Alamogordo City Commission

NOTICE OF MEETING

Regular Meeting Agenda

February 12, 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 a 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 on pilot program to humanely reduce cat population in the community. *(Kathleen Denton)*

2. Presentation on Historical Data and Debt Profile. *(John Archuleta, George K. Baum & Company)*

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 January 29, 2019 Regular meeting. *(Rachel Hughs, City Clerk)*

4. Approve the statements related to the Executive Closed Session held on January 29, 2019. *(Rachel Hughs, City Clerk)*

5. Approve the Investment Report for the quarter ending December 31, 2018, in accordance with the City of Alamogordo Investment Ordinance. *(Sue Ashe, Acting Finance Director)*

ITEMS REMOVED FROM CONSENT AGENDA

PUBLIC HEARINGS

6. Consider, and act upon, Application No. 0029 a Transfer of Ownership of Dispenser Liquor License No. 0029 at 200 S. New York Ave. to Murphy Oil USA, LLC DBA Murphy Express #8880. *(Rachel Hughs, City Clerk)*

NEW BUSINESS

7. Consider, and act upon, Change Order No. 2, Public Works Bid No. 2018-003, to General Hydronics Concrete, LLC related to the Griggs Reservoir Outfall Structure Modifications and Storm Drain Improvements project, in an amount not to exceed $43,633.92, excluding NMGRT. *(Bob Johnson, Engineering Manager)*

8. Consider, and act upon, the budget process and documents for the FY2019 - FY2020 preliminary budget. *(Evelyn Huff, Budget Analyst)*

9. Consider, and act upon, approval for Alamogordo Police Department to submit a grant application to the U.S. Department of Justice, Office of Violence Against Women for $500,000 for Domestic Violence prevention-related programs. *(Brian Peete, Alamogordo Police Chief and Debbie Osborne, Grant Coordinator)*

10. Consider, and act upon, the December 2018 Monthly General Fund and Gross Receipts report. *(Sue Ashe, Acting Finance Director)*

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

EXECUTIVE SESSION (Roll Call Vote Required)

12. Adjourn into Executive Closed Session in compliance with 10-15-1(h) 8, NMSA (as amended) to discuss Real Property - both the finalization of the Fairgrounds Parking Lot lease and a potential sale of land in La Luz.

ADJOURNMENT

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 02/12/2019 **Report Date:** 02/05/2019 **Report No:** 1.

Submitted By: Rachel Hughs

Subject: Presentation on pilot program to humanely reduce cat population in the community. *(Kathleen Denton)*

Fiscal Impact:
Amount Budgeted:
Fund:

Additional Fiscal Impact:

Recommendation: Presentation only.

Background: Mrs. Denton will give information on pilot program to humanely reduce the cat population in the community, reduce the intake of cats into Animal Control, and reduce unwanted litters of kittens through sterilization program.

RECEIVED
FEB 04 2019
CITY CLERK

City of Alamogordo City Commission Meeting

AGENDA REQUEST FORM

Date: February 4, 2019

Request Date of Meeting: February 12, 2019

Name: Kathleen (Kathy) Denton and Desiree Triste-Aragon

Address: 56 Danley Ranch Road

Alamogordo, NM **ZIP** 88310

Phone Number: 575-430-1914

E-Mail Address: kittykate831@hotmail.com

Item requested will be for: **(Please check one)**

[ ] Information only **[X] Presentation**

Brief description of topic to be discussed:
Please attach one original of any documents pertaining to the topic -
We do not allow handouts at the meeting

Present information and power point to explain pilot program to humanely reduce cat population in the community, reduce intake of cats into Animal Control, and reduce unwanted litters of kittens through sterilization program.

Signature: Kathleen Denton Kathleen Denton

Please return to: **Rachel Hughs, City Clerk**
City of Alamogordo
1376 E. 9th Street
Alamogordo, NM 88310

Phone: (575) 439-4205 **Fax: (575) 439-4396** **E-mail:** rhughs@ci.alamogordo.nm.us

Revised 10/13/2017

AMERICAN BAR ASSOCIATION

ADOPTED BY THE HOUSE OF DELEGATES

AUGUST 14-15, 2017

RESOLUTION

RESOLVED, That the American Bar Association urges state, local, territorial, and tribal legislative bodies and governmental agencies to interpret existing laws and policies, and adopt laws and policies, to allow the implementation and administration of trap-neuter-vaccinate-return programs for community cats within their jurisdictions so as to promote their effective, efficient, and humane management.

REPORT

Introduction

It is estimated that there are 74-96 million owned cats[1] and 30-40 million free-roaming[2] ("community") cats living in the United States. Jurisdictions have struggled to manage the community cat population for decades using a traditional trap-and-remove technique that typically results in killing the cats.[3] This technique has proven inefficient, ineffective, and inhumane. Trap-neuter-vaccinate-return[4] ("TNVR") is a management technique, introduced in the U.S. in the 1990s, by which community cats are humanely trapped, evaluated, sterilized, by a licensed veterinarian, vaccinated against rabies, ear-tipped to designate they have been sterilized and vaccinated, and returned to their original habitat. Kittens and socialized adults are removed and placed for adoption when possible.[5] In some situations, the returned cats are under the care of a volunteer who feeds, waters, and monitors the cats for illness or injury and for any new arrivals so that they may be trapped, neutered, vaccinated, and returned to their original habitat. TNVR has been recognized as one of the most effective and efficient methods of reducing and controlling the population of community cats, as well as potential disease control.[6] Moreover, there is widespread public support for the use of TNVR to manage community cats.[7] In these times of limited budgets for local animal control shelters, TNVR provides a humane, effective, cost-saving alternative for shelters seeking to limit the intake of community cats into their facilities, protect public health, and reduce the number of free-roaming cats in the neighborhoods they serve.

Nevertheless, legal challenges to TNVR programs have been raised in various areas of the country due to the inconsistent legal treatment of community cats and TNVR programs by state statutes and local ordinances and policies. While some jurisdictions expressly recognize TNVR in their laws, most do not. In fact, aspects of TNVR programs have been found to violate many traditional criminal and civil statutes creating unnecessary obstacles for the implementation and administration of TNVR programs for private individuals and localities

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[1] ASPCA, *Pet Statistics,* http://www.aspca.org/animal-homelessness/shelter-intake-and-surrender/pet-statistics (last visited Feb. 19, 2017).

[2] Humane Soc'y of the U.S., *Managing Community Cats: A Guide for Municipal Leaders* 4, https://www.animalsheltering.org/sites/default/files/content/ca_community_cat_guide_updates_6_15_lowres_final.pdf (last visited Feb. 19, 2017). Free-roaming, or community cats, are cats whose home is outdoors. Many are unsocialized to humans, while others may be stray, lost or abandoned. *Id*. at 1.

[3] *Taking a Broader View of Cats in the Community: NACA Feral Cat Policy Moves Toward Management*, ANIMAL SHELTERING, Sept./Oct. 2008 at 8, http://www.aplnj.org/assets/pdf/NACA_Interview.pdf (summarizing interview with Mark Kumpf, National Animal Control Association (NACA) President who referred to the old policy of feral cat "removal" as "capture-and-euthanize").

[4] Some, primarily opponents, use the term "Release" instead of "Return." Most TNVR programs are designed to return the cats to their original location. *What is TNvR?*, SPAYING CAP. REGION UNOWNED FERAL FELINES, http://scruffcats.org/what-is-tnvr/ (last visited Sept. 26, 2016). However, in the event it is impossible to return the cats to their original location, perhaps because of construction or other external threats to the lives of the cats or if the cats pose a serious and actual threat to an endangered species living in the original location, many advocates will opt for "releasing" them to another available location, taking the health of the cats and new environment into account, rather than killing them because they are not able to be "returned." *See id.*

[5] *See, e.g.*, Julie Levy et al., *Evaluation of the effect of a long-term trap-neuter-return and adoption program on a free-roaming cat population*, 222(1) JAVMA 42, 44 (2003) (noting 47% of the 155 cats involved in the TNVR study were adopted over the course of the study), https://www.avma.org/News/Journals/Collections/Documents/javma_222_1_42.pdf.

[6] *See* Sheilah A. Robertson, *A review of feral cat control*, 10(4) J. FELINE MED. & SURGERY 366–75 (2008).

[7] Peter J. Wolf, *New Study Reveals Widespread Support for Trap-Neuter-Return*, faunalytics, https://faunalytics.org/new-survey-reveals-widespread-support-for-trap-neuter-return/ (last visited Sept. 26, 2016).

that may find their programs in violation of state law.[8] Consistent interpretation and/or adoption of laws throughout the country that allow for TNVR programs would provide much-needed guidance to state, local, territorial, and tribal government entities, as well as for private entities and individuals, as they seek to manage community cat populations effectively and humanely. By urging support for legal recognition of a community cat management technique that saves government resources, protects public health, respects the lives of community cats as supported by a large majority of the public, and protects wildlife by reducing over time the number of free-roaming cats, the ABA promotes just laws that benefit public and private interests.

TNVR programs are not without opposition. Some avid birders, conservationists, and others oppose TNVR as a management tool for community cats.[9] These stakeholders claim that free-roaming cats have an adverse impact on birds and other wildlife and pose a threat to public health, and that TNVR programs are ineffective.[10] However, the studies upon which they rely generally are flawed.[11] In fact, there is considerable empirical evidence showing that TNVR is more effective, efficient, and humane than trap-and-remove programs for the management of community cats.[12]

Effectiveness of TNVR Programs

While there is no official count of the number of cats removed from neighborhoods each year, the American Society for the Prevention of Cruelty to Animals ("ASPCA") estimates that 3.4 million cats enter shelters annually and, of those, 1.4 million are killed.[13] Given the massive numbers of community cats brought into shelters, the method of trapping and killing community cats should be reviewed. Studies have estimated that at least 50% of all community cats must be killed to have any impact on the population and potential subsequent intake into shelters.[14] Since it has been proven to be impossible to catch all community cats in a population, the cats that are not caught and killed continue to reproduce and other cats enter the area vacated by those removed. The trapping and killing of community cats therefore must be sustained on an ongoing basis to simply prevent the population from growing. The more effective, efficient, and humane solution to manage community cats is TNVR.

TNVR has been shown to reduce the number of community cats in areas targeted by these programs.[15] A study conducted in Randolph County, North Carolina, showed a 36% average decrease in population of six

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[8] *See e.g.* Va. Att'y Gen., Opinion Letter on TNR (July 12, 2013), http://ag.virginia.gov/files/Opinions/2013/12-100_Napier.pdf, clarified May 4, 2015, http://4fi8v2446i0sw2rpq2a3fg51.wpengine.netdna-cdn.com/wp-content/uploads/2015/05/Ltr-Norfolk-SPCA-Blizard.pdf) [hereinafter VA Opinion Letter].

[9] *See, e.g.*, Am. Bird Conservancy, *Trap, Neuter, Release*, https://abcbirds.org/program/cats-indoors/trap-neuter-release/ (last visited Feb. 19, 2017).

[10] *See, e.g.*, PETER P. MARRA & CHRIS SANTELLA, CAT WARS: THE DEVASTATING CONSEQUENCES OF A CUDDLY KILLER (2016); Paul Barrows, *Professional, ethical, and legal dilemmas of trap-neuter-release*, 225(9) JAVMA 1365-69 (2004), https://www.avma.org/News/Journals/Collections/Documents/javma_225_9_1365.pdf.

[11] *See, e.g.*, Laurie D. Goldstein, *All Dollars and No Sense: Critique of Dr. Pimentel's Estimated Economic Impact of Domestic Cat Predation*, 2 MID-ATLANTIC J. ON L. & PUB. POL'Y 153, 158-63 (2013); Written testimony of Peter J. Wolf, Cat Initiatives Analyst, Best Friends Animal Soc'y, to D.C. Councilmember Mary M. Cheh, Chair of Comm. on Transp. & Env't (Sept. 18, 2015) (discussing the Draft 2015 DDOE WILDLIFE ACTION PLAN) (on file with author).

[12] *See, e.g.*, F.B. Nutter, *Evaluation of a Trap-Neuter-Return Management Program for Feral Cat Colonies: Population Dynamics, Home Ranges, and Potentially Zoonotic Diseases* (2005) (unpublished Ph.D. dissertation, N.C. State University); J.K. Levy et al., *Effect of high-impact targeted trap-neuter-return and adoption of community cats on cat intake to a shelter*, 201(3) VETERINARY J. 269-74 (2014), http://www.sciencedirect.com/science/article/pii/S1090023314001841.

[13] ASPCA, *supra* note 1.

[14] Kate Hurley, *For Community Cats, a Change is Gonna Come*, ANIMAL SHELTERING MAG., Sept.-Oct. 2013, at 27, 27.

[15] *See generally* Nutter, *supra* note 12; Levy et al., *supra* note 12.

community cat colonies due to targeted TNVR efforts.[16] By contrast, three unsterilized colonies involved in the study experienced an average 47% increase over the same period. Once spayed and neutered, the community cats in these targeted colonies no longer reproduce, which effectively curtails the number of community cats in the population.

Additionally, TNVR has been shown to significantly decrease the intake of community cats into local animal shelters and can save the jurisdiction significant expense. For example, one study in Alachua County, Florida documented a 66% decrease in animal shelter intake of community cats from a TNVR program in a targeted ZIP code compared to a 12% decrease elsewhere in the county.[17] Another study, in Orange County, Florida, showed the average cost of impounding and killing a cat was $139; while the average cost of surgery was $56.[18] The study also noted that the program in Orange County was a long-term program that spayed and neutered 7,903 community cats over a 6-year period, saving the county an estimated $656,000. Further, because TNVR, through the sterilization of cats, reduces certain nuisance behaviors by cats, such as roaming for mates, fighting, and urine-spraying, TNVR case studies have documented a significant reduction in nuisance complaint calls to animal control.[19] Thus, TNVR is more efficient, effective, and humane than lethal methods of control.

Finally, TNVR has been increasing in popularity nationwide[20] and worldwide.[21] Further, most all national animal welfare organizations endorse the use of TNVR programs to reduce the populations of community cats. These organizations include the ASPCA,[22] The American Humane Association, [23] Best Friends Animal Society,[24] and the Humane Society of the United States.[25] Also in support are the Association of Shelter Veterinarians[26] and the Tufts Center for Animals and Public Policy.[27]

Community Cats, TNVR and Traditional Animal Control Laws

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[16] *See generally* Nutter, *supra* note 12.

[17] *See generally* Levy et al., *supra* note 12.

[18] Kathy L. Hughes et al., *The Effects of Implementing a Feral Cat Spay/Neuter Program in a Florida County Animal Control Service*, 5(4) J. APPLIED ANIMAL WELFARE SCI. 285-98 (2002).

[19] *See* Best Friends Animal Soc'y, *How TNR Reduces Nuisance Complaints: What the Research Tells Us*, http://bestfriends.org/resources/how-tnr-reduces-nuisance-complaints-what-research-tells-us (last visited Feb. 19, 2017).

[20] Elizabeth Holtz, *Trap-Neuter-Return Ordinances and Policies in the United States: The Future of Animal Control,* ALLEY CAT ALLIES L. AND POL'Y BRIEF 3 (2014), https://www.alleycat.org/resources/trap-neuter-return-ordinances-and-policies-in-the-united-states-the-future-of-animal-control/ (more than 330 local U.S. governments incorporate TNVR as of 2014).

[21] *See* Eugenia Natoli et al., *Management of Feral Domestic Cats in the Urban Environment of Rome (Italy)*, 77 PREVENTATIVE VETERINARY MED. 180, 181 (2006); *Trap-Neuter-Return in Seoul*, ANIMAL RESCUE KOREA (Mar. 11, 2013), http://www.animalrescuekorea.org/articles/trap-neuter-return-in-seoul; *History of TNR in Hong Kong*, Soc'y for Prevention Cruelty to Animals, http://www.spca. org.hk/en/animal-birth-control/tnr-trap-neuter-return/history-tnr-hong-kong, (last visited Feb. 19, 2017); *The Trap, Neuter, Return Program and the Feral Cat Coalition*, Toronto, http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=6626f1f960745410VgnVCM10000071d60f89RCRD&vgnextchannel=a5bb39220b2c1410VgnVCM10000071d60f89RCRD (last visited Feb. 19, 2017).

[22] ASPCA, *Position Statement on Community Cats and Community Cat Programs*, http://www.aspca.org/about-us/aspca-policy-and-position-statements/position-statement-community-cats-and-community-cat (last visited Feb. 19, 2017).

[23] AM HUMANE, *Position Statement, Cat Colonies* (Aug. 26, 2016), https://www.americanhumane.org/position-statement/cat-colonies/.

[24] BEST FRIENDS ANIMAL SOC'Y, *Helping Stray Cats: TNR is the Key*, http://bestfriends.org/our-work/best-friends-advocacy/protecting-community-cats (last visited Feb. 19, 2017).

[25] HUMANE SOC'Y OF THE U.S., *The HSUS's Position on Cats,* http://www.humanesociety.org/animals/cats/facts/cat_statement.html (last visited Feb. 19, 2017).

[26] ASS'N OF SHELTER VETERINARIANS, *Trap-Neuter-Return of Free-roaming and Community Cats* (April 2015), http://www.sheltervet.org/assets/docs/position-statements/trapneuterreturn.pdf.

[27] Genevieve Rajewski, *Feline Fixers,* TUFTS NOW (June 1, 2011), http://now.tufts.edu/articles/feline-fixers.

Domestic cats exist on a wide spectrum of socialization to humans from feral cats, those cats born outdoors with no socialization to humans,[28] to stray cats who once lived in a home but find themselves lost or abandoned by their owner and who are well-socialized, friendly cats. Accurately determining if a free-roaming cat is "feral" or a lost or abandoned pet, however, is full of uncertainty.[29] There is currently no universal method available to accurately categorize any cat as feral or tame.[30] Based upon these uncertainties, this report refers to all free-roaming cats living outdoors as community cats.[31]

Regardless of differing categories of socialization and ownership status, all cats are defined in the Code of Federal Regulations as domestic cats of the species Felis domesticus.[32] This domesticated status provides certain legal protection to cats through many state and local animal cruelty provisions.[33]

Moreover, under common and statutory law, pets—including cats—are considered personal property.[34] Local animal control laws define ownership of cats and impose obligations on all owners. Issues arise when governmental agencies attempt to define cats as "feral" for management or control purposes while disregarding ownership status, anti-cruelty provisions, and public opinion. State laws often authorize local governments to enact laws relative to community cats. This approach has led to drastically disparate treatment of community cats under the law even within the same state.

Traditional ordinances for local animal control departments vary widely in jurisdictions across the country and create problems for community cats. Community cats, as free-roaming cats, frequently are considered "stray" or "at-large" and subject to impoundment by animal control. Many jurisdictions require that an impounded animal be held for a specified period of time—the "stray hold" period—to allow the owner to reclaim the animal. Since the national average of owners reclaiming their cats at the animal control facility is approximately 2%[35], and most community cats are not, in fact, owned, these cats are very rarely claimed. After the stray hold has expired, unclaimed community cats often are killed by the shelter. Not only does the impoundment of community cats harm the cats, but it is expensive for the jurisdiction to trap, hold and kill the cats, and then dispose of the bodies.

Traditional animal control laws also create serious obstacles for TNVR participants as they may find themselves unwittingly in violation of a number of laws. Specifically, if the TNVR participant is deemed the legal "owner" of the cat, they could be subject to several obligations which may include licensing, pet limits, and at-large or leash laws, making it virtually impossible to perform TNVR activities. Even if not deemed an owner, feeding bans, nuisance laws, and laws prohibiting abandonment, may subject them to civil and/or criminal prosecution. In addition, they may be held liable to third parties if community cats cause such parties harm. Legal

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[28] Alley Cat Allies, *Feral and Stray Cats – An Important Difference*, http://www.alleycat.org/resources/feral-and-stray-cats-an-important-difference/ (last visited Feb. 19, 2017).
[29] Margaret R. Slater et al., *A Survey of the Methods Used in Shelter and Rescue Programs to Identify Feral and Frightened Pet Cats,* 12(8) J. OF FELINE MED. AND SURGERY 592, 593 (2010).
[30] *Id*.
[31] Some cats who live indoors with their owners are allowed outdoors to free-roam. It is often difficult to distinguish these cats from "community cats" whose home is on the street. These cats are not included in the definition of "community cat."
[32] 50 C.F.R. §14.4 (2012) ("Domesticated animals includes…*Felis domesticus*…"). Title 50 of the Code of Federal Regulations is entitled "Wildlife and Fisheries" and this provision is defining terms for the laws governing the exportation, importation and transportation of wildlife.
[33] *See, e.g.*, Thurston v. Carter, 92 A. 295, 295-96 (Me. 1914).
[34] *See, e.g.*, Van Patten v. City of Binghamton, 137 F.Supp.2d 98, 104 (N.D.N.Y. 2001); Kaufman v. Langhofer, 222 P.3d 272, 274 (Ariz. Ct. App. 2009).
[35] AM. HUMANE, *Animal Shelter Euthanasia*, http://www.americanhumane.org/fact-sheet/animal-shelter-euthanasia-2/ (last visited Feb. 19, 2017).

recognition of TNVR is needed to protect participants in TNVR programs. These protections should extend to both government and private entities and individuals participating in these programs.

Ownership and Legal Obligations that Attach

Animal ownership is legally defined in many ways, but a common definition involves keeping or harboring an animal which typically means feeding the animal over a period of time.[36] Such a definition has the mostly unintended consequences of targeting community cat caregivers, as they regularly monitor and feed community cats. The ownership issue becomes even more complex when one considers the number of owned cats who are allowed to roam outdoors and receive handouts from generous neighbors.[37] Under some statutory interpretations, the same cat could be legally owned by several individuals, many of them most likely unaware of their legal ownership status.

Community cat caregivers, who often care for several cats residing together in colonies, if deemed owners, could be criminally and/or civilly liable for violations of a number of laws. For example, some jurisdictions require owners to license their cats[38] and/or limit the number of cats one may own.[39] The community cat caregiver would be seriously burdened to have to license each cat annually, and/or might find herself in violation of a pet limit law. Additionally, some jurisdictions prohibit owners from allowing their cats to run at-large.[40] Because community cats are, by definition, at-large, the community cat caregiver is in violation of this law as well. While these laws may serve useful purposes for true cat owners, they unnecessarily burden community cat caregivers and prohibit the implementation of TNVR programs. Because of these concerns laws defining owner should exempt community cat caregivers, and at-large laws, stray-hold periods, and licensing requirements should exempt ear-tipped community cats.

Abandonment and Feeding Bans

Even if TNVR participants are not deemed owners, traditional laws still may prohibit TNVR programs. State statutes and often local ordinances contain criminal provisions for "abandonment" of an animal. These provisions create myriad legal issues for administrators of TNVR programs; specifically when jurisdictions interpret the "return" aspect of TNVR to be abandonment.[41] The anti-cruelty laws proscribe conduct, including abandonment, "under circumstances reasonably likely to result in the infliction of unjustifiable pain, or suffering, or cruelty upon [the animal]."[42] A typical definition of "abandon" is "to desert, forsake, or absolutely give up an animal without having secured another owner or custodian for the animal or by failing to provide the

[36] *See e.g.* "Owner— A person . . . who keeps or harbors a dog or cat or knowingly permits a dog or cat to remain on or about any premises occupied by that person." Am. Veterinary Med. Ass'n, *AVMA Model Dog and Cat Control Ordinance*, https://www.avma.org/KB/Policies/Documents/avma-model-dog-and-cat-control-ordinance.pdf (last visited Feb. 19, 2017). Jurisdictions typically define "keeps or harbors" to mean "the act of, or the permitting or sufferance by, an owner or occupant of real property either of feeding or sheltering any domesticated animal on the premises of the occupant or owner thereof." PRINCE GEORGE'S COUNTY., MD., CODE OF ORDINANCES § 3-101(50)

[37] *See* Shawn Gorman & Julie Levy, *A Public Policy Toward the Management of Feral Cats,* 2 PIERCE L. REV. 157, 157 (2004) (estimating between 9-12% of households feed strays).

[38] *See* VA. CODE ANN. §3.2-6524(B), §3.2-6587(A)(2).

[39] *See, e.g.*, PRINCE GEORGE'S COUNTY, MD. CODE § 3-148.01 ("No person may keep or harbor five (5) or more animals larger than a guinea pig or over the age of four months, without first obtaining an animal hobby permit.").

[40] *See, e.g.*, PRINCE GEORGE'S COUNTY, MD. CODE § 3-135 ("It shall be unlawful for the owner . . . of any animal . . . to permit the animal to run at large.").

[41] Va. Opinion Letter, *supra* note 8.

[42] People v. Untiedt, 42 Cal. App. 3d 550, 554 (Ct. App. 1974).

elements of basic care . . . ."[43] TNVR programs that return cats to their original location should not be deemed "abandonment." TNVR programs are deliberately designed to improve the cat's overall health and well-being thus there is no intent to harm the cats. First, only cats determined to be healthy are returned to where they were found. Further, if the cats were healthy at the time they were trapped there is no reason to believe that returning them to where they were originally found would subject them to pain, suffering, or cruelty. Moreover, the cats' health and well-being is enhanced after sterilization and vaccination for rabies. Thus, these laws should not be interpreted by government agencies to prevent the "return" portion of TNVR.[44] In fact, for clarity, the abandonment law should expressly exempt TNVR "return" of ear-tipped community cats. The potential of criminal penalties due to varying interpretations of statutory schemes serve as a significant factor deterring potential caregivers from becoming involved in TNVR programs, thereby worsening a community's "feral cat problem."

Additionally, ordinances are commonly enacted which provide sanctions for the feeding of community cats.[45] Feeding bans cause a real dilemma legally for caregivers. By feeding the community cats they care for, caregivers could be violating such an ordinance, but by adhering to the ordinance they could conceivably find themselves in violation of a cruelty provision, by failing to provide care to those same animals. Further, for those cats who have become dependent on food provided by a caregiver, a feeding ban is inhumane, usually forcing cats to subsist on insufficient resources and/or create a nuisance by rummaging through dumpsters for food. To rectify this, feeding ban laws should be interpreted to exempt ear-tipped community cats.

Liability to Third-parties

Liability to third-parties also is a concern for most governmental entities, private organizations, and individuals involved in administering and participating in TNVR programs. Under common law, cat owners have no legal duty to keep their cat confined. Thus, if a cat caused harm to another, an owner was held responsible only if they knew the cat was dangerous and was likely to cause harm or damage to another.[46] However, some courts have held a person (whether an owner or not) liable for damages if they did something that caused the cats to be attracted to an area owned by another and the cats did damage to and/or caused a private nuisance that affected the landowner's enjoyment of their property.[47] Moreover, some jurisdictions override the common law and hold owners strictly liable if their cat is "at-large" and causes any damage to a third-party.[48] Potential liability to any TNVR participant may hinge on how active a role they play in the TNVR process and interpretation of applicable statutes and ordinances and may affect their willingness to participate.[49] However, if a TNVR participant is not considered an owner, most third-party claims will fail. Moreover, even in a jurisdiction that may hold a non-owner liable if they find the TNVR participant caused the cats to be present, the TNVR

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[43] VA. CODE § 3.2-6500.

[44] Note that many TNVR programs provide care to the cats after they are returned. Clearly, under these programs, the cats have not been abandoned.

[45] ANAHEIM MUNICIPAL CODE §6.44.1301 (stating that "It shall be unlawful for any person to intentionally provide food, water, or other forms of sustenance to a feral cat or feral cat colony within the boundaries of the City. It is not a violation of this section for any person to feed or shelter feral cats while working with an animal control agency under contract with the City of Anaheim.").

[46] McElroy v. Carter, 2006 WL 2805141 at *5 (Tenn. Ct. App. 2006) (holding that there is no common law legal duty to confine cat generally regarded as domestic animals unlikely to do harm if left to themselves and incapable of constant control).

[47] Kyles v. Great Oaks Interests, 2007 WL 495897 (Cal. Ct. App. 2007) (finding that an apartment manager may be liable to landowner for overflowing garbage bins that attracted cats).

[48] *See, e.g.*, PRINCE GEORGE'S COUNTY, MD CODE § 3-135.

[49] In conducting TNVR an "owned" free-roaming cat may be trapped "accidentally." TNVR participants initially check for a microchip delineating the owner of the cat when brought to the clinic so as to sterilizing an "owned" cat without the owner's permission. However, if the cat is not microchipped the cat will likely be vaccinated, sterilized and returned. In this instance TNVR participants should not be held liable to the owner for sterilizing the cat.

participant may use the jurisdiction's allowance of TNVR as a defense to third-party liability.[50] For third-party claims against municipalities that conduct TNVR, the municipality may demonstrate that the TNVR program was adopted for the stated purpose of stabilizing and reducing community cat populations, protecting public health through vaccination efforts, and/or resolving nuisance behaviors and corresponding complaints. As such the municipality may argue that the TNVR program is promoting a legitimate government purpose and thus it should not be held liable to third-parties.

In sum, properly implemented TNVR programs serve multiple purposes, including stabilizing and reducing community cat populations, protecting public health through vaccination efforts, and/or resolving nuisance behaviors and corresponding complaints. These are all goals worthy of government involvement, and the governmental agency should make these interests and intents clear and remove any unintended legal obstacles that result from a misapplication of traditional animal control laws. Promoting the consistent interpretation and/or drafting of laws related to aspects of TNVR programs will serve to further these interests.

Opposition to TNVR

TNVR is not without opposition.[51] Certain wildlife and bird advocacy organizations primarily (or solely) concerned with the sustainability of native species and the ecosystem and a small minority of animal welfare organizations[52] oppose the use of TNVR. The conservation groups have attacked its use citing a lack of scientific proof that it works and insisting that lethal methods be used to protect wildlife and public health.[53] Some have argued that feral cats are exotic or invasive species and do not fill an existing niche in the environment and that even well-fed cats significantly impact wildlife.[54] These opponents of TNVR vilify community cats for killing native birds, some of whom are threatened or endangered, citing predation estimates and economic impacts that are derived from flawed science.[55] For example, one widely publicized paper estimates that "cats in the contiguous United States annually kill between 1.3 and 4.0 billion birds."[56] However, the total number of land birds in the U.S. (not including Hawaii) is estimated at just 3.2 billion,[57] less than the authors' high-end estimate. The estimates are exaggerated as a result of inaccurate assumptions used in the

[50] *See* Judgment at 4, Baker v. Kuchler, No. 29D05-0605-SC-1055 (Ind. Super. Ct., Mar. 2, 2007) (the existence of a Community Cat Ordinance may be used as a "defense" against claims of nuisance or negligence for the damage to property caused by community cats).

[51] In September 2016, a book entitled *Cat Wars: The Devastating Consequences of a Cuddly Killer* was released by Dr. Peter Marra and Chris Santella. MARRA & SANTELLA, *supra* note 10. In this book, the authors call for the removal of community cats from the outdoors "by any means necessary." The book has caused a considerable amount of controversy and has received criticism for its failure to recognize the flaws in the reasoning and methods for control of the community cat population. *See* Katie Lisnik, *Cat Wars? Let's call a ceasefire*, Animal Sheltering (Sept. 13, 2016), https://www.animalsheltering.org/blog/cat-wars-lets-call-ceasefire.

[52] *See* PETA, *What is PETA's stance on programs that advocate trapping, spaying, and neutering, and releasing feral cats?*, http://www.peta.org/about-peta/faq/what-is-petas-stance-on-programs-that-advocate-trapping-spaying-and-neutering-and-releasing-feral-cats/ (last visited Feb. 19, 2017). *But see* NO KILL ADVOCACY CTR., *The Wild Life of Feral Cats*, 6 No Kill Advoc. 1, 2 (2008), http://www.friends4life.org/pdf/Feral_Fact_sheet.pdf.

[53] *See, e.g.*, Barrows, *supra* note 10, at 1367-8.

[54] *See generally* Travis Longcore et al., *Critical Assessment of Claims Regarding Management of Feral Cats by Trap-Neuter-Return*, 23(4) CONSERVATION BIOLOGY 887-94 (2009), http://drupal.wildlife.org/documents/policy/Critical.Assessment.Feral.Cats.Longcore.pdf.

[55] Vox Felina, *TNR Fact Sheet No. 2: Predation* (Aug. 2012), http://voxfelina.com/voxfelina/Vox_Felina_Fact_Sheet_Predation_v_1.1.pdf.

[56] Scott R. Loss et al., *The impact of free-ranging domestic cats on wildlife of the United States*, 4 Nature Comm. No. 1396 at 2 (2013), http://www.nature.com/articles/ncomms2380.

[57] Partners in Flight Population Estimates Database (2013), http://rmbo.org/pifpopestimates/Database.aspx.

model from which the estimates are generated.[58] In fact, The Royal Society for the Protection of Birds in the United Kingdom has stated there is no scientific evidence that cat predation has any impact on bird populations in the U.K.[59] They explain that many millions of birds die naturally every year, mainly through starvation, disease, or other forms of predation. There is evidence that cats tend to take weak or sickly birds[60] who would have died in any event thus causing little additional predation. Further, research has shown that declines in bird populations are most commonly caused by habitat change or loss, particularly on farmland.[61]

Although it is true that some cats kill birds and other small mammals, TNVR is designed to *reduce* the number of community cats and thus protect birds and other wildlife. Traditional trap-and-remove techniques have failed to effectively manage the population of community cats. In fact, the only cases where lethal methods of control of community cats have successfully eradicated the population of free-roaming cats are those on small oceanic islands using cruel and hazardous methods. For example, on Marion Island, 115 square miles, it "took 19 years to exterminate approximately 2200 cats—using feline distemper, poisoning, hunting and trapping, and dogs. . . . On Ascension Island, roughly one-third the size of Marion Island, it cost approximately $1732 per cat to eradicate an estimated 635 cats over 27 months."[62] However, as noted above, studies of targeted TNVR programs have shown success in reducing the numbers of free-roaming cats, humanely, and at a savings to local jurisdictions.

Opponents also claim that the presence of free-roaming cats creates a public health hazard given the potential for cats to transmit rabies and other diseases.[63] However, these claims too are exaggerated. "Since 1960 only two cases of human rabies have been attributed to cats."[64] In 2014, 272 cases of rabid cats were reported to the CDC, representing 4.51% of all reported cases, with the number of rabid cats remaining largely unchanged over the past 25 years despite the increasing popularity of TNVR.[65] In fact, TNVR programs evaluate cats and return only healthy cats after vaccinating them for rabies, thereby reducing, for years, the risk of rabies in the returned

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[58] For example, identifying just a few of the problems, the model (1) inflates the estimate of unowned cats in the U.S. by using the frequently cited values which are not grounded in empirical data; (2) inflates the predation rate of unowned cats by relying on decades-old studies that did not use random-sampling of free-roaming cats but instead focused on hunting cats; (3) uses unproven methods for converting stomach contents of cats to annual predation rates, and (4) assumes that 80–100% of unowned cats successfully hunt birds, again inflated because of a heavy reliance on studies of rural cats, when in fact most unowned cats live in urban areas where they are less reliant on prey. *See* Written testimony of Peter J. Wolf, *supra* note 11.

[59] Royal Soc'y for Protection of Birds, *Are cats causing bird declines?*, http://www.rspb.org.uk/get-involved/community-and-advice/garden-advice/unwantedvisitors/cats/birddeclines.aspx (last visited Feb. 19, 2017).

[60] *Id.*

[61] *Id.*

[62] Vox Felina, *Fact Sheet No. 1: Trap-Neuter-Return* (Aug. 2012) http://voxfelina.com/voxfelina/Vox_Felina_Fact_Sheet_TNR_v_1.1.pdf.

[63] *See, e.g.*, A.D. Roebling et al., *Rabies Prevention and Management of Cats in the Context of Trap-Neuter-Vaccinate-Release Programmes,* ZOONOSES & PUB. HEALTH 1, 4 (2013), http://abcbirds.org/wp-content/uploads/2015/05/Roebling-et-al.-2013-Rabies-prevention-and-management-of-cats-in-TNVR-programs.pdf. Cats have also been linked to taxoplasmosis, certain intestinal parasites and flea-borne typhus, yet studies have shown they no not create any serious risk of transmission to humans. *See* Alley Cat Allies, *Feral Cats and the Public—A Healthy Relationship*, http://www.alleycat.org/resources/feral-cats-and-the-public-a-healthy-relationship/ (last visited Feb. 19, 2017) [hereinafter *Feral Cats and the Public*].

[64] Vox Felina, *TNR Fact Sheet No. 3: Rabies* (Aug. 2013), http://voxfelina.com/voxfelina/Vox_Felina_Fact_Sheet_Rabies_v_1.1.pdf (citing CDC, *Recovery of a Patient from Clinical Rabies—California, 2011*, 61 MORBIDITY & MORTALITY WKLY. REP. 61-64 (2012)).

[65] Benjamin P. Moore et al., *Rabies Surveillance in the United States during 2014*, 248 JAVMA 777, 784 (Apr. 1, 2016), http://avmajournals.avma.org/doi/pdfplus/10.2460/javma.248.7.777.

cats.[66] Finally, community cats, many unsocialized to humans, rarely have contact with humans, making disease transmission highly unlikely.[67]

Opponents of TNVR have recently resorted to legal avenues to discredit TNVR. In early 2016, the American Bird Conservancy ("ABC") filed a lawsuit against the New York Commissioner of Parks, Recreation and Historic Preservation ("Parks") for violations of the Federal Endangered Species Act ("ESA").[68] In a case of first impression, ABC claims that Parks is responsible for facilitating and maintaining of community cat colonies on Jones Beach State Park by allowing volunteers to perform TNVR and that these colonies are in close proximity to the nesting areas of piping plovers, which results in the "take" of the piping plovers. Piping plovers are listed as "threatened" under the ESA. Although the amended complaint filed by ABC fails to allege directly that any of the community cats at Jones Beach have harmed any piping plovers in the area, they claim that the mere presence of the cats is a threat to the nesting birds. This lawsuit is currently pending in the Eastern District of New York after the court denied Parks' motion to dismiss.[69]

Conclusion

The Tort Trial and Insurance Practice Section urges the adoption of this resolution seeking support for the legal recognition of TNVR as a population management tool for community cats which are humanely trapped, evaluated, sterilized by a licensed veterinarian, vaccinated against rabies, ear-tipped, and returned to their original location and urging state, territorial, and local municipal legislative bodies and governmental agencies to adopt and/or interpret existing laws and policies that allow the implementation and administration of such programs for community cats within their jurisdictions. TNVR programs use humane methods to decrease community cat populations and increase public health through increased vaccination at a savings to local jurisdictions.

Respectfully submitted,
Sam H. Poteet, Jr., Chair
Tort Trial and Insurance Practice Section
August 2017

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[66] Vox Felina, *Rabies*, *supra* note 64 (citing veterinarian and community cat expert Dr. Julie Levy).
[67] *Feral Cats and the Public*, *supra* note 63, at 1 (citing Jeffrey Kravetx and Daniel G. Federman, *Cat Associated Zoonoses*, 162 ARCH. INTERN. MED. 1945-52 (2002)).
[68] American Bird Conservancy v. Harvey, Case 2:16-cv-01582 (E.D.N.Y. Mar. 31, 2016).
[69] American Bird Conservancy v. Harvey, Memorandum of Decision & Order, Case 2:16-cv-01582-ADS-AKT (E.D.N.Y. Feb. 6, 2017) (the decision does not address the legality or effectiveness of TNVR).

102B

GENERAL INFORMATION FORM

Submitting Entity: Tort Trial and Insurance Practice Section

Submitted By: Sam Poteet, Chair, Tort Trial and Insurance Practice Section

1. Summary of Recommendation.

This recommendation urges state, local, territorial and tribal legislative bodies and governmental agencies to interpret existing laws and/or adopt laws and policies that allow the implementation and administration of trap-neuter-vaccinate-return (TNVR) programs for free-roaming ("community") cats within their jurisdictions. TNVR is a population management technique for reducing the population of free-roaming community cats by which such cats are humanely trapped, evaluated, sterilized by a licensed veterinarian, vaccinated against rabies, ear-tipped, and returned to their original location from which they were found. The legality of TNVR programs have been challenged in areas of the country due to the inconsistent legal treatment of community cats and TNVR by state statutes and local ordinances and policies. Consistent legal treatment that allows TNVR programs promotes the effective, efficient, and humane management of community cats, promotes conservation efforts, and protects public health.

2. Approval by Submitting Entity.

Approved by the Tort Trial and Insurance Practice Section on April 29, 2017.

3. Has This or a Similar Recommendation Been Submitted to the House or Board Previously?

No.

4. What Existing Association Polices Are Relevant to This Recommendation and How Would They Be Affected by Its Adoption?

Not applicable.

5. What Urgency Exists Which Requires Action at This Meeting of the House?

Not applicable.

6. Status of Legislation. (If applicable.)

Not applicable.

7. Cost to the Association. (Both Direct and Indirect Costs)

None.

8. Disclosure of Interest. (If applicable.)

Not applicable.

9. Referral.

This Report and Resolution is referred to the Chairs and Staff Directors of all ABA Sections and Divisions.

10. Contact Persons. (Prior to the Meeting)

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102B

EXECUTIVE SUMMARY

1. Summary of the Recommendation

This recommendation urges state, local, territorial and tribal legislative bodies and governmental agencies to interpret existing laws and/or adopt laws and policies that allow the implementation and administration of trap-neuter-vaccinate-return (TNVR) programs for free-roaming ("community") cats within their jurisdictions. TNVR is a population management technique for reducing the population of free-roaming community cats by which such cats are humanely trapped, evaluated, sterilized by a licensed veterinarian, vaccinated against rabies, ear-tipped, and returned to their original location from which they were found. The legality of TNVR programs have been challenged in areas of the country due to the inconsistent legal treatment of community cats by state statutes and local ordinances and policies. Consistent legal treatment that allows TNVR promotes the effective, efficient, and humane management of community cats, promotes conservation efforts, and protects public health.

2. Summary of the Issue that the Recommendation Addresses

It is estimated that there are 30-40 million community cats living in the United States. Jurisdictions have struggled to manage the community cat population for many years using a traditional trap-and-remove technique that typically results in killing the cats. This technique has proven ineffective and costly. TNVR is a more effective, efficient, and humane method of control shown to reduce to the populations of community cats, reduce the intake of community cats to shelters, reduce the chances of transmission of disease in the communities through vaccination efforts, and reduce complaints to local police and animal control departments regarding nuisance and property destruction. Traditional criminal and civil statutes create unnecessary obstacles for the implementation and administration of TNVR programs.

3. Please Explain How the Proposed Policy Position Will Address the Issue

If jurisdictions interpret existing laws and policies and/or adopt laws and policies to allow the implementation and administration of TNVR programs, local governments and private entities and individuals will be able to implement such programs without the possible threat of sanction and, in turn, provide a humane, effective, cost-saving alternative for shelters seeking to limit the intake of community cats into their facilities, protect public health, and reduce the number of free-roaming cats in the neighborhoods they serve.

4. Summary of Minority Views or Opposition Which Have Been Identified

Certain wildlife and bird conservation groups and a very small minority of animal welfare organizations have opposed the use of TNVR programs for the control of community cats. These stakeholders claim that free-roaming cats have an adverse impact on birds and other wildlife and pose a threat to public health. Moreover, free-roaming cats are subjected to threats such that their lives outdoors result in their pain and suffering. They argue that TNVR is ineffective and all free-roaming cats must be eradicated through trap and remove, e.g. kill, programs. However, the studies upon which they rely generally are flawed. In fact, there is considerable empirical evidence showing that TNVR is more effective, efficient, and humane than trap-and-remove programs for the management of community cats.

animals

MDPI

Article

The Impact of an Integrated Program of Return-to-Field and Targeted Trap-Neuter-Return on Feline Intake and Euthanasia at a Municipal Animal Shelter

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Simple Summary: Dramatic declines in the number of cats admitted to and euthanized at U.S. shelters have taken place in recent decades. Still, millions of cats, many of them free-roaming, enter shelters each year. At some facilities, as many as 70% of feline admissions are euthanized, and it is estimated that, nationally, up to one million or more cats are euthanized each year. New approaches, including return-to-field (RTF) and targeted trap-neuter-return (TNR) appear to have transformative potential. The present study examines changes in feline intake and euthanasia, as well as impacts on associated metrics, at a municipal animal shelter in Albuquerque, New Mexico, after formal RTF and targeted TNR protocols, collectively referred to as a community cat program (CCP), were added to ongoing community-based TNR efforts and a pilot RTF initiative. As part of the three-year CCP, 11,746 cats were trapped, sterilized, vaccinated and returned or adopted. Feline euthanasia at the Albuquerque Animal Welfare Department (AAWD) declined by 84.1% and feline intake dropped by 37.6%; the live release rate (LRR) increased by 47.7% due primarily to these reductions in both intake and euthanasia. Modest increases in the percentage of cats returned to owner (RTO) and the adoption rate were also observed, although both metrics decreased on an absolute basis, while the number of calls to the city about dead cats declined.

Abstract: Available evidence indicates that overall levels of feline intake and euthanasia at U.S. shelters have significantly declined in recent decades. Nevertheless, millions of cats, many of them free-roaming, continue to be admitted to shelters each year. In some locations, as many as 70% of cats, perhaps up to one million or more per year nationally, are euthanized. New approaches, including return-to-field (RTF) and targeted trap-neuter-return (TNR) appear to have transformative potential. The purpose of the present study was to examine changes in feline intake and euthanasia, as well as additional associated metrics, at a municipal animal shelter in Albuquerque, New Mexico, after institutionalized RTF and targeted TNR protocols, together referred to as a community cat program (CCP), were added to ongoing community-based TNR efforts and a pilot RTF initiative. Over the course of the CCP, which ran from April 2012 to March 2015, 11,746 cats were trapped, sterilized, vaccinated, and returned or adopted. Feline euthanasia at the Albuquerque Animal Welfare Department (AAWD) declined by 84.1% and feline intake dropped by 37.6% over three years; the live release rate (LRR) increased by 47.7% due primarily to these reductions in both intake and euthanasia. Modest increases in the percentage of cats returned to owner (RTO) and the adoption rate were also observed, although both metrics decreased on an absolute basis, while the number of calls to the city about dead cats declined.

Keywords: feral cats; return-to-field (RTF); trap-neuter-return (TNR); targeted TNR; municipal animal shelter; feline intake; feline euthanasia; live release rate (LRR); community cat program (CCP)

1. Introduction

1.1. Feline Intake and Euthanasia Trends at U.S. Animal Shelters: A Historical Perspective

Although historical data are scarce, available evidence indicates that the number of cats currently admitted to animal shelters in the United States is only a small fraction, perhaps less than 10%, of what it was at its peak in the 1930s [1–3]. Moreover, a precipitous drop in the number of cats euthanized in shelters has occurred since the initiation of widespread sterilization efforts targeted at pet cats (and dogs) beginning in the 1970s, when more than 90% of animals entering shelters were euthanized [1,3]. Despite these improvements, it is estimated that as many as 70% of cats entering some U.S. shelters continue to be euthanized [4–8].

In general, free-roaming cats remain the greatest source of feline intake at U.S. shelters [9,10] and cats deemed “feral”, and thus unadoptable, are typically euthanized [11,12]. Expanded use of colony-level trap-neuter-return (TNR) programs and the initiation of low-cost sterilization campaigns aimed at pet, as well as stray cats, in underserved communities have been associated with continued reductions in feline intake at shelters since the mid-1990s [2,13]; however, to date, these efforts alone have been insufficient to reshape the shelter paradigm on a broad scale. Studies of shelters in several states (Colorado, New Hampshire, North Carolina, and Ohio) indicate varying trends in feline intake and euthanasia over the past two decades [13–16]. It is estimated that between 860,000 and 1.4 million cats continue to be euthanized annually in U.S. shelters [8,17]. However, new approaches developed over the past decade appear to have transformative potential. Intensive TNR programs have significantly reduced feline shelter intake from targeted areas [10,18], and return-to-field (RTF) programs (a.k.a., Feral Freedom or shelter-neuter-return) have reduced the euthanasia of cats at municipal shelters to levels once thought to be unattainable [5,7,18].

The present study examines changes in feline intake and euthanasia, as well as additional associated metrics, at a municipal animal shelter in Albuquerque, New Mexico, after institutionalized RTF and targeted TNR protocols, together referred to as a community cat program (CCP), were added to ongoing community-based TNR efforts and a pilot RTF initiative.

1.2. Site Description and Lead-Up to the Initiation of the Community Cat Program

Albuquerque is located in the high desert of north-central New Mexico and straddles the Rio Grande River [19]. It has an estimated population of 559,277 [20] and serves as the seat of Bernalillo County, which has a total estimated population of 676,953 [21]. The Albuquerque Animal Welfare Department (AAWD) operates two open-admission shelters (facilities that generally accept any animal in need, including those with little chance of being rehomed due to issues of age, health, or temperament [22]) that serve the city of Albuquerque [23] and, by contract, the remainder of Bernalillo County [24]. Bernalillo County is scheduled to open its own animal shelter in 2018 [24]. Historically, companion animals were required to be held for a minimum of five days prior to disposition if admitted to AAWD with identification, or for three days if admitted without it. Cats deemed “feral,” despite nearly always lacking any form of identification (Albuquerque began requiring the microchipping of pets in 2006 [25]), were subjected to the longer holding time until 2010 [24]. After the mandatory holding time, cats deemed unadoptable due to health or temperament were euthanized. Several thousand free-roaming cats were typically brought to AAWD shelters each year by residents, animal control officers, and commercial trappers [24,26,27]. The heavy inflow of free-roaming cats into Albuquerque’s municipal shelters made the euthanasia of cats to clear space for new admissions a common occurrence [24,26,28]. AAWD admitted 12,339 cats in 2007 and 7562 (61.3%) were euthanized; of those, 2737 (36.2%) were categorized as feral. In 2008, 11,495 cats were admitted to AAWD; of the 7234 (62.9%) cats euthanized, 2612 (36.1%) were categorized as feral.

In an attempt to reduce the number of cats being euthanized each year, especially the number of cats deemed feral [26,27], AAWD began collaborating with local non-profit groups in 2008 to promote the use of TNR [18,26,27]. A popular low-cost trap rental program operated by AAWD that permitted local residents to capture and bring in free-roaming cats for shelter admission (and most often euthanasia) was eliminated [18,26,28]. In its place, a community trap bank, operated by local non-profit groups, was established; this allowed residents to use traps free of charge, but only for TNR [26]. In addition, from that point forward, calls from residents to AAWD about free-roaming cats were referred to TNR groups; however, residents were still able to drop off free-roaming cats whom they had trapped on their own. Once these new shelter policies were implemented, a near-immediate reduction in feline euthanasia was observed [26].

The same year, Street Cat Companions (SCC), the TNR program of New Mexico Animal Friends (NMAF), partnered with Animal Humane New Mexico (AHNM), a private shelter in Albuquerque, and AAWD to offer free spay-neuter surgeries for feral cats [18,26,27]. To do this, AAWD began to cover the customary $15 co-payment previously paid by residents and rescue groups for each cat sterilized (the remainder being paid by SCC and AHNM, using funds obtained through various grants). The agency's goal was generally to promote the practice of TNR among residents and to stimulate large-scale community trapping efforts [26]. Due in part to the availability of free sterilization surgeries, SCC was able to target many of the large free-roaming cat colonies in Bernalillo County and achieve high sterilization rates within those colonies [18,26]. Such colonies were selected for targeting based upon the volume of calls received by SCC from residents about free-roaming cats, and colony locations were informally tracked using Google Maps [29].

In fewer than three years after initiation of the aforementioned programs (year-end 2010), feline euthanasia at the AAWD had fallen 31.9% from 2007 levels (from 7562 to 5147), while intake was reduced by 21.2% (from 12,339 to 9717). The euthanasia rate for cats declined from 61.3% in 2007 to 53.0% in 2010. Moreover, the number of cats euthanized because they were categorized as feral fell from 2737 to 1196 (23.2% of all cats euthanized).

Despite the reductions in feline intake and euthanasia associated with the foregoing initiatives, shelter leadership recognized that additional changes in shelter protocol were needed to build upon these trends, and to effectuate an end to the routine euthanasia of healthy feral cats [26]. Consequently, in 2011, AAWD began, on a trial basis, a RTF program whereby all suitably healthy free-roaming cats surrendered to the agency were transferred to SCC or other rescue groups after examination, sterilization, and vaccination; these cats were then returned to locations of capture rather than being admitted to the shelter and likely euthanized [18,26,27]. An estimated 1000 cats were handled in this fashion during the program's first year [26]. By the end of 2011, annual feline euthanasia at AAWD had dropped to 3503 and the rate of feline euthanasia was down to 35.7% of intake (9810 cats); the euthanasia of cats designated as feral had been reduced to 473 (13.5% of all cats euthanized). Less than two months later (approximately 3.5 years after the agency's trap rental program was discontinued and TNR became the preferred method of managing free-roaming cats), in February 2012, AAWD euthanized a cat for the last time solely because the cat was labelled as feral [26,27].

AAWD received guidance from Best Friends Animal Society (BFAS), which three years earlier had provided funding for the first large-scale RTF program in the U.S., in Jacksonville, Florida [18], as it implemented its trial RTF program in 2011. In 2012, AAWD was enrolled in a pilot community cat program (CCP) originated and sponsored by BFAS, in collaboration with PetSmart Charities, Inc. (PCI), for the purpose of integrating a RTF program with targeted TNR at a municipal animal shelter.

2. Materials and Methods

2.1. The Albuquerque Animal Welfare Department's Community Cat Program: Integrating the Use of Return-to-Field and Targeted Trap-Neuter-Return (TNR)

The CCP was modelled after the Feral Freedom program established in Jacksonville, where feline euthanasia was reduced by 92% over six years [18]. However, in Albuquerque a targeted TNR component was paired with the RTF initiative from the onset, rather than added three years after inception as in Jacksonville [18]. The CCP was set up as a three-year program, commencing in April 2012 and concluding in March 2015, with a goal of sterilizing 10,500 cats [30].

The RTF portion of the CCP was structured so that all healthy free-roaming cats entering the shelter were transferred to BFAS staff (two full-time employees were hired to work in conjunction with AAWD to operate the program), who arranged for the cats to be sterilized at a high-quality, high-volume spay-neuter clinic operated by AHNM. BFAS personnel then returned the cats to the locations where they had been trapped [18,31]. In addition to being sterilized, before being returned to the field, cats were ear-tipped and received rabies and rhinotracheitis/calciviris/panleukopenia (FVRCP) vaccinations, as well as flea treatment and an antibiotic injection (cefovecin sodium, a.k.a., Convenia), as appropriate [31]. Original protocol called for all free-roaming cats without serious illness or injury to be returned to locations of capture after recovery from sterilization surgery; however, over time, as feline intake declined and more shelter space became available, some sociable cats were admitted for adoption or transferred to rescue groups [31,32].

Targeted TNR was performed in areas of the city determined to be sources of high feline intake. AAWD periodically provided BFAS with a list of "hot spots" from which a disproportionate number of free-roaming cats were arriving at city shelters [31]. BFAS staff, with the assistance of volunteers, trapped cats at selected locations and delivered them to AHNM for examination, sterilization, and vaccination. After recovery, BFAS personnel returned the cats to their locations of capture. Targeted trapping was also performed at release sites of cats returned as part of the RTF program [18,31,32]. Such sites were selected based upon the theory, termed the "red-flag cat model" (RFCM), that locations within a community capable of sufficiently supporting one cat were likely home to additional unsterilized cats [18,30]. Thus, the initial cat trapped and returned to a new location acted as an indicator, or red flag, alerting program staff to the potential presence of other cats. Information about the CCP was disseminated via concentrated community outreach, including door-to-door canvassing (a.k.a., block walking), the distribution of door hangers, and the hosting of educational events, in the neighborhoods where targeted TNR took place [33].

Cats were not relocated unless their home environments were deemed too dangerous for return—a situation that occurred only rarely. Based upon the results in Jacksonville, microchipping of cats was not part of the Albuquerque CCP protocol. Initially, cats returned to the field in Jacksonville were microchipped in order to track the number who were impounded more than once or became victims of nefarious human behavior; the practice was discontinued when "no evidence of mistreatment of returned cats turned up" [18] (p. 85). Zip codes where cats were trapped and returned included those within the city of Albuquerque as well as some in smaller towns and unincorporated areas of Bernalillo County [18].

2.2. Data Collection

For the purposes of the present study, all data pertaining to the CCP and AAWD results from the years 2011 to 2016 were obtained from BFAS; AAWD results prior to 2011 were acquired directly from AAWD.

CCP cat and surgery information was entered by CCP staff and volunteers into an internally-built database created by BFAS. The data was updated several times per month throughout the course of the program. Statistics were assessed monthly to evaluate the progress of the program toward overall sterilization surgery goals [34]. AAWD employed Chameleon sheltering software; information was inputted by shelter staff and available for tracking on a daily basis [35].

AAWD shelter data tracked as part of the CCP included live intakes, live outcomes, and other outcomes, including euthanasia. Intake and euthanasia statistics were recorded by age: adult and kitten ($\leq$5 months of age); admissions of kittens two months of age and under were also tracked. All sterilization surgeries, whether performed as part of the RTF or targeted TNR programs, as well as the number of cats returned to colony sites, were documented. Outcomes for cats returned to colony sites were not specifically tracked as part of the CCP [34].

2.3. Data Analysis

Annual feline intake and euthanasia data (broken down by age, where possible) for each of the CCP years were compared to AAWD data from years before and after the CCP, as well as to comparable data from other communities where similar programs have been implemented. In addition, the number of cats included in the RTF component was compared to those included in the TNR component for each year of the CCP, with a particular emphasis on instances of RTF and TNR cats originating from the same location. Due to the small sample size involved (e.g., 3 program years), no statistical analysis was attempted.

3. Results

A total of 11,746 cats (8160 (69.5%) adults and 3586 (30.5%) kittens) were enrolled in the three-year Albuquerque CCP. Sterilization surgery was performed on a total of 11,038 cats, 8851 (80.2%) as part of the targeted TNR program and 2187 (19.8%) under the RTF initiative. The combined number of sterilization surgeries fluctuated over the course of the CCP: Year 1 (4/12 to 3/13): 3723; Year 2 (4/13 to 3/14): 3981; Year 3 (4/14 to 3/15): 3334. Sterilizations associated with the RTF program declined each year as a percentage of the total number performed: Year 1: 25.9%; Year 2: 19.1%; Year 3: 13.9% (Figure 1). Over the course of the CCP, the number of male cats sterilized slightly exceeded females 5589 (50.6%) to 5449 (49.4%) and more adults were sterilized than kittens, 7551 (68.4%) to 3487 (31.6%). A total of 642 cats (5.5%) were discovered after program enrollment to have been previously sterilized.

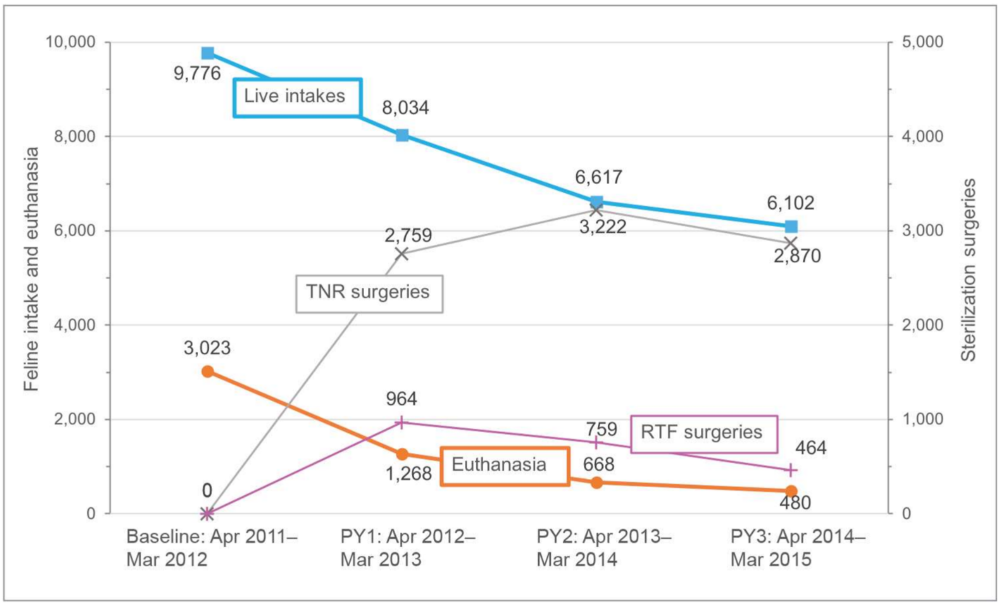


Figure 1. Feline intake, euthanasia, and surgeries: Albuquerque community cat program (CCP).

In total, 10,738 cats (91.4%) were returned to colony sites as part of the CCP; 946 (8.0%) were adopted from AAWD, transferred to rescue groups for adoption, or placed in foster care; 34 (0.3%) died in surgery, pre-operatively, post-operatively, or in care; 20 (0.2%) were euthanized for serious health concerns; 6 (0.1%) were relocated because they could not be returned safely to locations of capture; and 2 (<0.1%) were returned to owner or otherwise released without undergoing surgery (Table 1). Of the cats returned to colony sites, 7654 (71.3%) were adults, 3067 (28.6%) were kittens ($\leq$5 months of age), and the age of 17 (0.1%) was unknown. Cats originated from 1875 different colony sites across 22 zip codes. The number of cats enrolled in the CCP per zip code (as part of either the RTF or targeted TNR programs) ranged from 3 to 2032, median of 353; 69% of the cats originated from locations in 6 of the 22 zip codes in which the CCP operated (87121, 87105, 87107, 87102, 87123, and 87108).

Table 1. Disposition of cats in the Albuquerque CCP.

Mode of Disposition	Total Cats	Percentage
Returned to Colony	10,738	91.42
Adopted/Rescue	946	8.05
Died	34	0.29
Euthanized	20	0.17
Relocated	6	0.05
Other	2	0.02
Totals	11,746	100

At the end of the three-year CCP, when compared to a baseline of the 12-month period immediately prior to program inception, feline euthanasia at AAWD declined by 84.1%, from 3023 (4/2011 to 3/2012) to 480 (4/2014 to 3/2015) cats. The euthanasia rate for cats fell by 74.4% over the same period, from 30.9 to 7.9%, and feline intake was reduced by 37.6%, from 9776 to 6102. The euthanasia of kittens (≤5 months of age) declined by 89.8% from 1462 at year-end 2011 to 149 at the close of 2015 (some data were tracked only by calendar year); the euthanasia rate for kittens fell 81.8% from 32.9 to 6.0% over the same period, while kitten intake dropped by 44.4% from 4441 to 2468, overall, and 40.3% (2803 to 1672) for "newborn" kittens under two months of age (Table 2).

Table 2. Common shelter metrics before and after implementation of Albuquerque's CCP.

Shelter Metric	Age Classification	Before Program	After Program
Overall feline intake *		9776	6102
	Kittens **	4441	2468
	<2 months old **	2803	1672
Overall feline euthanasia *		3023	480
	Kittens **	1462	149
Feline euthanasia rate *		30.9%	7.9%
	Kittens **	32.9%	6.0%
Feline LRR **		60.6%	89.5%
Adoptions **		4264	3333
Adoptions/feline intake **		43.5%	60.2%
RTO (returned to owner) **		297	277
RTO/feline intake **		3.0%	5.0%
Calls for dead cat pick-up **		2220	1689

LRR = total live outcomes/total live intake. * Tracked by program year: before program (April 2011 through March 2012); after program (April 2014 through March 2015. ** Tracked by calendar year: before program (year-end 2011); after program (year-end 2015).

The live release rate (LRR), calculated using the American Society for the Prevention of Cruelty to Animals (ASPCA) formula of dividing live outcomes by intake [36], for cats at AAWD increased from 60.6% in 2011 to 89.5% in 2015; an improvement of 47.7%. Euthanasia of cats per 1000 Bernalillo County residents declined by 86.5% from 5.2 in 2011 to 0.7 in 2015; feline intake per 1000 county residents fell by 44.2% from 14.7 to 8.2. Over the same period, the number of cats reclaimed by their owners (a.k.a., returned to owner (RTO)) decreased 6.7% from 297 (3.0% of feline intake) in 2011 to 277 (5.0% of feline intake) in 2015, and the number of cats adopted from AAWD shelters decreased 21.8%, from 4264 (43.5% of feline intake) to 3333 (60.2% of feline intake). Moreover, calls from residents (via a 3-1-1 non-emergency municipal services line) about dead cats in the city of Albuquerque declined by 23.9%, from 2220 in 2011 to 1689 in 2015 (Table 2).

Results at AAWD for 2016 reflected continued declines in feline intake (5078), euthanasia (361) and euthanasia rate (7.1%), and sustained increases in LRR (91.0%) adoption rate (67.4% of feline intake, based upon 3422 adoptions), and RTO rate (5.5% of feline intake, based upon 279 cats returned to their owners); moreover, the number of 3-1-1 calls for dead cats decreased again, to 1616 (2017 results for this metric, which became available just as the present investigation was being concluded, indicate a continued decline to 1222 calls about dead cats).

4. Discussion

Multiple initiatives commencing in 2008, some shelter-based and others conducted by private non-profit organizations in the Albuquerque community, contributed to the significant declines in feline euthanasia and intake experienced at AAWD. The totality of these efforts can be loosely divided into four phases, a key component of which was the three-year CCP, which began in April of 2012 (Figure 2).

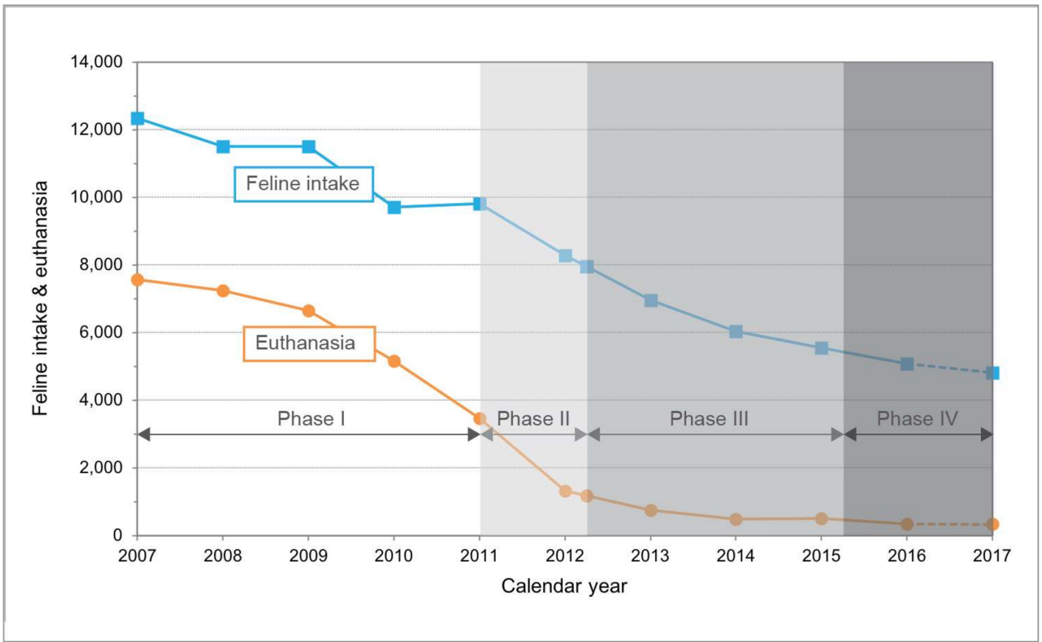


Figure 2. Annual feline intake and euthanasia at Albuquerque Animal Welfare Department, 2007–2017.

Phase 1 (2008 through 2010) established TNR as the preferred method of managing free-roaming cats in the city of Albuquerque. Actions included discontinuing trap rentals to residents for the purpose of bringing in feral cats, support for community-based TNR by referring calls about free-roaming cats to TNR groups, and subsidizing the cost of sterilization surgery co-payments for residents. Phase 2 (2011 through March 2012) laid the foundation for the CCP by initiating a pilot RTF program at AAWD that ended the euthanasia of cats based solely upon temperament. Phase 3 (April 2012 through March 2015), the CCP, institutionalized the use of RTF at AAWD by implementing sustainable protocols that appear to have been the primary factor in feline euthanasia dropping by 84.1%. Similarly, the integrated use of targeted TNR, including the RFCM, appear to have been the primary factor in a significant reduction (37.6%) in feline intake at AAWD as well. Phase 4 (April 2015 through 2016) consisted of the permanent adoption of RTF and targeted TNR as free-roaming cat management practices at AAWD. After the formal conclusion of the CCP, major elements of the program were retained by AAWD. Although no longer operated by BFAS (and funded by BFAS and PCI), shelter-based RTF and targeted TNR programs were continued due in large part to a municipally-funded contract between AAWD and Street Cat Hub (SCH), formerly SCC [26,32]. Under the agreement, SCH assumed the role of trapping and returning cats previously filled by BFAS. Improvements in shelter metrics attained as part of the CCP were sustained during this period.

As was observed in Jacksonville and San José, California [7,18], the addition of a RTF program to existing community and shelter-based initiatives (e.g., low-cost or free sterilization programs for pet cats and colony-level TNR) appears to have been the primary impetus behind the dramatic reductions in euthanasia at AAWD. Six years after initiation of the pilot RTF program in 2011, feline euthanasia at AAWD had declined by 93.3% (compared to the baseline year of 2010); 53% of that reduction occurred during the three-year CCP. The significant decrease (47.8%) in feline intake at AAWD over the same period is likely attributable to the addition of targeted TNR to the RTF program, as 79.2% of the observed decline in feline intake between 2010 and 2016 took place over the course of the CCP. In fact, during the pilot RTF program (2011), which included no targeting component, cat intake at AAWD increased by nearly 1% (from 9717 to 9810). Feline intake declined each year after targeted TNR began to be practiced in tandem with RTF. Similarly, after a program including targeted TNR was added to the aforementioned RTF program in Jacksonville, feline intake declined at the municipal shelter by 40.8% over four years [18,37]. A decline in the admission of stray cats at AAWD (from 6406 to 3563) comprised 60% of the total reduction in feline intake from 2011 through 2016 (the only years for which such data are available); a drop in the admission of owner-surrendered cats (from 3232 to 1345) accounted for nearly all the remainder of the overall reduction in feline intake. One factor likely contributing to the decline in owner-surrendered cats is a program initiated in 2014 (about halfway through the CPP), which provided free resources (e.g., spay or neuter surgeries, food, and advice concerning behavioral issues) to residents considering surrendering a pet [24]. Another contributing factor might have been an ongoing misclassification of cats at shelter surrender, as described by Zito et al. [38], due to an inherent inadequacy in the binary choice of admission categories (i.e., owner surrendered pet or stray), which fails to account for "semi-owned" cats receiving varying levels of direct support from humans. Hesitation on the part of caretakers to bring such cats to AAWD likely waned after the routine euthanasia of "feral" cats ceased in 2008, thereby creating an increase (of unknown magnitude) in the intake of cats presumably deemed "stray," yet which may have been more accurately categorized as "semi-owned."

The sharp declines noted above in feline intake and euthanasia at AAWD took place despite an estimated 2% increase in the population of Bernalillo County over the same period [39]. From 2011 to 2015, the number of cats admitted to AAWD per 1000 county residents fell by 44.2% (from 14.7 to 8.2), and the number of cats euthanized per 1000 county residents dropped by 86.5% (from 5.2 to 0.7). Elsewhere, four years after initiation of the previously referenced RTF program in San José, the number of cats admitted to the municipal shelter per 1000 county residents was reduced by 31.4% (from 10.2 to 7.0) and feline euthanasia per 1000 residents had declined by 77.8% (from 7.2 to 1.6) [7]. In Alachua County, Florida, where a two-year high-impact targeted TNR and adoption program was implemented, a 69.2% reduction in feline intake (from 13.0 to 4.0 per 1000 residents) and a 95% decrease in feline euthanasia (from 8.0 to 0.4 per 1000 residents) at the municipal shelter occurred in the targeted area (zip code 32601) versus declines of 31.3% (from 16.0 to 11.0 per 1000 residents) and 30% (from 10.0 to 7.0 per 1000 residents), respectively, in the remainder of the county [10] (Table 3). Sterilization efforts from the CCP resulted in 4.9–5.9 cats sterilized annually per 1000 residents, although additional sterilization efforts were undertaken concurrently throughout Bernalillo County (e.g., via AHNM). These rates are considerably lower than those reported in Alachua County's targeted TNR program (57–64 cats sterilized annually per 1000 residents) [10], but similar to those from San José's RTF program (approximately 2.7 cats sterilized annually per 1000 residents) [7]. The much greater figure resulting from targeted TNR efforts in Alachua County is most likely the result of the limited geographic area (i.e., one zip code); by contrast, the other two programs covered much larger areas and a much greater number of residents (although the CCP was still targeted in scope).

No zip code-specific feline intake data from AAWD was available to compare results from targeted and non-targeted areas. However, such data was collected by AHNM in order to track feline intake from six zip codes that were the subject of a targeted TNR program, funded by PCI, in 2011 and 2012. Results of this program indicate a two-year decline in feline intake of 62% at AHNM from the targeted zip codes compared to a reduction of only 8% from non-targeted areas [18]. These results were similar to what occurred in Alachua County [10]. Zip codes with the highest levels of stray cat and kitten intake at AHNM were selected for the targeted TNR program [40], which remained active at year-end 2016. Between 2012 and 2015, AHNM's targeted TNR efforts resulted in the sterilization of 3489 cats in seven zip codes. Nearly 70% of the cats enrolled in the CCP originated from six of the same zip codes (Figure 3).

Table 3. Impact of Albuquerque CCP in terms of intake and euthanasia per 1000 human residents, and comparison to similar programs in other communities.

Category and Period of Interest	**Community**		
	Albuquerque/Bernalillo County, NM	**San José, CA**	**Alachua County, FL (zip code 32601)**
Type of program(s)	Targeted TNR & RTF	RTF	Targeted TNR
Program duration	3 years	4 years	2 years
Feline intake/1000 human population			
Before program	14.7	10.2	13.0
After program	8.2	7.0	4.0
Reduction	44.2%	31.4%	69.2%
Euthanasia/1000 human population			
Before program	5.2	7.2	8.0
After program	0.7	1.6	0.4
Reduction	86.5%	77.8%	95.0%
Average sterilizations annually/1000 human population	5.4	2.7	60.5
Source of data	This study	[5]	[10]

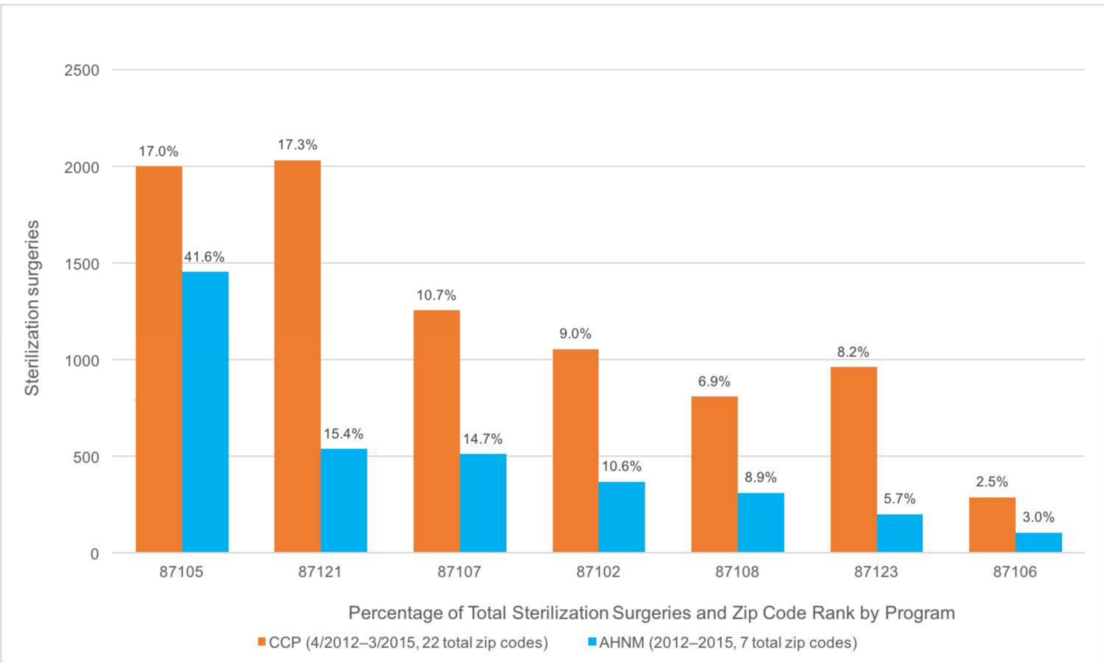
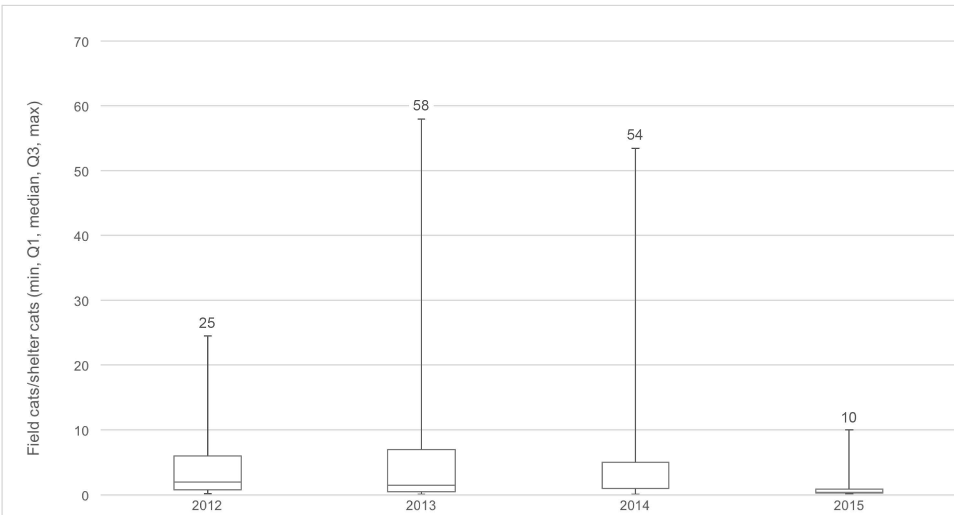


Figure 3. Sterilization surgeries in zip codes targeted by CCP and Animal Humane New Mexico (AHNM).

The RFCM appears to have played a significant role in bringing about the reductions in feline euthanasia and intake experienced at AAWD. In all, 2707 cats enrolled in the CCP (23%) originated from locations where both RTF and targeted TNR took place in a given year. Nearly 70% of these cats

(1881) were trapped, sterilized, vaccinated, and returned or adopted as part of targeted TNR efforts associated with cats returned to the field from AAWD. On average, an additional 4.5 "field-origin" cats (median of 2) were enrolled in the CCP for each "shelter-origin" cat returned to field at RFCM sites; results varied by year and the range is far greater than might be suggested by the median values (Figure 4). In some cases, more than 50 "field-origin" cats were enrolled in the TNR program as a result of targeted outreach efforts in response to a single cat being brought to the shelter as a stray. This illustrates a key advantage of the RFCM, and of integrating RTF and TNR programs in general. The RFCM was part of the Albuquerque CCP from the beginning; however, in practice, it was implemented with more regularity as the number of locations in the community that were considered sources of high feline intake at AAWD were reduced over the course of the three-year program [32]. This trend is illustrated in the ratios of cats enrolled in the CCP as part of either the targeted TNR or RTF component; targeted TNR enrolled cats outnumbered RTF cats 3:1 in Year 1, 4:1 in Year 2, and >6:1 in Year 3. Similarly, RTF cats declined as a percentage of total feline intake at AAWD from 12% in Year 1 of the CCP to 7.6% in Year 3, presumably as the percentage of sterilized cats increased at enrolled colony locations. It is estimated that by the end of the CCP a 90% sterilization rate was achieved across the 1875 enrolled colonies [41].



	2012	2013	2014	2015
3rd Quartile	6.0	7.0	5.0	0.9
Median	2.0	1.5	1.0	0.4
1st Quartile	0.75	0.50	1.00	0.33

Figure 4. Descriptive statistics (minimum, maximum, median, first and third quartiles) illustrating the impact of "Red-Flag Cat Model" for each program year. For each cat originating as a "shelter intake," additional "field-origin" cats from the same location were often trapped, sterilized, vaccinated, and returned.

The cats enrolled in the CCP were generally in good health, as illustrated by the low incidence of cats requiring euthanasia or dying in care, which is consistent with what has been observed at other locations where RTF [7] and targeted TNR [10] programs have been implemented. Implementation of the CCP did not alter the ratio of adult cats to kittens admitted to AAWD. More adult cats than kittens were admitted, by a ratio of 1.2:1, in both 2011 and 2015. Similarly, after initiation of a RTF program in San José, the relationship between the intake of adult cats and kittens remained stable; however, in San José more kittens than adult cats entered the shelter both before and after initiation of the program [42].

Although the percentage of feline intake at AAWD adopted into homes increased from 43.5% in 2011 to 60.2% in 2015, the number of cats adopted decreased by 21.8% from 4264 to 3333 cats. The most obvious explanation is that adoptions decreased largely as a result of reductions in feline intake.

However, this was not the case in San José, where feline intake decreased nearly 21% (from 43,517 to 34,380) as a result of a four-year RTF program while adoptions increased about 1% (from 5126 to 5175) [42]. Adoptions of cats and kittens from AHNM also decreased, from 1741 cats before the CCP to 1444 cats after the CCP (although a precise comparison is not possible because AHNM data is tracked by a fiscal year that does not correspond to CCP program years or calendar years), possibly as a result of 463 fewer cats coming into AHNM. Even so, this decrease is surprising since AHNM opened a new adoption center in 2014, designed to make adoptions a more attractive and convenient option for residents. Although it is not clear from the data available why adoptions of cats and kittens from both AAWD and AHNM would have decreased over the course of the CCP, one likely factor is the reduced "supply" to both organizations as a result of the AAWD's ongoing RTF efforts. Again, though, this trend was not observed in San José [42]. It is possible, too, that targeted TNR efforts led to an overall decrease in the number of free-roaming cats and kittens in the community (the "supply" itself). In any case, despite fewer adoptions from AAWD, the agency's dramatic decrease in feline euthanasia resulted in the significant improvement in LRR (60.6% to 89.5%) observed over the course of the CCP.

RTO decreased from 297 in 2011 to 277 cats in 2015. This modest decline must be considered in light of the results of a national survey of U.S. households, which found that only 2% of lost cats were recovered by contacting a local shelter [43]. Viewed in this context, the increase in AAWD's RTO as a percentage of feline intake, from 3.0% in 2011 to 5.0% in 2015, is noteworthy. By way of comparison, San José's RTF program saw RTO decrease from 1200 cats (2.8% of feline intake) to 772 (2.2% of feline intake) over four years [42]. AAWD's modest reduction in RTO might be seen as surprising given the prominent role RTF played in the CCP and the considerable decline in feline intake; if there are far fewer cats kept in the shelter, one might expect a sizable decrease in RTO. However, RTO decreased 6.7% while feline intake decreased 37.6%; AAWD reunited 20 fewer cats with their owners in 2015 despite 3674 fewer cats entering the shelter. One factor likely contributing to AAWD's RTO is the mandated microchipping of pets in the city of Albuquerque making it easier for lost cats to be reunited with their owners [25,29,44]. Moreover, as has been observed elsewhere after the implementation of a RTF program [7], AAWD documented a significant decrease in the number of dead cats recorded on an annual basis.

5. Study Limitations

As has been noted elsewhere [42,45], the limitations of the present study include those invariably encountered when conducting a retrospective investigation, which is bound by the parameters and precision of the available data. Results for metrics tracked specifically as part of the three-year CCP (e.g., feline intake and euthanasia, and sterilization surgeries) were calculated for 12-month periods that correspond to the beginning (April) and ending (March) months of the program; results customarily tracked by AAWD, apart from the CCP, were based upon the calendar year. For that reason, changes over time for some metrics are reported by calendar year and some by program year; applicable criteria used to calculate changes in metrics are noted herein. Moreover, after initiation of the CCP, some metrics were tracked by both AAWD and BFAS. In order to ensure consistency, data were sourced from BFAS whenever possible; results were obtained directly from AAWD when information from BFAS was unavailable (i.e., years prior to 2011). It was found that whenever common sets of data from each source existed, discrepancies were few and minor (<0.5%). RFCM colony sites were not specifically tracked as part of the CCP; only data indicating the number of cats enrolled by year as part of either the RTF or targeted TNR components of the program were available for analysis. Therefore, for the purposes of this study, RFCM colony sites were defined as those where RTF and targeted TNR activity both occurred during the same calendar year.

Feline intake and euthanasia at AAWD were not formally tracked by zip code; therefore, an assessment of the impact of targeted TNR on these metrics for specific zip codes, as has been formulated elsewhere [10], was not attempted. An assessment of the impact of targeted TNR on feline intake in targeted versus non-targeted zip codes was made, and presented above, as part of a program conducted by AHNM in 2011 and 2012. At the conclusion of the present study, the AHNM-targeted TNR program was ongoing; however, attempts to obtain more recent feline intake data from AHNM were unsuccessful.

Colonies of free-roaming cats were enrolled in the CCP as they were discovered. Colony information, including location and the surgery records of individual cats, was entered into an internal BFAS database. Colony information was updated throughout the program as cats were trapped, sterilized and returned; however, records pertaining to the number of cats at each colony site upon entry into the CCP are incomplete [34]. Consequently, an assessment of the changes in colony size over the course of the program was not possible. In addition, welfare outcomes for cats returned to colony sites were not specifically recorded, precluding analysis. The fates of cats returned to colony sites as part of RTF programs likely warrants further investigation.

6. Conclusions

The considerable decline in feline euthanasia at AAWD appears to be associated clearly with implementation of the RTF program. The concurrent reduction in feline intake, including kitten intake, is likely associated with the addition of targeted TNR, including utilization of the RFCM, upon initiation of the CCP. The fact that total feline intake, and that of newborn kittens, declined at AAWD for five consecutive years (2012 to 2016) after an integrated program of RTF and targeted TNR was implemented is notable, and when considered in conjunction with the corresponding decrease in calls to the city about dead cats, likely indicates a reduction in the total population of free-roaming cats present in the Albuquerque community. Additional research focusing on the number of free-roaming cats living in the city of Albuquerque and Bernalillo County as a whole is necessary to confirm this hypothesis.

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ANNUAL MEETING

Trap-neuter-vaccinate-return programs for community cats backed by ABA (American Bar Association) delegates

BY DEBRA CASSENS WEISS

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The ABA House of Delegates on Monday backed trap-neuter-vaccinate-return (TNVR) programs for free-roaming cats.

The House approved Resolution 102B, which calls for legislation and policies at state and local levels to implement the programs. The resolution also says existing laws and policies should be interpreted to allow the programs.

The voice vote was divided, but House of Delegates chair Deborah Enix-Ross declared that the measure had won approval. She later asked for a show of hands and said it affirmed the measure had passed.

The measure was proposed by the ABA's Tort Trial and Insurance Practice Section. Such programs could protect community cat caregivers from liability, would help control the cat population, and would promote humane treatment of the cats, according to the section's report to the House of Delegates.

The report cites estimates there are 30 million to 40 million free-roaming, or community, cats in the United States.

For decades, jurisdictions trapped and removed community cats in programs that typically resulted in the cats being killed, the report says. TNVR programs place socialized cats and kittens for adoption, when possible. In some instances, cats that are returned to the community are fed and monitored by volunteers.

Most jurisdictions' laws don't recognize TNVR programs. In some cases, legal challenges have resulted in rulings that aspects of the programs violate criminal and civil statutes, the report says.

Those who care for community cats might be found in violation of criminal or civil laws requiring licensing or limiting cat ownership. "Because of these concerns," the report says, "laws defining owner should exempt community cat caregivers, and at-large laws, stray-hold periods, and licensing requirements should exempt" community cats that are ear-tipped to designate that they have been sterilized and vaccinated. Abandonment and no-feedings laws should also exempt those who care for returned community cats, the report says.

Third-party liability can also be a problem for caregivers if they are deemed to be the owners of community cats. Government entities may be sued as well. Those who are sued could use the jurisdiction's allowance of trap, neuter, vaccinate and return as a defense, according to the report.

Follow along with our full coverage of the 2017 ABA Annual Meeting.

Article can be found:
http://www.abajournal.com/news/article/trap_neuter_vaccinate_return_community_cats_aba_delegates

Best Friends Animal Society

SAVE THEM ALL

Fact vs. fiction: What every policy maker should know about free-roaming cats

Trap-neuter-return (TNR) is a common-sense, cost-effective solution for managing populations of unowned, free-roaming cats (sometimes called stray, feral, or "community cats") by preventing additional births — rather than trying to round up, house, feed, and kill more cats. Despite TNR becoming increasingly popular over the past 25 years, a great deal of misinformation exists regarding TNR, and outdoor cats in general.

To deliver the services your community expects, you need to know the facts.

Fiction: TNR is too costly to be feasible.

Facts: Studies show that TNR can actually save taxpayers money. A review of data from Hillsborough County Animal Services (HCAS) in Tampa, Florida, for example, found the cost to sterilize and vaccinate colony cats to be $65 per cat "as opposed to $168 for [HCAS] picking up, handling, and disposing of an animal."[1] This is similar to cost estimates from San José Animal Care and Services, in California, which reports a cost of approximately $72 per cat for "vaccinations against rabies and other common cat disease, flea treatment, ear treatment, microchip, and ear-tipping."[2] Estimates (unpublished) compiled from across the U.S. by researchers with the Alliance for Contraception in Cats & Dogs indicate less of a cost difference, but with TNR still more economical (about $20–$97 per cat) than the traditional impoundment and lethal injection (about $52–$123 per cat).

Dr. Donna M. Alexander, administrator for Cook County (Illinois) Animal and Rabies Control, has testified in court that "prior to adoption of the TNR programs, local municipalities were trapping and euthanizing approximately 500 to 600 feral cats per year, at a cost to taxpayers of about $135 per cat." Implementation of the county's TNR program, then about five or six years old, "had saved the county over $1.5 million, primarily resulting from having fewer feral cats to euthanize."[3]

Fiction: TNR leads to nuisance complaints from residents.

Facts: A well-run TNR program generally reduces nuisance complaints — sometimes dramatically.[a] Summarizing their review of the relevant research, the authors of a 2013 report from the Alliance for Contraception in Cats & Dogs write: "Credible studies indicate that neutering reduces urine spraying and roaming in search of mates by male cats, and spaying eliminates estrous-associated behaviors in female cats, including aggression, vocalization and perhaps efforts to escape outdoors in order to mate."[4]

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[a] For additional information, visit bestfriends.org/resources/feral-cats-and-tnr for resources such as "How TNR Reduces Nuisance Complaints: What the Research Tells Us."

Fiction: Residents are opposed to TNR for managing the unowned, free-roaming cats in their neighborhood.

Facts: Results of a 2014 national survey commissioned by Best Friends revealed a 68 percent preference for TNR over impoundment followed by lethal injection of unadoptable cats (24 percent).[5] More recently, a 2017 survey (also commissioned by Best Friends) found nearly identical results: 72 percent of respondents supported TNR, compared to just 18 percent favoring impoundment and lethal injection.

Results of a 2006 survey commissioned by Alley Cat Allies found that 81 percent of respondents thought "leaving [a] cat where it is outside" was more humane for the cat, compared to the alternative of "having the cat caught and then put down" (14 percent).[6] When respondents were asked the same question — but told to assume the cat would die two years later after being hit by a car — the support for "leaving the cat" remained strong, at 72 percent (with 21 percent preferring to have the cat caught and euthanized). The same questions were asked in two subsequent surveys, and the results again indicated a strong preference (e.g., 73–86 percent of respondents for the first question) for "leaving the cat where it is outside."[7,8] Such attitudes are in line with the results of a 2011 national survey in which just 25 percent of respondents agreed that animal shelters "should be allowed to euthanize animals as a necessary way of controlling the population of animals."[9]

Fiction: TNR doesn't work.

Facts: The science is quite clear: There are only two ways proven to reduce, and eventually eliminate, a population of free-roaming cats: (1) intensive TNR efforts or (2) intensive eradication efforts, such as those done using poison, disease, lethal trapping, and hunting on small oceanic islands.[10,11] Given the horrendous methods employed — and costs that can exceed $100,000 per square mile[12] — eradication is a non-starter in the U.S. The only fiscally sound option, then, is TNR. Arguments about the limitations of its effectiveness, the alleged impact of outdoor cats on the environment and so forth largely miss the point. In the vast majority of instances, TNR is simply the best option available to humanely reduce the outdoor cat population and any related nuisance complaints.

A number of TNR programs have demonstrated dramatic population reductions and, in some cases, have completely eliminated colonies of free-roaming cats. For details, please visit bestfriends.org/resources/feral-cats-and-tnr for resources such as "Trap-Neuter-Return Success Stories: What the Research Tells Us."

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Fiction: TNR compromises the welfare of community cats.

Facts: Best Friends operates more large-scale TNR programs than any other organization in the country; as such, we are in a unique position to comment on the positive impact of these programs. Our firsthand experience, and evidence from a number of studies, shows that the vast majority of unowned, free-roaming cats are healthy — even thriving. During an 11-year observation period, more than half of the 23 cats living continuously on the University of Central Florida campus were estimated to be 6.8 years old or older, for example.[12] A 2012 nationwide survey conducted by Alley Cat Rescue revealed similar longevity: One quarter of TNR organizations responding to the survey had colony cats in the 6–8 year range and 35 percent had cats in the 9–12 year range, while 14 percent reported caring for cats 13 years of age or older.[13] And a number of studies have found that cats involved with TNR programs are "surprisingly healthy and have good body weight."[14,15,5]

Fiction: TNR poses a significant threat to wildlife, especially native birds.

Facts: The astronomical mortality "estimates" sometimes attributed to free-roaming cats[16] simply cannot be reconciled with the best population estimates available,[17] or with the population trends documented by the annual North American Breeding Bird Survey.[18] In addition, such estimates leave no accounting for other well-documented causes of bird mortality, such as pesticide use, oil spills, habitat loss, window strikes, or other anthropogenic causes. Indeed, were these claims even remotely accurate, no birds would be left.

It's well known that all predators — cats included — tend to prey on the young, the old, the weak and the unhealthy. At least two studies have investigated this phenomenon in detail, revealing that birds killed by cats are, on average, significantly less healthy than birds killed through non-predatory events (e.g., collisions with windows or cars).[19,20] As the U.K.'s Royal Society for the Protection of Birds notes: "It is likely that most of the birds killed by cats would have died anyway from other causes before the next breeding season, so cats are unlikely to have a major impact on populations."[21] In any case, because the most effective way to reduce most populations of community cats is through sterilization, TNR offers a benefit to wildlife as well.

Fiction: TNR leads to nuisance complaints from residents.

Facts: A well-run TNR program generally reduces nuisance complaints — sometimes dramatically.[a] Summarizing their review of the relevant research, the authors of a 2013 report from the Alliance for Contraception in Cats & Dogs write: "Credible studies indicate that neutering reduces urine spraying and roaming in search of mates by male cats, and spaying eliminates estrous-associated behaviors in female cats, including aggression, vocalization and perhaps efforts to escape outdoors in order to mate."[22]

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COMMUNITY CAT PROGRAM

Ed and Kathy Denton

KATO Foundation/ Kitty City NM

"You can judge the heart of a man by his treatment of animals."
Emmanuel Kant

"The greatness of a nation can be judged by the way its animals are treated."
Mahatma Gandhi

Partners

- Best Friends Animal Society
- KATO Foundation/ Kitty City NM
- City of Alamogordo Police Department: Alamogordo Animal Control
- Participating Veterinarians

Community Cat Program

- RTF: Return to Field

  Owned by local animal control/sheltering agencies as a non-lethal management policy that diverts community cats headed to the shelter for holding to a spay/neuter clinic. After being fixed, the cats are returned to their neighborhood homes, bypassing the typical impound process and instead offering up a lifesaving alternative.

- TNVR: Trap, Spay/Neuter, Vaccinate, Return

  Humane, nonlethal alternative to the old trap-and-kill method of controlling feral cat populations. All community cats, whether they are considered stray, feral or just free-roaming, are caught in humane cat traps, medically evaluated, spayed or neutered by a licensed veterinarian, vaccinated against distemper and rabies, and then returned to their original outdoor homes. Often, these cats live in groups called cat colonies.

Program Outline

- BFAS partners with KC to distribute grant
- KC establishes contract with veterinarians for services and payment
- KC and APD/ AACC partner to transport cats
- KC selects 8 to 10 cats weekly
- AACC transports cats to veterinarian for procedure: spay/ neuter/ vaccines
- Cats remain overnight after surgery
- AACC returns cats to original location

- KC volunteers available to assist AACC in returning cats
- KC trains and assists AACC staff to handle any complaints about program and humane deterrents to keep cats out of citizen's property
- KC tracks all paperwork, keeps statistics, and handles all payment to vets for program costs: spay/ neuter/ vaccines

Benefits

- No cost to the city/Animal Control: BFAS funding program
- Immediate reduction of cats at Animal Control
- Decrease cost of cat care:
  - Food
  - Litter
  - Medications
- Decrease time/labor spent by staff caring for cats
- Decrease in euthanasia/killing of cats (almost weekly)
  - Decrease cost of euthanasia drugs

- Increase in morale of AC Officers
  - Decrease euthanasia/killing of cats and kittens
  - Less cats in already crowded shelter
  - More time to give quality care to all animals at shelter
- RTF Cats healthier
- Cat populations decrease in numbers
- Cat populations stabilize
- Decrease in cats entering Animal Control
- Steady decrease of costs over time

Success Stories

- Jacksonville, Florida
- London, United Kingdom
- Lake County, Florida
- Maricopa County, Arizona
- San Diego, California
- New York City, New York
- Cape May, New Jersey
- Atlantic City, New Jersey
- San Francisco, California
- Jefferson, Iowa
- El Paso, Texas
- Idaho Falls, Idaho
- Rome, Italy
- Randolph County, NC
- Newburyport, Massachusetts
- Baltimore, Maryland
- San Antonio, Texas
- Pima County, Arizona

Success Stories in NM

- Albuquerque, New Mexico

- Programs starting/pending:
  - Las Cruces
  - Los Lunas
  - Alamogordo

City Commissioners/ City

- Resolution by-passing city ordinances to allow this pilot program (Animals at large): ABA Resolution 102B
- Eliminate drop box outside Animal Control (Stipulation made by BFAS in order to fund the program)
- MOU between APD/Animal Control and Kitty City outlining each organizations part in this program

Resources

- Best Friends Animal Society
  www.bestfriends.org

- Alley Cat Allies
  www.alleycats.org

PERSPECTIVE ARTICLE

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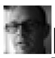
The Road to TNR: Examining Trap-Neuter-Return Through the Lens of Our Evolving Ethics

Peter Joseph Wolf[1*] and Joan E. Schaffner[2]

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In the 2008 article "A Review of Feral Cat Control," Robertson explored the trend developing in the management of so-called "feral" cats away from lethal methods toward the non-lethal method of trap-neuter-return (TNR). The review explored various issues raised by the presence of these unowned, free-roaming cats in our neighborhoods (e.g., zoonotic disease and wildlife predation), stakeholder interests, and management options—all based on then-available information. Missing from the review, however, was an exploration of the shifting ethics underlying TNR's increasing popularity. In this essay, we explore the ethical aspects of community cat management in the U.S. as reflected in the momentum of the "no-kill movement" generally and TNR in particular. We argue that these powerful cultural currents reflect two interrelated ethical theories: (1) a zoocentric ethic that recognizes the intrinsic value of non-human animals beyond any instrumental value to humans, and (2) a virtue ethic that recognizes the legitimacy of "emotional" considerations (e.g., compassion) that rightly accompany decisions about how best to manage community cats.

Introduction

In "A Review of Feral Cat Control," Robertson (1) explored the trend developing in the management of unowned, free-roaming ("community") cats, away from lethal methods toward the non-lethal method of trap-neuter-return (TNR). The review explored various issues raised by the presence of community cats (e.g., zoonotic disease and wildlife predation), stakeholder interests, and management options—all based on then-available information. Seven times Robertson alluded to the ethical implications of allowing these cats in our communities, and of the competing management methods. Missing from the review, however, was an exploration of the shifting ethics underlying TNR's increasing popularity.

In the 10 years since the publication of Robertson's review, TNR has become more widely adopted in communities across the U.S. (2), though the practice remains controversial (3). For these reasons alone, it's worth examining "the rise of TNR" through two different (but presumably related) lenses: ethics and public opinion. Among the questions we're most interested in exploring: What are the ethical underpinnings of TNR, and non-lethal management more generally? And how are these ethics reflected in the public's preference for one management scheme over others?

Recognizing the Intrinsic Value of Non-Human Animals

As Robertson (1) explained, "the question of ending the life of healthy animals is a far reaching ethical question, as humans do kill healthy animals for food and pest control." Indeed, the management of community cats was, historically, based almost exclusively in an anthropocentric ethical framework—community cats were trapped and killed (4, 5). Anthropocentric theories assign intrinsic value only to humans, with instrumental value assigned to all other entities based only on their use value (or perceived negative impacts) to humans. Increasingly, however, greater consideration is being given to the intrinsic value of animals—a zoocentric ethic—making their interests morally relevant (6, 7).

This shift from an anthropocentric ethic to a zoocentric ethic is, in part, the result of a growing body of research demonstrating cognition, emotion, and sentience in animals once assumed to be "unfeeling" and relegated to the lower rungs of the now-obsolete "evolutionary ladder" (8, 9). Sentience has become "a criterion of moral significance, of being the kind of entity toward which a moral agent can have moral obligations" (10). As a result, although causing harm to a morally relevant animal is not automatically considered "wrong" in an absolute sense, the moral obligations associated with the recognition of an animal's intrinsic worth require that "the burden of proof is on one wishing to harm or exploit. The contrast is as sharp as a justice system where an accused is guilty until proven innocent vs. innocent until proven guilty" (11).

The Cultural Shift Toward Zoocentric Virtue Ethics

Accompanying this recognition of animals' intrinsic worth is a virtue ethic based neither on maximizing "the good" (i.e., a utilitarian ethic) nor an obligation to some duty (i.e., a deontological ethic). Instead, "virtue ethics focus on the character traits, or virtues, manifested in proper conduct… includ[ing] respect, humility, generosity, integrity, patience, and, of course, compassion" (12).

Even a cursory review of current events reveals evidence of this zoocentric virtue ethic. As we draft this essay, for example, *The New York Times* is reporting that Tahlequah, a 20-year-old female orca "has been swimming with her daughter's body through choppy seas… on what social media observers and orca researchers call a 'tour of griefș " (13) that continued for at least 17 days (14). It's difficult to imagine the "tour" receiving such attention had it not been for the 2013 documentary *Blackfish*, which prompted SeaWorld, 3 years later, to halt its captive breeding program and agree to phase out orca performances in its parks by 2020 (15, 16).

Additional evidence of the powerful cultural shift toward a zoocentric virtue ethic is seen in the growing legal fight over "personhood" for certain animals (5), with perhaps the most noteworthy cases to date involving primates (17). Our increasing recognition of, and concern for, the intrinsic value of animals is also reflected in our expectations for wildlife management, which has traditionally reflected an ecocentric ethic in which the well-being of the collective (e.g., populations, species and ecosystems), rather than any individual of the collective, is the primary goal (11). In 1992, for example, Schmidt (18) proposed a "new philosophical paradigm in wildlife damage management" focusing "on a professional responsibility to *individual* animals in a population, not just 'abstractș populations or species" (emphasis added). The success of this paradigm shift can also be seen in the compassionate conservation movement's guiding principle of "first do no harm" and "desire to eliminate unnecessary suffering and to prioritize animals as individuals, not just as species" (19).

In 2008, the year Robertson's review was published, a Gallup poll of U.S. adults found that 25% agreed with the statement, "Animals deserve the exact same rights as people to be free from harm and exploitation" (20). This result was unchanged since the previous 2003 poll; in 2015, however, agreement with the statement rose to 32% (20), a 28% increase over the previous result. And a 2011 survey of U.S. pet owners found that 71% of respondents agreed with the statement "Animal shelters should only be allowed to euthanize animals when they are too sick to be treated or too aggressive to be adopted," while only 25% agreed with the statement "Sometimes animal shelters should be allowed to euthanize animals as a necessary way of controlling the population of animals" (21).

When the same statements were presented to respondents of a 2017 national survey that included pet owners—and non-pet owners—agreement with the first statement dropped to 57%, most likely because, unlike in the 2011 survey, an explicit "don't know" option was offered, and selected by 17% of respondents. Agreement with the second statement, however, remained largely unchanged (26%) (22).

It's not surprising that our interest in the humane treatment of companion animals extends beyond the 94.2 million cats with whom 47.1 million Americans share their homes (23) to the millions of community cats with whom we share our neighborhoods. After all, "our moral obligations are clearer to close relations than to those who are further away from us... the wild feral cat is not just another feral animal but the close relative of the animal asleep on people's sofas" (24).

Indeed, evidence of such moral obligations is found in the results of a 2007 Harris Interactive poll commissioned by Alley Cat Allies, in which 81% of U.S. respondents indicated that leaving a community cat alone would "be the more humane option for the cat," compared to 14% who would opt to have the cat impounded and "put down." Even when presented with the possibility that the cat "would die in 2 years because it would be hit by a car," 72% expressed support for leaving the cat alone, 21% for lethal impoundment, with the remaining 7% refusing to answer or indicating that they didn't know (25). In 2014, Beall Research included the same two questions in a more extensive national survey. Seventy-three percent of respondents to the first question expressed a preference for leaving the cat alone, while 9% indicated a preference for lethal impoundment, and 18% refusing to answer or indicating that they didn't know; responses to the follow-up question were 54, 17, and 29%, respectively (26). As these surveys demonstrate, killing a healthy animal out of fear of some *possible* future event, as is sometimes advocated to oppose TNR (27), is out of step with public opinion[1].

This low level of public support for killing animals as a means of population control (in our animal shelters or our communities) is further evidence of a shift toward a zoocentric virtue ethic that recognizes the intrinsic value of animals beyond any instrumental value to humans, and the considerable role that compassion and empathy play in our "animal control" preferences. This last point is worth highlighting since critics of TNR routinely dismiss its support by animal welfare organizations and the general public as an emotional, but ultimately misguided, response (34–37). As Rawles (10) points out, such accusations are ironic given the rational nature of "the arguments that animal welfarists draw on" from the ethics literature, which "explicitly *disavow* any appeal to emotion, utilizing instead a very hard-nosed appeal to consistency and logical reasoning."

> "In my view, this approach is if anything *too* rational, leaving no room for the legitimate role of emotions in ethical deliberation and underpinned by a mistaken view of what emotions are like" (10, emphasis in original).

The No-kill Movement Comes of Age

Historically, the management of companion animals was driven largely by the same anthropocentric utilitarian ethical framework used by wildlife managers. As a result, lethal methods were used almost exclusively. As the animal rights movement of the 1970s and 1980s began to focus attention on the intrinsic value of all animals and their right to be treated with compassion (6, 7), the U.S. animal welfare community began calling for the fundamental reform of animal sheltering: "Euthanasia might be a relatively painless end to this journey of terror," reads one seminal essay, "but each death represents an abject failure—not an act of mercy" (38).

In 2007, a year before Robertson's review was published, Winograd (39) formalized the tenets of "the no-kill movement," arguing that it "has the potential to end, once and for all, the century-old notion that the best we can do for homeless dogs and cats is to adopt out a few, and kill the rest." Since then, U.S. cities and states have adopted no-kill resolutions, making public their commitment to saving the animals entering their shelters (40–43). Accompanying such commitments is the recognition that TNR and a suite of related programs (e.g., "working cat" programs, kitten nurseries) are indispensable for achieving no-kill objectives (41, 44). Indeed, the first of the "mandatory programs and services" included in Winograd's "No-Kill Blueprint for Shelters" is TNR.

> "For feral cats, TNR is the sole alternative to the mass killing perpetrated in U.S. animal shelters... In fact, because of their unsocial disposition, they are not considered adoption candidates. As a result, there is no other animal entering whose prospects are so grim and outcome so certain. Without TNR, all feral cats who enter shelters are killed" (39).

The protections offered by these programs reflect our evolving ethics; the once-dominant anthropocentric utilitarian framework is being challenged by our recognition of the intrinsic value of cats (owned and unowned alike) and the legitimacy of compassion in shaping our moral obligation to them.

Support for TNR

Although TNR is controversial (3, 45, 46), even some of its harshest critics concede, “there is little question that cat advocates are winning the war in the court of public opinion” (3). Indeed, the results of public opinion surveys concerning preferred methods of community cat management show strong support for TNR, and for the non-lethal management of community cats more generally. A national survey commissioned by Best Friends Animal Society and conducted by Luntz Global in 2014 found that 68% of respondents preferred TNR, compared to 24% who chose impoundment “followed by lethal injection for any cats not adopted” and 8% who chose “do nothing” (47). Three years later, another national survey asked a nearly identical question with nearly identical results: 72% of respondents chose TNR, compared to 18% who chose impoundment/lethal injection and 11% who chose “do nothing” (22, 48). Similar levels of support have been observed at the state (49) and local levels (50).

Other surveys on the subject indicate lower levels of support for TNR; however, these apparent discrepancies are easily understood when the survey designs are scrutinized. Ash and Adams (51), for example, found that 55% of Texas A&M University employees preferred TNR to manage cats on campus. However, the “removal” option chosen by 42% of respondents was actually two options: “either humanely put to sleep or adopted out to a home” (52), with no way to parse the results. Similarly, residents of Athens-Clarke County, Georgia, were asked to rate the acceptability of four options (including “educate the public about feral cats and wildlife”), rather than select one preferred management method (or rank multiple options). As a result, the observation that “cat sanctuaries were found to be the most acceptable option to reduce feral cat populations (56%), followed by TNR (49%) and capturing and euthanizing cats (44%)” (53) tells us little about management *preferences*. On the other hand, it's clear once again—from both surveys—that there's little public support for lethal management methods.

A survey of the general public in four Florida counties found that 54% of respondents preferred TNR, compared to 25% who preferred placement in a long-term no-kill shelter and 15% preferring to trap and “euthanize” cats (54). In fact, the “long-term no-kill shelter” option is, like the sanctuary option referred to above, largely a false choice;[2] shelters committed to reducing feline intake and killing rarely house cats long-term and are instead turning to shelter-based TNR, often called return-to-field programs (30, 54). Regardless, 85% of the “general public” (including the presumed 6% who chose “leave alone”) preferred the non-lethal options offered.

Other surveys investigating public support for TNR have reported lethal methods to be more popular than non-lethal methods. Loyd and Miller (55), for example, found that 52% of Illinois homeowners "preferred capture and euthanasia for feral cat management, 27% capture-neuter-return, 18% capture and keep in shelter, and 3% chose 'other.ș " However, a review of the original survey upon which these results are based (56), and its subsequent analysis, reveals a survey sample that fails to accurately represent Illinois homeowners. Chicago area residents (37% supported TNR, 38% supported "capture and euthanize," and 20% supported "capture and retain in shelter") were underrepresented by nearly 50% compared to other Illinois residents. And hunters, who were found to be less supportive of TNR (13% TNR, 73% lethal, 12% shelter), were overrepresented by a factor of almost 10. Similar sampling issues undermine the claim by Lohr and Lepczyk (57) that "live capture and lethal injection was the most preferred technique and trap-neuter-release was the least preferred technique for managing feral cats" in Hawaii. In fact, 82.5% of the study's "random residents" sample "lived in a rural area or small town" whereas "only 10% of Hawaii's population live in rural areas with fewer than 50,000 residents" (58). Moreover, 24% of "random residents" indicated that they hunted at least once annually, more than 34 times the expected rate (0.7%) based on hunting licenses purchased in 2009 (58). Thus, these surveys tell us very little about the general public's preference for managing community cats.

Support for TNR extends beyond the general public, too. The American Public Health Association's Veterinary Public Health Special Primary Interest Group, for example, "support[s] well-designed [TNVR[3]] programs as the preferred method of management wherever feasible" (59). And the National Animal Care & Control Association "recognizes that in some circumstances, alternative management programs, including [TNVR] programs may be effective, and recommends that each agency assess the individual need with their community and respond accordingly" (60).

In 2016, the American Veterinary Medical Association (AVMA) shifted its official position on the issue in a direction more favorable to TNR. Although the organization notes that "there is currently not consensus around what an ultimate solution will look like," AVMA now "encourages the use of non-lethal strategies as the initial focus for control of free roaming abandoned and feral cat populations. Public, private, and not-for-profit humane organizations and individuals must make every effort to promote adoption of acceptable unowned cats and implement sterilization programs." AVMA's previous position statement, published in 2012, made no mention of non-lethal methods and "neither endorse[d] nor oppose[d] appropriately managed cat colony programs" (61). And more recently, the American Bar Association approved a resolution "support[ing] the adoption of laws and policies supportive of TNVR programs with the intent of decreasing community cat populations and improving public health and safety…" (62).

Such endorsements reflect the considerable and varied memberships of the individual organizations—and by extension, the public they serve. Again, such clear support for TNR reflects the growing consensus that community cats have intrinsic value and deserve to be treated with compassion.

Conclusions

The momentum we're witnessing in the no-kill movement generally, and TNR in particular, reflect a profound shift away from an anthropocentric utilitarian ethical framework toward a zoocentric virtue-based ethical framework that recognizes the intrinsic value of animals beyond any instrumental value to humans and our moral obligation to treat them with compassion. Ten years ago, Robertson (1) highlighted the need for additional scientific research to "improv[e] current control methods" and called for both TNR programing and education to reduce community cat numbers. As this volume—and the works cited herein—demonstrate, the TNR literature has greatly expanded over the past 10 years; and programing, education, and outreach efforts continue to expand as TNR is adopted across the U.S., in communities large and small, urban and rural.

TNR's momentum and broad public support suggest almost an arc-of-history inevitability, and brings to mind a quote from Vucetich et al. (11): "Although the principles of social justice were developed with humans in mind, social justice's roots in intrinsic value suggests that it might be expanded and adapted to better understand what constitutes appropriate relationships between humans and the rest of the natural world."

Author Contributions

Both authors contributed equally to the overall development of this essay. PW contributed the majority of content related to public opinion surveys while JS contributed the majority of content related to various ethical philosophies.

Conflict of Interest Statement

In recognition of Frontiers' policy and our ethical obligations as authors, we acknowledge that one of the authors PW is employed by Best Friends Animal Society, advocating for the protection of domestic cats via public policy initiatives.

The remaining author declares that the research was conducted in the absence of any commercial or financial relationships that could be construed as a potential conflict of interest.

Footnotes

1. ^This "better-off-dead" philosophy, as it's sometimes called, is not supported by the growing body of evidence demonstrating that the vast majority of community cats are healthy (28–33) and is inconsistent with a zoocentric virtue ethic that recognizes and respects the intrinsic worth of individual animals.
2. ^TNR critics Marra and Santella (3) significantly understate the case when they acknowledge that "sanctuaries do not appear to be a model that can be scaled to meet the current need."
3. ^APHA, NACA, and ABA use the term *TNVR* to make explicit the vaccination component of TNR. Although vaccination against rabies is common practice for TNR programs located in areas of the U.S. where rabies in cats occurs most frequently—and is considered best practice for *all* TNR programs—it is not yet universal. Nor is the term *TNVR*; we've therefore chosen to use the more common term *TNR* throughout this paper.

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6 Comments - **Yvretta Carus**, **Coriolis Films Documentary Productions**, **Al-Hajji Frederick H Minshall** and **Tanner Monroe Jessel**.

Yvretta Carus I didn't see anything in the paper about how to decide which species to include in our circle of compassion and which to exclude. The authors assume, without argument, that house cats should be included. This lack is particularly troubling given that Dr. Herzog has written a book about our irrational choices of which to love and which to hate. Why keep house cats as pets at all? Why encourage them outdoors? Why not keep only small herbivores, such as guinea pigs and goldfish? Why not keep wild-type Norway rats, in all there grizzled magnificence? What is special about house cats?

- 3:38 PM, 11 January 2019

Coriolis Films Documentary Productions Leaving feral dogs and cats on the landscape, neutered or not, fails to address the root causes of over supply and abandonment of such "throw away" cheap pets. Not all feral species have serious negative ecosystem wide impacts, but feral cats certainly do, and euthanasia sadly needs to remain a shelter tool, until people start to accept that cats, like dogs, do not belong free roaming and uncontrolled in children's playgrounds, parks, public spaces, wildlife areas, and watersheds.

The health impacts are significant.There is much misinformation about this in the No Kill movement. Veterinarians and paid lobbyists like Peter Wolf can be extremely myopic and self-serving in promoting such misinformation, to the detriment of public health and wildlife. I recommend reading https://www.researchgate.net/publication/326379872_Responding_to_misinformation_and_criticisms_regarding_United_States_cat_predation_estimates?fbclid=IwAR25W-vn17ozlf5DKyLrrVAR4J1IpdbC_JcNPlYGMemMmDWWNNIB5jO5UAQ

Compassion-driven animal control policies tend to promote programs that leave feral animals on the landscape, to the detriment of species considered not worthy of compassion, or otherwise not visible to a public, but who might have important ecological roles in holding ecosystems together. But what if they might not be cute enough, or visible enough to receive the so-called compassionate animal rights groups support?

During the filming and production of our Saving Kauai's Seabirds documentary, I learned that even a single feral or free roaming cat can wipe out a seabird breeding colony over time, because they can go back night after night, killing the birds in their burrows. But, compassionate No Kill advocates are in denial of the cats role in predation of the nesting seabirds. Why have compassion for feral cats, but not the hundreds of seabirds the cats kill?

Compassion is the wrong measure of ecological importance and does not belong in the process of making sound evidence based management plans, to protect both public health and biodiversity. I support preventing prolonged suffering of feral cats, but that includes quick and humane methods of euthanasia, as well as strict licensing laws and preventing over supply of cats.

Seabirds are important for holding together the watersheds, because their guano brings the rich nutrients from the sea back to the plants and watersheds on the land. Seabirds are an essential part of the ecosystem in many parts of the world. Leaving even one single feral cat on the landscape, neutered or not, can destroy entire colonies and generations of seabirds. The compassion argument, which seems to only apply to furry domesticated species, that have gone feral, seems to be extremely anthropocentric, and easily misinformed by both emotions and spin doctoring.

- 2:29 PM, 12 January 2019

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User

- Comment deleted on 4:06 PM, 12 January 2019

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Al-Hajji Frederick H Minshall The thoughtless, emotion-driven parameters whereby the "ethics of intrinsic value" assigned to individual non-human animals is defined exemplifies the perverted ethical priorities of the "animal rights/animal rescue" movement. Such priorities exclude from their "circle of compassion" not only entire species of naturally-occurring wild animals slaughtered in the tens of billions by unnatural proliferation of unconfined invasive felines (whether they occasionally sleep on your couch or not), but the human communities, demographic groups and individuals most vulnerable to avoidable cat-vectored zoonotic diseases.

For example, Winograd and his ilk see proliferation of unconfined "community" cat colonies and feral dog packs as preferable to lethal removal of these human-propagated species from our environment. Yet Peter J. Hotez MD, PhD, Dean of the Tropical Disease Institute at Baylor College of Medicine warns that one out of every three Black children living in low-income communities is infected with toxocariasis, caused by parasitic roundworms which infest cats and dogs. The disease causes blindness and developmental disability. Dr. Hotez identifies the latter as a significant factor in impoverished children's disproportionate scholastic and socialization difficulties.

So how is it ethically tenable to deliberately proliferate zoonotic disease vectors in vulnerable communities, to essentially condemn generations of Black children to blindness, or exacerbate their consignment into a perpetual underclass--all to avoid euthanizing unwanted "pets"? Clearly, to do so is an example of prioritizing domestic animal lives over those of Black children. Such priorities reflect the "ethics" of Lord Jeffery Amherst, or perhaps a more current example, Michigan governor Rick Snyder.

And toxocariasis is but one of the egregious threats to public health engendered by the deliberate proliferation of stray/feral cat colonies in our communities and environment. Toxoplasmosis and cat-vectored rabies are, thanks to TNR and other worthless "no-kill management" schemes even more widespread in the US, and we are only beginning to see the ecological and epidemiological consequences of such misplaced and unrealistic priorities.

Such insanity is being foisted on the public by fanatics and charlatans whose twisted "ethics" allow them to value dogs and cats over humans. Princeton philosophy professor Peter Singer argues that a dog has more ethical value than a two year-old human child, and that it's therefore ethically preferable to kill a child than it is to kill a dog. Such extremists are instructing the children of privilege--that cadre of our society most likely to attain decision-making roles in the future.

As unlikely as it may seem to those less versed in human history, this has happened before. In 1933 Reichsmarshall Herman Goering, like Hitler an "animal rights" advocate, declared medical experimentation on domesticated animals strictly "verboten", denouncing those "...who still think animals are their inanimate property" and threatening violators with concentration camp internment. But of course Goering's regime regularly engaged in medical experimentation on Ashkenaziim (European Jews), Roma ("Gypsies") and Ethiopians. There is no clearer picture of the TRUE face of those whose "ethics" allows valuing individual domesticated animal lives over those of humans.

- 4:07 PM, 12 January 2019

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Yvretta Carus The authors assume, without evidence in either this paper or in the references, that TNR eliminates cat colonies. The only paper that I have found that uses scientific methodology with controls is Gunther, Idit; Hilit Finkler, and Joseph Terkel. 2011. Demographic differences between urban feeding groups of neutered and sexually intact free-roaming cats following a trap-neuter-return program. JAVMA, Vol. 238, No. 9, May 1, 2011. (I have seen 2 other papers that claim to have controls but do not.) Two cat colonies were managed with TNR plus feeding. Two other colonies were managed with feed-only. After one year, the TNR plus feed colonies had grown slightly, and the feed-only colonies had shrunk slightly. No attempted replication has been published, neither by the same research team nor by an independent research team. The many flaws in Gunther et.al. 2011 remain uncorrected. Organized TNR began in the United States around 1990. Since then, TNR has become widespread in the U.S. Concurrent with the expansion of TNR, free-roaming cat populations have grown immensely. A second look at TNR's effectiveness is needed.

- 1:36 PM, 17 January 2019

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Tanner Monroe Jessel Concerning the alleged "Policy Statement" from the "The American Public Health Association's Veterinary Public Health Special Primary Interest Group," it is worth noting the immediate past chair of that group declined to sign the alleged "position statement." Further, the APHA itself has not endorsed any such position; no such position is listed in the APHA's "Policy Statement" database. (https://www.apha.org/policies-and-advocacy/public-health-policy-statements/policy-database). The citation provided here misleads readers to believe the APHA has published a position statement endorsing TNVR. It very clearly has not, as TNVR is inherently incompatible with public health goals and objectives.

- 7:28 PM, 17 January 2019

PERSPECTIVE ARTICLE

Frontiers in Veterinary Science (https//:www.frontiersin.org)
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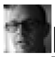
The Road to TNR: Examining Trap-Neuter-Return Through the Lens of Our Evolving Ethics

Peter Joseph Wolf[1*] and Joan E. Schaffner[2]

- [1]Best Friends Animal Society, Kanab, UT, United States
- [2]The George Washington University Law School, Washington, DC, United States

In the 2008 article “A Review of Feral Cat Control,” Robertson explored the trend developing in the management of so-called “feral” cats away from lethal methods toward the non-lethal method of trap-neuter-return (TNR). The review explored various issues raised by the presence of these unowned, free-roaming cats in our neighborhoods (e.g., zoonotic disease and wildlife predation), stakeholder interests, and management options—all based on then-available information. Missing from the review, however, was an exploration of the shifting ethics underlying TNR's increasing popularity. In this essay, we explore the ethical aspects of community cat management in the U.S. as reflected in the momentum of the “no-kill movement” generally and TNR in particular. We argue that these powerful cultural currents reflect two interrelated ethical theories: (1) a zoocentric ethic that recognizes the intrinsic value of non-human animals beyond any instrumental value to humans, and (2) a virtue ethic that recognizes the legitimacy of “emotional” considerations (e.g., compassion) that rightly accompany decisions about how best to manage community cats.

Introduction

In “A Review of Feral Cat Control,” Robertson (1) explored the trend developing in the management of unowned, free-roaming (“community”) cats, away from lethal methods toward the non-lethal method of trap-neuter-return (TNR). The review explored various issues raised by the presence of community cats (e.g., zoonotic disease and wildlife predation), stakeholder interests, and management options—all based on then-available information. Seven times Robertson alluded to the ethical implications of allowing these cats in our communities, and of the competing management methods. Missing from the review, however, was an exploration of the shifting ethics underlying TNR's increasing popularity.

In the 10 years since the publication of Robertson's review, TNR has become more widely adopted in communities across the U.S. (2), though the practice remains controversial (3). For these reasons alone, it's worth examining “the rise of TNR” through two different (but presumably related) lenses: ethics and public opinion. Among the questions we're most interested in exploring: What are the ethical underpinnings of TNR, and non-lethal management more generally? And how are these ethics reflected in the public's preference for one management scheme over others?

Recognizing the Intrinsic Value of Non-Human Animals

As Robertson (1) explained, “the question of ending the life of healthy animals is a far reaching ethical question, as humans do kill healthy animals for food and pest control.” Indeed, the management of community cats was, historically, based almost exclusively in an anthropocentric ethical framework—community cats were trapped and killed (4, 5). Anthropocentric theories assign intrinsic value only to humans, with instrumental value assigned to all other entities based only on their use value (or perceived negative impacts) to humans. Increasingly, however, greater consideration is being given to the intrinsic value of animals—a zoocentric ethic—making their interests morally relevant (6, 7).

This shift from an anthropocentric ethic to a zoocentric ethic is, in part, the result of a growing body of research demonstrating cognition, emotion, and sentience in animals once assumed to be “unfeeling” and relegated to the lower rungs of the now-obsolete “evolutionary ladder” (8, 9). Sentience has become “a criterion of moral significance, of being the kind of entity toward which a moral agent can have moral obligations” (10). As a result, although causing harm to a morally relevant animal is not automatically considered “wrong” in an absolute sense, the moral obligations associated with the recognition of an animal's intrinsic worth require that “the burden of proof is on one wishing to harm or exploit. The contrast is as sharp as a justice system where an accused is guilty until proven innocent vs. innocent until proven guilty” (11).

The Cultural Shift Toward Zoocentric Virtue Ethics

Accompanying this recognition of animals' intrinsic worth is a virtue ethic based neither on maximizing “the good” (i.e., a utilitarian ethic) nor an obligation to some duty (i.e., a deontological ethic). Instead, “virtue ethics focus on the character traits, or virtues, manifested in proper conduct… includ[ing] respect, humility, generosity, integrity, patience, and, of course, compassion” (12).

Even a cursory review of current events reveals evidence of this zoocentric virtue ethic. As we draft this essay, for example, *The New York Times* is reporting that Tahlequah, a 20-year-old female orca “has been swimming with her daughter's body through choppy seas… on what social media observers and orca researchers call a ‘tour of griefș ” (13) that continued for at least 17 days (14). It's difficult to imagine the “tour” receiving such attention had it not been for the 2013 documentary *Blackfish*, which prompted SeaWorld, 3 years later, to halt its captive breeding program and agree to phase out orca performances in its parks by 2020 (15, 16).

Additional evidence of the powerful cultural shift toward a zoocentric virtue ethic is seen in the growing legal fight over “personhood” for certain animals (5), with perhaps the most noteworthy cases to date involving primates (17). Our increasing recognition of, and concern for, the intrinsic value of animals is also reflected in our expectations for wildlife management, which has traditionally reflected an ecocentric ethic in which the well-being of the collective (e.g., populations, species and ecosystems), rather than any individual of the collective, is the primary goal (11). In 1992, for example, Schmidt (18) proposed a “new philosophical paradigm in wildlife damage management” focusing “on a professional responsibility to *individual* animals in a population, not just ‘abstractş populations or species” (emphasis added). The success of this paradigm shift can also be seen in the compassionate conservation movement's guiding principle of “first do no harm” and “desire to eliminate unnecessary suffering and to prioritize animals as individuals, not just as species” (19).

In 2008, the year Robertson's review was published, a Gallup poll of U.S. adults found that 25% agreed with the statement, “Animals deserve the exact same rights as people to be free from harm and exploitation” (20). This result was unchanged since the previous 2003 poll; in 2015, however, agreement with the statement rose to 32% (20), a 28% increase over the previous result. And a 2011 survey of U.S. pet owners found that 71% of respondents agreed with the statement “Animal shelters should only be allowed to euthanize animals when they are too sick to be treated or too aggressive to be adopted,” while only 25% agreed with the statement “Sometimes animal shelters should be allowed to euthanize animals as a necessary way of controlling the population of animals” (21). When the same statements were presented to respondents of a 2017 national survey that included pet owners—and non-pet owners—agreement with the first statement dropped to 57%, most likely because, unlike in the 2011 survey, an explicit “don't know” option was offered, and selected by 17% of respondents. Agreement with the second statement, however, remained largely unchanged (26%) (22).

It's not surprising that our interest in the humane treatment of companion animals extends beyond the 94.2 million cats with whom 47.1 million Americans share their homes (23) to the millions of community cats with whom we share our neighborhoods. After all, “our moral obligations are clearer to close relations than to those who are further away from us… the wild feral cat is not just another feral animal but the close relative of the animal asleep on people's sofas” (24).

Indeed, evidence of such moral obligations is found in the results of a 2007 Harris Interactive poll commissioned by Alley Cat Allies, in which 81% of U.S. respondents indicated that leaving a community cat alone would “be the more humane option for the cat,” compared to 14% who would opt to have the cat impounded and “put down.” Even when presented with the possibility that the cat “would die in 2 years because it would be hit by a car,” 72% expressed support for leaving the cat alone, 21% for lethal impoundment, with the remaining 7% refusing to answer or indicating that they didn't know (25). In 2014, Beall Research included the same two questions in a more extensive national survey. Seventy-three percent of respondents to the first question expressed a preference for leaving the cat alone, while 9% indicated a preference for lethal impoundment, and 18% refusing to answer or indicating that they didn't know; responses to the follow-up question were 54, 17, and 29%, respectively (26). As these surveys demonstrate, killing a healthy animal out of fear of some *possible* future event, as is sometimes advocated to oppose TNR (27), is out of step with public opinion[1].

This low level of public support for killing animals as a means of population control (in our animal shelters or our communities) is further evidence of a shift toward a zoocentric virtue ethic that recognizes the intrinsic value of animals beyond any instrumental value to humans, and the considerable role that compassion and empathy play in our "animal control" preferences. This last point is worth highlighting since critics of TNR routinely dismiss its support by animal welfare organizations and the general public as an emotional, but ultimately misguided, response (34–37). As Rawles (10) points out, such accusations are ironic given the rational nature of "the arguments that animal welfarists draw on" from the ethics literature, which "explicitly *disavow* any appeal to emotion, utilizing instead a very hard-nosed appeal to consistency and logical reasoning."

> "In my view, this approach is if anything *too* rational, leaving no room for the legitimate role of emotions in ethical deliberation and underpinned by a mistaken view of what emotions are like" (10, emphasis in original).

The No-kill Movement Comes of Age

Historically, the management of companion animals was driven largely by the same anthropocentric utilitarian ethical framework used by wildlife managers. As a result, lethal methods were used almost exclusively. As the animal rights movement of the 1970s and 1980s began to focus attention on the intrinsic value of all animals and their right to be treated with compassion (6, 7), the U.S. animal welfare community began calling for the fundamental reform of animal sheltering: "Euthanasia might be a relatively painless end to this journey of terror," reads one seminal essay, "but each death represents an abject failure—not an act of mercy" (38).

In 2007, a year before Robertson's review was published, Winograd (39) formalized the tenets of "the no-kill movement," arguing that it "has the potential to end, once and for all, the century-old notion that the best we can do for homeless dogs and cats is to adopt out a few, and kill the rest." Since then, U.S. cities and states have adopted no-kill resolutions, making public their commitment to saving the animals entering their shelters (40–43). Accompanying such commitments is the recognition that TNR and a suite of related programs (e.g., "working cat" programs, kitten nurseries) are indispensable for achieving no-kill objectives (41, 44). Indeed, the first of the "mandatory programs and services" included in Winograd's "No-Kill Blueprint for Shelters" is TNR.

> "For feral cats, TNR is the sole alternative to the mass killing perpetrated in U.S. animal shelters... In fact, because of their unsocial disposition, they are not considered adoption candidates. As a result, there is no

other animal entering whose prospects are so grim and outcome so certain. Without TNR, all feral cats who enter shelters are killed” (39).

The protections offered by these programs reflect our evolving ethics; the once-dominant anthropocentric utilitarian framework is being challenged by our recognition of the intrinsic value of cats (owned and unowned alike) and the legitimacy of compassion in shaping our moral obligation to them.

Support for TNR

Although TNR is controversial (3, 45, 46), even some of its harshest critics concede, “there is little question that cat advocates are winning the war in the court of public opinion” (3). Indeed, the results of public opinion surveys concerning preferred methods of community cat management show strong support for TNR, and for the non-lethal management of community cats more generally. A national survey commissioned by Best Friends Animal Society and conducted by Luntz Global in 2014 found that 68% of respondents preferred TNR, compared to 24% who chose impoundment “followed by lethal injection for any cats not adopted” and 8% who chose “do nothing” (47). Three years later, another national survey asked a nearly identical question with nearly identical results: 72% of respondents chose TNR, compared to 18% who chose impoundment/lethal injection and 11% who chose “do nothing” (22, 48). Similar levels of support have been observed at the state (49) and local levels (50).

Other surveys on the subject indicate lower levels of support for TNR; however, these apparent discrepancies are easily understood when the survey designs are scrutinized. Ash and Adams (51), for example, found that 55% of Texas A&M University employees preferred TNR to manage cats on campus. However, the “removal” option chosen by 42% of respondents was actually two options: “either humanely put to sleep or adopted out to a home” (52), with no way to parse the results. Similarly, residents of Athens-Clarke County, Georgia, were asked to rate the acceptability of four options (including “educate the public about feral cats and wildlife”), rather than select one preferred management method (or rank multiple options). As a result, the observation that “cat sanctuaries were found to be the most acceptable option to reduce feral cat populations (56%), followed by TNR (49%) and capturing and euthanizing cats (44%)” (53) tells us little about management *preferences*. On the other hand, it's clear once again—from both surveys—that there's little public support for lethal management methods.

A survey of the general public in four Florida counties found that 54% of respondents preferred TNR, compared to 25% who preferred placement in a long-term no-kill shelter and 15% preferring to trap and “euthanize” cats (54). In fact, the “long-term no-kill shelter” option is, like the sanctuary option referred to above, largely a false choice;[2] shelters committed to reducing feline intake and killing rarely house cats long-term and are instead turning to shelter-based TNR, often called return-to-field programs (30, 54). Regardless, 85% of the "general public" (including the presumed 6% who chose "leave alone") preferred the non-lethal options offered.

Other surveys investigating public support for TNR have reported lethal methods to be more popular than non-lethal methods. Loyd and Miller (55), for example, found that 52% of Illinois homeowners "preferred capture and euthanasia for feral cat management, 27% capture-neuter-return, 18% capture and keep in shelter, and 3% chose 'other.ș " However, a review of the original survey upon which these results are based (56), and its subsequent analysis, reveals a survey sample that fails to accurately represent Illinois homeowners. Chicago area residents (37% supported TNR, 38% supported "capture and euthanize," and 20% supported "capture and retain in shelter") were underrepresented by nearly 50% compared to other Illinois residents. And hunters, who were found to be less supportive of TNR (13% TNR, 73% lethal, 12% shelter), were overrepresented by a factor of almost 10. Similar sampling issues undermine the claim by Lohr and Lepczyk (57) that "live capture and lethal injection was the most preferred technique and trap-neuter-release was the least preferred technique for managing feral cats" in Hawaii. In fact, 82.5% of the study's "random residents" sample "lived in a rural area or small town" whereas "only 10% of Hawaii's population live in rural areas with fewer than 50,000 residents" (58). Moreover, 24% of "random residents" indicated that they hunted at least once annually, more than 34 times the expected rate (0.7%) based on hunting licenses purchased in 2009 (58). Thus, these surveys tell us very little about the general public's preference for managing community cats.

Support for TNR extends beyond the general public, too. The American Public Health Association's Veterinary Public Health Special Primary Interest Group, for example, "support[s] well-designed [TNVR[3]] programs as the preferred method of management wherever feasible" (59). And the National Animal Care & Control Association "recognizes that in some circumstances, alternative management programs, including [TNVR] programs may be effective, and recommends that each agency assess the individual need with their community and respond accordingly" (60).

In 2016, the American Veterinary Medical Association (AVMA) shifted its official position on the issue in a direction more favorable to TNR. Although the organization notes that "there is currently not consensus around what an ultimate solution will look like," AVMA now "encourages the use of non-lethal strategies as the initial focus for control of free roaming abandoned and feral cat populations. Public, private, and not-for-profit humane organizations and individuals must make every effort to promote adoption of acceptable unowned cats and implement sterilization programs." AVMA's previous position statement, published in 2012, made no mention of non-lethal methods and "neither endorse[d] nor oppose[d] appropriately managed cat colony programs" (61). And more recently, the American Bar Association approved a resolution "support[ing] the adoption of laws and policies supportive of TNVR programs with the intent of decreasing community cat populations and improving public health and safety..." (62).

Such endorsements reflect the considerable and varied memberships of the individual organizations—and by extension, the public they serve. Again, such clear support for TNR reflects the growing consensus that community cats have intrinsic value and deserve to be treated with compassion.

Conclusions

The momentum we're witnessing in the no-kill movement generally, and TNR in particular, reflect a profound shift away from an anthropocentric utilitarian ethical framework toward a zoocentric virtue-based ethical framework that recognizes the intrinsic value of animals beyond any instrumental value to humans and our moral obligation to treat them with compassion. Ten years ago, Robertson (1) highlighted the need for additional scientific research to "improv[e] current control methods" and called for both TNR programing and education to reduce community cat numbers. As this volume—and the works cited herein—demonstrate, the TNR literature has greatly expanded over the past 10 years; and programing, education, and outreach efforts continue to expand as TNR is adopted across the U.S., in communities large and small, urban and rural.

TNR's momentum and broad public support suggest almost an arc-of-history inevitability, and brings to mind a quote from Vucetich et al. (11): "Although the principles of social justice were developed with humans in mind, social justice's roots in intrinsic value suggests that it might be expanded and adapted to better understand what constitutes appropriate relationships between humans and the rest of the natural world."

Author Contributions

Both authors contributed equally to the overall development of this essay. PW contributed the majority of content related to public opinion surveys while JS contributed the majority of content related to various ethical philosophies.

Conflict of Interest Statement

In recognition of Frontiers' policy and our ethical obligations as authors, we acknowledge that one of the authors PW is employed by Best Friends Animal Society, advocating for the protection of domestic cats via public policy initiatives.

The remaining author declares that the research was conducted in the absence of any commercial or financial relationships that could be construed as a potential conflict of interest.

Footnotes

1. ^This "better-off-dead" philosophy, as it's sometimes called, is not supported by the growing body of evidence demonstrating that the vast majority of community cats are healthy (28–33) and is inconsistent with a zoocentric virtue ethic that recognizes and respects the intrinsic worth of individual animals.
2. ^TNR critics Marra and Santella (3) significantly understate the case when they acknowledge that "sanctuaries do not appear to be a model that can be scaled to meet the current need."

3. ^APHA, NACA, and ABA use the term *TNVR* to make explicit the vaccination component of TNR. Although vaccination against rabies is common practice for TNR programs located in areas of the U.S. where rabies in cats occurs most frequently—and is considered best practice for *all* TNR programs—it is not yet universal. Nor is the term *TNVR*; we've therefore chosen to use the more common term *TNR* throughout this paper.

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Keywords: cats, feral cats, community cats, trap-neuter-return, TNR, ethics, animal sheltering, public opinion

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AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 02/12/2019 **Report Date:** 02/07/2019 **Report No:** 2.

Submitted By: Sue Ashe

Subject: Presentation on Historical Data and Debt Profile. *(John Archuleta, George K. Baum & Company*)

Fiscal Impact:
Amount Budgeted:
Fund:

Additional Fiscal Impact:

Recommendation: Presentation only.

Background: John Archuleta and Thomas Tafoya from George K. Baum and Company will present information on Historical Data and Debt Profile.

Historical Data & Debt Profile

City of Alamogordo, New Mexico

George K. Baum & Company – New Mexico Public Finance

February 2019

George K. Baum & Company
INVESTMENT BANKERS SINCE 1928
6565 Americas Parkway NE, Suite 860 | Albuquerque, NM | (505) 872-2320 | www.GKBaum.com

GKB Overview

- George K. Baum & Company is a privately held and client focused full-service investment bank with 25 offices nationwide including public finance offices in 23 cities. GKB is made up of approximately 200 professionals across the nation.

- Public finance is the focus of our company's business, generating more than 90% of the firm's revenues.

- GKB has a proven record of more than 85 years providing investment banking services to our clients.

- George K. Baum & Company has operated public finance offices in the Southwest going back to the early 1980's. In this time, GKB has consistently been ranked among the ***top five*** investment banks for New Mexico municipal bond issuers*.

- Since 2000, George K. Baum & Company has been involved with more than 6,061 municipal bond issues, totaling more than $223.4 billion across the country. In New Mexico, GKB has served as underwriter or financial advisor on more than 560 bond financings, totaling more than $11 billion in par amount. Our public finance professionals provide a wide range of services to our public finance clients.

*Source: Thomson Reuters

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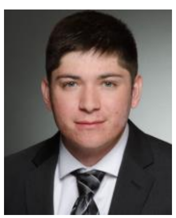

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Analyst
tafoya@gkbaum.com
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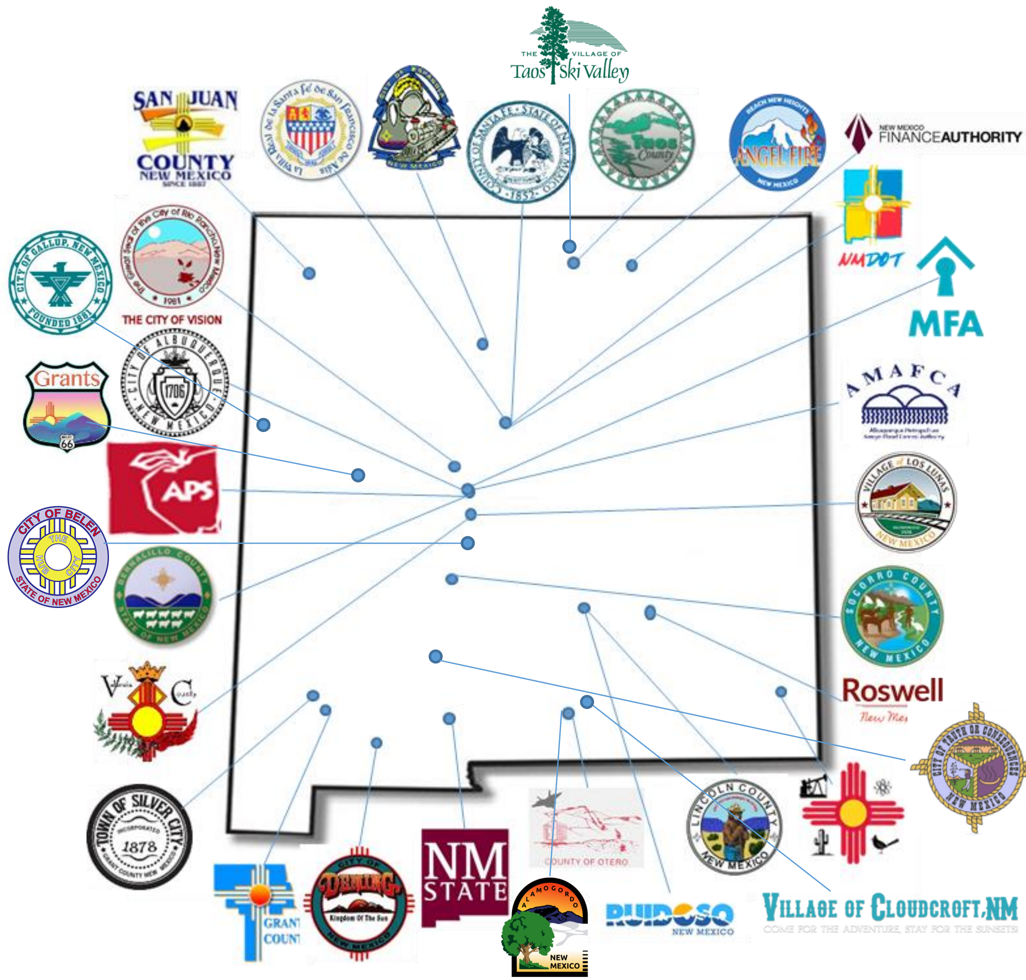
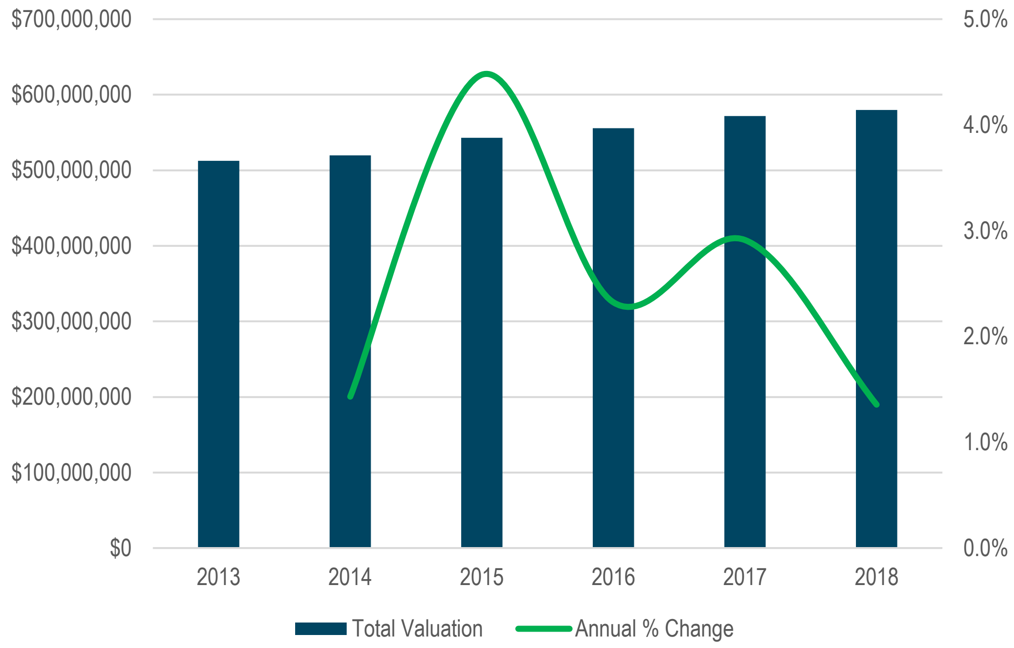
Since 2000, GKB has served on more than 560 New Mexico bond issuances totaling more than $11 billion in par amount.



Section 1:
General Obligation Data & Debt Profile

Historical Assessed Valuation



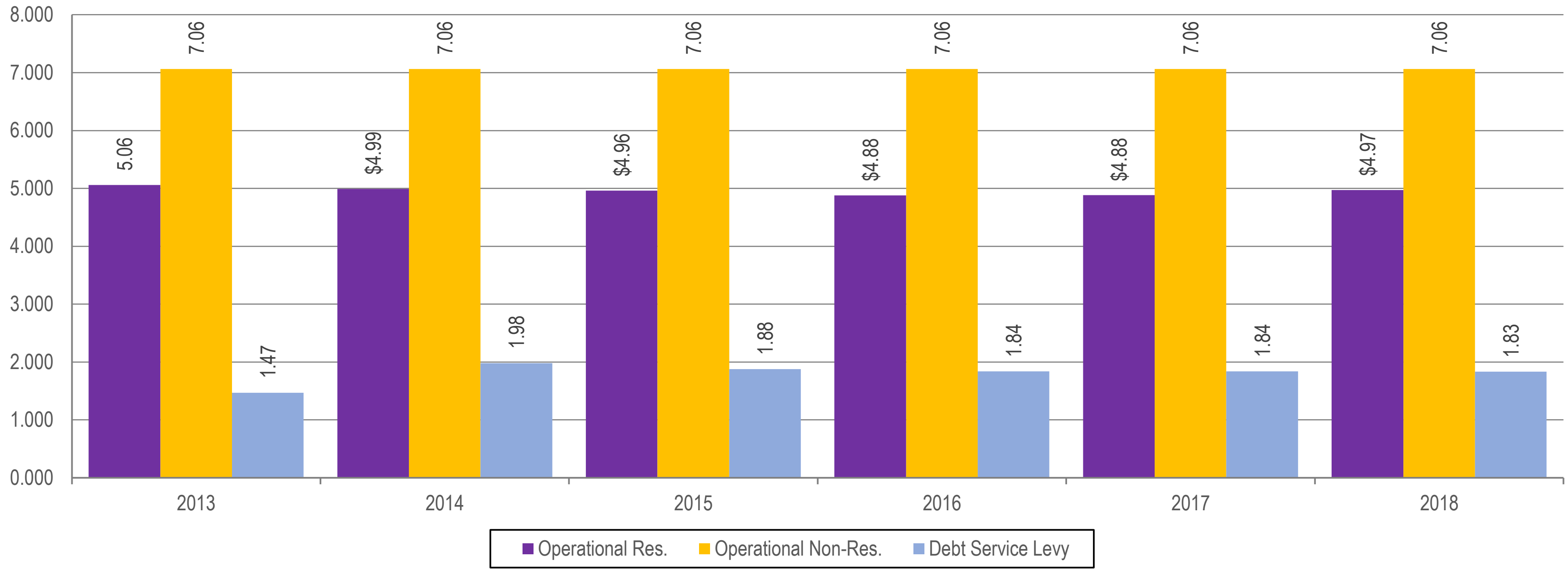
Alamogordo, New Mexico				
Tax Year	Residential	Non-Residential	Total Valuation	Annual % Change
2013	$372,137,113	$140,360,090	$512,497,203	
2014	$384,950,854	$134,888,017	$519,838,871	1.4%
2015	$398,054,488	$145,041,818	$543,096,306	4.5%
2016	$409,941,499	$145,773,740	$555,715,239	2.3%
2017	$418,328,441	$153,569,793	$571,898,234	2.9%
2018	$427,262,918	$152,396,426	$579,659,344	1.4%

General Obligation Bonding Capacity	
2018 Final Limitation (4% of $579,659,344)	$23,186,374
Less: Outstanding G.O. Debt (As of 01/25/2019)	15,826,600
Additional G.O. Bonding Capacity	**$7,359,774**

District's Authorized but Unissued Bonds	$0

Year End	Additional Capacity
Current	**$7,359,774**
2019	7,837,574
2020	8,391,374
2021	8,996,374
2022	9,651,374
2023	10,366,374
2024	11,141,374
2025	11,976,374
2026	12,876,374
2027	13,851,374
2028	14,891,374
2029	16,006,374
2030	17,241,374
2031	18,576,374
2032	20,011,374
2033	21,556,374
2034	23,186,374

Historical Mill Levy Tax Rates ($1/$1000 of Assessed Valuation)



Alamogordo Historical Tax Rates					
	Operational Tax Rates		Debt Service Levy	Totals	
Tax Year	Residential	Non-Residential	Applies to All	Residential	Non-Residential
2013	5.058	7.064	1.470	6.528	8.534
2014	4.991	7.064	1.981	6.972	9.045
2015	4.959	7.064	1.876	6.835	8.940
2016	4.877	7.064	1.837	6.714	8.901
2017	4.881	7.064	1.838	6.719	8.902
2018	**4.972**	**7.064**	**1.833**	**6.805**	**8.897**

Source: New Mexico Department of Finance and Administration

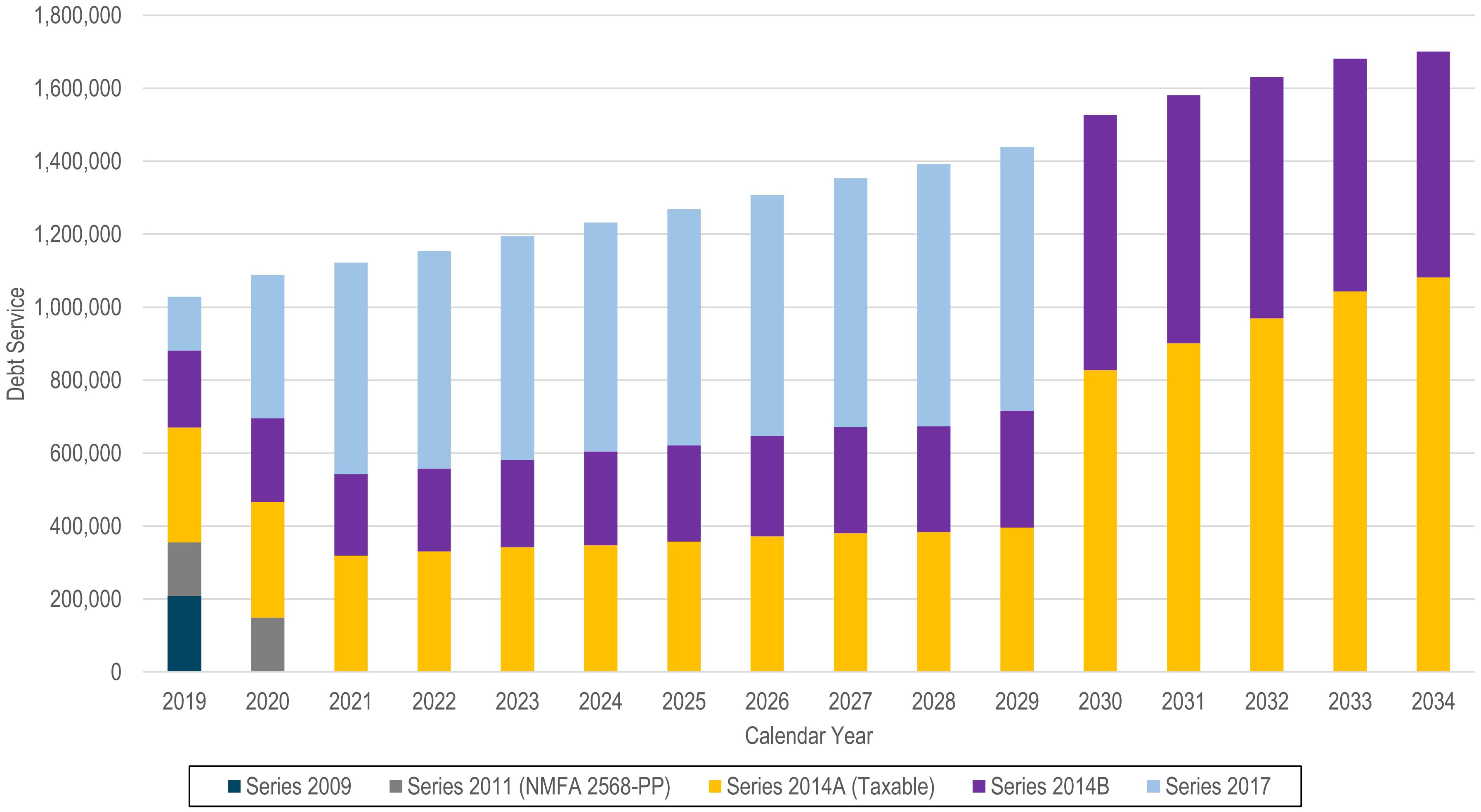
Existing Debt – General Obligation Bonds

Issuer:	City of Alamogordo, New Mexico				City of Alamogordo, New Mexico				City of Alamogordo, New Mexico			
Type:	General Obligation Bonds				General Obligation Refunding Bonds				General Obligation Bonds			
Series:	Series 2009				Series 2011 (NMFA 2568-PP)				Series 2014A (Taxable)			
Dated Date	8/19/2009				4/15/2011				12/24/2014			
Original Par:	$7,420,000				$1,350,000				$6,000,000			
Current Par:	$200,000				$281,600				$5,670,000			
Enhancement:	Insurance				None				None			
Call Provisions:	Non-Callable				Non-Callable				8/1/2024			
Due:	8/1				8/1				8/1			
Calendar Year	**Principal**	**Coupon**	**Interest**	**Annual DS**	**Principal**	**Coupon**	**Interest**	**Annual DS**	**Principal**	**Coupon**	**Interest**	**Annual DS**
2019	200,000	4.000%	8,000	208,000	137,800	3.110%	9,103	146,903	75,000	4.000%	240,338	315,338
2020					143,800	3.350%	4,817	148,617	80,000	4.000%	237,338	317,338
2021									85,000	4.000%	234,138	319,138
2022									100,000	4.000%	230,738	330,738
2023									115,000	4.000%	226,738	341,738
2024									125,000	4.000%	222,138	347,138
2025									140,000	4.000%	217,138	357,138
2026									160,000	4.000%	211,538	371,538
2027									175,000	4.000%	205,138	380,138
2028									185,000	4.000%	198,138	383,138
2029									205,000	4.000%	190,738	395,738
2030									645,000	4.125%	182,538	827,538
2031									745,000	4.250%	155,931	900,931
2032									845,000	4.250%	124,269	969,269
2033									955,000	4.375%	88,356	1,043,356
2034									1,035,000	4.500%	46,575	1,081,575
Total:	$200,000		$8,000	$208,000	$281,600		$13,920	$295,520	$5,670,000		$3,011,781	$8,681,781

Existing Debt – General Obligation Bonds

Issuer:	City of Alamogordo, New Mexico				City of Alamogordo, New Mexico				
Type:	General Obligation Bonds				General Obligation Refunding Bonds				
Series:	Series 2014B				Series 2017				
Dated Date	12/24/2014				11/30/2017				
Original Par:	$4,500,000				$5,455,000				
Current Par:	$4,305,000				$5,370,000				
Enhancement:	None				None				
Call Provisions:	8/1/2024				8/1/2026				
Due:	8/1				8/1				
Calendar Year	**Principal**	**Coupon**	**Interest**	**Annual DS**	**Principal**	**Coupon**	**Interest**	**Annual DS**	**Total DS**
2019	65,000	2.000%	145,856	210,856			147,650	147,650	**1,028,747**
2020	85,000	2.000%	144,556	229,556	245,000	3.000%	147,650	392,650	**1,088,161**
2021	80,000	2.000%	142,856	222,856	440,000	3.000%	140,300	580,300	**1,122,294**
2022	85,000	2.000%	141,256	226,256	470,000	3.000%	127,100	597,100	**1,154,094**
2023	100,000	2.500%	139,556	239,556	500,000	3.000%	113,000	613,000	**1,194,294**
2024	120,000	2.500%	137,056	257,056	530,000	3.000%	98,000	628,000	**1,232,194**
2025	130,000	3.000%	134,056	264,056	565,000	3.000%	82,100	647,100	**1,268,294**
2026	145,000	3.000%	130,156	275,156	595,000	3.000%	65,150	660,150	**1,306,844**
2027	165,000	3.000%	125,806	290,806	635,000	2.250%	47,300	682,300	**1,353,244**
2028	170,000	3.000%	120,856	290,856	685,000	2.375%	33,013	718,013	**1,392,006**
2029	205,000	3.125%	115,756	320,756	705,000	2.375%	16,744	721,744	**1,438,238**
2030	590,000	3.250%	109,350	699,350					**1,526,888**
2031	590,000	3.250%	90,175	680,175					**1,581,106**
2032	590,000	4.000%	71,000	661,000					**1,630,269**
2033	590,000	4.000%	47,400	637,400					**1,680,756**
2034	595,000	4.000%	23,800	618,800					**1,700,375**
Total:	$4,305,000		$1,748,294	$4,868,294	$5,370,000		$1,018,006	$6,388,006	**$21,697,801**

Debt Map – General Obligation Bonds

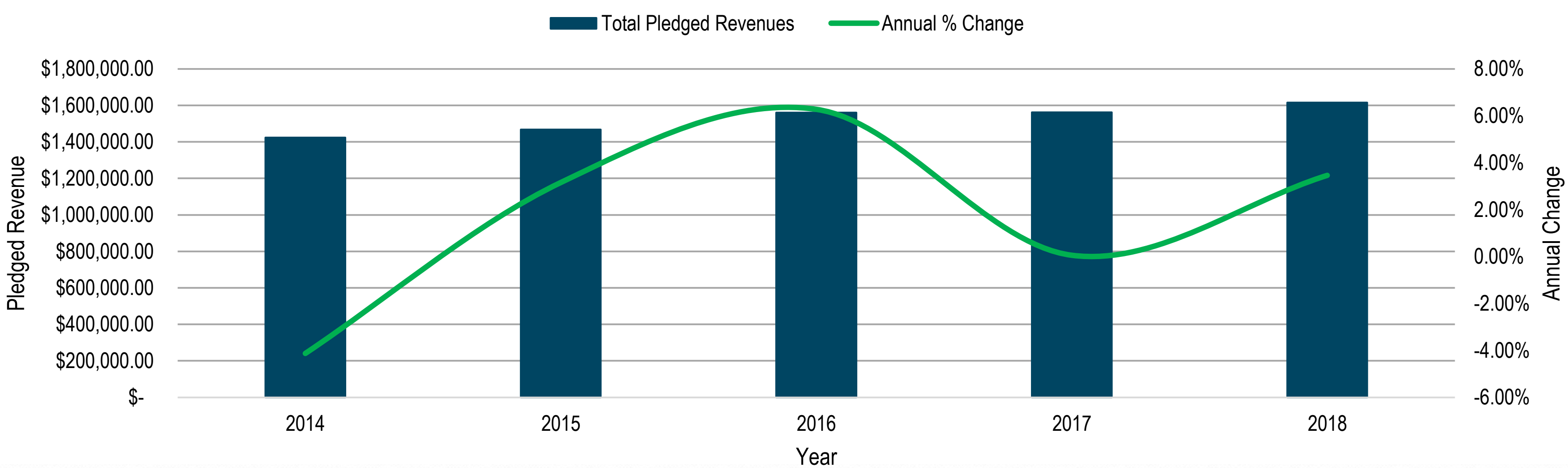


Section 2:
GRT Data & Debt Profile

Historical Pledged Revenues – Municipal Gross Receipts Tax

City of Alamogordo, New Mexico - Municipal GRT					
Fiscal Year	Increment	Municipal Gross Receipts Tax Revenues	Increment Pledged	Total Pledged Revenues	Annual % Change
2013	1.50%	$ 8,906,840.60	0.25%	$ 1,484,473.43	
2014	1.50%	$ 8,539,538.29	0.25%	$ 1,423,256.38	-4.12%
2015	1.50%	$ 8,809,548.20	0.25%	$ 1,468,258.03	3.16%
2016	1.50%	$ 9,362,825.64	0.25%	$ 1,560,470.94	6.28%
2017	1.50%	$ 9,368,490.56	0.25%	$ 1,561,415.09	0.06%
2018	1.50%	$ 9,693,215.73	0.25%	$ 1,615,535.96	3.47%

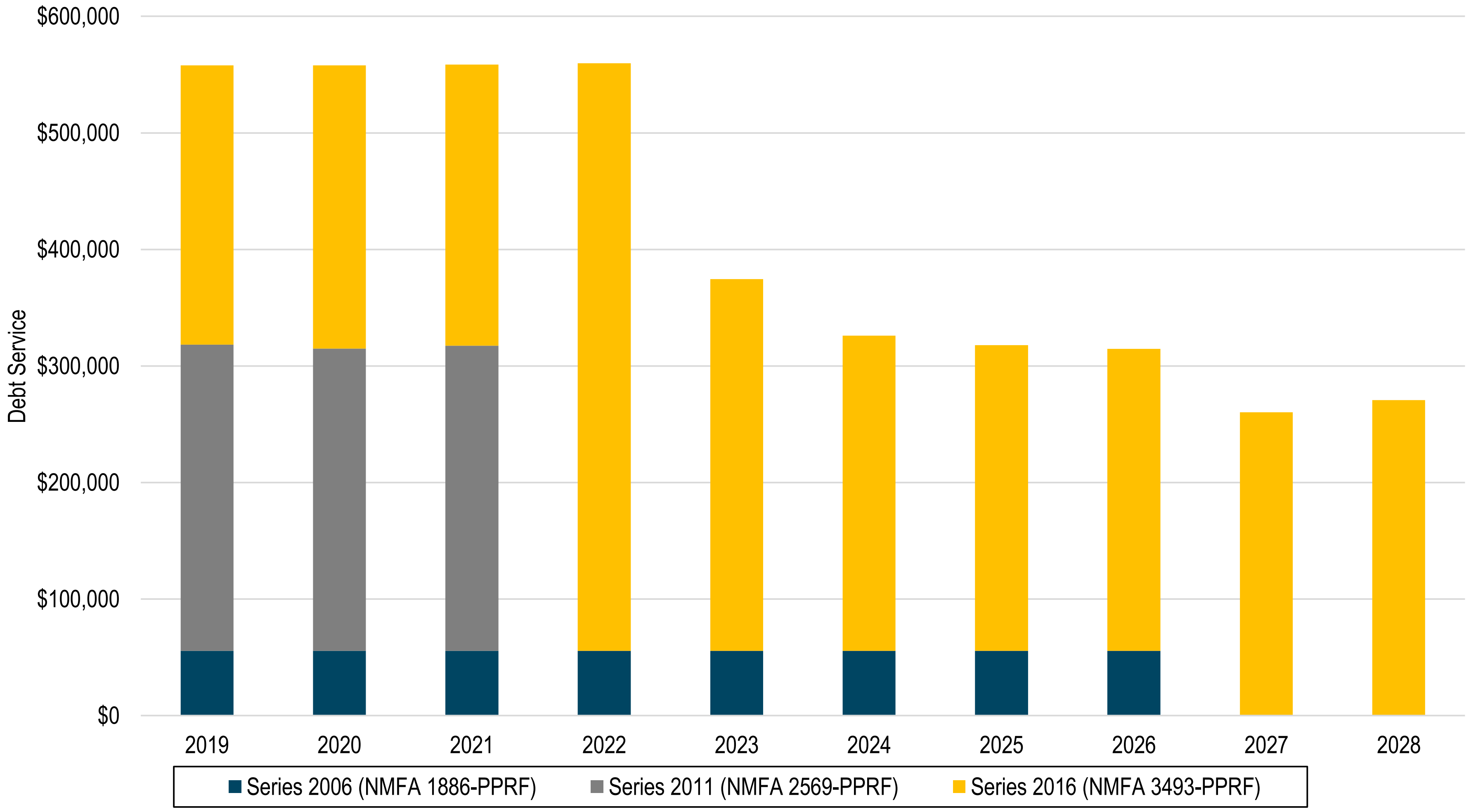
Source: New Mexico Tax and Revenue Department (Cash Basis)



Existing Debt – Municipal Gross Receipts Tax Revenue Bonds

Issuer:	City of Alamogordo, New Mexico				City of Alamogordo, New Mexico				City of Alamogordo, New Mexico				
Type:	Subordinate GRT Revenue Bonds				GRT Revenue Refunding Bonds				GRT Revenue Advance Refunding Bonds				
Series:	Series 2006 (NMFA 1886-PPRF)				Series 2011 (NMFA 2569-PPRF)				Series 2016 (NMFA 3493-PPRF)				
Dated Date	8/1/2006				4/15/2011				8/19/2016				
Original Par:	$730,453				$2,735,456				$2,770,000				
Current Par:	$368,473				$732,700				$2,650,000				
Enhancement:	None				None				None				
Call Provisions:	Currently Callable				4/15/2021				8/19/2026				
Due:	5/1				6/1				6/1				
Calendar Year	**Principal**	**Coupon**	**Interest**	**Annual DS**	**Principal**	**Coupon**	**Interest**	**Annual DS**	**Principal**	**Coupon**	**Interest**	**Annual DS**	**Total DS**
2019	39,552	4.24%	16,000	55,552	237,988	3.11%	24,707	262,695	205,000	0.790%	34,637	239,637	**$557,883**
2020	41,233	4.27%	14,323	55,556	242,050	3.35%	17,306	259,356	210,000	0.850%	33,017	243,017	**$557,928**
2021	42,998	4.30%	12,562	55,560	252,662	3.64%	9,197	261,859	210,000	0.950%	31,232	241,232	**$558,651**
2022	44,852	4.32%	10,713	55,565					475,000	1.100%	29,237	504,237	**$559,802**
2023	46,795	4.35%	8,776	55,571					295,000	1.190%	24,012	319,012	**$374,583**
2024	48,835	4.38%	6,740	55,575					250,000	1.270%	20,502	270,502	**$326,077**
2025	50,980	4.40%	4,601	55,581					245,000	1.350%	17,327	262,327	**$317,908**
2026	53,228	4.43%	2,358	55,586					245,000	1.510%	14,019	259,019	**$314,605**
2027									250,000	1.870%	10,320	260,320	**$260,320**
2028									265,000	2.130%	5,645	270,645	**$270,645**
Total:	$368,473		$76,073	$444,546	$732,700		$51,209	$783,909	$2,650,000		$219,946	$2,869,946	**$4,098,401**

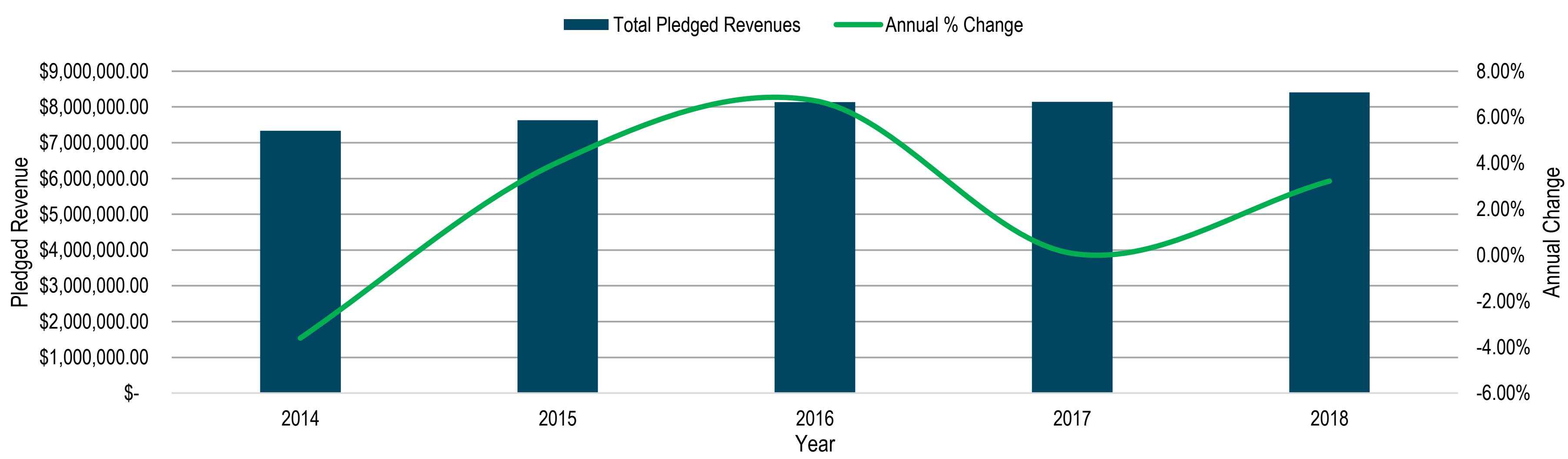
Debt Map – Municipal Gross Receipts Tax Revenue Bonds



Historical Pledged Revenues – State Shared Gross Receipts Tax

City of Alamogordo, New Mexico - State-Shared GRT					
Fiscal Year	Increment	State-Shared Gross Receipts Tax Revenues	Increment Pledged	Total Pledged Revenues	Annual % Change
2013	1.125%	$ 7,604,644.78	1.125%	$ 7,604,644.78	
2014	1.125%	$ 7,330,369.91	1.125%	$ 7,330,369.91	-3.61%
2015	1.125%	$ 7,625,993.77	1.125%	$ 7,625,993.77	4.03%
2016	1.125%	$ 8,138,104.38	1.125%	$ 8,138,104.38	6.72%
2017	1.125%	$ 8,144,525.32	1.125%	$ 8,144,525.32	0.08%
2018	1.125%	$ 8,406,839.07	1.125%	$ 8,406,839.07	3.22%

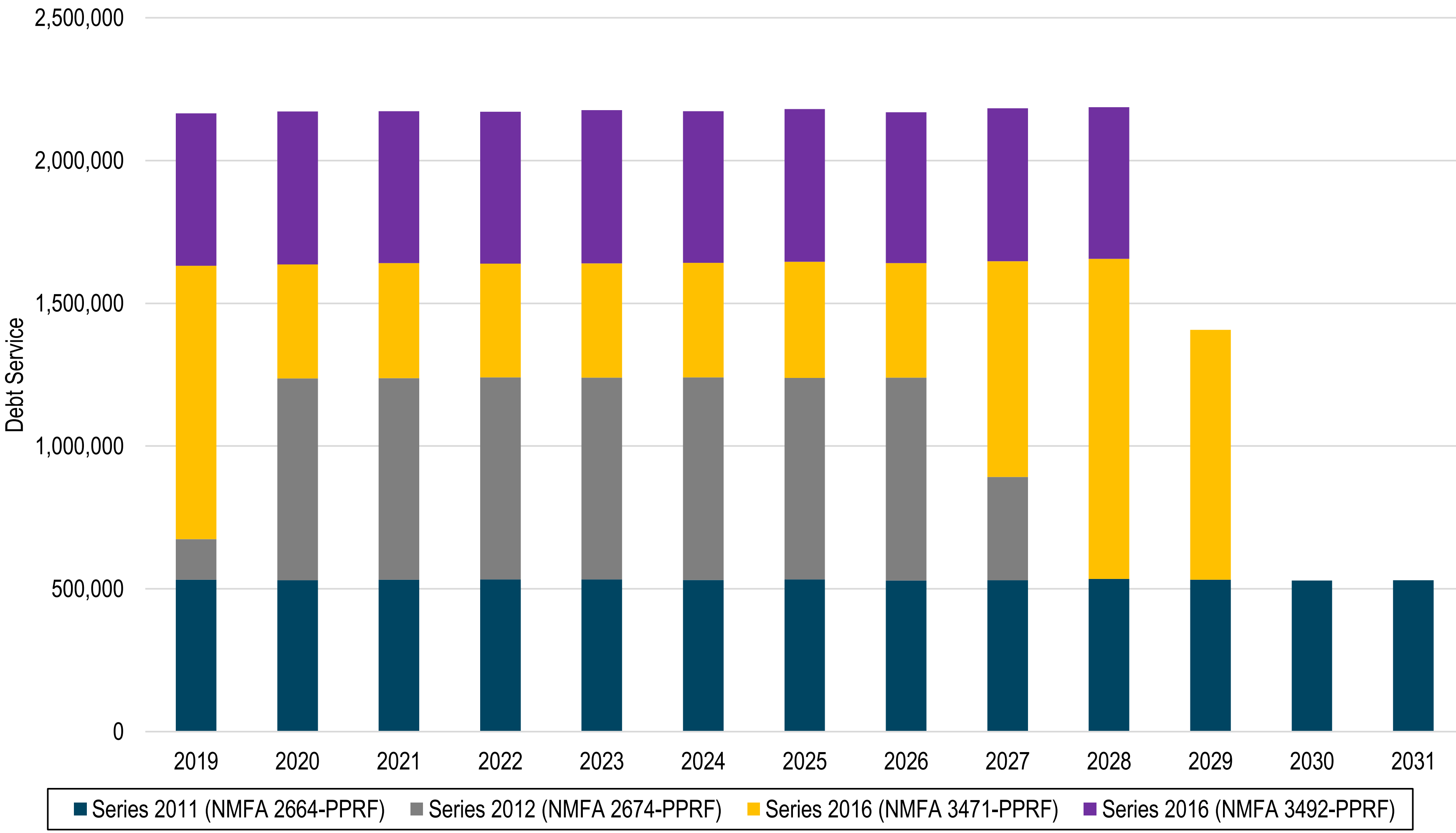
Source: New Mexico Tax and Revenue Department (Cash Basis)



Existing Debt – State Shared Gross Receipts Tax Revenue Bonds

Issuer:	City of Alamogordo, New Mexico				City of Alamogordo, New Mexico				City of Alamagordo, New Mexico				City of Alamogordo, New Mexico				
Type:	Subordinate GRT Revenue Bonds				GRT Revenue Bonds				GRT Revenue Refunding/Improvements Bonds				GRT Revenue Refunding Bonds				
Series:	Series 2011 (NMFA 2664-PPRF)				Series 2012 (NMFA 2674-PPRF)				Series 2016 (NMFA 3471-PPRF)				Series 2016 (NMFA 3492-PPRF)				
Dated Date	12/23/2011				2/17/2012				7/1/2016				8/19/2016				
Original Par:	$7,640,000				$8,130,000				$6,870,000				$5,150,000				
Current Par:	$5,470,000				$4,695,000				$5,740,000				$4,915,000				
Enhancement:	None				None				None				None				
Call Provisions:	12/23/2021				2/17/2022				7/1/2026				8/19/2026				
Due:	6/1				6/1				6/1				6/1				
Fiscal Year	**Principal**	**Coupon**	**Interest**	**Annual DS**	**Principal**	**Coupon**	**Interest**	**Annual DS**	**Principal**	**Coupon**	**Interest**	**Annual DS**	**Principal**	**Coupon**	**Interest**	**Annual DS**	**Total DS**
2019	$355,000	1.98%	$177,075	$532,075	$10,000	1.78%	$132,257	$142,257	$860,000	0.86%	$96,874	$956,874	$470,000	0.79%	$64,604	$534,604	**$2,165,809**
2020	360,000	2.22%	170,046	530,046	575,000	2.00%	132,079	707,079	310,000	0.92%	89,478	399,478	475,000	0.85%	60,891	535,891	**2,172,493**
2021	370,000	2.43%	162,054	532,054	585,000	2.20%	120,579	705,579	317,000	1.02%	86,626	403,626	475,000	0.95%	56,853	531,853	**2,173,111**
2022	380,000	2.83%	153,063	533,063	600,000	2.53%	107,709	707,709	315,000	1.16%	83,393	398,393	480,000	1.10%	52,341	532,341	**2,171,504**
2023	390,000	2.99%	142,309	532,309	615,000	2.78%	92,529	707,529	320,000	1.26%	79,739	399,739	490,000	1.19%	47,061	537,061	**2,176,636**
2024	400,000	3.14%	130,648	530,648	635,000	3.04%	75,432	710,432	325,000	1.36%	75,707	400,707	490,000	1.27%	41,230	531,230	**2,173,015**
2025	415,000	3.30%	118,088	533,088	650,000	3.24%	56,128	706,128	335,000	1.48%	71,287	406,287	500,000	1.35%	35,007	535,007	**2,180,508**
2026	425,000	3.41%	104,393	529,393	675,000	3.37%	35,068	710,068	335,000	1.69%	66,329	401,329	500,000	1.51%	28,257	528,257	**2,169,045**
2027	440,000	3.54%	89,900	529,900	350,000	3.52%	12,320	362,320	695,000	2.06%	60,667	755,667	515,000	1.87%	20,707	535,707	**2,183,594**
2028	460,000	3.71%	74,324	534,324					1,075,000	2.32%	46,350	1,121,350	520,000	2.13%	11,076	531,076	**2,186,750**
2029	475,000	3.80%	57,258	532,258					853,000	2.51%	21,410	874,410					**1,406,668**
2030	490,000	3.88%	39,208	529,208													**529,208**
2031	510,000	3.96%	20,196	530,196													**530,196**
Total:	$5,470,000		$1,438,558	$6,908,558	$4,695,000		$764,097	$5,459,097	$5,740,000		$777,861	$6,517,861	$4,915,000		$418,023	$5,333,023	**$24,218,539**

Debt Map – State Shared Gross Receipts Tax Revenue Bonds



GRT – Enactment Table

New Mexico Taxation and Revenue Department

ENACTMENT DATES OF LOCAL OPTION TAXES -- as of January 1, 2019

Revised 04/23/2018

CITY		MUNICIPAL LOCAL OPTION TAXES: Municipal Gross Receipts Tax								Municipal Infrastructure Gross Receipts Tax				Municipal Capital Outlay Gross Receipts Tax				Municipal Env. Svcs. GRT		Federal Water GRT	Quality of Life Gross Receipts Tax				Municipal Regional Spaceport GRT	Municipal Higher Educ. Facilities GRT	Municipal Hold Harmless GRT	Municipal Hold Harmless GRT	Municipal Hold Harmless GRT	TOTAL RATES: City Imposed Rates	County Imposed Rates	Total Tax Rate (1)
		.25%	.25%	.125%	.125%	.25%	.25%	.125%	.125%	.0625%	.0625%	.0625%	.0625%	.0625%	.0625%	.0625%	.0625%	.0625%	.50%	0.25%	.0625%	.0625%	.0625%	.0625%	.50%	0.25%	0.125%	0.25%	0.3750%			
Otero County	15-015																													0.0000%	1.1875%	6.3125%
Alamogordo	15-116	1/82	1/82	1/84	1/84	1/85	1/87	7/08	7/08	1/92	7/92	1/01	1/01	7/04	7/04	7/04	7/04	7/92												2.0625%	0.8125%	8.0000%
Alamogordo Land (78)	15-322																													0.0000%	1.1875%	6.3125%
Cloudcroft	15-213	1/79	7/79	1/82	1/82	1/85	7/85 (2)	1/09	1/09	7/95	7/95	7/00	7/00					1/92												1.8125%	0.8125%	7.7500%
Tularosa	15-308	7/77	7/79	1/82	1/82	1/85	1/87	7/08	7/08	1/92	1/92	7/04	7/04					1/93												1.8125%	0.8125%	7.7500%
Quay County	10-010																													0.0000%	1.5625%	6.6875%
House	10-407	1/80	1/80	1/87	1/87	1/87	1/91			1/92	1/92							1/91												1.4375%	1.4375%	8.0000%
Logan	10-309	7/79	7/79	7/84	7/84	7/85	1/87			1/92	1/93	7/05	7/05	7/05	7/05	7/05	7/05	1/93												1.8125%	1.4375%	8.3750%
San Jon	10-214	7/78	7/79	1/82	1/82	7/85	1/87			7/93	7/94 (20)	7/05	7/05	7/05	7/05	7/05	7/05	7/92												1.8125%	1.4375%	8.3750%
Tucumcari	10-117	7/79	7/79	1/82	1/82	1/86	1/87			7/92	7/94	1/00	1/00	1/04	1/04	1/04	1/04	7/94												1.8125%	1.4375%	8.3750%
Rio Arriba County	17-017																													0.0000%	1.7500%	6.8750%
Chama	17-118	1/80	7/82	7/82	7/82	1/89	1/89	1/10	1/10	7/95	7/95	1/06	1/06	7/10	7/10	7/10	7/10	7/95												2.0625%	1.3750%	8.5625%
Espanola (part)	17-215	7/79	7/79	1/82	1/82	1/85	1/87	7/08	7/08	1/93	1/93	1/03	1/03	1/03	1/03	1/03	1/03	7/93											7/14	2.4375%	1.3750%	8.9375%
Roosevelt County	11-011																													0.0000%	1.5000%	6.6250%
Causey	11-408	1/80	1/80																											0.5000%	1.5000%	7.1250%
Dora	11-310	7/83	7/83	7/83	7/83																									0.7500%	1.5000%	7.3750%
Elida	11-216	7/79	1/82	1/87	1/87	1/87	1/87			7/10								7/95												1.3750%	1.5000%	8.0000%
Floyd	11-502	7/79	1/82																											0.5000%	1.5000%	7.1250%
Portales	11-119	1/81	1/81	1/82	1/82	1/87	1/87			7/92	7/92	7/02	7/02					7/95												1.5625%	1.5000%	8.1875%
Sandoval County	29-029																													0.0000%	1.2500%	6.3750%
Bernalillo	29-120	7/80	7/80	1/82	1/82	1/88	1/88			7/92	7/92	7/06	7/06					7/05												1.5625%	0.5000%	7.1875%
Corrales (52)	29-504	7/79	1/82	1/82	1/82	1/87	1/87	7/08	7/08	7/92	7/92	7/18	7/18					1/10											1/14 (71)	2.1875%	0.5000%	7.8125%
Cuba	29-311	1/80	1/80	1/82	1/82	1/85	1/87	7/08	7/08	7/08	7/08	7/08	7/08	7/08	7/08	7/08	7/08	1/91			7/08 (57)	7/08	7/08	7/08					1/17	2.6875%	0.5000%	8.3125%

Section 3:
Water & Sewer Rev. Data & Debt Profile

Historical Pledged Revenues – Water & Sewer Net System

THE PLEDGED REVENUES

The Bonds are special obligations of the City, payable from the Net Revenues and moneys in the Bond Fund and Reserve Fund created under the Bond Ordinance. The Net Revenues consist of all revenues of the System (i.e., all income and revenues derived by the City from the operation of the System or any part thereof, whether resulting from extensions, enlargements or betterments to the System, or otherwise, and include all revenues received by the City from the System and from the sale and use of water, water service and facilities, sanitary sewer service and facilities, or any combination thereof to the inhabitants of the City all as further described in the Bond Ordinance) remaining after deducting operation and maintenance expenses (as defined in the Bond Ordinance) of the System.

City of Alamogordo

Credit Analysis

Net System Revenues- Joint Water & Sewer Fund

		Year Ended June 30					Change
	3 Yr Average	2017	2016	2015	2014	2013	2017 vs. 2016
Revenues							
Operating Revenue							
Charges for services	$ 9,669,835	$ 9,890,754	$ 9,631,293	$ 9,487,459	$ 9,022,679	$ 9,228,497	2.7%
Total Operating Revenue	$ 9,669,835	$ 9,890,754	$ 9,631,293	$ 9,487,459	$ 9,022,679	$ 9,228,497	2.7%
Expenses							
Operating Expenses							
Operating expenses	$ 8,440,488	$ 9,449,164	$ 7,869,857	$ 8,002,444	$ 7,817,597	$ 7,685,339	20.1%
Gross Operating Expenditures	$ 8,440,488	$ 9,449,164	$ 7,869,857	$ 8,002,444	$ 7,817,597	$ 7,685,339	20.1%
Less Depreciation	$ (2,808,531)	$ (2,993,434)	$ (2,812,167)	$ (2,619,993)	$ (2,730,657)	$ (2,600,779)	
Net Operating Expenditures	$ 5,631,957	$ 6,455,730	$ 5,057,690	$ 5,382,451	$ 5,086,940	$ 5,084,560	27.6%
Net Revenue Available for Debt Service	$ 4,037,878	$ 3,435,024	$ 4,573,603	$ 4,105,008	$ 3,935,739	$ 4,143,937	-24.9%

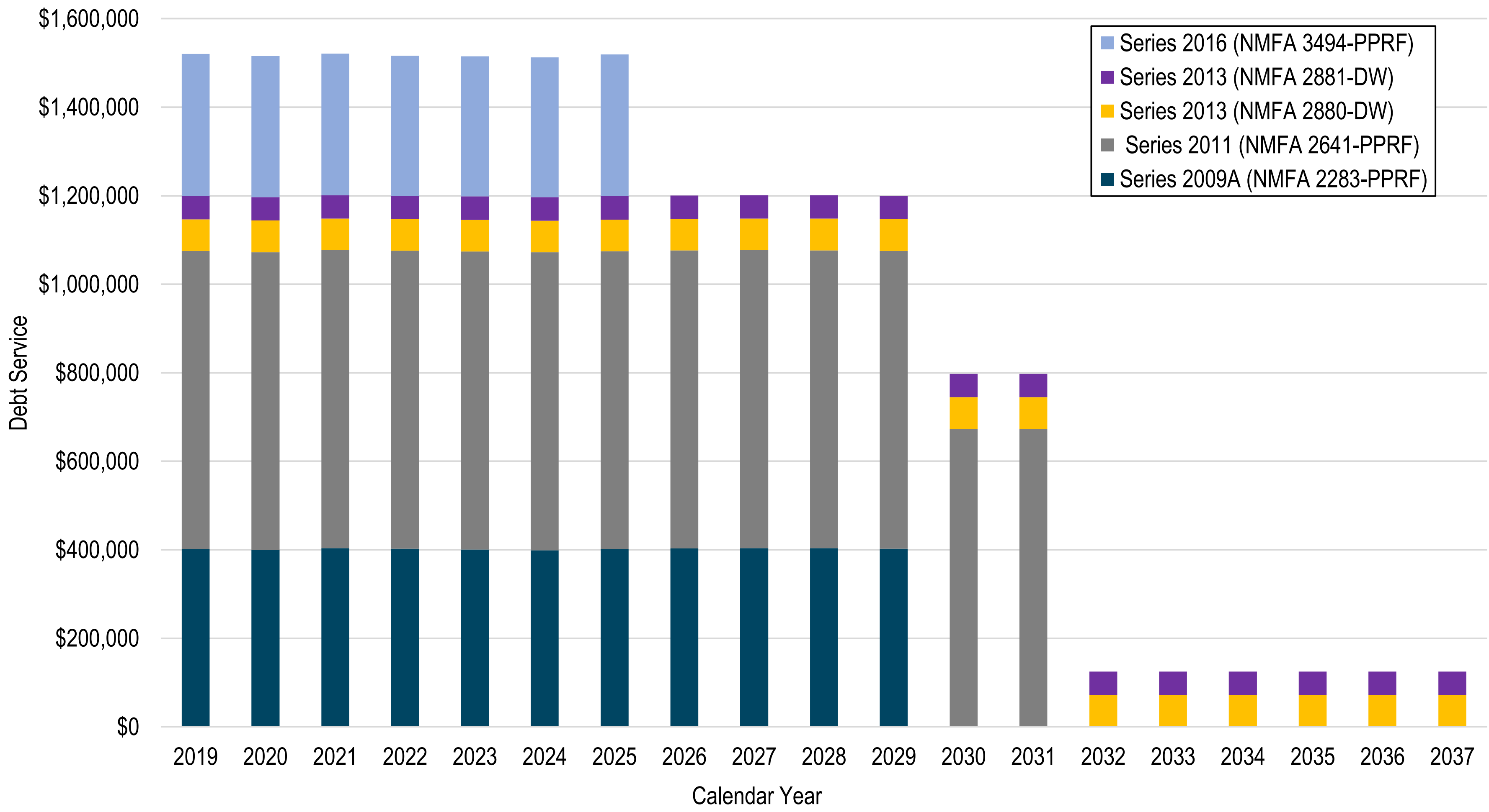
Source: New Mexico Finance Authority
Note: Fiscal Year 2018 Figures are not yet available

Existing Debt – Water & Sewer Net System Revenue Bonds

Issuer:	City of Alamogordo, New Mexico	City of Alamogordo, New Mexico	City of Alamogordo, New Mexico	City of Alamagordo, New Mexico	City of Alamogordo, New Mexico
Type:	Water/Sewer Net System Revenue Bonds	Water/Sewer Net System Revenue Refunding Bonds	Water/Sewer Net System Revenue Bonds	Water/Sewer Net System Revenue Bonds	Water/Sewer Net System Revenue Refunding Bonds
Series:	Series 2009A (NMFA 2283-PPRF)	Series 2011 (NMFA 2641-PPRF)	Series 2013 (NMFA 2880-DW)	Series 2013 (NMFA 2881-DW)	Series 2016 (NMFA 3494-PPRF)
Dated Date	6/18/2009	11/18/2011	9/16/2013	12/27/2013	8/19/2016
Original Par:	$5,340,000	$9,812,674	$1,135,417	$855,320	$2,715,000
Current Par:	$3,475,000	$6,983,669	$1,123,052	$828,422	$2,128,000
Enhancement:	None	None	None	None	None
Call Provisions:	6/18/2019	11/18/2021	9/16/2023	12/27/2023	Non-Callable
Due:	6/1	6/1	5/1	5/1	6/1

Fiscal Year	Principal	Coupon	Interest	Annual DS	Principal	Coupon	Interest	Annual DS	Principal	Coupon	Interest	Annual DS	Principal	Coupon	Interest	Annual DS	Principal	Coupon	Interest	Annual DS	Total DS
2019	255,000	5.000%	147,006	402,006	454,702	1.950%	218,436	673,138	49,169	2.000%	22,461	71,630	36,270	2.000%	16,568	52,838	298,000	0.790%	22,874	320,874	$1,520,487
2020	265,000	4.000%	134,256	399,256	463,568	2.200%	209,569	673,137	50,152	2.000%	21,478	71,630	36,995	2.000%	15,843	52,838	298,000	0.850%	20,520	318,520	$1,515,381
2021	280,000	4.000%	123,656	403,656	473,767	2.400%	199,371	673,138	51,156	2.000%	20,475	71,631	37,735	2.000%	15,103	52,838	302,000	0.950%	17,987	319,987	$1,521,250
2022	290,000	4.000%	112,456	402,456	485,137	2.750%	188,000	673,137	52,179	2.000%	19,452	71,631	38,490	2.000%	14,348	52,838	301,000	1.100%	15,118	316,118	$1,516,181
2023	300,000	4.000%	100,856	400,856	498,478	2.890%	174,659	673,137	53,222	2.000%	18,408	71,630	39,259	2.000%	13,579	52,838	305,000	1.190%	11,807	316,807	$1,515,268
2024	310,000	4.000%	88,856	398,856	512,885	3.010%	160,253	673,138	54,287	2.000%	17,343	71,630	40,045	2.000%	12,793	52,838	308,000	1.270%	8,178	316,178	$1,512,641
2025	325,000	4.125%	76,456	401,456	528,322	3.170%	144,815	673,137	55,372	2.000%	16,258	71,630	40,846	2.000%	11,993	52,839	316,000	1.350%	4,266	320,266	$1,519,328
2026	340,000	4.250%	63,050	403,050	545,070	3.290%	128,067	673,137	56,480	2.000%	15,150	71,630	41,662	2.000%	11,176	52,838					$1,200,655
2027	355,000	4.250%	48,600	403,600	563,003	3.410%	110,135	673,138	57,609	2.000%	14,021	71,630	42,496	2.000%	10,342	52,838					$1,201,206
2028	370,000	4.375%	33,513	403,513	582,201	3.570%	90,936	673,137	58,762	2.000%	12,869	71,631	43,346	2.000%	9,492	52,838					$1,201,119
2029	385,000	4.500%	17,325	402,325	602,986	3.660%	70,152	673,138	59,937	2.000%	11,693	71,630	44,213	2.000%	8,626	52,839					$1,199,932
2030					625,055	3.750%	48,082	673,137	61,136	2.000%	10,495	71,631	45,097	2.000%	7,741	52,838					$797,606
2031					648,495	3.800%	24,643	673,138	62,358	2.000%	9,272	71,630	45,999	2.000%	6,839	52,838					$797,606
2032									63,606	2.000%	8,025	71,631	46,919	2.000%	5,919	52,838					$124,469
2033									64,878	2.000%	6,753	71,631	47,857	2.000%	4,981	52,838					$124,469
2034									66,175	2.000%	5,455	71,630	48,814	2.000%	4,024	52,838					$124,468
2035									67,499	2.000%	4,131	71,630	49,791	2.000%	3,048	52,839					$124,469
2036									68,849	2.000%	2,782	71,631	50,786	2.000%	2,052	52,838					$124,468
2037									70,226	2.000%	1,405	71,631	51,802	2.000%	1,036	52,838					$124,469
Total:	$3,475,000		$946,031	$4,421,031	$6,983,669		$1,767,119	$8,750,788	$1,123,052		$237,923	$1,360,975	$828,422		$175,504	$1,003,926	$2,128,000		$100,750	$2,228,750	$17,516,534

Debt Map – Water & Sewer Net System Revenue Bonds



Section 4:
Hold Harmless Analysis

Hold Harmless – Background

- **House Bill 625 (2004 Legislature)**
  - House Bill 625 removed the gross receipts tax (GRT) on certain health care services and qualifying food sales, effective January 1, 2005. In order to offset the revenue lost by municipalities from exempting GRT on food and medical, the State began distributing payments so counties and cities were "held harmless." These payments are known as hold harmless distributions.
- **House Bill 641 (2013 Legislature)**
  - House Bill 641 established a 15-year phase out of hold harmless distributions commencing in FY2016. In order to make up for the revenue lost from the phase out, Section 11 of House Bill 641 states a "municipality may impose by ordinance an excise tax not to exceed a rate of three-eighths percent of the gross receipts." Municipalities may impose up to three one-eighth of one percent increments. The municipal hold harmless GRT is not subject to referendum.
    - Cities with a population under 10,000 according to the most recent federal decennial census can either continue to receive the full distribution (no phase-out schedule) from the State or enact up to a 3/8th hold harmless GRT.
    - Cities with a population over 10,000 according to the most recent federal decennial census can continue to receive hold harmless distributions from the State based on the phase out schedule, while also having the ability to enact up to a 3/8th hold harmless GRT in order to offset revenue lost due to phase out of hold harmless distributions.

Source: House Bill 625 and House Bill 641; www.nmlegis.gov

New Mexico Taxation and Revenue Department

ENACTMENT DATES OF LOCAL OPTION TAXES -- as of July 1, 2018

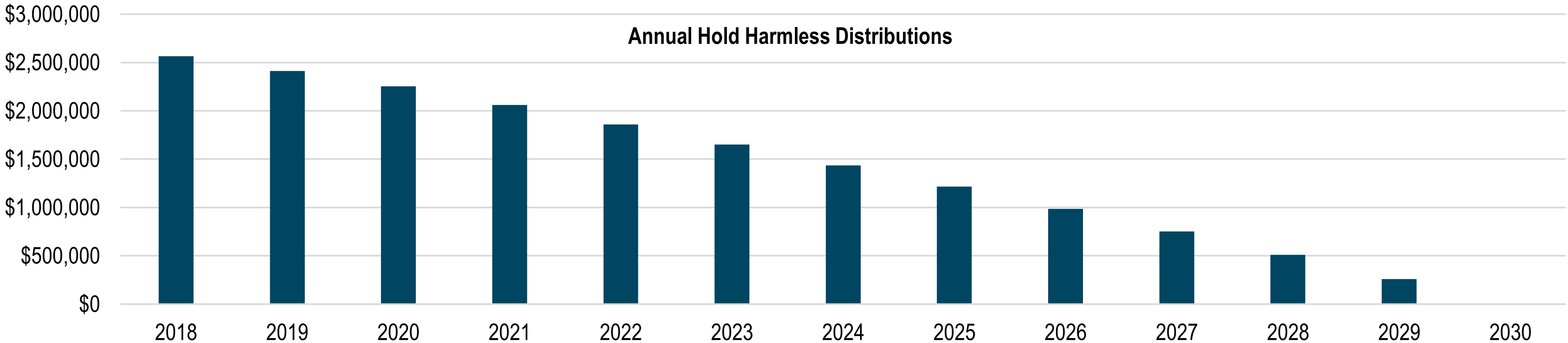
Revised 04/23/2018

CITY		MUNICIPAL LOCAL OPTION TAXES: Municipal Gross Receipts Tax								Municipal Infrastructure Gross Receipts Tax				Municipal Capital Outlay Gross Receipts Tax				Municipal Env. Svcs. GRT		Federal Water GRT	Quality of Life Gross Receipts Tax				Municipal Regional Spaceport GRT	Municipal Higher Educ. Facilities GRT	Municipal Hold Harmless GRT	Municipal Hold Harmless GRT	Municipal Hold Harmless GRT	TOTAL RATES: City Imposed Rates	County Imposed Rates	Total Tax Rate (1)
		.25%	.25%	.125%	.125%	.25%	.25%	.125%	.125%	.0625%	.0625%	.0625%	.0625%	.0625%	.0625%	.0625%	.0625%	.0625%	.50%	0.25%	.0625%	.0625%	.0625%	.0625%	.50%	0.25%	0.125%	0.25%	0.3750%			
McKinley County	13-013																													0.0000%	1.6250%	6.7500%
Gallup	13-114	1/81	1/81	1/82	1/82	1/85	1/87	7/08	7/08	7/92	7/92	1/01	1/01					1/91		1/13 67										2.0625%	1.1250%	8.3125%
Mora County	30-030																													0.0000%	1.5625%	6.6875%
Wagon Mound	30-115	1/80	1/80	1/82	1/82	7/86	7/87			1/92								1/91												1.3750%	1.1875%	7.6875%
Otero County	15-015																													0.0000%	1.1875%	6.3125%
Alamogordo	15-116	1/82	1/82	1/84	1/84	1/85	1/87	7/08	7/08	1/92	7/92	1/01	1/01	7/04	7/04	7/04	7/04	7/92												2.0625%	0.8125%	8.0000%
Alamogordo Land (78)	15-322																													0.0000%	1.1875%	6.3125%
Cloudcroft	15-213	1/79	7/79	1/82	1/82	1/85	7/85 2	1/09	1/09	7/95	7/95	7/00	7/00					1/92												1.8125%	0.8125%	7.7500%
Tularosa	15-308	7/77	7/79	1/82	1/82	1/85	1/87	7/08	7/08	1/92	1/92	7/04	7/04					1/93												1.8125%	0.8125%	7.7500%

Hold Harmless Distributions – HB641 Phase Out Impact

Estimated Fiscal Year Hold Harmless Distribution

Fiscal Year	HB641 Phase Out Schedule	Est. Food & Medical Collections w/o HB641 Phase Out[1]	Annual Hold Harmless Distribution	Annual HH Distribution Loss
2018[2]	82.00%	$3,126,545	$2,563,767	($562,778)
2019	76.00%	3,173,443	2,411,817	(761,626)
2020	70.00%	3,221,045	2,254,731	(966,313)
2021	63.00%	3,269,361	2,059,697	(1,209,663)
2022	56.00%	3,318,401	1,858,305	(1,460,096)
2023	49.00%	3,368,177	1,650,407	(1,717,770)
2024	42.00%	3,418,700	1,435,854	(1,982,846)
2025	35.00%	3,469,980	1,214,493	(2,255,487)
2026	28.00%	3,522,030	986,168	(2,535,862)
2027	21.00%	3,574,860	750,721	(2,824,140)
2028	14.00%	3,628,483	507,988	(3,120,496)
2029	7.00%	3,682,911	257,804	(3,425,107)
2030	0.00%	3,738,154	0	(3,738,154)



(1) Assumes 1.5% annual growth in revenue

(2) Source of FY18 Data: NM Taxation and Revenue Department; FY19-FY30 projection calculations made by GKB.

Hold Harmless GRT – 1/8th Increment Revenue Production

Estimated 1/8th Increment Hold Harmless Gross Receipts Tax Revenue

	Increment	Total w/o HH Dist. [(1)]	1/8th Increment	Est. 1/8th HH GRT Revenue[(2)]
Municipal Environment GRT	0.0625%	$355,923	0.1250%	$711,845
Municipal Infrastructure GRT	0.2500%	$1,423,792	0.1250%	$711,896
Municipal Capital Outlay GRT	0.2500%	$1,423,792	0.1250%	$711,896
Municipal GRT	1.5000%	$8,638,167	0.1250%	$719,847
Municipal Share State GRT	1.2250%	$7,372,892	0.1250%	$752,336

[(1)]Source: NM Taxation and Revenue Department; 1/8th HH GRT revenue calculations made by GKB.

[(2)]Estimated 1/8th HH GRT revenue calculation based on actual FY2018 GRT collections.

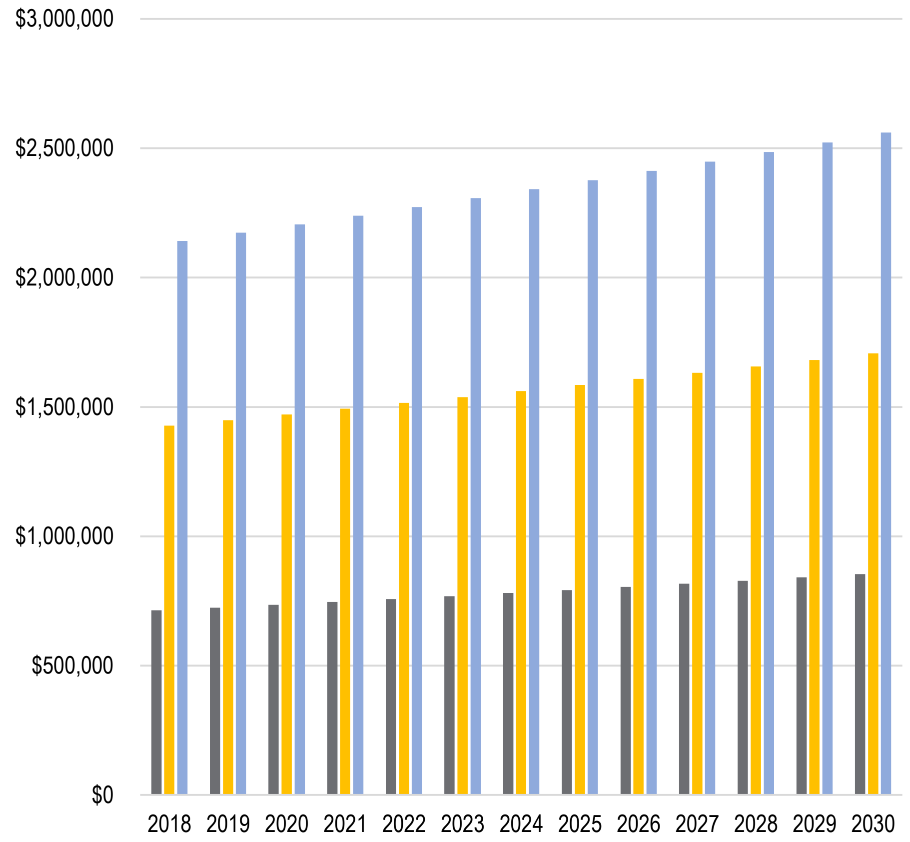
Estimated FY18 Hold Harmless Gross Receipts Tax Revenue	
1/8th HH GRT Increment	$711,845
1/4th HH GRT Increment	$1,423,690
3/8th HH GRT Increment	$2,135,535

Most conservative estimate for revenue production of a 1/8th HH GRT increment. Subsequent analysis of HH GRT increments are based on this value.

Hold Harmless GRT – Revenue Production by Increment

Estimated Hold Harmless GRT Revenue(1)

Fiscal Year	1/8th Increment	1/4th Increment	3/8th Increment
2018(2)	$713,871	$1,427,742	$2,141,614
2019	724,579	1,449,159	2,173,738
2020	735,448	1,470,896	2,206,344
2021	746,480	1,492,959	2,239,439
2022	757,677	1,515,354	2,273,031
2023	769,042	1,538,084	2,307,126
2024	780,578	1,561,155	2,341,733
2025	792,286	1,584,573	2,376,859
2026	804,171	1,608,341	2,412,512
2027	816,233	1,632,466	2,448,700
2028	828,477	1,656,953	2,485,430
2029	840,904	1,681,808	2,522,712
2030	853,517	1,707,035	2,560,552



(1) Assumes 1.5% annual growth in revenue

(2) Source of FY18 Data: NM Taxation and Revenue Department; Estimated 1/8th, 1/4th, and 3/8th HH GRT revenue and FY19-FY30 projection calculations made by GKB.

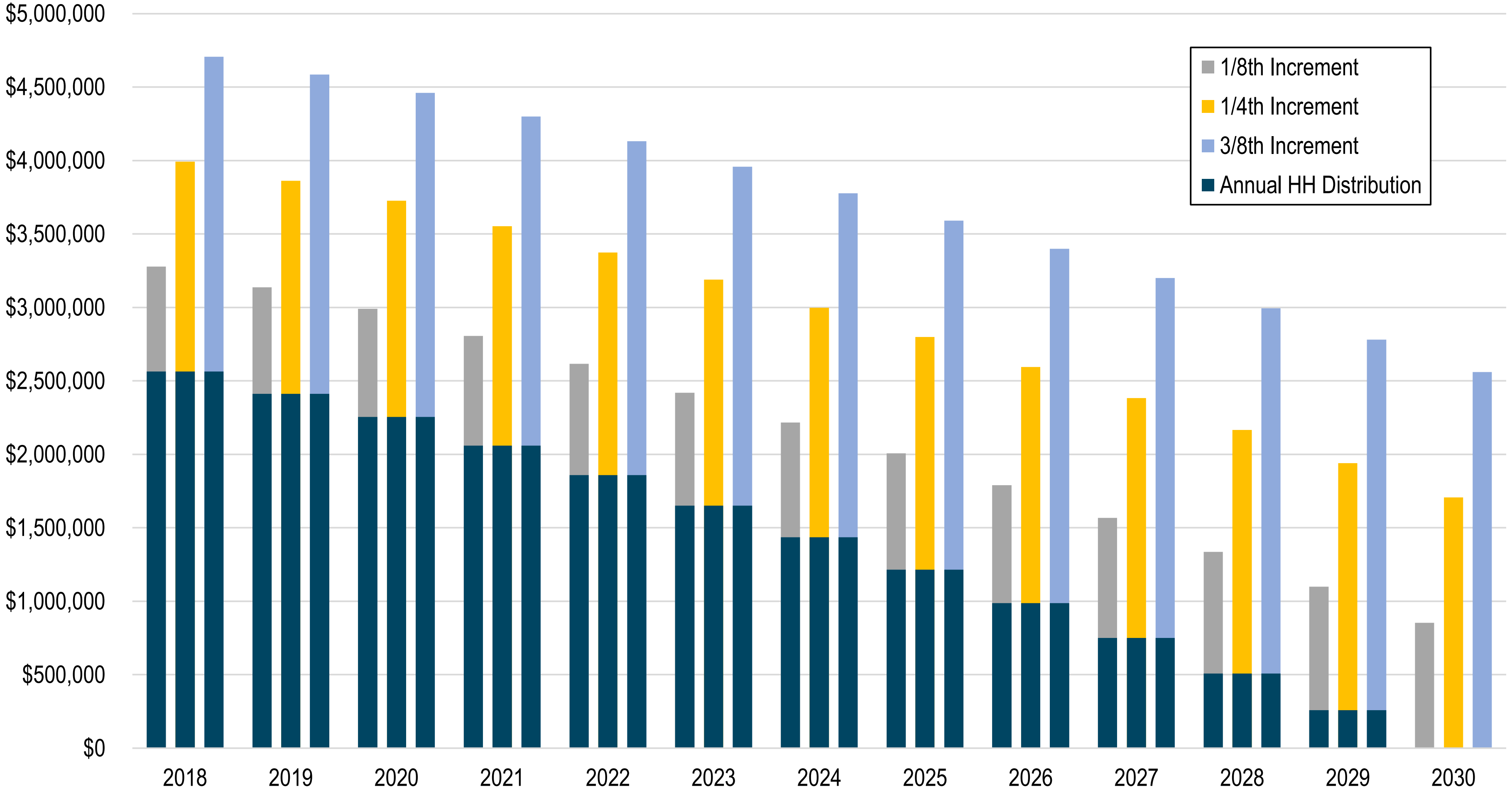
Hold Harmless – Revenue (Distributions + HH GRT Increments)

Estimated Annual Hold Harmless Revenue (HH Distributions + HH GRT Increments)[1]

Fiscal Year	Annual HH Distribution	1/8th Increment	Distribution + 1/8th	1/4th Increment	Distribution + 1/4th	3/8th Increment	Distribution + 3/8th
2018[2]	$2,563,767	$713,871	$3,277,638	$1,427,742	$3,991,509	$2,141,614	$4,705,381
2019	2,411,817	724,579	3,136,396	1,449,159	3,860,975	2,173,738	4,585,555
2020	2,254,731	735,448	2,990,179	1,470,896	3,725,627	2,206,344	4,461,075
2021	2,059,697	746,480	2,806,177	1,492,959	3,552,657	2,239,439	4,299,136
2022	1,858,305	757,677	2,615,981	1,515,354	3,373,658	2,273,031	4,131,335
2023	1,650,407	769,042	2,419,449	1,538,084	3,188,491	2,307,126	3,957,533
2024	1,435,854	780,578	2,216,432	1,561,155	2,997,009	2,341,733	3,777,587
2025	1,214,493	792,286	2,006,779	1,584,573	2,799,066	2,376,859	3,591,352
2026	986,168	804,171	1,790,339	1,608,341	2,594,510	2,412,512	3,398,680
2027	750,721	816,233	1,566,954	1,632,466	2,383,187	2,448,700	3,199,420
2028	507,988	828,477	1,336,464	1,656,953	2,164,941	2,485,430	2,993,418
2029	257,804	840,904	1,098,708	1,681,808	1,939,611	2,522,712	2,780,515
2030	0	853,517	853,517	1,707,035	1,707,035	2,560,552	2,560,552

(1) Assumes 1.5% annual growth in revenue
(2) Source of FY18 Data: NM Taxation and Revenue Department; Estimated 1/8th, 1/4th, and 3/8th HH GRT revenue and FY19-FY30 projection calculations made by GKB.

Hold Harmless – Revenue (Distributions + HH GRT Increments)



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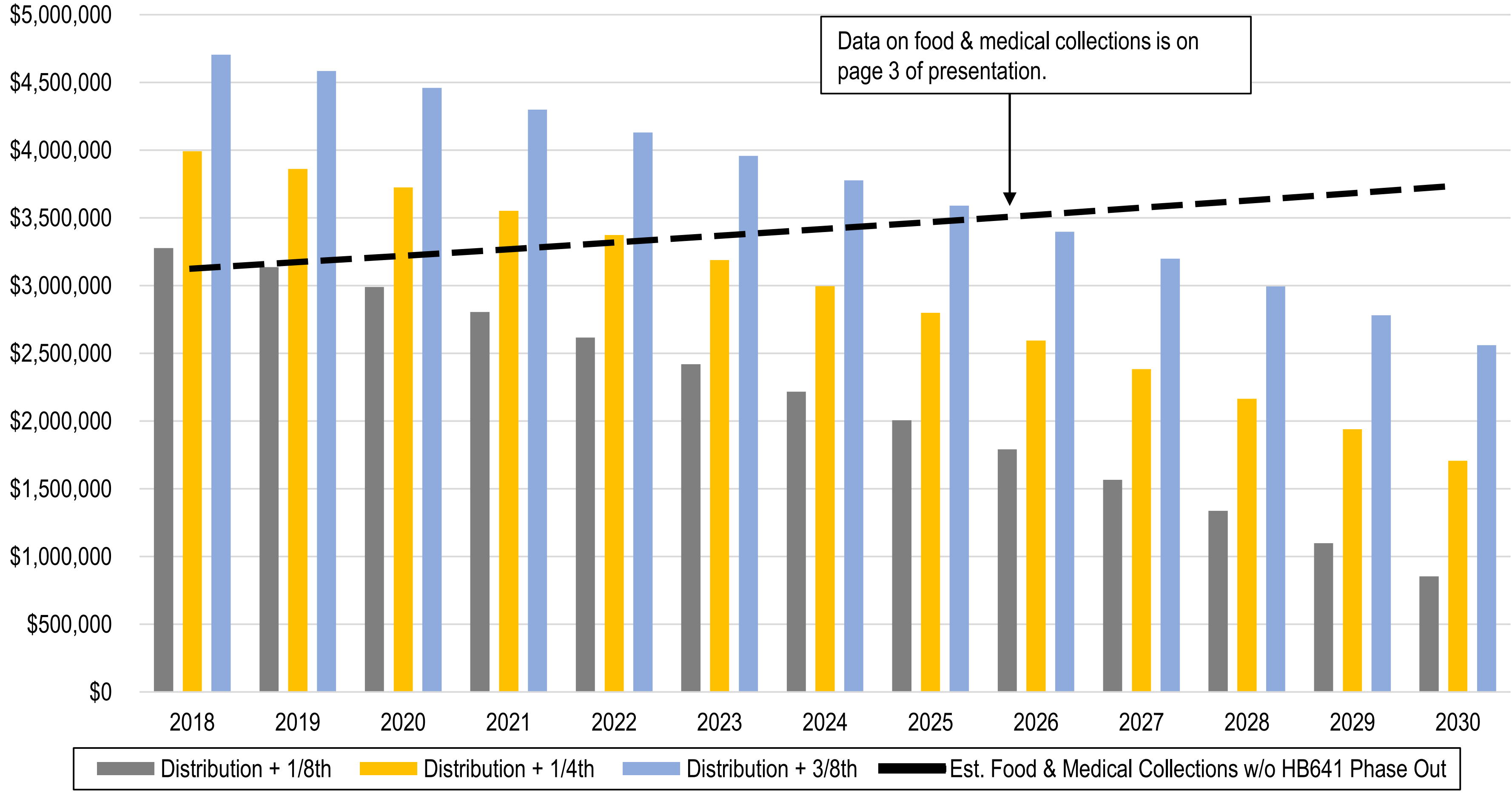
Hold Harmless – Revenue (Distributions + HH GRT Increments)



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AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 02/12/2019 **Report Date:** 02/08/2019 **Report No:** 3.

Submitted By: Rachel Hughs

Subject: Approve the minutes for the January 29, 2019 Regular meeting. *(Rachel Hughs, City Clerk)*

Fiscal Impact:
Amount Budgeted:
Fund:

Additional Fiscal Impact:

Recommendation: Approve the minutes.

Background: This is required by the Open Meetings Act.

CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 P.M., COMMISSION CHAMBERS
January 29, 2019

RICHARD BOSS, MAYOR	**JASON BALDWIN, MAYOR PRO-TEM**
AL HERNANDEZ, COMMISSIONER	**DUSTY WRIGHT, COMMISSIONER**
NADIA SIKES, COMMISSIONER	**MAGGIE PALUCH, CITY MANAGER**
JOSH RARDIN, COMMISSIONER	**PETRIA SCHREIBER, CITY ATTORNEY**
SUSAN PAYNE, COMMISSIONER	**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 Pastor Forney and the Pledge of Allegiance was led by Commissioner Wright.

Mayor Boss spoke on the passing of former City Manager and Commissioner Dan Malone. He asked everyone to take a moment for silent prayer.

APPROVAL OF AGENDA

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

PRESENTATIONS

1. Information on dirt distribution between Alaska Ave and Florida Ave. *(Alan Theriault, Resident)*

Mr. Theriault spoke on the residential construction yard between Alaska Avenue and Florida Avenue. He said this construction yard is causing all kinds of problems. He said he asked for information from the City on whether this is a legal site or not, and if it was or was not if the City or County gave the variance. He said he received some information from the City Attorney and it basically said that the City has no information to give him, and if the City did, they would give it to him. He said he took that as there was no variance. He said the area was rezoned in 2016 to R4-Multi Family and they don't know what a construction site and dirt distribution center is doing in their neighborhood.

Mayor Pro-Tem Baldwin advised him that this is not a question and answer discussion. He asked Mr. Theriault if he had anything else to present. Mr. Theriault wanted to know who authorized the construction yard to be there. He also said they got no support from the City on this. He explained how dirt is blowing into their houses from the road and dirt piles. He said the City Attorney that there was no dirt blown off of those piles. He said common sense tells you that when you have mass piles like that, mass dirt is going to fly off of that. He said this seems to be a total denial.

Mayor Boss informed Mr. Theriault that the City Manager will be in contact with him.

PUBLIC COMMENT

Mayor Boss pointed out that this meeting is the Regular Scheduled Business meeting of the City of Alamogordo Commission, it is not a typical town hall meeting. He said comments should be directed to him and/or other Commissioners. He said there will be no direct dialog between the public and City staff. He asked for everyone speaking to be aware of the time limits, and to state their name.

Paul Sanchez commented on the following:
He said he is not here to read his own words, he is here to read a message from City employees to the City Commission. "While we can't share with you which employees we are or our concerns verbally or face-to-face, we hope this message gets to you. While we wait for any City Commissioner to catch wind of our agony to stop by and say hello. To feel the almost unbearable air that we breathe within the walls of City Hall, we will and are hanging on. Trying our best to do our jobs and carry out our responsibilities. We do this while holding our breath for a better opportunity or our retirement day to come. We didn't sign any petitions for fear of losing our jobs or becoming the next victim of harassment, but we are victims and yes, we wanted to sign them. It's been miserable, so much energy from 8 a.m. to 5 p.m., Monday through Friday, is spent in suspense of the next new direction, the next scolding or command that compromises our integrity or morals and values, and for some the next threat. While some of us struggle to find the pride that we use to have in our jobs and work, we hunger for you to see what is really going on, but we have come to understand your stance to be just the Governing Board, to Honor your belief that you should not get involved with us because you only have one employee. We have heard you loud and clear on that point, but now we hope you hear us, but don't feel bad it has just become the norm after all. There is no open door to see the Management either, not without an approved appointment anyway. You might not have noticed all the locked doors and walls between them and us, but we know they are there. You might not have realized how repealing the personnel manual from an Ordinance took away an employee's method to report or feel protected. We hope you know the real meaning of the employee Code of Conduct as it was explained to us. We feel it would be more clearly understood to basically keep your mouth shut policy. You might trust and believe that good people are being fired for good reason, demoted or are leaving us because they have found better opportunities, but we don't. You may not use harsh words, criticisms or threats to get what you want from your employee, but we have seen or experienced it from our side of things. Please think about this message, please think about all of the employees who do our best to help make this a better City, who are here for you. Please help us tear down the doors, open up the communication, clean the air inside these walls and somehow let us know that you care. We ask you to start by giving Chief Peete back his pay and reinstating him. He did what he did for us, he did it for you, he did it for the citizens, he did not do it for himself and he did do the right thing. Start by doing this independent investigation, find out the truth and the whole truth, it's the only way to make it fair to all, but please do something." Mr. Sanchez said he was asked on part of an individual, a City employee, who came to him on behalf of the approximate 100 people that did an online survey about this subject. He said they asked for him to speak and he has spoken for them.

Rich Merrick commented on the following:
He stated he supports Chief Peete and the City employees. He said in the last couple of weeks there has been a lot of talk about the atmosphere here in City Hall. He said he has been told the tension is so thick that you can cut it with a knife. He has heard that employees are in fear of their jobs due to intimidation at the highest levels. He said somehow that does not surprise him when he watches how some of our Elected Officials treat the public, not the best of examples. He said he watched as Chief Peete put his neck on the line to try and bring to the Commission's attention the problems, he was seeing within the walls of City Hall. To try and come to the plate for all the employees, and what did you do, you broke the confidence by taking his complaints seriously and sending it to the City Manager, when that was the person, he was having problems with. He said it is sad when the only way a leader can find a way to inspire those under them is by threats and intimidation of their jobs, and he can relate to that feeling having his threatened right from these Halls. He said these employees that do vital work for the City shouldn't have to walk on egg shells when they come to work wondering where the ax will fall next. He said he guesses when the Personnel Manual was amended, they took a page from Federal Legislators and said well, we just have to pass it to see what is in it. He said when they left the City Manager as the end all to all grievances that might occur, they submitted to giving all power over to the City Manager, and yes he does understand our form of Government here in the City of Alamogordo as a Commissioner/Manager setup, but they left no employee a way out if the top person wasn't doing their job. No way to appeal past the City Manager. He said he believes it is time to hire an Independent Investigator to look into the allegations that have been set forth by the employees of the City, along with Independent Legal Counsel to give an unbiased look at the practices within the walls of

City Hall. He said should you consider this, he believes the City Manager and City Attorney should be placed on paid administrative leave during the time of the Investigation in order to not have even the slightest appearance of having any influence on the outcome of an Independent Investigation. He stated he believes if they would do this, it would go a long way to fixing the problems and provide some transparency to the public.

Kathy Denton commented on the following:
She stated she and her husband own Kitty City NM, and they have been working with Chief Peete and Alamogordo Manager Dwain Martinez in working to make things better for the animals at Alamogordo Animal Control, and the Management at Alamogordo Animal Control. She said because Animal Control is under Chief Peete, they have been working very carefully together and she has found the Chief to be articulate, professional, thorough in his research, open to new ideas, he considers both sides of the issues and he is very personable. She said as a federal manager of people and facilities, she has a lot of questions. She said as a supervisor, where is the documentation of the goals and objectives that Chief Peete is supposed to perform and accomplish while he is Chief and where are his timeline and markers. Where is the documentation that says he has not met those goals and objectives. If he has not met them, what is the process to make improvements so that we could have a good Police Chief and good outcomes. Where is the documentation for the suspension and why did this happen. She asked if any of the Commissioners have any of this documentation at their disposal to make decisions from. She said she felt the suspension was retaliation after the letter of no confidence was leaked. She said it was meant to be for the Governing Body of the City Commissioners. She said Chief Peete has worked to do very good for his department and for the City. He has made great strides in a lot of the things that he has done. He has felt that he has not gotten the support and cooperation and so he had to take this avenue. She asked the Commissioners as the Governing Body to reinstate Chief Peete with back pay and an apology from the City Manager. She also asked for an Independent Investigation of this incident and all of the other incidents that she has heard as a private citizen working with City Employees. She said they fear for their jobs, they fear if they speak out, they are going to be retaliated against, they fear that they cannot even talk about what is going on and they have been told not to talk about Chief Peete's suspension. She said she has read the City Commissioner's statements on the City's website, she has looked at the statement for the City and it talks about transparency and accountability. She said she knows that the Commissioners are very good people and they will do the right thing and make a wise decision.

Gene Downer commented on the following:
He introduced Chief Peete's father. Mr. Downer said there is wide spread concern amongst towns people about Chief Peete's continued employment and for that reason he has chosen to make a few comments. He said he heard Commissioner Hernandez and Mayor Boss say this word at a recent City Commission meeting, and he was sort of startled, but he feels like saying that word tonight and that word is "Bullshit". He said he is concerned about the process which the City Manager, Mayor and Commission are using to discuss and decide on the Chief's job security. He said there seems to be a frequent turnover in major City positions. There have been several City Managers in the past few years. He said one of the terminated Managers sued the City and was awarded a substantial sum. He said there is a possibility of a racist complaint because the City Manager is a white female and Chief of Police is a black male. He said he has heard no comments which supports this type of complaint. He said the Human Rights Commission is part of the State Employment Commission and the Department head was interviewed on Nadia Sikes' Monday Morning at 7 a.m. Radio Program. He said if a racist complaint is included in a Human Rights complaint you can be certain that the Human Rights Commission, the District Court and the New Mexico Court of Appeals will look at any complaint thoroughly and each time an employee discrimination goes from one Court to another, there is considerable legal expense by the City. He said he was formerly licensed as a mediator through MIT in Massachusetts and he wants to make sure that the Chief of Police was given every fair consideration and opportunity to work with City Officials to hold on to his position and to achieve objectives, mutually agreed upon. He said he discussed a few improvements with the City Police Chief and found out that he already had them planned. He said it seems like a rush to judgement and not entirely a fair treatment of an employee.

G.B. Oliver commented on the following:
He stated he had a different take in this. He said this community, right now, stands on the threshold of the greatest economic opportunity in our lifetime, and it is unfortunate that something like this comes along. You have a lot of people in this community that are working tirelessly to raise the bar in this community. He stated that he has spent quite a bit of time with Chief Peete and he was a great deal of help to them on the Fourth of July event. He said when Chief Peete was suspended, Chief Peete called him. Chief Peete told him his side of the deal. Mr. Oliver said he is not so naive as to believe there is only one side in any issue, and therefore he would ask all the people in this community to keep in mind that the City Management or Commission cannot talk about employee issues. He said he does not know all the facts, he is assuming there are two sides to this story, and no one here knows the other side of that thing. He said he has known all of the Commission for some period of time. He has a great deal of confidence in the Commission, and one thing he can tell you is that he does not agree with any of the Commissioners 100 percent of the time, but he knows why they are on this Commission and he knows that it is for a reasonable reason. He said he believes that the Commission stands for what is best in this community and he wants the Commission to know that he has full confidence that they will look into this, gather all the facts in this situation and they will make the decision that is in the best interest in this community.

Denise Lang commented on the following:
She said she worked for the City 20 years ago. She stated she met Chief Peete at the Crisis Intervention training. He did this amazing organizing of employees from both the City and County. She said we had Mental Health Clinicians, Law Enforcement, Corrections, Emergency Response, the VFW Faith leaders and citizens interested in improving our community by keeping folks out of our jail and out of our court system and into alternative resources to help them. She said this is very forward vision movement that will save human lives and public money. She said he was the first and only Law Enforcement Official who spoke of addiction as a Mental Health issue and vowed to help get our community a substance abuse treatment facility after the Crisis Intervention teams were up and running. She said point two, when one man, Chief Peete, can inspire folks from opposite ends of the political spectrum together in their common support on finding common grounds of Chief Peete, that is just not amazing, but it is absolutely miraculous. She said that benefits our community as beyond priceless. She asked to please suspend the City Manager without pay for 20 days, so that she has a chance to consider what is becoming visible and revealed tonight.

Peter Villa commented on the following:
He said he never had the opportunity to work for Chief Peete. He said his tenure at the Police Department was cut short by decisions made by the City Attorney and the City Manager's Office. He said after reading Chief Peete's letter, it got him thinking back to when Mr. Straface was the City Manager. He said Mr. Straface came through the Police Department and spoke to every single one of us. He said one of the first things that he told Mr. Straface was if you want to find a Police Chief that wants to come into this Department and is going to make changes for the better, start looking outside this State because every time we pull somebody from inside this State or County, something ends up backwards or upside down. Mr. Villa said it finally happened, we got a Police Chief, from out of the State, with a well-educated background that this City needs. He said he read through Chief Peete's letter and it became very apparent that it is exactly what this City needs. Mr. Villa said his position with the City Police Department was terminated. He said he was offered the opportunity to resign. So, he could speak personally to the retaliatory factors that are made in the City Administration's decisions and the overreach of the disciplinary actions that are taken, and the imbalance between them depending on who the person is. If they stand up and they point out that something is wrong, at the same time they are being taken down for a mistake they have made, there will not be any forgiveness. He said that is showing in Chief Peete's position as well. He said Chief Peete stood up and said there is problems and here he is suspended. Mr. Villa said he provided a letter of resignation to the City Manager's Office and because of the language that he used and the fact that he stood his ground in the fact that he was not the only party involved in this to have made a mistake, his resignation was not accepted, and it was considered a termination. He said the reprisal and the actions that are taken against people who stand up and speak for the better of this City should not be tolerated. He said again he never got the chance

to work for Chief Peete, but reading a simple letter from him, like much of his brothers in blue, he will stand behind him every step of the way.

CITY MANAGER'S REPORT

City Manager Paluch made the following remarks:

1. She thanked Acting Chief Schoolcraft and APD for a traffic stop that happened on January 18, 2019 of a known drug trafficker here in Alamogordo. She said they retrieved methamphetamine, heroin, cocaine and drug paraphernalia with the approximate street value of $90,000.
2. She announced Neptune Aviation has satisfied their LEDA requirement. She said they are also conducting a job audit for the cookie factory, and the City remains first place in the mortgage for that building, but she is happy to say the owners have been very responsive and they are working with us to repay the LEDA funds. Additionally, she met with Mr. Medlin from Medlin Ramps last week and they are actively moving forward with that project. She said the City is cutting a check to Mr. Medlin for the purchase of the Old Wal-Mart building this week. She said City Planner Rael is working with Mr. Medlin on rezoning the property.
3. She stated that the Water Committee met last Wednesday to continue discussions on the future of the water system. She said this Committee consists of Commissioners as well as City staff and the purpose is to ensure the vitality of the water system for our future growth. She said the first goal of the committee is to create a quick reference guide that can be given to the public and posted to all of our media outlets. The quick reference guide will detail the current and future needs of the water system.
4. She and some Commissioners attended the MainStreet Metropolitan Redevelopment area plan meeting, where many citizens and business owners joined them. She said Ms. Fishman from Consensus Planning reviewed the draft MRA plan and how the document will help spur revitalization in historic Downtown Alamogordo. She thanked Cam Wilde and the whole MainStreet team for their hard work in the development of that plan. She said the City is looking forward to the projects that MainStreet will be undertaking in partnership with businesses, community leadership and the City.
5. She gave kudos to two employees, City Planner Rael and Customer Service Manager Threadgill for helping a local business owner turn on his water at his new location.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Commissioner Hernandez made the following comments:

He thanked the public for coming out. He said he received a lot of emails and phone calls. He said one of the concerns he has is how government works and how it is setup in Alamogordo. He said he wished more people would come to the meetings so that they would understand that, or even contact the Commissioners and not just when they are mad. He said his wife showed him a post on Facebook where a lady complained about a light on First and Florida. He said what good does that do, you need to call the authorities, call the City or call your City Commissioner so that we can get it fixed. He said that is how things work. He said he served on this Commission in 1996 to 2000, and then he took a break for a little while. He said in 1996 they didn't have computers, they didn't have social media or any of that stuff, everything was paper. He said he has four legal boxes at home full of correspondences from the City Attorney and City Manager from those days, and now everything is electronic, it was a lot different back then. He said they got the phone calls and visits, you didn't have to find something on Facebook when something was wrong. He said that was a big change and it does not help be productive in this community. He said they had a presentation this afternoon and that gentleman lives in his district. He said the Commission makes decisions for everyone in the community, not one person. He said that is the problem with this is that he never contacted me, his representative. Commissioner Hernandez said he got word that this was happening from Senator Udall's Office. He asked how that fixes things. Start with your local representatives, then if they can't fix it for you, then go up. He said that is how government works, but if you only show up when you are mad or when you think that the system is broke, then it is really hard to fix it. He said get involved. There is an election November 5, 2019, he is sure that there is plenty of people ready to run, we think that every year and then it never happens. He said he loves doing this job, he loves sitting up there, he loves getting mocked for the things that he says and does, and that is all fine, but if you guys would show up to the meetings you would know where he stands all the time. He said he does not float to either side, he works with what he has to work with, and he makes the best decisions he can based on the information he has and the input he has from his constituents. He said he can show you his email and his City phone, it is very minimal. It is not because he does not listen, it is because nobody cares until something happens. He said this is his home and he has lived here all his life, he is not moving anywhere, he does not plan to, he has lived in the same house on the same block, where he was raised. He said next month it will be 54 years that he has lived there. He asked how many people can say that. Commissioner Hernandez acknowledged that five people responded. He said that is not too many. He said he loves his home and he loves this town and if you do to, get involved. Not just tonight. He said they have committees that are empty, they will go over them in a little while, but he is sure that most people will be gone, but there are several committees that need help.

Commissioner Sikes made the following comments:
She thanked everyone for being here. She said every text, every private message and every encounter she has had Wal-Mart in the past couple of weeks, everything people have told her, via email is taken into consideration. She said your comments are important. She said just because they sit up there with stone faces and they cannot respond to everything that you are saying, doesn't mean that they are not listening or that they don't care. She said your support of our Police Chief is commendable and she thanks you. She knows that each and every one of you that have spoken to her personally, knows how she feels. She has been very candid with you. She said she has subscribed to the belief that they as Commissioners don't get involved with the City employees, but that doesn't mean that they don't listen to the City employees, and when they have the opportunity to speak with us, that they speak with us and we take what they say into consideration. She said she has a lot of respect for the City employees. She too is one of those people that thought that the City is a great place to work. She said she does not work for the City and was unaware of a lot of things that she has been told over the past couple of weeks. She certainly believes that this debacle could have been avoided. She is confident because of what she knows about her colleagues and the City and the City Administration of the Directors that this situation is going to be resolved and she thinks the resolution will be satisfactory to everyone involved.

Mayor Boss made the following comments:
He said this is some food for social media because he gets beat up on it all the time, very unfairly. He is whiny and you'll understand that there is some whining involved in this, but there is also some education, some City government 101. He said he would like for some Commissioners to indulge while he makes some comments on the manner in which our City government operates and also some commentary. He said there is generally speaking two types of methods to operate City government. One method is called a Commission/Council/Mayor form, the other is called a Commission/Council/City Manager. There are hybrid approaches to both of these methods, the Commission/Mayor form generally has the Mayor responsible for municipal operations and the Commission responsible for legislation. He said in this form the Mayor is a very powerful position. An example of this would be the Mayor of Albuquerque, Mayor Tim Keller. He receives a six-figure salary, has a personal secretaries, multiple assistants, a large and functional office space. He is reimbursed for his business expenses. He directs the various departments on a daily basis and is responsible to the Albuquerque City Commission. On the other hand, in the Commission/City Manager form of operation, as Mayor he receives the established amount of per diem from his out of pocket expenses, for regular Commission meetings he receives $50, just like every other Commissioner. If they have a Special meeting, they don't get compensated for that. He said a typical event at Holloman Air force Base is $30 per person for a meal. He said that would be two times for him because his wife generally goes with him, it is expected out there. That is taken out of the per diem that he gets. He has no personal secretary, other than his wife. His wife does most of his typing and receives no compensation for this service. The Office he provides to himself, and an Office is provided in City Hall to himself and the other Commissioners. If you are in that Office and you close the door, you feel like you are in a broom closet. He thinks everyone would agree with that, if you have been in that Office. He has spent some time in there and personally he would rather meet someone in a coffee shop than in their Office. As Mayor he has not one bit of authority more than any other Commissioner. He is one of seven, the power of this Commission is generally determined by the majority which is usually four of the seven. He has the

exact voting rights as each Commissioner up here tonight and no more. He read Article VII - The Governing Body Section 1. – Equality of Commissioners from the City Charter. "All Commissioners, including the Mayor, except as otherwise provide by this Charter, shall have equal voting power, privileges and prerogatives". He pointed out that he has no more power, no more authority than any one up there. He said he does not have the authority to hire or fire employees or discipline employees nor the authority to pay vendors or enter into contracts. He said he signs checks, contracts and Ordinances but only after Commission and/or staff have approved him to do so. He said he hopes this clears up the vision that some of you have of him walking through City Hall and giving orders to staff and creating havoc among the staff. What really happens when he walks through the halls of City Hall is, he greets all staff with a smile, and he wish them to have a great day. He nor any other Commissioner have authority to direct or threaten them in any way, no authority what so ever. There are a couple of duties that he is responsible for that his fellow members generally do not perform. The Mayor is the Official Head of the City for all ceremonial and military purposes. He has taken this responsibility very seriously. Both he and his wife have taken every opportunity to create the very best environment and relationship with our Air Force, Army and German Allies. He said his wife and him love, appreciate and respect these Airmen and soldiers. He said two, is leads the Commission and Management in developing short- and long-range plans and goals relating to the City Growth and Development. Time does not permit going into detail on the Mayor's role, but he assures all of you that he has participated and helped move our economy and quality of life forward in Alamogordo, just look around Alamogordo and you will see there is more activity. They thought that when the German Air Force left that it would be a real problem, those houses are filled up. He said there are people coming in and a lot of that we are all responsible for that. He said when you look at the Mall and you drive by the Mall and you see all the cars out there and the new stores that are out that replaced K-Mart and have gone beyond what was there before. Notice those things, notice our parks and the shape they are in, notice our Civic Center, notice the zoo, there has been differences made in this town and we are all responsible for that, and all the employees out there are responsible. He said a very small amount of his time as Mayor is spent at City Hall. He said the Commission meetings are the most time he spends here, quite frankly. He spends a great deal of time at home at his desk, a desk he paid for and utilizes 95 percent for City business, he pencils draft speeches and presentations for events and for getting ready for Commission meetings. He does not type so his wife usually types them for him. He also spends a great deal of time at various meetings; City sponsored events, other community events, Alamogordo organization meetings, presenting proclamations and attending military related events, both US and German. He went back to his 2018 daily calendar, he attended 290 events in 2018. These events consist of military change of command ceremonies, other military functions, city community events like proclamations, ribbon cutting, and so forth. Before he became Mayor, he played golf four times a week, when he went back to his calendar, he played three times all last year in 2018. He did not enumerate the duties he performs as Mayor to brag or for any reason other than to point out that there is a reason to have a Mayor position in our government. He said that being said, there is also a reason to have a City Manager and allow that City Manager to have the discretion necessary to make tough decisions. He said his primary goal as Mayor is and has been moving Alamogordo forward. He is proud to say that he, the Commission and staff have been part of doing just that in spite of many obstacles that have been thrown their way. Example, this Commission not long ago awarded $450,000 to be spent on improving the image and branding this City in a positive way. Leaps and bounds have been made in that regard. Chamber of Commerce has worked diligently, Main Gate has worked diligently, the hospital, the University, the School District. After events of the last few weeks, good luck with that, no telling what might come up when you google New Mexico news, what you are probably going to see is Chief Peete telling people that there was misuse of funds. That is what you are going to see when you do that and that is also what the person is going to see that lives in New York that is wanting to maybe come to Alamogordo or in California. He said that is what you are going to see, that come up on Google. Finally, he would like to remind his fellow Commissioners of the City Commission Statement whereby they make a promise to their City Manager. "We will operate with strict adherence to our values and beliefs. We will work within the guidelines set forth by the City Manager when working with staff, any opposing position or need to express concern will be done in private to the best of our ability. We will not micromanage." The City Manager is completely in charge of the day to day operations of the City. The City Manager is also the only staff person that can hire or fire City staff. Back again to the City Charter Section 2 – Duties of the City Manager - Item B – “the City Manager and Chief Executive Officer of the City, he or she shall have a seat, but no vote at every meeting of the Commission. The City Manager shall employee and discharge employees of the City.” The City Commission including the Mayor is responsible for the legislative aspects of the City. He said there has been a claim to misuse of city funds. He said this is very great concern to him, there have been claims from a City employee and others on social media. He said he would really like to see the details supporting that claim. He said this really surprises him since the City’s outside Auditors, which are Certified Public Accountants, must have missed this. He said the City pays them $62,568 to audit the City of Alamogordo and he would have thought they would have come up with something where there was some misuse of funds, had there been something. The Auditors spend a lot of time down here, the report is complete and will be released very shortly from the State Auditor’s Office as he understands. He said but anyway, he doesn’t know that they need another investigation after they just had a certified public account expense of $62,000. He said not only did an employee make the claim of misuse of funds, he understands that social media has also made the same claim. He said this is a very serious allegation and he thinks the entire Commission takes it very seriously. If the person or persons that have valid proof this has occurred, he would encourage them to provide this information to himself or another Commissioner. If the information they have supporting the misuse of funds appears credible to him and at least one other Commissioner, he will personally drive that person to Santa Fe directly to the Steps of the New Mexico State Attorney General’s Office. He said he would wait for them to file their claim and he will drive them back to Alamogordo. He offers that.

Commissioner Hernandez made the following comments:
He said going back to his statement of how proud he is of living here all his life, he forgot to mention to everyone to visit the board outside the chambers, on their way out. He said it is very important to him and his family and you guys can understand how proud he is of Alamogordo and what this community means to him.

Commissioner Payne made the following comments:
She said she has been the daily piñata on social media. She said people don’t think the Commission doesn’t read social media and they don’t take it seriously. She said that is the comments she gets. She said after a while it is pretty daunting, and you are right she stops reading it because she does not to see over and over again, everyday that she is crooked or that she is guilty of misappropriating funds or lining her pockets. She said she does not need to see that every day, she gets the message that is what people think of her, but she would echo the Mayor’s sediments that if anybody has any proof at all that they are mismanaging funds or that she has personally done something illegal which by the way defames her character. She said she would personally drive anyone to the AG’s office or the State Auditor’s Office, she has no problem with it, because she is 1000 percent confident that is not happening in this city, and she stands by that. She mentioned that there has been a lot of talk about the personnel manual. She said she does not know any other way to say it, it’s a lie. She said she has the proof right there. She would encourage all of you, all of our minutes are online, every single one of them are online and if you have a question about a particular issue, she is welcoming you right now to call her and she will tell you exactly where to find it and you can find it for yourself. You do not have to be in her district, she helps constituents all the time that are not in here district. She said right here in the personnel manual, a personal manual that had not been revised in 15 years, was revised in 2017. She said there is a particular section in there that is really important. She read the minutes of when the personnel manual was first brought to the Commission. She said when Ms. Lang worked here, she does not think that they had to deal with bullying. She said the personnel manual now includes an anti-bullying policy. She continued reading the minutes. She said they tabled adopting the manual for a month, and they came back a month later and without even saying a word the City Manager and the HR Director said “they just decided to take the part out about giving the City Manager control over changing the Personnel Manual. It seemed like the Commission didn’t want that, so they took it out.” Commissioner Payne said the City Manager and HR Director said that without being prompted. Commissioner Payne said as our personnel manual stands right now, and she asked the HR Director to correct her if she is wrong, the City Commission has control over changes to the Personnel Manual. She asked if she was correct. She said so all this talk about giving our City Manager full control and

the City Commission has no, let her tell you something not only is that untrue but that is a lie. All you have to do is go back. She said Thank God we have an amazing City Clerk that takes minutes. Commissioner Payne could not believe the incredibly detailed minutes that she has right here. She said word for word everything that she said and everything that every other Commissioner said. So, this ridiculous notion that we don't have control over the personnel manual is just that, it's ridiculous. She said there is also an anti-bullying policy in this. She said we did have a mechanism in place for City employees to give suggestions. She asked if this was still in place. City Manager Paluch answered yes, we had the tiny pulse program that the City employees came up with suggestions on what they wanted changed within the City to have a better working environment. One of those suggestions that came from one of the City employees was a day, once a month where the City employees did not have to attend meetings, which was so called "No Talk Thursday." She said, "No Talk Thursday", is not no talk for citizens to come to the City, it is not that the City Manager's Office is closed, or the City Commission cannot be contacted. She said it is so that there are no meetings held within the City so that everyone can sit down and get their work done. Commissioner Payne said she is not defending the City Manager, she does not need to, that is her job and she knows it is an important job, it's a high-level job and it comes with a lot. She said that is why she gets paid the big bucks, so to speak. She said she is going to defend herself because there is a lot of misinformation out there about her, and she is disappointed. She said she knows Commissioner Hernandez sometimes gives stories about his childhood, and she really appreciates them sometimes. She said they are so great that she can almost visualize them. She said she could sit here and tell everyone her past, but she is not going to do that. She said she has been through enough in her lifetime that there is nothing that anyone can say to her that is going to beat her down any further than she has been beaten down in life, she can assure you of that. She said that doesn't bother her, but it disappoints her that people she knows to be very intelligent people, very articulate people are buying into this notion that the Commission just sits up there and doesn't pay attention to anything. She said everything is online and it is right here (she pointed to the minutes). She asked what do you want to know. She said they have talked about the mall, they have talked about the new call center at the mall, all the new things coming up, and it's amazing the things happening in this City. If you want to know anything, her door is always open, she has never shied away from a phone call, and she has never hung up on someone that has yelled at her, she tries to answer all emails. She said she does go through junk mail sometimes because she got beat up because an email went to junk mail which was beyond her control. She said she got beat up on social media because she explained that the email went to junk mail. That is how ridiculous it has gotten. She said she does not know how all this is going to play out. She said the last thing she is going to suggest, and this is in regard to Chief Peete. She said G.B. is right, there are two sides to every story and while we don't get involved in personnel matters, she personally has not seen the suspension papers. She said she would be curious to see them. She understands it is about 10 pages. She would like to know what is in it. She said she thinks that everyone should know what is in it, if they are going to talk about the letter that he wrote, then let's talk about the suspension papers, let's see what is in it, and let's see if there is a valid reason for his suspension. Mayor Boss asked if the Commission or the City could do that. Commissioner Payne said Chief Peete certainly can, she doesn't know why he hasn't released it yet, but release it, let us all see for ourselves what the reasons were and then you can decide. She said she does not see a problem with that. She asked if there is a problem with that, she doesn't see a problem with it at all. She said this letter that everybody is talking about, that letter is subject to the Inspection of Public Records Act. **(Commissioner Hernandez left the meeting at 7:33 p.m.).** She said to not make sure that the right people have it in the City, would be a violation on the City of the Governmental Code of Conduct. She said they could have got in a lot of trouble for that, they were put in a horrible position. She said her for one did not appreciate it. She said it is public information that is why it had to be disclosed. She said in all honesty, she did not give them the letter. She said somebody had to disclose it, you cannot keep that confidential and it is not in Chief Peete's purview to do that. She said the letter got leaked, but somebody needs to talk to Chief Peete because it is not confidential, this is public information. Everybody has a right to see it, as she has in spite the fact that it has been all over social media.

CONSENT AGENDA

2. Approve the minutes for the January 8, 2019 Regular meeting. *(Rachel Hughs, City Clerk)*

3. Approve the statements related to the Executive Closed Session held on January 8, 2019. *(Rachel Hughs, City Clerk)*

(Commissioner Hernandez returned to the meeting at 7:35 p.m.)

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

NEW BUSINESS

4. Consider, and act upon, request waiver of weed lien in the amount of $542.11 for property PC-0112234. *(Fred Flores)*

Mr. Flores explained that he will be closing on a property on Monday February 4, 2019. He said in order for him to park on this property, he has to go through his neighbor's property. He asked his neighbor if he would sell him this piece of property and he agreed. The neighbor told him if he paid the lien, he could buy the property. Mr. Flores said he would rather donate to the City for the amount of the lien rather than pay for his neighbors' lien. He said it is just a matter of principle. He asked the Commission to consider waiving the lien and in turn he would donate to the City for the amount of the lien.

Mayor Boss asked why there was no recommendation from City staff as how to handle this.

City Attorney Schreiber said there is a little more information that not even Mr. Flores had access to. She said she was informed this morning by Code Enforcement that this property was since abated again on December 13, 2018. The City had someone go out there and cut the weeds and that cost the city another $125.70. She said what they should be considering today is a waiver in the amount of $667.81. She said the reason there is no recommendation from staff is that this is Mr. Flores' agenda item, so he would be the one making the recommendation. She said she thinks his recommendation is clear in that he would like for the Commission to go ahead and waive the lien.

Mr. Flores said that is what he is requesting, but when he made the request to speak to the City Commission was on December 18, 2018 and the amount at that time was $537.65. Mayor Boss asked Mr. Flores if he was just now becoming aware of the additional amount. He answered yes.

Commissioner Hernandez asked Mr. Flores if he is going to occupy the house. He answered yes, once he gets it livable. Commissioner Hernandez asked if he was going to live there and not sell it. Mr. Flores answered yes, he does not plan on selling it right away. He said he is commuting three times a week from Las Cruces to take care of his dad and he just needs a place to stay when he comes here.

Commissioner Sikes asked City Attorney Schreiber just because the City waives the lien and it potentially gets paid for by Mr. Flores, what about the property owner. Is what they are doing carrying over to the Courts, so that the property owner is no longer liable. City Attorney Schreiber said what her office would do if the Commission chooses to waive the lien today, is they would prepare a release of lien and it would be release, as to the lien attached to the property itself. She said in order for Mr. Flores to buy the property, he needs to satisfy the lien.

Mayor Boss asked if Mr. Flores he was willing to pay the $500 amount, just not as a lien. Mr. Flores said that correct.

Mayor Pro-Tem Baldwin asked City Attorney Schreiber if anyone could donate to the City of Alamogordo and earmark it for anything. He then asked City Attorney Schreiber why don't we accept the donation and earmark it for the lien and it goes to the lien. She asked if they call the lien payment a donation. Mayor Pro-Tem Baldwin said so he can make it as a donation, he can earmark it for this property, then it gets paid off and then they can move forward. City Attorney Schreiber asked if that would be in the amount of $667.81.

Mayor Pro-Tem Baldwin asked Mr. Flores if he would be willing to move forward the donation, now that he is aware of the new amount. Mr. Flores answered yes, the $500 donation. Mayor Pro-Tem Baldwin said there is an additional amount. Mr. Flores said he realized that, but he was not aware of that. Mayor Pro-Tem Baldwin asked Mr. Flores if he was not willing to pay the additional $100. Mr. Flores said he still wants to buy the property so he will. Mayor Pro-Tem Baldwin said it is an unfortunate position for him to be in and what frustrates him is this a conversation Mr. Flores should be having with the neighbor. He said if that neighbor has a reason for not wanting to pay it, it seems kind of petty on his part, but if we are not doing anything incorrect, his understanding is a donation can be made to the City of Alamogordo for any reason and can be earmarked for anything the person wants it to be earmarked for. He said that is the easiest way around this.

Mayor Boss said they should consider releasing the lien on the property for the $500, since he was not aware of the other and write off the remaining $160 or whatever it was.

Commissioner Rardin asked City Attorney Schreiber if they could legally release the new amount without payment and allow Mr. Flores to make his $542 donation. She answered yes.

Commissioner Hernandez moved to approve to abate the original lien amount and write off the new amount of $125.70.

Commissioner Hernandez moved to approve as amended.
Commissioner Rardin seconded the motion.
Motion carried with a vote of 7-0-0.

5. Consider, and act upon, an Ordinance 1587 for first publication, repealing Section 02-03-052 Code of Conduct of the Alamogordo Code of Ordinances. *(City Commissioners*) (Roll Call Vote Required)

Paul Sanchez commented on the following:
He agrees that the Code of Conduct needs to be repealed and taken off the books. He said he is the type that a law is absolutely useless, an Ordinance is useless if it is never used. He said also if it continues to waste time such as when a complaint might get put in, because it is on the books there is a process that has to be gone through as a result of that. He said if it not on the books then the process doesn't exist. He said what is interesting to him about this is after the last meeting, after a lot of discussion went on about the Code of Conduct, obviously with the heartfelt exception of Mr. Downer tonight, all of the citizens that stood up here maintained decora, unlike several of the Commissioners here in the room. Mr. Sanchez said had he used some of the language that was used last meeting by the Commission from the dais, he would have been appropriately admonished by Mayor Boss. He said it is kind of amazing to him how we have an Ordinance, and we expect certain things from the public, but they don't apply to the Commission. He said that is fine, the Ordinance is useful, the Ordinance is never used, and the Ordinance should absolutely be done away. He said the only other thing that was amusing to him, was after the last meeting he was approached by two individual Commissioners that are sitting right here now and both of them made the point to him, which he already had known, by rumor, the only reason they put the Ordinance in place was because they had to control Mayor Galea. He said you don't pass Ordinances to control an individual. He said you pass an Ordinance to control a situation, such as if Commissioners in general are doing something wrong. He said that is what that Ordinance should have been passed to do, but he has two Commissioners that are sitting here right

now that directly told him it was done to control Mayor Galea. He said he is not going to out the two that talked to him, but it is exactly that type of attitude and conduct and personal vendetta that has permeated throughout time, throughout this Commission. There are individual Commissioners that do great and some that are very concerning. He said in all the years he has been to these meetings and written about things, there is one Commissioners sitting up here that he has only wrote one negative thing about once and that would be Mayor Pro-Tem Baldwin. He said he sits there and listens, does the research, he makes his comments and it is always well considered. He said he has never had a reason to concern himself with what Mayor Pro-Tem Baldwin has had to say. He said please repeal an absolutely worthless Ordinance because it is not being used.

Rich Merrick commented on the following:
He asked they repeal the entire Code of Conduct. He said he finds it funny that a few of the Commissioners decided that they needed to school the public on Ordinances on how the government is ran but can't read the Code of Conduct Ordinance to save their life. He said the Ordinance has no teeth and the general consensus when a complaint is lodged that some Commissioners have qualms about having to pass Judgement on their peers. He said in the last meeting, on one issue, the Code was broken numerous times. He said during this one issue, since he does not have the leisure time that the Commission has when they make your comments, 3 A, C, D, E and H clearly being about half of the Code of Conduct was broken by one or more at the last meeting, and not once did a Commissioner nor the Mayor, who is running this Commission meetings, called for a point of order. He said that just shows that the Commission either doesn't care about the Code of Conduct or don't know the Code of Conduct. He said in that respect, just as Mr. Sanchez said, it is useless, it is a piece of paper that is costing us all a lot of time. He agrees with Mr. Sanchez 100 percent. He said it costs the Attorney time, it costs the Clerk time, and it costs the Commission's time. He said he is sure that some of the Commissioner's think that he has lost his marbles saying go ahead and get rid of that thing, because he sure has been one to stand up and make a complaint, but strongly urges the Commission to pass a complete repeal on this second reading without hesitation and he would strongly back each and every one that does just that.

Commissioner Rardin moved to approve to repeal the entire ordnance.
Commissioner Wright seconded the motion.
Roll call vote was taken.
Motion carried with a vote of 7-0-0.

6. Consider, and act upon, Amendment No. 1 to R.A. Pratt LLC, related to construction observation, inspection, and coordination services for the 1-MGD Brackish Water Treatment Facility, in an amount not to exceed $15,000.00, excluding NMGRT. *(Bob Johnson, Engineering Manager)*

Engineering Manager Johnson said this item is essentially to extend the services of the Inspector for the Desal Plant. He said current funding will run out this week or next and with changes in the scheduling for the Acceptance testing, staff has the need to extend the services of Mr. Pratt. He said they will be scaling his hours back, and as the project moves forward Mr. Pratt's services will be needed less and less, and City staff will be brought on more and more.

Commissioner Rardin asked if this will be enough money to get it done. Engineering Manager Johnson answered yes. Commissioner Rardin said he thought Commissioner Hernandez asked this question last time. Engineering Manager Johnson said this is the first extension for Mr. Pratt. He said Mr. Pratt's agreement cannot exceed $60,000. This extension will max out the amount of time, and once the contract is done, the City cannot re-hire him.

Commissioner Hernandez said he has heard this called three different things tonight; an amendment, an extension and a change order. Engineering Manager Johnson stated it is an amendment to a Services Agreement. It extends the term the City will be able to utilize Mr. Pratt's services for.

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

7. Consider, and act upon, approval to apply for Doppelt Family Trail Development Fund grant in the amount of $50,000, to repair and enhance the Washington Avenue walking trail. *(Veronica Ortega, Community Services Director and Debbie Osborne, Grant Coordinator)*

Grant Coordinator Osborne asked the Commission to consider and approve the application for the grant. She stated they are awarding two grants in the amounts ranging from $15,000 to $50,000 each. She said they are seeking to enhance and repair the Washington Avenue trail.

Commissioner Rardin asked Grant Coordinator Osborne if there is a match that the City has to come up with. She answered no match.

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

8. Consider, and act upon, the lease of 5 buses to Zia Therapy Center for use by Z-Trans. *(Petria Schreiber, City Attorney and Brian Cesar, Assistant City Manager)*

Mr. Hardin said they have been working with City staff to come up with a lease agreement for five buses. He gave some history on Z-Trans and said that the City has never bought a bus. Z-Trans has always paid the twenty percent cost that they have to pay. Federal Transit Administration always pays the 80 percent. He said every year they try to replace at least one bus with the aging of the buses. Currently they have a fleet of 12 public transportation buses, and they have anywhere from 400,000 to 700,000 miles on these buses. He said it is a testament to the maintenance they have done on them that keeps them running. He said unfortunately it costs more and more for that maintenance to keep them running. He said what they are looking at this year is a Legislative Outlay, and the City would actually receive a Legislative Outlay and then lease the buses to Z-Trans. He said they would also have advertising on the buses strictly for the City. He said what they are looking at is the lease of five buses from the City and hopefully with an agreement. He said this is all contingent if the Legislature awards it or not.

Commissioner Rardin asked if the City would be their fiscal agent. The Z-Trans team answered exactly. Mr. Hardin said they are looking at 21 Legislators because they are in Dona Ana, Otero and Lincoln County. Commissioner Rardin asked if this would not cost the City any money, other than just staff time to coordinate the money back and forth. Mr. Hardin said yes.

Commissioner Payne said she is going to guess that because this item is before them, that everything is good. City Manager Paluch nodded her head yes.

Mayor Pro-Tem Baldwin asked if and when the Legislative money does change, what is the situation then. Mr. Hardin said if the Legislature doesn't do it, it is all null and void. Ms. O'Neil said Z-Trans asked for funds for five buses, so they don't know if they will get funds for five buses or a lesser amount, but the lease agreement should work whether they have one bus or five buses.

Commissioner Rardin said it is all dependent on what the State awards you. The Z-trans Team answered exactly. Ms. Webb said they are asking for $145,750 which would purchase the five buses. Commissioner Rardin asked if that would be the 20 percent that they would need for the five buses. The Z-Trans team nodded their heads yes.

Assistant City Manager Cesar pointed out that the City would effectively be taking their normal five requests to the State Legislature, and now this would make it six requests. He said this would not impact the City's five requests at all.

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

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

Mayor Boss read the openings and appointed Marianne Schweers to the Alamogordo Promotions Board, Michael Eshleman and Audrey Hukari to the Alamogordo Public Library Board, Anna Blanch Rabe to the Housing Authority Advisory Board, and Lissett Mendoza to the White Sands Beautification Board. No one was opposed.

Paul Sanchez commented on the following:
He talked about a survey that was put secretly online and sent to employees of the City of Alamogordo. He said as of this morning there were approximately 100 that were signed up. He read a survey entitled "I wish to sign the petition for vote of No Confidence", and Mr. Sanchez said on the City Manager it was a six and on the City Attorney it was only 2, but both were 92, to not that a vote of no confidence, but it is kind of an emotional statement. He read another survey entitled "I want the City Commission to have an Independent Investigation of the City of Alamogordo Management." He said 100 percent of the respondents did say that. He said again the reason he spoke earlier, those were the words of City employees that contacted him, they wrote those words and they were not comfortable in standing up there and putting their faces out. He said he was tempted to say "No" because he has tried to stay out of City business since the election, unfortunately, he thinks when the City employees asked him to do this, he had to do it. He said he thinks that definitely not tonight, you are not going to be discussing hiring, firing, admonishing, etc., that is not what is in the figure to be talking about in an evaluation, but it does pertain to the approximately 200 people that came here tonight to support Chief Peete and really not to support Chief Peete, but support the concerns and the fact that he was willing to put his face upfront and take the hit for the team. He said he would hope the Commission would consider that, not necessarily this evening, but he wanted to remind the Commission that Mayor Boss or any two Commissioners can call a Special Meeting for next week. They can put the item on the Agenda to decide what to do with the ten days pay for Chief Peete, the suspension is almost over so he is not going to be reinstated, but there are 10 days of pay that are out there. The Commission has a voice, they can direct something to do about that. It is up to the Commission to decide what they want to do. Mr. Sanchez said you guys have to take control and do this, you are the Commission.

Mayor Boss stated social media users have drafted a petition asking to show no confidence in the City Manager and the City Attorney. The petition asked the Commission to order an outside Professional evaluation of the City Manager and City Attorney departments at City expense. Last night at 10:11 p.m. he received an email from Sharon Hodges that requested restatement and return of suspension salary to Police Chief Peete. The no confidence in the City Manager and City Attorney petition had 211 votes at that time. He corrected himself and said this was at 6:00 a.m. there were 211 votes. The restatement of Police Chief Peete petition, which was a separate petition, had 83 signatures. There was a copy of the actual petition and the attachment of all those that signed it and that was at 6:00 a.m. this morning. Assuming that City population of 35,000 people and 50 percent of that is children that is 17,500 people were potential voters on the signatures of these petitions. If you divide 211 by 17,500 you approximately have .012. Compared to the 35,000 that is a very small number. If you divide the 83 by 17,500 you get approximately 5005 percent signing the restatement of Chief Peete's petition. That is minuscule compared to the whole. Based on these numbers he does not believe they should take any action, to spend any resources based on these two petitions. The City paid $62,568 for a financial statement audit which reviews a lot of those things. He does not think they should be spending anymore money on that. He said this is his opinion, and stated have fun tomorrow morning social media.

EXECUTIVE SESSION

10. Adjourn into Executive Closed Session in compliance with 10151(H), NMSA 1978 (as amended) to discuss City Manager's evaluation. (Roll Call Vote Required)

Mayor Pro-Tem Baldwin moved to adjourn into executive session at 8:10 p.m.
Commissioner Rardin seconded the motion.
Roll call vote was taken.
Motion carried with a vote of 7-0-0.

ADJOURNMENT

Mayor Richard Boss

ATTEST:

City Clerk Rachel Hughs

(Prepared by Eric Barraza, Deputy Clerk)
Approved at the Regular Meeting held on February 12, 2019.

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 02/12/2019 **Report Date:** 02/05/2019 **Report No:** 4.

Submitted By: Rachel Hughs

Subject: Approve the statements related to the Executive Closed Session held on January 29, 2019. *(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 February 12, 2019: "The Governing Body of the City of Alamogordo, New Mexico, hereby states that on January 29, 2019, a Closed Executive Session was held and matters discussed in the closed meeting were limited only to: to discuss City Manager's evaluation.

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

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 02/12/2019 **Report Date:** 02/06/2019 **Report No:** 5.

Submitted By: Sue Ashe

Subject: Approve the Investment Report for the quarter ending December 31, 2018, in accordance with the City of Alamogordo Investment Ordinance. *(Sue Ashe, Acting Finance Director)*

Fiscal Impact:
Amount Budgeted:
Fund:

Additional Fiscal Impact: N/A

Recommendation: Accept the Quarterly Investment Report for the period ending December 31, 2018

Background:
The City of Alamogordo ended the quarter with an investment portfolio totaling $53,046,449. The portfolio was made up of:

State Investment Pool	$	5,443	or	0.01%
Short Term Investments	$	633,957	or	1.19%
US Treasury Notes/Agency Bonds	$	34,297,308	or	64.66%
Certificates of Deposits	$	18,109,741	or	34.14%
Total Investments:	**$**	**53,046,449**		100.00%

Total gains (losses) for the quarter ended December 31, 2018, on maturities and/or called agency notes were $0. Interest earned during the quarter on a cash basis was $233,051.

Interest Income Budget Comparison for all Funds is as follows:

Interest Earned Budget	$	913,240	
Interest Received to Date	$	460,987	50.48% of budget

Note: The investments mature at different times through out the year and 59% of the investments mature within three years. They are reinvested as they mature, so that they continue to roll over to be available for projects when needed.

INVESTMENT SUMMARY AS OF **12/31/18**

CITY OF ALAMOGORDO INVESTMENT REPORT

INSTITUTION INVESTED IN	**INV TYPE**	**CUSIP**	**INVESTMENT AMOUNT** BOOK VALUE	**MARKET VALUE**	**MARKET GAIN (LOSS)**	**RATE OF RETURN**	**MATURITY DATE**	**PURCHASE DATE**	**FY 19 - 20 Y-T-D EARNINGS**
ST. INVESTMENT POOL - COA	ST. INVEST POOL-COA		$5,443.52	$5,443.52	0	1.907%	DAILY	N/A	17,442
Western Bank (CD# 81186796)	CD		$268,439.41	268,439.41	0	1.250%	02/07/23	02/07/18	1,670
Western Bank (CD# 81186944)	CD		$803,768.53	803,768.53	0	1.200%	03/22/23	03/22/18	4,974
Western Bank (CD# 81187231)	CD		$541,938.31	541,938.31	0	1.710%	02/10/19	02/10/14	4,615
Western Bank (CD# 81187926)	CD		$268,457.59	268,457.59	0	1.250%	03/15/23	03/12/18	1,661
First Savings Bank (CD#13312297)	CD		$267,968.39	267,968.39	0	1.000%	02/07/23	02/07/18	1,346
First Savings Bank (CD# 13401520)	CD		$1,059,174.38	1,059,174.38	0	1.000%	03/12/23	03/12/18	5,290
Bank '34 (CD#0101004984)	CD		$250,000.00	250,000.00	0	1.650%	02/08/23	02/08/18	2,060
First American Bank (CD#603372527)	CD		$264,709.45	264,709.45	0	1.150%	02/26/23	02/26/18	-
First American Bank (CD# 603372528)	CD		$1,053,614.13	1,053,614.13	0	1.150%	03/22/23	03/22/18	-
Pioneer Bank (CD#30100640)	CD		$266,515.78	266,515.78	0	1.600%	02/12/23	02/12/18	2,137
Bank of the West (CD#029771907)	CD		$265,560.31	265,560.31	0	1.600%	03/20/23	03/20/18	2,150
Washington Federal (CD# 172-200282-9)	CD		$274,252.70	274,252.70	0	2.050%	03/22/23	03/22/18	2,792
Washington Federal (CD# 172-200283-7)	CD		$1,080,592.41	1,080,592.41	0	1.250%	04/09/23	04/09/18	11,379
Wells Fargo (Bank Holland Mich)	CD	062649XS2	-		0	1.250%	12/27/18	06/27/12	749
Wells Fargo (World Finl Cap Bk)	CD	98146QDJ7	$250,000.00	$248,390.00	(1,610)	1.600%	08/26/19	08/24/12	2,006
Wells Fargo (Washington County Bk)	CD	93754PAK3	-		0	1.250%	09/24/18	09/23/15	796
Wells Fargo (First General Bank)	CD	320337BJ6	-		0	1.200%	09/28/18	09/30/15	995
Wells Fargo (United Bankers Bank)	CD	909557EW6	-		0	1.300%	09/28/18	09/30/15	1,077
Wells Fargo (Gorham Svgs Bk ME)	CD	383052DJ3	-		0	1.200%	10/15/18	10/14/15	1,011
Wells Fargo (Enerbank USA UT)	CD	29266NS24	$250,000.00	$247,770.00	(2,230)	1.500%	10/16/19	10/16/15	1,880
Wells Fargo (First Finl Northwest Bk)	CD	32022MAC2	$250,000.00	$247,475.00	(2,525)	1.350%	10/16/19	10/16/15	1,692
Wells Fargo (Aimbank)	CD	00889WAU9	-		0	1.150%	10/29/18	10/28/15	969
Wells Fargo (HSBC Bk)	CD	40434AC72	$250,000.00	$249,950.00	(50)	1.600%	11/17/20	11/17/15	3,907
Moreton (Goldman Sachs Bk USA N Y)	CD	38148PGR2	$250,000.00	$247,705.00	(2,295)	1.100%	08/12/19	08/10/16	1,364
Moreton (Discover BK)	CD	254672E87	$250,000.00	$247,810.00	(2,190)	1.150%	08/12/19	08/10/16	1,426
Moreton (Oriental Bk)	CD	68621KAB7	-		0	1.100%	08/10/18	08/10/16	693
Moreton (Sallie Mae Mk Murray Utah)	CD	795450YQ2	$250,000.00	$243,470.00	(6,530)	1.350%	08/10/20	08/10/16	1,674
Moreton (Capital One Bk)	CD	140420B33	$250,000.00	$243,470.00	(6,530)	1.350%	08/10/20	08/10/16	1,674
Moreton (Ally Bk Midvale Utah)	CD	02006LJ53	$250,000.00	$247,705.00	(2,295)	1.200%	08/12/19	08/11/16	1,488
Moreton (Wex Bk Midvale Utah)	CD	92937CEJ3	-		0	0.950%	08/13/18	08/12/16	1,178
Moreton (Farm Bur Bk FSB NV)	CD	307660KJ8	$250,000.00	$249,577.50	(423)	1.000%	02/19/19	08/17/16	1,253
Moreton (Comenity Cap Br Utah)	CD	20033ARW8	$250,000.00	$238,995.00	(11,005)	1.500%	09/07/21	09/14/16	1,880
Moreton (Everbank Jacksonville Fl)	CD	29976DT42	$250,000.00	$239,557.50	(10,443)	1.550%	09/15/21	09/16/16	1,953
Moreton (Bank Hapoalim B M New York)	CD	06251AN22	$250,000.00	$249,450.00	(550)	1.051%	03/04/19	09/27/16	1,316
Moreton (Bank Leumi USA New York NY)	CD	063248FY9	$250,000.00	$247,212.50	(2,788)	1.250%	09/27/19	09/27/16	1,575
Moreton (Iroquois Fed Svgs & Ln Assn)	CD	46355PBY3	$250,000.00	$247,215.00	(2,785)	1.250%	09/27/19	09/29/16	1,567
Moreton (Firstbank PR Santurce)	CD	33767AF97	-		0	1.150%	09/28/18	09/30/16	953
Moreton (Synchrony Bk)	CD	87165ELA3	$250,000.00	$240,480.00	(9,520)	1.800%	11/18/21	11/18/16	2,268
Moreton (State Bk India New York NY)	CD	8562846E9	$250,000.00	$242,755.00	(7,245)	2.250%	02/09/22	02/09/17	2,789

INSTITUTION INVESTED IN	INV TYPE	CUSIP	INVESTMENT AMOUNT BOOK VALUE	MARKET VALUE	MARKET GAIN (LOSS)	RATE OF RETURN	MATURITY DATE	PURCHASE DATE	FY 19 - 20 Y-T-D EARNINGS
Moreton (Merrick Bk South Jordan Utah)	CD	59013JWF2	$200,000.00	$199,760.00	(240)	1.300%	02/15/19	02/15/17	1,304
Moreton (Morton Cmnty Bk Ill)	CD	619165HB2	$250,000.00	$243,570.00	(6,430)	1.850%	02/26/21	02/27/17	2,319
Moreton (Wells Fargo Bank Natl Assn)	CD	949763FX9	$250,000.00	$242,867.50	(7,133)	2.400%	03/29/22	03/20/17	3,008
Moreton (American Express Centurion Bk	CD	02587DN38	$250,000.00	$242,350.00	(7,650)	2.450%	04/05/22	03/27/17	3,071
Moreton (Exchange Bk Gibbon Neb)	CD	301074CL2	$250,000.00	$240,297.50	(9,703)	2.050%	04/26/22	04/26/17	2,570
Moreton (BMO Harris Bk Natl Assn)	CD	05581WNY7	$250,000.00	$239,670.00	(10,330)	2.250%	10/28/22	04/28/17	2,820
Moreton (Capital One Natl Assn)	CD	14042RFL0	$250,000.00	$242,137.50	(7,863)	2.300%	05/10/22	05/10/17	2,899
Moreton (Barclays Bk)	CD	06740KKJ5	$250,000.00	$240,512.50	(9,488)	2.200%	07/19/22	07/21/17	2,727
Moreton (First Business Bk Madison Wis)	CD	31938QZQ0	$247,993.19	$247,184.08	(809)	1.306%	04/11/19	08/21/17	1,624
Moreton (KS Statebank Manhattan KS)	CD	50116CAQ2	$248,766.61	$238,280.00	(10,487)	1.631%	10/29/21	08/21/17	2,037
Moreton (Verus Bk Comm Ft Collins Colo	CD	92535LBU7	$248,258.09	$238,272.50	(9,986)	1.656%	10/29/21	08/21/17	2,065
Moreton (American Express Fed Svgs Bk	CD	02587CFU9	$250,000.00	$239,897.50	(10,103)	2.400%	08/29/22	08/25/17	3,025
Moreton (Celtic Bk Salt Lake City Utah)	CD	15118RNB9	$250,000.00	$239,072.50	(10,928)	2.100%	08/31/22	09/01/17	3,078
Moreton (Bank Baroda NY)	CD	06062QWG5	$249,778.42	$242,295.00	(7,483)	1.450%	10/30/20	08/31/17	1,874
Moreton (East Boston Svgs Bk MA)	CD	27113PCC3	$250,000.00	$238,250.00	(11,750)	2.050%	09/28/22	09/28/17	2,570
Moreton (Third Fed Svgs & Ln Assn)	CD	88413QBQ0	$250,000.00	$245,610.00	(4,390)	1.900%	09/15/20	09/29/17	2,395
Moreton (South Ottumwa Svgs Bk Iowa)	CD	839145AA7	$250,000.00	$238,237.50	(11,763)	2.050%	09/29/22	09/29/17	2,570
Moreton (Stearns Bk NA St Cloud MN)	CD	857894UN7	$250,000.00	$238,237.50	(11,763)	2.050%	09/29/22	09/29/17	2,570
Moreton (TBK Bk SSB Dallas Tex)	CD	87219RBQ6	$250,000.00	$239,555.00	(10,445)	2.200%	09/29/22	10/02/17	2,758
Moreton (First KY Bk Inc Mayfield)	CD	32065TAW1	$250,000.00	$238,582.50	(11,418)	2.100%	10/06/22	10/06/17	2,632
Moreton (Marlin Business Bk Salt Lake)	CD	57116APV4	$250,000.00	$242,160.00	(7,840)	2.000%	10/13/21	10/13/17	2,507
Moreton (Beneficial BK Philadelphia PA)	CD	08173QBX3	$250,000.00	$238,930.00	(11,070)	2.150%	10/18/22	10/18/17	2,695
Moreton (Continental Bk Utah)	CD	211163GS3	$250,000.00	$241,135.00	(8,865)	1.850%	10/20/21	10/20/17	2,319
Moreton (Morgan Stanley Bk)	CD	61747MF63	$250,000.00	$242,495.00	(7,505)	2.650%	01/11/23	01/11/18	3,285
Moreton (Blackridge Bank Fargo ND)	CD	09248AAU4	$249,952.98	$248,952.50	(1,000)	1.700%	06/18/19	04/09/18	2,182
Moreton (Seattle SVGS BK Wash)	CD	81258PHU0	$250,000.00	$247,427.50	(2,573)	3.250%	05/30/23	05/30/18	4,096
Moreton (BMW Bk North Amer Salt Lake	CD	05580ANM2	$250,000.00	$247,182.50	(2,818)	3.250%	07/13/23	07/13/18	-
Moreton (Community Finl Svcs Bk Bentor	CD	20364ACF0	$250,000.00	$247,145.00	(2,855)	3.250%	07/25/23	07/25/18	3,406
Moreton (Berkshire Bk Pittsfield MA)	CD	084601PW7	-		0	1.850%	10/16/18	07/16/18	1,166
Moreton (Bank Potiac ILL)	CD	064455AG3	$250,000.00	$247,172.50	(2,828)	3.250%	07/20/23	07/20/18	3,406
Wells Fargo (N Mexico Dona Ana Brh Cm	N Mexico Dona Ana E	257578DV3	-		0	4.000%	08/01/22	08/13/12	(1,630)
Wells Fargo (Central N Mexico Cmnty Co	Central N Mexico Cm	154625BA4	-		0	3.500%	08/15/19	09/07/12	772
Wells Fargo (University N Mex Gallup Bra	University N Mex Gall	914684DT9	-		0	2.000%	10/15/20	11/21/12	(1,760)
Wells Fargo (Fannie Mae Unsecrdnt Call)	Fannie Mae Unsecrdr	3135G0TP8	$500,000.00	$499,535.00	(465)	1.250%	01/30/19	02/22/13	3,125
Wells Fargo (Rio Rancho NM Wtr & Wstw	Rio Rancho NM Wtr &	767175FZ0	-		0	5.000%	05/15/22	03/12/13	(4,136)
Wells Fargo (Rio Rancho N Mex Pub Sch	Rio Rancho N Mex Pu	767171JZ5	-		0	4.000%	08/01/19	03/25/13	(1,143)
Wells Fargo (Fannie Mae)	Fannie Mae	3136G2P84	500,112.30	$499,550.00	(562)	1.200%	01/28/19	10/28/15	2,888
Moreton (Federal Farm Credit Bank)	Fed Farm Credit Banl	3133EGFP5	2,003,068.73	$1,946,020.00	(57,049)	1.776%	06/15/22	07/27/16	17,786
Moreton (Federal National Mtg Assn)	Fed Natl Mtg Assn	3136G3F59	1,000,899.50	$995,440.00	(5,460)	0.967%	04/26/19	08/05/16	4,838
Moreton (Federal Natl Mtg Assn)	Fed Natl Mtg Assn	3136G3W35	1,504,412.72	$1,457,310.00	(47,103)	1.550%	08/17/21	08/17/16	10,875
Moreton (Federal Natl Mtg Assn)	Fed Natl Mtg Assn	3136G3V85	1,001,606.40	$985,610.00	(15,996)	1.250%	02/24/20	08/24/16	5,705
Moreton (Federal Natl Mtg Assn)	Fed Natl Mtg Assn	3136G3Y82	1,101,426.57	$1,072,951.00	(28,476)	1.200%	11/24/20	08/24/16	6,278

INSTITUTION INVESTED IN	INV TYPE	CUSIP	INVESTMENT AMOUNT BOOK VALUE	MARKET VALUE	MARKET GAIN (LOSS)	RATE OF RETURN	MATURITY DATE	PURCHASE DATE	FY 19 - 20 Y-T-D EARNINGS
Moreton (Federal Natl Mtg Assn)	Fed Natl Mtg Assn	3136G3U94	1,504,264.97	$1,461,690.00	(42,575)	1.400%	05/25/21	08/25/16	9,714
Moreton (Federal Natl Mtg Assn)	Fed Natl Mtg Assn	3136G32A2	1,000,801.16	$990,290.00	(10,511)	1.100%	08/23/19	08/30/16	5,087
Moreton (Federal Natl Mtg Assn)	Fed Natl Mtg Assn	3136G32E4	1,001,288.76	$985,040.00	(16,249)	1.111%	02/25/20	09/12/16	5,563
Moreton (Federal Natl Mtg Assn)	Fed Natl Mtg Assn	3136G35L5	1,000,000.00	$975,300.00	(24,700)	1.250%	12/23/20	09/23/16	6,250
Moreton (Federal Natl Mtg Assn)	Fed Natl Mtg Assn	3136G35U5	1,503,666.84	$1,455,630.00	(48,037)	1.419%	12/28/21	09/28/16	10,684
Moreton (Federal Natl Mtg Assn)	Fed Natl Mtg Assn	3136G4BG7	561,256.19	$533,047.20	(28,209)	1.750%	12/30/22	10/05/16	9,513
Moreton (Federal Farm Credit Bank)	Fed Farm Credit Banl	3133EGXX8	1,001,455.10	$978,320.00	(23,135)	1.340%	10/13/20	10/13/16	6,324
Moreton (Federal Natl Mtg Assn)	Fed Natl Mtg Assn	3136G4DC4	1,001,114.26	$1,406,231.59	405,117	1.300%	06/30/20	10/20/16	12,318
Moreton (Federal Natl Mtg Assn)	Fed Natl Mtg Assn	3136G4EU3	1,002,067.84	$964,680.00	(37,388)	1.600%	10/28/21	10/28/16	7,652
Moreton (Federal Natl Mtg Assn)	Fed Natl Mtg Assn	3136G4DC4	500,560.45	$66,963.41	(433,597)	1.300%	06/30/20	10/31/16	6,159
Moreton (Federal Natl Mtg Assn)	Fed Natl Mtg Assn	3136G4GG2	799,341.16	$779,824.00	(19,517)	1.500%	05/25/21	11/23/16	6,133
Moreton (Federal Home Loan Mtg Corp)	Fed Home Loan Mtg (	3134GAVN1	1,000,000.00	$986,660.00	(13,340)	1.250%	11/27/20	11/30/16	6,250
Moreton (Federal National Mtg Assn)	Fed Natl Mtg Assn	3136G4JU8	1,496,750.67	$1,479,182.90	(17,568)	1.459%	12/30/19	01/09/17	22,015
Moreton (Federal National Mtg Assn)	Fed Natl Mtg Assn	3136G4JN4	640,098.88	$631,363.95	(8,735)	1.581%	06/29/20	01/09/17	5,061
Moreton (Federal Farm Credit Bank)	Fed Farm Credit Banl	3133EF4D6	521,357.41	$512,980.28	(8,377)	1.833%	04/20/21	01/09/17	4,783
Moreton (Federal Home Loan Bank)	Fed Home Loan Bank	3130AAB56	1,116,287.96	$1,096,592.00	(19,696)	2.101%	05/25/22	01/09/17	11,734
Moreton (Federal Home Loan Mtg Corp)	Fed Home Loan Mtg (	3134GA4F8	528,697.00	$520,878.70	(7,818)	2.000%	02/28/22	03/10/17	5,488
Moreton (Federal Farm Credit Bank)	Fed Farm Credit Banl	3133EF2K2	498,261.58	$488,005.00	(10,257)	1.968%	04/12/22	04/07/17	4,911
Moreton (Federal Farm Credit Bank)	Fed Farm Credit Banl	3133EHPV9	500,190.30	$491,605.00	(8,585)	1.641%	12/29/20	06/29/17	4,110
Moreton (Federal Home Loan Mtg Corp)	Fed Home Loan Mtg (	3134GBWH1	1,502,180.93	$1,487,100.00	(15,081)	1.372%	09/27/19	06/30/17	10,360
Moreton (Federal Farm Credit Bank)	Fed Farm Credit Banl	3133EHGS6	501,443.00	$489,375.00	(12,068)	1.942%	04/25/22	06/30/17	4,866
Moreton (Federal Farm Credit Bank)	Fed Farm Credit Banl	3133EHPD9	500,864.58	$493,695.00	(7,170)	1.549%	06/22/20	06/30/17	3,880
Moreton (Federal Home Loan Banks)	Fed Home Loan Bank	3130ABHV1	500,871.10	$495,535.00	(5,336)	2.411%	06/22/22	06/30/17	3,624
Moreton (Federal Home Loan Banks)	Fed Home Loan Bank	3130AA5Y0	500,000.00	$491,700.00	(8,300)	2.829%	11/25/22	06/30/17	3,438
Moreton (Federal Natl Mtg Assn)	Fed Natl Mtg Assn	3136G33W3	994,973.80	$972,910.00	(22,064)	1.709%	05/28/21	10/03/17	8,510
Moreton (Federal Home Loan Banks)	Fed Home Loan Bank	3130A7RB3	749,304.20	$734,355.00	(14,949)	1.800%	10/25/21	10/17/17	6,867
Moreton (Federal Home Loan Mtg Corp)	Fed Home Loan Mtg (	3134GBE99	757,750.27	$743,264.80	(14,485)	2.000%	09/28/22	10/25/17	7,882
Moreton (Federal Farm Credit Bank)	Fed Farm Credit Banl	3133EFYK7	999,784.82	$977,880.00	(21,905)	2.290%	02/08/23	12/11/17	11,474
Moreton (Federal Home Loan Bank)	Fed Home Loan Bank	3130ADFH0	998,903.29	$988,700.00	(10,203)	2.586%	01/23/23	02/13/18	11,491
Moreton (Federal Farm Credit Bank)	Fed Farm Credit Banl	3133EJBY4	500,000.00	$499,730.00	(270)	2.780%	02/07/23	02/26/18	6,216
Moreton (Federal Home Loan Banks)	Fed Home Loan Bank	3134GSCQ6	500,000.00	$500,010.00	10	2.750%	02/23/23	02/28/18	6,111
Moreton (Federal Home Loan Mtg Corp)	Fed Home Loan Mtg (	3134GSHW8	502,245.53	$500,080.00	(2,166)	3.000%	04/26/23	04/26/18	7,246
									-
									-
Wells Fargo BS securities transferred to Moreton Capital Markets May 20, 2016									
Moreton Capital Markets Money Market and Cash			140,109.76	$140,109.76	0	varies	N/A	N/A	2,471
Wells Fargo ST Money Market 6810881786			286,276.15	$286,276.15	0	varies	N/A	N/A	552
Wells Fargo - PHA account			207,570.61	$207,570.61	0	varies	N/A	N/A	31
TOTAL			**53,046,449**	**52,095,653**	**(950,796.15)**				**460,986.79**

INSTITUTION INVESTED IN	INV TYPE	CUSIP	INVESTMENT AMOUNT BOOK VALUE	MARKET VALUE	MARKET GAIN (LOSS)	RATE OF RETURN	MATURITY DATE	PURCHASE DATE	FY 19 - 20 Y-T-D EARNINGS
US Treasury Notes/Agency Bonds - WF / RBC			$34,297,308.27	64.66%					
State Investment Pool			$5,443.52	0.01%					
Certificate of Deposits			$18,109,740.68	34.14%					
Money Market Accounts			633,956.52	1.20%					
			$53,046,448.99	100.00%					

Investment Abbreviations

CD = Certificate of Deposit

FHLMC = Federal Home Loan Mortgage Corporation (Freddie Mac)

FNMA = Federal National Mortgage Association (Fannie Mae)

FHLB = Federal Home Loan Banks

CITY OF ALAMOGORDO

COLLATERALIZATION SUMMARY REPORT

MONTH CLOSING: **December 31, 2018**

	Financial Institution	Amount of City Funds	FDIC Amount	Amount Uninsured	Required Collateral per NMSA 1978 6-10-17	Amount to be Collateralized	Collateral Pledged by Financial Institutions	Over/(Under) Pledged	At Risk
1)	State Treasurer's Pool - COA	$ 5,444	n/a			-			-
2)	Wells Fargo	$ 346,073							
	Wells Fargo - PHA	$ 207,571	207,570.61	$ -					
		$ 553,643	250,000	$ 303,643	50.00%	151,822	300,145	148,323	3,498
3)	Moreton Capital Markets								
a.	Cash and Money Market	$ 140,110	140,110						
	Certificates of Deposit	$ 11,444,749	11,444,749	$ -					
b.	Securities	$ 34,297,308	n/a						
		$ 45,882,167.32							
	First National - Alamogordo	$ 7,589,665	250,000	$ 7,339,665	50.00%	3,669,832	2,814,625	(855,207)	4,525,039
	First National - Alamogordo - PHA	$ 1,427,345	-	$ 1,427,345	50.00%	713,673	1,581,193	867,521	(153,848)
	Western Bank	$ 1,882,604	250,000	$ 1,632,604	50.00%	816,302	1,763,837	947,535	(131,233)
	First Savings Bank	$ 1,327,143	250,000	$ 1,077,143	50.00%	538,571	552,459	13,888	524,684
	Bank '34	$ 250,000	250,000	$ -	50.00%	-	0	-	-
	First American Bank	$ 1,318,324	250,000	$ 1,068,324	50.00%	534,162	814,949	280,787	253,374
	Pioneer Bank	$ 266,516	250,000	$ 16,516	50.00%	8,258	25,992	17,734	(9,477)
	Bank of the West	$ 265,560	250,000	$ 15,560	50.00%	7,780	13,286	5,506	2,274
	Washington Federal	$ 1,354,845	250,000	$ 1,104,845	50.00%	552,423	1,343,126	790,703	(238,281)
4)	New Mexico Finance Authority	$ 4,481,455	n/a						
	TOTAL	**$ 66,604,710**		**$ 13,985,644**		**$ 6,992,822**	**$ 9,209,613**	**$ 2,216,791**	**$ 4,776,031**

1) These funds are invested in 7-day and 14 day Tresury bills and fully-collaterized bank deposits; per NM STO correspondence Feb. 27, 2009. Per State Treasurer's Investment Policy authorized investments are U.S. Govt. Obligations, Investment Grade commercial paper, AA rated or better Corporate bonds, asset-backed obligations, and etc. (pages 4-8). - Per LGIP statements - New MexiGROW LGIP deposits are not guaranteed or insured by any bank, the State of New Mexico, the Federal Deposit Insurance Corporation, the Federal Reserve Board, or any other agency. New MexiGROW LGIP deposits involve certain investment risks. Yield and total return may fluctuate and are not guaranteed.

2) a. Wells Fargo Sweep is collateralized at 102%

3) Moreton Capital Markets - transferred on May 2016 from WFBS, which included RBC
a. Securities and cash are protected up to $500,000 (including a $250,000 limit for cash only
b. Federal Home Loan Notes, Freddie Mac, Fannie Mae, etc. are backed by the full faith and credit of the U.S. government.

4) NMFA is a governmental agency which must itself comply with state investment policies

CITY OF ALAMOGORDO
ANALYSIS OF INVESTMENT AND YIELDS
TWELVE MONTHS ENDED

MONTH	(1) TOTAL INVESTMENTS	(2) RETURN ON INVESTMENTS	(3) YIELDS ON INVESTMENTS	TOTAL RETURN ON INVESTMENTS
JANUARY 2018	64,682,565	51,762	0.960%	51,762
FEBRUARY 2018	64,779,765	97,200	1.801%	97,200
MARCH 2018	64,516,761	66,965	1.246%	66,965
APRIL 2018	63,599,279	81,561	1.539%	81,561
MAY 2018	62,914,814	66,492	1.268%	66,492
JUNE 2018	58,660,567	95,753	1.959%	95,753
JULY 2018	58,726,783	66,215	1.353%	66,215
AUGUST 2018	58,832,228	105,446	2.151%	105,446
SEPTEMBER 2018	57,388,503	56,275	1.177%	56,275
OCTOBER 2018	54,466,688	78,290	1.725%	78,290
NOVEMBER 2018	52,945,389	53,701	1.217%	53,701
DECEMBER 2018	53,046,449	101,060	2.286%	101,060
ANNUAL AVERAGE	**59,546,649**	**76,727**	**1.5567%**	**$76,727**
12 MONTH TOTALS		**920,720**	**1.5462%**	**920,720**
			This Quarter	**233,051**

(1) AVERAGE TOTAL INVESTMENTS (BOOK VALUE)
(2) ALL RETURNS AND YIELDS ARE CALCULATED ON A CASH BASIS
(3) AVERAGE YIELD ON INVESTMENTS

CITY OF ALAMOGORDO
INVESTMENT SUMMARY
BY FUND
December 31, 2018

FUND NO.	FUND DESCRIPTION	PER FUND INVESTMENT
11	GENERAL OPERATING	4,553,677.86
16	LODGER'S TAX-PROMOTIONS	165,836.20
20	LODGER'S TAX-CITY SHARE	104,524.44
21	D.A.R.E. DONATIONS	15,658.51
28	POLICE CONTINGENCY	52,111.14
31	CEMETERY-PERPETUAL CARE	843,068.50
33	FIRE PROTECTION FUND	162,730.86
37	ST HIGHWAY CLEANUP	110,774.74
38	TRAFFIC SAFETY	46,624.23
49	86 GRT	3,869,144.00
59	GRT P & I	127.81
61	91 GRT INFRASTRUCTURE	519,030.87
69	94 GROSS RECEIPTS TAX	482,852.44
74	SENIOR GIFT FUND	86,458.91
81	WATER/SEWER OPERATIONS	14,443,050.16
82	1998 JT. WATER/SEWER BOND P&I	38,438.07
86	SOLID WASTE	486,395.42
88	BONITO LAKE	331,997.12
89	ESGRT .0625%	2,016,248.03
94	LANDFILL OPERATIONS	3,954,165.61
96	FLEET COLLISION	436,058.73
104	UTILITY DEPOSITS	682,032.39
105	ECONOMIC DEVELOPMENT GRT	5,354,190.26
107	LIABILITY/DEDUCTABLE INSURANCE	665,663.57
109	2004 CAPITAL OUTLAY GRT	13,025,384.42
114	SIDEWALK REVOLVING LOANS	137,765.86
121	2015 GO BONDS-FUN CENTER	86,750.17
122	2015 GO BONDS - STREETS	168,118.06
901	HOUSING LOW RENT OPER	96,509.09
903	HOUSING HOMEOWNERSHIP OPR	111,061.52
	TOTAL:	**53,046,448.99**

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 02/12/2019 **Report Date:** 02/06/2019 **Report No:** 6.

Submitted By: Rachel Hughs

Subject: Consider, and act upon, Application No. 0029 a Transfer of Ownership of Dispenser Liquor License No. 0029 at 200 S. New York Ave. to Murphy Oil USA, LLC DBA Murphy Express #8880. *(Rachel Hughs, City Clerk)*

Fiscal Impact:
Amount Budgeted:
Fund:

Additional Fiscal Impact:

Recommendation: Approve Application No. 0029.

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, January 6, 2019 and January 27, 2019. These publications meet the State regulations of publishing a notice twice prior to the hearing.

The applicant, Murphy Oil USA, LLC DBA Murphy Express #8880 of 200 Peach Str., El Dorado, NM 87130, Application No. 0029 is seeking a Transfer of Ownership of Dispenser Liquor License No. 0029 at 200 S. New York Ave, 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

Susana Martinez
Governor

Robert "Mike" Unthank
Superintendent

Pat McMurray
Deputy Superintendent

Claudia Armijo
Deputy General Counsel

Debra A. Lopez
Acting Director

December 24, 2018 **Certified Mail: 9171 9690 0935 0155 1676 00**

9171 9690 0935 0155 1676 00

RECEIVED
DEC 31 2018
CITY CLERK

City of Alamogordo
Attn: Rachel Hughs
1376 East Ninth St.
Alamogordo, NM 88310

Re: Lic. No. /Appl. No.:	**License No. 0029**
Name of Applicant:	Murphy Oil USA, LLC
Doing Business as:	Murphy Express #8880
Proposed Location:	200 S. New York Ave. Alamogordo, New Mexico 88310

Greetings:

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

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

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

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

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

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

THE APPLICANT IS SEEKING A TRANSFER OF OWNERSHIP OF DISPENSER LIQUOR LICENSE NO. 0029.

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

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

AGD Stamp

AGD USE ONLY: Payment| Application Fee $ 200 Received on: 10-26-18 Receipt No. 2130995

Application Number: ______ Local Option District: ______

TRANSFER OF DISPENSER-TYPE LIQUOR LICENSE APPLICATION

$200.00 Application Fee, non-refundable.

RECEIVED OCT 26 2018 ALCOHOL & GAMING DIVISION

License No. 0029 Type of License: Dispenser

Check appropriate boxes:

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

Record Owner of Existing License: Mister "A", Inc.

Current D/B/A Name: Jerry's Lounge/Kwik Stop

Current Premises Address: 200 S. New York Ave., Alamogordo, NM 88310

Current LOD: Alamogordo Is License moving out of Local Option District? ☐ Yes ☑ No

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

NAME of Individual/Company: Murphy Oil USA, Inc.

ADDRESS (including city, state, zip) 200 Peach Street, El Dorado, New Mexico 87130

D/B/A Name to be used: Murphy Express # 8880 **Business Phone #:** (870)881-6826

Email Address (required): Wesley.Price@murphyusa.com

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

200 S. New York Ave.
Alamogordo, NM 88310 **County of:** Otero

Mailing Address: P. O. Box 7300, El Dorado, Arkansas 71731-7300

Are alcoholic beverages currently being dispensed at the proposed location? ☑ Yes ☐ No If Yes, License # / Type: Dis. 0029

Agent/Contact Person: Jerry Hamm **Phone#:** (505)342-0523 **Email:** jhammllbc@aol.com

I, (print name) Patrick R. Gordon, as (title) Resident Agent

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

Sign before a Notary Public:

Signature of Applicant: [signature] Date: 10-25-18

NOTARY PUBLIC USE ONLY: (State of NEW MEXICO, County of BERNALILLO)

SUBSCRIBED AND SWORN TO before me this 25TH day of OCTOBER, 2018

By: VALERIE M.C. BROWER Notary Public: [signature]

My Commission Expires: 23 MAR 2022

OFFICIAL SEAL
VALERIE M.C. BROWER
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires: 23 MAR 2022

FOR LOCAL OPTION DISTRICT USE ONLY: Local Governing Body of: ______ City, County, Village

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

Signature and Title of City/County Official: ______

FOR ALCOHOL AND GAMING DIVISION USE ONLY: ☐ Approved ☐ Disapproved

Signed by Director: ______ Date: ______

PREMISES LOCATION, OWNERSHIP, AND DESCRIPTION

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): Premises is being purchased by Applicant. Warranty Deeds to follow

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

A. Owner(s): N/A

B. Date and Term of Lease: N/A

3. Premises location is Zoned (Example C-1 ... Zoning Statement): C-3

☒ **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: *Holy Temple Church of God* Miles/feet *Approx. 1,540 ft.*

Address/location of Church: *200 Virginia Ave., Alamogordo, NM 88310*

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

Name of School: *Alamogordo High School* Miles/feet *Approx. 2,550 ft.*

Address/location of School: *103 Cuba 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), Holloman Air Force Base (Alamogordo), Cannon Air Force Base (Clovis)

Miles: Approx. 13 miles

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): ____

***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
OFFICE OF THE CITY CLERK
1376 E. NINTH STREET • ALAMOGORDO, NEW MEXICO 88310-5838 • (575) 439-4205

January 4, 2019

VIA CERTIFIED MAIL

Murphy Oil USA, LLC DBA Murphy Express #8880
200 Peach Street
Ruidoso, NM 88345

Re: Application No. **Application No. 0029**

Mr. Hamm,

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. 0029 a Transfer of Ownership of Dispenser Liquor License No. 0029 at 200 S. New York Ave. to Murphy Oil USA, LLC DBA Murphy Express #8880 of 200 Peach Str., El Dorado, NM 87130.**

The Public Hearing will be on February 12, 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 Hughs

Rachel Hughs,
City Clerk

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Alamogordo City Commission will hold a PUBLIC HEARING on **Tuesday, February 12, 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. 0029 a Transfer of Ownership of Dispenser Liquor License No. 0029 at 200 S. New York Ave. to Murphy Oil USA, LLC DBA Murphy Express #8880 of 200 Peach Str., El Dorado, NM 87130.** Inquiries regarding this Public Hearing should be directed to

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Alamogordo City Commission will hold a PUBLIC HEARING on **Tuesday, February 12, 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. 0029 a Transfer of Ownership of Dispenser Liquor License No. 0029 at 200 S. New York Ave. to Murphy Oil USA, LLC DBA Murphy Express #8880 of 200 Peach Str., El Dorado, NM 87130.** Inquiries regarding this Public Hearing should be directed to the City Clerk's Office at City Hall.
Date: 1/2/2019
City of Alamogordo, New Mexico
By: Rachel Hughs, City Clerk

Jan. 6, 27, 2018

NOTICE OF PUBLIC HEARING

The Alamogordo City Commission
will hold a PUBLIC HEARING on:

TUESDAY, February 12, 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. 0029 a Transfer of Ownership of Dispenser Liquor License No. 0029 at 200 S. New York Ave. to Murphy Oil USA, LLC DBA Murphy Express #8880 of 200 Peach Str., El Dorado, NM 87130.

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: January 3, 2019
City of Alamogordo, New Mexico
By: Rachel Hughs, City Clerk

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 02/12/2019 **Report Date:** 02/06/2019 **Report No:** 7.

Submitted By: Bob Johnson

Subject: Consider, and act upon, Change Order No. 2, Public Works Bid No. 2018-003, to General Hydronics Concrete, LLC related to the Griggs Reservoir Outfall Structure Modifications and Storm Drain Improvements project, in an amount not to exceed $43,633.92, excluding NMGRT. *(Bob Johnson, Engineering Manager)*

Fiscal Impact: $43,633.92
Amount Budgeted: $1,300,000.00
Fund: 044-9799-990.68-99 PW1810

Additional Fiscal Impact: Unencumbered funds remaining: $599,851.51.

Recommendation: Approve the Change Order.

Background: This Change Order increases the estimated quantity of bid item 26, Remove and Replace Existing Asphalt, from 1,206 square yards to 1,887.78 square yards.

This quantity increase is due to:

1. Sewer service line relocation at Purchasing and Central Receiving.
2. Fiber optic line relocation at intersection of N. Florida Ave. and 26th St.
3. Gas line relocation at Utility/Street Maintenance quonset hut.
4. Neat-line patching could not be achieved due to degraded condition of existing asphalt within the Public Works yard. Existing asphalt edges were highly susceptible to crumbling, resulting in increased patching of the affected areas.
5. The Engineer's estimate of planned patching did not account for the unforeseen utility relocations or the potential of an increase in patching width.

CONTRACT CHANGE ORDER

CHANGE ORDER NO. 2

GRIGGS RESERVOIR OUTFALL STRUCTURE MODIFICATIONS AND STORM DRAIN IMPROVEMENTS

PUBLIC WORKS PROJECT NO. 2018-003

EDA AWARD NO. 09-79-05104

DATE: **FEBRUARY 1, 2019**

CONTRACTOR: GENERAL HYDRONICS CONCRETE, LLC
1001 ZUNI DR., SUITE E
ALAMOGORDO, NM 88310

OWNER: CITY OF ALAMOGORDO
1376 E. NINTH ST.
ALAMOGORDO, NM 88310

THE FOLLOWING CHANGES ARE HEREBY MADE TO THE CONTRACT DOCUMENTS:

Increase quantity of Bid Item 26 (Remove and Replace Existing Asphalt) @ $64.00 per SY, from 1,206 SY to 1,887.78 SY; net increase of $43,633.92.

REVISED CONTRACT AMOUNT

1. Original Contract Amount $1,286,309.38*
2. Total Contract Amount Including Previously Approved Change Orders $1,297,397.65*
3. Amount of this Change Order (increase) .... $ 43,633.92*
4. Total Revised Contract Amount to Date $1,341,031.57*

* excludes New Mexico Gross Receipts Tax.

The work covered by this order shall be performed under the same terms and conditions as that included in the original contract.

CHANGE ORDER RECOMMENDATION FOR APPROVAL:

BY: CW Hamilton ____________________ 2/1/19
Engineer Date
Wilson & Company

CHANGE ORDER ACCEPTED AND APPROVED:

BY: Andrew Perut ____________________ 2-1-19
Contractor Date

CHANGE ORDER APPROVED BY CITY MANAGER:

BY: ____________________ ____________
City Manager Date

BY: ____________________ ____________
City Attorney Date

Project: Griggs Reservoir
RE: Hot Mix Asphalt As-built quantities
Date: 1/28/2019
Field Measurements performed by General Hydronics Concrete, City & Wilson & Co. Representatives

Location 1	Florida Ave. Storm Drain Crossing				
Area no.	Width (ft.)	Length (ft.)	Area (sq. ft.)	Area (sq. yd.)	Comment
1	45.400	26.300	1194.020	132.669	
2	2.800	14.400	40.320	4.480	
3	11.400	9.700	110.580	12.287	
4	16.000	2.000	32.000	3.556	
5	6.800	5.000	17.000	1.889	Triangle
6	10.600	8.400	89.040	9.893	
			Total (Square Yards)	**164.773**	

Location 2	Central Purchasing Parking Lot Storm Drain Run-South to North				
Area no.	Width (ft.)	Length (ft.)	Area (sq. ft.)	Area (sq. yd.)	Comment
1	29.000	36.800	1067.200	118.578	
2	21.400	7.000	149.800	16.644	
3	13.400	208.000	2787.200	309.689	
4	0.000	0.000	-69.363	-7.707	9.4 ft. Diameter Manhole flat top
			Total (Square Yards)	**437.204**	

Location 3	Public Works Entrance- Florida Ave to Gate (West to East)				
Area no.	Width (ft.)	Length (ft.)	Area (sq. ft.)	Area (sq. yd.)	Comment
1	16.670	27.167	452.874	50.319	
2	-5.000	5.000	-25.000	-2.778	SD MH cover
3	5.330	4.670	24.891	2.766	
4	13.875	95.200	1320.900	146.767	Average width
5	3.000	11.250	33.750	3.750	
6	0.930	8.000	7.440	0.827	
7	3.670	14.000	51.380	5.709	
			Total (Square Yards)	**207.359**	

Location 4	Public Works Yard Road- Gate to Speed Limit Sign near Wash Rack				
Area no.	Width (ft.)	Length (ft.)	Area (sq. ft.)	Area (sq. yd.)	Comment
1	14.730	84.200	1240.266	137.807	Average Width- Gate to HMA joint
2	6.000	12.500	75.000	8.333	
3	5.167	9.500	49.087	5.454	
4	6.250	9.500	59.375	6.597	
5	17.270	110.000	1899.700	211.078	Average Width- HMA joint to speed limit sign
6	0.000	0.000	-69.363	-7.707	9.4 ft. Diameter Manhole flat top
			Total (Square Yards)	**361.563**	

Location 5	Public Works Yard Road- Speed Limit Sign to End of PW Yard Road				
Area no.	Width (ft.)	Length (ft.)	Area (sq. ft.)	Area (sq. yd.)	Comment
1	13.220	607.200	8027.184	891.909	Average Width-based on 27 measurements
2	5.000	-5.000	-25.000	-2.778	SD MH cover
4	2.000	-4.330	-8.660	-0.962	Water Valve block out
3	4.500	20.500	92.250	10.250	Water Tank Patch
			Total (Square Yards)	**898.419**	

Subtotal Locations 1 - 5 (Square Yards) **2069.319**

Grand Total- Locations 1 - 9 (Square Yards) **2277.778**

Location 6	Central Purchasing- Fiber Optic Patching				
Area no.	Width (ft.)	Length (ft.)	Area (sq. ft.)	Area (sq. yd.)	Comment
1	2.000	22.500	45.000	5.000	
2	4.500	3.250	14.625	1.625	
3	4.500	6.330	28.485	3.165	
4	2.830	9.000	25.470	2.830	
			Total (Square Yards)	**12.620**	

Location 7	Central Purchasing- 4" Sewer Service Relocation				
Area no.	Width (ft.)	Length (ft.)	Area (sq. ft.)	Area (sq. yd.)	Comment
1	10.830	6.250	67.688	7.521	
2	9.230	10.670	98.484	10.943	
3	7.000	8.670	60.690	6.743	
4	3.000	55.600	166.800	18.533	
5	2.167	28.750	62.301	6.922	
6	3.000	96.400	289.200	32.133	
7	3.370	86.300	290.831	32.315	
8	5.000	8.670	43.350	4.817	
			Total (Square Yards)	**119.927**	

Location 8	Public works Yard road- Power Line Relocation and Water Line Locates				
Area no.	Width (ft.)	Length (ft.)	Area (sq. ft.)	Area (sq. yd.)	Comment
1	4.000	4.250	17.000	1.889	Power line
2	8.500	8.000	68.000	7.556	Power line
3	12.500	9.000	112.500	12.500	Water line Replacement
4	8.000	13.000	104.000	11.556	Waterline Locates
5	11.500	3.920	45.080	5.009	Waterline Locates
			Total (Square Yards)	**38.509**	

Location 9	Public Works Quonset Hut - Gas line Relocation				
Area no.	Width (ft.)	Length (ft.)	Area (sq. ft.)	Area (sq. yd.)	Comment
1	2.790	47.000	131.130	14.570	Average Width
2	3.500	32.000	112.000	12.444	Average Width
3	2.500	37.400	93.500	10.389	Average Width
			Total (Square Yards)	**37.403**	
			Subtotal Locations 6 - 9 (Square Yards)	**208.459**	

2,277.778 SY - 390 SY (Bid Item 11) - 1,206 SY (Bid Item 26) = 681.78 SY Overrun (rounded)

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 02/12/2019 **Report Date:** 02/08/2019 **Report No:** 8.

Submitted By: Evelyn Huff

Subject: Consider, and act upon, the budget process and documents for the FY2019 - FY2020 preliminary budget. *(Evelyn Huff, Budget Analyst)*

Fiscal Impact:
Amount Budgeted:
Fund:

Additional Fiscal Impact:

Recommendation: Provide direction to Staff.

Background: On January 23rd and 24th, city staff attended budget workshops to begin the process for the FY2019 - FY2020 preliminary budget. At these workshops they received the budget procedures manual and a power point presentation. Part of the power point presentation was a "Budgeting Finance 101" component. This gave employees an opportunity to look at each part of the budget and they interacted as a whole. The budget procedures manual outlined the schedule and process for preparing the budget this year. Both documents are attached here for your review.

The budget planning calendar is also included for your review. Please notice the budget public hearings with the commission are scheduled for May 7 - May 9 at Fire Station 5.

Over the years, the commission has been provided with several different items at the budget public hearings. These have included summary budget books, detail budget books and other presentations. Staff is looking for direction on what format the commission would like the budget presented in this year.

MISSION STATEMENT

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.

Adopted by the City Commission on March 24, 1995

TABLE OF CONTENTS

1

INTRODUCTION

Welcome to the City of Alamogordo budget process! Whether you are a new employee or a seasoned budget veteran, this manual will provide you with instructions and documents to help prepare your FY19, FY20, FY21 and FY22 budgets. I will be here to help you every step of the way, so please make sure to ask me questions. We will be learning this process together.

Please take a moment to review this document as it is different from last year. You will find the following resources in this manual:

- Explanation of the budget process
- Schedule for this this year's process
- Guidelines for FY19, FY20, FY21 and FY22 Entry
- A List of Lines that Departments do not enter
- What Capital Outlay Lines to use and when
- Do's and Don't's of Budgeting
- Chart of Budget Forms and their uses
- Sample Budget Forms
- Step by step entry instructions for the software
- Helpful calendars

It is very important that you look through all the sections of this manual. The guidelines listed here are going to be used to review your budget. You will be expected to know them and follow them! Also please refer to the manual as you are preparing your budget; it may answer your questions and save valuable time.

The whole Finance staff is looking forward to a rewarding budget season. Please feel free to call me, email me or stop by and I will help you with your budget preparation.

Evelyn Huff
Budget Analyst
Ext. 4167
ehuff@ci.alamogordo.nm.us

2

BUDGET PROCESS

Do you ever wonder what meeting you are at? Or what you should have prepared for the meeting? The budget process and the terms associated with it can be confusing. Here is a quick explanation of how the budget will flow from start to finish and who is involved in each step.

Step 1 – Department Budget Workshops/Department Entry Starts

The Department Budget Workshops are held on January 23rd and January 24th, 2019. At these workshops you receive your Budget Procedure Manual. Directors and Managers have already received the budget worksheets. The Budget Analyst uses these workshops to go over the manual, forms, entry guidelines and any other information that impacts the departments' entry. This also gives the departments the opportunity to ask questions. **Departments are not required to present anything here.**

Step 2 – Department Entry Starts

The Budget Analyst opens up the budget levels so the departments can begin entering their budget. Departments are required to enter certain lines and asked not to enter other lines. Each department is responsible for using their specialized knowledge to develop budget estimates. **Make sure to refer to each year's guidelines to verify that you are following all the guidance issued about budget amounts (i.e. no increases, % increases, % cuts). It is also important to include notes in any line where the guidance indicates.** Individuals in charge of entering the budget should review the list of lines departments do not enter and the chart of budget forms to make sure all bases are covered. **This step is completed solely by the departments.**

Step 3 – Department Entry Ends

Once the allotted entry time is complete, the Budget Analyst will close the budget levels so the departments will no longer be able to access them. Departments need to make sure all required forms are turned in by the correct deadlines and to the correct people.

Step 4 – Budget Compilation Begins

Once the budget is closed, the Finance and Human Resources departments will start compiling the budget. This process includes rolling over the payroll budget and calculating the internal allocations. **Departments may be asked for further information at this time, but will not be able to enter anything into the system.**

Step 5 – Distribution of the Preliminary Packets

After the initial compilation phase is completed, Finance will distribute preliminary packets to the Department Directors. These packets will contain the budget worksheets which have all the budgets and notes that were entered during the department entry phase plus any entries and notes from Finance. **Departments should review these worksheets closely and identify any discrepancies or items that they want to change.**

Step 6 – City Manager/Directors Meeting

Now that the budget has been distributed to the departments, each department's Director will meet with the City Manager to review the budget. Directors will determine which managers and support staff they would like to have attend these meetings as well. Departments will have the opportunity to discuss their budget and any requested changes directly with the City Manager and her staff. Any changes made in these meetings will be entered into the budget by Finance. **Departments should be prepared to answer questions about their budget estimates and provide backup. It is important to bring any relevant backup documentation to these meetings. Departments may be split over more than one day depending on the available schedule.**

<u>Step 7 – Budget Compilation and Review Continues</u>

After the City Manager/Director meetings, Finance will enter all of the changes discussed at the meetings. There will continue to be further discussions and reviews completed by the City Manager, Finance and Human Resources. This includes capital allocations, personnel decisions and other changes. The City Manager will complete the final review of the budget before Finance prepares the items for the City Commission. **Departments may be asked for further information at this time, and further meetings could be arranged to discuss items.**

<u>Step 8 – City Commission Public Budget Hearings</u>

Once all the reviews are completed, a preliminary budget summary is distributed to the Commissioners, the City Manager and the Department Directors. Public budget hearings are held for the Commissioners and the public to review the proposed budget. Department Directors are asked to present information about their department's roles along with their proposed budget. Power Point presentations are used to convey information about each department's requests. **Departments should be prepared to present their budgets and answer questions related to all aspects of their budget.**

<u>Step 9 – Final Approval and Submission</u>

Finance makes any final changes from the public hearings and submits the budget for approval at a regular City Commission meeting. Once the Commission has approved the budget, it is submitted to the State of New Mexico Department of Finance and Administration. The budget is revised in July to correct the beginning cash balances and to carry over prior year budget amounts.

Then the process starts all over again!!!

3

CURRENT YEAR BUDGET PLANNING CALENDAR

BUDGET PLANNING CALENDAR
2019-2020
(SUBJECT TO CHANGE)

Date	Description
1/23/2019 - 1/24/2019	**DEPARTMENTAL BUDGET WORKSHOPS** Department Entry Begins
NA	**NO PERSONNEL CHANGES FOR FY2020**
2/12/2019	**DEADLINE FOR** *** DEPARTMENT BUDGET ENTRY** *** MIS REQUEST FORMS TO MIS** *** CAPITAL REQUEST FORMS TO BUDGET ANALYST** *** OVERTIME REQUEST FORMS TO PAYROLL**
2/13/2019	Payroll Budget Roll
2/13/19 -2/28/19	Budget Compilation
3/1/2019	Distribute Preliminary Packets to City Manager and Department Directors
3/5/2019 - 3/7/2019	**CITY MANAGER / DIRECTOR MEETINGS** **At Fire Station 5**
3/8/19 - 3/22/19	Finance Compilation
3/26/19 - 3/28/19	**CITY MANAGER / FINANCE/HR** Review meetings on personnel, capital, any additional changes.
4/1/2019	Final Personnel changes entered- Final Payroll Projection Roll on 4/1/2019
3/29/19 - 4/12/19	Finance Compilation
4/16/19	**CITY MANAGER** Final Budget Review/Changes
4/16/19 - 4/25/19	Finance Compiles and Produces Summary Budget Books
4/26/2019	Distribute Preliminary Budget Summary to Commission, City Manager and Department Directors
5/7/2019 - 5/9/2019	***BUDGET PUBLIC HEARINGS*** *- (Fire Station 5)*
5/28/2019	Resolution Adoption of Preliminary FY20 Budget
5/31/2019	Submit Annual Budget to State of New Mexico DFA by June 1st
Friday, June 28, 2019	FINAL PERSONNEL BUDGET ROLL
7/23/2019	Resolution for Final Budget Approval Adjusting FY2020 Budget with Actual Beginning Cast Balances - Due July 31st

4

GUIDELINES AND INSTRUCTIONS

FY19 Re-Projection Guidelines

Current Year (July 1, 2018 to June 30, 2019)

- Level 150 – FY19 Year-End Projection. The current amounts entered are the adjusted FY19 budget.

- **<u>FLAT BUDGET</u>** – **<u>Do not increase your bottom line. You may move money from line to line, but they must offset. Do not increase a line without decreasing another line. You must be able to justify any revenue increase used to offset an expense increase.</u>**

- Any changes + or - $5,000 or more must have a note explaining the reason for the change. See the instructions later in this manual on how to enter budget notes.

- Use the YTD column on the budget worksheet and the information in the system to re-project your FY19 numbers. Keep a look out for anomalies (i.e. large one time payments, decreased/increased fees). Make sure to keep all the backup for your numbers to help when you are asked questions.

- Use the payroll projection spreadsheet to project your FY19 salary and benefit numbers. Make sure to account for any vacancies and new hires.

- Look at all of your project budgets and make sure to re-project those as well. Talk to the Grants Coordinator about any grant issues you might have. Remember every grant must have a project budget.

- **<u>Be realistic! Review every line even if you do not need to make a change! Know your budget!</u>**

FY20 Preliminary Budget Guidelines

Next Fiscal Year (July 1, 2019 to June 30, 2020)

- Level 250 – FY20 Prelim Budget. The current amounts entered are the **adjusted FY19 budget**.

- **FLAT BUDGET** – **Do not increase your bottom line. You may move money from line to line, but they must offset. Do not increase a line without decreasing another line. You must be able to justify any revenue increase used to offset an expense increase.**

- **NO PERSONNEL CHANGE REQUESTS** – **No personnel change requests will be considered for FY2020. No new position requests will be considered, however positions that were frozen in FY2019 will be included in the FY20 budget. These positions remain under review for City Manager approval during the budget process.**

- **CAPITAL REQUESTS** – **Capital requests may be submitted but will not be considered until after the consultants make their recommendations to the City Manager. Make sure to submit capital request forms to the Budget Analyst by February 12, 2019.**

- Any changes + or - $5,000 or more must have a note explaining the reason for the change. See the instructions later in this manual on how to enter budget notes.

- Remember every grant must have a project budget. Talk to the Grants Coordinator about grant issues you might have.

- Include notes whenever possible to help you and staff review your budget. Previous year notes have been removed from all the levels.

- **Be realistic! Know your budget! Be ready to explain your decisions and provide backup!**

FY21 and FY22 Preliminary Budget Guidelines

Fiscal Year 2021 (July 1, 2020 to June 30, 2021)
Fiscal Year 2022 (July 1, 2021 to June 30, 2022)

- Level 350 – FY21 Prelim Budget. The current amounts entered are the **adjusted FY19 budget**.

- Level 450 – FY22 Prelim Budget. The current amounts entered are the **adjusted FY19 budget**.

- In these years, you are allowed to show increases in your numbers.

- Any changes + or - $5,000 or more must have a note explaining the reason for the change. See the instructions later in this manual on how to enter budget notes.

- Remember every grant must have a project budget. Talk to the Grants Coordinator about any grant issues you might have.

- Include notes whenever possible to help you and staff review your budget. Previous year notes have been removed from all the levels.

- **<u>Be realistic! Know your budget! Be ready to explain your decisions and provide backup!</u>**

5

RESTRICTED LINES

There are several specialty expenses that are entered by the departments that handle their contracts, maintenance or allocations. If you are a department that enters into these lines, please make sure that you provide notes and have backup for your calculations.

Departments will have to review these lines after they are entered to determine their overall effect on their flat budget. For example, an increase in property insurance cost may have to be offset by a decrease elsewhere in the budget. These discussions will be held at the City Manager/Director meetings.

<u>Do Not Enter Amounts Into:</u>

- Finance Enters:
    - Administration Fees (57-15)
    - Fleet Maintenance Allocations (44-20)
    - Facility Maintenance Allocations (44-24)
    - MIS Allocations (57-21)
    - Safety/Personnel Allocations (57-23)
    - Purchasing Allocations (57-41)
    - Audit Services (57-15)
    - PTO Conversion (20-20)
- MIS Enters:
    - Basic Telephone (47-40)
    - Computer Hardware (50-22)
    - Computer Software (50-23)
    - Capital Outlay – Computer Hardware (60-22)
    - Capital Outlay – Computer Software (60-23)
- Purchasing Enters:
    - General Liability Insurance (58-01)
    - Commercial Property Insurance (58-07)
    - Flood Insurance (Fund 20 56-45)
    - Airport Liability Insurance (56-79)
    - Volunteer Firefighter Insurance (Fund 33 56-78)
    - Law Enforcement Liability Insurance (Fund 11-4104 56-77)
    - Underground Storage Tanks Insurance (Fund 11--2400 & Fund 81 58-20)
    - Civil Rights – Errors & Omissions Insurance (Fund 11--2400 & Fund 81 58-03)
- Fleet Enters:
    - Fleet Insurance (58-02)
- Facility Maintenance Enters:
    - Heating and Cooling (44-25)
    - Buildings and Structures (44-45)
    - Communications Maintenance (44-52)
- Human Resources Enters:
    - All Salary and Benefit Lines except for FY19 Re-projection
- Payroll Enters:
    - Overtime, Standby, Certification Pay, Incentives

6
CAPITAL OUTLAY LINES

Each department has several capital outlay lines at their disposal. These lines are used for major purchases that will eventually become fixed assets for the department. It is very important that only capital outlay items are budgeted in these lines. Items that are not going to become fixed assets need to be budgeted in regular equipment and service lines. Below are some guidelines to help you decide where to budget your items.

Capital line numbers are designated with a series of "60" in the element.
For example, 20-0006-454-60-22 is a capital outlay account because the boxed number is "60"

Equipment

Capital Equipment is defined as non-consumable items with an anticipated useful life greater than two years with a cost of more than $5,000 (except computer equipment and software). These items will be entered as assets on your department inventory listings.

ALL CAPITAL REQUESTS ARE SUBJECT TO CITY MANAGER APPROVAL. YOU ARE REQUIRED TO SUBMIT A CAPITAL OUTLAY REQUEST FORM FOR THESE ITEMS. FINANCE WILL ENTER THEM IF THEY ARE APPROVED.

Budget for these items will be in the department's Capital Outlay/Capital Equipment, Capital Outlay/CER Equipment Replacement or similar lines. Make sure to include any taxes or shipping that will be associated with the item in these lines as well.

Controlled Property are items that must be secured and tracked and whose value is below the capitalization threshold with a cost of $250 – $4,999 EACH. Some of these items are:

Computer equipment and software

Cameras-Portable-Digital

Shop Equipment

Power Tools

Measuring & Metering Devices

Small but expensive tools

Radios

Weapons

Scientific equipment

Budget for these items in the Other Expense/Equipment (50-50) line. Make sure you include notes that detail what the items are in this line.

Other Equipment are items that are $250 or less. All items under the threshold should be budgeted in the Operational lines.

Improvements

ALL CAPITAL REQUESTS ARE SUBJECT TO CITY MANAGER APPROVAL. YOU ARE REQUIRED TO SUBMIT A CAPITAL OUTLAY REQUEST FORM FOR THESE ITEMS. FINANCE WILL ENTER THEM IF THEY ARE APPROVED.

NO CAPITAL OUTLAY REQUESTS WILL BE CONSIDERED UNTIL AFTER THE CITY MANAGER RECEIVES THE CONSULTANT'S RECOMMENDATIONS.

All facility improvements, new construction and other projects that are greater than $5,000 are considered capital improvements that will eventually be listed on the departments fixed asset listing. These improvements may be completed in a fiscal year or they might stretch over several years. These items are recorded in capital outlay lines. Examples of these capital outlay lines are:

Facility Improvements (62-35)

Building Improvements (63-91)

Construction (61-13)

There may also be specific lines set up for certain activities. Examples of these capital outlay lines are:

Bike/Walking Path (020-0006-454-65-50)

Library Building (032-7101-455-62-05)

Bonito Lake Restoration (081-0008-461-60-79)

When filling out your Capital Outlay Request Form, make sure to look through all your lines and choose the correct one for your project. If you do not have the right Capital Outlay line, please submit a line item request form to Finance.

Please, please do not budget non-capital outlay expenses in these lines. If you currently need funds from these lines for non-capital expenditures, please complete a budget adjustment request form to move these funds to an operating account. This will make the Fixed Assets employee's life a lot easier.

CAPITAL OUTLAY FORMS ARE DUE ON FEBRUARY 12, 2019 AND WILL ONLY BE REVIEWED BY THE CITY MANAGER BASED ON THE CONSULTANT'S RECOMMENDATIONS.

7

BUDGET DO'S AND DON'T'S

- **DO** keep all your backup documentation for your re-projections and estimates. This will help you answer any questions in the meetings

- **DON'T** use a one time savings to budget a recurring expense. One time savings (i.e. savings from position vacancies) and any increased expenditures can only be included in the year the one-time event happened. For example, your department receives a large one settlement payment and you want to use that money for a new position. You cannot do this because that position will incur expenditures in future years, whereas the settlement only happens once

- **DO** know your grant rules and regulations. Be sure to know about allowed expenditures, deadlines and amounts. Talk to Debbie if you are unsure about anything

- **DON'T** budget for a grant unless you have a signed award agreement in place. This makes sure that only verified revenues and expenditures are included in the budget

- **DO** make sure you have a project set up for every item that requires one. Projects must be set up before a budget can be entered in them

- **DON'T** include numbers just because they have always been there. Each department really needs to look at their actual expenditures and needs. If you do a lot of budget adjustments throughout the year, take a close look at the lines you are changing. These may need to be budgeted differently

- **DO** talk to your regular vendors about possible rate increases. This can affect everything from supplies to membership dues. This is especially important if you have not seen a rate increase in several years

- **DO** start thinking about your carry over requests. **OPERATING EXPENDITURES WILL NOT BE APPROVED FOR CARRYOVERS FROM FY19 TO FY20.** Please consider this when entering your FY20 budgets. Do not cut yourself short expecting to make it up with a carryover. There will be a separate training for carryovers in June 2019

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CHART OF BUDGET FORMS AND SAMPLES

FORM	WHAT'S IT FOR?	WHEN IS IT DUE?	WHO GETS IT?
Budget Worksheet	Used to review your FY18 actuals, FY19 original budget, YTD actuals, FY19 adjusted budget, FY20, FY21 and FY22 prelim budget	Keep for your records	Keep for your records
Payroll Projection Form	Used to project your FY 19 Salary and benefits lines	Utilize for entry of your FY19 projections. Keep for your records	Keep for your records
Capital Outlay Request Form	Used to provide spending estimates for construction and other capital projects across all years **-OR-** To provide a description and justification for capital purchases not included in the Capital Improvement Plan or Grants.	2/12/2019	Budget Analyst
MIS Capital Outlay Request Form	Used to request new computer hardware or new computer software. Also used to request replacement of hardware and software	2/12/2019	MIS Manager
Budget Personnel Status Request Form	Used to request additional full-time, part-time, seasonal, temporary staff or an increase in current staff hours or overtime.	None accepted for FY20	None accepted for FY20
Budget Overtime-Misc Entry Request Form	Used to request overtime, standby, incentive/certification, etc.	2/12/2019	Payroll
Request for Budget Adjustments	Used to request revisions and adjustments to your current year budget	Ongoing	Budget Analyst
Line Item Request Form	Used to request new line item numbers	2/11/2019	Budget Analyst

PAYROLL PROJECTION FORM
PROJECTED SALARY/BENEFITS

DATE ENTERED ____________ **DIVISION** ____________

		Current Year Budget	Enter last amount showing on GMBA inquiry F10 Detail		Payperiods remaining in fiscal year from payroll calendar		YTD Total expenses & encumbrances from HTE		Projected Payroll Expense		Difference to be adjusted
Supervisory	20-01	0.00	0.00	X	17	+	0.00	=	0.00	-	0.00
Operational	20-02	0.00	0.00	X	17	+	0.00	=	0.00	-	0.00
Temp/Part-Time	20-03	0.00	0.00	X	17	+	0.00	=	0.00	-	0.00
Retirement	20-10	0.00	0.00	X	17	+	0.00	=	0.00	-	0.00
Retiree Health	20-12	0.00	0.00	X	17	+	0.00	=	0.00	-	0.00
Social Security	20-15	0.00	0.00	X	17	+	0.00	=	0.00	-	0.00
Worker's Compensation	20-30	0.00	0.00	X	17	+	0.00	=	0.00	-	0.00
*Group Health Insurance	20-25	0.00	0.00	X	16	+	0.00	=	0.00	-	0.00
**Worker's Comp Fee	20-31	0.00	0.00	X	3	+	0.00	=	0.00	-	0.00

**Group Health Insurance is based upon 24 payperiods for the year. Therefore, when you enter the number of payperiods remaining, the calculation is based upon two per month.*

***Worker's Comp Admin Fee is based upon quarterly payments. Therefore, when you enter the number of payperiods remaining, the calculation is based upon the remaining quarterly payments.*

City of Alamogordo

Capital Outlay Requests Form

Date: 1/11/2019

Department/Division:

[Example: PW/Facility Maintenance]

Fund Line Item:

[Example: 012-3303-419.61-xx]

Note: if replacement (R) or new (N). Requested in ICIP Request Y or N

	FY 2020	FY 2020	FY 2021	FY 2021	FY 2022	FY 2022
Item Description: *[enter quanity under fiscal year]*	# of Items	Cost	# of Items	Cost	# of Items	Cost
[Example: Vehicle-Ford 250,4WD Extended Cab]	*1a*	*1b*	2a	2b	3a	3b

Director Approval ______________________ Date: __________

NOTE: Enter Line number on next line for multiple capital requests

City of Alamogordo
MIS Capital Outlay Requests Form

Date: 1/17/2019

Department/Division:
[Example: Finance/MIS]

Fund Line Item:
[Example: 011-3402-419.50.2x]

5022 Hardware or 5023 Software	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Item Description: *[enter quanity under fiscal year]*					
[Example: PC Replacment]	*1*	*2*	3	4	5

MIS Use Only

CITY PAYROLL DEPARTMENT
BUDGET OVERTIME-MISC ENTRY REQUEST FORM

DEPARTMENT		**FISCAL YEAR**	2020
DATE REQUESTED		**1/11/2019**	
DEPARTMENT/FUND			
REQUESTED BY			
DIRECTOR SIGNATURE			

I am requesting the following expenses be budgeted for my department. Attach additional sheets if necessary.

Field Training/Specialty/Incentive Pay	20-02	0.00
Overtime	20-04	0.00
Holiday Overtime	20-05	0.00
Training Overtime	20-06	0.00
Standby Pay	20-07	0.00
New Hire Certification	20-17	0.00
Volunteer Fire Pay	20-18	0.00
Volunteer Fire Calls/Training	20-19	0.00
Education Incentive	20-38	0.00

Failure to submit this sheet will result in the funds not being budgeted.

Budget Entry: ______________________

Budget Entered BY: ______________________

PLEASE NOTE - REQUEST DEADLINE IS FEBRUARY 12, 2019.

Please note that any increases in these lines from FY19 must be accompanied with an attached memo explaining the increases

City of Alamogordo

Request for Budget Adjustments

Fund Name:___________________

Department:___________________

Director:___________________

Item included in department's original budget request: Yes______ No______

Type of Expenditure: Recurring_______ Non-Recurring________ **Fiscal Year: 20_19____**

LINE ITEM NO.	Project No.	LINE ITEM DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	INCREASE/ (DECREASE)	Un-Encumbered Balance
				$0		
				$0		
				$0		
				$0		
				$0		
				$0		
				$0		
				$0		
				$0		
				$0		
		TOTAL REVENUES	$0	$0	$0	$0
		TOTAL EXPENDITURES	$0	$0	$0	$0

Reasons for Adjustment Request: **Set forth reasons the adjustment is required, the factors involved in arriving at costs, and the status of the account from which transfer is made.** -----------------------------------

Requested By: **Date:**

Department Director/Manager Approval: **Date:**

Portion below is for Finance Use Only

______ Within Division/Category - Requires Finance Approval.

______ Transfer Budget from one Category to another - Requires Finance and Management Approval.

______ Any amount effecting the Fund Balance - Requires Finance, Management and Commission Approval.

Approvals

Approved for availability of funds by Finance ______________________ **Date** ______________

Finance Director ______________________ **Date** ______________

City Manager ______________________ **Date** ______________

DOC #______________________ BATCH #______________________

DATE ADJUSTED HTE: ______________________

REVISION #______________________ RESOLUTION # ______________________

Revised 6/5/13

Line Item Request Form

Finance and Accounting

Request new line numbers for the new fiscal year.
Complete applicable sections and submit to Budget Analyst.

Fund / Department ______________________ **Fiscal Year** __________

REVENUES

Revenue source (I.E. State, Federal)	Line-Item Number (To be assigned by Accounting)	Requested Budget Amount	Date Finance Entered

EXPENDITURES

Expenditure & Purpose	Line-Item Number (To be assigned by Accounting)	Requested Budget Amount	Date Finance Entered

Prepared by:	Manager/Director Approval	Date:

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STEP BY STEP ENTRY INSTRUCTIONS

Budgeting Application Guidelines

The following directions are to serve as a **"quick reference"** for the HTE Budgeting Application. IF you are having trouble with entry, please call me and I will help you through the process.

Budget Entry

Sign On: User: Type in user name **Press Field Exit** Password: Type in password **Press Enter**

Select Option 7 GMBA (Accounting) **Press Enter**

Select Option 9 Budgeting Menu **Press Enter**

Select Option 4 Budget Estimate Entry **Press Enter**

Select Budget Level - Departmental Entry

Budget Level 150 FY19 Yearend Projection – Include entries for salary and benefit projections.
Budget Level 250 Prelim FY20 Budget Entry – Do not enter any amounts in salary and benefit lines.
Budget Level 350 Prelim FY20 Budget Entry – Do not enter any amounts in salary and benefit lines.
Budget Level 450 Prelim FY21 Budget Entry – Do not enter any amounts in salary and benefit lines.

Press Enter

To enter the budget for a single line item for one account: Select the line number by using "1". In the budget/estimate amount field, type the budget estimate for the line items that is displayed. Press the field enter and then enter.

To enter budgets for multiple accounts with account information displaying use the "**All accounts from this point"** option, **select** the line number by using "2". In the budget/estimate amount field, type the budget estimate for the line item that displays, press enter. Repeat until all estimates are entered.

To enter for multiple accounts without displaying account information: Use the **Multi entry** function by using "F6". Click the line next to an account you want to enter an estimate for and type the estimate for the account. Press the flied enter key to go to the next line. If you do not want to enter the line you are on, press the tab key to move to the next account you want to enter an estimate for. Repeat until all estimates are entered. Page down to display more accounts. Press enter twice to exit**. Do not use this option if you want to view account details or budget history, enter miscellaneous information or enter project account estimates.**

Enter the dollar amount **without** dollar signs, commas, or decimal points. Do not include cents.

Attaching justification to account –

The Misc Info Entry option (F8) should be used to provide explanations for significant changes in line item budgets from one year to the next and is mandatory for any budget amounts that reflect a $5,000 +/- change. It is recommended that you utilize this option to make any notes regarding your line items to assist you in discussions with the City Manager, Commission and Finance. You are strongly encouraged to provide notes for each line item so that the City Manager can understand the details of those line items. No notes may result in the budgets being lowered.

1. On the GMBA Main Menu, select Budgeting Menu (9). Then select Budget/estimate entry (4).
2. Select the level you want to work with.
3. Select the account line you want to add justification/miscellaneous information to.
4. Use the F8 Misc. Info Entry function.
5. Tab to the first empty Freeform Information line.
   NOTE: If you use the Field Exit key to move the cursor past sequence numbers, it deletes the numbers. All lines must have sequence numbers before you can leave the screen.
6. Type the text you want to add. Then press the tab key.
7. Do you want to attach an amount to the line of text?
   → If yes: In the Amount field, type the amount. Then press the tab key.
   → If no: Press the tab key.
8. Do you want GMBA to use the total of the justification amounts as the estimate for the account?
   → If yes: Use the F7 Update function **twice**.
   Result: If no estimate exists for the account, GMBA uses the total of the justification amounts as the estimate. If an estimate exists for the account, GMBA replaces that estimate with the total of the combined amounts.
   → If no: Proceed to step 9.
9. Press Enter twice.
   Result: GMBA saves the justification information, but does not change the budget estimate to match the amount totals. If you set up amounts that do not equal a previous total, GMBA displays the message: **Total of misc. info amounts is not equal to the budget amount entered.**

Project Budgeting – FY19, FY20, FY21 Project Budget Proposals

Capital appropriations of the current fiscal year shall be purchased by May 1, 2019, if not purchased by this date, the capital item(s) will have to go through as a new request in FY20.

***Mandatory – Any Grant must have a "Project Budget", unless otherwise approved by the Finance Director**. Project numbers for the new fiscal year (FY20) must first be established before attempting to enter FY20 information. Through the project budgeting option, you will be prompted to select the appropriate project for budget entry. Line item budgets must correspond to project budgets. If changes are necessary, those changes must be reflected in both the line item entry as well as the project budget entry.

Project Budgeting

Projects for the new fiscal year must be set up prior to starting Project Budget Entry.

Project Budget Entry

Sign On: User: Type in user name **Press Field Exit** Password: Type in password **Press Enter**

Select Option 7 GMBA (Accounting) **Press Enter**

Select Option 9 Budgeting Menu **Press Enter**

Select Option 12 Project Budget Maintenance **Press Enter**

Select Budget Level - Departmental Entry
- Budget Level 150 FY19 Yearend Projection
- Budget Level 250 Prelim FY20 Budget Entry
- Budget Level 350 Prelim FY20 Budget Entry
- Budget Level 450 Prelim FY21 Budget Entry

Press Enter

To enter the budget for a single line item for one account: Select the line number. In the budget/estimate amount field, type the budget estimate for the line items that displays.

To enter budgets for multiple accounts with account information displaying use the **All accounts from this point** option, **Selec**t the line number. In the budget/estimate amount field, type the budget estimate for the line item that displays, Click OK or press enter. Repeat until all estimates are entered.

To enter for multiple accounts without displaying account information: Use the **Multi entry** function. Click the amount column next to an account you want to enter an estimate for and type the estimate for the account. Press the tab key to move to the next account you want to enter an estimate for. Repeat until all estimates are entered. Scroll or page down to display more accounts. Click OK or press enter. Do not use this option if you want to view account details or budget history, enter miscellaneous information or enter project account estimates.

Enter the dollar amount without dollar signs, commas, or decimal points. Do not include cents.

Budget Worksheets

The following information comprises the budget worksheet:

Column 1: Account Number
Column 2: Account Description
Column 3: FY2018 Actual
Column 4: FY2019 Adjusted Budget
Column 5: FY2019 YTD Actual
Column 6: FY2019 Yearend Projection – budget level 150

Column 7: Preliminary FY2020 Budget – budget level 250
Column 8: Preliminary FY2021 Budget – budget level 350
Column 9: Preliminary FY2022 Budget – budget level 450

To print budget worksheets:

Select Option 9 Budgeting Menu **Press Enter**

Select Option 10 Print Worksheets **Press Enter**

Select the worksheet you want to print with a 1 **Press Enter**

Select/enter the printer you want to print on (**default printer you will see is Pfinx which prints at City Hall).**

Enter department's line-item range **Press Enter**
Note: Worksheet spool file will hold and you will need to release.

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HELPFUL CALENDARS

Payroll Calendar

2019 Calendar

JANUARY

S	M	T	W	T	F	S	
		1	2	3	4	5	PP1
6	7	8	9	10	11	12	
13	14	15	16	17	18	19	PP2
20	21	22	23	24	25	26	
27	28	29	30	31			PP3

FEBRUARY

S	M	T	W	T	F	S	
					1	2	
3	4	5	6	7	8	9	PP4
10	11	12	13	14	15	16	
17	18	19	20	21	22	23	PP5
24	25	26	27	28			

MARCH

S	M	T	W	T	F	S	
					1	2	
3	4	5	6	7	8	9	
10	11	12	13	14	15	16	PP6
17	18	19	20	21	22	23	
24	25	26	27	28	29	30	PP7
31							

APRIL

S	M	T	W	T	F	S	
	1	2	3	4	5	6	
7	8	9	10	11	12	13	PP8
14	15	16	17	18	19	20	
21	22	23	24	25	26	27	PP9
28	29	30					

MAY

S	M	T	W	T	F	S	
			1	2	3	4	
5	6	7	8	9	10	11	PP10
12	13	14	15	16	17	18	
19	20	21	22	23	24	25	PP11
26	27	28	29	30	31		

JUNE

S	M	T	W	T	F	S	
						1	
2	3	4	5	6	7	8	PP12
9	10	11	12	13	14	15	
16	17	18	19	20	21	22	PP13
23	24	25	26	27	28	29	
30							

FY2019

JULY

S	M	T	W	T	F	S	
	1	2	3	4	5	6	PP14
7	8	9	10	11	12	13	
14	15	16	17	18	19	20	PP15
21	22	23	24	25	26	27	
28	29	30	31				

AUGUST

S	M	T	W	T	F	S	
				1	2	3	PP16
4	5	6	7	8	9	10	
11	12	13	14	15	16	17	PP17
18	19	20	21	22	23	24	
25	26	27	28	29	30	31	PP18

SEPTEMBER

S	M	T	W	T	F	S	
1	2	3	4	5	6	7	
8	9	10	11	12	13	14	PP19
15	16	17	18	19	20	21	
22	23	24	25	26	27	28	PP20
29	30						

OCTOBER

S	M	T	W	T	F	S	
		1	2	3	4	5	
6	7	8	9	10	11	12	PP21
13	14	15	16	17	18	19	
20	21	22	23	24	25	26	PP22
27	28	29	30	31			

NOVEMBER

S	M	T	W	T	F	S	
					1	2	
3	4	5	6	7	8	9	PP23
10	11	12	13	14	15	16	
17	18	19	20	21	22	23	PP24
24	25	26	27	28	29	30	

DECEMBER

S	M	T	W	T	F	S	
1	2	3	4	5	6	7	PP25
8	9	10	11	12	13	14	
15	16	17	18	19	20	21	PP26
22	23	24	25	26	27	28	
29	30	31					

FY2020

Payroll Periods

2019 Pay Periods							
1	12/17/18	-	12/30/18	**14**	06/17/19	-	06/30/19
2	12/31/18	-	01/13/19	**15**	07/01/19	-	07/14/19
3	01/14/19	-	01/27/19	**16**	07/15/19	-	07/28/19
4	01/28/19	-	02/10/19	**17**	07/29/19	-	08/11/19
5	02/11/19	-	02/24/19	**18**	08/12/19	-	08/25/19
6	02/25/19	-	03/10/19	**19**	08/26/19	-	09/08/19
7	03/11/19	-	03/24/19	**20**	09/09/19	-	09/22/19
8	03/25/19	-	04/07/19	**21**	09/23/19	-	10/06/19
9	04/08/19	-	04/21/19	**22**	10/07/19	-	10/20/19
10	04/22/19	-	05/05/19	**23**	10/21/19	-	11/03/19
11	05/06/19	-	05/19/19	**24**	11/04/19	-	11/17/19
12	05/20/19	-	06/02/19	**25**	11/18/19	-	12/01/19
13	06/03/19	-	06/16/19	**26**	12/02/19	-	12/15/19

Paid Time off Schedule

Paid Time Off Accumulation Schedule Currently Effective										
COA					**Police/Fire**					
Full Yrs of Service	**Yrs of Service - Software Entry**	**PTO Days Annual Accrual**	**PTO Hours Annual Accrual (8)**	**PTO Hours Annual Accrual (10)**	**PTO Days Annual Accrual**	**PTO Annual Accrual (8)**	**PTO Annual Accrual (10)**	**PTO Annual Accrual (11.5)**	**PTO Days Annual Accrual (16.25)**	**PTO Annual Accrual (16.25)**
0-5	0-4	21.5	172	215.00	21.00	168.00	210.00	241.50	13.69	222.50
6	5	22.5	180	225.00	22.00	176.00	220.00	253.00	14.22	231.13
7	6	23.5	188	235.00	23.00	184.00	230.00	264.50	14.75	239.75
8	7	24.5	196	245.00	24.00	192.00	240.00	276.00	15.28	248.38
9	8	25.5	204	255.00	25.00	200.00	250.00	287.50	15.82	257.00
10-15	9-14	26.5	212	265.00	26.00	208.00	260.00	299.00	16.35	265.63
16	15	27.5	220	275.00	27.00	216.00	270.00	310.50	16.88	274.25
17	16	28.5	228	285.00	28.00	224.00	280.00	322.00	17.41	282.88
18	17	29.5	236	295.00	29.00	232.00	290.00	333.50	17.94	291.50
19	18	30.5	244	305.00	30.00	240.00	300.00	345.00	18.47	300.13
20 & up	19 & up	31.5	252	315.00	31.00	248.00	310.00	356.50	19.00	308.75

FY2019 COA Budget Workshops

January 23 – January 24, 2019

Evelyn Huff, Budget Analyst

Extension 4167, ehuff@ci.alamogordo.nm.us

What We Are Talking About Today

- Budgeting Finance 101
- Budget Process
- Schedule
- Guidelines and Instructions
- Restricted and Capital Outlay Lines
- Budget Do's and Don't's
- Budget Forms
- Help!!!!

Budgeting Finance 101

What makes up a budget? How does each part affect the whole?
What parts can I, the department, change?

What Makes Up A Budget?

- 5 parts
  - Beginning Cash
  - Revenues
  - Transfers In/Out
  - Expenditures
  - Ending Cash

Beginning Cash

- The actual cash in the bank at the beginning of the fiscal year. This includes:
  - Operating Bank Accounts
  - Investments
  - Petty Cash/Start Up Cash
- Calculated by Finance. Initial amount is an estimate and the budget is revised in July to reflect the actual amount
- Each fund does not have a separate bank account
- Cannot be negative at any time
- Can the department change beginning cash?
  - No! This number must come from the items above

Revenues

- All sources of incomes received by the City that is available and ready for use
- Examples:
  - Gross Receipts Tax
  - Property Tax
  - Water Usage Fees
  - Program & Usage Fees
  - Grant Income
  - Sale of Scrap/Other Small Taxes

Revenues

- All sources of revenue must be included in the budget and be realistically projected
- Revenues can never be negative
- How do revenues affect the cash balance?
  - They increase it because it is cash coming in
- Can departments increase/decrease revenues?
  - Yes! Revenues can be increased by increasing fees, increasing usage, receiving new grants, etc. Decreases can come from decreasing fees, cuts to funding, loss of a facility, etc.

Transfers In/Out

- Subsidizes departments or functions that do not generate revenue or do not generate enough to be self sustaining
- Transfers funds from bond/loan/dedicated GRT funds to actual operating and capital outlay funds per the applicable standards
- Transfers are highly regulated by city ordinance, state and federal law. They are entered by Finance in most cases
- Can departments increase/decrease transfers in/out?
  - Yes and No! Departments can request to receive a transfer in from another fund but is subject to regulations and approval. Most transfers must have a plan on how the money will recouped

Expenditures

- Expenditures are the charge against the budget for goods and services actually received
- Examples
  - Salaries and Benefits
  - Supplies
  - Training & Travel
  - Contract Services
  - Construction
  - Utilities

Expenditures

- Expenditures can also be classified as operating and capital
  - Operating expenditures are goods and services that are consumable, under $5,000 and not part of a construction project that becomes a fixed asset
  - Capital expenditures are goods and services that are over $5,000 or part of a construction project that will result in the creation of a fixed asset
- Expenditures are the largest part of the budget and draw the most attention from the public, leadership and elected officials
- Expenditures need to realistically projected to cover a department's operating expense

Expenditures

- How do expenditures affect the cash balance?
  - They decrease it because it is cash going out
- Can departments increase/decrease expenditures?
  - Yes! Expenditures can be increased by price increases, new expenditures, new employee cost etc. Decreases can come from cutting expenses, freezing or eliminating positions, price decreases, etc.
- Expenditures are easier to influence than revenues and thus are the first stop when needing to adjust a budget up or down
- Expenditures can be tied to revenues if you are buying something to sell. If a product or a program is discontinued, both the expenditure and the revenue needs to be removed

Ending Cash Balance

- The ending cash balance is the final step in the budget process
- The ending cash balance is determined by the following:

Beginning Cash Balance + Revenues + Transfers In – Transfers Out – Expenses

- It is the end product of all the budget projections you have prepared
- IT CAN NEVER BE A NEGATIVE NUMBER!!!!
- In some funds, there is a minimum ending cash balance that is required. This can be used for debt service or to meet statutory reserve requirements.

Ending Cash Balance

- Can departments increase/decrease the ending cash balance?
  - Yes! The ending cash balance can be increased/decreased but only by increasing/decreasing revenues and expenditures
- The ending cash balance for this year becomes next years beginning cash balance.

Decisions??

- Once all these pieces are put together, management has a full picture of the budget
- Management uses this to make determinations about further requests for funding or requests to move funding from place to another
- If a decision affects the ending cash balance aka "fund balance", it must go to the commission for approval
- Neither management nor the commission will ever approve something that can create a negative cash balance

Let's look at a recap that is used to help make budget decisions

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
7,985,201	17,692,740	1,102,457	7,365,159	(6,262,702)	15,324,813	4,090,426	3,041,263	1,049,164	0	3,041,263	1,049,164
0	416,311	2,642,351	23,733	2,618,618	2,949,908	85,021		$85,021			85,021
0	81,827	114,764	1,255	113,509	198,850	(3,514)		($3,514)			(3,514)
189,094	254,304	0	2,476	(2,476)	279,681	161,241		$161,241			161,241
7,938	0	0	0	0	0	7,938		$7,938			7,938
17,091	81,594	0	24,629	(24,629)	68,202	5,854		$5,854			5,854
153,307	429,968	0	60,355	(60,355)	525,504	(2,584)		($2,584)			(2,584)
24,276	6,119	0	0	0	8,248	22,147		$22,147			22,147
0	0	0	0	0	0	0		$0			0
106,154	565,346	4,369,963	664,633	3,705,330	4,376,346	484		$484			484
313,401	567,741	0	0	0	561,218	319,924	24,429	$295,495	0	24,429	295,495
21,967	1,313	3,511,454	0	3,511,454	2,866,379	668,355		$668,355			668,355
2,576,239	1,694,281	0	3,630,952	(3,630,952)	0	639,568	549,566	$90,002		549,566	90,002

Notice these funds have negative cash balances. What needs to happen? Increase Revenues or Decrease Expenses

This fund has a large ending cash balance, but a smaller adjusted ending cash balance? Why? There is a required reserve amount that cannot be expended

This fund has requested $500 to buy a new printer. Will that request be approved? Why or why not? No There is only $484 available in that fund

What other option is there to purchase the printer? Decrease another expense line to be able to increase that line

This fund has no expenses, but a large transfer out. What type of fund could it be? It could be a dedicated GRT fund or a bond

Questions?

Budget Process

- Page 2 in your budget manual has a breakdown of the entire budget process
- Department entry starts today and continues thru February 12
- Once the budget is closed, departments will not be able to make changes to anything they have entered
- Any time worksheets are handed out they should be reviewed carefully for changes or discrepancies
- After the City Manager/Director meetings, Finance will enter all the items that need to be changed per these meetings
- Make sure to keep all your documentation for your re-projections, changes, calculations etc. Be ready to answer questions about it

Schedule

- Page 4 in your budget manual has the current year budget planning calendar
- February 12 is the last day for department entry for FY19, 20, 21 and 22
  - MIS request forms, capital request forms and overtime request forms are all due 2/12
- March 5 – March 7 will be the City Manager and Director Meetings
- March 26 – March 28 will be the City Manager, Finance and HR review meetings
- May 7 – May 9 Budget public hearings with the City Commission
- May 28 Adoption of the Preliminary FY20 Budget

Guidelines and Instructions

- Page 5 starts the guidelines and instructions for FY19, 20, 21 and 22
- Level 150. Currently populated with FY19's adjusted budget as of ________
- Any budget adjustment requests submitted in between now and the close date of February 12, need to be updated by the user on Level 150. Any submitted after the close date will be entered by the Budget Analyst.
- Re-projections for current year FY19
  - **FLAT BUDGET – Do not increase your bottom line. You may move money from line to line, but they must offset. Do not increase a line without decreasing another line. You must be able to justify any revenue increase used to offset an expense increase. Make sure to include as many notes as possible to explain your operations.**
  - Any changes +/- $5,000 must have a note explaining the reason for the change
  - Departments are responsible for re-projecting their own salaries and benefits. Use the payroll projection worksheet for guidance
  - Look at all your project budgets. Make sure you drill down to the 2019 budget and do not just look at the summary front page
  - Review all of your lines and adjust them according to your realistic projections based on your YTD information. **THESE WILL BE YOUR NEW FY19 BUDGET!**

Guidelines and Instructions

- Preliminary FY20 Budget
- Level 250. Currently populated with FY19's adjusted budget as of ________
  - **FLAT BUDGET – Do not increase your bottom line. You may move money from line to line, but they must offset. Do not increase a line without decreasing another line. You must be able to justify any revenue increase used to offset an expense increase.**
  - **NO PERSONNEL CHANGE REQUESTS – No personnel change requests will be considered for FY2020. No new position requests will be considered, however positions that were frozen in FY19 will be included in the FY20 budget. These positions will remain under review for City Manager approval**
  - **CAPITAL REQUESTS – Requests for new capital may be submitted but will not be considered until after the consultants make their recommendations to the City Manager**
  - Any changes +/- $5,000 must have a note explaining the reason for the change
  - Include notes whenever possible to help you and staff review your budget. **Do not include any amounts that are currently in FY19 and will be carried over to FY20**

Guidelines and Instructions

- Preliminary FY21 and FY22 Budget
- Level 350 for FY21 and 450 for FY22
- Both are currently populated with FY19's adjusted budget as of ________
  - In these years you are allowed to show increases in your numbers
  - Any changes +/- $5,000 must have a note explaining the reason for the change
  - Include notes whenever possible to help you and staff review you budget

Restricted Lines

- There are several specialty expenditure lines that departments do not enter
- Refer to page 8 for a full list of these lines
- Departments will review these lines during the City Manager/Director meetings and may have to adjust other lines based on the information entered here
- **Departments do not enter Salaries and Benefits lines for any years other than FY19**

Capital Outlay Lines

- Refer to pages 9 and 10 of the budget manual for more information on capital outlay lines
- Pay close attention to what items should be included in capital equipment lines versus controlled property lines
  - Capital equipment lines are for items valued at $5,000 or greater for each item
  - Controlled property are items that need to be tracked and are valued at $250 to $4,999 each
- Make sure to use a Capital Outlay Request Form for capital equipment requests. Forms are due to the Budget Analyst by February 12
- **CAPITAL REQUESTS – Requests for new capital may be submitted but will not be considered until after the consultants make their recommendations to the City Manager**

Capital Outlay Lines

- Capital improvement lines are for improvements and new construction that are greater than $5,000 and will become part of the department's fixed asset listing
- **CAPITAL REQUESTS – Requests for new capital may be submitted but will not be considered until after the consultants make their recommendations to the City Manager**
- Do not budget non-capital outlay expenses in these lines. Budget regular operational items in contract services or a maintenance line
- Make sure to use a Capital Outlay Request Form for capital improvement and outlay requests. Forms are due to the Budget Analyst by February 12

Budget Do's and Don't's

Page 11 in the budget manual

Note: Carryovers from operating lines will not be allowed from FY19 into FY20

Budget Forms

- Budget form chart is on page 12 of the budget manual
- There is an example of each form in the manual
- I will send an email with electronic versions of each form to everyone signed into the workshops
- If you have any questions on any of the forms, please don't hesitate to ask me
- A Budget Personnel Status form has not been included since these forms will not be considered in FY20

PAYROLL PROJECTION FORM
PROJECTED SALARY/BENEFITS

DATE ENTERED **DIVISION**

		Current Year Budget	Enter last amount showing on GMBA inquiry F10 Detail		Payperiods remaining in fiscal year from payroll calendar		YTD Total expenses & encumbrances from HTE		Projected Payroll Expense		Difference to be adjusted
Supervisory	20-01	0.00	0.00	X	17	+	0.00	=	0.00	-	0.00
Operational	20-02	0.00	0.00	X	17	+	0.00	=	0.00	-	0.00
Temp/Part-Time	20-03	0.00	0.00	X	17	+	0.00	=	0.00	-	0.00
Retirement	20-10	0.00	0.00	X	17	+	0.00	=	0.00	-	0.00
Retiree Health	20-12	0.00	0.00	X	17	+	0.00	=	0.00	-	0.00
Social Security	20-15	0.00	0.00	X	17	+	0.00	=	0.00	-	0.00
Worker's Compensation	20-30	0.00	0.00	X	17	+	0.00	=	0.00	-	0.00
*Group Health Insurance	20-25	0.00	0.00	X	16	+	0.00	=	0.00	-	0.00
**Worker's Comp Fee	20-31	0.00	0.00	X	3	+	0.00	=	0.00	-	0.00

**Group Health Insurance is based upon 24 payperiods for the year. Therefore, when you enter the number of payperiods remaining, the calculation is based upon two per month.*

***Worker's Comp Admin Fee is based upon quarterly payments. Therefore, when you enter the number of payperiods remaining, the calculation is based upon the remaining quarterly payments.*

City of Alamogordo

Capital Outlay Requests Form

Date: 1/11/2019

Department/Division:

[Example: PW/Facility Maintenance]

Fund Line Item:

[Example: 012-3303-419.61-xx]

Note: if replacement (R) or new (N). Requested in ICIP Request Y or N

	FY 2020	FY 2020	FY 2021	FY 2021	FY 2022	FY 2022
Item Description: *[enter quanity under fiscal year]*	# of Items	Cost	# of Items	Cost	# of Items	Cost
[Example: Vehicle-Ford 250,4WD Extended Cab]	*1a*	*1b*	2a	2b	3a	3b

Director Approval

Date:

NOTE: Enter Line number on next line for multiple capital requests

CITY PAYROLL DEPARTMENT
BUDGET OVERTIME-MISC ENTRY REQUEST FORM

DEPARTMENT		**FISCAL YEAR**	2020
DATE REQUESTED		**1/11/2019**	
DEPARTMENT/FUND			
REQUESTED BY			
DIRECTOR SIGNATURE			

I am requesting the following expenses be budgeted for my department. Attach additional sheets if necessary.

Field Training/Specialty/Incentive Pay	20-02	0.00
Overtime	20-04	0.00
Holiday Overtime	20-05	0.00
Training Overtime	20-06	0.00
Standby Pay	20-07	0.00
New Hire Certification	20-17	0.00
Volunteer Fire Pay	20-18	0.00
Volunteer Fire Calls/Training	20-19	0.00
Education Incentive	20-38	0.00

Failure to submit this sheet will result in the funds not being budgeted.

Budget Entry: ____________________

Budget Entered BY: ____________________

PLEASE NOTE - REQUEST DEADLINE IS FEBRUARY 12, 2019.

City of Alamogordo

Request for Budget Adjustments

Fund Name:____________________

Department:____________________

Director:____________________

Item included in department's original budget request: Yes______ No______

Type of Expenditure: Recurring________ Non-Recurring_________ **Fiscal Year: 20_19_____**

LINE ITEM NO.	Project No.	LINE ITEM DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	INCREASE/ (DECREASE)	Un-Encumbered Balance
				$0		
				$0		
				$0		
				$0		
				$0		
				$0		
				$0		
				$0		
				$0		
				$0		
		TOTAL REVENUES	$0	$0	$0	$0
		TOTAL EXPENDITURES	$0	$0	$0	$0

Reasons for Adjustment Request: **Set forth reasons the adjustment is required, the factors involved in arriving at costs, and the status of the account from which transfer is made.** -----------------------------------

Requested By: **Date:**

Department Director/Manager Approval: **Date:**

Portion below is for Finance Use Only

_______ Within Division/Category - Requires Finance Approval.

_______ Transfer Budget from one Category to another - Requires Finance and Management Approval.

_______ Any amount effecting the Fund Balance - Requires Finance, Management and Commission Approval.

Approvals

Approved for availability of funds by Finance ______________________ **Date** ______________

Finance Director ______________________ **Date** ______________

City Manager ______________________ **Date** ______________

DOC #______________________ BATCH #______________________

DATE ADJUSTED HTE:______________________

REVISION #______________________ RESOLUTION #______________________

Revised 6/5/13

Line Item Request Form

Finance and Accounting

Request new line numbers for the new fiscal year.
Complete applicable sections and submit to Budget Analyst.

Fund / Department ______________________ **Fiscal Year** ________

REVENUES

Revenue source (I.E. State, Federal)	Line-Item Number (To be assigned by Accounting)	Requested Budget Amount	Date Finance Entered

EXPENDITURES

Expenditure & Purpose	Line-Item Number (To be assigned by Accounting)	Requested Budget Amount	Date Finance Entered

Prepared by: ____________ Manager/Director Approval ____________ Date: ________

Help???
I've started my budget and I'm stuck!

- Entry into the Superion issue? Check out page 19 in the budget manual for a basic step by step guide
- This does not have every situation that could occur. If you are still having issues, call me and we will discuss it or set up a time to meet to look at it in person
- Difficulty with a form? Call me and we can discuss what needs to be entered to make it work
- Bottom line? Do not struggle along until the last day for entry and then call me. Call me, email me or stop by and see me with questions during the whole process

Questions?

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 02/12/2019 **Report Date:** 02/04/2019 **Report No:** 9.

Submitted By: Debbie Osborne

Subject: Consider, and act upon, approval for Alamogordo Police Department to submit a grant application to the U.S. Department of Justice, Office of Violence Against Women for $500,000 for Domestic Violence prevention-related programs. *(Brian Peete, Alamogordo Police Chief and Debbie Osborne, Grant Coordinator)*

Fiscal Impact:
Amount Budgeted:
Fund:

Additional Fiscal Impact: This grant requires no match. This program typically makes awards in the range of $500,000 for projects with a service area population up to 400,000.

Recommendation: Approve submission of grant application.

Background: The U.S. Department of Justice, Office of Violence Against Women (OVW), administers grant programs authorized by the Violence Against Women Act and provides national leadership on issues of sexual assault, domestic violence, dating violence and stalking.

This current grant offering supports coordinated community responses to hold Domestic Violence offenders accountable and to serve victims of Domestic Violence. It encourages local, and tribal governments and courts to treat domestic violence, dating violence, sexual assault, and stalking as serious violations of criminal law requiring the coordinated involvement of the entire criminal justice system.

The Alamogordo Police Department and the Otero County Sheriff's Office are working with the District Attorney's office, COPE, various mental health service providers, Otero County and the 12th Judicial Court to develop programs for this grant (if awarded) to be submitted to the OVW in the grant application. There are no matching funds required and grant applications are due by 11:59 p.m. on February 26, 2019. A letter of interest to apply for the grant is requested by OVW by February 12, 2019.

OVW-2019-15743
OVW FY 2019 Improving Criminal Justice Responses to Domestic Violence, Dating Violence, Sexual Assault, and Stalking Grant Program
Department of Justice
Office on Violence Against Women

GENERAL INFORMATION

Document Type:	Grants Notice
Funding Opportunity Number:	OVW-2019-15743
Funding Opportunity Title:	OVW FY 2019 Improving Criminal Justice Responses to Domestic Violence, Dating Violence, Sexual Assault, and Stalking Grant Program
Opportunity Category:	Discretionary
Opportunity Category Explanation:	
Funding Instrument Type:	Grant
Category of Funding Activity:	Law, Justice and Legal Services
Category Explanation:	
Expected Number of Awards:	50
CFDA Number(s):	16.590 -- Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program
Cost Sharing or Matching Requirement:	No

Version:	Synopsis 1
Posted Date:	Jan 15, 2019
Last Updated Date:	Jan 15, 2019
Original Closing Date for Applications:	Feb 26, 2019
Current Closing Date for Applications:	Feb 26, 2019
Archive Date:	
Estimated Total Program Funding:	$53,000,000
Award Ceiling:	$1,000,000
Award Floor:	$0

ELIGIBILITY

Eligible Applicants:	County governments Nonprofits having a 501(c)(3) status with the IRS, other than institutions of higher education State governments Others (see text field entitled "Additional Information on Eligibility" for clarification) City or township governments Native American tribal governments (Federally recognized)
Additional Information on Eligibility:	State and local courts; State, tribal, or territorial sexual assault or domestic violence coalitions and government rape crisis centers (in a state other than a territory).

ADDITIONAL INFORMATION

Agency Name:	Office on Violence Against Women
Description:	The Improving Criminal Justice Responses to Domestic Violence, Dating Violence, Sexual Assault, and Stalking Program encourages state, local, and tribal governments and courts to treat domestic violence, dating violence, sexual assault, and stalking as serious violations of criminal law requiring the coordinated involvement of the entire criminal justice system.
Link to Additional Information:	Full Announcement
Grantor Contact Information:	If you have difficulty accessing the full announcement electronically, please contact: Brenda Auterman Program Specialist 202-307-6026 OVW.ICJR@usdoj.gov OVW.ICJR@usdoj.gov

GRANTS.GOV

IMPROVING CRIMNAL JUSTICE RESPONSES PROGRAM

- The Improving Criminal Justice Responses to Sexual Assault, Domestic Violence, Dating Violence, and Stalking Grant Program (ICJR Program), formerly known as the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program (Arrest Program), is designed to encourage partnerships among state, local, and tribal governments, courts, victim service providers, coalitions and rape crisis centers, to ensure that sexual assault, domestic violence, dating violence, and stalking are treated seriously, requiring the coordinated involvement of the entire criminal justice system and community-based victim service providers.
- The ICJR Program challenges communities to work collaboratively to identify problems and share ideas that will result in effective responses to ensure victim safety and offender accountability. A coordinated community response that brings together effective partners from the local government including law enforcement agencies, prosecutors' offices and courts, nonprofit organizations, and population specific organizations is critical to the ICJR Program.
- Eligible applicants are states and territories, units of local government, Indian tribal governments, state, local, tribal, and territorial courts, victim service providers, state and tribal coalitions, and government rape crisis centers.
- In 2018, the ICJR Program gave out 54 awards, totaling over $32 million.
- Once posted, the solicitation to apply for this program can be found on OVW's website here: https://www.justice.gov/ovw/open-solicitations. Members of the public can also sign up for notifications on that website, and grant announcements are posted to OVW's Twitter at twitter.com/OVWJustice.
- This program is authorized by 34 U.S.C. §§ 10461-10465.

CONTACT

- OVW.ICJR@usdoj.gov or (202)-307-6026.

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 02/12/2019 **Report Date:** 02/08/2019 **Report No:** 10.

Submitted By: Sue Ashe

Subject: Consider, and act upon, the December 2018 Monthly General Fund and Gross Receipts report. *(Sue Ashe, Acting Finance Director)*

Fiscal Impact:
Amount Budgeted:
Fund:

Additional Fiscal Impact:

Recommendation:

Background: To go over the General Fund Balance and Gross Receipt Tax information for December 2018.

Finance Monthly Commission Report

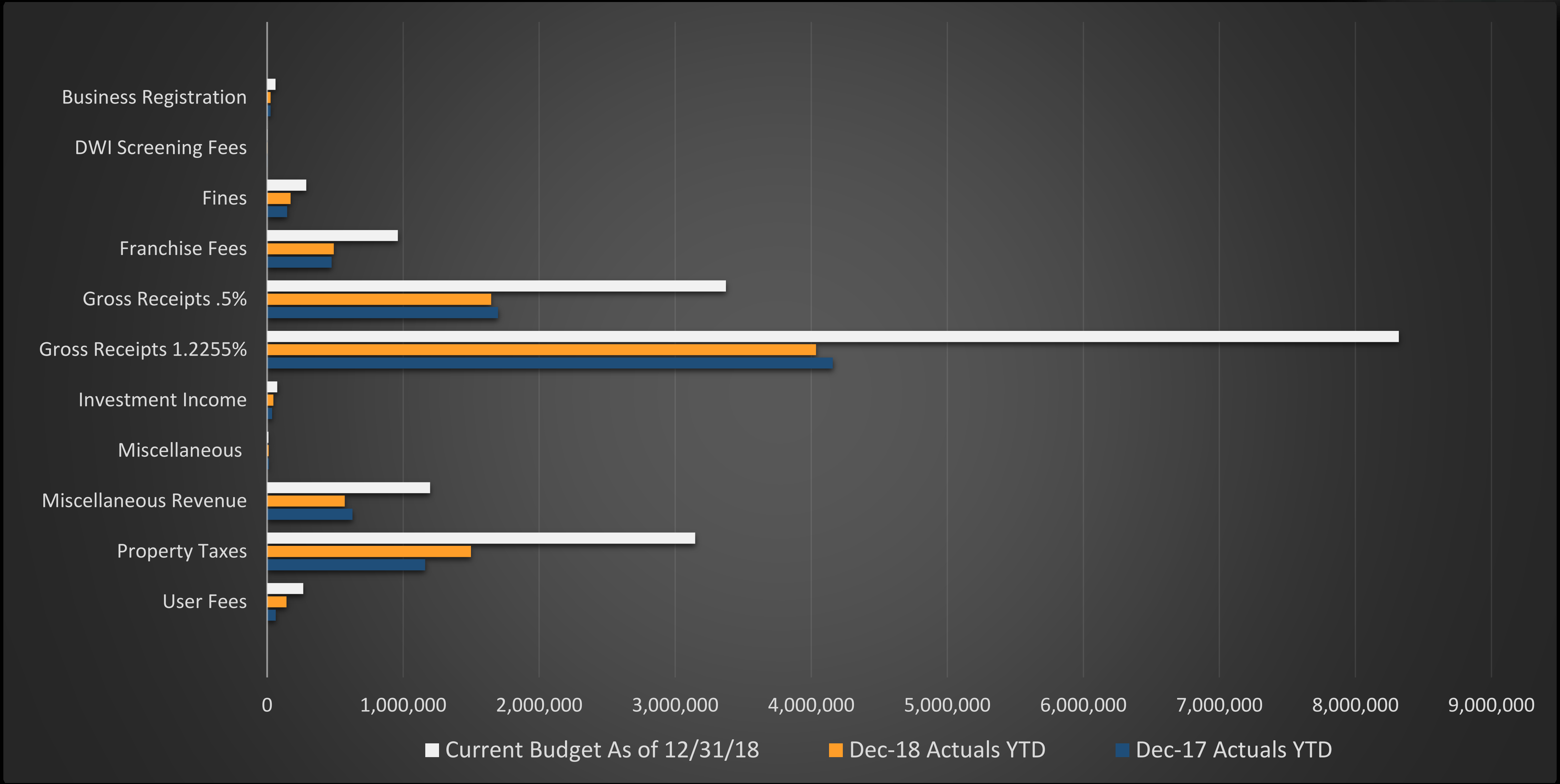
Agenda

1. General Fund Operating Sources   Revenue
2. General Fund Operating Uses by Category
3. General Fund Operating Uses   Personnel Services
4. General Fund Operating Division Expenditures
5. City of Alamogordo Gross Receipts Tax   Actual Distributions
6. Gross Receipts Tax   Categories
7. Gross Receipts Tax - Ma or Categories Trend

General Fund Operating Sources   Revenue
December 2018   Fiscal Year to Date

				Actual vs. Budget	
	Dec-17	**Dec-18**	**Current Budget**	**Favorable / (Unfavorable)**	
	Actuals YTD	Actuals YTD	As of 12/31/18	Amount	Percent
Property Taxes	1,161,872	1,498,191	3,147,356	1,649,165	47.60%
Gross Receipts .5%	1,697,093	1,646,861	3,372,590	1,725,729	48.83%
Gross Receipts 1.2255%	4,157,879	4,034,810	8,318,129	4,283,319	48.51%
Business Registration	25,990	25,095	62,594	37,499	40.09%
Miscellaneous	13,498	10,944	10,227	(717)	107.01%
DWI Screening Fees	1,323	1,798	2,500	702	71.92%
Franchise Fees	474,578	490,058	960,344	470,286	51.03%
User Fees & Permits	63,925	142,491	264,943	122,452	53.78%
Fines	147,658	172,673	287,236	114,563	60.12%
Miscellaneous Revenue	627,883	570,048	1,198,048	628,000	47.58%
Investment Income	36,741	46,569	74,951	28,382	62.13%
	8,408,439	**8,639,537**	**17,698,918**	**9,059,381**	**48.81%**

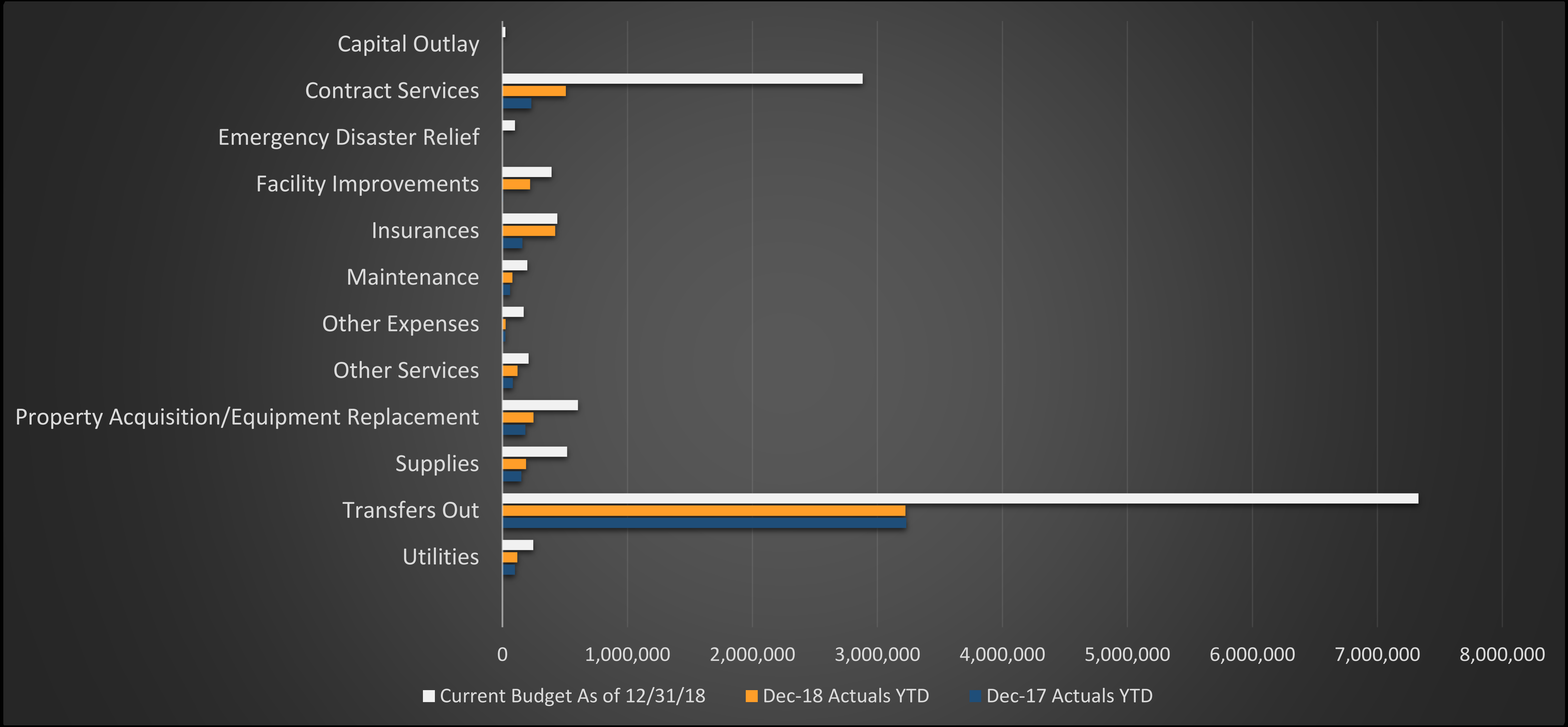
General Fund Operating Sources Revenue December 2018 Fiscal Year to Date



General Fund Operating Uses by Category
December 2018 Fiscal Year to Date

	Dec-17	Dec-18	Current Budget	Actual vs. Budget Favorable / (Unfavorable)	
	Actuals YTD	Actuals YTD	As of 12/31/18	Amount	Percent
Supplies	151,513	188,743	517,505	328,762	36.47%
Maintenance	60,650	79,100	198,729	119,629	39.80%
Utilities	100,418	118,604	246,802	128,198	48.06%
Other Expenses	22,919	25,313	169,750	144,437	14.91%
Other Services	82,695	120,262	209,159	88,897	57.50%
Contract Services	231,477	506,383	2,882,485	2,376,102	17.57%
Insurances	159,696	422,214	438,143	15,930	96.36%
Emergency Disaster Relief			100,000		
Capital Outlay			23,275	23,275	0.00%
Property Acquisition/Equipment Replacement	182,756	248,799	603,936	355,137	41.20%
Facility Improvements	2,413	220,649	392,315	171,666	56.24%
Transfers Out	3,231,447	3,223,972	7,328,519	4,104,547	43.99%
	4,225,984.69	**5,154,038.15**	**13,110,618**	**7,956,579.85**	**39.31%**

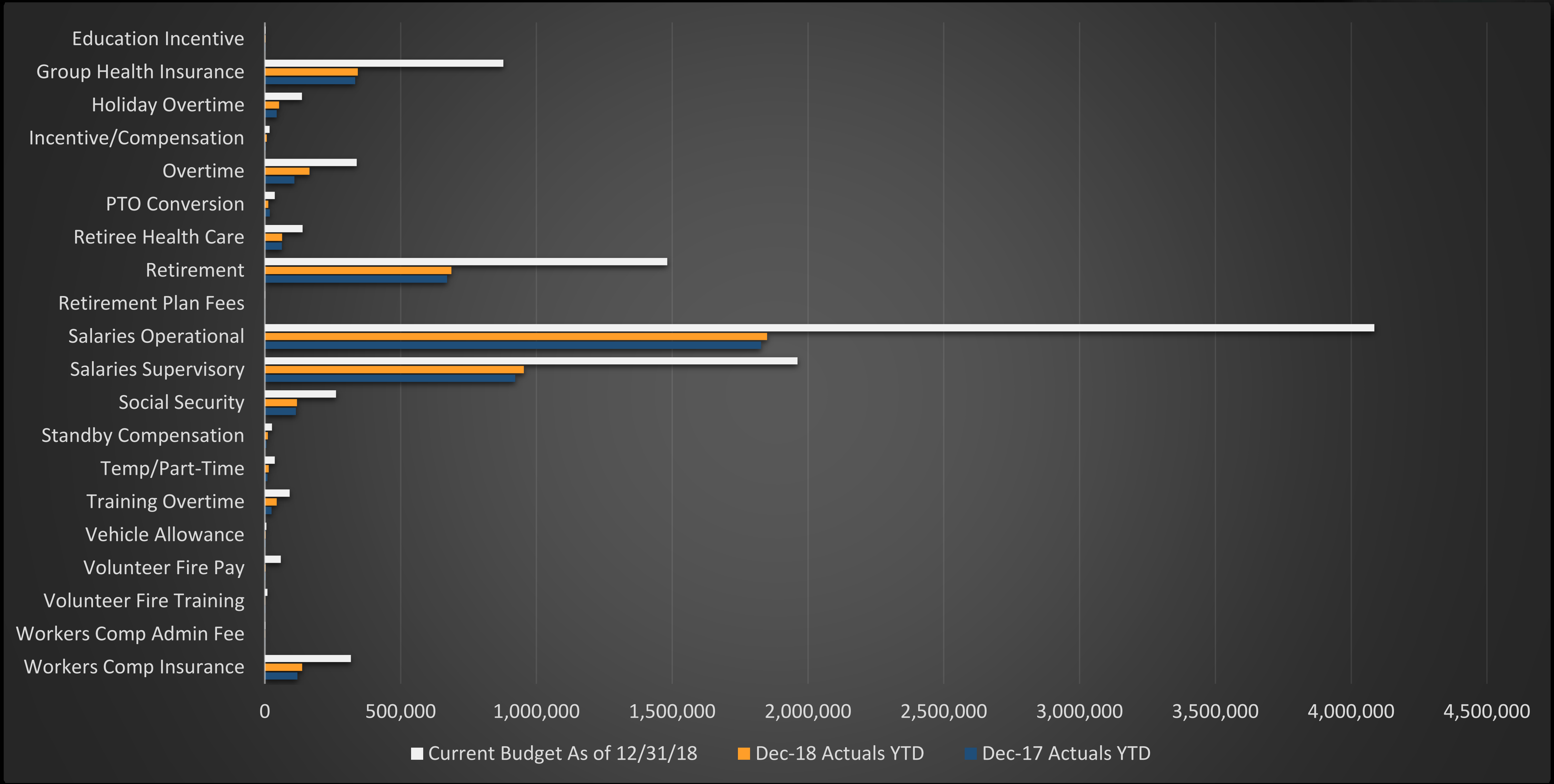
General Fund Operating Uses by Category
December 2018 Fiscal Year to Date



General Fund Operating Uses Personnel Services
December 2018 Fiscal Year to Date

	Dec-17	Dec-18	Current Budget	Actual vs. Budget Favorable / (Unfavorable)	
	Actuals YTD	Actuals YTD	As of 12/31/18	Amount	Percent
Salaries Supervisory	921,642	953,344	1,961,009	1,007,665	48.61%
Salaries Operational	1,827,014	1,849,314	4,085,034	150	45.27%
Temp/Part-Time	9,624	14,724	36,411	150	40.44%
Overtime	108,827	164,533	338,599	174,066	48.59%
Holiday Overtime	43,443	52,851	136,745	83,894	38.65%
Training Overtime	24,944	43,477	91,790	48,313	47.37%
Standby Compensation	6,005	10,970	26,100	15,130	42.03%
Retirement	670,691	686,674	1,481,734	795,060	46.34%
Retiree Health Care	62,599	63,863	138,980	75,117	45.95%
Retirement Plan Fees	125	-	500	500	0.00%
Social Security	114,735	118,857	261,789	142,932	45.40%
Incentive/Compensation	3,600	7,200	18,000	10,800	40.00%
Volunteer Fire Pay	2,400	2,300	58,800	56,500	3.91%
Volunteer Fire Training	1,750	850	10,000	9,150	8.50%
PTO Conversion	18,395	12,561	37,048	24,487	33.90%
Group Health Insurance	333,190	342,640	878,614	535,974	39.00%
Vehicle Allowance	2,250	2,700	5,400	2,700	50.00%
Workers Comp Insurance	120,137	137,861	316,647		43.54%
Workers Comp Admin Fee	667	667	1,461	794	45.62%
Education Incentive	1,700	2,200	2,150	(50)	102.33%
	4,273,738	**4,467,585**	**9,886,811**	**5,419,226**	**45.19%**

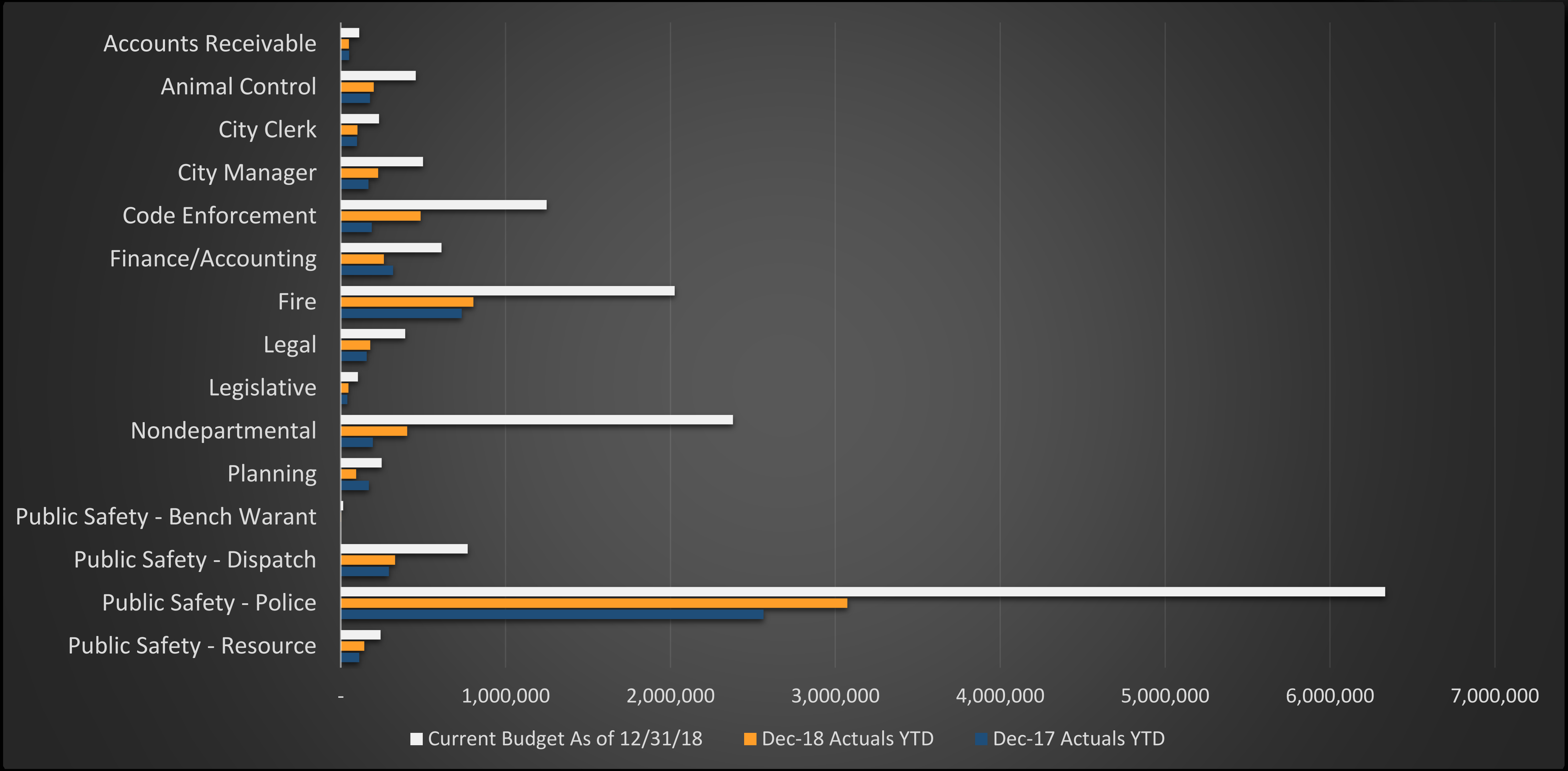
General Fund Operating Uses Personnel Services
December 2018 Fiscal Year to Date



General Fund Operating Division Expenditures
December 2018   Fiscal Year to Date

	Dec-17	Dec-18	Current Budget	Actual vs. Budget Favorable / (Unfavorable)	
	Actuals YTD	Actuals YTD	As of 12/31/18	Amount	Percent
Legislative	40,757	47,406	103,769	56,363	45.68%
City Manager	168,326	227,302	499,057	271,755	45.55%
Legal	157,318	178,740	390,874	212,134	45.73%
City Clerk	99,297	101,186	232,613	131,427	43.50%
Finance/Accounting	317,824	262,075	611,447	349,372	42.86%
Accounts Receivable	50,306	49,869	112,778	62,909	44.22%
Non-departmental	195,528	402,733	2,379,018	1,976,285	16.93%
Public Safety - Bench Warrant	-	43	15,459	15,416	0.28%
Code Enforcement	188,111	485,096	1,248,446	763,350	38.86%
Planning	170,388	93,098	248,331	155,233	37.49%
Animal Control	178,089	200,793	455,526	254,733	44.08%
Public Safety - Dispatch	291,941	329,317	770,495	441,178	42.74%
Public Safety - Police	2,564,090	3,072,657	6,334,325	3,261,668	48.51%
Fire	733,505	804,373	2,025,606	1,221,233	39.71%
Public Safety - Resource	112,762	142,963	241,166	98,203	59.28%
	5,268,243.01	**6,397,651.65**	**15,668,910.00**	**9,271,258.35**	**40.83%**

General Fund Operating Division Expenditures
December 2018 Fiscal Year to Date



City of Alamogordo Gross Receipts Tax
Actual Distributions

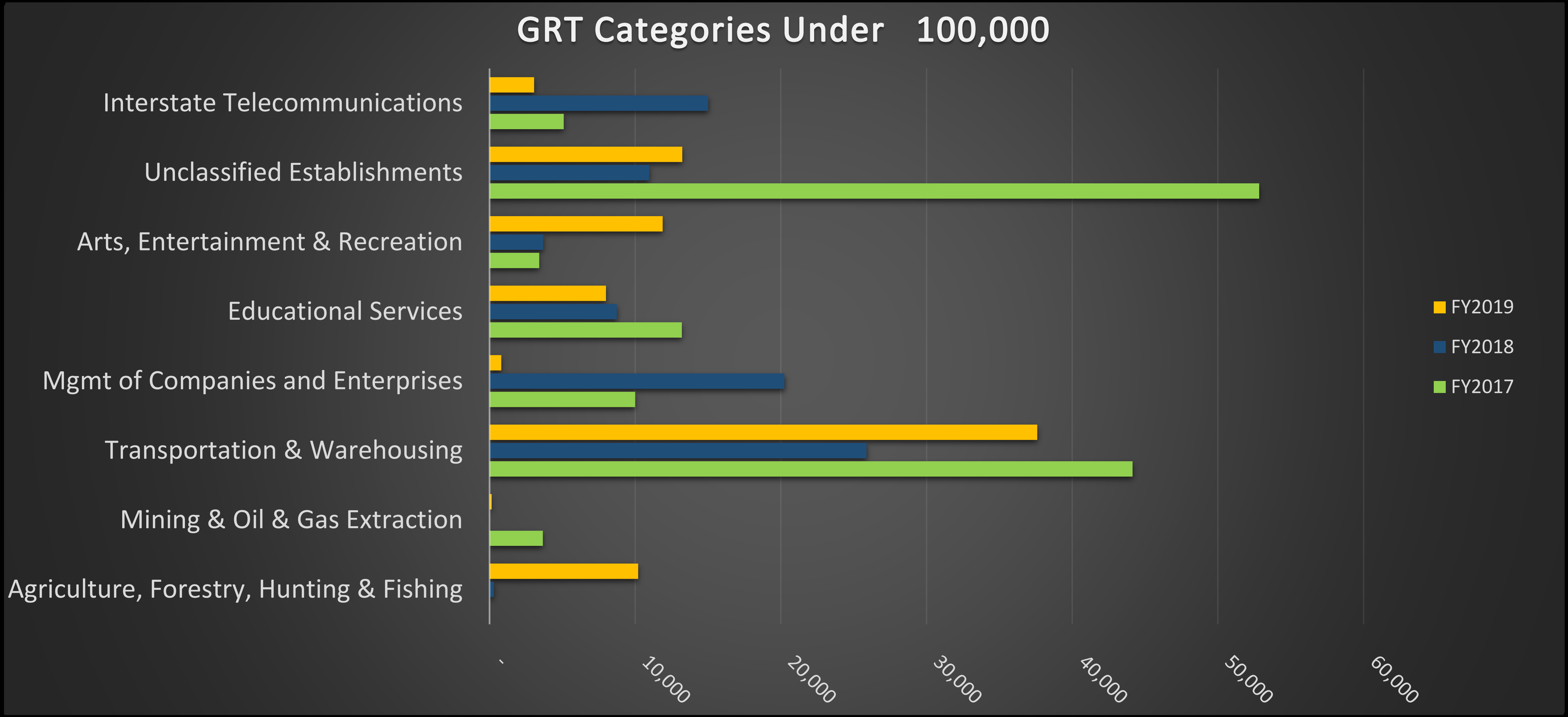
MONTH	FY14	FY15	FY16	FY17	FY18	FY19	Variance FY19/FY18	Var 19/18 %	ITEM (4) NMAF Loan 3471-PP Intercept Payment	ITEM (5) GRT Distr. Actual Received	ITEM (1) FY19 HH Gross F&M	ITEM (2) FY19 HH 24% Deduction	ITEM (3) FY19 F&M Actual Rec'd	% of Total GRT	Gross HH Variance Prior Month	Gross HH % Variance Prior Month
JULY	1,603,478	1,520,887	1,652,076	1,891,134	2,168,828	1,899,516	(269,312)	-12.42%	(79,740)	1,819,777	3,530,099	847,224	2,682,876	141.24%		
AUGUST	1,472,945	1,661,076	1,782,544	1,766,074	1,940,956	1,871,598	(69,359)	-3.57%	(79,740)	1,791,858	2,631,888	631,653	2,000,235	106.87%	(898,211)	-25.44%
SEPTEMBER	1,562,934	1,699,595	1,779,699	1,801,088	1,749,277	1,769,523	20,245	1.16%	(79,740)	1,689,783	2,489,482	597,476	1,892,006	106.92%	(142,406)	-5.41%
OCTOBER	1,568,296	1,602,793	1,715,212	1,760,595	1,801,431	1,886,568	85,136	4.73%	(79,740)	1,806,828	2,728,350	654,804	2,073,546	109.91%	238,868	9.60%
NOVEMBER	1,570,031	1,590,790	1,706,878	1,835,663	1,805,182	1,673,564	(131,618)	-7.29%	(79,740)	1,593,825	2,363,124	567,150	1,795,974	107.31%	(365,226)	-13.39%
DECEMBER	1,586,032	1,872,190	1,817,506	1,557,289	1,692,714	1,727,342	34,629	2.05%	(79,740)	1,647,603	2,523,678	605,683	1,917,995	111.04%	160,553	6.79%
JANUARY	1,588,917	1,602,053	1,603,636	1,643,628	1,760,440					-		-	-	0.00%	(2,523,678)	-100.00%
FEBRUARY	1,760,818	1,979,843	1,658,572	2,014,214	1,940,780					-		-	-	0.00%	-	DIV/0
MARCH	1,546,017	1,486,322	1,882,612	1,643,384	1,659,990					-		-	-	0.00%	-	DIV/0
APRIL	1,601,977	1,522,681	1,997,604	1,620,715	1,625,697					-		-	-	0.00%	-	DIV/0
MAY	1,745,447	1,723,162	2,118,648	1,943,358	1,937,186					-		-	-	0.00%	-	DIV/0
JUNE	1,604,722	1,638,239	1,410,169	1,653,783	1,777,941					-		-	-	0.00%	-	DIV/0
TOTALS	19,211,614	19,899,630	21,125,156	21,130,924	21,860,423	10,828,111	(330,278)		(478,438)	10,349,674	16,266,620	3,903,989	12,362,632	114.17%		
December	9,363,716	9,947,330	10,453,915	10,611,842	11,158,389	10,828,111	(330,278)	-2.96%								
Prior YTD		583,614	506,585	157,927	546,547	(330,278)										
% Prior YTD		6.23%	5.09%	1.51%	5.15%	-2.96%										
% Actuals	48.74%	49.99%	49.49%	50.22%	51.04%	100.00%	(738,551,560)									
				3-Year Average	50.25%		YE Estimate									

SUMMARY

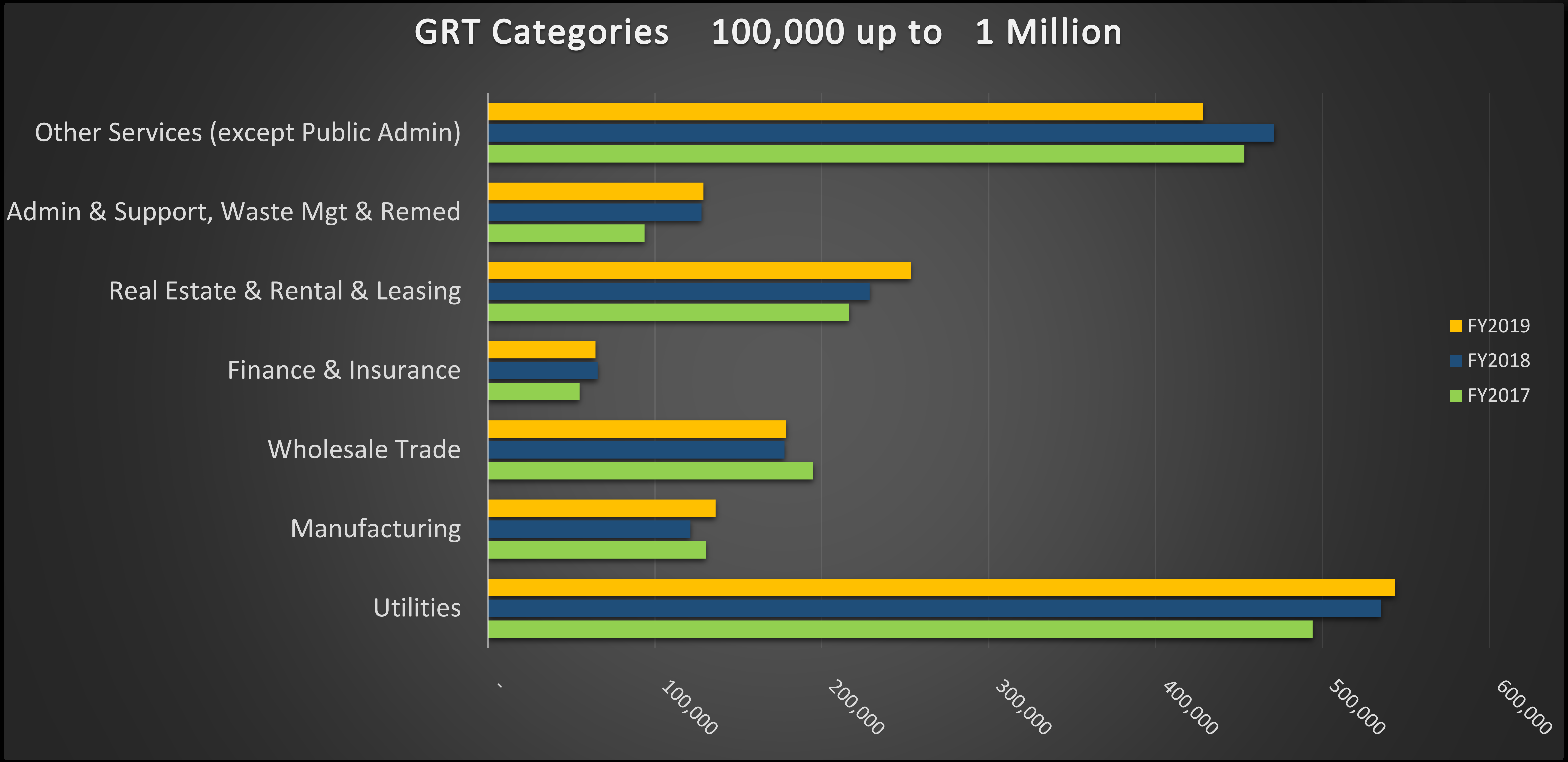
FY19 ADJ BUDGET	22,006,074		
RECEIVED YTD	10,828,111	% RECEIVED YTD	49.21%
YEAR-END ESTIMATE	(738,551,560)	% UP/DOWN YE EST	-3456.13%
3-YEAR AVERAGE	50.25%	% UP/DOWN 3-YR AVG	-1.04%

On 7/1/2015 the NM Dept of Taxation and Revenue implemented the Hold Harmless deduction	
Item (1)	Represents 100% of the food and medical impact on the gross receipts. Amount received is net of the 24% Hold Harmless deduction.
Item (2)	Represents 24% of the food and medical impact on the gross receipts.
Item (3)	Represents the actual food and medical distribution received.
Item (4)	Represents the amount of the NMFA Loan 3471-PP intercept payment for the month.
Item (5)	Represents the actual cash disbursement of GRT received for the month.

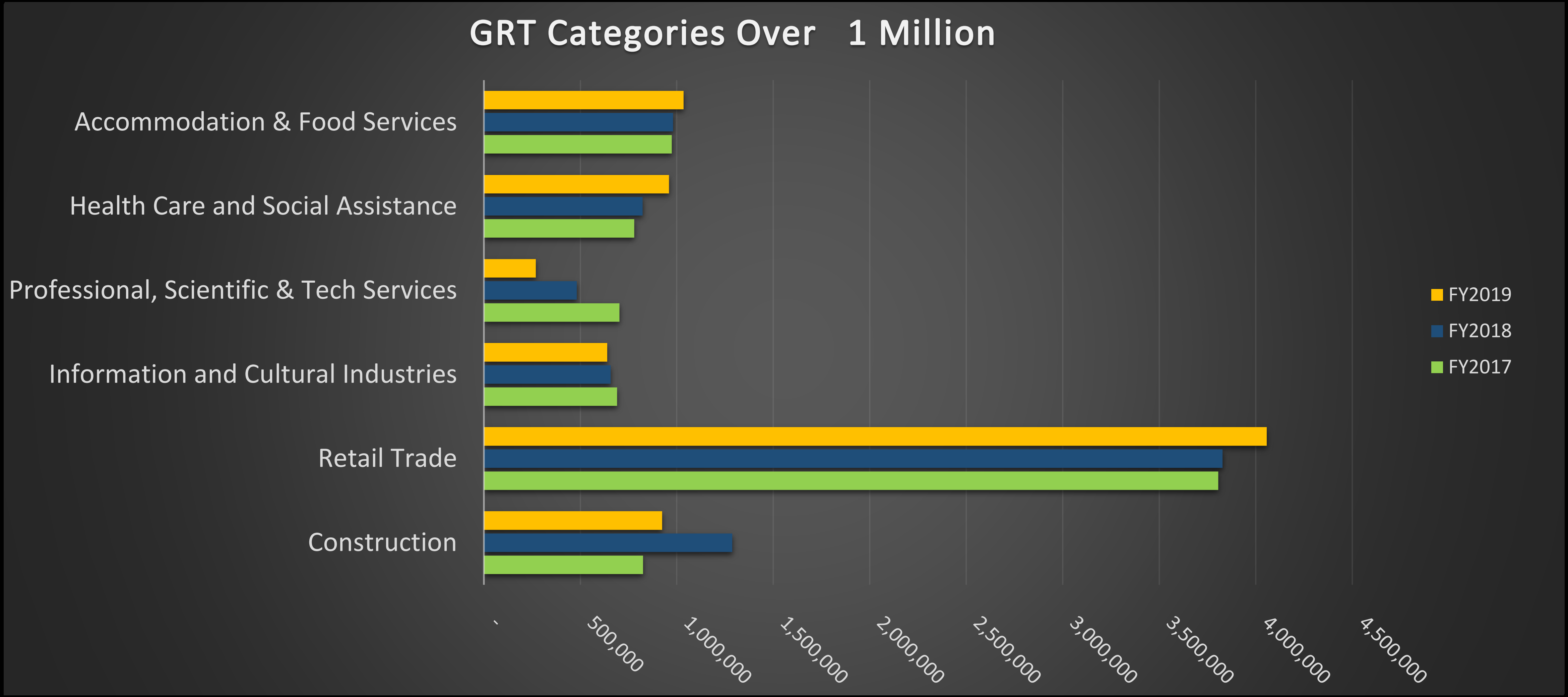
Gross Receipts Tax Categories
December 2018 Fiscal Year to Date



Gross Receipts Tax Categories
December 2018 Fiscal Year to Date

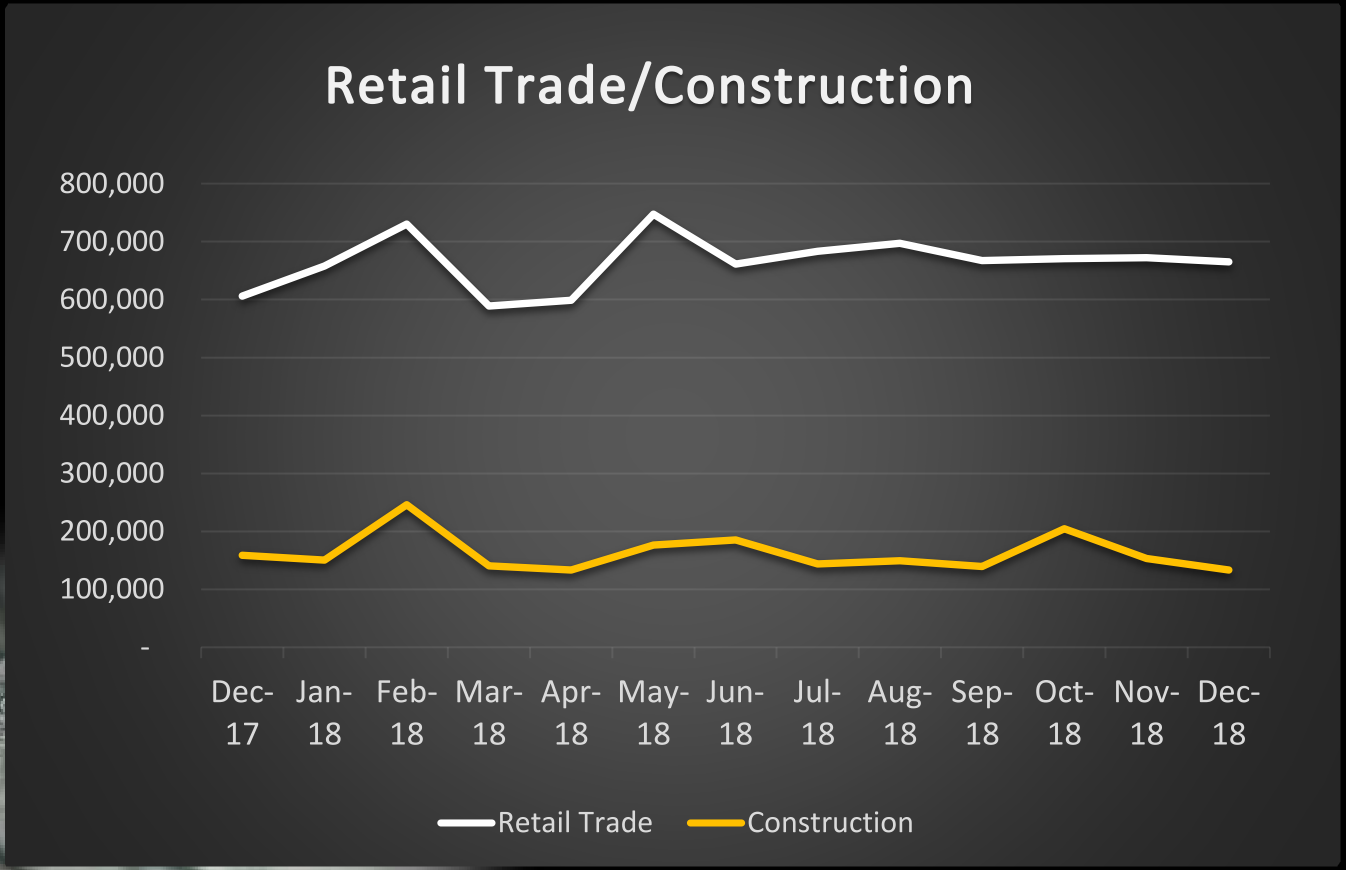


Gross Receipts Tax Categories
December 2018 Fiscal Year to Date



Gross Receipts Tax - Ma or Categories Trend
December 2018 Fiscal Year to Date

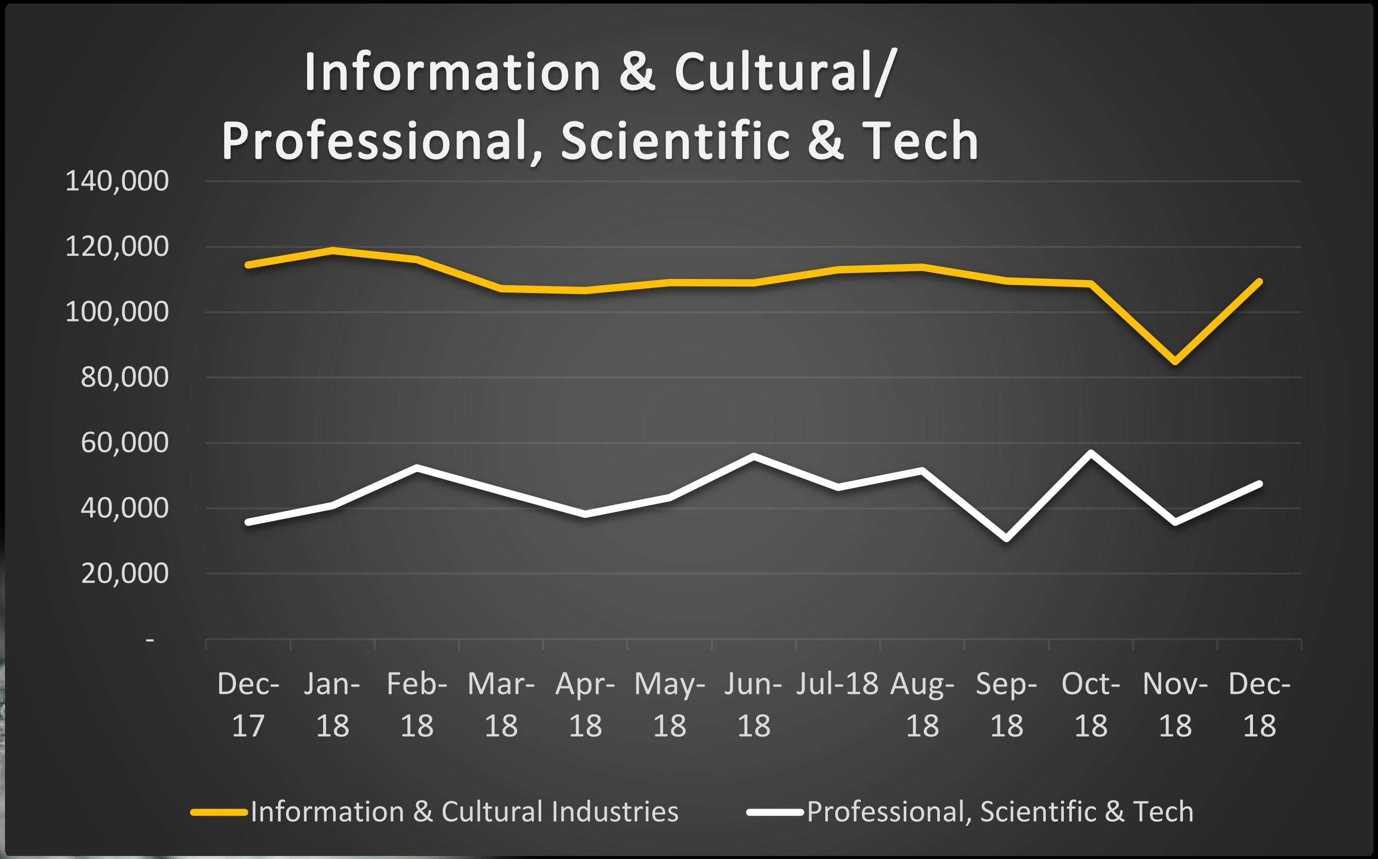
Retail Trade Construction



Month	Retail Trade	Variance Prior Month Amount	Variance Prior Month %	Variance Prior Year Amount	Variance Prior Year %	Construction	Variance Prior Month Amount	Variance Prior Month %	Variance Prior Year Amount	Variance Prior Year %
Dec-17	605,977					158,745				
Jan-18	657,778					150,223				
Feb-18	730,606					246,164				
Mar-18	588,780					140,218				
Apr-18	598,958					133,275				
May-18	747,357					176,481				
Jun-18	661,443					185,215				
Jul-18	683,633					143,971				
Aug-18	697,231					149,476				
Sep-18	667,619					139,486				
Oct-18	670,430					204,628				
Nov-18	672,595					153,154				
Dec-18	665,326	(19,695)	-12.86%	(25,287)	-15.93%	133,459	(7,269)	-1.08%	59,349	9.79%
13 Month Total	8,647,734					2,114,493				

Gross Receipts Tax - Ma or Categories Trend
December 2018 Fiscal Year to Date

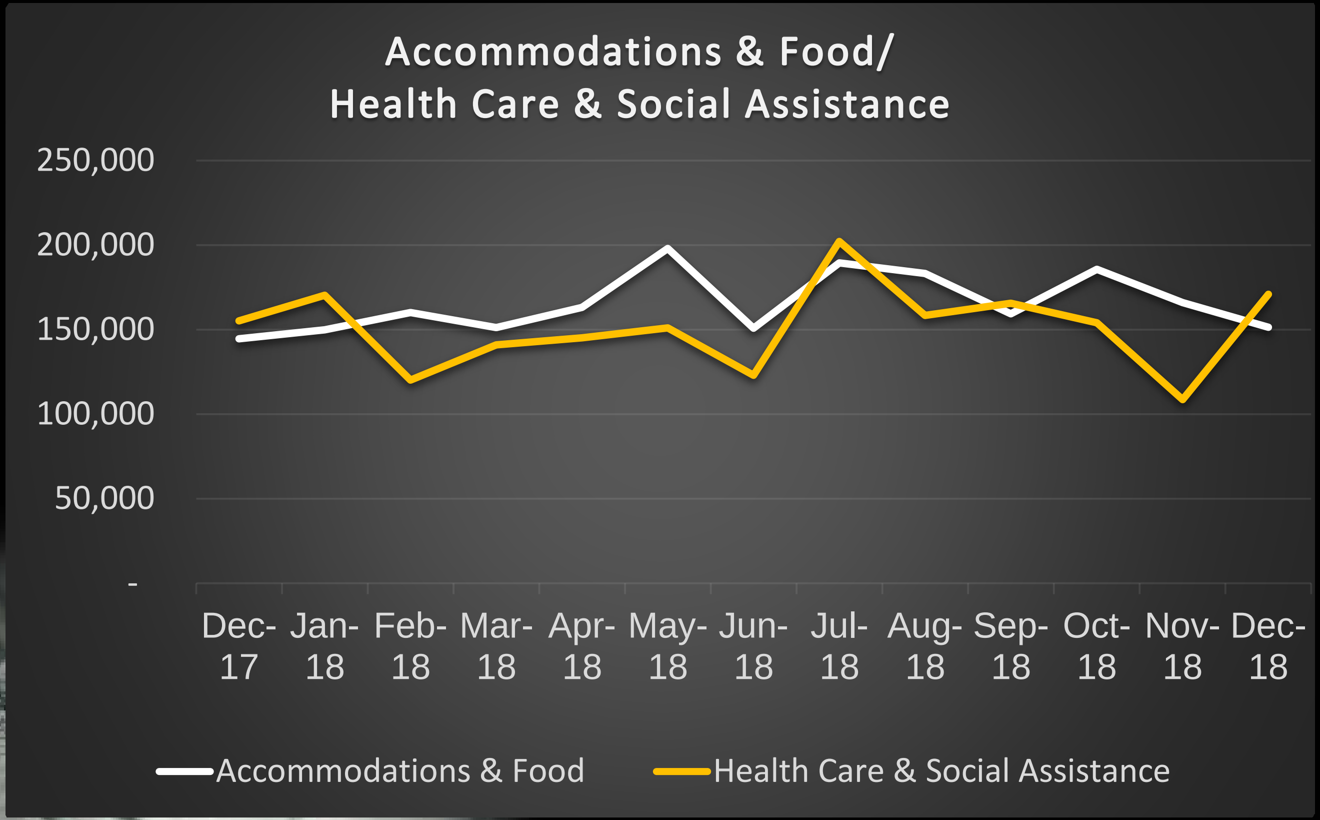
Information & Cultural Industries   Professional, Scientific & Tech



Month	Information & Cultural Industries	Variance Prior Month Amount	Variance Prior Month %	Variance Prior Year Amount	Variance Prior Year %	Professional, Scientific & Tech	Variance Prior Month Amount	Variance Prior Month %	Variance Prior Year Amount	Variance Prior Year %
Dec-17	114,419					35,722				
Jan-18	118,847					40,853				
Feb-18	116,102					52,332				
Mar-18	107,181					45,192				
Apr-18	106,560					38,213				
May-18	109,084					43,251				
Jun-18	108,906					55,877				
Jul-18	112,924					46,383				
Aug-18	113,694					51,512				
Sep-18	109,518					30,768				
Oct-18	108,638					56,913				
Nov-18	84,842					35,780				
Dec-18	109,314	24,472	28.84%	(5,105)	-4.46%	47,529	11,749	32.84%	11,807	33.05%
13 Month Total	1,420,027					580,324				

Gross Receipts Tax - Ma or Categories Trend
December 2018 Fiscal Year to Date

Accommodations & Food   Health Care & Social Assistance



Month	Accommodations & Food	Variance Prior Month Amount	Variance Prior Month %	Variance Prior Year Amount	Variance Prior Year %	Health Care & Social Assistance	Variance Prior Month Amount	Variance Prior Month %	Variance Prior Year Amount	Variance Prior Year %
Dec-17	144,567					155,145				
Jan-18	149,911					170,273				
Feb-18	160,197					120,193				
Mar-18	151,217					141,070				
Apr-18	163,179					145,119				
May-18	197,985					151,051				
Jun-18	150,875					122,897				
Jul-18	189,428					202,141				
Aug-18	183,144					158,465				
Sep-18	159,374					165,613				
Oct-18	185,616					154,009				
Nov-18	165,931					108,540				
Dec-18	151,442	62,323	57.42%	15,718	10.13%	170,862	(14,490)	-8.73%	6,874	4.76%
13 Month Total	2,152,864					1,965,376				

Thank you

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 02/12/2019 **Report Date:** 02/06/2019 **Report No:** 11.

Submitted By: Rachel Hughs

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

Fiscal Impact:
Amount Budgeted:
Fund:

Additional Fiscal Impact:

Recommendation: Appoint to the Alamogordo Public Library.

Background:

Airport Zoning Board. One (1) city vacancy. Staff Liaison - Cheryl Otero-Baker
No applications received.

Alamogordo Public Library Board One (1) current city vacancy and Two (2) county vacancies. Staff Liaison - Melissa Garcia
The following individual is interested in being appointed-
Ryan Sanders - if appointed, this will be his first term.

Housing Authority Advisory Board. One (1) expiring term. Staff Liaison - Marissa Ruiz
Rhonda Devine's term will expire on March 17, 2019.
No applications received.

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

Senior Volunteer Programs Advisory Council. Two to Five (2-5) city vacancies. Staff Liaison - Neil McFarland.
No applications received.

If anyone is interested in serving on a board or committee you may apply with the City Clerk's office.

Print

Application to serve on a Board/Committee - Submission #226

Date Submitted: 2/7/2019

RECEIVED
FEB 08 2019
CITY CLERK

First Name*	Last Name*
Ryan	Sanders

Address*	City*	State*	Zip Code*
1335 McKinley Ave.	Alamogordo	NM	88310

Phone Number*	Email Address*
575-491-6996	ryguy992010@hotmail.com

Is the above address within City Limits?*

- (●) Yes
- ( ) No

Present Employer:*

Alamogordo Public Schools

Board/Committee you would like to serve on (1st choice):*

Public Library Board

Board/Committee you would like to serve on (2nd choice):

-- Select One --

Are you related to anyone who is presently employeed by the City of Alamogordo*

- ( ) Yes
- (●) No

If so, what is their relation to you?

Are you related to an Elected Official of the City of Alamogordo?*

- Yes
- No

Is so, what is their relation to you?

Experience and education relating to the Board/Committee:

I am a kindergarten-5th grade Librarian/Media Specialist at Yucca Elementary. I know about libraries and how they run/operate.
I was the Founder/(former) Chairman of a local political party for roughly two years, therefore I have experience in local government.
I have good communication and interpersonal skills because I have worked several jobs that deal with the public/people (both adults and children) (including but not limited to: private tutor, retail worker, assistant kindergarten teacher, etc.).
I have an Associate Degree in Education from New Mexico State University (I was a Meritorious graduate, a Crimson Scholar, and on the President's Honor List). I am also one year away from completing a Bachelor of Arts Degree in Educational Studies from Western Governors University. After that, I will start my Master of Science in Curriculum & Instruction from Western Governors University.

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

I have always been interested in local government, and I have been wanting to serve our community for quite some time now. I think I could bring fresh ideas to the library board and help our library grow/thrive. Libraries are a VITAL part of our community, because they are place for people to research, obtain internet access, promote literacy, offer services to the public (e.g. genealogy assistance), parents to bring their children, etc. I would love to be part of a board that guides such a great, useful, and extraordinary sector of our city: the Library!

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 02/12/2019 **Report Date:** 02/06/2019 **Report No:** 12.

Submitted By: Petria Schreiber

Subject: Adjourn into Executive Closed Session in compliance with 10-15-1(h) 8, NMSA (as amended) to discuss Real Property - both the finalization of the Fairgrounds Parking Lot lease and a potential sale of land in La Luz.

Fiscal Impact:
Amount Budgeted:
Fund:

Additional Fiscal Impact:

Recommendation:

Background: