



Alamogordo City Commission

NOTICE OF MEETING

Regular Meeting Agenda

January 30, 2018 - 6:30 PM
City Hall, City Commission Chambers
1376 E. Ninth St.

Richard Boss Mayor
Al Hernandez Mayor Pro-Tem, District 5
Jason Baldwin District 1
Nadia Sikes District 2
Susan Payne District 3
Jenny Turnbull District 4
Vacant District 6

Maggie Paluch City Manager
Petria Schreiber City Attorney
Rachel Hughs City Clerk

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

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

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

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

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

CALL TO ORDER & ROLL CALL

Announce the presence of a Quorum.

INVOCATION & PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

PRESENTATIONS

1. Presentation of the Otero County Juvenile Justice Board. (Bridgett Jones, Board Coordinator)

PUBLIC COMMENT

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

CITY MANAGER'S REPORT

REMARKS AND INQUIRIES BY THE CITY COMMISSION

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

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

2. Approve the minutes for the January 9, 2018 Regular meeting. *(Rachel Hughs, City Clerk)*
3. Approve Resolution No. 2018-05 listing the Candidates as they will appear on the ballot, designating polling places and appointing the Precinct Board Members for the March 6, 2018 Municipal Election. *(Rachel Hughs, City Clerk)* **(Roll Call Vote Required)**
4. Consider, and act upon, final publication of Ordinance No.1560 and agreement approving a Local Economic Development Project for Secured Financial Assistance proposed by Drought Adaptation Industries, LLC. *(Petria Schreiber, City Attorney)* **Roll Call Vote Required**
5. Consider, and act upon, final publication of Ordinance No. 1561 to amend Sections 2-15-040 and 2-15-050 of the Alamogordo Code of Ordinances Regarding the Gross Receipts Investment Program. *(Petria Schreiber, City Attorney)* **Roll Call Vote Required**
6. Consider, and act upon final publication of Ordinance No. 1554, a map amendment to the Official Zoning Map of the City of Alamogordo to rezone the property from R-1 Single Family Dwelling District to C-1 Neighborhood Business District contingent upon permit issue for building and actual ground breaking of the church complex located on Scenic Dr. south of First St. *(Darron Williams, City Planner)* **(Roll Call Vote Required)**
7. Approve Resolution 2018-06 donating twenty eight (28) MSA Self Contained Breathing Apparatus (SCBA) thirty (30) minute cylinders to the Boles Acres Volunteer Fire Department. *(Jim LeClair, Fire Chief)* **(Roll Call Required)**
8. Approve the recommended Lodger's Tax Expenditures for Tourism & Travel Advertising for NMAAA STEM App. *(Michelle Brideaux, Communications & Marketing Administrator)*
9. Approve the Recommended Lodger's Tax Expenditures for Tourism & Travel Advertising for Tourism App. *(Michelle Brideaux, Communications & Marketing Administrator)*
10. Consider, and act upon, the Mayor travelling to Washington D.C. for a meeting with the Secretary of the Air Force from February 19-22, 2018. *(Richard Boss, Mayor)*

ITEMS REMOVED FROM CONSENT AGENDA

PUBLIC HEARINGS

11. Consider, and act upon, Application 1066267 a Transfer of Ownership and Location of Dispenser License No. 0700, with Package Sales located at 880 W. US HWY 70, Alamogordo, NM 88310 to Allsup's. *(Tommie Herrell)*

NEW BUSINESS

12. Consider, and act upon, award of Public Works Bid No. 2017-016 to Enoch Mechanical Inc., related to the Family Recreation Center Gym HVAC Upgrade, in an amount not to exceed \$124,200.00, including NMGRT. (*Nancy Beshaler, Project Manager*)
13. Consider, and act upon, signing a letter to the GSA requesting 2 QF-4E aircraft from Holloman AFB be transferred to the City of Alamogordo for use as Static Displays with locations at Alameda Park and the Alamogordo Airport. (*Jim Talbert, Airport Manager*)
14. Consider and act upon, appointing two Commissioners as replacements for the Otero County/Greentree Regional Landfill. (*Larry Garner, Public Works Director*)
15. Appointments to Boards and Committees. (*Richard Boss, Mayor*)

WORK SESSION

16. Review and give direction regarding Rules of Conduct for City Commission Meetings. (*Petria Schreiber, City Attorney*)

ADJOURNMENT

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 01/30/2018

Report Date: 01/24/2018

Report No: 1.

Submitted By: Rachel Hughs

Subject: Presentation of the Otero County Juvenile Justice Board. (*Bridgett Jones, Board Coordinator*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Presentation only.

Background: This presentation is an overview of the Juvenile Justice Advisory Committee funded programs, In School Pilot at Desert Star Elementary School, and of the Girls Circle/Boys Council programs.



RECEIVED
JAN 23 2016
CITY CLERK

City of Alamogordo City Commission Meeting

AGENDA REQUEST FORM

Date: 1/22/18

Date of Meeting: January 30th 2018

Name: Bridgette Jones - Coordinator - Otero County
Juv. Justice
Board.

Address: 501 24TH STREET
ALAMOGORDO, NM ZIP 88310

Phone Number: 575 725-3900

E-Mail Address: bjones@tcj-rrm.org

Item requested will be for: (Please check one)

- | | | |
|---|--------------------------------------|---|
| ☐ Information only | ☐ Action Item | ☐ Discussion/Action |
| ☐ Public Hearing | ☐ Report | ☐ Other: <u>Program Overview</u> |

Brief description of topic to be discussed:

Please attach one original of any documents pertaining to the topic -
We do not allow handouts at the meeting

To provide an overview of Juvenile Justice
Advisory Committee funded programs - In School
Pilot @ Desert Star Elementary School -
of Girls Circle / Boys' Council programs.

(* Otero County
is the Fiscal Agent) Signature: Bridgette Jones

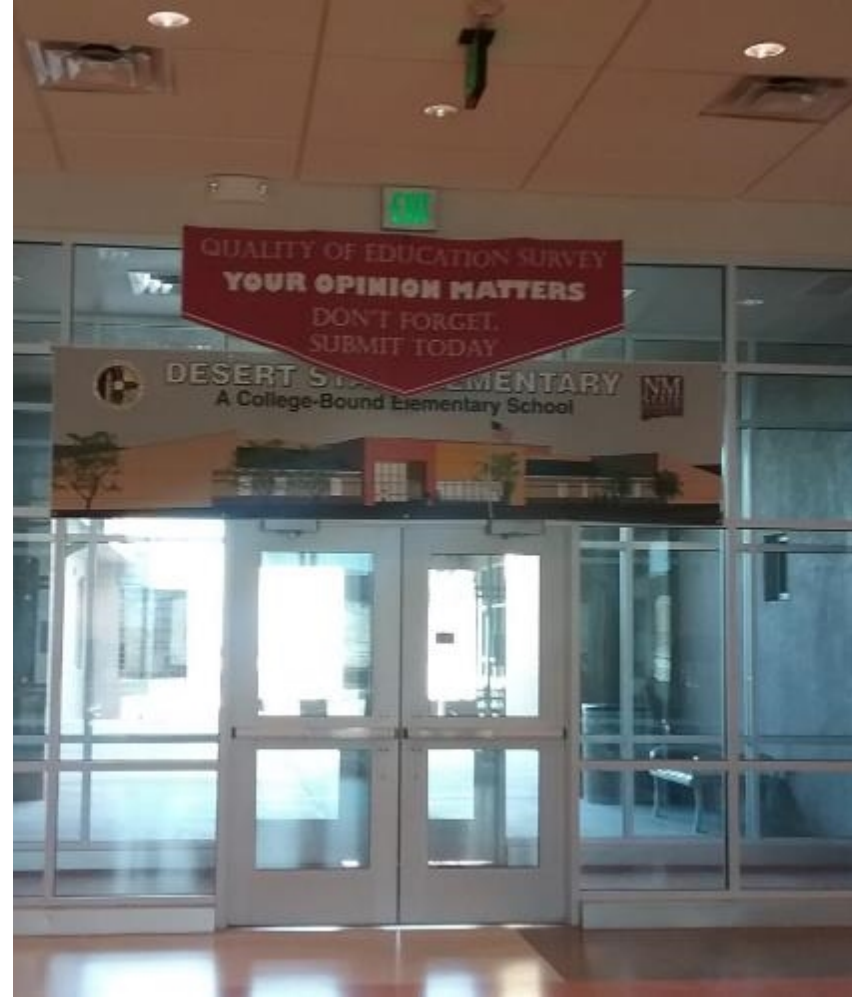
Please return to: Nancy Jacobs, CMC, City Clerk
City of Alamogordo
1376 E. 9th Street
Alamogordo, NM 88310

Phone: (575) 439-4205

Fax: (575) 439-4396

E-mail: njacobs@ci.alamogordo.nm.us

Revised 3/15/2016



DESERT STAR 4TH GRADE ELEMENTARY SCHOOL PILOT

OTERO COUNTY JUVENILE JUSTICE BOARD – GENDER SPECIFIC
GIRLS CIRCLE & THE COUNCIL FOR YOUNG MEN AND BOYS



GIRLS CIRCLE & THE COUNCIL FOR YOUNG MEN AND BOYS®

**4TH GRADE
IN-SCHOOL PILOT
DESERT STAR
ELEMENTARY SCHOOL
OCTOBER 23 – NOVEMBER 29, 2017**

- These programs are brought to you by the **Otero County Juvenile Justice Board** and are facilitated through **The Counseling Center, in Alamogordo .**
- ***The OCJJB is an independent and voluntary Board of Community members and agencies focused on juvenile delinquency prevention, intervention and reduction.***
- We meet on the 4th Friday of each month, at our Juvenile Probation Office in Alamogordo @ 2200 Indian Wells Road, Suite B @ 12 Noon.
- We are chaired by the honorable Judge Angie K. Schneider, District Judge, DIV. IV, Twelfth Judicial District. Come join us!

BACKGROUND & INTRODUCTION:

- **The Otero County Juvenile Justice Board (OCJJB) has been in partnership with our local Alamogordo public schools working with the Education Supports Sub-committee** which has grown into two groups. One group meets monthly, and is focused on Truancy and the other is focused on School Disciplinary Processes (including In School Suspension, Out of School Suspension and Expulsion).
- **Through these partnerships we have received requests for 4th and 5th grade classrooms for in-school Gender-Specific programs of Girl's Circle & The Council for Young Men and Boys.**
- **Our teachers report having students battling depression, those making threats of violence, suicide, anger issues, children being oppositional and defiant, dealing diversity issues, physical altercations on the playground and youth who are unable to control their emotions.**

Below: Debriefing session with Facilitators & Teaching Staff.



WHY DO IN-SCHOOL PILOTS?

- One Circle® programming has been shown to increase school engagement, school attachment, school attendance and promotes the development of productive, healthy self-expression, behavioral health and well-being in youth.
- Our School pilots are being done with the intent of reaching youth at a time where developing healthy relationships and self-expression can be taught and learned at an earlier, more preventive level.
- ***We believe this supports one of the primary goals for Juvenile Justice Advisory Continuum Boards which is to help implement best practice programs that prevent youth from getting into trouble in the first place.***



For information on these evidence and research based program outcomes: see reports under RESEARCH at www.onecirclefoundation.org for Girls Circle & Boys Council programs. See also the grant writers template.*

WHO ARE THE PROGRAMS DESIGNED FOR?

- **GIRLS:** Pre-teen and adolescent girls and young women, ages 9-18 years, regardless of risk level.
- **BOYS:** Pre-teen and adolescent boys and young men, ages 9-18 years, regardless of risk level.
- **Programs are designed for all service & youth settings: especially vulnerable populations in: • Schools [4th-5th graders in Elementary; Middle and High schools through 12th gr; Charter; Community; Alternative] • Juvenile Justice [Across continuum of care, diversion, detention, supervision, secure, residential, aftercare] • Child Services; Foster Youth, Transitional Age Youth (TAY) • Mental Health; Behavioral Health • Public Health • Community Based Programs • After School Programs • Recreation Departments; Camps; Outdoor Adventure • Faith communities • Neighborhoods, Family settings.**

FOR MORE INFORMATION GO TO: WWW.ONECIRCLEFOUNDATION.ORG.



OUR CERTIFIED PROGRAM FACILITATORS



- **Kim Richards:** As the Chief Operations Office of The Counseling Center Inc.(TCC) She has oversight of the programs and service for TCC. Kim has worked for TCC for 20 years and has been certified as a Girls Circle Facilitator since August of 2008. Kim Richards has several years of experience working with youth and families in a vast array of programs.
- **Michele Horrell** is currently the Program Manager for the Counseling Center JCC program and has been employed at The Counseling Center Inc. (TCC) for 17 years. Michele has been certified as a Girls Circle Facilitator since August of 2008. Michele has many years of experience working with youth and families and does an outstanding job facilitating Girls Circle.
- **Keith Gerber** has been employed by the Counseling Center for 12 years as a JCCP case manager. Keith has been certified as a Boy's Council Facilitator since 2010 and enjoys the positive interaction and personal growth that Boy's Council sparks in young men.

WHAT IS GIRL'S CIRCLE?

GIRLS CIRCLE



Girls' Circle is a program that empowers girls by increasing self-esteem and resilience.

Participants talk about body-image, friendship, media influence, exclusion, stereotypes, and other issues that affect the life of adolescent girls.

The sessions foster trust, respect, and self-confidence.



GIRLS Structure

- 1 or more sessions per week, depending on setting
- 90 minutes, or may be adapted for school programs
- 8 - 12 sessions or more, OR, in high transition settings (i.e., hospitals, detention, community schools) may be offered in distinct one-session units
- 5 - 10 youth of similar developmental age (or more in classroom adaptations)
- 1 or 2 adult female facilitators, typically 1
 - Physically, culturally, and emotionally safe; protected, confidential
 - Co-created group guidelines and expectations based in mutual respect, caring, inclusion, confidentiality
 - Legal, ethical guidelines The 6-step Girls Circle format promotes safety, consistency, relationships, a range of expressive opportunities, skill building and empowerment as follows: 1. Opening Ritual 2. Theme Introduction 3. Check-in 4. Activity 5. Sharing of Activity 6. Closing Ritual



Mrs. Angie Ceballes 4th Grade classroom (above).

GIRLS CIRCLE THE MODEL FORMAT

Go to www.onecirclefoundation.org for more details.

WHAT IS BOY'S COUNCIL?



The Council for Boys and Young Men is a program which guides youth in developing a positive future and the intrinsic motivation to make the healthy choices necessary to live their dreams.

The program helps youth to clarify dreams and values, define and overcome challenges, identify personal assets, design a personal blueprint for success, set attainable short and long-term goals, identify people and resources that will help youth accomplish their goals and develop positive attitudes while building courage to change and trust that they can be successful.

THE COUNCIL FOR BOYS & YOUNG MEN



BOYS STRUCTURE

- 1 or more sessions per week, depending on setting
- 90 minutes, or may be adapted for school programs
- 10 or more sessions or more, OR, as distinct one-session units in high transition settings (i.e., hospitals, detention, community schools)
 - 5 - 10 youth of similar developmental age (or more in classroom adaptations)
- 1 or 2 adult male facilitators, typically 2
- Physically, culturally, and emotionally safe; protected, confidential
- Co-created group guidelines and expectations based in mutual respect, caring, inclusion, confidentiality
- Legal, ethical guidelines The 7-step format of The Council for Boys and Young Men promotes safety, consistency, relationships, a range of expressive opportunities, skill building and empowerment as follows: 1. Opening Ritual 2. Theme Introduction 3. Warm Up 4. Check-in 5. Activity 6. Reflection 7. Closing Ritual



Mrs. Stacey Otero 4th grade classroom (above).

BOYS COUNCIL THE MODEL FORMAT

Go to www.onecirclefoundation.org for more details.

IN A PREPARATORY MEETING, OUR FACILITATORS LISTENED TO THE ISSUES BEING FACED BY OUR TEACHERS AND CHOSE THE MODULES THEY FELT WOULD BEST MEET THOSE IDENTIFIED NEEDS FOR OUR INITIAL PILOT:

CURRICULUM CHOSEN FOR THE GIRLS:

“Friendship”: this module addresses exclusion, intolerance, and feuding. It is designed to confront relational aggression and shores girls up with strong interpersonal skills; knocks down barriers to pride, confidence, and empathy. Themes include topics such as “Being included, Being left out”, Feuds, Followers & Fairness.” The intent of this module is to increase caring and relational competence.

CURRICULUM CHOSEN FOR THE BOYS:

“Standing Together: A Journey into Respect” this module introduces engaging ways to address common themes which pre-teens and early adolescents encounter, including breaking down social-cultural barriers, motives and actions around put-downs, knowing their personal rights, defining assumptions about male power, respecting others' physical boundaries, understanding and using the energy of strong emotions, and standing up for each other in community.



Summary of our approach:



Our Circles – We had two participating classrooms in the pilot. We were able to use the two classrooms to accommodate the need to separate by gender. There were 2 facilitators in each classroom and each room also had the added benefit of a school counselor sitting in when available.

We held the sessions twice weekly, on Mondays and Wednesdays from 8:30am to 9:30am for four weeks. Initially permission slips were sent home for consent, those who opted out went to separate class/activities during the circle/council sessions.

The girls were in one large group with two facilitators and due to size of the boys group – we tried two circles in one classroom with two facilitators.

The kids did a pre-survey on school environment designed by the coordinator and facilitators. The intent of this survey was to try to collect some data around the issues the teachers identified and to take the survey before and after the Circles, to give a “pre and post” benchmark.

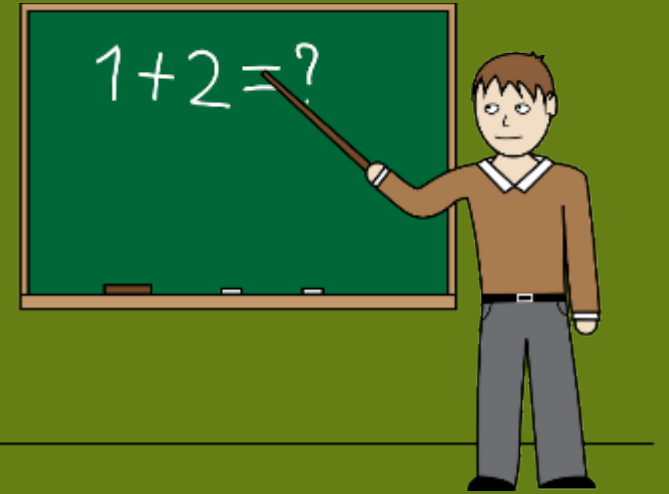
The one circle satisfaction survey from the model was used for program evaluation at completion of the circle sessions.

A graduation ceremony was held at the close of the program. The parents of participants were invited and attended the graduation program where they were encouraged to ask questions and hear about the grant funded program. The graduates received their certificates, walked the graduation line and had cake. We were able to thank and recognize our parents, participating teachers and principal for allowing us to bring these programs into our schools. Participating School Staff were given certificates of appreciation.



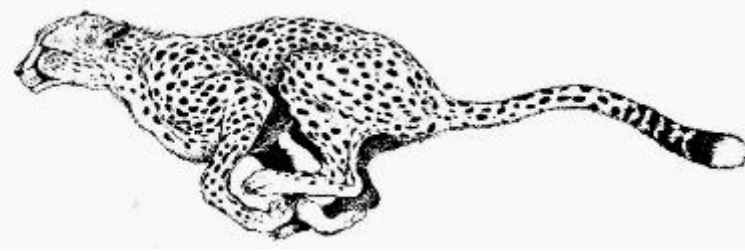


feedback



LESSONS LEARNED FROM THE PILOT

What worked well, opportunities identified for improvement and what should we do differently next time?



WHAT WORKED WELL?

- **We are grateful for the our participating Teachers, School Principal, Director of Schools and the successful partnerships with our public schools that allowed the pilot to take place!**
- **These sessions start the conversation of the importance of bringing the supports needed in rural community directly into the classrooms.**
- **In-School sessions reduce some of the issues with access to supports needed due to lack of transportation to after-school programs.**
- **In-school sessions support a primary Otero County Juvenile Justice Board objective of promoting programs aimed at delinquency prevention.**
- **Evidence and research based concepts and program introduced to our youth at an early age.**

OPPORTUNITIES FOR THE FUTURE



- **Ideally the kids would benefit from having 1.5 hours to each session.**
- **Smaller group sizes are preferred and recommended - Maintain the model recommendation of 5 to 10 participants per group where possible to get the maximum benefit from the messaging, activities and mentoring in the group.**
- **More modules per classroom!**
- **We would love to have a semester long program!**
- **We need more grant funding \$\$ to offer more preventive program efforts in more classrooms in our county year-round.**





SURVEY RESULTS

Data and highlights taken from results of surveys completed by 4th grade classroom participants.

One Circle[®] Programs' Satisfaction Survey from the Model & Custom Pre/Post School Surveys.

IT IS IMPORTANT TO NOTE AND CONSIDER.....IN THE SLIDES THAT FOLLOW

TOTAL PARTICIPANTS IN PRE VS. POST SURVEYS:

GIRLS

PRE SURVEYS = 17 RESPONDENTS

POST SURVEYS = 15 RESPONDENTS

BOYS

PRE SURVEYS = 23 RESPONDENTS

POST SURVEYS = 18 RESPONDENTS



BOYS: WHEN ASKED, RESPONDED WITH:



Statement: I feel that teachers and School Staff care about me.

	PRE	POST
All of the time, yes.	30%	50%
Most of the time, yes.	26%	17%
Sometimes, yes.	35%	33%
No, never.	9%	0%

BOYS: WHEN ASKED, RESPONDED WITH:



Statement: I feel like I am a part of my school.	PRE	POST
All of the time, yes.	30%	28%
Most of the time, yes.	22%	28%
Sometimes, yes.	22%	44%
No, never.	26%	0%

BOYS: WHEN ASKED, RESPONDED WITH:



Statement: I feel that I am able to listen to what others think who are different from me.

	PRE	POST
All of the time, yes.	39%	33%
Most of the time, yes.	22%	23%
Sometimes, yes.	26%	33%
No, never.	13%	11%
No response.	0%	0%

GIRLS: WHEN ASKED, RESPONDED WITH:

Statement: I feel that teachers and School Staff care about me.



PRE

POST

All of the time, yes.

41%

67%

Most of the time, yes.

18%

27%

Sometimes, yes.

24%

6%

No, never.

18%

0%

GIRLS: WHEN ASKED, RESPONDED WITH:



Statement: I feel like I am a part of my School.

	PRE	POST
All of the time, yes.	53%	46%
Most of the time, yes.	29%	27%
Sometimes, yes.	12%	27%
No, never.	6%	0%

GIRLS: WHEN ASKED, RESPONDED WITH:



Statement: I feel that I am able to listen to what others think who are different from me.

	PRE	POST
All of the time, yes.	47%	73%
Most of the time, yes.	18%	7%
Sometimes, yes.	18%	7%
No, never.	12%	7%
No response.	5%	7%

DURING THE LAST WEEK SURVEY

This survey was taken to get a benchmark before and after the circles. *We wanted to see if there would be any difference pre/post delivery.* Here are the questions that were asked, and the next few pages show you some of the highlights from the responses where we could see a difference.

1. Over the last week, how much did you care about other people's feelings?
2. Over the last week, how often did you tell someone else they did a good job?
3. During the last week, how well did you get along with students who are different from you?
4. During the last week, when other people disagreed with you, how respectful were you of their views?
5. During the last week, were you able to stand up for yourself without putting the other person down?
6. During the last week, how clearly were you able to describe your feelings?

GIRLS: DURING THE LAST WEEK, HOW WELL DID YOU GET ALONG WITH STUDENTS WHO ARE DIFFERENT FROM YOU?

PRE-SURVEY

Response	Count
Got along extremely well	29% (5)
Got along pretty well	47% (8)
Got along somewhat	0
Got along a little bit	18% (3)
Did not get along at all	6% (1)

POST-SURVEY

Response	Count
Got along extremely well	60% (9)
Got along pretty well	27% (4)
Got along somewhat	0
Got along a little bit	7% (1)
Did not get along at all	0

GIRLS: DURING THE LAST WEEK, WHEN OTHER PEOPLE DISAGREED WITH YOU, HOW RESPECTFUL WERE YOU OF THEIR VIEWS?

PRE-SURVEY

Response	Count
Extremely respectful	41% (7)
Quite respectful	35% (6)
Somewhat respectful	12% (2)
Slightly respectful	12% (2)
Not at all respectful	0

©CHB West Star Elementary School Pilot - Gender Specific

POST- SURVEY

Response	Count
Extremely respectful	60% (9)
Quite respectful	33% (5)
Somewhat respectful	7% (1)
Slightly respectful	0
Not at all respectful	0

No response

1/1/2018

26

GIRLS: DURING THE LAST WEEK, HOW CLEARLY WERE YOU ABLE TO DESCRIBE YOUR FEELINGS?

PRE-SURVEY

Response	Count
Extremely clearly	18% (3)
Quite clearly	18% (3)
Somewhat clearly	18 (3)
Slightly clearly	24% (4)
Not at all clearly	18% (3)
No response	I would just walk away (comment)*

POST-SURVEY

Response	Count
Extremely clearly	33% (5)
Quite clearly	40% (6)
Somewhat clearly	7% (1)
Slightly clearly	7% (1)
Not at all clearly	13% (2)
No response	0

BOYS: OVER THE LAST WEEK, HOW OFTEN DID YOU TELL SOMEONE ELSE THEY DID A GOOD JOB?

PRE- SURVEY

Response	Count
Almost all of the time	9% (2)
Often	22% (5)
Sometimes	22% (5)
Once in a while	30% (7)
Almost never.	17% (4)
No response	0

POST- SURVEY

Response	Count
Almost all of the time	11% (2)
Often	39% (7)
Sometimes	22% (4)
Once in a while	28% (5)
Almost never.	0
No response	0

GIRLS CIRCLE SATISFACTION SURVEY

When asked on a scale of 1 to 5 with 5 being highest and completely satisfied, what score would you rate your time in Girls Circle?

80% gave a rating of 5

20% gave a rating of 4

When asked would you like to participate in Girls Circle again?

100% of the Girls responded with, Yes!



GIRLS CIRCLE SATISFACTION SURVEY



When asked, has your school attendance improved since joining Girls' Circle:

6 out of 15 said yes,
5 out of 15 said it stayed the same.
4 out of 15 said no.

GIRLS CIRCLE SATISFACTION SURVEY



When asked, have you had any positive behavior changes since joining Girls' Circle comments included:

- I have been more comfortable sharing things...
- I helped a lot...
- I am happier now...

WHAT DID YOU LEARN PARTICIPATING IN GIRLS CIRCLE?

- How to be nice.
- To be nice.
- To be kind.
- That we should be kind.
- I learned to be kind and a funster.
- To be respectful.
- That we are all very special.
- I learned that to be a good friend you don't have to hang out all the time.
- To be kind.
- Relationship.
- To respect other people.
- Everyone is unique.
- We need to always be kind and nicer.



BOYS COUNCIL SATISFACTION SURVEY

When asked on a scale of 1 to 5 with 5 being highest and completely satisfied, what score would you rate your time in Boys Council?

61% gave a rating of 5

9% gave a rating of 4

13% gave a rating of 3

When asked would you like to participate in Boys Council again?

74% of the Boys responded with, Yes!

(23 survey participants)*



BOYS COUNCIL SATISFACTION SURVEY



When asked, has your school attendance improved since joining Boys Council:

11 out of 23 said yes, (one yes, included because I like activities!)

1 out of 23 said “kinda”

5 out of 23 said no.

other responses: not really, good, everything, and a ? Mark.

BOYS COUNCIL SATISFACTION SURVEY



When asked, have you had any positive behavior changes since joining Boys Council comments included:

- To be more responsible...
- I have been good....
- I am getting better at respecting myself...

WHAT DID YOU LEARN PARTICIPATING IN BOYS COUNCIL?

- Complementing others.
- Nice.
- Not to bully.
- TALK.
- Stuff.
- Not flipping out!
- About not bullying.
- Emotions.
- Emotions.
- To be nice.
- Don't bully.
- About emotions.
- Be good.
- Feelings.
- About emotions.
- Share feelings.
- Stuff
- Not to bully.





WHAT
SHOULD WE DO
DIFFERENTLY NEXT
TIME!

Keep groups to recommended smaller numbers to get the most benefit and best overall results (especially for the BOYS!!)

Hold sessions for 1.5 hours
wherever possible!

Introduce more modules over longer periods of time to allow for the most growth of all participants!



OUR PROGRAM GRADUATES

Desert Star Elementary School 4th
Grade Pilot

Graduation Day
November 29, 2017



Thank you to our Teachers:
from left – Mrs. Angie
Ceballes, Mr. Ryal McMurray
& Mrs. Stacey Otero.





GRADUATION LINE

From left: School Counselors: Mrs. Blackbourne, Mrs. Chelcie Martin, Facilitators: Ms. Kim Richards, Ms. Michele Horrell, Mr. Paul Brusuelas and Mr. Keith Gerber.



Facilitators: Mr. Paul Brusuelas, *Class participants from Mrs. Ceballes & Mrs. Otero's Class, and Mr. Keith Gerber (far right).



THE BOYS

Go Crazy Graduation picture.
*Boys Facilitators and participants
from Mrs. Ceballes & Mrs. Otero's
Class.



THE GIRLS

Serious graduation picture

*Girls Facilitators and Class participants from Mrs. Ceballes & Mrs. Otero's Class.



THE GIRLS



Go crazy graduation picture

The 4th Grade Girls & Facilitators Ms. Kim Richards (left) and Michele Horrell (right).

The 4th Grade Girls &
Facilitators Michele
Horrell & Ms. Kim
Richards.



Thank you to our Alamogordo Public School Partners for giving us the opportunity to bring this program to our schools:

Mrs. Brenda Dorsey - Director of Alamogordo Public Schools.

Mrs. Teresa Irwin & Mrs. Kaye Crecelius – Principals’ Desert Star Elementary School.

Mrs. Angie Ceballes – 4th Grade teacher & her class, Desert Star Elementary School.

Mrs. Stacey Otero – 4th Grade teacher & her class, Desert Star Elementary School.

Mr. Ryal McMurray – Teaching Staff Desert Star Elementary School.

School Counselors: Mrs. Blackbourne and Mrs. Chelcie Martin – Desert Star Elementary School.





THE OTERO COUNTY JUVENILE JUSTICE BOARD



- **Mission** – To improve the quality of life for Youth in Otero County through a continuum of service options that connect youth and families to community resources that meet the individual needs of each family.
- **Vision** - All Otero County Youth are on the road to becoming resilient, self-sufficient healthy adults that are positively engaged in their community.
- **Board Priorities:**
 - To provide options for alternatives to detention for Youth.
 - To build resiliency and life skills that develop and strengthen Otero County Youth and families.
 - To divert and reduce the number of youth in the Formal Juvenile Justice System.
 - To build and maintain a continuum of services targeting prevention, intervention, diversion and reduction of youth risk behaviors (drug/alcohol use, delinquency, truancy).
 - To develop systemic improvements to local Juvenile Justice Case Processing.
 - To promote effective use of data to drive priorities and direction of programs.
 - To actively engage dis-connected youth in extracurricular and educational activities.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 01/30/2018

Report Date: 01/24/2018

Report No: 2.

Submitted By: Rachel Hughs

Subject: Approve the minutes for the January 9, 2018 Regular meeting. *(Rachel Hughs, City Clerk)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve the minutes.

Background: This is required by the Open Meetings Act.

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 P.M., COMMISSION CHAMBERS
January 9, 2018**

**RICHARD BOSS, MAYOR
JASON BALDWIN, COMMISSIONER
NADIA SIKES, COMMISSIONER
JENNY TURNBULL, COMMISSIONER
SUSAN PAYNE, COMMISSIONER**

**AL HERNANDEZ, MAYOR PRO-TEM
MAGGIE PALUCH, CITY MANAGER
PETRIA SCHREIBER, CITY ATTORNEY
RACHEL HUGHS, CITY CLERK**

CALL TO ORDER / ROLL CALL / INVOCATION / PLEDGE OF ALLEGIANCE

Mayor Boss called the meeting to order at 6:30 p.m. Roll Call was taken by the City Clerk. Commissioner Payne was absent. City Clerk Hughs announced there was a quorum present. Invocation was given by Deacon Tommy Williams and the Pledge of Allegiance was led Commissioner Sikes.

APPROVAL OF AGENDA

**Mayor Pro-Tem Hernandez moved to approve the agenda.
Commissioner Baldwin seconded the motion. Motion carried with a vote of 5-0-0.**

PUBLIC COMMENT

Bashar Nassar commented on the following:

Mr. Nassar spoke on Item 11, the Gross Receipts Investment Program (GRIP). He talked about Gerald Champion Regional Medical Center and the projects they have accomplished over the past three years. He spoke of the importance and need of these projects. He also said there are a lot of projects in the works right now.

Mayor Boss advised Mr. Nassar that there is a three minute time limit for public comment, but he thinks that this Commission would really love to hear this as a presentation. He advised Mr. Nassar to see City Clerk Hughs and this would allow him much more time to present this.

Mr. Nassar said they are putting together their strategic plan for the next five years and are in the process of putting together some documents and data so the Hospital can apply for the GRIP program. He said on behalf of Gerald Champion and their strong employees and physicians, they urging the Commission to really consider to not restricting the ability to go back and file for prior projects and at least allow them to apply for what they have incurred in expenses over the past three years.

CITY MANAGER'S REPORT

City Manager Paluch made the following remarks:

1. She said destruction for 508 Maryland is scheduled for January 22, 2018 and possibly on January 23, 2018. She wanted to let the public know to stay away of this address on those dates.
2. She said on February 5th there will be a Public Meeting for anyone in the public to give input on the draft Comprehensive Plan. The Meeting will be at the Civic Center at 6:00 pm until 8:00 pm.
3. She said staff had a new website design kickoff meeting. She said at that meeting they discussed new photos, must-haves, and basic design elements. She said we are going to have separate department header pages. She said there will be four; one for the Police Department, one for the Fire Department, one for the Library and one for the Zoo. Those department headers are going to look completely different than the City of Alamogordo's website. The Police Department, for example will be

able to add specific buttons that pertain to them; whatever the police department sees as being a benefit to their department.

4. She said on January 20, 2018, the White Sands Beautification Committee is having their first clean up day. The volunteer cleanup will be on White Sands Boulevard and it is encompassing the areas of First Street up to Tenth Street. All volunteers are welcome and the meet up time is at 9:30 a.m. at the McDonald's parking lot. The Keep Alamogordo Beautiful program is supplying the gloves, the trash bags and the trash picker uppers. She said we are looking for volunteers in the community that have weed whackers to take down some of the weeds in the area.

5. She said the Golf Course ponds were lined a couple of years ago, but unfortunately due to the esthetic design around the ponds to make them fit within the golf course was not funded at that time. She said it is now funded, so the bid for design for ponds one through three has been published. The opening date is January 18th at 2:00 p.m. Hopefully, the Commission will be able to see the award on their January 30th meeting.

6. She said staff is extremely busy gathering data for the FY 19 Budget. She said currently all the departments are projecting their budgets throughout the end of this year, and next year as well, to determine what funding is needed. The initial budget entry will be completed on January 19th. The budget process is very extensive, it takes about 6 months to complete before the Commission actually gets to approve the budget in May. She announced the Commission is going to see a new Capital Equipment Replacement Program. She said that will help staff budget adequately for Capital needs in the future.

7. She acknowledged our Law Enforcement for Law Enforcement Appreciation Day. She thanked all of our Police Officers for their hard work and their dedication to our community. She gave the public a few stats about the Department in the first two quarters of our fiscal year. She said in the last six months the Police Department responded to 7,274 calls for service that included writing 2,519 traffic citations, 431 non-traffic citations, 2,019 arrests, 50 DWI arrests and 597 warrants served. She said these numbers are huge, especially right now because we are short staffed.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

None.

CONSENT AGENDA

1. Approve the minutes for the December 19, 2017 Regular meeting. (Rachel Hughs, City Clerk)

2. Approve the statements related to the Executive Session held on December 19, 2017. (Rachel Hughs, City Clerk)

3. Approve Resolution No. 2018-01 determining reasonable notice of meetings of the Alamogordo City Commission (Open Meetings Act). (Rachel Hughs, City Clerk) (Roll Call Vote Required)

4. Approve the Annual Reports from City Boards, Commissions and Committees for Calendar Year 2017. (Rachel Hughs, City Clerk)

5. Consider and act upon, final publication of Ordinance No. 1547 an ordinance repealing Appendix B (Employee Manual) of the City of Alamogordo Code of Ordinances, and replacing it with a new Employee Manual. (Katie Josselyn, Human Resources Director and Maggie Paluch, City Manager) (Roll Call Vote Required)

6. Consider and act upon, final publication of Ordinance No. 1552, creating a Separate Violation for Failure to Comply with Municipal Court Orders. (Petria Schreiber, City Attorney) (Roll Call Vote Required)

7. Consider and act upon, final publication of Ordinance No. 1557 and agreement approving a local economic development project for secured financial assistance proposed by Precheck, Inc. (Petria Schreiber, City Attorney) (Roll Call Vote Required)

8. Approve application for a grant from the Department of Homeland Security/Assistance to Firefighter's Grant Program (AFG) related for the purchase of a Class A apparatus, Personal Protective Equipment (PPE), and Self Contained Breathing Apparatus (SCBA). (Jim LeClair, Fire Chief)

9. Approve the Resident Parking Only, Mobility Disabled Resident Parking Only, and Commercial Mobility Disabled Parking Only sign locations for the purpose of determining continuance of each location. (Eric Barraza, Deputy City Clerk)

Commissioner Baldwin asked to remove Item # 4 and 7 from the Consent Calendar.

Mayor Pro-Tem Hernandez moved to approve items 1,2,3,5,6,8,9 of the consent calendar.

Commissioner Baldwin seconded the motion.

Roll call vote was taken.

Motion carried with a vote of 5-0-0.

ITEMS REMOVED FROM CONSENT AGENDA

4. Approve the Annual Reports from City Boards, Commissions and Committees for Calendar Year 2017. (Rachel Hughs, City Clerk)

Commissioner Baldwin said he wanted to remove this item to make a few comments. He said there are 11 or 12 different Committees that citizens fill the seats on those committees. He said altogether there are probably 50 or 60 people that take time out of their days to do the work for the City before it even comes to us. He said those Boards are also overseen by staff members, Department Heads and other people within the City. They do a tremendous amount of work. It certainly makes our jobs, as Commissioners, a lot easier and there are a lot of people out there that really care. He said as these reports hit us right here on our consent agenda, he just wanted to say thanks to all the people involved on these committees, it is a tremendous amount of work.

Mayor Boss said the reason it was put on the consent agenda was not to avoid recognizing the people, but within the next few meetings we are going to have each committee and board making individual presentations to the Commission, so we are going to hear those reports.

City Manager Paluch said yes, just like last year the Committees will come before the Commission and they will talk about what they did over the past year. You will get to see either a power point presentation or them, just speak about their achievements. Mayor Boss thanked Commissioner Baldwin for recognizing them.

Commissioner Baldwin moved to approve.

Mayor Pro-Tem Hernandez seconded the motion.

Motion carried with a vote of 5-0-0.

7. Consider and act upon, final publication of Ordinance No. 1557 and agreement approving a local economic development project for secured financial assistance proposed by Precheck, Inc. (Petria Schreiber, City Attorney) (Roll Call Vote Required)

City Attorney Schreiber asked to pull this item because there will be one change to the Project Participation Agreement. She said under section 2(D), entitled Documentation of Completion of Construction Phases, the last line just says deconstruction schedule attached as attachment B. She said there is no attachment B, there never was one. She said we are fine but that last sentence just needs to be stricken from this Project Participation Agreement. If the Commission would like to consider and act on it, it would need to be with that line stricken.

Mayor Boss asked City Attorney Schreiber to repeat which line needs to be stricken. She explained where to find the line that needs to be stricken. She said Mr. Mark Roper is in attendance and said that she has spoken with Mr. David Matthews who is the Attorney for the New Mexico Economic Development Department and we are all on board with this being stricken and going through as is.

Mayor Pro-Tem Hernandez moved to approve as amended.

Commissioner Turnbull seconded the motion.

Roll call vote was taken.

Motion carried with a vote of 5-0-0.

NEW BUSINESS

10. Consider and act upon, first publication of Ordinance No.1560 and agreement approving a Local Economic Development Project for Secured Financial Assistance proposed by Drought Adaptation Industries, LLC. (*Petria Schreiber, City Attorney*) Roll Call Vote Required

City Planner Williams spoke on Drought Adaptation Industries and their LEDA application. He said their focus is on agriculture improvement and combating drought. He said initially they are looking at six to ten employees the first year, but by the third year a total of 14 employees. He said if numbers prove as they anticipate that may go up significantly. He said the LEDA panel for the City met and unanimously recommend this for approval. He said their project is incredibly strong from the tenants of what LEDA is about in the manufacturing phase, exportation out of New Mexico. Not to mention the economic impact response we received from the New Mexico Economic Development Department was very favorable as well. He said their business plan is well put together and ultimately the security provided is the building itself. They were able to purchase it at an unimproved status and with all the improvements it will almost meet the entirety of the funding they are requesting. He said the security is pretty solid.

Mayor Boss commented that he had the opportunity to meet with Mr. Bell. He said he was invited out there several months ago and was able to spend some time out there. He was also given a copy of the business plan and was able to review it. He said he was very impressed with what they are doing.

Commissioner Baldwin moved to approve.

Mayor Pro-Tem Hernandez seconded the motion.

Roll call vote was taken.

Motion carried with a vote of 5-0-0.

11. Consider and act upon, first publication of Ordinance No. 1561 to amend Sections 2-15-040 and 2-15-050 of the Alamogordo Code of Ordinances Regarding the Gross Receipts Investment Program. (*Petria Schreiber, City Attorney*) Roll Call Vote Required

City Attorney Schreiber said Paralegal Williams will present this to the Commission.

Paralegal Williams said these amendments are in response to some questions that came up when they had the GRIP application from Malhotra Foods for the Subway project. She said the first one is in 2-15-40, we are adding in section 1 where it says the expansion or rehabilitation of an existing structure, this she thinks clarifies the intent of this which is adding jobs by expanding or rehabilitating an existing a building as the gentleman from Subway did. She said in the next section we added two paragraphs. She said this was in response to some questions that Commissioner Baldwin had as far as the timing of the application from Subway. She said in conversation with our Finance Department the way that these projects run we have to keep track of the gross receipts taxes that they are paying on construction. If a project is large, it could potentially wipe out the entire budget that they have of \$100,000 and then they have nothing left. She said her suggestion was if the application is thought to be over \$10,000 returned to the business owner, they would need to get it approved before they commence the project. That way we can set up an account and the money goes into that account to be paid to them and it doesn't impact our \$100,000 budget. If it is less than \$10,000 we've got the wiggle room to make that work and

it just makes it a little bit easier for there to be multiple projects moving at the same time. Because of the fact that there is only \$100,000 there, we don't want to have a huge project come in and just take it all first thing in the new year and then we have nothing left for anyone else.

Mayor Boss asked if we have not utilized the GRIP program. He said he cannot recall in the two years that he has been here that this has been used.

Paralegal Williams said Albertsons was one and she thought their return was about \$75,000. She said her records show that there have only been six or seven of these projects. Mayor Boss said in the last couple of years he cannot recall one. Paralegal Williams said the intent, as is with the LEDA projects, is to make these things better known so that people can use them and with that process in mind we don't want to run out of budgeted funds and have to say to somebody we are sorry, we can't help you.

Commissioner Baldwin moved to approve.

Commissioner Turnbull seconded the motion.

Roll call vote was taken.

Motion carried with a vote of 5-0-0.

12. Consider and act upon, Resolution No. 2018-04 authorizing execution of a Gross Receipts Investment Program ("GRIP") Agreement between the City of Alamogordo and Malhotra Foods, Inc. (Petria Schreiber, City Attorney) Roll Call Vote Required

Paralegal Williams said this is the agreement that was brought in November. She said they have confirmed that all of the compensating taxes and everything were paid. She said there was some question to that because he bought a lot of equipment from out of state. She said his reimbursement on the City's portion of the gross receipts is \$3,425.21.

Mayor Pro-Tem Hernandez asked if we have relayed this to them. Paralegal Williams answered yes.

Mayor Pro-Tem Hernandez moved to approve.

Commissioner Sikes seconded the motion.

Roll call vote was taken.

Motion carried with a vote of 5-0-0.

13. Appointments to Boards and Committees. (Richard Boss, Mayor)

Mayor Boss read the openings and appointed Jose Rodriguez to the Mayor's Committee on Aging. No one was opposed.

Mayor Pro-Tem Hernandez made the following comments:

He said today was filing day for three seats that we have come open. He said he appreciates everybody who has stepped up and put their name in the hat. He said good luck and welcome to this thankless job that we have.

Commissioner Baldwin said if any of you are sitting in the audience today; do not think this is a regular length meeting.

Commissioner Turnbull moved to adjourn at 7:03 p.m.

Mayor Pro-Tem Hernandez seconded the motion.

Motion carried with a vote of 5-0-0.

ADJOURNMENT

Mayor Richard Boss

ATTEST:

City Clerk Rachel Hughs

(Prepared by Eric Barraza, Deputy Clerk)

Approved at the Regular Meeting held on January 30, 2018.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 01/30/2018

Report Date: 01/25/2018

Report No: 3.

Submitted By: Rachel Hughs

Subject: Approve Resolution No. 2018-05 listing the Candidates as they will appear on the ballot, designating polling places and appointing the Precinct Board Members for the March 6, 2018 Municipal Election. *(Rachel Hughs, City Clerk)* **(Roll Call Vote Required)**

Fiscal Impact: \$3,515.00

Amount Budgeted: \$34,000.00

Fund: 011-2001-411.57-01 Election Expenses

Additional Fiscal Impact:

Recommendation: Approve the resolution. **(Roll Call Vote Required)**

Background:

This resolution lists the candidates for Mayor At-Large, Districts 2, 4, 6 and Municipal Judge as they will appear on the ballot. It also designates the polling places to be used and lists the names of the Precinct Board Members. As required by law, the resolution will be published in the Alamogordo Daily News on Sunday, February 11, 2018 and Sunday, February 18, 2018.

Payments to Poll Workers will be as follows: Presiding Judges - \$175.00; Election Judges and Election Clerks - \$145.00; Alternates will be paid \$20.00 to stand-by on Election Day. This is necessary in case of a vacancy in a precinct board prior to or on Election Day.

RESOLUTION NO. 2018-05

RESOLUTION PROVIDING NOTICE OF THE CANDIDATES FOR OFFICE, DESIGNATING THE POLLING PLACES, AND APPOINTING THE PRECINCT BOARD MEMBERS FOR THE MARCH 6, 2018 ELECTION.

In connection with the Regular and Special Municipal Election to be held on Tuesday, March 6, 2018, and pursuant to Section 3-8-30 NMSA 1978:

- A. Notice is hereby given that the following qualified electors are candidates for public office in the City of Alamogordo, New Mexico.

The names of the candidates are listed in the order they will appear on the ballot as determined by the drawing by lot.

1. For the office of Mayor At-Large for a four-year term:
Paul Chez Sanchez
Richard A. Boss
2. For the office of District Two (2) City Commissioner for a four-year term:
Mercedes E. Ramos
Scott Allyn Fredrick
Eddie L. Kemp
Craig A. Danekas
Nadia A. Sikes
3. For the office of District Four (4) City Commissioner for a four-year term:
Christina L. Martinez
Joshua W. Rardin
4. For the office of District Six (6) City Commissioner to complete a four-year term in 2020:
Mark W. Tapley
Dustin Kyle Wright
5. For the office of Municipal Judge for a four-year term:
Mike Rosales
Richard P. Sharrio
Steven O. Lee

- B. Notice is hereby given that the following polling places shall be used for the conduct of the Election: Precincts shall be consolidated and the following locations have been designated as polling places:

Districts 1-6:

Otero County Fairgrounds, Extension Office Meeting Room, 401 Fairgrounds Road
Sgt. Willie Estrada Memorial Civic Center, 800 East 1st Street
Tays Special Events Center, 2235 North Scenic
Absentee/Early Voting: City Clerk's Office, 1376 E. Ninth Street

NOTE: Positions for Mayor At-Large and Municipal Judge will be on the ballot citywide; however, the position of City Commissioner will be on the ballot only in Districts 2, 4 and 6.

- C. The following Precinct Board members have been appointed:

OTERO COUNTY FAIRGROUNDS – EXTENSION OFFICE MEETING ROOM

Presiding Judge: Eddie Roberts
Election Judge: Janet Cuatt
Election Judge: Earline Elias
Election Judge/Clerk: Irene Ransom
Election Clerk: Audra Smith
Election Clerk/Interpreter: Lina Duran

SGT. WILLIE ESTRADA MEMORIAL CIVIC CENTER

Presiding Judge: Jean Branch
Election Judge: Robert Hester
Election Judge: Debra Bowman
Election Judge/Clerk: Debra Garcia
Election Judge/Clerk: Ella Raye Reliford
Election Clerk: Leslie Casiano
Election Clerk/Interpreter: Joann Reynolds

TAYS SPECIAL EVENTS CENTER

Presiding Judge: Seona Black
Election Judge: Charles Templeton
Election Judge/Clerk: Gary Black
Election Judge/Clerk: Karen Hutchison
Election Clerk: Gloria Bailey
Election Clerk/Interpreter: Stella Rael

ABSENTEE/EARLY PRECINCT – Clerk's office

Presiding Judge: Lewis Branch
Election Judge: Sharon McDonald
Election Judge/Clerk: Wanda Mendenhall
Election Clerk: Carole Turowski

- D. Precinct Board Members are paid as follows:
Presiding Judges - \$175 for the 12-14 hour day
Election Judges and Clerks - \$145 for the 12-14 hour day.
Alternates - \$20 to standby for Election Day.

- E. Notice is hereby given that a Precinct Board Election School will be held on the 1st day of March 2018 at 2:00 p.m. at the Willie Estrada Memorial Civic Center, 800 E. First Street, Alamogordo, NM. The school is open to the public.

PASSED, APPROVED AND ADOPTED THIS 30th day of January 2018.

CITY OF ALAMOGORDO, NEW MEXICO,
a New Mexico municipal corporation

ATTEST:

Richard Boss, Mayor

Rachel Hughs, City Clerk

APPROVED AS TO FORM:

Petria Schreiber, City Attorney

RESOLUCIÓN 2018-05

RESOLUCIÓN QUE INCLUYE LA NÓMINA DE CANDIDATOS A FUNCIONARIOS PÚBLICOS, LA LISTA DE RECINTOS ELECTORALES Y EN LA QUE SE DESIGNAN LOS MIEMBROS DE LA JUNTA DIRECTIVA DE LOS RECINTOS ELECTORALES PARA LAS ELECCIONES A CELEBRARSE EL 6 DE MARZO DE 2018.

En relación a la Elecciones municipales Regulares y Especiales que habrán de celebrarse el martes 6 de marzo de 2018, y conforme a la Sección 3-8-30 NMSA 1978.

- A. Por la presente se notifica al público que los siguientes electors competentes son los candidatos postulados para puestos de funcionarios públicos en el Municipio de Alamogordo, Nuevo México.

Los nombres de los candidatos aparecerán aquí en el mismo orden en el que estarán en las papeletas de votación. El orden ha sido determinado al azar.

1. Para el puesto de Alcalde por un término de cuatro años:
Paul Chez Sanchez
Richard A. Boss
2. Para el puesto de Comisionado Municipal del Distrito (2) por un término de cuatro años:
Mercedes E. Ramos
Scott Allyn Fredrick
Eddie L. Kemp
Craig A. Danekas
Nadia A. Sikes
3. Para el puesto de Comisionado Municipal del Distrito (4) por un término de cuatro años:
Christina L. Martinez
Joshua W. Rardin
4. Para el puesto de Comisionado Municipal del Distrito (6) para terminar un término de cuatro años en 2020.
Mark W. Tapley
Dustin Kyle Wright
5. Para el puesto de Juez Municipal por un término de cuatro años:
Mike Rosales
Richard P. Sharrio
Steven O. Lee

- B. Por la presente se notifica que para estas elecciones se emplearán los recintos electorales que aparecen a continuación: Se consolidarán los recintos electorales y los lugares que se mencionan a continuación han sido designados en calidad de colegios electorales:

Distritos 1 – 6:

Otero County Fairgrounds, Extension Office Meeting Room, 401 Fairgrounds Road

Sgt. Willie Estrada Memorial Civic Center, 800 East 1st Street

Tays Special Events Center, 2235 North Scenic

Votos En Ausencia: Oficina del la Secretaria del Municipio, Calle 9 # 1376 Este

NOTA: Para alcalde en general y juez municipal estara en la boleta electoral en toda la ciudad, sin embargo, la posicion del comisionado de la ciudad estara en la boleta solo en los distritos 2, 4, y 6.

C. Han sido nombrados los siguientes miembros de la Junta de Recintos Electorales:

OTERO COUNTY FAIRGROUNDS – EXTENSION OFFICE MEETING ROOM

Juez que Preside: Eddie Roberts

Juez de Elecciones: Janet Cuatt

Juez de Elecciones: Earline Elias

Juez de Elecciones/Secretaria: Irene Ransom

Secretaria de Elecciones: Audra Smith

Secretaria de Elecciones/Interprete: Lina Duran

SGT. WILLIE ESTRADA MEMORIAL CIVIC CENTER

Juez que Preside: Jean Branch

Juez de Elecciones: Robert Hester

Juez de Elecciones: Debra Bowman

Juez de Elecciones/Secretaria: Debra Garcia

Juez de Elecciones/Secretaria: Ella Raye Reliford

Secretaria de Elecciones: Leslie Casiano

Secretaria de Elecciones/Interprete: Joann Reynolds

TAYS SPECIAL EVENTS CENTER

Juez que Preside: Seona Black

Juez de Elecciones: Charles Templeton

Juez de Elecciones: Gary Black

Juez de Elecciones/Secretaria: Karen Hutchison

Secretaria de Elecciones: Gloria Bailey

Secretaria de Elecciones/Interprete: Stella Rael

RECINTO PARA VOTANTES EN AUSENCIA - Oficina del la Secretaria del Municipio

Juez que Preside: Lewis Branch

Juez de Elecciones: Sharon McDonald

Juez de Elecciones/Secretaria: Wanda Mendenhall

Secretaria de Elecciones: Carole Turowski

- D. Los Jueces seran pagados como lo suguiete:
Jueces que Presiden - \$175 por 12-14 horas al dia.
Jueces de Elecciones y Secretarios - \$145 por 12-14 horas al dia.
Alternos - \$20 por el dia de eleccion.
- E. Por la presenta se notifica que una escuela de ellectiones para el Colegio Electoral de la Junta Recinto (Precinct Board Election School) el dia 1 de marzo de 2018 a las 2:00 p.m. en el Willie Estrada Memorial Civic Center ubicado en el 800 Este de la calle Primera (800 E. First Street) en

Alamogordo, NM. El colegio esta abierto al publico.

ACORDADO, APROBADO, Y ACEPTADO ESTE día 30 de enero de 2018.

MUNICIPIO DE ALAMOGORDO, NUEVO MÉXICO.
Una corporación municipal de Nuevo México.

Por: _____
Richard Boss, Alcalde

DOY FE:

Rachel Hughs, Secretaria Municipal

APROBADO EN CUANTO AL FORMULARIO:

Petria Schreiber, Abogada Municipal

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 01/30/2018

Report Date: 01/25/2018

Report No: 4.

Submitted By: Kitty Williams

Subject: Consider, and act upon, final publication of Ordinance No.1560 and agreement approving a Local Economic Development Project for Secured Financial Assistance proposed by Drought Adaptation Industries, LLC. (*Petria Schreiber, City Attorney*) **Roll Call Vote Required**

Fiscal Impact: \$357,840

Amount Budgeted: \$0.00

Fund: Fund 105 Economic Development

Additional Fiscal Impact:

Recommendation: Approve Ordinance No.1560 for final publication

Background: Drought Adaption Industries, LLC is seeking LEDA assistance to purchase the building at 1505 Highway 70 and make infrastructure upgrades to begin manufacture of products for sale, resulting in a total of fourteen new jobs.

ORDINANCE NO. 1560

APPROVING A LOCAL ECONOMIC DEVELOPMENT PROJECT FOR SECURED FINANCIAL ASSISTANCE PROPOSED BY DROUGHT ADAPTATION INDUSTRIES, LLC.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF
ALAMOGORDO, NEW MEXICO that the following is added to the municipal code:

Pursuant to the City of Alamogordo Economic Development Plan, Ordinance No. 983 and NMSA 1978 Section 5-10-1, et seq. (Local Economic Development Act – “the Act”), the proposed economic development project of Drought Adaptation Industries, LLC., (“the Company”) which is on file with the City Clerk and available for public inspection, is approved for the purposes set forth in NMSA 1978 Section 5-10-1, et seq. and the City of Alamogordo is authorized to enter into a Project Participation Agreement (“The Agreement”) with the Company as required by Section 10 of the Act, and in substantially the same form as attached hereto, the terms of which are incorporation herein.

The City Commission finds as follows:

1. The Company is an entity as defined in NMSA 1978, Section 5-10-3G;
2. Under the Agreement, the Company will provide a substantive contribution for the proposed project as described in NMSA 1978, Section 5-10-10B in the form of employment and improved tax base;
3. The Agreement complies with the requirements of the Act and Ordinance No. 983;
4. The benefit of the proposed project to the City of Alamogordo is repayment of financial assistance and other benefits arising from employment

and economic activity under the project which exceeds the cost to the City of providing to the Company the assistance specified in the agreement, and

5. The Agreement complies with the requirements of Section 10 of the Act and is hereby adopted and approved.

BE IT FURTHER ORDAINED, that the Mayor of the City of Alamogordo, New Mexico is authorized and directed to do all things necessary to implement this ordinance that is lawfully adopted.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2018.

CITY OF ALAMOGORDO, NEW MEXICO
a New Mexico municipal corporation

By: _____
Richard Boss, Mayor

ATTEST:

Rachel Hughs, City Clerk

APPROVED AS TO FORM:

Petria Schreiber, City Attorney

CITY OF ALAMOGORDO
ECONOMIC DEVELOPMENT
PROJECT PARTICIPATION AGREEMENT

THIS PROJECT PARTICIPATION AGREEMENT (“Agreement”) is made and entered into this ____ day of _____, 2018 by and between the City of Alamogordo, a municipal corporation (hereinafter referred to as the “City”) and Drought Adaptation Industries, LLC. (hereinafter referred to as “DAI”) in accordance with the Local Economic Development Act (N.M.S.A. §5-10-1 et. seq. (1978) and City Ordinance 983 adopted August 13, 1996, in order to complete an economic development project associated with purchase and physical improvements to the facility located at 1505 W. Highway 70, Alamogordo, New Mexico, 88310 (hereinafter referred to as “Project”).

1. CONTRIBUTIONS OF THE CITY AND DAI

A. Contributions of the City. The maximum grant monies that may be disbursed under this agreement shall be three hundred fifty-seven thousand, eight hundred forty dollars (\$357,840).

1. Disbursement of Grant Monies: Dispersal of the project funds by the City are contingent upon the following:

(a) shall submit to the City for review, a cover letter, invoice and supporting documentation for each Project phase.

- (i) Purchase of the property located at 1505 Highway 70, Alamogordo, New Mexico.
- (ii) Infrastructure upgrades to the building intended for offices and production to the property located at 1505 Highway 70, Alamogordo, New Mexico in preparation for utility upgrades.
- (iii) Utility upgrades to the property located at 1505 Highway 70, Alamogordo, New Mexico.
- (iv) Purchase of additional equipment and technology to commence and continue manufacture and production at the facility located at 1505 Highway 70, Alamogordo, New Mexico.

(b) The City shall reimburse to DAI the Grant Monies not to exceed \$357,840 within a reasonable time after the City’s review and acceptance of each phase of the project.

B. Contributions of DAI.

(1) Financial Investment: DAI shall contribute additional funding as provided by outside investors along with the value of the proprietary technology required to manufacture.

(2) Project Management: Unless otherwise specified in this Agreement, DAI shall be responsible for managing all parts of the Project.

(3) Jobs Creation: The improvements to the facilities is anticipated to create 14 jobs over the course of the next three years.

(4) Full-Time Equivalent Direct Employment: Within three years after the date of this Agreement, DAI will have created 14 direct full-time equivalent employment jobs, which must be retained for at least one year, and meet the schedule of job creation and minimum average wages pursuant to the Job Creation Schedule. See **Attachment "A"**.

(3) Expanded Tax Base: As a result of the completion of the Project, DAI will generate contributions to the City's tax base, as enumerated in the Economic Impact Report. See **Attachment "B"** Annual tax revenues for the City generated by this Project (including property taxes, gross receipts taxes, utility fees, utility franchise fees, lodger's taxes and other use taxes) are estimated

(4) Proportional Investment: DAI, at its discretion, may decide to not accept the entire \$357,840 in grant monies for the Project. If the entire granted monies are not accepted, the capital investment and job creation requirements would then decrease proportionally to the level of grant monies accepted. DAI shall notify the City 30 days prior to its decision.

(5) Performance: DAI shall commence purchase of the building and improvements within sixty (60) days of the execution of this agreement. Should improvements not commence within that time period, DAI will be considered in default and the Agreement will terminate as noted in Section 7 of this agreement.

(6) Job Period: Hiring of reportable employees shall commence as soon as the company certifies to the City that production has begun and the job period for reporting purposes will commence upon hiring of the first reportable employees.

2. PERFORMANCE REVIEW AND CRITERIA

A. Economic Development Goals. The following Project and Economic Development Goals shall be fulfilled:

(1) By the end of the year 2018, after completion of the renovations of the facilities, DAI shall employ at least six (6) new full-time equivalent employees in the City, in accordance with the minimum average wage in the Job Creation Schedule. See **Attachment "A"**.

Example: By the end of the year 2019, DAI will have at least ten (10) new full-time equivalent jobs: at least four (4) of those new jobs will have been created

that same year, and at least six (6) new jobs will have been retained from the prior year. The ten (10) new full-time equivalent jobs shall have a minimum average wage of \$18,270 per year.

(2) By the end of the year 2020, DAI shall employ a total of no fewer than fourteen (14) full-time equivalent production employees in the City of Alamogordo in accordance with the minimum average wage data points in the Job Creation Schedule.

(3) DAI's contribution as set forth in Paragraph 1.B herein, is incorporated into the Economic and Development Goals.

(4) If any Economic Development Goal set forth in Paragraph 2.A is not met in a manner deemed satisfactory by the City, the City shall within 30 days send a written Notice of Default informing DAI how many days it has to cure the default or repay the Grant Monies expended in proportion to the Economic Development Goals not yet achieved. If DAI has not documented to the City's satisfaction that the default has been cured or repaid by that time, the City may elect to foreclose on the security interest and terminate this Agreement.

B. Reports; Certifications; Review.

(1) Reporting. During the term of this Agreement, DAI shall provide to City of Alamogordo staff quarterly reports proving the job creation requirements in **Attachment "A"** have been met, and the taxes generated and other indices contained in the Economic Impact Report. Quarterly reports shall be in the form of an affidavit signed by an officer of DAI. Quarterly reports shall include a copy of FORM ES-903 provided by DAI to the City, which have been filed with the New Mexico Department of Workforce Solutions, to demonstrate compliance with this Agreement at each review cycle. The quarterly report shall include number of jobs and the average wage of the new employees. The City's review of the biannual reports shall determine whether DAI is in compliance with this Agreement and is substantially achieving the goals and objectives herein.

(2) Annual Reports. The City may require DAI to provide annual reports to the City's governing body. The City will give DAI a minimum of 30 days' notice if reports to the governing body is required. City staff shall review these reports to ensure DAI's compliance with this Agreement in accordance with the Job Creation Schedule.

(3) Expanded Tax Base Report: Within a reasonable time after completion of the construction of the facilities, but in any event by the next biannual report, DAI shall provide to the City a written report on the construction jobs and wages created and the economic impacts thereof.

(4) Certification of Non-Interest. DAI shall certify to the City that no member, officer, or employee of the City or its designees or agents, no member of the governing body of the locality of which the program is situated, and no other public official that exercises any functions or responsibilities with respect to the Project during his/her tenure, or for one year thereafter, has any interest, direct or indirect, in DAI or any contract or subcontract, or the

process thereof, for work to be performed in connection with the Project that is the subject of this Agreement. DAI shall certify that such a provision shall be included in all contracts and subcontracts in connection with the Project.

D. Documentation of Completion of Construction Phases: Within a reasonable time after completion of each phase listed in Paragraph 1.A herein, DAI shall provide documentation of its completion to the City of Alamogordo.

3. RECAPTURE PROVISIONS FOR PUBLIC MONEYS

A. In the event that, by the end of year three (3) after necessary renovation of the facilities is complete, DAI has employed less than fourteen (14) new full-time equivalent employees in the City, they shall be deemed to be in default (“Default”), and within 60 days of the City receiving the biannual report with information of such default, the City shall send a written Notice of Default informing DAI how many days it has to cure the default or repay the Grant Monies expended, in proportion to the Economic Development Goals not yet achieved. If DAI remains noncompliant after any applicable cure period, then the City may elect to pursue any and all remedies available in law or equity, including but not limited to initiating foreclosure of the security interest or demanding timely repayment of the Grant Monies in proportion to the unmet goals, as the City in its sole discretion may determine subject to reasonable calculations.

B. In the event DAI ceases operations and closes its facility before the end of year three of this Agreement, they shall be deemed in Default shall reimburse 100% of all Grant Monies in the amount of Three Hundred Fifty-seven Thousand, Eight Hundred Forty dollars (\$357,840) to the City of Alamogordo Economic Development Fund.

C. If DAI is still in business by 2022 and has employed fourteen (14) new full-time equivalent production employees for the immediately prior six (6) month period in accordance with the minimum average wage requirement in **Attachment “A”** while retaining the prior employment figures, there shall be no repayment obligations to the City and the State. DAI has until 5 years from the date of the Agreement to complete its obligations to the City and State.

4. DAI BUYOUT

DAI may, at its election, buyout and thereby terminate this Agreement by repaying in full to the City all Grant Monies. Such repayment shall be without penalty until and unless the City initiates clawback of the Grant Monies, at which point costs, expenses (including City staff time) and attorney’s fees will accrue to the repayment amount.

DAI must send prior written notice to the City of its intent to repay in full the Grant Monies at least 45 days prior to the repayment. The City’s receipt of the repayment of all disbursed Grant Monies (including any costs, fees and expenses resulting from clawback proceedings) constitutes satisfaction under this Agreement, upon which DAI may request release of the security interest, and the City will release the security interest within a reasonable time after receiving the written request.

5. SECURITY FOR CITY'S INVESTMENT; CLAWBACK

This is a grant project only, with the City acting as fiscal agent. DAI has no loan obligations for repayment to the City or State, but is obligated to fulfill the Economic Development Goals of this Agreement, however if DAI is found by the City to be in default, then the City may elect to demand financial reimbursement.

A condition precedent to this PPA is securitization of the Grant Monies which may be clawed back if DAI fails to meet its performance goals under this PPA. As security for fulfilling the Economic Development Goals, before the City may disburse any appropriations, the amount of Public Monies to be reimbursed shall be securitized in a manner satisfactory to the City.

If DAI exceeds the employment goal of fourteen (14) full-time equivalent employees for a six (6) month period subsequent to June, 30, 2020, it may petition for release of the security, which permission shall not unreasonably be withheld.

6. TERM; SUNSET

This Agreement shall remain in force for 5 years from the execution date of the Agreement, or until conditions of the Agreement are performed in full or to the satisfaction of the City, whichever is earlier. In the event DAI performs or exceeds the required performance levels contained in this Agreement, as may be determined by the City, this Agreement may be terminated at that time in writing by the City pursuant to Paragraph 7, below.

This Agreement will not be deemed terminated and this Agreement will remain in effect unless and until the City determines that the objectives under this Agreement have been fulfilled and a closure letter by the City is provided to DAI.

7. TERMINATION

This Agreement may be terminated by the City upon written notice delivered to DAI at least 45 days prior to the intended date of termination in the event that DAI ceases to operate the Project in accordance with the terms of this Agreement. If DAI is found to not be in substantial compliance with the Agreement, the City reserves the right to terminate the Agreement and recall in full the Grant Monies.

DAI may terminate the Agreement by pre-paying in full to the City and without penalty any Grant Monies disbursed. Notice of intent to pre-pay the Grant Monies must be delivered in writing within 45 days prior to the intent to repay in full the Grant Monies

7. STATUS OF THE QUALIFYING ENTITY

DAI, and its agents and employees are not employees of the City, and shall not accrue leave, retirement, insurance, bonding, use of City vehicles or any other benefits afforded to

employees of the City as a result of this Agreement. DAI shall be solely responsible for payment of wages, salaries and benefits to any and all employees or subcontractors retained by Contractor in the performance of the services under this Agreement.

8. **ASSIGNMENT AND SUCCESSORS; BINDING EFFECT**

- A. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors in interest by way of merger, acquisition, or otherwise and their permitted assigns.
- B. DAI shall not assign or transfer any of its rights, privileges, obligations or other interest under this Agreement, voluntarily or involuntarily, whether by merger, consolidation, dissolution, operation of law or any other matter, including any claims for money due or to become due under this Agreement, without the prior written approval of the City.
- C. Any purported assignment of rights in violation of subsection (B) is void.

10 **INDEMNIFICATION; LIABILITY**

It is expressly understood and agreed by and between DAI and the City that DAI shall defend, indemnify and hold harmless the City for all losses, damages, claims or judgments on account of any suit, judgment, execution, claims, actions or demands whatsoever resulting from DAI's actions or inactions as a result of this Agreement, as well as the actions or inactions of DAI's employees, agents, representatives and subcontractors. The qualifying entity shall maintain adequate insurance in at least the aggregate maximum amounts which the City could be liable consistent with the provisions of the New Mexico Tort Claims Act. It is the sole responsibility of DAI to be in compliance with the law.

11. **INSURANCE**

A. DAI, at its own cost and expense, shall carry and maintain in full force and effect during the term of this Agreement, comprehensive general liability insurance covering bodily injury and property damage liability, in a form and with an insurance company acceptable to the City, with limits of coverage in the maximum amount which the City could be held liable under the New Mexico Tort Claims Act for each person injured and for each accident resulting in damage to property. Such insurance shall provide that the City is named as an additional insured and that the City shall be notified no less than 30 days in advance of cancellation for any reason. DAI shall furnish the City with a copy of a "Certificate of Insurance" as a condition prior to performing under this Agreement.

B. DAI shall also obtain and maintain Workers' Compensation insurance, required by law, to provide coverage for their employees throughout the term of this Agreement and shall provide the City with evidence of its compliance with such requirement.

12. **NEW MEXICO TORT CLAIMS ACT**

Any liability incurred by the City of Alamogordo in connection with this Agreement is subject to the immunities and limitations of the New Mexico Tort Claims Act, Section 41-4-1, et seq. NMSA 1978, as amended. The City and its “public employees” as defined in the New Mexico Tort Claims Act, do not waive sovereign immunity, do not waive any defense and do not waive any limitation of liability pursuant to law. No provision in this Agreement modifies or waives any provision of the New Mexico Tort Claims Act.

13. **THIRD PARTY BENEFICIARIES**

By entering into this Agreement the parties do not intend to create any right, title or interest in or for the benefit of any person other than the City and DAI. No person shall claim any right, title or interest under this Agreement or seek to enforce this Agreement as a third party beneficiary of this Agreement.

14. **RECORDS AND AUDITS**

DAI shall maintain throughout the term of this Agreement and for a period of six years thereafter, all related records, including but not limited to, all financial records, requests for proposals (RFPs), invitations to bid, selection and award criteria, contracts and subcontracts, advertisements, minutes of pertinent meetings, as well as records sufficient to fully account for the amount and disposition of the total funds from all sources budgeted hereunder, the purpose for which such funds were used, and other such records as the City shall proscribe. DAI shall be strictly liable for receipts and disbursements related to the Project Grant Monies. These records shall be subject to inspection by the City, the New Mexico Economic Development Department, and the State Auditor upon request. The City shall have the right to audit billings both before and after payment; payments under this Agreement shall not foreclose the right of the City to recover excessive illegal payments.

15. **RELEASE**

DAI, upon final fulfillment of this Agreement, releases the City, its officers and employees, from all liabilities, claims, and obligations whatsoever arising from or under this Agreement and agrees not to purport to bind the City to any obligation not assumed herein by the City unless DAI has express written authority to do so, and then only within the strict limits of that authority.

16. **CONFIDENTIALITY**

Any confidential information provided to or developed by DAI in the performance of this Agreement shall be kept confidential and shall not be made available to any individual or organization without the prior written approval of the City.

17. **CONFLICT OF INTEREST**

DAI warrants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance or services required under this Agreement and further agrees that in the performance of this Agreement no persons having any such interests shall be employed.

18. **APPLICABLE LAW; CHOICE OF LAW; VENUE**

DAI shall abide by all applicable federal and state laws and regulations, and all ordinances, rules and regulations of the City of Alamogordo. In any action, suit or legal dispute arising from this Agreement, the qualifying entity agrees that the laws of the State of New Mexico shall govern. The Parties agree that any action or suit arising from this Agreement shall be commenced in a federal or state court of competent jurisdiction in New Mexico. Any action or suit commenced in the courts of the State of New Mexico shall be brought in the Twelfth Judicial District Court.

20. **AMENDMENT**

This Agreement shall not be altered, changed or amended except by instrument in writing executed by the parties hereto.

21. **SCOPE OF AGREEMENT**

This Agreement incorporates all the agreements, covenants, and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, agreements, and understandings have been merged into this written Agreement. This Agreement expresses the entire Agreement and understanding between the parties with respect to said performance. No prior agreement or understanding, verbal or otherwise, of the parties or their agents shall be valid or enforceable unless embodied in the Agreement.

22. **REPRESENTATIONS AND WARRANTIES**

A. DAI hereby warrants it is and will remain in compliance with the Americans with Disabilities Act, 29 CFR 1630 and hereby agrees to defend, indemnify and hold harmless the City from and against all claims, suits, damages, costs, losses and expenses in any manner arising out of or connected with the failure of DAI, its contractors and subcontractors, agents, successors, assigns, officers or employees to comply with provisions of the ADA or the rules and regulations promulgated there under the Americans with Disabilities Act, 29 CFR 1630.

B. DAI agrees to comply with the applicable provisions of local, state and federal equal employment opportunity statutes and regulations.

23. **APPLICABLE LAW**

This Agreement shall be governed by the ordinances of the City of Alamogordo and the laws of the State of New Mexico.

24. **NON-DISCRIMINATION**

During the term of this Agreement, DAI shall not discriminate against any employee or applicant for an employment position to be used in the performance hereunder, on the basis of ethnicity, race, age, religion, creed, color, national origin, ancestry, sex, gender, sexual orientation, physical or mental disability, medical condition, or citizenship status.

25. **SEVERABILITY**

In case any one or more of the provisions contained in this Agreement or any application thereof shall be invalid, illegal or unenforceable in any respect, the validity, legality, and enforceability of the remaining provisions contained herein and any other application thereof shall not in any way be affected or impaired thereby.

26. **NOTICES**

Any notices required to be given under this Agreement shall be in writing and served by personal delivery or by mail, postage prepaid, to the parties at the following addresses:

If to the CITY OF ALAMOGORDO:

City of Alamogordo
1376 E. Ninth St.
Alamogordo, NM 88310

If to QUALIFYING ENTITY:

DAI
1505 W. Highway 70
Alamogordo, NM 88310

27. **HEADINGS**

The section headings contained in this Agreement are for reference purposes only and shall not affect the meaning or interpretation of this Agreement.

28. **ATTACHMENTS**

All attachments are fully incorporated herein and made a part of this Agreement.

29. **COUNTERPARTS**

This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same agreement.

30. **REPRESENTATION ON AUTHORITY OF SIGNATORIES**

The signatory for DAI represents and warrants that he or she is duly authorized and as legal capacity to execute and deliver this Agreement and represents and warrants that the execution and delivery of the Agreement and the performance of DAI's obligations hereunder have been duly authorized and that the Agreement is a valid and legal agreement binding on such party and enforceable in accordance with its terms.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

CITY OF ALAMOGORDO:

Maggie Paluch, City Manager

ATTEST:

Rachel Hughs, City Clerk

APPROVED AS TO FORM:

Petria Schreiber, City Attorney

QUALIFYING ENTITY:
DAI, Inc.

By: _____
Jean Bell, CEO

Employer ID Number: _____
City of Alamogordo Business ID Number: _____

Drought Adaptation Industries LLC

Estimated: Salaries
Paid Semimonthly

Exhibit H

	<u>Name</u>	<u>Title</u>	<u>Start-Up Hourly Rate</u>	<u>2019 Year Two</u>	<u>2020 Year Three</u>
1	Jean Bell	CEM	30.00	35.00	40.00
2	Johnny Barraza	Plant Mgr	25.00	30.00	35.00
3	Joseph Lueras	Sales	16.00	20.00	25.00
4	Shift Supervisor	Manuf	0.00	16.00	18.00
5	Shift Supervisor	Manuf	0.00	0.00	16.00
6	Floor Person	Manuf	12.00	13.00	13.75
7	Floor Person	Manuf	12.00	13.00	13.75
8	Floor Person	Manuf	0.00	12.00	13.00
9	Floor Person	Manuf	0.00	12.00	13.00
10	Floor Person	Manuf	0.00	0.00	12.00
11	Floor Person	Manuf	0.00	0.00	12.00
12	(1) Office	Assist	15.00	16.50	17.50
13	(1) Office	Support	0.00	14.00	15.00
14	(1) Office	Support	<u>0.00</u>	<u>0.00</u>	<u>14.00</u>
			6	10	14

Gross Payroll (mo)	\$17,600	\$29,040	\$41,280
Payroll Annual	\$211,200	\$348,480	\$495,360

Note: Glenn Bell, Exec. Vice President of Sales does not take any earnings from DAI. Joseph Lueras will earn 5% commission on all new sales orders he initiates and 2% commission on refills. i.e. Insta-Cube case sale of (1) \$84.60 = \$4.23 commission. Two "outside" sales reps will be contracted in Year Two and eliminated in Year Three.

Note: A great deal of training will be necessary in the local pool of perspective employees. *There is very little manufacturing in Alamogordo to pull from.* DAI is willing to take on this responsibility to promote the local economy by initiating a training and procedure policy to be implemented by dept. heads.

Benefits for Employees: Each employee will be given an opportunity to accumulate wealth with a 5% withholding each paycheck to be returned to them at the end of the fiscal year. No employee health insurance can be offered by the company at this time. Each employee must secure their own. We do hope to share in their health insurance needs at a later date.

EXECUTIVE SUMMARY

A REPORT OF THE ECONOMIC IMPACT OF DROUGHT ADAPTATION IN ALAMOGORDO, NM

November 3, 2017

Prepared by:

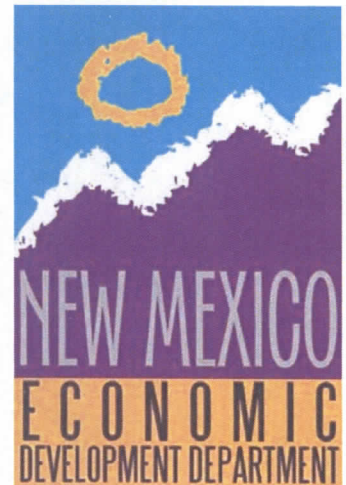
Ryan Eustice

New Mexico Economic Development Department

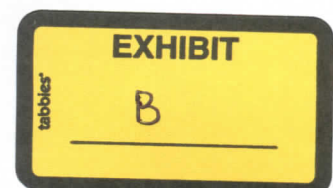
Joseph Montoya Building

1100 S. St. Francis Drive

Santa Fe, New Mexico 87505



Prepared using Total Impact



PURPOSE & LIMITATIONS

This report presents the results of an analysis undertaken by the New Mexico Economic Development Department using Total Impact, an economic and fiscal impact analysis tool developed and supported by the Austin, TX based economic consulting firm, Impact DataSource.

The Total Impact model is a customized software program licensed to the New Mexico Economic Development Department. The model includes estimates, assumptions, and other information developed by Impact DataSource from its independent research effort detailed in New Mexico Economic Development Department's Total Impact User Guide.

The analysis relies on prospective estimates of business activity that may not be realized. New Mexico Economic Development Department made reasonable efforts to ensure that the project-specific data entered into the Total Impact model reflects realistic estimates of future activity.

No warranty or representation is made by New Mexico Economic Development Department or Impact DataSource that any of the estimates or results contained in this study will actually be achieved.



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Introduction

This report presents the results of an economic impact analysis performed using Total Impact, a model developed by Impact DataSource. The report estimates the impact that a potential project in the Alamogordo may have on the state and local economy and estimates the costs and benefits for the state and local taxing districts over a 10-year period.

Description of the Project

Drought Adaptation Industries has leased the property with an option to purchase at a later date. The property that is currently occupied by Drought Adaptation Industries, requires extensive infrastructure improvement and work is underway to construct offices, upgrade to 3-phase electric, bring natural gas lines to the building and sewer connection lines. Once 3-phase electric is completed and brought to the building, then interior power lines can be installed by a licensed electrician. A plumbing contractor will be required to run water and sewer lines (interior). Some painting is required on the face of the bldg and a “Drought Adaptation Industries” sign manufactured and installed. The lease with an option to purchase in two years allows for expansion to a large building behind 1505 W. Hwy 70. As a new manufacturing business in the City of Alamogordo, we expect to influence Economic Development in the form of employee salaries, training, and new and future manufacturing companies locating or relocating to the area.

Economic Impact Overview

The Project's operations will support employment and other economic impacts in the state. The 22.0 workers directly employed by the Project will earn approximately \$35,000 per year initially. This direct activity will support 13.6 indirect and induced workers in the state earning \$43,000 on average. The total additional payroll or workers' earnings associated with the Project is estimated to be approximately \$16.1 million over the next 10 years.

Accounting for various taxable sales and purchases, including activity associated with the Project, worker spending, and visitors' spending in the state, the Project is estimated to support approximately \$8.6 million in taxable sales over the next 10 years.

Table 1. Economic Impact Over the Next 10 Years Statewide

	Direct	Indirect & Induced	Total
Economic output generated by direct, indirect, and induced activity	\$31,902,572	\$17,415,614	\$49,318,186
Number of permanent direct, indirect, and induced jobs to be created	22.0	13.6	35.6
Salaries to be paid to direct, indirect, and induced workers	\$9,270,888	\$6,818,738	\$16,089,626
Taxable sales and purchases	\$6,994,598	\$1,571,579	\$8,566,177

DROUGHT ADAPTATION | ECONOMIC IMPACT

The project is not expected to result in a consequential increase in the state's population. A majority of newly hired employees would likely be current New Mexico residents. However, it is estimated that approximately 20.0% of the new direct workers may be new residents to Otero County. The local population impacts may result in new residential properties constructed in the county and increase the enrollment of local public schools.

Table 2. Population Impacts Over the Next 10 Years for the County

	Direct	Indirect & Induced	Total
Number of direct, indirect, and induced workers who will move to the County	4.4	1.4	5.8
Number of new residents in the County	11.4	3.8	15.2
Number of new residential properties to be built in the County	0.5	0.2	0.7
Number of new students expected to attend local school district	2.2	0.7	2.9

The Project is estimated to support an average of approximately \$0.3 million in new non-residential taxable property each year over the next 10 years. The taxable value of property supported by the Project over the 10-year period is shown in the following table.

Table 3. Value of Taxable Property Supported by the Project Over the Next 10 Years

Year	New Residential Property	The Project's Property			Subtotal Nonresidential Property	Total Residential & Nonresidential Property
		Land	Buildings & Other Real Prop. Improvements	Furniture, Fixtures, & Equipment		
1	\$3,393	\$0	\$65,667	\$38,667	\$104,333	\$107,727
2	\$6,922	\$0	\$83,647	\$68,133	\$151,780	\$158,702
3	\$14,122	\$53,333	\$151,986	\$127,600	\$332,920	\$347,041
4	\$14,404	\$54,400	\$155,026	\$113,733	\$323,159	\$337,563
5	\$14,692	\$55,488	\$158,127	\$99,867	\$313,481	\$328,173
6	\$14,986	\$56,598	\$161,289	\$86,000	\$303,887	\$318,873
7	\$15,286	\$57,730	\$164,515	\$72,133	\$294,378	\$309,664
8	\$15,591	\$58,884	\$167,805	\$58,267	\$284,956	\$300,548
9	\$15,903	\$60,062	\$171,161	\$44,400	\$275,623	\$291,527
10	\$16,221	\$61,263	\$174,584	\$34,400	\$270,248	\$286,469

The taxable value of residential property represents the value of properties that may be constructed as a result of new workers moving to the community.

This analysis assumes the residential real property appreciation rate to be 2.0% per year. The Project's real property is assumed to appreciate at a rate of 2.0% per year. The analysis assumes the Project's furniture, fixtures, and equipment will depreciate over time according to the depreciation schedule shown in Appendix A.

Temporary Construction Impact

The Project will include an initial period of construction lasting 3 year(s) where \$0.4 million will be spent to construct new buildings and other real property improvements. It is assumed that 50.0% of the construction expenditure will be spent on materials and 50.0% on labor. The temporary construction activity will support temporary economic impacts in the community in the form of temporary construction employment and sales for local construction firms.

Table 3. Spending and Estimated Direct Employment Impact of Project-Related Construction Activity

	Amount
Total construction expenditure	\$447,000
Materials	\$223,500
Labor	\$223,500
Temporary Construction Workers Supported (Average Earnings = \$44,250)	5.1

The following table presents the temporary economic impacts resulting from the construction.

Table 4. Temporary Economic Impact of Project-Related Construction Activity

	Direct	Indirect & Induced	Total
Number of temporary direct, indirect, and induced job years to be supported*	5.1	3.2	8.3
Salaries to be paid to direct, indirect, and induced workers	\$223,500	\$102,430	\$325,930
Revenues or sales for businesses related to construction	\$447,000	\$332,792	\$779,792

* A job year is defined as full employment for one person for 2080 hours in a 12-month span.

Gross receipt tax calculations related to construction activity are presented in the following table. The gross receipts tax revenue generated from construction-period taxable spending is included in the fiscal impact for affected districts.

Table 5. Construction-Related Taxable Spending

	Estimate
Expenditure for Materials	\$223,500
Percent of Materials subject to local gross receipts tax	0.0%
<u>Subtotal Taxable Materials</u>	<u>\$0</u>
Expenditure for Labor / Paid to construction workers	\$223,500
Percent of gross earnings spent on taxable goods and services	25.0%
Percent of taxable spending done locally	25.0%
<u>Subtotal Taxable Construction Worker Spending</u>	<u>\$13,969</u>
Expenditure for Furniture, Fixtures, & Equipment (FF&E)	\$416,000
Percent of FF&E subject to local gross receipts tax	25.0%
<u>Subtotal Taxable FF&E Purchases</u>	<u>\$104,000</u>
Total Construction-Related Taxable Spending	\$117,969

The above construction analysis focuses on the impact resulting from the Project's initial construction investments over the first 3 year(s).

Fiscal Impact Overview

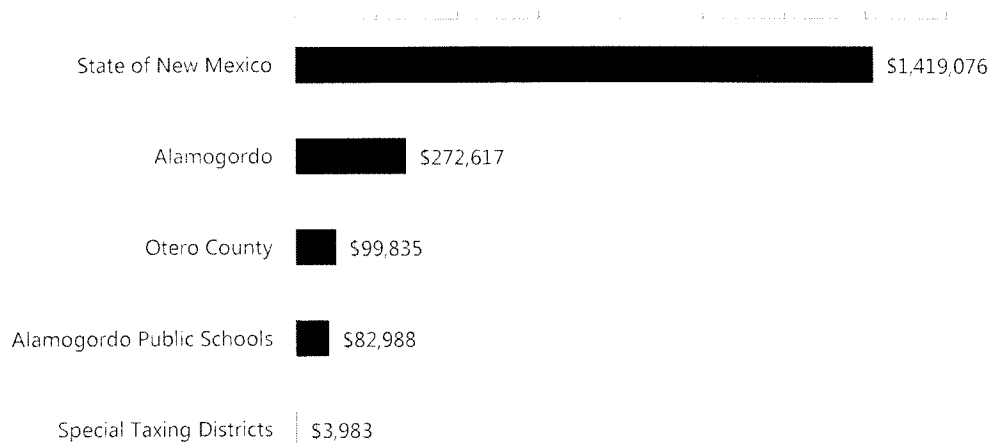
The Project will generate additional benefits and costs for local taxing districts, a summary of which is provided below. The source of specific benefits and costs are provided in greater detail for each taxing district on subsequent pages. Overall, the City will receive approximately \$272,600 in net benefits over the 10-year period and the Project will generate \$1,878,500 in total for all local taxing districts.

Table 6. Fiscal Net Benefits Over the Next 10 Years for the State and Local Taxing Districts

	Benefits	Costs	Net Benefits	Present Value of Net Benefits*
State of New Mexico	\$2,182,932	(\$763,857)	\$1,419,076	\$1,047,209
Alamogordo	\$394,699	(\$122,082)	\$272,617	\$207,127
Otero County	\$138,259	(\$38,425)	\$99,835	\$75,776
Alamogordo Public Schools	\$159,988	(\$77,000)	\$82,988	\$61,929
Special Taxing Districts	\$3,983	\$0	\$3,983	\$3,011
Total	\$2,879,861	(\$1,001,363)	\$1,878,498	\$1,395,052

* The Present Value of Net Benefits expresses the future stream of net benefits received over several years as a single value in today's dollars. Today's dollar and a dollar to be received at differing times in the future are not comparable because of the time value of money. The time value of money is the interest rate or each taxing entity's discount rate. This analysis uses a discount rate of 5% to make the dollars comparable.

Figure 1. Net Benefits Over the Next 10 Years for the State and Local Taxing Districts



State of New Mexico

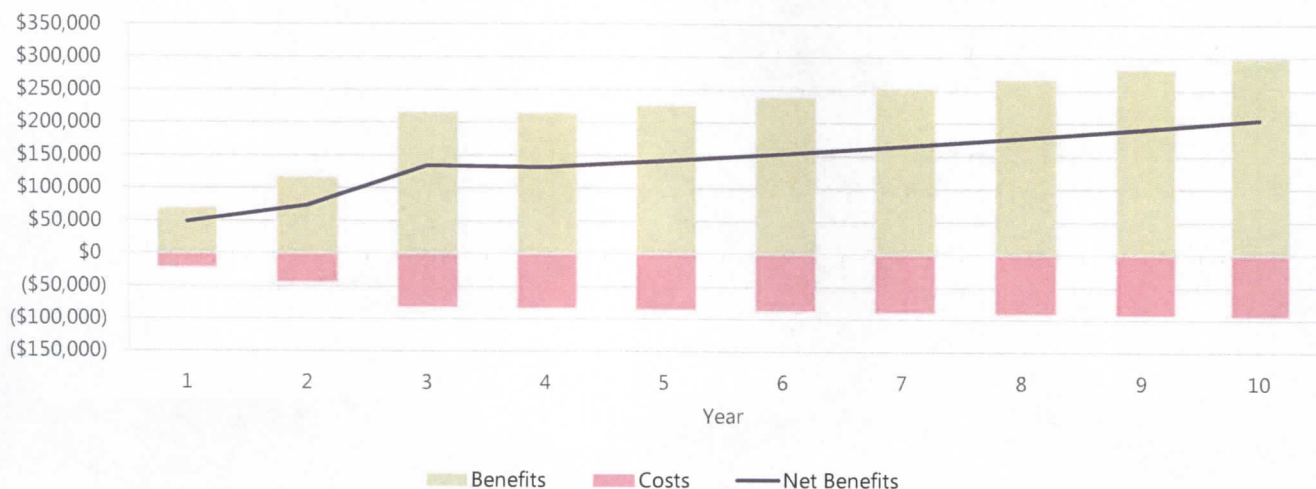
The table below displays the estimated additional benefits to be received by the State of New Mexico over the first 10 years. The project is expected to have a small effect on the statewide population and therefore some additional statewide costs to provide additional services were estimated for the state. Appendix C contains the year-by-year calculations.

Table 7. State of New Mexico: Benefits, Costs, and Net Benefits Over the Next 10 Years

	Amount
Gross Receipts Taxes	\$334,081
Real Property Taxes - Project	\$2,600
FF&E Property Taxes - Project	\$1,011
Property Taxes - New Residential	\$179
Personal Income Taxes	\$630,713
Corporate Income Taxes	\$22,702
Miscellaneous Taxes & User Fees	\$1,191,646
<u>Subtotal Benefits</u>	<u>\$2,182,932</u>
Cost of Providing State Services	(\$763,857)
<u>Subtotal Costs</u>	<u>(\$763,857)</u>
Net Benefits	\$1,419,076
<i>Present Value (5% discount rate)</i>	<i>\$1,047,209</i>

Gross receipts taxes are estimated on new taxable gross receipts resulting from the project. Property taxes are estimated on the firm's property and new residential property constructed. Personal income taxes are estimated based on an effective income tax rate and the earnings of new direct and indirect workers. Corporate income taxes on the direct activity is based on the net taxable income projected by the company. Corporate income taxes on the indirect activity is estimated on a per indirect worker basis and the observed statewide corporate income tax collections per worker. To the extent that the project will result in an increase in new households in the state, additional miscellaneous taxes and user fees have been estimated for the state. Additionally, the costs to provide state services to these new households were also estimated based on recent state expenditure data as detailed in the Appendix.

Figure 2. Annual Fiscal Net Benefits for the State of New Mexico



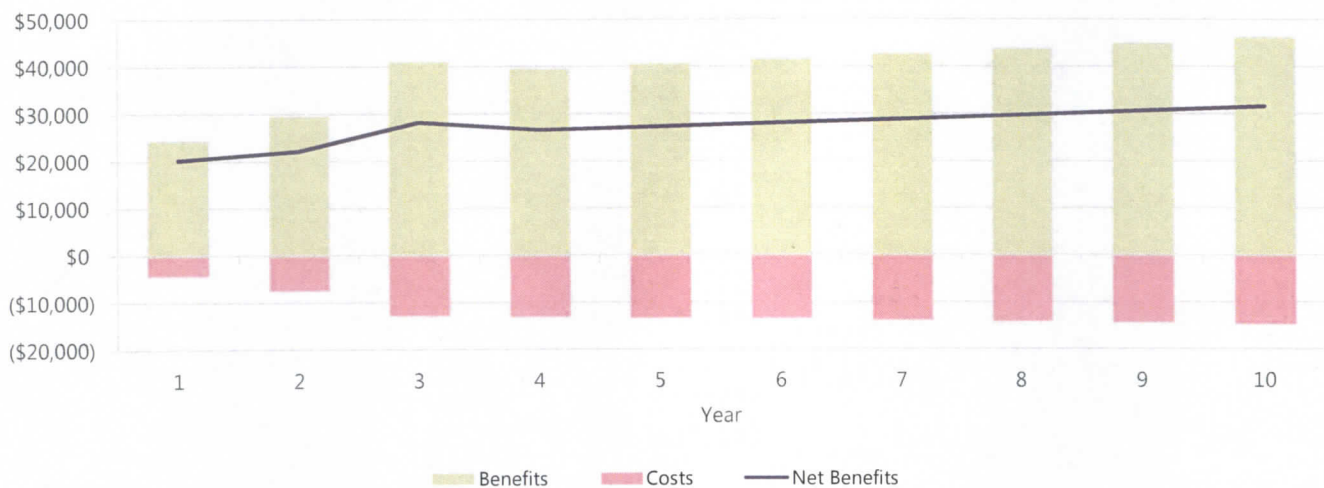
Alamogordo

The table below displays the estimated additional benefits, costs, and net benefits to be received by the City over the next 10 years of the Project. Appendix C contains the year-by-year calculations.

Table 8. Alamogordo: Benefits, Costs, and Net Benefits Over the Next 10 Years

	Amount
Gross Receipts Taxes	\$260,321
Real Property Taxes - Project	\$17,015
FF&E Property Taxes - Project	\$6,615
Property Taxes - New Residential	\$883
Utility Revenue	\$53,791
Utility Franchise Fees	\$13,096
Building Permits and Fees	\$0
Lodgers Taxes	\$719
Miscellaneous Taxes & User Fees	\$42,259
Subtotal Benefits	\$394,699
Cost of Providing Municipal Services	(\$66,677)
Cost of Providing Utility Services	(\$55,405)
Subtotal Costs	(\$122,082)
Net Benefits	\$272,617
Present Value (5% discount rate)	\$207,127

Figure 3. Annual Fiscal Net Benefits for the Alamogordo



Otero County

The table below displays the estimated additional benefits, costs, and net benefits to be received by the County over the next 10 years of the Project. Appendix C contains the year-by-year calculations.

Table 9. Otero County: Benefits, Costs, and Net Benefits Over the Next 10 Years

	Amount
Gross Receipts Taxes	\$75,398
Real Property Taxes - Project	\$22,652
FF&E Property Taxes - Project	\$8,807
Property Taxes - New Residential	\$1,571
Building Permits and Fees	\$0
Miscellaneous Taxes & User Fees	\$29,831
<u>Subtotal Benefits</u>	<u>\$138,259</u>
Cost of Providing County Services	(\$38,425)
<u>Subtotal Costs</u>	<u>(\$38,425)</u>
Net Benefits	\$99,835
<i>Present Value (5% discount rate)</i>	<i>\$75,776</i>

Alamogordo Public Schools

The table below displays the estimated additional benefits, costs, and net benefits to be received by the school district over the next 10 years of the Project. Appendix C contains the year-by-year calculations.

Table 10. Alamogordo Public Schools: Benefits, Costs, and Net Benefits Over the Next 10 Years

	Amount
Real Property Taxes - Project	\$16,466
FF&E Property Taxes - Project	\$6,402
Property Taxes - New Residential	\$1,086
State Equalization Guarantee	\$136,035
<u>Subtotal Benefits</u>	<u>\$159,988</u>
Cost of Educating New Students	(\$77,000)
<u>Subtotal Costs</u>	<u>(\$77,000)</u>
Net Benefits	\$82,988
<i>Present Value (5% discount rate)</i>	<i>\$61,929</i>

Benefits for Other Taxing Districts

The table below displays the estimated additional property taxes to be received by other property taxing districts over the next 10 years of the Project. Appendix C contains the year-by-year calculations.

Table 11. Other Taxing Districts: Benefits Over the Next 10 Years

	Amount
Real Property Taxes - Project	\$2,755
FF&E Property Taxes - Project	\$1,071
Property Taxes - New Residential	\$157
Benefits	\$3,983
<i>Present Value (5% discount rate)</i>	<i>\$3,011</i>

Overview of Methodology

This report presents the results of an analysis undertaken by the New Mexico Economic Development Department using Total Impact, an economic and fiscal impact analysis tool developed and supported by the Austin, TX based economic consulting firm, Impact DataSource.

The Total Impact model combines project-specific attributes with community data, tax rates, and assumptions to estimate the economic impact of the Project and the fiscal impact for local taxing districts over a 10-year period.

The economic impact as calculated in this report can be categorized into two main types of impacts. First, the direct economic impacts are the jobs and payroll directly created by the Project. Second, this economic impact analysis calculates the indirect and induced impacts that result from the Project. Indirect jobs and salaries are created in new or existing area firms, such as maintenance companies and service firms, that may supply goods and services for the Project. In addition, induced jobs and salaries are created in new or existing local businesses, such as retail stores, gas stations, banks, restaurants, and service companies that may supply goods and services to new workers and their families.

The economic impact estimates in this report are based on the Regional Input-Output Modeling System (RIMS II), a widely used regional input-output model developed by the U. S. Department of Commerce, Bureau of Economic Analysis. The RIMS II model is a standard tool used to estimate regional economic impacts. The economic impacts estimated using the RIMS II model are generally recognized as reasonable and plausible assuming the data input into the model is accurate or based on reasonable assumptions. Impact DataSource utilizes county-level multipliers to estimate the impact occurring at the sub-county level.

Two types of regional economic multipliers were used in this analysis: an employment multiplier and an earnings multiplier. An employment multiplier was used to estimate the number of indirect and induced jobs created or supported in the area. An earnings multiplier was used to estimate the amount of salaries to be paid to workers in these new indirect and induced jobs. The employment multiplier shows the estimated number of total jobs created for each direct job. The earnings multiplier shows the estimated amount of total salaries paid to these workers for every dollar paid to a direct worker. The multipliers used in this analysis are listed below:

Multiplier		City	County	State
Employment Multiplier	(Type II Direct Effect)	1.2394	1.3192	1.6189
Earnings Multiplier	(Type II Direct Effect)	1.2845	1.3793	1.7355

Calculation of Fiscal Impact

Calculation of Revenues for the State

The state's revenues from gross receipts taxes, property taxes, personal and corporate income taxes were estimated directly using data entered about the project and state tax rates and assumptions about workers moving to the area and possibly building new property.

Impact DataSource estimated the miscellaneous taxes and user fees as a function of statewide personal income. The data used to estimate these factors were obtained from the US Census of Governments and the Bureau of Economic Analysis. Next, these percentages were applied to the total increase in workers' earnings from the economic impact calculations to determine the annual miscellaneous taxes and user fees to be collected by the state related to the permanent increase in economic activity supported by the project.

The fiscal costs associated with the project result from the portion of new worker households that relocate to New Mexico to take a job and the resulting costs to provide state services to these new residents. Impact DataSource estimated the cost of providing state services to new worker households moving to the state by applying the average per household cost of state expenditures to the estimated number of new workers new to the state.

Impact DataSource determined the marginal cost to provide state government services on per household in the state by using approximately 40% of the average cost. The data used to estimate these costs were obtained from the US Census of Governments and US Census. On average, the state incurs \$5,000 in costs to provide these services to households.

Calculation of Revenues for the City

The city's revenues from gross receipts taxes, property taxes, city-owned utilities, utility franchise fees, lodging taxes, and building permits and fees were estimated directly using data entered about the project and local tax rates and assumptions about workers moving to the area and possibly building new property.

The new firm was not asked for nor could reasonably provide some data for calculating some other revenues for the city. For example, while the city will likely receive revenues from fines paid on speeding tickets given to new workers at the firm, the firm may not reasonably know the propensity of its workers to speed. Therefore, some other city revenues were calculated using an average revenue approach. This approach uses two assumptions:

- 1 - The city has two general revenue sources -- revenues from residents and revenues from businesses.
- 2 - The city will collect (a) about the same amount of other revenues from each household of new workers that may move to the city as it currently collects from an average household of existing residents, and (b) about the same amount of other revenues from the new firm (on a per worker basis) will be collected as the city collects from other businesses in the city.

Using this average revenue approach, revenues likely to be received by the city were calculated from the households of new workers who may move to the city and from the new firm using average city revenues per household and per worker calculations. These revenues are labeled as miscellaneous taxes and user fees.

The total annual city revenues used to make average revenue calculations in this analysis were obtained from the city's latest annual budget and the per household and per worker and calculations are detailed in Appendix A.

Calculation of Costs for the City

This analysis sought to answer the question, what additional monies will the city have to spend to provide services to households of new workers who may move to the city and to the firm. A marginal cost approach was used to calculate additional city costs from the new firm and its workers.

This approach uses two assumptions:

- 1 - The city spends money on services for two general groups -- residents and businesses.
- 2 - The city will spend (a) about the same amount for variable or marginal cost for each household of new workers that may move to the city as it currently spends for an average household of existing residents, and (b) about the same amount for variable or marginal costs for the new firm (on a per worker basis) as it spends for other businesses in the city.

Calculation of Net Benefits for the City

Net benefits calculated in this analysis are the difference between additional city revenues over a ten-year period and additional city costs to provide services to the new firm and its workers and indirect workers who may move to the city.

DROUGHT ADAPTATION | METHODOLOGY

Calculation of Revenues, Costs and Net Benefits for the County

The model estimates additional revenues, costs and net benefits for the county using the same methodology described for the city relying on county budget data.

Calculation of Revenues for Public Schools

The school district's revenues from property taxes were calculated on the new residential property for some new direct and indirect workers who may move to the county and on the firm's property that will be added to local tax rolls.

However, school district revenues from state and federal funds and other local funding were calculated using an average revenue approach. This approach used the assumption that the school district will collect about the same amount of these revenues for each new student in the household of a new worker who may move to the county as it currently collects for each existing student.

Calculation of Costs for Public Schools

A marginal cost approach was used to calculate additional school district costs from the new firm and its workers. This approach uses the assumption that the school district will spend about the same amount for variable or marginal cost for each new student as it spends for each existing student.

Calculation of Net Benefits for Public Schools

Net benefits calculated in this analysis are the difference between additional school district revenues over a ten-year period and marginal costs for the school district to provide services to students in the households of new workers who may move to the county.

The school district's total annual revenues and expenses to make average revenue and marginal costs calculations in this analysis were obtained from the school district's latest annual budget.

Calculation of Property Taxes to be Collected by Countywide Special Taxing Districts

Revenues for countywide special taxing districts from property taxes were calculated on the new residential property for some new direct and indirect workers who may move to the county and on the firm's property that will be added to local tax rolls.

While each of these special taxing districts may incur additional costs from new residents and from the new firm, these additional costs were not calculated in this analysis.

About Impact DataSource

Impact DataSource is an Austin economic consulting, research, and analysis firm founded in 1993. The firm has conducted over 2,500 economic impact analyses of firms, projects, and activities in most industry groups in New Mexico and more than 30 other states.

In addition, Impact DataSource has prepared and customized more than 50 economic impact models for its clients to perform their own analyses of economic development projects. These clients include the Frisco EDC in Texas and the Metro Orlando (Florida) Economic Development Commission.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 01/30/2018

Report Date: 01/25/2018

Report No: 5.

Submitted By: Petria Schreiber

Subject: Consider, and act upon, final publication of Ordinance No. 1561 to amend Sections 2-15-040 and 2-15-050 of the Alamogordo Code of Ordinances Regarding the Gross Receipts Investment Program.
(*Petria Schreiber, City Attorney*) **Roll Call Vote Required**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve Ordinance No.1561 for final publication.

Background: Amending Section 2-15-040(1) to clarify the intent of construction and amending Section 2-15-050 to add subsections to add time limits.

ORDINANCE NO. 1561

TO AMEND §2-15-040 AND §2-15-050 OF THE ALAMOGORDO CODE OF ORDINANCES REGARDING THE GROSS RECEIPTS INVESTMENT PROGRAM

WHEREAS, the Article 2-15 of the Alamogordo Code of Ordinances was adopted October 12, 2010 establishing the Gross Receipts Investment Program; and

WHEREAS, it is necessary to clarify the application procedure to ensure that funds are available and correctly allocated.

BE IT THEREFORE ORDAINED by the City Commission of the City of Alamogordo, New Mexico that the Code of Ordinances of the City of Alamogordo, New Mexico is hereby amended as follows:

SECTION ONE

2-15-040. - Eligibility.

In order for a development to qualify for reimbursement under the GRIP, it must:

- (1) Demonstrate that the development involves the building of a structure, or the expansion **or rehabilitation** of an existing structure, for use by an eligible entity with a value in excess of fifty thousand dollars (\$50,000.00);
- (2) The contractor must have, or establish, and maintain a physical presence in the city sufficient to subject the development to local option gross receipts tax; and
- (3) The contractor must give preference and priority to local manufacturers, suppliers, vendors, contractors and labor, except where not reasonably possible to do so without significant added expense, substantial inconvenience, or sacrifice in operating efficiency. For purposes of determining eligibility, the value of the project shall be equal to the valuation assigned to a project by the construction industries division of the state regulation and licensing department pursuant to 14.5.5.10 NMAC for purposes of establishing a building permit fee.

SECTION TWO

2-15-050. - Application procedure.

- (a) All GRIP reimbursement requests shall be made in writing on a form prescribed by the city. The applicant must show that the reimbursement is a deciding factor in the decision to establish or expand the eligible entity in the city.
- (b) All applications in which the anticipated reimbursement is anticipated to be in excess of ten thousand dollars (\$10,000) shall be submitted and approved prior to commencement of the project.
- (c) No applications for reimbursement shall be accepted for projects on which the reimbursement is less than ten thousand dollars (\$10,000) more than one year after the commencement of the project.
- (b d) Prior to entering into a GRIP agreement, the city commission shall receive and consider a recommendation from the city manager, or designee, said recommendation being based on the factors listed in section 2-15-060.
- (e e) If the GRIP application is approved, the commission shall, by resolution:
- (1) Approve the agreement with the developer providing for the GRIP reimbursement payments; and
 - (2) Create and establish a special fund of the city in which the allocated gross receipts tax revenues from the development shall be deposited and available for reimbursement to the applicant.

(Ord. No. 1379, § 5, 10-12-10)

DONE this _____ day of _____, 2018

CITY OF ALAMOGORDO, NEW MEXICO
a New Mexico municipal corporation

By: _____
Richard A. Boss, Mayor

ATTEST:

APPROVED AS TO FORM:

Rachel Hughs, City Clerk

Petria Schreiber, City Attorney

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 01/30/2018

Report Date: 01/25/2018

Report No: 6.

Submitted By: Shelbe Abbott

Subject: Consider, and act upon final publication of Ordinance No. 1554, a map amendment to the Official Zoning Map of the City of Alamogordo to rezone the property from R-1 Single Family Dwelling District to C-1 Neighborhood Business District contingent upon permit issue for building and actual ground breaking of the church complex located on Scenic Dr. south of First St. (*Darron Williams, City Planner*) **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve Ordinance 1554 for final publication.

Background: Ordinance No. 1554 is for a Map Amendment to the Official Zoning Map of The City Of Alamogordo to rezone the property from R-1 Single Family Dwelling District to C-1 Neighborhood Business District contingent upon permit issue for building and actual ground breaking of the church complex. Legal Description: Tract C Weber Lot Line Adjustment No. 2, Alamogordo, Otero County, New Mexico. Located on Scenic Dr. south of First St.



City of Alamogordo

City Commission



Rezoning Request Case:
Z-2017-0005(A)

Darron Williams, City Planner
December 5, 2017

Case: Z-2017-0005(A)

Request:

The applicant is requesting that the city amend the zoning map to change the zoning of the property with legal description: TRACT C-1, WEBER LOT LINE ADJUSTMENT NO. 2, ALAMOGORDO, OTERO COUNTY, NEW MEXICO.

Owner(s)/Applicant:

Cottonwood Christian Fellowship
7035 Highway 70 North
Alamogordo, NM 88310

Case: Z-2017-0005(A)

Tonight's Case

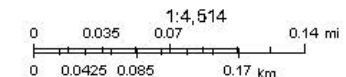


October 30, 2017

Alamogordo_City_Limits

Parcels

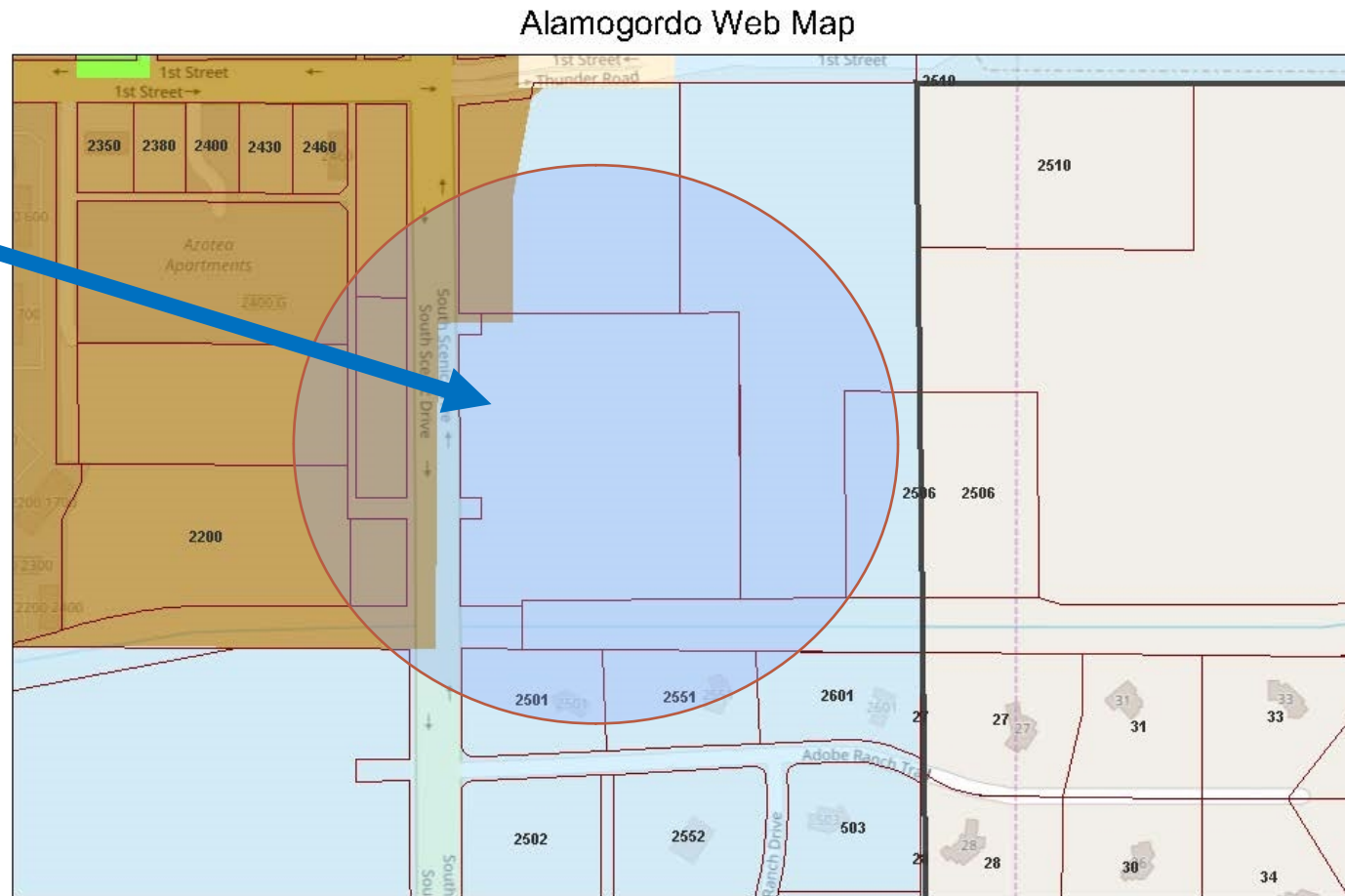
World Transportation



Esri, HERE, DeLorme, Mapbox, OpenStreetMap contributors
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus

Case: Z-2017-0005(A)

Tonight's Case



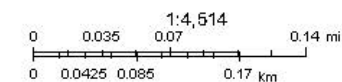
October 30, 2017

Alamogordo_City_Limits
Parcels

Zoning - Zoning Districts

- R-1 Single-Family Dwelling
- R-4 Multiple-Family Dwelling

- C-1 Neighborhood Business
- C-3 Business



Map data © OpenStreetMap contributors, CC-BY-SA

Case: Z-2017-0005(A)

Findings of Fact

- 1. The property is located on east side Scenic Drive, south of 1st Street.
- 2. The property is owned by Cottonwood Christian Fellowship.
- 3. The request is to amend the zoning map to change the zoning from R-1 Single Family Dwelling to C-1 Neighborhood Business.
- 4. The application filed September 29, 2017; legal notice published October 15, 2017.
- 5. Heard at 2 November's P&Z Commission; commission unanimously voted in support.
- 6. Twelve (12) letters were mailed by certified/return receipt to all property owners of record within two hundred (200) feet from the property excluding public right-of-way, of the property for which the rezoning is sought.
- 7. As of today, one letter returned undeliverable and one letter of protest received from property owners within the two hundred feet radius of the proposed zoning. Bear in mind all but a couple of the residential properties within the radius are outside of City Limits.

Case: Z-2017-0005(A)

Staff Recommends:

Staff and P&Z Commission recommends approval contingent upon permit issue for building and actual ground breaking of the church complex.

Record of Decision
City of Alamogordo
A New Mexico Municipal Corporation

Case#: **Z-2017-0005(A)**

For the Subject Property as follows:

Commonly Known As: **TRACT C WEBER LOT LINE ADJUSTMENT NO. 2,
ALAMOGORDO, OTERO COUNTY, NEW MEXICO**

Uniform Property Code & Account Number: **01N-4-057-095-191-088 , R056510**

Legal Description: **WEBER LOT LINE ADJUSTMENT NO. 2, ALAMOGORDO, OTERO
COUNTY, NEW MEXICO**

The Alamogordo Planning & Zoning Commission considered this item on **November 2, 2017** and recommended the following action to the Alamogordo City Commission by a vote of **3-0-0** contingent upon permit issue for building and actual ground breaking of the proposed church complex.

Approve the rezoning of the property detailed above for Case # **Z-2017-0005(A)**.

.....
The Alamogordo City Commission issued the following decision on _____, by a
vote of _____

Approve as recommended for first publication Ordinance # 1554

.....
The Alamogordo City Commission issued the following decision on _____, by a vote of

Approve as recommended for final publication Ordinance #1554 .

Attest:

CITY OF ALAMOGORDO, New Mexico,
A New Mexico Municipal Corporation

Rachel Hughs, City Clerk

Richard Boss, Mayor

ORDINANCE No. 1554

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ALAMOGORDO, CHANGING THE CLASSIFICATION OF A CERTAIN PROPERTY COMMONLY KNOWN AS TRACT C WEBER LOT LINE ADJUSTMENT NO. 2, ALAMOGORDO, OTERO COUNTY, NEW MEXICO FROM THEIR PRESENT DESIGNATION AND ZONING DISTRICT OF R-1 SINGLE FAMILY DWELLING TO C-1 NEIGHBORHOOD BUSINESS, WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF ALAMOGORDO, OTERO COUNTY, NEW MEXICO.

WHEREAS, Cottonwood Christian Fellowship (hereinafter referred to as "the Owners") are the owners of certain real property commonly known as TRACT C-1, WEBER LOT LINE ADJUSTMENT NO. 2, ALAMOGORDO, OTERO COUNTY, NEW MEXICO (herein after referred to as "the Property") located within the corporate boundaries of the City of Alamogordo, New Mexico, (hereinafter referred to as "the City"); and

WHEREAS, an application has been filed in the Owner's names under Case No.

Z-2017-0005(A) to change the zoning of the Property, and

WHEREAS, the Planning and Zoning Commission, after notice and hearing did recommend to the City Commission adoption of an ordinance amending the zoning map by removing the Property from the present designation and zoning district of R-1, Single Family Dwelling District to C-1, Neighborhood Business District contingent upon permit issue for building and actual ground breaking of the proposed church complex.; and

WHEREAS, the City Commission, after notice and hearing, finds and determines that the application for re-zoning of the Property is in the public interest and is consistent with proper development of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION, THAT the zoning of the Property, which is more fully described below:

TRACT C WEBER LOT LINE ADJUSTMENT NO. 2

Is hereby changed from R-1, Single Family Dwelling District to C-1, Neighborhood Business District; and the official zoning map and comprehensive plan of the City are hereby amended to reflect this change.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2017

**CITY OF ALAMOGORDO, NEW MEXICO a
New Mexico municipal corporation**

By: _____
Richard Boss, Mayor

ATTEST:

Rachel Hughs, City Clerk

APPROVED AS TO FORM:

Petria Schreiber, Assistant City Attorney

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 01/30/2018

Report Date: 01/25/2018

Report No: 7.

Submitted By: Jim LeClair

Subject: Approve Resolution 2018-06 donating twenty eight (28) MSA Self Contained Breathing Apparatus (SCBA) thirty (30) minute cylinders to the Boles Acres Volunteer Fire Department. (*Jim LeClair, Fire Chief*) **(Roll Call Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve Resolution 2018-06

Background: The Alamogordo Fire Department had acquired high pressure thirty (30) minute MSA, SCBA cylinder several years ago. These cylinders are not compatible with our fire department operations. The Boles Acres Volunteer Fire Department have requested a total of twenty eight (28) MSA, SCBA high pressure cylinders to supplement their equipment to help ensure a ready response while serving the citizens of Otero County during emergency situations. Section 13-6-1, NMSA.

Boles Acres Fire / Rescue

5980 Hwy 54 S unit 3696

Alamogordo NM. 88310

Chief LeClair Boles Acres fire is sending this request to you for a donation of 28 Msa SCBA cylinders. We are in need of replacing and upgrading our cylinders at present. The cylinders we are asking for are 4500psi.

Thank-you for your help in this matter

A handwritten signature in black ink, appearing to read 'John Badjar', written in a cursive style.

Chief John Badjar

Boles Acres Fire / Rescue

RESOLUTION NO. 2018-06

A RESOLUTION AUTHORIZING DISPOSAL OF SURPLUS CITY PROPERTY

WHEREAS, the City of Alamogordo, New Mexico, is the owner of a certain twenty eight (28) older MSA, SCBA cylinders which are no longer needed for department use, and;

WHEREAS, the City Finds that the current resale of the said equipment is less than \$300 and the equipment is unusable or obsolete to the extent that the items are no longer practical for continued use by the City, and;

WHEREAS, the City is desirous of disposing said MSA, SCBA cylinders as surplus property, and;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ALAMOGORDO, NEW MEXICO, AS FOLLOWS:

1. The twenty eight (28) older MSA, SCBA cylinders are hereby declared surplus.
2. The City Manager is hereby authorized to dispose of the surplus twenty eight (28) MSA, SCBA cylinders by donation to the Boles Acres Volunteer Fire Department.
3. This Resolution shall take effect immediately upon adoption.

Done this 30th day of January, 2018

CITY OF ALAMOGORDO, NEW MEXICO
A New Mexico Municipal Corporation

By: _____
Richard A. Boss, Mayor

ATTEST:

APPROVED AS TO FORM:

Rachel Hughs, City Clerk

Petria Schreiber, City Attorney

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 01/30/2018

Report Date: 01/25/2018

Report No: 8.

Submitted By: Michelle Brideaux

Subject: Approve the recommended Lodger's Tax Expenditures for Tourism & Travel Advertising for NMAAA STEM App. (*Michelle Brideaux, Communications & Marketing Administrator*)

Fiscal Impact: \$2,772

Amount Budgeted: \$225,136.00

Fund: 016-0001-419.56-35

Additional Fiscal Impact:

Recommendation: Approve the recommended expenditures for Tourism and Advertising Promotions.

Background: The following are a list of the NMAAA advertising expenditures in need of reimbursement. The Alamogordo Promotion Board reviewed and approved these reimbursements to NMAAA, at their January 10th, 2018 meeting, and is recommending approval. The invoices are attached for your review.

NMAAA Advertising Reimbursement for the NM Aviation & Aerospace STEM Expo held on October 5th, 2017

4 total ads:

2 quarter page ads at \$786 each in General Aviation News - 09/7/17 issue and 09/21/17 issue

2 half page ads at \$600 each in Fly-Low Publications

TOTAL: \$2,772

General Aviation News
P.O. Box 39099
Lakewood, WA 98496

**GENERAL
AVIATION**
NEWS

INVOICE

INVOICE # 8332
DATE 09/07/2017
DUE DATE 10/07/2017
TERMS Net 30

BILL TO
NM Aviation Expo and Fly-In
ATTN: Bill Shuert
3167 San Mateo NE, #222
Albuquerque, NM 87110

Please detach top portion and return with your payment.

ISSUE DATE	DESCRIPTION	QTY	RATE	AMOUNT
09/07/2017	Advertising: Display: Main-Quarter Main Section - Quarter Page Ad	1	786.00	786.00

BALANCE DUE

\$786.00

*Approval
MS*

PAID
9/22/17
Check 1609

Please note invoice number on check when remitting payment.

NM AVIATION AEROSPACE ASSN.
9304 CINDER PLACE NW
ALBUQUERQUE, NM 87120

1609

91-7250/8221

DATE 8-22-17

PAY TO THE ORDER OF General Aviation News

\$ 786⁰⁰/₁₀₀

Seven Hundred and Eighty Six Dollars & ^{NO.}/₁₀₀

DOLLARS



AERO FEDERAL CREDIT UNION
25001 N. 7th Ave., Suite A-100 Glendale, AZ 85308
25001 Elm Street NE, Albuquerque, NM 87110

ACH RT: 322172804

FOR 2017 STEM Expo AD Purchase # 8332

[Signature]

⑆322172904⑆

0009123362 1609

General Aviation News
P.O. Box 39099
Lakewood, WA 98496

INVOICE

BILL TO
NM Aviation Expo and Fly-In
ATTN: Bill Shuert
3167 San Mateo NE, #222
Albuquerque, NM 87110

INVOICE # 8333
DATE 09/21/2017
DUE DATE 10/21/2017
TERMS Net 30

ISSUE DATE	DESCRIPTION	QTY	AMOUNT
09/21/2017	Advertising Display: Main-Quarter Main Section - Quarter Page Ad	1	786.00

BALANCE DUE

\$786.00

APM
WJ

PAID
11/30/17
Check # 1616

Please note invoice number on check when remitting payment.

NM AVIATION AEROSPACE ASSN.
9304 CINDER PLACE NW
ALBUQUERQUE, NM 87120

1616

91-72903221

DATE 11-30-17

PAY
TO THE
ORDER OF

General Aviation News

\$ 786 ^{NO}/₁₀₀

Seven Hundred and Eighty Six Dollars & ^{NO}/₁₀₀

DOLLARS



AERO FEDERAL CREDIT UNION
18301 EL 7th Ave., Steg A-100 Glendale, AZ 85308
8001 Sun Street NE, Albuquerque, NM 87113

ACH RT: 322172904

FOR STEM Expo Advertising Invoice # 8333

[Signature]

⑆322172904⑆

0009123362* 1616

Fly-Low Publications

P. O. Box 672
Ouray CO 81427



Invoice

Bill To:

NMAAA

Bill Shuert

3167 San Mato NE #222

Albuquerque NM 87110

479-970-1001

We appreciate your patronage.

Date	Invoice No.	P.O. Number	Terms	Project
09/01/17	8988	1/2 page	Due on receipt	

Item	Description	Quantity	Rate	Amount
1/2 Page Ad	1/2 Page Ad - two months run	2	600.00	1,200.00
PAID 9/11/17 check 1603			Approved vrg	
			Total	\$1,200.00

NM AVIATION AEROSPACE ASSN.
9304 CINDER PLACE NW
ALBUQUERQUE, NM 87120

1603

91-72903221

DATE 9-11-17

PAY
TO THE
ORDER OF

Fly-Low Publications

\$ 1,200 ⁴⁸/₁₀₀

Twelve Hundred Dollars ⁴⁸/₁₀₀

DOLLARS



AERO FEDERAL CREDIT UNION
93291 AL, 9304 CINDER PL NW, ALBUQUERQUE, NM 87120
9304 CINDER PL NW, ALBUQUERQUE, NM 87120

ACH R/T: 322172904

FOR

1/2 page AD 2 months

[Signature]

⑆322172904⑆

0009123362* 1603

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 01/30/2018

Report Date: 01/24/2018

Report No: 9.

Submitted By: Michelle Brideaux

Subject: Approve the Recommended Lodger's Tax Expenditures for Tourism & Travel Advertising for Tourism App. (*Michelle Brideaux, Communications & Marketing Administrator*)

Fiscal Impact: \$1,300

Amount Budgeted: \$225,136.00

Fund: 016-0001-419.56-35

Additional Fiscal Impact:

Recommendation: Approve the recommended expenditures for Tourism and Advertising Promotions.

Background: Update to the Alamogordo Tourism App by Touch Point Designs. The Alamogordo Promotion Board approved up to \$1500 for 2 updates to the Tourism App, one over all updated with the addition of more local attractions. As well as the design and addition of a relocation/military module to app.

The cost for the two updates totaled \$1,300.

\$400 for the overall update and \$900 for the new military/relocation module.



INVOICE

Touch Point Designs, LLC
PO Box 821
Corvallis, Montana 59828
United States

406.369.5884
www.InteractiveTravelGuides.com

BILL TO
Alamogordo, NM
Michelle Brideaux

mbrideaux@ci.alamogordo.nm.us

Invoice Number: 0065

Invoice Date: November 9, 2017

Payment Due: November 9, 2017

Amount Due (USD): \$1,300.00

Product	Quantity	Price	Amount
App Update Alamogordo App Update	1	\$400.00	\$400.00
App Update Alamogordo Military Update	1	\$900.00	\$900.00

Total: \$1,300.00

Amount Due (USD): \$1,300.00

Notes

Thank-you Michelle!

Vendor # 8378

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 01/30/2018

Report Date: 01/26/2018

Report No: 10.

Submitted By: Richard Boss

Subject: Consider, and act upon, the Mayor travelling to Washington D.C. for a meeting with the Secretary of the Air Force from February 19-22, 2018. *(Richard Boss, Mayor)*

Fiscal Impact: 1,353.00

Amount Budgeted: \$5,026.79

Fund:

Additional Fiscal Impact:

Recommendation:

Background: Representatives from MainGate invited the Mayor to Washington DC to meet with the Secretary of the Air Force to discuss the permanent placement of the F-16 squadrons at Holloman Air Force Base.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 01/30/2018

Report Date: 01/24/2018

Report No: 11.

Submitted By: Rachel Hughs

Subject: Consider, and act upon, Application 1066267 a Transfer of Ownership and Location of Dispenser License No. 0700, with Package Sales located at 880 W. US HWY 70, Alamogordo, NM 88310 to Allsup's. (*Tommie Herrell*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve Application 1066267.

Background: The Alcohol and Gaming Division of the NM Regulation and Licensing Department has given this application preliminary approval. In accordance with Section 60-6B-4 NMSA of the Liquor Control Act, the Division must refer the application to the Governing Body for approval or disapproval. This public hearing is for the purpose of considering the application. A Notice of Public Hearing was published in the Alamogordo Daily News on Sunday, December 30, 2017 and January 21, 2018. These publications meet the State regulations of publishing a notice twice prior to the hearing.



New Mexico Regulation and Licensing Department
ALCOHOL AND GAMING DIVISION

P.O. Box 25101 ▪ Santa Fe, New Mexico 87504-5101
Phone (505) 476-4875 ▪ Fax (505) 476-4595 ▪ www.rld.state.nm.us/alcoholandgaming

December 11, 2017

Certified Mail No.: 9171 9690 0935 0079 1729 64

Susana Martinez
Governor

Robert "Mike" Unthank
Superintendent

Claudia Armijo
Deputy General Counsel

Mary Kay Root
Director

City of Alamogordo
Rachel Hughs, Clerk
1376 East Ninth Street
Alamogordo, NM 88310

Re: Lic. No. /Appl. No.: License No. 0700 Application No. 1066267
Name of Applicant: Allsup's Convenience Stores, Inc.
Doing Business As: Allsup's
Proposed Location: 880 W. US Hwy 70, Alamogordo, NM 88310

Greetings:

The Director of the Alcohol and Gaming Division has reviewed the referenced Application and granted **Preliminary Approval**. It is being forwarded to you for Local Option District approval or disapproval of the Liquor License Application.

While the law states that "within forty-five (45) days after receipt of a Notice from the Alcohol and Gaming Division, the governing body shall hold a Public Hearing in the question of whether the department should approve the proposed issuance or transfer", we recognize the potential for conflict between the requirement for publication of 30 day notice and the 45 day hearing requirement. Should the Local Governing Body be unable to meet one of these requirements, please send a Request for Waiver/Extension by email to the assigned AGD Hearing Officer listed on page 2.

Notice of the Public Hearing required by the Liquor Control Act shall be given by the governing body by publishing a notice of the date, time, and place of the hearing twice during the 30 days prior to the hearing in a newspaper of general circulation within the territorial limits of the governing body. **The first notice must be published at least thirty (30) days before the hearing.** Both publications must occur before a hearing can be conducted. The notice shall include:

- (A) Name and address of the Applicant/Licensee;
- (B) The action proposed to be taken by the Alcohol & Gaming Division;
- (C) The location of the licensed premises.

In addition, if the Local Option District has a website, the Notice shall also be published on the website.

The governing body is required to send notice by certified mail to the Applicant of the date, time, and place of the Public Hearing. The governing body may designate a Hearing Officer to conduct the hearing. A record shall be made of the hearing.

THE APPLICANT IS SEEKING A TRANSFER OF OWNERSHIP AND LOCATION OF DISPENSER LICENSE NO. 0700, WITH PACKAGE SALES.

Alcohol and Gaming Division
(505) 476-4875

Boards and Commissions Division
(505) 476-4600

Construction Industries Division
(505) 476-4700

Financial Institutions Division
(505) 476-4885

Manufactured Housing Division
(505) 476-4770

Securities Division
(505) 476-4580

Administrative Services Division
(505) 476-4800

Within thirty (30) days after the Public Hearing, the governing body shall notify the Alcohol and Gaming Division of their decision to approve or disapprove the issuance or transfer of the license by signing the enclosed original Page 1 of the Application. The original Page 1 of the Application must be returned together with the notices of publication. **If the Governing Body fails to either approve or disapprove the issuance or transfer of the license within thirty days after the Public Hearing, the Director may issue the license.**

If the Governing Body disapproves the issuance or transfer of the license, it shall notify the Alcohol and Gaming Division within thirty (30) days setting forth the reasons for the disapproval. A copy of the Minutes of the Public Hearing shall be submitted to the Alcohol and Gaming Division with the Notice of Disapproval (*Page 1 of the Application, noting disapproval*).

Respectfully,



Beverly Kennedy, Hearing Officer
NM Regulation & Licensing Dept. | Alcohol & Gaming Division
Phone: (505) 476-4548 Fax: (505) 476-4595
Email: beverly.kennedy@state.nm.us

Enclosures:

1. Original Page 1 of the Application (*must be signed and returned w/notices of publication*)
2. Copy of Page 2 of the Application
3. Copy of Zoning Statement



PREMISES LOCATION, OWNERSHIP, AND DESCRIPTION

NMSA §60-6B-10

1. The land and building which is proposed to be the licensed premises is: (check one)

☒ Owned by Applicant, copy of deed/document attached

☐ Leased by Applicant, copy of lease/document attached

☐ Other (provide details): _____

2. If the land and building are not owned by Applicant, indicate the following:

A. Owner(s): **Centennial Village LLC, a NM Limited Liability Company**

B. Date and Term of Lease: **1 July, 2017**

3. Premises location is Zoned (example C-1, see Zoning Statement): **C1**

☒ **Zoning Statement attached**, which must be obtained from the Local Government, listing the proposed location by address, Type of Zone, state whether alcoholic beverages are allowed at proposed location, and if applicable, whether packaged sales, patio service and/or manufacturing is allowable. If there is no zoning in the proposed location, attach Statement from the local government, indicating there is no zoning.

4. Distance* from nearest Church: (Property line of church to closest point of licensed premises—shortest distance)

Name of Church: **Gateway Baptist Church of Alamogordo** Miles/feet: **530 Feet**

Address/location of Church: **980 W US HWY, 70 ALAMOGORDO, NM, 88310**

5. Distance* from nearest School: (Property line of school to closest point of licensed premises—shortest distance)

Name of School: **Mountain View Middle School** Miles/feet: **2.49 Miles**

Address/location of School: **500 Washington Ave. Alamogordo, NM 88310**

6. Distance from military installation * (Property line of military installation to closest point of licensed premises—shortest distance.)

Name of Military Installation, circle one: **Kirtland Air Force Base (Albuquerque)**, White Sands Missile Range (Las Cruces),
Miles: **5.94 miles** **Holloman Air Force Base (Alamogordo)**, Cannon Air Force Base (Clovis)

7. Attach Detailed Floor Plan, must include the Total Square Footage of premises; List nearest cross street; Show which direction is North; Show each level (floor) where alcoholic beverages will be sold or consumed, exterior walls, doors, and interior walls; Patio Area with type of barrier used; Highlight Bonded Areas. The floor plan should be no larger than 8½ x 11 inches and must be labeled with designated areas highlighted, which will reflect the proposed Licensed Premises.

8. Type of Operation: ☐ Hotel ☐ Lounge ☐ Package Grocery ☐ Restaurant ☐ Racetrack

☐ Small Brewer ☐ Craft Distiller ☐ Winery ☐ Wholesaler

☒ Other (specify): **Convenience Store**

*NOTE: If the distance is beyond 300 feet, but less than 400 feet, a Registered Engineer or Licensed Surveyor must complete a Survey Certificate showing the exact distance.

COPY



City of Alamogordo



Community Development • 1376 E. Ninth Street • Alamogordo, New Mexico 88310 • (575)439-4220 FAX (575)439-4343

CD-015-2017

August 4, 2017

New Mexico Liquor Licenses, LLC
6739 Academy Rd. NE Suite 110
Albuquerque, New Mexico 87109

RE: Zoning of **880 US Hwy 70 West**
Legal Description: M&J SUBDIVISION, LOT 1
Map Code: 01N-4-054-097-011-219 & PC: 01-14070

To Whom It May Concern,

We have researched our records and determined the zoning classification of that certain real property, which has the street address **880 US Hwy 70 West** within the corporate boundaries of the City of Alamogordo, New Mexico. This is written, in accordance with the provisions of Section 2-01-030(j) and Section 29-01-010 of the Code of Ordinances of the City of Alamogordo, New Mexico, to provide a Certificate of Zoning Classification regarding the Property.

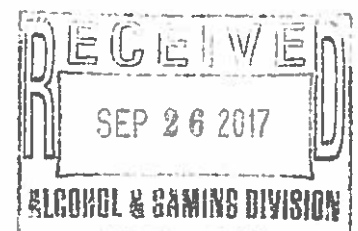
The property at **880 US Hwy 70 West** is within the **C3, Business District** as per the City of Alamogordo Zoning Map, which does not prohibit the sale of alcoholic beverages. Alamogordo Municipal Code Chapter 29, Zoning, allows commercial business within this district.

Please contact me if you need more information. Note that for a full understanding of what is permitted or prohibited by the Alamogordo Code of Ordinances please refer to the Code in its entirety. The City's website at <http://ci.alamogordo.nm.us> provides access to the entire Municipal Code. On the City's Home page click on GOVERNMENT – COA Code of Ordinances – Chapter 29 Zoning.

Sincerely,

Ms. Stella Rael
Planning and Zoning Administrator CZO
City of Alamogordo
1376 E Ninth St.
Alamogordo, NM 88310-5938
(575) 439-4208; Fax: (575)439-4343
srael@ci.alamogordo.nm.us

COPY





New Mexico Regulation and Licensing Department | Alcohol and Gaming Division
PO Box 25101 Santa Fe, NM 87504-5101 | Phone: (505) 476-4875 Fax: (505) 476-4595



AGD USE ONLY: Payment| Application Fee \$ 200 Received on: 9-27-17 Receipt No. 2004211

Application Number: 1066247 Local Option District: _____

TRANSFER OF DISPENSER-TYPE LIQUOR LICENSE APPLICATION

\$200.00 Application Fee, non-refundable.

License No. 0700

Type of License: Dispenser

Check appropriate boxes:

Application is for: ☐ Transfer of Ownership ☒ Transfer of Ownership and Location ☐ Transfer of Location Only

Record Owner of Existing License: Tommie Herrell

430-7186

Current D/B/A Name: Taqueria Y Salon MEXICO N/A

Current Premises Address: 56 McDonald Road Alamogordo NM 88310

Current LOD: City of Alamogordo

Is License moving out of Local Option District? ☐ Yes ☒ No

APPLICANT IS: ☐ Individual ☐ Limited Liability Company ☒ Corporation ☐ Partnership (General/Limited)

NAME of Individual/Company:

ADDRESS (including city, state, zip)

Allsup's Convenience Stores, Inc. P. O. Box 1907 Clovis NM 88102

Notice also to: Linda Aikin, 530 B Harkle Road Santa Fe NM 87505 505-982-6224

D/B/A Name to be used: Allsup's

Business Phone #: tbd

Email Address (required): acslnc@allsups.com

Physical location where license is to be used: (Include Street # / Highway # / State Road, City, State, and Zip Code)

880 W. US Hwy 70, Alamogordo NM 88310

County of: Otero

Mailing Address: P. O. Box 1907 Clovis NM 88102

Are alcoholic beverages currently being dispensed at the proposed location? ☐ Yes ☒ No If Yes, License # / Type: _____

Agent/Contact Person: Linda Aikin

Phone#: 982-6224

Email: lla@cybermesa.com

I, (print name) Barbara Allsup, as (title) Financial V-Pres

being first duly sworn upon oath deposes and says: that he/she is the applicant or is authorized by the applicant to make this application; that he/she has read the same; knows the contents therein contained are true. Applicant(s) agree(s) that if any statements or representations herein are found to be false, the Director may refuse to issue or renew the license or may cause the license to be revoked at any time.

Sign before a Notary Public:

Signature of Applicant: Barbara J Allsup

Date: 9-20-17

NOTARY PUBLIC USE ONLY: (State of New Mexico, County of Curry)

SUBSCRIBED AND SWORN TO before me this 20 day of Sept

By: Barbara J Allsup

Notary Public: Shari Allen

My Commission Expires: 12/30/18



FOR LOCAL OPTION DISTRICT USE ONLY: Local Governing Body of: _____

City, County, Village

Public Hearing held on _____, 20____. Check one: ☐ Approved ☐ Disapproved

Signature and Title of City/County Official: _____

FOR ALCOHOL AND GAMING DIVISION USE ONLY:

☐ Approved

☐ Disapproved

Signed by Director: _____

Date: _____



City of Alamogordo



OFFICE OF THE CITY CLERK

1376 E. NINTH STREET • ALAMOGORDO, NEW MEXICO 88310-5838 • (575) 439-4205 FAX (575) 439-4396

December 26, 2017

VIA CERTIFIED MAIL

All Sup's Convenience Stores, Inc.
Attn: Barbara Allsup
PO Box 1907
Clovis, NM 88102

Re: Application 1066267 a Transfer of Ownership and Location of Dispenser License No. 0700, with Package Sales located at 880 W. US HWY 70, Alamogordo, NM 88310.

Ms. Allsup

The City of Alamogordo will hold a Public Hearing on the question of whether or not the Alcohol and Gaming Division of the State of New Mexico should grant **Application 1066267 a Transfer of Ownership and Location of Dispenser License No. 0700, with Package Sales located at 880 W. US HWY 70, Alamogordo, NM 88310.**

The Public Hearing will be on January 30, 2018 at 6:30 pm at the Commission Chambers during the Regular City Commission meeting located at City Hall, 1376 E. Ninth Street in Alamogordo, New Mexico, 88310.

If you have any questions, please contact me at (575) 439-4205.

Sincerely,

Rachel Hughs,
City Clerk

Copy to Tommie Herrell and Linda Aikin

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

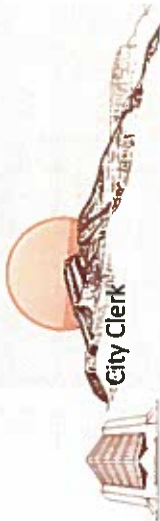
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 3.81

Postmark
Here

Sent To
 Street, Apt. No.
 or PO Box No.
 City, State ZIP+4[®]

All Sup's Convenience Stores, Barbara Allsup
Attn: Barbara Allsup
PO Box 1907
Clovis, NM 88102

PS Form 3800, August 2005 See Reverse for Instructions



City Clerk

City of Alamogordo

1376 E. NINTH STREET

ALAMOGORDO, NEW MEXICO 88310-5938

City Clerk

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

All Sup's Convenience Stores
Attn: Barbara Allsup
PO Box 1907
Clovis, NM 88102

2. Article Number

(Transfer from service label)

7006 3450 0001 8876 6113

PS Form 3811, February 2004

Domestic Return Receipt

CERTIFIED MAILTM



7006 3450 0001 8876 6113

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Surddora*

☐ Agent

☐ Addressee

B. Received by (Printed Name)

JAN 28 2010

D. Is delivery address different from item 1?

☐ Yes

☒ No

3. Service Type

☒ Certified Mail

☐ Registered

☐ Insured Mail

☐ Express Mail

☐ Return Receipt for Merchandise

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

☐ No

109585-02-01-1540

Hasler

12/27/2017

US POSTAGE

\$003.81⁰



ZIP 88310

011E11672725

All Sup's Convenience Stores, Inc.

Attn: Barbara Allsup

PO Box 1907

Clovis, NM 88102

LINDA L. AIKIN
LAWYER
530B HARKLE ROAD
SANTA FE, NEW MEXICO 87505
(505) 982-6224
FAX: (505) 982-0352
E-Mail lla@cybermesa.com

January 4, 2018

Ms. Rachel Hughs
City Clerk
City of Alamogordo
1376 E. Ninth Street
Alamogordo, New Mexico 88310

Re: Application for Transfer of Ownership and Location of Liquor License No. 0700 to
Allsup's Convenience Stores, Inc.

Dear Ms. Hughs:

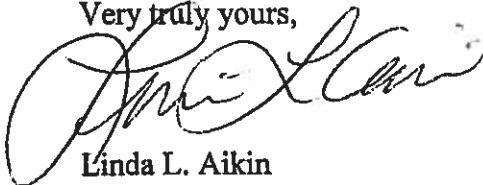
We discussed the referenced application which will be considered at the January 30, 2018 City Commission meeting. Tommie Herrell and a representative of Allsup's Convenience Stores, Inc. ("Allsup's") will be present at that hearing.

Liquor License No.0700 (the "License") is currently approved for operation at 56 McDonald Road. (the McDonald property). Prior to annexation by the City of Alamogordo, GSG, Inc. obtained approval for operation of the License at the McDonald property. After the annexation, Mr. Herrell agreed to purchase the License from GSG, Inc. for use in Mr. Herrell's development of the property located 880 W. US Hwy 70. Mr. Herrell will not operate the License himself. Instead, he agreed to transfer the License to Allsup's for use at 880 W. US Hwy 70.

Mr. Herrell disclosed the agreement between himself and GSG, Inc. to the New Mexico Alcohol and Gaming Division (the "AGD"). Mr. Herrell also disclosed the agreement between himself and Allsup's to the AGD. The AGD has done a background check on Mr. Herrell because the License will technically pass through his hands, even though he won't operate the License. Mr. Herrell will never be listed as the owner of record of the License.

Because Allsup's will be the operator of the License in Alamogordo, Allsup's must obtain approval of the City of Alamogordo. Please contact the AGD if you would like to verify these facts.

Very truly yours,



Linda L. Aikin

Legal Notices 152

in the Commission Chambers of the Alamogordo City Hall located at 1376 E. Ninth Street, Alamogordo, New Mexico, on the question of whether or not the Alcohol and Gaming Division of the State of New Mexico should grant Application No. 1066267 a Transfer of Ownership and Location of Dispenser License No. 0700, with Package Sales located at 880 W. US HWY 70, Alamogordo, NM 88310 to Allsup's Convenience Stores Inc., PO Box 1907, Clovis NM 88102.

Inquiries regarding this Public Hearing should be directed to the City Clerk's Office at City Hall.

Date: 12/26/2017
City of Alamogordo,
New Mexico
By: Rachel Hughs,
City Clerk

**NOTICE OF
PUBLIC HEARING**

**NOTICE IS HEREBY
GIVEN** that the Alamogordo City Commission will hold a PUBLIC HEARING on Tuesday, January 30, 2018 at 6:30 p.m.

**NOTICE OF
PUBLIC HEARING**

**NOTICE IS HEREBY
GIVEN** that the Alamogordo City Commission will hold a PUBLIC HEARING on Tuesday, January 30, 2018 at 6:30 p.m. in the Commission Chambers of the Alamogordo City Hall located at 1376 E. Ninth Street, Alamogordo, New Mexico, on the question of whether or not the Alcohol and Gaming Division of the State of New Mexico should grant Application No. 1066267 a Transfer of Ownership and Location of Dispenser License No. 0700, with Package Sales located at 880 W. US HWY 70, Alamogordo, NM 88310 to Allsup's Convenience Stores Inc., PO Box 1907, Clovis NM 88102.

Inquiries regarding this Public Hearing should be directed to the City Clerk's Office at City Hall.

Date: 12/26/2017
City of Alamogordo,
New Mexico
By: Rachel Hughs,
City Clerk

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 01/30/2018

Report Date: 01/25/2018

Report No: 12.

Submitted By: Nancy Beshaler

Subject: Consider, and act upon, award of Public Works Bid No. 2017-016 to Enoch Mechanical Inc., related to the Family Recreation Center Gym HVAC Upgrade, in an amount not to exceed \$124,200.00, including NMGRT. (*Nancy Beshaler, Project Manager*)

Fiscal Impact: \$124,200.00

Amount Budgeted: \$315,000.00

Fund: 119-6199-990.63-91 NB1805

Additional Fiscal Impact:

Recommendation: Approve the award.

Background: The work will consist of replacement of existing heating, ventilating units and evaporative coolers with new packaged natural gas fire heating rooftop units and associated ductwork.

The project was advertised on December 3, 2017. Bids were opened on January 10, 2018 with two (2) responsive bids received from Enoch Mechanical Inc. and White Sands Construction. One (1) incomplete bid was received from TLC Plumbing.

Please refer to the attached bid tabulation.

BID TABULATION
FAMILY RECREATION CENTER GYM HVAC UPGRAD
PUBLIC WORKS BID NO. 2017-016
January 10, 2018

ITEM	ESTIMATED QUANTITY		DESCRIPTION	Enoch Mechanical Inc. License 81950		White Sands Construction License 50235		TLC Plumbing & Utility License 51429	
				Unit Price	TOTAL AMOUNT	Unit Price	TOTAL AMOUNT	Unit Price	TOTAL AMOUNT
1	1	LS	BASE BID - GYM HVAC UPGRADE	\$ 115,000.00	\$ 115,000.00	\$ 129,000.00	\$ 129,000.00	\$ 166,640.00	\$ 166,640.00
BID SUBTOTAL				\$	115,000.00	\$	129,000.00	\$	166,640.00
NMGRT (8.0%)				\$	9,200.00	\$	10,320.00	\$	13,331.20
TOTAL BASE BID with tax				\$	124,200.00	\$	139,320.00	\$	179,971.20
Preference				5% State	\$ 5,750.00	10% Local	\$ 12,900.00	5% State	\$ 8,332.00
Bid With Preferences (for consideration of award only)					\$109,250.00		\$116,100.00		\$158,308.00
								Bid Package was incomplete	
				Enoch Mechanical Inc. License 81950		White Sands Construction License 50235		TLC Plumbing & Utility License 51429	

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 01/30/2018

Report Date: 01/22/2018

Report No: 13.

Submitted By: Jim Talbert

Subject: Consider, and act upon, signing a letter to the GSA requesting 2 QF-4E aircraft from Holloman AFB be transferred to the City of Alamogordo for use as Static Displays with locations at Alameda Park and the Alamogordo Airport. *(Jim Talbert, Airport Manager)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: The Mayor, the City Manager and each City Commissioner sign the letter.

Background: On July 14, 2014, the City Commission approved applying to the Air Force Museum to obtain and F-4 for a static display for the City of Alamogordo. In 4 years, we have gone from 34 on the list to 21. In January of 2017, I along with some others, began working on getting the remaining QF-4's into the GSA system in another attempt to get the City an Air Force Aircraft for a static display. On December 27, 2017 the 2 remaining QF-4's at Holloman AFB were put into the GSA system. Any entity in the world can apply for these 2 F-4's. Each entity is allowed 1 letter to the GSA system requesting these aircraft. In Alamogordo's case, this letter has to go through the State excess property office. I have prepared the letter and am requesting that the Mayor, City Manager and each City Commissioner sign the letter. The deadline for the submission of letters is February 27, 2018 We have 1 shot at this and we want to make a good one!



City of Alamogordo

30 January 2018

Mr. Chris Barella,

The City of Alamogordo New Mexico is requesting approval for the award of QF-4 74-1625, item control number FB480173637416, FSC/National stock number; 1510 from GSA located at FB4801 49 LRS LGRDDR, 260 Delaware Ave Bldg 311, Holloman Air Force Base, New Mexico 88310 and QF-4 68-0450, item control number FB4801736304506, FSC/National stock number; 1510 from GSA located at FB4801 49 LRS LGRDDR, 260 Delaware Ave Bldg 311, Holloman Air Force Base, New Mexico 88310. Both these items were advertised on the GSAXcess website.

The City of Alamogordo has a long and significant history with Holloman Air Force Base since the Base was constructed in the 40's. The history with the F-4 Phantom 2 is also extensive. The 49th Wing brought the F-4 to Holloman in the late 60's to become the largest F-4 wing in the world, sporting 96 F-4 aircraft permanently stationed at Holloman making up four squadrons. When the USAF retired the F-4 from active service, the German Airforce brought their F-4 training to Holloman until their retirement in December of 2004. The F-4's were still flying over Alamogordo out of Holloman, but this time as the QF-4, a full scale airborne drone. These drones provided not only research and development of air to air missiles, but invaluable training to USAF pilots and crews. These drones flew until December of 2016. And yet, the City of Alamogordo does not now, nor has it ever had, a static display of any Air Force aircraft, let alone an F-4, to acknowledge and celebrate the lengthy history of the city and the Phantom 2.

Throughout all this history, the City of Alamogordo has supported Holloman Air Force base in a manner unparalleled by any other city and Air Force base combination. The city has a Committee of 50 with the sole mission to support Holloman in any means necessary. In support of the recent transition to the F-16, the city formed another committee of volunteers called "The Main Gate Committee" with the sole purpose to support the transition to the F-16 and to promote the growth of the mission at Holloman. The Airmen of Holloman responded to this support many years ago by creating the "Big Give", a program in which the airmen of Holloman donate time and materials to various construction and renovation projects in the City of Alamogordo. This program has served as the model of other such programs at other Air Force bases. And yet, with all this spirit of corporation and camaraderie, there is no static display of an Air Force airplane in the city!

As a result of this long standing history, there are scores of former F-4 crew members and maintenance personnel willing to donate their time and money to first of all bring these two QF-4's back to their former glory as well as maintain that glory. Current and former aircraft painters have already offered to paint the aircraft and riggers have offered their time and talents to safely move and secure the F-4's to their static display locations. A local contractor has agreed to build



City of Alamogordo

the necessary concrete stands and landscaping to beautify both of the F-4's display setting. These same volunteers along with potential Big Give active duty airmen will continue to maintain these F-4's in pristine condition.

The City of Alamogordo has contacts with military personnel that have access to all the Technical Orders (TO's) for the F-4's. This will allow the city to set up the static displays and help maintain the beauty of these famous warbirds. The City also has access to the proper equipment to move the F-4's from Holloman Air Force Base the 6 miles to their display location. The key component of this equipment is a large former Air Force tug capable of pulling aircraft much larger than an F-4.

The display of the first aircraft, which will be painted in the Viet Nam era low level paint scheme, will be at the south end of the city's Alameda Park, as part of the already existing Airborne Memorial Park. This area is highly visible to all citizens of Alamogordo as well as the visitors. Pictures of this location are in exhibit A. The second F-4 will be painted in the colors of the German Air Force (Gray) (F-4F) to honor those German and US airman who trained and instructed in F-4F's at Holloman AFB for over 20 years. This F-4 will be placed at the entrance to the Alamogordo White Sands Regional Airport in a park setting where we hope to have a P2V Neptune aircraft also on static display. This F-4 will also be kept in show condition by numerous volunteers that flew and loved this aircraft. This location is described in Exhibit B. Each of these displays will have the F-4 on a metal brace through the landing gear wheel hubs so the wheels will be inches off the ground. The City plans to coordinate with the Holloman AFB Heritage Park operators for construction plans.

The biggest reason the City of Alamogordo should be awarded both of these historic aircraft is that the City has for over 70 years supported Holloman AFB and has never had an Air Force aircraft for a static display honoring those brave airmen who flew and maintained these incredible aircraft. For the over 55 years these planes have graced the skies over Alamogordo. In the event only one of the QF-4's would be awarded to The City of Alamogordo, the location would be the one described in exhibit A, requesting tail number 74-1625. It would, however, be the best benefit to the City and citizens of Alamogordo to correct this long standing travesty of not having any Air Force static display aircraft to award both of the QF-4's to Alamogordo, especially since the city is so close to the QF-4's current location and transportation costs will be almost non-existent and the aircraft will not risk any damage by the necessity of being disassembled and transported. Thank you for your consideration.

We the undersigned, being the elected and appointed leaders of Alamogordo, fully support the award of QF-4 tail numbers 74-1625 and 68-0450 to the City for the purpose of static displays within the City Limits of Alamogordo.



City of Alamogordo

Mayor, Richard Boss

City Manager, Maggie Paluach

Mayor Pro Tem Alfonzo Hernandez

Commissioner Jason Baldwin

Commissioner Nadia Sikes

Commissioner Susan Payne

Commissioner Jenny Turnbull

2 Attachments

Exhibit A

Exhibit B



City of Alamogordo

EXHIBIT A

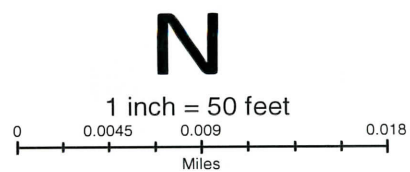
1. This is the location if only one QF-4 is awarded to Alamogordo.
2. Picture One, overview of proposed location in Alameda Park. Actual location may be slightly different to accommodate existing trees.
3. Picture two, entrance to park where F-4 will be located.
4. Picture three is the planned location of the QF-4 looking West
5. Picture four is the planned location of the QF-4 looking East



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F4 Phantom Static Display



ALAMO GORDO AIRBORNE MONUMENT





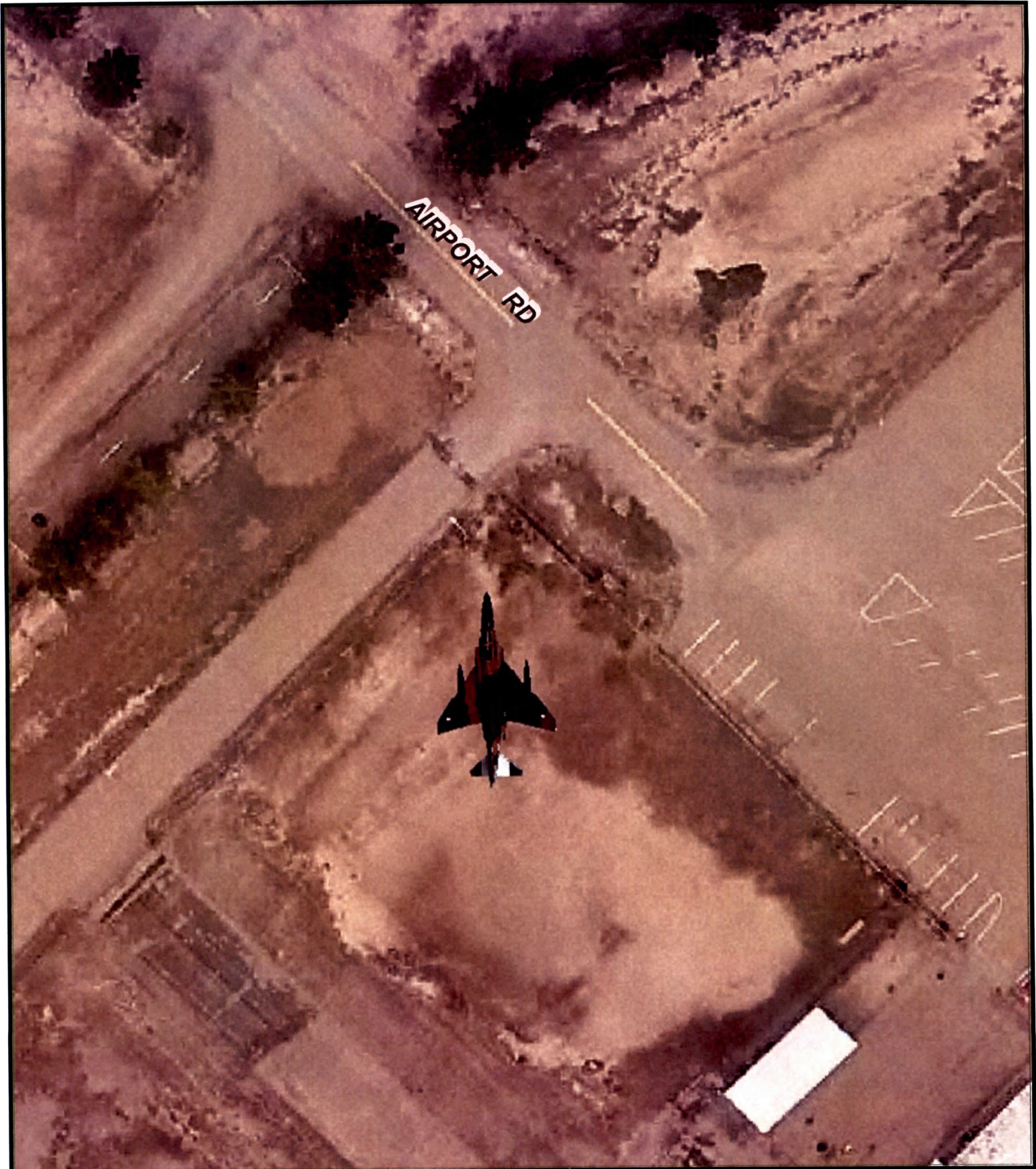




City of Alamogordo

EXHIBIT B

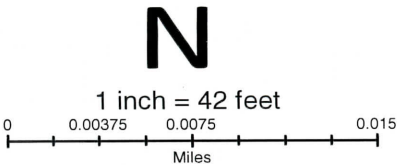
1. This is the location welcoming people to the Alamogordo White Sands Regional Airport. This area will have colorful landscaping added when the F-4 is placed here.
2. Picture one is the location inside a fenced in area West of the main road and Northwest of the main parking lot.
3. Picture two is looking from the entry road to the Southwest where the F-4 painted as a German F-4F.
4. Picture three is the display area looking from the main parking lot to the Northwest.
5. Picture four is the display area from inside the fence.



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*F4 Phantom
Static Display*









AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 01/30/2018

Report Date: 01/19/2018

Report No: 14.

Submitted By: Larry Garner

Subject: Consider and act upon, appointing two Commissioners as replacements for the Otero County/Greentree Regional Landfill. (*Larry Garner, Public Works Director*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve staff recommendation.

Background: There will be two vacancies on the Landfill board due to Commissioner Erica Martin resigning and Commissioner Jenny Turnbull not running for Commissioner in the next election.

The next annual meeting of the Landfill board is the last Thursday in March in Ruidoso.

Staff recommends that Mayor Pro-Tem Al Hernandez and Commissioner Jason Baldwin be selected as replacements on the Board as neither of them are up for re-election.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 01/30/2018

Report Date: 01/25/2018

Report No: 15.

Submitted By: April Jones

Subject: Appointments to Boards and Committees. (*Richard Boss, Mayor*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Appoint to the Airport Advisory Board, Parks and Recreation Board, and Planning and Zoning Board.

Background: Airport Advisory Board. Two (2) vacancies. Staff Liason - Cheryl OteroBaker.
(Openings due to expiring terms of Lance Grace and Robert Hicks.)

The following individual is interested in being reappointed:

Lance Grace if appointed, this will be his 6th term.

The following individual is interested in being reappointed:

Robert Hicks if appointed, this will be his 2nd term.

Airport Zoning Board. Three (3) vacancies. Staff Liaison - Cheryl Otero-Baker

(Openings due to the expired term of Darron Williams and resignation of Frank Nelson and Paul Vigneault.)

No nominations received.

Alamogordo Disability Council. Three (3) vacancies. Staff Liaison - **No Staff Liaison appointed to this Council**

(Openings due to the resignation of Viviane Ackall, and expired terms of Lori Adam and Rita Martinez)

No nominations received.

Alamogordo Promotion Board. One (1) vacancy- tourism related. Staff Liaison - Jan Wafful

(Opening due to Kathleen Beall's resignation)

No nominations received.

Alamogordo Public Library Board. One (1) vacancy. Staff Liason - Melissa Garcia.

No nominations received.

Community Development Advisory Committee. Six (6) vacancies. Staff Liaison - Cynde Sagenkahn (Opening due to the expired term of Bruce Knee, Melanie Hall, and Gloria Vaughn; and the resignation of Eddie Kemp and Arthur Alterson)
No nominations received.

Parks and Recreation Board. Two (2) vacancies. Staff Liason - Jan Wafful. (Opening due to the resignations of Ray Vincent and Paul Sanchez)
The following individual is interested in being appointed
Colleen Moon, if appointed this will be her 1st term.

Planning and Zoning Board. One (1) vacancy. Staff Liason: Stella Real.
(Opening due to expiring term of Pamela Lee, Chairperson)
The following individual is interested in being reappointed
Pamela Lee if appointed, this will be her 4th term.

Senior Volunteer Programs Advisory Council. One (1) vacancies. Staff Liaison - Julie Baker (Openings due to the expiring terms of Annarelle McDonald)
No nominations received.

City of Alamogordo
APPLICATION TO SERVE ON A
CITY BOARD/COMMITTEE

RECEIVED
JAN 05 2018
CITY CLERK

Name: Lance Grace
Home Phone: (575) 437-5499 Work Phone: —
Cell Phone: (575) 491-4260 Fax No: —
e-mail address: Lance C Grace@gmail.com
Physical Address: 44 Marble Canyon Dr, Alamogordo, NM 88310
Is the above address within City limits? Yes — No X
Mailing Address: Same
Present Employer: Self Job Title: Owner

Board/Committee you wish to serve on:

First choice: Airport Advisory Board

Second choice: —

Are you related to anyone who is presently employed by the City of Alamogordo:

Yes — No X If so, what is their relation to you? —

Are you related to any Elected Official of the City of Alamogordo?

Yes — No X If so, what is their relation to you? —

Experience and education relating to the Board/Committee: Member for about
10 years + current chairman. Pilot for 41 years.

Please indicate your interest in serving on a City Board/ Committee:

Can have significant influence in making the
airport a better place, therefore, making
Alamogordo and the surrounding area, a better
place to live + work.

Please return completed application to:

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

RECEIVED
JAN 03 2018
CITY CLERK

Pamela R. Lee
312 Wildwood Drive
Alamogordo, New Mexico 88310
(575) 415-3628

Rachel Hughes
City Clerk
City Clerk's Office
1376 E. Ninth Street
Alamogordo, New Mexico 88310

December 18, 2017

Re: Application To Serve on City Board/Committee

Dear Ms. Hughes:

Please find enclosed my application to continue serving on Alamogordo's Planning and Zoning Commission after my current term expires on February 5, 2018. I strongly desire to continue my service for another term.

Respectfully,



Pamela R. Lee

Enclosure

City of Alamogordo Application to Serve on a City Board/Committee

City of Alamogordo

APPLICATION TO SERVE ON A CITY BOARD/COMMITTEE



Name: Pamela R. Lee

Home Phone: (575) 415-3628 Work Phone: N/A

Cell Phone: (703) 201-0114 Fax No: _____

Email Address: leeem@earthlink.net

Is the above Address within City limits? Yes ☒ No _____

Mailing Address: 312 Wildwood Drive, Alamogordo, New Mexico 88310

Present Employer: None. Colonel (Judge Advocate), USAFR (Retired); Trial Attorney, U.S. Department of Justice (Retired)

Board/Committee you wish to serve on:

1st Choice: Planning and Zoning Commission

2nd Choice: _____

Are you related to anyone who is presently employed by the City of Alamogordo?

Yes _____ No ☒ If so, what is their relation to you: _____

Are you related to any Elected Official of the City of Alamogordo?

Yes _____ No ☒ If so, what is their relation to you: _____

Experience and education relating to the Board/Committee:

Education: Drake University (BA); Drake Law School (JD); George Washington University Law Center (LL.M)

Experience: I am the current Chair of the Planning and Zoning Commission and was Vice Chair and a member before that.

Please indicate your interest in serving on a City Board/Committee:

I am dedicated to seeing that the progress made in revitalizing our city made during the past few years continues.

As I have done in the past, I believe I can provide the leadership to ensure that it does.

Please return completed application to:

City Clerk's Office
1376 E Ninth Street
Alamogordo, NM 88310
Phone: (575) 439-4205 Fax: (575) 439-4396
Email: adjones@ci.alamogordo.nm.us

City of Alamogordo
APPLICATION TO SERVE ON A
CITY BOARD/COMMITTEE

RECEIVED

JAN 05 2018

CITY CLERK

5 JAN 18

Name: Robert C. Hicks, Jr
Home Phone: 575-439-0016 Work Phone: 575-491-2949
Cell Phone: 575-491-2949 Fax No: _____
e-mail address: rhicks@zianet.com
Physical Address: 3251 N. Scenic Dr, Alamogordo, NM 88310
Is the above address within City limits? Yes _____ No X
Mailing Address: 3251 N. Scenic Dr, Alamogordo, NM 88310
Present Employer: Hicks Aviation Services Job Title: Owner

Board/Committee you wish to serve on:

First choice: Airport Advisory Board
Second choice: _____

Are you related to anyone who is presently employed by the City of Alamogordo:

Yes _____ No X If so, what is their relation to you? _____

Are you related to any Elected Official of the City of Alamogordo?

Yes _____ No X If so, what is their relation to you? _____

Experience and education relating to the Board/Committee: I have a Commercial Instrument Airplane pilot license with over 3700hr flying time. I'm an active Flight Instructor with the Holloman Aero Club. I'm Chief Tow Pilot for the White Sands Soaring Association.

Please indicate your interest in serving on a City Board/ Committee: I've served on the Airport Advisory Board since 2015, and I'd like to continue to serve. I'm an airplane owner based at Alamogordo Airport, and I care deeply about our airport and its future.

Please return completed application to:

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

City of Alamogordo
APPLICATION TO SERVE ON A
CITY BOARD/COMMITTEE

Name: Colleen Moon
Home Phone: _____ Work Phone: _____
Cell Phone: 575-551-0193 Fax No: _____
E-mail address: colleenbrittonmoon@gmail.com
Physical Address: 3002 Los Robles, Alamogordo
Is the above address within City limits? Yes ☒ No ☐
Mailing Address: 3002 Los Robles, Alamogordo NM 88310
Present Employer: APS - Athletics Job Title: Head Swim Coach

Board/Committee you wish to serve on:

First choice: Parks and Rec

Second choice: _____

Are you related to anyone who is presently employed by the City of Alamogordo?

Yes _____ No ☒ If so, what is their relation to you? _____

Are you related to any Elected Official of the City of Alamogordo?

Yes _____ No ☒ If so, what is their relation to you? _____

Experience and education relating to the Board/Committee: NMCA certified coach
competitive swimmer at all levels (age 7 - NCAA div III)
22 years coaching experience including age group,
summer swim league teams & High School

Please indicate your interest in serving on a City Board/ Committee: I would like
to serve our community by offering my experience as
a coach and community member for the good of
Alamogordo.

Please return completed application to:

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

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 01/30/2018

Report Date: 01/25/2018

Report No: 16.

Submitted By: Kitty Williams

Subject: Review and give direction regarding Rules of Conduct for City Commission Meetings. (*Petria Schreiber, City Attorney*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Give staff direction.

Background: Rules of Conduct for City Commission meetings adopted on February 28, 2012. Last reviewed with no changes on March 11, 2014.

**CITY OF ALAMOGORDO
RULES OF CONDUCT FOR CITY COMMISSION MEETINGS**

RULE 1. RULES OF ORDER.

Except as otherwise provided by these rules, the City Charter, the Municipal Code, or applicable provisions of State law, the procedures of the City Commission shall be governed by using the latest revised edition of Roberts Rules of Order as a guideline.

The City Commission rules, or any one thereof, may be suspended by a majority vote of the Commission members present.

RULE 2. TIME AND PLACE FOR HOLDING REGULAR MEETINGS.

Pursuant to the provisions of Article VII, Section 5 of the Alamogordo City Charter, the City Commission shall establish the dates, time and place for holding regular meetings of the City Commission.

RULE 3. QUORUM AND ACTION.

A majority of incumbent Commission members shall constitute a quorum for the transaction of business. Except as otherwise provided in the Charter, other laws or these rules, action shall be taken by a majority vote of the entire membership of the City Commission. However, in the case of a quasi-judicial hearing, if only four Commission members are participating, the applicant or appellant shall be entitled to request and receive a continuance of the hearing, until such time as five Commission members are participating.

Whenever any Commission member questions the presence of a quorum, the Presiding Officer shall forthwith direct the City Clerk to call the roll, each Commission member shall respond when his or her name is called and the Clerk shall announce the result. Such proceedings shall be without debate, but no Commission member who is speaking may be interrupted by a question as to the presence of a quorum.

The Commission may also establish standing subcommittees of its members to address designated areas of City business on the Commission's behalf and may establish ad hoc committees to formulate reports or recommendations on particular matters.

RULE 4. MEETINGS TO BE PUBLIC - EXCEPTION FOR CLOSED EXECUTIVE SESSIONS.

As required by the Open Meetings Act, NMSA, 1978, §et seq., all regular and special meetings of the City Commission shall be public, provided, however, the City Commission may meet in Closed Executive Session from which the public is excluded, for those purposes authorized by the Act.

No Commission member, employee of the City, or any other person present during a Closed Executive Session of the City Commission shall disclose to any person the content or substance of any communication which took place during the Closed Meeting unless the disclosure is required by law.

RULE 5. AGENDA.

- a) The City Clerk shall consult with the City Manager and Mayor in the preparation of the Agenda.
- b) The Agenda and all available supporting documents shall be delivered to Commission members on or before Friday preceding the Tuesday City Commission meeting to which it pertains.
- c) Any Commission member or the City Manager may direct that any matter within the City Commission's jurisdiction be placed upon the Agenda. Commission members should endeavor to submit agenda items by noon on Tuesday in order to ensure that matters will be added to the agenda for the following Tuesday. By majority vote Commissioner's can remove items from the agenda.
- d) Agenda items may be combined with other items on the agenda in order to ensure that the public's business is handled efficiently and conveniently.
- e) The City Clerk shall post the Agenda as required by the Open Meetings Act.
- f) No action shall be taken on any item not appearing on the posted Agenda unless the item is added to the Agenda in the manner required by the Open Meetings Act.
- g) Written requests to the City Commission shall be received and opened by the City Clerk or his or her designee and either shall be transmitted to the appropriate board, commission or staff member or shall be placed on the Agenda if City Commission consideration is deemed appropriate. Written requests shall be scheduled for Commission consideration at the earliest convenient meeting, taking into consideration the length and content of meeting agendas. Members of the public submitting written requests shall be advised of how their request is being handled. No communication shall be placed on an Agenda if it contains material that:
 - 1) Is profane.
 - 2) Is potentially slanderous or libelous.
 - 3) Advocates or opposes the candidacy of any person or party for any elective office.
 - 4) Is primarily an advertisement or promotion or advancement of any cause the major benefit of which is private and not public.

RULE 6. CATEGORIES AND ORDER OF BUSINESS.

The business of the City Commission shall be conducted in the order and manner specified. The order of business will be approved at each organizational meeting of the City Commission.

Order of Business will be as follows:

**CALL TO ORDER & ROLL CALL INVOCATION &
PLEDGE OF ALLEGIANCE APPROVAL OF AGENDA**

PRESENTATIONS PUBLIC COMMENT
CONSENT AGENDA (Roll Call Vote Required for Ordinance or Resolution)
ITEMS REMOVED FROM CONSENT AGENDA
PUBLIC HEARINGS
UNFINISHED BUSINESS NEW
BUSINESS
PUBLIC COMMENT (Continued if needed)
CITY MANAGER'S REPORT
REMARKS AND INQUIRIES BY THE CITY COMMISSION
EXECUTIVE SESSION(Roll Call Vote Required)
ADJOURNMENT

RULE 7. PREPARATION OF MINUTES.

The City Clerk shall have exclusive responsibility for preparation of the Minutes, and any directions for substantive corrections in the Minutes shall be made only by majority vote of the City Commission. Upon the availability of the full audio digital recording of the meetings, the minutes may be prepared in an Action item version with minimal discussion.

RULE 8. APPROVAL OF MINUTES.

Minutes of a City Commission meeting may be approved without reading if the City Clerk has previously furnished each Commission member with a copy.

RULE 9. PRESIDING OFFICER.

The Mayor shall be the Presiding Officer at all meetings of the City Commission. In the absence of the Mayor, the Mayor Pro Tern shall preside. In the absence of both the Mayor and Mayor Pro Tern, the City Clerk shall call the City Commission to order and a temporary Presiding Officer shall be elected by the Commission members present to serve until the arrival of the Mayor or Mayor Pro Tern or until adjournment.

RULE 10. POWERS AND DUTIES OF PRESIDING OFFICER.

- a) Participation. The Presiding Officer may move, second, and discuss from the chair, subject only to such limitations of discussion as are imposed upon Commission members by these rules, and shall not be deprived of any of the rights or privileges of a Commission member by reason of his or her acting as the Presiding Officer.
- b) Duties. The Presiding Officer shall (1) preserve order at all meetings of the City Commission, (2) state (or cause to be stated) each question coming before the City Commission, (3) announce the decisions of the City Commission on all subjects, and (4) decide all questions of order subject to the right to appeal rulings on questions of order to the entire City Commission.

RULE 11. SWORN TESTIMONY.

Any Commission member may request that anyone appearing before the City Commission on any matter shall be sworn. On receipt of such a request, all proceedings shall be suspended and the City Commission will immediately vote on whether the individual should be sworn. A majority vote of the Commission members present shall determine whether the speaker shall be placed under oath. All oaths will be administered by the City Clerk.

RULE 12. RULES OF DISCUSSION.

- a) Getting the Floor. A Commission member desiring to speak shall gain recognition by the Presiding Officer.
- b) Questions to Staff. Every Commission member desiring to question City staff shall address his or her questions to the City Manager, the City Attorney, the City Clerk or designated staff. Members of the City staff, after recognition by the Presiding Officer, shall hold the floor until completion of their remarks or until recognition is withdrawn by the Presiding Officer.
- c) Interruptions. A Commission member who has the floor shall not be interrupted when speaking unless he or she is called to order by the Presiding Officer, a point of order or a personal privilege is raised by another Commission member or the speaker chooses to yield to a question by another Commission member. If a Commission member is called to order, he or she shall cease speaking until the question of order is determined.
- d) Points of Order. The Presiding Officer shall determine all points of order subject to the right of any Commission member to appeal to the City Commission. If an appeal is taken, the question shall be: "Shall the decision of the Presiding Officer be sustained?" The Presiding Officer's decision may be overruled by a two-thirds vote of the Commission members then present.
- e) Motion to Reconsider Legislative Actions. A motion to reconsider any legislative action taken by the City Commission may be made only by one of the Commission members on the prevailing side and may be seconded by any Commission member. Such motion may be made at any time and shall be debatable.
- f) Calling for the Question. A question may be called by majority vote of those present. However, neither the moving party nor the party seconding any motion may call for the question, each Commission member shall be afforded one opportunity to speak on each item before the question is called, and a question may not be called to interrupt or cut off a particular speaker.
- g) Limitation of Discussion. Commission members shall limit their remarks to the subject under discussion. At the discretion of the Presiding Officer, no Commission member shall be allowed to speak more than twice upon any particular subject until every other Commission member desiring to do so has spoken.

RULE 13. PROTEST AGAINST CITY COMMISSION ACTION.

Any Commission member shall have the right to have the reasons for his or her opposition to any vote of the City Commission entered in the Minutes. Such opposition shall be made in the following manner: "I would like the Minutes to reflect that I opposed this action for the following reasons..."

RULE 14. PUBLIC COMMENT.

- a) Public Comment. Public comment is permitted on all agenda items and the public shall have an opportunity to talk on any matter which is not on the Agenda but is within the Commission's jurisdiction. However, members of the public do not have the right to give comment outside the scope of or unrelated to the agenda item under consideration. Additionally, members of the public should strive to avoid unduly reiterating their own or others' comments.
- b) Registration. At the discretion of the Presiding Officer, any member of the public wishing to address the City Commission regarding any item on the Agenda for public discussion shall register with the City Clerk prior to the start of the meeting, if possible, but no later than prior to the public hearing on that item. Any request received after the start of the hearing shall be considered late and may only be heard at the discretion of the Presiding Officer.
- c) Manner of Addressing the City Commission. After being recognized by the Presiding Officer, each member of the public addressing the City Commission shall go to the podium, state his or her name and whom he or she is representing, if he or she represents an organization or other person. All remarks shall be addressed to the City Commission as a whole and not to any individual member.
- d) Time Limits. Except on Written Communication, members of the public may be required to limit their remarks to a period of time specified by the Presiding Officer prior to opening discussion.
- e) Special Assistance for Those Who Cannot Wait to Speak. Members of the public, including those with special needs, who cannot wait to speak on an agenda item, may request assistance from the City Clerk, and a member of the Clerk's office will provide assistance in preparing a written statement for distribution to the Commission.

RULE 15. RULES OF CONDUCT AND SAFETY.

When the City Commission is in session, all persons present must preserve safety and order. Members of the public should sit in the audience seating area, unless addressing the Commission or entering or leaving the Commission Chambers, should not block the aisles with personal belongings and should turn *off* audible equipment when in the Commission Chambers, including cellular telephones or pagers.

Any person who disrupts the meeting shall be called to order by the Presiding Officer. Disruption shall include but not be limited to, blocking the audience or camera view of the proceedings. If such conduct continues, the Presiding Officer may request the Sergeant at Arms to remove the person from Commission Chambers. The Chief of Police or such member or members of the Police Department as he or she may designate, shall be Sergeant At Arms of the City Commission and shall carry out all orders given by the Presiding Officer through the City Manager for the purpose of maintaining order at City Commission meetings. Any Commission member may move to require the Presiding Officer to enforce the rules, and the affirmative vote of a majority of the City Commission shall require him or her to do so.

RULE 16. SEATING ORDER.

After each municipal election, seating order will be determined by seniority. However, the Mayor and Mayor Pro Tern shall be seated in the center of the dais.

RULE 17. ENTITLEMENT TO VOTE AND FAILURE TO VOTE.

Every Commission member is entitled to vote unless disqualified by reason of a conflict of interest. A Commission member who abstains from voting consents to the decision made by the voting Commission members.

RULE 18. VOTING PROCEDURE.

Any vote of the City Commission, including a roll call vote, may be registered by the members answering "Aye" for an affirmative vote or "Nay" for a negative vote. Voting order shall be established at the Commission organizational meeting by the Presiding Officer.

RULE 19. DISQUALIFICATION FOR CONFLICT OF INTEREST.

Any Commission member who is disqualified from voting on a particular matter by reason of a conflict of interest shall publicly state or have the Presiding Officer state the nature of such disqualification. At the discretion of the City Commission, such Commission member may be allowed to participate in the discussion. A Commission member stating such disqualification shall not be counted as part of a quorum and shall be considered absent for the purpose of determining the outcome of any vote on such matters.

RULE 20. TIE VOTE.

Tie votes shall be lost motions.

RULE 21. CHANGING VOTE.

The vote of a Commission member may be changed only if he or she makes a timely request to do so immediately following the announcement of the vote by the City Clerk or the Presiding Officer and prior to the time that the next item in the order of business is taken up.

RULE 22. PRESENCE OF CITY STAFF AT CITY COMMISSION MEETINGS.

The City Manager, City Clerk, and City Attorney, or, in their absence, their authorized representatives, shall attend and be present during all City Commission meetings and give necessary service and advice.

RULE 23. ADJOURNMENT.

No new item, other than Public Input, shall be considered after 12:00 midnight, unless approved by majority of the Commission members present.

RULE 24. RECORD OF MEETINGS.

All public meetings of the City Commission shall be recorded. The recording shall be made by the City Clerk and retained in accordance with the State's record retention schedule. The use of other recording or television equipment is permitted so long as it is not disruptive to the meeting.

RULE 25. INTERPRETATION AND MODIFICATION OF THESE RULES.

These rules shall be interpreted liberally in order to provide for the optimum in the free interchange of information and public debate without an unnecessary waste of time or duplication of effort. These rules may be amended by motion.

RULE 26. FAILURE TO OBSERVE RULES OF ORDER.

These rules of order and procedures govern the conduct of City Commission meetings. These rules are intended to expedite the transaction of the business of the City Commission in an orderly fashion and are deemed to be procedural only. Failure to strictly observe these rules shall not affect the jurisdiction of the City Commission or invalidate any action taken at a meeting that otherwise conforms to law.

ADOPTED:	02/28/2012
REVISED:	03/13/2012
REVISED:	04/09/2013
REVISED:	12/17/2013
REVIEWED WITH NO CHANGES:	03/11/2014