



Alamogordo City Commission

NOTICE OF MEETING

Regular Meeting Agenda

January 8, 2019 - 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

1. Presentation from the U.S. Army Corps of Engineers related to the McKinley Channel Phase 8 project.
(Lt. Colonel Caswell)

2. Presentation on parking lot at the Otero County Fairgrounds and the pedestrian crossing over the arroyo. (*Sheila Coca, Otero County Fairgrounds Secretary*)

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.

3. Approve the minutes for the December 18, 2018 Regular meeting. (*Rachel Hughs, City Clerk*)
4. Approve the statements related to the Executive Session held on December 18, 2018. (*Rachel Hughs, City Clerk*)
5. Approve Resolution No. 2019-01 determining reasonable notice of meetings of the Alamogordo City Commission (Open Meetings Act). (*Rachel Hughs, City Clerk*) **(Roll Call Vote Required)**
6. Approve the Resident Parking Only, Mobility Disabled Resident Parking Only, and Commercial Mobility Disabled Parking Only sign locations for the purpose of determining continuance of each location. (*Eric Barraza, Deputy City Clerk*)
7. Approve the Annual Reports from City Boards, Commissions and Committees for Calendar Year 2018. (*Rachel Hughs, City Clerk*)
8. Consider, and act upon, final publication of Ordinance 1584, Approving a Local Economic Development Project for secured assistance proposed by Medlin Ramps. (*Laurie Anderson, Otero County Economic Development Council*) **(Roll Call Vote Required)**

ITEMS REMOVED FROM CONSENT AGENDA

PUBLIC HEARINGS

9. Consider, and act upon, Application No. 1109025, a Small Brewer 1st Off-Site Location Liquor License, with on the Premises Consumption and Package Sales with Patio Service at 523 N. White Sands Blvd to Tall Pines Beer & Wine Garden LLC. (*Rachel Hughs, City Clerk*)

NEW BUSINESS

10. Consider, and act upon, Resolution 2019-02 requesting written approval from the Local Government Division of the Department of Finance and Administration, State of NM for the revised budget numbers computed as of January 9, 2019. (*Evelyn Huff, Budget Analyst*) **(Roll Call Vote Required)**
11. Consider, and act upon, Award of Public Works Bid No. 2018-009, Street Maintenance - Crack Sealing Re-bid project, to General Hydronics Utilities, LLC in the amount of \$228,636.00, including NMGR. (*Nancy Beshaler, Project Manager*)
12. Consider, and act upon, application for Gross Receipts Investment Program (GRIP) funds from Gerald Champion Regional Medical Center (GCRMC). (*Petria Schreiber, City Attorney*)

13. Consider, and act upon, moving the Boards and Committees Annual Reports to the months of July of each year. (*Rachel Hughs, City Clerk*)

14. Consider, and act upon, a Code of Conduct violation filed against Commissioner Susan Payne by Richard Merrick. (*Petria Schreiber, City Attorney*)

15. Notification of Vacancies for Boards and Committees. (*Richard Boss, Mayor*)

EXECUTIVE SESSION (Roll Call Vote Required)

16. Adjourn into Executive Closed Session in compliance with 10151(h), NMSA 1978 (as amended) to discuss real property of the Fairgrounds Parking Lot.

ADJOURNMENT

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 01/08/2019

Report Date:

Report No: 1.

Submitted By: Nancy Beshaler

Subject: Presentation from the U.S. Army Corps of Engineers related to the McKinley Channel Phase 8 project. (*Lt. Colonel Caswell*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background: The Corps of Engineers will be presenting the current status of the McKinley Channel Phase 8 project.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 01/08/2019

Report Date: 01/02/2019

Report No: 2.

Submitted By: Rachel Hughs

Subject: Presentation on parking lot at the Otero County Fairgrounds and the pedestrian crossing over the arroyo. (*Sheila Coca, Otero County Fairgrounds Secretary*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background: Shelia Coca will give a presentation on the parking lot by the Otero County Fairgrounds and the pedestrian crossing over the arroyo.

OTTER COUNTY

FAIR AND RODEO



JANUARY 8, 2019

Goals for Presentation

- ▶ Goals for presentation :
 - ▶ To give a brief history of the Otero County Fair Grounds Facility
 - ▶ To explain what the OCFA provides our community.
 - ▶ To share information about how the OCFA manages the Facility



- ▶ The OCFA is a non-profit association that has been serving this community for 80 years.
- ▶ Board of Directors are all Volunteers
- ▶ Our Mission is to be Good Stewards of this community

Otero County Fair Ground Facility History

- ▶ November 30, 1953 City of Alamogordo signed the Quick Claim Deed of the 20.3 Acre Facility to the OCFA to be used as a fair grounds
- ▶ 1967 the OCFA Deeded the Fair Ground Facility to Otero County in exchange for a 99 year lease of the Facility
- ▶ Otero County historically leased the front half of the Parking Lot from the City of Alamogordo for \$100 a year for the OCFA
- ▶ The County has maintained & paved parking lot
- ▶ Lease expired on August 31, 2012.
- ▶ Summer 2018 The OCFA was notified from Otero County Administration they would no longer be involved in the lease agreement of the parking lot with the City of Alamogordo

Maintains the Facility for Emergency Evacuations and Natural Disasters



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Providing a safe place to unload & house Livestock during unusual circumstances



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OCFA Provides the Facility For Citizens to Vote in City
and County Elections totaling 46 rental days in 2018
Fees waived \$13,180



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OCFA Provides Department of Transportation Location for Testing & Training



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NEW MEXICO MUSEUM OF SPACE HISTORY

TORNADO ALERT

German Air Force Tornado



NMSpaceMuseum.org



NEW MEXICO DEPARTMENT OF
CULTURAL AFFAIRS



In Association With The Smithsonian Institution

Move to Otero County Fairgrounds Jan. 12 — Public Event Jan. 13 — Move to Museum Jan. 15, 2019

OCFA Provides Facility for Department of
Safety K-9 Training 10 days of Pavilion rentals
waived totaling \$4,500



Providing an area for Local Fire Departments to Train.



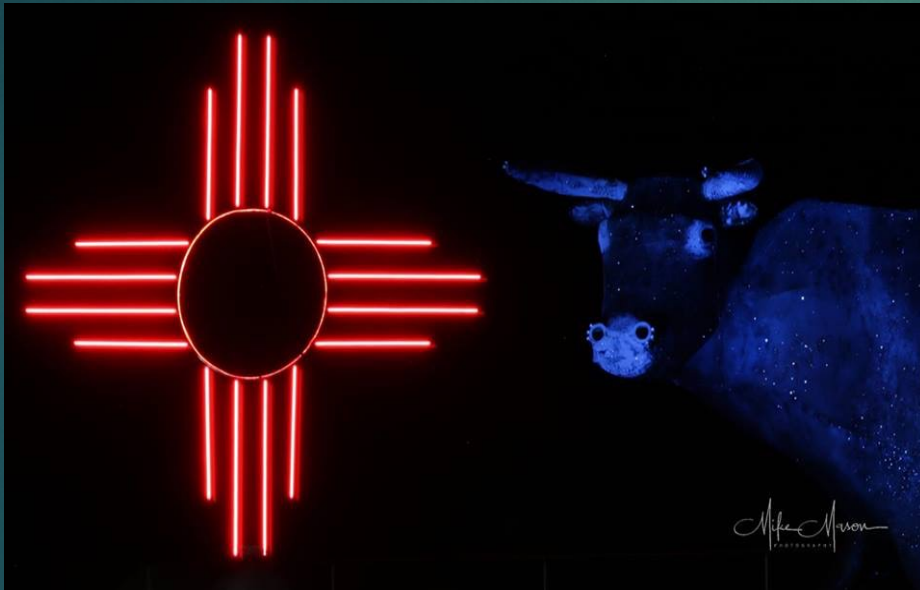
Provided a place for our
community to gather and mourn



OCFA Annual Nursing Home Blanket Drive



Otero County Fair Association Creating Traditions for our Community



2018 OCFA gives the Fair back to the People

- ▶ For the First Time in 30 years the Fair was free to all Citizens of our Community
- ▶ Single Largest Attended Event in Otero County
- ▶ 2018 over 39,000 people attended the 4 day event
 - ▶ Creates Local Commerce
 - ▶ Creates Lodgers Tax
 - ▶ Creates a venue for Area Non-Profits to Fundraise
 - ▶ Creates a venue for the Community to Learn and Unite
 - ▶ Carries on Tradition of this Community

Providing Venue for local Non-Profits to Teach, Meet & Fundraise for ***LITTLE*** to ***NO COST***

- Father James B. Hays
- Jr. ROTC
- Alamogordo High School Band
- Rainbow Girls
- Elk's Lodge
- Boy Scouts
- Girl Scouts
- Military Order of the Cooties
- FFA Clubs
- 4-H Clubs
- Thrive of Southern New Mexico
- Masonic Lodges
- CHINS
- CAPPED
- 49th MXS Squadron
- VFW Post 7686
- New Mexico Steam Works
- LEGO League
- 9th Attack Squadron
- Lions Club
- Kiwanis
- Rotary Clubs

Parking Lot Revenue verses Value of Services the OCFA gives to the Community

Parking Lot Revenue 2018

- Rentals 2018 \$9686.00

Value of Services OCFA Gives to Community

- City Election waived fee \$870.00
- School Board Election \$870.00
- K-9 Training fees waived \$4,500.00
- Primary Voting \$5,720.00
- General Election Voting \$5,720.00
- Officer Appreciation \$900.00
- Day of Caring \$900.00
- Total fees Waived 2018- \$19,480.00

Parking Lot Overhead View



Pedestrian crossing over the arroyo.



- Otero County Granted the City of Alamogordo the Easement for the Arroyo May 31, 1996
- The Crossing will eliminate the need for a Road Closure of Fairgrounds Road during Fair
- The Crossing will be Safer for the community attending the Fair

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 01/08/2019

Report Date: 01/03/2019

Report No: 3.

Submitted By: Rachel Hughs

Subject: Approve the minutes for the December 18, 2018 Regular meeting. (*Rachel Hughs, City Clerk*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve the minutes.

Background: This is required by the Open Meetings Act.

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 P.M., COMMISSION CHAMBERS
December 18, 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 Reverend Harp and the Pledge of Allegiance was led by Commissioner Payne.

Mayor Boss Spoke on the passing of former Mayor Don Carroll. A moment for silent prayer was taken.

APPROVAL OF AGENDA

City Clerk Hughs pulled Item 6 off the Agenda.

Commissioner Hernandez moved to amend the agenda.

Mayor Pro-Tem Baldwin seconded the motion. Motion carried with a vote of 7-0-0.

PRESENTATIONS

1. Presentation update for Otero County Economic Development Council. (*Laurie Anderson, Business Development Director*)

Ms. Anderson presented the quarterly update with Otero County Economic Development Council (OCEDC). She gave a brief background of OCEDC and talked about who makes up OCEDC and what they do. She presented some of the projects they have been working on: Project Rain is a water bottling production project, Project Rise is a metal manufacturing project, Project Shine is a jewelry cleaning production facility, and Project 575 is a brewery. She also said they have 5 different projects that are requesting grants right now, and they will be presenting those to the Commission soon. She discussed what they are working on for the future. (See Power Point in Blue Book)

Commissioner Sikes asked where Project 575 (the Brewery) is going to be. Commissioner Sikes also said only if you are at liberty to tell them and if she couldn't that was fine. Ms. Anderson said she would rather not at this time, but she will seek permission for the next time.

PUBLIC COMMENT

None.

CITY MANAGER'S REPORT

City Manager Paluch made the following remarks:

1. She thanked Assistant City Attorney Johnson for standing in for City Attorney Schreiber.
2. She announced that the livestreaming for tonight's meeting is not working due to hardware issues.

3. She mentioned that the transformer was installed at Kid's Zone for the lighting. She said lights will stay on until 10:30 p.m. and shut down with the exception of one light under each of canopy, which will stay on from dusk to dawn. These lights are LED, so consumption is very little.
4. She said the Recreation Center Pool is closed for the season. She thanked Recreation Coordinator Michaud, the lifeguards, Community Services Director Ortega, Facility Maintenance and staff that helped keep the pool open longer this season. The pool will re-open this spring at a date to be determined by our weather.
5. She said pumping at Bonito Lake has continued but material removal has slowed down a bit, which was to be expected due to the winter season.
6. The floor tile was completed at the Desal Plant and the scaffolding has been removed. The Grand Opening should be soon.
7. She said the floor purchases came back in good condition for the Water Tank in Upper Heights, but the roof on the tank will have to be replaced.
8. She said bids were opened on December 12, 2018 for the FY19 Crack Seal rebid, and General Hydronics Utilities was the apparent low bidder. The award of this project is tentatively scheduled for the January 8th, 2019 Commission meeting.
9. She said bids were opened by the Army Corps of Engineers for the final phase of the McKinley Channel Flood Control Phase 8. Those were opened on December 10th, 2018 and they intend to award the project to Pate Construction on or around December 21st, 2018 for the base bid and both alternate items.
10. She said annually the Housing Authority employees volunteer their own time to bake and deliver cookies for all the homebound and elderly tenants at the Housing Authority.
11. She said since implementing HIDTA, the Police Department has had numerous HIDTA investigations opened. She thanked Chief Peete.
12. She wished everyone a Merry Christmas and a Happy New Year.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Commissioner Hernandez made the following comments:

He said he had the opportunity to serve with Former Mayor Don Carroll from 1996 to 2000. He said in 1998, he was put in a predicament where he was the swing vote in selecting him as Mayor. He said he did that for many reasons and the main one was to continue to move the City forward. He appreciates everything that he has learned from Mayor Carroll and couple of other guys that have also passed on. He said everything he has learned from them, he has tried to carry on and tries to make sure that this City continues to move forward. He appreciates everything former Mayor Carroll did for him and the City.

Mayor Boss made the following comments:

He said when he became Mayor, one of the first persons to reach out to him to offer his support and his advice was former Mayor Don Carroll. Mayor Boss said he asked him questions about the operation of the Commission and about the public and there wasn't a question that he asked that former Mayor Carroll could not answer. Mayor Boss also said he spent some time with him out at Holloman Air Force Base. He was a fine man and he is really going to be missed. The City of Alamogordo will be putting out a Public Service Announcement with some of his accomplishments.

He said he has been working on the evaluation form for the City Manager. He said on December 28th he is hoping to email the form to the Commission, and on January 11th he would like the forms back. On January 14th to 28th, they will do tabulation and finalizing. He talked about how they were going to handle the process. He said they hope to have an Executive Session on January 29th, 2019, to go over the report, which will be a summary of all the responses from all the Commissioners and the scores average, also any comments they may have will be reported then.

CONSENT AGENDA

2. Approve the minutes for the December 4, 2018 Regular meeting. (*Rachel Hughs, City Clerk*)

3. Approve the City Commission Regular Meeting Schedule for Calendar Year 2019. (Rachel Hughs, City Clerk)

4. Consider, and act upon, Ordinance 1583 for final publication, amending Chapter 11 of the Code of Ordinances to add harassment to the Criminal Chapter. (Dustin Johnson, Assistant City Attorney) (Roll Call Vote Required)

5. Approve the State Grants-in-Aid award from the New Mexico State Library for local library support. (Sharon Rowe, Library Manager)

Mayor Pro-Tem Baldwin asked to remove Item # 4 from the Consent Calendar.

Commissioner Hernandez moved to approve item 2, 3, and 5 of the consent calendar.

Mayor Pro-Tem Baldwin seconded the motion.

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

ITEMS REMOVED FROM CONSENT AGENDA

4. Consider, and act upon, Ordinance 1583 for final publication, amending Chapter 11 of the Code of Ordinances to add harassment to the Criminal Chapter. (Dustin Johnson, Assistant City Attorney) (Roll Call Vote Required)

Rich Merrick commented on the following:

Mr. Merrick asked for this item to be tabled until specific exclusions are added to it to protect the public's right to free speech without the fear of intimidation. He said without specific language excluding certain things within this Ordinance, it leaves it open to those who would interpret the Ordinance. He asked the Commission before they pass this Ordinance without specific exclusions attached for them to think about what this could bring in the future in civil rights violations to the guaranteed First Amendment rights of each and every citizen of the City.

Mayor Pro-Tem Baldwin said he assumes that Sections A and B that is being added to this is regular wording or wording that has been copied from somewhere. He was concerned with the wording "annoyed" and thought it was pretty broad. Assistant City Attorney Johnson said this has been copied from State Statute. He said they talked about the whole Act in the first go around of it. They just literally wanted to capture Harassment. He said what is important when they look at this and they break it down through legal analysis, they are looking at a pattern of conduct. He said a one-off offense or even multiple offenses, of something transpiring online isn't going to be something that this current regime is going to move forward and prosecute because it doesn't fit, and it is not a pattern of the conduct. He said it does say "annoy, alarmed, terrorize another person serving no lawful purpose". He said "annoy" again they look at that reasonable person's standard. He said what is most important is this is in Magistrate Court, so they have not reinvented the wheel, they have not deviated from the law already in place, they are just asking to also bring it into Municipal Court or the Municipal level. The concerns of social media and limited first amendment rights, which this is no way shape or form intended to do, has always been there and is there currently there at the Magistrate level and they haven't changed that. He said what he would focus on legally is a pattern of conduct is the first and foremost thing that you need to establish, and he does not see that as sharing your opinions and views online, but that is him personally. He said to Mr. Merrick's point he cannot begin to comment on what a new regime would come in and do.

Mayor Pro-Tem Baldwin said annoy just came across very vague to him. He said it does say a pattern of, which is the repetitive nature of it, but he wouldn't mind seeing other wording in there other than pattern, maybe repeat occurrences or something like that.

Commissioner Payne said it says, "intended to annoy". She said why anybody would want to get on social media or online and intentionally annoy somebody. Mayor Pro-Tem Baldwin asked if she was joking and asked her if she has been online. Commissioner Payne said that is exactly her point.

Commissioner Payne asked Assistant City Attorney Johnson if it was the stalking portion that was left out. He said that is correct, it is an Act and they did not elect to adopt the entire Act. He said Harassment was somewhat of a minor gap that they were seeing that they might successfully bring into the Municipal Court. He said Stalking comes to a level where it belongs to Magistrate Court with more teeth. He said it was one of those things when you look at the State Statute and that they copied over, they felt that they could bring it here with less severity because there are situations warranting that. Commissioner Payne asked if this section of the State Statute reads exactly like we have it. Assistant City Attorney Johnson answered correct. She asked if that included the word "Annoy". He answered correct.

Commissioner Payne said she understands what Mayor Pro-Tem Baldwin is saying but that is the way she understood this. This doesn't say anything different than what the State Statute says, the only thing left out was a separate charge. Assistant City Attorney Johnson said correct. He said most importantly too, he cannot express enough that there is no law being changed here, they are just literally bringing it to Municipal Court. He said if they were going to look at certain language changes then they would be going away from the Statute in place. Commissioner Payne asked if the penalty is lessened because they are moving it to Municipal Court. He said that is correct. Commissioner Payne said if you are doing something that rises to the level of what the law says is Harassment, you probably want it prosecuted in Municipal Court as opposed to Magistrate Court, she would think.

Commissioner Hernandez asked Assistant City Attorney Johnson when the original law was written. Assistant City Attorney Johnson said he did not know. Commissioner Hernandez said one of his followers took offense to some videos he posted on Instagram. He said that could be construed as crossing that line. Assistant City Attorney Johnson said with that being said, he looks to that pattern. He said that is what he is talking about, that is a one-off thing. He said to address Mr. Merrick's concern, he looks at it as the City prosecutor handling this in the violations of our City Ordinance. He said for him he would really have to see some kind of shocking behavior online to have kind of terrorized the individual. He said you posting videos and one person taking offense to it, he would not feel comfortable prosecuting it, and he does not think they have a pattern there. He said if they are months or years out and he is seeing the same individual and whatever they are doing or saying so grossly deviates from what a reasonable person in your position would view it as, then he might assess whether or not it is something he could take in front of the Judge feeling confident that he could win. He said again with the law, there is so much room for interpretation. He said he is paid to argue in court and he can sit there and comment as to what he feels comfortable prosecuting.

Commissioner Rardin said he is against the City taking this on, staff is already overworked with this stuff they really don't need to be taking this stuff on, when the DA's Office should be doing it. He stated if they are going to pass this tonight, they should have definitions of "Annoy" or "Reasonable Person". He said like Commissioner Hernandez said last time, if someone goes through a bad breakup with somebody, are they being reasonable or emotional.

Assistant City Attorney Johnson said that is probably a good idea. He wanted to re-iterate that they are not seeing a large volume of this citation, there are two pending trials in January in Magistrate Court. He said that is two in the past year and the most they had in a year was probably six or seven. He said he does not see this having a tremendous impact either way the Commission decides to go. He does not think they will see an increase in citing and again it is also something that the Officers already have the capability to cite, it is just only to Magistrate Court, so he does not see their behavior is going to change as a result of the decision this evening.

Commissioner Rardin said he would like a definition of what exactly substantial emotional distress is.

Commissioner Hernandez asked if the Police Officer would write the citation. Assistant City Attorney Johnson answered yes. Commissioner Hernandez said not that he does not trust the Police Officers, but it is just the use and abuse of it that could be a problem. He said after speaking to different folks he is not going to support this tonight. Assistant City Attorney Johnson said he does not see this is an area or avenue of law as a citation that is going to impact anything very much either way you decide to vote.

Commissioner Payne said she is confused, if they leave it as it is and anything or all of those things occur, could you still not be prosecuted for Harassment. Assistant City Attorney Johnson said absolutely correct, it would just be at the Magistrate Court. Commissioner Payne said the City Commission cannot change State Law. Assistant City Attorney Johnson said correct.

Mayor Boss moved to approve.

Commissioner Payne seconded the motion.

Roll call vote was taken.

Motion failed with a vote of 3-4-0.

Commissioners Baldwin, Rardin, Hernandez and Wright voted nay.

Commissioner Sikes said Assistant City Attorney Johnson mentioned in his comments that the City Attorney was going to attempt to bring a couple of cases to court in January. She asked if this would preclude that. Assistant City Attorney Johnson answered no, those are set in Magistrate Court in January. He said it is not a significant volume that they are seeing, two Jury Trials in a month is probably not their preference but that is probably within the last twelve months.

NEW BUSINESS

6. Consider, and act upon, waiver of lien in the amount of \$537.65 for property located on 3rd and Maryland. (Fred Flores)

Item withdrawn prior to Commission meeting by Mr. Flores.

7. Consider, and act upon, Ordinance 1584, Approving a Local Economic Development Project for secured assistance proposed by Medlin Ramps. (Laurie Anderson, Otero County Economic Development Council) (Roll Call Vote Required)

Ms. Anderson thanked everyone involved in this process. She presented this project with Medlin Ramps. She said this project is to bring economic development coupled with 25 plus jobs to the community. She said tonight it is their client's request to utilize Local Economic Development Act (LEDA) funds of \$2.5 million with the purchase of property located at 1900 Highway 54 in Alamogordo. This building is known as the old Wal-Mart building. She said the current appraisal is \$2.8 million. She said OCEDC's due diligence committee, Board of Directors, recommend favorable approval of this project. She introduced Mr. Medlin to discuss the business expansion into Alamogordo.

Mr. Medlin said his company is 28 years old and is expanding, it has been very successful for years now. He said their particular product is large, so shipping is a big factor on how they do their items. He said it was naturally set in motion to find a centralized location in the U.S. to go ahead and open another manufacturing point. He said they looked at the Wal-Mart building to become their manufacturing plant. He described more on this family owned business. He said if the Commission does move forward with this project, Medlin Ramps will become the largest ramp manufacturer in the U.S.

City Manager Paluch asked Mr. Medlin if can give the Commission a brief detail on what the Company does and reproduce. He said they make metal ramps in lieu of having a concrete ramp. These ramps are used when a loading dock is either too high or low for a container to load or unload materials.

Mayor Boss said he noticed that Mr. Medlin has 17 welders for his stage 1. He asked Mr. Medlin if he thinks he will have any problems obtaining welders. He answered no, because right now their product pricing is national, it is not local. He said they are paying welders higher than that in California. He said with their particular product, it's not like they can go and hire somebody down the road, or from another competitor that is locally, and they know how to build his product. He said nobody knows how to build his product. He said they brought on welders that are qualified as far as high skill levels, but they have a lot of bad habits and so he's figured out a way to go around and get away with that. He said he teamed up with a local Technical School and they pay money, it is somewhat State funded, but they do pay money to become a welder and they do get qualified. He said they are coming in and they don't have experience and they are not as good as he wants them to be, but they are eager and willing to learn and adapt. He said it seems very fitting to what they would need here because it is his understanding that there are welders that could be going to the Air Force Base, but they just not qualified yet, so they can come into his facility and learn, mature, get some experience and move on and become a welder on that Base. He said for him to go ahead and pursue the idea of educating, teaching somebody to come in and become better and leaving, he is fine with that because that is part of what he does when he coaches.

Mayor Boss asked if he would be training people locally. Mr. Medlin answered 100 percent.

Commissioner Wright asked Mr. Medlin if this gets approved what is a brief timeline of being in production and actually manufacturing a product out here and shipping out. He said what they are looking at now is the original funds that he required as far as requesting on his business plans was \$3.5 million. He said that would be purchasing the building at \$2.5 million and putting a million dollars in it to get it up to par so they could make the occupancy and start producing. He said his point with what he wants to do at this building is once he starts to produce, he does not want to pull money out of this facility. He said they are financially doing well, so he wants to keep their recycling and bringing the money back in until he can develop that entire property. He said what he is going to end up doing is taking the majority of the "Wal-Mart building part" not the other sections, and he wants to break up in pieces and get that occupied, get whatever code they require and as they build, they are going to try and quickly build into it. He said what he has right now with Bank 34 he has a loan application that he has worked with their Vice-President. He said he is trying to get \$1.5 to \$2 million and all that to re-invest back into it.

Commissioner Wright asked about timewise. Mr. Medlin said he would think about June, they should be able to start fabricating. He said when they start doing it, ramps will start going out that week. He said in the meantime, he is going to look at doing is trying to create some employment. He said the building to the south of the old Wal-Mart building, he is going to create some employment in there such as: marketing, sales staff, people to help renovate the property and painting. He said in a short amount of time he is going to try and hire people before they start welding.

Commissioner Sikes asked Mr. Medlin what the raw materials are and where does he get them. He answered the come from the steel distributors, not the steel mills themselves. He said there are a very few amount of materials that he needs. He said he would try and find things locally but if not, there are places that he normally gets his materials.

Mayor Boss asked Assistant City Attorney Johnson if the Legal Department has reviewed all of the legal documents. He answered, that is correct.

Commissioner Rardin asked if Mr. Medlin gets the whole facility for the \$2.5 million that they are looking at and will the City will hold the lien against the facility. City Manager Paluch answered correct, the \$2.5 million is for the entire property and yes, the City would have a lien on the property.

Commissioner Rardin asked how many acres it is. Mr. Medlin said it is roughly about 25 acres with about 8,100 square feet of buildings. Commissioner Rardin said the survey says 23.4 acres, but then it has 21.2 net acres. Mr. Medlin said there is the big ditch which is part of the property, but he is unable

to build on it.

Mayor Boss said he noticed that Mr. Medlin has plans on part of the lot that he is not using, maybe he has plans for a truck stop go in there. He asked Mr. Medlin if he has been contacted by anyone. He answered in the past Loves Truck Stop contacted the former owner about a certain part of the property, but he did not want to sell anything but the entire property. He said they know that the location is an amazing property when it comes to trucking. He said in the proposal that he is putting together it is going to have, besides the trucking thing, a storage unit and a couple of fast food restaurants. He said he has an architect working on a coffee shop to be put there.

Commissioner Hernandez asked City Manager Paluch or Legal if the timeframe is written in any of the documents. Assistant City Attorney Johnson said to his knowledge, there is no performance date and if that is something the Commission would like to add, they are not precluded from doing so, but when they vote they would be voting to pass it as amended to put one in. Commissioner Hernandez stated he would like to see maybe 1, 2 or 3 years to hold them accountable to. Mr. Medlin said on the Project Participation Agreement (PPA) they focused on the employment factor more than the building aspect, but to be able to meet those employment numbers he is going to have to build outright to get the full unity. He said the \$2.5 million is for the name change of the building, but the building is in no different condition than it was this morning.

Ms. Hatfield came to the podium and stated as soon as they get the go and they start moving forward with the project, it is going to take no less than six months to make the building habitable according to the contractor's estimation. She said based on that, they tried to figure out how many years is it going to take for Mr. Medlin to be full up on his 45 jobs. She explained how they figured out the employment numbers. She said Mr. Medlin explained that he will be looking to hire five office jobs at the beginning and 19 in the final six months of 2019.

Commissioner Hernandez said this is the public's money and he wants to make sure it is secure. He said he does not see a problem, but he wants to make sure they have some timelines. He said they just need something to target for and hold them accountable. Ms. Hatfield said she had originally put in a yearly structure regarding job creation, they will have no problem putting that back into the Project Participation Agreement (PPA) with the estimated jobs per year. Commissioner Hernandez said he is not telling them it has to be but that it is something they can gauge and actually keep up with. He said if it is not working then how can the City help them to make it work.

Assistant City Attorney Johnson asked if they are more concerned if the building becomes operational or are they more focused on the incremental levels of the job creation, because he thinks they are talking about two separate things as far as performance. He said if they are talking about performance of the building, that is what he was referring to, because the jobs have been spelled out. Ms. Hatfield said right, they have. She said if they approve and move forward with the Ordinance in January then that's an approval year or operational year being date of actual operation as to when Mr. Medlin is able to open and start manufacturing the ramps. She said that is when that language comes into play. She said if the Commission wants to, they can amend it to what works for everyone.

Commissioner Hernandez asked if the building would be complete around the fifth year. Mr. Medlin said if he does well with bringing this other income it will be much faster than that. Commissioner Hernandez said with his plan and all the other things in there, that is going to generate its own revenue. Mr. Medlin said it's kind of a catch-22 because he can't get a restaurant that is going to want to go in there tomorrow. He said he is not going to hold anything back from it. He said he already has the money to facilitate the equipment. This is to get the renovations done so they can start manufacturing.

City Manager Paluch reminded the Commissioners that the PPA is not only with Medlin Ramps but it is also with Supply Corp USA. She said the job creation isn't just for the employees that are going to work for Medlin Ramps. She asked Mr. Medlin to mention his plans for Supply Corp USA. He explained his goal was to create Medlin Ramps. He said the population here has some needs. He said

one is employment and two has to do with needs that there are purchase orders from the Base that could be coming into this town, but they are not. He said if someone is wanting to buy something from here let's go ahead and produce that, let's not allow that to go somewhere else. He created the concept of Supply Corp USA which is a company that will be able to offer structural metal fabrication for the weapon testing facilities. He said the supply concept was if they want to buy paper towels from our town, don't let them buy from anywhere else, "let's supply them". Let's supply them with anything and everything that they are willing to buy from us. He said he knows Medlin Ramps and where it will be in five years, and Supply Corp USA is a new company. He said the opportunity is so big, and there are other Military Bases around here. He thinks they will be able to capture a lot from that.

Commissioner Rardin said typically when they set these PPAs up, they have a dollar amount on the jobs and the amount of jobs it is going to create. City Manager Paluch pointed out that information is available in section "d". He asked if it reads 45 jobs at \$10 an hour. Commissioner Payne said at least \$10 an hour. Mr. Medlin said his business plan calls out different varieties, from anywhere from \$10 an hour up to \$20 an hour according to the skill level.

Commissioner Rardin said they do not have a good track record with giving money upfront with some of these projects here in Alamogordo. He said they have to look at it very carefully so that they protect the taxpayer's money. Mr. Medlin shared his opinion. He said he has bought four commercial buildings which were super simple. He said Mr. Kronkey did not need to sell the property, so it made it a challenge. He said the money the Commission is looking at is \$2.5 million and that will cover the cost of the building, not including the closing cost. He said the building appraised at \$2.8 million. He said he is going ahead and getting a loan to put more money into the building. He said if was to walk away in two years, the City will at least acquire a building.

Commissioner Payne asked Mr. Medlin if he did not have family here, would he have ever looked at Alamogordo. Mr. Medlin said he would have never heard about it. She said she sees a major manufacturer in the Country is coming to Alamogordo and her hope would be that they may attract more. She said they need more manufacturing companies. In her opinion, Alamogordo needs more companies that are going to come in and create those possibly higher wage jobs. She thinks if they get enough of it, they may begin to be competitive with Las Cruces or Albuquerque wage wise.

Mr. Medlin said he invested with a lot of different people. He said he usually has to explain where Alamogordo is. He said this is usually putting it on the map for his network, but his network is pretty big. He said this is a good place to move to because there are major opportunities for hungry employment.

Commissioner Hernandez moved to approve.

Commissioner Rardin seconded the motion.

Roll call vote was taken.

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

8. Consider, and act upon, Change Order No. 1, Public Works Bid No. 2018-007, to D&R Tank Company related to the Rehab Upper Heights Ground Storage Tank project, in an amount not to exceed \$350,507.52, including NMGR. (Larry Garner, Public Works Director)

Public Works Director Garner said City staff is requesting a change order to complete and to change out the roof to the Upper Heights Ground Storage Tank. He said after purchases were made into the tank itself, they found that the structure on the roof is failing and is beyond repair, it needs to be replaced. He said they have the funding available due to some completed projects, so they are asking for approvals to move that money and then get that completed. He said the reason they are moving on that as quickly as they can is because they do not want to miss out on the opportunity to have this job completed before our big season starts in the summertime where water demand is high.

Mayor Boss commented that the tank needs repair.

Commissioner Hernandez said he has a couple of concerns. One is the amount of the change order compared to the original contract amount and he also does not see an Engineer record on any of the documents. He asked shouldn't the Engineer have caught that.

Public Works Director Garner said they had an Inspection done quite a few years ago, the tank itself was rehabbed in the 90s, and they had an inspection done later. The problem was due to funding they were unable to act upon that study at that time. The study showed that the ceiling was still intact, and it wasn't needed. Once the tank was opened, they could have done another inspection before they did the tank, but it is relatively very expensive process. Once they opened up the tank that is when they were able, when the contractor was able to get the lifts in, go all the way to the ceiling and look at the damage and deterioration that they have on the roof which was the reason this came about this way.

Commissioner Hernandez said he understands that part of it. He said for a half of million dollars that is a pretty substantial amount, he is not seeing an engineer or anybody that they could go back to on this project. Public Works Director Garner said D&R Tank was the contractor that did the Green tank as well. He said he believes that they have engineers within their company, but that who is they go through to get the tanks refurbished. Commissioner Hernandez said again you can't send the same person to do the same thing. He said he has a problem with that because he does not see an engineer and they are looking at two-thirds of the amount on the change order of the original contract. Public Works Director Garner said to clarify, they took purchases out of the floor and they took purchases out of different places in the tank and send off for inspection. That is not something they do right then and there. He said that inspection comes back and lets them know what needs to be done and all these pieces on the roof are failing. He said that is where they got the information from was due to the inspection. Commissioner Hernandez asked why we don't have an Engineer on the project. Mayor Pro-Tem Baldwin said the question would be if we would have an Engineer to begin with. Commissioner Hernandez said an Engineer would have caught this. Mayor Pro-Tem Baldwin said would we regularly require this and was this required on the last tank rehab.

Assistant City Manager Cesar explained that this would not require an Engineer. He said what is being done with this tank, they are not altering the construction of the tank from the way it was originally constructed. He said what is happening now is more of the material has to come off the tank to be replaced. It is not a new tank or new construction, the company is replacing the roof, the material, the steel on top of the tank. Commissioner Hernandez said it is based on their design that they are refabricating an old design that if it fails, then who do we hold accountable. Assistant City Manager Cesar said that would be D&R Tank. Commissioner Hernandez said that is his concern that if you have an Engineer doing the actual contract work and it fails then who do you hold responsible. According to the contract it looks like we wrote the scope of work to them. They are doing what we asked them to do and so if it fails, they can hold the City responsible because we wrote the scope of work. Assistant City Manager Cesar said he understands what he is saying, but it would go back to D&R Tank, they are actually the company that originally installed this tank. Commissioner Hernandez said again there are some dollar concerns here and there are also the Engineering concerns.

Mayor Boss asked if they had an Engineer on the Green tank. Public Works Director Garner said it wasn't necessary because they were refurbishing it. He said they did do some modifications on the Green tank to make it a little bit better.

Commissioner Hernandez said he wants to make sure that they are covered under all circumstances.

Mayor Pro-Tem Baldwin asked Public Works Director Garner how much a brand-new tank is. He answered you are using a \$1.00 or a \$1.50 per gallon, so you are probably looking at \$3 million. Commissioner Hernandez said it is probably about \$4 million by the time you get done.

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

9. Consider, and act upon, Change Order No. 1, Public Works Bid No. 2017-010, EN1701, to General Hydronics Utilities, LLC, related to Street Maintenance Program FY 2017, in an amount not to exceed \$40,940.00, excludes NMGR. (*Edward Balderrama, Project Manager*)

Project Manager Balderrama said there are four parts to this change order. He explained the four parts. He also said the contractor is only requesting 14 additional days, but the contractor is probably about three months ahead of schedule on this project.

Commissioner Hernandez asked Project Manager Balderrama about the lines and culverts. He explained the lines to be used and the design of the culverts. Commissioner Hernandez also asked if the 2-inch water line would be able to sustain what the 6-inch that he is taking out. Project Manager Balderrama said the 2-inch water line is just to loop the line. He said it is not a dead-end line, the concern with putting a clean out hydrant at the end is maintenance and then a place to flush it out.

Commissioner Hernandez asked Project Manager Balderrama what percentage they in the contract are because they only \$109,000 and they are using \$40,000 of that on this change order. He said for the water line he thinks they are about at 70 percent. Commissioner Hernandez asked if he does not foresee going over that \$109,000. Project Manager Balderrama said he did not know. He is close right now. He is pretty comfortable to say he should be under the overall cost. He said the problem is the project award was like \$6 million, but he has two funds in that for water and streets. He said when they awarded this project, if he is not mistaken, they had to kind of rob Peter to pay Paul to get this project awarded. Commissioner Hernandez said that is the reason he is asking because if they have to delay on any part of the water project and people are expecting to get their streets to get done. He said he is pretty comfortable not to exceed what was awarded.

Commissioner Hernandez moved to approve.

Commissioner Payne seconded the motion.

Motion carried with a vote of 6-0-1. Commissioner Wright abstained.

10. Consider, and act upon, Resolution 2018-46 requesting written approval from the Local Government Division of the Department of Finance and Administration, State of New Mexico for the revised budget numbers computed as of December 18, 2018 (*Evelyn Huff, Interim Finance Director*) (Roll Call Vote Required)

Interim Finance Director Huff said this is the Resolution that would normally be brought at this time. She said they had their amended one about two meetings ago, so this is just a regularly scheduled one. This revision has all the requests that have been put in by the departments since July 1, 2018. There is a total of 22 requested revisions that make up this Resolution.

Mayor Pro-Tem Baldwin moved to approve.

Commissioner Rardin seconded the motion.

Roll call vote was taken.

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

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

Mayor Boss read the openings and appointed Colleen Lenart to the Housing Authority Advisory Board and Andrew Gomolak to the Planning and Zoning Commissioner. No one was opposed.

City Clerk Hughs brought attention to the Agenda Packet where it says to remove a member of the Library Board for the reason that she has not attended a meeting in over four months. She said that is for you and the Commission to remove her from the Board. Mayor Pro-Tem Baldwin asked if that was on the Mayor's addendum sheet of who it is. City Clerk Hughs answered yes, Jessica Hoidahl.

Commissioner Sikes commented that Jessica Hoidahl moved out of state and just neglected to let the Library Board know.

Mayor Pro-Tem Baldwin thanked City Staff, especially the ones sitting in the audience, for all their hard work. He said to his colleagues this has been one of his most enjoyable years, some because of the stride and some because of how they work together, mostly because of the education he continues to get sitting up there. He wished them a Merry Christmas and a Happy New Year. He also thanked the citizens that attend the meetings.

Mayor Boss also wished everyone a Merry Christmas and a Happy New Year.

EXECUTIVE SESSION (Roll Call Vote Required)

12. Adjourn into Executive Closed Session in compliance with 10151(h), NMSA 1978 (as amended) to discuss real property of Oregon Elementary Acquisition. (Roll Call Vote Required)

Mayor Pro-Tem Baldwin moved to adjourn at 8:28 p.m.

Commissioner Rardin seconded the motion.

Roll call vote was taken.

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 January 8, 2019.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 01/08/2019

Report Date: 08/15/2017

Report No: 4.

Submitted By: Rachel Hughs

Subject: Approve the statements related to the Executive Session held on December 18, 2018. *(Rachel Hughs, City Clerk)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve the following statements authorizing them to be included in the minutes of January 8, 2019: "The Governing Body of the City of Alamogordo, New Mexico, hereby states that on December 18, 2018, a Closed Executive Session was held and matters discussed in the closed meeting were limited only to: discuss real property of Oregon Elementary Acquisition.

Background: The statement is required per the Open Meetings Act.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 01/08/2019

Report Date: 12/17/2018

Report No: 5.

Submitted By: Rachel Hughs

Subject: Approve Resolution No. 2019-01 determining reasonable notice of meetings of the Alamogordo City Commission (Open Meetings Act). *(Rachel Hughs, City Clerk)* **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve the Resolution.

Background: The Open Meetings Act requires each public body to establish its notice provisions annually. This Resolution accomplishes that requirement. The final agenda for each regular meeting of the City Commission is to be posted seventy-two (72) hours prior to the meeting.

RESOLUTION NO. 2019-01

RESOLUTION DETERMINING REASONABLE NOTICE OF MEETINGS OF THE GOVERNING BODY OF THE CITY OF ALAMOGORDO, NEW MEXICO (ALAMOGORDO CITY COMMISSION)

WHEREAS, the State of New Mexico has determined that the formation of public policy and the conduct of business by vote shall be conducted in meetings which are open to the public, as set forth in Section 10-15-1 NMSA 1978 (As Amended); and

WHEREAS, reasonable notice of the time and place of any meeting of a public body is necessary to carry out the policy set forth above; and

WHEREAS, in those limited instances in which meetings of this Alamogordo City Commission may be closed to the public, the law and the public business also require reasonable notice to the public of the time and place of such meeting; and

WHEREAS, Section 10-15-1 NMSA 1978 (As Amended) requires each public body to determine at least annually what notice shall be reasonable when applied to the public body.

NOW, THEREFORE, BE IT RESOLVED by the Alamogordo City Commission of the City of Alamogordo, New Mexico, that reasonable time for giving notice of meetings is:

REGULAR MEETINGS: Notice shall be given at least five (5) days in advance of any regular meeting.

SPECIAL MEETINGS: Notice shall be given at least twenty-four (24) hours in advance of any special meeting.

EMERGENCY MEETINGS: Notice shall be given at least three (3) hours in advance of any meeting considering emergency matters involving a clear and present danger to the health, welfare, or safety of the citizens of the City of Alamogordo.

NOW, THEREFORE, BE IT FURTHER RESOLVED that reasonable manner for giving notice of meetings shall be:

REGULAR MEETINGS: Notices of the date, time, and place of such meeting shall be posted in at least two conspicuous places in or about the City Hall Building, Alamogordo, New Mexico, at least five (5) days prior to the meeting, or by publication [as that term is defined in Section 3-1-2(J) NMSA 1978 (As Amended) of notice of date, time, and place of meeting at least five (5) days prior to the meeting. An agenda containing a list of specific items of business to be discussed or transacted at the meeting, or information about how an agenda may be obtained, shall be posted in at least two conspicuous places in or about the City Hall Building, Alamogordo, New Mexico, at least seventy-two (72) hours prior to the meeting. Proof of notice shall be accomplished by executing and filing in the official minutes of the Commission, a certificate by the Municipal Clerk attesting to posting in compliance herewith or by the publisher of the publishing newspaper attesting to publication in compliance herewith. Notice shall be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that submit a written request for such notice.

SPECIAL AND EMERGENCY MEETINGS: Notices of the date, time, and place of the meeting shall be posted in at least two conspicuous places in or about the City Hall Building, Alamogordo, New Mexico, at least twenty-four (24) hours prior to the meeting for a Special Meeting, and at least three (3) hours prior to the meeting for an Emergency Meeting. Proof of notice shall be accomplished by executing and filing in the official minutes of the Commission, a certificate by the Municipal Clerk attesting to posting in compliance herewith. Notice shall be provided to broadcast stations licensed by the

Federal Communications Commission and newspapers of general circulation that submit a written request for such notice.

It is expressly allowed by rule of the Alamogordo City Commission that a member or members may participate in a meeting of the Commission by means of a conference telephone or other similar communications equipment when it is otherwise difficult or impossible for the member to attend in person. Each member participating by conference telephone must be identifiable when speaking, all Commission members must be able to hear each other and members of the public attending the meeting must be able to hear any Commissioner who speaks.

PASSED, APPROVED AND ADOPTED this 8th day of January, 2019.

ALAMOGORDO CITY COMMISSION

By _____
Richard Boss, Mayor

ATTEST:

Rachel Hughs, City Clerk

APPROVED AS TO FORM:

Petria Schreiber, City Attorney

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 01/08/2019

Report Date: 12/28/2018

Report No: 6.

Submitted By: Eric Barraza

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

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Authorize all locations on Exhibit "A" and Exhibit "B" to continue as is. Authorize removal of signs at locations listed on Exhibit "C".

Background:

Sections 24-13-010(e) and (f) of the Alamogordo Code of Ordinances provides for the City Manager to prepare a list of the locations of all Resident Parking Only, Mobility Disabled Resident Parking Only, and Commercial Mobility Disabled Parking only signs in the City and to recommend continuance or discontinuance of each location.

This is compiled annually by the City Clerk's Office and reviewed by the City Manager.

We mailed a letter to every sign holder advising them of our annual review and asking them to respond if they still require the sign. We followed up with a second and a third notice. When we did not receive a response from some of the residents, we went to each residence and attached door hangars to their doors. Every effort was made to contact all addresses.

Every sign listed on Exhibit "A" and Exhibit "B" is still warranted based on the reason the sign was originally granted.

The signs listed on Exhibit "C" are to be removed.

REPORT TO THE CITY COMMISSION
JANUARY 8, 2019

- **November 15, 2018** Mailed first notification letter to each individual. Each letter was addressed to the name on the application as well as 'Current Resident'.
- **December 6, 2018** Mailed second notification letter to each individual who had yet to respond. Each letter was addressed to the name on application as well as 'Current Resident'.
- **December 10, 2018** Mailed third notification letter to each individual who had yet to respond. Each letter was addressed to the name on application as well as 'Current Resident.'
- **December 14, 2018** Phone calls were made to each individual who had yet to respond.
- **December 20, 2017** Deputy City Clerk Eric Barraza drove to each residence that had not responded to give another notice. Door Hangers were placed at each residence stating sign(s) would be removed if no response.

EXHIBIT A – 2019 RESIDENT PARKING ONLY SIGNS

APPROVAL DATE	NAME	LOCATION OF SIGN	WITHIN 500 FT.	NUMBER OF SIGNS	CONTACTED THIS YEAR
2-27-1990	Emil E. Ashe	1303 Mountain View Ave.	AHS	1	✓
2-27-1990	Daniel Ortega	400 Cuba Ave.	AHS	1	✓
2-27-1990	Roy King	404 Cuba Ave.	AHS	1	✓
2-27-1990	Nathaniel Cates	1310 Mountain View Ave.	AHS	1	✓
2-27-1990	Luis Herrera, Jr.	404 Utah Ave.	AHS	1	✓
2-27-1990	Dorothy Miller	401 Utah Ave.	AHS	1	✓
2-27-1990	Alice Sisneros	400 Utah Ave.	AHS	1	✓
9-27-1991	Alberto Valdez	618 Delaware Ave.	ICC Church	1	✓
2-23-1993	Lawrence Craine	403 Oregon Ave.	Oregon Park & AHS FB Stadium	1	✓
6-11-1994	Teresa Weber	323 Maryland Ave.	Corinth Baptist Church	1	✓
12-8-1998 & 2-9-1999 & 2-12-2013	Jacqueline LaBarre	211 13 th St. 1301 New York Ave. one sign around corner on 13 th 1304 New York Ave. 1308 New York Ave. <u>Mailing Address:</u> <u>1315 New York Ave., Alamogordo</u>	Memories Restaurant	4	✓
1-26-1999	Jeff Rhodes	1407 Oregon Ave.	Oregon School	2	✓
2-23-1999	Teresa Maynez	713 Virginia Ave.	DPS	1	✓
10-12-1999	Dora Bristow	1302 9 th St.	Dr. Taylor's office	1	✓
8-22-2000	Charlie Price	1212 Michigan Ave.	COPE & Chiropractor's office	1	✓
11-12-2002	Roberto Valdez	610 7 th St.	DPS	1	✓

APPROVAL DATE	NAME	LOCATION OF SIGN	WITHIN 500 FT.	NUMBER OF SIGNS	CONTACTED THIS YEAR
2-12-2002	Larry & Avelina Monroy	808 Delaware Ave. (Sign placed by City in 1978 because City widened street & took out driveway)	Property has no driveway – located near various businesses & ICC Church	1	✓
5-11-2004	Norma Miller	403 Utah Ave. & Mail to: PO Box 1111 Holloman AFB, NM 88330	AHS	1	✓
8-10-2004	Mark Thompson	1005 8 th St.	Father Hay School	1	✓
9-28-2004	Carolyn Louis-Garcia	708 Delaware Ave. <u>Mailing Address:</u> <u>PO Box 695, Alamogordo</u>	ICC Church	1	✓
12-15-2009	Bertha Solis	1307 Charlotte Lane	AHS	1	✓
10-26-2010	Frank Chavez	708 New York Ave.	ICC Church	1	✓
5-17-2011	Joyce Carter	<u>816 4th St.</u>	Sacramento School	1	✓
2-14-2012	Veronica McNeilly	1304 Charlotte Ln.	AHS	1	✓
6-11-1996	Roberta Cull 575-654-4995	511 Oregon Ave.	Oregon Park; AHS Football Stadium; City Hall	1	✓
6-28-2005	Alice Jones – Daughter in charge of property.	808 Virginia Ave. <u>Mailing address:</u> <u>5980 US Hwy 54S</u> <u>Unit 3484</u> <u>Alamogordo, NM 88311</u>	Western Bank	1	✓
2-12-2013	Christopher J. Preston	1305 Mountain View (One sign on Utah & one on Mountain View)	AHS	2	✓
6-11-2013	Bruce/Patricia Knee	535 Linda Vista Dr.	NMSBVH	1	✓
11-11-2013	Thomas Lubenau	1503 Wilson Ave.	Washington Park	1	✓

APPROVAL DATE	NAME	LOCATION OF SIGN	WITHIN 500 FT.	NUMBER OF SIGNS	CONTACTED THIS YEAR
10-10-2014	Corine Rule	1315 Jackson Ave.	Washington Park	1	✓
10-17-2014	Charles Thompson	223 Texas St.	C.H.I.N.S.	1	✓
11-18-2014	Josefina Mejia	800 Second Ave.	C.H.I.N.S.	1	✓
11-18-2014	Michael Pate	311 Burnage Lane	Church	2	✓
9/22/2015	Alicia Carabajal	413 Oregon Ave.	Washington Park	1	✓
10/28/2015	Selina Peterson	2310 15 th Street	Westminster Presbyterian Church	1	✓
3-9-1999	Carmen Mainz	1200 Michigan (One sign on 12 th St. & one @ 1200 Michigan)	Memories Restaurant & Chiro. office	2	✓
4/1/2016	Nicole Borsello	804 15 th Street	Westminster Presbyterian Church	1	✓

EXHIBIT B – 2019 COMMERCIAL/MOBILITY PARKING ONLY SIGNS

APPROVAL DATE	NAME	LOCATION OF SIGN	WITHIN 500 FT.	NUMBER OF SIGNS	CONTACTED THIS YEAR
11-4-1996	John Mangum	2409 Yale Ave.	Disabled	1	✓
11-23-1998	Suzanne P. Durko	2327 Union Ave.	Disabled	1	✓
2-10-2004	Dixie Bredy	1109 Ohio Ave.	Disabled	1	✓
9-2-2004	Hortencia Rodriguez	1905 Bellamah Dr.	Disabled	1	✓
5-7-2010	Carol Smith	1604 Bellamah Ave.	Disabled	1	✓
4-1-2013	Edith Armstrong	2500 Tulane Ave.	Disabled	1	✓
1-13-2009	Otero County Administration	1101 New York Ave. Rm. 224 Attn: Doug Bourboun Building & Grounds Super. dbourboun@co.otero.nm.us 575 439-2624	Commercial	2	✓
5-10-2018	Phyllis Michelle Ferris	1804 Pontiac Dr.	Disabled	1	✓

EXHIBIT C – 2019 RESIDENT/MOBILITY/COMMERCIAL SIGNS
TO BE REMOVED

APPROVAL DATE	NAME	LOCATION OF SIGN	WITHIN 500 FT.	NUMBER OF SIGNS	CONTACTED THIS YEAR
6-11-1996	Chris Pantoja	205 Florida Ave.	Otero Day Care Center	1	No Response
2-27-1990	Donald D. Deck	402 Cuba Ave.	AHS	1	No Response
6-25-2002	Dawne Wilson Flitten (Mr. E.C. Covarrubia – original owner)	1511 Bellamah	Yucca School	1	No Response

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 01/08/2019

Report Date: 01/02/2019

Report No: 7.

Submitted By: April Jones

Subject: Approve the Annual Reports from City Boards, Commissions and Committees for Calendar Year 2018. *(Rachel Hughs, City Clerk)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Accept the Annual Reports from City Boards, Commissions and Committees for Calendar Year 2018.

Background: At least once each year Public Boards, Commissions or Committees are required to present a written report to the Mayor and City Commission of its activities for the past year, any recommendations as may deemed appropriate and a record of member attendance for the term of the year. Attached are the reports for the following Boards or Committees:

Current list of Boards, Commissions, or Committees:

- 1) Airport Advisory Board
- 2) Airport Zoning Board
- 3) Alamogordo Promotion Board
- 4) Alamogordo Public Library Board
- 5) Cemetery Board
- 6) Housing Authority Advisory Board
- 7) Mayor's Committee on Aging
- 8) Parks and Recreation Board
- 9) Planning and Zoning Commission
- 10) Senior Volunteer Programs Advisory Board
- 11) White Sands Beautification Committee

There were no reports for the Alamogordo Disability Council and the Community Development Advisory Committee because there were no meetings as there are no members on those boards.

AIRPORT ADVISORY BOARD

City of Alamogordo Airport Advisory Board **Annual Report to the City Commission – CY2018**

In accordance with Ordinance No. 1014 requiring all Boards, Commissions and Committees submit a written Annual Report to the City Commission, the following report is submitted by the Airport Advisory Board for the calendar year of 2018.

The Airport Advisory Board is a 5 member board with each member serving a 2-year term. Currently, all board member positions are filled. There were no vacancies of board member positions for the calendar year. Regular meetings are scheduled on a quarterly basis, the first Thursday of the month at the Alamogordo-White Sands Regional Airport. The 4th quarter meeting was rescheduled and held on September 20, 2018 instead of the scheduled October 3, 2018. Proper public notice of the meeting change was posted as required. Additionally, three special meetings were scheduled in 2018.

The AAB membership and leadership positions remained the same all year and quorums were obtained for meetings held - four regular meetings and two special meetings. One special meeting scheduled for January 17, 2018 did not meet the quorum requirement, and therefore, was not held. In addition, all AAB members, in groups of 2 or less, were actively involved with a wide assortment of additional airport events, briefings, and meetings.

2018 AAB activities and events:

Report of activities and events is submitted by Lance Grace, Airport Advisory Board Chairman. Mr. Grace and other AAB members may be contacted to answer questions on this information if needed.

The following is a list of significant events that occurred at the Alamogordo-White Sands Regional Airport during the 2018 calendar year. Overall, the air traffic activity appears to be growing in most every category except for annual P-2 training conducted by Neptune Aviation. That is a situation out of their control due to the federal government's unplanned 50% cut in contracted airtanker positions for 2019 from 28 to 14 along with the retirement of the legacy P-2 airtankers. Army helicopter operations may be about to grow very significantly after a delay of almost 5 years due to a very long, drawn-out environmental evaluation.

- Held the Aerospace Expo in September, 2850 students, 4000 total attendance
- Runway Safety Area under construction - a 10-foot asphalt shoulder
- Neptune operations severely diminished due to only half of contracts being issued
 - 5 Neptune P-2s flown to museums
 - 2 Neptune P-2s remain in hangar for airshow circuit
 - 1 Neptune P-2 donated to city for static display
- Increasing Army helicopter traffic for HAMITs training
- BAE-146, RJ-45 & C-130H next generation airtanker operations on several occasions for many flights
- Investigation by Armstrong of what is needed to achieve 139 Certification for airport as preparation for possible Regional Jet service
- OCDEC contract with Boyd International for consultation related to Regional Jet service
 - Analysis of customer level within airport catchment area

- Arranged meeting with American Airlines in January 2019
- Arranged visit by USAF Academy parachute team for week of training in December. The Air Force Academy Cadets met with local high school students and their parents to promote attendance to the Academy and answer questions pertaining to entrance requirements. Seventeen students and parents attended the meeting.
- Continued use by UPS/FedEx, transportation of patients by helicopter and fixed wing aircraft & contracted aircraft for support of military test and training missions for WSMR and HMN
- Armstrong is finishing the Airport Action Plan that was left undone by our previous contractor.
- Increased use by private jet aircraft as a refueling stop due to longer runway providing jets the ability to takeoff with a larger fuel load
- All hangars near capacity with privately owned general aviation (GA) aircraft
- WSSA increased fleet from 5 to 6 gliders
- Ed's Flying Service conducted over 200 hours of flight training, installed thirty-three ADSB units in a variety of aircraft, added a local flight aware tracker in their office, provide maintenance for 6 Civil Air Patrol (CAP) aircraft and made several engine changes
- Angie Pavelka was awarded the William B. Cutter award for lifetime achievement
- Plans for a Glider Staging Area moving forward
- Obtained F-4E aircraft from HAFB for static display in the City of Alamogordo
- Moved another F-4E from HAFB to the airport parking lot for a temporary static display
- The Experimental Aircraft Association held 3 Young Eagle events
- Airport manager represented the Airport, City & State at the largest air show in the country
- Accident free year
- Planning for a Table Top Emergency exercise is underway
- Provided support for Holloman Airshow in May
- Tribute to Neptune/Black hills aviation P2 history in wildfire suppression
- Filled & sealed significantly more surface cracks than anticipated
- Provided base of operations for the Tucano and AT-6 aircraft during test program (possible future light attack aircraft to supplement the A-10)
- Army Medical Evacuation Team with three Blackhawk helicopters spent 10 days operating out of the airport terminal providing medical evacuation support for Army exercises.

Focus for 2019

The most important focus for the upcoming year is the possibility of bringing commercial airline service to the Alamogordo area. The probability of this occurring or not will become better known in the last part of January. If it proceeds on, there will be much work that will need to be accomplished by many organizations and individuals throughout the coming year.

AAB Meeting Attendance:

MEMBER	REGULAR MEETING 01/04/18	REGULAR MEETING 04/19/18	SPECIAL MEETING 06/28/18	REGULAR MEETING 07/05/18	REGULAR MEETING 09/20/18	SPECIAL MEETING 10/22/18
Lance Grace	X	X	X	X		X
Manny Gonzales, Jr.	X	X	X	X	X	X
Jeff Rabon	X	X		X	X	X
Erich Wuersching	X	X	X		X	X
Robert Hicks	X	X		X	X	X

AIRPORT

ZONING

BOARD

City of Alamogordo Airport Zoning Board
Annual Report to the City Commission – CY 2018

In accordance with Ordinance No. 2014 requiring that all Boards, Commissions, and Committees submit a written Annual Report to the City Commission, the following report is submitted for the Airport Zoning Board for the calendar year of 2018.

The Airport Zoning Board is a 5 member board – 2 city resident members, 2 county resident members, and 1 at-large member. Each member serves a 2-year term. There is currently one unfilled position which is designated for a city resident position.

Meetings are held only as needed.

2018 AZB activities:

There were no meetings scheduled or held for the Airport Zoning Board in the 2018 calendar year.

ALAMOGORDO

PROMOTION

BOARD

City of Alamogordo Promotion Board

Annual Report for 2018



In accordance with Ordinance No. 1014 requiring that all Boards, commissions and Committees submit a written Annual Report to the City Commission, below is the Annual report for the City of Alamogordo Promotion Board for 2018

The Promotion Board makes recommendations to staff and City Commission as to the promotion of the City of Alamogordo, including tourism, resident relocation, quality of life and overall marketing. The Board consists of five members (two lodging industry representatives, two tourist related industry representatives, and one at-large member): Bob Flotte, Chris Orwoll, Pete Desai, Nate Mandalia, and Joseph Tuttle. Promotional advertising for 2018 included billboards; print advertising in tourism magazines, Texas Monthly, New Mexico Magazine, visitor guides; television ads in New Mexico and West Texas; digital advertising on tourism websites; LCD display ads in the El Paso Airport; brochures for Alamogordo; and an update to the tourism website and the free mobile app highlighting Alamogordo and the surrounding area.

January 10, 2018

As the board began the new calendar year, there were a lot of big topics up for discussion. The board decided to move forward with an RFP to hire an advertising firm to not only continue to help with ad design, but to also help with ad placement, strategic planning and reaching into/expanding into areas such as digital advertising and Out of Home Airport advertising. The board reviewed the new layout for the tourism website (www.alamogordonmtrue.com) and all the additional information that would be included, they also reviewed the potential new video for the home page. The board also discussed the updated design for the Alamogordo brochure, Michelle Brideaux is reaching out to all our local/regional attractions to ensure information is up to date. The board also began to discussed budget for the new fiscal year and they were informed of Michelle's upcoming trip to Santa Fe for the Trends Conference and NM State Tourism Day.

February 14, 2018

The lodger's tax was reported to be up, YTD and should exceed the expected budget. It was reported that since 2014 the lodger's tax has grown by 6-7% per year. Visitation to WSNM was up, they have the highest visitation rate over any national park or monument in the state. An updated brochure was reviewed, it contained larger pictures along with the addition on phone numbers and addresses for the local attractions, all web traffic is directed to the City's tourism website. Additional video clips and information has been added to the updated website and it will launch soon. Michelle reported on the Trends Conference and Tourism Day at the Round House, in Santa Fe. She discovered that Alamogordo and our local area are not represented on the State Regional Tourism Boards and she is considering joining to help promote our area. She also learned more about the State Co-op Marketing Grant, it was the belief of her predecessor that we could not apply for the funds due to the State Procurement code, during the training it was explained that, that is not the case. Michelle will investigate further. An update was given on the progress of the Military relocation module for the Alamogordo App, it will be very useful to military and non-military newcomers. Michelle also reported that she had submitted a pitch for the Travel Tank competition to be held at the Governor's Conference on Tourism in May in Ruidoso, NM.

March 14, 2018

This month's meeting included a guest, Jim Talbert, Alamogordo/White Sands Regional Airport Manager. Jim gave a presentation on the F4 airplane that the City bid on and will receive. Jim shared the vision for the airplane, new paint and mounting it for display in our community. Visitation at White Sands National Monument continues to be up, 8% higher YTD over the previous year. The new Alamogordo Brochures were ordered and will be delivered in April, we were able to incorporate the new Alamogordo Branding tagline, Adventures for Life into the brochure to complement our Alamogordo is New Mexico True branding. The board discussed expanding the delivery area for our Alamogordo

Brochures, to reach additional travelers in our drive markets. Michelle Brideaux's Travel Tank pitch for Alamogordo was selected as one of 6 finalists, she will give her pitch at the Governor's conference on Tourism in May to regional and national travel writers/journalists. The details of the RFP for a new Ad Firm are being worked out, the board hopes to be able to work more closely with the new firm on strategic planning, and receive better results reporting, with a larger reach into the digital advertising world. After some investigation Michelle found that there is an exception in the State Procurement code as it relates to advertising. The board recommended that we move forward with applying for the grant. Michelle has taken the mandatory training and will work closely with our current ad firm, who is a certified New Mexico True agency.

March 28, 2018

The board had a special workshop on March 28th to review the 2013 RFP for Advertising and a discussion was had on the changes that should be made for the new RFP. The board also discussed the Co-op Marketing Grant and the potential impact that could have on our advertising capabilities.

April 11, 2018

The Lodger's Tax revenue line was increased to reflect the expected income that will be received before the end of this fiscal year. The line was increased from \$211,000 to \$230,000. WSNM visitation continues to be up, currently by 10% YTD over the previous year. The new brochures were delivered and look fantastic in the new booklet style. The RFP format is looking good, everything was sent to the Purchasing Dept. The co-op marketing grant application is set and will be on the next commission agenda, we have asked for \$46,575 in advertising, our match will be less than that because we are working to include collaborative entities, the NM Museum of Space History, McGinn's PistachioLand and Heart of the Desert Wine & Pistachios. The Advertising budget has some extra money left in it this FY, the board discussed using that money to fund some improvements to the visitor center, which is very outdated. The facelift would include the Alamogordo is New Mexico True brand.

May 16, 2018

Lodger's Tax revenue continues to be on track to meet/exceed the budgeted income. WSNM visitation was down month over month for 2017 to 2018 but continues to exceed visitation YTD by 5.62%. Michelle Brideaux reported on the Governor's Conference on Tourism, which was held in Ruidoso at the Inn of the Mountain Gods this year. She made some new connections, interacted with her counterparts from other Cities across the state and was introduced to some new businesses that might be great patterns for the City of Alamogordo in tourism. Michelle gave her Travel Tank pitch at the conference and won! With the win, Michelle will be able to travel to Austin, TX with the NM Tourism Department for a Media Mission and the City of Alamogordo will be recognized as a sponsor for the TMS Family Travel Summit, to be held in Gallup, NM in November. The City of Alamogordo was awarded a Co-op Marketing Grant from the NM Tourism Department in the amount of \$45,575. The budget for the new year was discussed. The Facelift for the visitor's center was discussed and the board voted to move forward with the project.

June 20, 2018

The Lodger's Tax revenue was up for the month of May and year over year, it puts us just shy of the FY expected income, with one month to go. Visitation at White Sands National Monument continues to be up both for the month, year over year and YTD. The group discussed how we could better tap into all the visitors to WSNM, unfortunately all the land surrounding the entrance/exit of the park is government land, so we cannot advertise on it. The group felt that we needed to continue to push people to our website to promote all our additional attractions and assets. The RFP is out, and submissions are due back to the purchasing dept. by June 20th. The members of the group participating in the evaluations of the submissions for the RFPs along with City staff, set a meeting time the following week, to keep the process moving. The group will move forward with the current ad agency on the NM Tourism Dept. Co-op Marketing grant projects since they are a certified NM True agency and we will not have a new agency in place in time

to meet submission deadlines dates. The groups discussed some of the elements of the visitor center facelift, they included adding the Alamogordo is New Mexico True logo, graphics to the dome windows and in the airlock, as well as adding a mural of a vintage "Greetings from Alamogordo" postcard to the outside north facing wall. The group discussed the budget for the new year as well as ways to make the process easier for Non-profits to apply for the money available through our Funded Events Program (reimbursement for advertising outside of a 50-mile radius for events that will bring people to our community and likely require an overnight stay.) The current process is cumbersome for the non-profit and for the City and requires a lot of processing time. Michelle Brideaux reported on her trip to Austin for the Media Mission with the State Tourism Department, she was able to meet with a variety of travel writers to pitch Alamogordo. The board also discussed using money from the promotional items line in the budget to purchase Alamogordo is NM True items to give away at the Red, White & Blue Brew and Music event as well as future events.

July 11, 2018

No Quorum

August 15, 2018

The final Lodger's Tax revenue for FY18 was \$243,000 and the budget has been set at \$247,000 for FY19. The Board voted to reimburse the Alamogordo Chamber of Commerce for a portion of the advertising money they spent to advertise the Red, White & Blue Brew & Music Fest, through the funded events program. Visitation to WSNM continues to be up. WSNM is the most visited National Park/Monument in the state. Michelle Brideaux met with the directors of tourism for Visit El Paso and Visit Las Cruces to talk about ways to cross promote our area and to help benefit each other. Visit El Paso and Visit Las Cruces have many visitors that want to visit WSNM and would like to work to help create a loop through our 3 destinations for tour groups. The award of the RFP was approved by the commission and awarded to KH Advertising & Griffin & Associates, who have partnered on this project. The board reviewed our Independent Accounting Audit and were very pleased with the results, between the small, medium and large hotels audited, all were within \$0.50 plus or minus in the expected payments to the Lodger's Tax. A few ad placements were discussed and approved.

September 12, 2018

Lodger's Tax revenue is right on track. Visitation at WSNM was down for the month of August year over year but is still up by 3.28% YTD. Placements for all the advertising through the Co-op Marketing Grant are being taken care, the new advertising at the ELP Airport is currently running. The Visitor Center facelift is complete, and the board was pleased with the results, it will enhance visitor experience. The board voted to move the time of the regular monthly meeting and the motion passed to meet at 10am rather than 1:30pm the second Wednesday of each month. The board was informed of a strategic planning phone conference that would happen later that week with the new Ad Firms. The board also discussed ideas to make the process of applying for Funded Event Advertising reimbursement easier, Blanca will work to update the forms and make them online fillable forms.

October 10, 2018

No Quorum

November 14, 2018

November's meeting included a special presentation from HK Advertising on the status of the current advertising projects for the year, plans for the rest of the year based on the strategic plan, and status of the NMTD Co-op Marketing Grant. The presentation was very informative, and the board was pleased with the changes that were implemented this year to move Alamogordo into a more digital and trackable advertising area. The Lodger's Tax revenue continues to be on track YTD. Visitation to WSNM is up for the month of October year over year as well as YTD, they should beat last year's total of 612k visitors. Michelle Brideaux reported that she will be heading to the TMS Family Travel Summit

in Gallup, NM to pitch Alamogordo to travel writers from all over the country, she is bringing beautiful photographs, brochures, pistachios and a new vintage looking postcard, "Greetings from Alamogordo, NM" that matches the new mural at the visitor center. The schedule for the 2019 meetings was discussed and they will continue to be the 2nd Tuesday of each month at 10am at City Hall, except in September, due to the meeting landing on the 11th and the numerous activities happening in our community on that day to honor those lost on 9/11.

December 12, 2018

Lodger's Tax revenue is on track to meet this year's goal. The board discussed ways to better compare and evaluate the Lodger's Tax revenue data MTD/YTD and year over year, Board Member Orwoll volunteered to review the data. The board has one opening due to the resignation of Board Member Tuttle, who has started a new job. Michelle Brideaux reported on her trip to Gallup, NM for the TMS Family Travel Summit, she met numerous writers from all over the country, was able to pitch Alamogordo and the southern half of New Mexico to the group. Many of the writers had never been to NM and were inspired by the natural beauty and diversity of the state. Michelle has already come across articles featuring Alamogordo, or that include a nod to our area, since her trip. Michelle also reported on the most recent Southeast Regional Tourism Board meeting she participated in, lots of wonderful things happening for tourism in our region. With the launch of our new monthly tourism newsletters that will be going out to our data base of contacts, Board Member Nate Mandalia asked if it was possible to get a "white label" version of the newsletter each month that the local hotels could add their branding to and send out to their customers, Michelle will have the ad firm work on that for him and our other local hotels/motels. Michelle discussed her meeting with Cathy Harper, from the NM Museum of Space History, on the Gerdodon Fossil. The museum will be able to have the newly discovered fossil on display at the museum in the new year and is excited to work together with the City to promote this new creature that is named in part for our community.

Attendance for Promotions Board 2018

The Promotion Board meets the second Wednesday of each month at 10:00 am in the General Conference Room at City Hall

Month	Present	Absent
January	Bob Flotte, Beverly Coble, Chris Orwoll	Pete Desai, Tony Mandalia
February	Bob Flotte, Beverly Coble, Chris Orwoll	Pete Desai, Tony Mandalia
March	Bob Flotte, Beverly Coble, Chris Orwoll, (Nate Mandalia & Joseph Tuttle attended as guests, they will be Replacing Tony Mandalia, and Beverly Coble)	Pete Desai, Tony Mandalia
April	Bob Flotte, Chris Orwoll, Nate Mandalia (Joseph Tuttle attended as a guest, his appoint was the following Tuesday)	Pete Desai, 1 Vacancy
May	Bob Flotte, Joseph Tuttle, Chris Orwoll	Pete Desai, Nate Mandalia
June	Bob Flotte, Joseph Tuttle, Chris Orwoll, Nate Mandalia	Pete Desai
July	<i>Meeting Canceled – No Quorum</i>	
August	Bob Flotte, Joseph Tuttle, Chris Orwoll	Pete Desai, Nate Mandalia
September	Bob Flotte, Joseph Tuttle, Chris Orwoll, Nate Mandalia	Pete Desai
October	<i>Meeting Canceled – No Quorum</i>	
November	Bob Flotte, Pete Desai, Nate Mandalia	Chris Orwoll, Joseph Tuttle
December	Bob Flotte, Pete Desai, Chris Orwoll, Nate Mandalia	1 Vacancy

2018 Total Meeting Attendance

Member	Present	Absent
Bob Flotte	10	0
Bev Coble	3	0
Pete Desai	2	8
Tony Mandalia	0	3
Chris Orwoll	9	1
Nate Mandalia (began Term in April)	5	2
Joseph Tuttle (began Term in May)	4	1

**Please note that Pete Desai had a stroke that kept him out of the meetings, a replacement could not be found, but he is now able to attend the meetings again.*

10 total meeting for 2018, 2 meetings were canceled due to the lack of a quorum – July & October

CEMETERY

BOARD

City of Alamogordo Cemetery Board **Annual Report to the City Commission - CY 2018**

In accordance with Ordinance No. 1014 requiring that all Boards, Commissions and Committees submit a written Annual Report to the City Commission, below is the Annual Report for the Cemetery Board for 2018.

The Cemetery Board consists of 3 members.

August 2, 2018:

Minutes were approved from the last meeting. Old business discussion of the county burial/ indigent process. Members moved to update the rules and regulations in regard to limiting grave memorabilia and decorations. Staff advised that the language would be sent for approval at the next meeting, but cemetery rules were just printed and will not re-print again until next fiscal year.

The board chair vacancy was discussed. Steps will now be initiated by the city clerk office to remove Mr. Ortega from this board having vacated the position. Victoria Eastman is now board chair and Windy Franks will be vice-chair by acclamation vote. Meeting location was changed by vote today so that now the meeting locations will be the Civic Center, and meetings will be held at 8:30 a.m.. An inquiry was made for some flooding that had happened in a mausoleum section of the cemetery. Cemetery Sexton, Richard Havlish, reported to the inquiry that the situation was now repaired with a retention pond and that there is no flooding of that section now. Bridges, paths, and ADA compliance was discussed briefly, but there are no projects going forward on these questions.

