



Alamogordo City Commission

NOTICE OF MEETING

Regular Meeting Agenda

October 23, 2018 - 6:30 PM
City Hall, City Commission Chambers
1376 E. Ninth St.

Richard Boss Mayor
Jason Baldwin Mayor Pro-Tem, District 1
Nadia Sikes District 2
Susan Payne District 3
Josh Rardin District 4
Al Hernandez District 5
Dusty Wright 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

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.

1. Approve the minutes for the October 2, 2018 Special meeting and the October 9, 2018 Regular meeting. *(Rachel Hughs, City Clerk)*

ITEMS REMOVED FROM CONSENT AGENDA

NEW BUSINESS

2. Consider, and act upon, a request to utilize the portable stage for a special event at the Otero County Fairgrounds at no cost. *(Stephanie Hale, Thrive)*
3. Discussion and direction to staff on Opting-in to the Local Election Act. *(Rachel Hughs, City Clerk)*
4. Presentation highlighting the ongoing activities of the Alamogordo Fire Department Code Enforcement Division. *(Jim LeClair, Fire Chief)*
5. Consider, and act upon, the award of Public Works Bid No. 2018-005, through Open Market, to L.E.R. Inc. dba Renner Sports Surfaces related to Washington Park Basketball Courts Reconstruction (NB1804) in an amount not to exceed \$171,024.48, including NMGR. *(Edward Balderrama, Project Manager)*
6. Consider, and act upon, either suspending or canceling the Scenic Drive Extension to Mesa Verde Ranch Road project. *(Brian Cesar, Assistant City Manager and Bob Johnson, Engineering Manager)*
7. Consider, and act upon, first publication of Ordinance No. 1579, Case: Z-2018-0004(A), 1451 Galway Dr., Rath Tara Estates 1 & 3, Replat B, Block 4, Lot 7B, to change zoning from R-1 Single Family Dwelling District to R-4 Multiple Family Dwelling District. *(Acting City Planner, Stella Rael)* **(Roll Call Vote Required)**
8. Consider, and act upon, first publication of Ordinance No. 1580, Case: Z-2018-0005 (A), 1395 E. First Street, Wesley Subdivision, Lot 1B, to change zoning from R-1 Single Family Dwelling District to C-3 Business District. *(Acting City Planner, Stella Rael)* **(Roll Call Vote Required)**
9. Appointments to Boards and Committees. *(Richard Boss, Mayor)*

ADJOURNMENT

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 10/23/2018

Report Date: 10/18/2018

Report No: 1.

Submitted By: Rachel Hughs

Subject: Approve the minutes for the October 2, 2018 Special meeting and the October 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
SPECIAL MEETING MINUTES
6:30 P.M., COMMISSION CHAMBERS
OCTOBER 2, 2018**

**RICHARD BOSS, MAYOR
AL HERNANDEZ, COMMISSIONER
NADIA SIKES, COMMISSIONER
JOSH RARDIN, COMMISSIONER
SUSAN PAYNE, COMMISSIONER**

**JASON BALDWIN, MAYOR PRO-TEM
DUSTY WRIGHT, COMMISSIONER
MAGGIE PALUCH, CITY MANAGER
PETRIA SCHREIBER, CITY ATTORNEY
RACHEL HUGHS, CITY CLERK**

CALL TO ORDER / ROLL CALL

Mayor Boss called the meeting to order at 6:31 p.m. Roll Call was taken by the City Clerk. Mayor Pro-Tem Baldwin was as absent. City Clerk Hughs announced there was a quorum present.

APPROVAL OF AGENDA

**Commissioner Hernandez moved to approve the agenda.
Commissioner Sikes seconded the motion. Motion carried with a vote of 7-0-0.**

PRESENTATIONS

1. Presentation on the Local Election Act. *(Daniel Ivey-Soto, Senator)*

Senator Daniel Ivey-Soto presented a power point presentation of the Local Election Act. He said the Local Election Act was effective July 1, 2018, and it establishes the Regular Local Election in November of odd-numbered years. He said it also establishes Municipal Officer elections in March of even-numbered years. He explained why they did this bill and what it is about. He explained that Municipalities are not automatically in, they have the option to be included. He explained the Municipal Election Code and the School Election laws were repealed and no longer exist, as well as other local election laws. He said all elections now operate under Chapter 1 Article 22, and all elections in New Mexico now have the same procedures, the same protections and processes for voters. As of July 1, 2018, all Special Elections in New Mexico are now conducted by mail with returned postage prepaid. He said if a municipality takes no action, elections will remain in March of even numbered years and the City Clerk will continue to conduct Regular and Special Elections, other than Recall Elections. He also said all forms and procedures must be approved by the Secretary of State for these elections. He said early voting will be the same days and hours as in the Primary and General Election. He said if you have more than 10,000 registered voters, the municipality must operate an early voting site in addition to voting in the Municipal Clerk's Office for 28 days. He said the City will also operate, 12 of the last 17 days, an early voting site at another location. The Federal Qualified electors, the Military and Overseas voters, has the same rights as in the Primary and the General elections. All the polling places will have accessibility requirements, and all the Proclamations and materials have to be in English and Spanish. He said the election process begins with the Secretary of State issuing the Proclamation for the Municipal Officer elections. The County Commission canvasses the Municipal Election results, and the Secretary of State issues the election certificates. He said the City Commission can by Ordinance opt-in to the Regular Local Election Act. He said all other local governments with taxation authority are in that day. He said this applies regardless of whether you have Home Rule status and regardless of the language in your Charter. If Municipalities opt-in, then Municipal elections will be held in November of odd numbered years along with all the other local non-partisan races conducted by the County Clerk. The Municipal Officers will go first on the ballot, then the School Board, the Community College, then everyone else after that. He said this will extend everyone's term of Office. He said for municipalities because the term of office would expire December 31, new Officers will take Office

January 1. He addressed how to get from March, in terms of election and from the first or second week of March to an election in November and a term that ends in December. He said there are two ways to go. If a municipality chooses to opt-in, that municipality determines if they want to adjust by nine weeks serving in office backwards or if they want to adjust by a year and 10 months forwards. The Municipal Clerk will still conduct any supplemental election procedures they may have. He said there is an assessment on all the local public bodies for the election. He said that assessment comes out to \$250 per million of general fund expenditures. This assessment does not include Special Elections, the municipality will pay the actual cost of that election. He said this will go into a fund administered by the Secretary of State and used to reimburse the County Clerks for conducting the election. He said elections in New Mexico, the division of expenses on those is that the Secretary of State pays for the ballots, and the ballot marking devices, and the County pays for poll workers, polling places and publications. He showed some figures of general fund expenditures and estimated annual assessments for Otero County Municipalities. Based off these figures, the City of Alamogordo would pay an annual assessment of \$3,750. He said because the County Clerk does Vote Centers County-wide, voters can vote at any polling place in the County, just like a Primary and General Election. He mentioned the process for run-off elections.

Mayor Boss asked Senator Daniel Ivey-Soto if there were any surveys taken of what other States do in regard to their voting. He answered yes. He explained what other States do and why they choose not to follow those models. He said what they learned is what they really didn't want to do, more than anything else.

Commissioner Sikes asked who mails out the ballots in Special Elections. Senator Ivey-Soto said the Municipal Clerk, but if you opt-in the County Clerk mails out the ballots. He explained that they will be bring forth, this next Legislative session, is for those municipalities that don't opt-in, the ability for the Municipal Clerk to enter into an MOU (Memorandum of Understanding) with the County Clerk and to have them send out the ballots for Special Elections. Commissioner Sikes said the annual assessments are minimal. She asked if the County is responsible for paying the poll workers. He said yes that is right. He stated if you opt-in and pay the assessments for the regular local election, you do not pay another single penny for it.

Commissioner Sikes asked City Clerk Hughs how much our current elections cost. She answered for 2018, it was \$21,768. She said she had a twenty-year list of election costs and in 2012, it was the highest \$35,000 and in 2008, it was the lowest at almost \$15,000.

Commissioner Sikes said this is a really good deal for us, but we need to cognizant of the fact that it could be a burden on the County Clerk. County Clerk Holmes said no.

Senator Ivey-Soto said when the municipality operates an election right now, the voting list comes from the County Clerk. He said the County already has the boundaries of all the Jurisdictions in their software. He said the County Clerk already provides voter lists, voting machines and general help with many of these elections, so doing just one election is a lot simpler for the County Clerk to conduct the election.

Commissioner Rardin asked if we choose to not opt-in to this, basically the elections will stay the same and our Clerk will run them. Senator Ivey-Soto said if you don't opt-in, your Municipal Clerk continues to operate your elections, but because they did away with the Municipal Election Code then all the procedures are under the Election Code. He gave examples of provisional ballots, military and overseas voters, the requirement of translating into Spanish, Accessibility requirements and the alternate voting location for early voting. Commissioner Rardin said it sounds like it is going to complicate it on our end and it also sounds like we are going to push some costs over onto the County Clerk's Office and more than likely they'll want reimbursement for a portion of that from the City. Mayor Boss said County Clerk Holmes is nodding her head no.

Senator Ivey-Soto said the reason it is cheaper on the assessment to opt-in is because everyone is

already paying the assessment in, which is why the cost seems like such a deal.

Mayor Boss asked County Clerk Holmes if she had comments. He also announced that he was going to allow questions from people in the audience.

County Clerk Holmes said she feels this is a great opportunity for all of our voters to be treated fairly and not to be disenfranchised. She said there are times that people do not know that different elections are going on. She said every November there will be an election and people will get used to that. She said if the City decides not to opt-in, voters may or may not make it to your election because they are thinking that everything is going to be on this Local Election ballot. She believes it is going to save the City and taxpayers a lot of money. If the City chooses not to opt-in, the Municipal Clerk will be responsible to run that election and the burden of that cost will fall on the City. She said this is a win-win situation for everybody if the City opts into this. She said that is her opinion.

Diana Brusuelas-Guilez commented on the following:

She stated she is the former Clerk for the Village of Tularosa. She asked how soon this comes about if they opt-in. Senator Ivey-Soto said the Local Election Act went into effect July 1, 2018. A municipality that wants to opt-in must pass their Ordinance and file it with the Secretary of State, no later than January 30, 2019. He said that will also be the Ordinance where the Municipality would make the decision of going forward or backwards on their terms. Ms. Brusuelas-Guilez asked if the assessment gets paid to the Secretary of State, and if they then pay the County. He answered correct.

Senator Ivey-Soto said a Municipality that opts-in can change their mind later and opt-out.

Blanch Wright commented on the following:

He stated he was the Secretary of the Cloudcroft School Board. He asked if he understood that there are no requirements that they have to fulfill as far as being extended for the 10 months. Senator Ivey-Soto answered that is right. Mr. Wright asked when they have to register to be on the ballot to be elected in. He also asked what the rankings of bonds on the ballot are. Senator Ivey-Soto said School Board members do not have to do anything, their terms are automatically extended by 10 months. He said 90 days before the Regular Local Election, the Secretary of State will issue the Proclamation calling the Regular Local Election and identifying all offices that are to be elected. Filing day for the Regular Local Election is 70 days prior to the election. He said any ballot questions go onto that Regular Local Election that passes the matter in their governing body and files it with the County Clerk at least 70 days prior to the Regular Local Election. He said the one asterisk on that, this is really an Albuquerque issue, but any Charter change, you have to layout the entire section of the Charter. He said if you put something on the ballot that forces a second page then you will have to pay for that second page of the ballot.

Tim Wolf commented on the following:

He stated he is the Secretary of the Alamogordo School Board. He said the SB 9 Mill Levy is coming up for them, which they had scheduled for February, and now they cannot do it now. He said if they wait until November they lose a year's worth of revenue because the November Election is too late for the Treasurer and Assessor to do their thing to keep the money flowing. He said they are looking into being forced to have a Special Election this spring to keep their revenue stream continuous. He said he does not know any way around that. Senator Ivey-Soto said he does. He explained two solutions for this issue.

Margie Trujillo commented on the following:

She stated she is the Mayor of Tularosa. She asked if they did a survey of the Municipal Clerks asking if they thought this was a good idea. She also asked if down the line, they will be taxed in any way to cover costs. Senator Ivey-Soto said three or four years ago, the Municipal Clerks passed a

Resolution to get rid of the Municipal Election Code and for everybody to operate under the Election Code. In addition to that, the feedback they have gotten is that there's a fairly solid one-third of the Municipal Clerk who feel very strongly that their job is to run the election for their Municipality. He said there is another one-third of the Municipal Clerks that has been calling him regularly for the sample Ordinance, so they can put it before their City Council to send the election to the County Clerk. He said there is another fairly solid one-third in the middle that either does not want to tell them how they think or their position is whatever their governing body decides to do. He said many of the City Clerk's came to him saying that they want to continue running the election, but they did not want to run the Special Elections.

He said his perception of future costs will only get better for the local governments. He said the County Clerk's Affiliate have voted to try and get the State to do a dedicated Election Fund at the State level to cover the costs of elections that would not only take care of a lot of the enhanced cyber security needs and some of the other technological things, but would also allow us to get rid of the assessment all together for the local governments.

City Clerk Hughs pointed out that the City uses a lot of the County Clerk's equipment already, and the City pays for that. She then asked if there is a blackout time because of the November Election what's the timeframe that the City needs to be within. Senator Ivey-Soto said there is a blackout rule on statewide elections, where you cannot have a local election 70 days before or after a statewide election. He said in terms of the cutoff for opting in is January 30, 2019 for the cycle. If you miss the cycle, you could do it by January 30, 2021. He said you can pass that Ordinance at any time between now and January 30th, 2019.

PUBLIC COMMENT

Diana Brusuelas-Guilez commented on the following:

She asked Senator Ivey-Soto why he was against the portion of the Act that had the assessment. He said all of the local public bodies, including Municipalities, are political subdivisions of the State. He thinks in a democracy, it is the responsibility of the State to provide for the elections, and then once that has been provided for, that provides the authority for each local government to then go and do what they need to do to serve their constituents.

Margie Trujillo commented on the following:

She said they are having an election in March for two Trustees. She asked if they pass this Ordinance before January 30th, do they get to run in November instead of March. Senator Ivey-Soto answered yes, they would.

Commissioner Rardin asked if they choose to opt into this, we have an election in 2020, so would those terms shorten. He said there were two options, to shorten the terms by 9 weeks or lengthen the term by a year and some change. Senator Ivey-Soto said yes sir, a year and 10-months. Commissioner Rardin asked if it would go from March of 2020 to November of 2020. Senator Ivey-Soto answered it would go to November 2021.

Mayor Boss thanked Senator Ivey-Soto.

ADJOURNMENT

Commissioner Hernandez moved to adjourn at 7:43 p.m.

Commissioner Rardin seconded the motion.

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

Mayor Richard Boss

ATTEST:

City Clerk Rachel Hughs

(Prepared by Eric Barraza, Deputy Clerk)

Approved at the Regular Meeting held on October 23, 2018.

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

**RICHARD BOSS, MAYOR
AL HERNANDEZ, COMMISSIONER
NADIA SIKES, COMMISSIONER
JOSH RARDIN, COMMISSIONER
SUSAN PAYNE, COMMISSIONER**

**JASON BALDWIN, MAYOR PRO-TEM
DUSTY WRIGHT, COMMISSIONER
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. City Clerk Hughs announced there was a quorum present. Invocation was given by Bishop Westover and the Pledge of Allegiance was led by Commissioner Rardin.

APPROVAL OF AGENDA

**Commissioner Hernandez moved to approve the agenda.
Mayor Pro-Tem Baldwin seconded the motion. Motion carried with a vote of 7-0-0.**

PUBLIC COMMENT

None.

CITY MANAGER'S REPORT

City Manager Paluch made the following remarks:

1. She announced that the new playground at Kids Kingdom will be renamed. She said staff will setup a Facebook events page with a poll for the community to vote on the top three name ideas.
2. She said the City is starting a Pop-up City Hall program, where City Hall staff will be brought out to the citizens. She said you will see Pop-up City Hall at different events at random locations.
3. She announced this is National Fire Prevention Week. The firefighter games are sponsored by Holloman Air Force Base and the games will be preceded by a parade that starts at 10:00 a.m. on the Base. She said the events are open to the public, you do have to have Base access or an escort.
4. She recognized Assistant City Manager Cesar for giving the City of Alamogordo 20 years of service. She said he has been an invaluable asset to the City. She presented him with a plaque.

Mayor Boss told Assistant City Manager Cesar he has learned more about the City of Alamogordo talking to him than any other employee in the City.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Commissioner Wright made the following comments:

He recognized the Community Services Department and Parks. He said the youth soccer league has transitioned to playing at Balloon Park, and the work that Parks Manager Marion and the Parks Department has done out there looks awesome. He said it is top notch compared to what they had been playing at in Washington Park.

Commissioner Payne made the following comments:

She said several years ago she worked for a man named Mr. Lawrence Johnson. She said he passed away. She said Mr. Johnson served the Alamogordo Public Schools and education for close to 40 years. She said we lost a great man this week. She asked for everyone to keep his family in prayers.

CONSENT AGENDA

1. Approve the minutes for the September 25, 2018 Regular meeting. *(Rachel Hughs, City Clerk)*
2. Approve the statements related to the Executive Session held on September 25, 2018. *(Rachel Hughs, City Clerk)*
3. Consider, and act upon, final publication of Ordinance 1577, an ordinance amending section 2-14-040 of the Alamogordo Code of Ordinances regarding economic development. *(Petria Schreiber, City Attorney)*
(Roll Call Vote Required)
4. Consider, and act upon, final publication of Ordinance 1576 amending Section 12-04-015 of the City of Alamogordo Code of Ordinances regarding firework dates of use. *(Petria Schreiber, City Attorney and Jim LeClair, Fire Chief)* **(Roll Call Vote Required)**
5. Consider, and act upon, a bid award of IFB 2018-03 Hot Mix, to AggTec LLC to be utilized by various departments. *(Barbara Pyeatt, Chief Procurement Officer)*
6. Approve Resolution No. 2018-43 designating the City Clerk as the Custodian of Records and including the method of destruction for City records as witnessed shredding. *(Rachel Hughs, City Clerk)* **(Roll Call Vote Required)**
7. Consider and act upon a City side Leak Abatement request for Salvadore Gutierrez, 1101 Brooks Ave., in the amount of \$2,661.38. *(Mark Threadgill, Customer Service Manager)*

Commissioner Hernandez asked to remove Item # 2 from the Consent Calendar.

Commissioner Hernandez moved to approve items 1,3,4,5,6,7 of the consent calendar.

Commissioner Rardin seconded the motion.

Roll call vote was taken.

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

ITEMS REMOVED FROM CONSENT AGENDA

2. Approve the statements related to the Executive Session held on September 25, 2018. *(Rachel Hughs, City Clerk)*

Commissioner Hernandez said he did not participate in this Executive Session, so he has no way of approving what was said or not said, so he was abstaining from the vote. Commissioner Rardin said he did not participate either.

Mayor Pro-Tem Baldwin moved to approve.

Commissioner Payne seconded the motion.

Motion carried with a vote of 5-0-2. Commissioners Hernandez and Rardin abstained from vote.

NEW BUSINESS

- 8. Consider, and act upon, Leak Abatement for 1312 New York Ave. *(Rebecca Swallows, Property Owner)***

Ms. Swallows said she had a water leak at this property and she had it repaired by Bourbon Plumbing which was done on the 28th of April. She was given a leak abatement at that time. In August, she found out that the problem had not been fixed totally. She hired another person to fix the problem that should have been repaired the first time. She asked the Commission to please consider giving her a second abatement.

Mayor Boss asked who did the first repair. She answered Bourbon Plumbing. She said she went back to

them, and they told her that they only guaranteed their work for 30 days. She hired another person to fix the leak and has not had a problem since. She still owes the City \$412.51 and she wanted to know if there is a way the Commission can help her with that.

Mayor Boss asked Customer Service Manager Threadgill to come up. Mayor Boss said he noticed that staff recommended to deny the request.

Customer Service Manager Threadgill said the reason staff recommended denial is because by City policy, customer side leak abatements are limited to one per calendar year.

Mayor Boss clarified the recommendation to deny was because of City policy. Customer Service Manager Threadgill said right.

Commissioner Sikes said she was confused to why it couldn't be an on-going abatement situation. She asked Ms. Swallows if the leak stopped because she didn't have a tenant and had the water turned off. Ms. Swallows explained the leak stopped because of a coupling. It initially fixed the problem but had a domino effect that broke the rest of the line. It was the same area but a different part.

Mayor Pro-Tem Baldwin said this policy is in place to keep people from taking advantage of an abatement that the City offers. He said he does not see this as that particular situation in his opinion. He asked Customer Service Manager Threadgill if he would have any idea about the repair, other than it stopped and it started again. He said as part of the leak abatement process they have the customer provide them with copies of receipts. Mayor Pro-Tem Baldwin said Customer Service Manager Threadgill wouldn't have seen pictures of the leak being fixed or nothing like that, so he would not have known what actually happened, so the Commission has to take Ms. Swallows' word that what they did to fix it would be that it created stress on the rest of the system, that created the second one. He said he thinks its kind of the same abatement. He said his advice or depending on what the Commission would want to do, he would proceed with the abatement, barring comments.

Commissioner Hernandez asked Ms. Swallows if it was a small line that goes from a faucet to the cooler. She said it is a small line, it goes underground, and she had no idea that it was leaking. Commissioner Hernandez stated in his experience, when you do that, you don't patch it, you replace it. He agreed with Mayor Pro-Tem Baldwin that she wasn't taken care of the first time.

Mayor Pro-Tem Baldwin said there is some issues there with the contract work being done, the person that she chose. He said being that they are put in a position like this, he would suggest that she does her best to check everything else out.

Customer Service Manager Threadgill said the policy also states that any repayment cannot be more than two consecutive billing periods. She has one leak abatement and this leak is for two consecutive billing periods. He said now it will be three billing periods, if we are calling it a continuation of the first leak, because the second part of the policy says only two continuous billing periods.

Mayor Pro- Tem Baldwin asked for the total of those continuous billing periods.

Mayor Boss said approximately \$304. He then asked if she had figured it up. Ms. Swallows answered yes, it was \$512.51, but she paid another \$100 on it and she still owes the City \$412.51.

Mayor Boss asked Customer Service Manager Threadgill if on September 18, 2018, the amount was \$304. He answered yeah, that was the approximate calculated amount. If she wouldn't have had the previous leak abatement that is what it would be right now to be eligible.

Commissioner Payne said the balance that she has right now, she must have paid some already. Customer Service Manager Threadgill said yes, she has come in and paid her average bill. She said okay right, because that is the policy. She asked him what would have been the total if she hadn't been

paying the leak. He answered on September 18th it was for \$622.

Commissioner Sikes asked Ms. Swallows if she would feel that the Commission would be doing the right thing if they abated the outstanding \$412. Ms. Swallows answered she would be more than happy.

Commissioner Payne said they can't do that much, because it is a percentage, right. Customer Service Manager Threadgill said a leak abatement is not bringing your bill down to zero, what a leak abatement does is take the total volume usage and they recalculate charges based on the customer's average tier. He said in this case the bill did get up to tier 5 and her average tier is 1. He said they recalculated tier 2, 3, 4 and 5 usage at tier 1 prices. By Ordinance they cannot allow free water, so when you do an abatement you recalculate based on the average tier for previous volume of usage. He said abating everything down to zero would be in violation of the Ordinance.

Commissioner Sikes asked even if she has already paid against it. Customer Service Manager Threadgill said no, because you are now giving away some of that water and by Ordinance you cannot. Commissioner Sikes asked if the maximum amount they would be able to abate would be \$304. He said by policy and the Ordinance, yes.

Mayor Boss made a motion to approve. Commissioner Rardin seconded the motion.

Customer Service Manager Threadgill asked if they would not make a specific dollar amount because they are going to have to do some adjustments on taxes and stuff, which he did not include here. He asked if they would approve the leak abatement and then specify whether it's for three billing periods or the two billing periods.

Mayor Boss moved to approve the leak abatement based on the determination in the Water Department to only allow the amount that they can by City Rules for the two billing periods. Commissioner Rardin seconded the motion. Motion carried with a vote of 7-0-0.

9. Consider, and act upon, reducing previously approved capital project funding approved by Commission to accommodate the fraudulently intercepted payments the City of Alamogordo made to C.E.S. in June and July 2018. (Katie Josselyn, Acting Finance Director and Veronica Ortega, Community Services Director)

City Manager Paluch wanted to clear up some confusion. She said first, the bill to CES for the various projects was paid on August 24, 2018. The funding was taken from the budgeted contingency line in the general fund (fund 11). To further clarify, the contingency fund consists of two separate dollar amounts. The first, the City budgets \$150,000 annually for unforeseen emergencies or unbudgeted necessary items that come up throughout the year. The second dollar amount in that contingency fund is an annual transfer of monies from fund 49 to balance the budget. In FY 19, the amount transferred and approved by the Commission was approximately \$667,000. The monies from fund 49 are setup in a project so that they don't commingle the normal budgeted contingency funds. She wanted to be very clear in that there are two separate pots of money in that line. She said annually, if the money from fund 49 is not used or needed at the end of the fiscal year, the monies are transferred back into fund 49 and reallocated the following year during the budget process, if necessary. She said to note, last year the City did not use any of the transfer from fund 49 as we stayed under the approved annual budget. She said secondly, there is some confusion regarding where the funding originated from regarding the projects that we contracted. She said the majority of the funds totaling just under \$230,000 were City Capital dollars that were approved by the Commission for projects. She said she wanted to be very clear, No State Capital monies were included in these projects. The remaining portions owed, were paid from two sources. The first was a contract for Municipal Court totaling approximately \$14,000. This amount will need to remain paid out of the City's contingency fund, which it already has. She said the second contract for the landfill totaling approximately \$9,000, will be explained by Assistant City

Manager Cesar in just a minute. She said the Commission has two options this evening. First, the Commission can decide to not replenish the contingency fund, which currently has a balance of \$561,364.65, which is all monies from the fund 49 rededication that the Commission approved for the FY 19 Budget. She said the Commission should know that throughout this year, because we have quite a long time left in FY 19, there could be some emergency situations that would arise the rest of the year that we would need to use this funding for. However, any remaining funds from fund 49 will be reallocated or re-transferred back into fund 49 at the end of the fiscal year if they are not used. She said the Commission's second option is that you can consider cutting various City Capital projects that were approved in the FY 19 Budget to free up funding to replenish the contingency fund.

Assistant City Manager Cesar reminded the Commission that the Otero Greentree Regional Landfill is funded by the Landfill Authority, which the City of Alamogordo is one of the members. He said the City runs the day to day operations, but for budgeting purposes, the finances and any decisions need to go to the Board as a whole. Regardless of how the Commission decides on this item tonight, he would ask that the Landfill portion of it that they be allowed to take the monies from the landfill contingency line item, not the general fund. He said during the Annual meeting in March, they will take an item to the Authority as a whole to let the Board decide whether or not they would like to see the approximately \$9,000 reimbursed from the City of Alamogordo.

Acting Finance Director Josselyn gave a brief history on the fraudulently intercepted payments the City of Alamogordo made to C.E.S. (Cooperated Educated Services). She said they are also working on an insurance claim through the New Mexico Self Insurer's fund. She said they have encouraged the City to file a claim. She said she is also looking to pursue if there is any reimbursement they might be able to get through the CES' insurer as well. She said other sections that had a loss were Municipal Court. She said a payment for their contract services for their security was retrieved, also the landfill had \$9,000 for their professional services contract and the floor covering at APD in the amount of about \$2,700. She said they would be looking to take the two items from the contingency and the one from APD out of their project.

Community Services Director Ortega said a good portion of our Community Services funds were compromised in the amount of \$225,039.16. She asked the Commission to consider reducing the \$350,000 that was appropriated for their Capital Outlay in budget hearing per City side of Capital Outlay for Griggs Sports Complex field #6 by \$225,000. She also requested \$75,000 be used for replacement lighting throughout Hoosier and Griggs sport complexes. She explained what these funds would be used for. She asked them to please note that they do not have enough funding to upgrade to LED lighting, which was approved during the budget hearings for one field, field #6, for \$350,000. She said they will be purchasing the same lights that are currently being used. She said Griggs A youth field complex will be the only complex with new lighting. She said all lights coming off of this complex will replace the broken lights at both adult fields at Griggs and Hoosier. She said Hoosier A youth field will have new bulbs and new realignment of lights with existing funds. She said the remaining \$50,000 will be utilized for a mower and tractor for the Parks Division.

City Manager Paluch clarified again, the options are to leave the contingency fund with the money that has already been expended, or the option is to go forward with what Community Services Director Ortega has recommended for the lighting. She said if they leave the contingency fund with the monies already expended and the projects that were approved by Commission in the budget hearings would move forward, and that would include the LED lights on field #6.

Mayor Boss asked Community Services Director Ortega if she was comfortable with doing this. She answered yes, right now all of the lights are in poor shape. Mayor Boss said so you do not have enough to do it all anyway. She said no sir, to replace everything with LED lighting is over \$2 million for our sports complexes. She said this money would suffice, it would change out all of the old lights.

Mayor Boss stated he has a problem with reducing the contingency fund this early in the budget.

Commissioner Rardin asked City Manager Paluch if she said there was \$500,000 left over and above this in the contingency. She answered yes. She said remember there are two pots of money, \$150,000 is what they annually budget for contingency, and because the bill was over \$250,000 it has already been expended. Now, we are dipping in to fund 49 rededication that we do annually, so yes sir the balance is \$561,364.65. Commissioner Rardin asked if that was in fund 49. She said no, it was rededicated from fund 49, it's in contingency as a project because remember we do not want to commingle the contingency money, so normally we only use the fund 49 money in a case of a massive emergency, which we didn't use last year so it sits in a project all by itself. Commissioner Rardin said he does not want kids to suffer without having the lights. He said if we are financially okay, the way we have done it to this point, then he would say that they should go ahead and do their projects, because they kind of got this planned out over several years to get all these lights repaired on these fields. He said that is his personal opinion.

Mayor Boss said they need to remember that is a contingency fund. He asked if they reduce it down, what would the balance be. City Manager Paluch said it's not going to be reduced any further, so the balance is that \$561,000, it's just that the Commission needs to be aware that we are only 3 months into the fiscal year, so something could happen between now and the end of the fiscal year where they need to use that money. She said is something going to happen that's worth \$561,000, we knock on wood that would never occur and any of that remaining money would be rolled back into fund 49 at the end of FY 19 and then the Commission would talk about a reallocation in FY 20.

Mayor Boss asked City Manager Paluch what staff's recommendation would be. She answered she thinks staff is comfortable with either option.

Commissioner Payne asked if they used any contingency last year. City Manager Paluch answered yes. She said it is highly unlikely any year that we use that total amount, but there is always something little that pops up.

Commissioner Payne asked Community Services Director Ortega if the Commission doesn't do that, would she would just replace those lights with what we got now. She answered yes. Commissioner Payne asked if there would be adequate lighting out there, it just wouldn't be LED lights. Community Services Director Ortega answered correct.

City Manager Paluch stated for FY 17, they did have to use a portion of fund 49 rededication. It's not they have never used it, it's just last year that they didn't.

Commissioner Wright asked Community Services Director Ortega if they have looked into the cost of the smaller fields LED lighting versus just the one big field. She asked Facility Maintenance Manager Bennett to help with this question.

Facility Maintenance Manager Bennett said they have looked into that for Griggs A. He said it would be \$101,000 for one of the fields in the complex. Commissioner Wright asked if that would be LED. Facility Maintenance Manager Bennett answered yes sir. Commissioner Wright asked if the Pupfish has the most and biggest lights. Facility Maintenance Manager Bennett said the reason for the amount being so high on the Pupfish is because they would have to replace all the poles and add two poles. He said they would go from 62 foot to 90 foot to give more adequate lighting for a professional ballfield.

Commissioner Wright asked City Manager Paluch what kind of guaranteed future they have with Pupfish. She said she knows that Community Services Director Ortega has been speaking with Mr. Dunn, the head of the Pecos League, so she can certainly answer that questions. Community Services Director Ortega said they are wanting to come back next season. City Manager Paluch asked her if they have a signed contract with Mr. Dunn. Community Services Director Ortega said no, the currently approve by Resolution, but they are working on a contract this year.

Commissioner Rardin asked Community Services Director Ortega if that is a one-year contract with the

Pupfish or the Pecos League. She said this is something they will review with the City Attorney's Office because they are in talks with Mr. Dunn right now. She said they are going to see what they are going to do with that, but yes, it is a one-year contract.

Commissioner Wright asked if they were to cut this and just repair lights at these other fields, what is the lifespan. Facility Maintenance Manager Bennett said the span of the bulb is about 5 to 8 years, and the fixtures depend on the winds we get around here, that takes them down on a regular basis.

Commissioner Payne asked if it would be any different if they put LED. Facility Maintenance Manager Bennett said the LED would hold up to the winds a lot better. Commissioner Payne asked if the big field they are talking about is strictly for the Pupfish. He said field #6 is mainly for the Professional team.

Commissioner Rardin asked if all the existing LED lights on field #6 would be moved to other fields. Facility Maintenance Manager Bennett said there are no LED lights on any of the fields. Commissioner Rardin asked if all the existing lighting would be moved to other fields. Facility Maintenance Manager Bennett answered correct. He explained what it takes for them to work on these lights.

Commissioner Sikes said she appreciates the staff is okay with not doing some of the projects that they have listed out. She said she would support the plan where they don't affect the projects.

Acting Finance Director Josselyn said she is committed to pursuing that insurance claim, and should they be fortunate to recoup any of those funds, that money would go back to where ever that money is expended from. Commissioner Sikes asked what the possibilities of an insurance claim are. Acting Finance Director Josselyn said 50-50, she is a big proponent of the worst that can happen is no.

Mayor Boss asked if New Mexico Self Insurer's fund gave the encouragement to file the claim. Acting Finance Director Josselyn said they did.

Commissioner Hernandez said these lights and pole systems are about 25 years old. He said he noticed over the years, the cost of LED lighting is coming down. He said it is probably a good idea to wait a little bit. He said he sees it as kind of a good idea, although they are not going to LED lighting, but the cost is still outrageous, and he thinks it will eventually come down to where it is a little bit more affordable than what it has been the past few years. Mayor Boss asked him if he thinks they should delay. He stated no, he wants to move forward with this because the light system now is in pretty bad shape. He said he would go with staff's recommendation.

Commissioner Payne asked so not do the LED lights right now. Commissioner Hernandez said he thinks it is cost prohibited right now, and the rebates are not enough.

Mayor Pro-Tem Baldwin asked Community Services Director if he is getting the vibe that this is giving her the opportunity to do something with this area that you better like doing. He said as a recommendation is this doing it because this is what you have to do in this situation, you have to cut from certain projects or does this provide you an opportunity to do something with these fields, spread lights around. He asked if this is a good thing. Community Services Director Ortega answered it is both, they do want to go to LED lighting and that is why they presented in the budget.

She asked Facility Maintenance Manager Bennett if they stay with the \$350,000, how many of the lights would come off of the Pupfish field and go to other fields. He said there are several that he could use on the other fields to help better the lighting. Community Services Director Ortega said that was the initial plan going forward, the idea that those lights would come off and go into the other fields in hopes that we would continue getting funding to upgrade.

Mayor Pro-Tem Baldwin asked if this a plan that the Parks Department brought to the Commission or was it born out of community comments, or was it born out of the leagues saying that they needed

better lighting. He asked where the plan came from in reference to the quality of life. Facility Maintenance Manager Bennett said LED lighting is going to save you on the electric bill. He said it is going to be better all the way around, the winds will not affect them, it is a sharper look for the field. He said he had brought it to Community Services Director Ortega's attention that they should go in that direction.

Mayor Pro-Tem Baldwin said the comments made in reference to the perception is that they are cutting projects that have been on the waiting list for 5 or 10 years. He said he is getting the vibe that it is not the worst thing in the world. He said they had mentioned that since they are not going to be buying the LEDs, that now Parks Supervisor Marion gets to purchase something that he has needed for a long time. He said even though we are losing something, another department is gaining something that is a valuable asset and extremely needed.

Commissioner Rardin asked if they leave it the way it is and leave it out of the contingency money, they are still looking at doing field #6 with LEDs and moving existing lights to other fields. Facility Maintenance Manager Bennett answered correct. Commissioner Rardin asked how old those lights are. Facility Maintenance Manager Bennett said those are 25-year-old lights. He said some of those lights are newer. Commissioner Rardin asked if they leave the way it is, the field #6 gets LEDs and then several of the other fields will get the old lights replaced with what we take out. Facility Maintenance Manager Bennett said that is correct, as many as they can. Commissioner Rardin asked if they decide to use some of this money to supplement the loss, then field #6 stays as is and field A will get new lights. Facility Maintenance Manager Bennett said no, the whole complex would get new lights if they went that route, but not LED lights.

Commissioner Rardin said in essence, the only one that is going to benefit is field #6, the Pupfish, and if we do it the other way all of complex A, or field A, it actually helps the little league guys. Facility Maintenance Manager Bennett said not only that, but all the other fields will get new bulbs.

Commissioner Rardin said he kind of likes that option. Commissioner Wright said plus the two pieces of equipment.

Commissioner Rardin asked where they are at with the Pup Fish numbers for attendance. Community Services Director Ortega said they average about 200 folks per game throughout the season. She said if you go out to a game, you will probably see about 25 to 30 people.

Mayor Pro-Tem Baldwin said one of his deciding factors in this is that these projects, although very well thought out and important, were not something that they had on a long-term plan originally, it was not brought to them by the public, it was something that the plan was born out of the money that they ended up having anyway. They needed to come up with a way to kind of utilize that fund.

Mayor Pro-Tem Baldwin made a motion to consider staff's recommendation to take the funding from the CES's projects. He asked if that would be correct

Community Services Director Ortega said it was appropriated for the City Commission Capital Outlay budgeted amount.

City Manager Paluch said it's in the subject. She read the subject. Mayor Boss asked if that was adequate for the motion. City Manager Paluch advised that is what is on the agenda report.

Commissioner Rardin wanted to clarify that they were doing field A and new bulbs on all the other fields. Mr. Bennett answered that was correct. Commissioner Rardin said all the kids will have better light and field six (6) will remain the way it is. Mr. Bennett answered that is correct.

Mayor Pro-Tem Baldwin moved to approve.
Commissioner Rardin seconded the motion.

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

Commissioner Payne stated this is NOT State Capital Outlay money.

10. Consider, and act upon, entering into a Memorandum of Understanding between Holloman Air Force Base (49th Security Forces Squadron) and the Alamogordo Police Department regarding explosive detection support. (Brian Peete, Chief of Police)

Police Chief Peete said this memorandum lays out guidelines for emergency use for emergency situations in which they would probably request bomb sniffing dogs to support any police operations or any calls for emergency services within Alamogordo. This MOU will also go to the State Police and the Otero County Sheriff's Office.

Commissioner Hernandez moved to approve.

Commissioner Rardin seconded the motion.

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

Commissioner Sikes asked Police Chief Peete if the City's K9 dogs not take the bomb sniffing course. He said the dogs that the City currently has are only geared to police tactical functions and narcotics.

ADJOURNMENT

Commissioner Rardin moved to adjourn at 7:35 p.m.

Commissioner Hernandez seconded the motion.

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

Mayor Richard Boss

ATTEST:

City Clerk Rachel Hughs

(Prepared by Eric Barraza, Deputy Clerk)

Approved at the Regular Meeting held on October 23, 2018.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 10/23/2018

Report Date: 10/12/2018

Report No: 2.

Submitted By: Rachel Hughs

Subject: Consider, and act upon, a request to utilize the portable stage for a special event at the Otero County Fairgrounds at no cost. (*Stephanie Hale, Thrive*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background: Ms. Hale, on behalf of Thrive in Southern New Mexico, has requested to use the portable stage for three days at no charge. The event is the Burning of the Bull and Chili Cook-off.



RECEIVED
OCT 08 2018
CITY CLERK

City of Alamogordo City Commission Meeting

AGENDA REQUEST FORM

Date: 10.8.18

Request Date
of Meeting:

10.23.18

Name:

STEPHANIE HALE / THRIVE IN SOUTHERN NEW MEXICO

Address:

11001 TENTH STREET

ALAMOGORDO, NM

ZIP 88310

Phone Number:

575 437 8400

E-Mail Address:

stephanie@letsthrivenm.org

Item requested will be for: (Please check one)

☐ Information only

☒ Presentation

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

RESPECTFULLY REQUEST TO UTILIZE THE PORTABLE STAGE AT
NO COST (REG. \$1000) FOR SPECIAL EVENT BEING HELD AT
OTERO COUNTY FAIRGROUNDS ON SATURDAY, OCT 27, 2018.

Signature: Stephanie Hale

Please return to:

Rachel Hughs, City Clerk
City of Alamogordo
1376 E. 9th Street
Alamogordo, NM 88310

Phone: (575) 439-4205

Fax: (575) 439-4396

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

Revised 10/13/2017

CITY OF ALAMOGORDO

SPECIAL EVENT PERMIT APPLICATION

Please review the City of Alamogordo Special Event Guidelines before submitting your application. This form must be submitted at least thirty (30) days before the event. Type or print all information.

RETURN TO: CITY OF ALAMOGORDO, SPECIAL EVENTS MANAGER
SGT Willie Estrada Memorial Civic Center
800 East 1st Street, Alamogordo, NM 88310
(575) 439-4279 / kuribe@ci.alamogordo.nm.us.gov

Date Application Submitted: 10.8.18 EVENT DATE: 10.27.18

CONTACT INFORMATION

Applicant Name: STEPHANIE HALE
Organization/Group Name: THRIVE IN SOUTHERN NEW MEXICO
Mailing Address: PO BOX 14 ALAMOGORDO, NM 88311
Home Phone: 575 437 8400 Cell Phone (onsite during event hours): 575 443 4919
Email Address: stephanie@letsthrevenm.org

FACILITY/FIELD INFORMATION - mark N/A if a facility/field is not being requested

Facility or field(s) requested: CS PORTABLE STAGE
Beginning date: 10.26.18 Ending date: 10.28.18

Check Day(s) Desired:		Specify START Time & Circle AM or PM		Specify END Time & Circle AM or PM	
☐	Monday		AM / PM		AM / PM
☐	Tuesday		AM / PM		AM / PM
☐	Wednesday		AM / PM		AM / PM
☐	Thursday		AM / PM		AM / PM
☒	Friday	3:00	AM / <u>PM</u>		AM / PM
☒	Saturday		AM / PM		AM / PM
☒	Sunday		AM / PM	3:00	AM / <u>PM</u>

Please check all that apply and enter amounts if necessary:

N/A ☐ Gate Open ☐ Restroom Open ☐ Sprinklers/Watering Turned Off
☐ Electricity ☐ Number of Power Poles Needed

STREET CLOSURE INFORMATION - mark N/A if street closure is not being requestedN/A

Date of closure: _____ Day of the week: _____

Start time (include set up time): _____ End time: (include breakdown time): _____

Select closure purpose:

☐ Block Party ☐ Parade ☐ Road Race ☐ Other (describe): _____Please describe the street(s) or sidewalk(s) to be blocked OR attach a detailed map: N/A

Note: Events that close more than two blocks of any street must use the Standard Special Event Permit Application.

_____ between _____ and _____
(Street) (Street) (Street)_____ between _____ and _____
(Street) (Street) (Street)_____ between _____ and _____
(Street) (Street) (Street)Will traffic control officers be needed? ☐ Yes ☒ No**ACTIVITY INFORMATION**Will activity/event be open to the public? ☒ Yes ☐ NoIf yes, is there a participation/entrance fee? \$10 PER TICKET AGES 13+ (12- FREE)

If no, who is participating? _____

Number of people expected to attend: 4K - 6KIs this a fundraising event? ☒ Yes ☐ No If yes, what type of fundraising is being used? VARIOUSWill you have food vendors on site? ☒ Yes ☐ No If yes, how many? 25+Will you have retail vendors on site? ☒ Yes ☐ No If yes, how many? 25+Is amplified sound involved? ☒ Yes ☐ No If yes, select manner of sound amplification below:☐ Portable sound player ☒ Professional sound system ☐ DJ ☐ Other (describe): _____Will you have vehicles or trailers on site? ☒ Yes ☐ No If yes, how many? TBD

Describe any props or structures to be used:

N/A

Provide a detailed listing of all planned activities (attach additional sheets if needed):

BURNING OF THE BULL & CHILI COOK-OFF - NON-PROFITS REQUESTING
TO UTILIZE PORTABLE STAGE AT NO COST (REG \$1,000)

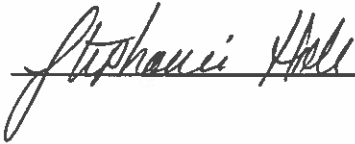
CONDITIONS OF YOUR APPLICATION

Submitting this Simplified Special Event Permit Application does not provide permission to conduct your planned event. **Please do not send out publicity, flyers, or other media prior to receiving confirmation of approval.** Your confirmation will be in the form of a PERMIT, issued to the organization and/or person responsible for conducting the event. Final approval of the permit will be authorized by the City Manager's designee.

Applicants agree to remove all props and items brought into the public areas and clean up all litter and debris that result from the event the same day as the event.

PLEASE SIGN AND DATE

1. I certify that all the information included in this application and in all supporting documentation is true and accurate to the best of my knowledge.
2. I have read, understood, and agree to the City of Alamogordo Special Event Guidelines and any rules, regulations, and fees outlined in it.
3. By signing and submitting this application, I and/or the sponsoring organization(s) agree to abide by the law, rules, regulations, and deadlines of the City of Alamogordo.

*Applicant's Signature**Date***- FOR OFFICE USE ONLY -**

<u>ITEM</u>	<u>YES/NO</u>
Proof of Insurance	
City Permits to City Clerk	
Sponsorship Letter	
Banner Submission	

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 10/23/2018

Report Date: 10/18/2018

Report No: 3.

Submitted By: Rachel Hughs

Subject: Discussion and direction to staff on Opting-in to the Local Election Act. *(Rachel Hughs, City Clerk)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Give staff direction.

Background: The Local Election Act is an opportunity to Opt-In by January 30, 2019 so the County Clerk's office can take over running the City's Municipal Elections, both Regular and Special Elections. This would change Municipal elections to be held on odd numbered years. The City would pay annually to the State and this would cover all monies for Regular Elections, which would include election poll workers, ballots, tabulators, County election workers, election technicians and election supplies. The Municipal Election Code has been repealed, therefore State Election Code has to followed by all Municipalities.

Attached is the ordinance template Senator Ivey-Sotto drafted with the different options.

City/Town/Village of _____, New Mexico

ORDINANCE # ____ - ____

AN ORDINANCE PURSUANT TO NMSA 1978, SECTION 1-22-3.1 (2018) TO OPT IN TO THE ELECTION OF THE MUNICIPAL OFFICERS OF THE CITY/TOWN/VILLAGE OF _____ IN THE REGULAR LOCAL ELECTION.

WHEREAS, on July 1, 2018 the Local Election Act went into effect as Chapter 1, Article 22, NMSA 1978 establishing the Regular Local Election, a consolidated election day for non-partisan local government bodies on the first Tuesday after the first Monday in November of each off-numbered year; *and*

WHEREAS, the Local Election Act also established the Municipal Officer Election Day on the first Tuesday of even-numbered years; *and*

WHEREAS, the Local Election Act provides the option for each municipality to determine if its elective officers shall be elected on the Municipal Officer Election Day or at the Regular Local Election; *and*

WHEREAS, the City/Town/Village of _____ has considered the issues related to opting in, including uniformity of procedure and convenience for the voters.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY/TOWN/VILLAGE OF _____, NEW MEXICO:

SECTION 1. MUNICIPAL OFFICERS TO BE ELECTED AT THE REGULAR LOCAL ELECTION

Pursuant to Subsection B of Section 1-22-3.1 NMSA 1978, the City/Town/Village of _____ opts in to the election of its municipal officers in the Regular Local Election.

SECTION 2. ADJUSTMENT OF TERMS TO CORRESPOND WITH NEW ELECTION DATE

OPTION 1:

The terms of office for the current municipal office holders shall be adjusted, so that:

(A) municipal officers elected or appointed to a term ending in 2020 shall serve until December 31, 2021, the new term of the position shall be elected at the regular local election in November 2021, and the new term shall commence January 1, 2022; and

(B) municipal officers elected or appointed to a term ending in 2022 shall serve until December 31, 2023, the new term of the position shall be elected at the regular local election in November 2023, and the new term shall commence January 1, 2024.

OPTION 2:

The terms of office for the current municipal office holders shall be adjusted, so that:

(A) municipal officers elected or appointed to a term ending in 2020 shall serve until December 31, 2019, the new term of the position shall be elected at the regular local election in November 2019, and the new term shall commence January 1, 2020; and

(B) municipal officers elected or appointed to a term ending in 2022 shall serve until December 31, 2021, the new term of the position shall be elected at the regular local election in November 2021, and the new term shall commence January 1, 2022.

SECTION 3. FILING WITH SECRETARY OF STATE

Following approval of this ordinance, the Municipal Clerk shall file a copy of the ordinance with the secretary of state no later than January 30, 2019.

PASSED, ADOPTED, AND APPROVED at _____ on this ____ day of _____, 2018.

The Hon. NAME
Mayor of City/Town/Village of _____

ATTEST:

NAME, Municipal Clerk

COUNCIL MEMBERS:

The Hon. NAME, District/Position 1

The Hon. NAME, District/Position 2

The Hon. NAME, District/Position 3

The Hon. NAME, District/Position 4

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 10/23/2018

Report Date: 10/16/2018

Report No: 4.

Submitted By: Jim LeClair

Subject: Presentation highlighting the ongoing activities of the Alamogordo Fire Department Code Enforcement Division. (*Jim LeClair, Fire Chief*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Staff recommends that you enjoy the presentation

Background: In recent years the Alamogordo Fire Department Code Enforcement Division identified structures throughout the city to be dilapidated and beyond repair. As of today, the Code Enforcement Division has made huge strides as they continue to identify these types of structures and having them removed through the enforcement of the International Property Maintenance Code.

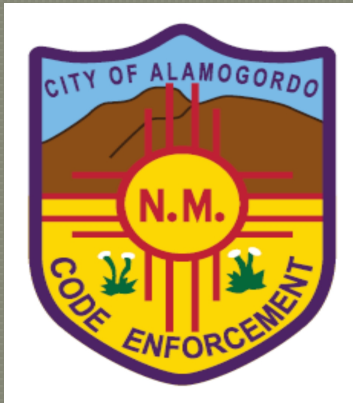
CODE ENFORCEMENT PRESENTATION



October 23, 2018

At the end of this presentation you will have a good understanding of the following:

- ❖ What Code Enforcement has accomplished to date,
- ❖ What Ordinances the Code Enforcement Division enforce, and
- ❖ How does the public go about contacting the Code Enforcement Division.



Alamogordo Code Enforcement Division



Jim Baker
Code Supervisor

Code Enforcement Staff



Kevin Quigley
Code Officer



Timmothy Kohls
Code Officer



Juergen
Donaubauer
Code Officer



Shawn Norman
Code
Abatement
Worker

CODE ENFORCEMENT

As I move my way through this presentation, I will be going over properties throughout the City that our Code Enforcement Division found to be in violation of ordinances that they enforce.

801 US Hwy 70 W

07-05-17

801 US Highway 70 West “Cont.”



801 US Highway 70 West “Cont.”



801 US Highway 70 West “Cont.”



801 US Hwy 70 W

08-06-18

801 US Highway 70 West “After”



801 US Highway 70 West “After”



1201 Mescalero

07-24-17

1201 Mescalero

“Before”



1201 Mescalero

“Before”



1201 Mescalero

“Before”



1201 Mescalero

“Before”



1201 Mescalero

08-06-18

1201 Mescalero

“After”



1001 Mesquite

12-27-17

1001 Mesquite

“Before”



1001 Mesquite

“Before”



1001 Mesquite

“Before”



1001 Mesquite

08-06-18

1001 Mesquite

“After”



508 Maryland

05-09-17

This property was continually abated by Code Enforcement and liens were placed on the property.



The city took possession of the property.



508 Maryland

08-06-18

The dilapidated structure was removed.



1507 Rockwood

05-03-17

1507 Rockwood “Before”



1507 Rockwood

“Before cont.”



1507 Rockwood

“Before cont.”



1507 Rockwood

“Before cont.”



1507 Rockwood

08-06-18

1507 Rockwood “After”



910 Post

10-12-16

910 Post “Before”



910 Post

“Before cont.”



910 Post

10-12-18

910 Post “After”



1501 Cuba

On 06-04-18, the owner of this property was notified that the dilapidated structure needed to be removed.

1501 Cuba

“Before”



1501 Cuba

“Before cont.”



On 08-07-18 This property was
signed over to the City of
Alamogordo by the owners, and
the Removal is pending.

3610 N. White Sands

10-25-17

3610 N. White Sands

“Before”



3610 N. White Sands

“Before”



3610 N. White Sands

“Before”



3610 N. White Sands

05-11-18

3610 N. White Sands “After”



1509 12th Street

02-27-15

1509 12th Street

“Before”



02/27/2015 11:48

1509 12th Street

“Before cont.”



02/27/2015 11:49

1509 12th

11-08-16

1509 12th Street

“After”



1308 Indian Wells

03-01-2016

1308 Indian Wells

“Before”



1308 Indian Wells

2018

1308 Indian Wells

“After”



904 S. Florida #21

06-29-18

904 South Florida “Before”



904 S. Florida #21

10-12-18

904 South Florida “After”



1102 Post

06-28-18

1102 Post “Before”



1102 Post (A work in progress)

06-28-18

1102 Post “Removal in progress”



1213 Post

06-28-18

1213 Post “Before”



1213 Post (A work in progress)

10-12-18

1213 Post

“Removal in progress”



2405 Cuba (Sahara Apt.)

11-03-17

2405 Cuba Avenue

“Before”



2405 Cuba Avenue

“Before cont.”



2405 Cuba Avenue

“Before cont.”



2405 Cuba (Sahara Apts)

10-12-18

2405 Cuba Avenue

“After”



City Ordinances Enforced by the Code Division

- ❑ Obstruction of Sidewalk 8-07-040
- ❑ Accumulation of Garbage, Refuse and Debris 14-01-020
- ❑ Display of Address 8-01-180
- ❑ Elimination of Graffiti 8-07-040
- ❑ Abandonment of Dangerous Containers 14-01-070
- ❑ Plastic Bags for Garbage 14-01-120
- ❑ Placing Signs on Poles 3-01-010
- ❑ Garage and Yard Sales 17-06-040
- ❑ Location; Permits; Exception 25-01-020

City Ordinances Enforced by the Code Division “Cont.”

- ❑ Garbage Refuse; Pre-Collection Practices 14-01-030
- ❑ Outdoor Automotive Storage 14-01-140
- ❑ Outdoor Storage 14-01-150
- ❑ Trees to be Trimmed 26-01-010
- ❑ Hedges and Shrubbery 26-01-020
- ❑ Offenses; Nuisances; Procedures Nonexclusive 17-01-100
- ❑ Unlawful Growth / Accumulation on Lots 26-03-030
- ❑ Water Conservation 28-03-033

Thank you

For any Code Enforcement needs call
575-43-weeds or
575-439-4179

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 10/23/2018

Report Date: 10/16/2018

Report No: 5.

Submitted By: Edward Balderrama

Subject: Consider, and act upon, the award of Public Works Bid No. 2018-005, through Open Market, to L.E.R. Inc. dba Renner Sports Surfaces related to Washington Park Basketball Courts Reconstruction (NB1804) in an amount not to exceed \$171,024.48, including NMGR. (*Edward Balderrama, Project Manager*)

Fiscal Impact: \$171,024.48, including NMGR

Amount Budgeted: \$180,000.00

Fund: 019-6199-990.63-91, \$171,024 available

Additional Fiscal Impact:

Recommendation: Award of Public Works Bid No. 2018-005, to L.E.R. Inc. dba Renner Sports Surfaces related to Washington Park Basketball Courts Reconstruction (NB1804) in an amount not to exceed \$171,024.48, including NMGR.

Background: The work will consist of constructing two new 52-feet x 84-feet post tension concrete basketball courts with color coat surface and new basketball goals. The new basketball courts will be constructed over the existing asphalt pavement basketball courts.

The project was first advertised on May 13, 2018 with the bid opening scheduled for June 7, 2018, no bids were received. The project was again advertised on June 24, 2018 with the bid opening scheduled for July 12, 2018, no bids were received.

Staff contacted Renner Sports Surfaces, which had previously constructed the post tension in-line hockey and Oregon Avenue tennis courts, to provide a cost proposal.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 10/23/2018

Report Date: 10/12/2018

Report No: 6.

Submitted By: Brian Cesar and Bob Johnson

Subject: Consider, and act upon, either suspending or canceling the Scenic Drive Extension to Mesa Verde Ranch Road project. *(Brian Cesar, Assistant City Manager and Bob Johnson, Engineering Manager)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background: The project involves extending Scenic Drive to the Relief Route, providing a connection at Mesa Verde Ranch Road and the bypass. The project includes a new Union Pacific Railroad (UPRR) signalized crossing, concrete box culvert, utility extensions, and appurtenant roadway work. Design is approximately 80% complete.

UPRR requires the City of Alamogordo (City) to close an existing crossing (Eighth Street), and provide minor upgrades to the Tenth Street crossing in exchange for adding the new crossing at Scenic Drive.

UPRR further requires the City to execute an agreement for approximately \$670,000 for property acquisition and the signalized crossing installation by UPRR personnel at Scenic Drive.

Staff recently received documentation from an attorney representing the property owners at the Eighth Street crossing. The documentation consists of an existing agreement between the property owners, the City, and UPRR, executed on January 31, 2001. This agreement stipulates the Eighth Street crossing cannot be closed for a period of 20 years, ending January 31, 2021.

UPRR has indicated the City must close an existing crossing in order for the new crossing and overall project to move forward. UPRR crossings within the City are at First Street, Eighth Street, Tenth Street, and Canal Street. The only other viable crossing that could be closed is the one located at Canal Street. Staff does not recommend closure of this crossing.

Expenditures to date -

Smith Engineering - \$129,522.53 (excluding design costs from March 2018 to present). Balance to fully complete design is \$40,295.23.

UPRR - \$10,705.10 (excluding design review costs from March 2018 to present)

Remaining unencumbered project balance is \$3,853,935.87 (Fund 109).

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 10/23/2018

Report Date: 10/16/2018

Report No: 7.

Submitted By: Shelbe Abbott

Subject: Consider, and act upon, first publication of Ordinance No. 1579, Case: Z-2018-0004(A), 1451 Galway Dr., Rath Tara Estates 1 & 3, Replat B, Block 4, Lot 7B, to change zoning from R-1 Single Family Dwelling District to R-4 Multiple Family Dwelling District. (*Acting City Planner, Stella Rael*) (**Roll Call Vote Required**)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: To approve rezoning of 1451 Galway Dr.

Background: Consider, and act upon first publication of Ordinance No. 1579, Case: Z-2018-0004(A), 1451 Galway Dr., Rath Tara Estates 1 & 3, Replat B, Block 4, Lot 7B, to change zoning from R-1 Single Family Dwelling District to R-4 Multiple Family Dwelling District (*Acting City Planner, Stella Rael*) (**Roll Call Vote Required**)

ORDINANCE No. 1579

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ALAMOGORDO, CHANGING THE CLASSIFICATION OF A CERTAIN PROPERTY COMMONLY KNOWN AS, 1451, GALWAY DR., RATH TARA ESTATES 1 & 3, REPLAT B, BLOCK 4, LOT 7B, ALAMOGORDO, OTERO COUNTY, NEW MEXICO FROM THE PRESENT DESIGNATION AND ZONING DISTRICT OF R-1 SINGLE FAMILY DWELLING TO R-4 MULTIPLE FAMILY DWELLING DISTRICT, WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF ALAMOGORDO, OTERO COUNTY, NEW MEXICO.

WHEREAS, Katholische Soldatenseelsorg (hereinafter referred to as "the Owner") is the owner of certain real property commonly known as, 1451 GALWAY DR., RATH TARA ESTATES 1 & 3, REPLAT B, BLOCK 4, Lot 7B 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 name under

Case No. **Z-2018-0004(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 R-4 Multiple Family Dwelling District.

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:

1451 GALWAY DR., RATH TARA EST 1&3 REPLAT B BLK 4, LT 7B, ALAMOGORDO, OTERO COUNTY, NEW MEXICO

Is hereby changed from R-1, Single Family Dwelling District to R-4, Multiple-Family Dwelling 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 _____, 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

Record of Decision
City of Alamogordo
A New Mexico Municipal Corporation

Case#: **Z-2018-0004(A)**

For the Subject Property as follows:

Commonly Known As: **1451 Galway Dr.**

Uniform Property Code & Parcel Code: **01N-4-055-096-186-102**

Legal Description: **RATH TARA EST 1&3 REPLAT B BLK 4 LT 7B, ALAMOGORDO,
OTERO COUNTY, NEW MEXICO**

The Alamogordo Planning & Zoning Commission considered this item on **October 4, 2018** and recommended the following action to the Alamogordo City Commission by a vote of **3-0-0**

Approve the rezoning of the property detailed above for Case # **Z-2018-0004(A)**.

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

Approve as recommended for first publication Ordinance # 1579

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

Approve as recommended for final publication Ordinance # 1579

Attest:

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

Rachel Hughs, City Clerk

Richard Boss, Mayor



City of Alamogordo

City Commission



Rezoning Request Case
Z-2018-0004(A)

Stella Rael
PNZ Administrator/Acting City Planner
October 23, 2018

Zoning Request Case: Z-2018-0004(A)

Request:

The applicant is requesting a map amendment to the official zoning map of the City of Alamogordo to rezone the property located at 1451 Galway Dr. from R-1 – Single Family Dwelling District to R-4 Multiple Family Dwelling District

Applicant:

KATHOLISCHE SOLDATENSEELSORG
1025 5TH ST
HOLLOMAN AFB, NM 88310

Section 29-01-020 – Amendments and Changes

Petition for amendment. From time to time, the city, after public notice and hearing, may amend the zoning regulations and established districts. Amendment may be initiated by motion of the city commission; by petition of the owners of the property to be affected; or by petition of one (1) or more agents, designated in an acknowledged power of attorney, or owner or owners of the property affected. Every such proposed amendment shall be considered by the planning and zoning commission before being considered by the city commission.

Z-2018-0004(A) SURROUNDING ZONING

4



Z-2018-0004(A)

AIRAL VIEW

5



Zoning Request Case: Z-2018-0004(A)

6

Findings of Fact

- ◆ 1. The property is located at 1451 Galway Dr. within the R-1 Single Family Dwelling District.
- ◆ 2. The request is for a map amendment to rezone the property from R-1 Single Family Dwelling to R-4 Multiple Family Dwelling District.
- ◆ 3. The application was filed on September 5, 2018
- ◆ 4. The legal notice was published on September 16, 2018
- ◆ 5. Twenty nine(29) letters were mailed by certified/return receipt mail 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. An additional twenty nine (29) letters were mailed first class mail addressed to “resident” to all addresses within the two hundred (200) foot radius.
- ◆ 6. As of October 15, 2018 there have been five (5) letters returned undeliverable. One (1) email requesting clarification.
- ◆ 7. Planning and Zoning Board recommended approval on 10/4/2018 by a vote of 3-0-0.

Zoning Request Case: Z-2018-0004(A)

7

Staff Recommends:

To accept the finding of facts as presented and approve Zone Request Case: Z-2018-0004(A).

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 10/23/2018

Report Date: 10/16/2018

Report No: 8.

Submitted By: Shelbe Abbott

Subject: Consider, and act upon, first publication of Ordinance No. 1580, Case: Z-2018-0005 (A), 1395 E. First Street, Wesley Subdivision, Lot 1B, to change zoning from R-1 Single Family Dwelling District to C-3 Business District. *(Acting City Planner, Stella Rael)* **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: To approve rezoning of 1395 E. First Street

Background: Consider, and act upon first publication of Ordinance No. 1580, Case: Z-2018-0005 (A), 1395 E. First Street, Wesley Subdivision, Lot 1B, to change zoning from R-1 Single Family Dwelling District to C-3 Business District. *(Acting City Planner, Stella Rael)* **(Roll Call Vote Required)**

ORDINANCE No. 1580

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ALAMOGORDO, CHANGING THE CLASSIFICATION OF A CERTAIN PROPERTY COMMONLY KNOWN AS 1395 E. FIRST ST., WESLEY SUBDIVISION, LOT 1B, ALAMOGORDO, OTERO COUNTY, NEW MEXICO FROM THE PRESENT DESIGNATION AND ZONING DISTRICT OF R-1 SINGLE FAMILY DWELLING TO C-3 BUSINESS DISTRICT, WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF ALAMOGORDO, OTERO COUNTY, NEW MEXICO.

WHEREAS, Grace United Methodist Church(hereinafter referred to as "the Owner") is the owner of certain real property commonly known as 1395 E. FIRST ST.,WESLEY SUBDIVISION, LOT 1B, 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 name under

Case No. **Z-2018-0005(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-3 Business District.

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:

1395 E. FIRST ST., WESLEY SUBDIVISION, LOT 1B, ALAMOGORDO, OTERO COUNTY, NEW MEXICO

Is hereby changed from R-1, Single Family Dwelling District to C-3 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 _____, 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

Record of Decision
City of Alamogordo
A New Mexico Municipal Corporation

Case#: **Z-2018-0005(A)**

For the Subject Property as follows:

Commonly Known As: **1395 E. First Street**

Uniform Property Code & Parcel Code: **01N-4-056-094-344-493**

Legal Description: **1395 E. FIRST ST., WESLY SUBDIVISION, LOT 1B, ALAMOGORDO, OTERO COUNTY, NEW MEXICO**

The Alamogordo Planning & Zoning Commission considered this item on **October 4, 2018** and recommended the following action to the Alamogordo City Commission by a vote of 4-0-0

Approve the rezoning of the property detailed above for Case # **Z-2018-0005(A)**.

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

Approve as recommended for first publication Ordinance # 1580

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

Approve as recommended for final publication Ordinance # 1580

Attest:

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

Rachel Hughs, City Clerk

Richard Boss, Mayor



City of Alamogordo

City Commission



Rezoning Request Case
Z-2018-0005(A)

Stella Rael
PNZ Administrator/Acting City Planner
October 23, 2018

Zoning Request Case: Z-2018-0005(A)

Request:

The applicant is requesting a map amendment to the official zoning map of the City of Alamogordo to rezone the property located at 1395 E. First St. from R-1 – Single Family Dwelling District to C-3 Business District

Applicant:

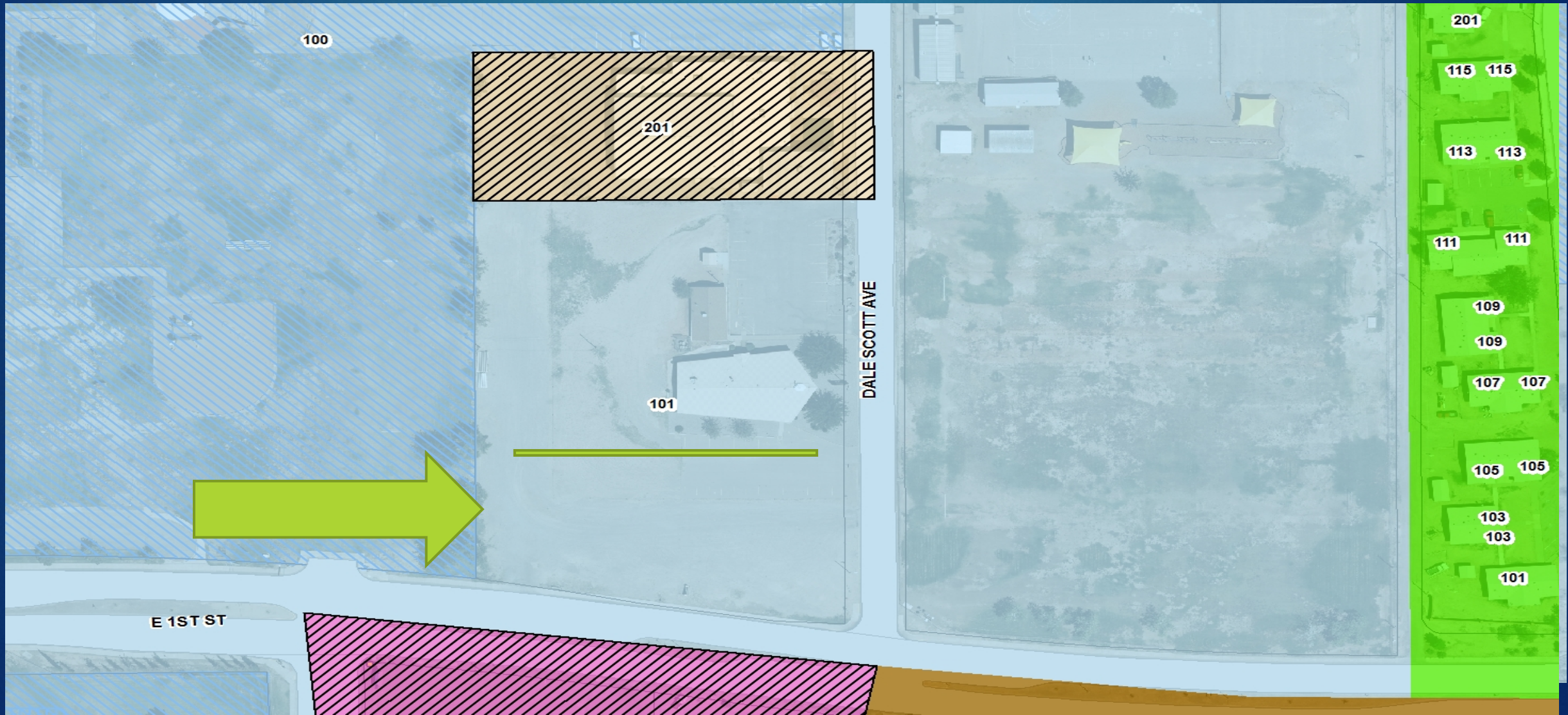
Grace United Methodist Church
1206 Greenwood Lane
Alamogordo, NM 88310

Section 29-01-020 – Amendments and Changes

Petition for amendment. From time to time, the city, after public notice and hearing, may amend the zoning regulations and established districts. Amendment may be initiated by motion of the city commission; by petition of the owners of the property to be affected; or by petition of one (1) or more agents, designated in an acknowledged power of attorney, or owner or owners of the property affected. Every such proposed amendment shall be considered by the planning and zoning commission before being considered by the city commission.

Z-2018-0005(A) SURROUNDING ZONING

4



Z-2018-0005(A) AIRAL VIEW

5



Zoning Request Case: Z-2018-0005(A)

6

Findings of Fact

- ◆1. The property is located at 1395 E. First St. within the R-1 Single Family Dwelling District.
- ◆2. The request is for a map amendment to rezone the property from R-1 Single Family Dwelling to C-3 Business District.
- ◆3. The application was filed on September 6, 2018
- ◆4. The legal notice was published on September 16, 2018
- ◆5. Seven (7) letters were mailed by certified/return receipt mail 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.
- ◆6. As of October 15, 2018 there have been no letters returned undeliverable or any calls.
- ◆7. Planning and Zoning Board recommended approval on 10/4/2018 by a vote of 4-0-0.

Zoning Request Case: Z-2018-0005(A)

7

Staff Recommends:

To accept the finding of facts as presented and approve Zone Request Case: Z-2018-0005(A).

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 10/23/2018

Report Date: 10/12/2018

Report No: 9.

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 and the Cemetery Board.

Background: Airport Advisory Board. One (1) vacancy due to the expiring term of Jeffrey G. Rabon. Staff Liaison - Cheryl Otero-Baker.

The following individual would like to be reappointed:

Jeffrey G. Rabon - If reappointed, this will be his 6th term.

Airport Zoning Board. One (1) vacancies. Staff Liaison - Cheryl Otero-Baker
No nominations received.

Cemetery Board. One (1) vacancy due to the expiring term of Victoria Eastman. Staff Liaison - Jan Wafful.

The following individual would like to be reappointed:

Victoria Eastman - If reappointed this will be her third term.

Mayor's Committee on Aging. One (1) vacancy - one (1) city position. Staff Liaison - Britney Courtier.
No nominations received.

Senior Volunteer Programs Advisory Council. Four (4) vacancies. Staff Liaison - Neil McFarland. (One vacancy represents the Foster Grandparent program, one represents the Senior Companion program, the remaining 2 seats are for at large members residing within the city)

No nominations received.

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

RECEIVED
JUN 14 2018
CITY CLERK

Name: Victoria Eastman
Home Phone: _____ Work Phone: 575. 434. 5870 (overnight)
Cell Phone: 575 491. 5931 Fax No: _____
e-mail address: fiddlesticks72@msn.com
Physical Address: 2508 Stanford Ave Alamogordo, NM 88310
Is the above address within City limits? Yes X No _____
Mailing Address: _____
Present Employer: Wal-Mart Job Title: overnight cashier

Board/Committee you wish to serve on:

First choice: Cemetery
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: _____

2 terms already
parents and relatives reside at cemetery
amateur genealogist

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

my mum did terms with the
cemetery board I want to
continue where she left off

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

OCT 11 2010

CITY CLERK

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

Name: JEFFREY G RABON
Home Phone: 575 434 6171 Work Phone: 575 430 6171
Cell Phone: 575 430 6171 Fax No: _____
e-mail address: JEFFRABON@MESAVERDEINC.COM
Physical Address: 10 PIEDRA ROAD
Is the above address within City limits? Yes _____ No X
Mailing Address: 10 PIEDRA ROAD ALAMOGORDO N.M. 88310
Present Employer: MESAVERDE/AGGTEC 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: PRIVATE PILOT,
AIRFIELD CONSTRUCTION, ASPHALT AND CONCRETE CONSTRUCTION
AND MAINTENANCE, CERTIFIED AVIATION REFUELER, HELPED
REWRITE MINIMUM STANDARDS FOR THE ALAMOGORDO-
WHITE SANDS REGIONAL AIRPORT. I HAVE WORKED WITH THE FAA (1)
Please indicate your interest in serving on a City Board/ Committee: _____
TO CONTINUE TO DEVELOP OUR AIRPORT AND BRING
REGIONAL SET SERVICE TO 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

(1) AND NM STATE AVIATION DEPARTMENT TO SECURE FUNDING
FOR PROJECTS AT THE ALAMOGORDO AIRPORT

owns ~~city~~ land in city