May 16th at 2:00 p.m. We received one proposal from CD Technologies and the evaluation was done by the Procurement Officer, Myself, Assistant City Manager Alvarez, and City Clerk Torres. My recommendation is to award the RFP.

City Attorney Rubin: If you approve to adopt the recommendation to approve the RFP that would also include the contract.

Mayor Pro-Tem Hechler moved to award Recommendation for RFP #22-23-003 for IT Services and to also include the contract. Commissioner Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

# 7. Discussion/Action: Award recommendations for RFP #22-23-004 for Airport Operations and Management.

Assistant City Manager Alvarez: We were finally able to get the RFP put together, and advertised for Airport Operations and Management services. At the pre-proposal meeting we had two interested parties. However, in the end only one submitted a proposal. This contract would actually turn a majority of the airport over to airport management. We would retain ownership which would allow us to continue with our grant funding and improvements, but it would streamline the operation of personnel. Right now we only have one employee. They would switch over to work underneath this company, so it would virtually do away with airport budget. I do have in FY 19/20, total operating expenses for the airport at \$241,154, FY 20/21 was \$208,818, 21/22 was \$409,623, and our final budget for the 22/23 fiscal year was \$304,511, but we don't have the actuals yet, obviously. Our insurance was proposed for \$265,575. She then reviewed Exhibit A of the contract which was included in the packet.

Commissioner Fahl moved to award recommendations for RFP #22-23-004 for Airport Operations and Management and to also include the contract. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

# 8. Discussion/Action: Approve Municipal Golf Course Residential Building Lease Agreement.

Assistant City Manager Alvarez: The city wishes to enter into a lease agreement with Water/Wastewater Director Arnie Castaneda for the purpose of residing in the residential building located at the T or C Municipal Golf Course.

Mayor Pro-Tem Hechler moved to approve the Municipal Golf Course Residential Building Lease Agreement. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

# 9. Discussion/Update: Infrastructure Capital Improvement Plan.

Assistant City Manager Alvarez: This is to get started for the ICIP process so I wanted to get the information out there to you and include it in your packet. I also included last years approved Infrastructure Capital Improvement Plan. We will need to take a look at that. It still will need to be updated with any projects we were already funded for and it will need to be updated to accommodate some new costs and addition or deletion of projects for this next 2025 through 2029 project selection process.

# 10. Discussion/Action: Sale of 1999 Cavco Mobile Home.

Assistant City Manager Alvarez: The 1999 Cavco Mobile Home located at the T or C Municipal Airport needs to be removed for future upgrades and expansions of airport fuel station and apron. The mobile home has been advertised in local newspaper, social media and in flyers in various city departments. Offers to purchase were accepted until May 31, 2023 and options to amend offers with best and final offers were accepted until June 6, 2023. Staff would like to accept the highest offer of \$3,500.00 and proceed with sale and removal of the mobile home.

Commissioner Fahl moved to approve the sale of 1999 Cavco Mobile Home. Mayor Pro-Tem Hechler seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

11. Discussion/Action: Recommendation of Award, Truth or Consequences Morgan Booster & Austin St. Project.

Assistant City Manager Alvarez: This bid was overseen by our engineering services so it was advertised far and wide, as well as on their site. The recommendation from Wilson and Company is to award the bid to Smith Co. construction. They were the only bidders for this project. The issue that we are having right now is going out to bid on some of our projects is that there is so much work going on that the contractors are picking and choosing which ones they want to do, and normally it is by dollar amount, but sometimes it's by scheduling as well. (*Recommendation letter attached hereto and made a part hereof*).

Mayor Pro-Tem Hechler moved to approve recommendation of Award, Truth or Consequences Morgan Booster & Austin St. Project. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

# 12. Discussion/Action: Discussion/Action: Recommendation of Award, Truth or Consequences Drinking Water Systems Improvement Project.

Assistant City Manager Alvarez: This is pretty much the same thing, but a different project. Wilson & Company is overseeing tis project. We received three bids for this one. (Recommendation letter attached hereto and made a part hereof). We would like to receive approval to award Smith Co. for the drinking water project.

Commissioner Fahl moved to approve recommendation of Award, Truth or Consequences Drinking Water Systems Improvement Project. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

# 13.Discussion/Action: Review, Approve and/or Allocate Funds for Sierra County Rock & Gem Society.

Tammy Gardner, Executive Assistant explained that they are applying for funding for the purpose of the Rock & Gem Show. The applicant requested \$1,000 and the Lodgers Tax Advisory Board recommended to fund this in the amount of \$1,000.

Commissioner Fahl moved to allocate funds to the Sierra County Rock & Gem Society in the amount of \$1,000. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

14. Discussion/Action: Review, Approve and/or Allocate Funds for Sierra County Arts Council.

Tammy Gardner, Executive Assistant explained that they are applying for funding help pay for Brochures. The applicant requested \$1,010.50 and the Lodgers Tax Advisory Board recommended to fund this in the amount of \$1,010.50.

Commissioner Hechler moved to allocate funds to the Sierra County Arts Council in the amount of \$1,010.50. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

J. ADJOURNMENT:

Mayor Forrister adjourned the meeting at 12:31 a.m.

Passed and Approved this 23rd day of June, 2023.

Amanda Forrister, Mayor

ATTEST:

Angela A. Torres, CMC, City Clerk



4401 Masthead Street NE, Suite 150 Albuquerque, NM 87109 505 348 4000 (phone) 505 348 4055 (fax) wilsonco.com

June 7, 2023

Traci Alvarez Assistant City Manager City of Truth or Consequences 505 Sims Street Truth or Consequences, NM 87901

Re: Recommendation of Award, Truth or Consequences Morgan Booster & Austin St. Project

Bids were received at the City of Truth or Consequences Finance Department located at 505 Sims Street, Truth or Consequences, NM, on Tuesday, May 23, 2023, until 10:30 am MST local time. At 11:00 am MST, May 23, 2023, the bids will be moved to the Commission Chambers at 405 W 3<sup>rd</sup> Street, Truth or Consequences, NM to be publicly opened and read. The following bids were received and are presented in the order in which they were opened:

No.	Company	Base Bid (excl. NMGRT)	Additive Alternate #1 (excl. NMGRT)	Combined Base Bid + Add. Alt. #1 (excl. NMGRT)	Additive Alternate #2 (excl. NMGRT)	Combined Base Bid + Add. Alt. #1 & #2 (excl. NMGRT)	Additive Alternate #3 (excl. NMGRT)	Combined Base Bid + Add. Alt. #1 & #2  (excl. NMGRT)
1	SMITHCO CONSTRUCTION INC.	\$189,500.00	\$184,000.00	\$373,500.00	\$129,000.00	\$502,500.00	\$326,144.00	\$828,644.00

A complete tabulation of bid is attached. The evaluation of the bid is based on the Base Bid+ Additive 1+ Additive 2 + Additive 2 and was within 10% of the engineer's estimate. One bid was received from Smithco Construction Inc, the low bidder was Smithco Construction Inc.

Wilson and Company have reviewed the bid for the following information:

- The Bid Proposal was signed by an individual duly authorized to bind the company.
- Smithco Construction Inc acknowledged receipt of all addenda.
- Smithco Construction Inc is a licensed contractor in the State of New Mexico in good standing.
- The appropriate license classifications are contingent upon the License Determination Request submitted to CID.

Included with the signed Bid Proposal form, Smithco Construction, Inc. submitted the following:

- Required Bid Security
- List Of Proposed Subcontractors
- List of Proposed Suppliers (None)
- Evidence of authority to do business in the state of the Project
- Contractor's license number
- Required Bidder Qualification Statement with supporting data.
- Certification of Equal Employment Opportunity Compliance
- Affidavit of Non-Collusion

Recommendation of Award, Truth or Consequences Morgan Booster & Austin St. Project 6/7/2023 pg. 2



- Resident/ Veteran Preference Certification Form
- Bid Bond
- Power of Attorney

Based on the information provided and the available funding, the lowest responsible bidder is Smithco Construction, Inc. We, therefore, recommend the construction contract for the Truth or Consequences Morgan Booster & Austin St. Project, Base Bid + Additive 1 + Additive 2, be awarded to Smithco Construction, Inc for a total contract award amount of \$502,500.00, excluding NMGRT, with a the NMGRT of \$42,713.00, for a total contract amount of \$545,213.00, w/ NMGRT. We recommend verifying the obligated funding amounts with the Water Trust Board (WTB) prior to awarding any portion of the project.

Sincerely,

MAAR

Mark A. Nasi, PE Sr. Water/Wastewater Project Manager Wilson & Company, Inc., Engineers & Architects

<u>Enclosures:</u> Project Bid Tabulation Required Bid Documents Checklist Sign-in Sheet

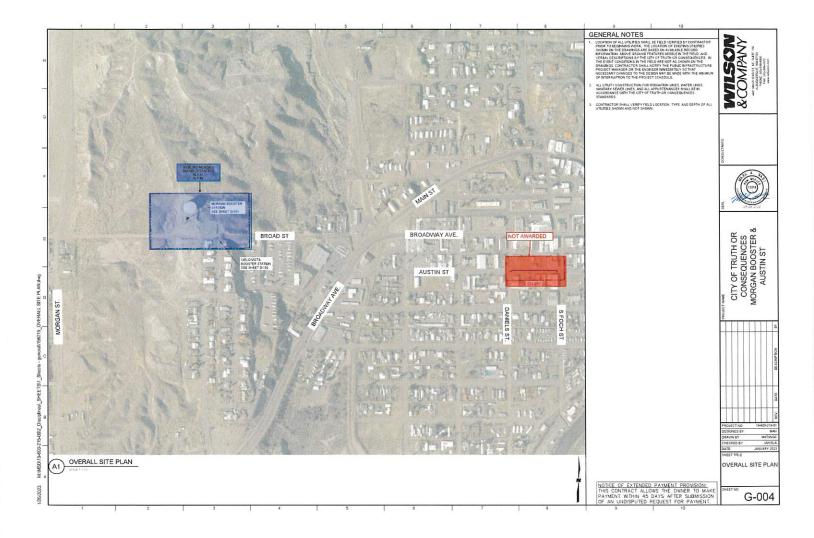
# & COMPANY

T or C Morgan Booster & Austin St. Project Cost Estimate Truth or Consequences, New Mexico

SmithCo

	COMPANY						Vexico						
NO.	ITEM DESCRIPTION	UNIT	QTY.		UNIT PRICE	т	DTAL PRICE	U	NIT PRICE	CAL	CULATED COST	BID FO	RM COS
121	Base Bid-Allowances and Miscellar	eous	19214	1237	たいないなどの	1.22	1.			1.25		高い山	128
1	Mobilization	LS	1	\$	25,000.00	\$	25,000.00	\$	25,000.00	\$	25,000.00		
2	Traffic Control	LS	1	\$	13,262.56	\$	13,262.56	\$	1,000.00		1,000.00		1,000.0
3	Construction Staking, CIP.	LS	1	\$	5,669.28	\$			1,000.00				1,000.
4	Pot Holling	Allow	1	\$	5,000.00	\$	5,000.00	\$	5,000.00		5,000.00	\$	5,000.
5	Material Testing Allowance	Allow	1	\$	1,500.00	S	1,500.00	\$	1,500.00	\$	1,500.00	\$	1,500.
	Base Bid-Morgan Booster Statio	n		1000	A CONTRACTOR	100		2	NS A FIRST	6364	生产性的 网络外发生		Section 2
6	Remove and Salvage of Existing Pump and Motor from Manifold (incl. removal of booster outlet pipe, booster inlet pipe, electrical components controls, all labor, materials and appurtenances not separately listed on Bid Form), CIP	EA	1	s	2,500.00	\$	2,500.00	\$	15,000.00	s	15,000.00	\$ 1	5,000.
7	Frmish and Install Booster Pump and Motor into Existing Manifold (incl. variable frequency drives, booster inlet pipe, booster outlet pipe, all labor, materials, controls, pump mounting platform, and appurtenances not separately listed on Bid Form for a fully functioning system), CIP	EA	1	\$	87,982.00	s	87,982.00	s	105,000.00	\$	105,000.00	\$ 10	5,000.1
8	Connect to Existing Control Power Panel for New Pumps & Motor (incl. all labor, materials, connections to existing electrical supply, including a provided enclosed motor circuit protector NEMA 1 enclosure set magnetic trip to 600% (Sx) typ and appurtenances not separately listed on Bid Form for a fully functioning system), CIP	LS	1	s	18,003.00	\$	18,003.00	\$	25,000.00	Ş	25,000.00	\$ 2	5,000.1
9	Remove and Replace 8-in Check Valve on Existing Pump Skid Manifold (incl. all labor, materials and appurtenances not separately listed on Bid Form). CIP	LS	1	s	3,450.00	\$	3,450.00	s	3,000.00	s	3,000.00	s	3,000.0
10	Remove and Replace 8-in Butterfly Valve on Existing Pump Skid Manifold (incl. all labor, materials and appurtenances not separately listed on Bid Form), CIP	EA	2	\$	1,650.00	s	3,300.00	s	2,500.00	s	5,000.00	s	5,000.0
11	Remove 8" x 4" steel tee and replace with 8" welded steel solid pipe. Removal and disposal of control valve, valves, and piping of the booster	LS		1			8,000.00				3.000.00	s	2 000
	pump control system.		1	\$	8,000.00	\$	8,000.00	\$	3,000.00	\$	0,000,00		3,000.
	pump control system.	(Alada)	estipant.	1		Salas.	in entre da	\$	3,000.00			Sec.	
	pump control system.	(Alada)	tal Base	e Bid	EXCL NMGRT	\$	173,666.84	3	3,000.00	\$	189,500.00	\$189	9,500.0
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1	T Additive Alternate 1-Allowances and Mis	To Total Co cellane LS	tal Base NMGI onstruc ous 1	e Bid RT fo tion	EXCL NMGRT r TorC at 8.5% Cost Base Bid	\$ \$ \$	173,666.84 14,761.68 188,428.52			\$ \$ \$	189,500.00 16,107.50 205,607.50	\$189 \$16 \$205	9,500.0 ,107.5 5,607.5
1 24	Additive Alternate 1-Allowances and Mis Mobilization	To Total Co cellane LS	tal Base NMGI onstruc ous 1	e Bid RT fo tion	EXCL NMGRT r TorC at 8.5% Cost Base Bid	\$ \$ \$	173,666.84 14,761.68 188,428.52			\$ \$ \$	189,500.00 16,107.50 205,607.50	\$189 \$16 \$203 \$	9,500.0 ,107.5 5,607.5 1,500,
24	Additive Alternate 1-Allowances and Mis Mobilization Additive Alternative 1 Cielo Vista Boost Remove and Salvage of Existing Duplex Pump System (incl. removal of booster outlet pipe, booster inlet pipe, electrical components specified, all	To Total Co cellane LS er Stati	tal Base NMG onstruc ous 1 on	e Bid RT fo tion (	EXCL NMGRT r TorC at 8.5% Cost Base Bid 39,457.40	\$ \$ \$	173,666,84 14,761,68 188,428,52 39,457,40	\$	1,500.00	\$ \$ \$	189,500,00 16,107.50 205,607.50 1,500,00	\$189 \$16 \$203 \$	9,500.0 ,107.5 5,607.5 1,500. 5,000.
24 25	Additive Alternate 1-Allowances and Mis Mobilization Additive Alternative 1 Cielo Vista Boost Remove and Salvage of Existing Duplex Pump System (incl. removal of booster outlet pipe, booster inlet pipe, electrical components specified, all labor, materials and appurtenances not separately listed on Bid Form), CIP Booster Skid Reinforced Concrete Slab (incl. skid anchor bolts, subgrade excavation, subgrade compaction, pipe penetrations, backfill, all materials, labor and appurtenances not separately listed), CIP Furnish and Install Fiberglass Enclosure (incl. mounting brackets, HVAC, all materials, labor and appurtenances not separately listed), CIP	To Fotal Cc cellane LS er Stati	tal Base NMG onstructous 1 on 1	e Bid RT fo tion t	EXCL NMGRT r TorC at 8.5% Cost Base Bid 39,457.40 10,000.00	\$ \$ \$ \$	173,666.84 14,761.68 188,428,52 39,457,40 10,000.00	\$ \$	1,500.00	\$ \$ \$	189,500,00 16,107,50 205,607,50 1,500,00 5,000,00	\$189 \$16 \$203 \$ \$ \$	9,500.0 ,107.5 5,607.5 1,500. 5,000.
	Additive Alternate 1-Allowances and Mis Mobilization Additive Alternative 1 Cielo Vista Boost Remove and Salvage of Existing Duplex Pump System (incl. removal of booster outlet pipe, booster inlet pipe, electrical components specified, all labor, materials and appurtenances not separately listed on Bid Form), CIP Booster Skid Reinforced Concrete Slab (incl. skid anchor bolts, subgrade excavation, subgrade compaction, pipe penetrations, backfill, all materials, labor and appurtenances not separately listed), CIP Furnish and Install Fiberglass Enclosure (incl. mounting brackets, HVAC, all	To fotal Co cellane LS er Stati LS LS	tal Base NMGI onstructions 1 on 1	s s	EXCL NMGRT r TorC at 8.5% Cost Base Bid 39,457.40 10,000.00 5,000.00	\$ \$ \$ \$	173,666.84 14,761.68 188,428.52 39,457.40 10,000.00 5,000.00	\$ \$ \$	1,500.00 5,000.00 15,000.00	\$ \$ \$ \$	189,500.00 16,107.50 205,607.50 1,500.00 5,000.00 15,000.00	\$189 \$16 \$203 \$ \$ \$ \$ \$ \$	9,500.0 1107.5 5,607.5 1,500. 5,000. 5,000.
24 25 26 27	Additive Alternate 1-Allowances and Mis Mobilization Additive Alternative 1 Cielo Vista Boost Remove and Salvage of Existing Duplex Pump System (incl. removal of booster outlet pipe, booster inlet pipe, electrical components specified, all labor, materials and appurtenances not separately listed on Bid Form), CIP Booster Skid Reinforced Concrete Slab (incl. skid anchor bolts, subgrade excavation, subgrade compaction, pipe penetrations, backfill, all materials, labor and appurtenances not separately listed), CIP Furnish and Install Fiberglass Enclosure (incl. mounting brackets, HVAC, all materials, labor and appurtenances not separately listed), CIP Furnish and Install Premanufactured Booster Skid Unit (incl. pressure tank, booster inlet pipe, booster outlet pipe, all labor, materials, controls. connections to existing system plumbing, electrical, connection to SCADA and appurtenances not separately listed on Bid Form for a fully functioning	To Total Co cellane LS er Stati LS LS	tal Base NMGi onstruction on 1 1 1	s s	EXCL NMGRT r TorC at 8.5% Cost Base Bid 39,457.40 10,000.00 5,000.00 17,500.00	\$ \$ \$ \$ \$	173.666.84 14,761.68 188.428.52 39,457.40 10,000.00 5,000.00 17,500.00	\$ \$ \$ \$	1,500.00 5,000.00 15,000.00 10,000.00	\$ \$ \$ \$ \$ \$ \$	189,500,00 16,107,50 205,607,50 1,500,00 5,000,00 15,000,00 10,000,00	\$189 \$16 \$200 \$ \$ \$ \$ \$ \$ \$ 1 \$ \$ 1	9,500.1 117.5 5,607.1 1,500 5,000 5,000 5,000
24 25 26	Additive Alternate 1-Allowances and Mis Additive Alternate 1-Allowances and Mis Mobilization Additive Alternative 1 Cielo Vista Boost Remove and Salvage of Existing Duplex Pump System (incl. removal of booster outlet pipe, booster inlet pipe, electrical components specified, all labor, materials and appurtenances not separately listed on Bid Form), CIP Booster Skid Reinforced Concrete Slab (incl. skid anchor bolts, subgrade excavation, subgrade compaction, pipe penetrations, backfill, all materials, labor and appurtenances not separately listed), CIP Furnish and Install Fiberglass Enclosure (incl. mounting brackets, HVAC, all materials, labor and appurtenances not separately listed), CIP Furnish and Install Premanufactured Booster Skid Unit (incl. pressure tank, booster inlet pipe, booster outlet pipe, all labor, materials, controls, connections to existing system plumbing, electrical, connection to SCADA and appurtenances not separately listed on Bid Form for a fully functioning system), CIP Complete all Electrical Connections (incl. all labor, materials, controls, connections to existing electrical mainline and appurtenances not separately	To Total Cc cellane LS LS LS LS LS LS LS	tal Base NMG onstructions 1 0 1 1	s s s	EXCL NMGRT r TorC at 8.5% Cost Base Bid 39,457.40 10,000.00 5,000.00 17,500.00 \$70,740.00	\$ \$ \$ \$ \$ \$ \$	173,666,84 14,761,68 188,429,52 39,457,40 10,000,00 5,000,00 17,500,00 70,740,00	\$ \$ \$ \$ \$	1,500.00 5,000.00 15,000.00 10,000.00	\$ \$ \$ \$ \$ \$ \$ \$	189,500,00 16,107,50 205,607,50 1,500,00 5,000,00 15,000,00 10,000,00 115,000,00	\$188 \$16 \$203 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	3,500.0 107.5 5,607.5 5,000. 5,000. 5,000 5,000
24 25 26 27 28	Additive Alternate 1-Allowances and Mis Additive Alternate 1-Allowances and Mis Mobilization Additive Alternative 1 Cielo Vista Boost Remove and Salvage of Existing Duplex Pump System (incl. removal of booster outlet pipe, booster inlet pipe, electrical components specified, all labor, materials and appurtenances not separately listed on Bid Form), CIP Booster Skid Reinforced Concrete Slab (incl. skid anchor bolts, subgrade excavation, subgrade compaction, pipe penetrations, backfill, all materials, labor and appurtenances not separately listed), CIP Furnish and Install Fiberglass Enclosure (incl. mounting brackets, HVAC, all materials, labor and appurtenances not separately listed), CIP Furnish and Install Premanufactured Booster Skid Unit (incl. pressure lank, booster inlet pipe, booster outlet pipe, all labor, materials, controls, connections to existing system plumbing, electrical, connection to SCADA and appurtenances not separately listed on Bid Form for a fully functioning system), CIP Tovide Bypass pumping for the removal and installation of the booster station (incl. connection to the new cross, connection to the existing line, piping, all labor, materials, filtings and appurtenances not separately itsed on Bid Form for a fully functioning system), CIP Forvide Bypass pumping for the removal and installation of the booster station (incl. connection to the new cross, connection to the existing line, piping, all labor, materials, filtings and appurtenances not separately for a fully functioning system as described in the technical specifications). Furnish and Install 6-inch MJ Gale Valve on existing line (incl. all material, labor valve box, alignment device and appurtenances not separately listed on the Bid Form), CIP	To Total Ccc cellane LS er Stati LS LS LS LS	tal Base NMG onstructions 1 1 1 1 1	s s s	EXCL NMGRT r TorC at 8.5% Cost Base Bid 39,457,40 10,000.00 5,000.00 17,500.00 \$70,740.00 8,134.00	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	173,666,84 14,761,68 188,428,52 39,457,40 10,000,00 5,000,00 17,500,00 70,740,00 8,134,00	\$ \$ \$ \$ \$	1,500.00 5,000.00 15,000.00 10,000.00 115,000.00 15,000.00	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	189,500.00 16,107.50 205,607.50 1,500.00 5,000.00 15,000.00 10,000.00 115,000.00 15,000.00	\$183 \$16 \$201 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	3,500.0 1,107.5 5,607.5 1,500. 5,000. 0,000. 5,000. 2,500 2,500
24 25 26 27 28 29 30	Additive Alternate 1-Allowances and Mis           Mobilization           Additive Alternate 1-Allowances and Mis           Mobilization           Remove and Salvage of Existing Duplex Pump System (incl. removal of booster outlet pipe, booster inlet pipe, electrical components specified, all labor, materials and appurtenances not separately listed on Bid Form), CIP           Booster Skid Reinforced Concrete Slab (incl. skid anchor bolts, subgrade excavation, subgrade compaction, pipe penetrations, backfill, all materials, labor and appurtenances not separately listed), CIP           Furnish and Install Fiberglass Enclosure (incl. mounting brackets, HVAC, all materials, labor and appurtenances not separately listed), CIP           Furnish and Install Premanufactured Booster Skid Unit (incl. pressure tank, booster inlet pipe, booster outlet pipe, all labor, materials, controls. Connections to existing system plumbing, electrical, connection to SCADA and appurtenances not separately listed on Bid Form for a fully functioning system), CIP           Provide Bypass pumping for the removal and installation of the booster station (incl. concection to the new cross, connection to the booster station (incl. connection to the new cross, connection to the booster station (incl. connection to the new cross, connections to existing line, piping, all labor, materials, labor, atterials, fittings and appurtenances not separately for a fully functioning system as described in the technical specifications).           Provide Bypass pumping for the removal and installation of the booster station (incl. connection to the new cross, connection to the existing line, piping, all labor, materials, labor described in the technical specifications).           Pr	To Total Ccc cellane LS er Stati LS LS LS LS	tal Bass NMGi nstrucious 1 1 1 1 1 1	s s	EXCL NMGRT r TorC at 8.5% Cost Base Bid 39,457.40 10,000.00 5,000.00 17,500.00 870,740.00 8,134.00 32,500.00	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	173,666,84 14,761,68 188,422,52 39,457,40 10,000,00 5,000,00 17,500,00 70,740,00 8,134,00 32,500,00	\$ \$ \$ \$ \$ \$ \$	1,500.00 5,000.00 15,000.00 10,000.00 115,000.00 2,500.00	s           s           s           s           s           s           s           s           s           s           s           s           s           s           s           s           s	189,500,00 16,107,50 205,607,50 1,500,00 5,000,00 15,000,00 115,000,00 15,000,00 2,500,00	\$183 \$16 \$203 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	9,500,00 107.5 5,607.5 1,500, 5,000 5,000 5,000 2,500 9,000
24 25 26 27 28 29 30	Additive Alternate 1-Allowances and Mis Additive Alternate 1-Allowances and Mis Mobilization Additive Alternative 1 Cielo Vista Boost Remove and Salvage of Existing Duplex Pump System (incl. removal of booster outlet pipe, booster inlet pipe, electrical components specified, all labor, materials and appurtenances not separately listed on Bid Form), CIP Booster Skid Reinforced Concrete Slab (incl. skid anchor bolts, subgrade excavation, subgrade compaction, pipe penetrations, backfill, all materials, labor and appurtenances not separately listed), CIP Furnish and Install Fiberglass Enclosure (incl. mounting brackets, HVAC, all materials, labor and appurtenances not separately listed), CIP Furnish and Install Premanufactured Booster Skid Unit (incl. pressure lank, booster inlet pipe, booster outlet pipe, all labor, materials, controls, connections to existing system plumbing, electrical, connection to SCADA and appurtenances not separately listed on Bid Form for a fully functioning system), CIP Tovide Bypass pumping for the removal and installation of the booster station (incl. connection to the new cross, connection to the existing line, piping, all labor, materials, filtings and appurtenances not separately itsed on Bid Form for a fully functioning system), CIP Forvide Bypass pumping for the removal and installation of the booster station (incl. connection to the new cross, connection to the existing line, piping, all labor, materials, filtings and appurtenances not separately for a fully functioning system as described in the technical specifications). Furnish and Install 6-inch MJ Gale Valve on existing line (incl. all material, labor valve box, alignment device and appurtenances not separately listed on the Bid Form), CIP	To Total Ccc cellane er Stati LS LS LS LS LS LS LS LS EA	tal Bass NMG onstruct ous 1 1 1 1 1 1 1 1 1 3 3	s s s s s s s s s	EXCL NMGRT r TorC at 8.5% Cost Base Bid 39,457,40 10,000.00 5,000.00 17,500.00 \$70,740.00 8,134.00 32,500.00 2,500.00 3,500.00	S         S           S         S           S         S           S         S           S         S           S         S           S         S           S         S           S         S           S         S           S         S           S         S           S         S	173,666,84 14,761,68 188,428,52 39,457,40 10,000,00 5,000,00 17,500,00 70,740,00 8,134,00 32,500,00 7,500,00 7,500,00	s s s s s s s s s s s	1,500.00 5,000.00 15,000.00 10,000.00 115,000.00 2,500.00 3,000.00	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	189,500.00 16,107.50 205,607.50 1,500.00 5,000.00 15,000.00 10,000.00 115,000.00 2,500.00 9,000.00 11,000.00	\$183 \$16 \$209 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	9,500,0 1107,5 5,607,5 1,500, 5,000, 5,000, 5,000, 5,000, 2,500 9,000
24 25 26 27 28 29	Additive Alternate 1-Allowances and Mis Mobilization Additive Alternate 1-Allowances and Mis Mobilization Additive Alternative 1 Cielo Vista Boost Remove and Salvage of Existing Duplex Pump System (incl. removal of booster outlet pipe, booster inlet pipe, electrical components specified, all labor, materials and appurtenances not separately listed on Bid Form). CIP Booster Skid Reinforced Concrete Slab (incl. skid anchor bolts, subgrade excavation, subgrade compaction, pipe penetrations, backfill, all materials, labor and appurtenances not separately listed), CIP Furnish and Install Fiberglass Enclosure (incl. mounting brackets, HVAC, all materials, labor and appurtenances not separately listed), CIP Furnish and Install Premanufactured Booster Skid Unit (incl. pressure tank, booster inlet pipe, booster outlet pipe, all labor, materials, controls, connections to existing system plumbing, electrical, connection to SCADA and appurtenances not separately listed on Bid Form for a fully functioning system), CIP Provide Bypass pumping for the removal and installation of the booster station (incl. connection to the new cross, connection to the booster station (incl. connection to the new cross, connection to the booster station (incl. connection to the new cross, connection to the booster station (incl. connection to the new cross, connection to the parately for a fully functioning, system as described in the technical specifications). Furnish and Install 6-inch MJ Gate Valve on existing line (incl. all material, labor valve box, alignment device and appurtenances not separately listed on the Bid Form), CIP Locate and connect to existing 6-in PVC line (incl. excavation, all labor, materials, fittings and appurtenances not separately listed on the Bid Form), CIP	To fotal Ccc cellane LS ILS LS LS LS LS LS LS EA EA	tal Bass NMG2 mstruc ous 1 1 1 1 1 1 1 1 1 3 2 tal Bass	s s s s s s s s s s s s s s s s s s s	EXCL NMGRT r TorC at 8.5% Cost Base Bid 39,457.40 10,000.00 5,000.00 17,500.00 8,134.00 32,500.00 2,500.00 3,500.00 EXCL NMGRT	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	173,666,84 14,761,68 188,429,52 39,457,40 10,000,00 5,000,00 70,740,00 8,134,00 32,500,00 7,500,00 7,500,00 7,500,00 7,500,00	s s s s s s s s s s s	1,500.00 5,000.00 15,000.00 10,000.00 115,000.00 2,500.00 3,000.00	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	189,500,00 16,107,50 205,607,50 1,500,00 5,000,00 15,000,00 115,000,00 2,500,00 9,000,00 11,000,00 11,000,00	\$183 \$16 \$209 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	9,500.0 107.5 5,607.5 1,500. 5,000. 5,000. 5,000. 5,000. 2,500 9,000 11,000 39,500
24 25 26 27 28 29 30	Additive Alternate 1-Allowances and Mis Mobilization Additive Alternate 1-Allowances and Mis Mobilization Additive Alternative 1 Cielo Vista Boost Remove and Salvage of Existing Duplex Pump System (incl. removal of booster outlet pipe, booster inlet pipe, electrical components specified, all labor, materials and appurtenances not separately listed on Bid Form). CIP Booster Skid Reinforced Concrete Slab (incl. skid anchor bolts, subgrade excavation, subgrade compaction, pipe penetrations, backfill, all materials, labor and appurtenances not separately listed), CIP Furnish and Install Fiberglass Enclosure (incl. mounting brackets, HVAC, all materials, labor and appurtenances not separately listed), CIP Furnish and Install Premanufactured Booster Skid Unit (incl. pressure tank, booster inlet pipe, booster outlet pipe, all labor, materials, controls, connections to existing system plumbing, electrical, connection to SCADA and appurtenances not separately listed on Bid Form for a fully functioning system), CIP Provide Bypass pumping for the removal and installation of the booster station (incl. connection to the new cross, connection to the booster station (incl. connection to the new cross, connection to the booster station (incl. connection to the new cross, connection to the booster station (incl. connection to the new cross, connection to the parately for a fully functioning, system as described in the technical specifications). Furnish and Install 6-inch MJ Gate Valve on existing line (incl. all material, labor valve box, alignment device and appurtenances not separately listed on the Bid Form), CIP Locate and connect to existing 6-in PVC line (incl. excavation, all labor, materials, fittings and appurtenances not separately listed on the Bid Form), CIP	To fotal Ccc cellane LS ILS LS LS LS LS LS LS EA EA	tal Bass NMGi nstructor 1 0 1 1 1 1 1 1 1 1 3 2 tal Bass Altern	s s s s s s s s s s s s s s s s s s s	EXCL NMGRT r TorC at 8.5% Cost Base Bid 39,457,40 10,000.00 5,000.00 17,500.00 \$70,740.00 8,134.00 32,500.00 2,500.00 3,500.00	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	173,666,84 14,761,68 188,428,52 39,457,40 10,000,00 5,000,00 17,500,00 70,740,00 8,134,00 32,500,00 7,500,00 7,500,00	s s s s s s s s s s s	1,500.00 5,000.00 15,000.00 10,000.00 115,000.00 2,500.00 3,000.00	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	189,500.00 16,107.50 205,607.50 1,500.00 5,000.00 15,000.00 10,000.00 115,000.00 2,500.00 9,000.00 11,000.00	\$188 \$16 \$20 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	9,500.0 107.5 5,607.5 1,500. 5,000. 5,000. 5,000. 5,000. 2,500 9,000 11,000 39,500

1	Additive Alternate 2-Allowances and Mis	cellana	0115					_					
÷	Mobilization	LS	1	\$	39,457,40	\$	39,457.40	\$	500,00	\$		\$	500.00
	Aadditive Alternative 2 Morgan Booste	r Static	n										
32	Remove and Salvage of Existing Pump and Motor from Manifold (incl. removal of booster outlet pipe, booster inlet pipe, electrical components controls, all labor, materials and appurtenances not separately listed on Bid Form), CIP	EA	1	\$	2,500,00	\$	2,500,00	\$	9,500,00	\$	9,500,00	\$	9,500,00
33	Furnish and Install Booster Pump and Motor Into Existing Manifold (incl. variable frequency drives, booster inlet pipe, booster outlet pipe, all labor, materials, controls, pump mounting platform, and appurtenances not separately listed on Bid Form for a fully functioning system), CIP	EA	1	\$	87,982.00	\$	87,982.00	\$	90,000,00	\$	90,000,00	\$	90,000.00
34	Connect to Existing Control Power Panel for New Pumps & Motor (incl. all labor, materials, connections to existing electrical supply, including a provided enclosed motor circuit protector NEMA 1 enclosure set magnetic trip to 600% (8x) typ and appurtenances not separately listed on Bid Form for a fully functioning system), CIP	L.S	1	\$	18,320,00	ş	18,320.00	\$	18,000,00	\$	18,000,00	\$	18,000,00
35	Remove and Rapiace 8-in Check Valve on Existing Pump Skid Manifold (incl. all labor, materials and appurtenances not separately listed on Bid Form), CIP	LS	1	\$	3,450.00	\$	3,450.00	\$	3,000.00	\$	3,000.00	\$	3,000.00
36	Remove and Replace 8-In Butterity Valve on Existing Pump Skid Manifold (Inci. all labor, materials and appurtenances not separately listed on Bid Form), CIP	EA	2	\$	1,650,00	\$	3,300,00	\$	2,500,00	\$	5,000.00	\$	5,000.00
37	Remove 8" x 4" steel tee and replace with 8" wekied steel solid pipe. Removal and disposal of control valve, valves, and piping of the booster pump control system.	LS	1	\$	8,000. <b>00</b>	\$	8,000.00	\$	3,000,00		3,000,00	\$	3,000.00
	Tatal				XCL NMGRT		173,666.84 197,831.40			\$ \$	189,500,00		189500
					XCL NMGRT		163,009,40			5	129,000.00		129000
			NMGF	₹T for	TorC at 8.5%	\$	45,433.15			\$	42,712,50		42717.5
	Total Construction Cost NMGRT + Base Bid + Additive			dditiv	e Alternate 2	\$	579,940,79			\$	545,212,50	\$ 5	45,212,20
1	Additive Alternate 3-Allowances and Mis	LS	ous 1	\$	14,457,40	ŝ	14,457,40	\$	19,000.00	\$	19,000.00	\$	19 000 00
	Additive Alternative 3 Austin St Wa					Ŧ		Ĺ					
	Furnish and Instali 8-Inch C900 Waterline by Open Tranching, (including all material, labor, potholing, excavation, bedding, removal of waste excavation, Import backfill, joint restraints, tracer wire, backfilling, compaction,												
12	disinfection, site restoration and all related appurtenances not separately listed on the bid form), CIP	LF	420	\$	90,00	\$	37,800.00	\$	240,00	. <b>Ş</b>	100,800,00	s, ·	100,800,00
12	disinfaction, site restoration and all related appurtenances not separately listed on the bid form), CIP Locata and Connect to Existing Waterline, (incl, all materials, labor, fittings used for connection, removal and disposal of pipe, potholing, excavation, backfill, site restoration and all necessary items not separately listed on the bid form), CIP	LF EA	420 2	\$ \$	90,00	\$ \$	37,800,00		240.00		100,800.00 20,000.00		20,000.00
13 14	disinfection, site restoration and all related appurtenances not separately listed on the bid form), CIP Locata and Connect to Existing Waterline, (incl. all materials, labor, fittings used for connection, removal and disposal of pipe, potholing, excavation, backfill, site restoration and all necessary items not separately listed on the bid form), CIP Furnish and Instell 8-inch Gate Valve in Cast Iron Valve Box, (including all labor, materials and related appurtenances not separately listed on Bid Form), CIP	EA EA			1,750.00 2,800,00	\$ \$	3,500.00		10,000.00 5,000.00	\$ \$	20,000.00	\$ \$	20,000.00
13	disinfaction, site restoration and all related appurtemances not separately listed on the bid form), CIP Locata and Connect to Existing Waterline, (Incl. all materials, labor, fittings used for connection, removal and disposal of pipe, potholing, excavation, backfill, site restoration and all necessary items not separately listed on the bid form), CIP Furnish and Install 8-inch Gate Valve in Cast Iron Valve Box, (Including all labor, materials and rolated appurtemances not separately listed on Bid	EA	2	\$	1,750.00	\$ \$	3,500.00	\$	10,000:00	\$ \$	20,000.00	\$ \$	20,000.00
13 14	disinfection, site restoration and all related appurtenances not separately listed on the bid form), CIP Locata and Connect to Existing Waterline, (incl. all materials, labor, fittings used for connection, removal and disposal of pipe, potholing, excavation, backfill, site restoration and all necessary items not separately listed on the bid form), CIP Furnish and Instell 8-inch Gate Valve in Cast Iron Valve Box, (including all labor, materials and related appurtenances not separately listed on Bid Form), CIP	EA EA	2 2	\$	1,750.00 2,800,00	\$ \$	3,500.00	\$ \$	10,000.00 5,000.00	\$ \$	20,000.00	\$ \$ \$	20,000.00
13 14 15	disinfaction, site restoration and all related appurtemances not separately listed on the bid form), CIP Locata and Connect to Existing Waterline, (incl, all materials, labor, fittings used for connection, removal and disposal of pipe, potholing, excevation, backfill, site restoration and all necessary items not separately listed on the bid form), CIP Furnish and Install 8-inch Gate Valve in Cast iron Valve Box, (including all labor, materials and related appurtenances not separately listed on Bid Form), CIP Remove and Replace Meter Assembiles Furnish and Install 3/4-In Copper Water Service Lines by Open Trenching, (including potholing, tenching, bedding, connections to new water main, connection to existing water service line include all fittings regardless of materials and types of appurtenances, all material, labor, tapping saddle, corporation stop, fittings, associated appurtenances, tackfilling and slie	EA EA EA	2 2 7	\$	1,750.00 2,800,00 2,706,00	\$ \$ \$	3,500.00 5,600,00 18,942,00	\$	10,000.00 5,000.00 2,500.00	\$	20,000.00 10,000.00 17,500.00	*	20,000.00 10,000.00 17,500.00
13 14 15 16 17	disinfaction, sile restoration and all related appurtemances not separately listed on the bid form), CIP Locata and Connect to Existing Waterline, (incl, all materials, labor, fittings used for connection, removal and disposal of pipe, potholing, excevation, backfill, site restoration and all necessary items not separately listed on the bid form), CIP Furnish and Install 8-inch Gate Valve in Cast Iron Valve Box, (including all labor, materials and related appurtemances not separately listed on Bid Form), CIP Remove and Replace Meter Assembiles Furnish and Install 3/4-in Copper Water Service Lines by Open Trenching, (including potholing, tenching, bedding, connections to new water main, connection to existing water service line include all fittings regardless of materials and types of appurtemances, all material, labor, tapping saddle, corporation stop, fittings, associated appurtemances, backfilling and site restoration), including new meter box lid and meter, CIP Dewatering of Trench, CIP Asphali Roadway, Remove, Dispose and Replace with SP III, 3" Thick for Residential Streets, include Subgrade Prep, CIP	EA EA EA EA	2 2 7 7 450 600	\$ \$ \$ \$	1,750.00 2,800.00 2,708.00 1,500.00 70.00 75.00	\$	3,500.00 5,600,00 18,942,00 10,500.00 31,500.00 45,000.00	\$ \$ \$	10,000.00 5,000.00 2,500.00 2,200.00 50.00 100.00	\$	20,000.00 10,000.00 17,500.00 15,400.00 22,500.00 60,000.00	\$ \$ \$ \$ \$ \$ \$	20,000.00 10,000.00 17,500.00 15,400.00 22,500.00 60,000.00
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BID OPENING CHECKLIST FORM

PROJECT NAME: Morgan Boostor & Austin St Bibl Oppening Catte & Time: Mar 22, 2022 - 11:00 AM

No.	Bidders Name	Addendum Received #1#2	Bid Si	ecurity		Proposed ntractos		Proposed pliers	Evidenc authority business in t of the Pr	to do the state	Contra- licer num	150	Qua States	ed Bidder ification nent with rting data	Equal Err Oppu	ation of ployment rtunity eliance	Affidav Colli	it of Non Islan	Vet Prefe Certif	dent/ eran erence ication orm	Bid 8	Sond	Powe		TOTAL BASE BID EXCL NAGRT	BASE BID +AAL EVEL NINGRT	BASE BID+1 +2 EXCLININGAT	BASE BID+1 +2+3EXCL NMCRT
			Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	AMOUNT	AMOUNT	AMOUNT	AMDUNT
1	SMITHCO CONSTRUCTION INC.	YES	×		x		x		х		x		х		x		x		х	1	x		x		\$189,500.00	\$373,500.00	\$502,500.00	\$525,644.00
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PROJECT ENGINEER: Mark Nasi, PE

	MORGAN BO May 23, BII ATTEN	H OR CONSEQUENCES: OSTER & AUSTIN ST 2023 @ 11:00 AM O OPENING DANCE SHEET EARLY, FOR THE RECORD)	WILSON &COMPANY
NAME	REPRESENTING	EMAIL ADDRESS	PHONE
1. Mart Wase	Wilson Company	Mart, nas (Qwilson	100.00m 5053795406
1	Smitheo Construction	guaid Com. theo - co	575-394-6161
	les Tor C	agoricale & tore	NR.OG
4. Traci Alvar	rez TorC	talvarezetor	CNM.org 575-894-6673
5. Mindee Hola	in TorC	par procuremente	torenmorg 575 82040
6. AFRIE CASTAN	EDA Tor C Water	acastaneda e tor	cnm.org 952.0003
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4401 Masthead Street NE, Suite 150 Albuquerque, NM 87109 505 348 4000 (phone) 505 348 4055 (fax) wilsonco.com

June 7, 2023

Traci Alvarez Assistant City Manager City of Truth or Consequences 505 Sims Street Truth or Consequences, NM 87901

Re: Recommendation of Award, Truth or Consequences Drinking Water Systems Improvement Project

Bids were received at the City of Truth or Consequences Finance Department located at 505 Sims Street, Truth or Consequences, NM, on Tuesday, May 23, 2023, until 10:30 am MST local time. At 11:30 am MST, May 23, 2023, the bids will be moved to the Commission Chambers at 405 W 3<sup>rd</sup> Street, Truth or Consequences, NM to be publicly opened and read. The following bids were received and are presented in the order in which they were opened:

No.	Company	Base Bid (excl. NMGRT)	Additive Alternate #1 (excl. NMGRT)	Combined Base Bid + Add. Alt. #1 (excl. NMGRT)	Additive Alternate #2 (excl. NMGRT)	Combined Base Bid + Add. Alt. #1 & #2 (excl. NMGRT)
1	SMITHCO CONSTRUCTION INC.	\$1,025,315.00	\$581,680.00	\$1,606,995.00	\$275,635.00	\$1,882,630.00
2	SPARTAN CONSTRUCTION OF NM, LLC	\$980,772.00	\$656,785.00	\$1,637,557.00	\$325,273.00	\$1,962,830.00
3	FILE CONSTRUCTION LLC.	\$1,000,396.00	\$672,961.10	\$1,673,357.10	\$310,224.30	\$1,983,581.40

A complete tabulation of bids is attached. The evaluation of the bid is based on the Base Bid. Three bids were received from Smithco Construction Inc, Spartan Construction of NM, LLC., and File Construction LLC. The low bidder was Smithco Construction Inc based on the Base Bid + additive Alternate 1 and the Base Bid + Additive Alternate 2.

Wilson and company performed an evaluation to meet the avaliable funding, a reduced scope of base bid + Additive 1 including only the following road and sheets 2nd Avenue CU-210, CU-211 of Additive Alternate 1.

Wilson and Company Inc. submitted on June 6, 2023, the confirmation of bid with revised Additive Alternate 1 to Smithco Construction Inc for their review and approval. After modifications Smithco Construction Inc. was the responsible low bidder with a base bid + reduced Additive Alternate 1 of \$1,238,595.00 (excl. NMGRT)

The bid amounts were modified as follows:

No.	Company	Base Bid (excl. NMGRT)	Reduced Additive Alternate #1 (excl. NMGRT)	Combined Base Bid + Add. Alt. #1 (excl. NMGRT)
1	SMITHCO CONSTRUCTION INC.	\$1,025,315.00	\$213,280.00	\$1,238,595.00



Wilson and Company have reviewed the bid for the following information:

- The Bid Proposal was signed by an individual duly authorized to bind the company.
- Smithco Construction Inc acknowledged receipt of all addenda.
- Smithco Construction Inc is a licensed contractor in the State of New Mexico in good standing.
- The appropriate license classifications are contingent upon the License Determination Request submitted to CID.

Included with the signed Bid Proposal form, Smithco Construction, Inc. submitted the following:

- Required Bid Security
- List Of Proposed Subcontractors (None)
- List of Proposed Suppliers
- Evidence of authority to do business in the state of the Project
- Contractor's license number
- Required Bidder Qualification Statement with supporting data.
- Certification of Equal Employment Opportunity Compliance
- Affidavit of Non-Collusion
- Resident/ Veteran Preference Certification Form
- Bid Bond
- XP-211 Certifications Regarding Contract under Equal Opportunity Clause
- Power of Attorney
- XP-215 MBW/WBE/SBRA Utilization Form along with proof of solicitation
- XP-315 Davis Bacon Certification
- 5700-49 Certification Regarding Disbarment, Suspension & Other Responsibility Matters
- AIS DWSRF 314 Form that certifies all American Iron and Stel is used

Based on the information provided, the lowest responsive, responsible bidder is Smithco Construction, Inc. We, therefore, recommend the construction contract for the Truth or Consequences Drinking Water Systems Improvement Project, Base Bid + Reduced Additive Alternate 1, be awarded to Smithco Construction, Inc for a total contract award amount of \$1,238,595.00, excluding NMGRT with a the NMGRT of \$105,280.58, for a total contract amount of \$1,343,875.58, w/ NMGRT. We recommend verifying the obligated funding amounts with the Drinking Water Systems Improvement Project (DWSRF) and Colonias prior to awarding any portion of the project.

Sincerely,

MAAR

Mark A. Nasi, PE Sr. Water/Wastewater Project Manager Wilson & Company, Inc., Engineers & Architects

Enclosures:

Confirmation of bid letter Project Bid Tabulation Required Bid Documents Checklist Sign-in Sheet

/	DWSRF WATER May 23, BID OP ATTE	TH OR CONSEQUENCES: SYSTEM IMPROVEMENTS 9, 2023 @ 11:30 AM ENING MEETING NDANCE SHEET 'LEARLY, FOR THE RECORD)	WILSON & COMPANY
NA	IE REPRESENTING	EMAIL ADDRESS	PHONE
1/	Mark Nosi Wilson & Company	mart, nasi @ welsonco.com	505 379 5406
2.	aci Alvarez Torc	talvarez@torcnm.org	575-894-6673
3.	note Holquin Torc	prouvenent ctorenniors	575.952.0490
4. A	GUE GOXTales Tor C	agontales a torenm. ong	
5(	Waid Muncy SmithCo	guard @ smithco.cc	575-894-6161
6. P	Hillip Lopez File constr.	PH. IIIPLO FC ONSt. COM	505-331-0751
7	ROBERT CHERLA SPARTAN COUST	PODERT @ SPARIAN-CONST, COM	(95)766-6171
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PAGE 1

BID OPENING CHECKLIST FORM

PROJECT NAME: DWEAT F WARMS INDOVEMENTS BID OPENING DATE & TIME: 1992232,2232-11228 AM

0	Bidders Name	Recrept of Addendums #1-#3	Bid S	ecunty		Proposed ritractors		Proposed plem	author business	ince of ity to do in the state Project	le	ractor's ense mber	Qual Stater	ed Bidder Fication nent with rung data	Oppo	ation of ployment itunity iliance	Affidavt Colli		Resid Vete Prefer Centific For	ence tation	Sid Bo	nd	Regarding	rtifications g Contract Equal Inty Clause	Power of J	ltorney	XP- MBW/W Utilizatio along with solicit	BE/SBRA on Form h proof of	XP-315 Da Certific	tetion	5700-49 G Regarding I Suspensio Responsibil	n & Other	AIS DWSRI that cer American Stel in	thes all from and	TOTAL BASE & DI INCLUSING INNERT	AAM BID - AAL - NAMERT	8438 810-1-J-8486
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Ι	SMITHEO CONSTRUCTION INC.	Yes	×		×		×		x		×		x		x		×		×		x		x		×		×		x		×		x		\$1,112,466.76	51,743,549,58	52.042.651.55
1	SPARTAN CONSTRUCTION OF NM, LLC	Yes.	×		×		×		×		x			1	×		x			×	x		x		×		×		x		x		x		51,064,117,68	1693343.77*	\$2,129,670,10
,	FILE CONSTRUCTION LLC.	Yes	ĸ		×:		×		. x		×		x		×		×		×		x		x		×		x		ंद्र		x		×*		SL 085,429146	51.#15.392.45	\$2,152,185,87
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DATE 6/7/2023

	& COMPANY	TORO		WATER SYSTE Project BID TA Consequences, 03.29.23	M IMPROVEMENTS B New Mexico		SMITH CO		SPARTA	N CONSTRUCTIO	N OF NM, LLC	FILI	CONSTRUCTION	ILC.
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tem No.	ITEM DESCRIPTION	UNIT	QTY,	UNIT PRICE	TOTAL PRICE	UNIT PRICE	CALCULATED COST	BID FORM COST	UNIT PRICE	CALCULATED COST	BID FORM COST	UNIT PRICE	CALCULATED COST	BID FORM COS
1	Material Testing Allowance	Allow	1	\$ 10,000.00	Allowances a \$ 10,000.00	s10,000.00	\$10,000.00	\$10,000.00	\$10,000,00	\$10,000,00	\$10,000,00	\$ 10,000,00	\$10,000,00	\$10,000.0
2 3	Pre and Post Construction Video Documentation Traffic Control	LS		\$ 2,200.00 \$ 30,000.00	\$ 2,200,00 \$ 30,000,00	\$1,000.00	\$1,000.00 \$25,000.00	\$1,000.00 \$25,000.00	\$1,845.75	\$1,845.75	\$18,305.00 \$12,305.00	\$ 2,111.50 \$ 11.978.40	\$2,111.50	\$2,111,6 \$11,978,4
4	Mobilization & Demobilization	LS	1	5 150,000.00	5 150,000.00	\$45,000.00	\$45,000.00	\$45,000.00	\$121,391.50	\$121,391.50	\$121,392.00	\$ 92,638,50	\$92,638,50	\$92,638.5
5	Construction Survey to include staking, layout and identifying project boundaries.	LS	1	\$ 22,000.00	5 22,000,00 Waterline and Am	\$25,000.00 purtenance Installe	\$25,000.00	\$35,000.00	\$9,844.00	\$9,844.00	\$9,844.00	\$ 9,165,50	\$9,165,50	\$9,165,5
6	Furnish and Install 8-inch C100 PVC DR-18 Waterline, (eckuding all material, labor, potholing, tranching, bedding, removal of waste eccavation, import tackfull, fittings, joint restraints, warning tage, tracer write, backfulling, comparison, diselection, ade restoration and all related apputenances not separately lasted on the bid form), CIP	LF	3,544	\$ 86.00	\$ 304,784.00	\$90.00		\$318,960.00	\$78.43	\$277,965.92	\$277,959.00	\$ 64.30	\$227,879.20	\$227,879.2
7	Furnish and Install 16-inch steel casing for N. Date St. crossing, Sheets CU-208, (include trencribes installation all materials, labor, carrier pipe, restraints, casing spacers, end seals, bore and receiving pit excavation, backfill, compaction, removal of waste excavation and site restoration). CIP	LF	93	s 700.00	\$ 65,100,00	\$600.00	\$55,800.00	\$55,800.00	\$556.40	\$51,745.20	\$51,745.00	\$ 606.80	\$56,618,40	\$56,618.4
6	Furnish and Install 8-inch Gate Valve in Cast Iron Valve Box, (including all labor, materials and related apputenances not separately listed on Bid Form). CIP	EA	13	\$ 3,388,55	\$ 44,051,15	\$4,000.00	\$52,000.00	\$52,000.00	\$3,279.55	\$42,634,15	\$42,634.00	\$ 3,087.90	\$40,142.70	\$40,142.7
9	Pumish and Install Three-Way Fire Hydrart Assembly, (including teo on mariline, all pipe from tee to hydrait, fittings, risers, gate valve, hydrait, restrained jonts, drain rock, tenching, labor backfill and ster restoration). CIP	EA	4	5 9,800,00	\$ 39,200,00	\$10,000,00	\$40,000,00	\$40,000,00	\$8,530,57	\$34,122.28	\$34,122.00	\$ 10,958,80	\$43,835.20	\$43,835.2
10	Remove Existing Three-Way Fire Hydrant Assembly, (including gate valve, hydrant, pipe from gate valve to hydrant, trenching, labor, backfill and site restoration), CIP	EA	3	5 1,900.00	\$ 5,700.00	\$2,000,00	\$6,000,00	\$6,000.00	\$1,134,20	\$3,402.60	\$3,403.00	\$ 1,089.20	\$3,267,60	\$3,267.6
11	Purnats and Install 1-inch Single Body Combination Air Valve wil Traffic Rated Vault on new 5-inch waterfine, (including all materials, labor, escavation, rock escavation, backfill and site restoration) CIP	EA	3	\$ 9,500.00	\$ 25.500.00	\$12,000.00	\$36,000,00	\$36,000.00	\$5,359.37	\$25,076,11	\$25,078.00	\$ 13,312.70	\$39,938,10	\$39,938,
12	Furnish and Install 1-inch Copper Water Service Lines by Open Trenching, (including potholing, trenching, bedding, connections to new water main, connection to existing water service line include all Efforting regardless of materials and types of paptremances. Branterial, laker, tapping saddle, corporation stop, fittings, associated apputenances. Backfäng and ste restoration), CIP	EA	15	\$ 2.150.00	5 32,250.00	\$2,000.00	\$30,000.00	\$30,000.00	\$1,310.75	\$19,661.25	\$19,661.00	\$ 2,753.20	\$41,298.00	\$41,298.0
13	Furnish and Install 1-inch Copper Water Servore Lines by Trenchless Installation (including politicity), thenchless installation, bedding, connections to new valer main, connection to existing water servore line include all fittings regardless of materials and types of apputrances. all material labor, tapping stadle, corporation stop, fittings, associated apputrances, backfilling and site restoration). CIP	EA	17	\$ 2,600.00	\$ 47,600.00	\$3,000.00	\$51,000.00	\$51,000.00	\$3,039.60	\$51,673.20	\$51,673.00	\$ 2,888.60	\$49,106.20	\$49,108.
14	Dewatering for waterline, up to 4' drawdown, (including all labor, materials, pumps, gravel trench stabilization, excavation, backfill, and site restoration), CIP	LF	78	\$ 250.76	12 0 05000CK	\$50.00	\$3,900.00	\$3,960.00	\$307.62	\$23,994.36	\$23,995.00	\$ 462.80	\$36,098,40	\$36,098.4
15	Locate and Connect to Existing 8-inch PVC Wateline per Detail C2, on sheet CU-503, (incl. all materials, labor, fittings used for connection, cutting and capping of existing pipe, removal and disposal of pipe, potholing, excavation, back/all, site restoration and all necessary dems not separative listed on the bid form. CIP	EA	1	5 7,000.00		and Connect \$8,000.00	\$6,000.00	\$8,000.00	\$10,673.25	\$10,673.25	\$10,673.00	\$ 9,733,40	\$9,733,40	\$9,733,4
16	Locate and Connect to Existing 8-inch PVC Waterline per Detail G2 on sheet CU-503, (nc), all materials, labor, fittings used for connection, cutting and capping of existing pipe, removal and disposal of pipe, potheling, excavation back/dl, site restoration and all necessary terms not secarate/Lited on the bid form). CIP	EA	3	5 7,107.55	5 21 322.65	\$6,000.00	\$24,000.00	\$24,000.00	\$10,673.25	\$32,019.75	\$32,020.00	\$ 13,005.80	\$39,017,40	\$39,017.4
17	Locate and Connect to Einsting 8-inth PVC Waterline per Detail GS on sheet CU-503, (incl. all malterials, labor, fittings used for connection, ruting and capping of existing pipe removal and disposal of pipe, potteling, excavation, backfill, ste restoration and all necessary terms not separately listed on the bid form), CIP	EA	1	\$ 10,544,32	\$ 10,544,32	\$15,000.00	\$15,000.00	\$15,000.00	\$15,622.00	\$15,622.00	\$15,622.00	\$ 14,375.70	\$14,375.70	\$14,375,3
18	Locate and Connect to Existing 8-inch PVC Waterline per Datal A9 on sheet CU-503, (ncl. all matarials, labor, fittings used for connection, outing and capping of existing pipe, removal and disposal of pipe, potheling, excavation, backfill, site restoration and all necessary ferms not separately lated on the bid form). CIP	EA	2	\$ 18.000.00	\$ 32,000.60	\$20,000.00	\$40,000.00	\$40,000.00	\$10,673.25	\$21,348.50	\$21,347.00	\$ 15,782.90	\$31,565.80	\$31,565.0
19	Locate and Connect to Existing 6-inch PVC Waterline per Detail C2 on sheet CU-503, (incl. all materials, labor, fittings used for connection, cutting and capping of existing pipe, removal and disposal of pipe, potholing, excavation, back/all, site restoration and all necessary terms not separately listed on the bid form), CIP.	EA	2	\$ 7,170.60	\$ 14.341.20	\$8,000,00	\$16,000.00	\$16,000.00	\$10,673.25	\$21,346.50	\$21,347.00	\$ 10,509.30	\$21,018.60	\$21,018
20	Locate, Cut and Cap Existing Water Line and abandon in place, (incl. all materials labor., removal and disposal of pipe, potholing, excavation, backfill, ste restoration and all necessary terms not separately lated on the bid form, CIP	EA	ाः	5 4,200.00	5 4.200.00	\$5,000.00	\$5,000,00	\$5,000,00	\$5,055,75	\$5,055.75	\$5,056.00	\$ 3,231.90	\$3,231,90	\$3,231,
1113		122	200210	CHEST AND AND A	Site Im	provements	14 154 19 19			Contraction of the second		A CARLON	-	CALL STREET
21	Remove and replace existing roadway with 3-inch HMAC, 8-inch base course and 12-inch subgrade prop. maximum with of 4 of pavement shall be replaced (incl, romoval and disposal to an approved site of the existing asphalt and gravel, tack cost, asphalt and restaration of pavement markings to preconstruction configuration), CIP	5Y	889	\$ 75.00	\$ 56,675,00	\$65.00	\$57,785.00	\$57,785.00	\$80.78	\$71,813.43	\$71,818.00	\$ 91.70	\$81,521,30	\$81,521.
22	Remove and Replace Curb and Gutter (incl. disposal of existing concrete to an approved ste, labor, equipment and all related appurtenances not separately listed on the bid form as shown in the plans). CIP	LF	9	5 90.00	5 810.00	\$50.00	\$720.00	\$720.00	\$100.58	\$905.22	\$905,00	\$ 140.10	\$1,260.90	\$1,260.
23	Remove and Replace Sidewalk, S swath (ncl. disposal of existing concrete to an approved ste, lakor, equipment and all related apputeriances not separately lasted on the bid form as shown in the plans), CIP Remove and Replace Existing Concrete Swale, maximum width of 8' shall be replaced (incl.	SF	330	s 28.00	\$ 9,240.00	\$30.00	\$9,900.00	\$9.900.00	\$28.63	\$9,513.90	\$9,516.00	\$ 26.20	\$9,306.00	\$9,306.
24	Nemove and Replace Ensing Concrete Swale, maxmum with of 8' shall be replaced (incl. removal and disposal to an approved side of the existing concretes and restoration to preconstruction configuration). CIP Remove and replace existing gravel diveway, with of 5' shall be replaced (incl. removal and	SF	135	\$ 42.01	5 5.670.81	\$30.00	\$4,050.00	\$4,050.00	\$28,83	\$3,892.05	\$3,893.00	\$ 59.90	\$8,086.50	\$8,066
25	remove and repute elbsing grave overway wain of a solar or reputed (mu, removal and disposal to an approved set of the existing gravel, material, and restoration to preconstruction configuration), CIP	SY	60	s 77.66		\$30.00 SCADA	\$1,800.00	\$1,800.00	\$29.90	\$1,794.00	\$1,794.00	\$ 97.30	\$5,838.00	\$5,838.
26	5" Electromagnetic Flow Meter w/grounding Rings	EA	2	5 14,500.00	\$ 29,000,00	\$16.000.00	\$32,000.00	\$32,000.00	\$14,150,75	\$28,301.50	\$28,302.00	\$ 22,448.40	\$44,898.80	\$44,896.
28	New meter vault 48° EIA manhole CIP Winng to New Water Tank Level Transmitter	EA EA	2 4	\$ 15,000,00 \$ 1,500,00		\$25 000 00 \$1 500 00	\$50,000,00	\$50,000,00	\$13,107,50 \$1,476.60	26,215.00 \$5,908.40	\$26,215.00 \$5,908.00	\$ 9,554,30 \$ 1,472,40	\$19,108,60	\$19,108,
29	Tank Level Transmitter, Transducer and Junction Box	EA		\$ 7,600.00			\$32,000.00	\$32,000.00	\$7,998.25			\$ 7,404.90	\$29,619,60	\$29,619,
30	Furnish and Install 6-inch C900 PVC DR-18 Waterline, (including all material labor potholing, trenching, beddling, removal of waste execution, import backfill, (trangs, joint restraints, warning tape, tracer wire, backfilling, compaction, disinfection, site restoration and all related apputterances not separately faced on the bid form), CIP	LF	78	5 140.37	\$ 10,948.66	\$300.00	\$23,400.00	\$23,400.00	\$111.65	5 \$8,708.70	\$80,709.00	\$ 151.90	\$11,848.20	\$11,848.
							\$1 025 315 00	\$1 025 315 00		\$980 740 24	\$908,772.00			Ner 000 13

Item No.		-			Addition	Alternate 1								
	ITEM DESCRIPTION	UNIT	QTY,	UNIT PRICE	TOTAL PRICE	UNIT PRICE	CALCULATED	BID FORM COST	UNIT PRICE	CALCULATED	BID FORM COST	UNIT PRICE	CALCULATED COST	BID FORM COST
31	Material Testing Allowance	Allow	1	\$ 10,000.00	Additive Alternate 1 - A 5 10,000,00		\$10,000.00	\$10,000.00 \$1,000.00	\$10,000.00	\$10,000.00 \$1,230.50	\$10,000.00	\$ 10,000,00	\$10,000,00 \$1,480,90	\$10,000.0
32 33 34		LS	1	\$ 2,200.00 \$ 30,000.00 \$ 150,000.00	\$ 2,200,00 \$ 30,000,00	\$10,000,00 \$1,000,00 \$5,000,00 \$6,000,00	\$1,000.00 \$5,000.00	\$1,000.00 \$5,000.00	\$1,230.50 \$8,152.50	\$8,152,50	\$1,231,00 \$8,153,00	\$ 10,000,00 \$ 1,480,90 \$ 10,897.50	\$1,480,90 \$10,897,50 \$90,452,60	\$1,480,90 \$10,897,50 \$90,452,60
34 35	Mobilization & Demobilization Construction Survey to include staking, layout and identifying project boundaries.	LS LS LS	1	\$ 22,000.00	\$ 150,000.00 \$ 22,000.00	\$5,000,00	\$8,000.00 \$5,000.00	\$8.002.00 \$5,000.00	\$83,884.50 \$7,456,83	\$83,884.50 \$7,458,83	\$83,835.00 \$7,457.00	\$ 90,452.60 \$ 8,592.70	\$90,452,60 \$8,592,70	\$90.452.60 \$8,592.70
is ni	Furnish and Install 8-inch C900 PVC DR-18 Waterline, (including all material, labor, potholing,	di warat	10124.2	Addin	ive Alternate 1 -Water	ine and Appurtena	nce Installation							
36	Furnish and Install 8-inch C900 PVC DR-16 Waterline, (including all material, labor, portholing, tenching, bedding, removal of waste escaration, miport backfill, fittings, joint restants, warning tape, tacer wire, backfilling, compaction, disinfection, site restantion and all related apputenances not separately listed on the bid form), CIP	LF	2,753	5 86.00	\$ 236,758.00	\$70.00	\$192,710.00	\$192,710.00	\$78.43	\$215,917.79	\$215,921.00	\$ 64.30	\$177,017.90	\$177,017.90
37	Furnish and Install 16-inch steel caung for 2nd Ave, (include trenchless installation, all materia labor, carrier pipe, restraints, casing spacers, end seals, bore and receiving ste excivation, bachfill compaction, removal of waste escavation and set existention). Furnish and Install 8-inch Gate Valve in Cast Iron Valve Box, (including all labor, materials and	LF	40	\$ 700,00	\$ 28,000.00	\$900,00	\$36,000,00	\$36,000.00	\$556,40	\$22,256.00	\$22,256.00	\$ 725,80	\$29,032.00	\$29,032,00
38	related appurtenances not separately listed on Bid Form). CIP Furnish and listall Three-Way Fire Hudrart Assembly unchrister tes on mactice, all one from t	EA	4	\$ 3,388,55	\$ 13,554,20	\$4,000.00	\$16,000.00	\$16,000.00	\$3,279,55	\$13,118.20	\$13,118.00	\$ 3,087.20	\$12,348.60	\$12,347,60
39	to hydrant, fittings, mens, gate valve, hydrant, restrained joints, drain rock, trenching, labor backfill and side restoration), CIP Remove Eusting. Three-Way Fire Hydrant Assembly, (including gate valve, hydrant, pipe from	EA	3	\$ 9,800.00	\$ 29,400,00	\$10,000.00	\$30,000,00	\$30,000.00	\$8,530.57	\$25,591.71	\$25,592.00	\$ 11,088.20	\$33,264.60	\$33,264,60
40	Remove Existing Three-Way Fire Hydram Assembly, (including gate vake, hydram, pipe from gate vake to hydrant, trenching, labor, backfill and ste restoration), CIP Furnish and Install 1-linch Single Body Combination Air Vake wit Traffic Rated Vaultion new 8-in	EA	1	\$ 1 900.00	\$ 1,900.00	\$2,000,00	\$2,000.00	\$2,000.00	\$1,134.20	\$1,134.20	\$1,134.00	\$ 1,096.30	\$1,096.30	\$1,096.30
41	waterline, (including all materials, labor, excavation, rock excavation, backfill and site restoration CIP	. EA	١	\$ 9,500,00	\$ 9,500,00	\$12,000.00	\$12,000.00	\$12,000.00	\$8,359,37	\$8,359.37	\$8,359.00	\$ 13,312.90	\$13,312,90	\$13,312.90
42	Furnish and Install 1-tich Copper Water Service Lines by Open Trenching, Including potholing, benching, bedding, connections to new water man, connection to existing water service line mobile of Ringy regulates of materials and typice disputramentes. If an interval, labor, topport, saddle, componition stap, (Englis, associated apportentiones, Subjecting and size restancion, CH Furnish and Install I-nech Copper Water Service Lines by Trenchings Installation (including).	EA	15	\$ 2,150,00	\$ 32,250,00	\$2,000.00	\$30,000.00	\$30,000.00	\$1,310,75	\$19,661,25	\$19.661.00	\$ 2,752.60	\$41,289.00	\$41,289,00
43	potholing, trenchless installation, bedding, connections to new water main, connection to exist water service fire include all fittings regardless of materials and types of apputenances, all material, labor, tapping saddle, corporation stop, fittings, associated apputenances, backfilling and the reactivations CER.	EA	15	\$ 2,600,00	\$ 42,000,00	\$3,000.00	\$45,000.00	\$45,000.00	\$2,928.85	\$43,932.75	\$43,933,00	\$ 2,892.60	\$43,389.00	\$43,389,00
44	Devoteing for waterine, up to 4' drawdown, (including all labor materials, pumps, gravel trend stabilization, excavation, beckfill, and site restoration), GIP	LF	40	\$ 250.76	5 10,030.40 Additive Alternation	\$50.00	\$2,000,00	\$2,000.00	\$270.71	\$10,828,40	\$10,828,00	\$ 0.30	\$12.00	\$12.00
45	Locate and Connect to Evisting 4-inch PVC Waterline per Detail G2, on sheet CU-503, (incl, all materials, labor, fittings used for connection, cutting and capping of existing pipe, removal and disposal of pipe, potholing, excavation, backfill, site restoration and all necessary items not begarately listed on the bid form), CIP	EA	1	\$ 7,107,55		\$8,000,00	\$8,000.00	\$8,000.00	\$10,673,25	\$10,673.25	\$10,873.00	\$ 9,728.30	\$9,728.30	\$9,728.30
45	sequent to pipe potencing securities, or and such as the resolution and all necessary interviews in sequentially lated on the bid form). CIP VC Waterine per Detail 05 on sheet CU-564, (incl. all materials, labor fittings used for connection, cutting and capping of existing pape removal and disposal of pipe, potencing, extravation, backfit, site restoration and all necessary items not exemptible lices or table of forms / CIP.	EA	1	5 10,544,32	\$ 10,544,32	\$15,000.00	\$15,000.00	\$15,000.00	\$10,673.25	\$10,673.25	\$10,673.00	\$ 12,605.20	\$12,605,20	\$12,605.20
47	Separately listed on the bid form), CIP Locate and Connect to Existing 4-nch PVC Waterine per Detail A7 on sheet CU-503, (ncl, all materials, laber, fittings used for connection, cutling and capping of existing pipe, removal and disposal of pipe, potholing, excavation, backfill, site restoration and all necessary terms not seearately ixed on the bid form). CIP	EA	1	\$ 9,699,45	\$ 9.699.45	\$12,000.00	\$12,000.00	\$12,000.00	\$13,134,25	\$13,134,25	\$13,134.00	\$ 9,728.30	\$9,728.30	\$9,728.50
45	Local and Local converts to subsidiary down information with the second	EA	з	\$ 16.000,00		\$20,000.00	\$60,000,00	\$60,000.00	\$13,134,25	\$39,402.75	\$39,403,00	s 12,937.10	\$38,811.30	\$38,811,30
49	Remove and replace existing roadway with 3-inch HMAC, 8-inch base course and 12-inch subgrade prep, maximum within of 4' of pavement shall be replaced (incl. removal and disposal an approved site of the existing asphalt and gravel, tock coat, asphalt and restoration of pavement makings to preconstruction configuration, CIP	sy	1326	s 75.00	Additive Alternat	o 1 - Site Improven \$65.00	\$85,190.00	\$86,190.00	\$80.78	\$107,114.28	\$107,121.00	\$ 92.70	\$122,920.20	\$122,920.2
50	pavement markings to preconstruction configuration), CIP Remove and Replace Curb and Oluter (incl. disposal of existing concrete to an approved site, labor, equipment and all related apputtenances not separately listed on the bid form as shown i	LF	16	\$ 90,00	\$ 1 440,00	\$80.00	\$1,280,00	\$1,280.00	\$100,58	\$1,609,28	\$1,609,00	s 140,10	\$2,241,60	\$2,241.60
51	the plans), CIP Remove and Replace Sidewalk. S swath (incl. disposal of existing concrete to an approved site labor, equipment and all related appurtenances not separately lated on the bid form as shown is the plans), CIP	SF	150	s 28.00	\$ 4,200.00	\$30.00	\$4,500.00	\$4,500.00	\$31.29	\$4,693.50	\$4,695.00	\$ 31.60	\$4,740.00	\$4,740.0
_	Total Base   Addition Alternati	id Constru	iction Sub	total EXCL NMGR1 total EXCL NMGR1	\$ 1,084.556.87 \$ 758,033.92		\$1,025,315,00 \$551,680,00	\$1,025,315.00		\$980,780.26 \$858,824.56	\$980,772,00		\$1,000,396.00 \$672,961.10	\$1,000,396.0 \$672,961.1
	Construction Total (NMG	DT + Dara	NMGR				\$136,594,58	\$136,594,58 \$1,743,589,58		\$139 194.71 \$1.915 974.24	\$55.826.77 \$1,693.383.72		\$142.235.35 \$1.815.592.45	\$142,235.3 \$1,815,592,4
	advertageren rater friga					Alternate 2	11.140.000.00		1			1	\$1,010,004,40	*1,210,074.5
Item No	ITEM DESCRIPTION	UNIT	QTY,	UNIT PRICE	TOTAL PRICE	UNIT PRICE	CALCULATED	BID FORM COST	UNIT PRICE	CALCULATED COST	BID FORM COST	UNIT PRICE	CALCULATED	BID FORM COST
52	Material Testing Allowance Pre and Post Construction Video Documentation	Allow			iditive Alternate 2 . 4	Bowances and Mis	COST						Contraction of the	
	The what our contraction race pocurrentation	15	1	\$ 10,000.00 \$ 2,200.00	Additive Alternate 2 - A \$ 10,000.00 \$ 2,200.00	\$10,000,00	\$10,000,00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000,00	\$ 10,000.00 \$ 1,480.90	\$10,000,00	\$10,000.0
54	Traffic Control Moháration & Darschération	LS	1 1 1 1 1	\$ 10,000.00 \$ 2,200,00 \$ 30,000.00 \$ 150,000.00	\$ 10,000,00 \$ 2,200,00 \$ 30,000,00	\$10,000,00 \$1,000,00 \$2,500,00	\$10,000.00 \$1,000.00 \$2,500.00	\$1,000.00 \$2,500.00	\$1,230,50 \$6,102.50	\$1,230,50 \$6,102,50	\$1,231.00 \$6,153.00	\$ 1,480,90 \$ 4,137.90	\$1,480,90 \$4,137.90	\$1,480.9 \$4,137.9
55 56	Mobilization & Demobilization Construction Survey to include staking, layout and identifying project boundaries.	LS LS LS	1 1 1 1 1	\$ 30,000.00 \$ 156,000.00 \$ 22,000.00	\$ 10,000,00 \$ 2,200,00 \$ 36,000,00 \$ 150,000,00 \$ 22,000,00	\$10,000,00 \$1,000,00 \$2,500,00 \$5,000,00 \$2,500,00	\$10,000.00 \$1,000.00 \$2,500.00 \$5,000.00 \$2,500.00	\$1,000.00	\$10,000,00 \$1,230,50 \$6,102,50 \$49,220,00 \$3,691,50	\$10,000.00 \$1,230,50 \$6,102,50 \$49,220,00 \$3,691,50	\$1,231.00	\$ 1,480,90	\$1,480,90	\$10,000.0 \$1,480.9 \$4,137.9 \$36,249.7 \$2,458.3
54 55 58 57	Mobilization 3 Demobilization Construction Survey to include staking, layout and identifying project boundaries.	LS	1 1 1 1 1 1.227	\$ 30,000.00 \$ 156,000.00 \$ 22,000.00	\$ 10,000,00 \$ 2,200,00 \$ 30,000,00	\$10,000,00 \$1,000,00 \$2,500,00 \$5,000,00 \$2,500,00	\$10,000.00 \$1,000.00 \$2,500.00 \$5,000.00 \$2,500.00	\$1,000.00 \$2,500.00	\$1,230,50 \$6,102.50 \$49,220.00	\$1,230,50 \$6,102,50 \$49,220,00	\$1,231.00 \$6,153.00 \$49,220.00	\$ 1,480,90 \$ 4,137.90 \$ 36,249.70	\$1,480,90 \$4,137,90 \$35,249,70	\$1,480.9 \$4,137.9 \$36,249.7
	Weblazeron a Demostration Construction Survey in Index taking layout and dentifying project boundaries. Furnals and tractal Source GOOP FAC DR-14 Wabers in solutions of analysis exclusion, bedding record of wask execution, more backed (Torgs, port retarbuts, saving layor taxing weblack the source of the second source of the retarbution and all retarbits furnants and insula Societa GOO and Call to Value Savi. A working all takes in means and furnants and insula Societa GOO and Call to Value Savi. A working all takes in means and	LS	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	\$ 30,000,00 \$ 156,000,00 \$ 22,000,00 Addi	\$ 10,000,00 \$ 2,200,00 \$ 30,000,00 \$ 150,000,00 \$ 150,000,00 \$ 22,000,00 \$ 22,000,00 \$ 22,000,00 \$ 22,000,00 \$ 22,000,00 \$ 22,000,00 \$ 22,000,00 \$ 2,000,00 \$ 2,000,00 \$ 30,000,00 \$ 30,000,000 \$ 30,000,000 \$ 30,000,000 \$ 30,000,000 \$ 30,000,000 \$ 30,000,000,000,000 \$ 30,000,000,000,000,000 \$ 30,000,000,000,000,000,000,000,000,000,	\$10,000.00 \$1,000.00 \$2,500.00 \$5,000.00 \$2,500.00 \$2,500.00 fine and Appurten:	\$10,000.00 \$1,000.00 \$2,500.00 \$5,000.00 \$2,500.00 ance Installation	\$1,000.00 \$2,500.00 \$5,000.00 \$2,500.00	\$1,230,50 \$6,102,50 \$49,220,00 \$3,691,50	\$1,230,50 \$6,102,50 \$49,220,00 \$3,691,50	\$1,231.00 \$6,153.00 \$49,220.00 \$3,692.00	\$ 1,480,90 \$ 4,137,90 \$ 36,249,70 \$ 2,458,30	\$1,480,90 \$4,137,90 \$36,249,70 \$2,458,30	\$1,480.9 \$4,137.9 \$36,249.71 \$2,458.3
57	We black on a Demochazion Constitution Survey in indue tabang lanut ant dentifying project boundaries. Formati not intesti Sund CBOP PCC Rev3 Modernic (including all parent lations porting) memory before provid of additiscut and more hardford (tabag), pare instructions and pare barcer views backflags compaction, standards with extension and all related apputances on the upstraftly lated and to family. CPC Funnah and Install S-min di seguritari, and the family, cPC Funnah and Install S-min di seguritari, taba di seguritari, and and tabagi materials and instruct apputances on du seguritari, barce di no la Ber Spini, CPC	LS LS LS	1 1 1 1.227	\$ 30.000.00 \$ 156.005.00 \$ 22.000.00 Addi \$ 86.00	\$ 10,000.00 \$ 2,200,00 \$ 30,000.00 \$ 150,000.00 \$ 22,000.00 \$ 22,000.00 \$ 22,000.00 \$ 22,000.00 \$ 22,000.00 \$ 22,000.00 \$ 105,522.00	\$10,000,00 \$1,000,00 \$2,500,00 \$5,000,00 \$2,500,00 \$2,500,00 \$2,500,00 \$2,500,00 \$3,500,00 \$3,500,00 \$3,500,00	\$10,000.00 \$1,000.00 \$2,500.00 \$2,500.00 \$2,500.00 ance Installation \$104,295.00	\$1,000,00 \$2,500,00 \$5,000,00 \$2,500,00 \$104,295,00 \$104,295,00 \$8,000,00	\$1,230,50 \$6,102,50 \$49,220,00 \$3,691,50 \$78,43	\$1,230,50 \$6,102,50 \$49,220,00 \$3,691,50 \$96,233,61	\$1,231.00 \$6,153.00 \$49,220.00 \$3,992.00 \$396,235.00	\$ 1,480,50 \$ 4,137,90 \$ 36,249,70 \$ 2,458,30 \$ 84,30 \$ 84,30 \$ 3,108,30	\$1,480,90 \$4,137,90 \$35,249,70 \$2,458,30 \$78,898,10	\$1,480.9 \$4,137.9 \$36,249.7 \$2,458.3 \$78,896.1
57 58	Mote Earcon a Democrazion Construinti di Suveri in Induite tatung layout anti dentifying project boundares. Formati na totaliti Suno COSO PAC DR-14 Studento incluinti al material liber pomole- pencheti pedang servoli of assist escatosino mpoto tataliti. (Dans, ponte tatalisti sammy lago tancer vere, baschiferg, compaction, disoftetion in the restruction and all related suppretances of use possibility failed and tatality. (Dans, ponte tatalisti and tatality) and tataliti and tatality and tatality and tatality memorials and related appuretances not separately label on Biel Forms, CIP Formati and Insalls, Theorem Sy and hydroid related posts, dana rock hencing, label la fyziant, tatage, tones gato in product restanda posts, dana rock hencing, label Alarone Scratting Theorem Sy and hydroid related posts, dana rock hencing, label	LS LS LS LS EA	1 1 1 1.227 2	\$ 30,000,00         \$ 156,000,00           \$ 156,000,00         \$ 22,000,00           Addi         \$ 86,00           \$ 96,00         \$ 86,00           \$ 3,388,55         \$ 3,388,55	\$ 10,000,00 \$ 2,200,00 \$ 36,000,00 \$ 150,000,00 \$ 22,000,00 \$ 22,000,00 \$ 2000,00 \$ 105,522,00 \$ 105,522,00 \$ 0,777,10	\$10.000.00 \$1.000.00 \$2.500.00 \$5.000.00 \$2.500.00 \$2.500.00 \$2.500.00 \$2.500.00 \$2.500.00 \$4.000.00	\$10,000.00 \$1,000.00 \$2,500.00 \$5,000.00 \$2,500.00 \$2,500.00 \$104,295.00 \$104,295.00 \$8,000.00	\$1,000,00 \$2,500,00 \$5,000,00 \$2,500,00 \$104,295,00 \$104,295,00 \$8,000,00	\$1,230,50 \$6,102,50 \$49,220,00 \$3,691,50 \$78,43 \$3,343,75	\$1,230,50 \$6,102,50 \$49,220,00 \$3,691,50 \$96,233,61 \$6,687,50	\$1,231.00 \$46,153.00 \$49,220.00 \$3,892.00 \$96,235.00 \$96,235.00 \$86,668.00	\$ 1,480,50 \$ 4,137,90 \$ 36,249,70 \$ 2,458,30 \$ 84,30 \$ 84,30 \$ 3,108,30	\$1,480,50 \$4,137,60 \$36,249,70 \$2,458,30 \$78,898,10 \$8,216,60	\$1,450.9 \$4,137.9 \$36,249.7 \$2,458.3 \$78,896.1 \$6,216.8
57 58 59	Work lacon a Demochazion Construintin Service in onder takung lacut and etertiyang project boundares. Farnak and textall S-role COOP PAC DR-44 Watchine, Including al material liber portubing been hare view, backfilling, comparison, discritistica, in the testimation and all related takes hare view, backfilling, comparison, discritistica, in the testimation and all related takes hare view, backfilling, comparison, discritistica, the testimation and all related takes hare view, backfilling, comparison, discritistica, the testimation and all related takes hare view, backfilling, comparison, discritistica, and the second second related approximations, and takes the view back in control gal takes in meterols and related approximations, and takes the view back in control gal takes in meterols backfill and alle instructions (LP). Therework Existing Therework prior instruments, back takes the instrumenta, CDP path and the instruction, LBorr, Stand Assenshy, including gal takes in by double therefore, galwards, type Som path advect to findeat therefore, back of gal and as extended in CDP.	LS LS LS LF EA EA EA	1 1 1 1.227 2 2	\$ 30,000,00         \$ <td< td=""><td>\$ 10.000.00 \$ 2.200.00 \$ 36.000.00 \$ 150.060.00 \$ 150.060.00 \$ 22.000.00 \$ 22.000.00 \$ 22.000.00 \$ 150.060.00 \$ 105.522.60 \$ 19.600.00 \$ 19.000.00 \$ 19.000.00</td><td>\$10,000,00 \$1,000,00 \$2,500,00 \$3,500,00 \$3,500,00 \$1,000,00 \$4,000,00 \$10,000,00 \$10,000,00 \$2,000,00</td><td>\$10,000.00 \$1,000.00 \$2,500.00 \$2,500.00 ance Installation \$104,295.00 \$8,000.00 \$20,000.00</td><td>\$1,000.00 \$2,500.00 \$2,500.00 \$104,255.00 \$104,255.00 \$2,000.00 \$20,000.00 \$2,000.00</td><td>\$1,230,50 \$4,102,50 \$49,220,00 \$3,691,50 \$78,43 \$3,343,75 \$8,723,17</td><td>\$1,230,50 \$6,102,50 \$49,220,00 \$3,691,50 \$96,233,61 \$6,687,50 \$17,446,34</td><td>\$1,231,00 \$46,153,00 \$49,220,00 \$3,992,00 \$3,992,00 \$96,235,00 \$86,688,00 \$17,445,00</td><td>\$ 1,480.50 \$ 4,137.90 \$ 39,249.70 \$ 2,458.30 \$ 84.30 \$ 31,08.30 \$ 10,680.56 \$ 1,088.30</td><td>\$1.480.80 \$4.137.80 \$35.249.70 \$2.458.30 \$78.899.10 \$6.216.60 \$21.381.60 \$1.096.30</td><td>51.460 9 94.137,0 536.249,7 52.458,3 578,698,1 56.216,6 \$21.581,8 \$1,096,3</td></td<>	\$ 10.000.00 \$ 2.200.00 \$ 36.000.00 \$ 150.060.00 \$ 150.060.00 \$ 22.000.00 \$ 22.000.00 \$ 22.000.00 \$ 150.060.00 \$ 105.522.60 \$ 19.600.00 \$ 19.000.00 \$ 19.000.00	\$10,000,00 \$1,000,00 \$2,500,00 \$3,500,00 \$3,500,00 \$1,000,00 \$4,000,00 \$10,000,00 \$10,000,00 \$2,000,00	\$10,000.00 \$1,000.00 \$2,500.00 \$2,500.00 ance Installation \$104,295.00 \$8,000.00 \$20,000.00	\$1,000.00 \$2,500.00 \$2,500.00 \$104,255.00 \$104,255.00 \$2,000.00 \$20,000.00 \$2,000.00	\$1,230,50 \$4,102,50 \$49,220,00 \$3,691,50 \$78,43 \$3,343,75 \$8,723,17	\$1,230,50 \$6,102,50 \$49,220,00 \$3,691,50 \$96,233,61 \$6,687,50 \$17,446,34	\$1,231,00 \$46,153,00 \$49,220,00 \$3,992,00 \$3,992,00 \$96,235,00 \$86,688,00 \$17,445,00	\$ 1,480.50 \$ 4,137.90 \$ 39,249.70 \$ 2,458.30 \$ 84.30 \$ 31,08.30 \$ 10,680.56 \$ 1,088.30	\$1.480.80 \$4.137.80 \$35.249.70 \$2.458.30 \$78.899.10 \$6.216.60 \$21.381.60 \$1.096.30	51.460 9 94.137,0 536.249,7 52.458,3 578,698,1 56.216,6 \$21.581,8 \$1,096,3
57 58 59 60	Web Bacon a Demochazion Construinto Survey in induct tabue grand and electry on project boundares. Formati not install bacon COBP AC DR-4 Stabilities recluides at material libre, ported provide and install bacon COBP AC DR-4 Stabilities recluides at material libre, ported provides and tabue and tabue and tabue provides and libre, ported and provide at the stability of the stability of the stability of the stability of the provides and tabue and tabue and tabue and tabue provides and tabue tabues and tabue and tabues and tabues and tabues related appartements out searching tables and tabues and tabues and tabues and tabues and tabues and tabues and tabues and tabues and tabues and tabues and tables and tabues and tabl	LS LS LS LF EA EA EA	1 1 1 1.227 2 2 1	\$ 30,000,000         \$ 150,000,000         \$ 22,000,000         \$ 22,000,000         \$ Addit         \$ 3,000,000         \$ 3,388,550         \$ 9,800,000         \$ 1,900,000	\$         10.00.00           \$         2.00.00           \$         30.00.00           \$         100.00.00           \$         100.00.00           \$         100.522.00           \$         100.522.00           \$         100.522.00           \$         100.522.00           \$         100.522.00           \$         100.000           \$         100.000           \$         100.000           \$         100.000           \$         100.000	\$10.000.00 \$1.000.00 \$2.500.00 \$2.500.00 \$2.500.00 \$4.000.00 \$4.000.00 \$10.000.00 \$10.000.00 \$2.000.00	\$10,000,00 \$1,000,00 \$2,500,00 \$2,500,00 \$2,500,00 \$2,500,00 \$2,2500,00 \$2,2500,00 \$42,500,00 \$40,000,00 \$20,000,00 \$20,000,00	\$1,000.00 \$2,200.00 \$5,000.00 \$2,200.00 \$1,250.00 \$104,295.00 \$104,295.00 \$20,000.00 \$20,000.00 \$22,000.00 \$22,000.00	\$1,250,50 \$49,220,00 \$3,891,50 \$78,43 \$3,343,75 \$8,723,17 \$1,252,50	\$1 200 50 \$6,102 50 \$49 220,00 \$3,691 50 \$98,233,81 \$6,687,50 \$17,446,54 \$1,262,60	51/21100 586 153.05 546 220.05 546 220.05 536 822.05 596 225.00 596 885.05 517 445.05 51 263.00	\$         1.480.80           \$         1.130.80           \$         3.1249.70           \$         3.6249.70           \$         3.6249.70           \$         2.458.50           \$         8.430           \$         3.108.30           \$         10.660.86           \$         1.098.30           \$         2.812.10	\$1.480,09 \$4.137,60 \$35,249,70 \$2,458,30 \$78,898,10 \$6,216,60 \$21,381,50 \$1,096,30 \$30,933,10	51.460 9 94.137,0 536.249,7 52.458,3 578,698,1 56.216,6 \$21.581,8 \$1,096,3
57 58 59 60 61	Weblication & Demochazation Construction Survey in include tableting layout and dentifying project bioundaries. Formation de install South CBOP AC DR-4 Stability including a financial table particular territority bedrag record of state scate-scate myroot state(). They south calculates source layout and transfer second of state scate-scate myroot state(). They south calculates source layout and the state scate scate scate scate scate scate scate scate scate particular scate scate and scate scat	LS LS LF EA EA EA	1 1 1 1.227 2 2 2 1 1	\$ 30,000,00         \$ 150,000,00         \$ 150,000,00         \$ 22,000,00         \$ 4ddit           \$ 20,000,00         \$ 22,000,00         \$ 4ddit         \$ 3388,55         \$ 9,800,00         \$ 3,388,55         \$ 9,800,00         \$ 1,900,00         \$ 1,900,00         \$ 2,150,000         \$ 2,150,000         \$ 2,150,000         \$ 2,150,000         \$ 3,388,55<	\$         10 000.00           \$         2 000 00           \$         2 000 00           \$         2 000 00           \$         2 000 00           \$         2 000 00           \$         100 502 00           \$         105 522 00           \$         105 522 00           \$         1 100 00           \$         1 5 00 00           \$         2 3 650 00           \$         2 5 200 00           \$         2 5 200 00           \$         2 5 200 00	\$10.000.00 \$1.000.00 \$2.500.00 \$2.500.00 \$2.500.00 \$4.000.00 \$4.000.00 \$10.000.00 \$10.000.00 \$2.000.00	\$10,000,00 \$1,000,00 \$2,500,00 \$5,000,00 \$2,500,00 \$2,500,00 \$104,295,00 \$4,000,00 \$20,000,00 \$22,000,00 \$22,000,00 \$22,000,00	31,000,00     35,000,0     35,000,0     35,000,0     35,000,0     35,000,0     35,000,0     35,000,0     35,000,0     35,000,0     322,000,0     322,000,0     322,000,0     322,000,0     322,000,0	\$1,220,50 \$6,102,50 \$46,220,00 \$3,691,50 \$78,43 \$3,343,75 \$6,722,17 \$1,252,50 \$1,438,47	\$120.50 \$61025 \$4922000 \$3.691.50 \$98233.61 \$88,887.50 \$17,446.54 \$1,262.60 \$15,801.17	31,231,00 36,153,00 344,220,00 33,892,00 596,235,00 \$10,680,00 \$11,263,00 \$11,801,00 \$15,801,00	1         1.40.90           1         4.137.00           5         94.248.70           5         94.248.70           5         94.248.70           5         10.459.30           5         10.469.30           5         10.469.30           5         10.469.30           5         10.469.30           5         2.612.10           5         2.601.70	51.460.80 54.173.60 535.246.70 52.246.70 52.246.30 57.6.696.10 54.216.60 51.096.30 530.933.10 530.933.10	31.460.0 9.41.17.9 536.249.7 \$2.456.3 \$76.896.1 \$6.216.9 \$21.381.8 \$1,096.3 \$30,933.1
57 58 59 60 61 62 53	Web lacks a B Demobilization Construction Survey in indice tables glaval and dentifying project boundaries. Formation de install S-end CBDP AC DR-4 Structures reclaims at manned tables protecting territority bedrage record of address carbon myroblackful (Barsy, point restards samp tables barear web backfully comparison, and back to the structures of the structures and protecting the structures of the structures of the structures and the structures of protecting the structures of the structures of the structures of the structures of the structures of protecting the structures of the structures of the structures of the structures of the protecting of the structures of the structures of the structures of the structures of the structures of the structures of the structures of the structures of the the structures of the structures of the structures of the structures of the structures of the structures of the structures of the structures of the structures of the structures of the structures of the structures of the structures of the structure of the structures of the structures of the structures of the structures of the structure of the structures of the structures of the structures of the structures of the structure of the structures of the structures of the structures of the structures of the structure of the structures of the structures of the structures of the structures of the structure of the structures of the structures of the structures of the structures of the structure of the structures of the structures of the structures of the structures of the structure of the structures of the structures of the structures of the structures of the structure of the structures of the structures of the structures of the structures of the structure of the structures of the structures of the structures of the structures of the structure of the structures of the structures of the structures of the structures of the structures of the structures of the structures of the structures of the structures of the	LS LS LS LS EA EA EA EA EA EA	1 1 1 1.227 2 2 1 1 11 9 9	3         300000           5         15000000           5         15000000           5         200000           5         24600           5         388.55           5         0.500000           5         1.980000           5         2.150000           5         2.860000           5         2.860000           5         1.0544.32	5         1000000           5         72000           5         72000           5         1550000           5         150000           5         150000           5         105520.00           5         150000           5         150000           5         150000           5         150000           5         2385000           6         21,200,00           5         21,000,00           4         20,000           5         21,000,00           5         21,000,00           6         21,000,00           6         21,000,00           6         21,000,00           7         20,000,00	110 20000 15 00000 15 000000 15 000000 15 000000 15 0000000 15 000000000000000000000000000000000000	10,000 00 10,000 00	31,000,00     35,000,0     35,000,0     35,000,0     35,000,0     35,000,0     35,000,0     35,000,0     35,000,0     35,000,0     322,000,0     322,000,0     322,000,0     322,000,0     322,000,0	11,220,52 14,0122,53 14,6223,02 14,6223,02 14,6223,02 14,6223,02 14,6223,02 14,624,75 14,26	\$1,203.50 \$46,023.50 \$49,023.50 \$33,6415,223.50 \$49,627.50 \$17,446,34 \$1,262,50 \$17,446,34 \$1,262,50 \$15,601,17 \$27,577,65 \$28,729,57	31,231,00 34,153,00 344,220,00 39,922,00 399,225,00 399,225,00 51,245,00 \$17,445,00 \$17,445,00 \$17,650,00 \$12,578,00 \$227,578,00	3         1,40,80           3         4,137,80           4         3,248,70           3         2,458,30           5         9,448,70           5         9,448,70           5         9,448,70           5         10,650,80           5         10,660,80           5         10,660,80           5         2,812,10           5         2,812,10           5         2,403,70	51.460.80 54.173.60 535.246.70 52.246.70 52.246.30 57.6.696.10 54.216.60 51.096.30 530.933.10 530.933.10	131.440.89 54.177.87 156.248,78 157.698,1 157.698,1 158.216,69,1 158.216,69,1 159.216,09,3 150,093,1 152.233,3 152.233,3 152.233,3 152.233,3 152.233,3 152.233,3 152.233,3 152.233,3 152.233,3 152.233,3 152.233,3 152.233,3 152.233,3 152.233,3 152.233,3 152.233,3 152.235,3 152.255,3
57 58 59 60 61 62 62 53 64	Web Earon a Demochazion Construction Survey in include takung Jarout and elentry ng project boundares. Eranska de Installi S-not 6:000 PAC DR-40 Nobeline including all material blave porting techning bedrag resourd of acids excession, morbit acid. (Torus, port testards warmy base hare vive, backfilling, comparison, discritication, and all related techning bedrag including and technication and an electrication and related appresances on tesperation, discritication and all related technical bedrag including and technication and an electrication related appresances on tesperation, discritication and all related technical bedrag including and technication and an electrication related appresances on tesperation, backets and related points dans on maximum all handling and technication and all related technical points dans on tesperation backfill and all relationships (LP). Teamsh and tesperation and tesperation and all related technical points dans backfill and all relationships (LP). Teamsh and tesperation technication and tesperation and all related appresents and advection terms tesperation and all related appresents tesperations. Laterological points and advection terms tesperation and all related appresents tesperations. Laterological points reclare all finangs regulates of materola and tays of approx deportmans, all metals labor tesperations and tays and tesperations tesperations tesperations tesperations and tesperations tesperations. Laterolagical and tesperations tesperations and tesperations and tesperations tesperations and tesperations tesperations and tesperations tesperations and tesper		1 1 1 1 1 2 2 2 2 1 1 11 11 9 9	8         30 000 00           5         150 000 20           8         30 000 00           9         2000 00           9         2000 00           5         86,00           5         9,800 00           5         1,980,00           5         2,150,00           5         2,150,00           5         10,544,32           5         10,544,32           5         75,00	5         10000000           5         720000           5         720000           5         720000           5         720000           5         7200000           5         7200000           5         7200000           5         777.10           5         190000           5         190000           5         230000           6         190000           5         230000           6         230000           7         200000           8         230000           9         2108.9           9         4180000           9         4180000	1 10 200.00 1 10 000.00 2 200.00 1 2 000.00 1 2 00	\$10,00,00 \$1,00,00 \$2,00,00 \$2,00,00 \$2,00,00 \$1,00,00 \$1,00,00 \$2,000,000 \$2,000,0000 \$2,000,000 \$2,000,000 \$2,000,000 \$2,000,000 \$2,000,000 \$2,000,000 \$2,000,000 \$2,000,000 \$2,000,000 \$2,000,0000 \$2,000,000 \$2,000,0000 \$2,000,000 \$2,000,000 \$2,000,000 \$2,000,0000 \$2,	1 (000) 2 (500) 3 (	11,230,50 14,012,50,50 14,022,00 13,081,52 14,220,00 13,081,52 14,220,00 14,220,0	91,220,50 94,6125,50 94,922,000 94,922,000 94,923,50 94,947,50 94,947,50 94,947,50 917,446,34 91,362,60 916,801,17 927,577,59 928,729,50 955,528,59	1 231.00 1 231.00 1 231.00 1 242.20 1 242.	3         1.480.00           4         1.37.00           5         4.37.00           5         9.3249.70           5         84.50           5         84.50           5         1.045.00           5         1.045.00           5         1.064.30           5         2.4912.10           2         2.4912.10           2         5           2         5           14.036.00           2         5           2         5           2         1.02.80	31.480.80           34.175.00           34.175.00           34.875.00           34.875.00           34.876.00           34.214.60           34.214.60           34.214.60           34.214.60           34.214.60           34.214.60           34.214.60           34.214.60           34.214.60           34.214.60           34.214.60           34.214.60           34.214.60           34.214.60           34.214.60           34.214.60           34.214.60           350.933.10           352.6078.00           357.920.40           \$57.920.40	31.400 pc           41.377 bc           51.512 cc           52.612 cc <td< td=""></td<>
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57 58 59 60 61 62 63 63 64 65 66	WebElacom a Demochazion Constluction Survey in Indukt statung Jarout and etertiyang paranet bioundares. Farnaka nel tensigi S-root GOOP PAC DR-K4 Wabelene including all material liber portinging tenching bedrag rescul of wasks execution, moreb tackff. (Tongs, port estatus, samp tage, tarser web, backfilling, comparation, disorderin, is the institution and all restelled Farnaka nel tensigi B-root GOOP ALL BARK ALL ALL ALL ALL ALL ALL ALL ALL ALL AL	LS LS LS LS LS LS LS EA EA EA EA EA EA EA EA EA EA EA EA EA	1 1 1 1 1 2 2 2 1 1 11 9 9 2 2 558 9 0 150	8         30.000.00           1         150.000.00           5         100.000           5         2.000.00           5         2.000.00           5         2.000.00           5         3.388.55           5         9.800.00           5         1.500.00           5         2.150.00           5         1.0544.32           5         75.00           5         75.00           5         75.00	5         10000000           3         720000           3         720000           3         15000000           3         15000000           5         2200000           5         10552.00           5         1500000           5         1500000           5         1500000           5         2200000           6         150000           5         220000           6         150000           6         220000           6         220000           6         20000           6         440000	4 10 2000 20 4 10 2000 20 4 20 2000 20 5 2 3 2000 20 5 2 3 2000 20 5 3 3	810,000,00 11,000,00 12,000,00 12,000,00 12,000,00 13,000,00 14,000,000,000 14,000,000,000 14,000,000,000 14,000	1 00000 2 50000 3 50000 3 50000 3 50000 5 10000 5 100000 5 100000 5 100000 5 1000000 5 1000000 5 1000000 5 1000000 5 100000 5 1000000 5 100000 5 1000000 5 1000000 5 10000000 5 1000000000 5 1000000000000000000000000000000000000	11,230,50 14,102,50 14,022,00 13,041,50 13,041,50 13,041,50 12,230,00 13,041,50 14,204,07 14,204,07 14,204,75	51,220,50 54,025,50 54,025,50 54,025,50 54,025,50 54,025,50 54,025,50 54,025,50 54,001,17 527,577,60 528,729,50 528,729,70 528,729,70 528,729,70 528,729,70 528,729,70 528,729,70 528,729,70 528,729,70 528,729,70 528,729,70 528,729,70 528,729,70 528	1 1231.00 14 1530.00 14 1530.00 15 90 220.00 15 90 200.00 15 90 200	3         1.480.50           3         4.127.80           3         4.527.80           3         5.244.70           5         2.44.70           5         1.104.30           5         1.04.30           5         1.04.30           5         1.04.30           5         1.04.30           5         1.04.30           5         1.4.094.30           5         1.4.094.30           5         1.4.035.00           5         1.4.035.00           5         1.4.035.00           5         1.4.035.00	31.480.00         34.375.00           34.375.00         34.375.00           378.698.10         34.218.50           377.698.10         34.218.50           34.218.50         34.218.50           352.57.50         40.00           352.677.50         54.415.00           34.218.50         34.218.50	31.400 p0           34.137 p0           34.137 p0           376.890, 11           376.890, 11           386.216, 60           327.890, 11           386.216, 60           327.391, 80           320.093, 11           320.093, 11           326.210, 00           327.391, 80           327.391, 80           326.210, 03, 11           327.200, 93, 11           326.210, 03, 11           327.790, 40           3440, 00           34.216, 00
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Amanda Forrister Mayor

Rolf Hechler Mayor Pro-Tem

Merry Jø Fahl Commissioner



505 Sims St.

Truth or Consequences, New Mexico 87901 P: 575-894-6673 ♦ F: 575-894-7767 www.torcnm.org Destiny Mitchell Commissioner

Shelly Harrelson Commissioner

Angela Gonzales City Manager

June 6, 2023

Rylan Edgmon Estimator, Smitheo Construction, Inc. 6 King Canyon Loop, Caballo NM, 87931

Re: Confirmation of Contractor Bid, Truth or Consequences Drinking Water Systems Improvement Project

#### Mr. Edgmon

This letter is to confirm the contractors bid for the award of the base bid + apportion of Additive 1 which includes sheets 2<sup>nd</sup> Avenue CU-210, CU-211 for the Drinking Water Systems Improvement Project, which will need your concurrence to proceed on awarding the contract.

#### Summary:

Bids were publicly opened on Tuesday, May 23, 2023, until 10:30 am MST local time. Smithco Construction Inc. was the responsible low bidder with a base bid + Additive 1 of \$1,606,955.00 (excl. NMGRT), which exceeded the available funding. The city elected to reduce the scope of alternate 1 to include only sheets CU-210, CU-211.

#### Final Confirmation:

The city is providing a revised scope bid tab with the Base Bid + Additive 1 sheets CU-210, CU-211 for Smithco Construction Inc's concurrence. For a total contract amount of \$1,238,595.00 (excl. NMGRT) and with a total contract amount Including NMGRT of \$1,343,875.58 is within the available funding.

Concurrence is required by Smithco Construction Inc. on this document with its attachment. The contract agreement will include this final confirmation.

Sincerely

Xngela Gonzales City Manager <u>Attachment</u>:

Attachment: Bid Confirmation for Award

CONCURRENCE:

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	WILSON &COMPANY	IMPROV Project	BID TAB	BMITH CO		
	accivit/AiNT		enços, New Mexico 19,23			
	B	ase Bid				
item No.	ITEM DESCRIPTION	UNIT	QTY,	UNIT PRICË	CALCULATED CO	
		and Miscellaneous	_!I			
1	Material Teating Allowaico	Allow		\$10,099,00 \$1,000.00 \$25,000.00	\$10,000,00	
- 2	Pre and Post Combination Video Documentation	1,3		\$1,000.00	\$1,000.00 \$25,000.00 \$46,000.00	
4	Traffic Control Mobilization & Demobilization	LS	-+	\$45,000,00	8/5,000,00	
	Construction Survey to include staking, layout and identifying project boundaries.	18		\$25,000,00	\$25,000.00	
	Waterline and A	purtenance Instellation				
6	Funkti nad instel 64non 2000 PVC DA-18 Withflim, (kotuling till märinki, tako, politoira, (naching, budding, removal of tweate acceretion, toport bockfil, föttige, lokat revetueta, vaning (app, thear time, backfilling, compación, distincticies, etc enschunktion and et celeted (pouter and market beford and load for M). C. C. Caratag, Sheete CU-200, (include	LF	3,544	\$90,00	\$112	
7	tracchess installellon, all materials, isbor, carrier pipe, restrainte, castro spacers, end senis, bore and recolving pit excavation, back/lil, compaction, removal of waste excavation and site restoration: CIP	lF	93	\$600.00	\$ <b>7</b>	
8	Fornish and install 5-loch Gate Valve in Cast Iron Valve Box. //whitding all labor, maintiain and	EA	13	\$4,000.00	\$57	
9	related apputernances not expositivity listed on Bid Form), CIP Founds and Install Three-Way Fire Hydrain Assembly, Ginciluling tee on matrice, at pipe from tee to bysteri, Minge, risers, gate valve, hydrain, nastrained joints, drain rock, trenching, labor, beckmill and at estavolable, CIP	EA	4	\$10,000,00	14	
10	Renards Existing Trass-Way Fra Hydrard Assembly, (Including gato valve, hydrard, pipe from Igate what to hydrard, (Including, Iglor, pick)II and dig restantion), CIP Formein and Inglata I-luchol Single Bady Comdition Mr Valew wy Traint, Relati Veuk on new 2-inch	EA	3	\$2,000.00	¥	
£1	welefine, (excluding all materials, labor, expension, rock excavalion, backle and the festorstion),	EA	3	\$12,000.00	\$36	
	CIP Partish and Install Linch Capper Water Service Lines by Open Tranching, (Instanting, Christiang, Franking, Ledding, connections to new water main, correction to abiting water service line (Instals al Effigie regardless of materials and types of apportaneos, all material, Jabor, Isperja addie, corportionis not, Silforga secolated apportaneos, herciffing and side restorials(h), CIP	EA	15	\$2,000.00	\$30	
13	Fornish and Anhalf 4-both Copper Water, Service Lines by Trenchiese Instalation (Including pollaring, banchiese Instalation, beding, corporations to new version and the service of the se	ЕА	17	\$3,000.00	\$51	
14	Develoring for waitering, up to 4' drewdown, (including all lebor, materials, pianpa, gravel transh atabilization, excavation, backfil, and alle metoration). CIP	LF	78	\$50.00	*	
	Local	and Connect				
15	Locale and Connord to Existing & Booch PVD Weilerfore per Data T22, on sixed CU-503, third, if matalate, block, Billings Land for contraction, cotifing and capping of existing pipe, connored and disposed of pipe, orthologie, service values, becauld, elite restoration and all accessary iteran not legarated Meter on the bell form), CIP Locale and Connored to Existing Shareh PVD Weilerfore per Detail G2 on sived CU-503, (not. 1)	EA	ĩ	\$8,000,00	ş	
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			· ·		\$10	
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17	maintaina, labor, filtings used for connection, cutting and capping of a Sixting pipe, removal and disposal of pipe, politicing, accuration, backfills, site restaration and all hereasary items not deparately failed on the bid ours). OP (Locate and Connect to Existing 64 noti PVC Waterding per Cause AS on sixed CU-SOI, (not, et analisation tables filtera task for expension and and restored on Soliton of an annual and analisation.	EA	1	\$15,000,00		
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18 19 20 21 22 23 24 25 24 25 28 29 29	materials, biotr, Minge used for connection, catting and capping of saking pipe, removal and deposed of pipe, patheking, accounting, becking, also resultation and all researcy items not escarately halad on the bid strink. CIP Locale and Connect bio binking default pipe. Default also an share CU-SO3, (incl. all materials, biotr, Minge used for connection, beach, all are scalarios and all measures in terms not deposed of pipe, patheking, accounting, beach, all are scalarios and all measures in terms not construct and the bid strink CIP Depose and Connection Electricity of content of the scalar pipe, terms all and materials, bidor, Minge used for connection, coulding and capping of arking pipe, removal and deposed of pipe, pathetic scalar deposed on the bid bidors. The pathetic bidor of the bid bidors, CIP Deposed and Connection and all accounting and capping of arking pipe, removal and deposed of the bid bidors. CIP Concell, CL and Capp Exhibits What Due and tabedon in place, (incl. all materials, bidor, mitting bidor, and the separately bidor on the bid form). CIP Concell, CL and Capp Exhibits (accountion, backs, alls restoration and all necessary laters not deposed bid bidors). CIP States and replace adding acphal, and garveri, tack cost, apphalt and the deposed of deposed of an approved site of the scalar (all or parent all backs). CIP Remove and Replace Distard Capperations and all concessary laters and an approved site. Of the scalar garver, tack cost, apphalt and testoration of parent hator, aquipment and all related apportenances on separately listed on the bid form of Remove and Replace Distard Capperations and scalar and scalar on paperoved alls, hator, aquipment and all related apportenances on separately field on the bid form as a shown in the plant), CIP Remove and Replace Bibling Connections bords materially distard on the bid form on a shown in the plant), CIP Remove and Replace Bibling Connections and sparsitely fister on an approved alls, hator, aquipment and all relate	EA EA EA EA EA EA EA EA EA	2 2 1 889 6 330 135	\$20,000,00 \$4,000,00 \$55,00 \$60,00 \$30,00 \$30,00 \$15,000,00 \$75,000,00 \$25,000,00	\$44 \$11 \$55 \$55 \$55 \$55 \$55 \$55 \$55 \$55 \$55	
16 19 20 21 22 23 24 25 24 25 29 29 29 30	materials, biotr, Minge used for connection, cutting and capping of calking plop, tennoval and depend plane, brokkey, accounting, beckill, site restands and all measures planes not essentially lated on the bid forms, CIP Locate and Connect to Existing Actions ProC Waterians par Dataf AB on shvet 6U-500, (incl. at materials, bider, Minge used for connection, cutting and capping of oxisite plop, tennoval and disposed of ploy, plotting, accounting, beckill, site restoration and all measures plotting. The state of the bid of the bid of the state of the state of the state of the state of the bid of the state of the state of the bid of the b	EA EA EA EA SY UF SF GF SF SY RCADA EA EA EA EA EA	2 2 1 885 6 335 135 60 2 2 4 4 4 76	\$20,000,00 \$40,000,00 \$5,000,00 \$65,00 \$60,00 \$400,00 \$30,00 \$10,000 \$15,000,00 \$15,000,00 \$15,000,00 \$1,000,000 \$1,000,000 \$1,000,000 \$1,000,000 \$1,000,000,000 \$1,000,000,000 \$1,000,000 \$1,000,000 \$1,000,000,000 \$1,000,000,000 \$	\$40 \$10 \$3 \$3 \$3 \$3 \$3 \$4 \$4 \$1 \$1 \$5 \$5 \$5 \$5 \$5 \$5 \$5 \$5 \$5 \$5 \$5 \$5 \$5	
16 19 20 21 22 23 24 25 24 25 29 29 29 30	materials, biotr, Minge used for connection, cutting and capping of calking plop, tennoval and depend plane, possibleng, accounting, beckfit, site restands and all measures planes not estantially lated on the bid strink. CIP Locate and Connect to Existing Astron Public Westerlang par Dataf AB on shvet CU-SOU, (incl. at materials, bider, Minge used for connection, cutting and capping of oxisite plop, tennoval and disposed of ploy. Publicing, accounting, backfit, site restoribut man all ancessary items not estantially black on the bid string the connection, cutting and capping of oxisite plop. Longott, particular, bider, Minge used for connection, cutting and capping of oxisite (CU-SOU, (incl. at materials, bider, Minge used for connection, cutting and capping of oxisite (CU-SOU, (incl. at disposed of play, policiting, excervation, backfit, alls restoration and all measures play, entrol and disposed of play, policiting, excervation, backfit, alls restoration and all measures play, entrol and disposed of play, policiting, excervation, backfit, alls restoration and all measures of tegrately lated on the bid form), CIP Cocate, CU and Cap Existing readings yields that backgit play and the storation of parameter and replace adding ready yields that and backgit on the bid form as above in an approted the of the storation, CIP Site at Network and replace display polytoping accounting backfit, all and the storation of parameter above, explorated and all related approteomores not expandely black of the storation of parameter habove, explorated and all related approteomores not expandely black on the bid form as above in the plant), CIP Remove and Replace Stategit (5) prestit (5) contaits play and the storation to parameter above, explorated and all related apporteomores not expandely black of the bid form as above in the plant), CIP Remove and Replace Stategit (5) prestit (5) contaits provide backfit porteries and validation (6). Remove and Replace Stategit (5) prestit (5) contaits westy metantum	EA EA EA EA EA EA EA EF SF SF SF SF SF SF SF SF SF SF SF LF	2 2 1 869 6 330 135 60 2 2 2 4 4	\$20,000,00 \$4,000,00 \$5,000,00 \$55,00 \$60,00 \$30,00 \$30,00 \$30,00 \$15,000,000 \$15,000,000 \$15,000,000 \$15,000,000 \$15,000,000 \$15,000,000 \$15,000,000 \$15,000,000 \$15,000,000 \$15,000,000 \$15,000,000 \$15,000,000 \$15,000,000 \$15,000,000,000 \$15,000,000 \$15,000,000 \$15,000,000 \$15,000,000 \$15,000,000 \$15,000,000 \$15,000,000 \$15,000,000 \$15,000,000 \$15,000,000 \$15,000,000 \$15,000,000 \$15,000,000 \$15,000,000 \$15,000,000 \$15,000,000 \$15,000,000,000 \$15,000,000 \$15,000,000,000 \$15,000,000,000 \$1	\$10 \$40 \$10 \$10 \$10 \$10 \$10 \$10 \$10 \$1	

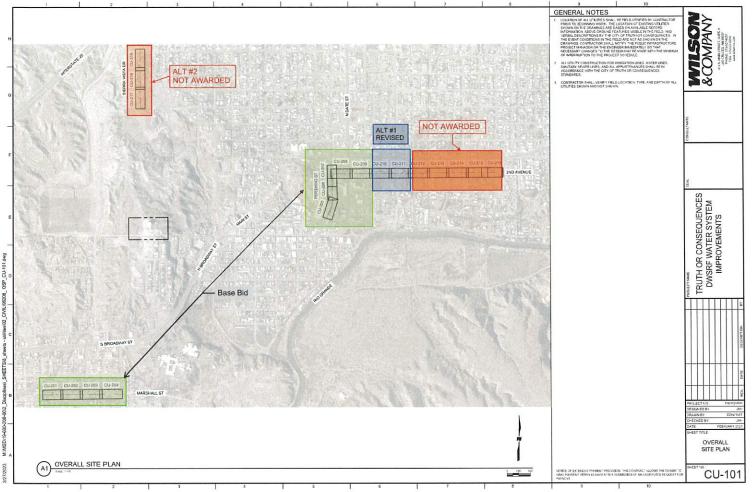
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lle in No.	ITEM DESCRIPTION	e Alternate 1 UNIT	QTY.	UNIT PRICE	CALCULATED COST
31	Additive Alternate 1 -	Allowance and Miscellaneou Allow	· · · · · · · · · · · · · · · · · · ·	\$10,000.00	\$10,000.00
32	Pre and Peel Construction Video Documentation	LS	1	\$1,000.00	\$1,000.00
33	Traffic Control Meblifzation & Demobilization	LS LS		\$5,000,00 \$8,000.00	\$5,000,00
35	Construction Survey to include staking, layout and identifying project boundaries,	LG		\$5,000.00	\$8,000.00 \$5,000.00
36	Address Attentio 3 Water Fundah and Instal 6-tech (2000 FVD DR-16 Weterline, (docidary at I materia), labor, position franching, bedding, ferroral of water accession, propri backill, fiftinge, joint restrainfa, warning (apa, fracer wise, backilling, compaction, distinction, alle astoration and at related specificance and separately field on the bid form, CIP	<u>line and Appurtenance insta</u> LF	84D	\$70.00	\$50, <b>1</b> 0
37	September werde auszuherr pelein of nie der verlang ver Fumisis and Instalt 10-inch steel caeleg. for 2nd Ave., (include (renochess breialiation, all materiale, labor, caeler pie, netriket, caeleg auszuher genoret, est ware, bore and receiving pil excervation, back/ll, compaction, remaval of waste excervation and eite restoration), CIP	LF		\$900,00	\$
38	(Furnish and Inta's Extern Gales Valve in Cast Inco Valve Box, (including all labor, materials and salada appurtennesse not asparately listed on Bid Ferm), CIP Exterish and lestall Three-Avily Fis (hydrani Assambly, Undiding les on mainishes, sil pipe from tas	EA		\$4,000.00	
	(o myoteni, mange, means gete verve, nyorane, reavisited jointe, unain rock, trancishig, jabor, jaaokii and sia reakoration). CP Remove Existing Three-Way Fre Hydrant Assembly, (including gate valve, hydrant, pipe from	EA EA	0	\$10,000,00	\$10,0
41	gele velve to hydrent, trenshing, lebor, beskill and skir pejoratism), cif Flornish and head li-host Single Body Combinistion AF Velve wir Temfor Related Vaad, sa new Edoch weistling, (including all materials, labor, sxcavation, tock excavation, backtill and elie sederation), CiP	EA	1	\$12,000.00	\$12,0
42	cur Fundait and Install 1-inch Copper Waler Service Lines by Open Tranching, (Incheling politoling, Incheling, Bedding, connections to new water make, connection to existing water envice time (adde all ritinge regardees at materials and types of appurtamence, all ensure). Albert, tapping addet, corporation along, filting a secolated apputamence, backfilting and the restandation; CIP	EA	7	\$2,090,00	\$14,0
4)	Primite and install Hinch Capper When Schröde Lines by Tenchless Installation (Inclusing politoring, Inanchless installation, bedring, prince/kins ib new water main; connection to extering water service financial all fillings aggandess of materials and stypes of papertenances, all material allow; lapping satelit, concention stop, fittings, associated appurate socie, all material allow reduction). CIP	EA	Q	\$3,000.00	\$27,0
44	Devalering for valentine, up to if threadown, thekking all labor, materials, pumps, gravel terech Mabilization, excavalion, backit, and site restoration). CIP Additive Allerna	LF # 1 -Locate and Connect	0	\$50.00	
	Locale and Connect to Extering 4-inch PVC Waterbas per Defail G2, on elsest CU-503, (incl. all Imalerials, jabor, fittings used for connection, cutilog and capping of existing pipe, temoval and dispessal of pipe, bothofics, excervation, backfitti site retext into an end an encoverant Variant and	EA	o	\$8,000.00	1
46	separately lated on the bid form). CIP Lotest and Connect to Exhiling Anthen PVC Withritme per Detail GS on she at CU-504, (Incl. at Individual, labor, Rhinga used for connection, cuffing and capping of exhibing pipe, removal and deparat of pipe, problemary, execution, buckill, set exactions and all secondary conserving them not second and Connect to Exhiling Anthen PVC Waterine per Datal R7 on sheet CL-603, (Incl. at	EA	0	\$15,000.00	
47	Locale and Context to Existing 4-face PVC Weighting and copying of subding pipe, restored and materiale, labor, Mings Used for connection, sudding and copying of subding pipe, restored and disposed of pipe, problem, excession, succidin, allor easientilism and all processory farms to appearatory feator to Existing 4-barring VPC Weighting per Detail Ag on street (CI-5003, (incl. all	EA	1	\$12,000.00	\$12,0
48	materiale, labor, Minga uned for contraction, cutiling and capping of existing pipe, removed and disposal of pipe, potholing, accevation, backill, all readoration and all necessary items noi expensive listed on the bid form, CIP	EA	1	\$20,000.00	\$20,0
49	Acadeve Academa Remove and replace aciding redovery with S-Inch (MAAC, 5-Inch base occures and 12-Inch subgrade programming width of 4 of pavement shall be replaced (incl. removal and deposed fo an approved site of the existing asphalt and graved, fack cost, asphalt and resionation of pavement minister to presenting their and aspects in the second second second second second second second second second second second se	e 1 - Site Improvements SY	422	\$65.00	\$27.4
50	Ramove and Replace Carb and Guites (Inc), disposal of existing concrete to an approved site, jabor, equipment and all related appuremences not separately listed on the bid form as shown in the clans). CIP	uf	10	\$80,00	\$8
50 51	Remote and Replace Carb and Quites (incl. interposal of existing consists is an approved site, allow, equipment were all inteled appurtements not separately listed on the bid form as shown in the yield), CIP Remote and Replace Solvenist? If worth fincl, depared in devising concrete on a payroved site, labot, equipment and all related appurtementois not separately listed on the bid form as shown in the plant), CIP	Si <sup>r</sup> Totul Base Eld Gensiructi	75	\$80,00 \$30,00	\$2,2 \$1,926.3
50	Ramote and Replace Carb and Quites (incl. imposal of existing consists is a na sportward site, lakor, equipment all related apportaneous on is sport-left listed on the list of must shown in the planny, CIP Remove and Replace Statument; If worth (incl. disease of existing concrete to an approved site, labor, equipment and all related apportenences not separately listed on the list (non as shown in the planny). CIP Construct	SF Totel Barro Bid Genetract Additive Alternative 1: Coeluci ion Totel (NMGRT + BaareBid & Alternate 2	75 an Sublois EXCL NMGRT an Sublois EXCL NMGRT NMGRT for TorG at 5,50% • Additive Alternative 1)	\$30.00	\$0 \$2.2 \$1.028.3 \$15.2 \$115.2 \$1,343.6
50	Remote and Replace Carb and Quites (incl. imposed of exisiting consists is an approved site, histor, equipment well at inside opportunizations on leverately listed on the bid form an shown in the years), GP Rimotre and Replace Statewaits' IF weth (incl. dapased of existing concrete to an approved site, about, equipment and all mainted apportenences not expended listed on the bid form an shown in the years), GP Opportunity of the state of the state of the state of the bid form and shown in the years), GP Opportunity of the state of the state of the state of the bid form and shown in the years), GP Opportunity of the state of the state of the bid form and shown in the years), GP	SF Total Bare Bid Construct (ddifty Atternative 1: Contuct Ion Total (N/NGR + BaseBid E Alternate 2 UNIT	75 on Sublois EXCL NMGRT on Sublois EXCL NMGRT NMGRT for TorC at 5,50% + Additive Alternative 17		\$2,2 \$1,925,3 \$213,2 \$105,2 \$105,2 \$1,343,6
50 51 m No,	Remote and Replace Carb and Quites (Incl. interposal of existing consists is an approved site, Inclusion, equipment well at inside opportunizations on leverately listed on the bid form an shown in the standy, OP Finanzia and Replace Statewaits' 3° next in (incl. dapase) of existing concrete to an approved site, about, equipment and all inside deporterionics in the sparsitely listed on the bid form an shown in the plane), CP Construct Add Replace Carb and Carbon and Carbon and Carbon and Carbon and Carbon and Construct TEM DESORIPTION Material Tealing Allowance	SF Total Base Bid Centrative (delive Akenative 1- Costul on Total (WMORY + BaseBid De Attermate 2 UNIT Uliverances and Miscellanco Abw	75 on Sublois EXCL NMGRT on Sublois EXCL NMGRT NMGRT for TorC at 5,50% + Additive Alternative 17	\$30.00 UNIT PRICE \$10,000.00	\$2.2 \$1,926.3 \$155.3 \$155.3 \$1,345.5 CALCUNATED COST \$0.00
50 51 m No. 52 53	Remote and Replace Carb and Quites (incl. interposal of existing consists is an exposed site, lakor, equipment well at related experimentances not expectedly listed on the bid form as shown in the plann), CIP Remote and Replace Sidewahit; 9" and h (incl. disease of existing consiste to an expressed site, labor, equipment and all related apportenences not expended y listed on the bid form as shown in (he plant), CIP Constraint Remote and Replace Sidewahit; 9" and h (incl. disease) of existing Constraint Remote and Replace Sidewahit; 9" and h (incl. disease) of existing Constraint Remote and Replace Sidewahit; 9" and h (incl. disease) Remote and Replace Sidewahit; 9" and Remote	SF Total Base Bid Controlock (WMCRT + Costupil) on Total (WMCRT + BaseBid e Alternate 2 UNT Ulevances and Miscellaneou Lis	75 on Sublois EXCL NMGRT on Sublois EXCL NMGRT NMGRT for TorC at 5,50% + Additive Alternative 17	\$30.00 UNIT PRICE \$10,000.00 810,000.00	\$2.2 \$1,025.3 \$135.2 \$1,343.8 CALCUAATED COS \$0,00 \$0,00
50 51 m No. 52 53 53 54 55	Remote and Replace Carb and Quites (incl. imposal of existing consists is an approved site, have, sequement we dia treated apportenances not expectedly listed on the bid form as shown in the plann), CIP Remote and Replace Statewist; 5 weth (incl. dispectedly listed on the bid form as shown in (her plann), CIP Constraint (her plann), CIP Constraint Constraint Remote All related apportenances not expected by listed on the bid form as shown in the plann), CIP Constraint Remote All related apportenances not expected by listed on the bid form as shown in Additive Alternate 3 -/ Pro and Post Construction Video Dysympatation Teffic Control Material Tealing Allowance Pro and Post Construction Video Dysympatation Teffic Control	SF Total Rese Bid Controloc (Section Alternative 1. Cossipil con Total (INMORT + BaseBid e Atternate 2 UNIT Ulewances and Miscellaneo Abov LS LS	75 on Sublois EXCL NMGRT on Sublois EXCL NMGRT NMGRT for TorC at 5,50% + Additive Alternative 17	\$30.00 UNIT PRICE \$10,000.00 \$10,000.00 \$2,200.00 \$5,000.00	\$2.2 \$1,028.3 \$1,323.2 \$105.2 \$1,340.6 CALCUAATED COS \$0,00 \$0,00 \$0,00 \$0,00 \$0,00 \$0,00 \$0,00 \$0,00 \$0,00
50 51 51 53 53 54 55 56	Remote and Replace Carb and Quites (incl. interposal of existing consists is an exposed site, interposal site, requirement with a related experimentation of experience in the plann), OP Remote and Replace Sidewalic; 9 meth (incl. dispension of existing concrete to an exposured site, labot, equipment and all related appuriences not expension of existing concrete to an exposured site, labot, equipment and all related appuriences not expension of the lid form as shown in the plann), OP Construct Remote and Replace Sidewalic; 9 meth (incl. dispension of the lid form as shown in the plann), OP Construct Remote and Past Construction Remote and Past Construction Video Desumestation Temb Central Material Trading Allowance Pre and Past Construction Video Desumestation Temb Central Construction Savay to Include alleking, layout and (densifying project boundaries, Constructed Alternate 3 - Weight colleges allowed allowed alternates and Additive Alternate 3 - Weight colleges and Past Constructs	SF Total Bases Bid Contributed GdBWe Alternative 1- Costupil CdBWe Alternate 2 UNIT Ulowances and Miscellaneou Also LS LS LS LS	75 an Subjele EXCL NMGR1 m Subjele EXCL NMGR1 MAGR1 for TorC at 8.50% * Additive Alternative 17 arr.	\$30.00 UNIT PRICE \$10,000.00 \$1,000.00 \$2,500.00	\$2.2 \$1025 2 \$1052 \$152 \$1,345.0 CALCUAATED COS \$0,00 \$0,00 \$0,00
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AGENDA REQUEST FORM MEETING DATE: June 28, 2023 Agenda Item #: <u>E.2</u>
SUBJECT:Acknowledge Regular Public Utility Advisory Board Minutes, May 15, 2023.DEPARTMENT:City Clerk's OfficeDATE SUBMITTED:June 22, 2023SUBMITTED BY:Angela A. Torres, City Clerk-TreasurerWHO WILL PRESENT THE ITEM: Consent CalendarSummary/Background:
Acknowledge Minutes.
Recommendation: Acknowledge minutes.
Attachments: Minutes -
Fiscal Impact (Finance): N/A \$0.00
<i>Legal Review (City Attorney):</i> N/A None.
Approved For Submittal By:       □ Department Director         Reviewed by:       ⊠ City Clerk       □ Finance       □ Legal       □ Other: Click here to enter text.         Final Approval:       □ City Manager
CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN Resolution No Ordinance No Continued To: - Referred To: - Approved Denied Other: - File Name: CC Agendas 6-28-23

## CITY OF TRUTH OR CONSEQUENCES PUBLIC UTILITY ADVISORY BOARD MONDAY MAY 15, 2023

#### **REGULAR MEETING MINUTES**

Regular meeting of the Public Utility Advisory Board of the City of Truth or Consequences, New Mexico to be held in the City Commission Chambers, 405 W. Third, Truth or Consequences, New Mexico, on Monday, May 15, 2023 at 3:30 pm.

#### CALL TO ORDER:

The meeting was called to order by Chairman Szigeti.

#### **ROLL CALL:**

George Szigeti, Chairman Jeff Dornbusch, Vice-Chairman Gil Avelar, Member Don Armijo, Member Ken Moran, Member -absent

#### ALSO PRESENT:

Bruce Swingle, City Manager Traci Alvarez, Assistant City Manager Harleigh Wilkins, Assistant Clerk

#### 1. APPROVAL OF AGENDA

Member Armijo made a motion to approve the agenda.

Member Avelar seconded the motion.

Motion carried unanimously

#### 2. APPROVAL OF MINUTES:

a. Regular meeting of March 20, 2023

Vice-Chairman Dornbusch made a motion to approve the minutes.

Member Avelar seconded the motion.

Motion carried unanimously.

#### 3. COMMENTS FROM THE PUBLIC: (3 Minute rule applies)

#### 4. NEW BUSINESS:

- a. Discussion/Action: Recommendation for the re-appointment of Member Don Armijo.
- b. Discussion/Action: Recommendation for the re-appointment of Member Gil Avelar

Chairman Szigeti made a motion to approve the recommendation for re-appointment of members Don Armijo and Gil Avelar to the Public Utility Advisory Board for another term.

Vice-Chairman Dornbusch seconded the motion.

Motion carried unanimously.

# 5. OLD BUSINESS:

a. Discussion/Action: Continued Review of City Code Related to Utilities, George Szigeti

Chairman Szigeti: The section on the solid waste is in very good shape I didn't see anything but a couple of places where there are a few grammatical tweaks could be used but the only other thig is that the new sections dealing with the transfer station and fees those have not been posted to the online version yet so that still refers to the landfill operations and I know the Clerk's Office has their hands full with other things but that has been quite a while.

City Clerk Torres: For the code portion? Our new fiscal year starts July so I'm thinking probably around August- September because I will send it to you probably the end of June and then it takes them about 90 days after that and around that time it should be added to the website and hopefully we will have our new website launched up at that time.

Chairman Szigeti: You have a third party that does that so, all you have to do is send it to them and they take care of it for you?

# City Clerk Torres: Yes

Chairman Szigeti: Would my Vice-Chairman like to speak? We're not looking for specific recommendations we're looking to target areas where we need to look at it more closely and possibly make changes. I know you had made a comment about some sections you were looking at which were very difficult to understand and do you think that it would be worth the time to sit down and look at that and simplify the language some what?

Vice-Chairman Dornbusch: We would have to have the state laws involved as far as it goes for the hot water wells. That is not something we can do on our own.

Chairman Szigeti: So it is quoting from the State law is that it?

Vice-Chairman Dornbusch: It was extensive and really convoluted I didn't have a good time understanding any of it. I thought that the hot water well ordinances would be pretty straight forward but that didn't seem to be the case.

Chairman Szigeti: It is my personal opinion that the Code of Ordinances should be worded in a manner that you know most people could understand them. So you're talking mainly about the section related to the hot water wells right?

Vice-Chairman Dornbusch: Just trying to understand the whole purpose of why it is being written the way it is. It was extensive I didn't expect it to be so long and when I started going into I just couldn't figure out why. The one I was going for would be the water supply and that is basically just the City has a right to put the meter in, the City has a right to inspect the meter, and that is pretty straight forward and when I got into the water wells it was not straight

forward and it seemed to be overly technical. I think it's because the State is stepping in I really don't understand why the State will not give us a waiver or come up and deal with it in Legislation so that we can take the hot water that is generated by domestic hot water wells and put it right into the hot ditch instead of having it go to the waste water plant where it hydraulically overloads for no purpose at all because there is really nothing to clean up in the hot water. That is what I was looking at but it was a little more complicated than that and I know the state is involved and until the state comes down and talks to us on a level about our unique situation it seems like a waste of time to try to save the city money treating water that doesn't need to be treated. So I was very discouraged when I got into it in depth and just couldn't make heads or tails of what they were trying to say with the ordinance on that.

Chairman Szigeti: I will take a look at that section the next month and then we'll come back and maybe when I've had a chance to look it over and talk about if that can be addressed.

Vice-Chairman Dornbusch: With the exception of there will be a Utility Director language in every one of them, it is pretty straight forward for the water/wastewater there's really nothing I can find that I can change that wouldn't require lawyers to come in and tell me why I shouldn't have.

Chairman Szigeti: You had kind of checked over the water/wastewater.

Vice-Chairman Dornbusch: I've read it before but when you're asking me to look at what we can change, the fact that there is no director of Utilities than that kind of made it to well we've got to change everything here.

Chairman Szigeti: Gil, were there anything on the Electrical side that you had issues with?

Member Avelar: Not really, Ken and I have been talking to Bo and trying to get from him what he felt he needed and we're still looking at it.

Chairman Szigeti: We will put this on hold for a while.

Vice-Chairman Dornbusch: I'll look at it again and try and see if I can understand what the purpose was for all of that wordage. Personally I think it's, the way the state has drawn this up there is no wiggle room because once somebody pumps the water out of the ground what do they do with it? Well they of course mix all kinds of chemicals in it and then dump it in the river I can see them wanting to prevent that but I would think it would be pretty simple to just have a hot ditch collect all of that stuff out of their hot water.

Assistant City Manager Alvarez: I can tell you from experience with our current and past water/wastewater directors, they are very hesitant to want to do any new taps into the hot ditch it's scary not knowing what you're tapping into I mean they are dealing with a lot of water breaks and to tap into the hot ditch not necessarily knowing how good that infostructure is, is a little scary to them. We actually encourage people who are doing the wells, our number one encouragement and most of them choose to do is just a French drain and that way they are putting it back into the water table. We do very few taps of emptying into the sewer system unless somebody is actually putting their own personal tub like in their house then those will flush their connecting to their existing sewer and I think only one or two others actually have an outdoor tub that somebody did a well on were they tapped into the sewer and they have long conversations with our water/wastewater director before.

Chairman Szigeti: Even those the domestic ones you're not talking about that great of volume the biggest issue is a couple of the spas like Sierra Grande and Charles where the connection to the hot ditch has collapsed and their pumping their water into the sewer and that's where the larger volume is.

Assistant City Manager Alvarez: I haven't heard anything about that. When we did Healing Waters Plaza we re did the hot ditch.

Chairman Szigeti: I stand corrected then it had been broken prior to that.

Assistant City Manager Alvarez: Well they hit when they were digging it was an old wooden pipe.

Chairman Szigeti: So that was repaired when you did the ditch?

Assistant City Manager Alvarez: Correct

Vice-Chairman Dornbusch: The only thing I can see why there would be hesitancy to route the water into hot ditch was do we even know what the capacity of that is.

Assistant City Manager Alvarez: I don't think we have good enough records let alone all knowledge of exactly everywhere it runs. I know we've got some good information that past commissioner Clark had given me but even that I mean things shift as we know with all of the construction going on where it says the line is isn't necessarily where it's at but I think in general the hot ditch line is so old that our departments they don't want to tap into it and 90% of the geo thermal wells that I have permitted for lately are doing French drains.

Vice-Chairman Dornbusch: So it's not all going to the wastewater?

Assistant City Manager Alvarez: No, like I said there was only one or two in the last two years that went to wastewater plant and that was after extensive discussions with the water/wastewater Directors and we haven't had to permit geo thermal wells for any large spa areas usually they are somebody's personal or like an Air BNB type of thing.

Vice-Chairman Dornbusch: A couple hundred gallons once a day maybe not thousands of gallons constantly. The water drain from the little Hot Springs Plaza next to the museum there that thing got collapsed and that was a problem until it silted up and now you can't get any water out of that well.

Assistant City Manager Alvarez: The well is running.

Vice-Chairman Dornbusch: If it's running it is only running for a couple of minutes before it shuts off.

Assistant City Manager Alvarez: It was a pump issue they repaired the pump right before Fiesta.

Vice-Chairman Dornbusch: Yes but my understanding is when they put in the new sewer line manhole covers running down there that, that line got collapsed. Is that right Don?

Member Armijo: That was about the time that is started to back up back there.

Assistant City Manager Alvarez: Are you talking about the one at the Museum or the Plaza?

Member Armijo: Yes

Assistant City Manager Alvarez: I thought you were talking about the Healing Waters Plaza.

Member Armijo: I think they finally got that but I understand why the guys do not want to get into that and get part of that because some of that was actually put back when the town was first founded and so there is wooden lines in there and there is places that are like a concrete metal that we cleaned it in the past a couple of times but it would be scary to tap into and the you create a problem and you know just like it is putting in the water line downtown now once that starts pumping and moving it'll cost more money.

Assistant City Manager Alvarez: We're looking at digging a whole new well for the Museum.

Vice-Chairman Dornbusch: For the Museum or the little Plaza next to it?

Assistant City Manager Alvarez: Well the Plaza next to it.

Vice-Chairman Dornbusch: Because the Museum has its own well it's also silted up the one there my understanding is that it has silted to the point where you can turn the pump on you get 15 min and it starts sucking air because there's not enough water coming into the well.

Assistant City Manager Alvarez: So we're digging a new well. I'm just waiting for some paperwork from the office of the State Engineer I've already reached out to them to start the process so that'll be a new well at that building there.

Chairman Szigeti: On this issue like I said I'll take a look at that hot water section on there and we'll keep this on the agenda for next month and then whenever you guys and Bo have got together something to present to the Board we'll bring that back also. We don't have to do it next month I know Bo has been busy with Budget and everything lately. This is the kind of thing we're looking for you know issues that are out of date or don't match current operations of things that the departments would like to see changed.

# 6. REPORTS FROM THE BOARD

Chairman Szigeti: I don't have anything to report but I would like to make a request that this board brought up to date on the issue of the potential sale of the Electric Utility it's been going on for several months and the board has heard absolutely nothing. We have not been able to give the commission any support or guidance on this because we have heard nothing. Now if there are things there that should not be made public at the time I would request that we go into an executive session to discuss those but I think having the board kept in the dark for so long is something that needs to be remedied before this issue goes any farther.

# 7. REPORTS FROM STAFF

Assistant City Manager Alvarez: The last meeting we discussed a rate study for the water/wastewater department. We have procured a company New Gen and so they are going to start requesting information it's not RCAC USDA it's a company it's the same one that's doing the solid waste rate study and so we will start sending them information and they will start taking a look at both water and the wastewater rates. At the last Commission Meeting Arnie presented for publication and increase for the tap fees for water and wastewater and so that should've gone out for publication so we can increase our tap fees.

Chairman Szigeti: Will this be your last meeting with us?

City Manager Swingle: Yes it is thank you Mr. Chair and members of the Board, I have 16 days. A couple of things first there has been no change on the sale of the Electric Company. I think I reported a couple of meetings back that we had entered into an agreement with another consultant for the final phases of the study and that is where it's at in that period now where they are conducting the last phases of the study. We should have a report back in the next few months on this because they are looking at several things as part of it, they are looking at environmental factors, staffing assessment of what this would look like for the merger the sale to the Co-op and a couple of other things I just can't recall because we haven't looked at it in a couple of months. The rate study for the Electric department is going to be on the Agenda for the June 14<sup>th</sup> the consultants will have a zoom meeting set up to give their assessment and what the steady suggest so we'd like to have a joint meeting with you all invited to attend that and hear the consultant. We don't want to have to pay them extra money for two presentations. We had a couple caveats that we specified we wanted out of the rate study, and that was how much cash balance a healthy electric company has, and what is a reasonable number with 120 days cash on hand. We don't have that but we've asked that we get there. Initially when they did it they came up with a huge increase to get there overnight and we don't want that we want the rate to extend over a five year period they'll build up cash reserves up to 120 days. There are company's south that have a lot more than that but this will get us into a safe place and then we can think about the future from that point but it's about building the capital up and we also wanted \$1.5 million a year in infostructure so those are really the guiding principles, getting our cash balance up and getting infostructure replaced on an annual basis. I would like to say this is the first year that the budget we were currently working on we are not taking one penny from any of the Utilities. We are in very good financial shape for the services that we offer. We're still not putting money into roads and streets things like that, we're just getting a bare minimum budget but it is better than what it was and we have much more cash reserve than we have historically, I can't tell you the last time the city went without taking a penny from the Utility the only money that is coming out of the Utilities is the Utility building office that is it. We're going to ask the same thing on the other study's that are being performed we have got to have money for infostructure improvements. All we're doing really is paying for operations and prices as they occur. We've got to give these directors the funding they can count on every year. I don't know what the amount will be on water for that study or in sanitation we have no gotten that far in the studies with our consultants but we will and its principal concern is getting these directors the money they need to improve their infostructure ongoing.

Assistant City Manager Alvarez: I know you guys are reviewing the ordinances just keep in mind now is a great time to do it because once these studies are complete there are changes that will have to be made to municipal code in regards to those so when you come across changes let's wait and do them all at one time once the studies are complete so that does give a little bit of more time for review.

Chairman Szigeti: We will keep that in mind.

# 8. ADJOURNMENT

George Szigeti, Chairman Public Utility Advisory Board

# CITY OF TRUTH OR CONSEQUENCES

AGENDA REQUEST FORM



MEETING DATE: June 28, 2023

Agenda Item #: <u>E.3</u>

SUBJECT: Take Home Vehicle FormDEPARTMENT:City Clerk's OfficeDATE SUBMITTED: June 22, 2023SUBMITTED BY:Angela A. TorresWHO WILL PRESENT THE ITEM: Consent Calendar

# Summary/Background:

In accordance with Resolution No. 12 21/22, all take-home vehicle requests must be approved by the City Commission. The take-home vehicle request is for Kaycie Roush in Animal Control.

**Recommendation:** 

Approve take home vehicle form.

Attachments:

• Take-home vehicle form

Fiscal Impact (Finance): N/A

Legal Review (City Attorney): N/A

Approved For Submittal By: 🛛 Department Director

Final Approval: 
City Manager

# **CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN**

Resolution No. - Ordinance No. -

Continued To: - Referred To: -

□ Approved □ Denied □ Other: -

File Name: CC Agendas 6-28-2023

Take Home Vehicle Auth	norization Request
Employee: Kayce Roush	Department: Animal Control
Position Title: ACD	Commute Miles/Day: 11 / 22

Employee Address: 434 Las Palomas Canyon Pal, Williamsburg NM 87942

Pursuant to the Take-Home Vehicle Policy, requests to authorize take-home vehicles must demonstrate an official need for a City vehicle beyond normal working hours. Identify which, if any, of the following reflect the official need for the city vehicle beyond normal working hours.

**Emergency Response:** Employee has primary responsibility for responding to emergency situations which require immediate response to protect life or property.

On-call Status: Employee is on- call and responds to public safety or health emergencies occurring after normal work hours and on weekends.

O **Other**: explain\_

Note: A city owned take-home vehicle is a fringe benefit that may generate a tax liability.

By signing below, I acknowledge that I have read and understand the City policy governing proper use of a take-home vehicle and prohibitions. By voluntarily participating in the take-home vehicle program, I consent to complying with the policy, and I certify that this request meets the requirements of the City's Take-Home Vehicle Policy.

ovee's Signal Approved O Denied Department Director Signature Commission () Approved O Denied

Amanda Forrister, Mayor Signature

Date

# City of Truth or Consequences

AGENDA REQUEST FORM

MEETING DATE: June 28, 2023

Agenda Item #: <u>F.1</u>

SUBJECT: Public Hearing and Final Adoption of Ordinance No. 720 amending the City of Truth or Consequences Municipal Code of Ordinances Section 7-201 (A1) and (A2) pertaining to Lodgers Tax Exemptions.
DEPARTMENT: City Clerk
DATE SUBMITTED: June 22, 2023
SUBMITTED BY: City Clerk Torres
WHO WILL PRESENT THE ITEM: City Clerk Torres

Summary/Background:

Effective July 1, 2020, the state altered certain exemptions to the occupancy tax pertaining to Lodgers Tax Exemptions. In Subsection A, Paragraphs (1) and (2), language was added that states "*unless those premises are temporary lodging*". This is to add said language to Municipal Code of Ordinance No. 720. This item was approved for publication and published. The next step is a public hearing and final adoption.

# **Recommendation:**

Public Hearing and Final Adoption of the amendment to Ordinance No. 720.

Attachments:

• Ordinance No. 720

Fiscal Impact (Finance): N/A

Legal Review (City Attorney): Yes

Approved For Submittal By: 🛛 Department Director

*Reviewed by:* ⊠ City Clerk ⊠ Finance ⊠ Legal □ Other: -

Final Approval: 🛛 City Manager

# CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN

Resolution No.Ordinance No. 720Continued To:Referred To:ApprovedDeniedOther:File Name: CC Agenda 6-28-2023

# **CITY OF TRUTH OR CONSEQUENCES**

# **ORDINANCE 720**

# AN ORDINANCE AMENDING THE CITY OF TRUTH OR CONSEQUENCES MUNICIPAL CODE OF ORDINANCES, BY AMENDING SECTION 7-201 (A1) and (A2) OF THE CODE PERTAINING TO LODGERS TAX EXEMPTIONS

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS, CITY COMMISSIONERS OF THE CITY OF TRUTH OR CONSEQUENCES:

*Section 1.* That **SECTION 7-201** of the Code of Ordinances of the City of Truth or Consequences, be amended so that such section shall read as follows:

The occupancy tax shall not apply:

- A. if a vendee:
  - (1) has been a permanent resident of the taxable premises for a period of at least 30 consecutive days; unless those premises are temporary lodging; or
  - (2) enters into or has entered into a written agreement for lodgings at the taxable premises for a period of at least 30 consecutive days; unless those premises are temporary lodging;
- B. if the rent paid by the vendee is less than \$2.00 a day;
- C. to lodging accommodations at institutions of the federal government, the state or any political subdivision thereof;
- D. to lodging accommodations at religious, charitable, educational or philanthropic institutions, including without limitation such accommodations at summer camps operated by such institutions;
- E. to clinics, hospitals or other medical facilities;
- F. to privately-owned and operated convalescent homes, or homes for the aged, infirm, indigent or chronically ill; or

*Section 2.* All other provisions of 7-201 not specifically amended by this ordinance, shall remain unchanged and in full force and effect as written.

*Section 3.* Effective date. The provisions of this Amended Ordinance shall become effective five (5) days upon the publishing of its adoption.

PASSED, APPROVED, and ADOPTED by the GOVERNING BODY of the CITY OF TRUTH OR CONSEQUNCES this 28<sup>th</sup> day of June, 2023.

Amanda Forrister – Mayor

ATTEST:

Angela A. Torres – City Clerk

# CITY OF TRUTH OR CONSEQUENCES



AGENDA REQUEST FORM

MEETING DATE: June 28, 2023

Agenda Item #: G.1

SUBJECT:Resolution No. 50 22/23Budget Adjustment RequestDEPARTMENT:Finance DepartmentDATE SUBMITTED:June 23, 2023CURMITTED DV:Kristic Wilson, Finance Director

SUBMITTED BY: Kristie Wilson, Finance Director

WHO WILL PRESENT THE ITEM: Kristie Wilson, Finance Director

*Summary/Background:* Reconciling Budget Adjustments Requests (based on Chapter 6, Article 6 NM Statute) needed for budget adjustments, increases, and decreases per attached.

# **Recommendation:**

Approval Resolution No. 50 22/23 Budget Adjustment Requests for Fiscal Year 2022-2023

# Attachments:

- Resolution No 50 22/23
- Schedule of Budget Adjustments, Supporting Documentation

# Fiscal Impact (Finance): Yes

Changes in funding as presented on the Department of Finance and Administration Schedule of Budget Adjustments

Legal Review (City Attorney): N/A

Approved For Submittal By: 🖂 Department Director

**Reviewed by:** 🛛 City Clerk 🖾 Finance 🗆 Legal 🗆 Other: Click here to enter text.

*Final Approval*: 🛛 City Manager

# **CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN**

Resolution No. Click here to enter text. Ordinance No. . Continued To: . Referred To: .

□ Approved □ Denied □ Other: .

File Name: CC Agendas 6-28-2023



# **RESOLUTION NO. 50 22/23**

# A RESOLUTION REQUESTING FINAL BUDGET ADJUSTMENTS IN THE REVENUE AND EXPENDITURE BUDGET FOR FISCAL YEAR 2022-2023.

**WHEREAS**, the final budget for was approved by the City Commission of the City of Truth or Consequences, New Mexico, pursuant to Chapter 6, Article 76 NMSA 1978; and

**WHEREAS**, the City Commission in and for the City of Truth or Consequences, State of New Mexico needs to adjust the current approved budget for Fiscal Year 2022-2023; and

WHEREAS, said budget was adjusted on the basis of need and through cooperation with all user departments, elected officials and other department supervisors; and

WHEREAS, the official meeting for the review of said documents was duly advertised in compliance with the State Open Meetings act; and

**WHEREAS**, it is the majority opinion of this Board that the adjusted budget meets the requirements as currently determined.

**NOW THEREFORE, BE IT RESOLVED** that the City Commission of the City of Truth or Consequences, State of New Mexico hereby adopts the budget adjustment hereinabove described and attached and respectfully requests approval from the Local Government Division of the Department of Finance and Administration.

# PASSED, ADOPTED and APPROVED this 28th day of June, 2023.

Amanda Forrister, Mayor

ATTEST:

Angela A. Torres, City Clerk-Treasurer

#### Department of Finance and Administration Local Government Division Financial Managoment Bureau SCHEDULE OF BUDGET ADJUSTMENTS

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6         903         902         2023-0503         Data rel lucome         Revenue         3         105         3         1         \$         136         Unexpected Increase In Interest Income           8         403         403-1203-383/10         Investment Income         Revenue         \$         106,620         \$         28,620         Unexpected Increase In Interest Income           9         601         601-1803,34356         Other Charges for Services         \$         10,000         \$         10,320         \$         20,320         Unexpected Increase In Interest Income           9         501         601-1803,34356         Other Charges for Services         \$         20         \$ <t< td=""><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>a 1 000 007</td><td></td></t<>								a 1 000 007	
6         403         403-1203 36/10         Interest model         Revenue         5         12,000         \$         16,020         \$         28,620         Unexpected Increase In Investment Income           6         403         403-1203 36/10         Investment Income         Revenue         \$         10,030         \$         20,820         Unexpected Increase In Investment Income           9         501         501-1803 34366         Other Charges for Services         Revenue         \$         20,\$         6         \$         20,800         S         10,830         S         20,820         Unexpected Increase In Unextender X Revenue         \$         20,8         6         \$         20,8         0         Unexpected Increase In Joint UBity CBT (Electric Denartment)           10         803         503-3702 34572         UBIty Services - Electric         Revenue         \$         421,650         \$         474         \$         422,034         Unexpected Increase In Joint UBity CBT (Electric Denartment)           10         503         503-3702 34572         UBIty Services - Electric         Revenue         \$         0,150,050         \$         3,301         \$         4,800         Unexpected Increase In Joint UBity Revenue           10         503         503-3702 34572			403-1203-32385						
0         601         601-1803.34355         Other Charges for Services         Revenue         \$ 10,900         \$ 10,920         \$ 20,320         Unexpected increase in Cemetary Revenue           9         801         601-1803.34355         Interest income         Revenue         \$ 20,\$         6         \$ 20,320         Unexpected increase in Cemetary Revenue           9         801         601-1803.34355         Interest income         Revenue         \$ 421,690         \$ 474         \$ 422,031         Unexpected increase in Lendity Revenue           10         503         503-3702.34562         Ullity Services - Electric         Revenue         \$ 6,161,346         \$ 145.347         \$ 6,226,663         Unexpected increase in Lendity Revenue           10         503         503-3702.34572         Ullity Services - Electric         Revenue         \$ 6,301         \$ 44,060         Unexpected increase in Centrules         1           10         503         603-3702.345772         M& Construction Electric Revenue         \$ 33,061         \$ 13,301         \$ 48,060         Unexpected increase in Centrules           11         505         603-3604.33355         Transfer Station Revenue         \$ 6520,000         \$ 6,694         \$ 631,684         Unexpected increase in Tendity Revenue         11         605         603-3604.3504 Maste	8								
9         501         501 - 1603-5672         Child Marges but dai type         Revenue         \$         201         \$         28         28         474         \$         422,034         Unexcepted increase in Loint Utility Converse - Electric Revenue         \$         6,181,346         \$         445,317         \$         6,328,663         Unexcepted increase in Construction Revenue         \$         6,181,346         \$         445,037         Unexcepted increase in Construction Revenue         \$         6,050         \$         6,031         \$         48,000         Unexcepted increase in Construction Revenue         \$         0,500         \$         2,634         \$         13,034         Unexcepted increase in Construction Revenue         \$         0,500         \$         2,634         \$         13,034         Unexc		-100							
9         001         001-rest-statuting         interest flucture         001         001-rest-statuting         001         001-rest-statuting         001         001-rest-statuting         001         001-rest-statuting         001         001-rest-statuting         001         001-rest-statuting         001-rest-statuting <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td>									
ID         Bits         Construction         Solid	9	501	601-180 <u>3-36373</u>		Revenue	┽╩───╩┾╴	*Q		
10         503         503-3702-34622         Utility Services - Electric         Revenue         \$ 6,181,346         \$ 148,517         \$ 6,326,683         Unexpected increase in Constantion Revenue           10         603         603-3702-34622         M&J Construction Electric         Revenue         \$ 35,305         \$ 13,301         \$ 48,000         Unexpected increase in Construction Revenue           11         605         605-3004-30316         South Waste GRT         Revenue         \$ 625,000         \$ 6324         \$ 13,034         Unexpected increase in Construction Revenue           11         605         605-3004-34355         Transfer Station Revenue         \$ 625,000         \$ 6,694         \$ 631,084         Unexpected increase in Construction Revenue           11         605         605-3004-34524         Utilities Services         Revenue         \$ 622,000         \$ 6,694         \$ 61,494         Unexpected increase in Construction Revenue           11         605         605-3004-34524         Utilities Services         Revenue         \$ 4,200         \$ 1,742,312         Unexpected increase in Boild Waste non-Payment Penalties           11         605         605-3004-3644         Non-Payment Penaltive         \$ 4,200         \$ 1,346         \$ 6,546         Unexpected increase in Boild Waste non-Payment Penaltive           11<	- 10	503				\$ 421,660			
10         003         003-0102/0112         mad cultisation for the line         102-010         2-024         5         13.034         Unaxcediad increase in GRT for Solid Waste           11         505         605-3004-3365         Targeted factors in favoraue         Revenue         \$         255.000         \$         2.634         \$         13.034         Unaxcediad increase in GRT for Solid Waste           11         505         605-3004-3365         Targeted Station Revenue         Revenue         \$         625.000         \$         6.694         \$         601.804         Unaxcediad increase in Targeter Station Revenue         Revenue         \$         605.004         \$         601.904         \$         601.904         \$         8.014         \$         601.904         \$         8.014         \$         \$         601.904         \$         8.014         \$         \$         \$         \$         605.904.354         \$         1.018.911         \$									
1         605         609-3904-34365         Transfer Station Revenue         8 6/2000         \$ 6/94         \$ 6/94         \$ 6/94         Inscrete         Revenue         1           11         6/05         6/05-3904/34524         Utilities Sorvices         Revenue         \$ 6/2001         \$ 6/2001         \$ 6/2001         \$ 6/2001         \$ 6/2001         \$ 7/24.212         Utilities Sorvices         Revenue         \$ 6/2001         \$ 7/24.212         Utilities Sorvices         \$ 7/24.212         Utilities Sorvices         Revenue         \$ 7/2001         \$ 9,933         \$ 12,833         Unexpected increase in Investment income         \$ 7/2001         \$ 9,933         \$ 12,833         Unexpected increase in Investment income         \$ 7/2001         \$ 7/2001         \$ 7/2001         \$ 7/2001         \$ 7/2001<	10	503	503-3702-34772	M&J Construction Electric	Reveune	a 30,300	e 15,501		
11         605         603-3004-34365         Transfer Station Revenue         \$ 625,000         \$ 631,004         \$ 631,004         Unexceeded increase in Facility Services           11         605         605-3004-34365         Transfer Station Revenue         \$ 625,000         \$ 637,004         \$ 631,004         Unexceeded increase in Solid Wase Unity Services           11         605         605-3004-3554         Non Payment Penalty         Revenue         \$ 1,678,666         \$ 3,742,312         Unexceeded increase in Solid Wase Inor-Payment Penalties           11         605         605-3904-36410         Non Payment Penalty         Revenue         \$ 2,700         \$ 9,933         \$ 12,833         Unexpected increase in Solid Wase Inor-Payment Penalties           11         505         605-3904-36410         NM STO Investment Income         Revenue         \$ 2,700         \$ 9,933         \$ 12,833         Unexpected increase in Investment income           11         505         605-3904-36410         NM STO Investment Income         Revenue         \$ 2,700         \$ 9,933         \$ 12,833         Unexpected increase in Investment income           12         5         5         12,933         \$ 12,933         \$ 12,933         \$ 12,933         \$ 12,933         \$ 12,933	11	505	605-3904-30315	Solid Waste GRT	Revenue			\$ 13,034	Unexpected increase in GRT for Solid Waste
11         COD         Source         S         4.200         \$         1.346         \$         5.546         Unexpected horease in Solid Waste non-Payment Penalties           11         COD         5005-3904-35544         Non-Payment Penalties         \$         4.200         \$         1.346         \$         5.546         Unexpected horease in Solid Waste non-Payment Penalties           11         505         605-3904-35410         NM STO hypestment income         Revenue         \$         2.700         \$         9.933         \$         12.833         Unexpected horease in Solid Waste non-Payment Penalties           11         505         605-3904-36410         NM STO hypestment income         Revenue         \$         2.700         \$         9.933         \$         12.833         Unexpected horease in Investment income	11	605	605-3904-34365	Transfer Station Revenue				\$ 531,694	Unexpected increase in Transfer Station Revenue
ATTEST:						\$ 4,200		\$ 6.546	Unexpected increase in Solid Waste non-Payment Penalities
ATTEST:							·		
ATTEST:	1.6.1446.02	17.20 M 64	A STATE OF ALL OF		1. 生产的 一条 中国 计		A. WYN 75 - 18 - 18 - 18 - 18 - 18 - 18 - 18 - 1	这些的是这些意义的是一种的最高级的。在1997年,1997年,1997年,1997年,1997年,1997年,1997年,1997年,1997年,1997年,1997年,1997年,1997年,1997年,1997年,19	
Angela Torres, Clerk-Treasur (Date) Amanda Forrister, Mayor (Dato)	ATTEST:								(Data)
	1		Angela Torres, Clerk-Treast	ır (Date)				Amanda Forrister, May	YOF (Dato)
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Truth or Consequences

# My Budget Report Account Summary For Fiscal: 2022-2023 Period Ending: 06/30/2023

- Ha		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Encumbrances	Variance Favorable (Unfavorable)	Percent Used
Fund: 214 - Lodgers Tax								
Revenue			1 60 000 00	45 700 (4	238,942.79	0.00	70,942,79	142.23 %
214-2503-30318	PROMOTION/ADVERTISG 60%-LODGERS TAX	168,000.00	168,000.00	15,708.64		0.00	49,295.04	142.25 %
214-2503-30319	NON-PROMOTION FUND (40%)-LODGERS TA	110,000.00	110,000.00	10,472.43 200.00	159,295.04 994.61	0.00	49,293.04	117.01 %
214-2503-35317	LATE PENALTIES-LODGERS TAX FUND	850.00	850.00 500.00	200.00	705.37	0.00	205.37	141.07 %
214-2503-36373	INTEREST INCOME	500.00		4.177.83	75,681.48	0.00	23,681,48	145.54 %
214-2503-37323	1% CONVENTION CENTER FEE	52,000.00	52,000.00			0.00	144,269.29	143.54%
	Revenue Total:	331,350.00	331,350.00	30,558.90	475,619.29			
	Fund: 214 - Lodgers Tax Total:	331,350.00	331,350.00	30,558.90	475,619.29	0.00	144,269.29	143.54%
Fund: 216 - Muni Street Revenue								
216-4503-30313	GRT 20% STREET FUND	410,000.00	410,000.00	0.00	519,550.03	0.00	109,550.03	126.72 %
216-4503-30324	GASOLINE(1CT)STREET/ROAD-STREET MNT	75,000.00	75,000.00	0.00	74,499.57	0.00	-500.43	99.33 %
216-4503-36373 V. 0	INTEREST INCOME	400.00	400.00	0.00	570.22	0.00	170.22	142.56 %
216-4503-37380	Miscellaneous Revenue	0.00	0.00	0.00	129,745.03	0.00	129,745.03	0.00 %
216-7018-32386	NMDOT GRANT	100,000.00	100,000.00	20,563.53	62,509.97	0.00	-37,490.03	62.51 %
216-7023-32386	LOCAL/STATE/GRANTS/LOANS	235,227.00	235,227.00	0.00	235,227.00	0.00	0.00	100.00 %
	Revenue Total:	820,627.00	820,627.00	20,563.53	1,022,101.82	0.00	201,474.82	124.55%
	Fund: 216 - Muni Street Total:	820,627.00	820,627.00	20,563.53	1,022,101.82	0.00	201,474.82	124.55%
Fund: 280 - CANNABIS REGUL	ATION ACT							
Revenue	CROSS DECEMPTON CAN	0.00	60,000.00	0.00	68,951.70	0.00	8,951.70	114.92 %
280-2803-30314	GROSS RECEIPTS - CAN	0.00	60,000.00	0.00	68,951.70	0.00	8,951.70	114.92%
	Fund: 280 - CANNABIS REGULATION ACT Total:	0.00	60,000.00	0.00	68,951.70	0.00	8,951.70	114.92%
	Fulla: 280 - CANNABIS REGULATION ACT TOTAL	0.00	00,000,000				11	
Fund: 296 - PD GRT Revenue								
296-2403-30316	1/4% MGRT (POLICE)	252,222.00	252,222.00	0.00	307,323.88	0.00	55,101.88	121.85 %
296-2403-36373	INTEREST INCOME	700.00	700.00	0.00	583.64	0.00	-116.36	83.38 %
296-2403-37374	SURPLUS AUCTION PROCEEDS	0.00	400.00	0.00	400.00	0.00	0.00	100.00 %
	Revenue Total:	252,922.00	253,322.00	0.00	308,307.52	0.00	54,985.52	121.71%
	Fund: 296 - PD GRT Total:	252,922.00	253,322.00	0.00	308,307.52	0.00	54,985.52	121.71%

My Budget Report		Original Total Budget	Current Total Budget	Period Activity	For Fis Fiscal Activity	cal: 2022-2023 Pe	Variance Favorable (Unfavorable)	Percent Used
		lotal Budget	Iotal Buuger	Activity	Activity	Encombrances	(onnavorable)	0124
Fund: 299 - SPECIAL REVENUE	FUNDS							
Revenue	WITTERET INFOME	0.00	4.00	0.00	210.10	0.00	206.10	5,252.50 %
299-9999-36373	INTEREST INCOME Revenue Total:	0.00	4.00	0.00	210.10	0.00		5,252.50%
	Fund: 299 - SPECIAL REVENUE FUNDS Total:	0.00	4.00	0.00	210.10	0.00		5,252.50%
	FUND: 299 - SPECIAL REVENUE FUNDS TOTAL	0.00	4.00	0.00				
Fund: 301 - Impact Fees Accou	nt							
Revenue		800.00	42,750.00	0.00	43,350.00	0.00	600.00	101.40 %
301-3503-34374	WATER IMPACT FEE	800.00 800.00	40,800.00	0.00	41,400.00	0.00	600.00	101.47 %
301-3503-34375	WASTE WATER IMPACT FEES	50.00	50.00	0.00	91.40	0.00	41.40	182.80 %
301-3503-36373	INTEREST INCOME		270.00	0.00	255.42	0.00	-14.58	94.60 %
301-3503-36411	INVESTMENT INTEREST Revenue Total:	270.00 1,920.00	83,870.00	0.00	85,096.82	0.00	1,226.82	101.46%
	Fund: 301 - Impact Fees Account Total:	1,920.00	83,870.00	0.00	85,096.82	0.00	1,226.82	101.46%
	Fund: 301 - Impact Fees Account Total:	1,520.00	33,070.00	0.00	00,000102		-,	
Fund: 305 - Cl Gen								
Revenue		70.00	70.00	0.00	77.44	0.00	7.44	110.63 %
<u>305-6003-36373</u>	INTEREST INCOME Revenue Total:	70.00 70.00	70.00 70.00	0.00	77.44	0.00	7.44	
			70.00	0.00	77.44	0.00	7.44	
	Fund: 305 - Cl Gen Total:	70.00	70.00	0.00	//.44	0.00	7.55	110.00
Fund: 403 - Pledge State								
Revenue			1000			0.00	1,320,907.30	0.00 %
403-1203-32385	LOAN PROCEEDS	0.00	0.00	0.00	1,320,907.30	0.00		99.85 %
403-1203-32386	GRT INTERCEPTED	395,875.00	395,875.00	0.00	395,289.07	0.00	-585.93	
403-1203-32388	INTERCEPTED FIRE MARSHAL	23,380.00	23,380.00	0.00	23,375.00	0.00	-5.00	
403-1203-36373	INTEREST INCOME	105.00	105.00	0.00	135.89	0.00	30.89	
403 1203 36410	INVESTMENT INCOME	12,000.00	12,000.00	0.00	28,520.20	0.00	16,520.20	
403-1203-36411	INVESTMENT INTEREST-PLEDGE STATE CD	1,600.00	1,600.00	0.00	1,120.32	0.00	-479.68	
	Revenue Total:	432,960.00	432,960.00	0.00	1,769,347.78	0.00	1,336,387.78	
	Fund: 403 - Pledge State Total:	432,960.00	432,960.00	0.00	1,769,347.78	0.00	1,336,387.78	408.66%
Fund: 501 - Cemetary								
Revenue								
501-1803-34355 X	OTHER CHARGES FOR SERVICE-CEMETERY	10,000.00	10,000.00	1,350.00	20,470.00	0.00	10,470.00	204.70 %
501-1803-36373	INTEREST INCOME	20.00	20.00	0.00	25.58	0.00	5.58	
A A A A A A A A A A A A A A A A A A A	Revenue Total:	10,020.00	10,020.00	1,350.00	20,495.58	0.00	10,475.58	204.559
	Fund: 501 - Cemetary Total:	10,020.00	10,020.00	1,350.00	20,495.58	0.00	10,475.58	204.55%
Funde 502 Electric								
Fund: 503 - Electric								
Revenue	GROSS RECEIPTS-YD-JOINT UTILITY	833.00	833.00	54.68	822.53	0.00	-10.47	98.74 9
503-3702-30161	GROSS RECEIPTS-EL-JOINT UTILITY	421,560.00	421,560.00	24,406.39	429,892.91	0.00	8,332.91	101.98 9
503-3702-30162	GROSS RECEIPTS-EL-JUINT UTILITY	422,000.00		,	0000000 CONTRACTOR		100	

 $\widehat{c}_{12}\widehat{g}_{1}\widehat{g}_{2}\widehat{g}_{2}\widehat{g}_{2}\widehat{g}_{1}\widehat{g}_{1}\widehat{g}_{1}\widehat{g}_{1}\widehat{g}_{1}\widehat{g}_{2}\widehat{g$ 

Original Total Budget         Current Total Budget         Period Activity         Fiscal Activity         Encumbrances           503-3702-34521 503-3702-34522         UTILITIES SERVICES-YD LGHT-ELEC DIV         18,895.00         18,895.00         1,544.70         18,887.50         0.00           503-3702-34522         UTILITIES SERVICES-ELEC DIVISION         6,181,346.00         6,181,346.00         338,093.58         6,421,450.39         0.00           503-3702-34532         UTILITIES SUC CONN-ELECTRIC DIV         17,323.00         17,323.00         382,93.58         6,421,450.39         0.00           503-3702-34532         UTILITIES SUC CONN-ELECTRIC DIV         17,323.00         17,323.00         382,93.58         6,421,450.39         0.00           503-3702-34532         UTILITIES SUC CONN-ELECTRIC DIV         17,323.00         17,323.00         882.59         16,572.94         0.00	Variance Favorable (Unfavorable) -7.50 240,104.39 -750.06 13,301.24	Percent Used 99.96 % 103.88 % 95.67 %
503-3702-34522         Construction         6,181,346.00         518,093.58         6,421,450.39         0.00           503-3702-34532         UTILITIES SERVICES-ELEC DIVISION         6,181,346.00         338,093.58         6,421,450.39         0.00           503-3702-34532         UTILITIES SERVICES-ELEC DIVISION         17,323.00         17,323.00         828.29         16,572.94         0.00	240,104.39 -750.06	103.88 %
503-3702-34522         UTILITIES SERVICES-ELEC DIVISION         6,181,346.00         338,093.58         6,421,450.39         0.00           503-3702-34532         UTILITIES SUC CONN-ELECTRIC DIV         17,323.00         17,323.00         828.29         16,572.94         0.00	-750.06	
503-3702-34532 V UTILITIES SVC CONN-ELECTRIC DIV 17,323.00 17,323.00 828.29 16,572.94 0.00		05 67 0/
	12 201 24	95.07 %
503-3702-34772 5 M&J CONSTRUCTION-ELECTRIC DIVISION 12,277.00 35,305.00 989.35 48,606.24 0.00	13,301.24	137.68 %
503-3702-35542 C NON-PAYMT PENALTY 8%-ELEC DIVISION 9,670.00 9,670.00 441.06 5,316.69 0.00	-4,353.31	54.98 %
503-3702-37380 MISCELLANEOUS INCOME 0.00 0.00 1,002.51 1,002.51 0.00	1,002.51	0.00 %
503-3702-37426 MISC (POLE RENTALS, ETC.)-ELEC 36,908.00 55,663.00 0.00 55,662.82 0.00	-0.18	100.00 %
Revenue Total: 6,698,812.00 6,740,595.00 367,360.56 6,998,214.53 0.00	257,619.53	103.82%
Fund: 503 - Electric Total: 6,698,812.00 6,740,595.00 367,360.56 6,998,214.53 0.00	257,619.53	103.82%
Fund: 505 - Solid Waste		
Revenue	12/10/2020	1000000
505-3904-30154 OVT. GROSS RECEIPTS-TR-JT UTILITY 83,927.00 83,927.00 5,122.52 80,782.21 0.00	-3,144.79	96.25 %
505-3904-30312 V GROSS RECEIPTS - ENVIRONMENTAL 0.00 200.00 0.00 88.64 0.00	-111.36	44.32 %
505-3904-30315 GOVT GROSS RECEIPTS TAX 10,500.00 928.53 13,199.19 0.00	2,699.19	125.71 %
<u>505-3904-34355</u> TRANSFER STATION REVENUE 525,000.00 525,000.00 44,139.23 560,860.81 0.00	- server i de seconder en e	106.83 %
<u>505-3904-34524</u> UTILITIES SERVICES-SOLID WASTE DIVI 1,678,556.00 1,678,556.00 112,756.56 1,769,545.88 0.00	90,989.88	105.42 %
505-3904-35544 NON-PAYMENT PENALTY 8%-SOLID WASTE 4,200.00 4,200.00 353.71 5,558.78 0.00	1,358.78	132.35 %
505-3904-36410 NM STO INVESTMENT INCOME 700.00 2,700.00 0.00 12,632.61 0.00	9,932.61	467.87 %
505-3904-37546 MISC(RECYCLING) SOLID WASTE DIVIS 33,600.00 33,600.00 1,779.10 18,633.87 0.00	-14,966.13	55.46 %
Revenue Total: 2,336,483.00 2,338,683.00 165,079.65 2,461,301.99 0.00	122,618.99	105.24%
Fund: 505 - Solid Waste Total: 2,336,483.00 2,338,683.00 165,079.65 2,461,301.99 0.00	122,618.99	105.24%
Report Total: 10,885,164.00 11,071,501.00 584,912.64 13,209,724.57 0.00	2,138,223.57	119.31%

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My Budget Report

## **Group Summary**

Account Type		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Encumbrances	Variance Favorable (Unfavorable)	Percent Used
Fund: 214 - Lodgers Tax		331,350.00	331,350.00	30,558,90	475,619,29	0.00	144,269.29	143.54%
Revenue	Fund: 214 - Lodgers Tax Total:	331,350.00	331,350.00	30,558.90	475,619.29	0.00	144,269.29	143.54%
Fund: 216 - Muni Street								104 557
Revenue	Fund: 216 - Muni Street Total:	820,627.00	820,627.00 820,627.00	20,563.53	1,022,101.82	0.00	201,474.82	124.55% 124.55%
Fund: 280 - CANNABIS REGULATION ACT		,						
Revenue		0.00	60,000.00	0.00	68,951.70	0.00	8,951.70	114.92%
	Fund: 280 - CANNABIS REGULATION ACT Total:	0.00	50,000.00	0.00	68,951.70	0.00	8,951.70	114.92%
Fund: 296 - PD GRT			753 000 00	0.00	308,307,52	0.00	54,985.52	121.71%
Revenue	Fund: 296 - PD GRT Total:	252,922.00	253,322.00	0.00	308,307.52	0.00	54,985.52	121.71%
Fund: 299 - SPECIAL REVENUE FUNDS								
Revenue		0.00	4.00	0.00	210.10	0.00		5,252.50%
	Fund: 299 - SPECIAL REVENUE FUNDS Total:	0.00	4.00	0.00	210,10	0.00	206.10	5,252.50%
Fund: 301 - Impact Fees Account		4 000 00	83,870.00	0.00	85,096.82	0.00	1,226.82	101.46%
Revenue	Fund: 301 - Impact Fees Account Total:	1,920.00	83,870.00	0.00	85,096.82	0.00	1,226,82	101.45%
Fund: 305 - Cl Gen		-,	•					
Revenue		70.00	70.00	0.00	77.44	0.00	7.44	110.63%
	Fund: 305 - Cl Gen Total:	70.00	70.00	0.00	77.44	0.00	7.44	110.63%
Fund: 403 - Pledge State				0.00	1,769,347.78	0.00	1,336,387.78	408.66%
Revenue	Fund: 403 - Pledge State Total:	432,960.00	432,960.00	0.00	1,769,347.78	0.00	1,336,387.78	408.66%
Frends FR4 Company								
Fund: 501 - Cemetary Revenue		10,020.00	10,020.00	1,350.00	20,495.58	0.00	10,475.58	204.55%
	Fund: 501 - Cemetary Total:	10,020.00	10,020.00	1,350.00	20,495.58	0,00	10,475.58	204.55%
Fund: 503 - Electric			6 WAG 105 05	263 260 56	000 014 50	0.00	257,619.53	103.82%
Revenue	Fund: 503 - Electric Total:	6,698,812.00	6,740,595.00 6,740,595.00	367,360.56 367,360.56	6,998,214.53 6,998,214.53	0.00	257,619.53	103.82%
Proved POP Collid Mission	Fund, 505 - Liebnic Totan	5,050,022,00			-,,		•	
Fund: 505 - Solid Waste Revenue		2,336,483,00	2,338,683.00	165,079.65	2,461,301.99	0.00	122,618.99	105.24%
	Fund: 505 - Solid Waste Total:	2,336,483.00	2,338,683.00	165,079.65	2,461,301.99	0.00	122,618.99	
	Report Total:	10,885,164.00	11,071,501.00	584,912,64	13,209,724.57	0,00	2,138,223.57	119.31%
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Page 4 of 5

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My Budget Report

#### **Fund Summary**

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Encumbrances	Variance Favorable (Unfavorable)	Percent Used
214 - Lodgers Tax	331,350.00	331,350.00	30,558.90	475,619.29	0.00	144,269,29	143.54%
216 - Muni Street	820,627.00	820,627.00	20,563.53	1,022,101.82	0.00	201,474.82	124.55%
280 - CANNABIS REGULATION AC	0.00	60,000.00	0.00	68,951.70	0.00	8,951.70	114.92%
296 - PD GRT	252,922.00	253,322.00	0.00	308,307.52	0.00	54,985.52	121.71%
299 - SPECIAL REVENUE FUNDS	0.00	4.00	0.00	210.10	0.00	206.10	5,252.50%
301 - Impact Fees Account	1,920.00	83,870.00	0.00	85,096.82	0.00	1,226.82	101.46%
305 - Cl Gen	70.00	70.00	0.00	77.44	0.00	7.44	110.63%
403 - Pledge State	432,960.00	432,960.00	0.00	1,769,347.78	0.00	1,336,387.78	408.66%
501 - Cemetary	10,020.00	10,020.00	1,350.00	20,495.58	0.00	10,475.58	204.55%
503 - Electric	6,698,812.00	6,740,595.00	367,360.56	6,998,214.53	0.00	257,619.53	103.82%
505 - Solid Waste	2,336,483.00	2,338,683.00	165,079.65	2,461,301.99	0.00	122,618.99	105.24%
Report Total:	10,885,164.00	11,071,501.00	584,912.64	13,209,724.57	0,00	2,138,223.57	119.31%

My Budget Report

6/23/2023 10:05:07 AM

Page 5 of 5

	City of Truth or Consequences AGENDA REQUEST FORM MEETING DATE: June 28, 2023	Agenda Item #: <u>G.2</u>					
DEPARTMENT: City Clerk DATE SUBMITTED: June 22, 20 SUBMITTED BY: City Clerk T WHO WILL PRESENT THE ITEM	orres						
	n with the Gravity Pad Tower Lease. This Res o an assignment of lease and easement agree						
<b>Recommendation:</b> Approval of Resolution No. 51	Recommendation: Approval of Resolution No. 51 22-23.						
• Resolution No. 51 2	22-23						
Legal Review (City Attorney):	Yes						
Approved For Submittal By: Reviewed by: City Clerk Final Approval: City Manag	$\square$ Finance $\square$ Legal $\square$ Other: <u>-</u>						
	□Other: .	ITAKEN					

R-51 22/23

# **CITY OF TRUTH OR CONSEQUENCES, NM**

A RESOLUTION: AUTHORIZING AND EMPOWERING CITY MANAGER ANGELA GONZALES TO ENTER INTO AN ASSIGNMENT OF LEASE AND EASEMENT AGREEMENT WITH TPA V, LLC FOR THE PAYMENT OF EIGHTY THOUSAND (\$80,000.00) TO BE PAID TO THE CITY AT THE INCEPTION OF THE EASEMENT ("COMMENCEMENT DATE"). ADDITIONALLY, THERE SHALL BE A SECOND PAYMENT OF \$80,000 IN THE EVENT VERIZON COMMENCES A SUBLEASE WITH GRAVITY PAD, AND THE TPA V, LLC RECEIVES AN INCREASE IN RENT FROM GRAVITY PAD WITHIN TWELVE (12) MONTHS OF THE COMMENCEMENT DATE.

# BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF TRUTH OR CONSEQUENCES, NM AS FOLLOWS:

WHEREAS, the City of Truth or Consequences, New Mexico entered into a certain Tower Structure Lease Agreement dated April 29, 2019, by and between The City of Trust or Consequences and Gravity Pad Towers, LLC, a Delaware limited liability company (the "Lease"), for a specific portion of property located at End of West 2<sup>nd</sup> Avenue, Truth or Consequences, in the County of Sierra, State of New Mexico (herein the "Property"); and

WHEREAS, the City has been offered a significant amount to assign the Lease and provide an easement to TPA V, LLC (herein "TPA V, LLC"); and

**WHEREAS**, the City Manager has determined that the assignment and easement is in the best financial interest of the City of Truth or Consequences.

# NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO APPROVES THE FOLLOWING FORMAL ACTION, AS FOLLOWS:

WHEREAS, City Manager, Angela Gonzales, is hereby authorized and empowered to enter into a transaction with TPA V, LLC, or its nominee (herein "TPA V, LLC"), whereby The City of Truth or Consequences shall grant TPA V, LLC assignment of the Lease and a ninety-nine (99) year term Easement Agreement (hereby the "Easement") and shall execute other such documents necessary to effect the execution thereof in exchange for the payment of Eighty Thousand Dollars (\$80,000.00) by TPA V, LLC in a lump sum payment. Additionally, there shall be a second payment of \$80,000 in the event Verizon commences a sublease with Gravity Pad, and the TPA V, LLC receives an increase in rent from Gravity Pad within twelve (12) months of the commencement date.

This resolution shall become effective immediately upon passage.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_2023.

-----

CITY MANAGER:

Angela Gonzales

**BOARD MEMBERS:** 

ATTEST:

# City of Truth or Consequences



AGENDA REQUEST FORM

MEETING DATE: June 28, 2023

Agenda Item #: H.1

SUBJECT: Approval of Purchase Requisitions Over \$20,000 **DEPARTMENT:** Finance DATE SUBMITTED: June 23, 2023 SUBMITTED BY: Mindee Holguin, CPO WHO WILL PRESENT THE ITEM: Kristie Wilson, Finance Director

# Summary/Background:

Per Resolution No 46 20/21 Execution of Contracts; Grant Agreements; Memoranda of Understanding; Joint Powers Agreements; Settlement Agreements; Purchases (Contract and Purchases More Than \$20,000)

# Recommendation:

Approval Recommended by Finance Director

# Attachments:

- Listing of Purchase Requisitions \$20,000 or More
- **Purchase Requisitions, Procurement Documentation** .

Fiscal Impact (Finance): Choose an item.

As Per Total on Listing of Purchase Requisitions

Legal Review (City Attorney): Choose an item.

Click here to enter text.

*Approved For Submittal By:* Department Director

**Reviewed by:** 🛛 City Clerk 🖾 Finance 🗆 Legal 🗆 Other: Click here to enter text.

*Final Approval*: 🛛 City Manager

# **CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN**

Resolution No.	Click here to enter	text.	Ordinance No	. Click here to enter text.
Continued To:	Click here to enter	a date.	Referred To:	Click here to enter text.
Approved	Denied	Othe	r: Click here to	enter text.
File Name: CC	agandas 6 20 2022			

File Name: CC agendas 6-28-2023

### PURCHASE REQUISITION APPROVAL 2022-23 Fiscal Year

#### COMMISSION MEETING 04/12/2023

Number	Vendor Name	Description	Requested By	Department	Total Amount	Procurement Type
90071	Wex Bank	Open fuel PO for FY 2023-2024	Andy Alvarez	Solid Waste	\$ 85,000.00	
90072	Melloy Chevrolet	2023 Service Truck for Solid Waste (State Contract)	Andy Alvarez	Solid Waste	\$ 118,000.00	
90073	General Fund	Lodger's Tax Admin Fee FY 2023-2024	Kerin Salcedo	Finance	\$ 38,787.00	
90074	General Fund	State Fire Admin Fee due to General Fund FY 2023-2024	Kerin Salcedo	Fire Dept	\$ 21,500.00	
90076	Taxation and Revenue	Water Conservation Fee FY 2023-2024	Kerin Salcedo	Water	\$ 20,000.00	
90077	Sierra Vista Hospital/SVCHC	GRT Distribution FY 2023-2024	Kerin Salcedo	Finance	\$ 300,000.00	
90078	Village of Williamsburg	Franchise Tax FY 2023-2024	Kerin Salcedo	Finance	\$ 34,000.00	
90079	Village of Williamsburg	Sewer Receipts FY 2023-2024	Kerin Salcedo	Finance	\$ 50,000.00	
90081	Capital One Public Funding	Loan payments to principal and interest FY 2023-2024	Kerin Salcedo	Finance	\$ 117,840.00	
90084	New Mexico Finance Authority	NMFA Loan Payments FY 2023-2024	Kerin Salcedo	Finance	\$ 316,895.00	
90092	Hall Environmental Analysis Lab, Inc.	Weekly Testing for Waste Water	Arnie Castaneda	Waste Water	\$ 30,900.00	
90094	Teston's Freeway Chevron	Open fuel PO for FY 2023-2024	Arnie Castaneda	w/ww	\$ 39,700.00	
90095	Bank of the Southwest	Interest Payments on MSD Water System Imp FY 2023-24	Kerin Salcedo	Finance	\$ 55,200.00	
90097	New Mexico Gas Company	Open PO for Natural Gas FY 2023-2024	Kristie Wilson	Finance	\$ 39,600.00	
90105	Xerox Corp	Xerox Percentage FY 2023-2024	Kristie Wilson	Finance	\$ 43,570.00	
90109	B & H Oil Co	Open fuel PO for FY 2023-2024	Buster Smith	Streets	\$ 40,000.00	
90112	Smithco Construction	System-Wide Repairs for water leaks	Amie Castaneda	Water	\$ 20,000.00	
90113	Western Area Power Admin	Base Demand and Energy Charge FY 2023-2024	Bo Easley	Electric	\$ 580,000.00	
90114	Sierra Electric Co-Op	Power Services FY 2023-2024	Bo Easley	Electric	\$ 2,666,827.78	
90115	TDS	TDS Fiber Internet FY 2023-2024	Kristie Wilson	Finance	\$ 107,800.00	
90116	Tri-State Generation and Transmission	Power Services FY 2023-2024	Bo Easley	Electric	\$ 445,000.00	

Number	Vendor Name	Description	Requested By	Department	Total Amount	Procurement Type
90117	SSA Solar of NM 4, LLC	Power Services FY 2023-2024	Bo Easley	Electric	\$ 330,000.00	
90118	Triple H Solar, LLC	Engineering Services FY 2023-2024	Bo Easley	Electric	\$ 48,000.00	
90119	Postmaster	Postage FY 2023-2024	Sonya Renfro	Utility	\$ 40,000.00	
90123	Verizon Wireless	Verizon Open PO FY 2023-2024	Kristie Wilson	Finance	\$ 63,950.00	
90124	Pitney Bowes	Open PO FY 2023-2024	Sonya Renfro	Utility	\$ 28,000.00	
90125	City Utilities	Open PO FY 2023-2024 Cycle A & B	Kristie Wilson	Finance	\$ 106,770.00	
90127	City Utilities	Open PO FY 2023-2024 City Landfill	Kristie Wilson	Finance	\$ 313,330.00	
90129	City Utilities	Open PO FY 2023-2024 Cycle C & D	Kristie Wilson	Finance	\$ 417,070.00	
90133	Sierra Joint Office of Aging	Subrecipient Grant Allocation Open PO FY 2023-2024	Angie Gonzales	City Manager	\$ 35,000.00	
90136	Mainstreet T or C	Lodger's Tax Service Contract Open PO FY 2023-2024	Angie Gonzales	City Manager	\$ 45,000.00	
90143	Tyler Technologies	Annual Subscription Fee FY 2023-2024	Kristie Wilson	Finance	\$ 76,911.14	
<u> </u>						

ATTEST:

Angela Torres, Clerk-Treasurer

.

Date

\$ 6,674,650.92

Amanda Forrister, Mayor

Date





ISSUED TO: WEX BANK P.O. BOX 6293

CAROL STREAM, IL 60197-6293

# Requisition #: 90071

Date: 07/01/2023

7389

# Vendor #:

SHIP TO: City of Truth or Consequences 505 Sims St. Truth or Consequences, NM 87901

ITEM	UNITS DESCRIPTION	GT # PRICE GL ACCOUNT NUMBER	AMOUNT
1.	0 WEX- DIESEL & GASOLINE	0.00 505-3904-43316	85,000 <b>.00</b>
<b>BO</b> Deec	ription: SUPPLY VEHICLES & EQUIPMENT WITH FUEL		
	Description:		
	SEL FOR ALL VEHICLES & EQUIPMENT ON WEX CARD Y 2023-2024 - SOLID WASTE		
		SUBTOTAL:	85,000.00
<b></b>		TOTAL TAX:	0.00
Authoriz	ea ea:	SHIPPING:	0.00
		TOTAL	85,000.00





# Requisition #: 90072

# Date: 07/01/2023

# Vendor #: 3324

SHIP TO: City of Truth or Consequences 505 Sims St. Truth or Consequences, NM 87901

ISSUED TO: MELLOY CHEVROLET 357 EMILIO LOPEZ RD LOS LUNAS, NM 87031

PO Description:         2023 SERVICE TRUCK 3500 4%4           Detailed Description:         SEE ATT: IM STATE PRICE AGREEMENT 00-00000-20-00088           SOLID WASTE         SUBTOTAL:           Authorized By:         TOTAL TAX:         0           SHLIPPING:         0	TTEM	UNITS DESCRIPTION	PRICE GL ACCOUNT NUMBER	AMOUNT
Detailed Description:         SEE ATT: NM STATE PRICE AGREEMENT 00-00000-20-00088         2023 SERVICE TRUCK 3500 4X4         SOLID WASTE         Authorized By:       SUBTOTAL:         118,000         TOTAL TAX:       0         SHIPPING:       0	1	0 2023 CHEVROLET SILV. 3500 4WD CAB (	0.00 505-3904-80810	118,000.00
Detailed Description:         SEE ATT: NM STATE PRICE AGREEMENT 00-00000-20-00088         2023 SERVICE TRUCK 3500 4X4         SOLID WASTE         Authorized By:       SUBTOTAL:         118,000         TOTAL TAX:       0         SHIPPING:       0				
Detailed Description:         SEE ATT: NM STATE PRICE AGREEMENT 00-00000-20-00088         2023 SERVICE TRUCK 3500 4X4         SOLID WASTE         Authorized By:       SUBTOTAL:         118,000         TOTAL TAX:       0         SHIPPING:       0				
Detailed Description:         SEE ATT: NM STATE PRICE AGREEMENT 00-00000-20-00088         2023 SERVICE TRUCK 3500 4X4         SOLID WASTE         Authorized By:       SUBTOTAL:         118,000         TOTAL TAX:       0         SHIPPING:       0				
Detailed Description:         SEE ATT: NM STATE PRICE AGREEMENT 00-00000-20-00088         2023 SERVICE TRUCK 3500 4X4         SOLID WASTE         Authorized By:       SUBTOTAL:         118,000         TOTAL TAX:       0         SHIPPING:       0				
Detailed Description:         SEE ATT: NM STATE PRICE AGREEMENT 00-00000-20-00088         2023 SERVICE TRUCK 3500 4X4         SOLID WASTE         Authorized By:       SUBTOTAL:         118,000         TOTAL TAX:       0         SHIPPING:       0				
Detailed Description:         SEE ATT: NM STATE PRICE AGREEMENT 00-00000-20-00088         2023 SERVICE TRUCK 3500 4X4         SOLID WASTE         Authorized By:       SUBTOTAL:         118,000         TOTAL TAX:       0         SHIPPING:       0				
Detailed Description:         SEE ATT: NM STATE PRICE AGREEMENT 00-00000-20-00088         2023 SERVICE TRUCK 3500 4X4         SOLID WASTE         Authorized By:       SUBTOTAL:         118,000         TOTAL TAX:       0         SHIPPING:       0				
Detailed Description:         SEE ATT: NM STATE PRICE AGREEMENT 00-00000-20-00088         2023 SERVICE TRUCK 3500 4X4         SOLID WASTE         Authorized By:       SUBTOTAL:         118,000         TOTAL TAX:       0         SHIPPING:       0				
Detailed Description:         SEE ATT: NM STATE PRICE AGREEMENT 00-00000-20-00088         2023 SERVICE TRUCK 3500 4X4         SOLID WASTE         Authorized By:       SUBTOTAL:         118,000         TOTAL TAX:       0         SHIPPING:       0				
Detailed Description:         SEE ATT: NM STATE PRICE AGREEMENT 00-00000-20-00088         2023 SERVICE TRUCK 3500 4X4         SOLID WASTE         Authorized By:       SUBTOTAL:         118,000         TOTAL TAX:       0         SHIPPING:       0				
Detailed Description:         SEE ATT: NM STATE PRICE AGREEMENT 00-00000-20-00088         2023 SERVICE TRUCK 3500 4X4         SOLID WASTE         Authorized By:       SUBTOTAL:         118,000         TOTAL TAX:       0         SHIPPING:       0				
Detailed Description:         SEE ATT: NM STATE PRICE AGREEMENT 00-00000-20-00088         2023 SERVICE TRUCK 3500 4X4         SOLID WASTE         Authorized By:       SUBTOTAL:         118,000         TOTAL TAX:       0         SHIPPING:       0				
Detailed Description:         SEE ATT: NM STATE PRICE AGREEMENT 00-00000-20-00088         2023 SERVICE TRUCK 3500 4X4         SOLID WASTE         Authorized By:       SUBTOTAL:         118,000         TOTAL TAX:       0         SHIPPING:       0				
Detailed Description:         SEE ATT: NM STATE PRICE AGREEMENT 00-00000-20-00088         2023 SERVICE TRUCK 3500 4X4         SOLID WASTE         Authorized By:       SUBTOTAL:         118,000         TOTAL TAX:       0         SHIPPING:       0				
Detailed Description:         SEE ATT: NM STATE PRICE AGREEMENT 00-00000-20-00088         2023 SERVICE TRUCK 3500 4X4         SOLID WASTE         Authorized By:       SUBTOTAL:         118,000         TOTAL TAX:       0         SHIPPING:       0				
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Authorized By: TOTAL TAX: 0 SHIPPING: 0	;			
Authorized By: SHIPPING:			SUBTOTAL:	118,000.00
SHIPPING: U	Authorized	i By:		0.00
<b>TOTAL</b> 118,000				0.00
			TOTAL	118,000.00

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General Ser Purcha	f New Mexico vices Department sing Division Agreement Amendment
Awarded Vendor: 10 Vendors	Number: <u>00-00000-20-00088</u> Amendment No.: <u>Seven</u> Term: <u>March 5, 2021 – March 4, 2024</u>
Ship To: All State of New Mexico agencies, commissions, institutions, political subdivisions and local public bodies allowed by law. Involce: As Requested	Procurement Specialist: <u>Tami Concha</u> Telephone No.: ( <u>505) 660-3671</u> Email: <u>Tami.Concha@gsd.um.gov</u>

Title: Automotive Vehicles - SUVs & Trucks

This amendment is to be attached to the respective Price Agreement and become a part thereof.

In accordance with Price Agreement provisions, and by mutual agreement of all parties, this Price Agreement is extended from March 5, 2023 to March 4, 2024 at the same price, terms and conditions for the following Vendors:

(AA) Albuquerque Motor Company dba Melloy Dodge
(AE) Construction Truck Equipment
(AG) MJLL, Inc. dba Melloy Chrysler-Jeep-Dodge-RAM
(AJ) Phil Long Dealership dba Phil Long Ford of Raton

(AD) Clark Truck Equipment Co.(AF) Chalmers Ford Inc. dba MHQ of NM(AI) Melloy Brothers Inc. dba Melloy Nissan

Vendors (AB) Bob Turners Ford Country Inc. dba Power Ford, (AH) MCLL, Inc. dba Melloy Chevrolet and (AL) BDR Preferred Holdings LLC, dba Roberts Truck Center have extended with the same terms and conditions along with the following Price Increases, see page 2 for detail.

Except as modified by this amendment, the provisions of the Price Agreement shall remain in full force and effect.

Accepted for the State of New Mexico

Valerie Paulk

Date: 2/24/2023

Acting New Mexico State Purchasing Agent

Item	Article and Description	<b>Current Price</b>	New Price
1	Ford Escape Utility Vehicle, Compact, 4 Door, AWD	\$22,273.00	\$26,538.00
4	Ford Expedition Utility Vehicle, Large, 4 Door, ½ Ton, 4x4	\$38,053.00	\$49,233.00
5	Ford Edge Crossover, Four (4) Door, Mid-Size, Five (5) Passenger, *AWD (Note: FWD no longer available – replaced with AWD)	\$25,403.00	\$34,448.00
10	Ford F-250 Pickup ¾ Ton, Long Wheel base, 4x4	\$25,153.00	\$42,418.00
11	Ford F-250 Pickup 3/4 Ton, Long Wheel Base, Extended Cab, 4x4	\$27,230.00	\$44,695.00
12	Ford F-250 Pickup, <sup>3</sup> / <sub>4</sub> Ton, Long Wheel Base, Crew Cab, 4x4	\$28,695.00	\$46,150.0
13	Ford F-350 Truck 1 Ton, Long Wheel Base, Regular Cab 4x4	\$28,201.00	\$44,296.00
14	Ford F-350 Truck 1 Ton, Long Wheel Base, Extended Cab, 4x4	\$29,649.00	\$46,004.00
15	Ford F-350 Truck 1 Ton, Long Wheel Base, Crew Cab, 4x4, Single Rear Wheels	\$31,145.00	\$47,685.00
16	Ford F-350 Truck 1 Ton, Cab & Chassis, Long Wheel Base, Crew Cab, 4x4, Single Rear Wheels, Capable of Being Certified	\$29,749.00	\$45,479.00
17	Ford F-350 Truck 11,000 GVWR, Cab & Chassis, 4x4, Dual Rear Wheels, Capable of Being Certified	\$27,357.00	\$43,197.00
20	Ford F-450 Truck 15,000 GVWR, Cab & Chassis, Dual Rear Wheels, Capable of Being Certified	\$37,513.00	\$50,833.00
21	Ford F-550 Truck 17,500 GVWR, Cab & Chassis Dual Rear Wheels, Capable of Being Certified	\$38,157.00	\$51,687.00

## (AB) Bob Turner's Ford Country dba Power Ford

# (AH) MCLL, Inc. dba Melloy Chevrolet

Item	Article and Description	<b>Current Price</b>	New Price
6	Chevrolet Colorado 4WD Ext Cab	\$23,932.00	\$29,532.00
	**Ext Cab no longer available, must add Option P) Crew cab	\$1,900.00	No Change

# (AL) BDR Preferred Holdings dba Roberts Truck Center

Item	Article and Description	Current Price	New Price
20	Make: International, Model: CV; Truck, 15,000 GVWR, cab & chassis, dual rear wheels, capable of being certified.	\$53,158.00	\$61,610. <b>0</b> 0
21	Make: International, Model: CV; Truck, 17,500 GVWR, cab & chassis, dual rear wheels, capable of being certified.	\$58,090.00	\$66,919.00
23	<b>Make:</b> International, Model: MV; Truck, 19,500 GVWR, cab & chassis, class 5 medium duty, conventional cab, $4 \times 2$ dual rear wheels capable of being certified.	\$72,731.00	\$82,186.00
24	Make: International, Model: MV; Truck, 25,950 GVWR, cab & chassis, class 6 medium Duty, conventional cab, 4 x 2 dual rear wheels capable of being certified.	\$76,612.00	\$86,571.00

Purchasing Division: 1100 St. Francis Drive, Room 2016, Santa Fe, 87505; PO Box 6850, Santa Fe, NM 87502 (505) 827-0472

**DocuSign** 

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ami.concha@gsd.nm.gov		Signed: 2/24/2023 1:42:34 PM
Procurement Specialist II		olgridd, 22492020 1.42.04 F M
lew Mexico General Services, State Purchasing	Signature Adoption: Pre-selected Style	
Security Level: Email, Account Authentication	Using IP Address: 174.56.109.88	
None)		
Electronic Record and Signature Disclosure:		
Not Offered via DocuSign		
/alerie Paulk		Sent: 2/24/2023 1:42:35 PM
/alerie,Paulk@gsd.nm.gov	Valerie Paulle	Viewed: 2/24/2023 1:42:59 PM
Signed of Behalf of State Purchasing Agent		Signed; 2/24/2023 1:43:22 PM
New Mexico General Services	Dispersions Advertises Des 1915 de 4 Obde	
Security Level: Email, Account Authentication None)	Signature Adoption: Pre-selected Style Using IP Address: 164.64.62.10	
Rectronic Record and Signature Disclosure: Accepted: 5/29/2020 9:40:59 AM ID: f12ca6d0-7cba-4de4-b58f-8180244887ff		

In Person Signer Events Timestamp Signature ंत Editor Délivery Events Timestamp Status Agent Delivery Events Status Timestamp Timestamp Intermediary Delivery Events Status Timestamp Status Certifled Delivery Events

Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	2/24/2023 1:39:50 PM
Certifled Delivered	Security Checked	2/24/2023 1:42:59 PM
Signing Complete	Security Checked	2/24/2023 1:43:22 PM
Completed	Security Checked	2/24/2023 1:43:22 PM
Payment Events Electronic Record and Signature Disc	Status Iõsure	Timestamps

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#### **Requisition #:** 90073

Date: 07/01/2023

Vendor #:

1009

SHIP TO: City of Truth or Consequences 505 Sims St. Truth or Consequences, NM 87901

ITEM	UNITS DESCRIPTION PRO	JECT # PRICE GL ACCOUNT NUMBER	AMOUNT
1	0 LODGER'S TAX ADMIN FEE FY 23/24	0.00 214-2503-43999	38,787.00
			1
	scription: LODGER'S TAX ADMIN FEE FY 23/24		
)	ed Description: 'S TAX 10% ADMIN FEE		
COMMIS	SION APPROVED ???????		
		SUBTOTAL:	38,787.00
Author	rized By:	TOTAL TAX:	0.00
	· · · · · · · · · · · · · · · · · · ·	SHIPPING:	0.00
		TOTAL	38,787.00

**ISSUED TO: GENERAL FUND** 



**ISSUED TO:** GENERAL FUND

# REQUISITION

## Requisition #: 90074

Date: 07/01/2023

### Vendor #: 1009

ITEM	UNITS DESCRIPTION PROJECT	# PRICE GL ACCOUNT NUMBER	AMOUNT
1	0 ADMINISTRATIVE FEE PAID TO CITY OF	0.00 209-1603-47595	21,500.00
1			
		n	
	ption: STATE FIRE ADMIN FEE DUE TO GENERAL FUND Description:		
STATE FIRE	Admin Fee due to general fund fy23/24 N Approved ???????		
		SUBTOTAL:	21,500.00
Authorize	nd By:	TOTAL TAX:	0.00
		SHIPPING:	0.00
		TOTAL	21,500.00





ISSUED TO: TAXATION AND REVENUE PO BOX 25123

SANTA FE, NM 87504

### Requisition #: 90076

## Date: 07/01/2023

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## 1100

## Vendor #:

ITEM	UNITS DESCRIPTION PROJEG	T # PRICE GL ACCOUNT NUMBER	AMOUNT
1	0 WATER CONSERVATION FEE FY 23/24 OI	0.00 504-3803-43797	20,000.00
	·		
	ption: WATER CONSERVATION FEE FY 23/24 OPEN PO		
	<b>Jescription:</b> SERVATION FEE FY 23/24 OPEN PO		
•			
		SUBTOTAL:	20,000.00
Authorize	d By:	TOTAL TAX:	0.00
-		SHIPPING:	0,00
		TOTAL	20,000.00





#### **Requisition #:** 90077

Date: 07/01/2023

### Vendor #:

0217

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**ISSUED TO:** SIERRA VISTA HOSPITAL / SIERRA \ **SHIP TO:** City of Truth or Consequences 800 E. 9TH 505 Sims St. TRUTH OR CONSEQUENCES, NM 879

Truth or Consequences, NM 87901

TTEM	UNITS DESCRIPTION PROJ	ECT/#PRICE GLACCOUNT NUMBER	AMOUNT
1	0 GRT DISTRIBUTION FY 23/24 OPEN PO	0.00 101-1017-48599	300,000.00
		,	
PO Descr	iption: GRT DISTRIBUTION FY 23/24 OPEN PO	· · · · · ·	
	Description: BUTION FY 23/24 OPEN PO		
COMMISSIO	IN APPROVED ??????		
		SUBTOTAL:	300,000.00
Authorize	ed By:	TOTAL TAX:	0.00
		SHIPPING:	0.00
		TOTAL	300,000.00



## Requisition #: 90078

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Date: 07/01/2023

### Vendor #: 0404

SHIP TO: City of Truth or Consequences 505 Sims St. Truth or Consequences, NM 87901

### ISSUED TO: VILLAGE OF WILLIAMSBURG PO BOX 150 WILLIAMSBURG, NM 87942

ITEM UNITS DESCRIPTION PROJE	T # PRICE GLACCOUNT NUMBER	AMOUNT
1 0 FRANCHISE TAX FY 23/24 OPEN PO	0.00 503-3702-45796	20,000.00
2 0 FRANCHISE TAX FY 23/24 OPEN PO	0.00 504-3803-45796	6,000.00
3 0 FRANCHISE TAX FY 23/24 OPEN PO	0.00 505-3904-45796	8,000.00
PO Description: FRANCHISE TAX FY 23/24 OPEN PO		
Detailed Description:		
FRANCHISE TAX FY 23/24 OPEN PO		
COMMISSION APPROVED ??????		
	SUBTOTAL:	34,000.00
	TOTAL TAX:	0.00
Authorized By:	SHIPPING:	0.00
		34,000.00



**ISSUED TO:** VILLAGE OF WILLIAMSBURG PO BOX 150

WILLIAMSBURG, NM 87942

# REQUISITION

#### **Requisition #:** 90079

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#### Date: 07/01/2023

#### Vendor #: 0404

SHIP TO: Clty of Truth or Consequences 505 Sims St. Truth or Consequences, NM 87901

# PROJECT # PRICE GLACCOUNT NUMBER AMOUNT TEM UNITS DESCRIPTION 0.00 506-4005-48798 1 0 SEWER RECEIPTS FY 23/24 OPEN PO 50,000.00 PO Description: SEWER RECEIPTS FY 23/24 OPEN PO **Detailed Description:** SEWER RECEIPTS FY 23/24 OPEN PO COMMISSION APPROVED ????? 50,000.00 SUBTOTAL: 0.00 TOTAL TAX: Authorized By: 0.00 SHIPPING: TOTAL 50,000.00





## Requisition #: 90081

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Date: 07/01/2023

## Vendor #:

7789

**ISSUED TO:** CAPITAL ONE PUBLIC FUNDING 1307 WALT WHITMAN RD. MELVILLE, NY 11747

ITEM	UNITS DESCRIPTION	EGT # PRICE GL ACCOUNT NUMBER	AMOUNT
1 2	0 CAPITAL ONE LOAN PMT PRINCIPAL 0 CAPITAL ONE LOAN PMT INTEREST	0.00 403-1203-90905 0.00 403-1203-90910	105,000.00 12,840.00
			-
PO Descrij	ption: CAPITAL ONE LOAN PMT FY 23/24 OPEN PO		
	Pescription:		
COMMISSION	E LOAN PMT FY 23/24 OPEN PO N APPROVED 777777		
-			
		SUBTOTAL:	117,840.00
A cable culture	d Dyn	TOTAL TAX:	0.00
Authorize	u byi	SHIPPING:	0.00
		TOTAL	117,840.00
		have a second	





## Requisition #: 9

90084

Date: 07/01/2023

Vendor #:

4840

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ISSUED TO: NEW MEXICO FINANCE AUTHORITY 207 SHELBY ST. SANTA FE, NM 87501

ITEM	UNITS DESCRIPTION	CT # PRICE GL ACCOUNT NUMBER	AMOUNT
1	0 NMFA LOAN PYMT TORC 17 PRINCIPAL	0.00 403-1203-90905	12,880.00
2	0 NMFA LOAN PYMT TORC 17 INTEREST	0.00 403-1203-90910	260.00
3	0 NMFA LOAN PYMT TORC 18	0.00 403-1203-12918	8,290.00
4	0 NMFA LOAN PYMT TORC 19	0.00 403-1203-12919	91,190.00
5	0 NMFA LOAN PYMT TORC 24 PRINCIPAL	0.00 403-1203-90905	3,846.00
6	0 NMFA LOAN PYMT TORC 27 PRINCIPAL	0.00 403-1203-90905	3,867.00
7	O NMFA LOAN PYMT PPRF-4967	0.00 403-1203-12967	71,507.00
8	0 NMFA LOAN PYMT TORC 22 PRINCIPAL	0.00 403-1203-90905	3,300.00
9	0 NMFA LOAN PYMT TORC 22 INTEREST	0.00 403-1203-90910	84.00
10	0 NMFA LOAN PYMT CIF-4927 PRINCIPAL	0.00 403-1203-90905 0.00 403-1203-90905	450.00 5,000.00
11	0 NMFA LOAN PYMT CIF-5192 PRINCIPAL	0.00 403-1203-90905	13,090.00
12	0 NMFA LOAN PYMT WPF-5089 PRINCIPAL 0 NMFA LOAN PYMT WPF-5089 INTEREST	0.00 403-1203-90903	120.00
13 14	0 NMFA LOAN PTMT WPF-5059 INTEREST 0 NMFA LOAN PYMT PPRF-5652 PRINCIPAL	0.00 403-1203-90910	91,466.00
15	0 NMFA LOAN PYMT PPRF-5652 INTEREST	0.00 403-1203-90903	9,045.00
16	O NMFA LOAN PYMT CIF-5550 PRINCIPAL	0.00 403-1203-90905	2,500.00
<b>0</b> /0 Poopo	ription: NMFA LOAN PAYMENTS FY23/24 OPEN PO		
<b>Detailed</b>	Description: Description: N PAYMENTS FY 23/24 OPEN PO ON APPROVED ??????		
			TH C 005 0
		SUBTOTAL:	316,895.00
Authoriz	ad By:	TOTAL TAX:	0.00
RUGUIA	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	SHIPPING:	0.00



#### Requisition #: 90092

Date: 07/01/2023

### Vendor #:

7752

**ISSUED TO:** HALL ENVIRONMENTAL ANALYSIS LA **SHIP TO:** City of Truth or Consequences 4901 HAWKINS NE 505 Sims St. ALBUQUERQUE, NM 87109-4337 Truth or Consequences, NM 87901

TTEM UNITS DESCRIPTION PRO	ECT # PRICE GLACCOUNT NUMBER	AMOUNT
1 0 EPA METHOD 625 SVOCS	0.00 506-4005-48598	11,700.00
2 0 EPA METHOD 624 VOCS	0.00 506-4005-48598	5,200.00
3 0 SM5210B BOD	0.00 506-4005-48598	6,240.00
4 0 EPA 200.8 METALS/200.7 METALS 5 0 TAX ON LABOR 7.875%	0.00 506-4005-48598 0.00 506-4005-48598	5,460.00 2,300.00
PO Description: WEEKLY TESTING OPEN PO FY 23/24		
Detailed Description:		
WEEKLY TESTING OPEN PO FY 23/24 WASTE WATER		
	SUBTOTAL:	30,900.00
Authorized Dec	TOTAL TAX:	0.00
Authorized By:	SHIPPING:	0.00
	TOTAL	30,900.00



#### Requisition #: 90094

Date: 07/01/2023

### 0249

**ISSUED TO:** TESTON'S FREEWAY CHEVRON PO BOX 3116 T OR C, NM 87901

SHIP TO: City of Truth or Consequences 505 Sims St. Truth or Consequences, NM 87901

Vendor #:

ITEM	UNITS DESCRIPTION PRO	ECT # PRICE GL ACCOUNT NUMBER	AMOUNT
1 2	0 OPEN PO FOR DIESEL/UNLEAED FUEL 0 OPEN PO FOR DIESEL/UNLEAED FUEL	0.00 504-3803-43316 0.00 506-4005-43316	24,700.00 15,000.00
		,	
PÖ Descr	iption: OPEN PO FOR DIESEL/UNLEAED FUEL		
Detailed	Description:		
open po fy For diesei Water and	( 23/24 L/UNLEADED FUEL D WASTEWATER		
		······· 1 -······ 4	20 700 00
		SUBTOTAL:	39,700.00 0.00
Authoriz	ed By:	TOTAL TAX: SHIPPING:	0.00
		TOTAL	39,700.00



**ISSUED TO:** BANK OF THE SOUTHWEST AT T. OR C.

P.O. BOX 872

T. OR C., NM 87901

#### Requisition #: 90095

Date: 07/01/2023

### Vendor #:

2172

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55,200.00

55,200.00

0.00

0.00

ITEM UNITS DESCRIPTION	PROJECT # PRICE GL ACCOUNT NUMB	ER AMQUNT
1 0 INTEREST PAYMENTS MSD WATER SYS I	0.00 403-1203-90910	55,200.00
PO Description: INTEREST PAYMENTS MSD WATER SYSTEM IMP		
Detailed Description:		
INTERIM LOAN FOR MSD WATER SYSTEM IMPROVEMENTS COMMISSION APPROVED ??????		
	SUBTOTAL:	55,200.0
Authorized By:	TOTAL TAX:	0.0
	SHIPPING:	0.0
	TOTAL	55,200.0

Vendor #:



#### **Requisition #:** 90097

Date: 07/01/2022

6094

**ISSUED TO:** NEW MEXICO GAS COMPANY, INC. P.O. BOX 27885 ALBUQUERQUE, NM 87125-7885

ITEM	UNITS DESCRIPTION PROJECT	T # PRICE GLACCOUNT NUMBER	AMOUNT
1 2 3 4 5 6 7 8 9 10 11	0 NM WORKFORCE CONNECTION OPEN PO 0 ANIMAL SHELTER OPEN PO FY23/24 0 FIRE SOUTH STATION OPEN PO FY23/24 0 FIRE STATION OPEN PO FY23/24 0 SWIMMING POOL OPEN PO FY23/24 0 GENERAL OPEN PO FY23/24 0 ELECTRIC DEPT OPEN PO FY23/24 0 WATER DEPT OPEN PO FY23/24 0 RECYCLE CENTER OPEN PO FY23/24 0 VACUUM STATION OPEN PO FY23/24 0 GOLF COURSE OPEN PO FY23/24	0.00 101-1018-43780 0.00 101-1018-43780 0.00 209-1603-43780 0.00 209-1603-43780 0.00 295-4803-43780 0.00 101-1018-43780 0.00 503-3702-43780 0.00 504-3803-43780 0.00 505-3904-43780 0.00 505-3904-43780	1,200.00 2,900.00 2,700.00 3,100.00 2,800.00 21,000.00 1,000.00 2,100.00 1,500.00 1,500.00 300.00
	ption: NATURAL GAS OPEN PO FY23/24 Description: 23/24	SUBTOTAL:	39,600.00
Detailed I	Description: 23/24	TOTAL TAX:	0.00
<b>Detailed I</b> Open po Fy:	Description: 23/24		and the second sec





## Requisition #: 90105

Date: 07/01/2023

Vendor #:

0284

XEROX CORP.
P.O. BOX 202882
DALLAS, TX 75320-2882

	e se ante de la companya de la comp	IECT # PRICE GL'ACCOUNT NUMBER	AMOUNT
1 0 WASTE WATER O	PEN PO FY23/24	0.00 506-4005-43465	2,120.00
2 0 FINANCE OFFICE	-	0.00 101-1004-43465	6,350.00
3 0 FACILITIES DEPT	OPEN PO FY23/24	0.00 101-1014-43465	470.00
4 0 LIBRARY OPEN PO	) FY23/24	0.00 294-5003-43465	350.00
5 0 POOL OPEN PO F	•	0.00 295-4803-43465	400.00
6 0 GOLF COURSE O		0.00 508-4303-43465	1,900.00
7 0 PARKS DEPT OPE	-	0.00 101-1009-43465	2,480.00
8 0 CLERKS OFFICE (		0.00 101-1001-43465	3,680.00
9 0 SOLID WASTE OF	•	0.00 505-3904-43465	2,750.00
10 0 FLEET DEPT OPEN		0.00 600-7003-43465	1,670.00
11 0 AIRPORT OPEN P		0.00 509-4403-43465 0.00 101-1003-43465	680.00 3,500.00
12 0 CITY MANAGER C 13 0 FIRE DEPT OPEN	-	0.00 209-1603-43465	4,130.00
13 0 FIRE DEPT OPEN 14 0 POLICE DEPT OP		0.00 101-1007-43465	3,850.00
	RT OPEN PO FY23/24	0.00 101-1040-43465	1,900.00
16 0 ELECTRIC DEPT (		0.00 503-3702-43465	1,660.00
17 0 UTILITY BILLING	•	0.00 502-3601-43465	5,680.00
		- -	
PO Description: XEROX PERCENTAG	ge open po fy23/24	-	
Detailed Description:	ge open po fy23/24	- 	
-	ge open po fy23/24	-	
Detailed Description:	ge open po fy23/24	- 	
Detailed Description:	ge open po fy23/24	-	
Detailed Description:	ge open po fy23/24	SUBTOTAL:	43,570.00
Detailed Description: OPEN PO FY23/24	ge open po fy23/24	SUBTOTAL: TOTAL TAX:	43,570.00
Detailed Description:	ge open po fy23/24		



### Requisition #: 90109

## Date: 07/01/2023

## 0024

SHIP TO: City of Truth or Consequences 505 Sims St. Truth or Consequences, NM 87901

Vendor #:

**ISSUED TO:** B & H OIL CO. PO BOX 29 T OR C, NM 87901

ITEM	ITS DESCRIPTION	PRICE GLACCOUNT NUMBER	AMOUNT
1	0 RED DIESEL- OPEN PO FY 23/24	0.00 216-4503-43316	40,000.00
PO Descripti	on: RED DIESEL- OPEN PO FY 23/24		
Detailed Des			
STREETS	PEN PO FY 23/24		
		SUBTOTAL:	40,000.00
Authorized E	3v:	TOTAL TAX:	0.00
	Зу:	SHIPPING:	0.00
		TOTAL	40,000.00



**ISSUED TO:** SMITHCO CONSTRUCTION INC. P.O. BOX 45

CABALLO, NM 87931

# REQUISITION

## Requisition #: 90112

### Date: 07/01/2023

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### Vendor #: 3592

ITEM UNITS DESCRIPTION	PROJECT # PRICE GLACCOUNT NUM	BER AMOUNT
1 0 SYSTEM-WIDE REPAIRS FOR WATER LE/	A 0.00 504-3803-48598	20,000.00
PO Description: SYSTEM-WIDE REPAIRS FOR WATER LEAKS		
Detailed Description:		
SYSTEM-WIDE REPAIRS FOR WATER LEAKS WATER		
I	SUBTOTAL:	20,000.00
Authorized By:	TOTAL TAX:	0.00
Autionzeu by:	SHIPPING:	0.00
	TOTAL	20,000.00

Vendor #:



## Requisition #: 90113

## Date: 07/01/2023

## 1753

### ISSUED TO: WESTERN AREA POWER ADMIN P.O. BOX 6200-15 PORTLAND, OR 97228-6200

ITEM	UNITS DESCRIPTION	PRICE GL'ACCOUNT NUMBER	AMOUNT
1	0 BASE DEMAND & BASE ENERGY CHARGE	0.00 503-3702-50795	580,000.00
			1
PO Descr	iption: BASE DEMAND & BASE ENERGY CHARGES OPEN FY 23/24	g() (φ), ((1, φ), (1, φ), (1	Anna an
	Description:		
BASE DEMA	ND & BASE ENERGY CHARGES OPEN FY 23/24		
		SUBTOTAL:	580,000.00
		TOTAL TAX:	0.00
Authorize	ed By:	SHIPPING:	0.00
		TOTAL	580,000.00



## Requisition #: 90114

Date: 07/01/2023

# 0204

**ISSUED TO:** SIERRA ELECTRIC CO-OP, INC. P.O. BOX 290 ELEPHANT BUTTE, NM 87935 SHIP TO: City of Truth or Consequences 505 Sims St. Truth or Consequences, NM 87901

Vendor #:

TTEM	VETS DESCRIPTION	CT # PRICE GL ACCOUNT NUMBER	AMOUNT
1 2	0 POWER SERVICES-OPEN PO FY 23/24 0 MIMS CITY LIGHTS- OPEN PO FY-23/24	0.00 503-3702-50795 0.00 503-3702-43780	2,659,827.78 7,000.00
1	Ion: POWER SERVICES-OPEN PO FY-23/24		
Detailed Dea	scription: CES-OPEN PO FY-23/24		
ELECTRIC			
L		SUBTOTAL:	2,666,827.78
		TOTAL TAX:	0.00
Authorized	Βγ:	SHIPPING:	0.00
		TOTAL	2,666,827.78
			· · · · · · · · · · · · · · · · · · ·



ISSUED

# REQUISITION

#### **Requisition #:** 90115

# 07/01/2023

# Date:

Vendor #:

### 8194

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DEPT 0012
PALATINE, IL 60055-0012

	UNITS DESCRIPTION PROD	CT # PRICE GL ACCOUNT NUMBER	AMOUNT
1	0 GENERAL OPEN PO FY 22/23	0.00 101-1018-43780	61,000.00
2	0 POOL OPEN PO FY 22/23	0.00 295-4803-43780	7,800.00
3	0 ELECTRIC DEPT OPEN PO FY 22/23	0.00 503-3702-43780	7,800.00
4	0 WATER DEPT OPEN PO FY 22/23	0.00 504-3803-43780	7,800.00
5	0 SANITATION OPEN PO FY 22/23	0.00 505-3904-43780	7,800.00
6	0 WASTE WATER OPEN PO FY 22/23	0.00 506-4005-43780	7,800.00
7	0 GOLF COURSE OPEN PO FY 22/23	0.00 508-4303-43780	7,800.00
	·		
PO Descri	ption: TDS FIBER INTERNET OPEN PO FY23/24		
Detailed I	ption: TDS FIBER INTERNET OPEN PO FY23/24 Description: NTERNET OPEN PO FY23/24		
Detailed I	Description:		
Detailed I	Description:	SUBTOTAL:	
<b>Detailed I</b> TDS FIBER I	Description: NTERNET OPEN PO FY23/24		
Detailed I	Description: NTERNET OPEN PO FY23/24	SUBTOTAL: TOTAL TAX: SHIPPING:	107,800.00 0.00 0.00



#### **Requisition #:** 90116

07/01/2023

Date:

### Vendor #:

0297

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**ISSUED TO:** TRI-STATE GENERATION & TRANSMI **SHIP TO:** City of Truth or Consequences P.O. BOX 33695 505 Sims St. DENVER, CO 80233 Truth or Consequences, NM 87901

ITEM	UNITS DESCRIPTION PROJ	ECT # PRICE GL ACCOUNT NUMBER	AMOUNT
1	0 POWER SERVICE- OPEN PO FY 23/24	0.00 503-3702-50795	445,000.00
		·	
PO Descri	ption: POWER SERVICES-OPEN PO FY 23/24		
	Description:		
POWER SERV	VICES-OPEN PO FY 23/24		
		SUBTOTAL:	445,000.00
• • • • • • • • • • •	d Dec	TOTAL TAX:	0.00
Authorize	а ву:	SHIPPING:	0.00
		TOTAL	445,000.00



### Requisition #: 90117

## Date: 07/01/2023

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## Vendor #:

7884

ISSUED TO: SSA SOLAR OF NM 4, LLC 750 PARK COMMERCE BLVD SUITE 2 BOCA RATON, FL 33487-

ITEM	UNITS DESCRIPTION	ROJECT # PRICE GLACCOUNT NUMBER	AMOUNT
1.	0 POWER SERVICES- OPEN PO FY 23/24	0.00 503-3702-50795	330,000.00
			1
PO Dr	scription: POWER SERVICES- OPEN PO FY 23/24		
Detai	ed Description:		
POWER	SERVICES- OPEN PO FY 23/24 NC		
		SUBTOTAL:	330,000.00
		TOTAL TAX:	0.00
Autho	rized By:	SHIPPING:	0.00
		TOTAL	330,000.00



Vendor #:

### Requisition #: 90118

## Date: 07/01/2023

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## 7735

**ISSUED TO:** TRIPLE H SOLAR, LLC 5604 SINGLETREE LANE PARKER, CO 80134-

ITEM UNITS DESCRIPTION PROJECT	# PRICE GLACCOUNT NUMBER	AMOUNT
1 0 ENGINEERING SERVICES- OPEN PO FY 2	0.00 503-3702-48598	48,000.00
PO Description: ENGINEERING SERVICES- OPEN PO FY 23/24		
Detailed Description:		
ENGINEERING SERVICES- OPEN PO FY 23/24 ELECTRIC		
	SUBTOTAL:	48,000.00
	TOTAL TAX:	0.00
Authorized By:	SHIPPING:	0.00
	TOTAL	48,000.00



## Requisition #: 90119

Date: 07/01/2023

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## 0187

Vendor #:

ISSUED TO: POSTMASTER Attn:CMRS-PB PO BOX 0566 CAROL STREAM, IL 60132-0566

TTEM UNITS I	PROJECT #	PRICE GL ACCOUNT NUMBER	AMOUNT
1 0 F	POSTAGE UTILITY OFFICE OPEN PO FY 2	0.00 502-3601-43735	40,000.00
PO Description:	OPEN PO UTILITY OFFICE POSTAGE FY 23/24		
Detailed Descript			
OPEN PO UTILITY OF	FICE POSTAGE FY 23/24		
		SUBTOTAL:	40.000.00
			40,000,00
Authorized By:		TOTAL TAX: SHIPPING:	40,000.00 0.00 0.00



#### **Requisition #:** 90123

Date: 07/01/2023

### Vendor #:

### 3910

SHIP TO: City of Truth or Consequences 505 Sims St. Truth or Consequences, NM 87901

TTEM	UNITS DESCRIPTION PROJE	T # PRICE GL ACCOUNT NUMBER	AMOUNT
1	0 CITY CLERK OPEN PO FY23/24	0.00 101-1001-43775	3,810.00
2	0 MUNICIPAL COURT OPEN PO FY23/24	0.00 101-1002-43775	1,170.00
3	0 CITY MANAGER OPEN PO FY23/24	0.00 101-1003-43775	3,500.00
4	0 FINANCE OPEN PO FY23/24	0.00 101-1004-43775	3,710.00
5	0 ANIMAL SHELTER OPEN PO FY23/24	0.00 101-1006-43775	1,960.00
6	0 POLICE DEPT OPEN PO FY23/24	0.00 101-1007-43775	15,560.00
7	0 ANIMAL CONTROL OPEN PO FY23/24	0.00 101-1008-43775	3,760.00
8	0 PARKS DEPT OPEN PO FY23/24	0.00 101-1009-43775	1,920.00
9	0 COMMUNITY DEVELOPEMENT OPEN PO F	0.00 101-1010-43775	1,340.00
10	0 STREETS DEPT OPEN PO FY23/24	0.00 101-1011-43775	1,050.00
11	0 FLEET DEPT OPEN PO FY23/24	0.00 101-1012-43775	1,080.00
12	0 FACILITIES DEPT OPEN PO FY23/24	0.00 101-1014-43775	2,060.00
13	0 FIRE DEPT OPEN PO FY23/24	0.00 209-1603-43775	2,370.00
14	0 LIBRARY OPEN PO FY23/24	0.00 294-5003-43775	2,370.00
15	0 POOL OPEN PO FY23/24	0.00 295-4803-43775	360.00
16	0 UTILITY BILLING OPEN PO FY23/24	0.00 502-3601-43775	3,150.00
17	0 ELECTRIC DEPT OPEN PO FY23/24	0,00 503-3702-43775	3,600.00
18	0 WATER DEPT OPEN PO FY23/24	0.00 504-3803-43775	<b>980.</b> 00
19	0 SANITATION OPEN PO FY23/24	0.00 505-3904-43775	2,270.00
20	0 WASTE WATER DEPT OPEN PO FY23/24	0.00 506-4005-43775	5,300.00
21	0 GOLF COURSE OPEN PO FY23/24	0.00 508-4303-43775	1,130.00
22	0 AIRPORT OPEN PO FY23/24	0.00 509-4403-43775	1,500.00
Detailed I	<b>ption:</b> VERIZON OPEN FO FY 22/23 <b>Description:</b> PEN PO FY23/24		
L		SUBTOTAL:	63,950.00
<b>Ab</b>	at mark	TOTAL TAX:	0.00
Authorize	a by:	SHIPPING:	0.00
		TOTAL	63,950.00

ISSUED TO: VERIZON WIRELESS P.O. BOX 660108 DALLAS, TX 75266-0108





## Requisition #: 90124

Date:

## 07/01/2023

0180

Vendor #:

ISSUED TO: PITNEY BOWES INC. P.O. BOX 981023 BOSTON, MA 02298-1023

ITEM VI	ITS DESCRIPTION PROJECT	# PRICE GL ACCOUNT NUMBER	AMOUNT
1	0 UTILITY OFFICE PITNEY BOWES OPEN PC	0.00 502-3601-43770	28,000.00
•			
PO Descript	ION: UTILITY OFFICE PITNEY BOWES OPEN PO FY 23/24		
Detailed De			
UTILITY OFFICE	E PITNEY BOWES OPEN PO FY 23/24		
L		SUBTOTAL:	28,000.00
		TOTAL TAX:	0.00
Authorized	Ву:	SHIPPING:	0.00
		TOTAL	28,000.00
			20,000,00



**ISSUED TO:** CITY UTILITIES

505 SIMS ST. T OR C, NM 87901

# REQUISITION

### Requisition #: 90125

Date: 07/01/2023

### Vendor #:

### 0053

SHIP TO: City of Truth or Consequences 505 Sims St. Truth or Consequences, NM 87901

ITEM UNITS DESCRIPTION PROJECT # PRICE GL'ACCOUNT NUMBER AMOUNT 0 GENERAL FUND CYCLE A&B OPEN PO FY2 0.00 101-1018-43780 42,000.00 1 4,200.00 2 0 FIRE DEPT CYCLE A&B OPEN PO FY23/24 0.00 209-1603-43780 8,240.00 0.00 501-1803-43780 3 0 CEMETARY CYCLE A&B OPEN PO FY23/24 11,900.00 0.00 503-3702-43780 4 **0 ELECTRIC DEPT CYCLE A&B OPEN PO FY** 0.00 504-3803-43780 10,700.00 5 0 WATER DEPT CYCLE A&B OPEN PO FY23/ 13,130.00 0 WASTE WATER DEPT CYCLE A&B OPEN P 0.00 506-4005-43780 6 16,600.00 0.00 508-4303-43780 7 **0 GOLF COURSE CYCLE A&B OPEN PO FY2:** PO Description: CITY UTILITIES CYCLE A&B OPEN PO FY23/24 **Detailed Description:** CITY UTILITIES CYCLE A&B OPEN PO FY23/24 106,770.00 SUBTOTAL: 0.00 TOTAL TAX: **Authorized By:** 0.00 SHIPPING: TOTAL 106,770.00



ISSUED TO: CITY UTILITIES 505 SIMS ST.

T OR C, NM 87901

# REQUISITION

## Requisition #: 90127

Date:

### .....

07/01/2023

### Vendor #:

0053

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ITEM U	NITS DESCRIPTION PROJE	CT # PRICE GL ACCOUNT NUM	IBER
1 2 3 4 5 6 7 8	<ul> <li>0 GENERAL FUND OPEN PO FY23/24</li> <li>0 UTILITY BILLING OFFICE OPEN PO FY23/24</li> <li>0 WATER DEPT OPEN PO FY23/24</li> <li>0 SANITATION DEPT OPEN PO FY23/24</li> <li>0 GOLF COURSE OPEN PO FY23/24</li> <li>0 AIRPORT OPEN PO FY23/24</li> </ul>	0.00 101-1018-43780 0.00 502-3601-43780 0.00 503-3702-43780 0.00 505-3904-4560 0.00 508-4303-43780 0.00 509-4403-43780	530.00           530.00           530.00           530.00           530.00           7,000.00           530.00           530.00
Detailed De	ion: CITY LANDFILL OPEN PO FY23/24 scription: . OPEN PO FY23/24		212 220 00
		SUBTOTAL:	313,330.00
Authorized	By:	TOTAL TAX:	0.00
		SHIPPING:	0.00
		TOTAL	313,330.00



#### Requisition #: 90129

Date:

## 07/01/2022

0053

SHIP TO: City of Truth or Consequences 505 Sims St. Truth or Consequences, NM 87901

1 0 GENERAL FUND CYCLE C&D OPEN PO FY:		
	0.00 101-1018-43780	90,000.00
2 0 FIRE DEPT CYCLE C&D OPEN PO FY23/2-	0.00 209-1603-43780	3,800.00
3 0 POOL CYCLE C&D OPEN PO FY23/24	0.00 295-4803-43780	18,900.00
4 0 UTILITY BILLING OFFICE CYCLE C&D OP	0.00 502-3601-43780	4,410.00
5 0 ELECTRIC DEPT CYCLE C&D OPEN PO FY	0.00 503-3702-43780	63,000.00
6 0 WATER DEPT_CYCLE C&D OPEN PO FY23	0.00 504-3803-43780	126,000.00
7 0 SANITATION DEPT CYCLE C&D OPEN PO 8 0 WASTE WATER DEPT CYCLE C&D OPEN I	0.00 505-3904-43780 0.00 506-4005-43780	7,880.00 103,080.00
<b>PO Description:</b> CITY UTILITIES CYCLE C&D OPEN PO FY23/24 <b>Detailed Description:</b> CITY UTILITIES CYCLE C&D OPEN PO FY23/24		
Detailed Description:	SUBTOTAL:	
Detailed Description: CITY UTILITIES CYCLE C&D OPEN PO FY23/24	TOTAL TAX:	0.00
Detailed Description:		417,070.00 0.00 0.00

Vendor #:

**ISSUED TO:** CITY UTILITIES 505 SIMS ST. T OR C, NM 87901



## Requisition #: 90133

### Date: 07/01/2023

### Vendor #: 1555

**ISSUED TO:** SIERRA JOINT OFFICE ON AGING P.O. BOX 829 T OR C, NM 87901

<b>ITEM</b>	INITS DESCRIPTION	# PRICE GLACCOUNT NUMBER	AMOUNT
1	0 OPEN PO FOR SUBRECIPIENT GRANT ALL	0.00 101-1000-60725	35,000.00
	·		
Detailed D	tion: OPEN PO FOR SUBRECIPIENT GRANT ALLOCATION		
	NT RECIPIENT		
		SUBTOTAL:	35,000.00
Authorized	By:	TOTAL TAX:	0.00
		TOTAL	35,000.00

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#### **Requisition #:** 90136

#### Date: 07/01/2023

### Vendor #:

PROJECT # PRICE GL ACCOUNT NUMBER

7239

AMOUNT

45,000.00

SHIP TO: City of Truth or Consequences 505 Sims St. Truth or Consequences, NM 87901

0.00 214-2540-60725

ITEM	UNITS DESCRIPTION
1	0 OPEN PO FOR LODGERS TAX SERVICE O

PO BOX 1602 T OR C, NM 87901

**ISSUED TO:** MAINSTREET T OR C

PO Description: OPEN PO FOR LODGERS TAX SERVICE CONTRACT **Detailed Description:** 

FY 23/24 ALLOCATION FOR SUBRECIPIENT

	SUBTOTAL:	45,000.00
Anthony logical Dec	TOTAL TAX:	0.00
Authorized By:	SHIPPING:	0.00
	TOTAL	45,000.00



**ISSUED TO:** TYLER TECHNOLOGIES, INC. P O BOX 203556

DALLAS, TX 75320-3556

### Requisition #: 90143

### **Date:** 07/01/2023

### Vendor #:

### 8694

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1	0 FINANCE ANNUAL TYLER SUBSCRIPTION	0.00 101-1004-43815	12,305.78
2	0 POLICE DEPT ANNUAL TYLER SUBSCRIPT	0.00 101-1007-43815	12,305.78
3	0 ELECTRIC DEPT ANNUAL TYLER SUBSCRI	0.00 503-3702-43815	12,305.78
4	0 WATER DEPT ANNUAL TYLER SUBSCRIPT	0.00 504-3803-43815 0.00 505-3904-43815	12,305.78 12,305.78
5 6	0 SANITATION ANNUAL TYLER SUBSCRIPT 0 WASTE WATER DEPT ANNUAL TYLER SUI	0.00 506-4005-43815	12,305.78
7	0 UTILITY BILLING ANNUAL TYLER SUBSC	0.00 502-3601-43815	3,076.46
PO Descrip	tion: ANNUAL TYLER SUBSCRIPTION FEE FY23/24		
PO Descrip Detailed De			
Detailed Det			
Detailed Det	escription:	SUBTOTAL:	76,911.14
Detailed D ANNUAL SUBS FY 23/24	escription: SCRIPTION FEE	······	
Detailed D	escription: SCRIPTION FEE	SUBTOTAL: TOTAL TAX: SHIPPING:	76,911.14 0.00 0.00

## CITY OF TRUTH OR CONSEQUENCES

AGENDA REQUEST FORM

MEETING DATE: June 28, 2023

Agenda Item #: H.2

and the second s				
SUBJECT:	Discussion/Action: Summary Plat Amendment 401/405 Austin Street			
DEPARTMENT:	Community Development			
DATE SUBMITTED				
SUBMITTED BY:	Traci Alvarez, Assistant City Manager			
	WHO WILL PRESENT THE ITEM: Traci Alvarez, Assistant City Manager			
	Summary/Background: Public Hearing held 6-12-2023 during the Planning and Zoning Commission Meeting -			
e	no proponents or opponents. A motion to recommend the item to the City Commission for final approval			
carried unanimous	siy.			
Recommendation	:			
Accept/Deny reco	mmendation from Planning and Zoning Commission			
Attachments:				
P & Z pack	et included with draft minutes			
Click here to	o enter text.			
Fiscal Impact (Fin	ance): N/A			
Legal Review (City	y Attorney): Yes			
i.				
Approved For Sub	<i>mittal By:</i> Department Director			
Reviewed by:	City Clerk  Finance  Legal Other: Click here to enter text.			
Final Approval: 🛛	City Manager			
	CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN			
	Click here to enter text. Ordinance No			
	Referred To: .			
Approved	Denied Other: .			
File Name: CC A	genda 6-28-2023			



**ITEM:** Discussion/Action – Summary Plat Amendment 401/405 and 413/415 Austin Street

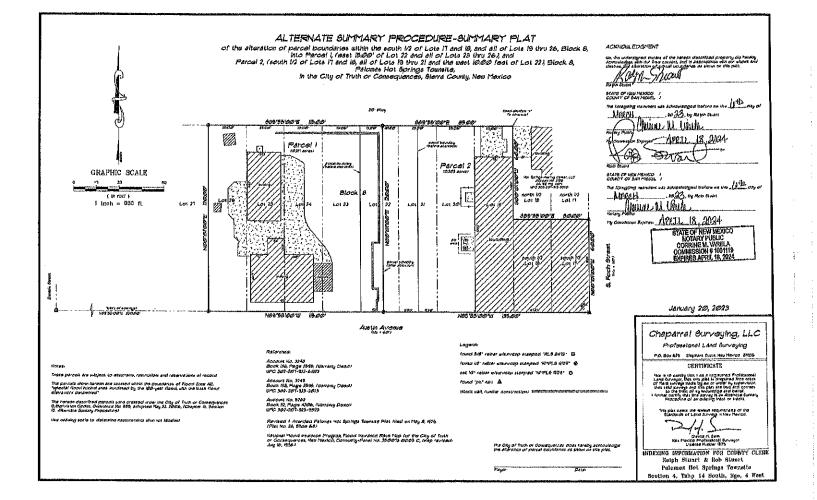
### **BACKGROUND:**

Applicant would like to split Lot 22 as noted on the Summary Plat Amendment. The West 1/2 of Lot 22 would move to 413/415 Austin St Deed. The East 1/2 of Lot 22 would move to 401/405 Austin St Deed along with Lots 20 and 19. No Utility or Road easements are required.

### **SUPPORT INFORMATION:**

Summary Plat Amendment

Name of Drafter: Traci Alvarez	: Assistant City Manager	Meeting date 6-12-2023
E-mail: <u>talvarez@torcnm.org</u>	Phone: 575-894-6673	



mandatory front, rear, and side setbacks, then if they want to build a 5000 square foot home on their property, then by all means, they should be allowed to do that, as long as it meets the required setbacks in the City.

### 4. **PUBLIC HEARINGS (5 Minute Rule Applies)**

# a. Public Hearing/Discussion/Action: Summary Plat Amendment at 410 Austin. Applicant wishes to divide their parcel. Assistant City Manager Alvarez

Assistant City Manager Alvarez stated: The applicant is looking to split the parcel 401, 405, 413, 415 Austin Street. They purchased the lot; they want to split the lot and get part of it to extend the boundaries of one parcel and the other part to the east to extend it. There are no utility or road easements that are required; they're basically enlarging their parcel into 2 separate parcels. The applicant is in attendance here if you'd like to speak with him or have any questions.

Chairman Sisney: I'd just like to mention, that our member Luchini mentioned 410 on the agenda.

Assistant City Manager Alvarez: When the public notice was requested via my office, someone was assisting me, they requested public notice for the applicants mailing address, but we did notify people within the proper area.

Ralph Stewart: I am the owner of the property that we're doing the lot adjustment on the 2 pieces of property. I wanted to thank Traci for her help with the application and paperwork, and thank you for looking at our change. We're taking part of a parcel and then putting it with the other property and then the property to the west of that, we've just expanded the parking lot by half a lot, I believe.

Chairman Sisney: I saw that.

Member Luchini asked for clarification of the location.

There were no proponents or opponents for this item.

Chairman Sisney made a motion to recommend the item to the City Commission for final approval. Member Luchini seconded the motion. Roll call vote was taken. Motion carried unanimously.

b. Public Hearing/Discussion/Action: Sign Code Variance request at 2270 N. Date St. Assistant City Manager Alvarez

Assistant City Manager Alvarez: Chairman and members of the board, this actually is going to replace an existing sign that was there on the corner; it's for Travelodge, right there in front of Johnny B's; they are just putting up a taller sign and an illuminating sign, which is a little different than what was there before. Being as the sign has the required setbacks, even though it was allowed before, it is a change in the sign so we have to put it back for your approval.

The applicant was not present and there were no proponents or opponents.

Chairman Sisney asked the board if they had any questions or concerns. No one had any at this time.

Chairman Sisney asked for the City's stand on the signage.

# **CITY OF TRUTH OR CONSEQUENCES**

AGENDA REQUEST FORM

MEETING DATE: June 28, 2023

Agenda Item #: H.3

q				
SUBJECT:	Discussion/Action: Sign Code Variance request at 2270 N. Date St.			
	Community Development			
DATE SUBMITTED:	lune 23, 2023			
SUBMITTED BY:	Traci Alvarez, Assistant City Manager			
WHO WILL PRESENT	TTHE ITEM: Traci Alvarez, Assistant City Manager			
Summary/Backgrou	Cummary/Background: Public Hearing held 6-12-2023 during the Planning and Zoning Commission Meeting -			
no proponents or op	o proponents or opponents. A motion to recommend the item to the City Commission for final approval			
carried unanimously	arried unanimously.			
Recommendation:				
Accept/Deny recom	mendation from Planning and Zoning Commission			
Attachments:				
	included with draft minutes			
<ul> <li>Click here to e</li> </ul>				
Fiscal Impact (Finance): N/A Legal Review (City Attorney): Yes				
Approved For Subm	<i>ittal By:</i> Department Director			
<b>Reviewed by:</b> $\Box$ C	ity Clerk 🛛 Finance 🗆 Legal 🗇 Other: Click here to enter text.			
Final Approval: 🖂 🤇				
	CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN			
Resolution No. Clic	ck here to enter text. Ordinance No			
Continued To: . F				
	$\Box$ Denied $\Box$ Other: .			
File Name: CC age				



ITEM: Discussion/Action - Sign Code Variance request at 2270 N. Date

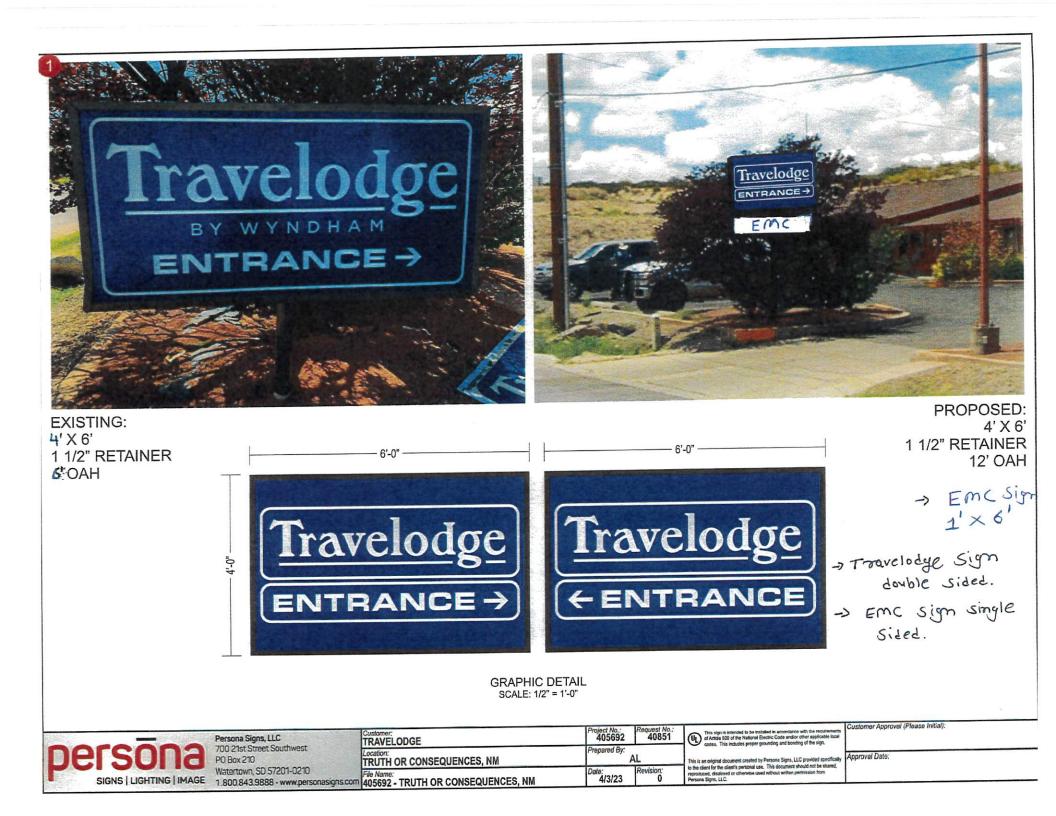
### **BACKGROUND:**

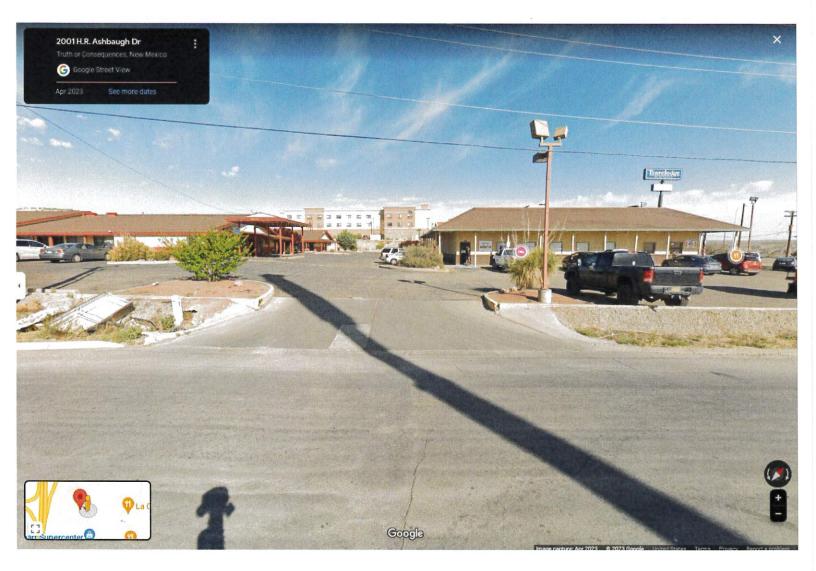
Applicant is requesting a variance from the required 10/12 ft front setback for sign location and maximum height 8ft. Applicant is also requesting P & Z approval for motion sign as required.

### **SUPPORT INFORMATION:**

Sign Image Code Reference Map/Street Reference Images

Name of Drafter: Traci Alvarez	: Assistant City Manager	Meeting date 6-12-2023
E-mail: <u>talvarez@torcnm.org</u>	Phone: 575-894-6673	







# DIVISION 1. SIGNS

## Sec. 11-13-2.1. Title.

This Division shall be entitled The Truth Or Consequences Sign Code hereinafter referred to as "this Article".

# Sec. 11-13-2.2. Purpose and Scope.

- A. *Purpose:* The purpose of this Article is to permit signs that will not, by their size, location, or construction endanger the public health and safety of individuals, or confuse, mislead, or obstruct the vision necessary for traffic safety. Furthermore, it is the purpose of this Article to maintain property values and to create a more aesthetically pleasing community, through the preservation of the natural beauty, historic amenities, and natural environment of Truth or Consequences, by preventing the over-concentration, improper placement, and density of signs, but keeping in mind the importance of signage to the business and tourism community, is a vital element of the free enterprise system.
- B. *Scope:* The provisions of this Article shall apply to all "signs", as the term is defined in Section 11-13-2.3 of this Article, within the City limits.

### Sec. 11-13-2.3. Definitions.

[The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:]

ABANDONED SIGN: An on- or off-premises sign which no longer directs, promotes, or advertises a bona fide business, lessee, owner, product, or activity conducted, or product or service available on the premises where such sign(s) is displayed.

ADVERTISING: The action of calling something to the attention of the public by verbal or visual presentation.

ATTACHED SIGN: Any sign which is fastened to, connected to, or painted on, and wholly or partially supported by a building.

AWNING: A hood or cover which projects from the wall of a building and is composed of rigid or nonrigid materials.

AWNING SIGN: A sign which is fastened to or painted on an awning.

BANNER: A sign composed of lightweight, flexible material on which letters, symbols or pictures are painted or printed.

BENCH SIGN: Any sign affixed to or printed on a functional bench.

*BILLBOARD:* Any off-premises sign directing attention to a business, activity, commodity, service, entertainment, or communication, none of which may be conducted, sold or offered on the premises where the billboard is located.

*BONUS:* An allowance for additional sign area as an incentive to reduce the legal height permitted, or to remove non-conforming signs.

Truth or Consequences, New Mexico, Code of Ordinances (Supp. No. 101)

BUSINESS/SERVICE CENTER: A group of two (2) or more businesses planned, constructed, owned and managed independently or as a total entity, which share access, parking, or landscaping.

CANOPY (OR MARQUEE): A permanent roof-like shelter extending from part or all of a building or independent of a building. It is usually constructed of the same material as the roof on the building; however it may also be constructed of flexible canvas type material with rigid backing.

CANOPY SIGN: A sign attached to or painted on a canopy.

CITY: The City of Truth or Consequences, New Mexico.

*CLEAR-SIGHT TRIANGLE:* A triangular area of unobstructed vision at street intersections, alleys and at curb cut entrances and exits. A full definition is found in the City Zoning Code.

CODES: Any other applicable City, State, or Federal Codes.

COLLECTOR STREET: A street which collects traffic from local streets and connects with major and minor arterials.

CONSTRUCTION/RENOVATION SIGN: Any temporary sign erected on the premises where construction/renovation is taking place and indicating the names of the architects, engineers, landscape architects, financial institutions, contractors or similar artisans, and the owners, sponsors, and similar individuals or firms having a role or interest with respect to the structure or project.

COPY: The verbal, visual or pictorial portion of any sign.

CORPORATE: Pertaining to any organization incorporated pursuant to a law.

DECORATIONS: Any display which calls attention to a community organized event or to a State or national holiday.

DEVELOPMENT IDENTIFICATION SIGN: A permanent sign installed or constructed at the entrance/exit to a residential or commercial development to identify the development name and logo only.

DIRECTIONAL SIGN: Any sign erected for the convenience of the public, such as the directing traffic movement, parking or identifying restrooms, public telephones, walkways and/or other similar features or facilities, and bearing no advertising message (excluding those erected by the United States Department of Transportation and the New Mexico Department of Transportation).

*DOWNTOWN:* The area generally described as lying between Main Street, Austin Street, and the two intersections of Broadway and Main Streets.

*FLAG/DECORATIVE:* Any rectangular display constructed of lightweight material having no logo or advertising message printed or printed on it.

*FREESTANDING SIGN:* Any sign attached to, or supported from the ground, and not attached to a building.

GARAGE SALE SIGN: See definition of Private Sale or Event Sign.

GATE ENTRANCE SIGN: Any sign installed or constructed over the entrance to the premises in specific zoning districts as described herein.

GOVERNMENT SIGN: Any sign erected by any City, County, State or Federal agency or its designee, setting forth information pursuant to law.

*GROUND SIGN:* Any sign which is attached to either the ground or to a footing set flush with the ground.

HOUSE OR BUILDING SIGN OR NAMEPLATE: A sign limited to identifying the street name, building or property number, and/or the name of the owner or occupant of the building or property and pertinent historical information.

ILLUMINATED SIGN: Any sign which is lighted internally, externally (including neon) or by lights directed towards the sign by any light source.

*INFORMATION SIGN:* Any sign whose purpose is to indicate a business, hours of operation or similar identification information.

LEGAL NOTICES: Any sign required by law or pursuant to a court order.

LOCAL STREET: A street designed to provide access to abutting property and local streets, and to discourage through traffic.

LOGO: An identifying symbol used for advertising purposes.

LOT: A unit of land that is recognized by the City and the County Assessor's Office as having been legally created or having a legal status as unit of land. Said lot may be joined with other lots to create a parcel.

*MAINTENANCE:* The total upkeep of a sign; structurally and electrically, in terms of safety, and cosmetically, in terms of visual attractiveness.

*MAJOR ARTERIAL*: A street with access control, channelized intersections, restrictive parking, and which distributes and collects traffic to and from minor arterial streets.

MARQUEE (OR CANOPY): See definition of Canopy.

MARQUEE SIGN: A sign attached to, mounted on or painted on a marquee.

*MINOR ARTERIAL:* A street with signals at important intersections and stop signs on side streets and which collects and distributes traffic to and from collector streets.

MODEL COMPLEX SIGN: Any sign located on a complex site, limited in time until the complex ceases to be a model complex.

*MURAL:* A picture or graphic illustration applied directly to a wall of a building or structure which does not advertise or promote a particular business, service or product.

NATIONAL, STATE AND CORPORATE FLAGS: Any rectangular display constructed of lightweight material used to identify a nation, state or corporation.

*NON-CONFORMING SIGN:* Any sign legally erected and permitted in compliance with codes at the time it was erected and permitted, but which does not conform to correct codes or this Article.

*OFF-PREMISES SIGN:* Sign which advertises or directs attention to a business, product, service or activity which is not available on the premises where the sign is located.

*ON-PREMISES SIGN:* Sign which advertises or directs attention to a business, product, service or activity which is available on the premises where the sign is located.

*PARCEL:* A unit of land that is recognized by the City and the County Assessor's Office as having been legally created or having a legal status as unit of land. Said parcel may consist of one or more lots but is recognized as a single unit of land.

*PENNANT:* A display made of a lightweight material which tapers to a point, having no logo or advertising message printed on it.

PERSON: An individual, company, corporation, partnership, association or any other entity.

POINT-OF-SALE SIGN: Any sign which is located or attached directly to the product to be sold.

POLE SIGN: Also known as Pylon Sign. Any freestanding sign whose primary means of support is one or more poles set into a concrete footing, located at ground level.

POLITICAL SIGN: A sign pertaining to any national, State or local election.

*PORTABLE SIGN:* A freestanding sign not permanently affixed, anchored or secured to the ground or the building, which may be rolled or moved about.

*PRIVATE SALE OR EVENT SIGN:* A temporary sign advertising private sales of personal property at garage, yard or estate sales and the like, private fundraising events, such as nonprofit carwash, or food/clothing drive, etc.

**PRODUCT IDENTIFICATION SIGN:** Any sign used to identify the supplier/contractor of the construction product being used.

*PROHIBITED SIGN:* Any sign not expressly permitted within this Article, or any sign which is specifically prohibited in this Article (see Section 11-13-2.8 of this Article).

PROJECTION SIGN: Any attached sign that is placed perpendicular to a wall of a building.

PROMOTIONAL DISPLAY (COMMERCIAL): Special advertising for grand openings, anniversaries, special or seasonal events, and which is for a limited time, in addition to the legal signage permitted.

PROMOTIONAL DISPLAY (RESIDENTIAL): Special advertising using pennants, flags, streamers, banners, open house signs and other similar signs, for the duration of an open house or similar showing.

*REAL ESTATE DIRECTIONAL SIGN:* A sign which advertises or directs attention to real property or properties not available on the premises where the sign is located.

*REAL ESTATE SIGN:* A sign intended to advertise the financing, development, sale, transfer, lease, exchange or rent of real property or properties.

*ROOF SIGN:* Any sign which is attached to the roof of a building or structure.

ROOF LINE: The physical edge of a building's roof, this is to include the parapet in the case of a flat roof.

SETBACKS: The distances required from the property line or from other buildings/structures or businesses.

SHOPPING CENTER: A group of commercial establishments planned, constructed and managed as a total entity with customer and employee parking provided on-site, provision for goods delivery separated from customer access, aesthetic considerations and protection from the elements.

*SIGN:* Any advertisement, announcement, direction or communication produced in whole or in part by the construction, erection, attachment or placing of a structure or object on any land, or on any other structure, or produced by painting on, posting or placing any printed, lettered, pictured, figured or colored material on any building, structure or surface.

STREAMERS: A display made of light, flexible material, consisting of long, narrow, wavy strips having no logo or advertising message printed or painted on them.

STRUCTURAL REQUIREMENTS: The safety standards which apply to those signs which are governed by the requirements in the International Building Code and other companion documents.

TEMPERATURE/TIME/DATE SIGN: Any sign with the purpose of displaying the temperature, time, date and/or logo/name.

*TEMPORARY SIGN:* Any sign intended for a limited period of display. Said limited period shall not exceed 30 consecutive calendar days and shall not be allowed ore than 4 times per calendar year.

TOTAL FRONT FOOTAGE: The total length of a building which fronts on a public street.

TRADEMARK/LABEL/NAME: Identification applied or attached to each permitted sign to designate the manufacturer and installer.

UNLAWFUL SIGN: Any sign ever erected which does not have a valid permit, or after erection, did not comply with all the applicable provisions of the permit under which it was constructed and erected, or did not comply with all provisions of codes, or which did not meet the necessary requirements to be considered non-conforming.

UNLICENSED COMMERCIAL SIGN: Any sign erected by an individual, group, organization or club for fundraising or other monetary gain.

UNSAFE SIGN: Any sign identified by the Zoning Administrator or his/her designee as being improperly constructed and installed, erected or secured, thereby subject to falling and creating a safety hazard, with supported findings.

VARIANCE: An authorization granted to a property owner to depart from the numerical requirements of the zoning regulations (as applied here, the sign regulations).

*VEHICLE SIGN:* A sign painted on or attached to either a vehicle, or a trailer designed to be pulled behind a motorized vehicle, which relates to a business, activity, use, service or product.

WALL SIGN: Any sign affixed to or painted upon the wall of any building.

WINDOW SIGN: Any sign that is applied or attached to the exterior or interior of a window or a window frame.

#### Sec. 11-13-2.4. On-Premises Signs.

- A. General Conditions:
  - 1. *Attached Sign:* An attached sign may extend five (5) feet beyond the highest point of a roof line. No attached sign may project beyond the edge of a vertical wall.
  - 2. Decorations: Any display shall be removed no later than five (5) days after the event/holiday.
  - 3. Development Identification Sign (Permanent):
    - a. Maximum sign area shall not exceed thirty-two (32) square feet.
    - b. Maximum height shall not exceed ten feet (10').
    - c. This sign may be used in addition to any other freestanding sign allowed pursuant to this Article.
  - 4. *Directional Sign:* Directional signs visible from the public right-of-way (i.e., entrance/exit) shall not exceed six (6) square feet in sign area and four feet (4') in height.
  - 5. Flags:
    - a. Displays incorporating the identification of a nation, state or corporation shall follow accepted flag protocol. Only one corporate flag will be allowed per parcel.
    - b. Displays used to serve as decoration (exclusive of decorations used in fiestas, community-wide festivals or national holidays) shall have no logo or advertising message printed or painted on them. These may be used in addition to the regular signage allowed per business.
  - 6. *Freestanding Sign:* All signs classified as freestanding are limited to locations along street segments meeting specific zoning criteria further defined elsewhere in this Article.
  - 7. Gate Entrance Sign:

- a. Said sign may identify the owner, resident or name of a certain parcel of property (i.e., John Doe Ranch, etc.).
- b. Total sign height (including poles) shall not exceed twenty feet (20'). The sign face itself shall not exceed three feet (3') in height and thirty feet (30') in width.
- 8. *Information Sign:* Signs visible from the public right-of-way shall have a maximum size of four (4) square feet in sign area.
- 9. Legal Notices: The signs are exempt from the requirements of this Article; however, they must comply with provisions of the clear-sight triangle.
- 10. Pennant: These displays may be used in addition to the regular signage allowed per business.
- 11. Point-Of-Sale Sign:
  - a. This sign shall limit its advertisement to the product, its price, and/or its manufacturer.
  - b. The cumulative sign area for these signs shall not exceed twenty (20) square feet.
  - c. Each sign shall be no larger than two (2) square feet in sign area.
- 12. Portable Sign:
  - a. Portable signs, although not incorporating a permanent footing in their design, shall be temporarily securely anchored to the ground to prevent overturning in high winds.
  - b. Portable signs shall be placed on level ground only or leveled during setup.
  - c. Portable signs shall for purposes of this Article be subject to all on-premises provisions governing freestanding signs.
- 13. *Product Identification Sign:* Sign shall be placed on the structure and shall not exceed one-third (%) square foot in sign area.
- 14. *Projection Sign*: A Projection Sign may not extend beyond the property line of the building upon which it is attached without an encroachment permit. The sign may be of any size that is allowed for that building, however it may not project more than five (5) feet from the building and it must maintain clearance to the ground greater that eight (8) feet. The method of attachment must conform to requirements of the City's Building Codes.
- 15. Streamers: These displays may be used in addition to the regular signage allowed per business.
- 16. *Wall Sign:* No wall sign may extend more than twelve inches (12") (depth) out from the wall to which it is attached.
- 17. Window Sign:
  - a. Permanent window signs may be substituted for wall signage with a corresponding reduction of wall signage.
  - b. A window sign does not include merchandise or models of products or services incorporated in a window display.
- B. *Residential Zones:* The following sign types are permitted: development identification sign, directional sign, garage sale sign, government sign, house or building sign or nameplate, legal notices, model complex sign, national, State and corporate flags, political sign, private sale or event sign, historic designation plaques, real estate sign, and Home Occupation Signs as follows:
  - 1. One single face sign that identifies trade or services conducted within a residence.
  - 2. The sign shall not exceed the area specified in Article 11-5-4.

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- 3. The sign shall not be illuminated.
- 4. the sign shall be attached and parallel with the dwelling.
- 5. only one sign shall be allowed per dwelling unit.
- C. Commercial and Industrial Zones:
  - Attached Sign: One and one-half (1½) square feet of signage for each linear foot of exterior wall. The sign(s) shall be placed on the side of the building used to calculate the square footage of the sign. The following are considered attached signs: awning/canopy/marquee (with signage on them) signs, banners, roof signs, window signs and wall signs. These attached signs are subject to the design standards of all applicable codes.
  - 2. Freestanding Signage: These signs must comply with the following conditions:
    - a. Locations which permit freestanding signs are determined by zoning districts along specific segments of streets (see Development Standards).
    - b. Maximum height and minimum setbacks for freestanding signs are determined by street classification. See Appendix 1, Development Standards, Section 11-13-2.11 of this Article.
    - c. Individual freestanding signs shall be limited to those businesses which own direct, unobstructed (on-site) access to the public street.
    - d. Frontage on a controlled access public street, where under normal conditions a driveway permit would not be granted to that business, shall not be included in the calculation for freestanding signage.
    - e. Size of freestanding signs are determined as follows:

Linear Street Frontage	Size Allowed	
0—100 feet	100 square feet	
101-300 feet	150 square feet	
301-600 feet	200 square feet	
>600 feet	200 square feet	

On buildings with more than one street frontage, only one street frontage shall be used to calculate the permitted sign size, height, and number of signs.

f. Number of freestanding signs is limited to one per parcel, except where the frontage of the parcel exceeds six hundred (600) linear feet. For those parcel, two (2) freestanding signs are permitted, provided there is a minimum distance of two hundred feet (200') between the signs.

# Sec. 11-13-2.5. Off-Premises Signs.

- A. Attached Signs: Attached sign may be permitted on a building under the following provisions:
  - 1. *Location:* The off-premise sign may only be located on a commercially zoned building.
  - 2. *Size:* The cumulative square feet of allowable signage for the host building may not be exceeded. The square footage of the off-premise sign shall be added to all other signs on the building in order to ascertain that the total allowable square footage is not being violated.
  - 3. *Distance:* The content of the off-premise sign may be goods, services, or another business that is located within the corporate limits of the City of Truth or Consequences.

- B. *Bench Signs:* With the approval the City Commission, bench signs may be placed in the public right-of-way along bus routes or in areas frequented by pedestrians. Bench signs are exempt from the location provisions for freestanding.
- C. Billboards:
  - 1. General Location:
    - a. All billboards shall be located only in areas zoned Commercial or Industrial and only along streets designated as major arterials or interstate highways, billboards shall not be located within any other zoning district.
    - b. Billboards must be located along street segments having a minimum of five (5) percent office, commercial and/or industrial zoning.
    - c. No billboards will be erected within the downtown area as defined in Section 11-13-2.3 of this Article.
  - 2. *Total Sign Area, Spacing, Height, Location, And Setbacks:* Billboards shall be subject to the following requirements:
    - a. Billboards located along interstate highways (also known as "Freeway Billboards") shall not exceed four hundred (400) square feet of total sign area, shall be spaced a minimum of one thousand feet (1,000') apart measured radially and shall not exceed forty feet (40') in height measured from ground level.
    - Billboards located along major arterials (also known as "Street Billboards") shall not exceed three hundred (300) square feet of total sign area, shall be spaced a minimum of one thousand feet (1,000') apart measured radially and shall not exceed thirty feet (30') in height measured from ground level. There shall be a minimum clearance of fifteen feet (15') measured from the ground level to the bottom of the billboard face.
      - i. Street billboards may only be located within one (1) mile of the end (as defined by the State Department of Transportation) of an Interstate 25 off-ramp.
    - c. A maximum of two (2) faces, parallel back-to-back is permitted, provided both faces are of the same size and attached to the same pole(s) for support.
    - d. Billboards shall be supported by a maximum of two (2) upright poles.
    - e. Vertical or horizontal stacking of billboards is prohibited.
    - f. Billboards shall be setback a minimum of Five feet (5') from the property line fronting along major arterials and thirty feet (30') from the property line fronting along interstate highways. In each case there shall be a minimum of five feet (5') setback from all other property lines measured from said property lines to any portion of the billboard structure.
    - g. Billboards shall have a minimum sign area of seventy-two (72) square feet.
- D. Garage, Private Sale Or Event Sign:
  - 1. Signs may be used to advertise any event listed above provided that the signs are not over three (3) square feet in sign area, and are used only during the duration of the event.
  - 2. The person erecting the sign and/or the property owner at the sign location shall be responsible for the sign removal and all other requirements concerning signs.
- E. Government Signs:
  - 1. Traffic-control and similar signs are exempt from all requirements of this Article.

- 2. Building identification signs and similar signs do not require permits; however they must meet the numerical requirements of this Article.
- F. Political Signs:
  - 1. No individual sign shall exceed thirty-two (32) square feet in sign area.
  - 2. All political signs may be erected no sooner than ninety (90) days before the election to which they pertain and shall be removed within ten (10) days following same election.
  - 3. Advertising on a duly permitted billboard shall be exempt from the size and time limits herein stated.
- G. Vehicle Signs:
  - 1. A vehicle may have a sign placed upon it if the vehicle is for sale and the purpose of the sign relates to its sale; or
  - 2. A vehicle may have a sign placed upon it if the vehicle is contributing to the legitimate purposes of the business for which it is used; and
  - 3. A vehicle with a vehicle sign may not be parked on or within thirty (30) feet of a public right-of-way for longer than one hour, except if the vehicle is for sale.

#### Sec. 11-13-2.6. Temporary Signs.

- Construction/Renovation Signs: The signage shall not exceed sixty-four (64) square feet in sign area, and shall not be erected until a building permit has been secured. The sign shall be removed no later than fourteen (14) days after the issuance of a certificate of occupancy or the building permit expires.
  - 1. Signs less than sixteen (16) square feet in sign area do not require a sign permit and shall not be assessed a permit fee.
  - 2. Signs which exceed sixteen (16) square feet in sign area require a sign permit and shall be assessed the applicable permit fee.
- B. Real Estate Signs:
  - 1. Residentially-Zoned Lots Or Parcel:
    - a. Less than 1 (one) acre: one sign per street frontage not to exceed four (4) square feet in per sign. Sign(s) shall not exceed seven feet (7') in height.
    - b. 1.01 to 5.00 acres: one sign per street frontage not to exceed thirty-two (32) square feet in sign area per sign. Sign(s) shall not exceed eight feet (8') in height.
    - c. 5.01 to 10.00 acres: two (2) signs not to exceed thirty-two (32) square feet in sign area per sign. Sign(s) shall not exceed eight feet (8') in height.
    - d. *Greater than 10.00 acres:* three (3) signs not to exceed thirty-two (32) square feet in sign area per sign. Sign(s) shall not exceed eight feet (8') in height.
  - 2. All Other Zoned Lots Or Parcels:
    - a. *Less than 1.00 acre:* one sign per street frontage not to exceed sixteen (16) square feet in sign area per sign. Sign(s) shall not exceed eight feet (8') in height.
    - b. *1.01 to 5.00 acres:* one sign per street frontage not to exceed thirty-two (32) square feet in sign area per sign. Sign(s) shall not exceed ten feet (10') in height.
    - c. 5.01 to 10.00 acres: two (2) signs not to exceed thirty-two (32) square feet in sign area per sign. Sign(s) shall not exceed fifteen feet (15') in height.

- d. *Greater than 10.00 acres:* three (3) signs not to exceed sixty-four (64) square feet in sign area per sign or two (2) signs not to exceed one hundred twenty-eight (128) square feet in sign area per sign. Sign(s) shall not exceed fifteen feet (15') in height.
- 3. *Real Estate Directional Signs:* These signs shall not exceed six (6) square feet in sign area.
- 4. *Model Complex Signs:* These signs shall be located on the project site and conform to the following requirements:
  - a. One sign per complex not to exceed thirty-two (32) square feet in sign area.
  - b. One sign per model not to exceed four (4) square feet in sign area.
  - c. Signs are to be removed when the complex ceases to be a model home complex.
- 5. *Removal Of Signs:* Signs shall be removed within 14 (fourteen) days after closing of sale or lease of property.
- 6. Placement Near Public Ways: No real estate signs shall be erected in the public rights-of-way or in clear-sight triangles.
- 7. *Exception To Permit and Fee Requirements:* Signs which do not exceed sixteen (16) square feet in sign area do not require a sign permit and shall not be assessed a permit fee.
- 8. *Permit and Fee Required:* Signs which exceed sixteen (16) square feet in sign area require a sign permit and shall be assessed the applicable permit fee.
- C. Promotional Displays:
  - 1. *Commercial:* In addition to authorized attached and freestanding signs, occasional events requiring special advertising shall be subject to the following conditions:
    - a. Each business shall be limited to one freestanding and three (3) attached signs. Each sign shall not exceed ten (10) square feet in size.
    - b. Displays incorporating balloons, banners, streamers, flags and pennants will be permitted and are not limited to size and number.
    - c. Each business shall be allowed one permit for a grand opening display during its first six (6) months of operation. The permit for this display shall be for twenty (20) consecutive days.
    - d. Each business shall be allowed six (6) promotional displays during each calendar year. The permit for each of these displays shall be for ten (10) consecutive days.
    - e. Each business shall be allowed one bona fide going out of business display. The permit for this display shall be for sixty (60) consecutive days.
    - f. The applicant shall provide to the Sign Administrator the name and address of the business where the display is to be placed and the first day of the display. No portion of a display (i.e., structure or sign) shall be erected prior to the first day of the event as stated on the permit.
  - 2. *Residential:* In the event of an open house or other similar showing, the following displays and conditions shall apply:
    - a. Displays incorporating pennants, flags, streamers, banners, open house signs, welcome signs and other like signs will be allowed.
    - b. The sign display may be erected any time on the day prior to the event and must be removed within twenty-four (24) hours following the event.

### Sec. 11-13-2.7. Signs Not Requiring Permits.

#### Accessory use signs:

Change of copy on legally established signs.

Construction/renovation signs (those not exceeding sixteen (16) square feet in sign area).

Decorations for national holidays or community-wide festivals and fiestas.

Directional signs.

Flags/decorations.

Garage sale signs.

Government signs.

House or building signs or nameplates.

Information signs.

Legal notices.

Model complex signs (those not exceeding sixteen (16) square feet in sign area).

National, State and corporate flags following accepted flag protocol.

Pennants.

Point-of-sale signs.

Political signs (except billboards).

Private sale or event signs.

Product identification signs.

Promotional displays—Residential.

Railroad signs.

Real estate broker identification signs.

Real estate directional signs.

Real estate signs (those not exceeding sixteen (16) square feet in sign area).

Streamers.

Vehicle signs.

# Sec. 11-13-2.8. Prohibited Signs.

- A. Any sign not expressly permitted within this Article is prohibited.
- B. Any sign constructed to resemble any official marker or sign normally erected by City, State or Federal Government agency or a sign using words, phrases, movement, symbols or characters in such a manner as to interfere with, mislead or confuse traffic.
- C. A sign advertising activities that are illegal according to Federal or State laws, rules or regulations and County or City ordinances or resolutions.

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D. Any sign erected on, attached to or painted on retaining walls, fences, rocks of natural features. This prohibition shall not include development identification signs placed on walls used for landscaping purposes.

# Sec. 11-13-2.9. General provisions.

- A. Calculation of Sign Area:
  - 1. The cumulative area of all attached signs shall be used to determine that the total cumulative sign area does not exceed the total sign area allowed for that building.
  - 2. The area of a freestanding sign is measured by determining the sign area of all sides that are visible from any one vantage point, except only one side of a sign shall be measured if the two (2) sides are back to back or separated by an angle of forty-five degrees (45) or less. If the two (2) sides are not of equal size, the larger side shall be measured.

#### B. Variances:

- 1. *Administrative Variance:* There shall be no administrative variances issued for any provision addressed in this Article.
- 2. *Variance allowed:* Any sign variance request must be reviewed and acted upon by the Planning and Zoning Commission in the manner established by the City Comprehensive Planning and Zoning Code.
- 3. Design Excellence: Since it is the goal of the City to promote excellence in design, in addition to the established requirements for the issuance of a Variance, the Planning and Zoning Commission may allow signs that exceed the requirements of this Code if the proposed sign is considered to have a quality of architecture, design or construction that far exceeds normal sign standards. If a sign exhibits an excellence in design and construction the Commission may allow a twenty (20) percent increase in sign area and/or height.
- C. Structural Requirements:
  - 1. All signs shall conform to the structural design requirements set forth in the International Building Code and companion documents.
  - 2. Sign permit applications for freestanding signs must conform to the City Building Code requirements.
- D. Sign Maintenance And Removal:
  - 1. Damaged Signs: When any sign is substantially damaged, destroyed, taken down or removed for any purpose other than copy change or normal maintenance operation, it shall not be re-erected, reconstructed or rebuilt except in full compliance with this Article.
  - 2. Unsafe Signs: If, in the opinion of a Sign Administrator or designee, any sign becomes unsecured, unsafe or subject to fall, the Sign Administrator upon supported findings shall give written notice of the sign's condition to the person responsible for the sign (owner or lessee). The person so notified, shall correct the unsafe condition of the sign and within seven (7) working days. The repair or replacement of the sign shall be done in conformance with the provisions of this Article.
  - 3. Maintenance:
    - a. All signs shall be kept in good repair, both structurally and in appearance. All braces, bolts, clips, fastenings and supporting frame shall be securely affixed to the support structure or wall and shall be free from insect infestation, rot or other deterioration.
    - b. If the message portion of a sign is not maintained or if it is removed, leaving only the supporting "shell" of a sign or the supporting braces, anchors or similar components, the owner of the sign or the owner of the property where the sign is located or other person having control over such

sign shall, within thirty (30) days of the removal of the message portion of the sign, either replace the entire message portion of the sign or remove the remaining components of the sign. The subsection shall not be construed to alter the prohibition on the replacement of a nonconforming sign. Nor shall this subsection be construed to prevent the changing of the message of the sign.

- 4. *Repair, Alteration or Removal of Signs:* Any written notice to repair, alter or to remove a sign will be sent via certified mail by the Sign Administrator to the owner, lessee, or person responsible for the sign. If such order is not acted on within seven (7) days, the Sign Administrator may initiate proceedings contained herein to revoke the permit and remove the sign at the expense of the owner, lessee, or person responsible for the sign.
- 5. Unlawful Signs: If any sign is installed, erected, constructed or maintained in violation of any of the terms of this Article, or the applicable code it was erected under, the City may issue a written warning to the sign owner, lessee, property manager or landowner. This warning shall outline the violation(s) and order the designated responsible party to bring the sign into compliance with this Article and any other applicable codes within fourteen (14) days from the date of the warning. Only one warning per violation will be issued. Said warning shall remain in effect for the duration of the business.
- 6. Violations and Penalties: Any person who shall violate any provision of this Article shall be guilty of an offense and shall, upon conviction thereof, be punished as provided in Section 1-4-1 of the City Code. Each day in which any violation shall occur shall constitute a separate offense. In addition, the City Attorney is hereby authorized to take all actions, both legal and equitable, necessary to ensure compliance with this Article.
- E. Non-conforming Signs:
  - 1. Subject to the remaining restrictions of this Section, non-conforming signs that were otherwise lawful (i.e. had a lawfully issued permit by the City) on the effective date of this Article may be continued.
  - 2. No person may engage in any activity that causes an increase in the extent of nonconformity of a nonconforming sign. Without limiting the generality of the foregoing, no non-conforming sign may be enlarged or altered in such a manner as to aggravate the non-conforming condition. Nor may illumination be added to any non-conforming sign.
  - 3. Any change in the use of any building or property on which a non-conforming sign is located, will require that all non-conforming signs on that property be brought into compliance with all applicable provisions of this Article within nine (9) months of said change.
  - 4. A non-conforming sign may not be moved or replaced except to bring the sign into complete conformity with this Article. For the purpose of this subsection, "replaced" means the replacing of any or all parts of a sign that would extend the normal life span of a sign. An example is replacing wood pole supports with metal l-beam supports.
  - 5. If a non-conforming sign is destroyed, damaged or in need of repair, it may not thereafter be repaired, reconstructed or replaced except in conformity with all the provisions of this Article and the remnants of the former sign structure shall be cleared from the land. For purposes of this subsection, a non-conforming sign is "destroyed" if damaged up to fifty (50) percent of the cost of repairing the sign to its former stature or if the cost of replacing it equals or exceeds the tax value (tax value if listed for tax purposes)/sign valuation (as stated on the original permit) of the sign so damaged, whichever is less.
  - 6. The message of a non-conforming sign may be changed so long as this does not create any new nonconformities (for example, by creating an off-premises sign under circumstances where such a sign would not be allowed).

- 7. If a non-conforming sign other than a billboard advertises a business, service, commodity, accommodation, attraction or other enterprise or activity that is no longer operating or being offered or conducted, that sign shall be considered abandoned and shall be removed within ninety (90) days after such abandonment by the sign owner, owner of the property where the sign is located or other person having control over such sign.
- 8. If a non-conforming billboard remains blank for a continuous period of ninety (90) days, that billboard shall be deemed abandoned and shall be altered to comply with this Article or be removed by the sign owner, owner of the property where the sign is located or other person having control over such sign. For purposes of this subsection, a sign is "blank" if:
  - a. It advertises a business, service, commodity, accommodation, attraction or other enterprise or activity that is no longer operating or being offered or conducted; or
  - b. The advertising message it displays becomes illegible in whole or substantial part; or
  - c. The advertising copy has been removed.
- 9. The City shall reserve the right to remove a non-conforming sign in accordance with State law.
- 10. This subsection shall not apply to any benches placed under the terms of any contract in effect on the date of passage of this Article.
- F. *Permits:* Sign permits shall be required for all signs unless otherwise stated in this Article.
- G. Sign Placement Provisions:
  - 1. No sign shall be permitted to violate the "clear-sight triangle" as defined in the City Zoning Code.
  - 2. No sign shall obstruct any door, stairway, fire escape or opening intended to provide ingress and egress for any building or structure.
  - 3. Signs may not be located in a manner that obscures or interferes with the effectiveness of any official sign, signal or device. A sign shall not be placed at any location where it obscures or interferes with the clear view of any traveler on any street.
  - 4. No sign shall be constructed within any public right-of-way or sidewalk nor shall any portion of any sign extend onto or over a public right-of-way or sidewalk unless a specific exception is provided for elsewhere in this Article.
  - 5. No permit for a sign that extends beyond private property onto a public street, public sidewalk or public alley will constitute a permanent easement. Every such permit shall be revocable by the Sign Administrator. The City shall not be liable for any damages to the owner because of such revocation.
  - 6. No banner shall be erected across any street or sidewalk in the City unless express (written) consent has been granted by the City Commission.
  - 7. Any sign extending over an area intended for pedestrian use shall not be less than seven feet four inches (7'4") above the finished grade below it.
  - 8. No sign shall be placed on any property without written consent of the owner(s) or the owner(s)' authorized agent.
  - 9. No part of any sign may protrude into the setback except in the following instances:
    - a. If the right-of-way extends fifteen feet (15') beyond the back of curb, a sign may be placed on the property line. A written agreement between the City and the property owner shall be initiated to assure that the said sign will be relocated at the owner's expense in the event that the roadway is ever widened at the sign location.

- b. Real estate signs may be located within the setback; however, they shall not encroach in any way into the public right-of-way or clear-sight triangles.
- 10. Every sign shall be identified by a label, nameplate or trademark designating the manufacturer and installer of the sign. Signs not requiring permits shall be exempt from this provision.
- 11. No sign (temporary or permanent) shall be placed on private property with the exception of signs lawfully permitted. Any unlawful sign found in a public right-of-way or on public property shall be summarily removed by the Zoning Administrator or his/her designee.

#### H. Lighting Provisions:

- 1. Shading: Light from any (light) source intended to externally illuminate a sign shall be shaded, shielded, or directed in such a way so that the light intensity or brightness shall not adversely affect the safe vision of pedestrian or vehicle operators on public or private streets, driveways, or parking areas, and shall not adversely affect any of the surrounding premises. Illumination from any sign shall not interfere with the effectiveness of any official traffic sign, signal or device.
- 2. *Types of Lighting:* Any type of lighting may be used to either illuminate a sign or may be the sign itself as long as said lighting meets the requirements of this Article.
- 3. *Distance:* Signs which face residentially zoned parcels having a linear distance of seventy five feet (75') or less from the zone shall not be illuminated.
- 4. *Residential Zones:* Signs in residential zones shall not be illuminated with the exception of a house or building sign or nameplate.
- 5. *Dark Sky:* The State of New Mexico Dark Sky Legislation requires that all lighting be shielded in order to prevent the escape of light into the sky. This not only requires the use of shields but also does not allow the use of "up-lighting" or the use of lights in any manner that will cause light to be emitted in an upward direction.
- 6. *Movement:* Signs that simulate movement by use of lighting may be allowed at the discretion of the Planning and Zoning Commission. The Commission must make a finding that stipulates that said movement will not cause an undue distraction to motorists and thereby be classified as a traffic hazard.

#### Sec. 11-13-2.10. Enforcement.

- A. Offenses:
  - 1. Every violation of this Article constitutes an offense.
  - 2. Each day a violation of this Article exists constitutes a separate offense.
- B. Enforcement Authority:
  - 1. The Zoning Administrator is authorized to issue citations for violations of this Article and file criminal complaints in Municipal Court alleging violations of this Article.
  - 2. The Municipal Court may impose a fine for each offense, as provided in the City of Truth or Consequences City Code for each day the violation is found to have occurred. In addition to any fines thus imposed, the Municipal Court is authorized to issue orders for removal or other judgments. Failure to pay fines previously imposed shall constitute contempt of court and may be separately punished at the discretion of the Municipal Court.

# Sec. 11-13-2.11. Freestanding Sign Development Standards.

Street Classification	Zone Classification		
	Residential Industrial	Commercial	
Local			
12	0	8	
Collector	<u></u>		
12	0	12	
Minor arterial			
12	0	12	
Major arterial			
18	0	18	
Freeway*			
26	0	**	

- \* In order for a sign to be considered to be freeway oriented it must be located within 300 feet of a freeway right-of-way and must be visible from said freeway. The maximum square footage per sign shall be the same as that of other signs.
- \*\* The maximum height shall be determined by the City Commission upon recommendation by the Planning and Zoning Commission through the Special Use Permit process established by the City Comprehensive Planning and Zoning Code. It shall be the applicant's responsibility to propose the need for the height of the sign based on visibility from the freeway. The City Commission may establish the height of the sign based on information provided by the applicant, recommendation by the Planning and Zoning Commission, public input, or on any other pertinent facts the Commission may deem appropriate.

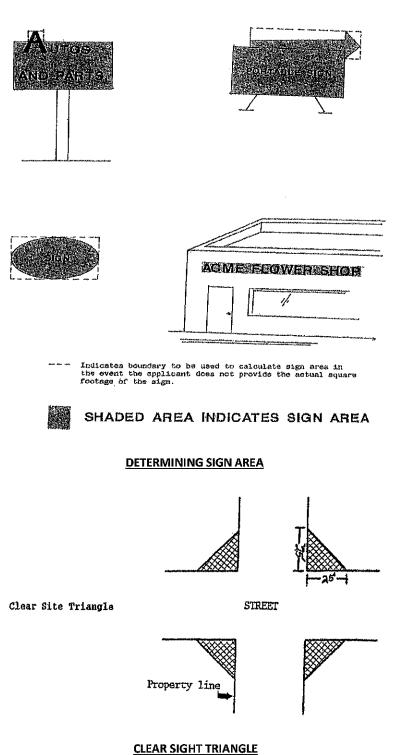
**NOTE:** Freestanding signs which are allowed by right and erected in the zones listed above shall follow those height requirements enumerated above, unless specific requirements are stated elsewhere in this Article.

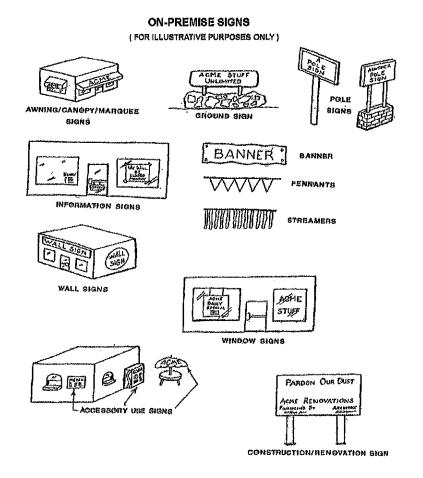
Street	Front Setback	Side
Classification		
Setback		
Local		
side yard	10 feet from property line	5 feet
Collector		
side yard	12 feet from property line	5 feet
Minor arterial		
side yard	15 feet from property line	5 feet
Major arterial		
side yard	15 feet from property line	5 feet

#### Table 2: Minimum Setback By Street Classification

The following illustration are to be used only for assistance in applying the regulations contained in this Code, they are for illustrative purposes only.

# DETERMINING SIGN AREA





#### **ON-PREMISE SIGNS**

# Sec. 11-13-3. Residential Fence and Wall Requirements.

- A. HEIGHT.
  - 1. Six (6) foot maximum height above ground surface level shall be permitted on any part of the required front yard, provided such fence is in accord with subparagraph 3 below. A three (3) foot maximum height wall above ground surface shall be permitted on any part of the required front yard.
  - 2. An eight (8) foot maximum height fence or wall above ground surface level shall be permitted on any part of the lot that is to the rear of the required front yard(s), provided such wall is in accord with subparagraph 3 below and is constructed to New Mexico Building Code standards.
  - 3. There shall be no fence, wall or obstruction more than three (3) feet above street curb level within the clear sight triangle, as defined under "Clear Sight Triangle" in Article 8 of this Code, or in the clear sight triangle for entry and exit or off-street multi-parking area.
  - 4. A wall retaining four (4) or more feet of soil must be designed and stamped (signed) by a Professional Engineer, registered in the State of New Mexico.

(Supp. No. 101)

- B. EXCLUSION FROM PUBLIC RIGHT-OF-WAY. No wall or fence shall be permitted in a public right-of-way.
- C. WALL AND FENCE FOR SWIMMING POOLS. All swimming pools or yards in which swimming pools are located shall be completely enclosed by a wall or fence at least four (4) feet in height.
- D. BARBED WIRE FENCE.
  - 1. *Security Fences:* Barbed wire is not permitted except when located at least six (6) feet above the highest adjacent ground surface.
  - 2. Other: Barbed wire fence other than security fence, described above is permissible only in T-1 District.
- E. *ELECTRICAL FIELD FENCE.* Electrical field fence is permissible only in T-1 District and shall be only utilized for Livestock fence.
- F. EXCEPTIONS.
  - 1. Tennis courts may have walls or fences a maximum of sixteen (16) feet in height, provided they shall be located in the side or rear yard and shall be seven (7) feet from any property line.
  - 2. Walls and fences may be eight (8) feet in height in the rear yard of double-frontage lots, provided all such adjacent yards between the two intersection streets are also rear yards.
  - 3. Fences or walls eight (8) feet or less in height as measured from the highest directly adjacent ground surface may be permitted on any part of a lot that is as far back from streets and lot lines as minimum required setbacks.

# Sec. 11-13-4. Commercial and Manufacturing Fence and Wall Requirements.

- A. HEIGHT:
  - 1. A six (6) foot maximum height above ground surface level fence or wall shall be permitted on any part of the required front yard, provided it is in accordance with subparagraph 3 below.
  - 2. An eight (8) foot maximum height above ground surface level fence or wall shall be permitted on any part of the lot that is to the rear and the required front yard(s) in commercial District, and in all yards in a manufacturing District, provided such construction is in accord with paragraph #3 below and is constructed to New Mexico Building Code standards.
  - 3. There shall be no fence or wall more than three (3) feet of total height above street-curb level within the clear-sight triangle as defined under "Clear Sight Triangle" in Article 8 of this Code, or in the clear-sight triangle for entry and exit of off-street multi-parking area.
- B. EXCLUSION FROM PUBLIC RIGHT-OF-WAY. No wall or fence shall be permitted in public right-of-way.
- C. WALLS AND FENCES FOR SWIMMING POOLS. All swimming pools or yards in which swimming pools are located shall be completely enclosed by a wall or fence at least four (4) feet in height.
- D. BARBED WIRE FENCES. Barbed wire is not permitted, except when located above a wall or fence that is at least six (6) feet in height.
- E. EXCEPTIONS.
  - 1. Tennis courts may have walls or fences a maximum of sixteen (16) feet in height, provided they shall be located in the side or rear yard and shall be seven (7) feet from the property line.
  - A six (6) foot height fence shall be permitted in the front yard of any apartment complex over twenty (20) units, and for patios or courtyards in townhouses or condominiums, except as otherwise prohibited in the clear sight triangle.

(Supp. No. 101)

3. Walls and fences may be eight (8) feet in height in the rear yard of a double-frontage lot, provided all such adjacent yards between the two (2) intersecting streets are also rear yards.

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mandatory front, rear, and side setbacks, then if they want to build a 5000 square foot home on their property, then by all means, they should be allowed to do that, as long as it meets the required setbacks in the City.

# 4. PUBLIC HEARINGS (5 Minute Rule Applies)

a. Public Hearing/Discussion/Action: Summary Plat Amendment at 410 Austin. Applicant wishes to divide their parcel. Assistant City Manager Alvarez

Assistant City Manager Alvarez stated: The applicant is looking to split the parcel 401, 405, 413, 415 Austin Street. They purchased the lot; they want to split the lot and get part of it to extend the boundaries of one parcel and the other part to the east to extend it. There are no utility or road easements that are required; they're basically enlarging their parcel into 2 separate parcels. The applicant is in attendance here if you'd like to speak with him or have any questions.

Chairman Sisney: I'd just like to mention, that our member Luchini mentioned 410 on the agenda.

Assistant City Manager Alvarez: When the public notice was requested via my office, someone was assisting me, they requested public notice for the applicants mailing address, but we did notify people within the proper area.

Ralph Stewart: I am the owner of the property that we're doing the lot adjustment on the 2 pieces of property. I wanted to thank Traci for her help with the application and paperwork, and thank you for looking at our change. We're taking part of a parcel and then putting it with the other property and then the property to the west of that, we've just expanded the parking lot by half a lot, I believe.

Chairman Sisney: I saw that.

Member Luchini asked for clarification of the location.

There were no proponents or opponents for this item.

Chairman Sisney made a motion to recommend the item to the City Commission for final approval. Member Luchini seconded the motion. Roll call vote was taken.

Roll call vote was taken.

Motion carried unanimously.

# Public Hearing/Discussion/Action: Sign Code Variance request at 2270 N. Date St. Assistant City Manager Alvarez

Assistant City Manager Alvarez: Chairman and members of the board, this actually is going to replace an existing sign that was there on the corner; it's for Travelodge, right there in front of Johnny B's; they are just putting up a taller sign and an illuminating sign, which is a little different than what was there before. Being as the sign has the required setbacks, even though it was allowed before, it is a change in the sign so we have to put it back for your approval.

#### The applicant was not present and there were no proponents or opponents.

Chairman Sisney asked the board if they had any questions or concerns. No one had any at this time.

Chairman Sisney asked for the City's stand on the signage.

Assistant City Manager Alvarez: We have no issues with any; it's not going to imprint on the site triangle because it's replacing something that was already there before; it's nothing new.

Chairman Sisney made reference to a drawing in the agenda packet for the motion sign.

Chairman Sisney made a motion to recommend the item to the City Commission for final approval. Member Luchini seconded the motion. Roll call vote was taken. Motion carried unanimously.

c. Public Hearing/Discussion/Action: Request for the City to vacate a section of alley adjacent to 2911 Cook Street. Assistant City Manager Alvarez

Assistant City Manager Alvarez: Chairman and members of the board, this is a very old dwelling unit from the 1940's, I'm not sure back when it was built if the survey was off, but the new survey for pending potential sale shows that the dwelling unit itself kind of infringes out there into our alley way. The applicant is requesting that we can vacate just that section of alley so that all of their house can be on their own property. There's no issues with utilities at all.

Vice-Chairman Buhler: And it doesn't set any type of precedent?

Assistant City Manager Alvarez: No, I don't believe so. We may come across a few of these here and there unfortunately; it's not an unusual request and it's not going to happen frequently. There are no concerns on the City's side and we feel that the request is reasonable.

Terri Baca: I am Greg McWorder's realtor. Mr. McWorder recently purchased the property that's subject to this easement and we feel like it's an established prescriptive easement because of the length of time that the house been on this particular portion of the alleyway, which is less than 200 square feet. We are just asking for that particular to be vacated so that his insurance will cover his whole property as opposed to what's not included in his property.

Chairman Sisney: I just want to make a comment. I drove by there and I checked it out and there's a telephone pole outside of his fence line that proves to me that there wouldn't be any problem with it being that it takes up space in the alley because there's a pole that takes up space further into the alley than that does. I didn't see any problem with it, and if the City doesn't have a problem with it and no one has any problem with it.

There were no proponents or opponents for this item.

Vice-Chairman Buhler made a motion to recommend the item to the City Commission for final approval. Chairman Sisney seconded the motion. Roll call vote was taken.

Motion carried unanimously.

d. Public Hearing/Discussion/Action: Special Use Permit for Parcel #3022078314491. Applicant wishes to use the land as an art park/display park. Assistant City Manager Alvarez

Assistant City Manager Alvarez: Chairman and members of the board, all documents were submitted. They submitted a gray kind of conceptual plan of what they want to do. There are no utilities that'll be required in that area. It's that vacant triangle right by the police department and across the street from Mile Marker 7. The applicant is present if you have any questions for her.

# CITY OF TRUTH OR CONSEQUENCES

AGENDA REQUEST FORM

Agenda Item #: H.4

une 28, 2023	DAT	EFLING	INF
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DEPARTMENT: Community Development				
DATE SUBMITTED: June 23, 2023				
SUBMITTED BY: Traci Alvarez, Assistant City Manager				
WHO WILL PRESENT THE ITEM: Traci Alvarez, Assistant City Manager				
Summary/Background: Public Hearing held 6-12-2023 during the Planning and Zoning Commission Meeting -				
no proponents or opponents. A motion to recommend the item to the City Commission for final approval				
carried unanimously.				
Recommendation:				
Accept/Density and sting from Diamin and Zenia Completion				
Accept/Deny recommendation from Planning and Zoning Commission				
Attachments:				
P & Z packet included with draft minutes				
<ul> <li>Click here to enter text.</li> </ul>				
Fiscal Impact (Finance): N/A				
Legal Review (City Attorney): Yes				
Legal Review (City Attorney): Yes				
Legal Review (City Attorney): Yes				
Legal Review (City Attorney): Yes				
Legal Review (City Attorney): Yes . Approved For Submittal By:  Department Director				
Approved For Submittal By:  Department Director				
<ul> <li>Approved For Submittal By:          Department Director</li> <li>Reviewed by:          City Clerk         Finance         Legal         Other: Click here to enter text.     </li> </ul>				
Approved For Submittal By:  Department Director				
<ul> <li>Approved For Submittal By:          Department Director</li> <li>Reviewed by:          City Clerk         Finance         Legal         Other: Click here to enter text.     </li> </ul>				
<ul> <li>Approved For Submittal By:          Department Director</li> <li>Reviewed by:          City Clerk         Finance         Legal         Other: Click here to enter text.     </li> </ul>				
Approved For Submittal By:       Department Director         Reviewed by:       City Clerk         Final Approval:       City Manager         CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN				
Approved For Submittal By:       Department Director         Reviewed by:       City Clerk         Finance       Legal         Other:       Click here to enter text.         Final Approval:       City Manager         CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN         Resolution No. Click here to enter text         Ordinance No.       Ordinance No.				
Approved For Submittal By:       Department Director         Reviewed by:       City Clerk       Finance       Legal       Other: Click here to enter text.         Final Approval:       City Manager       City CLERK'S USE ONLY - COMMISSION ACTION TAKEN         Resolution No. Click here to enter text       Ordinance No         Continued To:       Referred To:       .				
Approved For Submittal By:       Department Director         Reviewed by:       City Clerk       Finance       Legal       Other: Click here to enter text.         Final Approval:       City Manager         CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN         Resolution No. Click here to enter text         Ordinance No				



ITEM: Discussion/Action - Request for the City to vacate a section of alley adjacent to 2911 Cook Street.

# **BACKGROUND:**

Dwelling unit encroaches on City alleyway. Applicant requests City vacate section of alley to amend her lot line to include the dwelling unit.

# SUPPORT INFORMATION:

Vacation Application Plat Map Utility Verification Assessor View

Name of Drafter: Traci Alvarez	: Assistant City Manager	Meeting date 6-12-2023
E-mail: <u>talvarez@torcnm.org</u>	Phone: 575-894-6673	



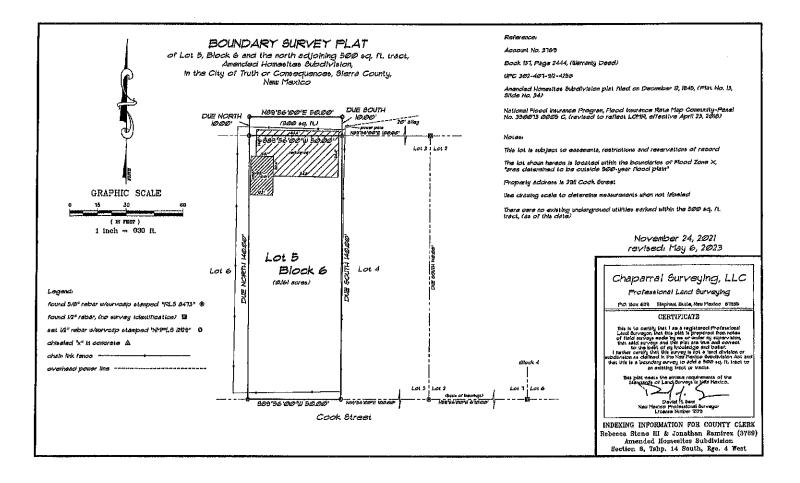
CITY OF TRUTH OR CONSEQUENCES 503 Sims Street, Truth or Consequences, New Mexico Phone: 575-894-6673 ext. 353 Fax: 575-894-6690

#### REQUEST FOR VACATION APPLICATION

Date of Application 5/4/2023

Comes now the undersigned and hereby requests the City of Truth or Consequences, New Mexico to consider vacation of the following described property:

2911 COOK ST., TRUTH OR CONSEQUENCES N.M.
REASON FOR VACATION: THE 1940'S HOUSE ENCROPCHES 87901
2+03' ON TO THE CITY'S PROPERTY. OLD
SURVEYS SAY IT DOESN'T, NEW SURVEYS SAY IT
DOES; SAME SLEWGAR, THIS HAS CAUSED AN ISSUE FOR SELLING THE ROPERTY.
Applicant Name: PEBECCA STONE Telephone No.: 760-660-7258
Address: 1026 EL PRESIDIO
City: LAS C.RUCES State: NM Zip Code: 88011
E-mall Address: REVIER ASTONEILIO ROCKET MAIL: COMT
Applicants Signature:
Reviewed By:
Electric Department: Approved Disapproved Date
Water/Wastewater:ApprovedDisapproved Date Streets Department:Approved Disapproved Date
Streets Department:     Approved     Disapproved     Date       Planning/Zoning:     Disapproved     Date
Utility Review Comments:
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an a



# **Chaparral Surveying, LLC**

P.O. Box 629 Elephant Butte, New Mexico 87935 (575) 740-0334

May 11, 2023

#### LEGAL DESCRIPTION (500 SQ. FT.)

A tract of land situate in Section 6, Township 14 South, Range 4 West, N.M.P.M., being a pontion of a 20' alkey bounded on the south by the north boundary of Lot 5, Block 6, Amended Homesines Subdivision, in the City of Truth or Consequences, New Mexico, and more particularly described as follows, to-wit;

Beginning at the SE corner of this tract, a chiseled "x" in concrete, said corner being the NE corner of Lot 5, Block 6, Amended Homesites Subdivision;

Thence, S89°56'00"W, a distance of 50.00 feet to the SW corner of this tract, a ½" robar w/survcap stamped "NMPLS 12129", said corner being the NW corner of Lot 5, Block 6, Amended Homesites Subdivision;

Thence, DUE NORTH, a distance of 10.00 feet to the NW corner of this tract, a 1/2" rebar w/survcap stamped "NMPLS 12129";

Thence, N89°56'00"E, a distance of 50.00 feet to the NE corner of this tract, a 1/2" rebat w/survcap stamped "NMPLS 12129";

Thence, DUE SOUTH, a distance of 10.00 feet to the point of beginning of the tract hereon described, containing 500 sq. ft. of land, more or less,

This legal description was prepared from a field survey by David M. Senn, NMPLS 12129, (re: Chaparral Surveying, LLC, Boundary Survey Plat revised date May 6, 2023).



# **CITY OF TRUTH OR CONSEQUENCES**

505 Sims Street, Truth or Consequences, New Mexico Phone: 575-894-6673 ext. 353 Fax: 575-894-6690

# UTILITY VERIFICATION

# REASON FOR VERIFICATION: 2911 Cook Street

Applicant is requesting the City to vacate the section of alley

their dwelling unit encroaches upon.

Reviewed By:

Electric Department: Water/Wastewater: Streets Department: Planning/Zoning:

 x
 Approved

 x
 Approved

 x
 Approved

 x
 Approved

 x
 Approved

\_\_\_\_Denied \_\_\_\_\_Denied \_\_\_\_\_Denied \_\_\_\_\_Denied Date 5/31/23 Date 5/31/23 Date 6/5/23 Date 5/31/23

# Utility Review Comments: No effect on utilities



Assistant City Manager Alvarez: We have no issues with any; it's not going to imprint on the site triangle because it's replacing something that was already there before; it's nothing new.

Chairman Sisney made reference to a drawing in the agenda packet for the motion sign.

Chairman Sisney made a motion to recommend the item to the City Commission for final approval. Member Luchini seconded the motion.

Roll call vote was taken.

Motion carried unanimously.

# Public Hearing/Discussion/Action: Request for the City to vacate a section of alley adjacent to 2911 Cook Street. Assistant City Manager Alvarez

Assistant City Manager Alvarez: Chairman and members of the board, this is a very old dwelling unit from the 1940's, I'm not sure back when it was built if the survey was off, but the new survey for pending potential sale shows that the dwelling unit itself kind of infringes out there into our alley way. The applicant is requesting that we can vacate just that section of alley so that all of their house can be on their own property. There's no issues with utilities at all.

### Vice-Chairman Buhler: And it doesn't set any type of precedent?

Assistant City Manager Alvarez: No, I don't believe so. We may come across a few of these here and there unfortunately; it's not an unusual request and it's not going to happen frequently. There are no concerns on the City's side and we feel that the request is reasonable.

Terri Baca: I am Greg McWorder's realtor. Mr. McWorder recently purchased the property that's subject to this easement and we feel like it's an established prescriptive easement because of the length of time that the house been on this particular portion of the alleyway, which is less than 200 square feet. We are just asking for that particular to be vacated so that his insurance will cover his whole property as opposed to what's not included in his property.

Chairman Sisney: I just want to make a comment. I drove by there and I checked it out and there's a telephone pole outside of his fence line that proves to me that there wouldn't be any problem with it being that it takes up space in the alley because there's a pole that takes up space further into the alley than that does. I didn't see any problem with it, and if the City doesn't have a problem with it and no one has any problem with it.

#### There were no proponents or opponents for this item.

Vice-Chairman Buhler made a motion to recommend the item to the City Commission for final approval. Chairman Sisney seconded the motion. Roll call vote was taken. Motion carried unanimously.

d. Public Hearing/Discussion/Action: Special Use Permit for Parcel #3022078314491. Applicant wishes to use the land as an art park/display park. Assistant City Manager Alvarez

Assistant City Manager Alvarez: Chairman and members of the board, all documents were submitted. They submitted a gray kind of conceptual plan of what they want to do. There are no utilities that'll be required in that area. It's that vacant triangle right by the police department and across the street from Mile Marker 7. The applicant is present if you have any questions for her.

# **CITY OF TRUTH OR CONSEQUENCES**

AGENDA REQUEST FORM

MEETING DATE: June 28, 2023

Agenda Item #: H.5

SUBJECT: Discussion/Action: Special Use Permit for Parcel #3022078314491. Applicant wishes to use the				
land as an art park/display park				
DEPARTMENT: Community Development				
DATE SUBMITTED: June 23, 2023				
SUBMITTED BY: Traci Alvarez, Assistant City Manager				
WHO WILL PRESENT THE ITEM: Traci Alvarez, Assistant City Manager				
Summary/Background: Public Hearing held 6-12-2023 during the Planning and Zoning Commission Meeting -				
no proponents or opponents. A motion to recommend the item to the City Commission for final approval				
carried unanimously.				
Recommendation:				
Accept/Deny recommendation from Planning and Zoning Commission				
Attachments:				
P & Z packet included with draft minutes				
Click here to enter text.				
Fiscal Impact (Finance): N/A				
Legal Review (City Attorney): Yes				
Legal Review (City Attorney): Yes				
Approved For Submittal By:  Department Director				
<i>Reviewed by:</i> City Clerk Finance Legal Other: Click here to enter text.				
Final Approval: 🗌 City Manager				
CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN				
CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN Resolution No. Click here to enter text. Ordinance No				
CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN Resolution No. Click here to enter text. Ordinance No Continued To: . Referred To: .				
CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN Resolution No. Click here to enter text. Ordinance No				



ITEM: Discussion/Action – Special Use Permit for Parcel #3022078314491.

# **BACKGROUND:**

Applicant wishes to use the land as an open air art park/display park.

# **SUPPORT INFORMATION:**

Site Plan Assessor View

Name of Drafter: Traci Alvarez	: Assistant City Manager	Meeting date 6-12-2023
E-mail: <u>talvarez@torcnm.org</u>	Phone: 575-894-6673	





Assistant City Manager Alvarez: We have no issues with any; it's not going to imprint on the site triangle because it's replacing something that was already there before; it's nothing new.

Chairman Sisney made reference to a drawing in the agenda packet for the motion sign.

Chairman Sisney made a motion to recommend the item to the City Commission for final approval. Member Luchini seconded the motion. Roll call vote was taken. Motion carried unanimously.

c. Public Hearing/Discussion/Action: Request for the City to vacate a section of alley adjacent to 2911 Cook Street. Assistant City Manager Alvarez

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Vice-Chairman Buhler: And it doesn't set any type of precedent?

Assistant City Manager Alvarez: No, I don't believe so. We may come across a few of these here and there unfortunately; it's not an unusual request and it's not going to happen frequently. There are no concerns on the City's side and we feel that the request is reasonable.

Terri Baca: I am Greg McWorder's realtor. Mr. McWorder recently purchased the property that's subject to this easement and we feel like it's an established prescriptive easement because of the length of time that the house been on this particular portion of the alleyway, which is less than 200 square feet. We are just asking for that particular to be vacated so that his insurance will cover his whole property as opposed to what's not included in his property.

Chairman Sisney: I just want to make a comment. I drove by there and I checked it out and there's a telephone pole outside of his fence line that proves to me that there wouldn't be any problem with it being that it takes up space in the alley because there's a pole that takes up space further into the alley than that does. I didn't see any problem with it, and if the City doesn't have a problem with it and no one has any problem with it.

There were no proponents or opponents for this item.

Vice-Chairman Buhler made a motion to recommend the item to the City Commission for final approval. Chairman Sisney seconded the motion.

Roll call vote was taken.

Motion carried unanimously.

d. Public Hearing/Discussion/Action: Special Use Permit for Parcel #3022078314491. Applicant wishes to use the land as an art park/display park. Assistant City Manager Alvarez

Assistant City Manager Alvarez: Chairman and members of the board, all documents were submitted. They submitted a gray kind of conceptual plan of what they want to do. There are no utilities that'll be required in that area. It's that vacant triangle right by the police department and across the street from Mile Marker 7. The applicant is present if you have any questions for her.

#### Chairman Sisney held up a drawing to explain the site to the audience and board members.

#### Member Luchini: Who owns the property?

Brenda Nelson: It's an LLC; it's SJ, LLC. We want to turn it into a community art park instead of just weeds. One of the concerns was the water flow from us changing the area. I happened to be in town whenever we had the rain storm on Tuesday and the only thing that I saw was the structure that was already there; the curbs and gutters were keeping the water away from the property and sending it around. And yes, there was a lot of water, but there wasn't a lot of water coming off of the property itself. We're planning to finish the sidewalks around part of the property because there is sidewalk on a little bit of it, not the whole property, so we'll be putting in sidewalks and we plan to put in a section with concrete to put up a little canopy for shade and a picnic table. We'll have a walk path and do the bigger rocks farther up on the hill to hold back anything that might come onto the property. We're trying to make this a property that can be used for the community and promote businesses and we want to set it up like a selfie station and a place for people to stop when businesses in the area are not open. Down the road we'd like to add some light to it; not right now because there's no sewer, water, or electric on the property, so this is just a beginning start for us to enhance the area. My understanding was the water; the concern was we would add more flooding to the area and that will not happen with the way that we are going to go about it and the fact that the structure is already there for the curbs and gutters.

Assistant City Manager Alvarez: Chairman and members of the board, any development that they do at the property, they'll have to submit through my office for review and everything, so this is the first step, which is requesting the approval to use that area for this. And like I said, any development plans and everything must be submitted to my office to go through review and approval for zoning and then up to the state level for state permitting as required.

Vice-Chairman Buhler: Well, it would look better than the weed patch that it is now.

Brenda Nelson: It is true, and I have paid to have it cleaned up a couple of times but they just grow really, really fast.

Vice-Chairman Buhler: I have one other question. Is this going to be like an advertising park?

Brenda Nelson: That is kind of what we're doing in a way to generate; to make it worth doing this for; we are not a non-profit, so it is for a profit situation but I want to make it like a selfie station place, so I'm not looking at just putting up billboards. I want to be creative about it. I want to have cut-outs and things so that people could take pictures and promote and post them. I've been talking to a lady about putting solar so that there can be a charging station for cell phones and iPad. I talked to Mile Marker 7 across the street and they said that they really get a lot of people that walk in and they kind of wander off, so that would be a place for them to go and sit down and have their coffee and stuff like that. Part of the thing with the property is when I bought it, I didn't realize how far the easements went on the property because it's on the highway. There's a 20 foot easement from the highway. There's a 5 foot this way and 10 foot this way; it makes it a really tiny piece of property and it would be a really difficult thing to put like a retail business on it, so I came up with, what I thought was cleaver, idea to promote the area. I want to do things like put a newspaper box so that we could have some of the distributions from the art council and stuff like that in the box. It won't be a coin thing where they have to pay; they literally could just open it and there would be stuff to dispense. In this town, when you get people that are coming from bigger cities, they do things later at night than what we do here by any means. During Art Hop, I ran into people that were here for the wedding and they were all excited that there was something going on but they were saying how slow it was. I told them that I was glad that they were

here during Art Hop night because there is something going on. They want stuff and believe that this piece will be a connection for people that are coming in as tourists as a place to start so that they can enjoy our community but also have a connection. I believe there is a little bit of a difference, a separation for the people that are coming into our community that are not from a small town. I believe that the majority of our tourists that are coming in, so I'm hoping that this will be something that would help bridge that gap.

Member Luchini: I have a question. How will you keep it safe or protected or...the area? Will it be closed, fenced?

Brenda Nelson: No, it will be open all of the time. I do expect that potentially there will be vandalism. At first, I'm planning to do banners on the sign. I'm planning to do 4x8's and obviously we'll be talking about the height variance and whether the people can see to stop at the stop signs. There is some stuff that we need to work out. I have 4 groups of people right now that already signed on to go ahead and go forward with this. I don't want to block it off and I don't know how the easements would work. I potentially expect that there will be some damage; I will start out with banners and I can replace them if they're damaged. Ultimately, I'd like to have the pieces painted by individual people so it becomes more of an art concept, because that is what I want it to be as a community art park; you have to start somewhere and go forward and see how it works out and where we're going. It will not be fenced off; it will be open all the time. In time, I want to run lights and stuff so that it's inviting at all times.

Assistant City Manager Alvarez: I think it's a great idea. Hopefully with the location being right next to the police department will hopefully help.

Brenda Nelson: I don't plan to put up a whole lot of stuff; they can do whatever they want to do. I want to plan it to where it is open, it will be visually seen by anyone that is driving by. I don't want to create an environment where it would be unsafe; that I would feel uncomfortable being at.

Chairman Sisney: I'd just like to make a statement for the record, I use this intersection a lot. I always come down and turn left here and turn right here so that I can see the traffic coming from this way. If you go down here instead and try to get on from this intersection, it's greater than 90 degrees when you're trying to look back this way. So, I always go up here because it's really hard to look back this way at the traffic and if they start putting stuff on this corner right here, it's going to be even more difficult to look up that road.

Brenda Nelson: We are planning to look at that and one of the things that we have on that, is the lot drops quite a bit when you stand on McAdoo, there's a big difference from where you stand on McAdoo as opposed to where you're up at the highway. When we do this with Traci, those are totally things that we will take into consideration because again, we don't want to create a hazard. What we do want to do is create a pretty place. I was just talking to another gentleman that goes to soak and they drive by and they said that they wish that someone would do something with that. And this is a difficult piece of property based on all of the easements on it, so we will take that into consideration because I believe the highway department is going to tell us a lot of what we can and cannot do because of the fact that it belongs to them. I do understand your concern, but are definitely going to address it.

There were no proponents or opponents for this item.

Chairman Sisney made a motion to recommend the item to the City Commission for final approval. Member Luchini seconded the motion. Roll call vote was taken. Motion carried unanimously.

# CITY OF TRUTH OR CONSEQUENCES

AGENDA REQUEST FORM

MEETING DATE: June 28, 2023

Agenda Item #: H.6

de	
SUBJECT:	Discussion/Action: Variance Request at 1012 Kopra St
DEPARTMENT:	Community Development
DATE SUBMITTED:	: June 23, 2023
SUBMITTED BY:	Traci Alvarez, Assistant City Manager
WHO WILL PRESEN	NT THE ITEM: Traci Alvarez, Assistant City Manager
	<i>pund:</i> Public Hearing held 6-12-2023 during the Planning and Zoning Commission Meeting - popponents. A motion to recommend the item to the City Commission for final approval
carried unanimous	
carried difamilious	y.
Recommendation:	
Accept/Deny recor	nmendation from Planning and Zoning Commission
Attachments:	
-	et included with draft minutes
<ul> <li>Click here to</li> </ul>	o enter text.
Fiscal Impact (Find	ance): N/A
i istai inipatti (i ina	
Legal Review (City	Attorney): Yes
•	
Approved For Subr	<i>mittal By:</i> Department Director
Reviewed by: $\Box$	City Clerk  Finance  Legal  Other: Click here to enter text.
-	
Final Approval: 🖂	
	CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN
Resolution No.	lick here to enter text. Ordinance No
Continued To: .	
□ Approved	Denied Other: .
A NUMBER OF STREET, ST	rendas 6-28-2023



ITEM: Public Hearing/Discussion/Action: Variance Request at 1012 Kopra St.

## **BACKGROUND:**

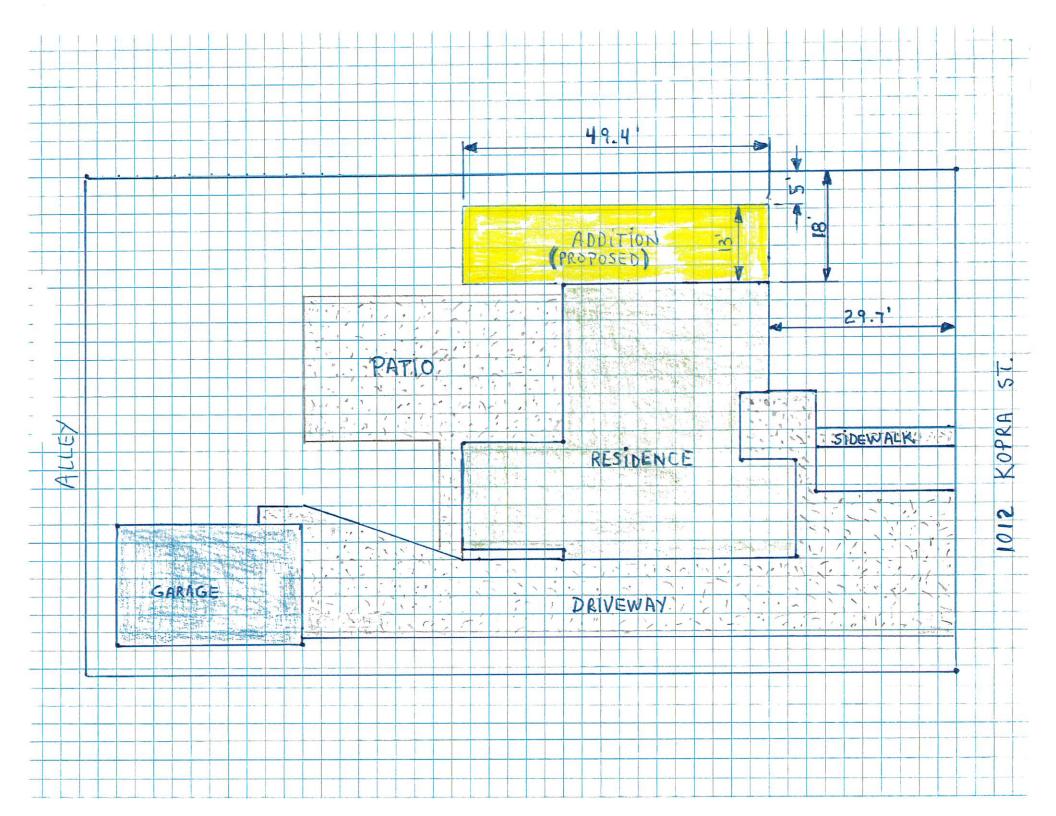
Applicant requests a variance from the R-1 Development Standards minimum Side Setback to allow for an addition on their dwelling.

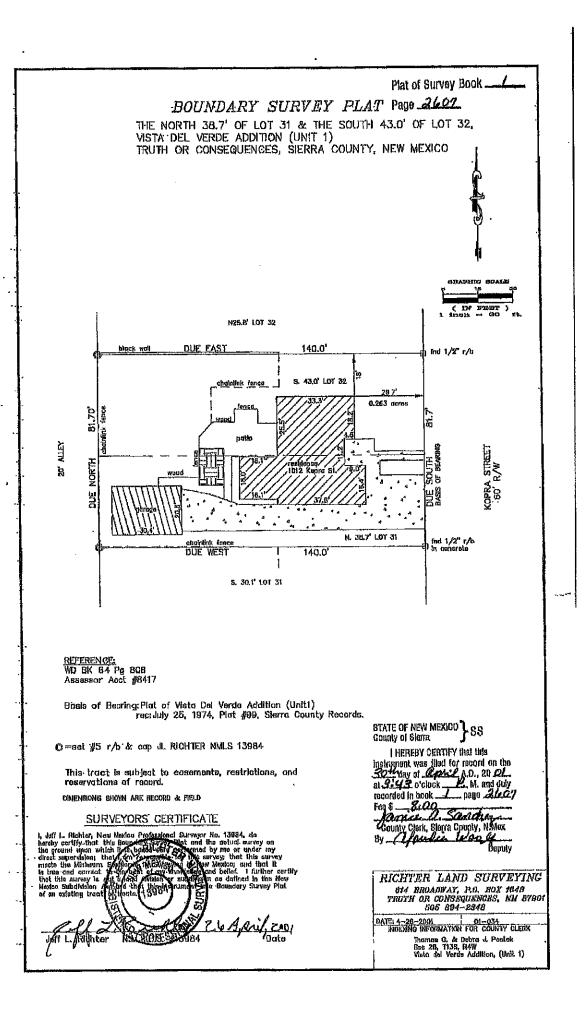
Per the City of T or C Municipal Code the Development Standards require minimum 8ft side setback. Applicants proposed addition will leave a 5ft side setback.

### **SUPPORT INFORMATION:**

Site Plan and Site Map Assessor Views

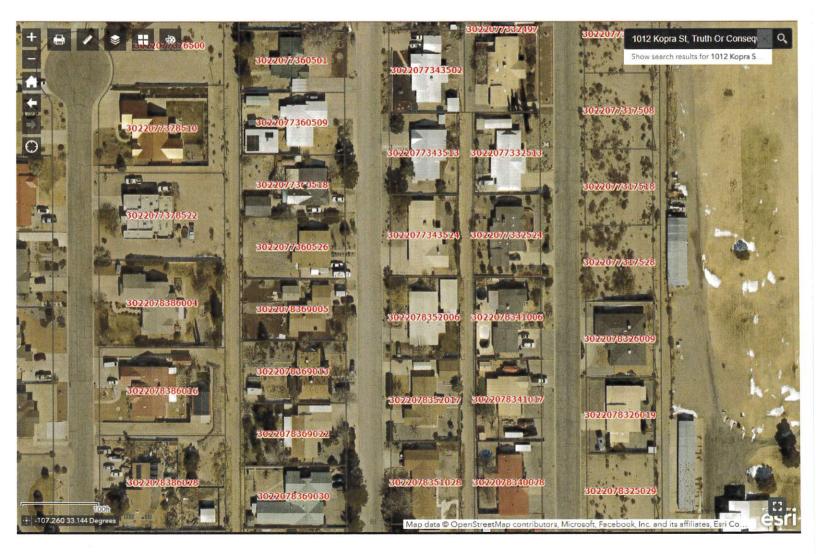
Name of Drafter: Traci Alvarez	: Assistant City Manager	Meeting date 6-12-2023
E-mail: <u>talvarez@torcnm.org</u>	Phone: 575-894-6673	





81.7 × 140





 Public Hearing/Discussion/Action: Variance Request at 1012 Kopra St. Applicant requests a variance from the R-1 Development Standards minimum Side Setback to allow for an addition on their dwelling. Assistant City Manager Alvarez

Assistant City Manager Alvarez: Chairman and members of the board, in your application packet, I gave you guys a street view, both a close up and a far away view. I did that so that you could see what the overall standard is in that area and how close some of the dwelling units are in this area. It's an 8 foot required setback and he is requesting to have the variance so he can do a 5 foot setback. The applicant is here to answer any questions.

Chairman Sisney: I have a question for you. What are the legal reasons for the 8 foot setback.

Assistant City Manager Alvarez: I don't know what the legal reasons are. I can tell you that the R1 has the strictest setback standards. All of our other zones a 5 foot setback is allowed. I don't know if it's maybe the larger lots and the larger homes, has the strictest. I didn't write the code, so I don't know why they did that at that time.

Tom Pestak: I am the resident at 1012 Kopra and the one that is petitioning this group for a variance. I presented a drawing today. The additional will end up being 5 feet from the property line; the sideline. I'm here to answer your questions. By the way, you asked what are the legal ramifications, good question. You'd probably have to hire somebody to do some research as to how when they developed the R1 standards, how did they come up with that. Probably way back when they were first developed, there was some logic behind it; they just didn't randomly pick out a number. Your guess would be as good as mine and until we get the research...

Chairman Sisney: I do have a guess but...

Vice-Chairman Buhler: Are you going to get a permit for your building that you're going to build?

Tom Pestak: Of course.

Vice-Chairman Buhler: Very good.

Tome Pestak: Speaking of permitting, it is my understanding that before SID will issue one, I have to get the blessing from the City, is that correct?

Assistant City Manager Alvarez: Yes, zoning approval from me. I just want to make sure that all of my ducks are in a row.

Chairman Sisney: This is an opinion here, but I believe that the side setbacks are so you can bring trucks and stuff in to do work on the adjacent properties. That would be the reasoning and the fact is that your property and the property next to you has already built; they've built up to the property lines, so there's no way that you're going to be able to get a vehicle between these 2 properties. For that reason, I think it's reason enough to grant a variance. I'd like to make an exception instead of standard that you just get a variance just because you want to build up closer to your property line. There's a reason for that and the City wasn't real strict on that in the past and you see that people have built up to their property lines and will not be able to get anything in between the buildings if you ever needed to. I didn't see any problems with what I looked at. Tom Pestak: Also, if vehicles did need to get around, they can go around the other side of the house, there just would be no room on the north side; there's plenty of room on the south side. Also, there's access from the alley, which is where all of our utilities are; the sewer, the electric, and the telephone go through the alley. The water comes in from the street and there's a gate; lots of access. You just would not be able to drive between the north side of my house and the neighbor's fence.

#### Vice-Chairman Buhler: No one would like that anyway.

Tom Pestak: If I make this addition, I would not be able to drive a vehicle. You know what it might have been? It had something to do with meter readers before we had remote; maybe the meter readers needed to get through there.

Chairman Sisney: I will do a little research tonight, but it would make sense not to build up to your property line; and you're not. I will have the answer to this question for the next time.

#### There were no proponents or opponents for this item.

Chairman Sisney made a motion to recommend a 5 foot setback instead of an 8 foot setback to the City Commission for final approval. Member Luchini seconded the motion. Roll call vote was taken. Motion carried unanimously.

### 5. NEW BUSINESS:

a. Discussion/Action: Discussion/Action: Recommendation to the City Commission to consider the appointment of Gordon Edelheit to serve as a member on the Planning & Zoning Commission.

Gordon Edelheit gave some background information about himself and his desire to serve on the board.

Vice-Chairman Buhler questioned Mr. Edelheit about the permits for work being done on his building on Austin Street and why the permits were not displayed on the window.

Vice-Chairman Buhler made a motion to table the recommendation until the next meeting for Mr. Edelheit until he can provide the permits requested.

Member Luchini seconded the motion.

Motion carried unanimously.

b. Discussion/Action: Recommendation to the City Commission to consider the appointment of Lisa Kent to serve as a member on the Planning & Zoning Commission.

Lisa Kent gave some background information about herself and her desire to serve on the board.

Chairman Sisney made a motion to recommend the appointment of Lisa Kent to the board. Vice-Chairman Buhler seconded the motion. Motion carried unanimously.

### 6. REPORTS FROM THE BOARD

No reports from the board.

# CITY OF TRUTH OR CONSEQUENCES

AGENDA REQUEST FORM



MEETING DATE: June 28, 2023

Agenda Item #: <u>H.7</u>

SUBJECT: Approval of contract for Steven Sage as the appointed Attorney for Municipal CourtDEPARTMENT:Municipal CourtDATE SUBMITTED: June 21, 2023
SUBMITTED BY: Municipal Court
WHO WILL PRESENT THE ITEM: Attorney J. Rubin City Attorney
Summary/Background:
Annual contract for services for indigent defendants.
Recommendation:
Approval of contract
Attachments:
Contract with Steven Sage
Fiscal Impact (Finance): N/A
Click here to enter text.
Legal Review (City Attorney): Yes
Click here to enter text.
Approved For Submittal By:  Department Director
<i>Reviewed by:</i> City Clerk Finance Legal Other: Click here to enter text.
Final Approval:  City Manager
CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN
Resolution No Ordinance No
Continued To: - Referred To: -
Approved Denied Other: -

File Name: CC Agendas 6-28-2023

505 Sims

Truth or Consequences, New Mexico 87901

Angela Gonzales, City Manager

#### Contractor

NAME: Steven L. Sage, Attorney

ADDRESS: 909 North Alameda Blvd

CITY: Las Cruces STATE NM ZIP 88005

FEDERAL / EMPLOYEE ID NUMBER: 81-0905390

STATE ID: 03-170245007

BUSINESS LICENSE NUMBER: 1456607

TELEPHONE: 575-26-1755 CELL: 575-650-6868

FAX: 575-526-1189 EMAIL: sagelaw@yahoo.com

CAPTIONS

Each paragraph of this Agreement has been supplied with a caption to serve only as a guide to the contents. The caption does not control the meaning of the paragraph or in any way determines its interpretation or application.

#### APPROVALS

City:

AMANDA FORRISTER, Mayor	Date		
ATTEST: ANGELA A. TORRES, City Clerk Contractor		Date	
	Date		
Steven L. Sage, Attorney			
	Date		

J. Rubin, City Attorney

#### Contract for services

2023

#### Part I

This agreement for services by and between the City of Truth or Consequences (hereinafter called "City ") and <u>Steven L. Sage, Attorney</u> (hereinafter called "Contractor").

Whereas the City wishes to engage the services of an Attorney to represent and serve as Counsel in cases requiring an Attorney before the Municipal Court.

Now therefore the parties do mutually agree as follows:

The City agrees to engage the Contractor and the Contractor hereby agrees to perform the Scope of Work detailed in Exhibit A to this agreement.

#### Time of performance

The services of the Contractor shall commence on July 1, 2023 and be completed on December 31, 2023. The Contractor represents that he/she are in good standing with the New Mexico State Bar.

Such services shall be continued in such sequence as to assure their relevance to the purposes of this agreement.

#### Access to Information

It is agreed that all information, data, report, records, maps, etc. as are existing available and necessary for the carrying out of work outlined in the agreement, shall be furnished to the contractor by the City at no charge.

#### Compensation and Method of Payment

The maximum amount of compensation and reimbursement to be paid hereunder shall not exceed Six Hundred Fifty and No/100 (\$650.00) per case. Applicable gross receipts taxes, services including travel, per diem, and other expenses of the contractor or its subcontractors shall be the Contractors' responsibility. Total compensation to be paid under the agreement shall not exceed \$26,000 in total. If compensation paid under this contract exceeds \$600.00 the City will issue IRS Form 1099 on calendar year basis.

#### CLAIMS

The Contractor shall save and hold the City free from claims that may arise in connection with work the Contractor will perform under the agreement. The Contractor also agrees to pay for staff time, at standard hourly billing rates, plus expenses at cost that might be required for expert testimony or any other court appearances, together with preparation time and legal costs that might arise because of Contractors' involvement in this assignment, whether subpoenaed by the City or any other group.

#### Bribes and Gratuities

It is illegal in New Mexico for any public employee to solicit or accept anything of value in connection with award of the Agreement and for any person to offer or pay anything of value to any such public employee (30-24-1 through 30-24-2 NMSA 1978)

#### EXHIBIT A

#### SCOPE OF WORK

Representation of the defendants who are eligible for appointment of counsel or are determined to be indigent and are facing charges filed in the Municipal Court of Truth or Consequences, New Mexico. The Municipal Court Judge determines eligibility for indigent counsel services, applicability of the right to counsel and has assigned Contractor to provide legal representation to said defendant; such representation shall continue until defendant has been sentenced by the court, acquitted of all charges or the charges have been dismissed by the prosecution or the Court on motion or Sua Sponte.

The Contractor will follow the Municipal Court of Truth or Consequences Policy and Rules of Procedure. (Copy to be provided)

AGENDA REQUEST FORM



MEETING DATE: June 28, 2023

Agenda Item #: <u>H.8</u>

SUBJECT: Appointment of Lisa Kent to serve as a member on the Planning & Zoning Commission.
DEPARTMENT: Clerk's Office
DATE SUBMITTED: June 22, 2023
SUBMITTED BY: City Clerk Torres
WHO WILL PRESENT THE ITEM: City Clerk Torres
Summary/Background:
The Planning & Zoning Commission has 2 vacancies on their board. On June 12, 2023 the board unanimously requested the approval of the City Commission to appoint Lisa Kent to serve on the Planning & Zoning Commission. There is a 1 year term vacancy and a 2 year term vacancy available. The Governing Body shall choose which term they would like to appoint Ms. Kent to.
Recommendation:
Appoint Lisa Kent to the Planning & Zoning Commission.
Attachments:
<ul> <li>Application</li> <li>-</li> </ul>
Fiscal Impact (Finance): No
N/A
Legal Review (City Attorney): No
N/A
Approved For Submittal By: 🛛 Department Director
<b>Reviewed by:</b> I City Clerk I Finance Legal Other: Click here to enter text.
Final Approval:   City Manager
CITY CLERK'S USE ONLY – COMMISSION ACTION TAKEN
Resolution No Ordinance No
Continued To: Click here to enter a date. Referred To: Click here to enter text.
Approved Denied Other: Click here to enter text.
File Name: CC Agendas 6-28-2023



# **City Boards Application**

Name: Lisa Kent	Address: 501	5 Broadway, Tor
Phone: 719.221.2762	Address: <u>501</u> Email: <u>1/5a Kent 73</u>	ogmail.com
		- ,
I am interested in serving as a me	mber of one the following Boards:	
Airport Advisory Board	🗆 Public Arts Advisory Board	Golf Course Advisory Board
🗌 Public Utility Advisory Board	🗆 Library Advisory Board	🗆 Recreation Advisory Board
🗆 Lodger's Tax Advisory Board	D Planning & Zoning Commission	🗆 Impact Fee Board
🗆 Other:		
My qualifications are: <u>See attached</u>	letter	

I hereby certify that my appointment to this board neither creates, nor should create, any conflict of interest for myself or the Board. I further confirm that any possible conflict of interest that may arise will be reported to the Board and the City Clerk.

Signature: (

Date: 5/10/2023

May 10, 2023

To Whom It May Concern -

Please accept this as my application of interest to serve on the planning and zoning commission. I moved to TorC two years ago and I am very interested in being involved in the community. I am currently in the process of building a house in the hot water district. OK, I am not *actually* building it, but many great people/businesses in town are making it a reality. I chose to build a house because I love this town and see so much potential for the future.

I believe I would be an asset to this committee as I am extremely invested in the future of this town. I have a strong desire to see growth happen in a positive and constructive manner, while considering all residents (old and new) as well as improving the tourism industry. Tourism is critical to the success of any small town and needs to continue increasing for the success of small business, as well as creating the opportunity for more.

I have lived in a small town before and understand the delicate balance between preserving character while embracing growth. Growth is inevitable, especially in this day and time with increasing remote work and people seeking improved quality of life. It is a wonderful thing and should be seen as opportunity for TorC to thrive. Remote workers are an amazing asset to towns, as they can inject money into the economy without taking local jobs.

There will be a more new construction in the Hot Water district in the next few years. This seems inevitable. The planning and zoning committee will be a critical part of this. I want to help facilitate growth in TorC, while preserving it's unique and historical charm.

Sincerely. Lisa Kent

lisakent73@gmail.com 719.221.2762

# CITY OF TRUTH OR CONSEQUENCES

AGENDA REQUEST FORM

Agenda Item #: H.9

MEETING DATE: June 28, 2023

SUBJECT: Presentation/Discussion/Action – Approval of proposed funding of Investigator position.DEPARTMENT:Police DepartmentDATE SUBMITTED: June 23, 2023SUBMITTED BY:Chief Luis TavizonWHO WILL PRESENT THE ITEM: Luis Tavizon, Chief of Police

# Summary/Background:

The Truth or Consequences Police Department is in dire need of a full-time investigator/detective position. The police department has handled over 110 felony cases over the last year, each of which required hundreds of man hours. It is extremely important that the police department is able to provide the community with a competent detective. We need to ensure that we are providing thorough investigations to help solve crimes and mitigate liability for the city.

An investigator is an officer with specialized investigation skills, which include: interviewing and interrogation, photography, crime scene processing, evidence collection and handling, crimes against children, narcotics investigations to list a few specialties.

## **Recommendation:**

It is the recommendation that the commission approve funding of a full-time detective position within the Truth or Consequences Police Department.

### Attachments:

• Job Descriptions form.

# Fiscal Impact (Finance): Yes

Funding for a full-time detective position

Legal Review (City Attorney): No

# Approved For Submittal By: 🛛 Department Director

Reviewed by:	🗌 City Clerk	□ Finance	🗆 Legal	□ Other: Click here to enter text
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Final Approval: 
City Manager

CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN
Resolution No. Click here to enter text. Ordinance No
Continued To: - Referred To: -
Approved Denied Other: -
File Name: CC agendas 6-28-2023



# Truth or Consequences Police Department

Luis A. Tavizon, Chief

507 McAdoo Street T or C, NM 87901 Phone: 575-894-1204 Fax: 575-894-6287



Professionalism, Respect, and Integrity

# **Job Description**

# Detective

The Detective will have the ultimate responsibility for the clearance of all felonies assigned to them and any other offenses specifically assigned by their supervisor. Investigators shall have equal rank, with the exception of seniority as pertinent to such things as vacations, leaves, days off, etc.

Detectives shall be responsible for the following conditions:

- a. Investigate all assigned cases to the best of one's ability. Investigators shall be responsible for making a follow-up investigation and written report on all felonies or other cases specifically assigned by their supervisor, including but not limited to interview, interrogation of suspects or witness's preparation of case reports, preparing for and testifying at a trial.
- b. When called to a scene, shall take charge of the investigation, unless relieved by his superior officers. He shall have the authority to direct the activities of field officers when such action is not in direct conflict with the officer's immediate supervisor.
- c. Shall be responsible for the collection and preservation of evidence in all cases handled by them or assigned to them.
- d. Performs all work required of a police officer.
- e. Shall be responsible for the complete, accurate and prompt preparation of reports pertaining to cases assigned to them.
- f. Shall render such assistance to Patrol whenever necessary or requested, and shall also notify Patrol of any criminal situations that may require their attention.
- g. Shall conduct themselves in a courteous and respectful manner and strive to promote and maintain a harmonious relationship with Patrol and other members of the Department.
- h. Shall handle all crimes, reports, or information pertaining to narcotic investigation, or any special investigation assigned to them by their supervisor and or the Chief.
- i. Shall know and follow those instructions and guidelines set forth in the Department Policies and Procedures Manual, and shall execute general orders, special orders, and/or memorandums without delay.