ALAMOGORDO CEMETERY BOARD **ATTENDANCE REPORT CY2018**

The Cemetery Board consists of 3 members.

August 2, 2018: Regular Meeting

Members Present:

Victoria Eastman, Chair

Windy Franks, Member

Members Absent:

Robert Ortega, Member

HOUSING

AUTHORITY

ADVISORY

BOARD

City of Alamogordo Housing Authority Advisory Board Annual Report to the City Commission – CY 2018

In accordance with Ordinance No. 1014 requiring that all boards, Commissions and Committees submit a written Annual Report to the City Commission, below is the Annual Report for the Housing Authority Advisory Board for 2017.

The Housing Authority Advisory Board consists of 5 members.

January 17, 2018

The Board reviewed and approved the new Admissions and Continued occupancy Policy, New Lease, new Smoke Free Policy and New 5 year plan.

February 16, 2018

No Meeting.

March 28, 2018

The Board approved

- A. Approve Resolution 2018-14 Open Meetings Act
- B. Approve Resolution 2018-15 Civil Right Certification – HUD Form 50077-CR
- C. Approve Resolution 2018-16 Approval of the Housing Authority Smoke Free Policy
- D. Approve Resolution 2018-17 Approval of the Housing Authority Admissions and Continued Occupancy Policy and Lease
- E. Approve Resolution 2018-18 Approval of the Housing Authority 2018-2022 Five Year Capital Plan

April 2018

No Meeting.

May 2018

No Meeting.

June 2018

No Meeting

July 2018

No Meeting.

August 2018

No Meeting.

September 2018

No Meeting.

October 2018

No Meeting.

November 2018

No Meeting.

December 2018
No meeting

MAYOR'S

COMMISSION

ON

AGING

2018 Mayor's Committee on Aging Annual Report

January 2018

6 members, 1 vacancy

A special meeting was held to approve the 2018/2019 Thrive of Southern New Mexico grant application. This year, the ASC requested \$5,000 for the transportation program and \$10,000 for the Meals on Wheels program. All were in favor of approving the application.

February 2018

6 members, 1 vacancy

Plans were made to prepare for the Senior Center's twenty-five year anniversary in 2020. Mr. McKown asked members to comb through historical items such as photos and newspaper clippings. All members agreed to set aside an hour after the next MCoA meeting to sort through the historical items.

Mr. Kuchinsky announced that he and Ms. Clark have made arrangements for a V.F.W. representative to come to the Center once per month to assist veteran seniors with V.A. benefits paperwork.

March 2018

6 members, 1 vacancy

Ms. Telles suggested advertising Senior Center events and menus in the Hologram, a military news publication. Mr. McKown said that he would look into this possibility. Ms. Telles also suggested adding a write-up in the Senior Center's newsletter to explain the Dining Room tray return process to seniors. Special guest Mayor Richard Boss thanked all staff for the services that they provide to our older population.

April 2018

6 members, 1 vacancy

MCoA meeting was cancelled due to the lack of a quorum.

May 2018

7 members

Ms. Telles reported that she enlisted the help of elementary school students to create a tri-fold display of photos to commemorate the Center's twenty-five year anniversary.

Mr. McKown reminded members that they are an advisory board that is selected by the Mayor. With that being said, staff appreciates all input from MCoA members. The function of staff is to

simply answer questions and listen to Committee suggestions; as an advisory board, MCoA members should take control of the agenda.

Ms. Heath made a motion to add a "Questions / Comments" sub point after each staff report on the MCoA agenda, and Ms. Telles seconded the motion. All were in favor.

Ms. Madrid made a motion to add a "MCoA Member Report" sub point under the "Presentations" section of the agenda, and Ms. Telles seconded the motion. All were in favor.

Ms. Courtier asked MCoA members to expound on their goals for the coming fiscal year. All committee members agreed to take on the implementation of a pet food bank for seniors in the coming fiscal year.

June 2018

7 members

Member discussion ensued regarding the ongoing pet food bank project. Ms. Clark said that she will submit an article to the Sentinel, the Senior Center's newsletter, to determine the level of need here at the Senior Center. The article will direct those who are interested in receiving pet food donations to get with Ms. Clark. In turn, Ms. Clark will create a list of those seniors.

Ms. Telles distributed a list of City Commission meeting dates to all MCoA members. She encouraged the Committee to attend City Commission meetings whenever possible. Ms. Telles also distributed copies of the Board / Committee list that explains the role of each Mayor-appointed board and committee.

July 2018

7 members

Ms. Clark reported that she placed the article in the Sentinel newsletter asking those in need of pet food to let her know. Only one senior approached Ms. Clark in response to the article. Ms. Madrid made a motion to discontinue working on the pet food project. Mr. Rodriguez seconded the motion, and the motion was approved by all.

Member discussion ensued regarding the Senior Center twenty-five year anniversary. Ms. Morales mentioned that the Center provided tethered hot-air balloon rides at the Senior Center's grand opening in 1995. She suggested contacting Merry Koval, the ASC Manager at the time of the grand opening, as she may have more information on other activities that happened at the event. Ms. Telles said that she will bring a progress report back to the Committee once school is back in session.

August 2018

6 members, 1 vacancy

MCoA meeting was cancelled due to the lack of a quorum.

September 2018

5 members, 2 vacancies

There was no quorum at this meeting. However, a meeting was still held with special guest Nadia Sikes. Although no action was taken at this meeting, Ms. Sikes provided valuable information to the Committee.

October 2018

5 members, 2 vacancies

MCoA meeting was cancelled due to the lack of a quorum.

November 2018

5 members, 2 vacancies

Ms. Heath asked if MCoA members had suggestions for a small project that the Committee could work on, since the pet food project did not work out. Ms. Morales stated that a need expressed at the recent Public Forum on Senior Issues was for volunteers to perform light yard work and minor household repairs for seniors on an as-needed basis. Mr. Rodriguez volunteered to serve as a "point of contact" to connect seniors in need of help with volunteers who are willing and able to perform the requested task. Ms. Morales asked Mr. Rodriguez if it would be okay to put his name and contact information in the Sentinel newsletter, and Mr. Rodriguez said this would be fine.

December 2018

5 members, 2 vacancies

Mr. Rodriguez reported that he contacted Thrive of Southern New Mexico to ask if they would be willing to help with connecting volunteers with seniors in need of help with odd jobs. Thrive said that they would be willing to help in this area.

Mr. Rodriguez made a motion to approve the 2019 /2020 Thrive of Southern New Mexico grant application, and Ms. Heath seconded the motion. The motion was approved by all.

Annual report prepared by Britney Courtier, Administrative Assistant

PARKS

AND

RECREATION

BOARD

City of Alamogordo Parks and Recreation Board **Annual Report to the City Commission - CY 2018**

In accordance with Ordinance No. 1014 requiring that all Boards, Commissions and Committees submit a written Annual Report to the City Commission, below is the Annual Report for the Parks and Recreation Board for 2018.

The Parks and Recreation Board consists of 7 members.

January 10, 2018:

Board Elections and duties were discussed. Vice-Chair Perry elected as 2018 board chair by acclamation. Mr. Ensminger elected as 2018 Vice-Chair by acclamation. Department reports were given by managers present. Parks is performing maintenance trimming and tree replacement in all parks. Walking path cleanup completed. Cosmetic clean-up and painting is being done in all the parks and playground areas. Play fields are seeded, and grasses being changed out where needed in the parks with attention to the balloon park and in preparation for next season's sports. The "Main Gate" initiative for Alamogordo was mentioned. A general overview of new parks for new board members and a discussion of the new disc golf set-up at the Alameda park.

The recreation center overview of responsibilities was given for new board members present. The recreation center, youth programs, pool, gymnasium, fitness area, and youth field coordination is under the recreation center. Community services brochure spring/summer issue will print soon and new computer PCs will be installed. Facility and program fees are under review for increase recommendations quarterly board meeting. After school program has 35 youth enrollment. Youth basketball has 39 teams (389 youth) and will end March 3rd this year. Renovations, pool closings and project updates were discussed at length. Military pool partnership for the high school swim teams are in place. KAB/Special Events report was given. The new Washington Park permanent stage was the location for the city Christmas tree lighting. Approximately 600 citizens attended. Curb Your Tree recycling pickup was January 6th, 2018, and continues until January 15th. Annual special events start again with the Easter event moving back to Washington park in April. Quality of life, and Natatorium bond projects were outlined. The Kids Kingdom Re-Build / Option 2A approved by commission. Playground equipment design by Exerplay is in progress for the area.

April 11, 2018:

Three sets of minutes were presented for approval tonight. There was a brief discussion of the minutes and the minutes of all three were approved. The board went over proposed recreation fee increases. The board recommended for approval to the city commission most of the fee increases reserving to recommend the other increases later after requested changes asked for tonight can be made and brought back to them for approval.

* It is noted here that department reports are now being sent out ahead of each meeting so that board members can read and have any related questions ready for managers at each meeting, and to promote better communication.*

The parks report questions and comments were given to Mr. Marion, parks manager. Cottonwood replacements with cottonwoods was discussed for Alameda Park. Shade structures and parks picnic shade structures were discussed. Ms. Robuck commented on the improved good condition and still further new needs of the bark park users, to include asking for bathrooms at the dog park location. Communications discussed by Ms. Robuck was a current board application from another bark park user. It was kept on file for other boards.

Ms. Michaud and Director Ortega are presently at NM Recreation and Parks conference for training. The recreation center report was emailed to board members and the members are invited by her to send her any questions by email.

The KAB/Special Events Report and the new handling/fees for special events applications went out to board members electronically this week. Ms. Uribe still gave an overview of the new special events policy and a run-down of all the recent and upcoming events. Copies were available for the board of the special events paperwork.

Communications discussed by Ms. Robuck was the current single board vacancy and an application from another bark park user. The appointment was not made to this board, but it was kept on file for other boards.

July 11, 2018:

The minutes for April 11th meeting was presented and approved. Old business items discussed. Recreation Center Manager Michaud presented the fee increase changes recommended by the board in the April meeting. These were approved for recommendation of approval to the city commission at the next meeting available. Department reports were given. Highlights were reports on projects. The recreation center locker rooms are 95% completed with some flooring issues to be re-done during an appointed time. LED lighting will be installed, and a metal sign will replace the wooden plywood sign. Free swim days are upcoming.

The parks report highlights were new parks amenities installed; new doors; new tables and pavilions. Median islands are being completed. Kids Kingdom is under construction with concrete pouring next on the schedule. The mowing season is very busy, and this department is still short-staffed at present.

The KAB/Special Events report highlights included notice that the KAB Grant is in approval; 4th Friday summer events are a success; Murder Mystery tickets on sale; Pupfish has a few games left; Civic Center has new flagpoles and is booking into the year 2020. Board members commented on the small size of 4th of July Parade.

Board Vice-chair issued a thank you to Ms. Robuck for the submission of a letter of support for the current bark park in relation to a new grant funding application that was submitted recently for the existing bark park.

October 11, 2017:

Minutes from July meeting were approved as presented.

Department reports were reviewed. The recreation center closing date for winter will be approximately November 10th when arrangements for APS swim team use will be over. There may be a free swim on Veterans Day. After School Frenzy is 35 participants each week with 315 participants in this program so far.

Employee Appreciation is planned for October 24th. Basketball program is \$36 per child and coaches are secured. There are 76 openings filled out of 120 - split into 2 groups this year. Turkey Shoot event will be November 19th this year.

Youth football has 250 participants and Youth soccer has 400 participants. Adult softball at Hooser has 300 participants per tournament. Recreation center projects are 95% complete. Locker room will be finished when the pool closes and will take about 3 weeks.

The parks report was a general overview. Highlights were mowing youth fields and the balloon park with an extra effort with four (4) tons of fertilizer applied on these 10 acres projects. Volunteers painted restrooms in parks. New pavilions and other projects nearing completion. A new 40 by 40 storage building at Hooser was completed. Median maintenance planned for fall on Indian Wells. Kids Kingdom project final grade work done for irrigation and sod. Installation of amenities will be mid-November to finish. Staffing shortages has been addressed with position consolidation.

KAB/Special Events overview of the report highlights Included: cleanup kits/equipment available thru KAB for the public to request for clean-ups. Civic center murder mystery is expected to be sold out for this weekend's Phantom of the Opera After-Party mystery. Zoo Boo event have been newly reorganized with new prizes, entertainment and games. The Christmas Tree lighting will now be the craft event for the city and is tentatively planned for a Saturday, November 30th at this time.

City clerk office has written to the APS for a new appointee to replace the now acting-superintendent of schools, Mr. Perry, who will no longer serve on the board as member but who instead is now the ranking ex-officio member for APS. This allows board vice-chair Mr. Ensminger to step to chair position, if agreeable. This was agreed. The Public Notice of meetings for 2019 was presented.

ALAMOGORDO PARKS AND RECREATION BOARD
ATTENDANCE REPORT CY2018

The Parks and Recreation Board consists of 7 members.

January 10, 2018:

Members Present- Jerrett Perry, Moyra Robuck, Stephen Ensminger, Dale Lindley
Members Absent- Lori Adam, (2) Vacancies

April 11, 2018:

Members Present- Jerrett Perry, Moyra Robuck, Stephen Ensminger, Lori Adam,
Colleen Moon
Members Absent- Dale Lindley, (1) Vacancy

July 11, 2018:

Members Present- Stephen Ensminger, Dale Lindley, Moyra Robuck, Lori Adam,
Colleen Moon, Thomas Knox
Members Absent- Jerrett Perry

October 10, 2018:

Members Present- Stephen Ensminger, Moyra Robuck, Lori Adam, Thomas Knox
Members Absent- Jerrett Perry, Dale Lindley, Colleen Moon

PLANNING

AND

ZONING

COMMISSION

Planning and Zoning Commission
Annual Report
Calendar Year 2018

Here is the detailed accounting of the actions taken by the Planning and Zoning Commission this year. Please note that the volume of actions taken has declined considerably, as is to be expected during the economic decline currently underway:

2018 Planning & Zoning Actions

Month	Subdivision	Variance	Zoning	Annexation	Land Transfer	R.O.W. Vacation	Agreement
Jan							
Feb							
Mar							
Apr			2				
May			1				
Jun			1			1	
Jul			1				
Aug							
Sep							
Oct			2				
Nov							
Dec							
Total			7			1	

**Planning and Zoning Commission Attendance
January 2018-December 2018**

Name	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Pamela Lee	X	X	X	X	X	X	X	X	X	X	X	
Eddie Kemp II	X	X		X	X	X	X			X	X	X
David Gonzales	X	X	X		X	X	X	X	X	X	X	X
Andrew Gomolak		X		X	X		X			X		X
Michael Elliot	X	X	X									
Pamela Murray (HAFB ex-officio)	X	X	X	X	X	X	X		X		X	
Beth Crabbe						X	X	X	X	X	X	X

**PUBLIC
LIBRARY
BOARD**

ALAMOGORDO PUBLIC LIBRARY ADVISORY BOARD ANNUAL REPORT FOR CY 2018

In accordance with the Alamogordo Municipal Code of Ordinances:

CHAPTER 2 – ADMINISTRATION

- **Article 2-04. Boards, Commissions and Committees**
 - **2-04-30. – Generally – Appointments**
 - § (a). Unless otherwise provided by law, the mayor, with the advice and approval of the remaining members of the city commission shall appoint the members of the public boards, commissions, and committees.
- **2-04-50 – Generally – Organization**
 - § (c). Rules and Regulations
 - (3). At least once each year every public board, commission or committee shall present a written report to the mayor and city commission of its activities for the past year and any recommendations as may be deemed appropriate and a record of attendance of members for the term of the year.

CHAPTER 16 – LIBRARY

- **Article 16-02. Advisory Board**
 - **16-02-10. Created; duties**

The library board is created as an advisory board to both the city and county board of commissioners to insure the efficient and economical use of the Alamogordo Public Library.
 - 16-02-20. Purpose**

The library board is created as a liaison between the community and its government for the following purposes:

 - (1). To keep itself informed of library need and to serve as a forum for discussion
 - (2). To recommend to the city manager and/or city commission and the county commission policies for overall development including plans for additional library facilities and programs.
 - (3). To encourage the greatest use of library facilities and programs.
 - 16-02-30. Composition**
 - (a). The library board shall consist of seven (7) members, five (5) registered voters residing in the city and two (2) voters residing in the county, outside the city. The members shall include, as far as possible, representatives of various geographic, ethnic,

socio-economic, professional and business interests of the community.

(b). The five (5) member within the city limits of the city shall be appointed by the mayor with the advice and approval of a majority of the remaining members of the city commission.

(c). The two members residing in the county, but outside the limits of the city, shall be appointed by the chairman of the county board of commissioners with the approval of the majority of the county board of commissioners.

Library Board Members Serving 2018:

Karen Hutchison – City appointed member. Board Secretary January – August. Her (third) term expired on September 5, 2018. She did not apply for another term.

Bill Dennis – City appointed member. Board Chairman January – December. He is serving his fourth term which expires on September 3, 2019.

Joel Hamilton – City appointed member. Vice Chairman January – December. He is serving his third term which expires on February 2, 2019

Roque Rosales – City appointed member. He is serving his first term which expires on December 20, 2019.

Jessica Hoidahl was appointed to the board as a City member on July 24, 2018. She has not attended *any* meetings because she moved out of state. This seat still needs to be declared as a vacancy.

County Appointed Board Member #1 - This has been a vacant seat since July 1, 2013.

County Appointed Board Member #2 - This has been a vacant seat since September 1, 2013.

Ex-officio Member – Sharon Rowe, Alamogordo Public Library Manager.

Alamogordo Public Library Advisory Board Meetings:

The Alamogordo Public Library Advisory Board complies with the *New Mexico Open Meetings Act* and adheres (as closely as possible) to *Robert's Rules of Order*.

Regular scheduled meetings are usually held on the second Wednesday of each month, unless otherwise noted. There was no meeting in April, due to an advanced notice of an expected lack of a quorum.

All regular scheduled meetings of the Alamogordo Public Library Advisory Board are held in the multi-purpose room at the library, on the second Wednesday of each month (unless otherwise noted) and scheduled to begin at 4:00 pm.

Any official business was clear to be discussed openly at each meeting in which a quorum was established and for vote on any necessary action to be taken. A quorum was accomplished for the months of January, March, May and August.

Due to a lack of a quorum for the July meeting, the annual election of officers was held during the August meeting. The board voted to maintain the officers in

position from the previous year, with Bill Dennis serving as the Chairman, Joel Hamilton as Vice Chairman and Karen Hutchison as the Secretary. With Karen's term expiring in September, the Board now is without a Secretary.

For the months of February, June and December, one other Board member was present besides the Chairman, so a brief *unofficial* meeting was held (in accordance to the agenda) with no motions made therefore *no* action taken on any official business (as indicated in the minutes) which would *require* a vote (such as an *official* approval of the agenda, an *official* approval of the minutes of the last *official* meeting, etc....). These meetings were limited to the Library Manager's Report, Comments (by board members in attendance), and the announcement of the next regular scheduled meeting.

For the months of July, September, October and November the Board Chairman was the "*Lone Ranger*" to show up for these meetings, so obviously no meeting was held.

Most members who serve on the board also have a job (sometimes even requiring an out of town commitment). This makes a dedicated obligation to attend meetings a difficult task to accomplish.

There was no necessity for any special meetings or workshops to be conducted by the board (nor has there been any need to do so, for at least seven years in passing).

Approved minutes for monthly Library Advisory Board Meetings are available at the Alamogordo City Clerk's office and from the Alamogordo Public Library. August was the last meeting with a quorum, as we still await the motion and vote to approve those minutes.

Attendance of Meetings

Bill Dennis (Chairman of the Board) was in attendance for all eleven (11) meetings.

Joel Hamilton (Vice Chairman) was in attendance for two meetings (March and August).

Karen Hutchison (Secretary) was in attendance for five meetings (January, February, March, May, June and August). She attended the September meeting as a guest, because her term had expired before the date of the meeting.

Roque Rosales was in attendance for four meetings (January, March, May and December).

Jessica Hoidahl (appointed before the August meeting) did not attend any of the meetings and has since moved out of state.

Documents and Policies Presented to the Alamogordo Public Library Advisory Board during 2018 (for discussion and any necessary revisions):

Alamogordo Public Library Circulation Policies.

Discussion of an unofficial (pending) complaint by a patron in regards to the Story Book Wall in the library. No official complaint was registered. No further action taken.

General Information:

Throughout the year, the board was kept updated as to what it would mean to the library in regards to any financial decisions and possible changes or adjustments (emergencies) within the city budget. The board was also informed of the conditions for any re-imbursements and funding from the State of New Mexico, as well as any funds received from the county.

Members of the Alamogordo Public Library Board represent the library to the entire community. They also represent the entire community to the library.

The Alamogordo Public Library is a very important part of our city organization and provides valuable and much necessary resources for the citizens of our community.

It should not go unnoticed that the library has State guidelines, directives and laws (where ever applicable) in which the board must also follow.

The State Library of New Mexico requires only two (2) meetings annually for library boards. This has been brought up for agenda inclusion at future board meetings. It is planned for discussion (when a quorum is present) to decide the best possible course of action to take. It will be discussed as whether to keep the current (monthly) schedule or to meet less often (semi-annually, bi-monthly, quarterly, etc....). If any changes are approved, it will *first* require a change in the City Code of Ordinances in Article 16-02-90-(b), as well as a change to the bylaws for the board (to agree with and be in compliance with the ordinance).

Further Comments

Lines of communication seem to be somewhat confusing and more difficult than what they were in the past.

Until December, Arlen Ponder was listed (by the City Clerk Administration) on the roster as being a County member serving on the board. This individual has *never* been in contact with the county, nor appointed by the County Board of Commissioners.

According to the City Code of Ordinances – Article 2-04-30 states as follows:

(c). At least sixty (60) days before a term expires, the city clerk shall notify the members of the city commission of the pending vacancy and the name of the incumbent board, commission and committee member...

The term of Karen Hutchison expired on September 5, 2018. This *pending* vacancy *should* have been appeared on the agenda for the July, 11, 2018 City Commission meeting – it *never* appeared at all! Her name was finally removed (by City Clerk administration) from the Public Library Board roster updated on November 6, 2018.

The term of Joel Hamilton has an expiration date of February 2, 2019. A *pending* vacancy *should* have been announced at the City Commission meeting on December 4, 2018. *Appointments to Boards and Committees* was not even listed on the Agenda for that meeting!

It is unclear in regards to the City Clerk's definitions of a *pending* (upcoming / possible) vacancy as well as that of an *actual* vacant seat (two months after a term has expired).

Jessica Hoidahl was appointed to fill a city seat on the library board at the City Commission meeting on July 24, 2018. She was notified of her appointment on July 25, 2018 (the next day). She accepted the appointment on August 8, 2018, a library staff member received a call from Jessica that *same* day (during the library board meeting), and informed the Board that Jessica had called and stated that she would be unable to attend the meeting that day and that she would make it to the next (September) meeting. She missed the September and October meetings. On Monday November 12, 2018 (two days before the next scheduled meeting) the Chairman of the Board was unable to contact her at her residential telephone number (no answer). A call was then placed to her telephone number listed for work, and the information was revealed that she has moved to Texas. So, it is *obvious* that she can't be of any service to *any* board in our city! This information was passed on to the Library Staff Liaison on November 14, 2018.

As of December 12, 2018, (board meeting date) Jessica Hoidahl was still considered (by City Clerk administration) to be a member of the library board totaling four (4) members. This *prevented* a quorum, as only two board members were present for the meeting, therefore, two out of four does *not* form a quorum, whereas, two out of three members *would* have permitted a quorum for the meeting.

16-02-090 (a). A simple majority of the filled board positions shall constitute a quorum for the purpose of conducting board business. .

The Chairman of the library board sought to announce the departure of Jessica Hoidahl at both the November 20 and December 4 City Commission meetings so that a vacancy could be declared. However, *Appointments to Boards and Committees* was not on either one of these Agendas. So it was a case of "*grin and bear it.*" Nothing could be accomplished on this matter.

Until August 2018, *Appointments to Boards and Committees* appeared on the agenda for *every* City Commission meeting. However, since then, this item seems to appear *only* when someone feels like it is convenient to put it on the agenda! This item has never taken more than two minutes to announce any vacancies and to make any appointments for applicants. Perhaps, those citizens who find an interest volunteer to serve on a board or a committee (without compensation) aren't considered to be an important asset to our city in order for this item (any pending vacancies, as well as any new applications) to appear on the agenda. Is *shaving* two (2) minutes off from the length of the meeting (taking a "short-cut") *that* important, in order to adjourn the meeting at an earlier time?

Receiving any new applications to fill an available *vacant* seat for a city member on the library board has gone quite well. Once an application has been received by the City Clerk's administration, it has been sent forward to the City Commission and the Mayor. The appointments (and approval) have been made possible by appearing on the agenda for the next regular scheduled meeting of the City Commission. As a result, all five (5) city appointed seats were filled for the month of August.

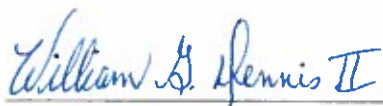
A major miscommunication seems to happen due to failure to clarify any *pending* (upcoming) vacancies. Further failure results by not accomplishing the required minimum 60-day advanced notice of expiration for the current term for an incumbent member already serving on the board. Has the City Clerk administration notified the respective board member (during the specified time span)? Have the incumbent board member board members acknowledged the upcoming (pending) expiration of their term? Has an incumbent board member been given adequate time to accept or decline the opportunity to serve a consecutive term on the board? These questions (in addition to not including *Appointments to Boards and Committees* on the agenda) have caused the circumstances to cut-off any appropriate lines of communication. Even if *no* applications have been received, it should be courteously announced as the current situation in existence, thus serving as a provision for the need (and right) to be adequately informed.

Closing Remarks

I have heard said (in the past) that nobody ever reads these reports nor pays any attention to the contents thereof. However, I must admit that last year, I was greatly impressed to hear that at least “a couple” of people had actually read it!

So for the few who *really do* read these reports – Thank you (very much) for allowing me to believe that I haven’t been wasting my time by caring enough to be of service to our great city

Hopefully, the next year will produce much greater results for the library board and any new members will be able to allow for a quorum more often.



December 16, 2018

William G. Dennis II
Alamogordo Public Advisory Board Chairman

**SENIOR
VOLUNTEER
PROGRAMS
ADVISORY
COUNCIL**



2018 Senior Volunteer Programs Annual Report

SENIOR VOLUNTEER PROGRAMS

2201 PUERTO RICO AVE. * ALAMOGORDO, NM 88310 * 575-439-4154

January Agenda

Dear Members of the Advisory Council:

The Senior Volunteer Programs Advisory Council will hold a special business meeting on **Wednesday, January 17, 2018** at 1:15 pm in the **Alamo Senior Center** classroom, 2201 Puerto Rico Avenue

The proposed agenda is as follows:

- a) Invocation and Roll Call
- b) Approval of November & December, 2017 Minutes
- c) Staff Reports
 - 1. Foster Grandparent Program (FGP)—Karen Groves
 - 2. Senior Companion Program (SCP)—Karen Groves
 - 3. Retired Senior Volunteer Programs (RSVP)—Julie Baker
 - 4. Senior Volunteer Programs (SVP)—Julie Baker
- d) Senior Center Update (ASC)—Peter
- e) Old Business
 - 1. Board Nominations & Elections
 - 2. Appreciation Banquet
- f) New Business
 - 1. Food Handler's certification/cards for Dining Room volunteers
- g) Unscheduled Communication

Adjournment

Next Meeting February 21, 2018 at 1:15 pm

Respectfully,

SVP Staff

SENIOR VOLUNTEER PROGRAMS, FGP/RSVP/SCP

2201 PUERTO RICO AVE. * ALAMOGORDO, NEW MEXICO 88310 * (575) 439-4154

MINUTES of November 15, 2017

SENIOR VOLUNTEER PROGRAMS ADVISORY COUNCIL MEETING

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	GUESTS
Mike Groves Eldon Hoover Susan Hopkins Billy Power Nina Walker-Saenz Catherine Yee	Stephen Butler John Ely	Julie Baker Brittany Clark Karen Groves Peter McKown	

The meeting was held at Alamo Senior Center, 2201 Puerto Rico Avenue, Alamogordo, NM.

Attendance sheet passed around.

Meeting called to order at 1:17 pm

Minutes reviewed for October meeting. Motioned to accept and carried by vote.

o **Staff reports**

- o Karen reported that her efforts in Mescalero were a success and that the group has decided to take on the FGP program with 2 volunteers. Karen has a meeting on the 22nd with Charlie from the Mescalero schools to sign the MOU to get the group started.
- o Brittany reported that there are currently 324 active volunteers and 75 worksites for the RSVP department.
- o Julie reported that Brittany Clark is leaving the SVP department to accept a position as the new Senior Services Supervisor. Hopefully, they will get someone in that position soon and will start the process. We are currently 6 months out for the volunteer banquet. The department is open to ideas, and a question was brought up about doing a survey that was previously brought up at last month's meeting. This was tabled for new business.

o **Senior Center Update**

- o The Senior Center is continuing to work on assessments, and are able to complete 3-7 per day with the help of setting up an assessment station outside the lunch line. In March 2018, it will be required for anyone to have a food server's license to handle food. We are currently in the process of discovering a process for all volunteers to have this completed and will be in further communication as such.

o **Old Business**

- o Ft. Stanton Trip—it was a wonderful trip for the volunteers. The buildings were open to view and had a very nice picnic lunch at the picnic tables. More trips such as this will be planned in the future.
- o Board Recruitment—Still going strong, we are currently in need of 2 open seats to be filled.
- o SAC By-laws—through much confusion as the previous meetings, it was been decided on, reviewed by legal and voted on that the by-laws shall remain the way it was originally written, and to be understood that both the FGP/SCP and RSVP coordinators do in fact have voting rights at the meetings going forward.

- **New Business**

- Board Nominations and Elections—a special meeting will be held on December 13, 2017 to have nominations for the board. Elections will be held at the start of the January meeting, and then the new board will be in control going forward.
- December Meeting—Will be held December 13, 2017
- Survey Committee—Sue motioned to have a survey committee of 3 board members for the 2019 volunteer recognition banquet. Nina seconded that and was unanimously voted for. It was decided that the theme for the 2018 banquet will be decided by SVP after several ideas were given.

- **Unscheduled Communication**

Adjourned 2:50 pm

Respectfully,
SVP Staff

SENIOR VOLUNTEER PROGRAMS, FGP/RSVP/SCP

2201 PUERTO RICO AVE. * ALAMOGORDO, NEW MEXICO 88310 * (575) 439-4154

MINUTES of December 13, 2017

SENIOR VOLUNTEER PROGRAMS ADVISORY COUNCIL MEETING

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	GUESTS
Susan Hopkins John Ely	Stephen Butler Mike Groves Eldon Hoover Billy Power Nina Walker-Saenz Catherine Yee	Julie Baker Karen Groves	

The meeting was held at Alamo Senior Center, 2201 Puerto Rico Avenue, Alamogordo, NM.

Attendance sheet passed around.

MEETING WAS CANCELLED – THERE WAS NOT A QUORUM

Adjourned 1:30 pm

Respectfully,
SVP Staff

RSVP VOLUNTEER

4th Annual

HOT CHOCOLATE & COOKIE SOCIAL

WEDNESDAY, JANUARY 31

2 - 3:30 pm In the ASC Dining Room

**Join us for some Hot Chocolate,
Hot Tea and Cookies!!**



This event will be used to update any information missing from your files!! Please bring in your Drivers License or Senior Center Card. For those volunteers who participate in the mileage reimbursement please bring your auto insurance to make sure its up-to date.

SENIOR VOLUNTEER PROGRAMS

2201 PUERTO RICO AVE. * ALAMOGORDO, NM 88310 * 575-439-4154

February Agenda

Dear Members of the Advisory Council:

The Senior Volunteer Programs Advisory Council will hold a special business meeting on **Wednesday, February 21, 2018** at 1:15 pm in the **Alamo Senior Center** classroom, 2201 Puerto Rico Avenue

The proposed agenda is as follows:

- a) Invocation and Roll Call
- b) Approval of January, 2018 Minutes
- c) Staff Reports
 - 1. Foster Grandparent Program (FGP)—Karen Groves
 - 2. Senior Companion Program (SCP)—Karen Groves
 - 3. Retired Senior Volunteer Programs (RSVP)—Neil McFarland
 - 4. Senior Volunteer Programs (SVP)—Julie Baker
- d) Old Business
 - 1. Appreciation Banquet
 - 2. Food Handler's certification/cards for Dining Room volunteers
 - 3. Fund Raising
- e) New Business
 - 1. National Service Recognition Day - Tuesday, April 3, 2018
 - 2. National Senior Corps Conference in Arlington, VA.
 - 3. Earth Day
- f) Unscheduled Communication

Adjournment

Next Meeting March 21, 2018 at 1:15 pm

Respectfully,

SVP Staff

SENIOR VOLUNTEER PROGRAMS, FGP/RSVP/SCP

2201 PUERTO RICO AVE. * ALAMOGORDO, NEW MEXICO 88310 * (575) 439-4154

MINUTES of January 17, 2018

SENIOR VOLUNTEER PROGRAMS ADVISORY COUNCIL MEETING

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	GUESTS
Mike Groves Eldon Hoover Susan Hopkins Nina Walker-Saenz Catherine Yee Stephen Butler	Billy Power	Julie Baker Karen Groves Neil McFarland	

The meeting was held at Alamo Senior Center, 2201 Puerto Rico Avenue, Alamogordo, NM.

Attendance sheet passed around.

Meeting called to order at 1:17 pm

Minutes reviewed for November and December meetings. Motioned to accept and carried by vote.

o Staff reports

- o Karen has a meeting at the Elder Center in Mescalero on Thursday, Jan 25, 2018 for recruiting.
- o Karen reported that the HealthTrek in Las Cruces was a great success and everyone that participated had a great time. She has also gotten information for the HealthTrek guides and is talking to them about coming to the ASC to speak about exercise and fall prevention.
- o Julie reported that Neil McFarland has come on board as the new RSVP Volunteer Coordinator.

o Senior Center Update

- o In March 2018, it will be required for anyone to have a food server's license to handle food. We have the food server's training information set up on the RSVP Coordinator's computer. As of the date of this meeting, there was only one person scheduled to do the food server's training.
- o There is a meeting on Jan 30, 2018 for the Dining Room volunteers about food handling certification.

o Old Business

- o Board nominations and elections were carried out.
 - President: Nina Walker-Saenz
 - Vice President: John Ely
 - Secretary: Susan Hopkins
- o Appreciation Banquet
 - Theme for the Banquet is Denim and Diamonds. There was discussion about the door prizes. This included discussion on the type and costs. One major door prize was discussed. The packages discussed were (1) A stay for the State Conference on Aging and Long Term Services or (2) A package deal for two at either The Lodge Resort in Cloudcroft, The Inn of The Mountain Gods, or a Cabin in Ruidoso.

- **New Business**

- February Meeting—Will be held February 21, 2018 at 1:15 PM

- **Unscheduled Communication**

Adjourned 2:32 pm

Respectfully,
SVP Staff

SENIOR VOLUNTEER PROGRAMS

2201 PUERTO RICO AVE. * ALAMOGORDO, NM 88310 * 575-439-4154

March Agenda

Dear Members of the Advisory Council:

The Senior Volunteer Programs Advisory Council will hold a special business meeting on **Wednesday, March 21, 2018** at 1:15 pm in the **Alamo Senior Center** classroom, 2201 Puerto Rico Avenue

The proposed agenda is as follows:

- a) Invocation and Roll Call
- b) Approval of February, 2018 Minutes
- c) Staff Reports
 - 1. Foster Grandparent Program (FGP)—Karen Groves
 - 2. Senior Companion Program (SCP)—Karen Groves
 - 3. Retired Senior Volunteer Programs (RSVP)—Neil McFarland
 - 4. Senior Volunteer Programs (SVP)—Julie Baker
- d) Old Business
 - 1. Fund Raising – Spring Wreath Raffle for SCP/FGP has raised \$185.00
 - 2. Appreciation Banquet – Job Duties List
 - 3. National Service Recognition Day - Tuesday, April 3, 2018
 - a. Confirmed Guests: Mayor Richard Boss and State Representative Bill Burt.
- e) New Business
 - 1. FGP Field trip to the Archeology Museum in El Paso.
 - 2. Spring Training for foster grandparents the first week of April.
 - 3. Concerns for FGP – Julie Baker/Karen Groves
- f) Unscheduled Communication

Adjournment

Next Meeting April 18, 2018 at 1:15 pm

Respectfully,

SVP Staff

SENIOR VOLUNTEER PROGRAMS, FGP/RSVP/SCP

2201 PUERTO RICO AVE. * ALAMOGORDO, NEW MEXICO 88310 * (575) 439-4154

MINUTES of February 21, 2018

SENIOR VOLUNTEER PROGRAMS ADVISORY COUNCIL MEETING

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	GUESTS
John Ely Mike Groves Eldon Hoover Nina Walker-Saenz Catherine Yee	Susan Hopkins Billy Power Peter McKown Stephen Butler	Julie Baker Karen Groves Neil McFarland	Diane Simpson

The meeting was held at Alamo Senior Center, 2201 Puerto Rico Avenue, Alamogordo, NM.

Attendance sheet passed around.

Meeting called to order at 1:17 pm

Minutes reviewed for January meetings. Motioned to accept and carried by vote.

○ **Staff reports – Karen Groves**

FGP

- There are still issues with getting copies of fingerprints from Mescalero for FGP applicants from the Tribe. Tribe will do the fingerprinting, but will not share results with the FGP program. She and Julie Baker may have to travel to Mescalero to speak with the superintendent of schools about this issue. FGP program must have a copy of fingerprinting report on file per federal regulations.

SCP

Karen reported that:

Mileage reimbursement has been temporarily stopped, but will be continued at a later date as more funds are available.

- Meal reimbursement funds are on track
- Stipend amounts are on track.

RSVP – Neil McFarland

- Have reconnected with White Sands National Monument and Oliver Lee State Park as worksites. Superintendents at White Sands and Oliver Lee are looking forward to having more volunteers to help out.
- Possibility of a couple of new worksites coming in looking for Volunteers.

SVP – Julie Baker

- SVP grant renewals are done or close to being done. RSVP grant renewal is done and turned in. FGP/SCP are due in April.
- Proposed Federal budget doesn't include funding for CNCS, Corporation for National and Community Service. This has happened in past, but Congress passed funding. All programs are funded currently through 2019.

- **Senior Center Update – Peter McKown**

- No report

- **Old Business**

- As of February 21, 2018, there have been 14 people that have completed food handler certification successfully.
 - Appreciation Banquet
 - Theme for the Banquet was changed to Retro 60's because of difficulty in finding decorations and supplies.
 - Decorations and supplies are in and in storage until the banquet.
 - Fund Raising. Tickets are currently being sold for a Spring Wreath raffle. The drawing will be on March 20, 2018. Currently, volunteers have 300 tickets to sell.

- **New Business**

- National Service Recognition Day will be Tuesday, April 3, 2018. Mayor Boss has been contacted to do proclamation. Invites have been sent to the City Commission members, Otero County Commission member, State Representatives Yvette Herrell and Bill Burt, Senator Martin Heinrich, and Representative Steve Pearce. We're hoping to hear from several of the invitees.
 - National Senior Corps Conference in Arlington, VA will be attended by Julie Baker, Karen Groves, and Neil McFarland.
 - Participation in Earth Day. It was decided that the ASC won't be participating in Earth Day this year. The Wheel Barrow will be raffled off and drawn the Friday before Father's Day. It will be on display at the ASC and at the RSVP volunteer appreciation banquet. It was determined to set the value of the wheel barrow prize to not exceed \$500.

- **Unscheduled Communication**

- Karen Groves stated that the funds from the Spring Wreath Raffle will be used to take new SCP/FGP volunteers to the state conference in August. The conference will be held at the Ysleta Hotel and Casino in Albuquerque, NM.

Adjourned 2:07 pm

Next meeting March 21, 2018 at 1:15 PM

Respectfully,
SVP Staff



Spring Wreath Raffle

Drawing:

Held on Tuesday, March 20, 2018

Tickets:

One for \$1 or Six for \$5

Beautiful handmade wreath on display in
the SVP office

**For more information call
439-4154**



*Tickets on sale in the
Senior Volunteer Programs Office*



SENIOR VOLUNTEER PROGRAMS

2201 PUERTO RICO AVE. * ALAMOGORDO, NM 88310 * 575-439-4154

April Agenda

The proposed agenda is as follows:

- a) Invocation and Roll Call
- b) Approval of March, 2018 Minutes
- c) Staff Reports
 - 1. Foster Grandparent Program (FGP)—Karen Groves
 - a. FGP Field Trip to El Paso Museum of Archeology and Border Patrol Museum
 - 2. Senior Companion Program (SCP)—Karen Groves
 - 3. Retired Senior Volunteer Programs (RSVP)—Neil McFarland
 - a. Approximately 135 tickets have been picked up for Appreciation Banquet.
 - 4. Senior Volunteer Programs (SVP)—Julie Baker
- d) Senior Center Update – Peter McKown
- e) Old Business
 - 1. Fund Raising – Wheel Barrow Raffle for Father’s Day
 - 2. Appreciation Banquet – Job Duties List
 - 3. National Service Recognition Day -
 - a. Special Guests in attendance: Mayor Richard Boss, State Senator Bill Burt, and City Commissioner Susan Payne.
 - 4. Mescalero/FGP – Karen Groves
 - 5. FGP Grant – Julie Baker
- f) New Business
 - 1. Cloudcroft Senior Center – Recruitment & Opportunities
 - 2. End of Fiscal Year
- g) Unscheduled Communication

Adjournment

Next Meeting May 17, 2018 at 1:15 pm

Respectfully,

SVP Staff

SENIOR VOLUNTEER PROGRAMS, FGP/RSVP/SCP

2201 PUERTO RICO AVE. * ALAMOGORDO, NEW MEXICO 88310 * (575) 439-4154

MINUTES of March 21, 2018

SENIOR VOLUNTEER PROGRAMS ADVISORY COUNCIL MEETING

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	GUESTS
Billy Power John Ely Mike Groves Eldon Hoover Susan Hopkins Nina Walker-Saenz Catherine Yee	Stephen Butler Karen Groves Neil McFarland	Julie Baker Karen Groves Neil McFarland Peter McKown	

The meeting was held at Alamo Senior Center, 2201 Puerto Rico Avenue, Alamogordo, NM.

Attendance sheet passed around.

Meeting called to order at 1:18 pm

Invocation by Susan Hopkins

Minutes reviewed for February meeting. Motioned to accept and carried by vote.

○ **Staff reports – Karen Groves**

FGP

- Currently has 12 active Foster Grandparents. Only 7 working.
- Several grandparents are out due to surgeries or due to fatigue.
- The Foster Grandparent Program is not doing well in spending out their stipend. Staff has spoken with the grandparents about how important it is to work the minimum 15-20 hours a week and come to the meetings; however, most importantly, to turn in the time sheets.
- Current stipend budget has approximately \$15,000 left to spend as of March 1, 2018. The monies need to be spent by end of the Fiscal year.
- Group from the Alamogordo Family Recreation Center will be coming by for the VSY training to discuss their program which will be needing foster grandparents to help with reading, math, and other school homework for 10 weeks starting in June.
- Mescalero Reservation Schools will be having summer school. They will be needing foster grandparents to help with homework and tutoring during the summer school.
- There is a tribal elder (senior) from Mescalero coming down to do the background paperwork to be in the program.
- It was also brought up about possibly foster grandparents participate in any afterschool tutoring programs where possible.
- It was suggested that the SVP programs contact the school superintendent/school board to discuss how to best utilize the Foster Grandparents in the schools with the current curriculum. Best person for those visits would probably be Karen Groves.
- It was brought up that volunteers in the Foster Grandparent program need to participate/turn in hours, or they will be replaced.

- There is a week of foster grandparent program training. This starts the 1st week of April, with a trip scheduled to visit the El Paso Museum of Archaeology and the Border Patrol Museum. This will happen on April 4, 2018 and is free to Foster Grandparent and Senior Companion volunteers.

SCP

Karen reported that:

- Meal reimbursement funds are on track
- Stipend amounts are on track.

RSVP – Neil McFarland

- Have reconnected with White Sands National Monument and Oliver Lee State Park as worksites. Superintendents at White Sands and Oliver Lee are looking forward to having more volunteers to help out.

SVP – Julie Baker

- Banquet – We will need to start working on the set-up for the Volunteer Appreciation Banquet on May 3rd, right after the prayer meeting that occurs there. Set-up will be Thursday afternoon and all day Friday, May 4th, until the banquet starts at 5:00 p.m.
- Brittany Clark is coordinating with Holloman AFB to get 30-40 Volunteers.

Old Business

- The Spring Wreath Raffle for SCP/FGP raised \$240.70 after paying back Karen Groves for the supplies that she bought.
- Appreciation Banquet
 - Decorations and supplies are in and in storage until the banquet.
 - John Lennon style glasses should arrive on 03/22/2018 and complete our supplies.
 - Shirts will be given out to Volunteers when they pick up their tickets.
 - Banquet plan is to set up as a buffet with a carving table at the end. Planning for about 4 lines.

New Business

- National Service Recognition Day will be Tuesday, April 3, 2018. Mayor Boss has been contacted to do proclamation.
- Special Visitors confirmed: Mayor Richard Boss and State representative Bill Burt.
- National Senior Corps Conference in Arlington, VA will be attended by Julie Baker, Karen Groves, Neil McFarland, and Peter McKown.

Unscheduled Communication

- It was mentioned about the possibility of having the C.L.O.C. (Cloudcroft Light Opera Company) do a Murder Mystery type of special at the Alamogordo Senior Center. There is one that is done at The Lodge Resort and Spa at Cloudcroft, but the cost is usually prohibitive for seniors to participate. This is something that would be interesting for the Senior Center.
- John Ely will be going to Albuquerque in May to take a course on Balance. He will then be able to teach a balance class at the Alamogordo Senior Center.
- Peter McKown: Volunteers provide many essential services for the ASC.
 - There are some possible budgeting issues that may be coming in the next fiscal year.

Adjourned 2:24 pm

Next meeting April 18, 2018 at 1:15 PM

Respectfully,
SVP Staff

NATIONAL SERVICE WORKS FOR

Alamogordo, NM - April 3, 2018





SENIOR VOLUNTEER PROGRAMS

2201 PUERTO RICO AVE. * ALAMOGORDO, NM 88310 * 575-439-4154

May Agenda

The proposed agenda is as follows:

- a) Invocation and Roll Call
- b) Approval of April, 2018 Minutes
- c) Staff Reports
 - 1. Foster Grandparent Program (FGP)—Karen Groves
 - 2. Senior Companion Program (SCP)—Karen Groves
 - 3. Retired Senior Volunteer Programs (RSVP)—Neil McFarland
 - a. Tickets for July Raffle.
 - 4. Senior Volunteer Programs (SVP)—Julie Baker
- d) Senior Center Update – Peter McKown
- e) Old Business
 - 1. Fund Raising – Wheel Barrow Raffle for July 4th.
 - 1. End of Fiscal Year– Julie Baker
 - 2. FGP Grant – Julie Baker
- f) Unscheduled Communication

Adjournment

Next Meeting June 20, 2018 at 1:15 pm

Respectfully,

SVP Staff

SENIOR VOLUNTEER PROGRAMS, FGP/RSVP/SCP

2201 PUERTO RICO AVE. * ALAMOGORDO, NEW MEXICO 88310 * (575) 439-4154

MINUTES of April, 2018

SENIOR VOLUNTEER PROGRAMS ADVISORY COUNCIL MEETING

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	GUESTS
Billy Power John Ely Mike Groves Eldon Hoover Susan Hopkins Nina Walker-Saenz Catherine Yee	Stephen Butler Neil McFarland Karen Groves	Julie Baker	Nora Coyazo

The meeting was held at Alamo Senior Center, 2201 Puerto Rico Avenue, Alamogordo, NM.

Attendance sheet passed around.

Meeting called to order at 1:18 pm

Invocation by Billy Power

Minutes reviewed for March meeting. Sue motioned to accept and Eldon seconded. Motion carried by vote.

○ **Staff reports – Julie Baker**

FGP

- On Wednesday, the 4th of April, FGP/SCP volunteers visited the El Paso Museum of Archaeology and the Border Patrol Museum. Everyone had a great time.

SCP

Karen reported that:

- Meal reimbursement funds are on track
- Stipend amounts are on track.

RSVP

- Will discuss under old business.

SVP –

- Federal fiscal year ended on March 31st. All but \$899 of federal monies spent.

○ **Old Business**

- Fundraising: The wheel barrow raffle for Father's Day will be ready for display at the Banquet.
- Banquet: Julie asked the board to help with the set up on Thursday, May 3rd in the afternoon. Staff will be there on Friday at 9 am, to finish setting up. Board members also said they would be there.

- National Service Recognition Day: Guests included Alamogordo Mayor Richard Boss and State Senator Bill Burt and City Commissioner Susan Payne attended.
- Mescalero FGP: Julie told the council that we lost our volunteer at the last minute and we are actively recruiting a replacement.
- FGP Grant: The FGP program will likely be returning grant funds from unspent stipends from the FGP grant.
- **New Business**
 - Cloudcroft: Karen and Neil spoke last week to members of the Sacrament Mountain Senior Center about the RSVP, FGP and SCP programs.
- **Unscheduled Communication**
 - Billy Power mentioned that some of the AARP tax aid volunteers would be interested in coming to the senior center to do taxes during next years' tax season. Julie told Billy to stop by Peter's office and discuss. There would certainly be interest.
 - John mentioned that he has completed the Balance Training and wants to start a class. He also mentioned he will be training to become an instructor for a Tai Chi for Arthritis class and will also be contacting Brian at the Fitness Center about classes for that also.

Adjourned 2:19 pm

Next meeting May 17, 2018 at 1:15 PM

Respectfully,
SVP Staff

SENIOR VOLUNTEER PROGRAMS

2201 PUERTO RICO AVE. * ALAMOGORDO, NM 88310 * 575-439-4154

June Agenda

The proposed agenda is as follows:

- a) Invocation and Roll Call
- b) Approval of May, 2018 Minutes
- c) Staff Reports
 - 1. Foster Grandparent Program (FGP)—Karen Groves
 - 2. Senior Companion Program (SCP)—Karen Groves
 - 3. Retired Senior Volunteer Programs (RSVP)—Neil McFarland
 - a. Tickets for July Raffle.
 - 4. Senior Volunteer Programs (SVP)—Julie Baker
- d) Senior Center Update – Peter McKown
- e) Old Business
 - 1. Fund Raising – Wheel Barrow Raffle for July 4th. Turn in money and more tickets.
 - 2. Winding down Fiscal Year.
- f) New Business
 - 1. No Meeting for July
- g) Unscheduled Communication

Adjournment

Next Meeting August 15, 2018 at 1:15 pm

Respectfully,

SVP Staff



Far Out 1960's

2018 RSVP Recognition Banquet

Friday, May 4 , 2018

Call to Order (5:15 PM) Neil McFarlan
Presentation of the Colors ..Boy Scout Troop #127
Invocation (5:20 PM) Karen Grove
Welcome (5:25 PM) Neil McFarlan
Thank You (5:35 PM) Mayor Richard Bos
Awards Presentation (5:40 PM) Julie Baker
Dinner Until 7:30 pm
Door Prizes (Throughout) Karen Grove

Special thanks to:

**Boy Scout Troop #127 &
Holloman AFB Volunteer Helpers**

SERVICE AWARDS

25 Years

Roy Holmes

20 Years

Suzanne Pauline Durko

Judith Francis

Shirley Rabon

15 Years

Sherrie Alverson

Antonio Chavez

Carol Nygaard

Brad Shelton

Gail Sorum

Jimmy R. Wildon

10 Years

Marie Diaz

Marilyn Hughes

Larry Narveson

Angie Sandoval

Nina Walker-Saenz

5 Years

Judith Babb

Barbara Camp

Thomas Gilmore

Carlyne Keeney

5 Years

Donald Larsen

Jean Lewis

Joe Oglesby

Norma Pearce

Cheryl Richey

Connie Rogers

Dorothy Rogers

Richard Sharrio

Tamara Valdez

Norman Willburn

10,000 Hours

Ilene Smith

5,000 Hours

Margie Aguayo

Larry Andersen

Margaret "Charlie" Conklin

Ann Delgado

Martha Lattin

Larry Narveson

Elizabeth "Betty" Nielsen

Connie Rogers

Leona Slag

SENIOR VOLUNTEER PROGRAMS, FGP/RSVP/SCP

2201 PUERTO RICO AVE. * ALAMOGORDO, NEW MEXICO 88310 * (575) 439-4154

MINUTES of May, 2018

SENIOR VOLUNTEER PROGRAMS ADVISORY COUNCIL MEETING

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	GUESTS
Billy Power Mike Groves Eldon Hoover Susan Hopkins Nina Walker-Saenz	Stephen Butler John Ely	Julie Baker Neil McFarland Karen Groves Peter McKown	

The meeting was held at Alamo Senior Center, 2201 Puerto Rico Avenue, Alamogordo, NM.

Attendance sheet passed around.

Meeting called to order at 1:15 pm

Invocation by Eldon Hoover

Minutes reviewed for April meeting. Sue motioned to accept and Mike Groves seconded. Motion carried by vote.

○ **Stephen Butler:**

SAC Position discussed as Stephen Butler has missed at least 4 successive meetings. Nina Walker-Saenz and members discussed sending Stephen Butler a letter informing him that due to the number of absences his position on the Senior Advisory Council is in jeopardy. Nina Walker-Saenz stated that she would sign letter once it was ready.

○ **Communication Issues**

It was brought to the attention of the SVP program staff about better communication needed in reference to changes that were made on the pricing of the raffle tickets.

○ **Staff reports –**

FGP– Karen Groves

- End of Fiscal year discussed
- FGP losing some Foster Grandparents due to accidents, illness, or burn out.
- All current supplies and "give aways" are stocked to last till the end of the Fiscal Year.
- FGP – Karen will see about getting in touch with the school board and school principals. Probably during the first part of the school year during the Teacher/Principal meeting. Mainly to "teach the Teachers" about FGP.
- Possibility of hosting a luncheon for teachers to educate them about the FGP.
- Karen brought up identity issues with the **Foster Grandparent Program** name.
- Also asked about what school methodology will allow foster grandparents to do

RSVP-Neil McFarland

- Raffle for SVP in progress. Tickets \$5.00 each (issues about that, see above).
- Gearing up for Spaghetti Dinner.

SVP – Julie Baker

- Federal fiscal year ended on March 31st.
- Spaghetti Dinner dates suggested: 1st Friday in October (Oct. 5, 2018)
- Looking to possibly use ASC to do dinner. Hopefully kitchen remodeling will be completed by that time.

- **Old Business**

- Fundraising: The wheel barrow raffle for July 4th (drawing on July 3rd)

- **Unscheduled Communication**

- ASC kitchen floor will be replaced during the first 3 weeks of August. All lunches will be done from the Alamogordo Civic Center.
 - Hopefully will be completed by end of August.

Adjourned 2:15 pm

Next meeting June 21, 2018 at 1:15 PM

Respectfully,
SVP Staff

SENIOR VOLUNTEER PROGRAMS

2201 PUERTO RICO AVE. * ALAMOGORDO, NM 88310 * 575-439-4154

July Agenda

The proposed agenda is as follows:

MEETING FOR JULY CANCELLED – STAFF IN WASHINGTON, D.C.

Next Meeting August 15, 2018 at 1:15 pm

Respectfully,

SVP Staff

SENIOR VOLUNTEER PROGRAMS, FGP/RSVP/SCP

2201 PUERTO RICO AVE. * ALAMOGORDO, NEW MEXICO 88310 * (575) 439-4154

MINUTES of June, 2018

SENIOR VOLUNTEER PROGRAMS ADVISORY COUNCIL MEETING

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	GUESTS
Mike Groves Eldon Hoover Nina Walker-Saenz Stephen Butler John Ely Catherine Yee	Billy Power Susan Hopkins	Julie Baker Neil McFarland Karen Groves Peter McKown	

The meeting was held at Alamo Senior Center, 2201 Puerto Rico Avenue, Alamogordo, NM.

Attendance sheet passed around.

Meeting called to order at 1:20 pm

Invocation by Eldon Hoover

Minutes reviewed for May meeting. Mike Groves motioned to accept and Eldon Hoover seconded. Motion carried by vote.

○ **Communication Issues**

Raffle ticket pricing and the need for communication about changing of raffle ticket prices brought up again in June meeting after being discussed in May.

Communication issue also brought up the need to reassess raffles, size of prizes, and ticket prices.

○ **Staff reports –**

FGP– Karen Groves

- FGP has spent out it's budget.
- FGP -- Talked about Recruiting and the numbers of Foster Grandparents needed. Currently have 8 Foster Grandparents. We need 12.
- FGP – Talked about getting with individual school principals to teach them about what Foster Grandparents are and what they can and cannot do in the classrooms.
- Talked about when and where to do recruiting for FGP.
- Mentioned that Big Brothers/Big Sisters does the same work as FGP, yet seems to get preferential treatment in discussion.

RSVP-Neil McFarland

- Raffle for SVP in progress. Tickets \$5.00 each (issues about that, see above).
- Raffle currently has raised over \$350. About 2 weeks left till drawing.
- Gearing up for Spaghetti Dinner. Talked about possibility of hosting at the Alamogordo Senior Center.

- Possibility of catering Spaghetti Dinner: Costs
- Usually repeat food order. IF Done at Senior Center, then Kitchen staff must be present and used.

SVP – Julie Baker

- Federal fiscal year ended on March 31st.
- FGP/SCP budgets approved for FY 19.
- Will be getting full grant amount for FGP/SCP for FY 19. If programs have to return money at end of FY 19, then will lose money on FY 20 budget.

Senior Center – Peter McKown

- ASC kitchen floor will be replaced during the first 3 weeks of August. All lunches will be done from the Alamogordo Civic Center.
- Hopefully will be completed by end of August

- **Old Business**

- Fundraising: The wheel barrow raffle for July 4th (drawing on July 3rd) ongoing

- **New Business**

- Currently there is no meeting scheduled for July.
 - Tickets and flyers for Spaghetti Dinner need to be done by August
 - Flyers for silent auction and items to auction
 - Hot Dog and Root Beer Float social July 25, 2018

- **Unscheduled Communication**

Adjourned 2:15 pm

Next meeting August 15, 2018 at 1:15 PM

Respectfully,
SVP Staff

July 4th Raffle

- ⇒ **True Temper 6 cu. ft. Poly Wheelbarrow with Total Control Handles**
- ⇒ **(3) Three Bags of 2 CU FT Miracle-Gro Garden Soil**
- ⇒ **Black & Decker (corded) 6.5 amp Electric Weed-eater**
- ⇒ **100 FT Commercial Grade Water Hose**
- ⇒ **Black & Decker (corded) Electric Hedge Trimmer**



- ⇒ **HDX Long Handle Rake**
- ⇒ **HDX Shovel**
- ⇒ **RIGID 16 Gal Wet/Dry Vac**
- ⇒ **Fiskar Branch Loppers**
- ⇒ **Fiskar Pruning Shears**
- ⇒ **(5) Five TIKI Torches with 1 Gal fuel**
- ⇒ **Toro Ultra (corded) Electric Blower/Vacuum**
- ⇒ **\$100 Home Depot Gift Card**

Raffle prize is a wheelbarrow filled with gardening supplies valued at \$600.00

Tickets \$5.00 Each

Purchase tickets at Senior Volunteer Office at Alamo Senior Center or from our volunteers or call 575/439-4154

Winning ticket will be drawn on Tuesday, July 3, 2018

Do not have to be present to win

Proceeds support Otero County Senior Volunteer Programs

Corporation for National
and Community Service

250 E St SW
Washington, DC 20024

**PRESORTED
FIRST CLASS
U.S. POSTAGE PAID
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2 / 906



To: JULIE BAKER
ALAMOGORDO/ OTERO COUNTY
FGP
2201 PUERTO RICO AVE
ALAMOGORDO NM 88310-5529



Senior Corps Convening

July 16-18, 2018

Hyatt Regency Crystal City
2799 Jefferson Davis Highway
Arlington, Virginia 22202

To register visit:
<http://www.cvent.com/d/5tqkck>



The 2018 National Senior Corps Convening will provide high quality training that is relevant to the work you engage in on a daily basis and provide opportunities for you to learn from your colleagues nationwide. The convening will energize and inspire program and sponsor staff as they continue to mobilize experience, foster innovation, and ultimately create greater impact in their communities.



2018
National Senior Corps
Convening Mobilizing Experience
Fostering Innovation
Creating Impact

2018 National Senior Corps Convening

Senior Corps, a program of the Corporation for National and Community Service (CNCS), is excited to host a national convening this year for its Foster Grandparent, Senior Companion and RSVP grantees. Participants can gain in-depth training and technical assistance and experience the energy of gathering around a shared cause.

The 2018 National Senior Corps Convening will provide high quality training that is relevant to the work grantee staff engage in on a daily basis and provide opportunities for them to meet and learn from their colleagues nationwide. Sessions will be interactive, facilitate creative problem solving, and encourage peer-to-peer learning amongst participants. The convening will energize and inspire grantee staff, as they continue to mobilize experience, foster innovation, and ultimately create greater impact in their communities.

Details : When Monday, July 16, 2018 - Wednesday, July 18, 2018

Where Hyatt Regency Crystal City at National Airport
2799 Jefferson Davis Highway
Arlington, Virginia 22202
USA



(703) 418-1234

[Top](#)

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[AmeriCorps
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\(/programs/senior-corps\)](/programs/senior-corps)

[Your Community
\(/serve\)](/serve)

[Our Impact \(/impact-our-nation\)](/impact-our-nation)

[Grants & Funding
\(/build-your-capacity\)](/build-your-capacity)

[Press Releases \(/newsroom/press-releases%20\)](/newsroom/press-releases%20)

[/ Hundreds of Nonprofit Leaders Gathered for National Convening of Senior Corps Programs](#)

HUNDREDS OF NONPROFIT LEADERS GATHERED FOR NATIONAL CONVENING OF SENIOR CORPS PROGRAMS

[Newsroom \(/newsroom\)](/newsroom)

Exciting new research results previewed;
First-ever Senior Corps mini-documentary
premiered

FOR IMMEDIATE RELEASE: Jul 23, 2018

WASHINGTON, D.C. —The Corporation for National and Community Service hosted hundreds of nonprofit and volunteer leaders in Washington, D.C. last week for the 2018 National Senior Corps Convening when representatives from Senior Corps programs across the country traveled to the region to learn from national experts and gain valuable insights from peers.

The three-day event was a celebration of Senior Corps' impact and the innovation laying the groundwork for its future. The program has demonstrated its potential to help solve some of America's toughest problems – elder abuse, the opioid epidemic, and more – and highlighted some of these inventive solutions to convening attendees.

The Director of Senior Corps, Deborah Cox-Roush, previewed new federal partnerships for conference attendees, outlining the ways in which the program is achieving those goals. These include a previously announced Elder Justice Initiative (<https://www.nationalservice.gov/programs/senior-corps/elder-justice>) with the U.S. Department of Justice, Drug Take Back Day with the Drug Enforcement Agency, and a forthcoming pilot project with the U.S. Department of Veterans Affairs focused on keeping aging veterans in their homes. Recognizing that Senior Corps volunteers and programs are uniquely positioned to promote elder abuse, federal partners played a key role in the convening, leading multiple sessions on elder justice, fighting fraud, and preventing elder abuse.

Those in attendance were also among the first to learn about the exciting new results of a three-year research study of Senior Corps programs. This research further demonstrates the powerful impact volunteering can have on the health of older adults. A new mini-documentary (<https://www.facebook.com/SeniorCorps/videos/1814093382003994/>) featuring volunteers in Wyoming who credit Senior Corps with improving their well-being also debuted during the event. Preliminary findings were released last July (<https://www.nationalservice.gov/programs/senior-corps/senior-corps-and-health-benefits>), and the full results will be available later this summer.

"The service our Senior Corps volunteers provide through Foster Grandparents, Senior Companions, and RSVP are vital to thousands of communities across the nation. The challenges they face and overcome every day with their service is an example of the ability we all have to make a difference," said Deborah Cox-Roush, director of Senior Corps. "The 2018 National Senior Corps Convening was a reminder that together, we can make this nation a better place for all."

In addition to inspiring speeches from Deborah Cox-Roush, director of Senior Corps and Barbara Stewart, CEO of the Corporation for National and Community Service, the federal agency that administers the Senior Corps program attendees heard from leading names in the senior and aging community. Lisa Marsh Ryerson, president of the AARP Foundation; Karyne Jones, president and CEO of the National Caucus on Black Aging; and Bob Blancato, national coordinator of the Elder Justice Coalition; all explored challenges facing the aging population and inspired the group with a message of service.

Today, approximately 220,000 Americans age 55+ serve through Senior Corps' three programs – Foster Grandparents, Senior Companions, and RSVP. For more than five decades, Senior Corps volunteers have used their lifetime of skills and experience to mentor and tutor young people, help homebound seniors and other adults maintain independence in their homes, renovate homes, and respond to natural disasters. To learn more about how to get involved with Senior Corps, visit SeniorCorps.gov.

###

The Corporation for National and Community Service is a federal agency that engages millions of Americans in service through its AmeriCorps, Senior Corps, and Volunteer Generation Fund programs, and leads the nation's volunteering and service efforts. For more information, visit NationalService.gov (<http://www.nationalservice.gov/>).



(/programs/americorps)(/programs/senior-corps)

(https://www.facebook.com/natio
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(http://instagram.com/nationalser
vice)

(https://twitter.com/nationalservic
e)

(http://www.youtube.com/user/n
ationalservice)

(http://nationalservice.tumblr.com
/)

Hot Dog & Root Beer Float Social

**Senior Volunteer Programs will be hosting their
5th annual RSVP Volunteer update social.**

Please join us for hot dogs and root beer floats and the chance to get your 2018 volunteer update completed!

For those volunteers who participate in the mileage reimbursement please bring a current copy of your drivers license & auto insurance to make sure its up-to date.

If you have already updated your file, take this opportunity to have a snack and socialize with your fellow volunteers!

Date: July 25, 2018

Time: 2:00pm-3:30pm

**Location: Alamo Senior
Center Dining Room**

SENIOR VOLUNTEER PROGRAMS, FGP/RSVP/SCP

2201 PUERTO RICO AVE. * ALAMOGORDO, NEW MEXICO 88310 * (575) 439-4154

MINUTES of July 18, 2018

SENIOR VOLUNTEER PROGRAMS ADVISORY COUNCIL MEETING

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	GUESTS

No meeting for July – staff was in Washington DC.

Respectfully,
SVP Staff

SENIOR VOLUNTEER PROGRAMS

2201 PUERTO RICO AVE. * ALAMOGORDO, NM 88310 * 575-439-4154

August Agenda

The proposed agenda is as follows:

- a) Invocation and Roll Call
- b) Approval of June, 2018 Minutes
- c) Staff Reports
 - 1. Foster Grandparent Program (FGP)—Karen Groves
 - 2. Senior Companion Program (SCP)—Karen Groves
 - 3. Retired Senior Volunteer Programs (RSVP)—Neil McFarland
 - a. Tickets for Spaghetti Dinner ready
 - b. Job list for Spaghetti Dinner ready
 - c. Flyers going to Chamber of Commerce, News Paper, Radio for PSA
 - 4. Senior Volunteer Programs (SVP)—Julie Baker
- d) Senior Center Update – Maggie Morales
- e) Old Business
 - 1. Spaghetti Dinner
 - a. Set for Friday, Oct. 12, 2018
 - b. Tickets and Flyers are ready
- f) New Business
- g) Unscheduled Communication

Adjournment

Next Meeting September 18, 2018 at 1:15 pm

Respectfully,

SVP Staff



**40th Annual
NEW MEXICO
CONFERENCE ON AGING**

**Supporting Active Aging
Today—Tomorrow—Beyond**

August 21–22, 2018

Isleta Resort and Casino Conference Center

Registration Information



**Register by
August 8, 2018 to save!**

**New Mexico Aging and Long-Term Services Department
Susana Martinez, Governor • Kyky Knowles, Acting Cabinet Secretary**

SENIOR VOLUNTEER PROGRAMS

2201 PUERTO RICO AVE. * ALAMOGORDO, NM 88310 * 575-439-4154

September Agenda

The proposed agenda is as follows:

- a) Invocation and Roll Call
- b) Approval of August, 2018 Minutes
- c) Staff Reports
 - 1. Foster Grandparent Program (FGP)—Karen Groves
 - 2. Senior Companion Program (SCP)—Karen Groves
 - 3. Retired Senior Volunteer Programs (RSVP)—Julie Baker
 - a. Tickets for Spaghetti Dinner ready
 - b. Job list for Spaghetti Dinner ready
 - c. Flyers going to Chamber of Commerce, News Paper, Radio for PSA
 - 4. Senior Volunteer Programs (SVP)—Julie Baker
- d) Senior Center Update – Maggie Morales
- e) Old Business
 - 1. Spaghetti Dinner
 - a. Set for Friday, Oct. 12, 2018
 - b. Tickets and Flyers are ready
- f) New Business
 - 1. Eldon Hoover submitted letter of resignation from the SAC.
- g) Unscheduled Communication

Adjournment

Next Meeting October 17, 2018 at 1:15 pm

Respectfully,

SVP Staff

SENIOR VOLUNTEER PROGRAMS

2201 PUERTO RICO AVE. * ALAMOGORDO, NM 88310 * 575-439-4154

October Agenda

The proposed agenda is as follows:

- a) Invocation and Roll Call
- b) Approval of September, 2018 Minutes
 - 1. No Quorum for September, no minutes for September
- c) Staff Reports
 - 1. Foster Grandparent Program (FGP)—Karen Groves
 - 2. Senior Companion Program (SCP)—Karen Groves
 - 3. Retired Senior Volunteer Programs (RSVP)—Neil McFarland
 - a. Spaghetti Dinner earnings: \$926.00
 - b. Thank you for those that helped
 - 4. Senior Volunteer Programs (SVP)—Julie Baker
- d) Senior Center Update – Maggie Morales
- e) Old Business
 - 1. Spaghetti Dinner Good/Bad
- f) New Business
 - 1. Recruitment of new members
 - 2. Next Spaghetti Dinner date: Friday, October 11, 2019
 - 3. Selmo for Dinner Entertainment next year, per their request
- g) Unscheduled Communication

Adjournment

Next Meeting November 21, 2018 at 1:15 pm

Respectfully,

SVP Staff

SENIOR VOLUNTEER PROGRAMS, FGP/RSVP/SCP

2201 PUERTO RICO AVE. * ALAMOGORDO, NEW MEXICO 88310 * (575) 439-4154

MINUTES of August, 2018

SENIOR VOLUNTEER PROGRAMS ADVISORY COUNCIL MEETING

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	GUESTS
Mike Groves Nina Walker-Saenz Stephen Butler John Ely Catherine Yee	Billy Power Susan Hopkins Eldon Hoover	Julie Baker Magdalena Morales	Nora Coyazo

The meeting was held at Alamo Senior Center, 2201 Puerto Rico Avenue, Alamogordo, NM.

Attendance sheet passed around.

Meeting called to order at 1:21 pm

Minutes reviewed for June meeting. Mike Groves motioned to accept and John Ely seconded. Motion carried by vote.

○ **Staff reports –**

FGP– Julie Baker

- FGP/SCP sheet

RSVP-Julie Baker

- Tickets for Spaghetti Dinner Ready
- Order for Dinner Supplies Will be last week of September.
- New Location: Alamogordo Senior Center

SVP – Julie Baker

- Current Issues

Senior Center – Magdalena Morales

- Current Issues
- Floors completed on time

○ **Old Business**

- Spaghetti Dinner Volunteer Jobs List

- **Unscheduled Communication**

- Guest complimented about the process with moving and needs being met at the civic center.

Adjourned 2:15 pm

Next meeting September 19, 2018 at 1:15 PM

Respectfully,
SVP Staff

SENIOR VOLUNTEER PROGRAMS, FGP/RSVP/SCP

2201 PUERTO RICO AVE. * ALAMOGORDO, NEW MEXICO 88310 * (575) 439-4154

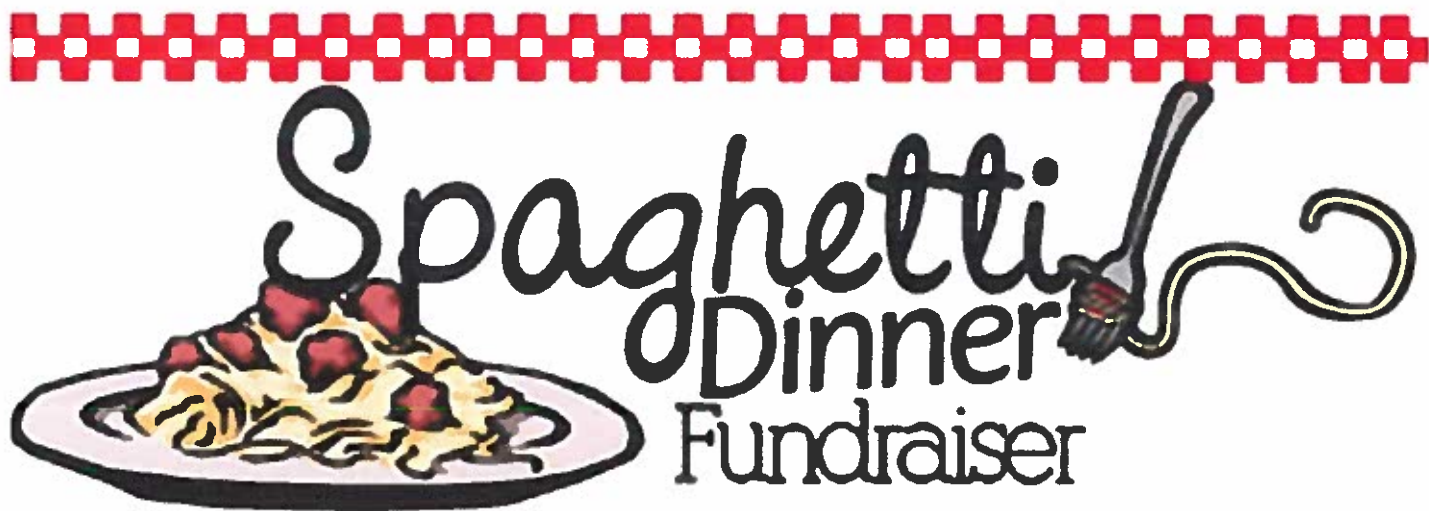
MINUTES of September 19, 2018

SENIOR VOLUNTEER PROGRAMS ADVISORY COUNCIL MEETING

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	GUESTS

No meeting for September was held due to lack of a quorum.

Respectfully,
SVP Staff



**Senior Volunteer Programs
Annual Spaghetti Dinner**

Friday, October 12, 2018

Alamo Senior Center

5 pm to 7:30 pm

NEW LOCATION!!

NEW LOCATION!!

Spaghetti & Meatballs, Salad and Bread

**Tickets are \$7.00 in the SVP office,
(2201 Puerto Rico Ave Alamogordo, NM 88310)
through our Advisory Council members or
at the door**

For more information call 439-4154

SENIOR VOLUNTEER PROGRAMS

2201 PUERTO RICO AVE. * ALAMOGORDO, NM 88310 * 575-439-4154

November 14, 2018 Agenda

The proposed agenda is as follows:

- a) Invocation and Roll Call
- b) Approval of August and October, 2018 Minutes
 - 1. No Quorum for September, no minutes for September. No July Minutes.
- c) Staff Reports
 - 1. Foster Grandparent Program (FGP)—Karen Groves
 - 2. Senior Companion Program (SCP)—Karen Groves
 - 3. Retired Senior Volunteer Programs (RSVP)—Neil McFarland
 - 4. Senior Volunteer Programs (SVP)—Julie Baker
- d) Senior Center Update – Maggie Morales
- e) Old Business
 - 1. Recruitment of new SAC members
- f) New Business
 - 1. Review of By-Laws
 - 2. Duties of Officers
 - 3. Election of Officers (will take office at January 2019 SAC meeting)
- g) Unscheduled Communication

Adjournment

Next Meeting December 19, 2018 at 1:15 pm

Respectfully,

SVP Staff

SENIOR VOLUNTEER PROGRAMS, FGP/RSVP/SCP

2201 PUERTO RICO AVE. * ALAMOGORDO, NEW MEXICO 88310 * (575) 439-4154

MINUTES of October 17, 2018

SENIOR VOLUNTEER PROGRAMS ADVISORY COUNCIL MEETING

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	GUESTS
Stephen Butler (by phone) John Ely Mike Groves Susan Hopkins Nina Walker-Saenz Cathy Yee	Billy Power	Julie Baker Neil McFarland Karen Groves Magdalena Morales	

The meeting was held at Alamo Senior Center, 2201 Puerto Rico Avenue, Alamogordo, NM.

Attendance sheet passed around.

Meeting called to order at 1:20 pm

No Minutes for September. No Quorum

○ **Staff reports –**

FGP– Karen Groves

- FGP/SCP sheet
 - September
 - Neil and Karen visited the Tularosa Senior Center
 - SVP placed 2 new volunteers with clients
 - 2 possible new volunteers
 - Updated 2 MOU's
 - Health Fair held on Sept. 20, 2018. One volunteer, Angela Turner, visited all 40 vendors.
 - October
 - Visited Mescalero Elder Center on Oct. 23, 2018
 - Oct. VSY training was making wreaths.
 - Working on getting Gerald Champion Urgent Care to come to Sr. Center do a physical, Blood Pressure/Blood Sugar etc.
 - Would be mandatory for Sr. Grandparent and Sr. Companions
 - Nurse Practitioner or Certified Nurse Practitioner to do physical.

RSVP-Neil McFarland

- Spaghetti Dinner went well. Thanks to all the volunteers that helped.

SVP – Julie Baker

- Current Issues

Senior Center – Magdalena Morales

- Volunteers doing odd-jobs for Seniors. Volunteers would be doing jobs during off hours (some are active military), after 5pm, and weekends. Asked if there were any SVP seniors that would be willing to help out.
- Soup & Salad for fitness group Week of Oct 22. Recognition
- Informing staff and Seniors that the Center is a approved Shelter In Place in case it was required
- ADA presentation is to be held on October 21 to discuss the state requirements for ADA animals in Sr. Center. - wasn't there so I don't know it all went.
- **Old Business**
 - **Spaghetti Dinner Good/Bad**
 - Silent Auction items priced too high to start with. Increase needs to be in \$1 increments.
 - Free gift certificates were priced too high
 - Needed to have a sponsor board to thank silent auction item donors
 - John Ely-suggested to let diners know that items were being reduced to start half to $\frac{3}{4}$ of the way through the auction.
 - Sold less tickets this year than last year.
 - Suggested that have 2 tier pricing.
 - Need to tap into volunteers and get volunteers to sell tickets
 - Need to call bakers instead of emailing.
 - Need to add Coffee for dinner. Many guests asked for coffee.
 - Move to ASC was good.
 - Selmo. Diners loved the music. Selmo came and asked to be included for Spaghetti dinner for 2019. Suggested ticket price at \$10.
 - About 30% were take home meals
- **Unscheduled Communication**
 - Guest complimented about the process with moving and needs being met at the civic center.
 - Need to fill 3 vacancies in SAC

Adjourned 2:21 pm

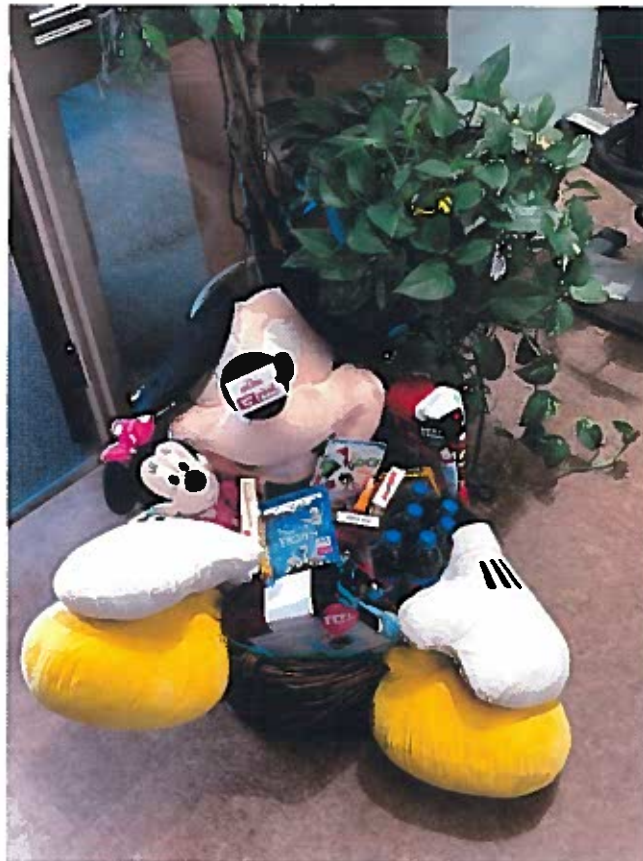
Next meeting November 14, 2018 at 1:15 PM

Respectfully,
SVP Staff

Foster Grandparent/Senior Companion Programs Christmas Raffle

Tickets:
\$1.00 each or
six for \$5.00

**Monies support
Senior Volunteer
Programs**



YOU GET--
Jumbo Mickey
Minnie Mouse
Popcorn
Popcorn Maker
Theater Candy
2 Children's blanket
Christmas DVD's
6 pk Pepsi
\$20 gift Certificate
from Papa John's
Beautiful Basket

Drawing will be held on December 17, 2018
WINNERS will be notified by phone!!

**For information on our programs-
contact Senior Volunteer Programs**

575-439-4154 or

**Come and visit us at our office 2201 Puerto Rico,
Alamogordo**

SENIOR VOLUNTEER PROGRAMS

2201 PUERTO RICO AVE. * ALAMOGORDO, NM 88310 * 575-439-4154

December 12, 2018 Agenda

The proposed agenda is as follows:

- a) Invocation and Roll Call
- b) Approval of November, 2018 Minutes

Special Activity:

Answering Santa Letters from Alamogordo Children.

Adjournment

Next Meeting January 16, 2019 at 1:15 pm

Respectfully,

SVP Staff

SENIOR VOLUNTEER PROGRAMS, FGP/RSVP/SCP

2201 PUERTO RICO AVE. * ALAMOGORDO, NEW MEXICO 88310 * (575) 439-4154

MINUTES of November, 2018

SENIOR VOLUNTEER PROGRAMS ADVISORY COUNCIL MEETING

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	GUESTS
Stephen Butler Mike Groves Susan Hopkins Billy Power Nina Walker-Saenz	John Ely	Julie Baker Karen Groves Maggie Morales Neil McFarland	Charlie Conklin

The meeting was held at the Alamogordo Senior Center, 2201 Puerto Rico Avenue, Alamogordo, NM

Attendance Sheet was passed around.

Meeting was called to order at 1:15 pm.

Invocation by Billy Power

Minutes reviewed for August: Motion to accept and carried by vote

Minutes reviewed for September: No quorum Motion to accept and carried by vote

Minutes reviewed for October: Motion to accept and carried with changes discussed.

o Staff reports – Karen Groves

- FGP/SCP
- 2 new Foster Grandparents
- New Senior Companion: Charlie Conklin
- Now have 13 Senior Companions and 11 Foster Grandparents
- Goal is 13-14 Foster Grandparents
- Majority of physicals for FGP/SCP are completed
- Christmas Luncheon for FGP/SCP set up by staff scheduled for Las Cruces on December 18, 2018
- Christmas Raffle is a "Mickey Basket." To date, have sold over \$120 worth of tickets. Not all tickets are in.
- We have rented a table at the Father Day Holiday Fair to sell more tickets. Drawing will be on December 17, 2018.

o RSVP – Neil McFarland

- RSVP
- Several new volunteers have come in to RSVP.
- Annual Cookie and Hot Chocolate Social coming up January 30, 2019.
 - o Will need some help from SAC members for serving.
- Santa Letters from Tree Lighting Ceremony
 - o Need volunteers to write response to children's letters to Santa.

- **SVP – Julie Baker**

- Volunteers hours are up
- Volunteer numbers are up
- All Reports have been finished
- Budgets are on track.

- **ASC – Maggie Morales**

- Talked about the Gift to Seniors program. POC for this is Maggie Morales.
- Stated that letters have already gone out.

- **OLD BUSINESS**

- Spaghetti Dinner
 - Did better than in years past
 - Auction and Dessert sales didn't do as well
 - For Spaghetti Dinner 2019, will combine with Selmo. Tickets price to go up to probably \$10 per ticket.
 - Will be Dinner/Dance.
 - Dessert Sales: need to have more desserts
 - Baskets: Raffle baskets instead of silent auction. Sell tickets at \$1.00 per ticket

- **New Business**

- December SAC Meeting:
 - Moved to December 12, 2018 so that members can help with answering Santa Letters. It was agreed on by SAC that the meeting would be moved so that we could get maximum participation in answering the Santa Letters from city children.
- By-laws
 - Cathy Yee Stated that SAC should be more involved.
 - Julie stated that if SAC members hear about needs from Seniors, then they need to bring that to the Staff.
 - Stephen Butler: Stated that the SAC used to do site visits.
 - Stephen Butler also stated that member need to bring people in to help when SAC is asked to help on projects.
- Election of new officers:
 - John Ely: elected president by vote
 - Cathy Yee: elected vice-president by vote
 - Susan Hopkins: Re-elected as Secretary by vote
 - Nina Walker-Saenz: New officers and members should go over by-laws and review them in January when they take office.

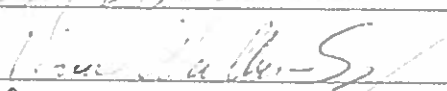
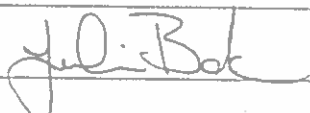
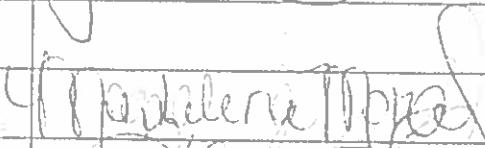
Adjourned 2:30 pm

Next meeting December 12, 2018 at 1:00 PM

Respectfully,
SVP Staff

Senior Advisory Council

Wednesday, November 14, 2018

Name	Signature
Stephen Butler	
John Ely	
Mike Groves	
Susan Hopkins	
Billy Power	
Nina Walker-Saenz	
Catherine Yee	
Staff	
Julie Baker	
Karen Groves	
Maggie Morales	
Neil McFarland	
Guests	
	



“Santa’s Needed”

Volunteers are needed to answer children’s
letters to Santa

WHEN: Wednesday, December 12, 2018

TIME: 1:00 PM TO 3:00 PM

WHERE: Alamogordo Senior Center Dining Room

2018 Senior Advisory Council Attendance	
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SENIOR VOLUNTEER PROGRAMS, FGP/RSVP/SCP

2201 PUERTO RICO AVE. * ALAMOGORDO, NEW MEXICO 88310 * (575) 439-4154

MINUTES of December 12, 2018

SENIOR VOLUNTEER PROGRAMS ADVISORY COUNCIL MEETING

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	GUESTS
John Ely Mike Groves Susan Hopkins Nina Walker-Saenz	Stephen Butler Billy Power Catherine Yee	Julie Baker Karen Groves Maggie Morales Neil McFarland	Sherry McCann Sandi Titera Allan Kuchinsky Pat McFarland Curtis McFarland

The meeting was held at the Alamogordo Senior Center, 2201 Puerto Rico Avenue, Alamogordo, NM

Attendance Sheet was passed around.

Members of the Senior Advisory Council, members of the Mayor's Council on Aging, and guests answered letters to Santa from area children that were collected at the City of Alamogordo's Annual Tree Lighting Ceremony.

Although many letters were received, only 10 had self-addressed, stamped, return envelopes for a response to be sent back to them.

Hot chocolate and cookies were provided by the Alamogordo Senior Center. Other guests that were present were:

Sherry McCann
Sandie Titera
Alan Kuchinsky
Pat and Curtis McFarland

Adjourned once all letters were answered

Next meeting January 16, 2019 at 1:15 PM
Respectfully,
SVP Staff

WHITE SANDS

BEAUTIFICATION

COMMITTEE

[illegible]

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 01/08/2019

Report Date: 01/02/2019

Report No: 8.

Submitted By: Petria Schreiber

Subject: Consider, and act upon, final publication of Ordinance 1584, Approving a Local Economic Development Project for secured assistance proposed by Medlin Ramps. (*Laurie Anderson, Otero County Economic Development Council*) **(Roll Call Vote Required)**

Fiscal Impact: \$2,500,000.00

Amount Budgeted: \$4,984,157.00

Fund: 105

Additional Fiscal Impact:

Recommendation:

Background: This is a proposed LEDA project presented by OCECD for Medlin Ramps to purchase the old Walmart Building. The purchase price is \$2.5 million, and since the property appraised at \$2.8, the Medlin's are requesting the purchase price to offset the cost of the building. The award will be secured by a mortgage on the property on which the City will be the first mortgage holder and superior to all other interests.

ORDINANCE NO. 1584

APPROVING A LOCAL ECONOMIC DEVELOPMENT PROJECT FOR SECURED FINANCIAL ASSISTANCE PROPOSED BY MEDLIN RAMPS

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

Pursuant to the City of Alamogordo Economic Development Plan, Ordinance No. 983 and NMSA 1978 Section 5-10-1, et seq. (Local Economic Development Act, the “Act”), the proposed economic development project of Medlin Ramps (“the Company”) is approved for the purposes set forth in NMSA 1978 Section 5-10-1, et seq., and the City of Alamogordo is authorized to enter into a Project Participation Agreement (“the Agreement”) with the Company as required by Section 10 of the Act, and in substantially the same form as attached hereto, the terms of which are incorporated herein.

The City Commission finds as follows:

1. The Company is an entity as defined in NMSA 1978, Section 5-10-3(G);
2. Under the Agreement, the Company will provide a substantive contribution for the proposed project as described in NMSA 1978 Section 5-10-10(B);
3. The Agreement complies with the requirements of the Act and Ordinance No. 983;
4. The benefit of the proposed project to the City of Alamogordo is repayment of the financial assistance through the creation of jobs and other benefits arising from employment and economic activity under the project which exceeds the cost to the City of providing to the Company the assistance specified in the agreement, and,

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

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

PASSED APPROVED AND ADOPTED this _____ day of _____, 2019.

CITY OF ALAMOGORDO, NEW MEXICO
a New Mexico municipal corporation

By: _____
Richard A. Boss, Mayor

ATTEST:

Rachel Hughs, City Clerk

APPROVED AS TO FORM:

Petria Schreiber, City Attorney

APPRAISAL REPORT IN SUMMARY FORMAT

**Commercial Facility
1900 U.S. Highway 54
Alamogordo, New Mexico 88310
Appraisal File #E18086**



Effective Date of Value: November 9, 2018

Date of Report: November 20, 2018

Prepared For:

**Mark Medlin
14903 Marquardt Avenue
Santa Fe Springs, California 90670
(562) 229-1991; mark@medlinramps.com**

Prepared By:



**2420 Midtown Place NE, Suite A
Albuquerque, New Mexico 87107
(505) 343-0400 • FAX (505) 343-0330**



Estate Valuation Consultants, Inc.

November 20, 2018

Mark Medlin
14903 Marquardt Avenue
Santa Fe Springs, California 90670

RE: Appraisal Report in Summary Format
Commercial Facility
1900 U.S. Highway 54
Alamogordo, New Mexico 88310
Appraisal File #E18086

Mr. Medlin:

In accordance with your request, we have prepared an Appraisal Report in Summary Format for the above-referenced property. This report is intended to assist the client, subsidiaries and/or affiliates, as an aid in purchasing decisions. The purpose of the appraisal report is to form an opinion of the market value "as is" of the fee simple interest in the subject property. The effective date of the "as is" market value is November 9, 2018, the date of the property inspection.

This letter of transmittal is not to be misconstrued as a complete and full narrative report, but merely indicates the final value opinion developed in the following report. The report provides the necessary supporting data, assumptions, and justifications for the final value opinion conclusion. The appraisal was prepared in conformance with the current requirements of the Federal Financial Institutions Reform Recovery and Enforcement Act (FIRREA), the Appraisal Foundation for Uniform Standards of Professional Appraisal Practice (USPAP), the Office of the Comptroller of the Currency's Real Estate Appraisal and Evaluation Guidelines, and with the requirements of the federal bank regulating agencies. The Certification and Assumptions and Limiting Conditions are presented in the Addenda, and are considered an integral part of the report. Considering analysis presented herein, the following opinion of market value for the above-referenced property has been reconciled:

Opinion of Fee Simple Market Value "As Is"
November 9, 2018
\$2,800,000

Should you have any questions or concerns, please do not hesitate to contact us at your earliest convenience.

Respectfully submitted,

Estate Valuation Consultants, Inc.

Shane LeMon, MAI, CCIM
NM General Certified Appraiser #00193-G

Kathleen E. Burmeister, MAI
NM General Certified Appraiser #03025-G

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ADDENDA

Exhibit A	Certification
Exhibit B	Assumptions & Limiting Conditions
Exhibit C	Qualifications of the Appraisers
Exhibit D	Engagement Letter
Exhibit E.....	Subject Information
Exhibit F	Purchase Agreement
Exhibit G	Vacant Site Sales
Exhibit H	Improved Sales

SUMMARY OF IMPORTANT FACTS & CONCLUSIONS

PROPERTY IDENTIFICATION

Commercial Facility
1900 U.S. Highway 54
Alamogordo, New Mexico 88310

EFFECTIVE DATE OF VALUE

November 9, 2018

DATE OF REPORT

November 20, 2018

PROPERTY RIGHTS

Fee Simple

OWNERS OF RECORD

TKG Alamogordo Center, LLC

PROPERTY DATA

Legal Description

Replat A, Shawna, Alamogordo, Otero County, New Mexico.

Site Area

23.469 acres, or 1,022,310 square feet (per legal description)

21.122 net acres, or 920,079 net square feet (per appraisers' calculations on plat; subject to survey)

Main Building

65,930± SF

North Building

6,000± SF

South Building

10,800± SF

Gross Building Area

82,730± SF (per County information and site plan; all measurements subject to current legal survey)

Floor Area Ratio

0.09 (82,730 SF building area ÷ 920,079 SF net site area)

Quality/Condition

Average/Poor-to-Fair

Age

Effective Age: 30 years

Remaining Economic Life: 30 years (may be extended with renovations and ongoing repairs)

Zoning

C-3 Business District

Flood Zone

FIRM Map #35035C1180D, dated December 17, 2010, within unshaded Flood Zone "X", areas determined to be outside the 0.2% annual chance floodplain. There is a drainage easement along the eastern and southern boundaries of the site, located in shaded Zone "A" which is a special flood hazard area without base flood elevation.

Highest & Best Use

As Though Vacant

Commercial development upon demand.

As Improved

Continued use as a commercial facility with future expansion or sale of excess site.

FINAL RECONCILED OPINION OF MARKET VALUE

Opinion of Fee Simple Market Value “As Is”

November 9, 2018

\$2,800,000

APPRAISAL PREFACE

We have performed an Appraisal Report in Summary Format of a commercial facility, addressed as 1900 U.S. Highway 54, Alamogordo, New Mexico 88310.

An *appraisal* is defined as:

*"1. The act or process of developing an opinion of value; an opinion of value. An appraisal must be numerically expressed as a specific amount, as a range of numbers, or as a relationship (e.g., not more than, more than, not less than, less than) to a specified amount."*¹

The following text is a *report*, defined as:

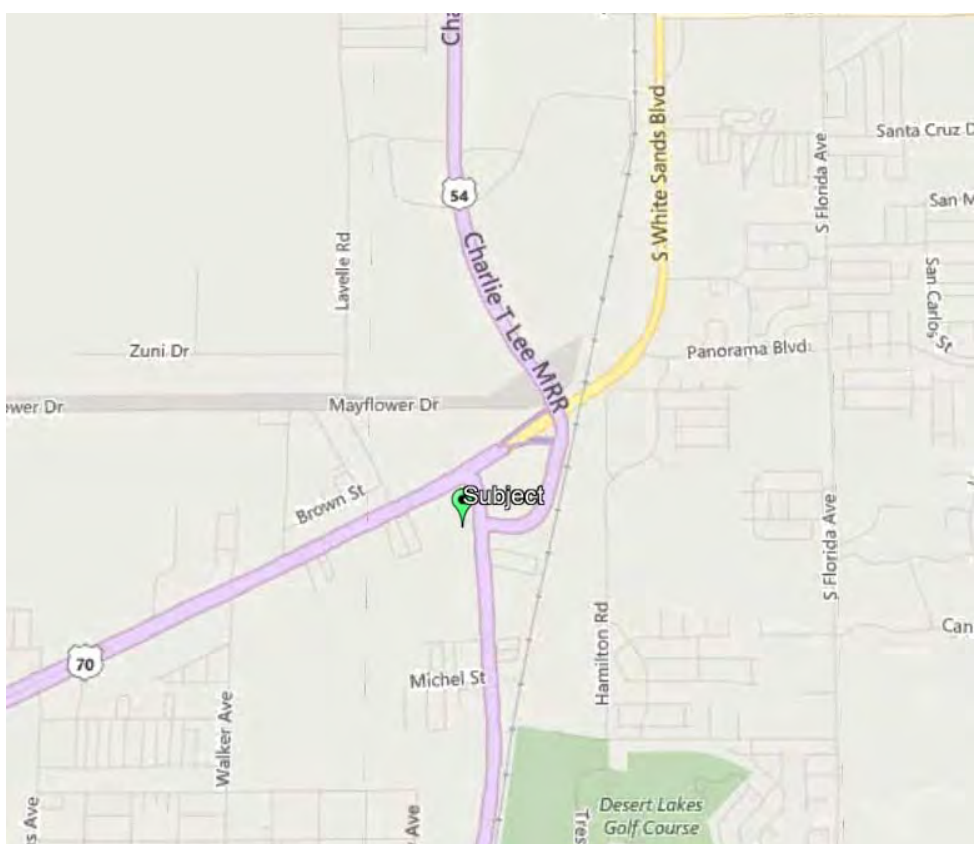
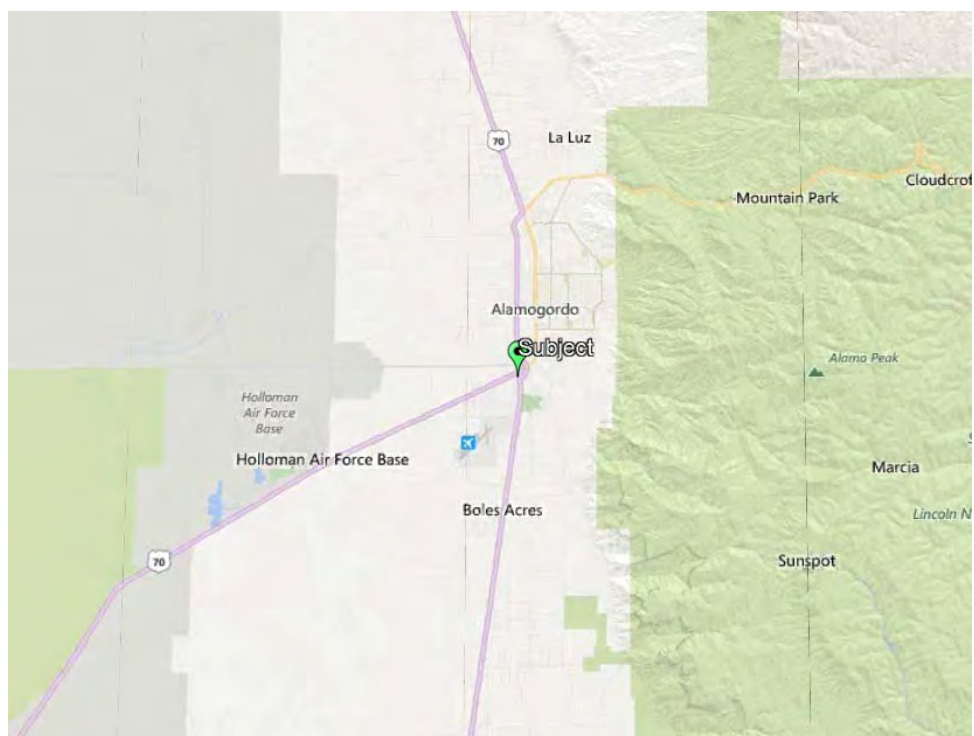
*"The final communication, written or oral, of an appraisal or review transmitted to the client."*²
Reporting requirements are set forth in the Standards Rules in Standard 2 of the Uniform Standards of Professional Appraisal Practice.

The preface contains location maps and photographs of the subject property.

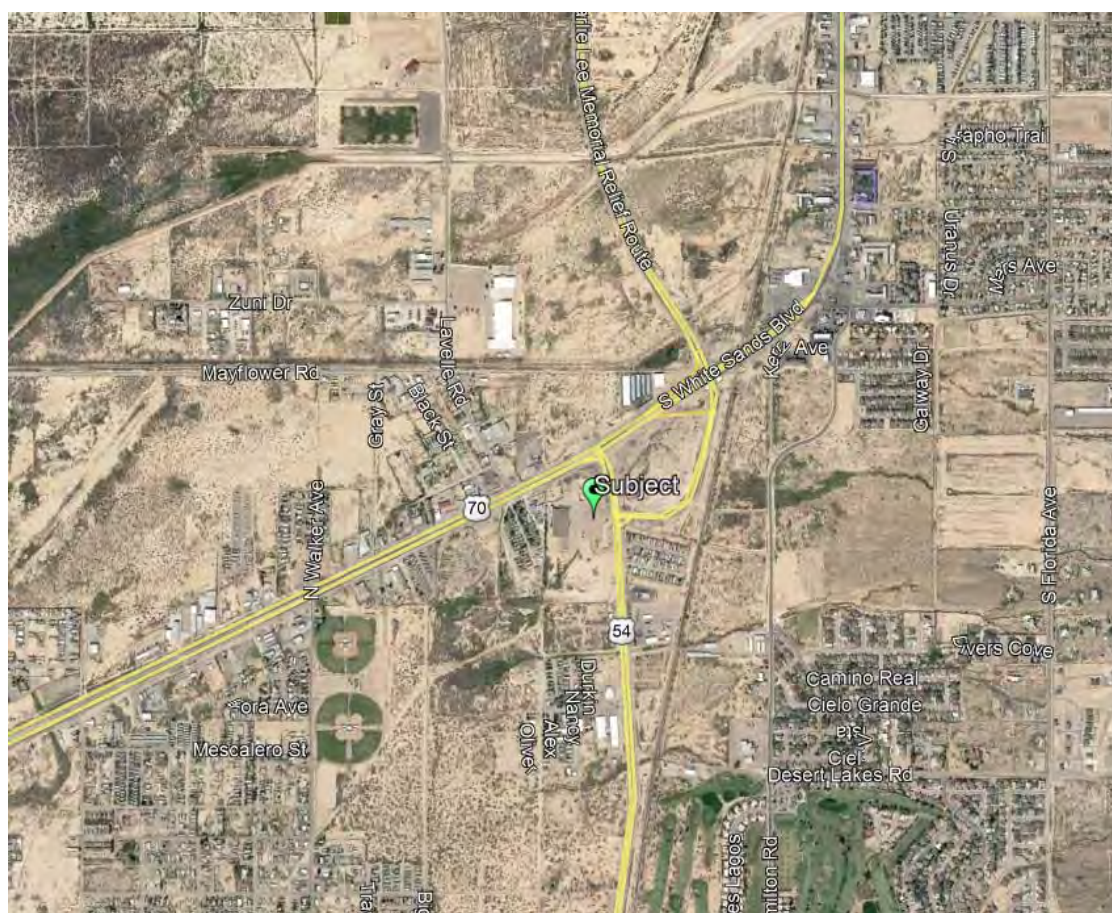
¹ Appraisal Institute, The Dictionary of Real Estate Appraisal, Sixth Edition, 2015, page 10

² Ibid., page 198





AERIAL PHOTOGRAPH

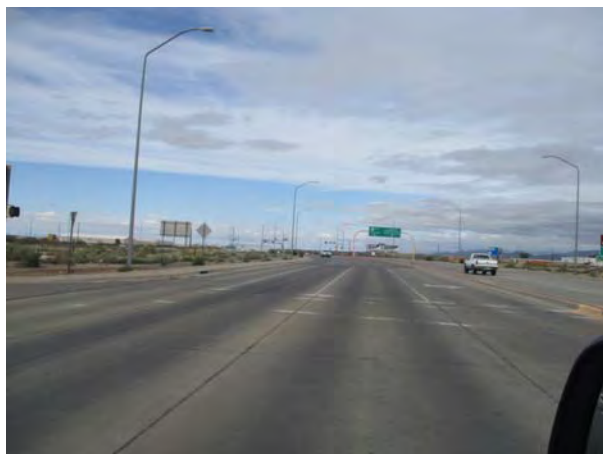


Source: Google Earth

PHOTOGRAPHS OF THE SUBJECT PROPERTY

(PHOTOGRAPHED OCTOBER 9, 2018)

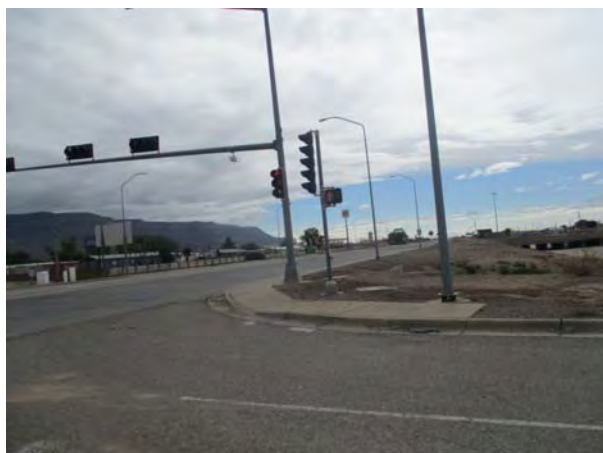
VIEW LOOKING NORTH ALONG HIGHWAY 54



VIEW LOOKING WEST ALONG HIGHWAY 70



VIEW LOOKING SOUTH ALONG HIGHWAY 54



EXTERIOR VIEW



VIEW LOOKING EAST ALONG HIGHWAY 70



EXTERIOR VIEW (MAIN BUILDING)



EXTERIOR VIEW



EXTERIOR VIEW



EXTERIOR VIEW



INTERIOR VIEW



EXTERIOR VIEW



INTERIOR VIEW



INTERIOR VIEW



INTERIOR VIEW



INTERIOR VIEW



INTERIOR VIEW



INTERIOR VIEW



INTERIOR VIEW



INTERIOR VIEW



INTERIOR VIEW (SOUTH BUILDING)



EXTERIOR VIEW (SOUTH BUILDING)



EXTERIOR VIEW (NORTH BUILDING)



EXTERIOR VIEW (SOUTH BUILDING)



EXTERIOR VIEW (NORTH BUILDING)



INTERIOR VIEW (NORTH BUILDING)



INTERIOR VIEW (NORTH BUILDING)



INTERIOR VIEW (NORTH BUILDING)



INTERIOR VIEW (NORTH BUILDING)



INTERIOR VIEW (NORTH BUILDING)



VIEW OF SITE



VIEW OF SITE



VIEW OF SITE



VIEW OF SITE



VIEW OF SITE



VIEW OF SITE



VIEW OF SITE



SUMMARY APPRAISAL REPORT

This is an Appraisal Report in Summary Format which is intended to comply with the reporting requirements set forth under Standards Rule 2-2(a) of the Uniform Standards of Professional Appraisal Practice for an Appraisal Report. As such, it presents summary discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraisers' opinion of value. Supporting documentation concerning the data, reasoning, and analyses is retained in the appraisers' file. The depth of discussion contained in this report is specific to the needs of the client and for the intended use stated below. The appraisers are not responsible for the unauthorized use of this report.

CLIENT

Mark Medlin
14903 Marquardt Avenue
Santa Fe Springs, California 90670

APPRAISERS

Shane LeMon, MAI, CCIM and Kathleen E. Burmeister, MAI
Estate Valuation Consultants, Inc.
2420 Midtown Place NE, Suite A
Albuquerque, New Mexico 87107

SUBJECT

Commercial Facility
1900 U.S. Highway 54
Alamogordo, New Mexico 88310

LEGAL DESCRIPTION

The subject site is legally described as follows:

Replat A, Shawna, Alamogordo, Otero County, New Mexico as shown and designated on said plat filed in the Office of the County Clerk on July 26, 1988 in Book 38, Page 67-68.

EFFECTIVE DATE OF VALUE

The effective date of value is November 9, 2018, the date of property inspection and photographs.

DATE OF REPORT

The report was completed on November 20, 2018 and signed by Shane LeMon, MAI, CCIM and Kathleen E. Burmeister, MAI.

INTENDED USER & INTENDED USE OF THE APPRAISAL

The only intended user of the appraisal report is our client, Mark Medlin, successors and/or assigns. This appraisal may not be used by any entity other than the client. The purpose of the appraisal is to provide our opinion of the market value of the fee simple interest of the subject as of the noted effective date of valuation. It is our understanding that the intended use of this report will be used as an aid in loan underwriting, loan classification and/or disposition of the asset.

DEFINITION OF MARKET VALUE

Following is the definition of “market value” as defined by the Office of the Comptroller of the Currency Regulation 12 CFR Part 34:

“The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- (1) Buyer and seller are typically motivated;*
- (2) Both parties are well informed or well advised, and acting in what they consider their own best interests;*
- (3) A reasonable time is allowed for exposure in the open market;*
- (4) Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and*
- (5) The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.”*

PROPERTY RIGHTS

We are appraising the “fee simple estate” of the subject property, defined as:

“Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.”³

SCOPE OF WORK

In preparing this appraisal, we...

- inspected the subject site, subject improvements, and viewed the general neighborhood;
- researched data on comparable vacant site sales; improved sales and listings;
- confirmed and analyzed the data;
- analyzed highest and best use of the subject site;
- analyzed all sales, agreements of sale, offers, options, or listings of the subject property within three years prior to the effective date of this appraisal;
- interviewed various real estate professionals (brokers, developers, and investors) familiar with the market area;
- developed the Sales Comparison Approach for valuation of the subject property;
- and utilized sales comparison techniques for valuation of the excess land.

The Cost Approach has not been developed due to the age of the improvements. The Cost Approach is most accurate when a property is new or relatively new construction. Application of depreciation within this approach for older properties is very subjective, which leads to less reliable valuation results. Additionally, current market conditions evidence that the Cost Approach is not a driving factor or influence in regard to

³ Ibid., page 90

purchases. The subject has been vacant for several years. Given the current market, absorption of a large facility like the subject is nearly impossible to project, so the Income Approach is also considered inapplicable at this time. Therefore, only the Sales Comparison Approach merits weight and will be utilized in our analysis.

This Appraisal Report is a brief recapitulation of our data, analyses, and conclusions. Supporting documentation is retained in the appraisal file. *Understanding that New Mexico is a non-disclosure State, information used in the report is as reliable as practical.*

OWNERSHIP & HISTORY

Ownership of the subject is currently vested in the name of TKG Alamogordo Center, LLC. The main building of the subject was previously operated as a Walmart store with other retail users in the north and south buildings. The subject has reportedly been vacant for roughly 11 years. According to the property managers, the owners have not been actively marketing the subject. The owners also own the newer Walmart in the City and reportedly did not want competition. There has been some interest over the years with prospective tenants interested in portions of the property; however, the owner reportedly did not want to lease or sell only portions of the property. Approximately two years ago, the subject was listed with Absolute Net Realty with an asking price of \$3,000,000. The subject property is now under contract for purchase by Mark Medlin with a pending price of \$2,500,000. Mr. Medlin plans to owner occupy the majority of the property for his manufacturing business. According to Jeremy Nelson with Absolute Net Realty, the City of Alamogordo will purchase the property for Mr. Medlin as an incentive to bring business to the community.

A portion of the site is currently being utilized as a port for FedEx trucks to meet and load packages. A portion is also utilized as a parking area for employee bus transportation to Holloman Air Force Base. According to Consuelo Horne with Absolute Net Realty, the buyer will likely negotiate with these users and allow them to continue utilizing portions of the property. The buyer will likely develop pad sites after the property is renovated and his business is operating.

No other transactions, offers for purchase, or listings for sale of the subject property within the last three years have been reported, or are known to us.

REGIONAL AREA DATA/NEIGHBORHOOD

The southeast quadrant of New Mexico includes the major cities of Alamogordo, Artesia, Carlsbad, Clovis, Hobbs, Lovington, Portales, Roswell, and Ruidoso. The larger cities that are within 200± miles of Alamogordo include Lubbock, Midland-Odessa, and El Paso, Texas, as well as Albuquerque, New Mexico. These cities are included in the region because they are supplier cities to the population in southeastern New Mexico.

The regional economy is dependent upon agriculture, extracted mineral production, manufacturing, tourism, military bases, and large federally funded projects and/or training facilities. The economic factors that most influence the region are the oil and gas industry, ranching, farming, and the dairy industry.

Roswell (Chaves County) serves as the regional trade center for the southeastern quadrant of New Mexico, namely the agricultural portion of the economy. However, the east side of the region (Lea, Roosevelt, Curry, and Otero Counties) leans toward Texas for trade.

TRANSPORTATION

Transportation throughout the region is primarily by personal vehicle. The major highways through the region are U.S. Highways 285, 70, 380, 82, 54, 62, and 180, along with State Highways 18 and 32. These highways are generally two-lane asphalt paved roads. Construction was completed in 2005 on U.S. Highway 285, making it a new four-lane highway. This highway extends from Interstate 40 at Clines Corners south to Carlsbad. U.S. Highway 70 had construction completed in early 2006. This highway runs southwest to northeast across New Mexico from Las Cruces to Clovis. This four-lane highway provides an alternate route across New Mexico, just south of Interstate 40. Due to the large size of the region and the limited population, the highway network is essential; it allows for family transportation as well as the movement of goods and raw materials/products into and out of the region.

The Burlington Northern Santa Fe Railway Company services the region. Rail transportation is limited mainly to the movement of extractive minerals, grain, and commodities for livestock use. The closest rail passenger terminals are in Albuquerque, New Mexico, and El Paso, Texas.

Bus transportation is provided by TNM&O Coaches, Inc., a regional bus carrier that services Texas, New Mexico, and Oklahoma.

Air transportation from various communities in the southeast quadrant of New Mexico was provided by Mesa Airlines to Albuquerque for several years, but was discontinued in 2008. American Eagle also discontinued service between Roswell and Los Angeles International Airport (LAX) due to an insufficient number of passengers to support the flights. New Mexico Airlines currently provides daily round-trip flights between Alamogordo, Carlsbad, and Hobbs to Albuquerque. In 2011, Continental Airlines began operating once-daily flights on Tuesdays and Saturdays and twice-daily flights every other day between Hobbs and Houston, Texas. This was largely related to the service transportation needs of people involved in the oil and gas, uranium enrichment, and solar industries in southeastern New Mexico. Great Lakes Airlines provides daily

flights between Clovis and Albuquerque. Service by major airlines is available in Albuquerque, New Mexico, as well as Lubbock, Midland-Odessa, and El Paso, Texas. The existing air transportation system is considered to be adequate for the current population.

MILITARY BASES

The 2005 Base Realignment and Closure Commission (BRAC) had considered closing all, or portions of, Cannon Air Force Base, Holloman Air Force Base, White Sands Missile Range, and Fort Bliss (near El Paso, Texas). Remarkably, none of these local bases were closed, which was good news for New Mexico and the El Paso region of Texas.

In July 2006, the Pentagon announced a new mission for Cannon Air Force Base. Cannon AFB, which is located approximately seven miles southwest of Clovis, New Mexico, activated the 27th Special Operations Wing in October 2007. The 27th Special Operations Wing is part of the Air Force Special Operations Command (AFSOC). This Special Operations Wing plans and executes specialized and contingency operations and provides intelligence, surveillance, reconnaissance, and close air support for special operations forces. Cannon AFB encompasses 4,543 acres and employs around 5,300 military and 200 civilian personnel; it also employs roughly 853 civilians in the Clovis/Portales area. The Base has roughly \$688 million per year economic impact on the Clovis/Portales community.

Holloman Air Force Base, approximately six miles southwest of Alamogordo, was originally established in 1942. The 49th Wing – host wing at Holloman Air Force Base – supports national security objectives by deploying worldwide to support peacetime and wartime contingencies. The Wing provides combat-read airmen, F-22 Raptors, and trains MQ-1 Predator and MQ-9 Reaper pilots and sensor operators. Holloman AFB encompasses 59,904 acres and has approximately 4,037 active duty military personnel; it also provides 1,232 civilian jobs in the Alamogordo area. The Base has roughly \$693 million per year economic impact on the Alamogordo/Las Cruces economy.

AGRICULTURE

Farming and ranching is found throughout the region. There is some irrigated farming in the Hobbs/Lovington area and some dryland farming in Curry and Roosevelt Counties. The estimated irrigated acreage in the region is 300,000 acres. Farming is limited by water availability. Ranching spans the region where there is insufficient water for farming. The livestock raised are mainly sheep, goats, and cattle as well as some horses using for racing and livestock handling. Dairy heifer raising has become an economic factor because of the numerous dairies in the region. Approximately 150 dairies and 313,200 head of milk cows (average of 2,088 per herd) are located in New Mexico. New Mexico produces 44 million pounds of milk per year, worth an estimated \$5.8 million. New Mexico ranks ninth in the nation for milk production and fifth in the nation for production of cheese.

The Leprino Cheese Plant in Roswell is one of the largest manufacturers of mozzarella cheese and lactose in the world. The 430,000 square foot plant currently has 600± employees and currently processes about six

million pounds of milk per day (four times as much as when the facility opened in 1993). The products Leprino produces include frozen diced cheese, bulk ribbon cheese, wrapped ribbon cheese, whey protein concentrate, and lactose. Leprino sells cheese to businesses such as Pizza Hut and Domino's Pizza. The Leprino plant had a major equipment upgrade in 2013; the equipment upgrade was estimated to cost approximately \$20 million. It increased employment at the plant by 10 to 12 new positions and allowed for additional cheese product production. As do all Leprino facilities, the Roswell plant puts great importance on being environmentally responsible, even winning the 2011 Xcel Energy Environmental Leadership Award. The plant uses recycled water to irrigate over 360 acres of Triticale and 360 acres of Sordan sold in the area for feed.

The Southwest Cheese Company plant officially opened in Clovis on October 10, 2006. Southwest Cheese was a 50-50 joint venture between Glanbia PLC and the Greater Southwest Agency. Glanbia PLC is an international firm based in Kilkenny, Ireland. The Greater Southwest Agency is owned by Dairy Farmers of America, Select Milk Producers, Lone Star Milk Producers, and Zia Milk Producers. The cheese plant is a 340,000 square foot plant employing 300± people. In April 2009, a \$90 million expansion was announced; it would be fully commissioned in 2010. The expansion increased jobs by approximately 50 positions. After the expansion, at full capacity the plant processes 10.5± million pounds of milk daily. Cheeses produced are Cheddar, Monterey Jack, Colby, and Pepper Jack in 40-pound and 640-pound blocks. The expansion made 1.1 million pounds of American style cheese and 70,000 pounds of high value-added whey daily. Southwest Cheese is one of the largest natural cheese and high protein whey processing plants in the world.

The recession caused demand for milk products to decline nationwide, which resulted in the prices received by dairy farmers to be below the cost of production. In other areas of the United States, the negative cash flow drove many dairies out of business. Due to a variety of factors, southeastern New Mexico was reasonably fortunate in the market slump; however, approximately 20 to 30 dairies in still shut down in the last ten years.

Crops grown on the farmland primarily include milo, corn, alfalfa, cotton, peanuts and some chili peppers. For years, Georgia has long held the overall production title of pecans, with Texas ranking second. Due to drought, beginning in 2011 New Mexico was ranked second in the nation for pecan production. It is estimated that New Mexico has the highest dollar value of pecan production of any state in the United States. This is partially due to the continued increase in pecan production in southeastern New Mexico, including a pecan orchard development in the Roswell/Artesia area by Chase Farms. Corn silage production has increased due to the demand created by the local dairies.

ENERGY & MINING

The extracted minerals portion of the regional economy includes oil and gas production as well as potash and sulfur mining. Oil and gas production is located throughout the region, but is primarily north and east of Roswell, east of Artesia and Carlsbad, and in the Hobbs/Lovington area. Artesia has the largest oil refinery (Navajo Refinery) in New Mexico. The refining process begins at the Navajo facility in Lovington. The oil

is transported via underground pipeline to Artesia, where the refining process converts the crude oil into usable retail products, such as gasoline, diesel fuel, and jet fuel. The refinery in Artesia has been expanded over the years, allowing it to refine up to 100,000 barrels per day at full capacity. Employment at Navajo Refinery has stabilized at approximately 470 employees at this level of production. Refined products are piped to El Paso, Texas, and from El Paso to Albuquerque, Mexico, and Tucson and Phoenix, Arizona. This refinery completed Phase II of a major capital project initiative in the second quarter of 2010, providing the refinery the capability to process up to 40,000 barrels per day of heavy type crudes with the installation of a new solvent de-asphalter and the revamp of the crude and vacuum units. The refinery has spent several million dollars in capital costs in the past few years on several projects, including the upgrading of equipment to comply with EPA requirements, installing a new storm water surge tank, and upgrading several other processes at the refinery's Artesia waste water treatment plant.

In December 2012, Navajo Refinery announced their plan to bring in 1,000± contract workers in January/February 2013 for routine maintenance. This maintenance turnaround promised to produce a great economic start for 2013 for the hotels and local businesses in the Artesia area. Hotels throughout the larger market area were positively impacted because Artesia did not have adequate lodging capacity to house hundreds of contract laborers.

Due to the strong oil and gas industry presence in the region, hydraulic fracking (shale extraction) is becoming more prevalent in the area. In early May 2013, Mora County made national headlines for imposing a fracking ban. Fracking is a controversial process that involves horizontal drilling and injecting millions of gallons of pressurized water, sand, and chemicals into wellheads. Many areas in the southwest and northwest regions of New Mexico still employ the process.

Potash and sulfur, which are used in the manufacturing of fertilizer, are mined in the Carlsbad area. There are currently three operational potash mines and four processing facilities east of Carlsbad. New Mexico was already ranked first in potash production in the United States, but production growth in the past few years has now elevated it to New Mexico's largest mining commodity, dethroning coal and copper, the state's two long-time front-runners.

In December 2010, Xcel Energy and SunEdison broke ground on a 54 MW photovoltaic solar deployment to be built on five separate sites in Lea and Eddy Counties (four in Lea County and one in Eddy County). All five sites were in service as of November 17, 2011. Each site is comprised of utility-scale photovoltaic solar power arrays that are expected to deliver more than 112 million kilowatt hours of clean solar energy in the first year of operation alone. It is expected that the 54 MW deployment will generate more than 2 billion megawatt hours of clean, renewable energy over 20 years – enough energy to power more than 192,000 residences for one year. This is the largest solar deployment in New Mexico.

MANUFACTURING

Manufacturing in southeastern New Mexico is not a large portion of the economy, but this sector is improving. Louisiana Energy Services (LES) and Urenco have been issued a license from the United States Nuclear Regulatory Commission (NRC) to enrich uranium for nuclear power plants. The \$3 billion facility began construction in early 2007, just a short distance east of Eunice. The first production facilities were completed in late 2008. The Nuclear Regulatory Commission authorized startup of this facility on June 10, 2010; this is the first major nuclear facility to be licensed in the United States in the past three decades. The NRC approval of the LES facility is a turning point for the nuclear industry in the United States. The National Enrichment Facility was rebranded URENCO USA/LES on January 2, 2010. The Nuclear Regulatory Commission announced approval on August 24, 2011, for URENCO USA/LES to bring online two additional sequential enrichment systems, known as cascades. As of the end of 2011, URENCO USA/LES capacity was 400 tSW/a (tons of separative work per year). Construction will continue at the plant until it reaches the planned 5,700 tSW/a capacity that is anticipated to produce sufficient enriched uranium for nuclear fuel, which will provide approximately 10% of America's electricity needs. The total cost of the project is expected to be approximately \$4.5 billion. URENCO USA/LES currently employs approximately 350 employees along with another approximately 1,000 construction workers. Lea County purchased a 27.226 acre tract of land to be used by the Lea County Economic Development Corporation for company development. This tract is west of URENCO USA/LES, in the southeast corner of the intersection of SR 18 and SR 176. Jal and Eunice have seen several businesses open for support services for the facility. A large amount of HVAC (air-conditioning and filtering) services will be required by URENCO USA/LES for preventive maintenance to maintain a "clean room" in a dust-free environment.

Transportation Manufacturing Corporation (TMC) was the largest regional manufacturing employer. It was located at the Roswell International Air Center (RIAC), just south of Roswell. TMC built buses that were marketed nationally and worldwide. However, due to weak demand, TMC was forced to lay-off approximately 50 percent of its hourly workers in the fall of 1991. NovaBUS purchased TMC in late 1994. In 2002, NovaBUS announced that its bus manufacturing business was for sale. Millennium Transport, a new bus manufacturing company, began production in 2006; however, they filed for Chapter 11 bankruptcy in 2008 and there is no longer bus manufacturing at the RIAC. Fortunately for Roswell and the region, other businesses have come into the area to utilize the facilities available at the RIAC. These businesses serve both the aviation and manufacturing industries.

In June 2010, AerSale announced its acquisition of a division of Great Southwest Aviation in Roswell. Since then, AerSale has been successful in building its assets and expects continued growth over the next five years. AerSale disassembles and sells parts from older aircraft and refurbishes and leases airplanes and jet engines. The company typically buys 8 to 10 aircraft at a time. The aircraft that can be updated and repaired are then made available for lease. Those aircraft not deemed cost effective to update/repair are disassembled for parts or scrap. AerSale began with 15 employees and currently has 100± employees. AerSale anticipates employment of 130 to 150 with their current business model. Employees with specific skills may average

\$40,000 to \$70,000 per year. AerSale currently leases 400,000 square feet of aircraft hangar and facility space at the RIAC. They are an international firm with office facilities in two other locations in the United States and five locations around the world. The majority of the disassembly and aircraft refurbishing part of their operation takes place in Roswell. Another large RIAC employer anticipating strong growth is Dean Baldwin Aircraft Painting. Dean Baldwin currently employs approximately 165 full time employees at their Roswell location. The company has shown a large increase in employment, revenue, and the number of airplanes serviced. The Roswell facility sees between 200 to 300 planes a month, also servicing and painting planes in all six bays every eight to ten days.

CONCLUSION

The southeastern portion of New Mexico has exhibited a mostly stable economic basis over the past few years. In particular, the economy in Alamogordo has been slow but relatively stable, largely due to Holloman Air Force Base.

NEIGHBORHOOD DATA AND MARKET ANALYSIS

In the context of appraisal practice, a neighborhood is defined as *“a group of complementary land uses; a congruous grouping of inhabitants, buildings, or business enterprises.”*⁴ For purposes of this report, the subject property’s neighborhood is the City of Alamogordo, New Mexico.

Area Demographics - The following table presents historical, current, and projected demographic data for the three-mile radius surrounding the subject property:

 Demographic and Income Profile				
Alamogordo, New Mexico Ring: 3 mile radius			Prepared by Esri Latitude: 32.86953 Longitude: -105.97076	
Summary	Census 2010	2018	2023	
Population	18,212	18,246	18,386	
Households	7,810	7,829	7,866	
Families	4,835	4,716	4,687	
Average Household Size	2.31	2.31	2.31	
Owner Occupied Housing Units	4,483	4,172	4,255	
Renter Occupied Housing Units	3,327	3,657	3,611	
Median Age	37.0	38.4	39.6	
Trends: 2018 - 2023 Annual Rate	Area	State	National	
Population	0.15%	0.43%	0.83%	
Households	0.09%	0.37%	0.79%	
Families	-0.12%	0.20%	0.71%	
Owner HHs	0.39%	0.46%	1.16%	
Median Household Income	1.79%	2.07%	2.50%	
Households by Income	2018		2023	
	Number	Percent	Number	Percent
<\$15,000	1,375	17.6%	1,373	17.5%
\$15,000 - \$24,999	1,064	13.6%	993	12.6%
\$25,000 - \$34,999	871	11.1%	772	9.8%
\$35,000 - \$49,999	1,062	13.6%	989	12.6%
\$50,000 - \$74,999	1,379	17.6%	1,429	18.2%
\$75,000 - \$99,999	1,084	13.8%	1,224	15.6%
\$100,000 - \$149,999	706	9.0%	799	10.2%
\$150,000 - \$199,999	155	2.0%	145	1.8%
\$200,000+	132	1.7%	142	1.8%
Median Household Income	\$42,367		\$46,300	
Average Household Income	\$55,650		\$60,910	
Per Capita Income	\$24,059		\$26,248	

The data in the table above reveal a decrease in population from 2010 to 2018 with only a slight increase expected by 2023. Income data for the 2018 indicates 55.9% of the population within a three-mile radius had a household income of \$49,999 per year or less. Projections for 2023 indicate that household incomes below \$49,999 within the area will decrease by about 3.4%. Median household income, average household income, and per capita income are anticipated to increase by 9.3%, 9.5%, and 9.1%, respectively, over the next five years.

TRAFFIC ARTERIALS

Access to and within the neighborhood is good. The subject is located on the southwest corner of Highways 54 and 70. Highway 70 leads to Holloman Air Force Base and White Sands National Monument. Highway 54 becomes White Sands Boulevard just north of the subject which is the main arterial through the City of Alamogordo. This arterial ranges from two to three lanes of traffic in each direction (north and south) in the general vicinity of the subject. North White Sands Boulevard is improved with concrete curbs, gutters, and sidewalks and has concrete medians in the vicinity of the subject. This is the main arterial through the City of Alamogordo and becomes U.S. Highway 70 which leads to Holloman Air Force Base.

UTILITIES

Utilities available to the neighborhood include City water, sanitary sewer, natural gas, electricity and telephone. The Alamogordo and New Mexico State Police provide police protection. Fire protection is provided by the City of Alamogordo and Otero County.

NEIGHBORHOOD DEVELOPMENTS

There are mobile home parks to the west of the subject and east across Highway 54. U.S. Border Patrol is located just south of the subject. Developments near the intersection of White Sands Boulevard (Highway 54) and Highway 70 are retail and service-grade commercial users and include Chili's, Applebee's, Taco Bell, IHOP, and Anytime Fitness. There are several hospitality facilities near the intersection including Holiday Inn Express, Hampton Inn, Fairfield Inn & Suites, Luxury Inn & Suites, and Motel 6. Single-family residential developments are located on the interior neighborhood arterials.

SUMMARY

The commercial land uses located in the subject's vicinity exhibit good access and visibility. As such, access to the subject is considered adequate and typical of the area. Most of the area's commercial establishments are neighborhood-grade catering to daily consumer needs as well as the needs of travelers.

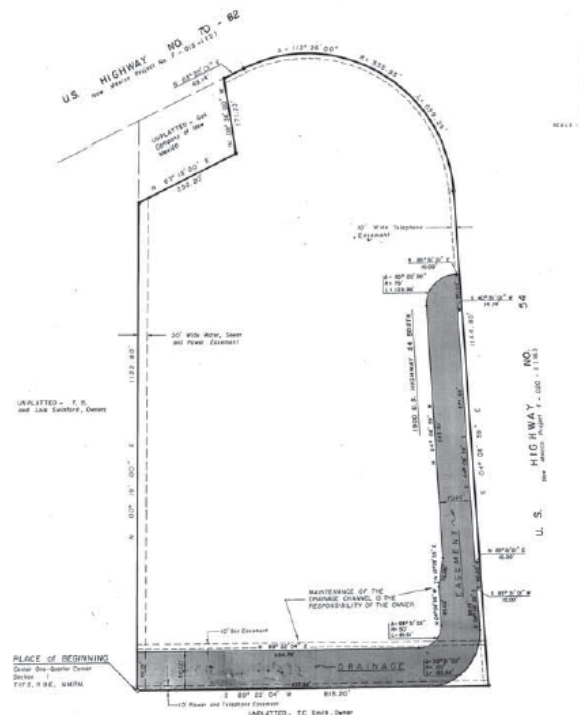
DESCRIPTION OF REAL ESTATE APPRAISED

Location – The maps presented in the *Preface* identify the location of the subject. The subject is addressed as 1900 U.S. Highway 54, Alamogordo, New Mexico 88310. The subject site is located at the lighted intersection of U.S. Highways 54 and 70.

Topography & Soils – The site is slightly below street grade and has a slight downward slope from northeast to southwest. Drainage and soil conditions appear adequate to support the existing subject improvements and are typical of the area. It is assumed that the land is stable. Absent a soil analysis, and based on visual inspection of neighboring developments, the soil bearing capacity is assumed to be adequate. There were no observed signs of any environmental contamination or problematic sub-soil conditions noted at the time of property inspection. However, no warranty is made to this effect (see *Environmental Statement* forthcoming).

Zoning – The subject site is zoned C-3 Business District which allows a variety of residential and commercial uses.

Shape & Size – The subject site is irregular in shape and contains 23.469 acres, or approximately 1,022,310 square feet (per legal description). There is a drainage easement along the eastern and southern portions of the site encompassing roughly 10% of the site (per appraisers' calculations on plat). Therefore, the site contains approximately 920,079 net square feet, or 21.122 net acres.

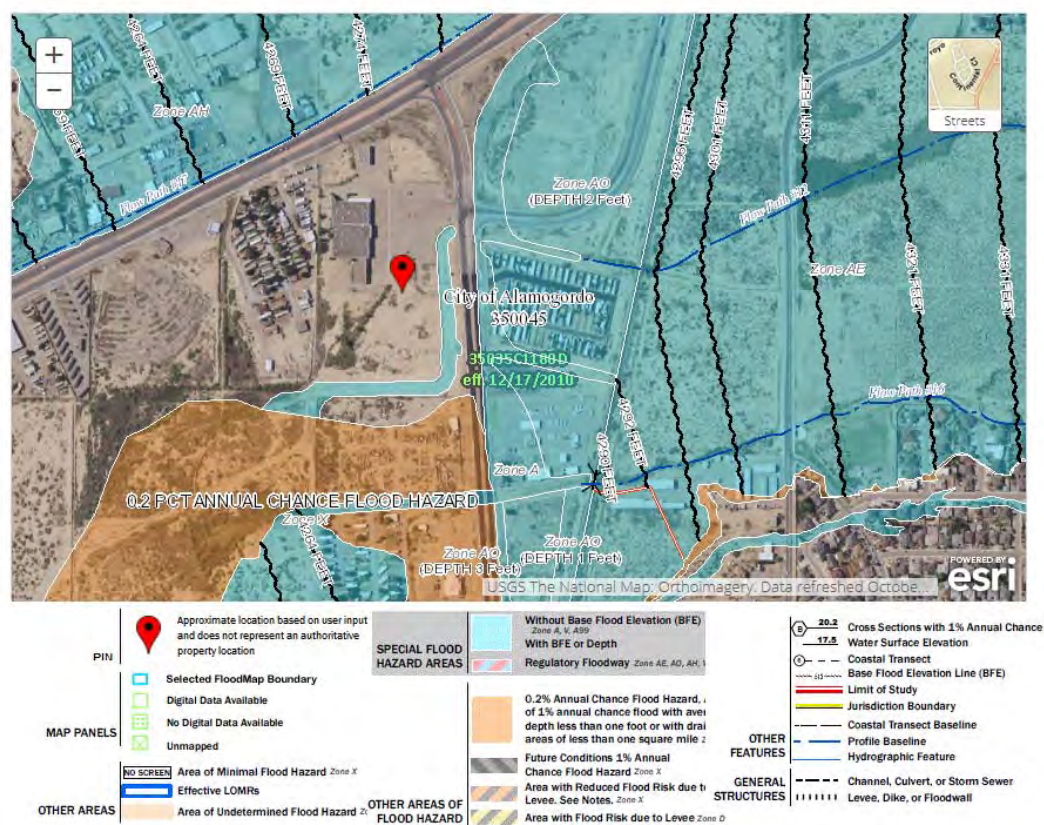


Easements/Encroachments – As discussed above, there is a drainage easement along the eastern and southern portions of the site encompassing roughly 10% of the site (per appraisers' calculations on plat). There is a 10' gas easement along the drainage easement on the south portion of the site. There is a 20' wide water, sewer, and power easement along the west boundary of the site and a 10' wide telephone easement

along the eastern boundary of the site. No other apparent adverse easements or encroachments are noted or assumed that would affect the marketability of the subject property. **This assumption is subject to a current legal survey and title search of the property**

Access & Visibility – The site has good visibility from U.S. Highways 70 and 54. The site can be accessed via two curb cuts along the west side of Highway 54. There is a traffic light along Highway 54 at the northern portion of the site providing direct access to the subject site. Overall, access and visibility are good for the area.

Flood Zone – The subject site is located on FIRM Map #35035C1180D, dated December 17, 2010, within unshaded Flood Zone “X”, areas determined to be outside the 0.2% annual chance floodplain. There is a drainage easement along the eastern and southern boundaries of the site, located in shaded Zone “A” which is a special flood hazard area without base flood elevation.



Utilities – The subject property is reported to have all utilities connected to the site (i.e., gas, electric, telephone, and sewer, and City trash removal).

Real Estate Taxes – The subject property is taxed by the authority of Otero County under three separate accounts. Following is a summary of the property taxes associated with the subject.

	Account #	Land Assessed	Improved Assessed	Assessed Value	Taxable Value	Taxes
Main Building	R020449	\$249,384	\$333,766	\$583,150	\$194,383	\$6,599.44
North Building	R020566	\$483,910	\$68,609	\$552,519	\$184,173	\$6,214.92
South Building	R020567	\$79,591	\$122,854	\$202,445	\$67,481	\$2,277.16
Total		\$812,885	\$525,229	\$1,338,114	\$446,037	\$15,091.52

According to the Otero County Treasurer, all taxes have been paid and are current. Considering the indication of market value “as is” derived within this report, the subject is under assessed which is not unusual for the market.

Improvements - Improvement data is based on a physical property inspection. The appraisers are not qualified to render an opinion on the adequacy of the structural or mechanical components of the building. Following are the construction and building improvement details:

Construction Improvement Details – Commercial Facility

Building Description	The main building is an open retail building with warehouse containing 65,930± square feet. The southern building is a multi-tenant retail building containing 10,080 square feet. The northern building is a free-standing retail building containing 6,000 square feet.
Building Quality	Average
Building Condition	Poor/Fair
Effective Age	30 years
Remaining Economic Life	30 years which may be extended with renovations and ongoing repairs and maintenance.
Foundation	Reinforced concrete slab.
Exterior Walls	CMU block.
Interior Walls	Mixture of textured and painted drywall, and exposed vinyl-backed insulation.
Interior Ceilings	Textured and painted drywall and exposed vinyl-backed insulation and steel deck.
Lighting	Fluorescent lighting and skylights.
Floor Finishes	Exposed concrete, vinyl tile, and commercial-grade carpet.
Plumbing	Assumed built to code.
Heating/Cooling	Gas heating and evaporative coolers.
Deferred Maintenance	The subject property requires extensive renovations including new electrical, roofing, flooring, etc. However, vacant properties similar to the subject are being sold in their current conditions for renovations or redevelopment. This will be considered in the forthcoming Sales Comparison Approach.
Conclusion	On the basis of property inspection, no forms of functional obsolescence were noted. Placement of the buildings is functional in regard to site configuration, and the overall design of the property is competitive within the market area. The property conforms well to the surrounding neighborhood and its legally permitted uses.

The appraisers are not qualified to judge the mechanical, electrical, HVAC, and structural components of the building and we assume they are adequate.

Other site improvements include asphalt parking and traffic circulation areas.

Floor Area Ratio – The floor area ratio (FAR) for the subject is calculated to be 0.09 (82,730 SF of building improvements divided by 920,079 net SF of total site area). This FAR is below the typical range for similar facilities located in the subject's general market area. Only a portion of the site is being utilized for building improvements, indicating the presence of excess site area. Applying a typical FAR of 0.15 indicates 551,533 square feet of site area is necessary to support the existing building improvements ($82,730 \text{ SF} / 0.15 = 551,533 \text{ SF}$). The remaining 368,546 square feet ($920,079 \text{ net SF} - 551,533 \text{ SF necessary for building improvements} = 368,546 \text{ SF}$) is considered excess site area. The value of the excess site will be added in the Sales Comparison Approach.

AMERICANS WITH DISABILITIES STATEMENT

The concluded market value is based on the extraordinary assumption that the property is not adversely impacted by non-compliance with the Americans with Disabilities Act. Such determination requires investigation by a qualified expert in the field of architecture or engineering. We have not been provided with information from such an expert as to the subject property's status with regard to the ADA. The user of this report is cautioned that the value opinion provided might be hypothetical on the basis of this extraordinary assumption.

ENVIRONMENTAL STATEMENT

No apparent or obvious signs of hazardous materials were noted at the time of property inspection. Hazardous materials may or may not be present on the subject property, but we are not qualified to detect such substances. The presence of substances such as asbestos, urea formaldehyde foam insulation, leaking oil or gas tanks, or other potentially hazardous materials may affect the value of the property. The opinion of value is predicated on the assumption that there is no such material on or in the property that would cause a loss in value. No responsibility is assumed for any such conditions or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in these fields, if so desired.

HIGHEST & BEST USE

Highest & Best Use As Though Vacant – The four highest and best use criteria are legally permissible, physically possible, financially feasible, and maximally productive. Based on the four highest and best use criteria, it is our opinion that the highest and best use of the site as though vacant is for commercial development upon demand. The zoning of the site allows for such uses. Based upon the trends and development patterns observed within the community, the optimal floor area ratio for this type of use would range from 0.10 to 0.30. This analysis is based upon the trends and development patterns observed, and the location of the subject site relative to other properties.

Highest & Best Use As Improved – The subject is improved with three commercial buildings. The existing subject improvements are legally permissible under current zoning ordinances and restrictions with no

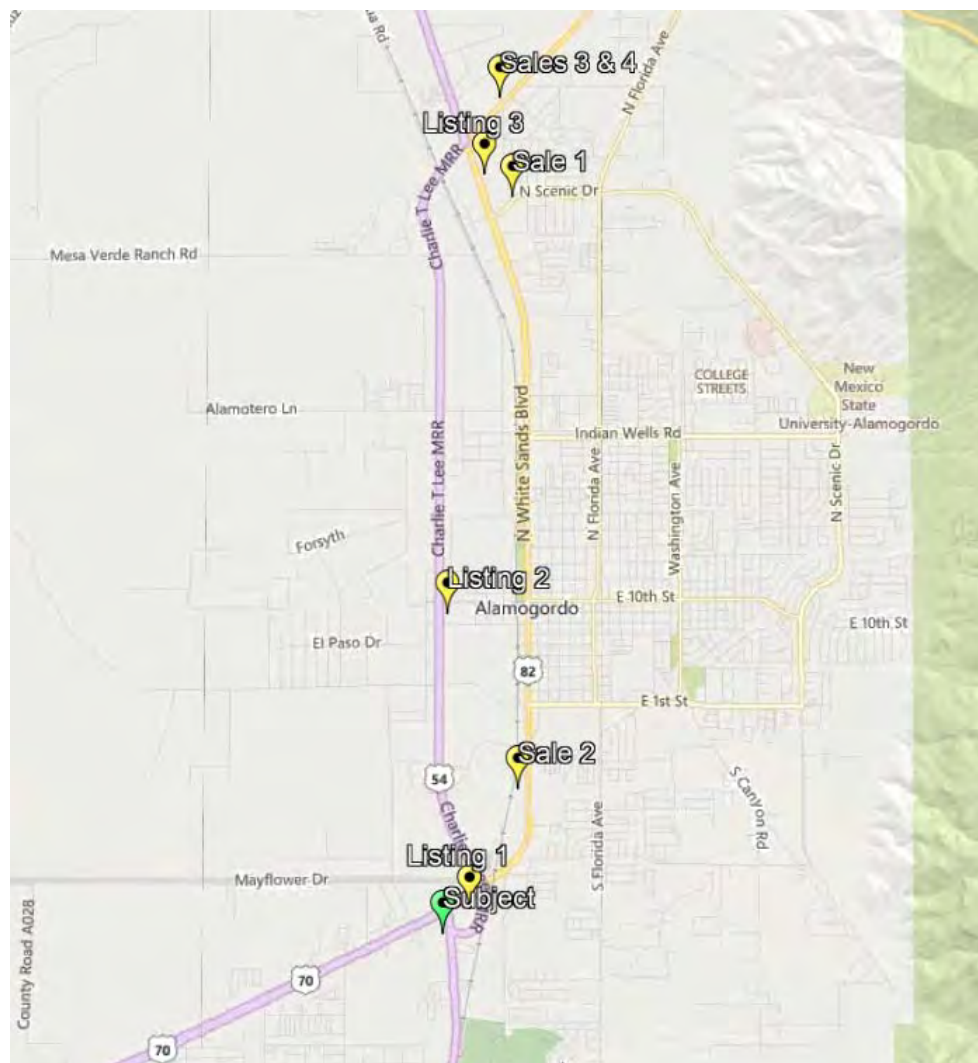
adverse easements, encroachments, or conditions found. This use is compatible with surrounding uses in the neighborhood. The existing use is also physically possible. The existing improvements continue to provide a financial return over and above the vacant site prices and listings in the general vicinity. At the present time there is no economic alternative use that would justify removal of the existing improvements (even given the estimated effective age and condition). Based on the four highest and best use criteria, it is our opinion that continued use of the commercial facility is the highest and best use of the site as improved with future expansion to maximize the FAR or sale of the excess site area.

SUMMARY OF ANALYSIS & VALUATION

SALES COMPARISON APPROACH – EXCESS SITE

As mentioned, the subject has excess site area. We spoke with commercial real estate brokers in the area who reported there have been a limited number of larger land sales over the past few years. Following are recent land sales and listings utilized to estimate the value of the subject's excess site area.

Chart of Comparable Vacant Land Sales - Excess Site Area								
	Subject	Sale 1	Sale 2	Sale 3	Sale 4	Listing 1	Listing 2	Listing 3
Address	1900 U.S. Hwy 54	N Scenic Dr, E/o White Sands Blvd	810 S. White Sands Blvd	N s/o US Highway 82, E/o White Sands Blvd	N s/o US Highway 82, E/o White Sands Blvd	1806 Charlie T. Lee Memorial Relief Bypass	SEC Charlie T. Lee Memorial Relief Bypass & 10th St	3650 N White Sands Blvd
Sale Date		Aug-17	Dec-15	Apr-14	Mar-14			
Sale Price		\$139,500	\$112,000	\$85,000	\$95,000	\$1,600,000	\$1,650,000	\$599,500
Site Position	Corner	Interior	Interior	Interior	Interior	Corner	Corner	Interior
Topography	Mostly Level	Mostly Level	Mostly Level	Mostly Level	Mostly Level	Mostly Level	Mostly Level	Mostly Level
Shape	Irregular	Slightly Irregular	Mostly Rectangular	Slightly Irregular	Slightly Irregular	Slightly Irregular	Rectangular	Rectangular
Property Rights	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple
Zoning	C-3	C-3	C-3	None	None	C-3	M-2	C-3
Use		Retail	Retail	Speculative	Speculative	Speculative	Speculative	Speculative
Site Area (AC)	8.4607	1.1300	1.3110	3.0000	7.8460	15.0000	16.0000	7.9900
Site Area (SF)	368,546	49,223	57,107	130,680	341,772	653,400	696,960	348,044
Sale Price/SF		\$2.83	\$1.96	\$0.65	\$0.28	\$2.45	\$2.37	\$1.72
Transaction Adjustments								
Property Rights	-	0%	0%	0%	0%	0%	0%	0%
	-	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
Adjusted Price/SF	-	\$2.83	\$1.96	\$0.65	\$0.28	\$2.45	\$2.37	\$1.72
Financing Terms	-	0%	0%	0%	0%	0%	0%	0%
	-	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
Adjusted Price/SF	-	\$2.83	\$1.96	\$0.65	\$0.28	\$2.45	\$2.37	\$1.72
Conditions of Sale	-	0%	0%	0%	0%	-20%	-20%	-20%
	-	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>-\$0.49</u>	<u>-\$0.47</u>	<u>-\$0.34</u>
Adjusted Price/SF	-	\$2.83	\$1.96	\$0.65	\$0.28	\$1.96	\$1.89	\$1.38
Expenditures	-	0%	0%	0%	0%	0%	0%	0%
	-	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
Adjusted Price/SF	-	\$2.83	\$1.96	\$0.65	\$0.28	\$1.96	\$1.89	\$1.38
Market Conditions	-	0%	0%	0%	0%	0%	0%	0%
	-	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
Adjusted Price/SF	-	\$2.83	\$1.96	\$0.65	\$0.28	\$1.96	\$1.89	\$1.38
Property Adjustments								
Location	-	Inferior	Significantly Inferior	Significantly Inferior	Significantly Inferior	Slightly Inferior	Inferior	Inferior
Physical								
Size		Significantly Superior	Significantly Superior	Superior	Similar	Inferior	Inferior	Similar
Topography		Similar	Similar	Similar	Similar	Similar	Similar	Similar
Zoning	-	<u>Similar</u>	<u>Similar</u>	<u>Similar</u>	<u>Similar</u>	<u>Similar</u>	<u>Slightly Inferior</u>	<u>Similar</u>
Overall	-	Superior	Slightly Inferior	Significantly Inferior	Significantly Inferior	Slightly Inferior	Inferior	Inferior



ANALYSIS OF SALES

Real Property Rights Conveyed – No adjustments were required for property rights.

Financing Terms – All sales are cash or cash equivalent transactions, thus, no adjustments for financing terms are warranted.

Conditions of Sale - All of the sales were reported to be arm's-length transactions and were not adjusted. Properties typically sell for less than list price. Thus, all of the listings were adjusted downward by 20%.

Expenditures after Sale - None of the sales reported expenditures necessary after the transactions.

Market Conditions (Time of Sale) – The sales have transpired since March 2014. No adjustment for market conditions is evident in the data set.

Sale 1 – Sale 1 is located on a minor arterial which is considered inferior to the subject location. This sale is much smaller than the subject. Due to economies of scale, smaller properties typically sell for higher prices per unit than larger properties. Therefore, Sale 1 is considered significantly superior to the subject size. This sale has similar zoning to the subject. Overall, Sale 1 is considered superior to the subject.

Sale 2 – Sale 2 has an address on South White Sands Boulevard; however, this property has a rear location which is considered significantly inferior to the subject location. This sale is much smaller than the subject and is considered significantly superior to the subject size. This sale has similar zoning to the subject. Overall, Sale 2 is considered mostly similar to the subject.

Sale 3 – Sale 3 is located on Highway 82 on the north side of the City which is considered significantly inferior to the subject location. This sale is smaller than the subject and is considered superior to the subject size. This property is outside the City limits and there is no zoning in Otero County. Overall, Sale 3 is considered significantly inferior to the subject.

Sale 4 – Sale 4 is located on Highway 82 on the north side of the City which is considered significantly inferior to the subject location. This sale is mostly similar to the subject's excess site area. This property is outside the City limits and there is no zoning in Otero County. Overall, Sale 4 is considered significantly inferior to the subject.

Listing 1 – Listing 1 is located directly across Highway 54 from the subject. This property has inferior access compared to the subject. It is larger in size than the subject's excess site area and has similar zoning compared to the subject. Overall, Listing 1 is considered slightly inferior to the subject.

We spoke to the listing agent, Doug Nelson, who told us this property has been on the market for over ten years. He has had it listed for two years and the owner increased the asking price one year ago. He said there has been some interest in the property and he believes the right user will come along and the property will be sold near the asking price.

Listing 2 – Listing 2 is located on a corner along the Charlie T. Lee Memorial Relief Bypass which is considered inferior to the subject's highway frontage. This property is larger in size than the subject's excess site area and has inferior zoning compared to the subject. Overall, Listing 2 is considered inferior to the subject.

Listing 3 – Listing 3 is located along White Sands Boulevard on the north side of the City which is considered inferior to the subject location. This property is mostly similar in size to the subject's excess site area. Its zoning is similar to the subject zoning. Overall, Listing 3 is considered inferior to the subject.

Sale	Comparison	\$/SF
Sale 1	Superior	\$2.83
Subject		
Sale 2	Slightly Inferior	\$1.96
Listing 1	Slightly Inferior	\$1.96
Listing 2	Slightly Inferior	\$1.89
Listing 3	Inferior	\$1.38
Sale 3	Significantly Inferior	\$0.65
Sale 4	Significantly Inferior	\$0.65

Conclusion – The adjusted vacant land sales present a range from \$0.28 per square foot to \$2.83 per square foot. Based on the above analysis, and considering the subject’s location at the lighted intersection of Highways 54 and 70 and its infrastructure with all utilities located on the site, we estimate a value of \$2.00 per square foot for the excess site area.

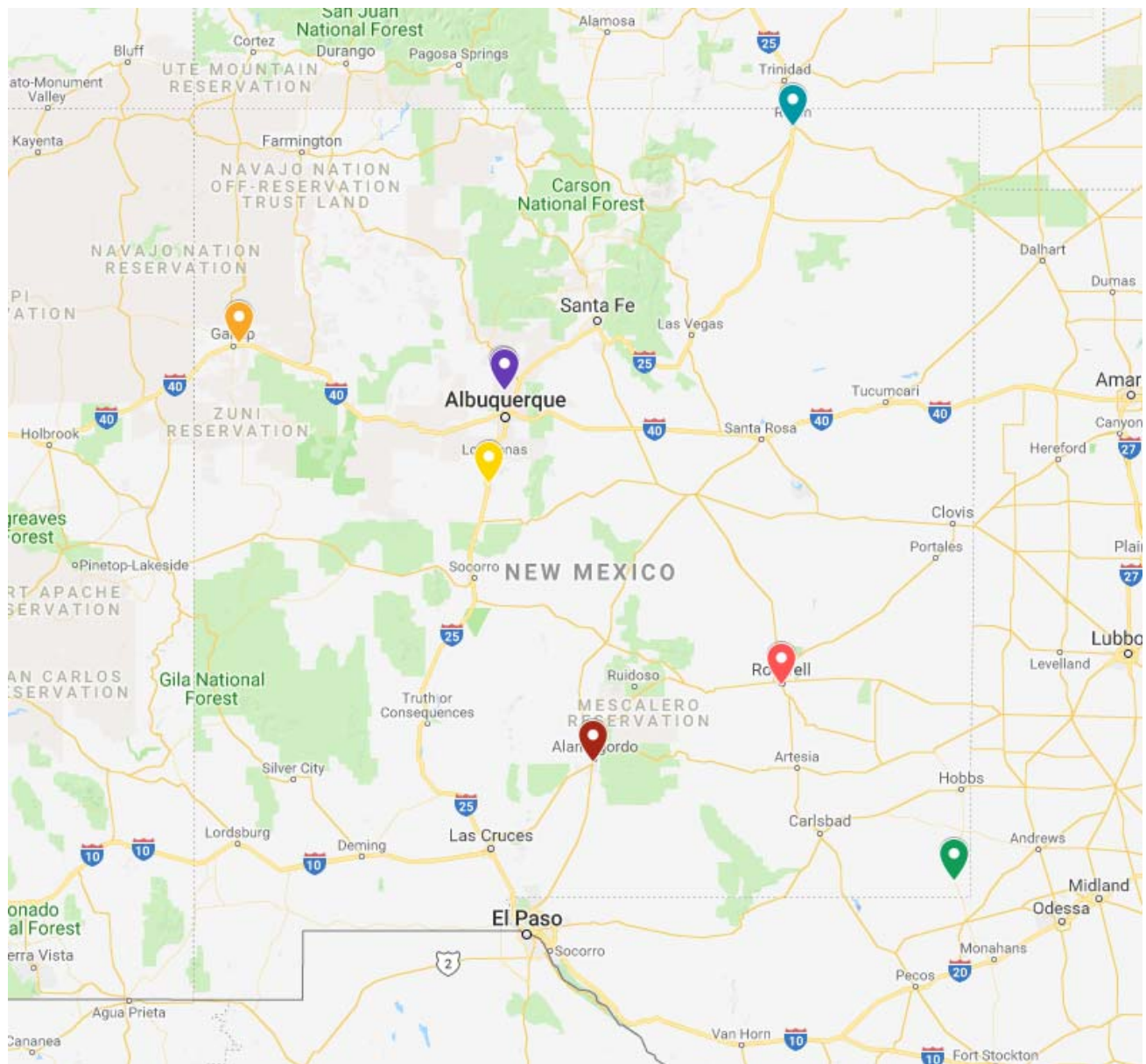
Price Per Square Foot Method – Excess Site Area

Excess Site Area	368,546 SF
Multiplied by Price Per Square Foot.....	x \$2.00
Indicated Value	\$737,092
Rounded to	\$735,000

Sales Comparison Approach

An in-depth search was conducted for recent sales which exhibit similar location and physical characteristics to the subject property. We spoke with real estate brokers active in the area who reported limited property sales in the last few years with no large properties similar to the subject. As such, we will utilize sales of larger properties throughout New Mexico in our analysis of the subject. Upward adjustments are made to the sales that have inferior characteristics compared to the subject, while downward adjustments are made to the sales that have superior characteristics compared to the subject. A summary of the data on the comparable improved sales is illustrated below, along with a location map. Detailed sales information and photographs of each are presented in the **Addenda**. The unit of comparison is sale price per square foot.

Chart of Comparable Improved Sales								
	Subject	Sale 1	Sale 2	Sale 3	Sale 4	Sale 5	Sale 6	Listing 1
Address	1900 U.S. Hwy 54	3301 Southern Blvd	900 S 3rd St	501 Bernard	2702 E Hwy 66	1709 S Main St	1640 Rio Rancho Blvd	1235 S 2nd St
City	Alamogordo	Rio Rancho	Jal	Belen	Gallup	Roswell	Rio Rancho	Raton
Former User	Walmart	Albertsons	Industrial	Industrial	Industrial	Albertsons	Kmart	Kmart
Sale Price		\$1,000,000	\$2,600,000	\$235,000	\$925,000	\$625,000	\$4,400,000	\$895,000
Sale Date		Sep-17	Jan-17	Jan-17	Sep-16	Jul-15	Nov-14	
Building Area RSF	82,730	64,580	56,300	18,225	28,632	34,042	86,479	40,327
Property Rights	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple
Quality	Average	Average	Average	Average	Average	Average	Average	Average
Condition	Poor/Fair	Fair	Average	Poor	Average	Below Avg	Average	Fair/Avg
Effective Age	30 Years	35 Years	25 Years	35 Years	25 Years	25 years	25 years	25 years
Site Area	551,533*	255,039	744,005	369,389	241,845	127,805	346,899	346,899
FAR	0.15*	0.25	0.08	0.05	0.12	0.27	0.25	0.12
Sale Price/SF	-	\$15.48	\$46.18	\$12.89	\$32.31	\$18.36	\$50.88	\$22.19
Transaction Adjustments								
Property Rights	-	0%	0%	0%	0%	0%	0%	0%
	-	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
Adjusted Price/SF	-	\$15.48	\$46.18	\$12.89	\$32.31	\$18.36	\$50.88	\$22.19
Financing Terms	-	0%	0%	0%	0%	0%	0%	0%
	-	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
Adjusted Price/SF	-	\$15.48	\$46.18	\$12.89	\$32.31	\$18.36	\$50.88	\$22.19
Conditions of Sale	-	25%	0%	0%	25%	0%	0%	0%
	-	<u>\$3.87</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$8.08</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
Adjusted Price/SF	-	\$19.35	\$46.18	\$12.89	\$40.39	\$18.36	\$50.88	\$22.19
Expenditures	-	0%	0%	0%	0%	0%	0%	0%
	-	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
Adjusted Price/SF	-	\$19.35	\$46.18	\$12.89	\$40.39	\$18.36	\$50.88	\$22.19
Market Conditions	-	0%	0%	0%	0%	0%	0%	0%
	-	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
Adjusted Price/SF	-	\$19.35	\$46.18	\$12.89	\$40.39	\$18.36	\$50.88	\$22.19
Property Adjustments								
Location	-	Superior	Inferior	Inferior	Similar	Slightly Inferior	Superior	Inferior
Physical	-							
Quality	-	Similar	Similar	Inferior	Inferior	Similar	Similar	Similar
Age/Condition	-	Inferior	Superior	Inferior	Superior	Slightly Superior	Superior	Superior
Size	-	Similar	Similar	Superior	Superior	Superior	Similar	Superior
FAR	-	Inferior	Superior	Superior	Similar	Inferior	Inferior	Similar
Overall	-	Inferior	Superior	Inferior	Superior	Slightly Inferior	Superior	Inferior
*Excludes surplus site area								



Property Rights – The subject represents a fee simple estate. The sales represent fee simple estates; therefore, no adjustments are required under this category.

Financing Terms – All of the sales were cash or cash equivalent transactions and did not warrant a need for an adjustment; thus, no adjustment will be applied to these sales for financing terms.

Conditions of Sale – Sale 1 was reported to have a motivated seller and Sale 4 was bank owned. As such, these sales were adjusted upward by 25%. Listing 1 is reportedly a distressed sale. Since the property has not yet sold, we did not make an adjustment under this category; however, the sale conditions will be discussed in the analysis. The remaining sales were reportedly arm's-length transactions with no distress conditions reported.

Expenditures After Sale – No adjustments have been made under this category.

Market Conditions (Time of Sale) – All of the sales have occurred since November 2014. There is no evidence in the data set that an adjustment is warranted for market conditions during this time period.

Sale 1 – Sale 1 is a former Albertsons grocery store in Rio Rancho, New Mexico. This sale reportedly involved an “extremely motivated” seller. This property has frontage on a main arterial in a larger, active community and is considered superior to the subject location. The quality is similar to the subject. The effective age is inferior to that of the subject. This property required extensive renovations similar to the subject. The building is mostly similar in size compared to the subject. The floor area ratio is higher, and thus inferior, to the subject’s adjusted FAR of 0.15. Overall, Sale 1 is considered inferior to the subject.

Sale 2 – Sale 2 is an industrial facility containing five buildings located in Jal, New Mexico. This location is on a minor arterial in a small community and is considered inferior to the subject location. The improvements are similar quality compared to the subject and in superior condition. The overall building size is mostly similar to the subject. This property has a low floor area ratio which is considered a superior characteristic compared to the subject’s adjusted FAR. Overall, Sale 2 is considered superior to the subject.

Sale 3 – Sale 3 is an industrial property located in Belen, New Mexico. This location is on a minor arterial in a small community and is considered inferior to the subject location. The improvements are similar quality compared to the subject. The building has an inferior effective age compared to the subject and is in inferior condition. This property required significant renovations and environmental remediation. The building size is much smaller than the subject. Due to economies of scale, smaller properties typically sell for higher prices per unit than larger properties. Therefore, Sale 3 is considered significantly superior to the subject size. This property has a low floor area ratio which is considered a superior characteristic compared to the subject’s adjusted FAR. Overall, Sale 3 is considered inferior to the subject.

Sale 4 – Sale 4 is an industrial facility in Gallup, New Mexico. This was a bank owned property. This location is on a major arterial in a small community and is considered similar to the subject location. This building is average quality metal construction which is inferior to the subject buildings. The improvements are in superior condition compared to the subject. The building is smaller than the subject. This property has a similar floor area ratio compared to the subject’s adjusted FAR. Overall, Sale 4 is considered superior to the subject.

Sale 5 – Sale 5 is a former Albertsons grocery store in Roswell, New Mexico. This property has frontage on a main arterial in a small community and is considered slightly inferior to the subject location. The building is smaller than the subject. The quality and effective age and condition are slightly superior to the subject. The floor area ratio is higher, and thus inferior, to the subject’s adjusted FAR of 0.15. Overall, Sale 5 is considered slightly inferior to the subject.

Sale 6 – Sale 6 is a former Kmart store in Rio Rancho, New Mexico. This property has frontage on a main arterial in a larger, active community and is considered superior to the subject location. The building is similar in size compared to the subject. The quality is similar to the subject and the condition is superior.

The floor area ratio is higher, and thus, inferior to the subject's adjusted FAR of 0.15. Overall, Sale 6 is considered superior to the subject.

Listing 1 – Listing 1 is a Kmart store in Raton, New Mexico. Kmart currently occupies the building; however, the property is being advertised as a redevelopment since the store will be closing in the near future. The property is reportedly a distressed sale. This property has frontage on a main arterial in a small community and is considered inferior to the subject location. The building is smaller than the subject. The quality is similar to the subject and the condition is superior. The floor area ratio is similar to the subject's adjusted FAR of 0.15. Overall, Listing 1 is considered inferior to the subject given its motivated seller.

Sale	Comparison	\$/SF
Sale 6	Superior	\$50.88
Sale 2	Superior	\$46.18
Sale 4	Superior	\$40.39
Subject		
Listing 1	Inferior	\$22.19
Sale 1	Inferior	\$19.35
Sale 5	Inferior	\$18.36
Sale 3	Inferior	\$12.89

Opinion of Market Value by Sales Comparison Approach

The adjusted prices per square foot reflect a range from \$12.89 to \$50.88. Considering the location and physical characteristics of the subject, we estimate a value of \$25.00 per square foot is reasonable for the subject property.

Building Area.....	82,730 SF
Multiplied by Price per Foot.....	x \$25.00
Opinion of Market Value.....	\$2,068,250
Plus Value of Excess Site Area.....	\$735,000
Indicated Value.....	\$2,803,250
Rounded to.....	\$2,800,000

Opinion of Fee Simple Market Value "As Is"

Sales Comparison Approach

November 9, 2018

\$2,800,000

FINAL RECONCILED OPINION OF MARKET VALUE

Opinion of Fee Simple Market Value “As Is”

Sales Comparison Approach.....\$2,800,000

As discussed in the Scope of Work, the Cost Approach has not been developed due to the age of the improvements. The Cost Approach is most accurate when a property is new or relatively new construction. Application of depreciation within this approach for older properties is subjective, which leads to less reliable valuation results. Additionally, current market conditions evidence that the Cost Approach is not a driving factor or influence in regard to purchases. The subject has been vacant for several years. Given the current market, absorption of a large facility like the subject is nearly impossible to project, so the Income Approach is also considered inapplicable at this time. Therefore, only the Sales Comparison Approach was utilized in our analysis. We conclude the following opinion of market value for the subject property “As Is”:

**Final Reconciled
“As Is” Fee Simple Opinion of Market Value
November 9, 2018
\$2,800,000**

EXPOSURE & MARKETING TIME

Exposure Time is the estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale, at market value, on the effective dates of the appraisal. It is a retrospective estimate, based on an analysis of past events assuming a competitive and open market. Based on recent supply/demand characteristics, and based on the exposure time of the comparable sales used within this report we estimate the subject property’s exposure time at two to five years from the effective date of valuation.

Marketing Time is the estimated length of time it might take to sell the property interest in real estate at the estimated market value during the period immediately after the effective date of the appraisal. Marketing time differs from exposure time which is presumed to precede the effective dates of the appraisal. Because there are no significant changes anticipated in the supply/demand characteristics in this sub-market, immediately following the effective date of the appraisal, we estimate that the marketing time is similar to the estimated exposure time from two to five years from the effective date of valuation.

➤ **ADDENDA** ◀

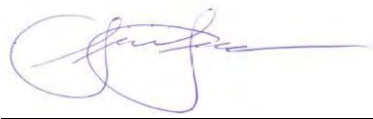
➤ **Exhibit A** ◀
Certification

We certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are our personal, impartial, and unbiased professional analyses, opinions and conclusions.
- We have no present or prospective interest in the property that is the subject of this report, and have no personal interest with respect to the parties involved.
- We have no bias with respect to the property that is the subject of this report, or to the parties involved with this assignment.
- Our engagement in this assignment was not contingent upon developing or reporting predetermined results.
- Our compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- The reported analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute, which include the Uniform Standards of Professional Appraisal Practice.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- We made a personal inspection of the interior and exterior of the property that is the subject of this report.
- Jennifer D. Ridley (License #03226-A) provided significant real property appraisal assistance to the persons signing this certification. Ms. Ridley completed the property inspection, researched the history of the subject, comparable sales, and comparable rental rates, and assisted in the valuation in this report.
- As of the date of this report, Shane LeMon and Kathleen E. Burmeister have completed the continuing education program for the Designated Members of the Appraisal Institute.
- As of the date of this report, Shane LeMon and Kathleen E. Burmeister have completed the continuing education program for the State of New Mexico.
- We have performed no services, as appraisers, or in any other capacity regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.

Respectfully submitted,

Estate Valuation Consultants, Inc.



Shane LeMon, MAI, CCIM
NM General Certified Appraiser #00193-G



Kathleen E. Burmeister, MAI
NM General Certified Appraiser #03025-G

➤ Exhibit B ◀
Assumptions & Limiting Conditions

The certification of the appraisers appearing in this Appraisal Report is subject to the following assumptions and limiting conditions:

1. This report is intended to comply with the reporting requirements set forth under Standard Rule 2-2(a) of the Uniform Standards of Professional Appraisal Practice for an Appraisal Report. As such, it presents only summary discussions of the data, reasoning, and analyses that were used in the appraisal process to develop an opinion of value. Supporting documentation concerning the data, reasoning, and analyses is retained in the appraisal file. The depth of discussion contained in this report is specific to the needs of the client and for the intended use stated. We are not responsible for the unauthorized use of this report.
2. This report is an appraisal of the real estate value of the property, with no consideration given to the value of the business enterprise, furniture, fixtures, and equipment (FF&E).
3. No responsibility is assumed for the legal description or for matters including legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated.
4. The property is appraised free and clear of any or all liens or encumbrances unless otherwise stated.
5. Responsible ownership and competent property management are assumed.
6. The information furnished by other is believed to be reliable. However, no warranty is given for its accuracy.
7. All engineering is assumed to be correct. The plot plans and illustrative material in this report are included only to assist the reader in visualizing the property
8. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.
9. It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless noncompliance is stated, defined, and considered in the appraisal report.
10. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a nonconformity has been stated, defined, and considered in the report.
11. It is assumed that all required licenses, certificates of occupancy, consents, or other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the value opinion contained in this report is based.
12. It is assumed that the utilization of the site and improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespass unless noted in the report.
13. Possession of this report, or a copy thereof, does not carry with it the right of publication.
14. The appraisers, by reason of this appraisal, are not required to give further consultation or testimony, or be in attendance in court, with reference to the property in question unless arrangements have been previously made.
15. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraisers, or the firm with which the appraisers are connected) shall be disseminated to the public through advertising, public relations, news, sales, or other media without prior written consent and approval of the appraisers.
16. The forecasts, projections, or operating estimates contained herein are based upon current market conditions, anticipated short-term supply and demand factors, and a continued stable economy. These forecasts are, therefore, subject to changes in future conditions.
17. Any value opinions provided in the report apply to the entire property, and any proration or division of the total into fractional interests will invalidate the value opinion, unless such proration or division of interests has been set forth in the report.
18. Unless otherwise stated in this report, the appraisers did not observe the existence of hazardous material, which may or may not be present on the property. The appraisers have no knowledge of the existence of

such materials on or in the property. The appraisers, however, are not qualified to detect such substances. The presence of substances such as asbestos, urea-formaldehyde foam insulation, or other potentially hazardous materials may affect the value of the property. The value opinion is predicated on the assumption that there is no such material on or in the property that would cause a loss in value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in this field, if desired.

19. The Americans with Disabilities Act (ADA) became effective January 26, 1992. We have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA, could reveal that the property is not in compliance with one or more of the requirements of the act. If so, this fact could have a negative affect upon the value of the property. Since we have no direct evidence relating to this issue, we did not consider possible non-compliance with the requirements of ADA in estimating the value of the property.

➤ Exhibit C ◀
Qualifications of the Appraisers

SHANE LeMON, MAI, CCIM

PROFESSIONAL ASSOCIATIONS

Member of the Appraisal Institute: MAI No. 8662
State of New Mexico General Certified Real Estate Appraiser: #193-G
Individual Member of the Commercial Investment Real Estate Institute: CCIM No. 8029
State of New Mexico Licensed Broker: License No. 13725 I (Curtis Shane LeMon)
President of the FBI Citizens' Academy of New Mexico (2014-2015, 2017)
President of the Rotary Club of Albuquerque (2004/2005)
Chairman of the Board - Better Business Bureau of New Mexico & SW Colorado (2006/2007, 2017/2018); Board member since 2002
President – New Mexico Corvette Association (2002 & 2007)
President – Interstate Commerce Industrial Center (2007 - 2017)

PROFESSIONAL EXPERIENCE

President
American Property - Consultants & Appraisers, Inc., Albuquerque, New Mexico Office, March 1990 to Present
President
Estate Valuation Consultants, Inc., Albuquerque, New Mexico Office, December 2002 to Present
President
BPOXpress, Inc., Albuquerque, New Mexico Office, 2015 to Present
Fee Appraiser
Stiebler & Associates, Albuquerque, NM, April 1985 to February 1990
Stiebler, Smith & Assoc., Albuquerque, NM, June 1984 to March 1985
Tax Accountant
Deloitte, Haskins & Sells, Albuquerque, NM, January 1983 to May 1984

SPECIALIZED APPRAISAL EXPERIENCE

Since June 1984, Mr. LeMon has served as a fee appraiser concentrating in the following areas:

Hotels & motels	Vacant Land	Condominiums	Right-of-way
Multi-family residences	Office buildings	Industrial buildings	Farm & ranch
Retail Centers	Aircraft facilities	Restaurants	Special use properties
Car washes	Movie Theaters	Subdivisions	Golf courses

EDUCATION

University of Albuquerque, 1984; Accounting
Albuquerque Technical-Vocational Institute, 1980-1982; Business Management/Accounting
University of New Mexico, 1976-1980; Civil Engineering/Accounting

American Institute of Real Estate Appraisers Courses:

2; Standards of Professional Practice; 7/85
1A-1; Real Estate Appraisal Principles; 9/86
1B; Capitalization Theory & Techniques Part B; 9/87
1B-A; Capitalization Theory & Techniques Part A; 2/87
1A-2; Basic Valuation Procedures; 3/87
2-1; Case Studies in Real Estate Valuation; 3/88
2-2 Valuation Analysis & Report Writing; 6/88
MAI Comprehensive Examination; 8/89

New Mexico Real Estate Institute Courses:

Real Estate Law; 2/96
Real Estate Practice; 2/96
Real Estate Broker Basics; 3/96
Real Estate Appraisal; 4/96
Real Estate Finance; 5/96
Real Estate Math; 5/96
NM Broker Examination; 6/96
NM Real Estate Commission – Mandatory; Albuquerque, New Mexico: 7/99, 4/02, 7/04, 11/07, 7/11, 4/14, 5/16
NM Advance Map Reading & Surveys; 8/05 - Albuquerque, New Mexico

NM Decision Making with the HP-10B Calculator; 9/05 - Albuquerque, New Mexico
NM Qualifying Broker Refresher Course; 12/07, 9/11, 5/14, 5/17 – Albuquerque, New Mexico
Leasing and Managing Residential Real Estate; 7/11 – Albuquerque, New Mexico
Successful Business Planning; 8/11 – Albuquerque, New Mexico
Negotiating and Completion of an Exchange; 8/11, 4/14 – Albuquerque, New Mexico
Understanding Residential Real Estate Investments; 3/14 – Albuquerque, New Mexico
Business Ethics in Real Estate; 10/15 – Albuquerque, New Mexico
Property Management Essentials; 4/17 – Albuquerque, New Mexico
NMREC Core Course A; 5/17 – Albuquerque, New Mexico
ANSI Square Footage Method of Measuring; 6/17 – Albuquerque, New Mexico
Real Estate & Taxes: What Ever Agent Should Know; 6/17 – Albuquerque, New Mexico
Easements and Access for the Non-lawyer; 7/17 – Albuquerque, New Mexico
Property Red Flags; 8/17 – Albuquerque, New Mexico
Mechanic's Liens: Law & Strategy; 8/17 – Albuquerque, New Mexico
Solar PV Value? Questions to Ask; 8/17 – Albuquerque, New Mexico

Commercial Investment Real Estate Institute

CI 101 – Financial Analysis for Commercial Investment Real Estate; 8/97 – Albuquerque, New Mexico
CI 201 – Market Analysis for Commercial Investment Real Estate; 2/98 – Albuquerque, New Mexico
CI 301 – Decision Analysis for Commercial Investment Real Estate; 5/98 – Albuquerque, New Mexico
CI 408 - Core Concepts Review – CCR; 6/98 – San Diego, California
Comprehensive Examination; 6/98 – San Diego, California
NAR Code of Ethics; 7/11, Albuquerque, New Mexico
Business Ethics in Real Estate 10/12, 10/15, Albuquerque, New Mexico

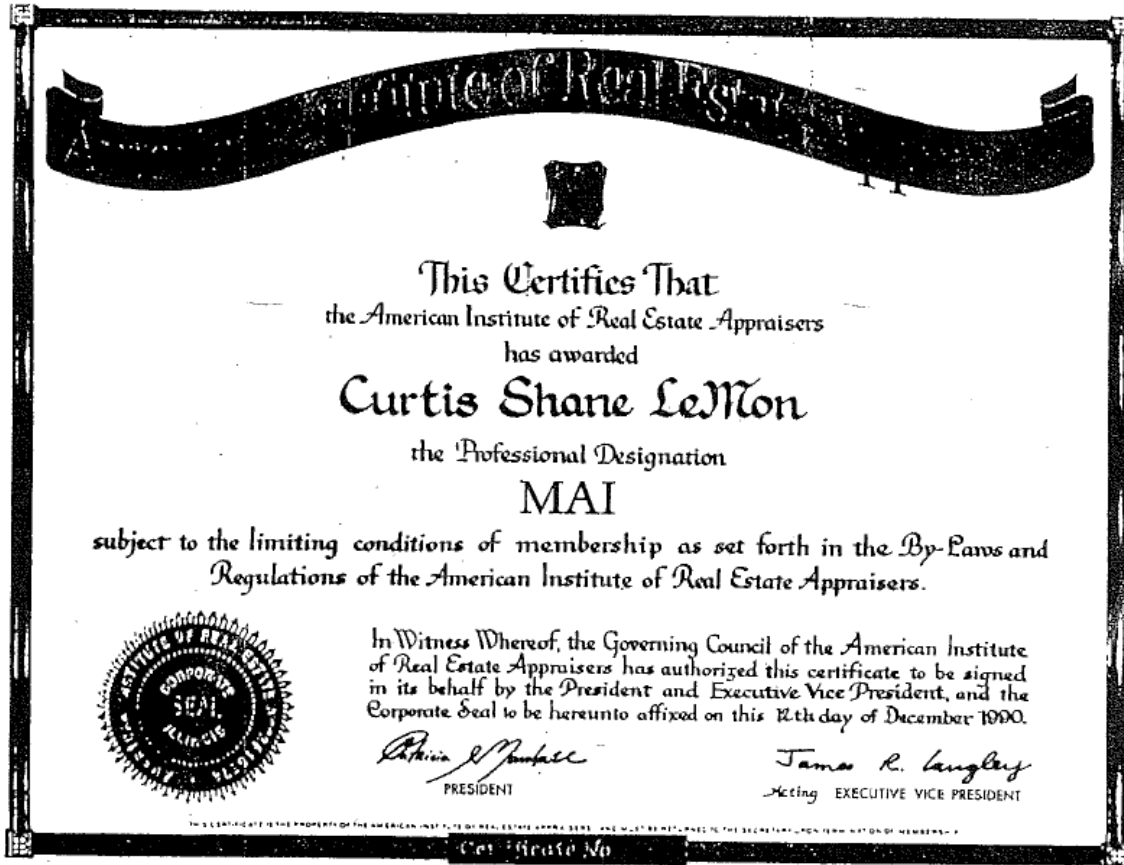
CONTINUING EDUCATION – Appraisal Related

American Institute of Real Estate Appraisers / Appraisal Institute

Standards of Professional Practice Update; 6/89 - Santa Fe, New Mexico
Reviewing Appraisals; 10/90 - Santa Fe, New Mexico
Accrued Depreciation; 1/91 - El Paso, Texas
Hotel/Motel Valuation Seminar; 6/91 - Dallas, Texas
Preparation and Use of the U.C.I.A.R. Form; 10/91 - Dallas, Texas
FHWA Course #14126; 12/91 - Santa Fe, New Mexico
Appraising Troubled Properties; 1/92 - El Paso, Texas
The Appraiser's Legal Liabilities; 9/92 - Las Cruces, New Mexico
Appraisal Regulations of the Federal Banking Agencies; 3/93 - Albuquerque, New Mexico
Standards of Professional Practice, Parts A & B; 4/93 - Albuquerque, New Mexico
Appraisal Office of the Future; 2/94 - San Diego, California
Understanding Limited Appraisals; 6/94 - Los Angeles, California
Fair Lending and the Appraiser; 4/95 - Las Cruces, New Mexico
Course 520; Highest & Best Use and Market Analysis; 9/97 – Phoenix, Arizona
Small Hotel/Motel Valuation Seminar; 9/98 – Ruidoso, New Mexico
Standards of Professional Practice, Part A (USPAP); 6/99 – Albuquerque, New Mexico
Standards of Professional Practice, Part B; 6/99 – Albuquerque, New Mexico
Valuation of Detrimental Conditions; 9/99 – Albuquerque, New Mexico
Real Estate Fraud; 1/01 – Albuquerque, New Mexico
Report Writing & Valuation Analysis; 6/01 – San Diego, California
General Applications; 10/01 – Salt Lake City, Utah
USPAP Course 401; 3/03 - Albuquerque, New Mexico
Rates and Ratios: Making Sense of GIMs, OARs and DCF; 7/04 – Albuquerque, New Mexico
USPAP Update Course 400; 1/05 – El Paso, Texas
Site to Do Business; 10/05 – Albuquerque, New Mexico
What Clients Would Like Their Appraisers to Know; 10/05 – Albuquerque, New Mexico
FHA and the New Residential Appraisal Form; 1/06 – Albuquerque, New Mexico
Subdivision Valuation Seminar; 4/06 – Santa Fe, New Mexico
Appraisal Consulting; A Solutions Approach for Professionals; 7/06 – Albuquerque, New Mexico
USPAP Course; 11/06 – Albuquerque, New Mexico
Business Practices & Ethics; 12/06 – Albuquerque, New Mexico
Cool Tools: New Technology for Real Estate Appraisers; 10/07 – Albuquerque, New Mexico
USPAP Course; 1/08 – Albuquerque, New Mexico

Office Valuation: A Contemporary Perspective 1/08 – Albuquerque, New Mexico
 An Introduction to Valuing Green Buildings 9/08 – Albuquerque, New Mexico
 Appraisal Tools Tune-Up 10/09 – Ruidoso, New Mexico
 Appraising in 2009 10/09 – Ruidoso, New Mexico
 Appraisal in Litigation 10/09 – Ruidoso, New Mexico
 Appraising the Appraisal Business 10/09 – Ruidoso, New Mexico
 Uniform Appraisal Standards for Federal Land Acquisitions 12/09 – Albuquerque, New Mexico
 USPAP Course; 1/10 – Albuquerque, New Mexico
 Business Practice & Ethics; 9/10 – Albuquerque, New Mexico
 The Lending World in Crisis – What Clients Need Their Appraisers to Know Today; 11/10 – Albuquerque, New Mexico
 Appraisal Review Seminar – General; 1/11 – Albuquerque, New Mexico
 IRS Seminar: Conservation Easements & Your Taxes; 6/11 – Albuquerque, New Mexico
 Appraisal Curriculum Overview (2-Day General); 9/11 – Albuquerque, New Mexico
 Real Estate Finance, Value and Investment Performance; 10/11 – Albuquerque, New Mexico
 Supervisor/Trainee Class – NM Real Estate Appraisers Board; 1/12 – Santa Fe, New Mexico
 2012-2013 USPAP Course; 1/12 – Albuquerque, New Mexico
 Evaluating Commercial Construction (2 days); 9/12 – Albuquerque, New Mexico
 Practical Regression Using Microsoft Excel (2 days); 10/12 – Albuquerque, New Mexico
 Fundamentals of Separating Real Property, and Intangible Business Assets (SBA Required) (2 days); 6/13 – Albuquerque, New Mexico
 Supervisor/Trainee Class – NM Real Estate Appraisers Board; 12/13 – Albuquerque, New Mexico
 Business Practices & Ethics; 1/14 – Albuquerque, New Mexico
 2014-2015 USPAP Course; 1/14 – Albuquerque, New Mexico
 Litigation Appraising: Specialized Topics & Applications; 10/14 – Ruidoso, New Mexico
 NM Real Estate Appraisers Board Mandatory Renewal Class; 12/15 – Albuquerque, New Mexico
 Business Practices & Ethics; 2/16 – Albuquerque, New Mexico
 2016-2017 National USPAP Update Course; 2/16 – Albuquerque, New Mexico
 Condemnation Appraising: Principles & Applications; 10/16 – Albuquerque, New Mexico
 Contract or Effective Rent: Finding the Real Rent; 11/17 – Albuquerque, New Mexico
 Examining Property Rights and Implications in Valuation; 11/17 – Albuquerque, New Mexico
 2018-2019 National USPAP Update Course; 12/17 – Albuquerque, New Mexico





Commercial Investment Real Estate Institute

An Affiliate of the NATIONAL ASSOCIATION OF REALTORS®

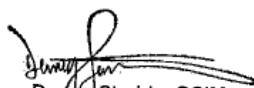
By election of the Governing Council has designated

Shane LeMon

as a

CERTIFIED COMMERCIAL INVESTMENT MEMBER




David Struble, CCIM
1998 President

CERTIFICATE NO. 8029

June 10, 1998

KATHLEEN E. BURMEISTER, MAI

BACKGROUND AND EXPERIENCE

PRESENT POSITION

Vice President, Dominion Property Advisors, Albuquerque, New Mexico 2005-present
Associate, American Property Consultants & Appraisers, Inc., Santa Fe, New Mexico

CONTACT INFORMATION

505.688.8789 – Cell
kathleenm@dominionproperty.com
kathleenmclb@gmail.com

EDUCATION

Bachelor of Science-Biology and Earth and Planetary Sciences
University of New Mexico, Albuquerque, NM 87131
Master of Business Administration-Marketing and International Business
University of New Mexico, Albuquerque, NM 87131
Bilingual

REAL ESTATE COURSE WORK

Uniform Standards of Professional Appraisal Practice
Advanced Land Valuation: Sound Solutions to Perplexing Problems
Contract or Effective Rent: Finding the Real Rent
Examining Property Rights and Implications in Valuation
Analyzing Operating Expenses
Advanced Spreadsheet Modeling for Valuation Applications
Introduction to the Appraisal Profession Appraisal Techniques
Real Property Interest & Legal Descriptions for Appraisers
How to Use the Uniform Residential Appraisal Report
Basic Income Capitalization
Advanced Income Capitalization
General Appraiser Market Analysis and Highest and Best Use
Appraisal of Nursing Home Facilities
Business Practice and Ethics
Introduction to Valuing Commercial Green Buildings
Advanced Internet Search Strategies
Advanced Concepts & Case Studies
General Appraiser Report Writing and Case Studies
Comprehensive Examination Preparation Courses

ACADEMIC POSITIONS

Research Assistant/Instructor, Graduate Assistant, Anderson School of Business, University of New Mexico 2001-2002
Research Assistant, Earth and Planetary Sciences Department, University of New Mexico 1997-1999
Research Assistant MBRS, School of Medicine, University of New Mexico, 1996-1999

EXPERIENCE

Kathleen Mc Leroy has worked on various commercial appraisal assignments located throughout New Mexico and Colorado. Ms. McLeroy has worked independently and with various MAI

designated appraisers. She has shown a superior aptitude for commercial appraisal as a result of an intense workload often involving complex properties with unique components of value. Clients served included individuals, Fortune 500 corporations, banks and other lending institutions, government agencies, life insurance companies and attorneys. Estates appraised included fee simple, leased fee, leasehold and subleasehold. Property types include the following:

Office Buildings – Professional, Medical and Dental
Retail Buildings – Freestanding, Strip and “Big Box”
Multi-Family Residential Apartment Properties
LIHTC Apartment Properties
Storage Yards
Light Industrial Properties - Office/Warehouses, Distribution Warehouses
Assisted Living, Nursing Home and Special Care Facilities
Vacant Land – Commercial, Residential, Agricultural, Ground Lease
Section 8 Apartments
Houses of Worship
Single Family Residential Subdivisions
Hotels– Limited and Full Service
Bed & Breakfast Facilities (Rural and Urban)
Gas Station & Convenience Stores
Mortuaries and Cemeteries

AFFILIATIONS

Member, Appraisal Institute-MAI
Rio Grande Chapter of the Appraisal Institute - President (2018)
LDAC - 2017
NM General Certified Real Estate Appraiser (No. 03025-G)
Hispanic MBA Association
Marketing Association
Honors Graduate
Golden Key National Honor Society
SPURS, Honor Society
Deans List
American Geological Institute Scholar

Prior Professional Experience	2003-2005
Assistant General Manager/General Manager	
Mastro's Corporation, Albuquerque, NM	

Responsibilities:

Managed a staff of + 60 Employees. Assisted with payroll, inventory controls, purchasing, ordering, accounting, marketing and financing for a restaurant with gross annual sales of + \$3,000,000. Organized public events for + 8000 people which consist of one of the major events ever done by a private organization in downtown Albuquerque

State of New Mexico

REAL ESTATE APPRAISERS BOARD

PO Box 25101

Santa Fe, NM 87505

(505) 476-4622



This is to certify that

Kathleen E. Burmeister #03025-G

Having complied with the provisions of the New Mexico Real Estate Appraisers Act is hereby granted a license to practice as a

General Certified Appraiser

This appraiser is eligible to perform in Federally Related Transactions

Issue Date: 09/09/2008

Date Expires: 04/30/2020

THIS LICENSE MUST BE CONSPICUOUSLY POSTED IN PLACE OF BUSINESS

Jennifer D. Ridley

PROFESSIONAL ASSOCIATIONS

State of New Mexico Registered Real Estate Apprentice Appraiser: No. 03226-A

PROFESSIONAL EXPERIENCE

Associate

American Property – Consultants & Appraisers, Inc., Albuquerque, New Mexico; July 2005 to April 2008, August 2011 to Present

Associate

Estate Valuation Consultants, Inc., Albuquerque, New Mexico; July 2005 to April 2008, August 2011 to Present

State of New Mexico, Human Services Department, Albuquerque, New Mexico; August 2008 to July 2011

EDUCATION

University of New Mexico, Bachelor of Arts in Psychology; 2005

University of New Mexico, Bachelor of Arts in Communication; 2005

APPRAISAL EDUCATION

Appraisal Institute courses:

Evaluating Commercial Construction; 9/12 – Albuquerque, New Mexico
General Appraiser Sales Comparison Approach; 10/12 – Aurora, Colorado
General Appraiser Income Approach; 4/14 – Aurora, Colorado
Real Estate Finance Statistics and Valuation Modeling; 11/15 – San Diego, California
General Appraiser Income Approach/Part 2; 5/16 – Aurora, Colorado
General Appraiser Site Valuation & Cost Approach; 3/17 – Austin, Texas
Integrated Development Ordinance (IDO) Training; 5/18 – Albuquerque, New Mexico
General Appraiser Market Analysis and Highest and Best Use; 8/18 – Aurora, Colorado

Other appraisal courses:

Basic Appraisal Principles; 7/11 – Albuquerque, New Mexico
Basic Appraisal Procedures; 7/11 – Albuquerque, New Mexico
USPAP (15-hour); 7/11 – Albuquerque, New Mexico
USPAP (7-hour update), 2/13 – Albuquerque, New Mexico
State of New Mexico Mandatory Update Course, 2/13 – Albuquerque, New Mexico
USPAP (7-hour update), 1/15 – Albuquerque, New Mexico
State of New Mexico Mandatory Update Course, 2/15 – Albuquerque, New Mexico
USPAP (7-hour update), 3/17 – Albuquerque, New Mexico

State of New Mexico



REAL ESTATE APPRAISERS BOARD

PO Box 25101 Santa Fe, NM 87505 (505) 476-4622

This is to certify that

JENNIFER D RIDLEY #03226-A

Having complied with the provisions of the New Mexico Real Estate Appraisers Act is hereby authorized to practice as a

APPRENTICE APPRAISER

Issue Date: 10/06/2011

Date Expires: 04/30/2019

This appraiser is NOT eligible to perform in Federally Related Transactions

THIS LICENSE MUST BE CONSPICUOUSLY POSTED IN PLACE OF BUSINESS

➤ Exhibit D ◀
Engagement Letter



Estate Valuation Consultants, Inc.

October 30, 2018

Mark Medlin
14903 Marquardt Avenue
Santa Fe Springs, California 90670
Phone: (562) 229-1991
Email: mark@medlinramps.com

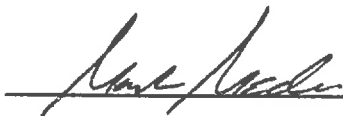
RE: Bid for Appraisal Report in for commercial building located at 1900 U.S. Highway 54, Alamogordo, New Mexico 88310

Dear Mr. Medlin:

In accordance with your request, we have prepared this engagement letter for the assignment listed above. We propose to provide an Appraisal Report in Summary Format of the subject property for the fee of **\$5,500 including tax**.

The report will provide the "as is" market value for the property for internal business decisions. The requested report will be prepared to comply with and be subject to the current requirements of the Appraisal Institute's Code of Professional Ethics and Uniform Standards of Professional Appraisal Practice. The fee includes an electronic copy of the report (PDF). The report can be completed and delivered roughly two to three weeks from the date we receive your signed authorization to move forward. One-half of the fee will be due at the time of our initial property inspection (\$2,750), with the entire remaining balance due immediately upon completion/delivery of the report (\$2,750).

If you are in agreement with the terms stated above and are prepared to order the work, please sign, print your name, and date below, and *return to my office via FAX (505) 343-0330, or Email jennifer@ap-evc.com.*

 Mark Medlin

Signature / Print Name

10/30/2018

Date

Should you have any questions or require further information, please contact me at your earliest convenience.

Respectfully submitted,
Estate Valuation Consultants, Inc.



Jennifer Ridley

➤ Exhibit E ◀
Subject Information

For Sale or Lease- Vacant Anchor/Jr. Anchor Shopping Center

1900 U.S. Hwy 54
Alamogordo, NM 88310



Excellent Redevelopment Opportunity:

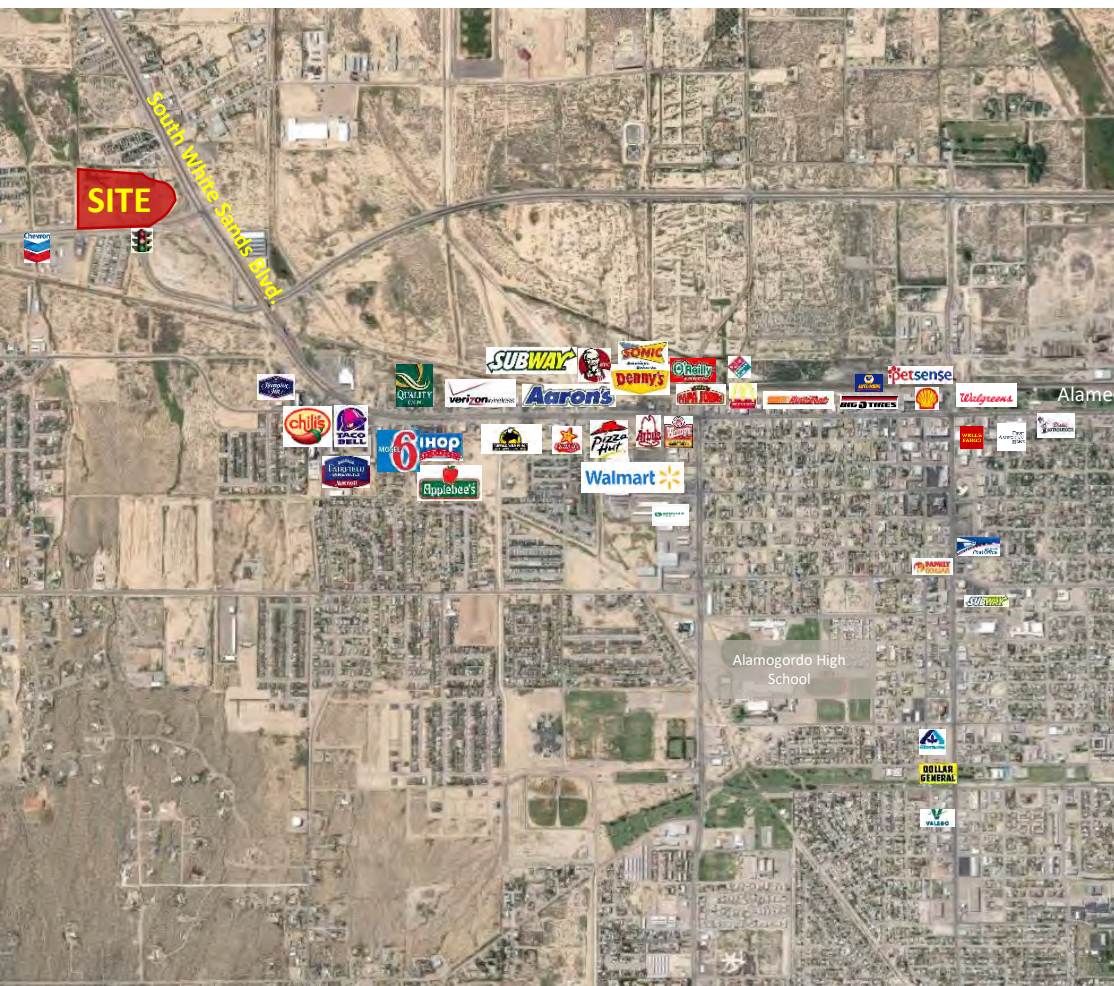
- +/- 81, 150 SF of existing improvements
- Potential for multiple pad sites
- +/- 24.9 Acres

- Excellent Location and Visibility
- Proposed Large Monument Signage
- Existing Anchor/Jr. Anchor improvements
- Signalized access
- Heavy Highway Traffic
- Serves a wide demographic area

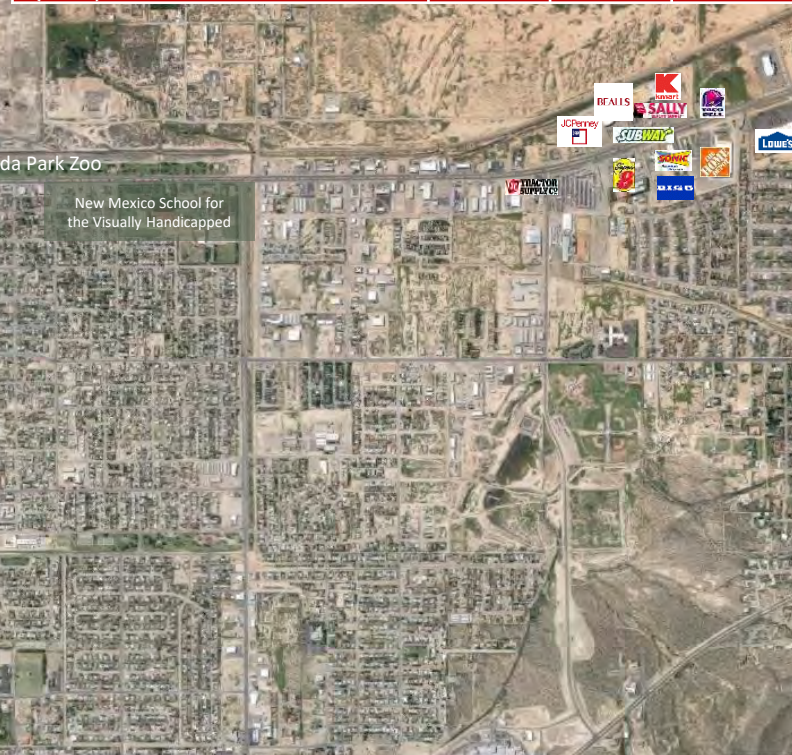


Trade Area:

1900 U.S. Hwy 54
Alamogordo, NM 88310



Trade Area Demographics			
Radius	1 Mile	3 Mile	5 Mile
Population (2016 Estimate)	2,964	18,945	33,561
Avg HH Income (2016)	\$48,965	\$48,688	\$52,781
Annual Consumer Spending (2016)	\$27,243	\$185,627	\$341,877



Absolute Investment Realty
105 Jefferson St. NE
Albuquerque, NM 87108

505-346-6006
www.go-absolute.net

Consuelo Horne
consuelo@go-absolute.net
505-730-7395

Jeremy Nelson
jeremy@go-absolute.net
505-610-1655



Site Plan:

1900 U.S. Hwy 54
Alamogordo, NM 88310

1900 U.S. Hwy 54, Alamogordo, NM, 88310



KEY

Available: 

Leased: 

Future Site: 



SITE SUMMARY

81,150 SQ. FT.

1. Available	6,650 sq. ft.
2. Available	980 sq. ft.
3. Available	1,120 sq. ft.
4. Available	1,400 sq. ft.
5. Available	65,000 sq. ft.
6. Available	6,000 sq. ft.

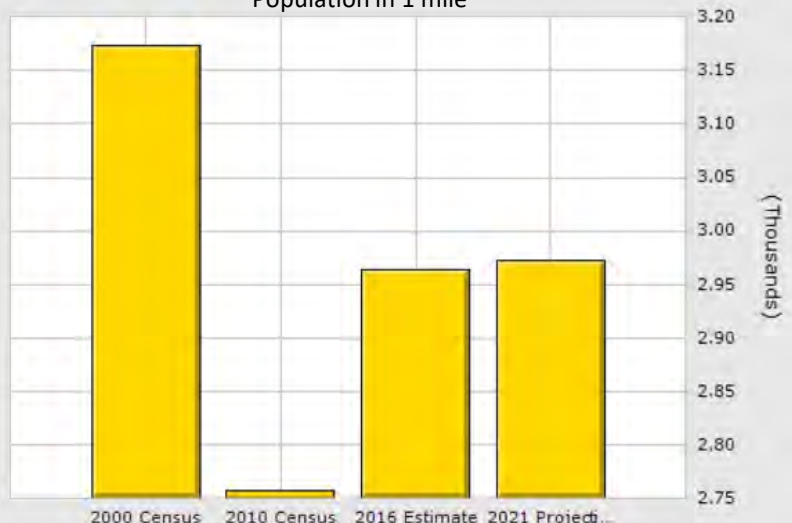
AVAILABLE
RETAIL SPACE / PAD SITES

**THE
KROENKE
GROUP**



Demos:

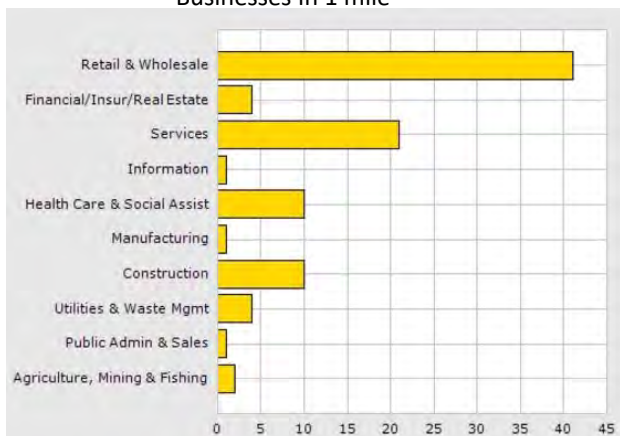
Population in 1 mile



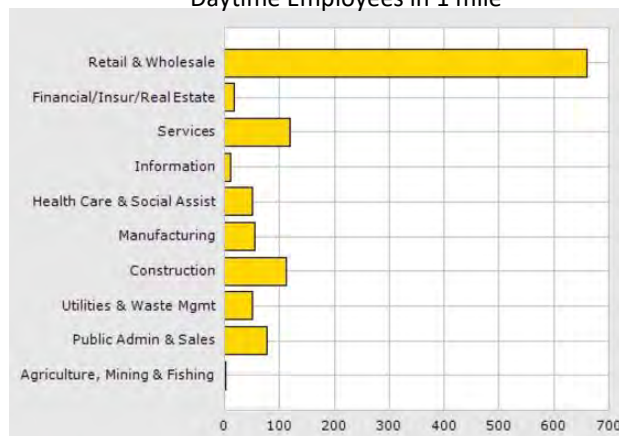
1900 U.S. Hwy 54
Alamogordo, NM 88310

Population	1 Mile	3 Mile	5 Mile
2016 Total Population:	2,964	19,006	33,793
2021 Population:	2,972	18,945	33,561
Pop Growth 2016-2021:	0.27%	(0.32%)	(0.69%)
Average Age:	36.10	38.40	39.20
Households			
2016 Total Households:	1,162	8,124	14,225
HH Growth 2016-2021:	0.17%	(0.42%)	(0.77%)
Median Household Inc:	\$43,229	\$39,878	\$43,671
Avg Household Size:	2.50	2.30	2.30
2016 Avg HH Vehicles:	2.00	2.00	2.00
Housing			
Median Home Value:	\$99,223	\$98,096	\$113,361
Median Year Built:	1984	1977	1975

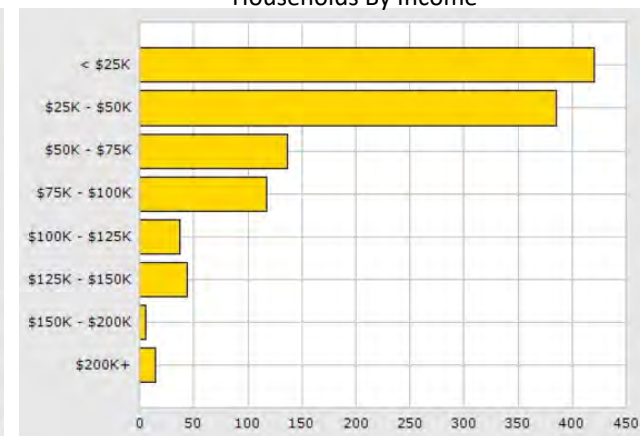
Businesses in 1 mile



Daytime Employees in 1 mile



Households By Income





Alamogordo, New Mexico MSA

1900 U.S. Hwy 54
Alamogordo, NM 88310





1900 U.S. Hwy 54
Alamogordo, NM 88310

1. Location: Otero County is ideally situated for access to all points southwest as we are approximately 600 miles (1000km) from each of the following locations; San Diego, CA, Houston, TX, Kansas City, KS, Salt Lake City, UT, and Monterrey City in Mexico. With immediate access to major highways, Otero County is also only a short 90-mile 90-minute drive to the International Airport in El Paso. Rail service is available through arrangement with Union Pacific Railroad.

2. Workforce: Otero County population is over 65,000, with an education level averaging 12.8 years. Approximately 15% of adults are bilingual. Eighty-five percent (85%) of the workforce in the county have a high school education or above. A similar metric is true within the city of Alamogordo (81.4% of the population hold high school diplomas or better) where over 17.7% hold at least a Bachelor's degree. As it is not unusual in New Mexico for workforce. Total surrounding regions of Lincoln and Dona Ana County when calculating workforce. Total population of the commuting region would be greater than 150,000.

3. Epicenter of Otero County: Alamogordo's proximity to dozens of smaller communities make it the epicenter of retail, good and services for Otero county. Servicing more than a dozen nearby communities, Alamogordo has a very strong nation retail presence with major retailers including Walmart, Lowe's and Home Depot.

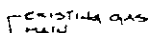


Alamorgodo MSA Demographics

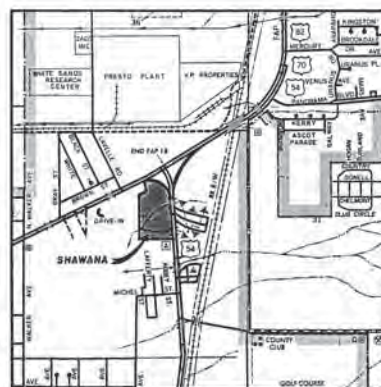
Population (2015 Estimate)	Est- 150,000
Households (2015 Estimate)	14,225
Avg. Household Income (2015 Estimate)	\$52,330

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

EXISTING AND SEWER
IN R.O.W.



U.S. HWY NO. 70-82



VICINITY MAP

REPLAT A
SHAWANA
ALAMOGORDO, OTERO COUNTY, NEW MEXICO

STATE OF NEW MEXICO)
COUNTY OF SHERIDAN) ss: _____

KNOW ALL MEN BY THESE PRESENTS THAT ALAMOGORDO INVESTORS, LTD., IS THE OWNER AND PROPRIETOR OF THE FOLLOWING DESCRIBED TRACT OF LAND IN THE NORTHEAST QUARTER OF SECTION 1, T17S, R9E, N.M.P.M., ALAMOGORDO, OTERO COUNTY, NEW MEXICO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

beginning at the center one-quarter corner of said section 1 and
thence S 02° 14' 00" E along the north-westerly center line of said
said section 1 a distance of 1121.80 feet; thence leaving said
north-westerly center quarter line and going N 63° 18' 00" E a distance of
152.50 feet; thence leaving said line and going S 17° 12' 00" E a distance
of 1121.80 feet; thence leaving said line and going S 02° 14' 00" E
project No. A-018-1723; thence along said highway right-of-way line
N 63° 25' 01" E for a distance of 49.16 feet; thence along a curve
having a radius of 1000 feet and a central angle of 112° 12' 00"
137° 25' 00" arc arc distance of 559.25 feet to the west right-of-way
line of U.S. Highway 54, New Mexico Project No. A-020-1161; thence
along said line and going S 17° 12' 00" E a distance of 1121.80 feet
1146.00 feet; thence leaving said west right-of-way line and going
S 89° 32' 00" E along the east-west line of said section 1 a
distance of 841.50 feet to the place of beginning and containing

SAID JAMES BOSS HERBERT CAUSE THE ABOVE DESCRIBED TRACT OF LAND TO BE RE-PLATED INTO A SINGLE TRACT DESIGNATED AS "REPLAT A, SHAWANA", AS SHOWN ON THE FOREGOING PLAT, AND IN REDESIGNING THIS PLAT BOSS CAUSE THAT CERTAIN PLAT ENTITLED "SHAWANA", WHICH WAS FILED FOR RECORD ON JUNE 23, 1967, IN THE OFFICE OF THE OTTER COUNTY CLERK, RECEPTION NO. 10414, TO BE VACATED; AND DOES HEREBY INDICATE THE BOUNDARIES TO THE LAND DESIGNATED ON SAID PLAT.

IN WITNESS WHEREOF THE PARTISERS HAVE SET THEIR HANDS AND SEAL ON THIS 26th
DAY OF August, 1988.

James Winkler
JAMES WINKLER, PARTNER

W. J. O'Quinn
W. J. O'QUINN, PARTNER

STATE OF MISSOURI
COUNTY OF MOORE

ON THIS 26th DAY OF March, 1980, BEFORE ME PERSONALLY
APPEARED E. STANLEY KROGER and E. OTTO RALY, PARTIES IN THE ALABAMA
INVESTORS, LTD., KNOWN TO ME TO BE THE PERSONS WHO EXECUTED THE FOREGOING
INSTRUMENT, AND THEY ACKNOWLEDGED THAT THEY SIGNED SAID INSTRUMENT AS THEIR
FREE ACT AND DEED.

WITNESSES BY HAND AND SEAL ON THIS DAY AND YEAR LAST WRITTEN ABOVE.

STATISTICAL PUBLIC RELATIONS COMMISSION: June 21, 1969

STATE OF NEW MEXICO }
COUNTY OF SHERMAN }

THIS PLAT OF REPLAT 4, CHANANA, ALAMOGORDO, UTTERO COUNT, NEW MEXICO, WAS IN THIS DAY OF June, 1909, SUBMITTED TO AND APPROVED BY THE ALAMOGORDO PLANNING AND ZONING COMMISSION.

6320

STATE OF NEW MEXICO }
COUNTY OF SANTA FE }

THIS PLAT OF REPLAT A, SANANA, ALAMOGORDO, OTAGO COUNTY, NEW MEXICO, WAS ON
THIS 26 DAY OF July, 1988, SUBMITTED TO THE CITY
COMMISSIONERS OF THE CITY OF ALAMOGORDO, NEW MEXICO, AND WAS APPROVED BY A
MAJORITY OF THE MEMBERS.

BY Scott Christensen, SAYER
ATTORNEY: Angie J. Rahm, CITY CLERK

STATE OF NEW YORK }
COUNTY OF HENRICK } ss.

THIS SUBDIVISION DOES LIE WITHIN THE ZONING OR PLATTING JURISDICTION OF THE CITY OF ALAMOGORDO, NEW MEXICO.

SAINTON E. SNID SOVEREIGN

SUBSCRIBER AND AGENT TO REPORT ON THIS 621 DAY OF June
1989.
Barry S. Daniel SECRETARY PUBLIC MY COMMISSION EXPIRES: 2/1/92

STATE OF NEW MEXICO }
COUNTY OF STEPHENSON }

I, WILTON E. DANIEL, A REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR OF THE STATE OF NEW MEXICO, DO HEREBY CERTIFY THAT THE PLAT OF REPLAT A, SHAVANA, ALAMOGORDO, OTERO COUNTY, NEW MEXICO, WAS PREPARED FROM FIELD NOTES OF AN ACTUAL SURVEY MADE BY ME OR UNDER MY DIRECTION, AND THAT THE SAME IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Quinton E. Davis

STATE OF NEW JERSEY
Jury No. _____
County of _____

RELEASED IN THE OFFICE OF THE COUNTY CLERK AND EX-OFFICIO RECORDS OF STEREO
COUNTY, NEW BRUNSWICK AT 4:30 O'CLOCK, P.M., THIS 27 DAY OF
SEPTEMBER, 1988.

Andrew C. Williams DEPT. CLERK

BY: Robert M. Silva DATE: _____
 RECEIPT NUMBER: 8777 HRS: 38 PAGE: 67-68

Journal of Management Inquiry 22(1) 3-15
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DOI: 10.1177/1056492613505611
<http://jmi.sagepub.com>

BK 38 Pg 67-68

29-03-290. - Use regulations—District C-3.

(a) In District "C-3," Business District, a building or premises shall be used only for the following purposes:

1. Detached single family dwellings, two-family dwellings, multiple dwellings, row dwellings, apartment houses, boarding and lodging houses, dwelling units attached to a commercial building.
2. Amusement places or theaters.
3. Bakery employing not more than twenty-five (25) persons.
4. Bank.
5. Barber shop or beauty parlor.
6. Dyeing and cleaning works employing not more than twenty-five (25) persons.
7. Electric repair shop.
8. Filling station.
9. Florist shop.
10. Hotel.
11. Laundry employing not more than twenty-five (25) persons on the premises.
12. Lodge or fraternal organization hall or meeting place.
13. Messenger or telegraph service station.
14. Newspaper and job printing establishments employing not more than twenty-five (25) persons.
15. Offices.
16. Parking lot.
17. Plumbing shop.
18. Public garage and automobile sales room.
19. Restaurant.
20. Sales and show room.
21. Store and shop for the conduct of any retail business.
22. Jewelry shop.
23. Tailor shop.
24. Tinsmith shop.
25. Tire repair shop.

26. Tourist courts.
 27. Undertaking establishment, to include the placement of columbarium within the main building.
 28. Used car sales or storage lot.
 29. Self-service laundry.
 30. Wholesale sales office or sample room.
 31. Ice delivery station.
 32. Any retail business that is ordinarily conducted in the section of a town or city commonly referred to as the business district; provided, however, that such use is not noxious or offensive by reason of the emission of odors, dust, fumes, noise or vibrations, and further provided that such business is not in any way a menace to the health and safety of the adjacent and surrounding buildings and structures.
 33. Accessory buildings for uses customarily incident to the above uses when located on the same lot.
- (b) Light assembly. An establishment engaged in the production of products by the assembly of existing components, and excluding the use of equipment such as drop hammers, automatic screw machines, punch presses which exceed five (5) tons' capacity and excluding the use of motors exceeding twenty (20) horse power, provided all activities are conducted within an enclosed building architectural similar to the surrounding properties, which use does not utilize or produce in significant quantities as a part of the assembly process, toxic or hazardous materials, which use does not utilize or produce explosive materials in any quantity, and because of the nature of its operations and products, little or no noise, odor, vibration, glare, and/or air and water pollution is produced, and, therefore results in a minimal impact on surrounding properties.

(Code 1960, § 11-5-1; Ord. No. 980, § 7, 7-23-96; Ord. No. 981, § 3, 8-26-96; Ord. No. 1234, § 1, 3-22-05; Ord. No. 1368, 1-12-10; Ord. No. 1401, 7-26-11; Ord. No. 1406, § 1, 11-15-11)

29-03-300. - Lot areas—District C-3.

For any two-family, or multiple-family dwelling located within the business district, the same requirements as to lot area shall apply as that governing the respective two-family, and multiple-family areas.

(Code 1960, § 11-5-2; Ord. No. 1234, § 1, 3-22-05)

29-03-310. - Yards—District C-3.

The rear yard and side yard regulations for dwellings within this district are the same as in the single-family district. In the case of business buildings, the yard requirements shall not apply except:

- (a) On the side of a lot adjoining a dwelling district; in which case, there shall be a side yard of not less than five (5) feet; and
- (b) On any street sides of a corner lot, there shall be a setback of not less than five (5) feet in width; and
- (c) On the boundary of a lot adjoining an alley, there shall be a yard setback of not less than eight (8) feet if electric lines exist on the side of the alley abutting the property. No application for variance from the requirement set forth in this subsection (c) shall be accepted or considered without written concurrence of every public utility company providing electrical service within the corporate limits of the city.
- (d) If electric lines do not exist on either side of the alley abutting the property, written concurrence on the proposed plans shall be required from every public utility company providing electrical service within the corporate limits of the city prior to the issuance of any building permit by the city.

Except as otherwise specified, there are no other yard regulations for business buildings. However, no building shall be built on White Sands Boulevard within ten (10) feet of the front lot line. The city manager shall not issue a permit for the construction of any permanent structure within the ten-foot setback.

(Code 1960 § 11-5-3; Ord. No. 783, § 5, 2-13-90; Ord. No. 804, § 1, 12-11-90; Ord. No. 1234, § 1, 3-22-05)

29-03-320. - Living facilities above stores—District C-3.

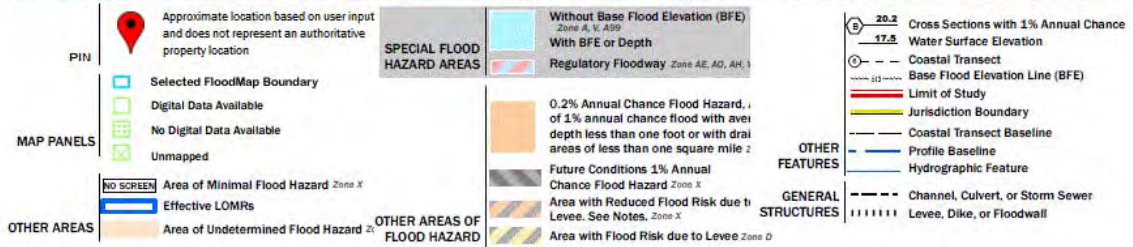
In the case of the existence of living facilities above stores or other commercial uses, every lot shall provide an area of not less than one thousand (1,000) square feet per family.

(Code 1960, § 11-5-4; Ord. No. 1234, § 1, 3-22-05)

29-03-330. - Off-street parking—District C-3.

- (a) Off-street parking for automobiles shall be provided within a distance of five hundred (500) feet for all business buildings erected in the business district, in a proportion of not less than three (3) square feet for each square foot of area inside any such business building. Plans showing the proposed off-street parking shall be submitted to the building inspector, together with the application for the building permit; and no building permit shall be issued by the building inspector until such plans for off-street parking have been submitted and approved by the building inspector.
- (b) Where property has been zoned Class "C-3" and improved before the effective date of Ordinance No. 661, adopted September 13, 1983, then that property is exempt from the off-street parking provisions of this section so long as the existing improvements remain on the premises and there is no addition to, or expansion of, such improvements so as to occupy a greater portion of the premises. In all other cases, parking must be provided as set forth in subsection (a) of this section.
- (c) For motels and hotels there shall be a minimum of one off-street parking space of at least nine (9) feet by twenty (20) feet for each guest room or apartment, plus one (1) for each one and one-fourth ($1\frac{1}{4}$) employees. Areas devoted to accessory uses (including but not limited to restaurants, lounges, and meeting rooms) shall comply with the requirements of subsection (a). Parking spaces shall not be directly accessible from a public right-of-way, nor require backing across a sidewalk for egress.

(Code 1960, § 11-5-5; Ord. No. 518, 10-22-74; Ord. No. 661, 9-13-83; Ord. No. 717, 1-13-87; Ord. No. 1234, § 1, 3-22-05)



➤ Exhibit F ◀
Purchase Agreement

PURCHASE AND SALE AGREEMENT

This Purchase and Sale Agreement (the "Agreement") is made and entered into by and between MARK MEDLIN, a resident of the State of CA (hereinafter referred to as "Purchaser") and TKG ALAMOGORDO CENTER, L.L.C., a New Mexico limited liability company (hereinafter referred to as "Seller").

WITNESSETH:

A. Seller is the owner in fee simple of a certain parcel of real property containing approximately 18 acres located in Otero County, New Mexico at 1900 US-54, Alamogordo, New Mexico 88310, said real property being more particularly depicted on Exhibit A, which is attached hereto, and by this reference, incorporated herein, together with all improvements and appurtenances thereon or appertaining thereto (the "Property").

WHEREAS, Purchaser and Seller are desirous of entering into this Agreement to provide for the sale of the Property by Seller to Purchaser upon the terms and conditions hereinafter set forth.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants, promises and undertakings set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and intending to be legally bound, the parties hereto agree as follows:

1. PURCHASE AND SALE. At the price and upon the terms, conditions and provisions herein contained, Seller agrees to sell to Purchaser, and Purchaser agrees to buy from Seller, the Property.

2. PURCHASE PRICE. The purchase price ("Purchase Price") for the Property shall be Two Million Five Hundred Thousand Dollars (\$2,500,000.00).

3. PAYMENT OF PURCHASE PRICE. The Purchase Price shall be payable to Seller at the time and in the manner hereinafter set forth:

- (a) Purchaser shall deposit the sum of Fifty Thousand Dollars (\$50,000.00) earnest money (the "Initial Earnest Money") with _____ (hereinafter referred to as the "Title Company"). Within five (5) business days after the Effective Date (as defined in Section 12) Purchaser shall deliver to Seller a receipt from the Title Company indicating that the Earnest Money has been received by the Title Company. Purchaser shall also deliver a copy of this Agreement to the Title Company, which Agreement shall constitute the escrow instructions to the Title Company. The cost of said escrow shall be borne equally by Purchaser and Seller. The Title Company shall deposit the Earnest Money in an interest-bearing account in order to earn the highest interest then available. The interest earned thereon shall be added to and become a part of the Earnest Money. The Earnest Money

and interest earned thereon shall be applied to the Purchase Price at Closing.

- (b) The balance of the Purchase Price, as adjusted pursuant to the terms of this Agreement, shall be paid to Seller at Closing (as that term is hereinafter defined in Section 4 below) by cash, wire transfer or cashier's check.
- (d) Real estate taxes and assessments shall be prorated as of the Closing Date (as hereinafter defined). Real estate taxes shall be prorated on the basis of the then most current published assessed valuation, tax rate and equalization factor (which may be provided on the most recently available tax bill, if such bill contains the most current rates) for the Property.
- (e) The Closing shall take place on the Closing Date with the Title Company pursuant to separate written instructions of Seller and Purchaser. Seller shall pay one-half of the escrow fee charged by the Title Company; all costs of obtaining the basic owner's title insurance coverage for the Property; and all other closing costs and expenses customarily charged to sellers of real property in the local area. Purchaser shall pay all costs of obtaining the survey; the cost of any endorsements or extended title coverage desired by Purchaser or Purchaser's lender; all state and county and local transfer taxes; all state and county deed stamps; all recording fees; one-half of all escrow fees; and other costs and expenses not being paid by Seller which are normally charged to purchasers of real property in the local area.

4. CLOSING AND CONVEYANCE OF TITLE.

- (a) The closing ("Closing" or "Closing Date") of the purchase of the Property shall be held thirty (30) days following the expiration of the Due Diligence Period (as hereinafter defined).
- (b) Seller shall deliver to the Title Company, on or before the Closing Date, the following closing documents:
 - (i) a recordable special warranty deed conveying to Purchaser marketable and insurable fee simple title to the Property, free and clear of all liens and encumbrances, subject only to real estate taxes and assessments, if any, for the current year which are a lien on the Property, but are not yet due and payable, and easements and restrictions of record disclosed by the Title Commitment, as defined in Section 5(b), which are not objected to as "Title Objections" pursuant to Section 5(b) below;
 - (ii) an Affidavit of Title covering the Property, in customary form;
 - (iii) a settlement statement executed by Seller;

- (iv) state and county real estate transfer tax declarations prepared and executed by Seller;
 - (v) an affidavit from Seller stating (a) its taxpayer identification number, and (b) it is not a "foreign person" within the meaning of Section 1445 et seq. of the Internal Revenue Code of 1986 as amended;
 - (vi) such other documents, instruments, certifications and confirmations as may be reasonably required and designated by the Title Company to fully effect and consummate the transaction contemplated hereby.
- (c) Purchaser shall deliver to the Title Company, on or before the Closing Date, the following closing documents:
- (i) the Purchase Price;
 - (ii) a settlement statement executed by Purchaser;
 - (iii) state and county real estate transfer tax declarations prepared and executed by Purchaser, if applicable;
 - (iv) such other documents, instruments, certifications and confirmations as may be reasonably required and designated by the Title Company to fully effect and consummate the transaction contemplated hereby.
- (d) Possession of the Property shall be delivered to Purchaser at Closing, free of all leases, tenancies, licensees and occupants.

5. CONTINGENCIES. Purchaser's obligation to close shall be contingent upon the satisfaction or waiver by Purchaser of the following:

- (a) Due Diligence Period. Purchaser may during the period commencing upon the Effective Date of this Agreement and ending at 5:00 p.m. New Mexico time on the date which is ninety (90) days thereafter ("Due Diligence Period") conduct a complete inspection of the Property and conduct any appraisals, investigations, engineering, hazardous waste, title, survey and feasibility studies and analysis of the availability of all governmental approvals necessary for the Property, as Purchaser deems necessary or advisable in connection with the purchase of the Property. If Purchaser determines in its sole discretion before the expiration of the Due Diligence Period that the Property is unacceptable for Purchaser's purposes for any reason, Purchaser shall have the right to terminate this Agreement by giving to Seller written notice of termination before the expiration of the Due Diligence Period, and neither party shall have any

further rights or liabilities hereunder except for those provisions which survive the termination of this Agreement. If Purchaser elects to exercise its right to terminate this Agreement prior to the expiration of the Due Diligence Period, the Earnest Money shall be returned to Purchaser. If Purchaser fails to terminate this Agreement prior to the expiration of the Due Diligence Period, then the Earnest Money shall be non-refundable, except in the event of a Seller default.

- (b) Title/Survey. Within forty-five (45) days of the Effective Date, Purchaser shall obtain (i) a title insurance commitment ("Title Commitment") from Title Company setting forth the condition of title to the Property, and (ii) a current ALTA survey of the Property certified to the Purchaser, Purchaser's lender and the Title Company (the "Survey"). In the event the Title Commitment and/or Survey discloses that there are reservations, easements, restrictions, encroachments, conditions, rights of way or other matters or exceptions (collectively referred to as "Title Objections") which would in Purchaser's sole discretion, interfere with Purchaser's intended development on the Property, Purchaser shall have the right to notify Seller of such Title Objections in writing not later than seven (7) days after its receipt of the last of the Title Commitment or Survey ("Title Inspection Period"). Upon notifying Seller of any such Title Objections, Seller shall have seven (7) days thereafter in which to elect to cure or remove such Title Objections. If Seller does not elect to cure or remove any such Title Objections within said seven (7) day period, Purchaser shall have the option to terminate and cancel this Agreement by giving notice thereof to Seller within seven (7) days after the expiration of said seven (7) day election to cure period, and upon doing so, the Earnest Money shall be returned to Purchaser. If Purchaser does not give notice of Title Objections by the expiration of the Title Inspection Period, or if Purchaser has given notice of Title Objections and Seller does not elect to cure or remove same within seven (7) days thereafter, and Purchaser fails to give such notice of termination within seven (7) days after the expiration of said seven (7) day election to cure period, then, in either event, the right of Purchaser to cancel this Agreement pursuant to this Section 5(b) shall expire, and Purchaser shall have no further right to terminate and cancel the Agreement pursuant to this Section 5(b).
- (c) Due Diligence Documents. Seller shall, within twenty (20) business days of the Effective Date, provide Purchaser with a copy of all existing surveys, plats, development plans, environmental reports, soils reports, engineering reports, mechanical, structural, architectural or construction documents, leases, covenants, conditions and restrictions, and any other documents affecting the Property and in Seller's possession and/or control.
- (d) Consideration. Seller and Purchaser mutually agree that the expenditure of considerable time, resources and expenses in connection with Purchaser's attempts to satisfy the conditions and contingencies contained

in this Agreement ("Conditions") provides good and valuable consideration for Seller agreeing to enter into this Agreement. Accordingly, Seller and Purchaser each hereby waive their right to contest or challenge the enforceability of this Agreement where such contest or challenge is predicated upon the broad discretion afforded Purchaser in determining whether the Conditions have been satisfied.

6. ENTRY RIGHTS. At any time after the Effective Date, Purchaser and its agents, employees, contractors and representatives shall have the right, privilege and license of entering upon the Property for the purpose of making soil test borings, utility studies, surveys, asbestos and hazardous waste studies, feasibility studies, engineering studies and any other studies and investigations as Purchaser deems necessary or desirable in connection with its investigation of the Property. Prior to commencing any such testing or studies of the Property, Purchaser shall procure and maintain general public liability insurance containing limits of not less than Two Million Dollars (\$2,000,000.00) per occurrence for bodily injury and property damage and shall deliver to Seller a certificate of insurance naming Seller as an additional insured under said policy. Purchaser agrees to restore any damage done to the Property by Purchaser or anyone acting in Purchaser's behalf in making such inspections. Purchaser agrees to indemnify and hold Seller harmless from and against all loss, cost, liability, and expense suffered by Seller as a result of the foregoing studies or the exercise of entry rights by Purchaser, its agents, employees or independent contractors, which indemnity shall survive termination of this Agreement.

7. SELLER'S REPRESENTATIONS AND WARRANTIES. Seller represents and warrants to Purchaser as follows as of the date hereof and as of the Closing Date:

- (a) Seller is a duly formed and validly existing limited liability company in good standing under the laws of the State of Missouri; Seller has been duly authorized to execute this Agreement and to consummate the transaction contemplated hereby; the persons executing this Agreement and all of the documents required to consummate the transaction contemplated hereby have been duly authorized to execute such documents and to bind Seller.
- (b) Seller is the owner in indefeasible fee simple of the Property, subject to reservations, restrictions, easements and rights of way of record.
- (c) Seller is not a "foreign person" within the meaning of Section 1445(F)(3) of the Internal Revenue Code of 1986, as amended (the "**Code**"), and Seller shall on the Closing Date provide Purchaser with all instruments and documents required by Section 1445 of the Code to comply therewith.

Except as otherwise expressly set forth herein, neither Seller nor any agent, representative, or employee of Seller has heretofore or is now making any representations or warranties of any kind whatsoever related to the physical, environmental or title condition of the Property. Purchaser is purchasing the Property "AS IS" and "WITH ALL FAULTS," including without limitation the stability of the soils, suitability for any construction or development, encroachment or boundary questions, drainage, zoning, availability of utilities, access, and similar matters.

Purchaser is conducting its own inspections and due diligence with respect to all physical, environmental and other aspects of the Property. This Paragraph shall survive the Closing of the transaction hereunder.

8. **NOTICES.** All notices and requests permitted or required to be given hereunder shall be in writing and shall be deemed effective (a) on the date delivered, if hand delivered, (b) on the date mailed by registered or certified U.S. Mail, return receipt requested, with adequate postage affixed, if mailed by registered or certified mail, or (c) on the date when sent, charges pre-paid, if delivered by reputable commercial overnight delivery service or U.S. Express Mail as evidenced by service receipt or by Express Mail postmark. All notices shall be addressed to the addressee stated hereinbelow or at such other address as either party shall designate in writing in the manner hereinabove set forth.

Address of Seller:

TKG Alamogordo Center, L.L.C.
c/o The Kroenke Group
211 N. Stadium Blvd, Suite 201
Columbia, Missouri 65203
Attention: Manager

Address of Purchaser:

Mark Medlin



9. **BINDING UPON SUCCESSORS AND ASSIGNS.** All of the terms and provisions of this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, legal representatives, successors and assigns.

10. **SURVIVAL OF OBLIGATIONS.** Each of the covenants, warranties, representations, agreements and indemnities contained in this Agreement shall be made as of the date of execution hereof and shall be deemed renewed upon and survive the date of Closing.

11. **EMINENT DOMAIN.** If, during the term of this Agreement, any portion of the Property shall be taken by eminent domain, or is the subject of eminent domain proceedings threatened or commenced, Seller shall promptly notify Purchaser thereof, and immediately provide Purchaser with copies of any written communication from any condemning authority. If any of said events occur then, in that event, Purchaser shall have the right to rescind the Agreement, in which event, this Agreement shall become null and void and the Earnest Money payment made shall be immediately returned to Purchaser. If any of said events occur and Purchaser still desires to Close, (a) if the transfer to the condemning authority takes place prior to Closing hereunder, the remainder of the Property shall be conveyed to Purchaser at Closing; (b) if the transfer to the condemning authority has not taken place prior to Closing, the entire Property shall be conveyed to Purchaser at Closing hereunder; (c) if Seller has received payment for such condemnation or taking prior to the Closing hereunder, the amount of such payment shall be a credit against the Purchase Price payable by Purchaser hereunder; and (d) if Seller has not received such payment at the time of Closing, Seller shall assign to Purchaser all claims and rights on account of or arising out of such taking.

12. MISCELLANEOUS AND STATE LAW. Whenever it is provided in this Agreement that days shall be counted, the first day to be counted shall be the day following the date on which the event causing the period to commence occurs. If the day for performance of any action hereunder falls on a Saturday, Sunday, or legal holiday, then the time for performance shall be deemed extended to the next succeeding business day. The term "Effective Date" as used in this Agreement, shall mean the date of execution by the last of the parties hereto to execute this Agreement. This Agreement shall be construed under the laws of the State of New Mexico.

13. BROKER'S COMMISSION. Seller represents and warrants that it has dealt with no broker, agent or other person in connection with this transaction other than Absolute Investment Realty ("Broker") and that no broker, agent or other person other than Broker brought about this transaction. Seller agrees to indemnify and hold Purchaser harmless from and against any claims by any broker, agent or other person claiming a commission or other form of compensation by virtue of having dealt with Seller with respect to this transaction. Purchaser represents and warrants that it has dealt with no broker, agent or other person in connection with this transaction other than Broker and that no broker, agent or other person other than Broker brought about this transaction. Purchaser agrees to indemnify and hold Seller harmless from and against any claims by any broker, agent or other person claiming a commission or other form of compensation by virtue of having dealt with Purchaser with respect to this transaction. A commission shall be payable by Seller to Broker at the Closing pursuant to the listing agreement between Seller and Broker.

14. PURCHASER'S DEFAULT. If all contingencies are satisfied and the sale and purchase of the Property as contemplated by this Agreement is not consummated because of Purchaser's default, then Seller shall retain the Earnest Money, and interest earned thereon as full liquidated damages for such default of Purchaser. **THE PARTIES HERETO EXPRESSLY ACKNOWLEDGE THAT IT IS IMPOSSIBLE MORE PRECISELY TO ESTIMATE THE DAMAGE TO BE SUFFERED BY SELLER UPON PURCHASER'S DEFAULT, AND THAT RETENTION OF THE EARNEST MONEY AND INTEREST EARNED THEREON IS INTENDED NOT AS A PENALTY, BUT AS FULL LIQUIDATED DAMAGES.** The Seller's right to retain the Earnest Money and interest earned thereon as full liquidated damages is Seller's sole and exclusive remedy in the event of default hereunder by Purchaser, and Seller hereby waives and releases any right to and hereby covenants that it shall not sue the Purchaser (a) for specific performance of this Agreement or (b) to prove that Seller's actual damages exceed the Earnest Money and interest earned thereon which is hereby provided Seller as full liquidated damages. In the event the purchase and sale contemplated in this Agreement is not consummated because of Purchaser's default, Purchaser hereby waives and releases any right and hereby covenants that it shall not sue Seller to recover the Earnest Money and interest earned thereon or any part thereof on the grounds that it is unreasonable in amount or that its retention by Seller is a penalty and not agreed upon and reasonable liquidated damages.

15. SELLER'S DEFAULT. If the sale and purchase of the Property as contemplated by this Agreement is not consummated in accordance with the terms and conditions of this Agreement because of Seller's default, the Purchaser may, at Purchaser's option: (a) terminate this Agreement by giving written notice of such termination to Seller, whereupon the Earnest

Money and interest on all of the Earnest Money shall be returned to Purchaser, and all rights, duties and obligations of all the parties hereunder shall expire and this Agreement shall in all respects become null and void, or (b) seek and obtain specific performance of this Agreement.

16. ASSIGNMENT OF AGREEMENT. This Agreement shall be capable of being assigned by Purchaser, but such assignment shall not release Purchaser of any of its obligations hereunder. Purchaser shall give Seller written notice of any such assignment. In addition, Purchaser may direct Seller to deed the Property to an entity other than Purchaser.

17. MODIFICATIONS. This Agreement may not be amended, modified or changed, nor shall any waiver of any provision hereof be effective, except by an instrument in writing and signed by the party against whom enforcement of any such waiver, amendment, modification, change or discharge is sought.

18. WAIVER. Either party shall have the right to waive any condition or contingency in this Agreement for the benefit of the party granting such waiver. Any such waiver shall be in writing and shall be signed by the party waiving such condition or contingency.

19. RISK OF LOSS. The risk of loss or damage to the Property until the Closing shall be borne by Seller.

20. TIME IS OF ESSENCE. Time is of the essence in this Agreement.

21. ENTIRE AGREEMENT. This Agreement, together with the Exhibits hereto, represents the entire agreement and understanding of the parties hereto with reference to the transactions set forth herein, and no representations, warranties or covenants have been made in connection with this Agreement other than those expressly set forth herein, in the Exhibits, certificates, agreements and other documents delivered in accordance herewith. This Agreement supersedes all prior negotiations, discussions, correspondence, communications, understandings and agreements between the parties relating to the subject matter of this Agreement and all prior drafts of this Agreement, all of which are merged into this Agreement. The Exhibits attached hereto are a part of this Agreement as if fully set forth herein.

22. LIKE-KIND SECTION 1031 EXCHANGE. Seller and Buyer shall each have the right to assign, in whole or in part, its rights hereunder to a "qualified intermediary" in connection with a "like-kind exchange", as those terms are used pursuant to Section 1031 of the Internal Revenue Code of 1986, as amended, and agree to cooperate with the other party to the extent such transaction does not result in additional expense to the cooperating party or delay the Closing, including execution of documents reasonably satisfactory to the executing party, and further provided that the form of such requested documents are provided to the executing party no less than five (5) days prior to the Closing. In the event the cooperating party determines that the like-kind exchange transaction will cause it to incur additional expense or delay the Closing, such party agrees to allow the other party, at the latter's option, to (i) reimburse or compensate the cooperating party for any such additional expense and/or delay, or (ii) terminate the like-kind exchange transaction and pay all expenses of either party related thereto. Notwithstanding anything in this Agreement to the contrary, any such assignment pursuant to this Section 22 shall

not relieve the assigning party of or be deemed to modify in any way any of the assigning party's obligations, representations, warranties, or covenants in this Agreement.

23. ACCEPTANCE. This Agreement is presented to Seller for acceptance in duplicate originals, both executed by Purchaser, and shall be of no force or effect unless, prior to Purchaser delivering to Seller notice that it is withdrawing this offer, Purchaser has received two copies duly executed by Seller evidencing Seller's acceptance hereof. If Purchaser does not receive such duly-executed copies within that time, this Agreement shall be of no force or effect.

IN WITNESS WHEREOF, Purchaser has executed this Agreement as of the 5 day of NOVEMBER, 2018.

PURCHASER:



Mark Medlin

This Agreement is agreed to and accepted by Seller this _____ day of _____, 2018.

SELLER:

TKG ALAMOGORDO CENTER, L.L.C.

By: _____
Name: _____
Title: _____

EXHIBIT A
DEPICTION OF PROPERTY

(See Attached)



➤ Exhibit G ◀
Vacant Site Sales

PROPERTY ID #13826**VACANT SITE SALE****IDENTIFICATION**

LOCATION	North Scenic Drive just e/o White Sands Blvd	
CITY, STATE	Alamogordo, New Mexico	
ZONE ATLAS PAGE		
DATE OF SALE	8/17/2017	
SALE PRICE	\$139,500	
PRICE PER UNIT COMPARISON	\$2.83 SF	\$123,451 AC
MARKETING TIME	Sold before list	
ORIGINAL LIST PRICE	\$139,500	

UNITS OF COMPARISON

SQUARE FEET	49,223 SF
ACRES	1.1300 AC

PROPERTY DATA

ZONING	C-3
SITE POSITION	Interior
SHAPE	Slightly irregular
TOPOGRAPHY	Near Level
UTILITIES	☒ G ☒ E ☒ W/S ☒ T ☐ Septic ☐ Well
PROPOSED / END USE	Dollar General

FINANCING DATA

CASH EQUIVALENT PRICE (CE)	\$139,500
CE PRICE/UNIT OF COMPARISO	\$2.83 SF \$123,451 AC
TERMS OF SALE	Cash

DOCUMENTATION/CONFIRMATION

GRANTOR	Worthan, James and Patricia
GRANTEE	Alamogordo (Scenic) DNMP LLC
DOCUMENT NUMBER	WD 2017-06472
LEGAL DESCRIPTION	Lot 47B, Cottonwood West Subdivision, Replat C, Otero County
PLAT BOOK AND PAGE	N/A
UNIFORM PROPERTY TAX CODE	01N4055091058794
AGENT, COMPANY, PHONE	Tommie Herrell, Future Real Estate,
CONFIRMED BY	MLS 156182
CONFIRMED TO	IV, American Property
DATE CONFIRMED	5/11/2018
COMMENTS	Published in Las Cruces MLS, sold before list, now improved with a Dollar General. Two lots east of White Sands Drive.

PROPERTY ID #13013**VACANT SITE SALE****IDENTIFICATION**

LOCATION	810 S. White Sands Blvd.	
CITY, STATE	Alamogordo, New Mexico	
ZONE ATLAS PAGE		
DATE OF SALE	12/16/2015	
SALE PRICE	\$112,000	
PRICE PER UNIT COMPARISON	\$1.96 SF	\$85,431 AC
MARKETING TIME	N/A	
ORIGINAL LIST PRICE	N/A	

UNITS OF COMPARISON

SQUARE FEET	57,107 SF
ACRES	1.3110 AC

PROPERTY DATA

ZONING	C-3
SITE POSITION	
SHAPE	
TOPOGRAPHY	
UTILITIES	☐ G ☐ E ☐ W/S ☐ T ☐ Septic ☐ Well
PROPOSED / END USE	

FINANCING DATA

CASH EQUIVALENT PRICE (CE)	\$112,000	
CE PRICE/UNIT OF COMPARISO	\$1.96 SF	\$85,431 AC
TERMS OF SALE		

DOCUMENTATION/CONFIRMATION

GRANTOR	Donald Huband Trust
GRANTEE	Anvil Development LLC
DOCUMENT NUMBER	
LEGAL DESCRIPTION	
PLAT BOOK AND PAGE	N/A
UNIFORM PROPERTY TAX CODE	N/A
AGENT, COMPANY, PHONE	Terrie Hertweck, Colliers International, (505)880-7022
CONFIRMED BY	Colliers Database
CONFIRMED TO	Kelly LeMon, American Property
DATE CONFIRMED	
COMMENTS	

PROPERTY ID #12644**VACANT SITE SALE****IDENTIFICATION**

LOCATION	US Highway 82	
CITY, STATE	Alamogordo, New Mexico	
ZONE ATLAS PAGE		
DATE OF SALE	4/30/2014	
SALE PRICE	\$85,000	
PRICE PER UNIT COMPARISON	\$0.65 SF	\$28,333 AC
MARKETING TIME	N/A	
ORIGINAL LIST PRICE	N/A	

UNITS OF COMPARISON

SQUARE FEET	130,680 SF
ACRES	3.0000 AC

PROPERTY DATA

ZONING	
SITE POSITION	Interior
SHAPE	Slightly irregular
TOPOGRAPHY	
UTILITIES	☐ G ☒ E ☐ W/S ☒ T ☒ Septic ☒ Well
PROPOSED / END USE	

FINANCING DATA

CASH EQUIVALENT PRICE (CE)	\$85,000	
CE PRICE/UNIT OF COMPARISO	\$0.65 SF	\$28,333 AC
TERMS OF SALE		

DOCUMENTATION/CONFIRMATION

GRANTOR	Barbara Gibson
GRANTEE	Stone Crafters
DOCUMENT NUMBER	WD 2014-03067
LEGAL DESCRIPTION	Lot 1, Gibson Acres
PLAT BOOK AND PAGE	N/A
UNIFORM PROPERTY TAX CODE	N/A
CONFIRMED BY	G. Estrada
CONFIRMED TO	Linda Powers, American Property
DATE CONFIRMED	
COMMENTS	

PROPERTY ID #12621**VACANT SITE SALE****IDENTIFICATION**

LOCATION	n/s US Hwy 82 e/o Hwy 54/70	
CITY, STATE	Alamogordo, New Mexico	
ZONE ATLAS PAGE		
DATE OF SALE	3/14/2014	
SALE PRICE	\$95,000	
PRICE PER UNIT COMPARISON	\$0.28 SF	\$12,108 AC
MARKETING TIME	N/A	
ORIGINAL LIST PRICE	\$110,500	

UNITS OF COMPARISON

SQUARE FEET	341,772 SF
ACRES	7.8460 AC

PROPERTY DATA

ZONING	
SITE POSITION	Interior
SHAPE	
TOPOGRAPHY	
UTILITIES	☐ G ☒ E ☒ W/S ☐ T ☒ Septic ☐ Well
PROPOSED / END USE	

FINANCING DATA

CASH EQUIVALENT PRICE (CE)	\$95,000	
CE PRICE/UNIT OF COMPARISO	\$0.28 SF	\$12,108 AC
TERMS OF SALE	Cash	

DOCUMENTATION/CONFIRMATION

GRANTOR	Linda Bearden
GRANTEE	Noe & Joyce Amaya
DOCUMENT NUMBER	2014-01746
LEGAL DESCRIPTION	Patterson LOT 1
PLAT BOOK AND PAGE	Book 2014, Page
UNIFORM PROPERTY TAX CODE	0104055091039375
CONFIRMED BY	Affidavit
CONFIRMED TO	, American Property
DATE CONFIRMED	
COMMENTS	# 147035 Film # 14-0171 see also Film# 14-0325

1806 Charlie T Lee Mem Relief RT Bypass Hwy 54/70 S, Ala...**\$1,600,000** For SaleType: **COMMERCIAL** Lot Size: **15 Acres****Property Details for 1806 Charlie T Lee Mem Relief RT Bypass...**

Courtesy Of Alamogordo Realty, LLC

Property Overview

A LARGE TRACT OF LAND WITH LOTS OF POTENTIAL! LOCATED ON THE EL PASO SIDE OF HWY 54 & 70 INTERSECTION AT THE RELIEF ROUTE EXIT. 15 ACRES OF LAND GIVES PLENTY OF ROOM FOR ANY COMMERCIAL PROJECT. LARGE BOX RETAIL, TRAVEL CENTER, HOTELS, RESTAURANTS, MULTI-FAMILY, RV PARK. OWNER IS OPEN TO IDEAS AND DISCUSSIONS FOR DEVELOPMENT.

Features

- Architecture Style: **Other**
- Lot Size: **653400**
- MLSID: **157717**
- Roof Type: **Unknown**

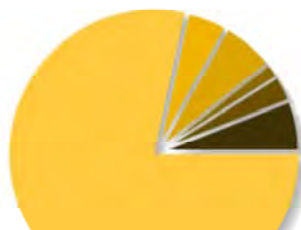
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Demographic Data for Alamogordo, NM 88310[ASK A QUESTION](#)

HOUSEHOLD INCOME	MEDIAN AGE	OWNER OCCUPIED DWELLINGS	VACANT DWELLINGS	HOUSEHOLDS WITH CHILDREN
\$55K	39	10,030	1,696	3,856

ETHNIC BACKGROUND

- WHITE 78%
- AFRICAN AMERICAN 5%
- AMERICAN INDIAN 6%
- NATIVE ISLANDER 0%
- ASIAN 2%
- MULTIPLE TYPES 3%
- OTHER 6%

**POPULATION****36,557**

Population per Square Mile

85.6

Population Change Since 2000



Community information and market data Powered by Onboard Informatics. Copyright ©2016 Onboard Informatics. Information is deemed reliable but not guaranteed.

16 acres Charlie T Lee Mem Relief RT +/-16 acs Bypass and...

\$1,650,000 For Sale

Type: **COMMERCIAL** Lot Size: **16.85 Acres**



Property Details for 16 acres Charlie T Lee Mem Relief RT +/-1...

Courtesy Of Future Real Estate

Property Overview

This is the most desirable commercial property in Alamogordo...it's at the intersection of US Highway 54/70 and 10th Street. US 54 is a key interstate truck route connecting Mexico to the Chicago area, and US 70 is a major east-west route connecting Arizona with the East Coast. The combined routes also serve the mountain resort of Ruidoso, New Mexico. There is a traffic light at the intersection. The 16-acre property is within the city limits, zoned M-2 Industrial, and contains 80 platted lots.appr \$2.15 SF

Features

- Architecture Style: **Other**
- Lot Size: **733986**
- MLSID: **157683**
- Roof Type: **Unknown**

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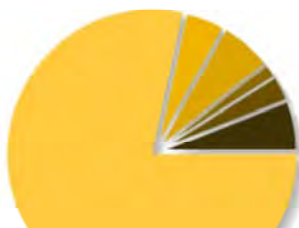
Demographic Data for Alamogordo, NM 88310

[ASK A QUESTION](#)

HOUSEHOLD INCOME	MEDIAN AGE	OWNER OCCUPIED DWELLINGS	VACANT DWELLINGS	HOUSEHOLDS WITH CHILDREN
\$55K	39	10,030	1,696	3,856

ETHNIC BACKGROUND

- ☐ WHITE 78%
- ☐ AFRICAN AMERICAN 5%
- ☐ AMERICAN INDIAN 6%
- ☐ NATIVE ISLANDER 0%
- ☐ ASIAN 2%
- ☐ MULTIPLE TYPES 3%
- ☐ OTHER 6%



POPULATION

36,557

Population per Square Mile

85.6

Population Change Since 2000



Community information and market data Powered by Onboard Informatics. Copyright ©2016 Onboard Informatics. Information is deemed reliable but not guaranteed.

3650 White Sands BLVD, Alamogordo, NM 88310

\$599,500 For Sale

Type: **COMMERCIAL** Lot Size: **7.99 Acres**



Property Details for 3650 White Sands BLVD, Alamogordo, NM...

Courtesy Of Coldwell Banker Sudderth Nelson Inc

Property Overview

An approximate 8 acre Commercial/Industrial Tract. LOCATION LOCATION
LOCATION Nestled by strong franchise businesses, opportunity on the BUSIEST
ROAD IN ALAMOGORDO !!!

Features

- Architecture Style: **Other**
- Lot Size: **348044.4**
- MLSID: **158319**
- Roof Type: **Unknown**

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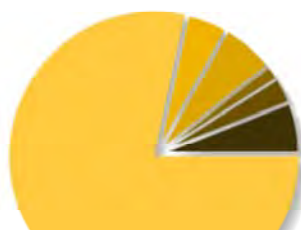
Demographic Data for Alamogordo, NM 88310

[ASK A QUESTION](#)

HOUSEHOLD INCOME	MEDIAN AGE	OWNER OCCUPIED DWELLINGS	VACANT DWELLINGS	HOUSEHOLDS WITH CHILDREN
\$55K	39	10,030	1,696	3,856

ETHNIC BACKGROUND

- ☐ WHITE 78%
- ☐ AFRICAN AMERICAN 5%
- ☐ AMERICAN INDIAN 6%
- ☐ NATIVE ISLANDER 0%
- ☐ ASIAN 2%
- ☐ MULTIPLE TYPES 3%
- ☐ OTHER 6%



POPULATION

36,557

Population per Square Mile

85.6

Population Change Since 2000



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➤ **Exhibit H** ◀
Improved Sales

Improved Sale

Property Name: **Former Albertson's**

Property ID: **13714**

Identification

Property Type: **Retail**
Address: **3301 Southern Boulevard
Rio Rancho, New Mexico**
Location: **n/s Southern e/o Sara**
Zone Atlas Page: **N/A**
Date of Sale: **September 11, 2017**
Sale Price: **\$1,000,000**
Price per Unit of
Comparison: **\$15.48 Per SF of GBA**

Marketing Time: **7 Months**
Original List Pric **\$2,205,000**



Units of Comparison

Building Area (sqft): **64,580 GBA**
Number of Units: **N/A**
Number of Rooms: **N/A**

Financing Data

Cash Equivalent Price (CE) **\$1,000,000**
CE Price / Unit of Comp: **\$15.48 Per SF of GBA**

Property Data

Site Area: **255,039 SF 5.8549 AC**
Zoning: **C-1**
% Office:
Floor Area Ratio: **0.25:1.00**
Number of Stories: **0**
Year Built: **1985**
Effective Age: **35 Years**
Construction Type: **Concrete Tilt Up**
Quality: **Average**
Condition: **Fair**
Property Rights: **Fee Simple**
Lease Type:
Occup Time of Sale: **0%**
Owner Occup TOS: **0%**
Owner Occup after Sale: **100%**

Down Payment:
First Year's Debt Service: **\$0**
Terms of Sale: **Cash**

Income/Expense Analysis PRO FORMA

PGI:
V & C Loss Vacancy
EGI:
Expenses of EGI
NOI:
Gross Income Multiplier (GIM):
Effective GIM (EGIM)
Overall Capitalization Rate (OAR):
Equity Divident Rate (EDR):
Operating Expense / SF RBA

Documentation / Confirmation:

Confirmed To: **IV**
Agent, Co, Phone: **Cole Flangan, Maestas & Ward,**
Confirmed By: **Listing Agent**
Date Confirmed: **January 28, 2018**
Grantor: **Kindermann Werner**
Grantee: **Elevate Williams LLC**
Document Number: **WD 2017-021375**
Legal Description: **Panorama Heights (Oakmount Portion) Block 10A, Lot D1B1**
Plat Book and Page: **N/A**
UPC: **101306808237100000**

Comments

Buyer purchased to develop as a trampoline park. Former Albertson's grocery store, anchor tenant for Country Club Plaza, vacant since 2015. Needed major renovation, including new roof, HVAC, mechanical, estimated at \$1,000,000. Seller described as "extremely motivated," cash buyer needed to close within one week of contract date.

Improved Sale

Property Name: **EOG Energy Resources**

Property ID: **10042**

Identification

Property Type: **Industrial**
Address: **900 S. 3rd Street S
Jal, New Mexico**
Location: **SWC 3rd Street @ Missouri
Avenue**
Zone Atlas Page: **N/A**
Date of Sale: **January 30, 2017**
Sale Price: **\$2,600,000**
Price per Unit of
Comparison: **\$46.18 Per SF of GBA**



Marketing Time: **N/A**
Original List Pric **N/A**

Units of Comparison

Building Area (sqft): **56,300 GBA**
Number of Units: **N/A**
Number of Rooms: **N/A**

Financing Data

Cash Equivalent Price (CE) **\$2,600,000**
CE Price / Unit of Comp: **\$46.18 Per SF of GBA**

Property Data

Site Area: **744,005 SF 17.0800 AC**
Zoning: **NONE**
% Office: **15%**
Floor Area Ratio: **0.08:1.00**
Number of Stories: **1**
Year Built: **1990**
Effective Age: **25 Years**
Construction Type: **Steel Frame**
Quality: **Average**
Condition: **Average**
Property Rights: **Fee Simple**
Lease Type:
Occup Time of Sale: **100%**
Owner Occup TOS: **0%**
Owner Occup after Sale: **100%**

Down Payment:
First Year's Debt Service: **\$0**
Terms of Sale: **Cash to Seller**

Income/Expense Analysis

PRO FORMA

PGI:
V & C Loss Vacancy \$0
EGI:
Expenses of EGI \$0
NOI:
Gross Income Multiplier (GIM):
Effective GIM (EGIM)
Overall Capitalization Rate (OAR):
Equity Divident Rate (EDR):
Operating Expense / SF RBA

Documentation / Confirmation:

Confirmed To: **IV**
Agent, Co, Phone:
Confirmed By: **Greg Fulfer**
Date Confirmed: **April 7, 2017**
Grantor: **Fulfer Investments**
Grantee: **EOG Resources Inc.**
Document Number: **WD BK 2079 P 874**
Legal Description: **Tract A1, Metes and Bounds
within Section 30, Township
25 S, Range 7 E, Lea County**

Plat Book and Page: **N/A**
UPC: **494061410142300000**

Comments

Property had beenrented to EOG prior to the sale, they negotiated a sale with a buyout of the lease. 5-building complex, GBA measured from aerial, office space estimated only, property reportedly in good condition per seller. Sale price confirmed with confidential third pary with knowledge of the transaction.

Improved Sale

Property Name:

Property ID: **13976**

Identification

Property Type: **Industrial**
Address: **501 Bernard Avenue
Belen, New Mexico**

Zone Atlas Page: **N/A**
Date of Sale: **January 11, 2017**
Sale Price: **\$235,000**
Price per Unit of
Comparison: **\$12.89 Per SF of GBA**

Marketing Time: **5 years**
Original List Pric **\$600,000**



Units of Comparison

Building Area (sqft): **18,225 GBA**
Number of Units: **N/A**
Number of Rooms: **N/A**

Financing Data

Cash Equivalent Price (CE) **\$235,000**
CE Price / Unit of Comp: **\$12.89 Per SF of GBA**

Property Data

Site Area: **369,389 SF 8.4800 AC**
Zoning: **R-1A**
% Office:
Floor Area Ratio: **0.05:1.00**
Number of Stories: **0**
Year Built:
Effective Age: **35 years**
Construction Type: **Steel Frame**
Quality: **Average**
Condition: **Poor**
Property Rights: **Fee Simple**
Lease Type:
Occup Time of Sale: **N/A**
Owner Occup TOS:
Owner Occup after Sale:

Down Payment:
First Year's Debt Service: **\$0**
Terms of Sale: **REC**

Income/Expense Analysis

PRO FORMA

PGI:
V & C Loss Vacancy
EGI:
Expenses of EGI
NOI:
Gross Income Multiplier (GIM):
Effective GIM (EGIM)
Overall Capitalization Rate (OAR):
Equity Divident Rate (EDR):
Operating Expense / SF RBA

Documentation / Confirmation:

Confirmed To: **JLR**
Agent, Co, Phone:
Confirmed By: **D'Nette Wood**
Date Confirmed: **November 19, 2018**
Grantor: **SWPG LLC**
Grantee: **JNE Property LLC**
Document Number: **201700318**
Legal Description: **Tracts 190B, 190C, 190D, 190E,
190G, 226A, 224, 225B1A1,
225B1A1, 225B1B2, 201B2,
225B1A2A, 225B1A3B, 225B3,
226B, and 230B2B1B,
M.R.G.C.D. Map 100**

Plat Book and Page: **N/A**
UPC: **R065903**

Comments

Site is improved with large building, multiple covered storage areas and an above ground gas tank. The building required extensive clean up and repair to make habitable. An estimate \$40,000 was required to for environmental clean-up and window repairs. Other extensive repairs are still necessary.

Improved Sale

Property Name:

Property ID: **13975**

Identification

Property Type: **Industrial**
Address: **2702 E Highway 66**
Gallup, New Mexico
Location: **SEC Highway 66 Patton Dr**
Zone Atlas Page: **N/A**
Date of Sale: **September 9, 2016**
Sale Price: **\$895,000**
Price per Unit of
Comparison: **\$31.26 Per SF of GBA**



Marketing Time: **9 months**
Original List Pric **\$1,200,000**

Units of Comparison

Building Area (sqft): **28,632 GBA**
Number of Units: **N/A**
Number of Rooms: **N/A**

Financing Data

Cash Equivalent Price (CE) **\$895,000**
CE Price / Unit of Comp: **\$31.26 Per SF of GBA**

Property Data

Site Area: **241,845 SF 5.5520 AC**
Zoning: **C3B**
% Office: **3%**
Floor Area Ratio: **0.12:1.00**
Number of Stories: **1**
Year Built:
Effective Age: **25 years**
Construction Type: **Steel Frame**
Quality: **Average**
Condition: **Average**
Property Rights: **Fee Simple**
Lease Type:
Occup Time of Sale: **N/A**
Owner Occup TOS:
Owner Occup after Sale:

Down Payment:
First Year's Debt Service: **\$0**
Terms of Sale: **Bank owned**

Income/Expense Analysis

PRO FORMA

PGI:
V & C Loss Vacancy
EGI:
Expenses of EGI
NOI:
Gross Income Multiplier (GIM):
Effective GIM (EGIM)
Overall Capitalization Rate (OAR):
Equity Divident Rate (EDR):
Operating Expense / SF RBA

Documentation / Confirmation:

Confirmed To: **Jennifer Ridley**
Agent, Co, Phone: **Dan Frady, RE/MAX, (505)722-7811**
Confirmed By: **MLS**
Date Confirmed: **November 13, 2018**
Grantor: **SBN III LLC**
Grantee: **Nicolina Seay and Nancy Pruitt**
Document Number:
Legal Description: **Lot 1A 1B, 2, replat of No. 2, Tract 1C, Simm's Subdivision**
Plat Book and Page: **N/A**
UPC: **R066753**

Comments

MLS 20155530

Improved Sale

Property Name: **Formerly Albertsons - to be Planet Fitness**

Property ID: **12906**

Identification

Property Type: **Retail**
Address: **1709 S. Main Street
Roswell, New Mexico**

Zone Atlas Page: **N/A**
Date of Sale: **July 8, 2015**
Sale Price: **\$625,000**
Price per Unit of
Comparison: **\$18.36 Per SF of GBA**

Marketing Time:
Original List Pric **N/A**



Units of Comparison

Building Area (sqft): **34,042 GBA**
Number of Units: **N/A**
Number of Rooms: **N/A**

Financing Data

Cash Equivalent Price (CE) **\$625,000**
CE Price / Unit of Comp: **\$18.36 Per SF of GBA**

Property Data

Site Area: **127,805 SF 2.9340 AC**
Zoning:
% Office:
Floor Area Ratio: **0.27:1.00**
Number of Stories: **1**
Year Built: **1975**
Effective Age: **25 yrs**
Construction Type: **Block (CMU)**
Quality: **Average**
Condition: **Below Avg**
Property Rights: **Fee Simple**
Lease Type:
Occup Time of Sale: **100%**
Owner Occup TOS: **100%**
Owner Occup after Sale: **0%**

Down Payment: **\$10,000**
First Year's Debt Service:
Terms of Sale: **Cash to Seller**

Income/Expense Analysis

PRO FORMA

PGI:
V & C Loss Vacancy
EGI:
Expenses of EGI
NOI:
Gross Income Multiplier (GIM):
Effective GIM (EGIM)
Overall Capitalization Rate (OAR):
Equity Divident Rate (EDR):
Operating Expense / SF RBA

Documentation / Confirmation:

Confirmed To: **Kelly LeMon**
Agent, Co, Phone: **Confidential, ,**
Confirmed By: **Confidential**
Date Confirmed: **October 20, 2015**
Grantor: **Southern Sky Investment, Inc.**
Grantee: **Yellow Dog Properties LLC
(Martin Haynes)**
Document Number: **SWD BK748,P1545**
Legal Description: **Lots 1 & 2, Planet Summary
Plat, Roswell, Chaves Cty, filed
May 12, 2015**
Plat Book and Page: **Book 2, Page 3A-B**
UPC: **413606303932900000**

Comments

Vacated Albertsons, was owner occupied as flea mkt prior to sale. Buyer had a "planet fitness" in back pocket prior to the closing, for 10-yr lease with two 5-yr renewal options for 21,500+/- SF, \$14.00/SF, NNN, with 10% increase every 5 years. Remaining 12,500+/-SF unknown use at this time. Immediately re-listed for sale \$3,995,000 estimated 7.50% cap rate (10/2015 Michael Reneau 505-273-7169)

Improved Sale

Property Name: **Former K-Mart**

Property ID: **13108**

Identification

Property Type: **Retail**
Address: **1640 Rio Rancho Drive**
Rio Rancho, New Mexico
Location: **e/s Rio Rancho n/o Sara**
Zone Atlas Page: **N/A**
Date of Sale: **November 13, 2014**
Sale Price: **\$4,400,000**
Price per Unit of Comparison: **\$50.88 Per SF of GBA**

Marketing Time: **14 Months**
Original List Pric **\$4,500,000**

Units of Comparison

Building Area (sqft): **86,479 GBA**
Number of Units: **N/A**
Number of Rooms: **N/A**

Property Data

Site Area: **346,899 SF 7.9637 AC**
Zoning: **SU FOR C-2**
% Office:
Floor Area Ratio: **0.25:1.00**
Number of Stories: **0**
Year Built: **1989**
Effective Age: **25 Years**
Construction Type: **Concrete Tilt Up**
Quality: **Average**
Condition: **Average**
Property Rights: **Fee Simple**
Lease Type:
Occup Time of Sale: **N/A**
Owner Occup TOS:
Owner Occup after Sale:

Documentation / Confirmation:

Confirmed To: **IV**
Agent, Co, Phone: **Tom Jones, Colliers, (505)880-7063**
Confirmed By: **Tom Jones**
Date Confirmed: **February 2, 2015**
Grantor: **Sutton Place Investments LLC**
Grantee: **North Investments LLC**
Document Number: **WD 2014-023516**
Legal Description: **Lot B, Hilltop Plaza**
Plat Book and Page: **N/A**
UPC: **1014068031049**



Financing Data

Cash Equivalent Price (CE) **\$4,400,000**
CE Price / Unit of Comp: **\$50.88 Per SF of GBA**

Down Payment:
First Year's Debt Service: **\$0**
Terms of Sale: **Cash to seller**

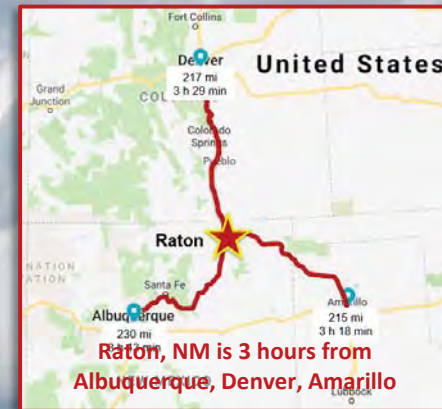
Income/Expense Analysis PRO FORMA

PGI:
V & C Loss Vacancy
EGI:
Expenses of EGI
NOI:
Gross Income Multiplier (GIM):
Effective GIM (EGIM)
Overall Capitalization Rate (OAR):
Equity Divident Rate (EDR):
Operating Expense / SF RBA

Comments

Former K-Mart; at the time of purchase, K-Mart had five months remaining on their lease, and vacated at the end of the lease. This is the anchor for Hilltop Plaza, one of Rio Rancho's largest shopping centers, with co-tenants including Hastings, Big Lots, Weck's, Venezia. The purchaser intends to divide the former big box into multiple retail units.

Price Reduced – Redevelopment Opportunity



SALE PRICE: \$895,000 (\$22.19/SF)

Building Size: +/- 40,327 SF

Property Size: 4.15 Acres

Features:

Ideal for Investor or Owner/User

Significantly Below Replacement Cost

Freeway Location – Ideal for retail, warehouse
or distribution

Excellent Access & Visibility

Fully Improved Property

Successful Retail Location

Well Maintained



Redevelopment Opportunity – Former Kmart

1235 2nd Street, Raton, NM 87740

Absolute Investment Realty | 105 Jefferson NE Albuquerque, NM 87108 | 505-346-6006 | Info@go-absolute.net

Alfredo Barrenechea

505-401-0135

alfredo@go-absolute.net

Investment Overview



Absolute Investment Realty has been selected as the exclusive representative of the owner of this reposition opportunity in Raton, New Mexico. The property was originally built in 1978 for Kmart, who leased and operated the property since. Prior to filing bankruptcy, Kmart (Sears Holding Co.) had renewed its lease through 05/31/2021, a testimony to the longevity of the property as a retail location. If the property were to be re-let to a new tenant at Kmart's below-market former rent rate of \$3.11/SF/Yr (\$125,500 per year), the capitalization rate would be 14.02%.

Raton, NM is located on the border of Colorado and New Mexico and is equidistant (+/- 215 mi, 3 hrs) from Albuquerque NM, Denver CO, and Amarillo TX, making it an ideal location for a regional retailer, or warehouse and distribution. Raton is also the heart of a number of surrounding outdoor recreation destinations including Sugarite Canyon State Park and Capulin Volcano National Monument, which would make the property ideal for a sporting goods retailer.

The vacation of Kmart in Raton leaves a huge market gap for a soft goods retailer, resulting in a potential fantastic opportunity for the future owner and user of this property. At \$22.19/SF, this property also is priced well below replacement value helping to reduce the buyer's risk and allow for a multitude of future tenant's and uses.

Property Summary

Property Address:	1235 2nd Street, Raton, NM 87740
Property Description:	Big Box Retail
Improvement Size:	40,327
Property Size:	4.15 Acres
Purchase Price:	\$895,000 (\$22.19/SF)
Access:	Excellent
Visibility:	Excellent
Signage:	Excellent
Highest and Best Use:	Grocery, Retail, Warehouse
Trade Area Description:	Small-Town, Regional
Tenant:	None – Former Big Kmart
Store Closing Date:	4/8/2018

The information contained in this marketing package is believed to be reliable. While we do not doubt the accuracy, we have not verified it and make no guarantee, warranty or representation about it. It is your responsibility to independently confirm its accuracy and completeness. Additionally, this package and the information contained herein is intended only for parties with a bonified interest in the lease or purchase of this property and should not be distributed otherwise.

Redevelopment Opportunity – Former Kmart

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Trade Area Map

Trade Area Demographics			
Radius	1 Mile	3 Mile	5 Mile
Population (2017 Estimate)	2,002	6,869	7,025
Avg HH Income (2017)	\$43,008	\$46,844	\$47,496



Redevelopment Opportunity – Former Kmart

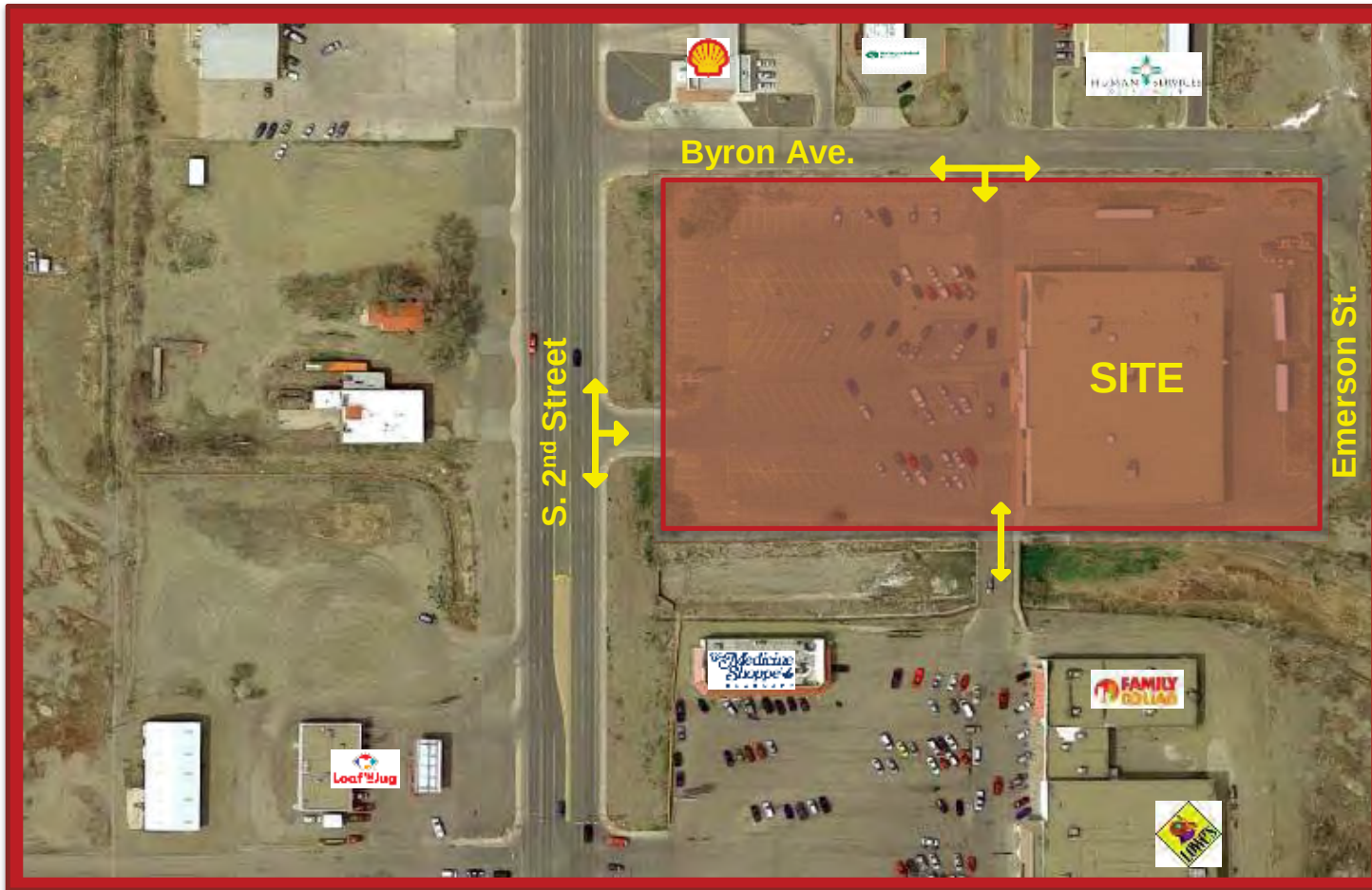
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Site Close Up & Location Description



LOCATION DESCRIPTION

The property is located along South 2nd Street just off I-25 in the northern New Mexico town of Raton. South 2nd Street is a primary retail corridor in Raton and is easily accessible from all locations of the town as well as Interstate 25. Raton, bordering Colorado, is the northern most town on I25 in New Mexico, is a major interstate traffic stop, and serves a large rural community in state as well as in Colorado. Raton is equidistant from Denver, Albuquerque and Amarillo making it ideal to distribute to and from New Mexico, Texas and Colorado. This property is the only big box retail location in this trade area of New Mexico and has been a shopping destination for goods and supplies for the people living in the surrounding communities for nearly 40 years. This assets pricing, location, signage, parking, and access make it an ideal candidate for repositioning to lease or sell to a number of other national, local and regional tenants.

Redevelopment Opportunity – Former Kmart
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Kmart



Kmart

Ample Parking

Kmart



Redevelopment Opportunity – Former Kmart

1235 2nd Street, Raton, NM 87740

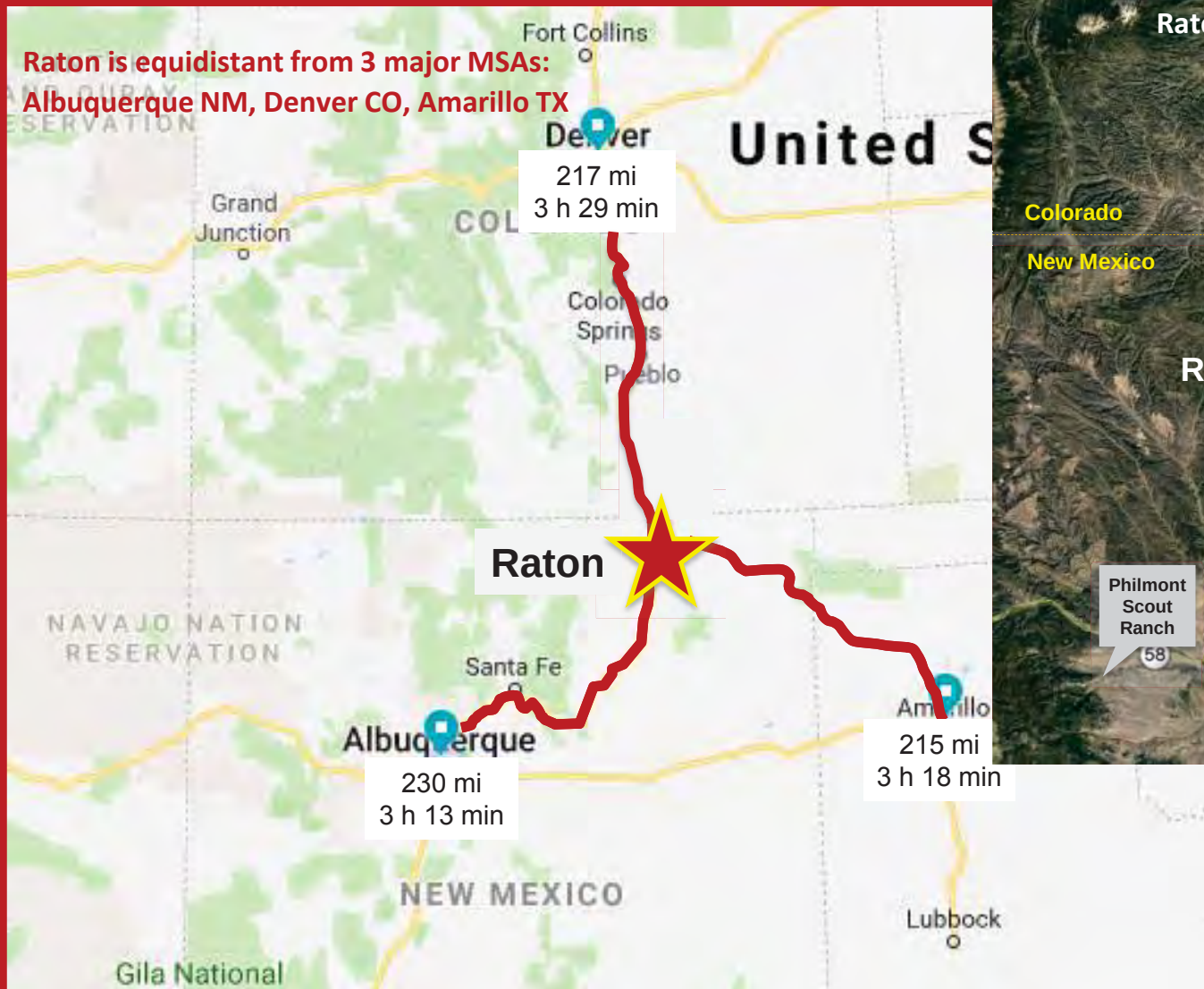
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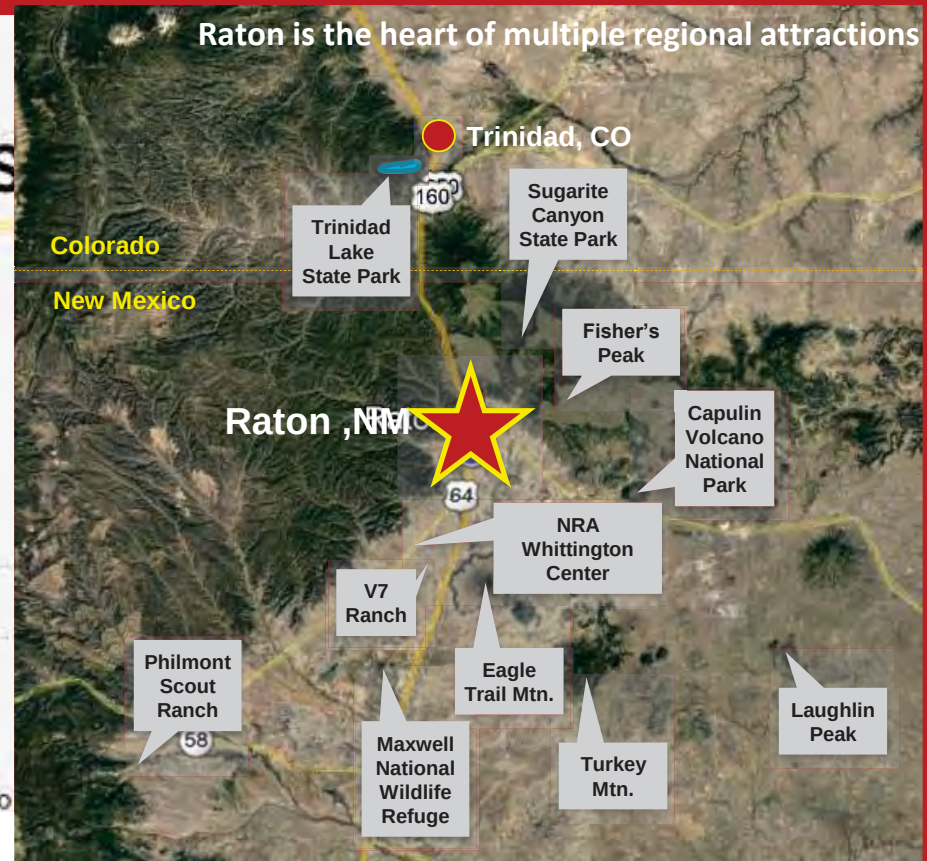


Raton, NM

Raton is equidistant from 3 major MSAs:
Albuquerque NM, Denver CO, Amarillo TX



Raton is the heart of multiple regional attractions



Redevelopment Opportunity – Former Kmart
1235 2nd Street, Raton, NM 87740

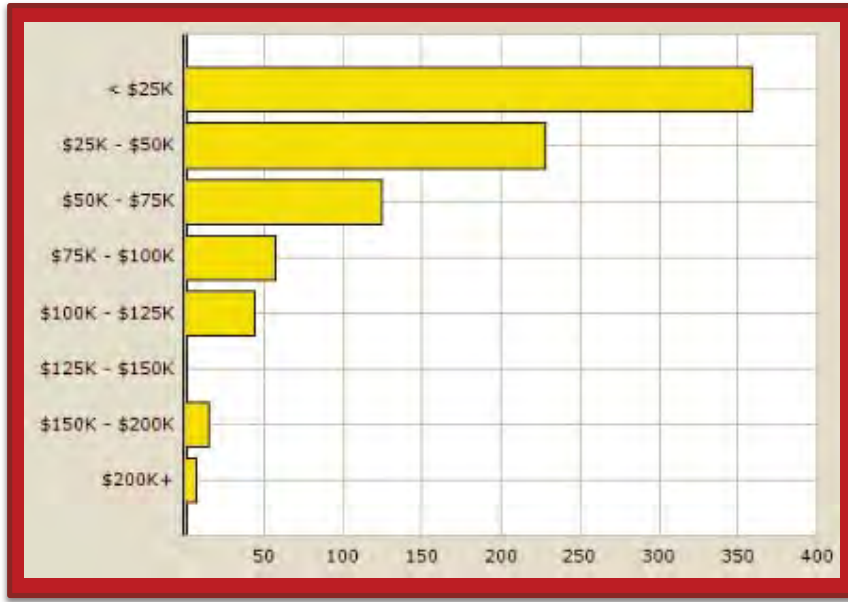
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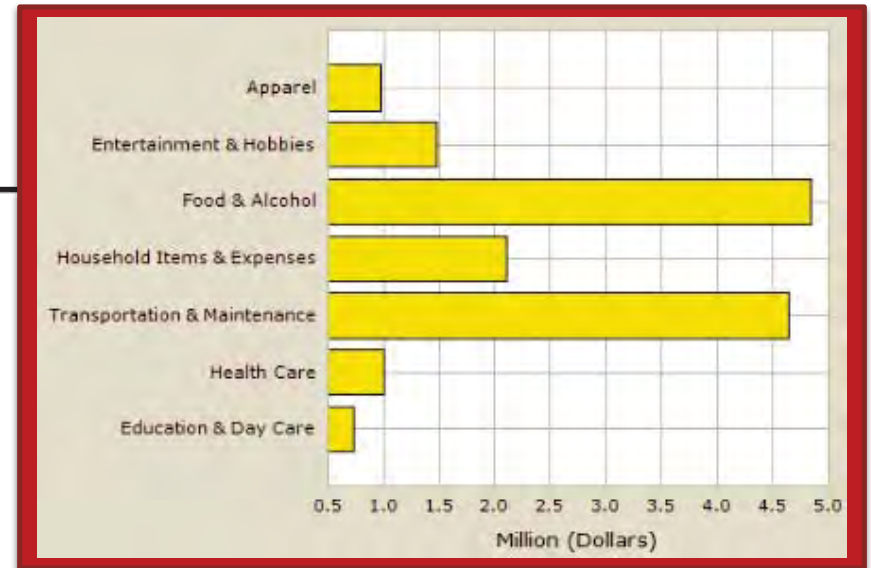


Demographics

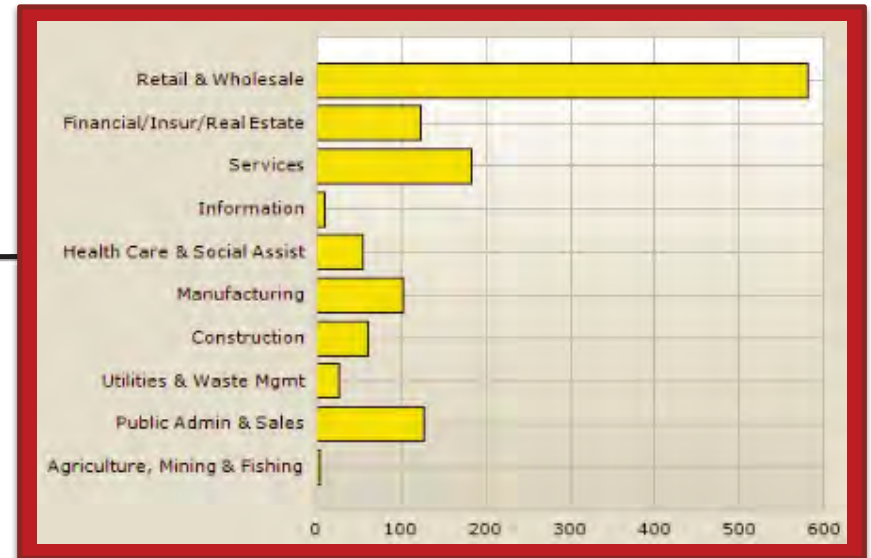
Consumer Spending Totals – 1 Mile



Daytime Employees – 1 Mile



Households by Income – 1 Mile



Redevelopment Opportunity – Former Kmart
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Raton, NM MSA

Raton, New Mexico, meaning little mouse in Spanish, is located in northern part of the state just 6 miles from Colorado state border. Raton offers many amenities for a comfortable rural lifestyle. Raton has a variety of outdoor recreation activities with it's crisp mountain air and breathtaking views.

Raton offers Amtrak service, a municipal airport, a state-of-art medical center. Raton is also near the Capulin Volcano National Monument and Raton Pass, which is located just north of the city is a historical landmark for the Santa Fe Trail and the gateway to Colorado. The pass is at a 7,881 summit which cuts through the Sangre de Cristo mountains and is accessible today by Interstate 25.

New Mexico, the land of enchantment, is located in the southwestern United States bordering Colorado, Arizona, Texas and Utah. Santa Fe is the state capital and is world famous tourist destination. New Mexico is famous for its beautiful scenery and wide variety of terrain, which offers a variety of outdoor activities including world class skiing and mountain biking. The world famous Albuquerque International balloon fiesta is hosted every year in Albuquerque and is the largest event of its kind in the world attracting each year and attracts millions of people from around the world.



State of New Mexico Demographics

Population (2016 Estimate)	2,081,015
Households (2015 Estimate)	763,603
Avg. Household Income (2015 Estimate)	\$45,382

Redevelopment Opportunity – Former Kmart

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Absolute Investment Realty



Alfredo Barrenechea
Qualifying Broker

Alfredo specializes in the acquisition and disposition of investment real estate and has experience in closing large industrial, office, and hospitality transactions. With over 12 years of experience in the commercial real estate industry as a developer, landlord and broker Alfredo has worked with nation's top tenants, investors and real estate investment companies. Alfredo has a passion for helping his clients meet their real estate investing goals and excels at closing complicated transactions. Alfredo has a an MS in Electrical Engineering and a BS in Computer Engineering from the University of New Mexico and is a member of CARNM and ICSC.



Some of Alfredo's Recent Transactions

Alfredo consistently achieves the Coveted Costar Power Broker award, which is only given to the top 5 brokers in the state.



Who We Are

[Absolute Investment Realty](#) is an investment oriented commercial real estate brokerage firm focused on helping our clients meet their commercial real estate investment goals. Our clients range from private local investors to multi-national REITs. We have closed transactions throughout the United States and have clients from around the world. No job is too small or too large for our dedicated team of professionals. We are experts on current market conditions and can advise our clients on the best pricing and buying or selling strategies. We have industry wide connections and make it a policy to work hand in hand with our peers, principals and institutions to get the deal done. We are second to none in our ability to identify, sell or lease investment quality real estate.

Our Mission

Absolute Investment Realty's mission is to help our clients achieve their commercial real estate goals.

Our firm excels because we execute with attention to detail, exceptional financial analysis capabilities, second to none market knowledge, and the highest level of customer service.

We start by understanding your needs and work closely with you develop a customized acquisition, disposition or development plan designed to help you reach your goals as expeditiously as possible.

Awarded to the top 5 brokerage firms in NM, Absolute Investment Realty has achieved the coveted Costar Power Broker Award every year we've been in business.



Redevelopment Opportunity – Former Kmart
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Disclaimer & Confidentiality

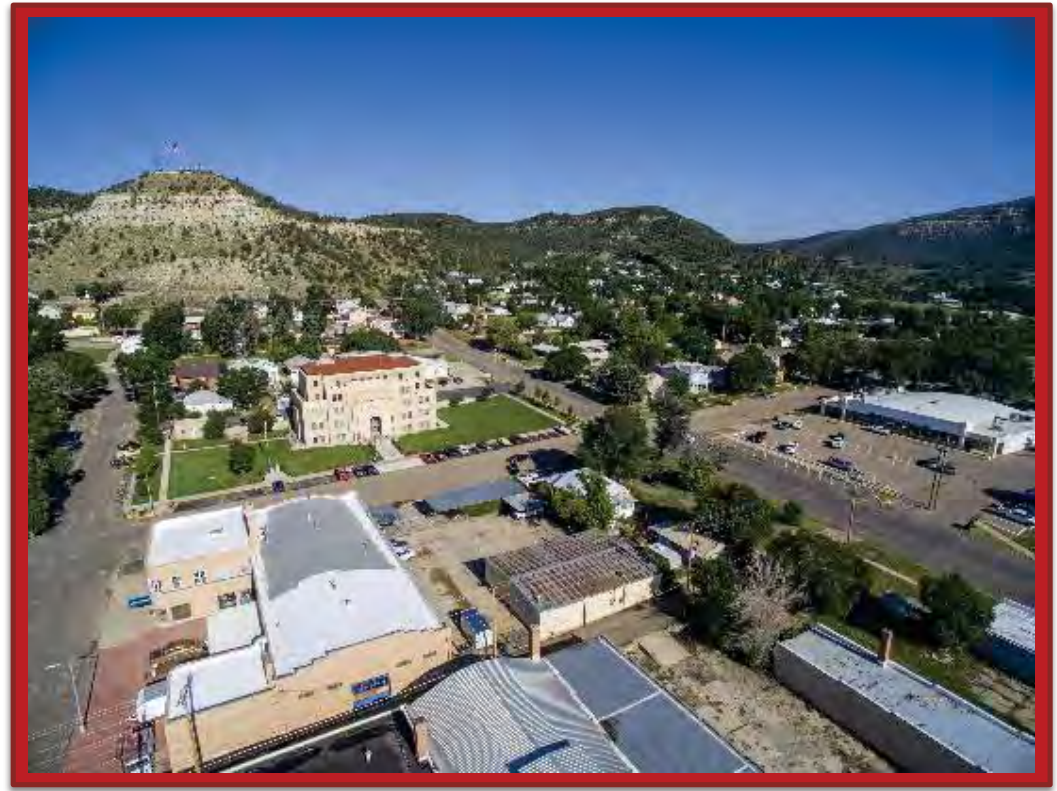
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The information contained in this marketing package is believed to be reliable. While the broker does not doubt the accuracy, it has not verified it and the broker and property owner make no guarantee, warranty or representation about it. It is the reader's responsibility to independently confirm its accuracy and completeness. All financial information contained herein is provided as a general reference and should not be treated as fact, but should be independently verified by the reader of this material.

By receipt of this marketing package, the reader agrees to keep this package and all material contained herein strictly confidential and agrees to destroy or return this package to Absolute Investment Realty upon the readers determination it has no interest in leasing or purchasing the property. Additionally, the information contained herein is not be utilized to the detriment of the property owner, Absolute Investment Realty or its associated brokers, any tenant(s) of the property, or any other party affiliated with the property.

The reader will not contact or approach the tenant(s) or operator(s) of the property, if any, without the express written permission of the property owner.

The property owner has absolutely no obligation to sell or lease the property to any person or entity regardless of proposed pricing or terms. Additionally, the property owner reserves the right, in it sole and absolute discretion, to reject any or all offers or expressions of interest to purchase or lease the property..



Redevelopment Opportunity – Former Kmart

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**Otero County Economic Development
Council, Inc**

2400 N. Scenic Drive
Alamogordo, NM 88310
(575) 439-3688
www.ocedc.com

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

December 11, 2018

Subject: City LEDA Funding Request, Project Rise

Attached are LEDA application documents for subject project. The requested funds are to be utilized for purchase of property located at 1900 Highway 54 South, Alamogordo, New Mexico. Our Due Diligence Committee and Board of Directors recommend favorable approval of this project.

Please advise if we can provide any other information to meet December 18, 2018 City Commission Meeting.

Sincerely,

A handwritten signature in blue ink, appearing to read "Laurie Anderson", written over a horizontal line.

Laurie Anderson
Interim Executive Director



**Gerald Champion
Regional Medical Center**
Our Family Caring for Others



**Otero County
Electric Cooperative, Inc.**
"Your Energy. Our Passion."





LEDA PROJECT APPLICATION

The purpose of the Application is to identify the project area and to present a detailed plan on how the proceeds of the LEDA funds will be put to use. This Plan is presented to demonstrate to the City, what the public benefits of this project are and to help the City evaluate the application's merit in comparison to other projects submitted, as well as assist the review committee in determining eligibility according to the City's LEDA Act. The applicant and its agent will endeavor to provide the City any additional information reasonably requested.

APPLICANT INFORMATION

Legal Name	Medlin Ramps & Supply Corp USA
Trade Name (dba)	N/A
Project Name if different from above	RISE
Address	14903 Marquardt Ave.
City, State, Zip	Santa Fe Springs, CA 900670
Phone	562-229-1991
Fax	562-299-1901
Primary Contact Person	Mark Medlin
Federal Tax ID #	
NM State Tax and Rev. #	
City/County Business License #	In process
NAICS Code	332312
This business is organized as a:	☒ C-Corporation ☐ S-Corporation ☐ LLC ☐ Partnership ☐ Proprietorship ☐ NPO

Please attach copies of (exhibit 1, 2, etc.):

☒ Incorporation Papers

☒ By-laws

☒ Resumes of all principals (owners, partners, directors or officers)

A)

Project Information:

- a. Description of Proposed Development, its product and its timeline.

See Business Plan

- b. Provide a detailed scope of work that is specific to the funding request/award

See Business Plan

- c. Business Plan or detailed information such as:

- i. Executive Summary; Business description and history

See Business Plan

- ii. Infrastructure Development/Needs

See Business Plan

- iii. Market analysis and strategy

See Business Plan

- iv. Summary of competition

See Business Plan

- v. Tax Reporting Status

Monthly

- vi. Effect on Existing Industry and Commerce during and after Construction

None

- vii. Land Acquisition

The purchase price includes approximately 25 acres on the corner of Highway 54 and Highway 70 in the city of Alamogordo, NM

- viii. Local Purchasing

Medlin Ramps and Supply Corp USA will be purchasing large amounts of raw metal stock, serrated grating and welding supplies from Alamogordo when available. We will also purchase large quantities of paint and painting supplies, as well as other items from Home Depot, Lowes, and Harbor Freight. Any items not available locally will be sourced from El Paso, TX.

- ix. Water Conservation

Medlin Ramps and Supply Corp USA do not use water in the manufacturing process of our products.

- x. Relocation of Individuals or Businesses

Medlin Ramps will be relocating one full time employee from our California location. We will be expecting to fulfill all other employment needs with local talent. Our relocated

employee will be used to teach all new employees the production procedures of Medlin Ramp products.

xi. Construction Schedule

- | | |
|----------------------------------|-----------------------|
| 1. Target Close Date | <i>February, 2019</i> |
| 2. General Contract Signed | <i>February, 2019</i> |
| 3. Construction Start | <i>February, 2019</i> |
| 4. Construction End | <i>April, 2019</i> |
| 5. New Facility Operational Date | <i>May, 2019</i> |

xii. Operations plan; Organizational chart

See Business Plan

xiii. Any document or record that the local governing body, in its sole discretion, deems necessary.

B) Financial Information

- a. Detailed assumptions for business and proposed projects; pro--forma cash flow analysis; three-year projected income statements, whichever is applicable
See Business Plan
- b. Financial statements with independent audits, if available, or Tax returns, for the past three years.
Attached
- c. City/County business license number/proof or statement that registration will pursued or secured.
In process
- d. Does the amount requested reasonably represent the money needed to complete the project?
Yes
- e. If a gap exists, please define/explain options being pursued or solution to fund that gap.
- f. Provide schedule of funding commitments. Provide copies of any term/commitment letters
- g. What is the equity investment from the applicant? *\$183,500*
- h. What is the collateral/security to be pledged to the funds awarded?
Mark Medlin will use his Medlin LLC building as collateral/security for funds used by Alamogordo and the State of NM. Medlin LLC owns a 10,000-square foot standalone building with a fenced yard. Market value is \$3 million with a \$700,000 bank loan against the property.
- i.

What is the method of appraisal for stated security?

Property appraisal

Funding Type	Source	Amount
Equity Investment	\$	
City funding	\$	
Bank Loans		
Cash down and % it represents of the total project costs	\$ 183,500 (5%)	
Other Loans		
Other Sources (LEDA)	\$ 2,500,000	
	TOTAL	\$2,683,500

C) History and Background

a. Track record with projects of this type?

This will be the first-time Mark Medlin will be starting a Medlin Ramps from the ground up. Mark has expanded the Medlin Ramps manufacturing to an East Coast Division by sub-contracting to a local manufacturing company named, North American Implements. This partnership is 3.5 years old and has been a great experience for both companies in growth and profits.

b. Explain the commitment to build, operate, and manage the project?

Medlin Ramps will be opening a third manufacturing facility in New Mexico. Our company has a current production need that our two existing plants cannot fulfill. Mark has placed \$50,000 in earnest money on the facility.

c. Any officers ever filed for bankruptcy?

Mark and Jennifer Medlin filed a personal bankruptcy in 2013. The purpose for the bankruptcy was to settle outstanding debt that was acquired in Mark's name for his mother's terminal cancer care. Mark's father passed away in 2009 unexpectedly and his mother passed away in 2010, Mark was listed on their accounts and assumed their debt. The bankruptcy was filed for \$60,000 of debt. Mark Medlin demanded that all debtors be paid in full as part of the bankruptcy. Unfortunately, the bankruptcy settlement paid by Mark Medlin was a total of \$120,000. The \$60,000 was split to pay the debtors in full

demanded and the remaining \$60,000 were added "fees" to the bankruptcy case charged to Mark Medlin to cover the California bankruptcy Attorneys for the Trustee Sam Leslie.

- d. **List Current officers and directors** *Mark Medlin Owner/CEO Medlin Ramps, Jennifer Medlin Owner Supply Corp USA*

- e. **Applicant or any of its officers ever defaulted on any loans or financial obligation?**

Mark Medlin had many defaulted loans during the economic crash of 2009 and through the passing away of his parents in 2009 and 2010. These loan defaults included both personal and business. Shortly after the economy crashed, Mark restructured his company and launched a national campaign to help Medlin Ramps rebuild and expand. The campaign proved to be very successful and profitable. This allowed Mark to bring ALL defaulted accounts current, if not paid in full.

- f. **Does the applicant have any loans or other financial obligations on which payments are *not* current?**

All personal and business loans from Mark Medlin are current.

D) Community Aspects

- a. **What are the infrastructure needs at the community level, not yet in place or in process that will affect this project's application?**

Complete electrical installation on exterior and interior

- b. **What specific incentives are being REQUESTED from the COMMUNITY (e.g. parcel of land, building lease, waiver of fees, utility access/extension)?**

Property Tax Abatements _____
Infrastructure Improvement X
Tax Increment Financing _____
Grey Water _____
Other _____

Industrial Revenue Bonds _____
Access to Loan Funds _____
Public Improvement Districts _____
Other Customized Incentives _____

-
- c. **What specific incentives are being PROVIDED from the COMMUNITY (e.g. parcel of land, building lease, waiver of fees, utility access/extension)?**

City LEDA

E) Job Creation/Performance

- a. **Outline the number and types of jobs to be created.**
b. **Outline the proposed pay scale and payroll proposed by the entity**
c. **Outline the benefits offered to the employees, including but not limited to health care and retirement?**
d. **Outline any efforts being made or proposed by the applicant to employment opportunities to people within the local employment pool**

<i>Totals Medlin Ramps & Supply Corp USA</i>			Number of Jobs Created	
Job Title or Type	Estimated Pay Scale	At Start-up	Beginning of Year 2	Beginning of Year 3
Accounts Receivables (L)	\$15	2	2	2
Accounts Payable (L)	\$15	1	1	1
General Manager (L)(T)	\$17	2	2	2
Purchasing Manager (L)	\$16	2	2	2
Logistic Manager (L)	\$16	2	2	2
Project (L)	\$17	0	0	1
Marketing (L)	\$16	2	2	3
Sales (L)	\$16	1	1	2
CAD Drafter (L)	\$15	2	2	2
Estimator/Contracts (L)	\$16	1	1	1
Welder (L)	\$14	17	17	25
Saw Operator (L)	\$12	2	2	3
Shipping/Receiving Manager (L)	\$12	2	2	2
Painter (L)	\$10	3	3	4
Helper (L)	\$10	3	3	6
Forklift Driver (L)	\$12	1	1	1
Maintenance/Groundskeeper(L)	\$10	1	1	1
Security (L)	\$10	1	1	1
Total No. of Jobs Created			45	61
Total Estimated Payroll			\$1,279,200	\$1,691,000

See attached for detail breakout by company

Please indicate in the above chart which jobs will be:

- Fill locally (L)
- Fill by transfer from other facilities (T) or recruited from outside the COMMUNITY (R)

MEDLIN RAMPS 1 YEAR PLAN

OFFICE	SALES	SHOP
ACCOUNTS RECEIVABLE \$15	MARKETING \$16	WELDER \$14 (12)
ACCOUNTS PAYABLE \$15	SALES \$16	SAW OPERATOR \$12
GENERAL MANAGER (PROCESS/SAFETY) \$17	CAD DRAFTER \$15	SHIPPING/RECEIVING MANAGER \$12
PURCHASING MANAGER \$16		PAINTER \$10 (2)
LOGISTIC MANAGER \$16		HELPER \$10 (2)
		FORKLIFT DRIVER \$12
		MAINTANCE/GROUNDS KEEPER \$10
		SECURITY \$10

EMPLOYMENT = 29

ANNUAL PAYROLL = \$811,200

MEDLIN RAMPS 3 YEAR PLAN

OFFICE	SALES	SHOP
ACCOUNTS RECEIVABLE \$15	MARKETING \$16	WELDER \$14 (15)
ACCOUNTS PAYABLE \$15	SALES \$16 (2)	SAW OPERATOR \$12 (2)
GENERAL MANAGER (PROCESS/SAFETY) \$17	CAD DRAFTER \$15	SHIPPING/RECEIVING MANAGER \$12
PURCHASING MANAGER \$16		PAINTER \$10 (2)
LOGISTIC MANAGER \$16		HELPER \$10 (3)
		FORKLIFT DRIVER \$12
		MAINTANCE/GROUNDS KEEPER \$10
		SECURITY \$10

EMPLOYMENT = 35

ANNUAL PAYROLL = \$977,600

SUPPLY CORP USA 1 YEAR PLAN

OFFICE	SALES	SHOP
ACCOUNTS RECEIVABLE/PAYABLE \$15	MARKETING/SALES \$16	WELDER \$14 (5)
GENERAL MANAGER (PROCESS/SAFETY) \$18 (ISO INSPECTOR)	CAD DRAFTER \$15	SHIPPING/RECEIVING MANAGER \$12
PURCHASING MANAGER \$16	ESTIMATOR/CONTRACTS \$16	PAINTER \$10
LOGISTIC MANAGER \$16		HELPER \$10
		SAW OPERATOR \$12

EMPLOYMENT = 16

ANNUAL PAYROLL = \$468,000

SUPPLY CORP USA 3 YEAR PLAN

OFFICE	SALES	SHOP
ACCOUNTS RECEIVABLE/PAYABLE \$15	MARKETING/SALES \$16 (2)	WELDER \$14 (10)
GENERAL MANAGER (PROCESS/SAFETY) \$18 (ISO INSPECTOR)	CAD DRAFTER \$15	SHIPPING/RECEIVING MANAGER \$12
PURCHASING MANAGER \$16	ESTIMATOR/CONTRACTS \$16	PAINTER \$10 (2)
PROJECT MANAGER \$17		HELPER \$10 (3)
		SAW OPERATOR \$12

EMPLOYMENT = 25

ANNUAL PAYROLL = \$713,440

N/A

JOB RETENTION INFORMATION (IF APPLICABLE)

			Number of Retained/Impacted	
Job Title or Type	Estimated Pay Scale	At Start-up	Beginning of Year 2	Beginning of Year 3
Total No. of Jobs Created				
Total Estimated Payroll				

F)

Impacts (environmental, fiscal, economic, etc.)

- a. Outline any impacts to the environment

N/A

- b. Status of permitting/regulatory matters needed for project

In process

- c. By request, NMEDD can provide the Economic Impact Analysis to address the impact to the local tax base, the school system, etc.)

 X Yes No

Any supplemental documents that are submitted to support the application are to be included with this application and noted as "exhibit 1, 2" etc.

A review of the application and its contents will be done by a committee put together for the express purpose of accomplishing due diligence in review of all applicable information, accomplish any validation needed as to qualifying entities eligibility, and provide a recommendation to City Staff and the City Commission; applicant will be advised of any missing or supplemental information needed. This process may take upwards of 60 to 90 day to complete. Applicant's patience and accommodation towards any additional items asked for is greatly appreciated.

CITY OF ALAMOGORDO
***Individual* AUTHORIZATION FOR EXAMINATION AND RELEASE OF**
INFORMATION

(if corporation, a different document will be provided)

I, Mark Medlin, hereby grant permission to the City of Alamogordo to conduct a review, full disclosure, and release of any and all information authorized pursuant to federal and state law. The purpose for obtaining and examining the information is to construct a record of my personal and professional history to ensure I meet the requirements the New Mexico Economic Development Department has established for recipients of State funds. I understand the investigation will be conducted by the New Mexico Economic Development Department, the New Mexico Department of Public Safety, or their contractors, and the results of the investigation will only be supplied to the New Mexico Economic Development Department.

I hereby grant the New Mexico Economic Development Department permission to obtain any information in my background pertaining to any credit (to include obtaining a copy of my credit report), education, investigation, arrest and/or conviction of myself in any criminal or civil matter. I also authorize an employee of the New Mexico Economic Development Department, as my authorized representative, to obtain from the New Mexico Taxation and Revenue Department any tax information that is in any way related to me or a company I own or have invested in. I hereby direct you to release such information upon the request of this bearer. I hereby release you as custodian of such records for any criminal justice, law enforcement or court agency, including its officers and employees, or related personnel, both individually and collectively, from any and all liability for damages of whatever kind, that may at any time result to the New Mexico Economic Development Department or the State of New Mexico because of compliance with this authorization and request to release information; or any attempt to comply with it.

1. The information reviewed, disclosed, and/or released may be used by the New Mexico Economic Development Department for any lawful purpose and/or to determine my or my company's suitability to receive funds from the State of New Mexico.
2. I hereby release the providers and users of the information collected pursuant to this authorization from any liability under state or federal privacy laws and further release the New Mexico Economic Development

Department, its contractors, agents, and/or employees from any liability which may be incurred as a result of the collection and use of information.

3. I understand I may revoke this authorization in writing at any time.
4. This authorization will automatically expire in 60 days from the date it is signed.

FULL NAME: Mark Medlin

SIGNATURE: [Signature]

SSN: [Redacted]

DOB: [Redacted]

DATE: 12-11-2018

* PLEASE INCLUDE A PHOTO COPY OF THE INDIVIDUAL'S PHOTO ID.

Scribed and sworn to me on this _____ day of _____, 20____, _____ County, New Mexico

Signed _____
Notary Public

My Commission
Expires: _____

Mark Medlin

15503 San Ardo Circle, La Mirada, CA 90638
mark@medlinramps.com 714-366-5002

Education: St John Bosco 91, Cerritos College and University of Texas at El Paso

Positions Held: President of PTA for Heights Christian Intermediate and Junior High for 5 years. Board Member for Heights Christian Schools for 6 years and currently hold the position of Chairman of the board for the past 3 years. Heights Christian Schools has been a very successful private Christian Educational organization. They were established in 1981 and have now grown to seven locations among LA and Orange county, with an annual revenue over \$17 million dollars.

Athletics: Participated in football, basketball and track in high school. Received a scholarship to play football to UTEP. Coached Varsity football at Whittier Christian High School for 3 years. Coached Girls Basketball at Heights Christian Schools for 5 years. I currently help train girls at SoCal Juniors Volleyball Club in speed and strength.

Faith: I have been a Christian since I was 8 years old. During college, I was a member of FCA, Fellowship of Christian Athletes. I currently attend Sea Coast Grace Church in Cypress. I also serve as a volunteer/lieutenant for an outreach, The Compton Initiative, for the past 6 years.

Business: I am the owner of Medlin Ramps, a 27-year-old steel manufacturing company in the Material Handling Industry. As CEO, I oversee all Sales and Marketing Divisions. Medlin Ramps has experienced great success, and in 2015 became the first US manufacturer of Steel Yard Ramps with multiple manufacturing locations across the United States. I have also owned and sold a Harley Davidson motorcycle repair shop named, Complete Motor Solutions in Huntington Beach. I have experience in buying and selling in the residential and commercial markets.

Family: I currently reside in La Mirada with my amazing wife of 22 years, Jennifer, and two daughters, Lauren and Brooke not to exclude our 5-year-old golden retrievers, Bosco and Roxy. My daughter, Lauren, is a Freshman at Chapman University and my youngest daughter, Brooke, is a Junior at Whittier Christian High School. Both of my daughters have excelled in the classroom and on the volleyball court as well as their involvement in student council and school committees.

Strengths: My strengths would be best stated as administrative and visionary. My administrative strength comes from leadership and organization skills that I have achieved through owning my own business'. I like to keeping to the task on hand and use my time wisely. My visionary strength is that of consistently preparing for the future by setting goals and meeting them in a timely matter. As CEO of an Industry leading company, I must stay ahead of manufacturing restraints and challenges to exceed my customer's needs. As the Chairman of one of the largest independent Educational Institute in America, Heights Christian Schools, I am in constant search for the best answers regarding the social media world, transgender issues as well open prayer in schools.

Jennifer Medlin

15503 San Ardo Circle, La Mirada, CA 90638
jennifer@medlinramps.com 714-366-4170

Education: Walnut High School class of 1990, Cerritos College Degree graduated with an Associate of Arts Degree in the studies of Sports Medicine and Physical Therapy.

Positions Held: Assistant to the Medical Director at the Physical Therapy Rehab Center for 2 years. Teacher for New Beginning Church Sunday School for 5 years. Co-Youth Director at New Beginning Church for 4 years. Event Coordinator of PTA program for Heights Christian Intermediate and Junior High for 4 years. Vice President of PTA for Heights Christian Junior High for one year.

Faith: I have been a Christian since my sophomore year of high school. I was a member of Student Life in High School and ran local events for high school students in our community. I currently attend Sea Coast Grace Church in Cypress, CA. I also serve as a volunteer for a community outreach program called, The Compton Initiative, held in Compton, CA for the past 6 years.

Business: I have been employed by Medlin Ramps for the last 22 years. Medlin Ramps is owned by my husband, Mark Medlin. Medlin Ramps is a 28-year-old steel manufacturing company in the Material Handling Industry. I have developed in many areas of business as the company grown over the years. I have had the opportunity to be a part of the following departments: Purchasing, Accounting, Sales, Shipping and Quality Control Inspection. My current corporate role, since 2004, is to oversee the daily accounts in the Finance department. My direct job is to balance the Medlin Ramps rapid sales growth with new accounts and meet the deadline of vendor payments.

Family: I currently reside in La Mirada, CA with my husband, Mark, of 22 years. I have two daughters, Lauren and Brooke. Also residing in our home are two golden retrievers named Bosco and Roxy. My daughter, Lauren, is a Freshman at Chapman University in Orange, CA studying medicine. Lauren works with the local community tutoring elementary children in math and reading. My youngest daughter, Brooke, is a Junior at Whittier Christian High School and is the assistant to the ASB Director and a member of the National Honor Society, Vice President of the Fashion club at her school and plays volleyball. Both of my daughters have excelled in the classroom and in sports as well as their involvement in student government and school committees. I am very proud of their integrity and accomplishments.

Strengths: My strengths would be best stated as I am goal orientated, passionate and diligent. I achieve my goals by maintaining a structured timeline and research what I don't know to achieve the best results for the task. I am passionate about life and do not take it for granted, this has taught me to be grounded and successful. I have set the highest standards for my family and business life in order to achieve success where it counts, integrity. I have a wide variety of work experience and in each task given I strive to give the best of myself in order to have a successful outcome.

BY - LAWS

OF

Medlin RampsOFFICES
ARTICLE I.

Section 1.

Office. The office of the corporation will be located in SANTA FE SPRINGS, CA.

Section 2.

Additional Offices. The corporation may also have offices and places of business at such other places as the Board of Directors may from time to time determine or the business of the corporation may require.

MEETINGS OF SHAREHOLDERS
ARTICLE II.

Section 1

Place of Meetings. The annual meeting of the shareholders for the election of directors and all special meetings of shareholders for

that or for any other purpose may be held in such place within or without the State of CA as shall be stated in the notice of the meeting, or in a duly executed waiver of notice thereof.

Section 2.

Date of Annual Meetings. The annual meeting of shareholders shall be held on the 10TH of JANUARY of each year, if not a legal holiday, and if a legal holiday then on the next business day following, at which they shall elect a Board of Directors and transact such other business as may properly be brought before the meeting.

Section 3.

Notice of Annual Meeting. Written notice of the annual meeting, the place, date and hour of the meeting shall be given personally or by mail to each shareholder entitled to vote thereat, not less than 8 (DAYS) nor more than 5 (DAYS) days prior to the meeting.

Section 4.

Special Meetings. Special meetings of the shareholders, for any purpose or purposes, unless otherwise prescribed by statute or by the Certificate of Incorporation, may be called by the Chairman of the Board, if any, the President or the Board of Directors, and shall be called by the President or the Secretary at the request in writing of a majority of the Board of Directors, or at the request in writing of

shareholders owning at least 1/4 percent (25 %) in amount of the shares of stock of the corporation issued and outstanding and entitled to vote. Such request shall state the purpose or purposes of the proposed meeting.

Section 5.

Notice of Special Meeting. Written notice of a special meeting of shareholders, stating the place, date and hour of the meeting, the purpose or purposes for which the meeting is called and at whose direction it is being issued, shall be given personally by mail to each

shareholder entitled to vote thereat, not less than 8 (DAYS) nor more than 5 (DAYS) days prior to the meeting.

Section 6.

Quorum. Except at otherwise provided by the Certificate of Incorporation, the holders of a majority of the shares of stock of the corporation issued and outstanding and entitled to vote thereat, present in person or represented by proxy, shall be requisite for and shall constitute a quorum at all meetings of the shareholders for the transaction of business. If, however, such quorum shall not be perfect or represented at any meeting of the shareholders, the shareholders entitled to vote thereat, present in person or represented by proxy, shall have power to adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum shall be present or represented. At such adjourned meeting at which a quorum shall be present or represented, any business as may be transacted which might have been transacted at the meeting as originally noticed.

Section 7.

Presiding Officer; Order of Business. Meetings of the stockholders shall be presided over by the Chairman of the Board, or, if he or she is not present, by the Chief Executive Officer, or if he or she is not present, by the President, or if he or she is not present, by a Vice-President, or if neither the Chairman of the Board nor the Chief Executive Officer nor the President or a Vice-President is present, by a chairman to be chosen by a majority of the shareholders entitled to vote at the meeting who are present in person or by proxy. The Secretary of the Corporation, or, in his or her absence, an Assistant Secretary, shall act as secretary of every meeting, but if neither the Secretary nor an Assistant Secretary is present, the shareholders present at the meeting shall choose any person present to act as secretary of the meeting.

The order of business shall be as follows:

- i. Call to order of meeting
- ii. Proof of notice of meeting
- iii. Reading of minutes of last previous annual meeting
- iv. Reports of officers
- v. Reports of committees
- vi. Election of directors
- vii. Miscellaneous business

Section 8.

Voting. At any meeting of the shareholders every shareholder having the right to vote shall be entitled to vote in person, or by proxy appointed by an instrument in writing subscribed by such shareholder. Except as otherwise provided by law or the Certificate of Incorporation, each shareholder of record shall be entitled to one vote for every share of such stock standing in his name on the books of the corporation. All elections shall be determined by a plurality vote, and except as otherwise provided by law or the Certificate of Incorporation, all other matters shall be determined by vote of a majority of the shares present or represented at such meeting and voting on such questions.

Section 9.

Proxies. Every proxy must be executed in writing by the shareholder or by his attorney-in-fact. No proxy shall be valid after the expiration of eleven (11) months from the date of its execution unless it shall have specified therein its duration. Every proxy shall be revocable at the pleasure of the person executing it or of his personal representatives or assigns, except in those cases where an irrevocable proxy is permitted by law.

Section 10.

Consents. Whenever by any provision of statute or of the Certificate of Incorporation or of these by-laws, the vote of shareholders at a meeting thereof is required or permitted to be taken in connection with any corporate action, the meeting and vote of shareholders may be dispensed with, if all the shareholders who would have been entitled to vote upon the action if such meeting were held shall consent in writing to such corporate action being taken.

Section 11.

List of Shareholders. A complete list of the shareholders of the Corporation entitled to vote at the ensuing meeting, arranged in alphabetical order, and showing the address of the number of shares owned by each shareholder shall be prepared by the Secretary, or other officer of the Corporation having charge of the Stock Transfer Books. This list shall be kept on file for a period of at least _____

() days prior to the meeting at the registered office of the Corporation in the State of _____ and shall be subject to inspection during usual business hours by any shareholder. This list shall also be available at the meeting and shall be open to inspection by any shareholder at any time during the meeting.

The original Stock Transfer Books shall be prima facie evidence of which shareholders are entitled to examine the list or to vote at any meeting of the shareholders.

Failure to comply with the requirements of this Section shall not affect the validity of any action taken at any meetings of the shareholders.

**DIRECTORS
ARTICLE III.**

Section 1.

Number; Tenure; Removal. The number of directors which shall constitute the entire board shall be fixed and may be altered by resolution adopted by a vote of a majority of the entire Board of Directors, or by the shareholders.

Directors shall be elected at the annual meeting of the shareholders, except as provided in Section 2 of this Article III, and each director shall be elected to serve until his successor has been elected and has qualified.

Any director may resign at any time. The Board of Directors may, by majority vote of all directors then in office, remove a director for cause.

Section 2.

Vacancies. If any vacancies occur in the Board of Directors by reason of the death, resignation, retirement, disqualification or removal from office of any director, or if any new directorships are created, all of the directors then in office, although less than a quorum, may, by majority vote, choose a successor or successors, or fill the newly created directorship, and the directors so chosen

shall hold office until the next annual election of directors and until their successors shall be duly elected and qualified, unless sooner displaced; provided, however, that if in the event of any such vacancy, the directors remaining in office shall be unable, by majority vote, to fill such vacancy within thirty (30) days of the occurrence thereof, the President or the Secretary may call a special meeting of the shareholders at which a new Board of Directors shall be elected to serve until the next annual election of directors and until their successors shall be duly elected and qualified, unless sooner displaced.

MEETINGS OF THE BOARD ARTICLE IV.

Section 1.

Place. The Board of Directors of the corporation may hold meetings, both regular and special, either within or without the State of

CA

Section 2.

First Meetings. The first meeting of each newly elected Board of Directors shall be held at the same place as and immediately following the annual meeting of shareholders, and no notice of such meeting shall be necessary to the newly elected directors in order legally to constitute the meeting, provided a quorum shall be present. In the event such meeting is not held at the time and place so fixed, the meeting may be held at such time and place as shall be specified in a notice given as hereinafter provided for special meeting of the Board of Directors, or as shall be specified in a written waiver signed by all of the directors.

Section 3.

Regular Meetings. Regular meetings of the Board of Directors may be held without notice at such time and at such place as shall from time to time be determined by the board.

Section 4.

Special Meetings. Special meetings of the board may be called by the Chairman of the Board, if any, or by the President or Vice President on two days' notice by mail or on one day's notice personally by telephone or by telegram to each director; special meetings shall be called by the Chairman, President, Vice President or Secretary in like manner and on like notice on the written request of two directors.

Section 5.

Quorum. At all meetings of the board a majority of the entire Board of Directors shall constitute a quorum for the transaction of business, and the act of a majority of the directors present at any meeting at which there is a quorum shall be the act of the Board of Directors, except as may be otherwise specifically provided by statute or by the Certificate of Incorporation. If a quorum shall not be present at any meeting of the Board of Directors either in person or by telephone conference call, the directors present thereat may adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum shall be present.

Section 6.

Action. Any action required or permitted to be taken by the Board or any committee thereof may be taken without a meeting if all of the members of the Board or committee consent in writing to the adoption of a resolution authorizing such action. The resolution and written consents thereto by the members of the Board or committee shall be filed with the minutes of the proceeds of the Board or committee. Any one or more members of the Board of Directors or any committee there may participate in a meeting of such board or committee by means of a conference telephone or similar means of communications equipment allowing all persons participating to hear each other at the same time. Participation by such method shall constitute presence in person at the meeting.

Section 7.

Compensation. Each director shall be entitled to receive as compensation for his services such sum as shall from time to time be fixed by resolution of the Board, and each director shall be entitled to reimbursement for all traveling expenses incurred by him in attending any such meeting. Nothing herein contained shall be construed to preclude any director from serving the corporation in any other capacity and receiving compensation therefor.

Section 8.

Dividends. Subject always to provisions of law and the Certificate of Incorporation, the Board of Directors shall have full power to determine whether any, and, if so, what part, of the funds legally available for the payment of dividends shall be so declared and paid to the shareholders of the Corporation. The Board of Directors may fix a sum which may be set aside over and above the paid-in capital of the Corporation for working capital or as a reserve for any proper purpose, and from time to time may increase, diminish, and vary this fund in the Board's absolute judgment and discretion.

COMMITTEES OF DIRECTORS ARTICLE V.

Section 1.

Creation. The Board of Directors may, by resolution or resolutions adopted by a majority of the entire Board, designate one or more committees, each committee to consist of two or more of the directors, which, to the extent provided in said resolution or resolutions and within the limitations prescribed by statute, shall have and may exercise the powers of the Board of Directors in the management of the business and affairs of the corporation, and may have power to authorize the seal of the corporation to be affixed to all papers which may require it.

NOTICES ARTICLE VI.

Section 1.

Form; Delivery. Notices to directors and shareholders shall be in writing and may be delivered personally or by mail. Notice by mail shall be deemed to be given at the time when the same shall be deposited in the post office or a letter box, in a postpaid sealed wrapper, and shall be addressed to directors or shareholders at their addresses appearing on the records of the corporation, unless any such director or shareholder shall have filed with the Secretary of the corporation a written request that notices intended for him be mailed to some other address, in which case the notice shall be mailed to the address designated in such request. Notice to directors may also be given by telephone or by telegram.

Section 2.

Waiver. Whenever a notice is required to be given by any statute, the Certificate of Incorporation or these by-laws, a waiver thereof in writing, signed by the person or persons entitled to such notice, whether before or after the time stated thereon, shall be deemed equivalent thereto.

OFFICERS ARTICLE VII.

Section 1.

Officers. The officers of the corporation shall be a President and one or more Vice Presidents, a Secretary and a Treasurer. Any two or more offices may be held by the same person, except the offices of President and Secretary. The Board of Directors may also elect a Chairman of the Board and may elect or appoint such other officers as it may determine.

Section 2.

Term of Office; Removal. All officers shall hold office for such term as may be prescribed by the Board of Directors. Any officer elected or appointed by the board may be removed with or without cause at any time by the board.

Section 3.

Compensation. The compensation of all elected officers of the corporation shall be fixed by the Board of Directors, and the compensation of appointed officers and agents shall either be so fixed or shall be fixed by officers thereunto duly authorized.

Section 4.

Vacancies. If the office of any officer becomes vacant for any reason, the Board of Directors may fill such vacancy. Any officer so appointed or elected by the board shall serve only until such time as the unexpired term of his predecessor shall have expired unless reelected or reappointed.

Section 5.

The Chairman of the Board. If there be a Chairman of the Board of Directors, he shall preside at all meetings of the shareholders and directors and shall have such other powers and duties as may from time to time be assigned by the board.

Section 6.

The President. The President shall be the Chief Executive Officer of the corporation. In the absence of the Chairman of the Board, or if there be no Chairman, he shall preside at all meetings of the shareholders and directors. He shall be ex-officio a member of all standing committees, have general and active management and control of the business and affairs of the corporation subject to the control of the Board of Directors, and shall see that all orders and resolutions of the board are carried into effect. The President shall execute in the name of the corporation all deeds, bonds, mortgages, contracts, and other instruments requiring a seal, under the seal of the corporation, except where required or permitted by law to be otherwise signed and executed and except where the signing and execution thereof shall be expressly delegated by the Board of Directors to some other officer or agent of the corporation.

Section 7.

The Vice President. The Vice President, if any, or, if there be more than one, the Vice Presidents, in the order of their seniority or in any other order determined by the board shall, in the absence or disability of the President, perform the duties and exercise the powers of the President, and shall generally assist the President and perform such other duties as the Board of Directors shall prescribe.

Section 8.

The Secretary. The Secretary shall attend all meetings of the board and all meetings of the shareholders and record all votes and the minutes of all proceedings in a book to be kept for that purpose and shall perform like duties for the standing committees when required. He shall give, or cause to be given, notice of all meetings of the shareholders and special meetings of the Board of Directors, and shall perform such other duties as may be prescribed by the Board of Directors or President, under whose supervision he shall act. He shall keep in safe custody the seal of the corporation and, when authorized by the board, affix the same to any instrument requiring it and, when so affixed, it shall be attested by his signature or by the signature of the Treasurer or an Assistant Secretary or Treasurer. He shall keep in safe custody the certificate books and stock bonds and such other books and papers as the board may direct and shall perform all other duties incident to the office of Secretary.

Section 9.

The Assistant Secretaries. The Assistant Secretaries, if any, in order of their seniority, shall, in the absence or disability of the Secretary, perform the duties and exercise the powers of the Secretary and shall perform such other duties as the Board of Directors shall prescribe.

Section 10.

The Treasurer. The Treasurer shall have the care and custody of the corporate funds, and other valuable effects, including securities, and shall keep full and accurate accounts of receipts and disbursements in books belonging to the corporation and shall deposit all moneys and other valuable effects in the name and to the credit of the corporation in such depositories as may be designated by the Board of Directors. The Treasurer shall disburse the funds of the corporation as may be ordered by the board, taking proper vouchers for such disbursements, and shall render to the President and directors, at the regular meetings of the board, or whenever they may require it, an account of all his transactions as Treasurer and of the financial condition of the corporation.

Section 11.

The Assistant Treasurer. The Assistant Treasurers, if any, in the order of their seniority, shall, in the absence or disability of the Treasurer, perform the duties and exercise the power of the Treasurer and shall perform such other duties as the Board of Directors shall prescribe.

Section 12.

The Controller. The Controller, if any, shall maintain adequate records of all assets, liabilities and transactions of the corporation and shall have adequate audits thereof currently and regularly made. In conjunction with other officers, he shall initiate and enforce measures and procedures whereby the business of the corporation shall be conducted with the maximum safety, efficiency and economy.

Section 13.

Voting of Securities. Unless otherwise ordered by the Board of Directors, the Chairman or the President shall have full power and authority on behalf of the corporation to vote in person or by proxy at any meetings of the stockholders of any corporation in which the Corporation may hold stock, and at any such meetings shall possess and may exercise any and all rights and powers incident to the ownership of such stock. The Board of Directors may, by resolution, from time to time confer like powers upon any other person or persons.

SHARE CERTIFICATES
ARTICLE VIII.

Section 1.

Form; Signatures. The certificates for shares of the corporation shall be in such form as shall be determined by the Board of Directors and shall be numbered consecutively and entered in the books of the corporation as they are issued. Each certificate shall exhibit the registered holder's name and the number and class of shares, and shall be signed by the Chairman of the Board, President or a Vice President and the Treasurer or an Assistant Treasurer or the Secretary or an Assistant Secretary, and shall bear the seal of the corporation. In case any officer or officers who have signed shall cease to be such officer or officers of the corporation, whether because of death, resignation or otherwise, before such certificate or certificates have been delivered by such corporation, such certificate or certificates may nevertheless be issued and delivered as though the person or persons who signed such certificate or certificates had not ceased to be such officer or officers of the corporation.

Section 2.

Lost Certificates. The Board of Directors may direct a new share certificate or certificates to be issued in place of any certificate or certificates theretofore issued by the corporation alleged to have been lost or destroyed, upon the making of an affidavit of that fact by the person claiming the certificate to be lost or destroyed. When authorizing such issue of a new certificate or certificates, the Board of Directors may, in its discretion and as a condition precedent to the issuance thereof, require the owner of such lost or destroyed certificate or certificates, or his legal representative, to advertise the same in such manner as it shall require and/or to give the corporation a bond on such sum as it may direct as indemnity against any claim that may be made against the corporation with respect to the certificate alleged to have been lost or destroyed.

Section 3.

Registered Shareholders. The corporation shall be entitled to recognize the exclusive right of a person registered on its books as the owner of shares to receive dividends, and to vote as such owner, and shall not be bound to recognize any equitable or other claim to or interest in such share or shares on the part of any other person, whether or not it shall have express or other notice thereof, except as

otherwise provided by the laws of the State of CA.

Section 4.

Record Date. For the purpose of determining the shareholders entitled to notice of or to vote at any meeting of shareholders or any adjournment thereof, or to express consent to or dissent from any proposal without a meeting, or for the purpose of determining shareholders entitled to receive payment of any dividend or the allotment of any rights, or for the purpose of any other action affecting the

interests of shareholders, the Board of Directors may fix, in advance, a record date. Such date shall not be more than 8

(DAYS) nor less than 5 (DAYS) days before the date of any such meeting, nor more than 8 (DAY) days prior to any other action. In each such case, except as otherwise provided by law, only such persons as shall be shareholders of record on the date so fixed shall be entitled to notice of, and to vote at, such meeting and any adjournment thereof, or to express such consent or dissent, or to receive payment of such dividend, or such allotment of rights, or otherwise to be recognized as shareholders for the related purpose, notwithstanding any registration of transfer of shares on the books of the corporation after any such record date so fixed.

GENERAL PROVISIONS
ARTICLE IX.

Section 1.

Checks. All checks or demands for money and notes of the corporation shall be signed by such officer or officers or such other person or persons as the Board of Directors may from time to time designate.

Section 2.

Fiscal Year. The fiscal year of the corporation shall be fixed by resolution of the Board of Directors.

Section 3.

Corporate Seal. The corporate seal shall have inscribed thereon the name of the corporation, the year of its organization and the words

"Corporate Seal, MEDLIN RAMPS". The seal may be used by causing it or a facsimile thereof to be impressed, affixed, reproduced or otherwise.

AMENDMENTS
ARTICLE X.

Section 1.

Power to Amend. The Board of Directors shall have the power to amend, alter, or repeal these by-laws, and to adopt new by-laws, from time to time, by an affirmative vote of a majority of the whole Board as then constituted, provided that notice of the proposal to make, alter, amend, or repeal the by-laws was included in the notice of the directors' meeting at which such action takes place. At the next shareholders' meeting following any action by the Board of Directors, the shareholders, by a majority vote of those present and entitled to vote, shall have the power to alter or repeal by-laws newly adopted by the Board of Directors, or to restore to their original status by-laws which the Board may have altered or repealed, and the notice of such shareholders' meeting shall include notice that the shareholders will be called on to ratify the action taken by the Board of Directors with regard to the by-laws.

Section 2.

Amendment Affecting Election of Directors. If any by-laws regulating an impending election of directors is adopted, amended or repealed by the board, there shall be set forth in the notice of the next meeting of shareholders for the election of directors the by-law so adopted, amended or repealed, together with a concise statement of the changes made.

INDEMNIFICATION
ARTICLE XI.

Indemnification of Directors and Officers. The Corporation shall indemnify each of its directors, officers, and employees whether or not then in service as such (and his or her executor, administrator, and heirs), against all reasonable expenses actually and necessarily incurred by him or her in connection with the defense of any litigation to which the individual may have been made a party because he or she is or was a director, officer, or employee of the Corporation. The individual shall have no right to reimbursement, however, in relation to matters as to which he or she has been adjudged liable to the Corporation for negligence or misconduct in the performance of his or her duties, or was derelict in the performance of his or her duty as director, officer or employee by reason of willful misconduct, bad faith, gross negligence or reckless disregard of the duties of his or her office or employment. The right to indemnity for expenses shall also apply to the expenses of suits which are compromised or settled if the court having jurisdiction of the matter shall approve such settlement.

The foregoing right of indemnification shall be in addition to, and not exclusive of, all rights to which such director, officer or employee may be entitled by law or otherwise.

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Maria A. Pallante

Register of Copyrights, United States of America

Registration Number

VAu 1-210-567

Effective Date of Registration:

June 03, 2013

Title

Title of Work: Medlin Yard Ramp I

Nature of Claim: drawing

Completion/Publication

Year of Completion: 2010

Author

- Author:** Mark Medlin
- Author Created:** Technical drawing
- Work made for hire:** No
- Citizen of:** United States
- Year Born:** 1972
- Anonymous:** No
- Pseudonymous:** No

Copyright Claimant

Copyright Claimant: Mark Medlin
Medlin Ramps, 14902 Marquardt, Santa Fe Springs, California

Certification

Name: Cara J. Hagan
Date: April 24, 2013

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records

Maria A. Pallante

Register of Copyrights, United States of America

Registration Number
VAu 1-182-474

Effective date of
registration:

June 11, 2013

Title

Title of Work: Medlin Yard Ramp 2

Nature of Work: drawing

Completion/Publication

Year of Completion: 2010

Author

■ Author: Medlin Equipment, Inc.

Author Created: Technical drawing

Work made for hire: No

Citizen of: United States

Year Born: 1972

Anonymous: No

Pseudonymous: No

Copyright claimant

Copyright Claimant: Medlin Equipment, Inc.

14902 Marquardt, Santa Fe Springs, CA

Certification

Name: Cara J. Hagan

Date: April 24, 2013

Correspondence: Yes

Medlin Ramps

Medlin Equipment, Inc.

CALL US: 877-4-MEDLIN



**&
Supply Corp USA
Business Plan
November 2018**

Mark Medlin
Medlin Ramps
14903 Marquardt Avenue
Santa Fe Springs, CA 90670
(562) 229-1991
mark@medlinramps.com

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The New Mexico Small Business Development Center has prepared this business plan and the financial projections from information communicated by the client. We are not licensed by the State of New Mexico to practice public accounting and can therefore give no opinion or assurance on these statements.

Executive Summary

Medlin Ramps is an existing manufacturing corporation located in Santa Fe Springs, California. Founded in 1991 by Don and Marilyn Medlin, the business was transferred to their son, Mark Medlin in 1995. In February of 2015, Mark Medlin opened a second location on the East Coast in Lexington, North Carolina. Medlin Ramps produces material handling equipment from steel and sells their products throughout the United States and online. Currently, the company is profitable company and has approximately 20 employees. With plants on both the east and west coasts, Mr. Medlin feels the time is right to open a third location, with the goal of capturing the market in Middle America. In addition, there are space constraints at the Santa Fe Springs plant. Properties in California are priced too high and Medlin Ramps cannot consider relocating to a larger facility in California. The proposed site for the third location is Alamogordo, New Mexico. The proposed new location will operate as a separate, standalone business under the umbrella of Medlin Ramps, with a projected opening date of May 2019.

Four products are expected to be manufactured in Alamogordo: two types of yard ramps, dock boards and false docks. The products will be manufactured in Alamogordo and shipped to customers or shipped back to Santa Fe Springs and placed in inventory. The plant in Santa Fe Springs is having difficulty keeping up with the demand and will be able to sell any items shipped back to them. Supplies will be obtained locally when possible, with a second option of purchasing supplies within the State of New Mexico or nearby El Paso, Texas.

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A second manufacturing company, Supply Corp USA, will also be opened in the first year of doing business in Alamogordo. Supply Corp USA will manufacture products specifically aimed at the needs of Holloman Air Force Base (AFB), White Sands Missile Range, Fort Bliss, other military installments and government entities. The products will focus on structural metal products manufacturing, however the company will not be limited to those products and will be also be producing paper goods and other products that would be beneficial to military installations. This second manufacturing company will be owned and operated by Jennifer Medlin. This business will be woman owned and located in a Hubzone. The tag line for Supply Corp USA is "***Serving Those Who Serve Us***".

The owner and CEO of Medlin Ramps is Mark Medlin. Mark ensures that his company excels at customer service and the design of all of its products. He has increased sales at Medlin Ramps making the company number two in the US in the manufacturing and sales of ramps. Medlin Ramps has held this position for several years. With the opening of the Alamogordo location, the goal is to become number one by fall of 2019, producing and selling 400 or more ramps per year. Under Mark Medlin's leadership, the business has become the first US manufacturer of steel yard ramps with multiple manufacturing locations.

Mr. Medlin is the owner and CEO of Medlin Ramps and oversees the Sales and Marketing Divisions of Medlin Ramps. Mark has a Bachelor's Degree in Business from the University Texas at El Paso (UTEP) and has over 20 years' experience at Medlin ramps. In addition, he has been President of the PTA, Chairman of the Board and board member for the Heights Christian Schools in California helping to manage revenues of over \$17 million annually. Mark is a visionary and an entrepreneur. He is strategic and

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organized by nature and stays ahead of manufacturing restraints and challenges to ensure his customers are happy. "Customer is King" was his dad's motto and one Mark ensures that Medlin Ramps continues to live by. The tag line is "**All Day-Every Day**".

Jennifer Medlin, is the owner of Supply Corp USA. Jennifer has been employed with Medlin Ramps for the past 22 years. She has experience in purchasing, accounting, sales, shipping and quality control inspection. She is currently working in the Finance department where she oversees daily accounts, balances the rapid sales growth with new accounts and meets the deadline of vendor payments.

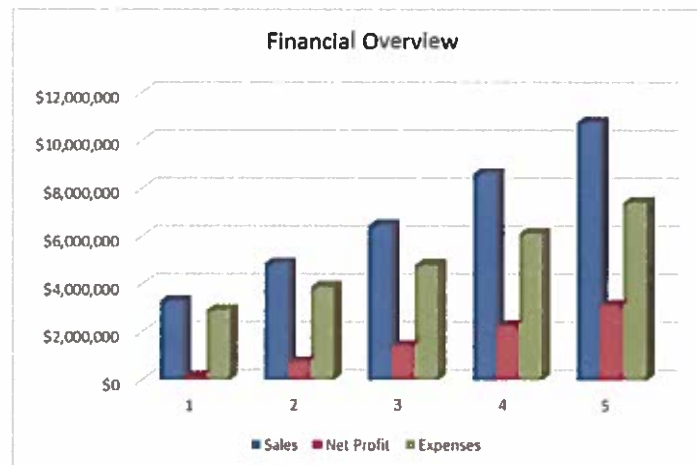
Mr. Medlin is proposing to purchase the property at the corner of Highway 70 West and Highway 54 South (1900 Highway 54 S) in Alamogordo, NM. The price of the property (buildings and land) is \$2.5 million. The property will need a new roof, new power, and will be renovated to a state-of-the-art fabrication facility. Remodeling costs are expected to be approximately \$1 million.

Mark is requesting LEDA funds of \$3.5 million for the purchase of the land and buildings and the rehabilitation of the property. Mark has put \$50,000 down in earnest money on the Alamogordo property and will use his Medlin LLC building in California as collateral/security (valued at \$3 million) for LEDA funds. In addition, Mark will self-fund the remaining of the start-up expenses for the two businesses (\$183,500). Mark expects to hire a total of 29 employees in Year 1, 35 total employees by Year 3 and 47 total employees by Year 5. With the exception of a foreman, jobs will be filled locally.

Mark Medlin is committed to bringing his manufacturing facility to Alamogordo, NM. The project will consist of three phases with **Phase I** consisting of the buildup and

production of four of Medlin Ramps' products. **Phase II** will consist of the startup of a woman-owned business, Supply Corp USA. This business will be owned by Jennifer Medlin and occur within Year 1. Finally, **Phase III** consists of relocating a portion of the East Coast Division to Alamogordo to manufacture backhoes, diggers, digger buckets and tow behind trailers.

Mark Medlin will ensure that Medlin Ramps Alamogordo is not just a business, but a community family member. Not only will the business create jobs, but Mark plans to change the lives of many young people through an apprenticeship welding program.



Keys to Success

Keys to Success include the following:

1. Obtain LEDA funding in the amount of \$3.5 million for purchase of land and buildings and remodeling costs.
2. Install new roof, repair facility and install electrical system.
3. Relocate necessary equipment and inventory.
4. Prepare facility for manufacturing.
5. Hire and train employees.
6. Begin production.
7. Open second phase of manufacturing facility under the name Supply Corp USA, producing goods for Holloman AFB and White Sands Missile Range.

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Description of Business

Medlin Ramps has been the leading Material Handling Solutions manufacturer in the US since 1991, with a goal to serve the world one customer at a time. Their long term commitments are to offer the highest quality products and to provide customer service that is second to none. This formula has helped Medlin Ramps to acquire and retain customers such as Home Depot, military contracts, and major forklift dealerships.

Medlin Ramps has provided quality products to the largest companies in the nation, but still believes that size doesn't matter. Medlin has devoted attention to customer service and treats each customer with equal importance.

The company was founded in 1991 by Don Medlin with a business belief that "Customer is King". This ethic has proven to be a successful way of doing things. Medlin Ramps understands that without customers the company would not exist. The Medlin team believes that going the extra mile is just a standard procedure. Medlin Ramps' knowledgeable team provides solid solutions to all material handling needs.

Medlin Ramps has been dominating ramp manufacturing in the West for the past eight years. With two current locations, in California and North Carolina, the company is ready to target the middle portion of the United States. Alamogordo, New Mexico is a prime location for a third facility and puts Medlin Ramps geographically closer to the current largest ramp manufacturer in the nation. That competitor, Bluff Manufacturing, is located in Fort Worth, Texas. Bluff has been the leader of ramps throughout the United States for the past 50 years, but will soon not be able to compete with Medlin Ramps' three manufacturing locations.

Medlin Ramps has an online website where its products can be purchased. The website is located at <https://medlinramps.com>.

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Proposed Alamogordo Expansion

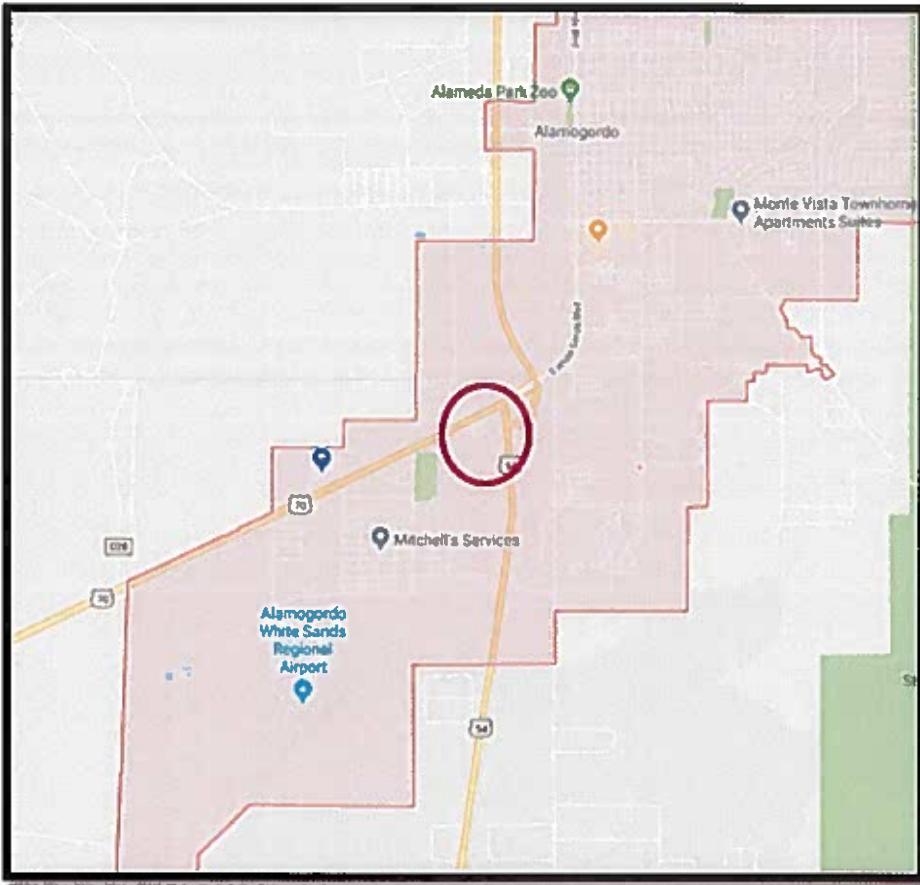
Medlin Ramps proposes to bring their third location to Alamogordo, NM. Mr. Medlin is familiar with the area as he went to college in nearby El Paso and has family who live in the area. The new location will allow Medlin Ramps to cover more market share and allow a new marketing campaign to be started providing products to the Middle Division of the United States. The proposed expansion will allow Medlin Ramps to get geographically closer to its customers, thereby lowering freight costs to the end user.

Medlin Ramps needs to secure a large building with land. Medlin Ramps is proposing to purchase the buildings (87,150 total square feet) and land (25 acres) on the Southwest corner of the intersection of Highway 54 South and Highway 70 West (see following map). The address of the property is 1900 Highway 54 S. The buildings were built in 1988 and originally housed a Walmart. It is zoned commercial and has a 529-space parking lot. The main building (65,000 square feet) has an additional 4 suites attached to it. These suites range in size from 980-6,000 square feet. In addition, there is a separate building (previously utilized as a video store) which will provide an additional 6,650 square feet. The purchase price of the buildings and land is \$2.5 million with remodeling costs expected to be an additional \$1 million. The projected closing date on the purchase is February of 2019, and the projected opening date is May of 2019.

The local Walmart store was moved to a more central location in town, and the buildings which previously housed the old Walmart have remained unoccupied for almost 20 years. The property has become an eye sore as well as a problem for the city and needs attention.

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Proposed Location of Medlin Ramps – Alamogordo Expansion



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Photos of Proposed Property – 1900 Highway 54 S, Alamogordo, NM**Required Renovations**

The main building will require some repairs prior to the opening of Medlin Ramps to ensure that the facility meets code requirements and is safe for employees. Medlin Ramps will redesign the building's interior to allow for the greatest production and profit. The following repairs are needed and estimated to cost \$1 million:

- New roof on the 65,000 square foot building
- Repair of structural damage
- Repair of structural settling from water damage
- Complete electrical installation on exterior and interior

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Phases

The proposed expansion of Medlin Ramps Alamogordo will occur in three phases. A brief description of the phases follows:

Phase I – Phase I includes renovating the proposed property (large building only), preparing for the manufacturing of four of Medlin Ramp's products and the production of those products. This phase will occur immediately in Year 1.

Phase II – Phase II consists of the startup of a second manufacturing business called Supply Corp USA. This business will be owned by Jennifer Medlin and will manufacture goods for government contracts specializing in welded materials such as gates and fences but will also include other goods such as paper towels, toiletries, etc. This phase will occur within the first year. The tag line for Supply Corp USA is "***Serving Those Who Serve Us***".

Phase III – Phase III will consist of relocating a portion of the East Coast division to Alamogordo. Products to be manufactured will include backhoes, diggers, digger buckets and tow behind trailers. The estimated completion date is 2020.

Strategy and Implementation

The following milestones need to occur for the successful startup of Medlin Ramps Alamogordo:

Description	Estimated Completion Date
Obtain Appraisal	11/2018
Put down earnest money	Complete
Obtain LEDA funding	12/2018
Close on property	2/2019
Remodel property	3/2019
Relocate key staff	3/2019
Relocate equipment and inventory	4/2019
Hire and train staff	5/2019
Begin production of Medlin Ramps Alamogordo	5/2019
Complete startup of Supply Corp USA	1/2020

Hours of Operation

The proposed location will operate five days per week (Monday-Friday) operating over two shifts. Hours will be 7:00 am to 5:00 pm.

Suppliers

Medlin Ramps will purchase large amounts of raw metal stock, serrated grating and welding supplies from Alamogordo and the local area if available. Large quantities of paint and painting supplies, as well as many other supplies, will be purchased locally

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through Home Depot, Lowes and Harbor Freight. Any items not available locally will be sourced from El Paso, Texas.

Future Plans

Because the property is large (approximately 25 acres), the prospects of additional revenues for Medlin Ramps is significant. These potential revenues would come from leasing the unused space. Potential lessees could include:

1. **Truck Stop** – Loves' Truck Stop has previously put in a proposal to purchase a portion of the property on the south end of the property. Other companies have also been interested in the property for trucking needs and would possibly be interested in leasing the space.
2. **U-Haul Station** – This would be a prime location for a permanent U-Haul facility. The area is large enough to hold an inventory of U-Haul vehicles and trailers.
3. **Film Office 47** –This office will fulfill an existing need for traveling film studios. The facility will have a Starbucks feel with an open floor plan, small tables, couches and a large 20-person meeting table in the center of the room. The trendy rental space will have high speed internet and a commercial grade coffee/espresso machine for late-night meetings. The name Film Office 47 is a tribute to New Mexico becoming the 47th state of the Union. The tag line for Film Office 47 is "***Where Everyone has a Role***".
4. **Drive Through Coffee Shop** – The area would lend itself nicely as a drive through coffee shop such as Starbucks or another brand.

5. **Fast Food Restaurants** – There is additional room for fast food restaurants and Mr. Medlin will reach out to Panda Express or Chik-Fil-A as two potential restaurants.

Business History

Founded in 1990 by Don and Marilyn Medlin in Whittier, California, the business was transferred to Mark Medlin in 1995. The business is incorporated as a C-Corporation and is currently located in Santa Fe Springs, California. In February of 2015, a second location opened in Lexington, North Carolina. The second location has over 40 employees, ten of which report directly to the head office. The Santa Fe Springs office has 17 employees. Medlin Ramps is the only company that has two ramp manufacturing locations and will soon have a third.

The Medlin Ramps manufacturing facility is located in Santa Fe Springs, California. A massive tonnage of material is used to produce a wide range of products, both stocked and custom:

- Steel dock boards and plates
- Portable yard ramps, Stationary yard ramps
- Man baskets
- Jib booms
- Load backrests
- Order picker platforms
- Trailer spotters

Company Ownership/Legal Entity

Mr. Medlin is the owner and CEO of **Medlin Ramps**, a 28-year-old steel manufacturing company that produces material handling equipment. Mark oversees the Sales and Marketing Divisions of Medlin Ramps. With Mark's management of the business, the business became the first US manufacturer of steel yard ramps with multiple manufacturing locations across the United States.

He previously owned and sold a Harley Davidson motorcycle repair shop and has experience in buying and selling in the residential and commercial markets. His strengths are leadership, organization and time management skills. He is a visionary and entrepreneur. He understands the complexity of manufacturing restraints and lag times and always challenges himself to exceed his customers' needs. The business is a C-Corporation, with Mark Medlin acting in the capacity of CEO.

Jennifer Medlin is owner of **Supply Corp USA**. Jennifer has been employed with Medlin Ramps for the past 22 years. She has experience in all aspects of running a manufacturing business.

Manufacturing

Medlin Ramps will manufacture ramps and dock boards at the Alamogordo, NM location along with Supply Corp USA products. Once the facility has been remodeled, a layout will be produced for the most efficient production floor. Mr. Medlin expects to have a minimum of 4 ramp stations each with a 3-person crew. Steel plates will be received at the docking area and moved by a forklift to each work station where the welding will be completed prior to the product being prepared for shipping.

Medlin Ramps Products

Products to be manufactured at the Alamogordo, NM location include dock boards and yard ramps.

Dock Boards - Moving product in and out of containers is a snap with Medlin dock boards. Unlike an edge of a dock, a dock board can be relocated to accommodate multiple door warehouse applications. Heavy duty diamond plates are featured with welded side curbs for superior strength. The lifting chains can easily move the dock board to the desired location. Standard dock designs are offered with capacities ranging from 10,000-30,000 pounds.

Medlin Ramps Dock Boards



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Yard Ramps – The production of yard ramps includes both stationary and mobile yard ramps.

1. **Stationary Yard Ramps** - The Medlin stationary yard ramp is the perfect solution when there is no ground access from the dock. The stationary ramp is fabricated from heavy duty carbon steel. The serrated grating ensures year round usage, and standard safety side curbs offer confidence to heavy equipment operators. These ramps are available in capacities from 16,000-40,000 pounds. Custom widths and lengths are available upon request.



Mobile Yard Ramps - The Medlin mobile yard ramp is the state-of-the-art way to load and unload containers. If a company doesn't have a loading dock, a yard ramp is the perfect solution. The mobile yard ramp is made from heavy duty carbon steel which ensures years of reliable service. All Medlin mobile yard ramps come standard with all-weather serrated grating and a 6' level off. The 2-speed manual crank system and (4) iron-core poly wheels make adjusting and moving these ramps a breeze. The 2-speed manual crank system eliminates the worry of hydraulic failure that the other brands use. Each ramp comes standard with safety chains and a tow boot for easy one-man operation. Capacities ranging from 16,000-40,000 pounds are available.



Supply Corp USA Products

Supply Corp USA will manufacture products specifically aimed at the needs of Holloman AFB, White Sands Missile Range, Fort Bliss, other military installments and government entities. The products will focus on structural metal product manufacturing, however the company will not be limited to those products and will also produce paper goods and other products that are beneficial to military installations.

Supply Corp USA will be able to manufacture products such as:

- Gates
- Fencing
- Metal door jambs
- Artillery metal parts assembly
- Main landing gear heat treatment
- Welded chain
- Paper goods

Management and Personnel

Mark Medlin is the owner and CEO of Medlin Ramps. Mark oversees the Sales and Marketing Divisions of Medlin Ramps. While Mr. Medlin will retain his residence in California, he will be traveling to Alamogordo frequently. Mr. Medlin plans to relocate his foreman, who has over 24 years' experience, to the Alamogordo area to be the lead on this project. Mark will also relocate the Vice President of Sales to this new location.

MEDLIN RAMPS 1 YEAR PLAN

OFFICE	SALES	SHOP
ACCOUNTS RECEIVABLE \$15	MARKETING \$16	WELDER \$14 (12)
ACCOUNTS PAYABLE \$15	SALES \$16	SAW OPERATOR \$12
GENERAL MANAGER (PROCESS/SAFETY) \$17	CAD DRAFTER \$15	SHIPPING/RECEIVING MANAGER \$12
PURCHASING MANAGER \$16		PAINTER \$10 (2)
LOGISTIC MANAGER \$16		HELPER \$10 (2)
		FORKLIFT DRIVER \$12
		MAINTANCE/GROUNDS KEEPER \$10
		SECURITY \$10

EMPLOYEMENT = 29

ANNUAL PAYROLL = \$811,200

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Supply Corp USA Personnel

Jennifer Medlin, is the owner of Supply Corp USA. Jennifer has been employed with Medlin Ramps for the past 22 years. She has experience in purchasing, accounting, sales, shipping and quality control inspection. She is currently working in the Finance department where she oversees daily accounts, balances the rapid sales growth with new accounts and meets the deadline of vendor payments.

Personnel for Supply Corp USA during the first year of operation is shown in the following table. For the second and third years in business, please refer to the assumptions under salary expenses.

SUPPLY CORP USA 1 YEAR PLAN

OFFICE	SALES	SHOP
ACCOUNTS RECEIVABLE/PAYABLE \$15	MARKETING/SALES \$16	WELDER \$14 (5)
GENERAL MANAGER (PROCESS/SAFETY) \$18 (ISO INSPECTOR)	CAD DRAFTER \$15	SHIPPING/RECEIVING MANAGER \$12
PURCHASING MANAGER \$16	ESTIMATOR/CONTRACTS \$16	PAINTER \$10
LOGISTIC MANAGER \$16		HELPER \$10
		SAW OPERATOR \$12

EMPLOYMENT = 16

ANNUAL PAYROLL = \$468,000

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Marketing Analysis

Alamogordo was chosen as an ideal location for a manufacturing plant due to its distance from California and the middle of America. The shipping costs of relocating ramps are significant and it is imperative to keep those costs down. Medlin Ramps plans to capture the Middle America market by competing with its largest competitor who is located in Fort Worth, Texas. Locating the plant in Alamogordo will keep freight costs down by eliminating the high costs of shipping from California. In addition, many ramps will be shipped to the California location where there is demand for the products.

The location at 1900 Highway 54 S in Alamogordo, NM was chosen due to its ease of remodeling the building to facilitate a welding manufacturing plant. Structural remodeling is needed to include replacing the roof, upgrading electrical systems, etc. Significant additions and demolition work are not needed. The location to major highways will make shipping ramps more efficient. Furthermore, due to the size of the property, additional business ideas which rely on heavy traffic will be pursued, such as a truck stop, a coffee shop and fast food franchises.

Supply Corp USA

Supply Corp USA, the second manufacturing business, will also be located on this property at 1900 Highway 54 S. Both Holloman AFB and White Sands Missile Range are expecting to increase construction spending over the next four to five years, and Supply Corp USA plans to sell its goods to these military installations. The location will keep freight and shipping costs at a minimum.

Market Segmentation and Market Size

The major market segmentations for Medlin ramps are:

- Forklift companies (there are over 7,000 forklift retail and rental companies in the United States)
- Rental companies (there are over 17,000 rental equipment companies in the United States)
- Large door companies

In addition, Medlin Ramps will export to the following markets:

- Canadian markets
- Mexican markets

The market segmentations for Supply Corp USA will be:

- Military installations (4,400 in the United States, 600 out of the country)
- Government entities

Industry Analysis Structural Metal Product Manufacturing (NAICS 33231)

Over the next five years to 2023, the industry is expected to grow at an annualized rate of 1.5% to \$51.3 billion. This increase is due to increased construction activity. Several challenges are on the horizon including increasing imports. In addition, China, the largest manufacturer of steel in the world and the lowest price producer, will be a challenge to US companies. The Trump Administration recently announced tariffs aimed to promote the domestic industry. As a result, the price of steel is expected to rise which may increase profit. Chinese structural metal products are an important contender for domestic market share (www.IBISWorld.com).

IBIS World identifies the following External Drivers for this industry:

1. **Nonresidential construction** – this is the largest end market for industry products. The construction of commercial buildings, office buildings,

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schools and hospitals has increased the need for metal products such as metal plates, casings, bars, etc. The value of nonresidential construction is expected to increase.

2. **World Price of Steel** – the price of steel is positively correlated with the revenues of this industry. High steel prices indicate periods of high demand and boost the value of inventory. The price of steel is expected to increase.
3. **Government funding for highways** – Transportation infrastructure is another large user of fabricated metal products. Government funding is expected to increase.
4. **Regulation** – The US government imposes tariffs on imported steel and aluminum which benefits the industry. Tariffs are expected to increase (www.IBISWorld.com).

Alamogordo and Local Vicinity

Due to the proximity of Alamogordo to Holloman AFB, the local economy is largely affected by the activities of the Air Force Base, particularly in the construction industry. Recently, Holloman AFB added two new F16 units and an aircraft maintenance contract. In addition, the New Mexico Aviation Aerospace Association is promoting Alamogordo as the premiere location for its Aviation Aerospace STEM Expo. With that designation, additional amenities must be constructed to serve new residents, conference attendees, and tourists interested in aerospace (<https://ci.alamogordo.nm.us/DocumentCenter/View/86/Final-Draft-City-of-Alamogordo-Comprehensive-Plan-2018-PDF>).

In February of 2018, it was announced that the "U.S. Air Force will initiate the design of an \$85 million project at Holloman Air Force Base to construct a new MQ-9 Formal Training Unit (FTU) operations facility to house three MQ-9 Attack Squadrons. The new facility will include administrative space, academic space, Fixed Ground Control Stations (FGCS), FGCS maintenance functions, training simulators and all secure spaces required to support the mission".

(<https://www.alamogordonews.com/story/news/local/community/2018/02/03/heinrich-announces-85-million-new-air-force-construction-project-house-mq-9-attack-squadrons-holloma/303086002/>).

The following table depicts the spending at Holloman AFB in 2013. Since the table below was published, the missions of Holloman AFB and White Sands Missile Range have increased and are poised to continue to grow for the next several years.

TABLE 4.8. INPUT DATA for EMPLOYMENT and SPENDING by INSTALLATION, 2013			
	Holloman AFB	White Sands Missile Range	Total
Employment			
Active Duty and Reserve	4,653	1,066	5,719
Federal Civilian Appropriated	903	1,961	2,864
Contractor and Unappropriated	455	2,954	3,409
Spending			
Construction	\$13,711,247	\$6,605,334	\$20,316,581
General Contracting	\$45,162,471	\$315,995,651	\$76,762,036
Local Purchasing	\$2,030,561	\$2,659,747	\$4,690,308

Source: JLUS Input Data for Employment and Spending by Installation, 2015.

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Competition

The top five manufacturing competitors and their strengths and weaknesses are:

Competitor	Location	Strengths	Weaknesses
Bluff Manufacturing	Fort Worth, Texas	• Sells 600 ramps per year • Located in Texas and has easy access to the Middle America market	• Slow delivery time complaints • Outdated design due to hydraulic failures
Cooperloy	Twinsburg, Ohio	• Strong competitor • Very good online reviews	• Having trouble competing with the top 3 competitors
Dura- Ramp	Chilliwack, British Columbia	• Number 2 competitor	• Canadian government subsidized
Vestil Manufacturing	Angola, Indiana	• Above average reviews	• Customer service complaints • Product Complaints
Chinese Products	China	• Inexpensive products	• High shipping costs

Pricing***Medlin Ramps***

The ramps are priced on average at \$10,000 each with a profit margin of 25-35%. Prices are adjusted by width and length of the ramp and the type of ramp. Dock boards also vary in price depending on the widths and lengths.

Supply Corp USA

Pricing varies by product manufactured. Because many contracts are based on low bid producers, each product will be made in the most efficient way possible to keep costs down.

Advertising and Promotion

Advertising will consist of the following:

1. Hiring of online marketing company – SEO Google Advisor
2. Website – medlinramps.com
3. Marketing Events
4. Brochures

Appendix

Start-Up Expenses

<i>DISTRIBUTION OF FUNDS</i>	Cost
Total Cost of Capital Equipment	\$183,500
Beginning Inventory	
Legal & Professional Fees	
Licenses & Permits	
Land Purchase	
Building Purchase	2,500,000
Remodel/Construction Work	1,000,000
Vehicles	
Deposits (Public Utilities, etc.)	
Advertising (Grand Opening, etc.)	
Operating Capital	0
Loan Fees	0
Miscellaneous Soft Costs	0
TOTAL PROJECT COST	\$3,683,500
<i>SOURCES OF FUNDS</i>	Cost
Bank Loan	
SBA 504 Second Mortgage Loan	0
Federal Home Loan Bank Loan	0
TOTAL LOAN REQUEST	\$0
LEDA Funding	\$3,500,000
Borrower's Cash Contribution	183,500
EQUITY CONTRIBUTION	\$3,683,500
TOTAL FUNDING	\$3,683,500

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Medlin Ramps Start Up Expenses

Equipment-shop

2) forklifts	\$20,000
2) band saws	\$18,000
8) welding machines	\$32,000
1) drill press	\$3,000
1) Plasma cutter	\$5,000
2) torch cutting set	\$4,000
1) small tools	\$5,000
TOTAL	\$87,000

Equipment-office

5) desk	\$5,000
5) chairs	\$1,500
1) phone system	\$5,000
5) computers	\$5,000
1) all in one copier	\$900
1) refrigerator	\$500
1) micro wave	\$300
1) supplies	\$500
1) miscellaneous supplies	\$1,000
TOTAL	\$19,700

Vehicles

1) 12' flatbed truck	\$20,000
GRAND TOTAL	\$126,700

Supply Corp USA Start Up Expenses

Equipment-shop

8) welding machines	\$32,000
1) plasma cutter	\$5,000
1) torch cutting set	\$2,000
1) small tools	\$5,000
TOTAL	\$44,000

Equipment-office

2) desk	\$2,000
2) chairs	\$600
1) phone system	\$5,000
2) computers	\$2,000
1) all in one copier	\$900
1) refrigerator	\$500
1) micro wave	\$300
1) supplies	\$500
1) miscellaneous supplies	\$1,000
TOTAL	\$12,800

GRAND TOTAL	\$56,800
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General

- Access to investments and financing are sufficient to maintain and fulfill the financial plan
- Mark will use his Medlin LLC building in California as collateral/security for LEDA funds (\$3 million value)
- Mark has put down \$50,000 in earnest money on the property and will invest an additional \$183,500 in startup equipment and supplies
- Obtain LEDA funding in the amount of \$3.5 Million
- Manufacture 200 ramps in Year 1, 400 in Year 3 and 500 by Year 5
- 2% annual expense growth

Revenues:

- **Revenues** were estimated on sales of 200 ramps per year in Year 1 sold at \$10,000 (average price of ramps). Year 2 sales are estimated on 300 ramps per year, Year 3 - 400, Year 4 - 450 and Year 5 - 500.
- **Services** were estimated on historical data from Medlin Ramps California and increased 5% per year.
- **Rental Income** is projected to be \$36,000 per year paid from Supply Corp USA and increased 5% per year.

Cost of Goods Sold:

- **Cost of Goods Sold** was based on historical data from Medlin Ramps California.
 - Direct Labor consists of welders, painters, helpers, shipping/receiving manager and sawer.
 - Material purchases 35% of sales based on historical data.
 - Freight estimated to be \$20,000 based on historical data.
 - Shop supplies estimated to be \$35,000 based on historical data.

Operating Expenses

- All expenses are based on historical data from Medlin Ramps California and adjusted for sales.
- Accounting will be done in-house and estimated to be zero.
- Payroll expense is estimated to be 10% of salaries, worker's comp is a separate line item.
- Real Estate taxes are estimated at \$16,000 and split between the two companies.
- Salaries and wages are assumed to be as follows:

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MEDLIN RAMPS 1 YEAR PLAN

OFFICE	SALES	SHOP
ACCOUNTS RECEIVABLE \$15	MARKETING \$16	WELDER \$14 (12)
ACCOUNTS PAYABLE \$15	SALES \$16	SAW OPERATOR \$12
GENERAL MANAGER (PROCESS/SAFETY) \$17	CAD DRAFTER \$15	SHIPPING/RECEIVING MANAGER \$12
PURCHASING MANAGER \$16		PAINTER \$10 (2)
LOGISTIC MANAGER \$16		HELPER \$10 (2)
		FORKLIFT DRIVER \$12
		MAINTANCE/GROUNDS KEEPER \$10
		SECURITY \$10

EMPLOYEMENT = 29

ANNUAL PAYROLL = \$811,200

MEDLIN RAMPS 3 YEAR PLAN

OFFICE	SALES	SHOP
ACCOUNTS RECEIVABLE \$15	MARKETING \$16	WELDER \$14 (15)
ACCOUNTS PAYABLE \$15	SALES \$16 (2)	SAW OPERATOR \$12 (2)
GENERAL MANAGER (PROCESS/SAFETY) \$17	CAD DRAFTER \$15	SHIPPING/RECEIVING MANAGER \$12
PURCHASING MANAGER \$16		PAINTER \$10 (2)
LOGISTIC MANAGER \$16		HELPER \$10 (3)
		FORKLIFT DRIVER \$12
		MAINTANCE/GROUNDS KEEPER \$10
		SECURITY \$10

EMPLOYEMENT = 35

ANNUAL PAYROLL = \$977,600

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MEDLIN RAMPS 5 YEAR PLAN

OFFICE	SALES	SHOP
ACCOUNTS RECEIVABLE \$15	MARKETING \$16	WELDER \$14 (20)
ACCOUNTS PAYABLE \$15	SALES \$16 (4)	SAW OPERATOR \$12 (3)
GENERAL MANAGER (PROCESS/SAFETY) \$17	CAD DRAFTER \$15	SHIPPING/RECEIVING MANAGER \$12
PURCHASING MANAGER \$16		PAINTER \$10 (4)
LOGISTIC MANAGER \$16		HELPER \$10 (5)
		FORKLIFT DRIVER \$12
		MAINTANCE/GROUNDS KEEPER \$10
		SECURITY \$10

EMPLOYMENT = 47

ANNUAL PAYROLL = \$1,297,920

Assumptions Supply Corp USA

General

- Access to investments and financing are sufficient to maintain and fulfill the financial plan.
- Mark will use his Medlin LLC building in California as collateral/security for LEDA funds (\$3 million value).
- Mark will put down \$50,000 in cash contribution and another \$183,500 invested into startup equipment and supplies.
- Obtained LEDA funding in the amount of \$3.5 Million.
- Sales are estimated to double every other year.
- 2% annual expense growth.

Revenues:

- **Revenues** were estimated at \$1,150,000 per year. This is based on sales of 115 items per year at an average price of \$10,000. Sales are estimated to double every other year, adding on average an additional 58 units per year.

Cost of Goods Sold was based on historical data from Medlin Ramps California.

- Freight is \$5,000 per year based on historical expenses and adjusted for revenues
- Material cost is estimated at 43% of sales
- Direct labor consists of Welders, painters, saw operators, helpers and shipping/receiving

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- Shop supplies estimated to be \$30,000 based on historical data and adjusted for sales.

Operating Expenses

- All expenses are based on historical data from Medlin Ramps California and adjusted for sales.
- Accounting will be done in-house and estimated to be zero.
- Payroll expense is estimated to be 10% of salaries, worker's comp is a separate line item.
- Real Estate taxes are estimated at \$16,000 and split between the two companies.
- Rent expense will be paid to Medlin Ramps at \$36,000 per year.
- Depreciation is located on Medlin Ramps projections.
- Salaries and wages are assumed to be as follows:

SUPPLY CORP USA 1 YEAR PLAN

OFFICE	SALES	SHOP
ACCOUNTS RECEIVABLE/PAYABLE \$15	MARKETING/SALES \$16	WELDER \$14 (5)
GENERAL MANAGER (PROCESS/SAFETY) \$18 (ISO INSPECTOR)	CAD DRAFTER \$15	SHIPPING/RECEIVING MANAGER \$12
PURCHASING MANAGER \$16	ESTIMATOR/CONTRACTS \$16	PAINTER \$10
LOGISTIC MANAGER \$16		HELPER \$10
		SAW OPERATOR \$12

EMPLOYMENT = 16

ANNUAL PAYROLL = \$468,000

SUPPLY CORP USA 3 YEAR PLAN

OFFICE	SALES	SHOP
ACCOUNTS RECEIVABLE/PAYABLE \$15	MARKETING/SALES \$16 (2)	WELDER \$14 (10)
GENERAL MANAGER (PROCESS/SAFETY) \$18 (ISO INSPECTOR)	CAD DRAFTER \$15	SHIPPING/RECEIVING MANAGER \$12
PURCHASING MANAGER \$16	ESTIMATOR/CONTRACTS \$16	PAINTER \$10 (2)
LOGISTIC MANAGER \$16		HELPER \$10 (3)
PROJECT MANAGER \$17		SAW OPERATOR \$12

EMPLOYMENT = 25

ANNUAL PAYROLL = \$713,440

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SUPPLY CORP USA 5 YEAR PLAN

OFFICE	SALES	SHOP
ACCOUNTS RECEIVABLE/PAYABLE \$15	MARKETING/SALES \$16 (2)	WELDER \$14 (20)
GENERAL MANAGER (PROCESS/SAFETY) \$18 (ISO INSPECTOR)	CAD DRAFTER \$15	SHIPPING/RECEIVING MANAGER \$12
PURCHASING MANAGER \$16	ESTIMATER \$16	PAINTER \$10 (3)
LOGISTIC MANAGER \$16		HELPER \$10 (5)
PROJECT MANAGER \$17		SAW OPERATOR \$12 (2)

EMPLOYMENT = 40

ANNUAL PAYROLL = \$1,125,280

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Appendices

**1900 Hwy 54 Alamogordo Project
Medlin Ramp Renovation**

Scope of Work (SOW):

Main Building & South Space (Rough Order of Magnitude \$1,715,000)

MAIN BUILDING

- Remove acoustical Ceiling
- Remove Flooring
- Remove Bird feces
- Remove Offices space walls
- Remove Office space in the main area
- Remove bathroom finishes and fixtures
- Remove the column rapping to exposes them
- Remove old HVAC Pack Units
- Remediation of the foundation substrate (Repair from broken water line under slab)(Still need Engineering Design)
- Repair the Block wall
- Install new roofing system and parapet cap
- Install new Gutter
- Install Roof Vents at old HVAC pack unit locations
- Install new electrical service
- Install new HM doors and frames
- Install new store front glazing
- Install Fire Alarm system
- Install Fire sprinkler system
- Install security system
- Power wash exterior of the building
- Re-paint exterior of the building

SOUTH SPACE

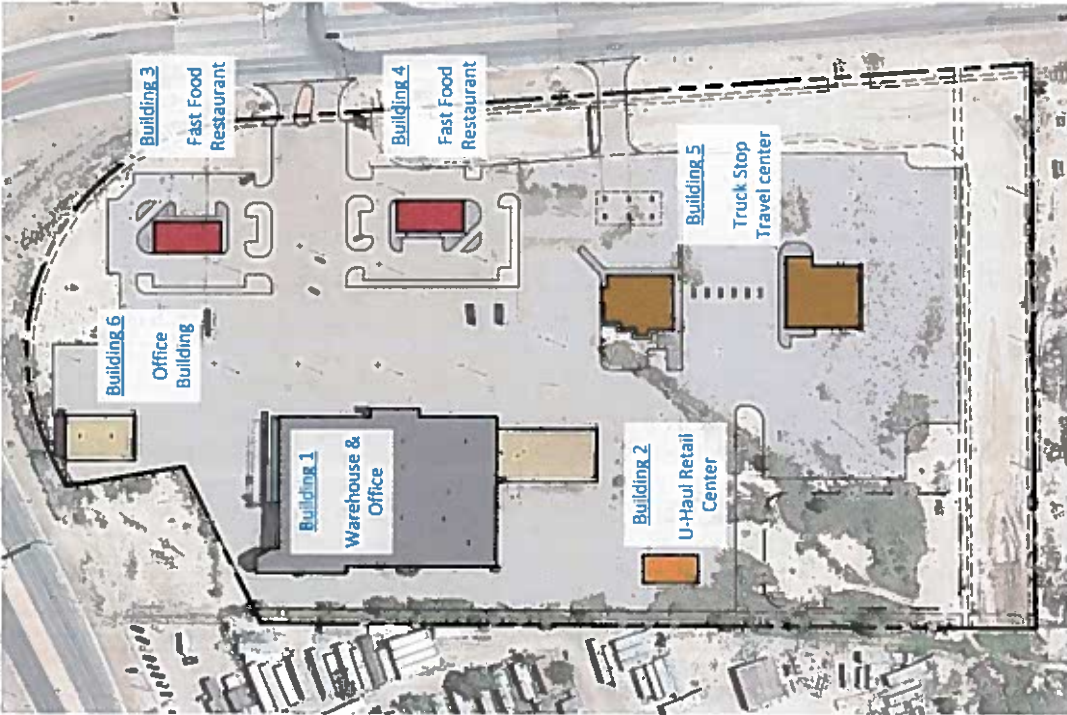
- Demo 3 suits back to the shell
- Demo Store front and frame back with 6" steel stud framing and install 5 each 4' X 4" windows
- Replace HM Frames and doors
- Demo and remove two single fixture bathrooms and cap off lines
- Place missing concrete on the west side in the unfinished area

Studio 47 (Rough Order of Magnitude \$80,000)

- Re coat stucco exterior wall
- Re place the roof and gutter
- Power wash exterior of the building
- Paint exterior of building

Sitework (Rough Order of Magnitude \$75,000)

- Install 8ft chain link fence around the back of the building on the west side
- Remove trees and vegetation next to foundation and along chain link fence line



Proposed Site Development



1430 S. PINE AVE. SUITE 100
SAN ANTONIO, TEXAS 78210
210.332.0218
WWW.SOLSTUDIOARCHITECTS.US



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JACK WAYTE CONSTRUCTION, INC.

P.O. Box 648
Alamogordo, NM 88311
Phone: 575-437-6657



THIS PROJECT WAS PREPARED BY JACK WAYTE CONSTRUCTION, INC. FOR THE PROJECT OF THE MEDLIN RAMPS. THE PROJECT IS LOCATED AT THE INTERSECTION OF HIGHWAY 25 AND HIGHWAY 188 IN ALAMOGORDO, NM. THE PROJECT IS A 2.5 ACRE SITE. THE PROJECT IS A 2.5 ACRE SITE.

MEDLIN RAMPS
1988 U.S. HWY 25
ALAMOGORDO, NM 88310
PROJECT NO. 2018-STUDY
DATE: 27 NOVEMBER 2018



TABLE OF EMPLOYEES BASED ON OCCUPANCY				
	BUILDING	OCCUPANCY TYPE	TOTAL POSSIBLE OCCUPANTS	TOTAL POTENTIAL EMPLOYEES
1	BUILDING 1 - WAREHOUSE / OFFICE	WAREHOUSE / OFFICE	131	74
2	BUILDING 2 - U-HAUL RETAIL CENTER	MERCANTILE / STOCK AREA	24	6
3	BUILDING 3 - FAST FOOD RESTAURANT	COMMERCIAL KITCHEN / DINING AREA	219	25
4	BUILDING 4 - FAST FOOD RESTAURANT	COMMERCIAL KITCHEN / DINING AREA	219	25
5	BUILDING 5 - TRUCK STOP - TRAVEL CENTER	WAREHOUSE / BUSINESS / RETAIL	210	79
TOTAL				209 EMPLOYEES



Existing Site



PROJECT PARTICIPATION AGREEMENT

THIS PROJECT PARTICIPATION AGREEMENT entered into this ____ day of _____, 2019 by and between the City of Alamogordo, a New Mexico municipal corporation (the “City”) and Medlin Ramps & Supply Corp USA, a for profit California Corporation whose business address is 1900 Highway 54 S, Alamogordo, NM 88310 (the “Qualifying Entity”).

RECITALS

A. The purpose of this Agreement is to allow the Qualifying Entity to expand the scope of its operations. Completion of the Project as hereinafter described pursuant to the terms and conditions hereof is in the best interests of the City and the health, safety, and welfare of the residents and the taxpayers of the City of Alamogordo, and is in accord with the public purposes and provisions of applicable state and local laws.

B. By Ordinance No. 983, adopted August 13, 1996, the City has adopted an ordinance pursuant to the statutory authority conferred upon municipalities to allow public support of economic projects to foster, promote and enhance local economic development efforts (N.M. Stat. Ann. Section 5-10-1 through Section 5-10-13-1978). The Ordinance was adopted as part of the City’s Economic Development Plan.

C. By Ordinance No. 1373, adopted June 8, 2010 (“Approval Date”), the City has adopted an Ordinance which establishes that the Qualifying Entity meets the requirements of the Local Economic Development Act and that Qualifying Entity has provided information pertaining to its intent to purchase 1900 S Highway 54 S, Alamogordo, NM which would create a minimum of forty-five (45) New Jobs with an hourly wage of at least ten (\$10.00) dollars, and thereafter maintain the forty-five (45) jobs and create any additional New Jobs necessary to fulfill its obligation to repay the Economic Development Incentive during the term of this Agreement (the “Project”), all of which qualifies for assistance under the City’s Economic Development Ordinance.

D. A material inducement to City to enter into this Agreement is the agreement by the Qualifying Entity to expand its business operations and initially create no less than forty-five (45) new full-time jobs with an hourly wage of at least ten (\$10.00) dollars, and thereafter maintain those jobs while creating additional New Jobs in accordance with the provisions hereof, and the City would be unwilling to enter into this Agreement in the absence of an enforceable commitment by Qualifying Entity to create and thereafter maintain the jobs in accordance with the provisions of this Agreement.

E. Expansion of the Qualifying Entity’s business operations will provide additional jobs and substantially improve the economic conditions in the Otero County in accordance with the purposes and goals of the City’s Economic Development Plan.

F. As a condition precedent to its receipt of public assistance in the form of the Project Loan, the Qualifying Entity is required to execute this Project Participation Agreement.

NOW THEREOF, the Parties agree as follows:

1. Authority. The City’s execution of this Agreement is authorized by the Local Economic Development Act, NMSA 1978 §5-10-1 through §5-10-13 (2007) (LEDA), Ordinance No. 983, which established the Alamogordo Economic Development Strategic Plan that

promotes economic development projects in the City of Alamogordo; and Ordinance No. 1373, which approved the Project. Qualifying Entity's execution and performance of this Agreement constitutes a valid and binding obligation of the Qualifying Entity in the event the Qualifying Entity proceeds with the Project. The Qualifying Entity and, if applicable, each member has full power and authority to execute, deliver and perform, as applicable, this Project Agreement, to make the obligations hereunder, to execute and deliver the Promissory Note and to grant to the City the security as hereinafter described.

2. Definitions. For all purposes of this Agreement, except as otherwise expressly provided or unless the context clearly requires otherwise, the following terms have the meanings assigned to them:

"Approval Date" means _____.

"Economic Development Incentive" means the financial assistance provided to the Qualifying Entity by the City of Alamogordo through the Local Economic Development Act.

"Eligible Project Costs" means the costs and expenditures directly related to the purchase and roof repair or replacement of 1900 Highway 54 S, Alamogordo, NM 88310. Examples of eligible costs include the purchase of the building, engineering a new roof or a roof repair, and any construction for the roof replacement or repair.

"Facility" shall mean the building and land located at 1900 Highway 54 S, Alamogordo, NM 88310.

"Job Credit" is a performance measurement figure. A job credit is equal to the direct wages paid to each job annually.

"Job Period" means every twelve (12) month period from the Approval Date through the Term of Agreement during which the Qualified Entity is obligated to create and maintain New Jobs.

"New Job" shall mean 2,080 hours of paid employment over 365 days.

Example

2 people, each working 1,040 hours, over 365 days, is one New Job.

1 person working 2,600 hours over 365 days is 1.25 New Jobs.

"New Jobs Payroll" shall mean all monies paid annually to all persons holding New Jobs, whether paid by the hour, day, week, semi-monthly, monthly, or yearly, and includes, but is not limited to overtime, bonuses, and piecework.

3. Qualifying Entity's Obligations. The Qualifying Entity acknowledges that a material inducement for City to accept the Qualifying Entity's proposal and enter into this Project Agreement was the Qualifying Entity's representation that it would, within the term of this Project Agreement expand its business through the production and storage of metal ramps thereby creating New Jobs to permit City to recapture its investment in full during the term of this Project Agreement based on the value of each New Job created and maintained. Therefore, in furtherance of that representation, the Qualifying Entity specifically agrees and covenants that the following performance measures shall be met:

(a) Purchase of Equipment and Installation of Utility Infrastructure. The Qualifying Entity shall purchase 1900 Highway 54 S, Alamogordo, NM and commence construction of the facility to outfit the facility as a manufacturing warehouse for Medlin Ramps. The Qualifying Entity shall diligently pursue such purchase and construction to completion. In the event that Qualifying Entity is unable to obtain the necessary permits, or fails to commence the purchase and repair or replacement to the roof within one-hundred eighty (180) days of the Approval Date, this Agreement shall terminate and be of no further effect.

(b) Employment Opportunities. The Qualifying Entity shall create and thereafter maintain during each Job Period at least forty-five (45) New Jobs with an hourly wage of at least ten (\$10.00) dollars unless the Qualifying Entity “pays off” its obligation earlier by creating job in excess of the total required number as hereinafter described. The Qualifying Entity shall further use its best efforts during the term of this Project Agreement to create additional New Jobs with an hourly wage of at least ten (\$10.00) dollars so as to permit City to recapture its investment in full during the term of this Project Agreement.

The Qualifying Entity shall only be credited for the creation of jobs performed within Otero County, New Mexico, and will not receive credit for its Existing Employment Base.

(c) Local Preferences. The Qualifying Entity shall use its best efforts to contract with local contractors to accomplish the installation of the utility infrastructure in order for the City to received gross receipts tax revenue from the performance of installation services. During the term of this Agreement, the Qualifying Entity shall make available to the City upon request records verifying the use of local contractors and the making of local purchases. For purposes of this Agreement, a local contractor is a contractor meeting the requirements of section 2-13-180 of the Alamogordo City Code.

4. City Obligations.

(a) The City agrees to provide \$2,500,000 of upfront Economic Development Incentives to the Qualifying Entity to assist in the purchase of 1900 Highway 54 S, Alamogordo, NM 88310 and to help offset the cost of repair or replacement to the same facility’s roof (the “Eligible Project Costs”). Subject to the terms and conditions set forth herein, the City will make advances to the Qualifying Entity from time to time during the Funding Period for the payment of Eligible Project Costs, which in the aggregate shall not exceed the sum of \$2,500,000. The Qualifying Entity will be responsible for any additional costs or expenses related to the Project.

(b) This Agreement shall not be construed as a commitment, issue or obligation of any specific funds other than those funds to be received by the City from its Municipal Infrastructure Gross Receipts Tax.

(c) The functions and duties assumed by the City include only those described in this Agreement, and the City is not obligated to act except in accordance with the terms and conditions of this Agreement. The Qualifying Entity acknowledges that the City does not warrant any equipment, materials, or services purchased with the funds. The Qualifying Entity shall be obligated hereunder even if the equipment, materials, or services are defective or fail to conform to the warranties extended by the supplier. The

obligations of the Qualifying Entity shall not be affected by any dispute the Qualifying Entity may have with any manufacturer, distributor, contractor or supplier. The Qualifying Entity will not assert any claim or defense which it may have against any manufacturer, distributor, supplier or contractor against the City. The City is under no duty to supervise or inspect the installation or construction contemplated by this Agreement. Any inspection or examination by the City is for the sole purpose of protecting the City's security and preserving the City's rights under this Agreement. No default of the Qualifying Entity will be waived by any inspection by the City. In no event will any inspection by the City be a representation that the installation or construction is free from defective materials or workmanship

5. Disbursement of Economic Development Incentive. Disbursement of the Economic Development Incentive shall be made upon the City's receipt and approval of a request for the disbursement and supporting documents. The supporting documents shall include itemized invoices from contractors and suppliers, and a report detailing the dollar amount and purpose of the Eligible Project Cost. The City, in its sole discretion, may withhold disbursements if the City determines that the Qualifying Entity has failed to comply with and/or is in default under the terms and conditions of this Agreement, or has failed to provide adequate documentation of the Eligible Project Cost. Qualifying Entity hereby authorizes and directs the City to pay a contractor or supplier of Eligible Project Costs directly upon receipt of invoices delivered to the City for an Eligible Project Cost. Qualifying Entity acknowledges that (i) any delivery to the City of an invoice by a contractor or supplier shall be deemed as a request for an advance of Economic Development Incentive by the Qualifying Entity, and (ii) each such advance constitutes an advancement by the City to Qualifying Entity pursuant to this Agreement as if the Qualifying Entity received the proceeds directly from the City.

6. Obligation to Repay the Economic Development Incentive. The Qualifying Entity understands and agrees that the failure of the Qualifying Entity to perform its obligations in accordance with the terms provided in Sections 3(a) and (b) of this Agreement will result in a forfeiture of the Economic Development Incentive. In the event of a forfeiture, or upon termination of this Agreement, the Qualifying Entity agrees to pay to the City the balance of the Economic Development Incentive not otherwise repaid through the creation of jobs. The Qualifying Entity's obligation to pay to the City the balance of the Economic Development Incentive not otherwise repaid is evidenced by a Promissory Note, a copy of which is attached hereto as Exhibit "A". In that case, the City may demand repayment of any remaining portion of the Economic Development Incentive provided to the Qualifying Entity not otherwise reduced pursuant to the terms of this Agreement.

7. Security/Collateral.

(a) **Security Interest.** To secure Qualifying Entity's obligations and liabilities under the Promissory Note, the City shall retain a mortgage on the property located at 1900 Highway 54 S, Alamogordo, NM 88310. The Qualifying Entity agrees to convey to the City a mortgage on the Facility, which shall be duly recorded at the Otero County Clerk's Office in order to protect the City's interests in the event of default. This mortgage shall not terminate until Qualifying Entity's obligations hereunder have been achieved in full. Upon satisfying this obligation, Qualifying Entity may request City to release the mortgage. Upon such request, City

will deliver a satisfaction of mortgage to Qualifying Entity within ten (10) business days of receipt by the City of the Qualifying Entity's written request.

8. **Insurance.** The Qualifying Entity, at its sole cost and expense, procure and maintain, with financially sound and reputable insurers authorized to do business in the State of New Mexico: (i) insurance on the value of the improvements on a replacement basis with no limiting modification including the City as named insured party; and (ii) an insurance policy which covers damage to, or the destruction of, the Facility on a replacement basis for the full insurable value covering all improvements on the Facility with a standard mortgage clause in favor of the City. The Qualifying Entity will furnish to the City, upon its written request, the insurance certificates with respect to such insurance. Should the Facility at any time become located in an area designated by the Director of the Federal Emergency Management Agency as a special flood hazard area, the Qualifying Entity agrees to obtain and maintain Federal Flood insurance for the full unpaid principal balance of the Promissory Note and any prior liens on the property securing the loan, up to the maximum policy limits set under the National Flood Insurance Programs, and to maintain such insurance for the term of this Agreement.

9. **Evidence of Job Creation, Job Audit.** A "Job Audit" will be performed by the City or its agent within 60 days after the end of each Job Period. The Qualifying Entity shall make available the necessary records in order to allow the City to perform its Job Audit. The Qualifying Entity further agrees to provide the City such other documents and evidence that it may reasonably require to satisfy the accuracy and veracity of the information provided in the report. The Qualifying Entity will provide the City reasonable access (subject to the Qualifying Entity's security policies) to its records and facilities for the purpose of conducting on-site audits for compliance with this section. Such on-site audits shall be at reasonable times, upon not less than 10 days prior written notice to the Qualifying Entity. Within sixty (60) days after the close of a Job Creation Period, the City will determine whether during the relevant periods the Qualifying Entity has met its obligations to create jobs as required by this Agreement.

10. **Job Credit.** The Qualifying Entity shall receive credit against the principal balance of the Promissory Note for each New Job that the Qualifying Entity either creates or maintains during a Job Period.

11. **Pro-rated Credit.** In the event the Qualifying Entity fails meet its annual creation/maintenance obligation for any Job Period, the Qualifying Entity shall receive a pro-rated credit. The amount of the pro-rated credit shall be calculated using the above described formula.

12. **Additional Credit.** The Qualifying Entity may receive Additional Credit for any New Job created or maintained during a Job Period in excess of its New Job creation/maintenance obligation under paragraph 3(b) for that particular Job Period. The amount of the pro-rated credit shall be calculated using the above described formula.

13. **Term.** The term of this Agreement shall commence on the Approval Date and continue for ten (10) years unless terminated sooner as provided herein. If the term of the Promissory Note is extended for any reason, then the term of this Agreement shall automatically be extended so that the agreements are of the same duration.

14. Obligation to Perform. The failure of the City to insist, in any one or more instances, upon performance of any of the terms or covenants of this Agreement shall not be construed as a waiver or relinquishment of the City's right to the future performance of any such terms and covenants, and the obligations of the Qualifying Entity with respect to such future performance shall continue in full force and effect.

15. Termination and Recovery of Incentive.

(a) Events of Default. The following events shall constitute events of default under this Agreement:

(i) Failure of the Qualifying Entity to fulfill, in whole or in part, any obligation required by this Agreement.

(ii) Cessation by the Qualifying Entity of its operations in Otero County, or reduction of those operations in Otero County to a level below the performance measures set forth in paragraph 3(b) of this Agreement.

(iii) Filing by the Qualifying Entity of a petition, case, proceeding, or other action against the City as a debtor under any debtor relief law or seeking appointment of a receiver, trustee, custodian, or liquidator of the Qualifying Entity.

(iv) The abandonment by the Qualifying Entity of all or a portion of the Facility.

(v) The discovery by the City that any representation, warranty, or covenant made by the Qualifying Entity in connection with this Agreement was or has become false, materially misleading, erroneous, or breached in any material respect.

(vi) The Qualifying Entity assigns, sells, hypothecates, or transfers a majority interest in its business entity, whether in a single transaction or a series of transactions. (If the Qualifying Entity desires to assign, sell, hypothecate, or transfer a majority interest in its business entity, whether in a single transaction or a series of transactions, before expiration of this Agreement, the City retains the right to reject any and all assignments, sales, hypothecations, or transfers of any interest in the Qualifying Entity's business entity until, in the sole discretion of the City, adequate assurances are given that the assignee, buyer, hypothecate, or transferee is a qualifying entity under the Alamogordo Economic Development Plan and that terms of this Agreement will be satisfied by the assignee, buyer, hypothecate, or transferee.)

(b) Qualifying Entity's Response to Default. Upon the occurrence of an event of default by the Qualifying Entity specified in this Agreement, the City shall notify the Qualifying Entity in writing that an event of default has occurred under this Agreement. Within thirty (30) days of the receipt of such notice, the Qualifying Entity shall:

(i) Cause the default to be cured; or

(ii) Furnish a written response indicating:

(1) The factors which caused or contributed, in whole or in part, to the occurrence of default;

(2) The measures the Qualifying Entity has undertaken to avoid the reoccurrence of default in the future;

(3) Whether any performance measure not achieved can still be achieved in a timeframe acceptable to the City; and

(4) What further action the Qualifying Entity plans to take to achieve the performance measure in a timeframe acceptable to the City.

(c) City Response to Default. The City staff shall review the response furnished by the Qualifying Entity and within thirty (30) days from the receipt of such response, recommend to the City Commission whether to modify or terminate this Participation Agreement. The Qualifying Entity shall have an opportunity to make a presentation to the City Commission at any meeting where such recommendation will be acted upon. The decision of the City Commission will be final and binding. Other than the opportunity for the Qualifying Entity to make a presentation to the City Commission, in the event of default nothing herein shall be construed to limit in any way the power and authority of the City Commission to terminate this Agreement and to demand immediate repayment of the Economic Incentive, including all interest both accrued and deferred; and to foreclose upon, collect, and recover all collateral pledged by the Qualifying Entity as security for the Promissory Note if repayment is not made;

16. Effect of Termination. Except for any obligations that accrue prior to such termination or except as otherwise provided in this Agreement, which obligations shall survive the termination of this Agreement, other rights, responsibilities and liabilities of the parties under this Agreement shall be extinguished upon the applicable date of termination of this Project Agreement.

17. Facility Closure Clawback. Should the Qualifying Entity fail to meet its obligation under Paragraph 3(b) on or before December 31, 2029, the Qualifying Entity shall, within ninety (90) days of the cessation of operations, pay to the City, in cash, an amount equal to 1/120th of the City Contributions for each month that the Qualifying Entity prematurely ceased operations of the Project as the City's exclusive remedy under this Agreement for such premature cessation. Any clawbacks not paid when due shall bear interest at the rate of prime plus 2% per annum from the due date until paid.

18. No Joint Venture. It is acknowledged and agreed by the parties that the terms of this Agreement are not intended to and shall not be deemed to create a partnership or joint venture among the parties. Neither party shall have any authority to act on behalf of the other party under any circumstances of this Agreement.

19. Appropriations. The performance by the City of any of the terms, covenants, or conditions in this Agreement that the City is obligated to perform shall be subject to the availability of appropriated funds that may be lawfully used for such purpose.

20. Miscellaneous Provisions:

(a) If any legal action should be necessary for the enforcement of this Project Agreement or because of an alleged dispute, breach, default or misrepresentation in connection with any of the provision of this Agreement, the City shall be entitled to recover its reasonable attorney fees and/or other costs incurred in that action or proceeding in addition to any other relief which the City may be entitled to under the law.

(b) The parties agree that in the event of any dispute, venue for such dispute shall be laid and established in the District court of Otero County, New Mexico and no other.

(c) City and the Qualifying Entity will do all things reasonably necessary or appropriate to carry out the terms and provisions of this Agreement, and to aid and assist each other in carrying out such terms and provisions.

IN WITNESS WHEREOF, the Parties hereto have entered into this Agreement as of the day and year first written.

CITY OF ALAMOGORDO, NEW MEXICO
a New Mexico municipal corporation

By: _____
Margaret Paluch, City Manager

ATTEST:

Rachel Hughes, City Clerk

MEDLIN RAMPS & SUPPLY CORP USA

By: _____
Mark Medlin, CEO

APPROVED AS TO FORM:

Petria Schreiber, City Attorney

PROMISSORY NOTE

Date: _____

Amount: \$2,500,000.00

RECITALS

Medlin Ramps & Supply Corp USA, a for profit California corporation registered with the New Mexico Secretary of State (the "Borrower"), will borrow Two Million and Five Hundred Thousand Dollars and 0/100ths (\$2,500,00.00) Dollars from the City of Alamogordo, New Mexico, ("Lender" or "City"), to be paid within ten years under the terms and conditions of this Promissory Note, to be secured by a security agreement.

This Promissory Note is executed by Borrower in furtherance of a Project Participation Agreement entered into between Borrower and the City pursuant to Ordinance No. 983, adopted August 13, 1996, in accordance with the requirements of the Local Economic Development Act, Section 5-10-1, et seq., NMSA 1978, as amended, which Project Participation Agreement is attached hereto as Exhibit A and made an integral part of this Promissory Note.

TERMS PROMISE TO PAY

For value received, Borrower promises to pay to the City, in one lump sum payment, Two Million and Five Hundred Thousand Dollars and 0/100ths (\$2,500,000) Dollars, in cash, check or money order, with interest as herein provided, not later than ten years from the date of this Promissory Note.

INTEREST

Interest shall accrue on this Promissory Note as of the date the same is executed, which date shall be concurrent with the date the proceeds are delivered to Borrower, at the rate of three percent (3%) per annum, with a final maturity date for principal and interest ten years from the date hereof.

OBLIGATION EXTINGUISHED IF PPA FULFILLED

It is understood that the proceeds which are the subject of this Promissory Note, are made for the purchase by Borrower the property located at 1900 US Highway 54 S, Alamogordo, NM 88310 as described in the Project Participation Agreement which is Exhibit A hereto, and that if Borrower fulfills its obligations to the City under said Project Participation Agreement, the obligation hereunder will be extinguished and the proceeds will be deemed paid in full, and this Note will be canceled and the security interest released.

FAILURE TO FULFILL OBLIGATIONS UNDER PPA

It is understood that if Borrower fails to fulfill its obligations under the Project Participation Agreement which is Exhibit A hereto, Borrower will be in default of said Project Participation Agreement, and in default under and by this Promissory Note, whereupon the following terms and conditions shall be exercised by the City, and shall control payment of the amount due under this Promissory Note:

1. The City shall give Borrower written notice of its default of and under the Project Participation Agreement, advising Borrower of the default and demanding that said default be cured and remedied within ninety (90) days of said written notice, which shall be delivered to Borrower personally or by certified mail, return receipt requested.
2. Upon Borrower's failure to cure and remedy the default within the time specified, the entire principal and interest due under this Promissory Note shall immediately be due and payable to City, and upon failure of Borrower to pay the same, the City may enforce its mortgage upon 1900 Highway 54S, Alamogordo, NM 88310, as evidenced and protected in favor of the City by the mortgage which is executed contemporaneously herewith; and the City may otherwise collect this Note and enforce its rights hereunder, by any other remedy, legal or equitable, available under law.
3. If the City is required to enforce payment as provided herein, the City shall be entitled to collect from Borrower, all reasonable costs and expenses of collection, including attorney fees.
4. Presentment and dishonor, and any other technical requirements for demand for payment under this Note, are hereby waived by Borrower.
5. Notice of default under this Note, and all other notices required or to be made hereunder, shall be made by written notice to any one of the Borrowers individually, as identified in the Recitals clause hereinabove, by certified mail to 1900 Highway 54 S, Alamogordo, NM 88310, or by personal delivery.

SECURITY AGREEMENT

To secure Qualifying Entity's obligations and liabilities under this Promissory Note, the City shall retain a mortgage on the property located at 1900 Highway 54 S, Alamogordo, NM 88310. The Borrower agrees to convey to the City a mortgage on the Facility, which shall be duly recorded at the Otero County Clerk's Office in order to protect the City's interests in the event of default. This mortgage shall not terminate until Qualifying Entity's obligations hereunder have been achieved in full. Upon satisfying this obligation, Qualifying Entity may request City to release the mortgage. Upon such request, City will deliver a satisfaction of mortgage to Qualifying Entity within ten (10) business days of receipt by the City of the Qualifying Entity's written request.

IN WITNESS WHEREOF, Borrower, Medlin Ramps & Supply Corp USA, has executed this Promissory Note as of the day and year first above written.

DONE this _____th day of January, 2019

CITY OF ALAMOGORDO, NEW MEXICO
a New Mexico municipal corporation

By: _____
Margaret Paluch, City Manager

MEDLIN RAMPS & SUPPLY CORPS USA

By: _____
Mark Medlin, CEO

STATE OF NEW MEXICO)
) SS.
COUNTY OF OTERO)

The foregoing Promissory Note was acknowledged before me this ____ day of _____, 2019, by Mark Medlin, Chief Executive Officer of Medlin Ramps & Supply Corp USA, a for profit California corporation, on behalf of said corporation.

Notary Public

My Commission Expires:

(S E A L)

ATTEST:

Rachel Hughs, City Clerk

APPROVED AS TO FORM:

Petria Schreiber, City Attorney

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 01/08/2019

Report Date: 12/31/2018

Report No: 9.

Submitted By: Rachel Hughs

Subject: Consider, and act upon, Application No. 1109025, a Small Brewer 1st Off-Site Location Liquor License, with on the Premises Consumption and Package Sales with Patio Service at 523 N. White Sands Blvd to Tall Pines Beer & Wine Garden LLC. *(Rachel Hughs, City Clerk)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve Application No. 1109025.

Background: The Alcohol and Gaming Division of the NM Regulation and Licensing Department has given this application preliminary approval. In accordance with Section 60-6B-4 NMSA of the Liquor Control Act, the Division must refer the application to the Governing Body for approval or disapproval. This public hearing is for the purpose of considering the application. A Notice of Public Hearing was published in the Alamogordo Daily News on Sunday, December 2, 2018 and December 30, 2018. These publications meet the State regulations of publishing a notice twice prior to the hearing.

The applicant, Tall Pines Beer & Wine Garden LLC of 211 Springs RD, Ruidoso, NM 88345 DBA Tall Pines Beer & Wine Garden, Application No. 1109025 is seeking a Small Brewer 1st Off –Site Location Liquor License, with on the Premises Consumption and Package Sales with Patio Service at 523 N. White Sands Blvd, Alamogordo, NM 88310.



**New Mexico Regulation and Licensing Department
ALCOHOL AND GAMING DIVISION**

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

November 16, 2018

Certified Mail No.: 9171 9690 0935 0155 1675 32

Susana Martinez
Governor

Robert "Mike" Unthank
Superintendent

Pat McMurray
Deputy Superintendent

Claudia Armijo
Deputy General Counsel

Debra A. Lopez
Acting Director

City of Alamogordo
Attn: Rachel Hughs
1376 East Ninth St.
Alamogordo, NM 88310

9171 9690 0935 0155 1675 32

RE: Lic. No. /Appl. No.:
Name of Applicant:
Doing Business as:
Proposed Location:

Application No. 1109025
Tall Pines Beer & Wine Garden, LLC
Tall Pines Beer & Wine Garden
523 North White Sands Blvd.
Alamogordo, New Mexico 88310

RECEIVED
NOV 21 2018
CITY CLERK

Greetings:

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

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

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

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

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

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

THE APPLICANT IS SEEKING A SMALL BREWER 1ST OFF-SITE LOCATION LIQUOR LICENSE, WITH ON PREMISES CONSUMPTION AND PACKAGE SALES WITH PATIO SERVICE.

Alcohol and Gaming Division
(505) 476-4875

Boards and Commissions Division
(505) 476-4600

Construction Industries Division
(505) 476-4700

Financial Institutions Division
(505) 476-4885

Manufactured Housing Division
(505) 476-4770

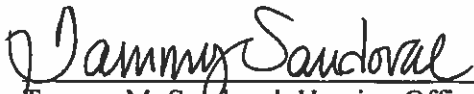
Securities Division
(505) 476-4580

Administrative Services Division
(505) 476-4800

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

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

Respectfully,



Tammy M. Sandoval, Hearing Officer

New Mexico Regulation & Licensing Dept. | Alcohol & Gaming Division

Phone: (505) 476-4548 Fax: (505) 476-4595

Email: tammy.sandoval@state.nm.us

Enclosures:

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



AGDUSE ONLY: Payment| Application Fee \$ 200 Received on: 9-20-18 ALCOHOL & GAMING DIVISION
License Fee \$ _____ Received on: _____ Receipt No. 9122004
Application # 1109085 Local Option District: _____

SMALL BREWER LIQUOR LICENSE APPLICATION

\$200.00 Application Fee, non-refundable.

Check appropriate boxes:

Application is for: ☐ New License ☒ Off-Site Location - 1st 2nd 3rd Master License No. 67111

Applicant is: ☐ Individual ☒ Limited Liability Company ☐ Corporation ☐ Partnership (General/Limited)

NAME OF APPLICANT (company or individual) ADDRESS (including city, state, zip) TELEPHONE NUMBER

Tall Pines Beer and Wine Garden LLC

D/B/A Name to be used: _____ Business Phone #: (575) 630-0327

Email Address (required): tallpines02@hotmail.com

Physical location where license is to be used: (Include street number / highway number / state road, city and county, state, and zip code)
523 N. White Sands Blvd, Alamogordo, NM 88310

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

Mailing Address: 211 Spring Rd, Ruidoso, NM 88345

Agent/Contact Person: Tamara Stucky Phone#: 713-470-7941 Email: tallpines02@hotmail.com

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

You must sign and date before a Notary Public.

Signature of Applicant: X Tamara Stucky Date: 9-19-18

NOTARY PUBLIC USE ONLY: (State of NM Mexico County of Lincoln)

SUBSCRIBED AND SWORN TO before me this 19th day of September 2018

By: Tamara Stucky Notary Public: [Signature]

My Commission Expires 8-17-22



Official Seal
JOSH VIGIL
Notary Public
State of New Mexico
My Commission Expires _____
City, County, Village

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

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

Signature and Title of City/County Official: _____

FOR ALCOHOL AND GAMING DIVISION USE ONLY: ☐ Approved ☐ Disapproved

Signed by Director: _____ Date: _____



SEP 20 2018

PREMISES LOCATION, OWNERSHIP, AND DESCRIPTION ALCOHOL & GAMING DIVISION
NMSA §60-6B-10

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

- ☐ Owned by Applicant, copy of deed/document attached ☒ Leased by Applicant, copy of lease/document attached
☐ Other (provide details): _____

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

A. Owner(s): Coldwell Banker Sudderth Nelson Inc.

B. Date and Term of Lease: 7/14/18-7/31/19

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

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

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

Name of Church: New Hope Full Gospel Baptist Church Miles/feet: .7 miles/3,696 feet

Address/location of Church: 800 E. 9th St., Alamogordo, NM 88310

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

Name of School: Alamogordo Public Schools Miles/feet: 1 mile/5,280 feet

Address/location of School: 1211 Hawaii Ave., Alamogordo, NM 88310

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

Name of Military Installation, ^{circle one} Kirtland Air Force Base (Albuquerque), White Sands Missile Range (Las Cruces),
Miles: 9.6 HOLLOMAN Holloman Air Force Base (Alamogordo), Cannon Air Force Base (Clovis)

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

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

☐ Small Brewer ☐ Craft Distiller ☐ Winery ☐ Wholesaler

☒ Other (specify): off-site location for small brewer

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



City of Alamogordo



CD-024-2018

August 31, 2018

New Mexico Regulation and Licensing Department
Alcohol and Gaming Division
PO Box 25101
Santa Fe, NM 87505-5101

RE: Zoning of: **523 N. White Sands Blvd.**

Legal Description: Alamo Blocks Subdivision, Lots 13 & 14, Block 5
Map Code: 01N4055094075323 & PC 01-01129

To Whom It May Concern,

At your request, we have researched our records and determined the zoning classification of that certain real property, which has the street address **523 N. White Sands Blvd.** This is written, in accordance with the provisions of Section 2-01-030(j) and Section 29-01-010 of the Code of Ordinances of the City of Alamogordo, New Mexico, to provide a Certificate of Zoning Classification regarding the Property.

The property at **523 N. White Sands Blvd.** is within the **C3- Business District** as per the City of Alamogordo Zoning Map, which does not prohibit the sale of beer or wine. Alamogordo Municipal Code Chapter 29, Zoning, allows commercial businesses, offices, convenience stores, bars and restaurants within this district.

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

Sincerely,

Ms. Shelbe Abbott-Leyva
Planning & Zoning Administrative Assistant
City of Alamogordo
1376 E Ninth St.
Alamogordo, NM 88310-5938
(575) 439-4204; Fax: (575) 439-4343
sabbott@ci.alamogordo.nm.us



City of Alamogordo

December 3, 2018

VIA CERTIFIED MAIL

Tall Pines Beer & Wine Garden, LLC
211 Spring Rd
Ruidoso, NM 88345

Re: Application No. **Application No. 1109025**

Ms. Stucky,

The City of Alamogordo will hold a Public Hearing on the question of whether or not the Alcohol and Gaming Division of the State of New Mexico should grant **Application No. 1109025 a Small Brewer 1st Off –Site Location Liquor License, with on the Premises Consumption and Package Sales with Patio Service at 523 N. White Sands Blvd, Alamogordo, NM 88310 to Tall Pines Beer & Wine Garden LLC of 211 Springs RD, Ruidoso, NM 88345 DBA Tall Pines Beer & Wine Garden.**

The Public Hearing will be on January 8, 2019, at 6:30 pm at the Commission Chambers located at City Hall, 1376 E. Ninth Street in Alamogordo, New Mexico, 88310.

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

Sincerely,


Rachel Hughes,
City Clerk



City Clerk

City of Alamogordo

1376 E. NINTH STREET

ALAMOGORDO, NEW MEXICO 88310-5938



7006 3450 0001 8876 9916

Tamara Stucky
Tall Pines Beer & Wine Garden, LLC
211 Spring Rd
Ruidoso, NM 88345

First Class MAIL
12/03/2018
US POSTAGE
\$003.92
ZIP 88310
011E11672725

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
1. Article Addressed to: Stucky Tall Pines Beer & Wine Garden 211 Spring Rd Ruidoso, NM 88345 9590 9402 2348 6225 8548 61 7006 3450 0001 8876 9916		A. Signature ☒ Agent ☐ Addressee B. Received by (Printed Name) ☒ Date of Delivery 12-4-18 D. Is delivery address different from item 1? ☐ Yes ☒ No If YES, enter delivery address below:	
2. Article Number (Transfer from previous label) 7006 3450 0001 8876 9916		3. Service Type ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☒ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Insured Mail (over \$500) ☐ Insured Mail Restricted Delivery ☐ Return Receipt for Merchandise ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery	
PS Form 3811, July 2015 PSN 7530-02-000-9053		Domestic Return Receipt	

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage \$	Postmark Here
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$3.92	
Sent To Street, Apt. No., or PO Box No. City, State, ZIP+4	
PS Form 3800, August 2005 See Reverse for Instructions	

7006 3450 0001 8876 9916

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Alamogordo City Commission will hold a **PUBLIC HEARING** on **Tuesday, January 8, 2019** at **6:30 p.m.** in the Commission Chambers of the Alamogordo City Hall located at **1376 E. Ninth Street, Alamogordo, New Mexico**, on the question of whether or not the Alcohol and Gaming Division of the State of New Mexico should grant Application No. **1109025** a Small Brewer 1st Off -Site Location Liquor License, with on the Premises Consumption and Package Sales with Patio Service at **523 N. White Sands Blvd, Alamogordo, NM 88310** to **Tall Pines Beer & Wine Garden LLC** of **211 Springs RD, Ruidoso, NM 88345** DBA **Tall Pines Beer & Wine Garden**.

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

Date: **11/28/2018**
City of Alamogordo, New Mexico
By: **Rachel Hughes, City Clerk**
Legal #1267924 Run Dates: **Dec. 3, 30, 2018**

City Of Alamogordo Public Hearing Notice

Legal Notices 152

Legal Notices 152

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Alamogordo City Commission will hold a **PUBLIC HEARING** on **Tuesday, January 8, 2019** at **6:30 p.m.** in the Commission Chambers of the Alamogordo City Hall located at **1376 E. Ninth Street, Alamogordo, New Mexico**, on the question of whether or not the Alcohol and Gaming Division of the State of New Mexico should grant Application No. **1109025** a Small Brewer 1st Off -Site Location Liquor License, with on the Premises Consumption and Package Sales with Patio Service at **523 N. White Sands Blvd, Alamogordo, NM 88310** to **Tall Pines Beer & Wine Garden LLC** of **211 Springs RD, Ruidoso, NM 88345** DBA **Tall Pines Beer & Wine Garden**.

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

Date: **11/28/2018**
City of Alamogordo, New Mexico
By: **Rachel Hughes, City Clerk**
Legal #1267924 Run Dates: **Dec. 3, 30, 2018**



NOTICE OF PUBLIC HEARING

The Alamogordo City Commission
will hold a PUBLIC HEARING on:

**TUESDAY, January 8, 2019 at 6:30 pm
during their regular Commission Meeting at
City Hall in the
Commission Chambers
1376 E. Ninth St.
Alamogordo, New Mexico**

The purpose of this Hearing is on the question of whether or not the Alcohol and Gaming Division of the State of New Mexico should grant Application No. 1109025 a Small Brewer 1st Off-Site Location Liquor License, with on the Premises Consumption and Package Sales with Patio Service at 523 N. White Sands Blvd, Alamogordo, NM 88310 to Tall Pines Beer & Wine Garden LLC of 211 Springs RD, Ruidoso, NM 88345 DBA Tall Pines Beer & Wine Garden.

The public may speak and submit comments during said Public Hearing. Inquiries regarding this Public Hearing should be directed to the City Clerk's Office at City Hall.

Date: December 3, 2018
City of Alamogordo, New Mexico
By: Rachel Hughs, City Clerk

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 01/08/2019

Report Date: 12/27/2018

Report No: 10.

Submitted By: Evelyn Huff

Subject: Consider, and act upon, Resolution 2019-02 requesting written approval from the Local Government Division of the Department of Finance and Administration, State of NM for the revised budget numbers computed as of January 9, 2019. (*Evelyn Huff, Budget Analyst*) **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Additional Fiscal Impact: Beginning Cash Balances \$0

Revenues \$104,930 (Increase)

Expenditures \$2,209,963 (Increase)

Transfer In/Out \$2,145,000

Net Impact (\$2,105,033)

Recommendation: Approve the resolution

Background: The City Commission adopted the FY 2018-2019 budget on May 22, 2018. The Department of Finance & Administration granted approval of the City of Alamogordo's Fiscal Year FY 2018-2019 Final Budget on September 10, 2018. Resolution 2019-02 amends the Budget to reflect a more true and accurate projection of the actual revenues and expenditures. A summary and explanation of revisions are attached for your review.

ALL FUNDS SUMMARY

DFA 1/12TH REQ RSRV
1,277,218
Fund Reserve Policy
1,277,218
Subsidy Reserve
487,127
Bal. Remaining
1,040,083

FY19 BUDGET-RESOLUTION 2019-02 (#3)January 8, 2019

FUND NO.	FY 2018-2019 FUND DESCRIPTION	UNAUDITED BEGINNING CASH BALANCE	ESTIMATED REVENUES	TRANSFERS IN	TRANSFERS OUT	NET CASH TRANSFERS	BUDGETED EXPENDITURES	ESTIMATED ENDING CASH BALANCE	LOCAL RESERVE REQUIREMENTS UNAVAILABLE FOR BUDGETING	ADJUSTED ENDING CASH BALANCE	ADJUSTED RESERVE	ADJUSTED RESERVE UNAVAILABLE FOR BUDGETING	ADJUSTED ENDING CASH BALANCE
11	GENERAL OPERATING FUND	7,985,201	17,699,118	1,102,457	7,378,519	(6,276,062)	15,326,612	4,081,645	3,041,562	1,040,083	0	3,041,562	1,040,083
12	INTERNAL SERVICES	0	416,311	2,642,351	23,733	2,618,618	2,950,259	84,670		\$84,670			84,670
15	CORRECTIONS-JAIL	0	81,827	114,764	1,255	113,509	193,850	1,486		\$1,486			1,486
16	LODGER'S TAX-PROMOTIONAL FUND	189,094	254,304	0	2,476	(2,476)	279,681	161,241		\$161,241			161,241
17	POLICE COURT BOND	7,938	0	0	0	0	0	7,938		\$7,938			7,938
19	COURT AUTOMATION FUND	17,091	81,594	0	24,629	(24,629)	68,202	5,854		\$5,854			5,854
20	LODGER'S TAX-CITY	153,307	429,968	45,000	60,355	(15,355)	567,817	103		\$103			103
21	D.A.R.E. DONATIONS FUND	24,276	6,119	0	0	0	12,570	17,825		\$17,825			17,825
22	DESIGNATED GIFT FUND	0	0	0	0	0	0	0		\$0			0
24	GRANT CAPITAL IMPROVEMENT	62,532	362,039	0	0	0	363,537	61,034		\$61,034			61,034
27	MUNICIPAL COURT OPERATIONS	5,469	10,000	424,656	15,917	408,739	418,934	5,274		\$5,274			5,274
28	POLICE CONTINGENCY	62,730	3,479	0	0	0	7,500	58,709		\$58,709			58,709
31	CEMETERY-PERPETUAL CARE	834,941	22,330	0	98,000	(98,000)	0	759,271		\$759,271			759,271
32	COMMUNITY SERVICES	106,154	565,346	4,382,910	709,633	3,673,277	4,302,001	42,776		\$42,776			42,776
33	FIRE PROTECTION	313,401	585,781	0	0	0	729,576	169,606	24,429	\$145,177	0	24,429	145,177
36	LAW ENFORCEMENT FUND	3,362	110,698	0	0	0	110,664	3,396		\$3,396			3,396
37	STATE HIGHWAY FUND	128,259	43,913	0	0	0	34,963	137,209		\$137,209			137,209
38	TRAFFIC SAFETY FUND	61,701	23,492	0	0	0	28,000	57,193		\$57,193			57,193
39	STATE JUDICIAL	4,707	75,500	0	0	0	75,500	4,707		\$4,707			4,707
40	AIRPORT IMPROVEMENT PROJECTS	0	0	0	0	0	0	0		\$0			0
42	1984 GROSS RECEIPTS TAX	2,955,980	1,709,051	125,500	4,528,253	(4,402,753)	0	262,278	262,110	\$168	0	262,110	168
44	TRANSPORTATION FUND	0	3,418,694	1,224,228	164,091	1,060,137	4,428,948	49,883	8,776	\$41,107	0	8,776	41,107
49	NEW MEXICO C.D.B.G.	0	0	0	0	0	0	0		\$0			0
49	1986 GROSS RECEIPTS TAX	5,992,352	1,783,984	0	6,530,419	(6,530,419)	627,999	607,918	269,454	\$338,464	0	269,454	338,464
50	PROPERTY ACQUISITION	85,010	0	0	0	0	10,000	75,010		\$75,010			75,010
53	GENERAL OBLIGATION	920,267	1,049,731	0	0	0	1,102,746	867,252	550,942	\$316,310	0	550,942	316,310
54	REVERSE OSMOSIS PROJECT RSV	21,967	1,313	3,511,454	0	3,511,454	2,866,379	668,355		\$668,355			668,355
56	99 GRT FLOOD CONTROL BOND PROJ	1,615,590	232	7,673,556	0	7,673,556	7,741,191	1,548,187		\$1,548,187			1,548,187
59	REVENUE BOND P & I FUND	188,175	3,985	2,668,143	0	2,668,143	2,671,643	188,660		\$188,660			188,660
61	MUNICIPAL INFRASTRUCTURE .0625%	578,486	393,964	0	605,484	(605,484)	0	366,966	12,073	\$354,893	0	12,073	354,893
63	COMMUNITY DEVELOPMENT	11,947	0	452,203	48,567	403,636	384,048	31,535		\$31,535			31,535
69	1994 GROSS RECEIPTS	2,576,239	1,694,281	0	3,630,952	(3,630,952)	0	639,568	549,566	\$90,002		549,566	90,002
71	ALAMO SENIOR CENTER	3,643	800,253	616,160	4,758	611,402	1,386,235	29,063		\$29,063			29,063
74	ALAMO SENIOR CENTER GIFT	100,294	25,266	0	0	0	63,386	62,174		\$62,174			62,174
75	RETIRED & SENIOR VOL. PROGRAM	1,318	225,394	49,247	18,679	30,568	257,267	13		\$13			13
81	WATER/SEWER OPERATING	12,182,162	21,950,398	3,440,578	1,956,797	1,483,781	34,668,029	948,312	946,315	\$1,997		946,315	1,997
82	98 JT WATER/SEWER BOND P&I	1,233,115	15,588	1,938,428	0	1,938,428	1,938,430	1,248,701		\$1,248,701	0		1,248,701
86	SOLID WASTE COLLECTION SYS.	551,921	2,095,112	0	149,050	(149,050)	2,140,061	357,922	177,481	\$180,441	0	177,481	180,441
88	BONITO CAMPGROUND	379,306	964	0	0	0	0	380,270		\$380,270			380,270
89	ESORT .0625%	2,107,239	407,876	0	1,715,000	(1,715,000)	360,720	439,395		\$439,395	0		439,395
90	GOLF COURSE	17,313	1,423,400	389,844	100,832	289,012	1,729,511	214		\$214	0		214
91	AIRPORT	90,218	656,230	91,081	47,951	43,130	780,128	9,450	4,718	\$4,732		4,718	4,732
94	OTERO GREENTREE REG LANDFILL	4,449,239	1,041,009	0	2,018	(2,018)	3,425,086	2,063,144		\$2,063,144		0	2,063,144
96	SELF-INSURED FUND	487,880	64,805	0	29,000	(29,000)	45,000	478,685		\$478,685			478,685
98	PAYROLL CLEARING	207,352	0	0	0	0	0	207,352		\$207,352			207,352
104	UTILITY DEPOSITS	703,681	0	0	0	0	0	703,681		\$703,681			703,681
105	ECONOMIC DEVELOPMENT	6,242,324	1,051,902	0	0	0	2,310,069	4,984,157		\$4,984,157			4,984,157
107	SELF INSURED/LIABILITY	952,159	7,194	330,000	448,484	(118,484)	330,000	510,869		\$510,869			510,869
109	2004 GRT CAPITAL OUTLAY	12,608,230	3,481,924	0	3,375,975	(3,375,975)	10,462,379	2,251,800	542,005	\$1,709,795	0	542,005	1,709,795
113	2009 G.O. BOND ACQ FUND	0	0	0	0	0	0	0		\$0			0
114	SIDEWALKS REVOLVING LOANS	136,623	1,717	0	0	0	32,360	105,980		\$105,980			105,980
115	CORP ESCROW ACCOUNT RESERVE	2,000,000	0	0	0	0	0	2,000,000		\$2,000,000			2,000,000
116	REG WATER SUPPLY TRANS LN	0	0	0	0	0	0	0		\$0			0
117	2011 JT W/S REF/IMP REVBD	0	0	0	0	0	0	0		\$0			0
119	2012 GRT REF/IMP REVBD	1,731,793	35,830	448,484	0	448,484	1,920,137	295,970		\$295,970			295,970
121	2015 GO BONDS-FUN CENTER	86,050	22,519	0	0	0	0	108,569		\$108,569			108,569
122	2015 GO BONDS-STREETS	194,396	20,816	0	0	0	47,657	167,545		\$167,545			167,545
901	HOUSING LOW RENT OPERATING	948,223	875,994	0	217	(217)	1,047,675	776,325	87,306	\$689,019	0	87,306	689,019
903	HOUSING HOMEOWNERSHIP OPER	761,606	1,705	0	0	0	28,236	735,075		\$735,075			735,075
904	HOUSING CAPITAL FUND PROJECTS	0	865,360	0	0	0	865,360	0		\$0			0
TOTALS FY2019		73,072,254	65,898,310	31,671,044	31,671,044	0	109,140,346	29,830,215	6,476,738	23,353,477	0	6,476,738	23,353,477

ALL FUNDS SUMMARY
PRELIMINARY 2018-2019

DFA 1/12TH REQ RSRV
1,277,218
Fund Reserve Policy
1,277,218
Subsidy Reserve
487,127
Bal. Remaining
1,039,883

FY19 BUDGET - RESOLUTION 2019-02 (#3) January 8, 2019

FUND NO.	FY 2018-2019 FUND DESCRIPTION	UNAUDITED BEGINNING CASH BALANCE	ESTIMATED REVENUES	TRANSFERS IN	TRANSFERS OUT	NET CASH TRANSFERS	BUDGETED EXPENDITURES	ESTIMATED ENDING CASH BALANCE	LOCAL RESERVE REQUIREMENTS UNAVAILABLE FOR BUDGETING	ADJUSTED ENDING CASH BALANCE	ADJUSTED RESERVE	ADJUSTED RESERVE UNAVAILABLE FOR BUDGETING	ADJUSTED ENDING CASH BALANCE
11	GENERAL OPERATING FUND	7,985,201	17,698,918	1,102,457	7,378,519	(6,276,062)	15,326,612	4,081,445	3,041,562	1,039,883	0	3,041,562	1,039,883
	Revision #5		200			0		200					
	Total Revised Fund 11	7,985,201	17,699,118	1,102,457	7,378,519	(6,276,062)	15,326,612	4,081,645	3,041,562	1,040,083	0	3,041,562	1,040,083
12	INTERNAL SERVICES	0	416,311	2,642,351	23,733	2,618,618	2,950,259	84,670		\$84,670			84,670
	Total Revised Fund 12	0	416,311	2,642,351	23,733	2,618,618	2,950,259	84,670	0	84,670	0	0	84,670
15	CORRECTIONS-JAIL	0	81,827	114,764	1,255	113,509	193,850	1,486		\$1,486			1,486
	Total Revised Fund 15	0	81,827	114,764	1,255	113,509	193,850	1,486	0	1,486	0	0	1,486
16	LODGER'S TAX-PROMOTIONAL FUND	189,094	254,304	0	2,476	(2,476)	279,681	161,241		\$161,241			161,241
	Total Revised Fund 16	189,094	254,304	0	2,476	(2,476)	279,681	161,241	0	161,241	0	0	161,241
17	POLICE COURT BOND	7,938	0	0	0	0	0	7,938		\$7,938			7,938
	Total Revised Fund 17	7,938	0	0	0	0	0	7,938	0	7,938	0	0	7,938
19	COURT AUTOMATION FUND	17,091	81,594	0	24,629	(24,629)	68,202	5,854		\$5,854			5,854
	Total Revised Fund 19	17,091	81,594	0	24,629	(24,629)	68,202	5,854	0	5,854	0	0	5,854
20	LODGER'S TAX-CITY	153,307	429,968	0	60,355	(60,355)	522,817	103		\$103			103
	Revision #1		45,000			45,000	45,000	0					
	Total Revised Fund 20	153,307	429,968	45,000	60,355	(15,355)	567,817	103	0	103	0	0	103
21	D.A.R.E. DONATIONS FUND	24,276	6,119	0	0	0	12,570	17,825		\$17,825			17,825
	Total Revised Fund 21	24,276	6,119	0	0	0	12,570	17,825	0	17,825	0	0	17,825
22	DESIGNATED GIFT FUND	0	0	0	0	0	0	0		\$0			0
24	GRANT CAPITAL IMPROVEMENT	62,532	262,039	0	0	0	263,537	61,034		\$61,034			61,034
	Revision #2		100,000			0	100,000	0					
	Total Revised Fund 24	62,532	362,039	0	0	0	363,537	61,034	0	61,034	0	0	61,034
27	MUNICIPAL COURT OPERATIONS	5,469	10,000	424,656	15,917	408,739	418,934	5,274		\$5,274			5,274
	Total Revised Fund 27	5,469	10,000	424,656	15,917	408,739	418,934	5,274	0	5,274	0	0	5,274
28	POLICE CONTINGENCY	62,730	3,479	0	0	0	7,500	58,709		\$58,709			58,709
	Total Revised Fund 28	62,730	3,479	0	0	0	7,500	58,709	0	58,709	0	0	58,709
31	CEMETERY-PERPETUAL CARE	834,941	22,330	0	98,000	(98,000)	0	759,271		\$759,271			759,271
	Total Revised Fund 31	834,941	22,330	0	98,000	(98,000)	0	759,271	0	759,271	0	0	759,271
32	COMMUNITY SERVICES	106,154	565,346	4,382,910	664,633	3,718,277	4,389,293	484		\$484			484
	Revision #1				45,000	(45,000)	(45,000)	0					
	Revision #7					0	(42,292)	42,292					
	Total Revised Fund 32	106,154	565,346	4,382,910	709,633	3,673,277	4,302,001	42,776	0	42,776	0	0	42,776
33	FIRE PROTECTION	313,401	585,781	0	0	0	729,576	169,606	24,429	\$145,177		24,429	145,177
	Total Revised Fund 33	313,401	585,781	0	0	0	729,576	169,606	24,429	145,177	0	24,429	145,177

36	LAW ENFORCEMENT FUND	3,362	110,698	0	0	0	110,664	3,396		\$3,396			3,396
	Total Revised Fund 36	3,362	110,698	0	0	0	110,664	3,396	0	3,396	0	0	3,396
37	STATE HIGHWAY FUND	128,259	43,913	0	0	0	34,963	137,209		\$137,209			137,209
	Total Revised Fund 37	128,259	43,913	0	0	0	34,963	137,209	0	137,209	0	0	137,209
38	TRAFFIC SAFETY FUND	61,701	23,492	0	0	0	28,000	57,193		\$57,193			57,193
	Total Revised Fund 38	61,701	23,492	0	0	0	28,000	57,193	0	57,193	0	0	57,193
39	STATE JUDICIAL	4,707	75,500	0	0	0	75,500	4,707		\$4,707			4,707
	Total Revised Fund 39	4,707	75,500	0	0	0	75,500	4,707	0	4,707	0	0	4,707
40	AIRPORT IMPROVEMENT PROJECTS	0	0	0	0	0	0	0		\$0			0
	Total Revised Fund 40	0	0	0	0	0	0	0	0	0	0	0	0
42	1984 GROSS RECEIPTS TAX	2,955,980	1,709,051	125,500	4,528,253	(4,402,753)	0	262,278	262,110	\$168		262,110	168
	Total Revised Fund 42	2,955,980	1,709,051	125,500	4,528,253	(4,402,753)	0	262,278	262,110	168		262,110	168
44	TRANSPORTATION FUND	0	3,418,694	1,224,228	164,091	1,060,137	4,428,948	49,883	8,776	\$41,107	0	8,776	41,107
	Total Revised Fund 44	0	3,418,694	1,224,228	164,091	1,060,137	4,428,948	49,883	8,776	41,107	0	8,776	41,107
48	NEW MEXICO C.D.B.G.	0	0	0	0	0	0	0		\$0			0
49	1986 GROSS RECEIPTS TAX	5,982,352	1,783,984	0	6,530,419	(6,530,419)	627,999	607,918	269,454	\$338,464	0	269,454	338,464
	Total Revised Fund 49	5,982,352	1,783,984	0	6,530,419	(6,530,419)	627,999	607,918	269,454	338,464	0	269,454	338,464
50	PROPERTY ACQUISITION	85,010	0	0	0	0	10,000	75,010		\$75,010			75,010
	Total Revised Fund 50	85,010	0	0	0	0	10,000	75,010	0	75,010	0	0	75,010
53	GENERAL OBLIGATION	920,267	1,049,731	0	0	0	1,102,746	867,252	550,942	\$316,310	0	550,942	316,310
	Total Revised Fund 53	920,267	1,049,731	0	0	0	1,102,746	867,252	550,942	316,310	0	550,942	316,310
54	REVERSE OSMOSIS PROJECT RSV	21,967	1,313	3,511,454	0	3,511,454	2,866,379	668,355		\$668,355			668,355
	Total Revised Fund 54	21,967	1,313	3,511,454	0	3,511,454	2,866,379	668,355	0	668,355	0	0	668,355
56	99 GRT FLOOD CONTROL BOND PROJ	1,615,590	232	5,573,556	0	5,573,556	5,641,191	1,548,187		\$1,548,187			1,548,187
	Revision #3			2,100,000		2,100,000	2,100,000	0					
	Total Revised Fund 56	1,615,590	232	7,673,556	0	7,673,556	7,741,191	1,548,187	0	1,548,187	0	0	1,548,187
59	REVENUE BOND P & I FUND	188,175	3,985	2,668,143	0	2,668,143	2,671,643	188,660		\$188,660			188,660
	Total Revised Fund 59	188,175	3,985	2,668,143	0	2,668,143	2,671,643	188,660	0	188,660	0	0	188,660
61	MUNICIPAL INFRASTRUCTURE .0625%	578,486	393,964	0	605,484	(605,484)	0	366,966	12,073	\$354,893	0	12,073	354,893
	Total Revised Fund 61	578,486	393,964	0	605,484	(605,484)	0	366,966	12,073	354,893	0	12,073	354,893
63	COMMUNITY DEVELOPMENT	11,947	0	452,203	48,567	403,636	384,048	31,535		\$31,535			31,535
	Total Revised Fund 63	11,947	0	452,203	48,567	403,636	384,048	31,535	0	31,535	0	0	31,535
69	1994 GROSS RECEIPTS	2,576,239	1,694,281	0	3,630,952	(3,630,952)	0	639,568	549,566	\$90,002		549,566	90,002
	Total Revised Fund 69	2,576,239	1,694,281	0	3,630,952	(3,630,952)	0	639,568	549,566	90,002	0	549,566	90,002
71	ALAMO SENIOR CENTER	3,643	800,253	616,160	4,758	611,402	1,386,235	29,063		\$29,063			29,063
	Total Revised Fund 71	3,643	800,253	616,160	4,758	611,402	1,386,235	29,063	0	29,063	0	0	29,063
74	ALAMO SENIOR CENTER GIFT	100,294	25,266	0	0	0	63,386	62,174		\$62,174			62,174
	Total Revised Fund 74	100,294	25,266	0	0	0	63,386	62,174	0	62,174	0	0	62,174
75	RETIRED & SENIOR VOL. PROGRAM	1,318	225,394	49,247	18,679	30,568	257,267	13		\$13			13
	Total Revised Fund 75	1,318	225,394	49,247	18,679	30,568	257,267	13	0	13	0	0	13

81	WATER/SEWER OPERATING	12,182,162	21,950,398	3,440,578	1,956,797	1,483,781	34,668,029	948,312	946,315	\$1,997		946,315	1,997
	Total Revised Fund 81	12,182,162	21,950,398	3,440,578	1,956,797	1,483,781	34,668,029	948,312	946,315	1,997		946,315	1,997
82	98 JT WATER/SEWER BOND P&I	1,233,115	15,588	1,938,428	0	1,938,428	1,938,430	1,248,701		\$1,248,701	0		1,248,701
	Total Revised Fund 82	1,233,115	15,588	1,938,428	0	1,938,428	1,938,430	1,248,701	0	1,248,701	0	0	1,248,701
86	SOLID WASTE COLLECTION SYS.	551,921	2,095,112	0	149,050	(149,050)	2,140,061	357,922	177,481	\$180,441	0	177,481	180,441
	Total Revised Fund 86	551,921	2,095,112	0	149,050	(149,050)	2,140,061	357,922	177,481	180,441	0	177,481	180,441
88	BONITO CAMPGROUND	379,306	964	0	0	0	0	380,270		\$380,270	0		380,270
	Total Revised Fund 88	379,306	964	0	0	0	0	380,270	0	380,270	0	0	380,270
89	ESGRT .0625%	2,107,239	407,876	0	1,715,000	(1,715,000)	360,720	439,395		\$439,395	0		439,395
	Total Revised Fund 89	2,107,239	407,876	0	1,715,000	(1,715,000)	360,720	439,395	0	439,395	0	0	439,395
90	GOLF COURSE	17,313	1,423,400	389,844	100,832	289,012	1,729,511	214		\$214	0		214
	Total Revised Fund 90	17,313	1,423,400	389,844	100,832	289,012	1,729,511	214	0	214	0	0	214
91	AIRPORT	90,218	651,500	91,081	47,951	43,130	780,128	4,720	4,718	\$2		4,718	2
	Revision #4		4,730			0		4,730					
	Total Revised Fund 91	90,218	656,230	91,081	47,951	43,130	780,128	9,450	4,718	4,732		4,718	4,732
94	OTERO GREENTREE REG LANDFILL	4,449,239	1,041,009	0	2,018	(2,018)	3,425,086	2,063,144		\$2,063,144	0	0	2,063,144
	Total Revised Fund 94	4,449,239	1,041,009	0	2,018	(2,018)	3,425,086	2,063,144	0	2,063,144	0	0	2,063,144
96	SELF-INSURED FUND	487,880	64,805	0	29,000	(29,000)	45,000	478,685		\$478,685	0		478,685
	Total Revised Fund 96	487,880	64,805	0	29,000	(29,000)	45,000	478,685	0	478,685	0	0	478,685
98	PAYROLL CLEARING	207,352	0	0	0	0	0	207,352		\$207,352	0		207,352
	Total Revised Fund 98	207,352	0	0	0	0	0	207,352	0	207,352	0	0	207,352
104	UTILITY DEPOSITS	703,681	0	0	0	0	0	703,681		\$703,681	0		703,681
	Total Revised Fund 104	703,681	0	0	0	0	0	703,681	0	703,681	0	0	703,681
105	ECONOMIC DEVELOPMENT	6,242,324	1,051,902	0	0	0	2,310,069	4,984,157		\$4,984,157	0		4,984,157
	Total Revised Fund 105	6,242,324	1,051,902	0	0	0	2,310,069	4,984,157	0	4,984,157	0	0	4,984,157
107	SELF INSURED/LIABILITY	952,159	7,194	330,000	448,484	(118,484)	330,000	510,869		\$510,869	0		510,869
	Total Revised Fund 107	952,159	7,194	330,000	448,484	(118,484)	330,000	510,869	0	510,869	0	0	510,869
109	2004 GRT CAPITAL OUTLAY	12,608,230	3,481,924	0	1,275,975	(1,275,975)	10,462,379	4,351,800	542,005	\$3,809,795	0	542,005	3,809,795
	Revision #3				2,100,000	(2,100,000)		(2,100,000)					
	Total Revised Fund 109	12,608,230	3,481,924	0	3,375,975	(3,375,975)	10,462,379	2,251,800	542,005	1,709,795	0	542,005	1,709,795
113	2009 G.O. BOND ACQ FUND	0	0	0	0	0	0	0		\$0	0		0
	Total Revised Fund 113	0	0	0	0	0	0	0	0	0	0	0	0
114	SIDEWALKS REVOLVING LOANS	136,623	1,717	0	0	0	32,360	105,980		\$105,980	0		105,980
	Total Revised Fund 114	136,623	1,717	0	0	0	32,360	105,980	0	105,980	0	0	105,980
115	CORP ESCROW ACCOUNT RESERVE	2,000,000	0	0	0	0	0	2,000,000		\$2,000,000	0		2,000,000
116	REG WATER SUPPLY TRANS LN	0	0	0	0	0	0	0		\$0	0		0
	Total Revised Fund 116	0	0	0	0	0	0	0	0	0	0	0	0
117	2011 JT W/S REF/IMP REVBD	0	0	0	0	0	0	0		\$0	0		0
	Total Revised Fund 117	0	0	0	0	0	0	0	0	0	0	0	0
119	2012 GRT REF/IMP REVBD	1,731,793	35,830	448,484	0	448,484	1,867,882	348,225		\$348,225	0		348,225
	Revision #6					0	52,255	(52,255)					
	Total Revised Fund 119	1,731,793	35,830	448,484	0	448,484	1,920,137	295,970	0	295,970	0	0	295,970
121	2015 GO BONDS-FUN CENTER	86,050	22,519	0	0	0	0	108,569		\$108,569	0		108,569
	Total Revised Fund 121	86,050	22,519	0	0	0	0	108,569	0	108,569	0	0	108,569
122	2015 GO BONDS-STREETS	194,386	20,816	0	0	0	47,657	167,545		\$167,545	0		167,545
	Total Revised Fund 122	194,386	20,816	0	0	0	47,657	167,545	0	167,545	0	0	167,545

901	HOUSING LOW RENT OPERATING	948,223	875,994	0	217	(217)	1,047,675	776,325	87,306	\$689,019	0	87,306	689,019
	Total Revised Fund 901	948,223	875,994	0	217	(217)	1,047,675	776,325	87,306	689,019	0	87,306	689,019
903	HOUSING HOMEOWNERSHIP OPER	761,606	1,705	0	0	0	28,236	735,075		\$735,075			735,075
	Total Revised Fund 903	761,606	1,705	0	0	0	28,236	735,075	0	735,075	0	0	735,075
904	HOUSING CAPITAL FUND PROJECTS	0	865,360	0	0	0	865,360	0		\$0			0
	Total Revised Fund 904	0	865,360	0	0	0	865,360	0	0	0	0	0	0
TOTALS FY2019		73,072,254	65,898,310	31,671,044	31,671,044	0	109,140,346	29,830,215	6,476,738	23,353,477	0	6,476,738	23,353,477

Resolution # 2019-02 January 8, 2019

RECURRING/ NON-RECURRING	FUND NO.	LINE ITEM NO.	LINE ITEM DESCRIPTION	ORIGINAL BUDGET AMOUNT	INCREASE (DECREASE)	REVISED BUDGET AMOUNT
REVISION #1						
Revision is to move funds appropriated for a marquee for CS that was budgeted in the Recreation Center lines. The Civic Center will be acquiring the new sign and the balance will go to the Zoo. The electrical conduit will be installed at the Zoo this year and additional funds will be needed to support a new electric marquee at the Zoo in future years						
Non-Recurring	20	LODGER'S TAX				
		<i>Transfers In</i>				
		020-0000-391-19-32	TRAN FROM (32) COMMUNITY SERVICES	-	45,000	45,000
		<i>Expenditures</i>				
		020-0006-454-61-85	CAPITAL OUTLAY	44,471	45,000	89,471
	32	COMMUNITY SERVICES				
		<i>Transfers Out</i>				
		032-0000-491-18-20	TRAN TO (20) LODGER'S TAX	-	45,000	45,000
		<i>Expenditures</i>				
		032-6106-450-65-70	FACILITY IMPROVEMENTS	100,500	(50,000)	50,500
		032-6306-452-60-00	CAPITAL OUTLAY - ZOO	-	5,000	5,000
				100,500	(45,000)	55,500
REVISION #2						
Revision to add Capital Appropriation Project 18 C2538 awarded to the Alamogordo Police Department to purchase and equip police vehicles						
Non-Recurring	24	GRANT CAPITAL IMPROVEMENT				
		<i>Revenues</i>				
	PSVE18	024-0000-317-16-13	STATE GRANT REVENUE	-	100,000	100,000
		<i>Expenditures</i>				
	PSVE18	024-0000-419-61-60	CAPITAL OUTLAY/CAPITAL EQUIPMENT	-	100,000	100,000
REVISION #3						
Revision moves requested funding from Fund 109 to Fund 56 to complete the Corps of Engineers McKinley Channel project						
Non-Recurring	109	2004 GRT CAPITAL OUTLAY				
		<i>Transfers Out</i>				
		109-0000-491-18-56	TRAN TO (56) FLOOD CONTROL PROJECT	-	2,100,000	2,100,000
	56	FLOOD CONTROL PROJECT				
		<i>Transfers In</i>				
		056-0000-391-19-09	TRAN FROM (109) 2004 GRT CAPITAL OUTL	-	2,100,000	2,100,000
		<i>Expenditures</i>				
	EN0226	056-9499-990-67-03	ALAMO FLOOD CONTROL - COE	5,343,484	2,100,000	7,443,484
REVISION #4						
Revision adds a budget for the revenue expected from the donation of money for the F4 static display. The expense was carried over in June						
Non-Recurring	91	AIRPORT				
		<i>Revenues</i>				
		091-0000-314-13-36	USER FEES/DONATIONS	-	4,730	4,730
REVISION #5						
Revision adds a budget for the revenue expected from the donation of money for the K9 unit.						
Non-Recurring	11	GENERAL FUND				
		<i>Revenues</i>				
		011-4104-316-15-81	USER FEES/DONATIONS	-	200	200
REVISION #6						
Revision to increase the Parks Amenities budget to the correct amount. The original budget was \$100,000. In FY18, \$19,016 was spent, however when the project was rolled only \$28, 729 was carried over. This will correct the FY19 budget						
Non-Recurring	119	2012 GRT REF/IMP REVBD				
		<i>Expenditures</i>				
	NB1809	119-6199-990-63-91	CAPITAL OUTLAY/BUILDING IMPROVEMENTS	28,729	52,255	80,984
REVISION #7						
Revision removes the incorrect amount budgeted for FY19 in Library project LI1701. The 2014 State GO Bond for the Library was completed in FY18 and there should not be anything budgeted in this project for FY19.						
Non-Recurring	32	COMMUNITY SERVICES				
	LI1701	032-7101-455-32-05	BOOKS, PERIODICALS, AUDIOS	42,292	(42,292)	-

REVENUES ON RESOLUTION

REVENUES

ITEM #	AMOUNT	TYPE	
2	\$ 100,000	State Grant	
4	\$ 4,730	Donations	
5	\$ 200	Donations	
	<u>\$ 104,930</u>	Total	\$ (2,105,033)

EXPENDITURES

ITEM #	AMOUNT	TYPE	
1	\$ -	Move Expenses to 20 from 32	
2	\$ 100,000	State Grant	
3	\$ 2,100,000	Flood Control Completion	
6	\$ 52,255	Correcting Expenditures	
7	\$ (42,292)	Correcting Expenditures	
	<u>\$ 2,209,963</u>	Total	

TRANSFERS IN

ITEM#	AMOUNT	TYPE	
1	\$ 45,000	Increase Transfer to 20	
3	\$ 2,100,000	Transfer to 56 Flood Control	
	<u>\$ 2,145,000</u>	Total	

TRANSFERS OUT

1	\$ 45,000	Increase Transfer to 20	
3	\$ 2,100,000	Transfer to 56 Flood Control	
	<u>\$ 2,145,000</u>	Total	

RESOLUTION NO. 2019-02

A RESOLUTION REQUESTING THE DEPARTMENT OF FINANCE AND ADMINISTRATION, STATE OF NEW MEXICO, APPROVE REVISED BUDGET FIGURES FOR CERTAIN LINE ITEMS IN THE CITY'S BUDGET FOR FISCAL YEAR 2018-19.

WHEREAS, the City of Alamogordo, New Mexico wishes approval to change some of the budget line item figures of various funds; and

WHEREAS, the Department of Finance and Administration, State of New Mexico, gave its written certification to the City of Alamogordo, New Mexico's annual budget on September 10, 2018, for fiscal year 2018-2019; and

WHEREAS, the City of Alamogordo, New Mexico, has tabulated on the following pages the additional resources and expenditures for fiscal year 2018-2019.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ALAMOGORDO, NEW MEXICO, that the City's annual budget for fiscal year 2019 be and hereby is revised as of January 8, 2019 to reflect a more true and accurate projection of the actual revenues and expenditures for fiscal year 2018-2019 as shown on the following pages.

NOW, BE IT FURTHER RESOLVED BY THE GOVERNING BODY OF THE CITY OF ALAMOGORDO, NEW MEXICO, that the Department of Finance and Administration, State of New Mexico, be requested to give its written approval to the revised budget figures computed on January 8, 2019 as a more true and accurate projection of the actual revenues and expenditures for fiscal year 2018-2019.

PASSED, APPROVED AND ADOPTED by the Governing Body of the City of Alamogordo, New Mexico, at a Regular Meeting held this 9th day of January 2019.

CITY OF ALAMOGORDO, NEW MEXICO,
A NEW MEXICO MUNICIPAL CORPORATION

By: _____
Richard A. Boss, Mayor

ATTEST:

Rachel Hughs, City Clerk

APPROVED AS TO FORM:

Petria Schreiber, City Attorney

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 01/08/2019

Report Date: 12/27/2018

Report No: 11.

Submitted By: Nancy Beshaler

Subject: Consider, and act upon, Award of Public Works Bid No. 2018-009, Street Maintenance - Crack Sealing Re-bid project, to General Hydronics Utilities, LLC in the amount of \$228,636.00, including NMGRT. *(Nancy Beshaler, Project Manager)*

Fiscal Impact: \$228,636.00

Amount Budgeted: \$252,000.00

Fund: EN1808 109-9003-430.65-03

Additional Fiscal Impact:

Recommendation: Award Public Works Bid No. 2018-009, Street Maintenance - Crack Sealing Re-bid project, to General Hydronics Utilities, LLC in the amount of \$228,636.00, including NMGRT.

Background: This project will provide crack sealing for 5 streets within the city. The project was advertised on November 11, 2018 and bids were opened on December 12, 2018.

There were two bidders: General Hydronics Utilities, LLC and Dismuke Construction Company. Bid tabulation is attached.

BID TABULATION
STREET MAINTENANCE - CRACK SEALING FY19 RE_BID
PUBLIC WORKS BID NO. 2018-009
December 12, 2018

ITEM	ESTIMATED QUANTITY		DESCRIPTION	General Hydronics Utilities, LLC 388888		Dismuke 55683	
				Unit Price	TOTAL AMOUNT	Unit Price	TOTAL AMOUNT
1	1	LS	MOBILIZATION	\$ 2,850.00	\$ 2,850.00	\$ 5,000.00	\$ 5,000.00
2	1	LS	TRAFFIC CONTROL MANAGEMENT	\$ 29,450.00	\$ 29,450.00	\$ 21,400.00	\$ 21,400.00
3	1	LS	CRACK SEALING	\$ 179,400.00	\$ 179,400.00	\$ 187,500.00	\$ 187,500.00
BASE BID SUBTOTAL				\$	211,700.00	\$	213,900.00
NMGRT (8.0%)				\$	16,936.00	\$	17,112.00
TOTAL BASE BID with tax				\$	228,636.00	\$	231,012.00
Preference				10% Local	\$ 21,170.00	5% State	\$ 10,695.00
Base Bid With Preferences (for consideration of award only)					\$207,466.00		\$220,317.00
				General Hydronics Utilities, LLC		Dismuke 55683	

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 01/08/2019

Report Date: 01/04/2019

Report No: 12.

Submitted By: Petria Schreiber

Subject: Consider, and act upon, application for Gross Receipts Investment Program (GRIP) funds from Gerald Champion Regional Medical Center (GCRMC). *(Petria Schreiber, City Attorney)*

Fiscal Impact: 1,080,321.11

Amount Budgeted: \$100.00

Fund:

Additional Fiscal Impact:

Recommendation:

Background: The City passed an ordinance creating a "Gross Receipts Investment Program" (GRIP). As recited in the ordinance, the purpose of the program is "to attract new businesses or commercial activities, or encourage the expansion of an existing business or commercial activity whose gross receipts are subject to the imposition of gross receipts tax, thereby creating new job opportunities for the citizens of the City of Alamogordo". This is accomplished through the refund of the City's portion of the gross receipts taxes directly attributable to a new or expanded business or commercial activity within the City.

GCRMC has submitted such a GRIP application for their new development of the property located at 2559 Scenic Drive. Based on the GRIP application submitted, (copy attached), GCRMC will generate approximately \$2,700,000 in gross receipts taxes while creating 35 new full-time jobs.. The application has satisfied all three eligibility requirements as set forth in the GRIP Ordinance (2-15-040 1-3) in that the development involves the building of a structure in with a value in excess of \$50,000, the contractor has established a physical presence in the City sufficient to subject the development to local option GRT, and the contract will give preference and priority to local manufacturers, suppliers, vendors, contractors and labor.

If the application is approved, the next step in the process is the preparation of a GRIP agreement which would be brought before the Commission for its consideration.

By ordinance, the GRIP program expires October of 2020.

**APPLICATION FOR GROSS RECEIPTS TAX ABATEMENT
CITY OF ALAMOGORDO, NEW MEXICO**

FILING INSTRUCTIONS:

This filing acknowledges familiarity and assumed conformance with "Ordinance No. 1379, and Ordinance No. 1505, Gross Receipts Investment Program" ("GRIP"), (Copy attached). This application will become part of any later agreement or contract and knowingly false representations thereon will be grounds for the voiding of any later agreement or contract.

ORIGINAL COPY OF THIS APPLICATION AND ATTACHMENTS SHOULD BE SUBMITTED TO:

CITY MANAGER
CITY OF ALAMOGORDO
1376 EAST 9TH STREET
ALAMOGORDO, NM 88310

PART 1 - APPLICANT INFORMATION

Business Name: Gerald Champion Regional Medical Center
Submittal Date: December 2018
Address/City: 2669 Scenic Drive, Alamogordo, NM 88310-8734
Name/Address/Phone of Business Contact on this Project: Robert Middleton
2669 Scenic Drive, Alamogordo, NM 88310-8734 (575) 443-7842

Business Owner ☒ Developer ☐
Type of Business: Corporation ☒ Partnership ☐
Proprietorship ☐ Limited Liability Company ☐

PART II - PROJECT INFORMATION

This application is for a: New Business ☐ Expanding Existing Business ☒
Type of Activity: Commercial ☐ Retail ☐ Other ☒ Hospital/Healthcare Services
Attach a brief company overview, including a brief description of the product(s) and/or services, years in respective industry, and major clients/buyers of company's products and/or services.

Otero County Hospital Association d/b/a Gerald Champion Regional Medical Center ("GCRMC") is a New Mexico nonprofit corporation located in Alamogordo, New Mexico. GCRMC provides comprehensive healthcare services through its 100-bed hospital (three distinct units: 36-bed behavioral medicine, 12-bed inpatient rehabilitation, and 52 medical/surgical beds); outpatient ambulatory care facilities, a multi-specialty physician group of thirty-one (31) physicians, one (1) certified physician assistant, one (1) certified nurse specialist and twenty-three (23) certified nurse practitioners. GCRMC's Primary Service Area Market Share increased to 65.3% in 2017 from 59% in 2013.

This year GCRMC is celebrating seventy (70) years of providing healthcare to Alamogordo and surrounding areas. The original facility opened in August 1949 and the current medical center is a state of the art, acute care facility that opened in December 1999. The original Hospital opened with 26 beds and today GCRMC is proud to be a 100-bed acute care facility accredited by Det Norske Veritas, Inc. The Hospital shares a unique relationship with Holloman Air Force Base ("HAFB") as the first hospital in the United States where active duty military personnel practice in a civilian hospital. This special

arrangement allows one facility to meet combined community and military needs while also serving as a model for the Department of Defense (“**DoD**”) in conserving resources.

The delivery mechanisms of care at the Hospital include both inpatient and outpatient services: 24-hour staffed Level III Trauma Emergency Department; acute care inpatient through Medical/Surgical, Telemetry, Maternal Child, 36-bed behavioral medicine, 12-bed inpatient rehabilitation and 10-bed Intensive Care Units; 24/7 Cardiac Cath Lab; Surgery Department supported by Pre-admit, Outpatient Care Unit and Post-Anesthesia Care Unit; twenty-four (24) hospital-owned physician practices in the areas of pediatrics, internal medicine, surgical, neurology, family practice, women’s services including obstetrics, pain management, nephrology, gastroenterology, endocrinology and Urgent Care; inpatient and outpatient CAP certified laboratory services with the capability to perform over 225 different profiles and tests in-house; inpatient and outpatient diagnostic imaging services, including x-ray, 64-slice CT and 20-slice PET/CT scan, MRI, fluoroscopy, ultrasound, interventional radiology, radiofrequency ablation and nuclear medicine; inpatient and outpatient comprehensive cardiopulmonary services including behavior sleep medicine, Holter Monitoring, Event Monitoring and Impedance Cardiography.

Attach a brief description of the product(s) and/or services that will be produced or sold in Alamogordo?

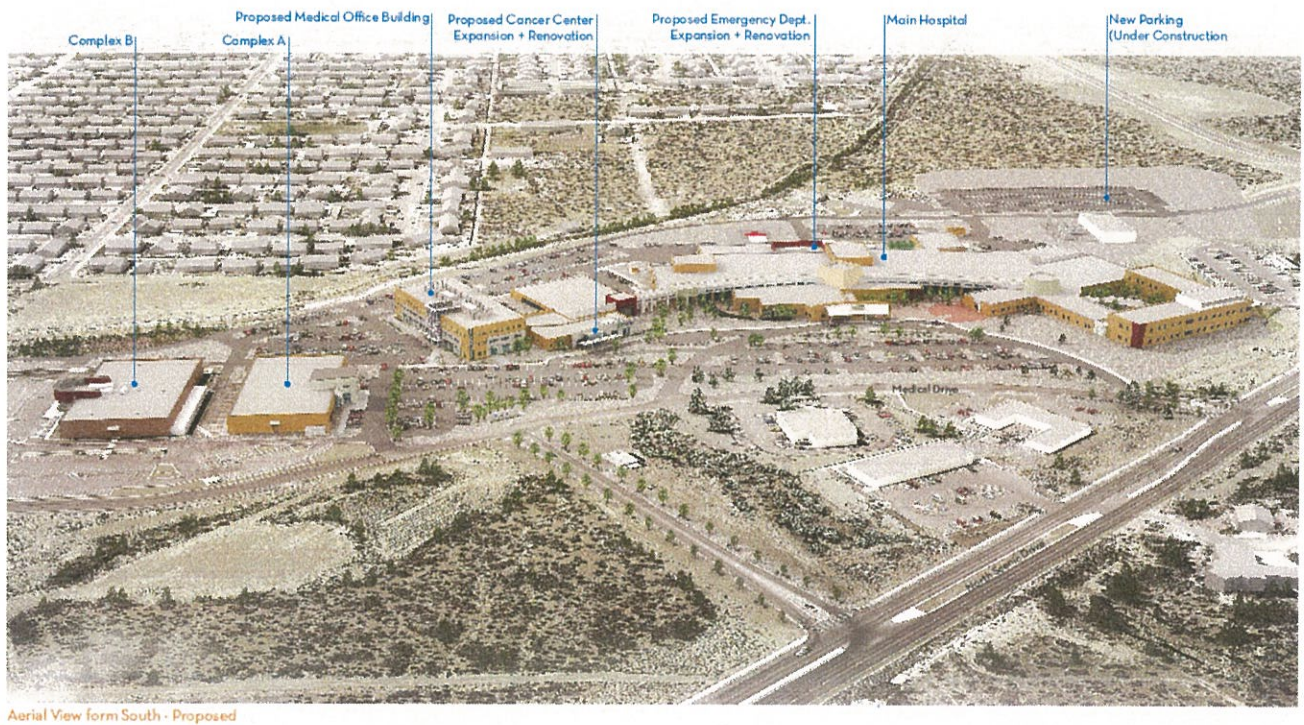
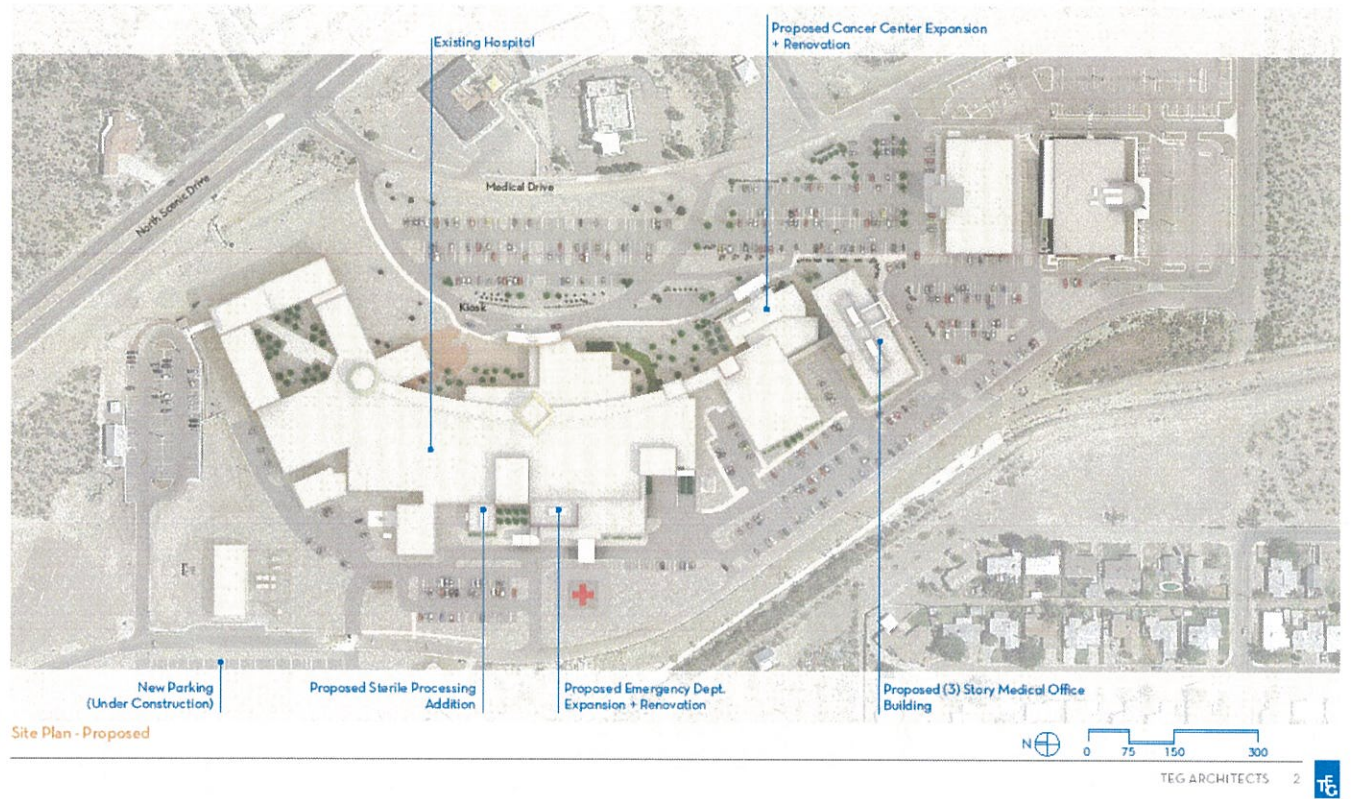
Construction of a new 3 floor medical office building, expansions and renovations to the Cancer Center, Emergency Department and Central Sterilization, along with other minor renovations within the hospital.

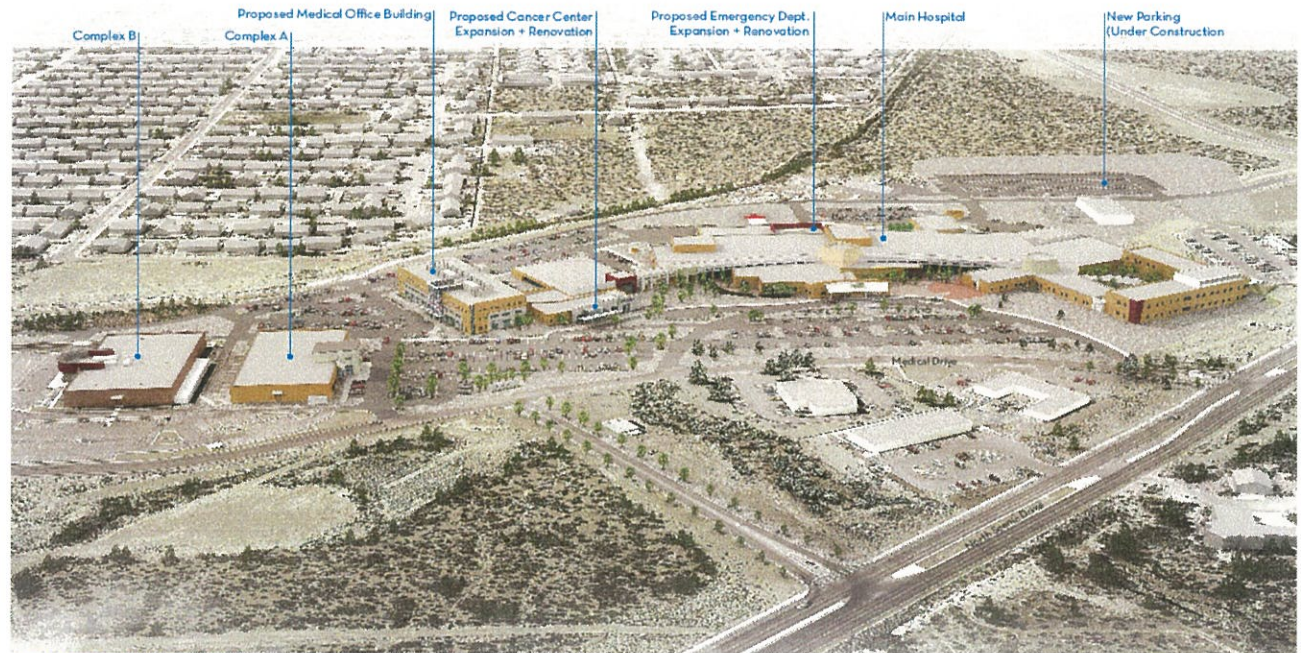
Type of Construction: New Construction ☒ Rehabilitation of Existing Structure ☒

Proposed Facility Address and Legal Description:

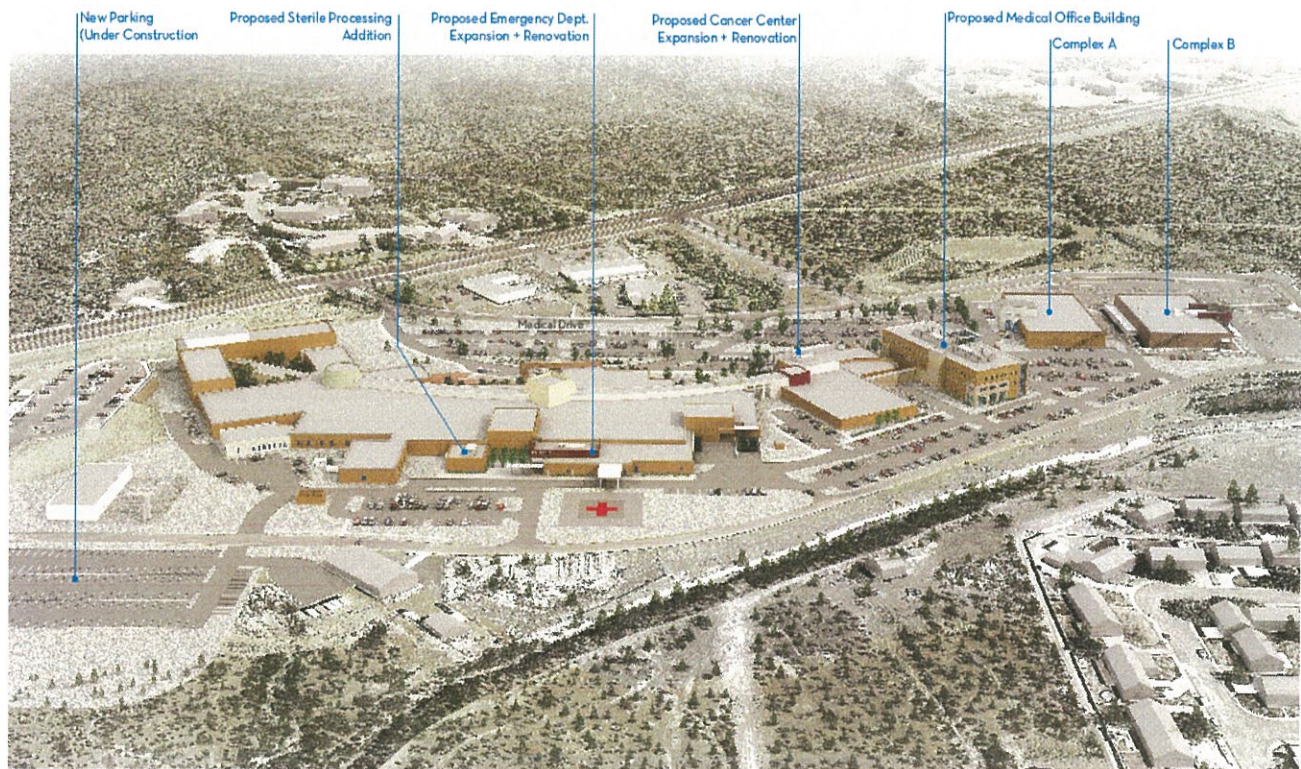
This is pending. The location of the new building would be located on 2559 Medical Drive, Alamogordo, NM 88310-8704.

Attach a map showing site:





Aerial View from South - Proposed



Aerial View from West - Proposed



PART III - PROJECT DESCRIPTION

PLEASE COMPLETE AND SUBMIT THE FOLLOWING FOR THE PROJECT:

Brief description of work: Construction of a new 3-floor medical office building, expansions and renovations to the Cancer Center, Emergency Department and Central Sterilization, along with other minor renovations within the hospital.

Please attach a statement:

- 1) describing the contractor's physical presence in the City sufficient to subject the project to Local Option Gross Receipts Tax;
Robins & Morton ("R&M"), a nationwide construction contractor, has been selected as Construction Manager for this project. The initial groundbreaking for the MOB is expected to be mid-summer 2019. R&M will maintain a jobsite office on the hospital campus during the course of construction. R&M will employ local companies as sub-contractors whenever possible.
- 2) describing preference and priority the contractor gave to local manufacturers, suppliers, vendors, contractors and labor, or if local preference and priority not reasonably possible to do so without significant added expense, substantial inconvenience, or sacrifice in operating efficiency, describing added expense, substantial inconvenience, or sacrifice in operating efficiency;
During the Preconstruction phase of the project, R&M will solicit bids from local subcontractors with input from the hospital management team, then branch out to regional and national subcontractors to ensure competition and that the hospital receives the best possible market price for

the building components. On previous projects such as the Patient Bed Tower which was completed in 2012, the hospital Board of Directors has demonstrated a preference for local subcontractors whenever economically feasible. GCRMC management has directed R&M to continue this preference during this project.

- 3) providing a list of local manufacturers, suppliers, vendors, contractors and labor used or to be used in this project; and

A list of local manufacturers, suppliers, vendors and contractors to be used is not yet available. GCRMC Management will make this information available upon request.

- 4) providing a list of personal property for which abatement is requested.

GCRMC is exempt from property taxes with respect to property used in connection with its charitable mission of providing care to the members of our community regardless of ability to pay.

Total estimated cost of the expansion or new construction: **\$62,627,311**

Gerald Champion Regional Medical Center		
2018 Master Facility Plan		
Working Budget		
Budget Code	Item	Working Budget
100	Development Cost	\$ 16,500
200	Building Construction	\$ 48,595,300
201	Preconstruction Services	\$ 80,000
202	Sitework Exhibit A	\$ 3,262,322
203	Construction (Hospital/MOB) Exhibit A	\$ 41,353,373
203	Construction (Campus Energy) Exhibit B	\$ 3,699,605
210	Signage	\$ 200,000
300	Professional Fees	\$ 4,173,788
301	Architectural	\$ 2,940,000
304	Telecomm Consulting	\$ 94,308
305	Geological Engr. Consultant	\$ 19,442
306	Construction Material Testing	\$ 50,000
307	Medical Equipment Planning	\$ 121,038
310	Commissioning	\$ 195,000
311	Program Manager	\$ 304,000
312	Reimbursable Expenses	\$ 250,000
314	Quality Control Consultant	\$ 200,000
400	Administrative & Legal	\$ -
500	Medical Equipment	\$ 6,000,000
501	Equipment-Hospital	\$ 2,500,000
502	Equipment-MOB	\$ 3,500,000
600	Furniture and Furnishings	\$ 1,000,000
700	TeleCommunication Systems	\$ 2,841,723
800	Financing	\$ -
900	Project Contingency	
	Total	\$ 62,627,311

Include documentation to support cost of improvements. Acceptable examples are:

- 1) A notarized list identifying the general categories of the work completed, the date the work was completed, and each category's expense. *Exhibit A and B are attached.*
- 2) The Affidavit of the draw payments of the construction contract. (Please ensure that the affidavit includes a description of the work completed.) *This will be provided at a later date.*
- 3) Settlement Statement of the bank loan taken out for the construction costs. *Not applicable; it will be paid with cash.*

You must document that the value of the expansion or new construction exceeds \$50,000.00.

PART IV - ECONOMIC IMPACT INFORMATION

A. Estimated cost of improvements: *\$62M*

B. Permanent employment estimates:

If existing facility, the current employment level: *955*

Estimated number of new jobs created: *35*

C. Construction employment estimates:

Construction to start: Month: *August* Year: *2019*

Construction to be completed: Month: *October* Year: *2021*

Number of construction jobs anticipated:

At start: *20* Peak: *200* Finish: *20*

D. Estimated property tax base value increase:

Valuation of existing property as of January 1, preceding this application:

LAND	IMPROVEMENTS
------	--------------

<i>\$ 0</i>	<i>\$ 0</i>
-------------	-------------

Estimated value of property upon completion of the project subject.

LAND	IMPROVEMENTS
------	--------------

<i>\$ 0</i>	<i>\$ 0</i>
-------------	-------------

Estimated Gross Receipt Taxes generated by the business prior to the expansion or construction.
\$2,700,000

Estimated Gross Receipt Taxes to be generated by the business after the expansion or construction.
\$2,700,000

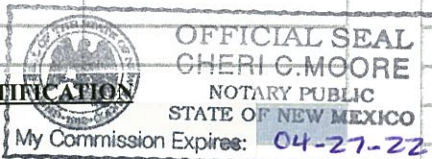
I declare under the penalties of falsification that this application, including all enclosed documents and statements, has been examined by me, and to the best of my knowledge and belief is true, correct, and complete.

12/11/2018
Date

Baskar Naser
Signature of Applicant

PROJECT SF	
Category	SF
New Construction	84,899
Renovation	19,488
Canopies @ 1/2	1,860
Total Project SF	106,247

ESTIMATE RECAP	
Category	Cost



NOTARY COPY CERTIFICATION

I, Cheri C Moore, a Notary Public, certify
this 7th day of DEC, 2018, the foregoing/attached
document is a true, correct, complete and unaltered copy of general
categories of work made by Robins & Morton
Cheri C Moore
Notary Public
My Commission Expires: 04-27-22

COST RECAP	
General Conditions	\$ 2,058,110
Hospital	\$ 9,015,834
Cancer Center	\$ 4,181,498
Medical Office Bldg & ASC/ASV	\$ 17,433,318
Sitework	\$ 3,159,634
Permits/Ins/Bonds/Contingency	\$ 3,797,998
Fee	\$ 1,288,508
Gross Receipts Tax	\$ 3,680,795
Total	\$ 44,615,695

ALLOWANCES INCLUDED IN ESTIMATE	
Building	
Item	Amount
X-Ray existing slabs	\$10,000
Door Hardware	\$300,000
Floor Moisture Mitigation	\$220,000
Sunshades	\$50,000
Louvered Screenwall	\$180,000
Sitework	
Item	Amount
Landscaping & Irrigation	\$300,000
Site Retaining Wall	\$80,000
Site Guardrail	\$35,000
Decorative Bollards (35 ea)	\$17,500

BUILDING ESTIMATE SUMMARY						
DIV.	Item of Work	QTY	Unit	Unit Cost	Total Cost	SF Cost
1	General Conditions	26	MO	79,158.08	2,058,110	19.37
2	Demolition / Infection Ctrl	1	L/S	332,869.00	332,869	3.13
2	Special Foundations	1	L/S	154,744.00	154,744	1.46
2	Soil Poisoning	43,801	SF	0.15	6,570	0.06
3	Cast-in-place Concrete	85,051	SF	19.59	1,666,429	15.68
3	Lightweight Insulating Conc.	13,694	SF	6.00	82,164	0.77
3	Precast Concrete		SF	0.00		0.00
4	Masonry		SF	0.00		0.00
5	Structural Steel	558	TNS	5,140.44	2,868,366	27.00
6	Rough Carpentry	1	L/S	503,343.00	503,343	4.74
7	Waterproof/Dampproof	1	L/S	126,000.00	126,000	1.19
7	Plaster/Stucco	51,368	SF	13.74	705,931	6.64
7	Metal Panels	1,910	SF	36.86	70,400	0.66
7	Roofing & Sheet Metal	49,258	SF	14.83	730,556	6.88
7	Fireproofing/Firestopping	1	L/S	119,240.00	119,240	1.12
7	Caulking & Sealants	1	L/S	195,868.00	195,868	1.84
8	Doors & Frames	452	EA	961.73	434,702	4.09
8	Coiling Doors & Grilles	6	EA	7,016.67	42,100	0.40
8	Automatic Doors/Trauma Doors	26	EA	8,211.54	213,500	2.01
8	Finish Hardware	437	SETS	997.19	435,774	4.10
8	Glass, Glazing, SF	10,585	SF	63.58	672,947	6.33
9	Metal Studs/Drywall	266,951	SF	12.75	3,404,954	32.05
9	Acoustical Ceilings	72,681	SF	7.22	524,606	4.94
9	Hard Tile	8,607	SF	13.47	115,955	1.09
9	Resilient Flooring & Carpet	91,708	SF	8.62	790,507	7.44
9	Moisture Mitigation Allow.	44,000	SF	5.00	220,000	2.07
9	Special Flooring	2,533	SF	50.00	126,650	1.19
9	Painting	1	L/S	396,956.00	396,956	3.74
10	Specialties	1	L/S	535,169.00	535,169	5.04
11	Equipment	1	L/S	40,000.00	40,000	0.38
12	Casework & Millwork	4,940	LF	260.80	1,288,349	12.13
12	Mecho shades/Blinds	1	L/S	102,885.00	102,885	0.97
13	Radiation Protection	1,855	SF	22.18	41,140	0.39
13	Special Construction	1	L/S	356,500.00	356,500	3.36
14	Conveying Systems	6	OPN	43,700.00	262,200	2.47
14	Pnuematic Tube		STAT	0.00		0.00
15	Mechanical	1	L/S	8,002,873.00	8,002,873	75.32
15	Fire Protection	1	L/S	440,582.00	440,582	4.15
16	Electrical	1	L/S	4,619,821.00	4,619,821	43.48
98	Contingency	1	L/S	2,275,865.00	2,275,865	21.42
99	Permits/Insurance/Bonds	1	L/S	1,522,133.00	1,522,133	14.33

BUILDING COST

BUILDING FEE

TOTAL BUILDING COST

36,486,758

1,185,820

37,672,578

3.25%

343.41

11.16

354.58

SITEWORK ESTIMATE SUMMARY						
DIV.	Item of Work	QTY	Unit	Unit Cost	Total Cost	SF Cost
2	Site Excav & Prep / Demo	1	L/S	945,678.00	945,678	8.90
2	Rock Excavation		L/S	0.00		0.00
2	Site Utilities	1	L/S	247,565.00	247,565	2.33
2	Storm Drainage	1	L/S	86,904.00	86,904	0.82
2	Soil Stabilization		L/S	0.00		0.00
2	Paving	26,024	SY	31.91	830,372	7.82
2	Curb & Gutter	9,300	LF	20.00	186,020	1.75
2	Walks	10,840	SF	9.71	105,203	0.99
2	Concrete Drives	1,462	SF	70.40	102,930	0.97
2	Site Concrete	1	L/S	160,050.00	160,050	1.51
2	Site Improvements	1	L/S	52,312.00	52,312	0.49
2	Fencing	1	L/S	24,000.00	24,000	0.23
2	Landscape/Irrigation (Allow)	1	Allw	300,000.00	300,000	2.82
2	Site Electrical	1	L/S	118,600.00	118,600	1.12

SITEWORK COST

SITEWORK FEE

TOTAL SITEWORK COST

3.25%

3,159,634

102,688

3,262,322

29.74

0.97

30.71

TOTAL PROJECT COSTS

TOTAL BUILDING & SITE COST

TOTAL BUILDING & SITE FEE

GROSS RECEIPTS TAX

TOTAL PROJECT COST

39,646,392

1,288,508

3,680,795

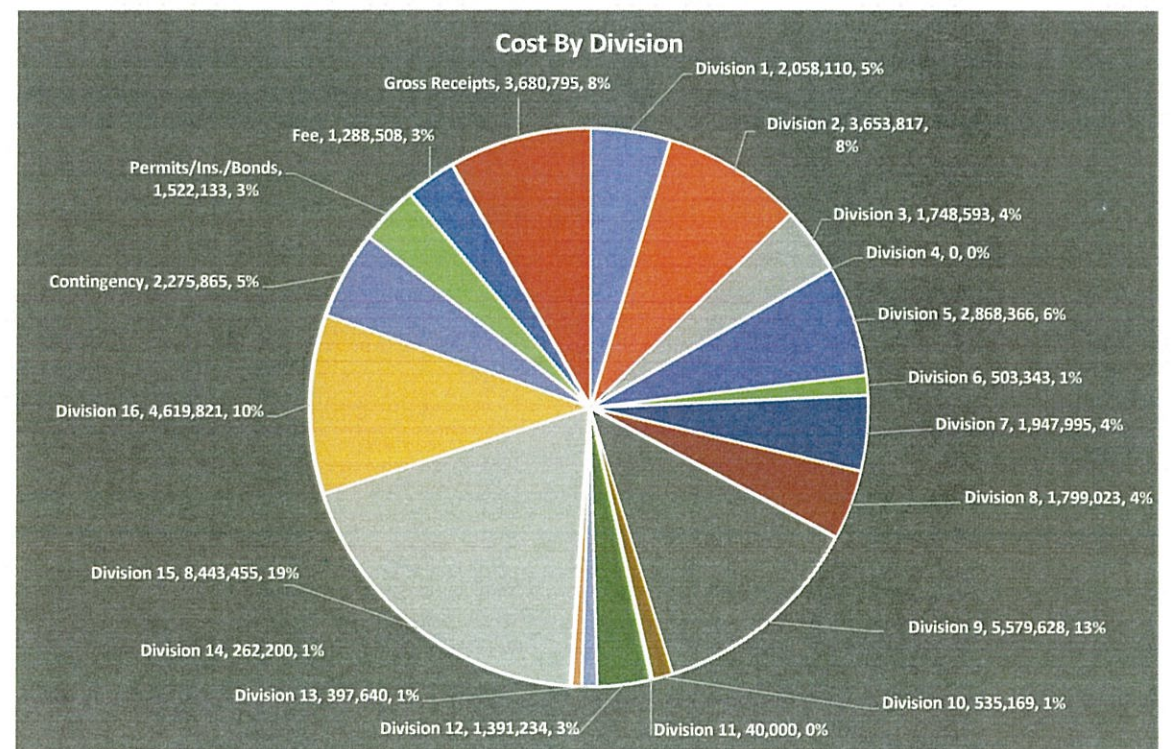
44,615,695

373.15

12.13

34.64

419.92





ROBINS & MORTON

PROJECT SF	
Category	SF
New Construction	84,899
Renovation	19,488
Canopies @ 1/2	1,860
Total Project SF	106,247

ESTIMATE RECAP	
Category	Cost



OFFICIAL SEAL
CHERI C. MOORE
NOTARY PUBLIC
STATE OF NEW MEXICO

NOTARY COPY CERTIFICATION

My Commission Expires: 04-27-22

State of New Mexico

County of Otero

I, Cheri C Moore, a Notary Public, certify

this 7th day of DEC, 2018, the foregoing/attached

document is a true, correct, complete and unaltered copy of general
categories of work made by Robins & Morton

Cheri C Moore
Notary Public

My Commission Expires: 04-27-22

Mechanical Breakdown		
Chilled Water Piping	\$	869,849
Heating Water Piping	\$	914,775
Chiller Equipment	\$	512,990
Boiler/Heating Equipment	\$	161,693
Controls	\$	136,259
	\$	2,595,566

* Does not include Permits/Ins/Bonds/Cont/Fee/GRT's

ALLOWANCES INCLUDED IN ESTIMATE

Building
Item
Amount

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

[illegible]

Sitework	
Item	Amount

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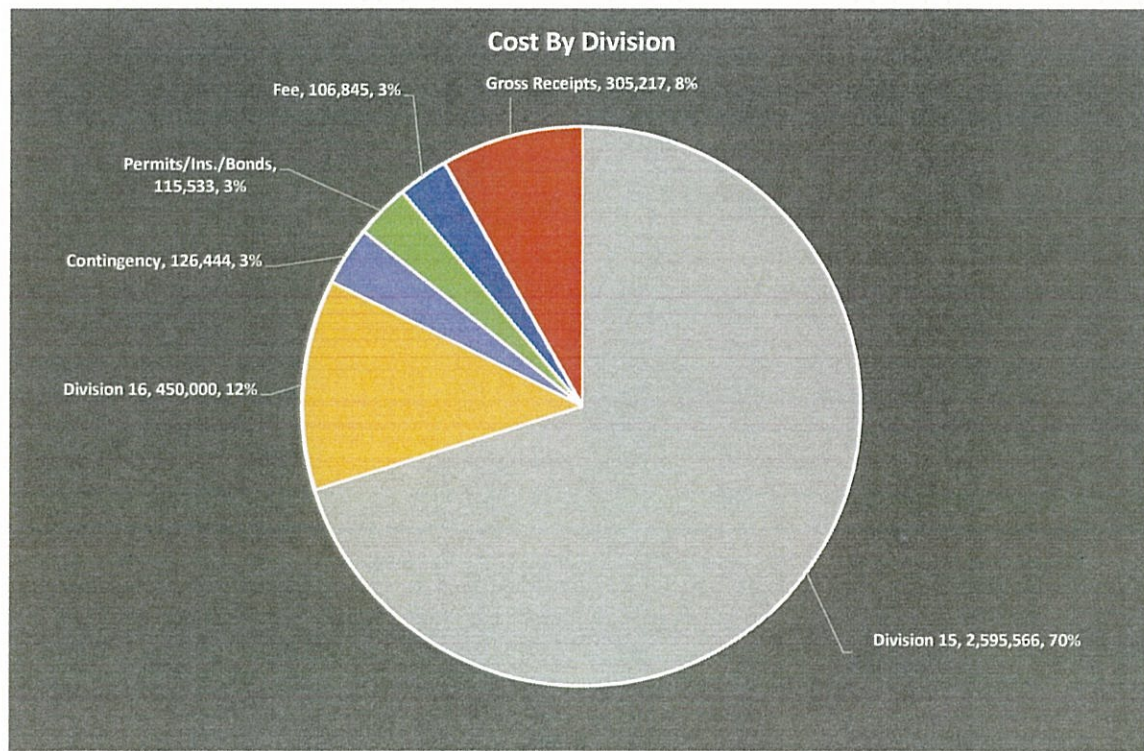
BUILDING ESTIMATE SUMMARY						
DIV.	Item of Work	QTY	Unit	Unit Cost	Total Cost	SF Cost
1	General Conditions		MO	0.00		0.00
2	Demolition / Infection Ctrl		L/S	0.00		0.00
2	Special Foundations		L/S	0.00		0.00
2	Soil Poisoning		SF	0.00		0.00
3	Cast-in-place Concrete		SF	0.00		0.00
3	Lightweight Insulating Conc.		SF	0.00		0.00
3	Precast Concrete		SF	0.00		0.00
4	Masonry		SF	0.00		0.00
5	Structural Steel		TNS	0.00		0.00
6	Rough Carpentry		L/S	0.00		0.00
7	Waterproof/Dampproof		L/S	0.00		0.00
7	Plaster/Stucco		SF	0.00		0.00
7	Metal Panels		SF	0.00		0.00
7	Roofing & Sheet Metal		SF	0.00		0.00
7	Fireproofing/Firestopping		L/S	0.00		0.00
7	Caulking & Sealants		L/S	0.00		0.00
8	Doors & Frames		EA	0.00		0.00
8	Coiling Doors & Grilles		EA	0.00		0.00
8	Automatic Doors/Trauma Doors		EA	0.00		0.00
8	Finish Hardware		SETS	0.00		0.00
8	Glass, Glazing, SF		SF	0.00		0.00
9	Metal Studs/Drywall		SF	0.00		0.00
9	Acoustical Ceilings		SF	0.00		0.00
9	Hard Tile		SF	0.00		0.00
9	Resilient Flooring & Carpet		SF	0.00		0.00
9	Moisture Mitigation Allow.		SF	0.00		0.00
9	Special Flooring		SF	0.00		0.00
9	Painting		L/S	0.00		0.00
10	Specialties		L/S	0.00		0.00
11	Equipment		L/S	0.00		0.00
12	Casework & Millwork		LF	0.00		0.00
12	Mecho shades/Blinds		L/S	0.00		0.00
13	Radiation Protection		SF	0.00		0.00
13	Special Construction		L/S	0.00		0.00
14	Conveying Systems		OPN	0.00		0.00
14	Pnuematic Tube		STAT	0.00		0.00
15	Mechanical	1	L/S	2,595,566.00	2,595,566	24.43
15	Fire Protection		L/S	0.00		0.00
16	Electrical	1	L/S	450,000.00	450,000	4.24
98	Contingency	1	L/S	126,444.00	126,444	1.19
99	Permits/Insurance/Bonds	1	L/S	115,533.00	115,533	1.09

BUILDING COST		3,287,543	30.94
BUILDING FEE	3.25%	106,845	1.01
TOTAL BUILDING COST		3,394,388	31.95

SITEWORK ESTIMATE SUMMARY						
DIV.	Item of Work	QTY	Unit	Unit Cost	Total Cost	SF Cost
2	Site Excav & Prep / Demo		L/S	0.00		0.00
2	Rock Excavation		L/S	0.00		0.00
2	Site Utilities		L/S	0.00		0.00
2	Storm Drainage		L/S	0.00		0.00
2	Soil Stabilization		L/S	0.00		0.00
2	Paving		SY	0.00		0.00
2	Curb & Gutter		LF	0.00		0.00
2	Walks		SF	0.00		0.00
2	Concrete Drives		SF	0.00		0.00
2	Site Concrete		L/S	0.00		0.00
2	Site Improvements		L/S	0.00		0.00
2	Fencing		L/S	0.00		0.00
2	Landscape/Irrigation (Allow)		Allw	0.00		0.00
2	Site Electrical		L/S	0.00		0.00

SITEWORK COST		0	0.00
SITEWORK FEE	3.25%	0	0.00
TOTAL SITEWORK COST		0	0.00

TOTAL PROJECT COSTS		
TOTAL BUILDING & SITE COST	3,287,543	30.94
TOTAL BUILDING & SITE FEE	106,845	1.01
GROSS RECEIPTS TAX	305,217	2.87
TOTAL PROJECT COST	3,699,605	34.82



AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 01/08/2019

Report Date: 01/04/2019

Report No: 13.

Submitted By: Rachel Hughs

Subject: Consider, and act upon, moving the Boards and Committees Annual Reports to the months of July of each year. *(Rachel Hughs, City Clerk)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Give Staff direction.

Background: Some Board Liaisons have asked if the annual reports can be moved from the months of January to the months of July to coincide with the Fiscal Year.

2-04-050. - Generally—Organization.

(3) At least once each year, every public board, commission or committee shall present a written report to the mayor and city commission of its activities for the past year and any recommendations as may be deemed appropriate and a record of attendance of members for the term of the year.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 01/08/2019

Report Date: 12/31/2018

Report No: 14.

Submitted By: Petria Schreiber

Subject: Consider, and act upon, a Code of Conduct violation filed against Commissioner Susan Payne by Richard Merrick. (*Petria Schreiber, City Attorney*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background:

The Commission adopted by ordinance a Code of Conduct for Elected Officials in late 2014. The ordinance lists eleven different codes by which the individuals members of the Commission are expected to comply with when acting in their capacity of an elected official. In the event another member of the Commission, a member of the public, or others believe that a Commissioner has violated the Code of Conduct, that person can file a complaint specifying the reasons they believe a violation occurred. Provided the complaint complies with the requirements of the ordinance as to form, the complaint is initially referred to a Preliminary Review Committee consisting of the three most senior members of the Commission. A copy is also provided to the subject of the complaint to allow that elected official the opportunity to submit any response or other documentation they want considered by the Commission. After the members of the Preliminary Review Committee review the complaint, they are required to make either a finding of cause or no-cause that the elected official either violated or did not violate the Code of Conduct. That preliminary finding is then forwarded to the full Commission for its consideration.

Mr. Richard Merrick filed a complaint against Commissioner Payne alleging six separate violations of the Code of Conduct. A copy of the complaint is attached along with Commissioner Payne's response. The complaint was forwarded to the Preliminary Review Committee. On five of the counts, all three members of the Preliminary Review Committee found no cause, and on one of the counts, two members found no cause, and one member found cause. The Code of Conduct provides that a finding of no-cause by two or more members of the Preliminary Review Committee requires a vote of at least five City Commissioners in order for the Commission to take any further action on the Complaint.

Due to the no-cause finding by the Preliminary Review Committee

- (1) the Commission can either take no action, which results in this particular matter being concluded;
- (2) entertain a motion to consider the complaints, which as noted would require 5 affirmative votes to pass; or

(3) entertain a motion to sustain the no-cause finding by the Preliminary Review Committee.

In the event at least five of the Commissioner affirmatively vote to consider the matter, the Commission has three courses of action available to it:

(1) If the Commission determines there is no cause to believe that the Commissioner violated the Code of Conduct, then the Commission shall take no further action in the matter;

(2) If the Commission determines there is cause to believe that the Commissioner violated the Code of Conduct, but decides not to conduct a formal hearing on the matter, the Commission shall take no further action in the matter, except that the Commission may issue a warning to the Commissioner. If the Commission does issue a warning, the Commissioner who is the subject of the complaint has a right to request a formal hearing; or

(3) If the Commission determines there is cause to believe that the Commissioner violated the Code of Conduct, and also decides to pursue action more severe than a warning, the Commission shall order that a formal hearing be conducted.

The Commission is required to make a reasonable attempt to conduct the hearing within 90 days.

When considering the complaint, the Commission should remain mindful that the stated intent of the ordinance is to educate, and where necessary, discipline the elected official. Discipline shall be progressive unless the gravity of the individual's actions require otherwise.

RECEIVED

NOV - 2 2018

City of Alamogordo
City Attorney's
Office

November 2, 2018

I Richard Merrick do hereby state that all facts and information contained within this complaint are true and correct and that I have good reason to believe that the facts alleged constitute a violation of the City of Alamogordo's Code of Conduct.

This complaint is based on information contained within the attached documents and the five attachments to that document.

Signed:



Richard Merrick

3033 Los Robles

Alamogordo, NM 88310

575-430-6697

Richardjmerrick1@outlook.com



April D Jones
11-2-2018

RECEIVED

NOV - 2 2018

November 2, 2018

City of Alamogordo
City Attorney's
Office

To the Honorable Mayor Richard Boss and distinguished members of the Alamogordo City Commission,

I am submitting this complaint to the Commission via the City Attorney, as required, to report a violation of the Alamogordo Code of Ordinances, 2-03-570. - Code of conduct, Paragraphs (3) a, c, d, h, & k, by the City of Alamogordo, District 3 Commissioner, Mrs Susan Payne.

However, as the current City Attorney, Ms Petria Schreiber is noted as part of this complaint, I also respectfully request that either an assistant city attorney, or outside counsel, review this complaint for consideration by the Alamogordo City Commission. While City Attorney Schreiber is not identified as directly participating in the alleged violation, she did "Like" some of these Facebook posts from Commissioner Payne, obviously without counseling her to either remove the post or add into the original post a statement saying that Commissioner Payne was posting as a private citizen. Thus it is my opinion that Ms Schreiber should recuse herself from this process completely to ensure an unimpeachable and transparent process.

Alleged violations:

Between Wednesday, September 26th, 2018 at 9:09 pm & Saturday, September 29th, 2018, at 10:05 pm, Commissioner Payne posted at least three public posts, on her personal Facebook Page, as well as the Alamogordo City Watch Group Facebook page among others, attacking the New Mexico State Auditor, Wayne Johnson, both personally as well as professionally. Her posts shared news articles from the Albuquerque Journal & the Alamogordo News, with her negative comments attached. These posts have been widely interpreted by the public, some of the local news stations, as well as an Albuquerque news Station, as a City Commissioner attempting to deflect attention from the scathing report by the State Auditor's office alleging several significant errors and violations of NM State Finance laws in regard to the financing and building of the Alamogordo Family Fun Center, aka; Basin Lanes, aka; Rocket City Fun Center, by attempting to impeach the integrity and competence of the State Auditor thru the sharing of negative press reports about Mr Johnson. Additionally, in one of her posts, she also attacked the integrity and respect for the office of the State Auditor itself.

In this complaint, I believe I will show that Commissioner Payne's actions and writings were not only direct violations of the Alamogordo City Commission Code of Conduct, but additionally caused damage to the reputation of the entire City Commission and City of Alamogordo. It is my belief that the PSA published on September 12th, 2018 (see attachment 1), by the City of Alamogordo Public Information Office, clearly stated to the citizens of Alamogordo that the "The City takes that use of taxpayer dollars very seriously..." and would be hiring outside counsel to investigate the allegations thoroughly. By appearing to deflect attention to possible issues with Mr Johnson, criticizing his competence and qualifications, no less issues that he has not been cited for or convicted of, Commissioner Payne indicated by her own words that the report should not be believed or taken seriously in any manner by the citizens of Alamogordo.

Note: as of this writing, the City of Alamogordo has published another PSA responding to the State Auditor's report. That response has no bearing on this Code of Conduct complaint other than to once again show that the City of Alamogordo is taking those allegations seriously. However, I believe that Commissioner Payne's posts, as identified here, show that she held the whole process, the Auditor himself, and the office of the State Auditor in contempt.



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City Attorney's

Those posts directly contravened the specifics and intent of the City Commission Code of Conduct, 2-03-570 Paragraphs (3) a ("...they will endeavor to treat all persons, claims and transactions in a fair and equitable manner."), c ("Commissioners shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of the commission, city staff or the public."), h ("Personal opinions and comments may be expressed only if the commissioner clarifies that these statements do not reflect the official position of the city commission."), & k ("Even if the commissioner is representing his or her own personal opinions, remember that this still may reflect upon the city as an organization. If the commissioner is representing the city, the commissioner must support and advocate the official city position on an issue, not a personal viewpoint.").

Specific posts:

In the first post she simply posted "Go figure???" above a link to an Albuquerque Journal article titled "Wayne Johnson rejects claim that dual posts violate law". I believe this implies that Mr Johnson is willing to issue a negative report about the city but won't accept potential faults within his own conduct. Please note that this post was "liked" by Alamogordo City Attorney Petria Schreiber and is why I have requested for her to be recused from any part of the process of this complaint. (please see attachment 2).

In the next post, apparently on Commissioner Payne's personal Facebook page she posted, "Not only is he not a CPA, he's not even an accountant. He worked for his mommy, lost the mayoral race and was awarded the boobie prize of state auditor after losing the mayoral race. Well now I have confidence." She then added three laughing emojis. This quote is from a news report by KQRE News on Monday, October 1st, 2018 (please see attachments 3 & 4).

By the apparently dismissive and sarcastic tone of this post, I believe that Commissioner Payne was deriding Mr Johnson's qualifications, his work in his family's business, his run for mayor, and then implied that when he lost that race he "was awarded the boobie prize of state auditor". Not only does this post continue the apparent attack on Mr Johnson personally, but now clearly states that Commissioner Payne feels that the State Auditor's office is a "boobie prize". This may seem silly to put it here, however "boobie prize" is defined as: "1: an award for the poorest performance in a game or competition, 2: an acknowledgment of notable inferiority" – Merriam-Webster online dictionary. In this comment she has not only attacked the integrity of the person, but also attacked the office to which he is posted. This can only bring discredit to the City Commission and City itself.

Then finally on Saturday, September 29th, 2018 at 10:05pm, Commissioner Payne posted this on the Alamogordo City Watch Group page:

"The bio of our state auditor. Not only is he not a CPA, he's not even an accountant...it just screams qualified" She then again added three laughing emojis. After the emoji's, she posted a portion of Mr Johnson's bio. (please see attachment 5)



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Specific portions of the Code of Conduct I believe Commissioner Payne is in violation of:

2-03-570. - Code of conduct. (3)a. *Act in the public interest.* Recognizing that stewardship of the public interest must be their primary concern, the commissioners will work for the common good of the people of Alamogordo and not for any private or personal interest, and they will endeavor to treat all persons, claims and transactions in a fair and equitable manner.

I believe it to be clear that by her posts on Facebook, Commissioner Payne is clearly not "treating all persons, claims and transactions in a fair and equitable manner.

2-03-570. - Code of conduct. (3) c. *Conduct of members.* The professional and personal conduct of commissioners must be above reproach and avoid even the appearance of impropriety. Commissioners shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of the commission, city staff or the public.

While it could be said that Mr Johnson is a member of the State Government and not "the public", and as the definition of "the public" is not defined in the definitions section of the Code of Conduct, I consider "the public" to be anyone that is not a member of the commission or city staff. In Commissioner Payne's posts, I believe she clearly engaged in "abusive conduct", made "personal charges" on the qualifications of Mr Johnson, and conducted "verbal attacks upon the character or motives of" not just Mr Johnson, but also the character of the office he holds.

2-03-570. - Code of conduct. (3) d. Respect for process. Commissioners shall perform their duties in accordance with the processes and rules of order established by the city commission governing the deliberation of public policy issues, the involvement of the public, and the implementation of policy decisions of the city commission by city staff.

In creating and publishing these posts, Commissioner Payne directly contravened the Public Service Announcement of September 12th, 2018, which by its official publication from the City of Alamogordo Public Information Office and having the City Attorney Petria Schreiber listed as the "Contact for this release" must be considered as the official position of the City Government and in turn the City Commission as a whole. Thus, she demonstrated no "Respect for process" and clearly undermined the public's perception of the entire government of the City of Alamogordo.

2-03-570. - Code of conduct. (3) e. *Conduct at public meetings.* Members shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of the meetings. Members shall commit to practice civility and decorum in discussions and debates. Members shall commit to honoring the role of the chair person in maintaining order, keeping discussion on track, and focusing discussion on agenda items at hand. Commissioners shall avoid debate and argument with the public. Commissioners shall not engage in personal attacks of any kind under any circumstance.

As this section applies to "Conduct at public meetings", I included it not with the intention of having Commissioner Payne found "for cause" on this item. I include this section simply to clearly show the intent of the commissioners that did write and approve this addition to the Code of Ordinances.

"Commissioners shall not engage in personal attacks of any kind under any circumstance." While the posts in question were not published during a public meeting, they were posted to the public and due to

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the personal nature of the negative comments written therein, I believe she did "engage in a personal attack..." against Mr Johnson and the office of the State Auditor.

2-03-570. - Code of conduct. (3) h. *Representing an official city position.* Commissioners may use their title only when conducting official city business, for information purposes, or as an indication of background and expertise, carefully considering whether they are exceeding or appearing to exceed their authority. Once the commission has taken a position on an issue, all official city correspondence regarding that issue will reflect the commission's adopted position. If a member of the commission appears before another governmental agency organization to give a statement on an issue affecting the city, the commissioner should indicate the majority position and opinion of the commission. Personal opinions and comments may be expressed only if the commissioner clarifies that these statements do not reflect the official position of the city commission.

k. *Other public agencies.* If a commission member appears before another governmental agency or organization to give a statement on an issue, the commissioner must clearly state if his or her statement reflects personal opinion or is the official stance of the city. Even if the commissioner is representing his or her own personal opinions, remember that this still may reflect upon the city as an organization. If the commissioner is representing the city, the commissioner must support and advocate the official city position on an issue, not a personal viewpoint. If the commissioner is representing another organization whose position is different from the city, the commissioner should withdraw from voting on the issue if it significantly impacts or is detrimental to the city's interest. Commissioners should be clear about which organizations they represent and inform the mayor and commission of their involvement. City letterhead may be used only when the commissioner is representing the city and the city's official position. A copy of official correspondence should be given to the city clerk to be filed as part of the permanent public record.

I have put paragraphs h & k together because they are very similar and make clear the position that the code of conduct spells out for comments made by a member of the City Commission:

"Personal opinions and comments may be expressed only if the commissioner clarifies that these statements do not reflect the official position of the city commission."

Five words would have completely negated this entire Code of Conduct violation. "Speaking as a private citizen". Had those words been included in any of the original posts, and not put in later as an afterthought, there would be no violation. I do believe that Commissioner Payne, being well known as a city commissioner, would have still caused embarrassment for the City Commission and Government, but it would not have been an issue that could be considered for any type of sanction.

"If a commission member appears before another governmental agency or organization to give a statement on an issue, the commissioner must clearly state if his or her statement reflects personal opinion or is the official stance of the city. Even if the commissioner is representing his or her own personal opinions, remember that this still may reflect upon the city as an organization. If the commissioner is representing the city, the commissioner must support and advocate the official city position on an issue, not a personal viewpoint."

The question here is if her social media posts can be considered as "appearing before another governmental agency or organization". While I am sure that the argument will be made that social media does not constitute an "appearance", in today's electronic information world, where elected

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officials routinely issue statements of positions on many subjects thru social media, I do believe that posts such as these are, without the five key words, appear to the public to be a statement from a commissioner, which then leads toward the comments not being the "official city position" as stated in the PSA of September 12th, 2018.

Summation:

I ask the Alamogordo City Commission to evaluate and determine if District 3 Commissioner Susan Payne did in fact violate the Alamogordo Code of Ordinances, 2-03-570. - Code of conduct, Paragraphs (3) a, c, d, h, & k. I also ask that if she is found "for cause" on any of these violations, but not all, that the commission sever the complaint and findings into the individual sections found "for cause".

In considering this complaint, but specifically NOT recommending any particular level of sanction, I would like to direct the Commissions attention to paragraph 4 of the Code of Conduct:

4. In determining whether to impose a civil fine and the amount of the civil fine, the commission shall consider the totality of the circumstances, including, but not limited to:

i. The nature and seriousness of the violation;

I believe the reputation of the City Government of Alamogordo as a whole has been severely damaged due to the very personal nature of the posts in regard to Mr Johnson. But I also pray that the Commission see the damage to the City's reputation in regard to the State Auditor's office itself, a VERY important and essential office in our state government.

v. Whether the violation was negligent or intentional;

I believe it is abundantly clear that these posts were absolutely intentional and intended to undermine the credibility of the State Auditor Mr Wayne Johnson AND the office of the State Auditor to the citizens of Alamogordo.

vi. Whether the commissioner demonstrated good faith by consulting staff or another government agency or an attorney;

It seems apparent that Commissioner Payne did not consult with anyone about her posts, however if she had, it seems that the City Attorney, Ms Petria Schreiber would not have found any problem with those posts based on her "like" of the original one.

vii. Whether the commissioner had prior notice that his or her conduct was prohibited;

Based on the years that Commissioner Payne has attended commission meetings as a citizen and later a commissioner, I believe it to be given that she was aware of the Code of Ordinances and the specific requirement to ensure that she did not ever represent her own opinions as the opinion of the whole commission. Additionally, in numerous other posts Commissioner Payne has posted with opinions about a wide range of issues, including the Family Fun Center, she has used many variations of the five words, "speaking as a private citizen". It is without question that Commissioner Payne knew that "her conduct was prohibited".



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I ask the Commission to recognize the intentional and willful violations of the Code of Conduct by District 3 Commissioner Susan Payne. If "cause" is found, I do not presume to suggest any particular level of sanction to take in this case. However, I do ask that the intentional and severe nature of her disparaging comment regarding the office of the State Auditor, "a boobie prize", and the personal damage to Mr Johnson's reputation be considered in deciding what action to take. I hope that the commission chooses to make a clear statement to all of our commissioners, currently in office and those that may take office in the future, that this behavior will not be tolerated at all. Simultaneously, by issuing a strong and clear vote for "cause" with a significant sanction, I hope the commission will also send a message to the citizens of Alamogordo that reports such as the State Auditor's report on the Family Fun Center, will ALWAYS be taken "very seriously".

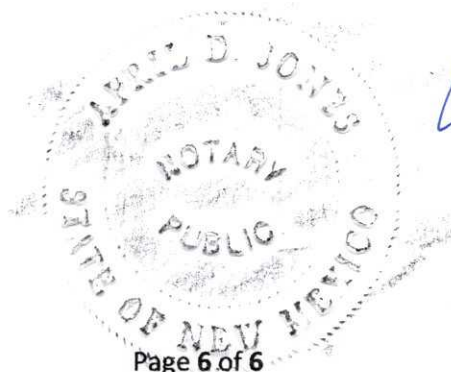
Finally, I believe it to be appropriate for Commissioner Payne herself, on the record at a city commission meeting, in a written letter to Mr Johnson, and with a follow up post on Facebook that includes a copy of the letter, to unreservedly apologize to Mr Johnson and the office that he holds. While there is no provision in the Code of Conduct to require Commissioner Payne to make such a statement, I would hope that as a commissioner, she would want to repair the damage caused by her actions and move forward. I would recommend to the City Commission that if she does willingly make these statements, that while they may find "for cause", they reduce any sanction at least one level from whatever they would impose if she does not make this attempt at repairing the damage done.

I would like to thank the City of Alamogordo Mayor Richard Boss and the distinguished members of the Commission for their consideration of this complaint. I look forward to your decision.

Signed



Richard Merrick
3033 Los Robles
Alamogordo NM 88310
575-430-6697
Richardjmerrick1@outlook.com



April D Jones
11-2-2018

FOR IMMEDIATE RELEASE

Public Information Office
City of Alamogordo
1376 E. 9th Street, Alamogordo, NM 88310
Office: 575-439-4264
Email: coapio@ci.alamogordo.nm.us



PUBLIC SERVICE ANNOUNCEMENT

CITY OF ALAMOGORDO

City of Alamogordo

Alamogordo, NM Wednesday, September 12, 2018 The City of Alamogordo is in receipt of a letter from the Office of the State Auditor that contains several allegations regarding the Family Fun Center and the use of Local Economic Development Funds. The City takes this letter very seriously and has retained outside counsel to help assess the letter and advise on next steps should any need to be taken. Please be aware that these are not audit findings and this was simply an inquiry by the Office of the State Auditor. The State Auditor did not make any recommendations, impose any sanctions, or attempt to shut any projects down within in the City. The City takes the use of taxpayer dollars very seriously and is reviewing the legal opinions, emails, and other correspondence with the State and other agencies it received regarding the use of LEDA monies that the City relied upon in moving forward with the Project Participation Agreement.

###

Contact for this Release

Petria Schreiber
City Attorney
575-439-4210
pschreiber@ci.alamogordo.nm.us

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Susan Payne

Learn more about the City of Alamogordo, services, happenings and other information at

<http://ci.alamogordo.nm.us>, www.alamogordo.com or @CityOfAlamogordo on Facebook



4 Comments

ATTACHMENT 1

PSM



Susan Payne shared a link.



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September...t 21:09 ·

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Go figure???



ALBUQUERQUE JOURNAL · 2 MIN READ

Wayne Johnson rejects claim that dual posts violated law



Like



Comment



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Petria Schreiber and 2 others



Write a co...



ATTACHMENT 2



New Mexico

Alamogordo commissioner's Facebook post causing controversy

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By:

KRQE Media (<https://www.krqe.com/meet-the-team/krqe-media/882323233>)

✉ (mailto:webdesk@krqe.com)

Updated: Oct 01, 2018 04:38 PM MDT

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City of Alamogordo
City Attorney's
Office



ALAMOGORDO, N.M. (KRQE) - A Facebook post by a New Mexico city commissioner is angering some of her constituents.

Alamogordo Commissioner Susan Payne used her personal Facebook page to call out State Auditor Wayne Johnson.

This, after the state auditor released a report last month saying the city wasted tens of thousands of dollars building the family fun center.

The report called out the city for spending money on designs never used, and giving the green light to a private contractor to spend city money without protecting itself.

In her post about Johnson, Payne said in part, "Not only is he not a CPA, he's not even an accountant. He worked for his mommy, lost the mayoral race and was awarded the boobie prize of state auditor after losing the mayoral race. Well, now I have confidence." She then added three laughing emojis.

Some people have fired back saying "what's super impressive is the fact that he isn't qualified," and still caught the city in this massive debacle.

Payne answered back saying she's just a private citizen providing information. In response, some called her out saying she isn't just a private citizen and that changed when she took the oath of office.

KRQE News 13 reached out to Payne for comment, but have not heard back.

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ATTACHMENT 3

1 of 2



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[Handwritten signature]

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Not only is he NOT a CPA He's not even an ACCOUNTANT. He worked for his mommy, lost the mayoral race and was awarded the boobie prize of state auditor after losing the mayoral race. Well now I have confidence 😊😊😊

Like · Comment



Add a comment...

ATTACHMENT 4

RB/M

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Group

 **Susan Payne** shared a link. ...
September 29 at 10 05 PM

The bio of our state auditor. Not only is he not a CPA, he's not even an accountant...It just screams qualified 🤔🤔🤔

Johnson was born in Albuquerque, New Mexico, and attended Sandia High School. He received a bachelor's degree in university studies, with an emphasis in computer engineering and film/television, from the University of New Mexico. His professional experience includes working as the president of Vista Media, a company that his mother started in 1975 [3]



ALAMOGORDONEWS.COM

New Mexico auditor accused of mispending campaign funds

Wayne Johnson, a Republican, claimed political favoritism was behind the...

👍👍👍 Barbara Moore, William Powell and 6 others 14 Comments 1 Share

ATTACHMENT 5 

December 3, 2018

RE: Merrick Code of Conduct

Alamogordo City Commission,

The following is my response to the code of conduct complaint filed by Rich Merrick on November 2, 2018. The complaint involves two facebook posts made between September 26th and September 29th, 2018.

On the night of September 26th I was scrolling through the online newspaper and came across a newspaper article from the Albuquerque Journal regarding State Auditor Wayne Johnson. It was a story about how Mr. Johnson took a paycheck from his county commissioner position while simultaneously taking a paycheck as the state auditor. I simply posted "go figure?" and left it at that. On the night of September 29th I was once again scrolling through the online newspaper and came across yet another article about auditor Johnson "mispending campaign funds" (it should be noted that he was a political candidate running for office) and I found it sort of interesting that this was the second time in a week that this candidates credibility was called in to question by two different news sources. After reading this second article, I must admit I was curious to know what his credentials were since he was running for office. I looked up Ballotpedia which is a reputable source for candidate information and found his bio which I then copied and pasted. Mr. Merrick is correct, I did say he won the boobie prize. Mr. Merrick is incorrect in saying that I saw the position of state auditor in that way. In fact, I see it quite the opposite. It is an incredibly important position and I, as a tax paying citizen, did not feel he was qualified to fill it after reading his bio. My reference was to the fact that he lost the mayor's race to the former state auditor so instead he got the office of state auditor which is not what he was after. I believe the definition Mr. Merrick used was "*an award for the poorest performance in a game or competition.*" That was in fact what happened. Mr. Johnson was awarded an appointment to serve the rest of the term of state auditor after losing the mayor's race (which he competed for) but was not really what he wanted. While my tone may have been a bit snarky it was not incorrect and it was only my opinion. If you will note on the September 29th post I said "well now I have confidence." I posted this from my personal page which has nothing on it about my elected position (but does have a disclaimer about my opinions being my own and not reflecting others), nor has it ever, this is my personal page that I have had since 2009. Using I instead of WE should be a clear indication that I was speaking for myself and not the commission. The bio is factual and was found with a simple google search. Both the Albuquerque Journal and The Alamogordo Daily News put out unfavorable articles about Auditor Johnson which I simply shared. Finally, this incident was in September and in October Mayor Boss and I attended the RPOC meeting where Mr. Johnson was the speaker. We had a very meaningful conversation, he was very cordial and made it a point to come and introduce himself to both the Mayor and I, and afterwards I spoke to both he and his wife. I found him to be a very pleasant individual. It should also be noted that Mr. Merrick and his wife were both in attendance and witnessed the exchange

and subsequent conversation. I have made public posts and comments about other topics of interest to me including the Alamogordo Public Schools and my disappointment with their operations and treatment of teachers. I have done so without the disclaimer of private citizen and yet no one has said a word. I understand this is not quite the same since the auditor put out a report about the city however the statement at the end of the complaint says that “all she had to do was put those five words in” and this would have been avoided. I disagree as I think it was very obvious I was not speaking for the commission. In addition, Mr. Merrick suggests that I did irreparable damage to Mr. Johnson’s reputation. I would ask if it was any worse than the two articles suggesting he was cheating the taxpayers or misappropriating funds?

2-03-570 (3) a. The suggestion was made that I did not ***“treat a person or claim in a fair and equitable manner”***. This is simply not true. If I am to assume that he is referring to the “claim” in the auditor’s report, he is very mistaken. I took that report very seriously and I spent MANY hours researching where we could have gone wrong and what we could have done different because I did take the report seriously.

2-03-570 (3) c. ***“commissioners shall refrain from abusive conduct, personal charges of verbal attacks upon the character or motives of other members of the commission, city staff or the public.”*** Mr. Johnson was a political candidate running for office. As a registered voter I routinely look up information about candidates including their qualifications because I don’t vote on party lines. This was not abusive, nor was I calling him out for anything, nor was it a personal charge. Everything said was factual information, he was a political candidate and I simply put it out there. I think it was obvious that my post did not represent an official city position because there was no position to represent, simply facts.

2-03-570 (3) d. ***“Respect for process. Commissioners shall perform their duties in accordance with the processes and rules of order established by the city commission governing the deliberation of public policy issues, the involvement of the public, and the implementation of policy decisions of the city commission by city staff.”*** I’m almost insulted at the suggestion that I don’t have respect for the process. I just spent tens of thousands of dollars and three years of my life being educated about the process. I’ve worked hard and will continue to work hard for this city. I respect the process but I believe the process has to be fair. I take my position very seriously and have devoted much time away from family and work to represent our city at various events and meetings. I understand my position and what is expected of me but I am also entitled to a personal life with personal beliefs just as we all are.

2-03-570 (3) e. ***“Commissioners shall not engage in personal attacks of any kind under any circumstance”*** My post wasn’t personal it was factual and I can provide a copy of the factual information if needed.

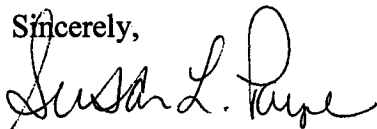
2-03-570 (3) h. ***“Personal opinions and comments may be expressed only if the commissioner clarifies that these statements do not reflect the official position of the city commission.”*** I do not routinely go on facebook and share my personal opinion on other pages but when I do I make it very obvious that it is my opinion and not that of the commission. I had many people call, message or text and tell me that they in no way saw my comments as taking an official city

position and they did not feel I deserved to be personally attacked like I was. As I said above, I never said WE I said I meaning me alone.

2-03-570 (3) k. ***“If a commission member appears before another governmental agency or organization to give a statement on an issue, the commissioner must clearly state if his or her statement reflects personal opinion or is the official stance of the city. Even if the commissioner is representing his or her own personal opinions, remember that this still may reflect upon the city as an organization.”*** Like I said, I never said WE I said I. Furthermore, if we take this section literally then does that mean if I speak for my Christian non-profit to another entity like the state legislature for instance, and I am advocating for a change in a particular law that I believe may be morally wrong, does that mean I need to preface my comments by saying “I am speaking as a private citizen” or would it even ever occur to anyone to ask rather than safely assume? As I mentioned earlier, I have been advocating for change in our public schools for several years now and I have never been called out as speaking for the commission, nor have I ever made that disclaimer when doing so. I did not discuss any city business or legal matters nor would I ever. A reasonable person understands that the opinions expressed are mine and do not reflect the opinions of my colleagues.

I would like to be clear about my position on this. My tone was snarky, no doubt about it, but my statement was factual and was never intended to represent anyone else’s opinion in any way. I am humbled to have been elected to this position and I take my job very seriously. I believe I have demonstrated time and time again that I am committed to my position and to moving this city forward in spite of the constant berating and personal attacks that I (as well as some others) endure on almost a daily basis by the same small group of unhappy citizens. While I understand the reason for initially instituting the code of conduct section in our ordinances I do not believe it is currently being used in the spirit in which it was intended. It is now being used as a weapon by individuals who want to control the actions of their elected officials by attempting to publicly shame them because of personal grudges. It is disappointing to say the least and only serves to disrupt the important work that we have been tasked with. Thank you for your time.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan L. Payne". The signature is fluid and cursive, with the first name "Susan" being more prominent.

Susan L. Payne

City Commissioner District 3

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 01/08/2019

Report Date: 12/31/2018

Report No: 15.

Submitted By: Rachel Hughs

Subject: Notification of Vacancies for Boards and Committees. *(Richard Boss, Mayor)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Read Vacancies.

Background:

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

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

Alamogordo Public Library Board – Two (2) current city vacancies, One (1) expiring city term and Two (2) county vacancies. Staff Liaison - Melissa Garcia
Joel Hamilton's term will expire in February 2019
No nominations received.

Senior Volunteer Programs Advisory Council. Four (4) city vacancies. Staff Liaison - Neil McFarland.
No nominations received.

White Sands Beautification Committee. One (1) vacancy. Staff Liaison - Stella Real.
No nominations received.

If anyone is interested in applying to serve on a board or committee, you may do so with the City Clerk's office.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 01/08/2019

Report Date: 12/20/2018

Report No: 16.

Submitted By: Petria Schreiber

Subject: Adjourn into Executive Closed Session in compliance with 10151(h), NMSA 1978 (as amended) to discuss real property of the Fairgrounds Parking Lot.

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background: