



Alamogordo City Commission

NOTICE OF MEETING

Regular Meeting Agenda

December 1, 2015 - 7:00 PM
City Hall, City Commission Chambers
1376 E. Ninth St.

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

George Straface Interim City Manager
Stephen Thies City Attorney
Nancy Jacobs 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 regarding the african rue invasive weeds at the Alamogordo-White Sands Regional Airport. (Laura Johnson, Upper Hondo Soil and Water Conservation District)

2. Presentation related to the Airport Industrial Park. (*Mike Espiritu, President/CEO Chamber of Commerce and OCEDC*)

PUBLIC COMMENT

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

CONSENT AGENDA (Roll Call Vote Required for 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.

3. Approve the Minutes for the November 17, 2015 Regular City Commission Meeting. (*Nancy Jacobs, City Clerk*)
4. Consider, and act upon, award of RFQ 2015-03 to Bohannon Huston, related to the Abbott Ditch Improvement Project professional engineering services. (*Brian Cesar, Public Works Director*)
5. Consider, and act upon, the award of Public Works Bid No. 2015-017 to Southwest Carpet & Flooring, Inc. related to Alamo Senior Center Re-Flooring, Project No. 2014-1186, (SCLG86) in an amount not to exceed \$75,081.00, including NMGR (Bid \$69,600.00 + NMGR \$5,481.00). (*Veronica Ortega, Community Services Director*)
6. Consider, and act upon, the award of Invitation to Bid No. 2015-17 to Aggregate Technologies, LLC, related to Washington Avenue Walking Trail, CN:M01326, (CS1501) in an amount not to exceed \$55,227.33, including NMGR (Bid \$51,195.67 + NMGR \$4,031.66). (*Veronica Ortega, Community Services Director*)
7. Consider, and act upon, accepting the FY16 Fire Protection Grant for purchase of firefighting equipment. (*Mikel Ward, Fire Chief*)
8. Consider, and act upon, Change Order No. 2, RFP No. 2014-007, to ASA Architects related to architectural and design services for 2014 C.D.B.G. City of Alamogordo Domestic Violence Center Addition and Renovation (GC1402), in an amount not to exceed \$, inclusive of NMGR. (*Edward Balderrama, Project Manager*)
9. Consider, and act upon, the final publication of Ordinance No. 1504 amending section 29-03-030 of the Code of Ordinance concerning side yards, district R-1 to include the definition of a corner lot. **ROLL CALL VOTE REQUIRED** (*Ruben Segura, City Planner/Grants Coordinator*)
10. Consider, and act upon, the final publication of Ordinance No. 1505 amending the Repeal of the Gross Receipts Investment Program, Ordinance 1379. **ROLL CALL VOTE REQUIRED** (*Stephen Thies, City Attorney*)

ITEMS REMOVED FROM CONSENT AGENDA

UNFINISHED BUSINESS

11. Consider, and act upon, Resolution No. 2015-54 - Operation of golf carts and low speed vehicles within designated areas within the City. (*Stephen Thies, City Attorney*) **WITHDRAWN**

NEW BUSINESS

12. Consider, and act upon, a request by Elizabeth Mayton for an abatement of a utility bill for 1512 Michigan. (*Mark Threadgill, Customer Service Manager*) **WITHDRAWN AT CUSTOMER'S REQUEST**

13. Consider request for payment to Stardust Lanes for submission of required documentation concerning the RFP 2015-006 for the Family Entertainment Center Project. (*Stephen Thies, City Attorney*)

14. Discussion regarding the annual review of the Southwest Passage Initiative for Rural and Interstate Transportation (S.P.I.R.I.T.) dues. (*Nancy Jacobs, City Clerk*) **WITHDRAWN**

15. Consider, and act upon, a City Charter amendment requiring all elected officials to undergo random drug and alcohol screenings. (*Susie Galea, Mayor*)

16. Consider, and act upon, an addition to the 2016 Election ballot asking the voters to consider moving the Family Fun Center location from Mesa Village to a central location (to be determined tonight) within the City of Alamogordo. (*Robert Rentschler, Mayor Pro-Tem*)

PUBLIC COMMENT (Continued if needed)...

CITY MANAGER'S REPORT

REMARKS AND INQUIRIES BY THE CITY COMMISSION

ADJOURNMENT

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 12/01/2015

Report Date: 11/25/2015

Report No: 1.

Submitted By: Veronica Ortega, Senior
Center Manager & Interim City Manager

Subject: Presentation regarding the african rue invasive weeds at the Alamogordo-White Sands Regional Airport. *(Laura Johnson, Upper Hondo Soil and Water Conservation District)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background: Commissioner Rentschler made the Commission aware of an invasive weed problem at the Alamogordo-White Sands Regional Airport, and asked for a presentation regarding this problem.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 12/01/2015

Report Date: 11/25/2015

Report No: 2.

Submitted By: Nancy Jacobs, Deputy
Clerk

Subject: Presentation related to the Airport Industrial Park. *(Mike Espiritu, President/CEO Chamber of Commerce and OCEDC)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background:

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 12/01/2015

Report Date: 11/25/2015

Report No: 3.

Submitted By: Nancy Jacobs, Deputy
Clerk

Subject: Approve the Minutes for the November 17, 2015 Regular City Commission Meeting. *(Nancy Jacobs, City Clerk)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve the minutes.

Background: This is required per the Open Meetings Act.

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
7:00 P.M., COMMISSION CHAMBERS
NOVEMBER 17, 2015**

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

**ROBERT RENTSCHLER, MAYOR PRO-TEM
CLIFF HUDSON, COMMISSIONER
GEORGE STRAFACE, INTERIM CITY MANAGER
STEPHEN THIES, CITY ATTORNEY
NANCY JACOBS, CITY CLERK**

CALL TO ORDER & ROLL CALL

Mayor Galea called the meeting to order at 7:00 p.m. Commissioner Turnbull was absent. There was a quorum present. Invocation was given by Pastor Fourney and Pledge of Allegiance was led by Commissioner Hudson.

INVOCATION & PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Commissioner Hernandez moved to approve the agenda. Mayor Pro-Tem Rentschler seconded the motion. Motion carried with a vote of 6-0-0.

PRESENTATIONS

1. Presentation of the National Diabetes Month Proclamation. (*Susie Galea, Mayor*)

Mayor Galea presented the proclamation to Charlene Rodgers, registered nurse and certified diabetic educator with Gerald Champion Regional Medical Center.

2. Presentation of the Small Business Saturday Proclamation. (*Susie Galea, Mayor*)

Mayor Galea presented the proclamation to Lenora Stevens, Vice-President of the Alamogordo Chamber of Commerce and a representative of the Small Business Development Center, and a picture was taken of all the Commission with Shop Small, Shop Local bags.

3. Presentation related to the North Alamogordo Flood Control Committee. (*Keith Clements, presenter*)

Mr. Keith Clements, Chairman of the North Alamogordo Flood Control Committee explained about flooding in northern Alamogordo. He was alarmed more had not been done in the last 50 years to improve the run-off situation in order to prevent devastating damage from major flooding. He felt it would have to be an effort of the whole community, the City and the County. Mr. Clements asked the Commission for permission to use the Sgt. Willie Estrada Civic Center in January for a meeting.

Mayor Galea agreed with this, and Mayor Pro-Tem Rentschler noted the citizens of Alamogordo had turned down the Big Ditch three times. He said the City of Alamogordo had been working on flood control for years and designated a significant amount of its budget towards these concerns. He appreciated Mr. Clements concerns and the work of the NAFCC.

Interim City Manager Straface told Mr. Clements that they could use the Civic Center when needed. He said the City was more than willing to work with the NAFCC.

PUBLIC COMMENT

A) Harv Hamilton left a handout for each commissioner because he was unable to attend, but wanted the following in the meeting minutes (see agenda book).

Mr. Hamilton was interested in the City of Alamogordo and the Alamogordo Public School District working together closer in regards to weeds along the sidewalks where children walk to school and street lighting.

B) Paul Sanchez commented on the following:

Mr. Sanchez noted that yesterday the City began demolishing the amphitheatre dome in Washington Park, and the problem was there hadn't been any public notice or public meeting in order to make the citizens of Alamogordo aware of the condition of the amphitheater and possible demolition.

C) Pamela Sanchez commented on the following:

Ms. Sanchez was disappointed that the Dome had been demolished, because it was a local landmark and she felt the public should have been consulted.

D) Cynthia Sanchez commented on the following:

Ms. Sanchez was upset that the amphitheatre dome had been demolished. She remarked this was the first time she had attended a Commission meeting and she hoped to attend more meetings. She wondered if there were any plans for that space.

E) Mike Elliott commented on the following:

Mr. Elliott was also upset about the demise of the amphitheatre dome. He was distressed that it had been done without giving notice to the public. He also hoped something would be put in its place that families could use.

Interim City Manager Straface thanked everyone for their comments. He noted the amphitheatre had not been used much in the past few years, and it had deteriorated to the point it could no longer be maintained. It was a health hazard and had served its purpose. Dr. Straface remarked it was his decision, with the help of his staff, to have it brought down, and in the future the City would take public comment before making a final decision. He mentioned the City was considering some ideas for the area but had not settled on anything.

CONSENT AGENDA

4. Approve the Minutes for the October 27, 2015 Regular City Commission Meeting and the November 3, 2015 Regular City Commission Meeting. (Nancy Jacobs, City Clerk)

5. Approve the statement related to the Executive Session held on November 3, 2015. (Nancy Jacobs, City Clerk)

6. Consider, and act upon, the Project Agreement for Community DWI Program. (Robert Duncan, Police Chief)

7. Approve a Special Dispenser Permit Application and a Temporary Alcoholic Beverage Dispenser's License for Johnny Carino's for the 49MMG event on December 12, 2015 at the Tays Event Center. (Nancy Jacobs, City Clerk)

9. Waiver of permit fee for the Alamo Senior Center New Year's Party fireworks display to be held on December 31, 2015. (Veronica Ortega, Community Services Director)

Commissioner Hernandez asked to remove Item #8 from the Consent Calendar.

Commissioner Hernandez moved to approve items # 4,5,6,7 & 9 of the consent calendar. Commissioner Baldwin seconded the motion. Motion carried with a vote of 6-0-0.

ITEMS REMOVED FROM CONSENT AGENDA

8. Consider, and act upon, Resolution No. 2015-52 Election Resolution for March 1, 2016 Municipal Election. (Roll Call Vote required) (Stephen Thies, City Attorney)

Commissioner Hernandez wanted the public to be aware of dates concerning the Election process and hoped everyone would get out and vote. It was a good way for citizens to change things they felt needed changing. He especially noted the one day to register to run for a commission seat.

Commissioner Hernandez moved to approve Resolution No. 2015-52 Election Resolution for March 1, 2016 Municipal Election. Mayor Pro-Tem Rentschler seconded the motion.

Interim City Manager Straface noted there would be a second resolution in December stating the question concerning City Charter amendments.

Roll call vote was taken. Motion carried with a vote of 6-0-0.

UNFINISHED BUSINESS

10. Provide direction to Staff concerning the update to the Water Conservation Plan for the City of Alamogordo. (Brian Cesar, Public Works Director)

Public Works Director Cesar noted this was the plan discussed at the October 27th meeting. He had pulled the Gray Water portion of the Plan at the request of the Commissioners, had new proposed amounts for rebates, and proposed credits towards water/sewer bills instead of a check for rebates. He made clear the Commission would not be approving any of this tonight. Instead, he needed their direction and he would come back at a later date to present a proposal for approval.

NEW BUSINESS

11. Consider, and act upon, Resolution No. 2015-51 Authorizing execution of a Gross Receipts Investment Program (GRIP) Agreement between the City of Alamogordo and HJBM, LLC. (Roll Call Vote required)(Stephen Thies, City Attorney)

City Attorney Thies explained the resolution and reminded the Commission this was for the remodel of the former bank building located at 1400 Ninth St. into commercial offices.

Mayor Pro-Tem Rentschler moved to approve Resolution No. 2015-51 Authorizing execution of a Gross Receipts Investment Program (GRIP) Agreement between the City of Alamogordo and HJBM, LLC. Commissioner Baldwin seconded the motion. Roll call vote was taken. Motion carried with a vote of 6-0-0.

12. Consider, and act upon, first publication of Ordinance No. 1506 amending certain sections and adding a new section to Chapter 28 of the Code of Ordinances concerning Water, Sewers and Sewage Disposal. (Mark Threadgill, Customer Service Manager)

Customer Service Manager Threadgill told the Commission this item, as well as the next three items were all discussed previously at a Commission meeting. Not to charge interest on delinquent bills had been removed at the Commission's direction.

Mayor Galea asked about the development or impact fees for new construction, and if these could be set at a future date. Customer Service Manager Threadgill said the current ordinance included the ability for Commission to establish development/impact fees. This could be set at any time by the Commission.

Interim City Manager Straface suggested this could be a topic at a future work session, and recommended it be done after the March Election with a new commission in place.

Commissioner Baldwin moved to approve first publication of Ordinance No. 1506 amending certain sections and adding a new section to Chapter 28 of the Code of Ordinances concerning Water, Sewers and Sewage Disposal. Mayor Pro-Tem Rentschler seconded the motion. Motion carried with a vote of 6 -0-0.

13. Consider, and act upon, approval of Utility Billing Policies presented in the Utility Billing Review conducted April - June 2015 and reviewed by City Commission on November 3, 2015. (Mark Threadgill, Customer Service Manager)

Customer Service Manager Threadgill remarked these policies had been discussed by Commission with no recommended changes. Included were the Budget Billing Policy, Leak Abatement Policy, Waiver of Owner Responsibility Policy, Tenant owner Account Transfer Policy, and Discontinuing Utility Service Policy.

Commissioner Baldwin moved to approve Utility Billing Policies presented in the Utility Billing Review conducted April - June 2015 and reviewed by City Commission on November 3, 2015. Mayor Pro-Tem Rentschler seconded the motion. Motion carried with a vote of 6-0-0.

14. Consider, and act upon, approval of a Smart Meter Opt-Out Policy as discussed by the City Commission on November 3, 2015. (Mark Threadgill, Customer Service Manager)

Customer Service Manager Threadgill said this was presented separately because at the last meeting there had been discussion concerning the fee charged for manually reading these meters after we fully implement the radio read system. The Commission's recommendation to charge \$10 had been added to the policy.

Mayor Pro-Tem Rentschler moved to approve the Smart Meter Opt-Out Policy as discussed by the City Commission on November 3, 2015. Commissioner Hudson seconded the motion. Motion carried with a vote of 6-0-0.

15. Consider, and act upon, approval of a Utility Lien Policy as discussed by the City Commission at the November 3, 2015 meeting. (Mark Threadgill, Customer Service Manager)

Customer Service Manager Threadgill said the Commission had recommended a lien should be filed when an account was two billing cycles in arrears, but he discovered this was already built into the Ordinance at 90 days (three billing cycles). If made any shorter, we would be short changing the collection agency and ourselves. The other point discussed was how long before we foreclose on a property, and he had included the Commission's recommendation of six months.

Mayor Pro-Tem Rentschler moved to approve the Utility Lien Policy as discussed by the City Commission at the November 3, 2015 meeting. Commissioner Hernandez seconded the motion. Motion carried with a vote of 6-0-0.

Commissioner Hernandez commented on Item 12, Section 6(a) where it talks about billing for services to properties. He asked Customer Service Manager Threadgill to make sure building contractors and rental companies were made aware of this. Mr. Hernandez noted he was not in support of this. Customer Service Manager Threadgill said he had contacted both the Otero County Association of Realtors and the Building Contractors Association of Otero County in regards to this. They had been invited to this meeting to voice any comments or concerns, and they were not here and had not contacted him.

Interim City Manager Straface said they would be contacted again.

16. Consider, and act upon, the first publication of Ordinance No. 1507 to amend the official zoning map of the City of Alamogordo to rezone the property located at 401 Fairgrounds Rd. from R-1 Single Family Dwelling to C3-Business. (Case Number Z-2015-0003(A)) (Ruben Segura, City Planner)

City Planner/Grants Coordinator Segura explained the Otero County Fair Association had submitted an application in behalf of Otero County requesting a map amendment to the official zoning map of the City of Alamogordo to rezone the property from R-1 to C-3. They will be making improvements to the concession areas.

Mayor Pro-Tem Rentschler moved to approve the first publication of Ordinance No. 1507 to amend the official zoning map of the City of Alamogordo to rezone the property located at 401 Fairgrounds Rd. from R-1 Single Family Dwelling to C3-Business. Commissioner Hernandez seconded the motion.

Commissioner Hernandez commented we are changing zoning only, and we don't have any other involvement with what's going on other than the zoning change.

Motion carried with a vote of 6-0-0.

17. Consider, and act upon, Resolution No. 2015-53 and Resolution No. 2015-54 authorizing the operation of golf carts and low speed vehicles upon designated city streets and rights-of-way within the City of Alamogordo. (Roll Call Vote required) (Stephen Thies, City Attorney)

City Attorney Thies clarified the Commission would be considering one or the other of the two resolutions. A commercial package company asked for this in order to distribute packages during the Christmas holiday season in residential neighborhoods. State law allows us to adopt a resolution allowing golf carts and low speed vehicles on streets. He explained the difference between the two resolutions – Designated Areas and Seasonal Use & City Wide Usage.

Mayor Pro-Tem Rentschler asked him if driver's licenses were required to operate a golf cart on city streets, and City Attorney Thies told him yes. Mayor Pro-Tem Rentschler thought City Wide Usage would cause traffic problems.

Mayor Pro-Tem Rentschler moved to approve Resolution No. 2015-54 (Designated Areas and Seasonal Use) authorizing the operation of golf carts and low speed vehicles upon designated city streets and rights-of-way within the City of Alamogordo. Commissioner Hernandez seconded the motion.

Commissioner Hernandez had issues with electric golf carts, and felt gas golf carts should be included. He had a problem with the defined area, and suggested if one is going to the golf course they should be allowed to use their golf cart to get there.

Mayor Galea asked about golf carts on First Street, Tenth Street and Indian Wells, because of the higher volume of traffic.

Commissioner Baldwin said there were 13 other cities, mostly in New Mexico, who allowed the use of carts by package delivery companies. He explained about golf cart use currently at the golf course. He said he would abstain from this vote.

Mayor Galea asked to amend the motion by adding prohibited streets – east and west of First Street, east and west of Tenth Street, and Indian Wells.

Mayor Pro-Tem Rentschler was concerned about South Florida and public safety. Commissioner Baldwin said there is a large shoulder on that street for them to use. City Attorney Thies said South

Florida (south of Panorama) was actually designed as a four lane street and had ample shoulders on each side. He felt it was better to have the golf carts on the streets than the sidewalks.

Mayor Galea asked for a second to her amendment to the original motion - adding prohibited streets east and west of First Street, east and west of Tenth Street, and Indian Wells. Mayor Pro-Tem Rentschler seconded the motion.

Commissioner Hernandez had seen carts traveling on South Florida, south of Panorama, so he would not include South Florida because of the width of the road. He felt the City violated this now because city lawnmowers and other equipment traveled across those three mentioned streets.

Interim City Manager Straface recommended adding 'gas golf carts' to the resolution. He recommended the resolution be passed with these amendments.

Mayor Galea asked if parades would be excluded, but City Attorney Thies explained this was covered with a Parade Permit.

Mayor Susie Galea also added to her amendment to add 'gas powered'. Mayor Pro-Tem Rentschler seconded this.

Mr. Rich Merrick pointed out the proposal in front of them lacked two major issues. It did not meet the requirements of Federal Regulations specifying the required items needed on a low speed vehicle. The resolution had referenced rules for the Off Highway Act and did not pertain to city streets. He felt the City would become liable by allowing vehicles on city streets that didn't meet the statutes. Mr. Merrick then read the Federal Regulation's definition of a vehicle. He went on to say there was not any language in the resolution for financial responsibility, and asked them to table this resolution.

City Attorney Thies said there is a difference of opinion. Regardless of whether you enact this resolution, golf carts can currently travel on streets legally. By enacting this resolution, you are imposing some safety restrictions. It also designates areas where they may not operate.

Lenora Stevens, Vice-President of the Alamogordo Chamber of Commerce asked for clarification on the use of golf carts or ATV's especially for parades and road closures on New York Ave. City Attorney Thies said a parade permit or other permission to close the streets would make it permissible for these vehicles to use the streets.

Paul Sanchez commented on the issue. He said the city attorney said there was a difference of opinion, so he was concerned the City would be opened up for greater liability in case of an accident.

Mayor Galea noted the original motion was to approve Resolution No. 2015-54 (Designated Areas and Seasonal Use) authorizing the operation of golf carts and low speed vehicles upon designated city streets and rights-of-way within the City of Alamogordo. Commissioner Hernandez seconded the motion.

Mayor Galea noted the amendment to the motion: adding prohibited streets – east and west of First Street, east and west of Tenth Street, and Indian Wells. Mayor Pro-Tem Rentschler seconded the amendment.

Mayor Galea noted the second amendment to the motion: add gas powered golf carts.

Roll was taken for the amendment. Motion passed with a vote of 6-0-0.

Mayor Pro-Tem Rentschler was concerned about liability requirements. He and Commissioner Hernandez discussed this issue. City Attorney Thies said the issue is whether or not golf carts, as they currently exist, can operate on city streets, or whether the City has to enact a resolution or ordinance authorizing this use. This resolution is before you to settle that disagreement. It poses safety regulations to protect both the operator and the public. If you deny the resolution, someone could be

cited for operating a golf cart on city streets, take it to court, the judge conclude they are legal to operate on city streets, and the ticket be dismissed. This would make it perfectly clear they could operate a golf cart on designated city streets.

Mayor Pro-Tem Rentschler asked him the origin of this. City Attorney Thies said there were complaints of golf carts operated by UPS on residential streets. Mayor Pro-Tem Rentschler asked Police Chief Duncan if tickets had been given for these. Police Chief Duncan told him he would like to research this further because he had concerns.

Commissioner Hernandez said there were two citations he was aware of for DWI's on bicycles. He felt DPS did a good job, and he didn't have an issue with the resolution, although he was somewhat concerned about the liability question.

Commissioner Hudson moved to table this item for further research. Mayor Pro-Tem Rentschler seconded the motion. Mayor Galea clarified they were tabling Resolution 2015-54.

Commissioner Hernandez said our next meeting will be after UPS begins using their golf carts, and he recommended allowing them to do this during the season. Mayor Pro-Tem Rentschler didn't think we should give them special permission, and simply allow them to carry on as they have for the last few years.

Motion to table item until the December 1, 2015 meeting passed with a vote of 6-0-0.

Clarification was asked for by the City Clerk and City Attorney Thies said the motion to table superseded the motion to approve.

Mayor Pro-Tem Rentschler rescinded the motion to approve. Commissioner Hudson seconded the motion. Motion carried with a vote of 5-0-0. Commissioner Hernandez was absent when vote was taken.

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

Mayor Galea read the openings and appointed Richard Merrick to the Cemetery Board, and reappointed Jesse Carr to the Mayor's Committee on Aging. No one was opposed.

PUBLIC COMMENT

Marge Scanlon commented on the following:

She suggested putting the Family Fun Center in Washington Park now that the amphitheatre was gone.

Interim City Manager Straface told her it was impossible to move the location of the Family Fun Center because it had been voted on by the public. City Attorney Thies explained the City had been contacted by many property owners when the decision was being considered as to where the Family Fun Center (FFC) would be located. The City Commission had selected this site, and it would have to be voted on again in order to change the site.

Rich Merrick commented on the following:

Mr. Merrick was glad the golf cart issue had been tabled.

Paul Sanchez commented on the following:

Mr. Sanchez disagreed with the City's decision to destroy the dome without letting the public know first. He had put pictures of the dome destruction on social media and the comments were overflowing. He agreed with Ms. Scanlon's suggestion to put the FFC in its place, but understood it would have to go back to the voters to do so. Mr. Sanchez agreed with Mr. Merrick's comments concerning the golf cart resolutions.

CITY MANAGER'S REPORT

Interim City Manager Straface commented on the following:

- 1) He noted we are moving towards several adjustments as to how we do business. The first was to change the meeting agenda format to be implemented at the first meeting in 2016. The City Manager Report and Remarks and Inquiries by the City Commission would be placed after the first Public Comment section at the first of the agenda, and then the rest would remain as is.
- 2) He said we will modify the meeting schedule to the following: first monthly meeting would be business only, and the second monthly meeting would be minimum business items and mostly work session topics. Both meetings would be in public.
- 3) Dr. Straface remarked on the adjustments to the Organizational Chart, and hoped to implement those in January, 2016.
- 4) Interim City Manager Straface said he had received a petition concerning the modular building (for youth golfing) which had been moved to the golf course. Those residents living near the golf course wanted it removed because they felt it was an eye sore. He met with APS and they intended on stuccoing the exterior in order to make it more permanent.
- 5) He pointed out each Commissioner had an Election Calendar noting important dates in the Election process.
- 6) Dr. Straface said he had attended the opening of a bid for the FFC last Thursday, but it was decided the bid did not meet required specifications. There will be a new feasibility study compiled in the next month to six weeks, because the last one was done in 2010. We may go out to bid again after this, and even though this would postpone the process, he felt it should be done right.
- 7) He had received a formal protest from one of those bidders who had been disqualified from the bid process. He stated the City would respond appropriately.
- 8) Interim City Manager Straface informed the Commission that the City had hired a new City Engineer who was from northern New Mexico. His name was Chris Darnell and he was a civil engineer who had extensive experience working with governmental agencies. He would report December 7, 2015.
- 9) He sincerely thanked the City Staff for their hard work and support.

Mayor Galea thanked the Interim City Manager and his staff for putting the ICIP list together with the top five projects. She also thanked Mayor Pro-Tem Rentschler for making those presentations.

Interim City Manager Straface interrupted to say one more thing. He told the Commission that he had learned late this afternoon Otero County was ready to work with us in the creation of a common PSAP, and he noted Fire Chief Ward had worked hard on this.

REMARKS AND INQUIRIES BY THE CITY COMMISSION**Mayor Susie Galea commented on the following:**

- 1) She had attended a meeting at HAFB last night to welcome General Welch, and the Committee of 50 gave him a welcoming gift.
- 2) The Mayor said there had not been a cohesive unit working together to achieve the legislative funding for the improvement of the amphitheatre.
- 3) Mayor Galea noted she was still being sued regarding Face Book, and would be happy to resume the Mayor's Face Book page after the lawsuit was resolved. She hoped we could all work together in the future.

Mayor Pro-Tem Rentschler commented on the following:

- 1) Mayor Pro-Tem Rentschler thanked Brian and his staff for their work on 10th Street.
- 2) He noted he was thrilled the PSAP was coming together with the County.
- 3) Mr. Rentschler asked if it was feasible to put the location of the FFC on the next ballot for the voters to reconsider.

Interim City Manager Straface discouraged him from doing this. He said it would be a Commission decision, but the land had been donated and the City was short of cash. Mayor Pro-Tem Rentschler still wanted to look into it. Interim City Manager Straface said he would do whatever the Commission wished, and asked for direction from the Commissioners to do this.

Mayor Galea was not in favor of this because the Commission had decided on this location. Commissioner Hernandez was concerned the project would fall apart if this were put on the ballot again. It was decided by the Commission not to do this.

Commissioner Hudson commented on the following:

- 1) Commissioner Hudson thanked the Interim City Manager and the Directors for taking time to meet with him.
- 2) He thanked Fire Chief Ward for allowing him to use the fire station on Florida Ave. in order to hold office hours at least twice a month. Mr. Hudson will publish this information in the newspaper to get the word out to the citizens of District Six.

Commissioner Hernandez commented on the following:

- 1) Commissioner Hernandez noted that those who show up decide, and he encouraged everyone to get interested in the affairs of the City. He explained where and how people could view the agendas, and they could obtain just about any information from the City.

ADJOURNMENT

Mayor Pro-Tem Rentschler moved to adjourn at 9:25p.m. Commissioner Hernandez seconded the motion. Motion carried with a vote of 6-0-0.

Mayor Susie Galea

ATTEST:

City Clerk Nancy E. Jacobs

(Prepared by Nancy Jacobs, City Clerk)

Approved at the Regular Meeting held on December 1, 2015.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 12/01/2015

Report Date: 11/25/2015

Report No: 4.

Submitted By: Brian Cesar, Public Works
Director

Subject: Consider, and act upon, award of RFQ 2015-03 to Bohannon Huston, related to the Abbott Ditch Improvement Project professional engineering services. *(Brian Cesar, Public Works Director)*

Fiscal Impact: TBD Agreement to be negotiated
Amount Budgeted: \$100,000.00
Fund: 044-9499-990.57-34 EN1601

Additional Fiscal Impact:

Recommendation: Approve the award of RFQ 2015-03 to Bohannon Huston, related to the Abbott Ditch Improvement Project professional engineering services.

Background: Abbott Ditch is currently an earthen ditch between Bellamah Avenue and Bonnell Drive. This ditch is eroding and encroaching upon the north side of Fourth Street. A Request for Qualifications (RFQ) was published October 18, 2015 requesting proposals from qualified engineering firms for the design of improvements to the channel.

Four (4) proposals were received of which one was determined to be ineligible. The three (3) firms whose proposals were scored are: Bohannon-Huston, Ideals Inc., and Larkin Group NM, Inc. The firm with the highest composite score is Bohannon Huston. The scoring matrix is attached.

CITY OF ALAMOGORDO
COMPOSITE SCORE SHEET
Engineering Services for Abbott Ditch Improvements
November 5th 2015
RFQ NO. 2015-03

Factor	Available Points per Vendor	3 Committee Members	Bohannon Huston	Larkin Group	Ideals Inc.
1	75	Technical Competence	111	94	85
2	60	Capacity & Capability	54	50	38
3	30	Past Record of Performance	61	54	50
4	15	Approach to providing the Service	140	112	90
5	15	Proximity to or Familiarity with the Alamogordo Area	25	20	25
6	30	Amount of design work tha will be produced within the state	25	25	25
7	30	Current Value of Work with City of Alamogordo	0	25	25
8	30	State Preference	25	25	25
Total Available	285	Accumulated Score	441	405	363
Total Rank			1	2	3

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 12/01/2015

Report Date: 11/17/2015

Report No: 5.

Submitted By: Edward Balderrama,
Project Manager

Subject: Consider, and act upon, the award of Public Works Bid No. 2015-017 to Southwest Carpet & Flooring, Inc. related to Alamo Senior Center Re-Flooring, Project No. 2014-1186, (SCLG86) in an amount not to exceed \$75,081.00, including NMGRT (Bid \$69,600.00 + NMGRT \$5,481.00). (*Veronica Ortega, Community Services Director*)

Fiscal Impact: \$75,081.00, including NMGRT

Amount Budgeted: \$0.00

Fund: Fund: 071-8116-445-6391 - \$70,715.00 available SCLG86 074-0006-445-4445 - \$4366.00

Additional Fiscal Impact:

Recommendation: Award Public Works Bid No. 2015-017 to Southwest Carpet & Flooring, Inc. related to Alamo Senior Center Re-Flooring, Project No. 2014-1186, (SCLG86) in an amount not to exceed \$75,081.00, including NMGRT.

Background: The city received a grant in the amount of \$ 103,600 from the NM Aging and Long Term Services Department. \$70,715 is appropriated for the re-flooring and \$32,885 is appropriated to the kitchen serving line.

The work will consist of removing existing VCT and carpeting flooring and install new Walk-Off Carpet Tile, Carpet tile and Luxury Vinyl Tile and appurtenances, as specified and/or shown on the construction documents, complete, in place, all within the city limits of Alamogordo, New Mexico.

The city received three (3) bids on November 5, 2015. Please see attach Bid Tab.

Alamo Senior Center Re-Flooring Project No. 2014-1186 PW No. 2015-017 & SCLG86 November 5, 2015/2:00 PM (MST)				License No. 52141 GB98, MS03, GS08, GF9		License No. 368798 GB98		License No. 31286 GB98	
BASE BID ITEM NO.	QTY	UNIT	DESCRIPTION	MEVACON LLC		Peak Contracting LLC		Southwest Carpet and Flooring, Inc.	
				UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT
1	1	LS	Dining Hall (Luxury Vinyl Tile)	\$ 43,769.81	\$ 43,769.81	\$ 42,985.00	\$ 42,985.00	\$ 19,700.00	\$ 19,700.00
2	1	LS	Main Hallways (Luxury Vinyl Tile)	\$ 43,769.81	\$ 43,769.81	\$ 40,516.00	\$ 40,516.00	\$ 18,600.00	\$ 18,600.00
3	1	LS	Main Hallways Entrances (Walk-Off Carpet)	\$ 15,668.02	\$ 15,668.02	\$ 12,607.88	\$ 12,607.88	\$ 4,100.00	\$ 4,100.00
SUB-TOTAL				\$ 103,207.64		\$ 96,108.88		\$ 42,400.00	
NMGRT (7.875%)				\$ 8,127.60		\$ 7,568.57		\$ 3,339.00	
BASE BID TOTAL				\$ 111,335.24		\$ 103,677.45		\$ 45,739.00	

Add Alt 1	1	LS	Administration Offices (Carpet Tile)	\$ 12,418.03	\$ 12,418.03	\$ 10,810.00	\$ 10,810.00	\$ 6,700.00	\$ 6,700.00
	1	LS	Employee Break Room (Luxury Vinyl Tile)	\$ 1,380.06	\$ 1,380.06	\$ 2,607.65	\$ 2,607.65	\$ 700.00	\$ 700.00
SUB-TOTAL				\$ 13,798.09		\$ 13,417.65		\$ 7,400.00	
NMGRT (7.875%)				\$ 977.92		\$ 851.29		\$ 527.63	
ADD ALT 1 TOTAL				\$ 14,776.01		\$ 14,268.94		\$ 7,927.63	

Add Alt 2	1	LS	Meals on Wheels Offices (Carpet Tile)	\$ 4,616.93	\$ 4,616.93	\$ 4,668.78	\$ 4,668.78	\$ 2,500.00	\$ 2,500.00
NMGRT (7.875%)				\$ 363.58		\$ 1,123.68		\$ 624.30	
ADD ALT 2 TOTAL				\$ 4,980.51		\$ 5,792.46		\$ 3,124.30	

Add Alt 3	1	LS	R.S.V.P. Offices (Carpet Tile)	\$ 4,616.93	\$ 4,616.93	\$ 4,859.83	\$ 4,859.83	\$ 2,500.00	\$ 2,500.00
NMGRT (7.875%)				\$ 363.58		\$ 382.71		\$ 196.88	
ADD ALT 3 TOTAL				\$ 4,980.51		\$ 5,242.54		\$ 2,696.88	

Add Alt 4	1	LS	Thrift Shop (Carpet Tile)	\$ 4,616.93	\$ 4,616.93	\$ 4,551.00	\$ 4,551.00	\$ 2,400.00	\$ 2,400.00
NMGRT (7.875%)				\$ 363.58		\$ 358.39		\$ 189.00	
ADD ALT 4 TOTAL				\$ 4,980.51		\$ 4,909.39		\$ 2,589.00	

Add Alt 5	1	LS	Pool Room (Luxury Vinyl Tile)	\$ 9,532.45	\$ 9,532.45	\$ 9,523.56	\$ 9,523.56	\$ 5,000.00	\$ 5,000.00
NMGRT (7.875%)				\$ 750.68		\$ 749.98		\$ 393.75	
ADD ALT 5 TOTAL				\$ 10,283.13		\$ 10,273.54		\$ 5,393.75	

Add Alt 6	1	LS	Activity Room (Luxury Vinyl Tile)	\$ 13,798.09	\$ 13,798.09	\$ 13,205.85	\$ 13,205.85	\$ 7,400.00	\$ 7,400.00
NMGRT (7.875%)				\$ 1,086.60		\$ 1,039.96		\$ 582.75	
ADD ALT 6 TOTAL				\$ 14,884.69		\$ 14,245.81		\$ 7,982.75	

Base Bid + Add Alt 1-6				\$ 154,187.06		\$ 146,335.55		\$ 69,600.00	
NMGRT (7.875%)				\$ 12,142.23		\$ 11,523.92		\$ 5,481.00	
Total Base Bid + Add Alt 1-6				\$ 166,329.29		\$ 157,859.47		\$ 75,081.00	

Note: MEVACON LLC's bid is considered non-responsive, Section 3 - Page 5 was not submitted with the bid. The information on this sheet was Tilted and Authorized Signature, NM Contractors's License No and Classifications, Address, Telephone No., Fax No., e-mail and SEAL if Bid Proposal is submitted by a corporation.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 12/01/2015

Report Date: 11/20/2015

Report No: 6.

Submitted By: Edward Balderrama,
Project Manager

Subject: Consider, and act upon, the award of Invitation to Bid No. 2015-17 to Aggregate Technologies, LLC, related to Washington Avenue Walking Trail, CN:M01326, (CS1501) in an amount not to exceed \$55,227.33, including NMGR (Bid \$51,195.67 + NMGR \$4,031.66). (*Veronica Ortega, Community Services Director*)

Fiscal Impact: \$55,227.33

Amount Budgeted: \$72,023.00

Fund: 20-0006-454.65-50 \$72,023 available CS1501

Additional Fiscal Impact:

Recommendation: Award of Invitation For Bid No. 2015-17 to Aggregate Technologies, LLC, related to Washington Avenue Walking Trail, CN: M01326, (CS1501) in an amount not to exceed \$55,227.33 , including NMGR (Bid \$51,195.67 + NMGR \$4,031.66).

Background: The city received a Federal Highway Administration Trail Grant Program grant in the amount of \$72,023 (Federal Funds \$57,618.40/Sponsor Match \$14,404.60) to construct a 10-foot wide asphalt walking trail on top of the berm parallel with Washington Avenue from Tenth Street to Indian Wells Road. All work will be in compliance with the Americans with Disabilities Act (ADA) and Accessibility Guideline for Pedestrian facilities in the Public Right-Of-Way (PROWAG).

The grant will be used to purchase the materials required to construct the walking trail and city forces and equipment will do the construction.

The city received one (1) bids on December 17, 2015. Please see attach Bid Tab.

BID TABULATION Miscellaneous Paving Washington Ave. Walking Trail CITY OF ALAMOGORDO IFB 2015-17 November 17, 2015 2:00 PM				
ITEM NO.	ESTIMATED QUANTITY	DESCRIPTION	Aggregate Technologies, LLC.	
			Unit Price	Total Price
1	735 Ton	Miscellaneous Paving, as attached specifications and complying with NMDOT	\$69.00	\$50,715.00
2	1ea	Plant start up fee assessed for a total daily purchase of less than fifteen (15) tons. (See Hot Mix Requirements page 11, item No. 1)	\$300.00	\$300.00
3	1 ea	Cost per ton mile for hot mix deliveries	\$1.00	\$1.00
4	1 ea	Cost per hour for 12cu Yd., capacity dump truck to deliver hot mix	\$84.75	\$84.75
5	1 ea	Cost per hour for 24cu Yd., capacity dump truck to deliver hot mix	\$94.92	\$94.92
SUB-TOTAL BASE BID				\$51,195.67
NMGRT 7.875%				\$4,031.66
TOTAL BASE BID				\$55,408.00

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 12/01/2015

Report Date: 11/20/2015

Report No: 7.

Submitted By: Mikel Ward, Fire Chief

Subject: Consider, and act upon, accepting the FY16 Fire Protection Grant for purchase of firefighting equipment. *(Mikel Ward, Fire Chief)*

Fiscal Impact: COA matching budget funds - \$25,000.00 (20% of approved grant) Grant Amount is \$100,000.00

Amount Budgeted: \$25,000.00

Fund: 033-0000-421.61-85 Fire Protection Fund - Capital Outlay/CER Equipment Replacement

Additional Fiscal Impact:

Recommendation: Accept grant.

Background: This application is for submission to the Fire Protection Grant Fund which allows all certified New Mexico Fire Departments to apply for up to \$100,000 per year with at least 20% matching contribution.

This grant award amount would allow the Fire Department to purchase: 10 Portable Communication Radios, 1 SCBA Filler Station, and 5 SCBA Regulators.

Total Grant Amount is \$100,000 with at least 20% contribution of \$25,000. This funding will come from approved FY 2016 Capital Outlay / CER Equipment Replacement funds in budget.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 12/01/2015

Report Date: 11/20/2015

Report No: 8.

Submitted By: Edward Balderrama,
Project Manager

Subject: Consider, and act upon, Change Order No. 2, RFP No. 2014-007, to ASA Architects related to architectural and design services for 2014 C.D.B.G. City of Alamogordo Domestic Violence Center Addition and Renovation (GC1402), in an amount not to exceed \$, inclusive of NMGR. *(Edward Balderrama, Project Manager)*

Fiscal Impact: \$

Amount Budgeted: \$36,010.85

Fund: 48-0207-463.5734 (GC1402)

Additional Fiscal Impact:

Recommendation: Approve Change Order No.2, RFP No. 2014-007, to ASA Architects related to architectural and design services for 2014 C.D.B.G. City of Alamogordo Domestic Violence Center Addition and Renovation (GC1402), in an amount not to exceed \$, inclusive of NMGR.

Background: Work shall include but is not limited to: renovating the existing building, constructing an approximately 1,700 sq. ft. addition attached to the northeast side of the existing building, and site improvements. All work shall comply with the 2010 Standards for Accessible Design and ICC/ANSI A117.1-2003 American National Standards and all current federal, state and local building codes. All work will take place within the city limits of Alamogordo, NM.

The project bid opening was held on September 29, 2015, with the city receiving five (5) bids. At the November 3, 2015, City Commission meeting, staff recommended the project be awarded to Gallardo Construction, LLC, the motion failed with a vote of 5-2-0. The concern was the technical irregularities.

Staff met with the COPE and the architect and gave direction to redesign the roofing, mechanical and electrical system which should bring the project back with-in budget. Change Order No. 2 is to cover the cost for the re-design.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 12/01/2015

Report Date: 11/25/2015

Report No: 9.

Submitted By: Ruben Segura, City Planner

Subject: Consider, and act upon, the final publication of Ordinance No. 1504 amending section 29-03-030 of the Code of Ordinance concerning side yards, district R-1 to include the definition of a corner lot. **ROLL CALL VOTE REQUIRED** (*Ruben Segura, City Planner/Grants Coordinator*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve the ordinance for final publication.

Background: At the Regular Meeting of October 27, 2015, the City Commission approved the Ordinance for first publication. A summary of the Ordinance was published in the *Alamogordo Daily News* on Sunday, November 1, 2015. If approved for the final adoption, the summary will be published a second time on Sunday, December 6, 2015, and the effective date of the ordinance will be December 11, 2015.

The Planning and Zoning Commission in its October 1, 2015 Planning and Zoning Commission meeting recommended to the City Commission by a vote of 3-0-0 approval to amend section 29-03-030 of the code of Ordinance concerning side yards, district R-1 to include the definition of a corner lot. Corner Lot means a lot where two intersecting sides abut a public or private street at an intersection.

ORDINANCE NO. 1504

AN ORDINANCE AMENDING SECTION 29-03-030 OF THE CODE OF ORDINANCES CONCERNING SIDE YARDS, DISTRICT R-1

BE IT ORDAINED by the City Commission of the City of Alamogordo New Mexico that Section 29-03-030 of the *Alamogordo Code of Ordinances* be amended to read as follows:

29-03-030. Side yards – District R-1

There shall be a side yard on each of the one-story portions of buildings having a width of not less than five (5) feet and a side yard on each side of the two-story portions of buildings have a width of not less than seven and one-half (7½) feet. The side yard on the street side of a corner lot shall not be less than fifteen (15) feet in width, except in the case where there is no point of access to or from the lot along the abutting streets. Where a corner lot has no point of access to or from the lot along the abutting streets, such side yard shall have the same side yard setback width requirements as a non-corner lot.

Corner Lot means a lot where two intersecting sides abut a public or private street at an intersection.

EFFECTIVE DATE. This ordinance shall be effective upon its passage, approval, and publication as provided by law.

DONE this _____ day of _____, 2015.

CITY OF ALAMOGORDO, NEW MEXICO
a New Mexico municipal corporation

By: _____
Susie Galea, Mayor

ATTEST:

Nancy Jacobs, City Clerk

APPROVED AS TO FORM:

Stephen P. Thies, City Attorney

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 12/01/2015

Report Date: 11/25/2015

Report No: 10.

Submitted By: Stephen Thies, City Attorney

Subject: Consider, and act upon, the final publication of Ordinance No. 1505 amending the Repeal of the Gross Receipts Investment Program, Ordinance 1379. **ROLL CALL VOTE REQUIRED** (Stephen Thies, City Attorney)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve Ordinance No. 1505 for final publication.

Background: At the Regular Meeting of October 27, 2015, the City Commission approved the Ordinance for first publication. A summary of the Ordinance was published in the Alamogordo Daily News on Sunday, November 1, 2015. If approved for the final adoption, the summary will be published a second time on Sunday, December 6, 2015, and the effective date of the ordinance will be December 11, 2015.

Five years ago the City created what is known as the Gross Receipts Investment Program. It allows a developer to obtain a partial refund of the gross receipts tax directly attributable to construction activities associated with the construction or expansion of a business or commercial activity. The program was created by ordinance which contained a sixty month sunset provision. The attached ordinance would extend that sunset provision for another 60 months. Staff recommends approval of the ordinance.

ORDINANCE NO. 1505

AMENDING THE REPEAL OF THE GROSS RECEIPTS INVESTMENT PROGRAM ORDINANCE NO. 1379

WHEREAS, the City of Alamogordo adopted Ordinance No. 1379 which created a program whereby a developer could obtain a refund of gross receipts taxes directly attributable to a new or expanded business or commercial activity, the development and construction of infrastructure necessary to secure the location of a new business and commercial activity, or the expansion of an existing business or commercial activity, within the City; and

WHEREAS, Section 9 of Ordinance No. 1379 provided that the program would expire 60 months after its enactment; and

WHEREAS, it is now in the best interest of the City of Alamogordo to amend Section 9 of Ordinance 1379.

NOW, THEREFORE, BE IT ORDAINED by the governing body of the City of Alamogordo that Section 9 of Ordinance 1379 is hereby amended to read:

Section 9. 2-15-90 Sunset Clause. The Gross Receipts Investment Program shall expire October 31, 2020.

ADOPTED BY THE GOVERNING BODY OF THE CITY OF ALAMOGORDO, NEW MEXICO, this _____ day of _____, 2015.

CITY OF ALAMOGORDO, NEW MEXICO
a New Mexico municipal corporation

By: _____
Susie Galea, Mayor

ATTEST:

Nancy Jacobs, Deputy City Clerk

APPROVED AS TO FORM:

Stephen P. Thies, City Attorney

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 12/01/2015

Report Date: 11/25/2015

Report No: 11.

Submitted By: Stephen Thies, City Attorney

Subject: Consider, and act upon, Resolution No. 2015-54 - Operation of golf carts and low speed vehicles within designated areas within the City. (*Stephen Thies, City Attorney*) **WITHDRAWN**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve Resolution No. 2015-54

Background: Attached please find a revised resolution permitting the use of golf carts seasonally through out the entire city and in the area designated as the Golf Cart Usage Area, which consists of all streets located south of Panorama Blvd/Ocotillo Road and east of State Highway 54. The seasonal use is intended to accommodate the commercial use of golf carts. The resolution has been updated to prohibit golf cart and LSV operation on 1st and 10th Streets and Indian Wells Road per the discussion during the November 17th meeting. Also, to address the concerns expressed by the member of the public who spoke during the November 17th meeting, a provision has been added to the resolution to expressly provide that any person who operates a golf cart or a LSV on a public street must still adhere to all other applicable State and local laws, regulations and ordinances. I have extended an invitation to that individual to meet with me to discuss his specific concerns. I will likewise be meeting with the Police Chief prior to the December 1st meeting to discuss his concerns.

Approval of the resolution is recommended.

RESOLUTION NO. 2015-54
(Designated Areas and Seasonal Use)

**A RESOLUTION AUTHORIZING THE OPERATION OF GOLF CARTS AND LOW
SPEED VEHICLES UPON DESIGNATED CITY STREETS AND RIGHTS-OF-WAY
WITHIN THE CITY OF ALAMOGORDO**

WHEREAS, Section 66-7-9, NMSA 1978, provides for the operation of golf carts upon public roads and streets; and

WHEREAS, Subsection 66-7-9(13), NMSA 1978, provides that golf carts may be operated upon streets and roads that have been designated by resolution or ordinance of the governing body of a municipality for use by golf carts; and

WHEREAS, low speed electrically powered vehicles provide residents an alternate mode of transportation within the community, reducing vehicle emissions and gasoline consumption.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Alamogordo, New Mexico, as follows

1. Definitions. As used in this Resolution, the following words and terms shall have the following meanings unless a different meaning is clearly intended from the context:

- a) **Calendar year** —the period between January 1 and December 31, during which a golf cart or LSV registration is valid.
- b) **Driver** - the person driving and having physical control over the golf cart during the year granted.
- c) **Golf cart** – a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 miles per hour as described by 49 CFR Part 571.
- d) **Golf cart registration** – a privilege granted, upon compliance with the terms of this Resolution, to legally operate a golf cart or LSV upon public streets or roadways within the boundaries of the City of Alamogordo
- e) **Golf cart registration fee** – the administrative charge imposed for the granting of a golf cart registration.
- f) **Low-speed vehicle ("LSV")** means any 4-wheeled motor vehicle whose top speed is greater than 20 miles per hour, but not greater than 25 miles per hour. This group includes neighborhood electric vehicles, and speed-modified golf cars, whose top speed is greater than 20 miles per hour, but not greater than 25 miles per hour.
- g) **Owner** – the person holding the bill of sale to the golf cart and authorized to register the golf cart with the City of Alamogordo.
- h) **Speed-modified golf car** means a conventional golf car that was modified, after its original manufacture, so as to increase its speed. While some speed-modified golf cars have a top speed of 20 to 25 miles per hour, others have a higher top speed. That modification may currently be accompanied by the addition of safety equipment required for the on-road use of the golf car.

i) **Street** - a public roadway of the City of Alamogordo by any name (e.g., road, alley, avenue, highway, route, boulevard, etc.).

2. **Registration of golf carts.** All golf carts and LSV operating on city streets, prior to such operation, shall be registered with the City of Alamogordo on an annual basis by such persons and in such a manner as is administratively determined by the city manager. An annual registration fee may be established by resolution.

3. **Required equipment.** All golf carts or LSV operated on designated city streets must be equipped with a spark arrester approved by the United States Forest Service, at all times while the golf cart is operated on designated city streets. All golf carts or LSV operated on designated city streets shall also be properly equipped with the following:

- a. one or more headlights of sufficient candlepower to light objects at a distance of one hundred fifty feet when operated between sunset and sunrise;
- b. at least one taillight of sufficient intensity to exhibit a red or amber light at a distance of two hundred feet under normal atmospheric conditions when operated between sunset and sunrise or when conditions such as darkness limit visibility to five hundred feet or less;
- c. at least one stop lamp on the rear which shall emit a red, amber or yellow light and which shall be actuated upon application of the service brakes and which may need not be incorporated with one or more other rear lamps and shall be plainly visible and understandable from a distance of one hundred feet to the rear both during normal sunlight and nighttime or when conditions such as darkness limit visibility to five hundred feet or less; and
- d. turn lamps or mechanical signal device capable of clearly indicating any intention to turn either to the right or to the left and which shall be visible and understandable from the front and rear during daytime and nighttime from a distance of one hundred feet; and
- e. a windshield

4. **Restrictions.** The following restrictions shall also apply to the operation of golf carts on City streets:

- A. prior to crossing a street, operators shall come to a complete stop prior to entering the street, yield the right of way to oncoming traffic and begin a crossing only when it can be executed safely and then crossing the most direct manner, as closed to a perpendicular angle as possible;
- B. any person under the age of sixteen shall not operate a golf cart on city streets;
- C. any operator under the age of eighteen shall be required to successfully complete an off-highway motor vehicle safety training course for which the person shall have parental permission. The course shall be conducted by an off-highway motor vehicle safety training organization that is approved and certified by the New Mexico Department of Motor Vehicles. Upon successful completion of the course, the person shall receive an off-highway motor vehicle safety permit.
- D. any operator under the age of eighteen shall wear eye protection and a safety helmet that is securely fastened in a normal manner as headgear;

- E. any person under the age of eighteen who does not possess a valid driver's license shall not operate an off-highway motor vehicle unless the person is supervised at all times by a parent, legal guardian or a person over the age of eighteen who has a valid license;
- F. no person under the age of eighteen shall carry a passenger unless that passenger is supervising operation as provided in subsection E.
- G. a person shall not operate a golf cart in a careless, reckless or negligent manner so as to endanger the person or property of another;
- H. a person shall not operate a golf cart while under the operation of intoxicating liquor or drugs as provided by Section 1-6-12.1 of the City of Alamogordo Uniform Traffic Ordinance and Section 66-8-102 NMSA 1978;
- I. in excess of ten miles per hour within two hundred feet of a business, animal shelter, horse back rider, bicyclist, pedestrian, livestock or occupied dwelling;
- J. unless in possession of the golf cart's registration certificate; and
- K. shall not be driven on sidewalks.

5. Crossing state and county roads. Nothing herein shall be deemed to authorize the operation of a golf cart or LSV on any state or county road or highway or to allow the crossing of a state or county road or highway.

6. Areas of legal operation. The areas within the borders delineated on the exhibit attached hereto and labeled "City of Alamogordo Golf Cart Usage Area" are the areas within the city where golf carts and LSVs may be operated, and only in those designated areas.

7. Prohibited Streets. Golf carts and LSV may not be operated on the following Streets:

- a. East and West 1st Street;
- b. East and West 10th Street; and
- c. Indian Wells Road.

8. Seasonal Operation. The City Manager may permit the operation of golf carts and LSV's within additional designated areas located outside of the City of Alamogordo Golf Cart Usage Area in such a manner as is administratively determined by the city manager.

9. Effect on other regulations. The provisions of this resolution should not be interpreted to repeal, abolish, annul or in any way affect the provision of any existing law or ordinance or regulation that is imposed or required for the legal operation of golf carts or LSV. Any person who operates a golf cart or a LSV on public streets and roads must adhere to all applicable State and local laws, regulations and ordinances.

10. Effective Date. This resolution shall take effect immediately upon adoption.

PASSED, APPROVED AND ADOPTED, at the regular meeting of the City Commission of the City of Alamogordo, New Mexico, held on the 17th day of November, 2015.

CITY OF ALAMOGORDO, NEW MEXICO
a New Mexico municipal corporation

By: _____
Susie Galea, Mayor

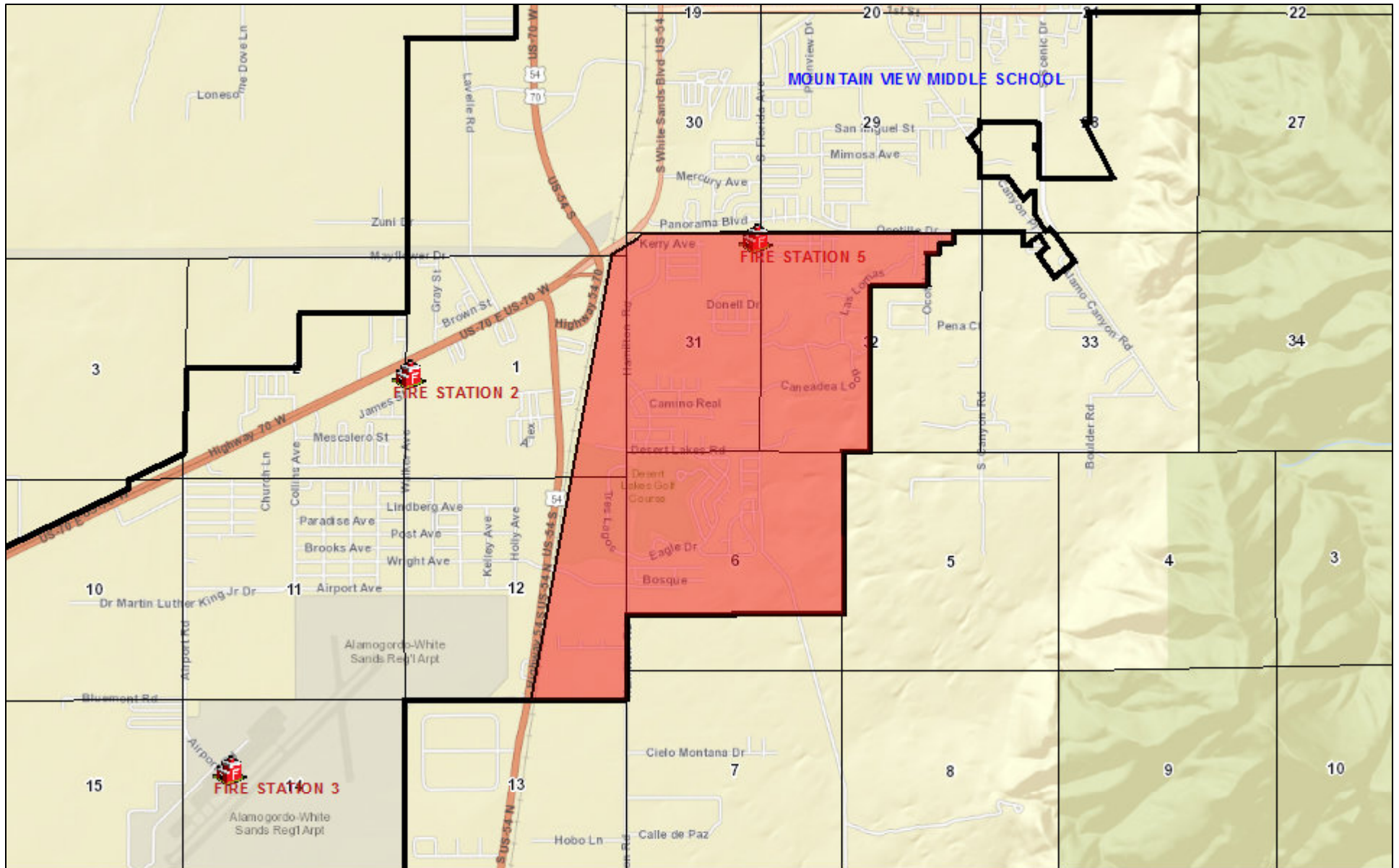
ATTEST:

Nancy Jacobs, City Clerk

APPROVED AS TO FORM:

Stephen P. Thies, City Attorney

City of Alamogordo Golf Cart Usage Area



November 11, 2015

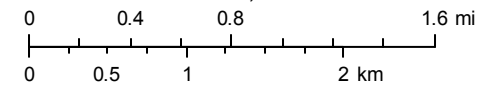


Fire Station



City Limit

1:48,036



Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand),

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 12/01/2015

Report Date: 11/30/2015

Report No: 12.

Submitted By: Mark Threadgill, Customer
Service Manager

Subject: Consider, and act upon, a request by Elizabeth Mayton for an abatement of a utility bill for 1512 Michigan. *(Mark Threadgill, Customer Service Manager)* **WITHDRAWN AT CUSTOMER'S REQUEST**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

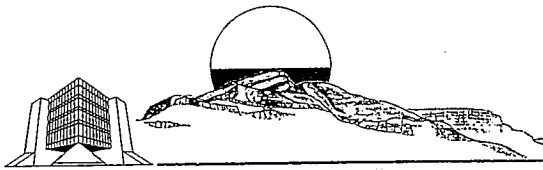
Background:

Mrs. Mayton, 1512 Michigan Ave. is disputing her utility bill of July 2015 on which she was charged \$871.08 and consumed 11,606 cubic feet of water. Customer and staff agree that there is not a leak at the property. Staff has checked the meter on three occasions and has not identified any issues with the meter.

Mrs. Mayton had been on base rate (water turned off and garbage account suspended, customer only paying water and sewer base rates each month). Mrs. Mayton, during discussions with the Utility Billing Supervisor, stated that she had turned on the water to the property in order to maintain the yard as the home is for sale.

A review of the usage profile for 1512 Michigan indicates that a period of continuous water consumption began at approximately 8 a.m. June 3, 2015 and continued through 1 p.m. 7/5/2015. Average hourly consumption during this period was 16.3 cu. ft. The first four hours of this period (8 a.m. – 11 a.m. 6/3/2015) the hourly usage was 80, 128, 91 & 47 cu ft per hour – this appears to indicate that some activity which caused high water usage was occurring but then abruptly decreased to 2 cu ft hr – perhaps a hose bib not entirely shut off.

As staff could not identify a malfunction of city equipment and staff and owner both agree that no leak exists at the property we could not grant relief to Mrs. Mayton for her July 2015 utility bill.



City of Alamogordo



October 2, 2015

Elizabeth Mayton
2349 Apache Ln
Alamogordo, NM 88310

Account: 64941-14972; 1512 Michigan Ave

Dear Customer,

In review of your account, we are unable to grant relief from the extraordinary water bill for July 20, 2015. Per policy, the applicant must furnish proof the leak was beyond his/her control, he/she did not and could not have reasonably detected the problem earlier, and that the customer took immediate action to correct the problem. As of date of this letter, we do not have any documentation qualifying you for relief from these charges. Therefore, your request for abatement has been denied.

Please submit payment for the balance due in the amount of \$887.11 within 30 days of the date of this letter. You may also sign a payment agreement for the balance due by contacting our office.

If you have any questions, please call (575) 439-4260.

Respectfully,

Nichole Sierra
Utility Billing Supervisor
City of Alamogordo

City of Alamogordo
Utility Billing Department
1376 E. Ninth Street, Alamogordo, New Mexico 88310
Phone (575) 439-4260 Fax (575) 439-4282

August 24, 2015

To Whom It May Concern,

This letter is in reference to acct number 64941-14972 at 1512 Michigan in Alamogordo, NM.

When I initially got the high bill for the period of 06/04/15 – 07/04/15 called and spoke with Shelby. She indicated that the company was doing audits on units as there were questions with some of the equipment. I was then forwarded to another department and requested a reread.

Immediately after the conversation with Shelby I contacted my brother, Paul Houston, who is a former contractor and he inspected the property within an hour of the call. He told me that the water can was dry and that the meter was still. He enter the home and checked for any leakage and found none. The basement was also bone dry and again no evidence of settling was noted in the structure or the surrounding area. Grass was all of similar height and coloring.

I spoke with Nicole Sierra on 7-30-2015 regarding above account and the bill for \$871.08. I explained to her that the home has been vacant for about 5 years, is currently for sale and that I felt that this was a misread.

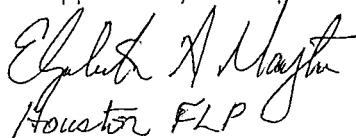
Due to the recent rains yard watering has been done very infrequently this summer. According to the readout watering occurred July 10 and 11 between 0700 and 1000. I believe this is most likely correct.

During our conversation I explained to Nicole that there was no sign of a leak anywhere, faucets were off, no standing water was noted and that there was no evidence of settling on the property.

The current bill is \$56.41. The readout will again reflect that watering occurred one or two days out of the month which is in line with previous rainy summer time watering bills. My habit pattern remains unchanged and I'm always careful to ensure the water is turned off. I am inclined to believe that there is perhaps an issue with something in the meter or automated system as indicated by your staff.

We are requesting your kind consideration in hope that the exorbitant fee might be removed. Unfortunately, there is no bill to provide as there was no leak. All the plumbing systems in the home were and continue to be intact.

We appreciate your help and attention with this matter. Thank you,


Houston FLP

ZENNER | Minol
All that counts.



Alamogordo, NM

Consumption

All Cycle

Cycle 01

Cycle 02

Cycle 03

Cycle 04

Cycle 05

Cycle 06

Cycle 07

Route 10

Route 20

Route 30

Route 40

Route 50

Route 60

Cycle 08

Cycle 09

Cycle 10

Cycle 11

Cycle 12

Cycle 13

Consumption Detail

Consumption Total

Meter Detail

Profile Graph

Graph Options

Account#: 064941014972WA00CF
Name: MAYTON, ELIZABETH
Meter ID: 00623598
MIU SN: 2026148
Address: 1512 MICHIGAN AVE

Utility: Alamogordo, NM
Cycle: 07
Route: 40
Sequence: 003400
City, State: Alamogordo, NM
Period: 04/08/15 - 05/22/15

No peak consumption was found.

Current Read: 1176 Read Time: 05/22/15 01:00:00 AM

Graph Date: 10/02/15 03:46 PM

Align To Billing

Begin Date

04/08/2015 00:00

End Date

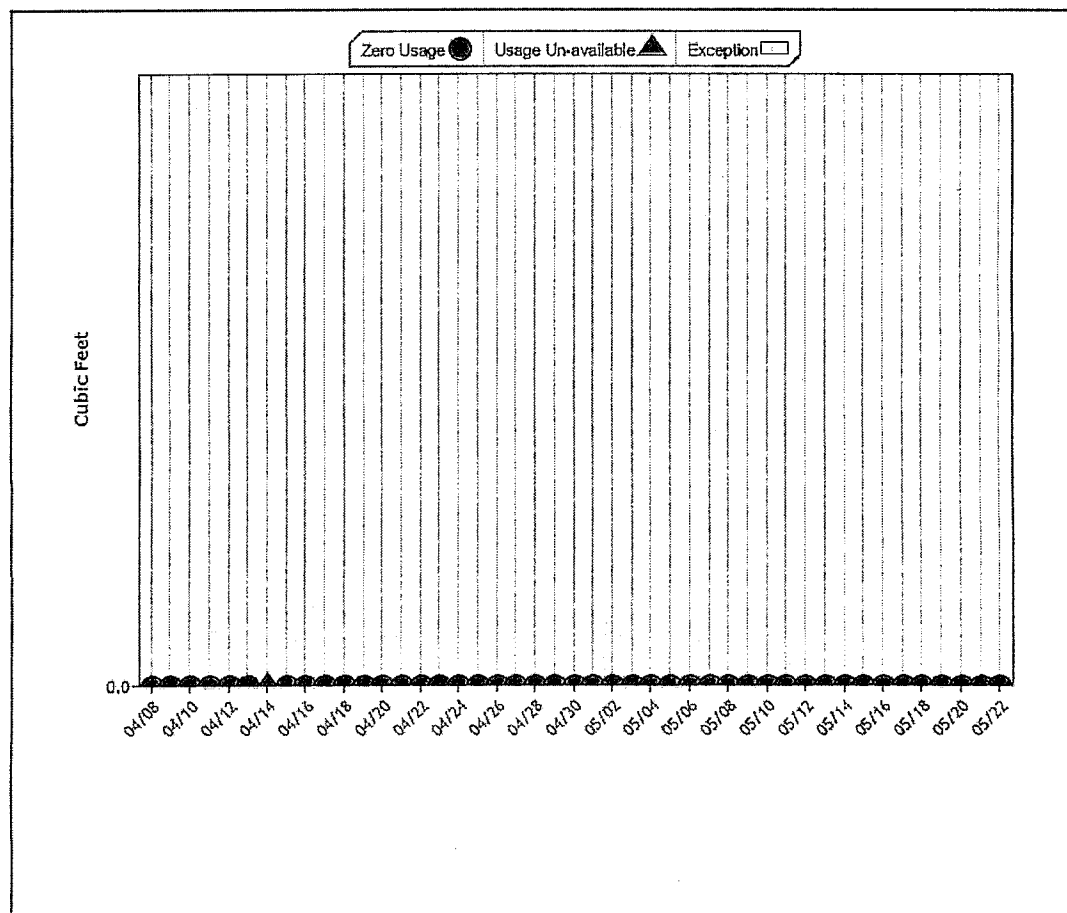
05/22/2015 23:59

Agg. Level Daily

Refresh Graph



Now Displaying: 04/08/15 00:00 - 05/22/15 23:59



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Stealth Reader 1.2.3.01

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ZENNER | Minol
All that counts.



Alamogordo, NM

Consumption

All Cycle

Cycle 01

Cycle 02

Cycle 03

Cycle 04

Cycle 05

Cycle 06

Cycle 07

Route 10

Route 20

Route 30

Route 40

Route 50

Route 60

Cycle 08

Cycle 09

Cycle 10

Cycle 11

Cycle 12

Cycle 13

Consumption Detail

Consumption Total

Meter Detail

Profile Graph

Graph Options

Account#: 064941014972WA00CF
Name: MAYTON, ELIZABETH
Meter ID: 00623598
MIU SN: 2026148
Address: 1512 MICHIGAN AVE

Utility: Alamogordo, NM
Cycle: 07
Route: 40
Sequence: 003400
City, State: Alamogordo, NM
Period: 05/22/15 - 07/05/15

2

Peak consumption of 598 cubic feet occurred during the day of 06/16/15

Current Read: 13374 Read Time: 07/05/15 01:00:00 AM

Graph Date: 10/02/15 04:01 PM

Align To Billing

Begin Date

05/22/2015 00:00

End Date

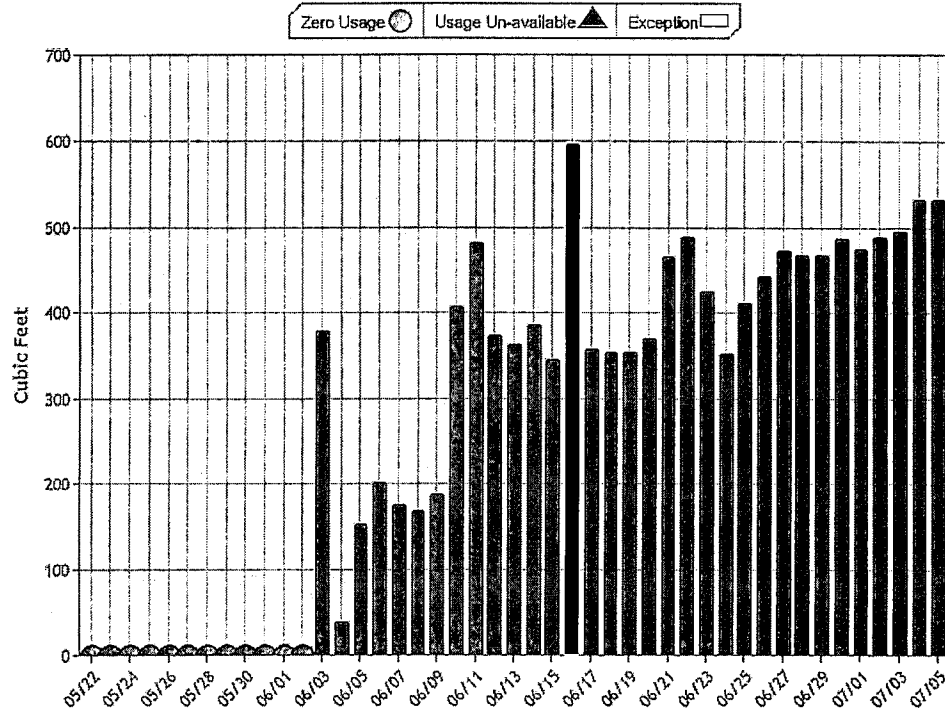
07/05/2015 23:59

Agg. Level: Daily

Refresh Graph



Now Displaying: 05/22/15 00:00 - 07/05/15 23:59



6/13
0900hrs

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All that counts.



Stealth Reader®

Alamogordo, NM

Consumption

☐ All Cycle

☐ Cycle 01

☐ Cycle 02

☐ Cycle 03

☐ Cycle 04

☐ Cycle 05

☐ Cycle 06

☐ Cycle 07

☐ Route 10

☐ Route 20

☐ Route 30

☒ Route 40

☐ Route 50

☐ Route 60

☐ Cycle 08

☐ Cycle 09

☐ Cycle 10

☐ Cycle 11

☐ Cycle 12

☐ Cycle 13

Consumption Detail

Consumption Total

Meter Detail

Profile Graph

Graph Options

Account#: 064941014972WA00CF
Name: MAYTON, ELIZABETH
Meter ID: 00623598
MIU SN: 2026148
Address: 1512 MICHIGAN AVE

Utility: Alamogordo, NM
Cycle: 07
Route: 40
Sequence: 003400
City, State: Alamogordo, NM
Period: 07/05/15 - 08/18/15

3

Peak consumption of 533 cubic feet occurred during the day of 07/05/15

Current Read: 14526 Read Time: 08/18/15 01:00:00 AM
Graph Date: 10/02/15 03:46 PM

Align To Billing

Begin Date

07/05/2015 00:00

End Date

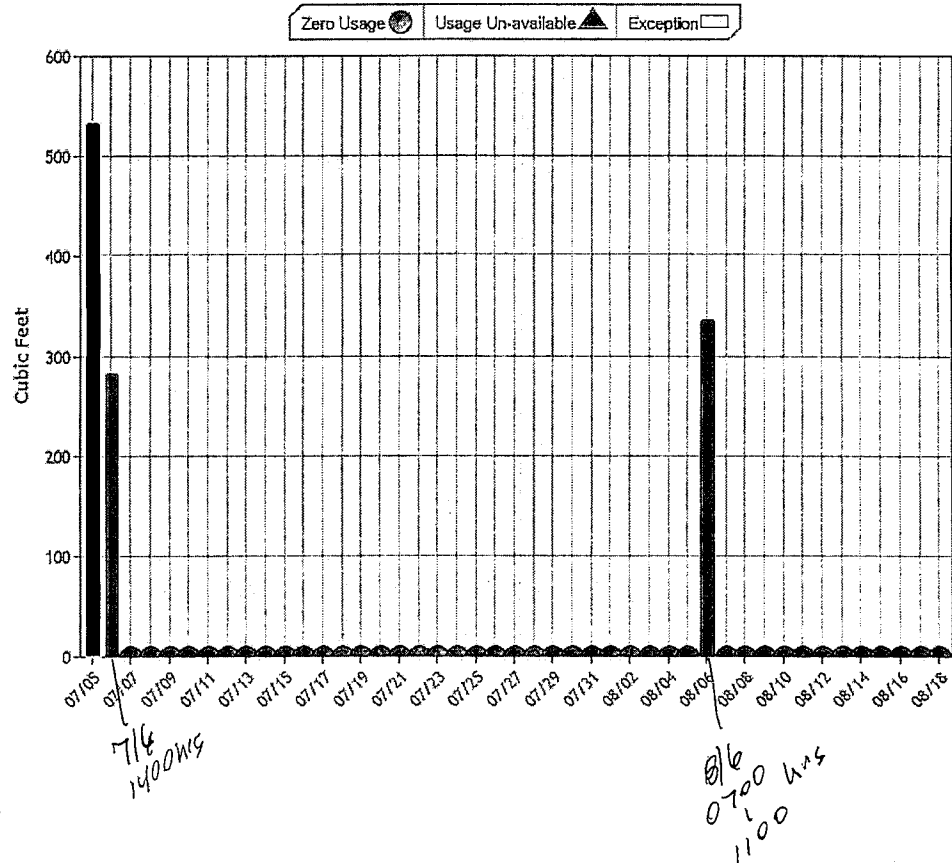
08/18/2015 23:59

Agg. Level Daily

Refresh Graph



Now Displaying: 07/05/15 00:00 - 08/18/15 23:59



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All that counts.



Alamogordo, NM

Reading

All Cycle

- ☒ Cycle 01
- ☒ Cycle 02
- ☒ Cycle 03
- ☒ Cycle 04
- ☒ Cycle 05
- ☒ Cycle 06
- ☒ Cycle 07

- ☒ Route 10
- ☒ Route 20
- ☒ Route 30
- ☒ Route 40
- ☒ Route 50
- ☒ Route 60

- ☒ Cycle 08
- ☒ Cycle 09
- ☒ Cycle 10
- ☒ Cycle 11
- ☒ Cycle 12
- ☒ Cycle 13

- ☒ Route 10
- ☒ Route 20
- ☒ Route 30
- ☒ Route 40
- ☒ Route 50

Reading Report

Reading Detail

Profile Graph

Graph Options

Account#: 064941014972WA00CF
Name: MAYTON, ELIZABETH
Meter ID: 00623598
MIU SN: 2026148
Address: 1512 MICHIGAN AVE

Utility: Alamogordo, NM
Cycle: 07
Route: 40
Sequence: 003400
City, State: Alamogordo, NM
Period: 06/10/15 - 08/23/15

Peak consumption of 596 cubic feet occurred during the day of 06/16/15

Current Read: 14526 Read Time: 08/23/15 12:00:00 AM
Graph Date: 11/25/15 08:52 AM

Align To Billing

Begin Date

06/10/2015 00:00

End Date

08/23/2015 23:59

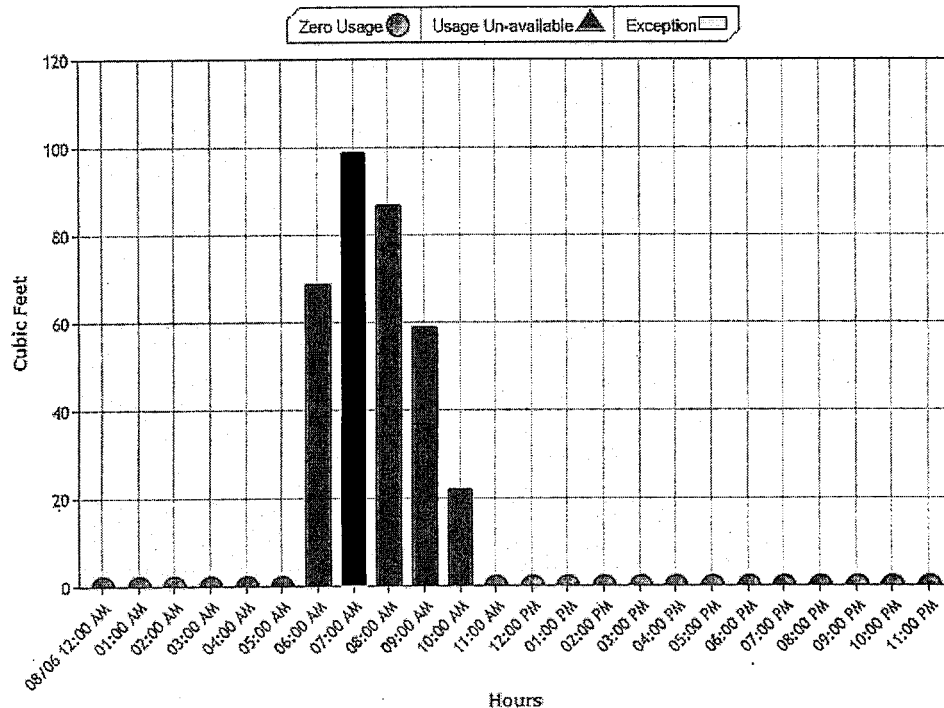
Agg. Level Daily

Refresh Graph



Now Displaying: 06/10/15 00:00 - 08/23/15 23:59

WEDNESDAY 8/16/2015



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Stealth Reader 1.2.3.02

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RECEIVED
NOV 12 2015
CITY CLERK



City of Alamogordo City Commission Meeting

AGENDA REQUEST FORM

Date: 10-27-15

Date of Meeting: 11-17-15

Name: Paul ~~ET~~ Houston & Elizabeth MAYTON

Address: 2349 Apache Lane
Alamogordo, NM ZIP 88310

Phone Number: 575 415 1213

E-Mail Address: _____

Item requested will be for: (Please check one)

☐ Information only

☐ Action Item

☒ Discussion/Action

☐ Public Hearing

☐ Report

☐ Other: _____

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

Water bill at 1512 Michigan - see attached

Signature: _____

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

Phone: (575) 439-4205

Fax: (575) 439-4396

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

Revised 5/7/2014

23 pages, including cover

August 24, 2015

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This letter is in reference to acct number 64941-14972 at 1512 Michigan in Alamogordo, NM.

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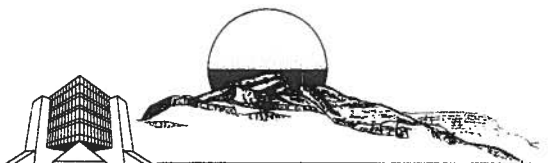
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We appreciate your help and attention with this matter. Thank you,

\$ 188.78



City of Alamogordo



October 2, 2015

Elizabeth Mayton
2349 Apache Ln
Alamogordo, NM 88310

Account: 64941-14972; 1512 Michigan Ave

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Respectfully,

Nichole Sierra
Utility Billing Supervisor
City of Alamogordo

City of Alamogordo
Utility Billing Department
1376 E. Ninth Street, Alamogordo, New Mexico 88310
Phone (575) 439-4260 Fax (575) 439-4282

4-8
6-3

6/12/2015 3:00	50039	3410	LE10		
6/12/2015 2:00	50039	3394	LE10		16
6/12/2015 1:00	50039	3379	LE10		15
6/12/2015 0:00	50039	3363	LE10		16
6/11/2015 23:00	50039	3348	LE10		15
6/11/2015 22:00	50039	3333	LE10		15
6/11/2015 21:00	50039	3317	LE10		16
6/11/2015 20:00	50039	3302	LE10		15
6/11/2015 19:00	50039	3288	LE10		14
6/11/2015 18:00	50039	3273	LE10		15
6/11/2015 17:00	50039	3259	LE10		14
6/11/2015 16:00	50039	3244	LE10		15
6/11/2015 15:00	50039	3227	LE10		17
6/11/2015 14:00	50039	3210	LE10		17
6/11/2015 13:00	50039	3193	LE10		17
6/11/2015 12:00	50039	3179	LE10		14
6/11/2015 11:00	50039	3165	LE10		14
6/11/2015 10:00	50039	3152	LE10		13
6/11/2015 9:00	50039	3139	LE10		13
6/11/2015 8:00	50039	3042	LE10		97
6/11/2015 7:00	50039	2961	LE10		81
6/11/2015 6:00	50039	2951	LE10		10
6/11/2015 5:00	50039	2940	LE10		11
6/11/2015 4:00	50039	2929	LE10		11
6/11/2015 3:00	50039	2918	LE10		11
6/11/2015 2:00	50039	2907	LE10		11
6/11/2015 1:00	50039	2896	LE10		11
6/11/2015 0:00	50039	2884	LE10		12
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6/10/2015 18:00	50039	2820	LE10		10
6/10/2015 17:00	50039	2809	LE10		11
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6/10/2015 15:00	50039	2789	LE10		10
6/10/2015 14:00	50039	2780	LE10		9
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6/10/2015 12:00	50039	2760	LE10		10
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6/10/2015 10:00	50039	2742	LE10		9
6/10/2015 9:00	50039	2682	LE10		60
6/10/2015 8:00	50039	2601	LE10		81
6/10/2015 7:00	50039	2535	LE10		66
6/10/2015 6:00	50039	2527	LE10		8
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					181

6/14/2015 7:00	50039	4219	LE10		
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6/12/2015 23:00	50039	3722	LE10		16
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6/12/2015 11:00	50039	3536	LE10		16
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					15

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6/15/2015 19:00	50039	4771	LE10	13
6/15/2015 18:00	50039	4758	LE10	13
6/15/2015 17:00	50039	4745	LE10	14
6/15/2015 16:00	50039	4731	LE10	13
6/15/2015 15:00	50039	4718	LE10	14
6/15/2015 14:00	50039	4704	LE10	14
6/15/2015 13:00	50039	4690	LE10	15
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6/15/2015 11:00	50039	4660	LE10	15
6/15/2015 10:00	50039	4645	LE10	15
6/15/2015 9:00	50039	4630	LE10	15
6/15/2015 8:00	50039	4615	LE10	15
6/15/2015 7:00	50039	4600	LE10	16
6/15/2015 6:00	50039	4584	LE10	15
6/15/2015 5:00	50039	4569	LE10	16
6/15/2015 4:00	50039	4553	LE10	16
6/15/2015 3:00	50039	4537	LE10	16
6/15/2015 2:00	50039	4521	LE10	16
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6/14/2015 20:00	50039	4427	LE10	15
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7/17/2015 6:00	50039	14190	-	0
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7/16/2015 20:00	50039	14190	-	0

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7/19/2015 1:00	50039	14190	-	0
7/19/2015 0:00	50039	14190	-	0

Account#	Name	Meter ID	Address	MIU SN
064941014972WA00CF	MAYTON,	623598	1512 MICHIGAN AVE	2026148
Read Time	Gateway	Read	Trouble Code	Consumption Previous Period
7/24/2015 1:00	-	-	-	-
7/23/2015 2:00	50039	14190	-	0
7/23/2015 1:00	50039	14190	-	0
7/23/2015 0:00	50039	14190	-	0
7/22/2015 23:00	50039	14190	-	0
7/22/2015 22:00	50039	14190	-	0
7/22/2015 21:00	50039	14190	-	0
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7/22/2015 18:00	50039	14190	-	0
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7/21/2015 21:00	50039	14190	-	0
7/21/2015 20:00	50039	14190	-	0
7/21/2015 19:00	50039	14190	-	0
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7/21/2015 17:00	50039	14190	-	0
7/21/2015 16:00	50039	14190	-	0
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7/21/2015 14:00	50039	14190	-	0
7/21/2015 13:00	50039	14190	-	0
7/21/2015 12:00	50039	14190	-	0
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7/21/2015 6:00	50039	14190	-	0
7/21/2015 5:00	50039	14190	-	0
7/21/2015 4:00	50039	14190	-	0

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 12/01/2015

Report Date: 11/25/2015

Report No: 13.

Submitted By: Stephen Thies, City Attorney

Subject: Consider request for payment to Stardust Lanes for submission of required documentation concerning the RFP 2015-006 for the Family Entertainment Center Project. *(Stephen Thies, City Attorney)*

Fiscal Impact: 0

Amount Budgeted: \$5,929,500.00

Fund: 121-6199-990-6001

Additional Fiscal Impact:

Recommendation: Staff requests Commission direction on this request.

Background: Scope of project was to seek a well-qualified Development Team to participate in the facility's design and project planning, construction, financing, operating, and maintaining. The Project is to be a "turnkey" project, with the Development Team to provide all work, services, materials, equipment, supplies, and labor for the Project to be fully operational upon substantial completion. The Development Team were to provided all design, work, services, engineering, plumbing systems, ventilation systems, fire suppression systems, safety systems, HVAC, mechanical systems, and other systems necessary for the design, construction, and construction administration, and is inclusive of all costs necessary for the installation and completion of the Project, in working order, unless specifically set forth otherwise herein.

The City of Alamogordo completed the pre-qualification for a qualifications-based competitive selection process for Design Build services (RFQ 2015-03) relating to the Alamogordo Family Entertainment Center Project. This Request for Proposals (RFP 2015-006) establishes the requirements for Proposal Submission by Pre-qualified Candidates. Proposals were only accepted from those who pre-qualified; White Sands Construction, Stardust Lanes and Brunswick.

Only two proposals were received on November 5th, 2015. White Sands Construction and StarDust Lanes. White Sands Construction proposals was determined non-responsive.

On November 10th, 2015 Stardust Lanes made their presentation. Upon further discussion with the project team and evaluators, it was recommended that the City reject all proposals and review different options in regards to the Family Entertainment Center. It was determined that a new feasibility study was needed to determined what would be beneficial in regards to the City's needs.

Due to the extent of the requested technical submittals, the request for proposals indicated that the

proposers would be paid \$7,500. Since the proposal submitted by StarDust Lanes was determined to be responsive, staff requests approval to pay StarDust the \$7,500. On the other hand, the proposal submitted by White Sands Construction was determined to be non-responsive due to their failure to submit the requested technical submittals. The technical submittals were required in order for the City to determine what the companies were proposing to construct. White Sands Construction has requested that it be paid the \$7,500. Staff requests Commission direction on this request.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 12/01/2015

Report Date: 11/25/2015

Report No: 14.

Submitted By: Nancy Jacobs, Deputy
Clerk

Subject: Discussion regarding the annual review of the Southwest Passage Initiative for Rural and Interstate Transportation (S.P.I.R.I.T.) dues. *(Nancy Jacobs, City Clerk)* **WITHDRAWN**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Provide Staff Direction

Background:



S.P.I.R.I.T.

P.O. Box 158
Liberal, KS 67905-0158
Phone 620-624-1540
Fax 620-626-9725

RECEIVED
OCT 20 2015
CITY CLERK

October 8, 2015

Mayor Susie Galea
City of Alamogordo
1376 E. 9th
Alamogordo, N.M. 88310

Dear Mayor Galea,

This letter is a very special request. The S.P.I.R.I.T. organization needs your help

We depend totally on Memberships from Cities like yours, Counties, organizations and individuals to provide the funds necessary to keep our message before the State and Federal Legislators and Officials in print, by phone and in person. Board Members and I travel to State Capitols and Washington, D.C. to impress on these people the need to fund and approve more four-lanes on U.S. Highway 54 from Wichita, Kansas to El Paso, Texas. They have recognized us as a much respected 501©6 corporation and the Federal Legislators have designated Highway 54 as the S.P.I.R.I.T. High Priority Corridor on the Federal Highway System.

Many accomplishments have been made and are being made over the 20 years we have tirelessly worked for you and everyone else on this Corridor, but we must continue to push for the completion of this project. This will aid in Economic Development efforts and make it safer and more efficient for all travelers.

Mayor Galea, please seriously consider this request for your 2015 Membership Renewal. It is vital to the continued work of the S.P.I.R.I.T. organization.

Sincerely,

Jack Taylor
Executive Director

3/25/14 6/24/14

**S.P.I.R.I.T.**

P.O. Box 158

Liberal, KS 67905-0158

Phone 620-624-1540

Fax 620-626-9725

Statement

City of Alamogordo
Attn: Mayor Susie Galea
1376 E. 9th
Alamogordo, NM 88310

DATE

4/8/2015

				AMOUNT DUE	AMOUNT ENC.
				\$5,000.00	
DATE	TRANSACTION			AMOUNT	BALANCE
11/14/14	Balance forward				0.00
11/18/14	2015 Dues Investment			5,000.00	5,000.00
You may make Annual or Semi-Annual. payments. Thank you for your continued support.					
CURRENT	1-30 DAYS PAST DUE	31-60 DAYS PAST DUE	61-90 DAYS PAST DUE	OVER 90 DAYS PAST DUE	AMOUNT DUE
5,000.00	0.00	0.00	0.00	0.00	\$5,000.00

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 12/01/2015

Report Date: 11/25/2015

Report No: 15.

Submitted By: Susie Galea, Mayor

Subject: Consider, and act upon, a City Charter amendment requiring all elected officials to undergo random drug and alcohol screenings. (*Susie Galea, Mayor*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background: Recently, a Commissioner alleged that many years ago a former mayor chaired a meeting while intoxicated. Though all City of Alamogordo staff are subject to random drug screening, none of the elected officials are. Mayor Galea would like to see this added to the Charter Amendments to be considered by the public at the March 1, 2015 Election.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 12/01/2015

Report Date: 11/25/2015

Report No: 16.

Submitted By: Robert Rentschler, Mayor
Pro-Tem

Subject: Consider, and act upon, an addition to the 2016 Election ballot asking the voters to consider moving the Family Fun Center location from Mesa Village to a central location (to be determined tonight) within the City of Alamogordo. *(Robert Rentschler, Mayor Pro-Tem)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background: Commissioner Rentschler asked for this item to be considered and acted upon.