



Alamogordo City Commission

NOTICE OF MEETING

Regular Meeting Agenda

April 9, 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

Brian Cesar Interim City Manager
Petria Schreiber City Attorney
Rachel Hughs City Clerk

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

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

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

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

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

CALL TO ORDER & ROLL CALL

Announce the presence of a Quorum.

INVOCATION & PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

PRESENTATIONS

1. Presentation of Purple Up Day for Military Kids Day Proclamation. (Richard Boss, Mayor)

2. Demonstration of the city's new Customer Service Portal for Water. *(Mark Threadgill, Customer Service Manager)*
3. Present 2018 Audit Summary Presentation. *(Farley Vener, CPA, CFE, CGMA)*

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.

4. Approve the minutes for the March 26, 2019 Regular meeting. *(Rachel Hughs, City Clerk)*
5. Consider, and act upon, Resolution 2019-13 for the acceptance and approval of the FY18 Audit. *(Stephanie Hernandez, Finance Director)* **Roll call vote required.**

ITEMS REMOVED FROM CONSENT AGENDA

NEW BUSINESS

6. Consider, and act on, request for leak abatement for 1016 Paradise Avenue in the amount of \$4,090.59. *(Mark Threadgill, Customer Service Manager)*
7. Consider, and act upon, an MOU with Otero County Economic Development Council to provide funds for branding and marketing. *(Brian Cesar, Interim City Manager)*
8. Consider, and act upon, award of Public Works Bid No. 2019-003 to Southwest Liner Systems, Inc. related to the Replace Trough Area - Lavelle Pump Station East Pond Cover project in an amount not to exceed \$64,258.92, including NMGR. *(Bob Johnson, Engineering Manager)*
9. Consider, and act upon, award of Public Works Bid No. 2019-001 to General Hydronics Utilities LLC related to the Canyon Road Water Line Extension project in an amount not to exceed \$189,350.19, including NMGR. *(Nancy Beshaler, Project Manager)*
10. Consider, and act upon, first publication of Ordinance No. 1589, An ordinance amending City of Alamogordo Code of Ordinance Appendix B, Employee Manual. *(Katie Josselyn, Human Resources Director)* **(Roll Call Vote Required)**
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), NMSA 1978 (as amended) to discuss the Fairgrounds Parking Lot Lease. **(Roll Call Vote Required).**

ADJOURNMENT

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 4/9/2019

Report Date: 3/13/2019

Report No: 1.

Submitted By: Rachel Hughs

Subject: Presentation of Purple Up Day for Military Kids Day Proclamation. (*Richard Boss, Mayor*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background: Purple Up Day for Military Kids Day is to honor and to thank children of our men and women in the military serving our county.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 4/9/2019

Report Date: 4/1/2019

Report No: 2.

Submitted By:

Subject: Demonstration of the city's new Customer Service Portal for Water. *(Mark Threadgill, Costumer Service Manager)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background:

Introduction and demonstration of the city's new Customer Service Portal powered by AquaHawk.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 4/9/2019

Report Date: 3/29/2019

Report No: 3.

Submitted By: Sue Ashe

Subject: Present 2018 Audit Summary Presentation. (*Farley Vener, CPA, CFE, CGMA*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: No action needed

Background: Presentation of FY 2018 Audit Summary



2018 AUDIT SUMMARY PRESENTATION

Presented by:

Farley Vener, CPA, CFE, CGMA
President & Managing Shareholder

TODAY'S AGENDA

- ✓ Auditor's Communications – AU-C 260
- ✓ Significant Audit Results / Opinion
- ✓ Findings/Recommendations
- ✓ Review Financial Statement Trends



Engagement Team

Partner In-Charge

Farley H. Vener, CPA, CFE, CGMA

Audit Team

Maclen Enriquez, CPA, Senior Audit Manager

Jacob Conner, Audit Manager

Rosetta Lee, Staff Auditor



Scope of Our Audit Procedures

Financial Statements

Procedures are designed to provide reasonable assurance to detect:

- Material inaccuracies in financial statements
- Internal control material weaknesses and significant deficiencies
- Procedures are not designed to find fraud although any discovered would be reported.

Federal Compliance

Procedures designed to express an opinion on compliance for each major federal program under Uniform Guidance.

Who Do We Serve?

Responsibility to provide objective fiduciary information to:

- The City Commission (provide objective fiduciary information)
- Management
- Public Interest





Auditor's Communication With Those Charged With Governance (AU-C 260)

RESPONSIBILITIES	Management	Auditor
Accounting Policies	X	
Internal Controls	X	
Significant Estimates	X	
Management Representation Letter	X	
Opinion on Financial Statements		X
Reasonable Assurance		X
Understanding of Internal Controls Sufficient to Plan the Audit		X



**Auditor's
Communication
With Those
Charged With
Governance
(AU-C 260)
Required
Communications**

COMMUNICATIONS	CONCLUSION
Accounting Practices	Consistent
Proposed Audit Adjustments	49
Adjustments Made by Client	25
Adjustments for Presentation Purposes Only	33
Passed Adjustments – Because of Immateriality	None
Disagreements with Management	None
Management's Consultations with Other Accountants	Aware of None
Discussing of Accounting Issues Prior to Retention	None
Significant Difficulties in Performing the Audit	Staff Turnover



Summary of Audit Results

Financial Statements

- | | | |
|----|---|------------|
| 1. | Type of auditor's report issued | Unmodified |
| 2. | Internal control over financial reporting: | |
| | • Material weakness(es) identified? | Yes |
| | • Significant deficiency(ies) identified not considered to be material weakness(es)? | Yes |
| | • Noncompliance material to the financial statements noted? | None |
| | • Noncompliance with State Audit Rule, NM State Statutes, NMAC or other entity compliance | Yes |



Summary of Audit Results

Federal Awards

1. Internal control over major programs:
 - Material weakness(es) identified? Yes
 - Significant deficiency(ies) identified not considered to be material weakness(es)? Yes
2. Type of auditor's report issued on compliance for major programs Unmodified
3. Any audit findings disclosed that are required to be reported in accordance with section 2 CFR § 200.516(a) Yes



Summary of Audit Results

Federal Awards (continued)

4. Identification of major programs

<u>CFDA Number</u>	<u>Name of Federal Programs</u>	<u>Funding Source</u>
97.036	Disaster Grants – Public Assistance	U.S. Department of Homeland Security

5. Dollar threshold used to distinguish between type A and type B programs: \$750,000

6. Auditee qualified as low-risk auditee? Yes



Reference # Finding

Prior Year Findings

2017-001 TRAVEL AND PER DIEM

Modified

G

2017-002 PROCUREMENT - OTHER NON-COMPLIANCE

Resolved

G

Current Year Findings

2018-001 FINANCIAL CLOSE AND MATERIAL ADJUSTMENTS

Current

A

2018-002 CERTIFICATION OF CAPITAL ASSETS ANNUAL INVENTORY

Current

G

2018-003 CAPITAL ASSETS

Current

A

2018-004 RECORDING OF STATE AND FEDERAL GRANTS AND
PREPARATION OF THE SCHEDULE OF EXPENDITURES
OF FEDERAL AWARDS

Current

A, D

2018-005 FEDERAL REPORTING

Current

E, F

2018-006 INTERNAL CONTROLS AND LIEN POLICY ON
DELINQUENT UTILITY ACCOUNTS

Current

C

2018-007 INTERNAL CONTROLS - VENDOR MASTER FILE

Current

B

* Legend for Type of Findings

- A. Material Weakness in Internal Control Over Financial Reporting
- B. Significant Deficiency in Internal Control Over Financial Reporting
- C. Other Matters Involving Internal Control Over Financial Reporting
- D. Material Weakness in Internal Control Over Compliance of Federal Awards
- E. Significant Deficiency in Internal Control Over Compliance of Federal Awards
- F. Instance of Noncompliance related to Federal Awards
- G. Non-compliance with State Audit Rule, NM State Statutes, NMAC, or other entity compliance

Findings

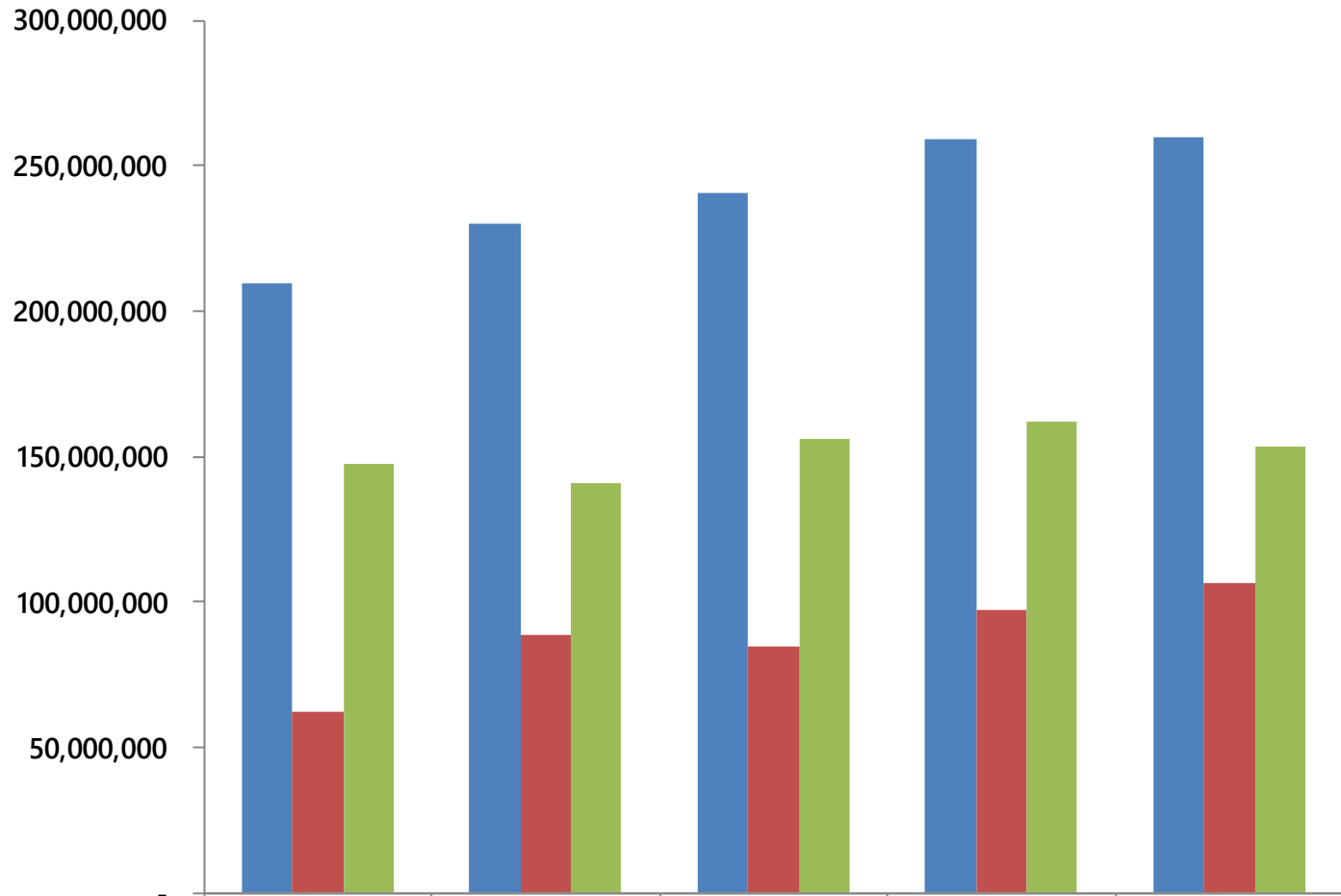


Develop	A uniform cash receipt collection policy confirming balances at individual cash collection sites.
Create	A structured policy and procedure that requires cash over/short form when discrepancies in cash counts are found
Evaluate	Deficit fund balances

Recommendations



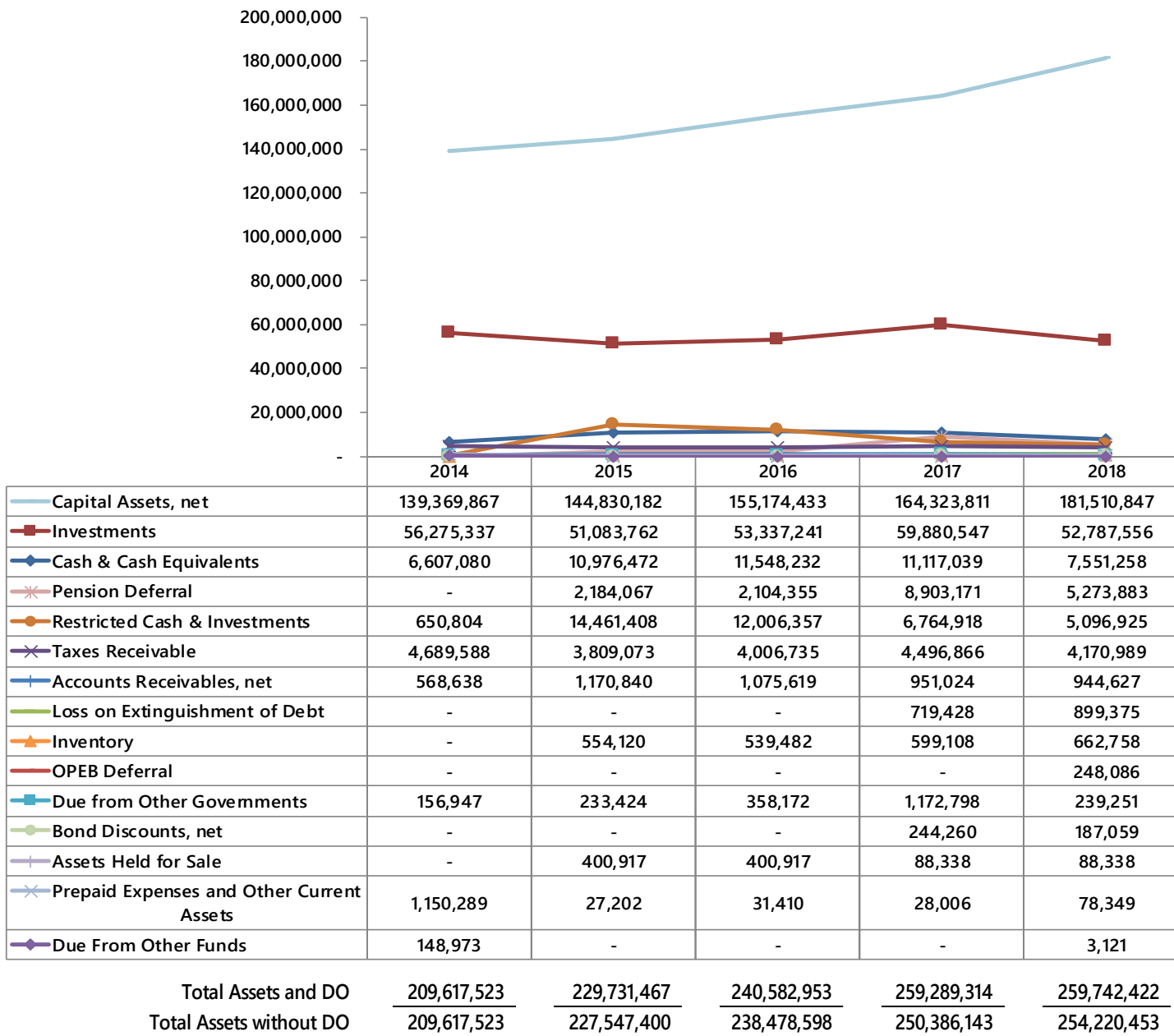
Balance Sheet Analysis



	2014	2015	2016	2017	2018
■ Assets and Deferred Outflows	209,617,523	229,731,467	240,582,953	259,289,314	259,742,422
■ Liabilities and Deferred Inflows	61,912,350	88,626,965	84,583,837	97,493,178	106,284,991
■ Net Position	147,705,173	141,104,502	155,999,116	161,796,136	153,457,431

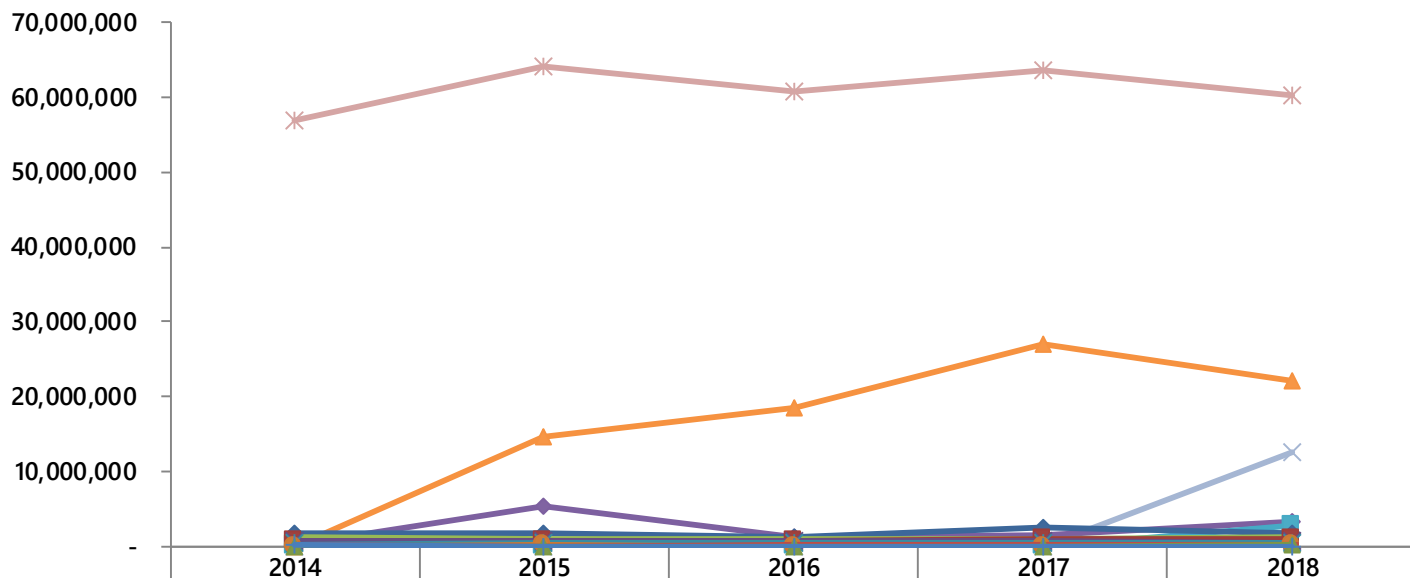


Assets and Deferred Outflows Over Time





Liabilities and Deferred Inflows Over Time



Long Term Debt	56,888,357	64,240,560	60,893,039	63,619,879	60,313,458
Net Pension Liability	-	14,486,349	18,558,534	26,926,596	22,213,058
Net OPEB Liability	-	-	-	-	12,542,302
Pension Deferral	146,489	5,368,702	1,166,863	1,416,869	3,288,349
OPEB Deferral	-	-	-	-	2,854,599
Accounts Payable	1,597,685	1,672,330	1,235,034	2,561,347	1,686,163
Compensated Absences	1,309,323	966,468	860,750	1,041,893	1,234,935
Accrued Payroll Expenses	639,731	647,104	708,107	804,560	900,403
Deposits Held in Trust for Others	790,790	745,851	679,329	673,373	659,069
Accrued Interest Payable	343,918	466,643	410,536	368,679	358,306
Other Accrued Liabilities	-	26,182	2,446	1,430	101,853
Unearned Revenue	47,084	6,776	69,199	78,552	74,741
GRT Payable	-	-	-	-	54,634
Due to Other Funds	148,973	-	-	-	3,121

Total Liabilities and DI

61,912,350

88,626,965

84,583,837

97,493,178

106,284,991

Total Liabilities w/out NPL, NOPEBL, DI

61,765,861

68,771,914

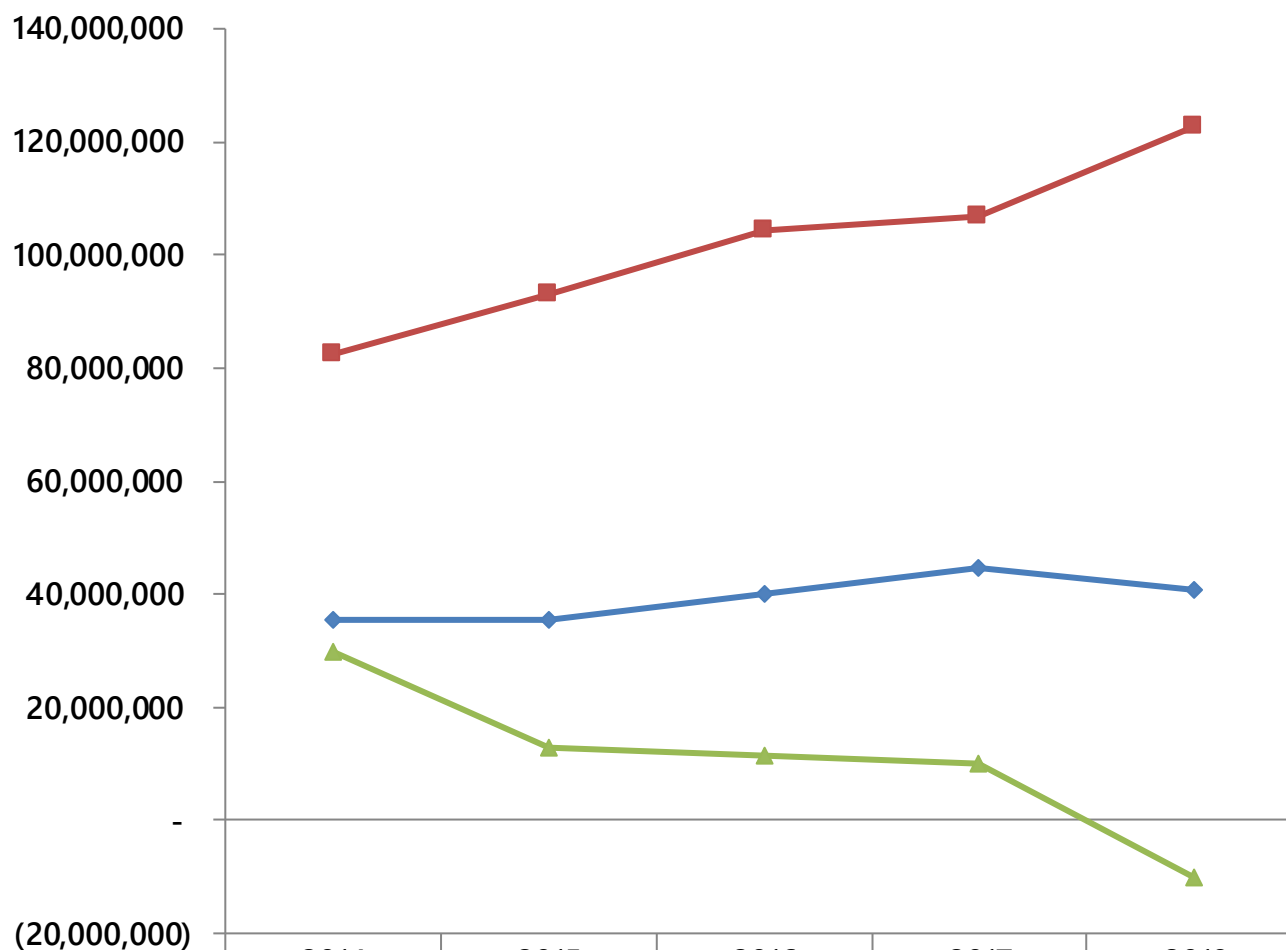
64,858,440

69,149,713

65,386,683



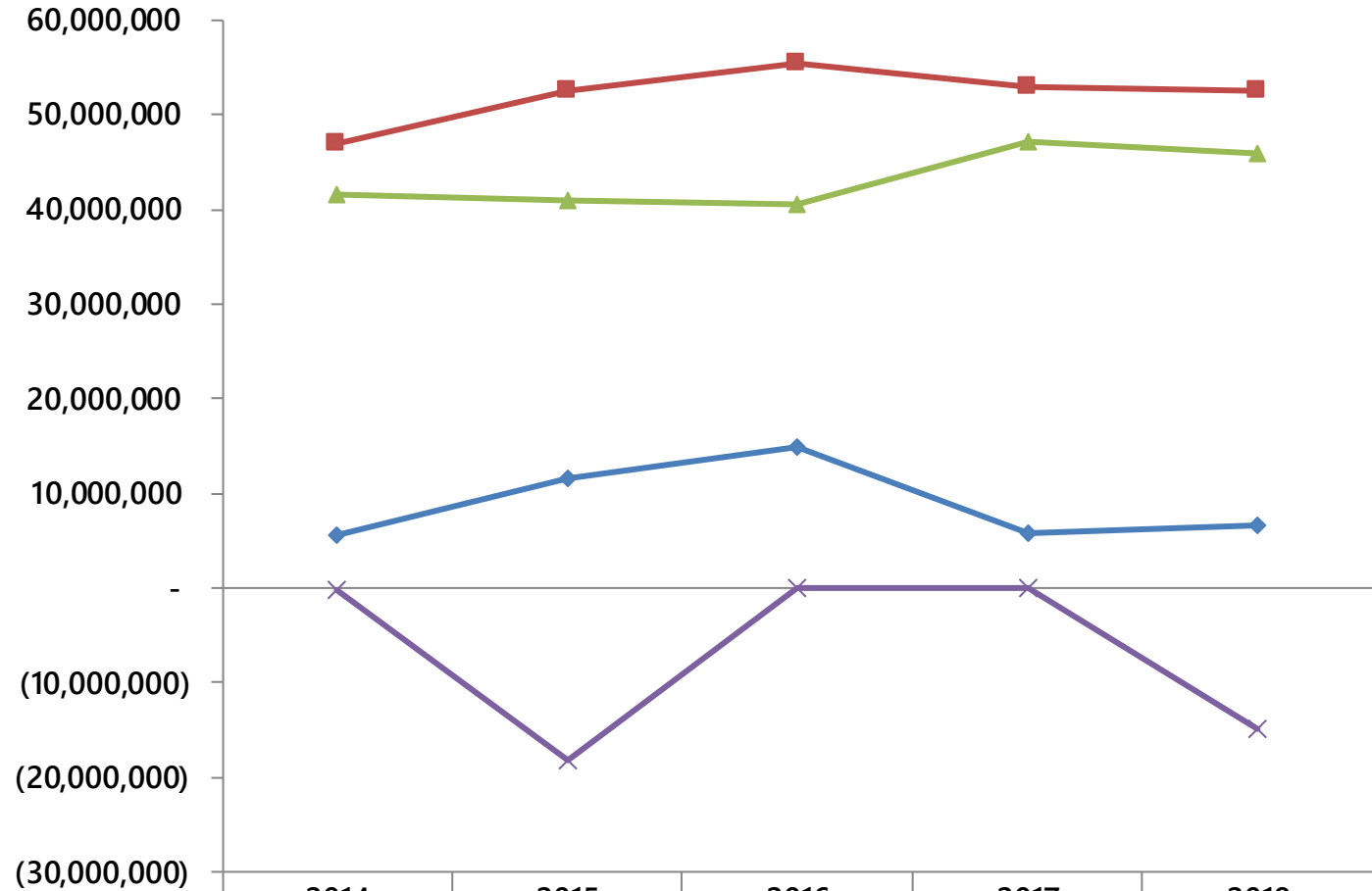
Net Position Over Time



	2014	2015	2016	2017	2018
Net Investment in Capital Assets	82,481,510	92,859,412	104,342,490	106,934,501	122,688,571
Restricted	35,330,888	35,527,568	40,027,734	44,783,349	40,746,955
Unrestricted	29,892,775	12,717,522	11,628,892	10,078,286	(9,978,095)
Total Net Position	147,705,173	141,104,502	155,999,116	161,796,136	153,457,431
Unrestricted w/out NPL, NOPEBL, DI, DO	30,039,264	30,388,506	29,249,934	29,518,580	25,398,244



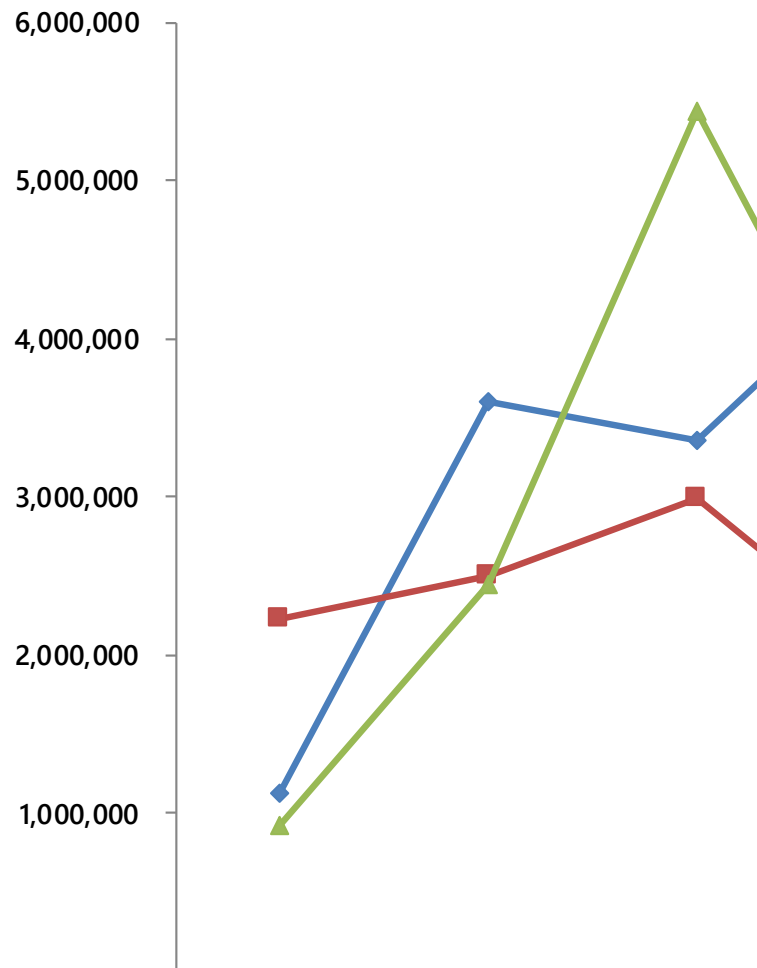
Change in Net Position



	2014	2015	2016	2017	2018
■ Total Revenue	46,977,579	52,473,136	55,350,070	53,028,641	52,511,083
▲ Total Expenses	41,487,699	40,837,761	40,455,456	47,231,621	45,853,064
◆ Change in Net Position	5,489,880	11,635,375	14,894,614	5,797,020	6,658,019
✕ Restatements	(233,630)	(18,236,046)	-	-	(14,996,724)



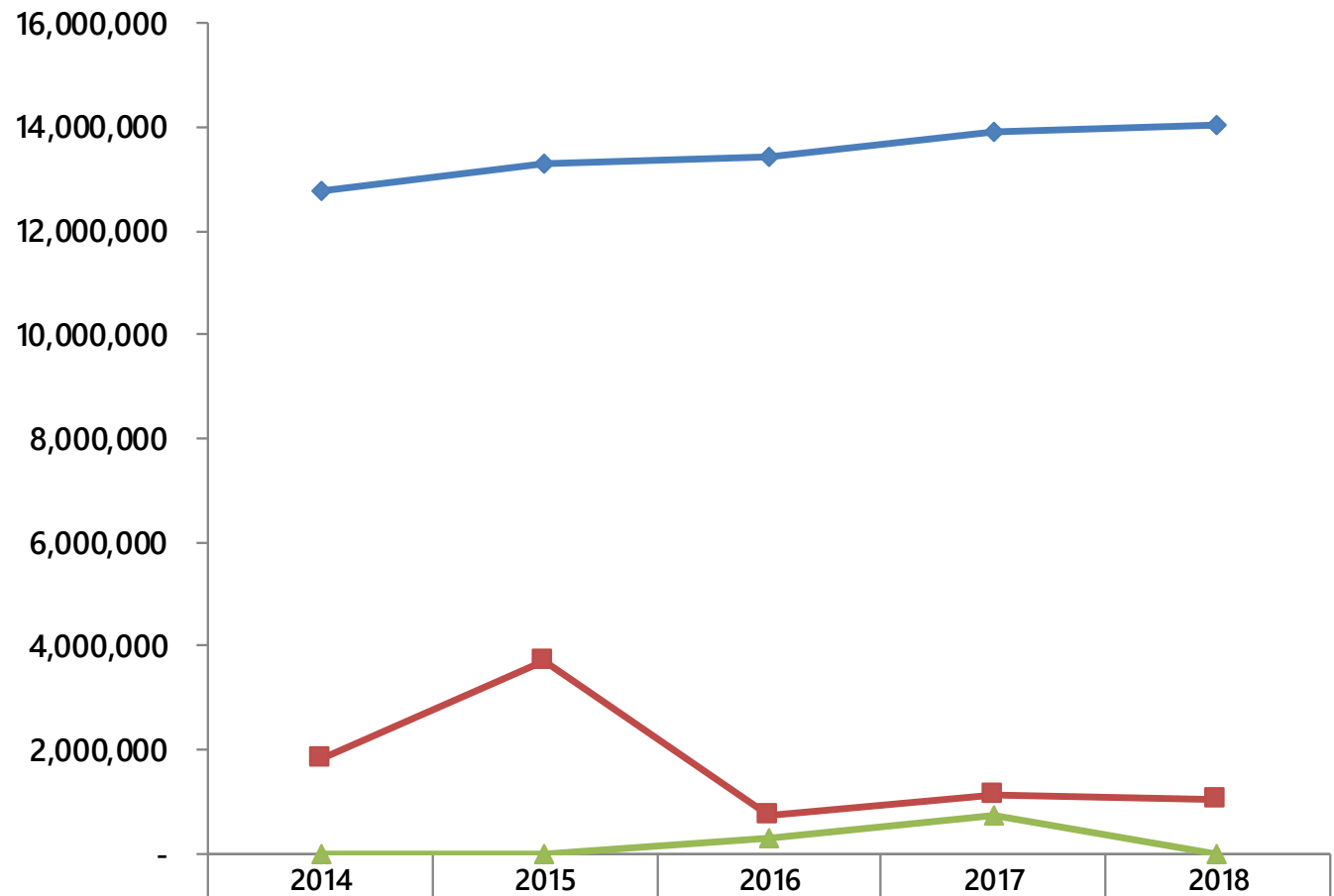
Program Revenue - Governmental Activities



	2014	2015	2016	2017	2018
Charges for Services-GA	1,133,764	3,609,636	3,356,051	4,594,106	3,945,358
Operating Grants & Contributions-GA	2,230,300	2,503,511	2,995,482	1,913,394	2,126,903
Capital Grants & Contributions-GA	925,396	2,440,854	5,445,247	2,934,258	3,002,975
Total Governmental Activity Revenue	4,289,460	8,554,001	11,796,780	9,441,758	9,075,236



Program Revenue - Business-Type Activities

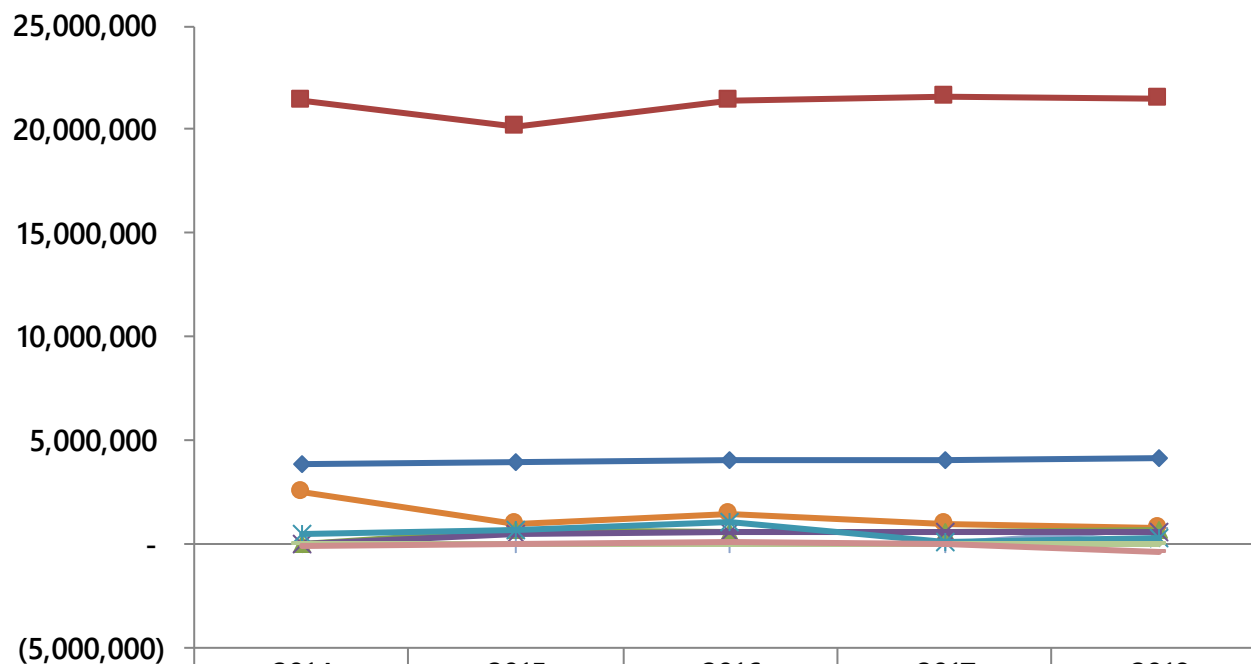


Charges for Services-BT	12,756,317	13,314,229	13,446,558	13,897,651	14,042,501
Operating Grants & Contributions-BT	1,823,274	3,704,920	716,843	1,138,149	1,020,839
Capital Grants & Contributions-BT	-	-	302,021	746,681	-

Total Business-Type Activities Revenue	14,579,591	17,019,149	14,465,422	15,782,481	15,063,340
--	------------	------------	------------	------------	------------



Program Revenue - All Other



	2014	2015	2016	2017	2018
■ Gross Receipt Taxes	21,429,277	20,152,287	21,347,747	21,583,502	21,521,753
◆ Property Taxes Levied for General Purposes	3,803,952	3,909,211	4,011,022	4,022,781	4,182,583
+ Donation of Fixed Assets	-	-	-	-	774,816
○ Miscellaneous Income	2,478,720	1,005,397	1,453,288	946,456	763,177
▲ Gas Taxes	-	667,012	611,542	607,489	639,869
✕ Lodger's Tax	-	500,800	530,113	551,102	598,010
* Investment Income	468,022	643,971	1,035,300	65,552	261,996
— Transfers	1,720	1,720	1,720	1,720	1,720
— Gain/(Loss) on Sale of Assets	(73,163)	19,588	97,136	25,800	(371,417)
Total General Revenue	28,108,528	26,899,986	29,087,868	27,804,402	28,372,507



Expenses By Type

35,000,000
30,000,000
25,000,000
20,000,000
15,000,000
10,000,000
5,000,000
-

	2014	2015	2016	2017	2018
Governmental Activity Expenses	27,336,924	26,792,750	26,784,173	30,953,242	30,110,294
Business-Type Expenses	14,150,775	14,045,011	13,671,283	16,278,379	15,742,770
Total Expenses	41,487,699	40,837,761	40,455,456	47,231,621	45,853,064



Where did the Money go in 2018?

Public Safety, 29%

General Government, 26%

Culture & Recreation, 21%

Public Works, 19%

Interest, 4%



Where did the Money go in 2017?

Public Safety, 29%

General Government, 29%

Culture & Recreation, 16%

Public Works, 21%

Health & Welfare, 1%

Interest, 5%



Wrap Up

Ensure You Receive the
Adjusting Journal Entries
and Final Trial Balance

Number of Hard Copies
(20) Requested of Audit
Report



On Call Throughout The Year

Farley H. Vener
President & Managing Shareholder

(505) 883-8788 (o)

(505) 385-4899 (c)

FVener@HL-cpas.com

Hinkle + Landers, PC

404 Brunn School Rd.

Bldg. B

Santa Fe

NM 87505

2500 9th Street NW
Albuquerque NM 87102



We appreciate all the
support we received
from Finance and
Management!

THANK YOU

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 4/9/2019

Report Date: 4/5/2019

Report No: 4.

Submitted By: Rachel Hughs

Subject: Approve the minutes for the March 26, 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
March 26, 2019**

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

**JASON BALDWIN, MAYOR PRO-TEM
DUSTY WRIGHT, COMMISSIONER
BRIAN CESAR, INTERIM CITY MANAGER
PETRIA SCHREIBER, CITY ATTORNEY
RACHEL HUGHS, CITY CLERK**

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

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

APPROVAL OF AGENDA

**Commissioner Hernandez moved to approve the agenda.
Commissioner Wright seconded the motion. Motion carried with a vote of 6-0-0.**

PRESENTATIONS

1. Mayor's State of the City Address. (*Richard Boss, Mayor*)

Mayor Boss read "I have the honor and privilege, this evening, to present the Mayor's State of the City of Address. Last year my address was quite in depth as to programs completed and pending. My address turned out to be a bit longer than planned. This year, I am taking an abbreviated approach to the report. I know my fellow commissioners will appreciate this modification. We have seen many positive things take place in our community. Several long-term city projects that have been pending, for many years, have either started or have been completed. At the February 26th Regular Commission meeting City Engineering Manager Johnson gave a complete and in-depth report updating the status of current capital projects the City is moving forward. City Engineering Manager Johnson reported on the status of twelve different projects currently in progress. All of these projects are for the betterment of Alamogordo, from improvements to our water delivery system to enhancements of our quality of life. I'm only going to mention the projects by name in this address since City Engineering Manager Johnson's report was in-depth, as to cost, expected completion date information and current status of each project. I think that you could go to that, and I will tell you how to do that in a minute. These projects consist of the following: 1) the Grigg's Reservoir Out Fall structure modifications and storm drain improvements, 2) the million gallon per day Brackish Water Treatment facility known as the Desalination Plant, 3) I believe that one is 99.999 percent complete, anyway I've included it in progress, the Washington Park Basketball Courts reconstruction, 4) Rehab Upper Heights Ground Storage tank, that was a very needed thing, 5) Street Maintenance Program - Crack Sealing Fiscal Year 19, 6) the 2017 Street Maintenance Program, 7) the Bonito Lake Restoration, which is on-going and will be for a couple of years, 8) the North Scenic Drive Extension to Mesa Verde Ranch Road, 9) 1501 Cuba Asbestos abatement and demolition, which has been completed as we speak, 10) 711 Texas Asbestos abatement and demolition, that one is in progress still, 11) McKinley Channel Phase Eight - Corps of Engineers Flood Control Project, that is a very important project, within a couple of weeks, we will be having the ribbon cutting for that and that project will start and that's going to be flood relief for a lot of the people in that area, and we are really looking forward to that it's going to be a very costly program but most of it is paid by the Corps of Engineers, 12) 2018 Street Maintenance Program. I encourage you to review the report on the City of Alamogordo website. The information can be found on the February 26th, 2019 Regular Commission meeting Agenda Reports. It is very easy to go in there and you can look at the reports that City Engineering Manager Johnson, you can watch him give them on

the monitor or you can read the minutes. I encourage you to do that and you'll understand where all of these projects stand as of this date. Some other projects that have been completed recently are the Family Fun Center, also known as and named Rocket City Fun Center. It recently opened and in operation. For those that have not visited the Fun Center yet, I encourage you to do so. I've heard some very positive comments about our new Fun Center. I've heard there are sometimes a two to three hour waits for the restaurant and sometimes also for the bowling, and I think that's encouraging. I'm sure it will die down some, but apparently people are really utilizing the facility, it's a beautiful facility. Any of you that have not been out there I encourage you to go out there and at least take a tour or walk through it. Another project, Kid's Zone, it's a new state of the art playground and recreational park for all ages. This was a great recovery from the loss of Kid's Kingdom to an arson fire. The new park is enjoyed by children and adults. When you drive down Washington Street or Oregon Street, take notice on how busy that park is. There are kids out there all the time and I mean until dark, it's just a great park. It is probably the most active park in town, I think. I figured the new would wear off by now, but it has not, I think it gets more popular all the time. We've also had additions and improvements to our Zoo which included remodeling the Children's Education Center that was an awesome remodel for our children. Sidewalk replacement, that was also very important, any of you that have been to the park, you can remember the concrete was like (he demonstrated by using hands) in places where tree roots have grown, and that's all torn out now and there's new sidewalks at the zoo. Also, the exhibits have been expanded and there is a new perimeter fence, a beautiful new fence that was put up. We are in the process right now of additional parking at the park. Another item that is completed, we've completed needed flood control at Monte Vista Cemetery. We had a flooding issue out there, especially during the monsoon season where some of the graves were actually flooded under water and obviously that couldn't be tolerated. That has been remedied, there's now relief of that water from the cemetery. Another significant and very important project was completed after years of legal battles, that being the demolition of Sahara Apartments. These dilapidated and severely damaged apartments have been an eyesore and public nuisance for many years. This is just some of the many projects that have been completed and those that are on-going. Many other great things have happened like we got some new fire trucks out there. You have probably seen them on the streets. We also have the exterior of City Hall. How old is this building"? Interim City Manager Cesar answered it was built in 1994-1995. Mayor Boss said "it had never been painted and this was the first time it was painted, and boy did it make a difference. I'm sure that everybody has noticed that. When I've talked to Business owners, there is a general feeling that the Alamogordo economy is very strong. We are seeing new businesses in town including a new jewelry cleaner/manufacturing business, which you will hear more about tonight, there are breweries, a fitness center, a new car wash, a new hotel coming and hopefully you will hear more about that tonight and that is just to name a few. New stores like Hobby Lobby, Melrose, Harbor Freight, Mad Coffee, Spaghetti Western, the Call Center and several other small shops are now doing business in White Sands Mall and more to come. I noticed right now, the remainder of the old Kmart building, Ross is going to be moving in there. They had a big crane in there, I think they were getting ready to put up the sign, so the mall has recovered from the loss of Kmart. He said we are fortunate to see that, Alamogordo people have noticed that mall is in the best repaired than it has been in a decade, probably a decade and a half at least maybe longer. The occupancy is very good." Commissioner Payne said it is hard to believe that it is our mall sometimes when she drives by. Mayor Boss said "I know it really is, and you look at how many cars are parked out there. The City of Alamogordo together with the Chamber of Commerce and Otero County Economic Development Council (OCEDC) have utilized Local Economic Development Act (LEDA) funds as an incentive to attract new businesses and to grow current businesses in Alamogordo and you will see us consider that again tonight. Recent LEDA awarded funds are: Rocket City Fun Center \$1.5 million, Drought Adaptation Industries \$357,840, TLC (the call center in the mall) \$1.5 million, Pre-Check expansion, the City gave \$50,000 in LEDA funds and the State put \$150,000 of LEDA funds into Pre-Check. The latest one which has been funded is Medlin ramps, a metal fabrication business that has acquired the old Wal-Mart property on Highway 54 and we put \$2.5 million into that, and personally I think that is going to be an extremely good thing that we have done when, for one thing that building has sat there for, I am going to say decade. I know that it has sat there for 15 to 20 years. It sat there in continual decay and now we have somebody in there that's acquired the building with City funds, and we would own the building in the event of any default. I think it is going to be a great thing for

Alamogordo. That is a total of \$5,585,780 invested in our community. Another economic significant event that I believe will be very beneficial to Alamogordo and our region is the change made at Holloman Air Force Base. Holloman has changed from what's called a combat base to a training base, which means we are not going to see, unless we go to war, our men and women leaving Alamogordo and going TDY for long distances because they are going to be here training. They are going to be leaving and more are going to be coming in. This should make the Holloman's mission more stable, with less ups and downs, securing our future and turning out the best fighter pilots in the world. On a sad note, the German Air Force, our ally and friend, is almost completely done at Holloman and most German personnel have left. There are about 60 remaining, the last I heard, and they will be gone by September. The Germans have been our friends and neighbors for about 27 years. They are going to be greatly missed. They have been here a long time, they have integrated into our community and have become a part of Alamogordo. Ladies and Gentlemen the City of Alamogordo is moving forward at a fast pace. The City, The Chamber of Commerce, Alamogordo Public School District, local businesses, Main Gate United, supporters of the branding initiative, OCEDC, Gerald Champion Regional Medical Center, NMSU-Alamogordo, Alamogordo Public Schools and many other local groups are aligned to see that our regional economy continues to move forward at an accelerated rate. I believe Otero County is also on board with these efforts, as is some of our other regional neighbors like Cloudcroft, Ruidoso and also Mescalero. They all want to see Alamogordo be very successful. I would encourage anyone interested in more information on our City to go to the City website. It is very simple, click on government, click on City Manager and open the 2018 fiscal year Annual Report. You will find 108 pages of great information on our City. This concludes my report. Thank you for your attention."

2. Golf Course 5 Year Plan. (MacArthur Blevins, Golf Course Superintendent)

Golf Course Superintendent Blevins gave the 5-year plan on the Golf Course. He spoke of how important the need of the Golf Course is and the things they will need. (See Blue Book for PowerPoint)

3. Presentation update on the Branding Initiative. (Tommy French)

Mr. French spoke on the branding initiative of Alamogordo. He said the goal is to improve our experience for the citizens, enhance the visitor experience and attract new businesses.

Ms. Bachman gave an update on some of the things they are accomplishing with the branding initiative.

Commissioner Payne said they were able to put together a non-profit branding presentation. She said they received a lot of great information. She said it was such a success that they want to do it again in May. She encouraged everyone to get involved and be that positive member of our community.

Mr. French gave an update on what they have spent to date, and what they plan on spending in the future on branding Alamogordo.

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

Ms. Anderson gave an update on the projects going on, business retention and expansion. She also discussed film and marketing. (See Blue Book for Power Point Presentation).

Mayor Boss said they want to create jobs to have their children to work in, so their children will stay in Alamogordo.

PUBLIC COMMENT

Linda de France commented on the following:

She spoke on the press release of the drop box at animal control. She said those drop boxes save animals lives. In order for Kitty City to start their Trap, Field, Release Plan, Best Friends had the stipulation that those boxes had to be eliminated. She feels that in order to save the cats they are sacrificing the dogs. She said there was a discussion at another meeting to come up with some other options. She asked if a sign could be put on these drop boxes that states, "In order for the City to do this new Cat Program, we cannot allow cats in these boxes". She asked if that would satisfy Best Friends to be able to get their funding. She does not know what happened to that idea.

Gene Downer commented on the following:

He spoke on using signs and billboards to promote the Family Fun Center and the Zoo. He said the billboards for Apple Barn has been successful because there are many billboards of the business. He mentioned other signs throughout the City.

CITY MANAGER'S REPORT

Interim City Manager Cesar made the following remarks:

1. He announced the New Finance Director is Stephanie Hernandez.
2. He said the City pool opened yesterday. He said they have received positive comments about the Women's locker room rehab.
3. He said they are on the second phase of the budgetary process.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Commissioner Sikes made the following comments:

She said as President of the Friends of the Library, she has always been proud of the Alamogordo Public Library. She said there was an author that came to the library and donated a book and had an event at the Library. Commissioner Sikes thanked Nicole Maxwell, from the newspaper, for an article she wrote. She encouraged the citizens to vote for the School Board Special Election and explained the question on the ballot. She said the reason that it is important this year is because we are, as a community, being scrutinized very closely by Holloman Air Force Base, the Air Force and the powers that be. She said if we end up looking as we don't care about the state of our school, then they are not going to care. That could be a significant impact on our community. Mayor Boss said that is number one on their list. She said the deadline for the mail ballot election is April 9, 2019.

Commissioner Hernandez made the following comments:

He commended Commissioner Sikes on the stance she took at the last Commission meeting and the way she voted. He believes she voted against her personal beliefs and voted for what was right for the constituents.

Mayor Boss made the following comments:

He congratulated Mayor Pro-Tem Baldwin for earning his designation of PGA Class Member. Mayor Boss said that is equivalent to a four-year degree.

CONSENT AGENDA

5. Approve the minutes for the March 12, 2019 Regular meeting. (Rachel Hughs, City Clerk)

6. Consider, and act upon, Ordinance 1586 for final publication to amend sections of the City Charter pursuant to the new Election State Law. (Rachel Hughs, City Clerk) (Roll Call Vote Required)

7. Consider, and act upon, final publication of Ordinance 1588 for a map amendment to the official zoning map to change the zoning of 1516 New York Ave from R-3 Two Family Dwelling

District to R4 Multiple Family Dwelling District. (City Planner Stella Rael) (Roll Call Vote Required)**8. Consider, and act upon, approval for the Alamogordo Police Department to apply for the State's Application for Law Enforcement Protection Funds. (Brian Peete, Chief of Police)**

Commissioner Hernandez moved to approve item 5, 6, 7, and 8 of the consent calendar.

Commissioner Wright seconded the motion.

Roll call vote was taken.

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

NEW BUSINESS

9. Consider, and act upon, request of water bill refund in the amount of \$624.90 for property located at 918 10th Street and changing water billing consumption averaging usage. (Roger Simmons, Property Owner)

Mr. Simmons pointed out a correction, that the water bill in question is not for 918 10th Street it is for 2299 24th Street. He explained how the City figures how a person is going to be charged for the year. He said for the months of November, December and January the City looks at how much water the person is using, and they take an average. From that they figure how much they are going to charge the person each month for the next twelve months. He asked what happens if you have a water leak during those three months and you don't catch it. He said your consumption is going to show to be high and for the next twelve months you are going to be charged that consumption rate. He said in his case it went from \$9.19 to \$71 for twelve months. He said he did not use \$71 worth of sewer every month for twelve months, he did it for two months. He said he went to the water department and they told him that they do not have the ability to abate this. He asked for his money back and to give the Water Department ability to abate this, because somebody else is going to get caught in this and they wouldn't have to come to the Commission and take up your time.

Mayor Boss asked how did the water leak for so long. Mr. Simmons said it was little in November, got bigger in December and it got cut off in January. He said in March, when his first bill came out it was for \$71.

Customer Service Manager Threadgill stated what Mr. Simmons said is correct. He said in the City of Alamogordo they have a commodity charge for sewer, it's consumption. One is for Commercial and one is for household, and household is figured on a winter quarter average. By Ordinance it states that the winter quarter average is calculated on two consecutive monthly billing cycles between November 15th and February 15th every year. He explained the calculations and how it establishes the winter quarter average for the months of March through February the following year. He said the Ordinance does not allow for an adjustment. He said they have, by practice, because the City Commission has adopted a leak abatement policy, whose purpose is to assist those that have been suffering from a leak that the City will recalculate their winter quarter average if they have a qualifying leak. He said in this case, Mr. Simmons did have a leak, the City did send out courtesy notices to the location saying that there was continuous consumption. He said Mr. Simmons' two consecutive billing cycles averaged just over 6,000 cubic feet did not qualify for a leak abatement when the new winter quarter average calculations were done and per ordinance beginning in March of 2018 his new winter quarter average was \$71.96. He said his new winter quarter average, starting this month, is \$12.86. The Ordinance does not allow for an adjustment of the winter quarter average, in order to do that they would have to amend the ordinance or re-write the ordinance.

Mayor Boss asked Customer Service Manager Threadgill what his recommendation is. He said the Commission has a Water Committee that is looking at rates, his recommendation would be that while looking at the rates, this Committee look at the winter quarter average calculations. Mayor Boss said we should consider the request from Mr. Simmons. Customer Service Manager Threadgill said right

now, the only way to do that would be change the ordinance and that is not an item on the agenda right now.

Mayor Pro-Tem Baldwin asked Customer Service Manager Threadgill if this is the only one that they've had. He answered they go through this every year. Mayor Pro-Tem Baldwin asked how many people have come in to have it abated or dealt with. Customer Service Manager Threadgill said there will be another one in the next Commission meeting. Mayor Pro-Tem Baldwin asked if it is for the same situation. Customer Service Manager Threadgill said he had a leak and did not qualify for a leak abatement, but it is not as high as Mr. Simmons. Mayor Pro-Tem Baldwin said he saw this as very similar to a regular leak abatement where he provided the information that showed it was fixed. Mayor Pro-Tem Baldwin kind of thought this was a no brainer. He also said if there is not a mechanism in our Ordinances to allow the Commission to change this particular rate or abate it, then they possibly need to look at this because he's not the first case, another one is coming up and it has happened in the past. As far as the Commission, by law not being able to do it, we have done some things outside our Ordinances before in unusual circumstances. As a Commission, we have always been careful of precedence, but he does consider this as kind of an anomaly and something they can fix with a change of the ordinance.

Mayor Boss asked Customer Service Manager Threadgill if the \$624.90 a reasonable calculation. Customer Service Manager Threadgill said the Commission would have to direct Utility Billing as to how they can recalculate the winter quarter average. The winter quarter average is by Ordinance right now. If you change the Ordinance, how are you going to change the calculation rate. He said that is something the Commission would have to tell staff, then they could recalculate that average.

Mayor Pro-Tem Baldwin said it is not the calculation rate they are worried about, it's the fact that it was the correct calculation but because of the leak it made it different. He said they would probably have to go off an average of a previous year or because this happened so long ago, possibly go off the calculation rate based off of his fixed issue at the establishment.

Commissioner Payne said it is a serious flaw in the Ordinance. She said if she understands this correctly it was kind of a fluke when he had the leak, because you are talking about a winter quarter average so that would be the winter quarter. Customer Service Manager Threadgill said he had a leak during the time the City used to calculate the winter quarter average. Commissioner Payne asked if he had the leak in June, July or August. Customer Service Manager Threadgill interrupted and said this would not have affected the average. Commissioner Payne said this is where she thinks this is serious flaw in the Ordinance because it seems to her that it is all about timing. Customer Service Manager Threadgill said there is two issues: one is the timing, and two is there is a mechanism for leak adjustments, but he did not qualify for a leak adjustment so there is nothing to adjust. He said you might say this might be a fluke but by the same token, we have hundreds of residents that pay zero sewer consumption charges because during the winter quarter average, the property was vacant or they were out of town and they had zero usage, so is that any anomaly as well. For twelve months they pay nothing for sewer even though they are using the sewer. That is what the ordinance says.

Commissioner Payne said the whole thing is a little wonky to her. She said she understands what Customer Service Manager Threadgill is saying but she is more concerned about somebody who has to overpay for consumption charges for a year because of a leak that may have happened. She asked if there is any way to tell what he paid for previous years. Customer Service Manager Threadgill said he does not have the information with him. Commissioner Payne said please don't take this wrong, but she would rather under charge our consumer than over charge. She also stated that they need to be consumer friendly, and that is not very consumer friendly when they are basically punishing them because someone had a leak during that time.

Mayor Boss asked Customer Service Manager Threadgill if he thought the \$624.90 seems reasonable, that Mr. Simmons paid because of the leak. He said without having gone through any calculations, it sounds reasonable, but that is on its face, he has not done any calculations. Mayor Boss said he thinks

they should either go with the number that Mr. Simmons has provided as reasonable or they have Customer Service Manager Threadgill go back and recalculate the rate and apply the lesser amount, what he paid before the leak. Mayor Boss asked Customer Service Manager Threadgill if he understood. Customer Service Manager Threadgill asked to what level do they want to reduce the usage. Mayor Boss asked if they could come up with some kind of average. Customer Service Manager Threadgill said he could do that.

Mayor Pro-Tem Baldwin said they should also probably address the Ordinance issue as well, that's probably going to take a couple of months to get through that process. Mayor Boss said but there is no need to wait until then to settle this problem. Mayor Pro-Tem Baldwin said possibly, that depends on Mr. Simmons.

Commissioner Sikes asked Customer Service Manager Threadgill why Mr. Simmons did not qualify for the abatement. He answered because by policy, the leak abatement, the first qualification is your water portion of the bill must be \$125 greater than the twelve previous months average, and in this case, Mr. Simmons did not meet that threshold.

Commissioner Sikes said in looking at the examples of the bills, it looks like the ones for 2018 are all credits. Customer Service Manager Threadgill said Mr. Simmons does pay a large amount upfront and runs a credit balance for most of the year. Mr. Simmons said he has nine water bills and he pays way in advance because he is out of town quite a bit.

Mayor Boss asked Mr. Simmons to summarize how he came up with \$624. He answered the \$71, he has no problem with that because he did use that for those two months. He said he took 10 months at \$71 and he subtracted out the \$9 per month that he would normally use.

Mayor Boss made the motion to direct staff to consider this and come back to this Commission with another method of calculating that and further they refund the \$624.90. Commissioner Hernandez seconded the motion and then asked for discussion.

Commissioner Hernandez said his concern was they might get inundated with these, so he wanted to know if there was some direction, they could give Interim City Manager Cesar the authority to address these, as needed, on a case by case basis. He said so that people don't have to keep coming before the Commission, because that is not customer service. Customer Service Manager Threadgill asked what the guidelines would be. Commissioner Hernandez said his amended motion would be that they give Interim City Manager Cesar the authority to make that decision as a case by case basis.

City Attorney Schreiber pointed out that there is already a motion on the table that has been seconded, they would need to undo his second and they need to amend that motion, or they need to vote that down and redo the motion.

Commissioner Hernandez asked the Commission if that is something they want to look at. Mayor Boss said that is a very good point that they do that.

Mayor Pro-Tem Baldwin said his recommendation is to use the most recent calculation.

Mayor Boss asked if they need to put that in the motion, that would be part of the Ordinance.

Mayor Pro-Tem Baldwin said it would be because Commissioner Hernandez asked for direction for Interim City Manager Cesar, and he thinks that Interim City Manager Cesar is kind of looking for it, in reference to him handling this personally. He asked Interim City Manager Cesar if that is correct. He answered correct.

Commissioner Hernandez said that would probably be for the last twelve months issue and then they need to relook at the Ordinance to allow them to do this on a case by case basis. He thinks the reason

the Ordinance was setup that way was so they could get a basis on what they bill, but if you have a leak in between that period it is going to drive your bill up. He thinks that staff needs that authority once they get passed this one because again this is the Customer Service Department, and this is not customer service.

Commissioner Payne asked about the calculations. Customer Service Manager Threadgill explained the process.

Commissioner Sikes thought it wasn't fair that they run those calculations when people are out of town and then they don't have to pay any sewage fees for the year. Customer Service Manager Threadgill stated it is the Ordinance. She said as long as they are looking at it maybe they could come up with something that is fairer. She said they cannot afford to not have everybody contributing. She thought they should look at the Ordinance at both sides. Customer Service Manager Threadgill said that was his understanding that was going to happen during the rate discussions with the Water Committee.

Commissioner Hernandez explained those calculations were brought up because those months, that is when your dormant months are, when you are not using to water vegetation, you are just using it for household use. That is why they used those months.

Commissioner Wright asked if they need to include anything about reviewing the Ordinance. **Mayor Boss said he motioned to direct staff to review this and adjust as they discussed and also that they pay the \$624 to Mr. Simmons and direct our Interim City Manager the authority to make adjustments without coming to the Commission until the ordinance is in place, adopted.**

Interim City Manager Cesar said at the next Water Committee meeting they are going to be looking at water and sewer rates. They are also going to do a comprehensive review of that portion of the Ordinance and there are a number of changes that they are going to be recommending and bringing back to the Commission, to include not just rates, but to deal about issues that they are talking about.

Mayor Boss moved to approve as amended.

Commissioner Hernandez seconded the motion.

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

10. Consider, and act upon, Resolution 2019-09, an adjustment to park fees to add Kid's Zone Park pavilion rentals and special event fees to add events of 1100 people. (Veronica Ortega, Community Services Director) (Roll Call Vote Required)

Acting Recreation Facility Manager Michaud said the proposed fees establish park rental fees for the new Kid's Zone park pavilion and also special event fees for events that are less than \$100. The proposed fees are just a match what they would charge for any other pavilion that is available for rent within the City. She said the second set of fees is the special events fees. She said they established these about a year and a half ago and they did not anticipate that they would have special events under 100 people, but they have had some requests come in, so this is establishing a new first tier for events that are 1 through 100 people, so \$60 for a non-paid event and \$120 for paid event. She said the difference between the two is the paid event is if the organizer of that event is going to be charging the public to attend that event.

Commissioner Payne asked if the paid events are for any park facility. Acting Recreation Facility Manager Michaud said yes. Commissioner Payne asked if they are charging a fee, do they don't have to give a percentage of that fee. Acting Recreation Facility Manager Michaud answered correct. Commissioner Payne asked if they are doing that because they are reserving that space, so that nobody else can use it. She said correct. Commissioner Payne said she is assuming that there is extra time involved of our City employees when they have an event like this. She also said she wanted to make it clear that is why they get charged these extra fees. Acting Recreation Facility Manager Michaud explained that for any of the parks, it is first come first serve, but if you want to make sure that

space is available on that particular day and time, then a permit is needed, and that involves more staff time.

Commissioner Hernandez inquired about the damage deposit. Recreation Facility Manager Michaud explained the process.

**Commissioner Hernandez moved to approve.
Mayor Pro-Tem Baldwin seconded the motion.
Roll call vote was taken.
Motion carried with a vote of 6-0-0.**

Acting Recreation Facility Manager Michaud spoke on the locker room renovations at the request of Interim City Manager Cesar.

11. Consider, and act upon, approval of the submitted revisions to the Community Services Partnership, Sponsorship, and Permanent Partner Policy. (Joshua Sides, Acting Special Events Manager)

Acting Special Events Manager Sides explained that the policy was confusing for staff and community members to be able to follow the policy and be able to abide by it. He said he went in and cut the fat, there was a lot of moving things around. He said the permanent partner was made its own policy and it was moved out to the City Clerk's Office. As far as the events, sponsorship and policy and procedures, it was lots of house keeping things. One of the big things was just changing the name of partnership to collaboration. He said there were two partnerships, a City Permanent partner and special events partner, and people were getting confused on what they were getting. With permanent partner being separated out and the changing of the name from partner to collaboration it really helps that it is two separate things. He said other than that there was a policy with no repercussions, so there was nothing in policy that said if you didn't do this that you would get a slap on the wrist. There was nothing of that nature.

Commissioner Sikes asked where the criteria for being a partner is. Acting Special Events Manager Sides said that is in the proposed permanent partner policy. Commissioner Sikes thought they had it pretty basic, in order to be a partner, there was an exchange of services. Acting Special Events Manager Sides said a contracting organization. He named off some current permanent partners. Mayor Pro-Tem Baldwin said it was 5.3.1 in the revised section.

Mayor Pro-Tem Baldwin requested anybody in the past that requested either a sponsorship or a collaboration or even a request for a sponsorship that they be notified of these changes so that they know they need to come annually.

**Mayor Pro-Tem Baldwin moved to approve.
Commissioner Sikes seconded the motion.
Motion carried with a vote of 6-0-0.**

12. Consider, and act upon, Resolution No. 2019-08 supporting adjustments to prices at the Sgt. Willie Estrada Memorial Civic Center, as well as Rental Contract changes. (Joshua Sides, Acting Special Events Manager) (Roll Call Vote Required)

Acting Special Events Manager Sides explained the proposed fees for the Sgt. Willie Estrada Memorial Civic Center. He said there are increases, there are also decreases in certain prices. He showed the adjusted prices as compared to the Tays Center. He also described changes to the rental contracts. (See Blue Book for fee chart)

Commissioner Payne asked why she would rent the Civic Center when she can rent the Tays Center for the same price. She said obviously, the Tays Center is making the government fee the same as a non-profit

fee. Acting Special Events Manager Sides said when he was going over these prices, he was taking the prices as they were currently and adding the proposed. She said they need to take a look at it. She stated she has an issue with the non-profit fee. She thought it needs to be in-line with at least government rate. Acting Special Events Manager Sides said he can make that change. He also stated that included in that fee, is they will set it up for you, and at the Tays you have to pay them an hourly rate to set it up. Commissioner Payne said she thinks that the City still needs to be a little more user friendly. She said if we are going to do that for our government entities, they should do that for our non-profit entities as well.

Mayor Boss asked Commissioner Payne if she wanted to propose an adjustment to this before the Commission approves it or approve it with the direction to go back and look at that particular item.

Acting Special Events Manager Sides said he thinks Commissioner Sikes had said to make it a Government/Non-Profit fee, which he thinks would make it the easiest for all parties. Commissioner Payne said that would be her recommendation.

Commissioner Wright made the motion to approve with an amendment to the auditorium rent for non-profit the same as the government at \$150.

Commissioner Wright moved to approve as amended.

Commissioner Payne seconded the motion.

Roll call vote was taken.

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

13. Consider, and act upon, GRIP (Gross Receipts Investment Application) application by LBP Alamo, LLC for the construction of a Home2Suites by Hilton hotel located at 3550 Mesa Village Dr., Alamogordo, NM 88310. (Laurie Anderson, Business Development Director)

Ms. Anderson asked the Commission to approve the GRIP application for Home 2Suites by Hilton. She said the overall project is going to be \$12 million, but the actual infrastructure to build it is \$7 million. She said they are asking for the GRIP portion.

Commissioner Hernandez asked if \$100,000 is all that is available. Interim City Manager Cesar said correct. Commissioner Hernandez asked if that is all that is available for the entire year. Interim City Manager answered yes. Commissioner Hernandez clarified that if this money was put to this, everybody else would be out. Interim City Manager Cesar answered yes. He said he wanted to make that clear so that everyone understands that. City Attorney Schreiber said just to be clear when they look at the calculation it is about 1.25 percent, it looks like if it is the true 7.3, the reimbursement would be \$91,000, but obviously they are construction figures are very round numbers. It could be more, or it could be less, that is why when you see it says for up to \$100,000.

Commissioner Hernandez said if you look at the dates of construction, April to April, there are several large projects going on in Alamogordo, so hopefully that might help the unemployment rate in construction.

Mayor Pro-Tem Baldwin said just for clarification, they have \$100,000 in that account, but in three months they will have another \$100,000 in that account. He said because of our fiscal year, July to June, they are trying to use up what they have for the next three months. City Attorney Schreiber stated right now, they have \$100,000 in the account, but if you remember the Commission approved a GRIP application for the Big Wave Car Wash which was recently completed. She said Mr. Worthan will be providing her with receipts this week. She does not believe that the money in the account rolls so it will be a flat \$100,000 in the account on July 1st.

City Attorney Schreiber said one point of order, there is no date on the GRIP application, so she thinks that they need to read into the record that her Office received the application on March 12, 2019.

Commissioner Payne asked if they can do this as a graduated thing or is there any provision to do that, maybe, over two fiscal years or something. Commissioner Sikes asked don't they pay upon receipt.

City Attorney Schreiber said they pay upon receipt; the Commission can abate all or part of the this. She said the Commission can abate up to 100 percent of the Gross Receipts as received by the City. She said they want to make sure that they do not have any projects hanging out past the sunset date. Commissioner Payne said she agrees with Commissioner Hernandez that if they do this, that is it. Mayor Boss said which they must. Commissioner Payne said City Attorney Schreiber just said we need to reimburse the Car Wash.

Mayor Boss said the Car Wash has already been paid. City Attorney Schreiber said no sir, they do it upon receipts. She said Mr. Worthan completed the project and then brought the receipts, which they encourage. Commissioner Payne asked how much the Car Wash was. City Attorney Schreiber said she does not have that off the top of her head.

Commissioner Wright said so this will wipe it out to the end of the next fiscal year, until June 2020. Mayor Pro-Tem Baldwin said it could potentially.

Commissioner Sikes asked City Attorney Schreiber knowing that they pay upon receipt, do they have criteria in the agreement that tells the City when they can pay, or can they just submit receipts at their discretion. She said Ordinance 2-15-80 actually talks about payments. She read the Ordinance. She said if you recall about 8 months ago, they presented this GRIP Ordinance, they changed a few things in this Ordinance, and this is one of the things that they changed. They set mechanisms for the payment, so it was easier for people to understand how they receive their reimbursement. Commissioner Sikes said so it's doable.

Commissioner Payne said she is concerned that they are going to have to be very careful if anyone else submits a GRIP application. Mayor Boss said they won't be able to do anything, they won't be able to act upon an application. Commissioner Payne said that is why she was suggesting the graduated as an alternative.

Mayor Pro-Tem Baldwin said he knows what Commissioner Payne is talking about, trying to spread it out over multiple periods, but it doesn't do the City any good because the City would still have to pay, unless they say they are only going to reimburse up to 50 percent of what they want. They will be in the same spot if they push it out.

Mayor Boss said the only thing he remembers is the Car Wash. He asked how long that has been. City Attorney Schreiber answered the City received that application, she believes, the beginning of last year. They opened a little later than anticipated. She added that the City did receive an application from Gerald Champion, but pulled it off the agenda, for their large project and they have not asked for it to be put back on. She does not believe they will be pursuing that at this time.

Mayor Boss asked Ms. Anderson if they are anticipating anymore. She said as of right now, no.

Commissioner Sikes said she knows that in the past, haven't they actually accepted a GRIP application much after a project was completed with Buffalo Wild Wings. City Attorney Schreiber said she believes the City did that with the Subway stores. She said that was the change with this Ordinance is that the City would require that, you put your application in before, for budgeting reasons, so that the City wouldn't get hit all at one time.

Ms. Anderson said she remembered that there is one with the new Veterinarian Clinic. She said they were anticipating putting in a GRIP application. Mayor Boss asked how soon that is. She said she had asked them to do it before they started construction. She is not sure they have started that process. She said her only concern is in the event that what happens if they do graduate it out, what would happen after July 1, if they are still taking away from that fund with this particular project. She honestly anticipates more Grip applications throughout the year, after July 1. She asked what happens with the unused funds if they do not utilize it.

Commissioner Payne asked if it rolls over. Mayor Pro-Tem Baldwin answered it does not. City Attorney Schreiber said no it does not roll over.

Mayor Pro-Tem Baldwin stated they need to make sure the Car Wash is taken care of quickly. He said the Vet is already under construction, get them to do it before the end of the year, and then the Commission approves this, and it goes towards the next fiscal year. He said they are not going to bring in their receipts until the next fiscal year, more than likely. City Attorney Schreiber said because this is a large award, they are going to need to spend it on a monthly or quarterly basis according to our Ordinance.

Commissioner Payne said they are going to have to be mindful of the fact that they next fiscal year, the hotel is it.

Mayor Pro-Tem Baldwin moved to approve.

Commissioner Hernandez seconded the motion.

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

14. Consider, and act upon, Ordinance 1590 for first publication, Amending Sections of Chapter 7 of the Alamogordo Code of Ordinances. (Petria Schreiber, City Attorney, Dwain Martinez, Animal Control Manager and Walter Oppie, Animal Control Officer) (Roll Call Vote Required)

Animal Control Officer Oppie said some of these additions are from communities around us. He picked and chose what would work best for our City and as far as what they see on the ground day-to-day. He said a majority of the additions that they added were definitions that weren't there in the original ordinances. He said the second thing he wanted to address was the limit on animals. He said he heard there was a rumor going around that they are trying to put a limit of three animals. He pointed out that the multi-animal site permit sets limits for domestic cats and dogs to ten. He said that is the limit they are trying to propose because what they see in the field. They are trying to put that limit to where people can better maintain these animals.

Animal Control Manager Dwain Martinez said Officer Oppie came to him a few months back and said that some of their Ordinances needed to be tightened up because there were too many loopholes. He explained what they did with the Ordinance to give it some teeth. He said the multi-animal permit gives them a way to track where they have large numbers of dogs. He said they are not trying to tell people that they can't have multiple, it just gives them a better tracking tool.

Mayor Boss asked if this is very similar to Roswell or Las Cruces, as far as the entire Ordinance. Animal Control Manager Martinez answered yes.

Commissioner Sikes said when she looked at Las Cruces and Roswell, they come out with a very definitive statement about mandatory spay/neuter, but in all fairness, the way they are proposing this Ordinance does the same thing. She said they are not saying you must. Animal Control Manager Martinez said yes, they have piggy backed off the State Ordinance.

Officer Oppie stated in addition to the spay/neuter, it is mandatory if they pick them up and they come to reclaim the animal or if they adopt animals from them. With the multiple dog and cat permit, any number above that allowed number, a certain number would have to be spayed or neutered. He said it states on there that you can only have one or two that are not spayed or neutered.

Mayor Boss asked why there is no recommendation on the agenda report by staff. City Attorney Schreiber said it should be to approve. She explained the purpose of the multiple dog and cat permit.

Commissioner Payne asked to explain 7-01-020 keeping restrictions. Animal Control Officer Oppie said he did not change anything in this Ordinance, he just added the numbers to keeping restrictions. He said the old keeping restriction just said pot belly pigs and goats and there was no limit. Commissioner

Payne pointed out that it said poultry. He said the number that is on the handout is incorrect for the poultry, it should read 4.

Commissioner Payne said she received a call from a lady that was upset because the house next to her had pigs and did not keep it very clean. She asked what they can do about that, is it an Animal Control, Code Enforcement or Health Department issue. Animal Control Manager Martinez explained that it could fall under a nuisance issue, they can enforce that. She asked if they changed anything. Animal Control Officer Oppie said the only change that they are proposing is there was never a limit on pigs or goats. He said the chickens were already there.

Commissioner Sikes asked City Attorney Schreiber when she goes into court for hoarding, are they usually a result of a complaint. She answered yes. Commissioner Sikes said she thinks that needs to be taken into consideration when they look at this Ordinance. So much of what is in here can only be prosecuted should a complaint come in. If neighbors complain you know that the situation is a little out of control. She pointed out that we rely often on the Rescues assisting the City and Animal Control with keeping the animals out of the shelter so that they don't get euthanized. She stated last year, 135,000 plus dogs and cats were turned into animal shelters and of those over 65,000 animals were euthanized.

Animal Control Manager Martinez said he commends what the Rescues have done for them.

Commissioner Payne asked if they could explain the drop off boxes.

Police Chief Peete stated personally at looking at the current condition of what our external drop boxes are, to him are very inhumane. He said the only thing that they are doing with this procedure is moving them into a climate control area for the animals, which is at the bay of the Alamogordo Police Department. He explained the procedure to drop off animals.

City Attorney Schreiber advised if they pass this Ordinance tonight, she would ask to amend it so that the keeping restrictions, that Commissioner Payne talked about, does say four female chickens. She said that stays in line with the Zoning Ordinance.

Commissioner Sikes asked how many dogs or cats get dropped off every week. Animal Control Officer Oppie said on average, at least 10 animals get dropped off in the drop boxes and at least eight of those are dogs, they rarely get cats.

David Cox commented on the following:

Mr. Cox said he has several cats and he does not understand why they are setting a limits on how many cats a person can have. Commissioner Payne said he would need a multiple animal permit. Mr. Cox he originally had a permit. Mayor Boss asked if the City could handle this situation. An unidentified person answered yes.

Commissioner Payne moved to approve as amended to change 3 chickens to 4.

Commissioner Sikes seconded the motion.

Roll call vote was taken.

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

Commissioner Sikes stated she knows that everything in this ordinance doesn't appeal to everybody. She is a supporter of a mandatory spay/neuter, but the portion of the ordinance that they have spoken about, pretty much guarantees that nothing that can breed leaves animal control. She said they do not have not included what it would cost for a multiple pet permit. She said they will be talking about that to make sure that their prices are fair. She said they now have something to work with. They are things that have not been addressed but this is the foundation.

15. Consider, and act upon, Ordinance 1591 for first publication to approve a Local Economic Development Project for Secured Assistance Proposed by Moran & Wright Jewelry and Metal Care Products. (Laurie Anderson, Business Development Director) (Roll Call Vote Required)

Ms. Anderson said their clients, Moran & Wright Jewelry and Metal Care Products, request to use LEDA funds for the amount of \$225,000 for the acquisition of the facility and for the infrastructure upgrade to operate at 2350 Eudora in Alamogordo. She said OCEDC's Due Diligence Committee and Board of Directors recommend favorable approval of this project.

Mr. Shannon Wright gave some of his history in the City of Alamogordo. He said he has investing a large amount of his own capital resources to show the City that he also has skin in the game. He explained what the LEDA funds would be used for. He said this project was a project in another community that was not doing very well, and he saw potential for it to be part of our community. He explained what they would produce.

Commissioner Payne asked when he sells his product is it for resale or direct sale. He stated they sell to wholesalers. He said they manufacture the product, they sell the product and then the retail them. Commissioner Payne said her concern is that it could be construed as retail. Ms. Anderson said Mr. Wright is manufacturing the product, he will have an online presence, but he manufactures the product to sell it to the wholesalers.

Mayor Pro-Tem Baldwin said his online presence is to the wholesalers, not to retail. Mr. Wright said the main focus is wholesalers, they are trying to get the companies that sell to QVC and some of these shopping networks.

Commissioner Payne asked if they would sell directly to the public. He answered down the road possibly.

Ms. Anderson stated he is producing this product. She said 50 percent of his goods are going outside the State of New Mexico. Mr. Wright said more than that. Mayor Boss asked how much is going out. Mr. Wright said he customers all over the world. He said he has one person doing all the marketing, finding all the strategies, the resources, targeting the markets that they want to go after and building a website.

Mayor Boss asked Mr. Wright if he understood that the City would have a lien on the property. He answered yes.

Ms. Anderson mentioned that Mr. Wright would have already created this job because the need is there, but however he has been learning the product and learning the business and just with the skeleton operation he has at this time he's been able to show success. She thinks when he gets fully staffed, you are going to see this business flourish.

Mayor Pro-Tem Baldwin asked where they are in the LEDA funds balance. City Attorney Schreiber stated our current balance is \$2,485,772.

Mayor Pro-Tem Baldwin moved to approve.

Commissioner Hernandez seconded the motion.

Roll call vote was taken.

Motion carried with a vote of 5-0-1. Commissioner Wright recused himself.

16. Consider, and act upon, Resolution 2019-14 requesting written approval from the Local Government Division of the Department of Finance and Administration, State of NM for the revised budget numbers computed as of March 26, 2019. (Evelyn Huff, Budget Analyst) (Roll Call Vote Required)

Budget Analyst Huff explained that they are doing two things with this Resolution. She said the first item on February 15, 2019, the Department of Finance and Administration (DFA) issued a memo to all the cities with some new guidance on how they wanted to record the Gross Receipts Tax (GRT). She

explained in the past, they've let municipalities record it however they chose, but DFA has new electronic reporting system. Now all of the municipalities are uploading their information, in the exact same format and into the exact same system. What DFA found is that some municipalities recorded their GRT in gross amounts and others recorded it in net amounts. She said the City of Alamogordo was doing it the opposite way that they wanted it. She said DFA wanted for the City to record the gross amount of our GRT in the revenue account and record the admin fee in an expense account. She explained their current process and the new process. She said the other item that they are doing is they are re-projecting our GRT through the end of the year. She said normally this is something you would see as part of the big Resolution that they do for all the re-projections for the entire City. Because they were bringing this here to separate out the gross amount and the admin fees and they are in the middle of their re-projection process they decided that they would go ahead and present the re-projected numbers rather than presenting a set of numbers, coming back later and revising those numbers again. She said they are having to revise our GRT numbers down. They have received their February allocation, which is actually the December taxes. They are \$335,563 less through February than they were at February of Fiscal Year 2018, and that is gross. She explained how they figured GRT for March, April, May and June. She said when it was all said and done, the total changed across all funds on a net basis was \$540,843. Some funds did see an increase because of them moving it up to net, some funds did see a decrease.

Commissioner Payne asked why such a decrease. Budget Analyst Huff said in July of FY 18, they received \$2.2 million, and in July of FY 19 they received \$1.9 million, their difference was \$276,000. She said September, October, December and January they received more this year and the biggest there was in October where they received \$86,000. She said July, August, November and February all saw decreases. She said July was the biggest one, which was \$276,000 and November was \$134,000. When they've had a decrease, it has been a pretty substantial decrease. When they've had an increase, it hasn't been as high. She couldn't say what has been different from July of 2018 versus July of 2019.

Mayor Pro-Tem Baldwin said historically it has been big construction projects. He said he is not worried about these changes because there are a lot of construction projects that the City is going to get the GRTs for over the next six months.

Mayor Boss said it is no question that the housing market has slowed way down, on building houses. He said it's not a surprise.

Mayor Pro-Tem Baldwin moved to approve.

Commissioner Hernandez seconded the motion.

Roll call vote was taken.

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

17. Consider, and act upon, approval of a project and conduction of a DFA approved low to moderate income determination survey, if applicable, for the 2019 New Mexico Community Development Block Grant Program application. (Debbie Osborne, Grant Coordinator)

Grant Coordinator Osborne explained that the Community Block Grant Program (CDBG) provides funding for projects that benefit primary low to moderate income families. She said the State receives federal funding on an annual basis and distributes it to the different cities within the State. She said the current medium income for Otero County is \$54,300 for a family of two. To qualify for CDBG funding 51 percent of the population must be in the low- or moderate-income bracket. She said Alamogordo has 40 percent population that fall into this bracket. To do a project, they would not be able to do one that benefits the entire City, they would have to survey a population that would benefit from that project. She said they've had two public hearings, as is required, for a CDBG project and in those meeting projects that were suggested were a small playground in the Chihuahueta area. She said the City does not own any property in the area, which is a requirement. Another project that was suggested was support of housing services, it would be an apartment building offering low income rentals and on the

bottom floor they would offer medical services to families that cannot afford it and possibly a little community room. She said there is no building that the City currently has that would be available for something like that. She said staff suggested a project to renovate the after-school care area at the Family Recreation Center. She explained would they would need to do to do this project. She said the only other project that is available right now is on the ICIP list. If it is on the ICIP list it goes toward your scoring and an advantage for the City, if you have identified as a possible source of CDBG funds. That project would be ADA sidewalk improvements in the Chihuhuita area. She explained the requirements for this projects. She said funding is available up to \$500,000 with a 10 percent match. She asked the Commission if they are interested in proceeding with the project for 2019 and if so, what project they would be interested in pursuing. She also asked if they would want to wait until to 2020 to apply and possibly try for another project.

Mayor Boss asked if they do this now, would they not be able to apply in 2020. She answered they would if it was a project that was completed by 2020, you can only have one CDBG grant at a time and you have up to two years to complete a project.

Commissioner Sikes asked Grant Coordinator Osborne what the process would be to do the survey. She said they would probably mail it. She said they had to do a randomization and she believes it came to where for that area that is being considered 175 homes that would need to be surveyed. If they do not get a response, their next option would be to call these people. They would continue on the randomization until they get 175 people. Commissioner Sikes said it would be nice to pursue ADA sidewalk project. Interim City Manager Cesar said of the two, that is the one that they were looking at.

Commissioner Payne said in 2014 she was on the Community Development Advisory Board and she was hoping that they could do it back then, but they couldn't because they didn't meet the thresholds. She asked Grant Coordinator Osborne if she was thinking that may be able now. She answered possibly. She said the area would be a little smaller because they try to limit the area so that they can try and complete in two years. She said Project Manager Balderrama gave her the file from that 2014 project and it exceeded \$500,000, so maybe they can limit it to something that would be within that amount. Commissioner Payne said it would be nice not only for the disabled, but the morale.

Commissioner Sikes asked where they would come up with the 20 percent match. Grant Coordinator Osborne answered it is 10 percent, \$50,000. Interim City Manager Cesar stated the match would come out of fund 109. He said it wouldn't be a problem finding the money for this project. Commissioner Payne verified that this project would be the easiest as far as finding the match.

Grant Coordinator Osborne said she did submit to DFA to do a survey in that area only because they had to meet the deadline of March 22, 2019. If they do approve the survey for that area, they could go ahead with that project if the Commission would want to.

The Commission gave approval to pursue the project

18. Consider, and act upon, approval for the Community Services Department to submit a grant proposal to the McKee Foundation to purchase playground equipment for Washington Park. (Debbie Osborne, Grant Coordinator)

Grant Coordinator Osbourne said in 2014 the McKee Family established the Outdoor Happiness Project and their goal is to complete 50 projects in 50 States within 5 years. She said this is the last year for the project. She asked the Commission if they could go ahead and submit the grant application. She also mentioned that there is no match on the grant.

**Mayor Pro-Tem Baldwin moved to approve.
Commissioner Payne seconded the motion.
Motion carried with a vote of 6-0-0.**

19. Consider, and act upon, the Mayor traveling to Washington D.C. for a meeting with the Secretary of the Air Force from April 14-17, 2019. (Richard Boss, Mayor)

Mayor Boss explained this is to follow up on the February 20, 2018 meeting to find out what the status is of the F16 bed down, and also talk about what is happening to some of the projects that is going on at Holloman.

**Commissioner Wright moved to approve.
Mayor Pro-Tem Baldwin seconded the motion.
Motion carried with a vote of 6-0-0.**

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

Mayor Boss read the openings and appointed Kaye Ekman to the Senior Volunteer Programs Advisory Council. No one was opposed.

EXECUTIVE SESSION

21. Adjourn into Executive Closed Session in compliance with 10151(h)(8), NMSA 1978 (as amended) to discuss purchase of real property located at 209 10th Street.

**Mayor Pro-Tem Baldwin moved to adjourn into Executive Closed Session at 10:19 p.m.
Commissioner Hernandez seconded the motion.
Roll Call Vote required.
Motion carried with a vote of 6-0-0.**

ADJOURNMENT

Mayor Richard Boss

ATTEST:

City Clerk Rachel Hughs

(Prepared by Eric Barraza, Deputy Clerk)
Approved at the Regular Meeting held on April 9, 2019.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 4/9/2019

Report Date: 3/29/2019

Report No: 5.

Submitted By: Sue Ashe

Subject: Consider, and act upon, Resolution 2019-13 for the acceptance and approval of the FY18 Audit. (*Stephanie Hernandez, Finance Director*) **Roll call vote required.**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Approve the Resolution

Background: The New Mexico Department of Finance and Administration requires the Annual Audit Report to be accepted by Resolution

RESOLUTION No. 2019-13

**A RESOLUTION REQUESTING ACCEPTANCE AND APPROVAL OF THE FY18
AUDIT**

WHEREAS, the City of Alamogordo, New Mexico is required by statute to contract with an independent auditor to perform the required annual audit or agreed upon procedures for Fiscal Year 2018; and,

WHEREAS, the City of Alamogordo Governing Body has directed the accomplishment of the audit for FY18 be completed; and,

WHEREAS, this audit has been completed and presented to the City of Alamogordo Governing Body per the March 7, 2019 Letter from the State Auditor authorizing release of the FY18 audit.

WHEREAS, NMAC 2.2.2.10 (M) (4) provides in pertinent part that “Once the audit report is officially released to the agency by the state auditor (by a release letter) and the required waiting period of five calendar days has passed, unless waived by the agency in writing, the audit report shall be presented by the IPA, to a quorum of the governing authority of the agency at a meeting held in accordance with the Open Meetings Act, if applicable;” and,

NOW THEREFORE, BE IT RESOLVED THAT THE GOVERNING BODY OF THE CITY OF ALAMOGORDO, NEW MEXICO, does hereby accept and approve the completed audit report and findings as indicated within this document.

ACCEPTED AND APPROVED by the Governing Body of the City of Alamogordo, New Mexico, at a Regular Meeting held this 9th day of April 2019.

CITY OF ALAMOGORDO, NEW MEXICO
A NEW MEXICO MUNICIPAL CORPORATION

By: _____
Richard Boss, Mayor

ATTEST:

Rachel Hughs, City Clerk

APPROVED AS TO FORM:

Petria Schreiber, City Attorney

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 4/9/2019

Report Date:

Report No: 6.

Submitted By: Mark Threadgill

Subject: Consider, and act on, request for leak abatement for 1016 Paradise Avenue in the amount of \$4,090.59. *(Mark Threadgill, Customer Service Manager)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Approve the request.

Background:

Customer is requesting a leak abatement in the amount of \$4,090.59 for the billing period 10/30/18 – 11/30/18 which exceeds the dollar amount staff is authorized to approve. Additionally, the customer was approved for a leak abatement in the amount of \$2,461.47 for the billing period 09/30/18 – 10/30/18. In total the requested leak abatement is \$6,552.06.

The requested amounts are but a portion of the total bill (\$11,797.66) incurred between August 2018 and January 2019 but policy restricts leak abatements to 2 consecutive billing periods.

The City's Leak Abatement Policy limits abatements to two consecutive billing cycles per calendar year. The policy also states "...the customer took immediate action to correct the problem as soon as he/she became aware of it. If customer received notification from City of a potential leak the date of the notification shall be considered date customer became aware of leak;..."

The Customer Service Division did deliver Courtesy Notices to the service address on September 11, October 16, November 14, and December 11, 2018 – to inform the customer of the continuous consumption that was occurring at the property.

While running the Budget Billing reconciliation report in December 2018 we noticed that this account had an extremely high deferred balance (water used versus water paid on budget billing). At that time (12/12/18) we did call the customer and notified them of the situation. Initially the customer requested that the water be turned off and the meter locked. They then called back and requested the water be turned back on because their tenant needed the water for an O₂ machine. I explained that the consumption was

continuing and that the customer would be responsible – the customer agreed they were responsible.

Leak was repaired, according to owner, December 22, 2018.

Utility account is in the name of the property owner and a tenant resides at the property. Owner resides out of town and pays the tenants water bill. Owner states that tenant did not see any of the 4 courtesy notices delivered to the service address. However, owner receives monthly utility bill which details monthly water use in cubic feet, gallons and dollar amount. As the customer is on Budget Billing the monthly bill also includes a “deferred” amount indicating charges the customer has incurred but not paid under budget billing.

**CITY OF ALAMOGORDO
UTILITY BILLING DEPARTMENT
RESIDENTIAL LEAK ADJUSTMENT WORKSHEET**

DATE: February 7, 2019

Customer ID	Location ID	Cycle/Route	Meter Size
71951	11710	04/40	75

Customer Name:

Houston, Rebecca & Jay

Billing Date:

12/12/18

Service Address:

1016 Paradise Ave.

Billing Period:

10/30/18-11/30/18

Average Consumption: 839

Average Bill: \$27.07

Actual Billed Consumption: 63797

Actual Bill Amount: \$4,835.76

Difference of Average and Actual must exceed \$125.00

\$4,808.69

Meets Qualifications?

Y

Difference Billed - Average 62,958

Difference Bill @ Tier 1 1.45

Total Difference \$912.89

Average Bill: \$27.07

Billed Over Average \$912.89

Total \$939.96

Total Billed: \$4,835.76

Minus Total Difference -\$939.96

Water \$3,895.80

Tax on Adjusted \$194.79

Total Adjusted \$4,090.59

**Customer is requesting relief on his/her water bill for the month of December-18
If you have any questions, please call Nichole Sierra @ ext 4261**

Prepared by: _____

UB Approval: _____

THIS LEAK ABATEMENT REQUIRES CITY COMMISSION APPROVAL

Finance Approval: _____

Charge Summary					es	
Customer ID						
Location ID	Code	Description	Amount			
Cycle/route	GR	GARBAGE	14.97		ET	
Bill date .	SW	SEWER	17.29		es :	92.42
Due date .	WA	WATER	4835.76		amt:	84.79
Type option		TAXES	243.40			
5=Display		MISC. CHARGES	32.55			
Svc		Total Actual Charges	5143.97			Est Cmt
Opt Type Ty		Budget adjustment	5051.55-		ter Number Cd	Cd
— WA RE		Total current chgs	92.42		610954	CN
		Budget amount	27.61			
		Budget charges	5079.16			
Opt	Svc				Rate Group	S/W
— *	WA				AL/I/R	
— *	WA			Bottom	AL/I/R	
— *	WA	ENTER=Exit F8=Print F10=Reprint Bill			AL/I/R	
— *	WA	F14=Send as EMAIL			AL/I/R	
— *	WA				AL/I/R	
— *	WA				AL/I/R	+
F3=Exit F6=Date F9=Summary F10=Budget charges F11=Consumption F12=Cancel						

AWG 839

839 x 1.45 = 12.17

13.90

$$\begin{array}{r} 100 \\ \hline 27.07 \end{array}$$

2,385.00+

950.00+

714.00+

1,516.00+

745.00+

562.00+

933.00+

307.00+

407.00+

300.00+

958.00+

291.00+

012

10,068.000

10,068.000

12.00

839.00*

UT470I07

CITY OF ALAMOGORDO, NEW MEXICO

2/07/19

Account History - Consumption and Actual Charges

14:56:30

Customer ID: 71951 Name: HOUSTON, REBECCA & JAY

Location ID: 11710 Addr: 1016 PARADISE AVE

Cycle/route . : 04 40 Bill type . : CYCLE BILL - BUDGET

Bill date . . : 12/12/18 Prev balance: 24.92 Charges : 92.42

Due date . . : 12/27/18 Adj/Pmts . : .00 Bill amt: 84.79

Type options, press Enter.

5=Display

Opt	Type	Svc	Reading	Date	Actual	Consumption	Demand	Consumption	Days	Meter	Number	Cd	Est	Cmt
—	WA	REG	11/30/18		63797.00		.00	31	00610954			CN		

Opt	Svc	Comp	Description	Billed	Consumption	Amount	Rate	Group	S/W
—	TO		DELINQUENCY PROCESS	.00	32.55				
—	*	GT	GOV GROSS RECPTS TAX	.00	243.40	AL/I/R			
—	GR		GARBAGE	.00	14.97	AL/I/R			
—	SW	BASE	BASE RATE	.00	13.60	AL/I/R			
—	SW	CONS	CONSUMPTION CHARGES	321.00	3.69	AL/I/R			
—	*	WA	BASE BASE RATE	.00	13.90	AL/I/R			+

F3=Exit F6=Date F9=Summary F10=Budget charges F11=Consumption F12=Cancel

Account History - Consumption and Actual Charges

14:56:30

Customer ID: 71951 Name: HOUSTON, REBECCA & JAY

Location ID: 11710 Addr: 1016 PARADISE AVE

Cycle/route . : 04 40 Bill type . : CYCLE BILL - BUDGET

Bill date . . : 12/12/18 Prev balance: 24.92 Charges : 92.42

Due date . . : 12/27/18 Adj/Pmts . : .00 Bill amt: 84.79

Type options, press Enter.

5=Display

Opt	Type	Svc	Reading	Date	Actual Consumption	Demand Consumption	Days	Meter Number	Est Cmt Cd
—	WA	REG	11/30/18		63797.00	.00	31	00610954	CN

Opt	Svc	Comp	Description	Billed Consumption	Amount	Rate Group	S/W
—	*	WA CON1	TIER 1	1500.00	21.75	AL/I/R	
—	*	WA CON2	TIER 2	1500.00	35.25	AL/I/R	
—	*	WA CON3	TIER 3	1000.00	36.50	AL/I/R	
—	*	WA CON4	TIER 4	1000.00	53.00	AL/I/R	
—	*	WA CON5	TIER 5	58797.00	4674.36	AL/I/R	
—	*	WA CAP	CAPITAL SURCHARGE 81	.00	1.00	AL/I/R	+

F3=Exit F6=Date F9=Summary F10=Budget charges F11=Consumption F12=Cancel



Alamogordo, NM

Reading v

- ☐ All Cycle
- ☐ Cycle01
- ☐ Cycle02
- ☐ Cycle03
- ☒ Cycle04
- ☐ Cycle05
- ☐ Cycle06
- ☐ Cycle07
- ☐ Cycle08
- ☐ Cycle09
- ☐ Cycle10
- ☐ Cycle11
- ☐ Cycle12
- ☐ Cycle13

Reading Report Reading Detail Profile Graph Graph Options

Account#: 071951011710WA00CF
Name: HOUSTON, REBECCA & J
Meter ID: 00610954
MIU SN: 2029242
Address: 1016 PARADISE AVE

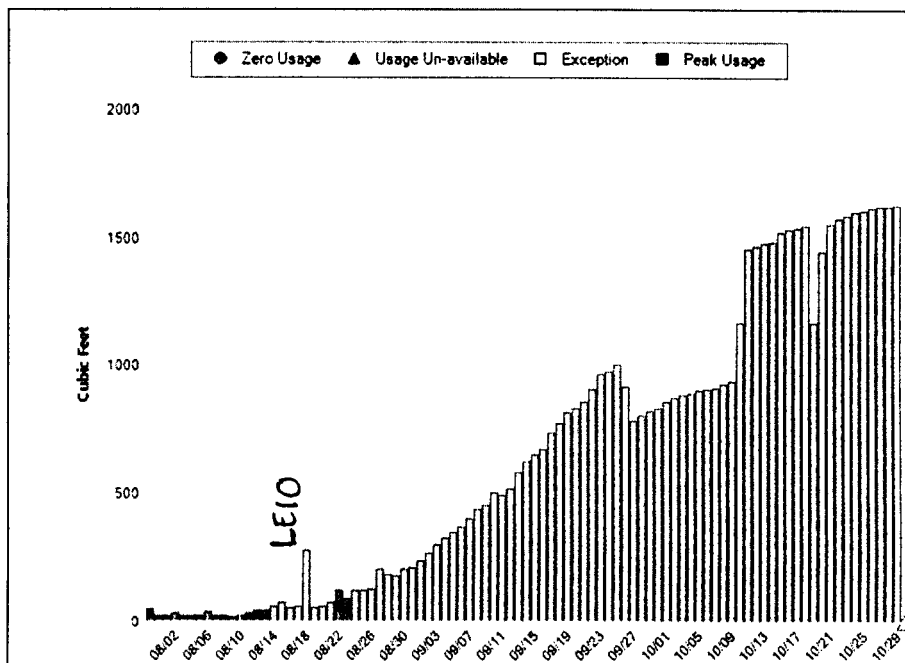
Utility: Alamogordo, NM
Cycle: 04
Route: 40
Sequence: 005640
City, State: Alamogordo, NM
Period: 7/30/2018 - 10/30/2018

Peak consumption of 1631 cubic feet occurred during the day of 10/29/18

Current Read: 89305 **Read Time:** 10/30/2018 12:00:00 AM
Graph Date: 2/13/2019 9:55:31 AM

Align To Billing Begin Date: 7/30/2018 00:00 End Date: 10/30/2018 01:00 Agg. Level: Daily v Refresh Graph

← Now Displaying: 7/30/2018 12:00 AM - 10/30/2018 1:00 AM →





Alamogordo, NM

Reading v

- ☐ All Cycle
- ☐ Cycle01
- ☐ Cycle02
- ☐ Cycle03
- ☒ Cycle04
- ☐ Cycle05
- ☐ Cycle06
- ☐ Cycle07
- ☐ Cycle08
- ☐ Cycle09
- ☐ Cycle10
- ☐ Cycle11
- ☐ Cycle12
- ☐ Cycle 13

Reading Report Reading Detail Profile Graph Graph Options

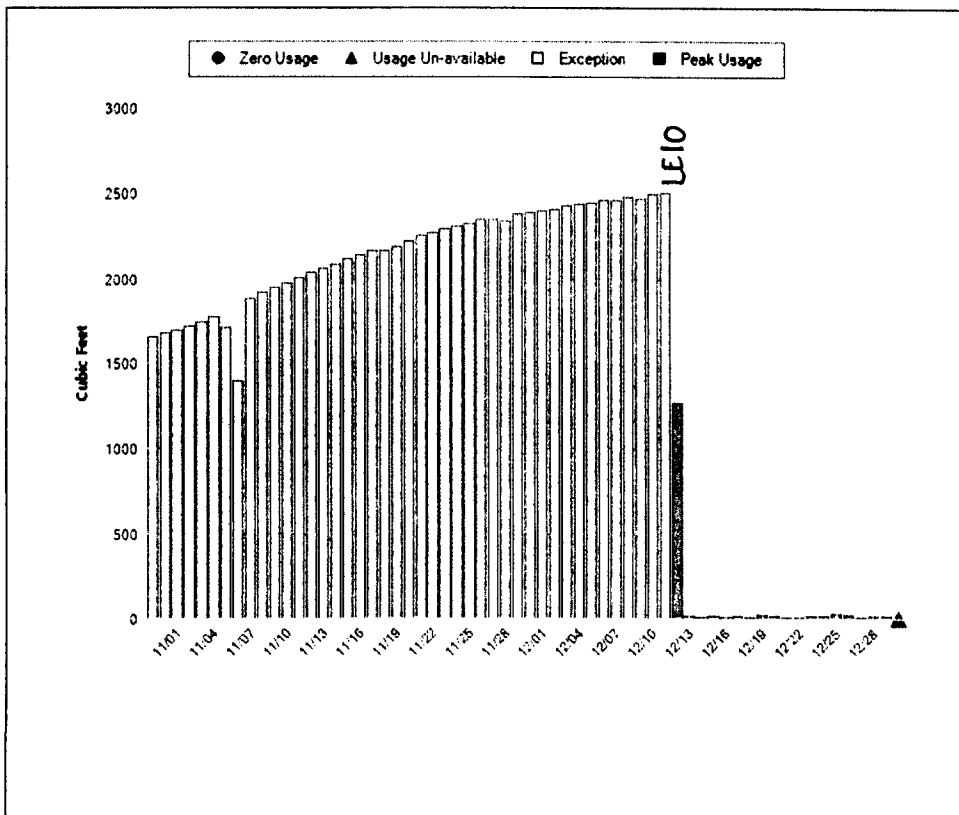
Account#: 071951011710WA00CF Name: HOUSTON, REBECCA & J Meter ID: 00610954 MIU SN: 2029242 Address: 1016 PARADISE AVE	Utility: Alamogordo, NM Cycle: 04 Route: 40 Sequence: 005640 City, State: Alamogordo, NM Period: 10/30/2018 - 12/30/2018
--	---

Peak consumption of 2502 cubic feet occurred during the day of 12/11/18

Current Read: 183201 **Read Time:** 12/30/2018 12:00:00 AM
Graph Date: 2/13/2019 9:55:31 AM

Begin Date: 10/30/2018 00:00 End Date: 12/30/2018 01:00 Agg. Level: Daily v

Now Displaying: 10/30/2018 12:00 AM - 12/30/2018 1:00 AM



**City of Alamogordo
Utility Billing Division**

RECEIVED

BY: MB

Leak Abatement Request

Date of request: 1-31-2019

I, Rebecca Houston, account number 71951-11710 had a water leak at 1016 Paradise Ave., Alamogordo, NM

Description/Cause of Leak: Leak was FINALLY located near the back of the property, ~~at~~ at the base of a garden spicket. Leak originated 4' below ~~ground~~ level. No evidence of leak at ground level.

The leak was repaired on Dec 2, 2018 and I am requesting an adjustment on my water bill. ~~I have provided proof of repair; either an invoice from a plumber or receipts for parts that were purchased and used to repair the leak.~~ Repair was made by tenant, no receipts available.
I also understand that in order to qualify for an adjustment the water charges on the bill in question must be at least \$125.00 over the average water charges on the monthly bill. by tenant

Rebecca Houston
Customer's Name (print)

Rebecca Houston
Customer's Signature

(575) 491-9970
Phone Number

Leak was not discovered until the City of Alamogordo called me to inform me that it had been going on for 3 1/2 months.

Tenant at service address never saw any door tags, during those 3 1/2 months. Account was on "budget billing" so monthly bill didn't change during that time.

SEE pg 2

January 31, 2019

We, Jay Houston and Rebecca Houston,
the owners of the mobile home and land,
located at 1016 Paradise Ave, Alamo, NM,
New Mexico, do hereby authorize, Jennifer
English, the resident of said address,
(on a rent-to-own basis), permission
to have the water/sewage/trash services
for said property put into her name at her
earliest convenience.

For any questions regarding this consent,
we can be reached at (575) 491-9970 or
(575) 491-2068, at anytime during business
hours.

Rebecca Houston

JAT

UT300I01

CITY OF ALAMOGORDO, NEW MEXICO

2/13/19

Customer/Location Consumption History Inquiry

09:54:46

Customer ID: 71951 Name: HOUSTON, REBECCA & JAY

Location ID: 11710 Addr: 1016 PARADISE AVE

Cycle/Route: 04 40

Amount due: \$11,632.33

Initiation date : 9/30/05

Pending : \$.00

Termination date: 0/00/00

Customer status: A

Customer/Location status: A

Type options, press Enter.

1=Select 5=View detail 6=Display comment codes

Opt	Service	Reading	Actual	Actual		Meter	Est	Cmnt
Code	Type	Date	Consumption	Demand	Days	Number	CD	CD
—	WA	REG	1/30/19	387.00	.00	31	00610954	
—	WA	REG	12/30/18	28534.00	.00	30	00610954	
—	WA	REG	11/30/18	63797.00	.00	31	00610954	CN
—	WA	REG	10/30/18	39927.00	.00	30	00610954	CN
—	WA	REG	9/30/18	19327.00	.00	31	00610954	CN
—	WA	REG	8/30/18	2385.00	.00	31	00610954	CN
—	WA	REG	7/30/18	950.00	.00	30	00610954	
—	WA	REG	6/30/18	714.00	.00	31	00610954	+

F3=Exit F5=Print history

F6=Meter inventory

F7=Meter svc info

F8=Pending/history trans

F9=Budget trans

F24=More keys



City of Alamogordo Utility Billing Division

1376 E. Ninth Street
Alamogordo, New Mexico 88310
(575) 439-4260
ci.alamogordo.nm.us

Billing Date	Due Date	ENTER AMOUNT PAID
08/15/2018	08/30/2018	

ACCOUNT NUMBER 71951-11710

PREVIOUS BALANCE 44.76CR

CURRENT CHARGES 59.87

TOTAL AMOUNT NOW DUE 15.11

*****AUTO**MIXED AADC 870 2286

REBECCA & JAY HOUSTON
165 COLBOARD DR
FORT COLLINS CO 80525-3061

Bills are due fifteen (15) days from the billing date and are considered delinquent (10) days from the due date. A late fee of \$10.00 will appear on your next bill.

BUDGET

00007195100001171000000001511

Please write your account number on your check, detach here and return this portion with your payment.

Customer Name		Service Address		Meter Size		Account Number		Due Date		Last Payment	
										Date	Amount
REBECCA & JAY HOUSTO		1016 PARADISE AVE		075		71951-11710		08/30/2018		08/02/2018	31.50
BILLING DATE	08/15/2018	SERVICE PROVIDED FROM		06/30/2018	TO	07/30/2018	DAYS THIS BILLING		30	CYCLE ROUTE	04-40
DESCRIPTION		PREVIOUS READING	PRESENT READING	CLS	USAGE		CHARGES	SUBTOTAL			
					Cubic feet	Gallons					
WA BASE RATE		28297	29247	R	950	7106	13.90	28.68			
WA Total Consumption					0	0	1.00				
WA CAPITAL SURCHARGE 81					950	7106	13.78				
WA TIER 1											
WA Service Total											
SW BASE RATE					0	0	13.60				
SW CONSUMPTION CHARGES					321	2401	3.69				
SW Service Total											
GR GARBAGE							14.97				
GOV GROSS RECPTS TAX							3.05				
Budget account previous deferred balance: 22.75CR											
Effects of this billing's charge on the deferred balance: 4.12											
Budget account new deferred balance: 18.63CR											
Total Current Charges									59.87		
Past Due Amount (Previous Balance)									44.76CR		
Total Amount Due									15.11		

****STAGE 1 WATER RATIONING****

Alamogordo Outdoor Watering Schedule

Outdoor watering schedule for STAGE 1 WATER RATIONING:

Odd numbered addresses (street number ends in 1, 3, 5, 7, 9)
May only water on: Wednesday & Sunday

Even numbered addresses (street number ends in 0, 2, 4, 6, 8)
May only water on: Tuesday, & Saturday

All outdoor watering must take place BEFORE 8 am or AFTER 8 pm

Outdoor watering is not permitted on Monday, Thursday & Friday.

Water Usage (gallons)

0	
0	

Alamogordo Collection Center Hours

Sunday through Saturday 8:00 a.m. – 5:00 p.m.

Closed on all City recognized holidays

For a list of items accepted visit their web page at

<http://ci.alamogordo.nm.us/coa/publicworks/convenience.htm>

or call (575) 439-4109 .



**City of Alamogordo
Utility Billing Division**

1376 E. Ninth Street
Alamogordo, New Mexico 88310
(575) 439-4260
ci.alamogordo.nm.us

Billing Date	Due Date	ENTER AMOUNT PAID
09/12/2018	09/27/2018	

ACCOUNT NUMBER 71951-11710

PREVIOUS BALANCE 47.89CR

CURRENT CHARGES 75.57

TOTAL AMOUNT NOW DUE 27.68

Bills are due fifteen (15) days from the billing date and are considered delinquent (10) days from the due date. A late fee of \$10.00 will appear on your next bill.

BUDGET

00007195100001171000000002768

Please write your account number on your check, detach here and return this portion with your payment.

Customer Name			Service Address		Meter Size	Account Number		Due Date	Last Payment			
									Date	Amount		
REBECCA & JAY HOUSTO			1016 PARADISE AVE		075	71951-11710		09/27/2018	08/31/2018	31.50		
BILLING DATE	09/12/2018		SERVICE PROVIDED FROM		07/30/2018	TO	08/30/2018	DAYS THIS BILLING		31	CYCLE ROUTE	04-40
DESCRIPTION			PREVIOUS READING	PRESENT READING	CLS	USAGE		CHARGES	SUBTOTAL			
						Cubic feet	Gallons					
WA BASE RATE			29247	31632	R	2385	17841	13.90				
WA Total Consumption						0	0	1.00				
WA CAPITAL SURCHARGE 81						1500	11221	21.75				
WA TIER 1						885	6620	20.80				
WA TIER 2												
WA Service Total									57.45			
SW BASE RATE						0	0	13.60				
SW CONSUMPTION CHARGES						321	2401	3.69				
SW Service Total									17.29			
GR GARBAGE								14.97	14.97			
GOV GROSS RECPTS TAX								4.49	4.49			
Budget account previous deferred balance: 18.63CR												
Effects of this billing's charge on the deferred balance: 0.00												
Budget account new deferred balance: 18.63CR												
Total Current Charges									75.57			
Past Due Amount (Previous Balance)									47.89CR			
Total Amount Due									27.68			

STAGE 1 WATER RATIONING IS NO LONGER IN EFFECT

Outdoor watering schedule until November 1, 2018 is:

Odd numbered addresses (street number ends in 1, 3, 5, 7, 9)
May water on Sunday, Wednesday & Friday

Even numbered addresses (street number ends in 0, 2, 4, 6, 8)
May water on Tuesday, Thursday & Saturday

ALL outdoor watering must take place before 9 a.m. and after 6 p.m.

Outdoor watering is not permitted on Monday.

Water Usage (gallons)

0	
0	

Alamogordo Collection Center Hours
Sunday through Saturday 8:00 a.m. – 5:00 p.m.

Closed on all City recognized holidays

For a list of items accepted visit their web page at

<http://ci.alamogordo.nm.us/coa/publicworks/convenience.htm>
or call (575) 439-4109 .



**City of Alamogordo
Utility Billing Division**

1376 E. Ninth Street
Alamogordo, New Mexico 88310
(575) 439-4260
ci.alamogordo.nm.us

Billing Date	Due Date	ENTER AMOUNT PAID
10/17/2018	11/01/2018	

ACCOUNT NUMBER **71951-11710**

PREVIOUS BALANCE 3.82CR

CURRENT CHARGES 59.87

TOTAL AMOUNT NOW DUE **56.05**

Bills are due fifteen (15) days from the billing date and are considered delinquent (10) days from the due date. A late fee of \$10.00 will appear on your next bill.

BUDGET

00007195100001171000000005605

Please write your account number on your check, detach here and return this portion with your payment.

Customer Name		Service Address		Meter Size	Account Number	Due Date	Last Payment			
							Date	Amount		
REBECCA & JAY HOUSTO		1016 PARADISE AVE		075	71951-11710	11/01/2018	09/21/2018	31.50		
BILLING DATE	10/17/2018	SERVICE PROVIDED FROM		08/30/2018	TO	09/30/2018	DAYS THIS BILLING	31	CYCLE ROUTE	04-40
DESCRIPTION		PREVIOUS READING	PRESENT READING	CLS	USAGE		CHARGES	SUBTOTAL		
					Cubic feet	Gallons				
WA BASE RATE		31632	50959	R			13.90			
WA Total Consumption					19327	144576				
WA CAPITAL SURCHARGE 81					0	0	1.00			
WA TIER 1					1500	11221	21.75			
WA TIER 2					1500	11221	35.25			
WA TIER 3					1000	7481	36.50			
WA TIER 4					1000	7481	53.00			
WA TIER 5					14327	107173	1,139.00			
WA Service Total								1,300.40		
SW BASE RATE					0	0	13.60			
SW CONSUMPTION CHARGES					321	2401	3.69			
SW Service Total								17.29		
GR GARBAGE							14.97	14.97		
GOV GROSS RECPTS TAX							66.63	66.63		
Budget account previous deferred balance: 0.00										
Effects of this billing's charge on the deferred balance:					1,339.42					
Budget account new deferred balance: 1,339.42										

STAGE 1 WATER RATIONING IS NO LONGER IN EFFECT

Outdoor watering schedule until November 1, 2018 is:

Odd numbered addresses (street number ends in 1, 3, 5, 7, 9)
May water on Sunday, Wednesday & Friday

Even numbered addresses (street number ends in 0, 2, 4, 6, 8)
May water on Tuesday, Thursday & Saturday

ALL outdoor watering must take place before 9 a.m. and after 6 p.m.

Outdoor watering is not permitted on Monday.

Water Usage (gallons)

0	
0	

Alamogordo Collection Center Hours
Sunday through Saturday 8:00 a.m. – 5:00 p.m.

Closed on all City recognized holidays

For a list of items accepted visit their web page at

<http://ci.alamogordo.nm.us/coa/publicworks/convenience.htm>
or call (575) 439-4109 .



**City of Alamogordo
Utility Billing Division**

1376 E. Ninth Street
Alamogordo, New Mexico 88310
(575) 439-4260
ci.alamogordo.nm.us

Billing Date	Due Date	ENTER AMOUNT PAID
11/15/2018	11/30/2018	

ACCOUNT NUMBER 71951-11710

PREVIOUS BALANCE 44.95CR

CURRENT CHARGES 59.87

TOTAL AMOUNT NOW DUE 14.92

Bills are due fifteen (15) days from the billing date and are considered delinquent (10) days from the due date. A late fee of \$10.00 will appear on your next bill.

BUDGET

*****AUTO**MIXED AADC 870

REBECCA & JAY HOUSTON
165 COLBOARD DR
FORT COLLINS CO 80525-3061

00007195100001171000000001492

Please write your account number on your check, detach here and return this portion with your payment.

Customer Name		Service Address		Meter Size	Account Number	Due Date	Last Payment			
							Date	Amount		
REBECCA & JAY HOUSTO		1016 PARADISE AVE		075	71951-11710	11/30/2018	11/05/2018	32.50		
BILLING DATE	11/15/2018	SERVICE PROVIDED FROM		09/30/2018	TO	10/30/2018	DAYS THIS BILLING	30	CYCLE ROUTE	04-40
DESCRIPTION		PREVIOUS READING	PRESENT READING	CLS	USAGE		CHARGES	SUBTOTAL		
					Cubic feet	Gallons				
WA BASE RATE		50959	90886	R			13.90			
WA Total Consumption					39927	298675				
WA CAPITAL SURCHARGE 81					0	0	1.00			
WA TIER 1					1500	11221	21.75			
WA TIER 2					1500	11221	35.25			
WA TIER 3					1000	7481	36.50			
WA TIER 4					1000	7481	53.00			
WA TIER 5					34927	261272	2,776.70			
WA Service Total								2,938.10		
SW BASE RATE					0	0	13.60			
SW CONSUMPTION CHARGES					321	2401	3.69			
SW Service Total								17.29		
GR GARBAGE							14.97	14.97		
GOV GROSS RECPTS TAX							148.52	148.52		
Budget account previous deferred balance: 1,339.42										
Effects of this billing's charge on the deferred balance: 3,059.01										
Budget account new deferred balance: 4,398.43										
Total Current Charges									59.87	
Past Due Amount (Previous Balance)									44.95CR	
Total Amount Due									14.92	

STAGE 1 WATER RATIONING IS NO LONGER IN EFFECT

Outdoor watering schedule until November 1, 2018 is:

Odd numbered addresses (street number ends in 1, 3, 5, 7, 9)
May water on Sunday, Wednesday & Friday

Even numbered addresses (street number ends in 0, 2, 4, 6, 8)
May water on Tuesday, Thursday & Saturday

ALL outdoor watering must take place before 9 a.m. and after 6 p.m.

Outdoor watering is not permitted on Monday.

Water Usage (gallons)

0	
0	

Alamogordo Collection Center Hours

Sunday through Saturday 8:00 a.m. – 5:00 p.m.

Closed on all City recognized holidays

For a list of items accepted visit their web page at

<http://ci.alamogordo.nm.us/coa/publicworks/convenience.htm>

or call (575) 439-4109 .



**City of Alamogordo
Utility Billing Division**

1376 E. Ninth Street
Alamogordo, New Mexico 88310
(575) 439-4260
ci.alamogordo.nm.us

Billing Date	Due Date	ENTER AMOUNT PAID
12/12/2018	12/27/2018	

ACCOUNT NUMBER 71951-11710

PREVIOUS BALANCE 24.92

CURRENT CHARGES 59.87

TOTAL AMOUNT NOW DUE 84.79

Bills are due fifteen (15) days from the billing date and are considered delinquent (10) days from the due date. A late fee of \$10.00 will appear on your next bill.

BUDGET

*****AUTO**MIXED AADC 870

REBECCA & JAY HOUSTON
165 COLBOARD DR
FORT COLLINS CO 80525-3061

00007195100001171000000008479

Please write your account number on your check, detach here and return this portion with your payment.

Customer Name		Service Address		Meter Size		Account Number		Last Payment		
								Date	Amount	
REBECCA & JAY HOUSTO		1016 PARADISE AVE		075		71951-11710		12/27/2018	11/05/2018	32.50
BILLING DATE 12/12/2018		SERVICE PROVIDED FROM 10/30/2018		TO 11/30/2018		DAYS THIS BILLING 31		CYCLE ROUTE		04-40
DESCRIPTION		PREVIOUS READING	PRESENT READING	CLS	USAGE		CHARGES	SUBTOTAL		
					Cubic feet	Gallons				
WA BASE RATE		90886	154683	R			13.90			
WA Total Consumption					63797	477235				
WA CAPITAL SURCHARGE 81					0	0	1.00			
WA TIER 1					1500	11221	21.75			
WA TIER 2					1500	11221	35.25			
WA TIER 3					1000	7481	36.50			
WA TIER 4					1000	7481	53.00			
WA TIER 5					58797	439832	4,674.36			
WA Service Total								4,835.76		
SW BASE RATE					0	0	13.60			
SW CONSUMPTION CHARGES					321	2401	3.69			
SW Service Total								17.29		
GR GARBAGE							14.97	14.97		
GOV GROSS RECPTS TAX							243.40	243.40		
Budget account previous deferred balance: 4,398.43										
Effects of this billing's charge on the deferred balance:					5,051.55					
Budget account new deferred balance: 9,449.98										

STAGE 1 WATER RATIONING IS NO LONGER IN EFFECT

Outdoor watering schedule until November 1, 2018 is:

Odd numbered addresses (street number ends in 1, 3, 5, 7, 9)
May water on Sunday, Wednesday & Friday

Even numbered addresses (street number ends in 0, 2, 4, 6, 8)
May water on Tuesday, Thursday & Saturday

ALL outdoor watering must take place before 9 a.m. and after 6 p.m.

Outdoor watering is not permitted on Monday.

Water Usage (gallons)

0	
0	

Alamogordo Collection Center Hours
Sunday through Saturday 8:00 a.m. – 5:00 p.m.

Closed on all City recognized holidays

For a list of items accepted visit their web page at

<http://ci.alamogordo.nm.us/coa/publicworks/convenience.htm>

or call (575) 439-4109.

**CITY OF ALAMOGORDO
UTILITY BILLING DEPARTMENT
RESIDENTIAL LEAK ADJUSTMENT WORKSHEET**

DATE: February 7, 2019

Customer ID	Location ID	Cycle/Route	Meter Size
71951	11710	04/40	75

Customer Name:

Houston, Rebecca & Jay

Billing Date:

11/15/18

Service Address:

1016 Paradise Ave.

Billing Period:

09/30/18-10/30/18

Average Consumption: 839

Average Bill: \$27.07

Actual Billed Consumption: 39927

Actual Bill Amount: \$2,938.10

Difference of Average and Actual must exceed \$125.00

\$2,911.03

Meets Qualifications?

Y

Difference Billed - Average 39,088

Difference Bill @ Tier 1 1.45

Total Difference \$566.78

Average Bill: \$27.07

Billed Over Average \$566.78

Total \$593.85

Total Billed: \$2,938.10

Minus Total Difference -\$593.85

Water \$2,344.25

Tax on Adjusted \$117.21

Total Adjusted \$2,461.47

**Customer is requesting relief on his/her water bill for the month of November-18
If you have any questions, please call Nichole Sierra @ ext 4261**

Prepared by: _____

UB Approval: Nichole Sierra

Finance Approval: _____

✓

Charge Summary

Customer ID	Location ID	Code	Description	Amount	ET
Cycle/route	GR	GARBAGE		14.97	
Bill date .	SW	SEWER		17.29	es : 92.42
Due date .	WA	WATER		2938.10	amt: 14.92
Type option		TAXES		148.52	
5=Display		MISC. CHARGES		32.55	
Svc		Total Actual Charges		3151.43	Est Cmt
Opt Type Ty		Budget adjustment		3059.01-	ter Number Cd Cd
— WA RE		Total current chgs		92.42	610954 CN
		Budget amount		27.61	
		Budget charges		3086.62	
Opt	Svc				Rate Group S/W
— *	WA				AL/I/R
— *	WA			Bottom	AL/I/R
— *	WA	ENTER=Exit F8=Print F10=Reprint Bill			AL/I/R
— *	WA	F14=Send as EMAIL			AL/I/R
— *	WA				AL/I/R
— *	WA				AL/I/R +

F3=Exit F6=Date F9=Summary F10=Budget charges F11=Consumption F12=Cancel

AWG-839

-- 839 X 1.45 = 12.17

13.90

1.00

29.07

23.85+

9.50+

7.14+

15.16+

7.45+

5.62+

9.33+

3.07+

4.07+

3.00+

9.58+

2.91+

012

100.68*+

100.68÷

12. =

8.39*+

Account History - Consumption and Actual Charges

14:57:22

Customer ID: 71951 Name: HOUSTON, REBECCA & JAY

Location ID: 11710 Addr: 1016 PARADISE AVE

Cycle/route . : 04 40 Bill type . : CYCLE BILL - BUDGET

Bill date . . : 11/15/18 Prev balance: 44.95- Charges : 92.42

Due date . . : 11/30/18 Adj/Pmts . : .00 Bill amt: 14.92

Type options, press Enter.

5=Display

Opt	Svc	Reading	Actual	Demand	Days	Meter Number	Est Cmt
Opt	Type	Type	Date	Consumption	Consumption	Days	Cd Cd
—	WA	REG	10/30/18	39927.00	.00	30	00610954 CN

Opt	Svc	Comp	Description	Billed Consumption	Amount	Rate Group	S/W
—		TO	DELINQUENCY PROCESS	.00	32.55		
—	*	GT	GOV GROSS RECPTS TAX	.00	148.52	AL/I/R	
—		GR	GARBAGE	.00	14.97	AL/I/R	
—		SW BASE	BASE RATE	.00	13.60	AL/I/R	
—		SW CONS	CONSUMPTION CHARGES	321.00	3.69	AL/I/R	
—	*	WA BASE	BASE RATE	.00	13.90	AL/I/R	+

F3=Exit F6=Date F9=Summary F10=Budget charges F11=Consumption F12=Cancel

UT470I07

CITY OF ALAMOGORDO, NEW MEXICO

2/07/19

Account History - Consumption and Actual Charges

14:57:22

Customer ID: 71951 Name: HOUSTON, REBECCA & JAY

Location ID: 11710 Addr: 1016 PARADISE AVE

Cycle/route . : 04 40 Bill type . : CYCLE BILL - BUDGET

Bill date . . : 11/15/18 Prev balance: 44.95- Charges : 92.42

Due date . . : 11/30/18 Adj/Pmts . : .00 Bill amt: 14.92

Type options, press Enter.

5=Display

Opt	Svc	Reading	Actual	Demand	Est	Cmt			
Opt	Type	Type	Date	Consumption	Consumption	Days	Meter Number	Cd	Cd
—	WA	REG	10/30/18	39927.00	.00	30	00610954		CN

Opt	Svc	Comp	Description	Billed	Consumption	Amount	Rate	Group	S/W
—	*	WA	CON1 TIER 1	1500.00	21.75	AL/I/R			
—	*	WA	CON2 TIER 2	1500.00	35.25	AL/I/R			
—	*	WA	CON3 TIER 3	1000.00	36.50	AL/I/R			
—	*	WA	CON4 TIER 4	1000.00	53.00	AL/I/R			
—	*	WA	CON5 TIER 5	34927.00	2776.70	AL/I/R			
—	*	WA	CAP CAPITAL SURCHARGE 81	.00	1.00	AL/I/R			+

F3=Exit F6=Date F9=Summary F10=Budget charges F11=Consumption F12=Cancel

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 4/9/2019

Report Date: 4/1/2019

Report No: 7.

Submitted By: Brian Cesar

Subject: Consider, and act upon, an MOU with Otero County Economic Development Council to provide funds for branding and marketing. *(Brian Cesar, Interim City Manager)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve the MOU.

Background:

The City and the Chamber entered into a Memorandum of Understanding (MOU) on 8/29/18 regarding the City's payment of \$ 450,000 for the purposes of branding and marketing.

Since the time of the signing of the original MOU, OCDEC was selected and is under contract to provide economic development services to the City of Alamogordo.

Staff met with members of the Branding Alliance which is a sub committee of OCDEC in an effort to clarify a number of issues found in the original MOU. Through discussion of the future efforts of the Branding Alliance and the value those efforts bring to Alamogordo but also recognizing the issues that the City is facing in the FY 20 budget, it was mutually agreed to reduce the campaign to \$ 240,000.

Staff recommends approval of the MOU with OCDEC and this new MOU will supersede the previous MOU with the Chamber done in FY 19.

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF ALAMOGORDO, NEW MEXICO
AND THE OTERO COUNTY ECONOMIC DEVELOPMENT COUNCIL**

This Memorandum of Understanding (MOU) memorializes the agreement between the City of Alamogordo (City) and the Otero County Economic Development Council (OCEDC). The purpose of this MOU is to memorialize the agreement between the City and OCEDC regarding any City contribution to OCEDC for the purposes of branding and marketing. This MOU shall render any and all previous MOU's void.

1. The Otero County Economic Development Council, through its Branding Alliance has hired several firms to help brand Alamogordo and the surrounding area.
2. In order to form a successful branding campaign, these firms will need to purchase and develop sufficient advertising and branding initiatives.
3. The City agrees to reimburse OCEDC the actual costs of the branding campaign, up to \$240,000. This amount is inclusive of all monies spent on this effort in FY19 where no invoices were received by the City for this purpose, and shall be the City's full contribution for FY19, FY20, and FY21.
4. All submitted invoices are subject to review by the City, and may be returned as not reimbursable to OCEDC if for purposes other than advertising or rebranding.
5. The City makes no further promises or guarantees about funding in any subsequent fiscal years and encourages OCEDC and the Branding Alliance to seek outside funding.
6. Should a situation arise requiring the necessity of these funds by the City, the City may terminate this agreement in writing with 30 days' notice. The agreement shall terminate with the receipt of notice, and all invoices will be due within 30 days for payment. Any invoice given to the City after 30 days' notice of termination, will not be paid.
 - a. Parties for notice are as follows:

OCEDC	City of Alamogordo
Attn: Board of Directors	Attn: City Manager
2400 N Scenic Dr	1376 E Ninth St
Alamogordo, NM 88310	Alamogordo, NM 88310
7. Each party has had a reasonable opportunity to read this entire Agreement, to discuss its contents and meaning with a representative of their choosing, and that the terms of this Agreement are understood and voluntarily accepted.

IN WITNESS WHEREOF, City and OCEDC have executed this Memorandum of Understanding on the date set opposite their signatures.

OTERO COUNTY ECONOMIC DEVELOPMENT COUNCIL

Date: _____

Rene Hatfield
OCEDC

CITY OF ALAMOGORDO, NEW MEXICO
A New Mexico municipal corporation

Date: _____

Brian Cesar
Interim City Manager

ATTEST:

Rachel Hughs, City Clerk

APPROVED AS TO FORM:

Petria Schreiber, City Attorney

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 4/9/2019

Report Date: 4/2/2019

Report No: 8.

Submitted By: Bob Johnson

Subject: Consider, and act upon, award of Public Works Bid No. 2019-003 to Southwest Liner Systems, Inc. related to the Replace Trough Area - Lavelle Pump Station East Pond Cover project in an amount not to exceed \$64,258.92, including NMGRT. *(Bob Johnson, Engineering Manager)*

Fiscal Impact: \$64,258.92
Amount Budgeted: \$75,000.00
Fund: 081-9399-990.68-99 PW1901

Additional Fiscal Impact:

Recommendation: Approve the award.

Background: The work will consist of removing and replacing torn/deteriorated areas of an effluent pond cover with new 60-mil HDPE cover material.

The project was advertised for bids on March 3, 2019. Bids were opened at 2:00 p.m. on April 2, 2019 with one (1) bid received: Southwest Liner Systems, Inc.

Please refer to the attached bid tabulation.

BID TABULATION
REPLACE TROUGH AREA - LAVELLE PUMP STATION EAST POND COVER
PUBLIC WORKS BID NO. 2019-003
April 2, 2019 2:00 PM
COMMISSION CHAMBERS

ITEM NO.	QUANTITY	DESCRIPTION	Opinion of Probable Construction Cost	Southwest Liner Systems, Inc.
			Total Price	Total Price
Base Bid	1 L/S	Replace Trough Area - Lavelle Pump Station East Pond Cover	\$65,000.00	\$59,499.00
		NMGRT 8%	\$5,200.00	\$4,759.92
		TOTAL	\$70,200.00	\$64,258.92

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 4/9/2019

Report Date: 4/2/2019

Report No: 9.

Submitted By: Nancy Beshaler

Subject: Consider, and act upon, award of Public Works Bid No. 2019-001 to General Hydronics Utilities LLC related to the Canyon Road Water Line Extension project in an amount not to exceed \$189,350.19, including NMGRT. (*Nancy Beshaler, Project Manager*)

Fiscal Impact: \$189,350.19

Amount Budgeted: \$223,550.00

Fund: EN1609 056-9499-990.67-04 \$68,550 and 081-9303-465.67-70 \$155,000

Additional Fiscal Impact:

Recommendation: Approve the award.

Background: The work will consist of installing 18-inch C-900 PVC (approximately 690 linear feet) waterline from the south side of McKinley Channel along Canyon Road (parking lot) crossing Washington Avenue, Washington Park, 1st Street, and finally connecting to an existing 18-inch waterline located within the Cemetery.

The project was advertised for bids on March 3 and 10, 2019. Bids were opened at 1:30 p.m. on April 2, 2019 with five (5) bids received:

Please refer to the attached bid tabulation.

BID TABULATION
CANYON ROAD WATER LINE EXTENSION
PUBLIC WORKS BID NO. 2019-001
April 2, 2019

ITEM	ESTIMATED QUANTITY		DESCRIPTION	General Hydronics Utilities LLC 388888		Timberland Construction Inc 92565		Apple Mountain Constructors 367255		M & S Construction Inc 376856		Pate Construction Co Inc 50233	
				Unit Price	TOTAL AMOUNT	Unit Price	TOTAL AMOUNT	Unit Price	TOTAL AMOUNT	Unit Price	TOTAL AMOUNT	Unit Price	TOTAL AMOUNT
1	690	LF	18" DIA AWWA C-900 DR-18 WATER LINE	\$ 97.02	\$ 66,943.80	\$ 97.00	\$ 66,930.00	\$ 85.67	\$ 59,112.30	\$ 125.00	\$ 86,250.00	\$ 216.50	\$ 149,385.00
2	2	EA	TIE TO EXISTING WATER LINE	\$ 3,857.63	\$ 7,715.26	\$ 4,000.00	\$ 8,000.00	\$ 6,042.50	\$ 12,085.00	\$ 7,000.00	\$ 14,000.00	\$ 11,264.00	\$ 22,528.00
3	4	EA	LOWER EXISTING WATER LINE OR REUSE LINE	\$ 5,712.86	\$ 22,851.44	\$ 5,000.00	\$ 20,000.00	\$ 2,870.00	\$ 11,480.00	\$ 5,000.00	\$ 20,000.00	\$ 12,875.00	\$ 51,500.00
4	240	SY	REMOVE AND DISPOSE OF EXISTING PLANT MIX BITUMINOUS PAVEMENT AND BASE COURSE	\$ 9.45	\$ 2,268.00	\$ 10.00	\$ 2,400.00	\$ 38.80	\$ 9,312.00	\$ 30.00	\$ 7,200.00	\$ 23.50	\$ 5,640.00
5	50	LF	REMOVE AND DISPOSE OF EXISTING CONCRETE CURB AND GUTTER	\$ 21.00	\$ 1,050.00	\$ 30.00	\$ 1,500.00	\$ 20.00	\$ 1,000.00	\$ 60.00	\$ 3,000.00	\$ 31.00	\$ 1,550.00
6	30	SY	SAWCUT, REMOVE, AND DISPOSE OF CONCRETE (4" AND 6")	\$ 35.00	\$ 1,050.00	\$ 50.00	\$ 1,500.00	\$ 78.50	\$ 2,355.00	\$ 60.00	\$ 1,800.00	\$ 52.00	\$ 1,560.00
7	50	LF	CONCRETE CURB AND GUTTER	\$ 42.00	\$ 2,100.00	\$ 25.00	\$ 1,250.00	\$ 53.64	\$ 2,682.00	\$ 60.00	\$ 3,000.00	\$ 51.00	\$ 2,550.00
8	240	SY	PAVEMENT PATCH (INCL. PLACEMENT AND COMPACTION OF 3" PMBP, 8" THICK AGGREGAE BASE COURSE, AND PREPARATION OF SUBGRADE	\$ 50.00	\$ 12,000.00	\$ 35.00	\$ 8,400.00	\$ 78.00	\$ 18,720.00	\$ 70.00	\$ 16,800.00	\$ 82.00	\$ 19,680.00
9	3	SY	4" THICK MEDIAN CONCRETE PAVEMENT	\$ 735.00	\$ 2,205.00	\$ 135.00	\$ 405.00	\$ 298.34	\$ 895.02	\$ 200.00	\$ 600.00	\$ 350.00	\$ 1,050.00
10	27	SY	4" THICK CONCRETE SIDEWALK	\$ 99.75	\$ 2,693.25	\$ 135.00	\$ 3,645.00	\$ 37.56	\$ 1,014.12	\$ 75.00	\$ 2,025.00	\$ 130.00	\$ 3,510.00
11	1	LS	UTILITY REMOVALS	\$11,827.50	\$ 11,827.50	\$10,000.00	\$ 10,000.00	\$ 1,968.00	\$ 1,968.00	\$10,000.00	\$ 10,000.00	\$ 12,000.00	\$ 12,000.00
12	1	LS	NPDES / SWPPP (PREP, IMPLEMENTATION, AND MAINTENANCE)	\$ 1,680.00	\$ 1,680.00	\$ 3,500.00	\$ 3,500.00	\$12,582.00	\$ 12,582.00	\$ 5,000.00	\$ 5,000.00	\$ 6,365.00	\$ 6,365.00
13	1	LS	TRAFFIC CONTROL MANAGEMENT	\$ 7,485.00	\$ 7,485.00	\$ 5,000.00	\$ 5,000.00	\$23,875.00	\$ 23,875.00	\$15,000.00	\$ 15,000.00	\$ 15,800.00	\$ 15,800.00
14	1	LS	MOBILIZATION / DEMOBILIZATION	\$12,300.00	\$ 12,300.00	\$35,000.00	\$ 35,000.00	\$20,055.00	\$ 20,055.00	\$25,000.00	\$ 25,000.00	\$ 21,000.00	\$ 21,000.00
15	1	LS	CONSTRUCTION STAKING	\$ 1,155.00	\$ 1,155.00	\$ 2,000.00	\$ 2,000.00	\$20,725.00	\$ 20,725.00	\$ 5,000.00	\$ 5,000.00	\$ 3,055.00	\$ 3,055.00
16	1	ALLOW	IRRIGATION SPRINKLER SYSTEM REPAIR	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
17	1	ALLOW	UNFORESEEN UTILITIES OR OBSTRUCTION INCL POTHOLING	\$15,000.00	\$ 15,000.00	\$15,000.00	\$ 15,000.00	\$15,000.00	\$ 15,000.00	\$15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00
SUBTOTAL				\$	175,324.25	\$	189,530.00	\$	217,860.44	\$	234,675.00	\$	337,173.00
NMGRT (8.0%)				\$	14,025.94	\$	15,162.40	\$	17,428.84	\$	18,774.00	\$	26,973.84
TOTAL BASE BID with tax				\$	189,350.19	\$	204,692.40	\$	235,289.28	\$	253,449.00	\$	364,146.84
Preference				10% Local	\$ 17,532.43	8% Veterans	\$ 15,162.40	5% State	\$ 10,893.02	5% State	\$ 11,733.75	5% State	\$ 16,858.65
Bid With Preferences (for consideration of award only)				\$171,817.77		\$189,530.00		\$224,396.25		\$241,715.25		\$347,288.19	
				General Hydronics Utilities LLC 388888		Timberland Construction Inc 92565		Apple Mountain Constructors 367255		M & S Construction Inc 376856		Pate Construction Co Inc 50233	

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 4/9/2019

Report Date: 3/29/2019

Report No: 10.

Submitted By: Katie Josselyn

Subject: Consider, and act upon, first publication of Ordinance No. 1589, An ordinance amending City of Alamogordo Code of Ordinance Appendix B, Employee Manual. (*Katie Josselyn, Human Resources Director*) **(Roll Call Vote Required)**

Fiscal Impact: N/A

Amount Budgeted: \$0.00

Fund:

Additional Fiscal Impact:

N/A

Recommendation: Approve Ordinance No. 1589 for first publication.

Background:

Commission approved a new Employee Manual in January 2018, with minor amendments being made in March 2018. Staff has been tracking information over the past year that we have recognized as essential clarifications and updates necessary for more effective operations. Staff will continue to review the manual at least once annually and will present any recommended changes to Commission for consideration.

Staff is recommending updates to several sections of the manual at this time. Recommendations are based on utilization of the new manual and policies.

Amendments to the following sections are being proposed:

- 2-1. Recruitment Policy
- 2-3. Transfers/Promotions/Demotions
- 3-1. Compensation
- 4-13. Investigations, Inquiries, and Audits
- 4-15. Corrective Action Procedures
- 4-16. Grievance Process
- 4-17. Classification of Positions
- 5-16. Paid Holidays

ORDINANCE NO. 1589

AMENDING CERTAIN SECTIONS OF APPENDIX B OF THE PERSONNEL MANUAL

BE IT THEREFORE ORDAINED by the City Commission of the City of Alamogordo New Mexico that Appendix A- Personnel Manual of the *Code of Ordinances* be amended to read as follows:

SECTION 2. RECRUITMENT AND SELECTION

2-1. Recruitment Policy

Policy

It is the policy of the City to recruit and select the most qualified persons for positions in the City's service. Recruitment and selection shall be conducted in a manner that will ensure the City's best interest, open competition, provide equal employment opportunity, prohibit discrimination or favoritism as per federal and state laws and local ordinances.

Recruitment

The Human Resources Department policy is to conduct an active recruitment program designed to meet current and projected manpower needs. Recruitment will be tailored to the various classes of positions to be filled and will be directed to available sources likely to yield qualified applicants, including, but not limited to: internal posting, public notification through the New Mexico Department of Labor, media, web advertising, and posting at institutes of higher learning.

Posting of Vacancies

The Human Resources Department policy is to post and advertise job announcements in order to attract an adequate number of applicants and to promote an environment of competition that in turn will assure the selection of the most qualified candidates for any given position. These announcements shall include information sufficient to inform applicants of the pertinent features of the job.

The Human Resources Office will in its best efforts create a pool of qualified applicants to encourage diversity and ensure Equal Employment Opportunity in hiring. The following practices for listing positions will be followed under the Human Resources Department's direction with regard to Equal Employment Opportunity in the City of Alamogordo:

- A. Regular full-time positions must be open for a minimum of five (5) work days; and
- B. Must be advertised in the City's paper of record and/or on the City's official web site, except when the City determines that a given position is to be filled from within the City organization or through an employment agency such as the New Mexico Department of Labor, it will not be required to advertise in said paper of record.

A recruitment posting shall not be required when a position is reclassified pursuant to Employee Manual Section 4-17. Classification of Positions, Reclassification Procedure, and the re-classified position is not vacant.

Application Forms

All applications for employment shall be submitted to the Human Resources Department on the standard City application form either electronically or in hard copy. Such application forms shall require background information to include training, experience, and other pertinent information that is not prohibited by law. All applications must be signed, either electronically or in writing, and proof of qualification may be required. An application for employment will not be accepted beyond the closing date of a job vacancy announcement. Resumes without an application, and incomplete or late applications will not be accepted. Electronic and faxed applications will be accepted under the same procedure. All applications and resumes shall become the property of the City and shall become a permanent part of the personnel file upon being hired.

Applicant Qualifications

Qualifications are the primary consideration in filling any position. Experience, education, training, skills, and other abilities, as well as specific position requirements and the prior employment history of the applicant, are considered in appraising individual qualifications. Qualifications are subject to change within job fields and according to job descriptions prior to posting.

Notwithstanding the foregoing, no person shall be eligible to have his or her name certified for original appointment to the position of Police Officer if such person has not reached his or her twenty-first birthday on the date of the application for the position, or the position of Firefighter if such person has not reached his or her eighteenth birthday on the date of application for the position.

Rejection of Applications

The Human Resources Department may reject any application, which indicates that the applicant does not meet the minimum qualifications as established. Applications may also be rejected for, but not limited to the following, and consistent with the American with Disabilities Act, when the applicant:

- A. has falsified an application or resume;
- B. is unable to perform the duties of the position, for whatever reason(s);
- C. does not pass the pre-employment tests as outlined in this manual;
- D. refuses to submit, or does not submit in a timely manner, documents required by the established position or by law to determine the applicant's suitability for employment in the

United States of America under the Immigration Reform Act, Social Security Act, or documents required to determine established education for the position;

- E. has an unsatisfactory employment record or personal record as evidenced by information contained on the application form or by results of a background check;
- F. is not within the legal age prescribed by law or City Ordinance;
- G. fails to meet any standards applicable to the physical or mental demands of the position;
- H. fails a pre-employment drug test;
- I. cannot be licensed or insured for the operation of City vehicles and equipment as required by the job description;
- J. cannot be licensed for or maintain professional certification as required by the job description;
- K. was dismissed from City service as a result of the corrective action process, or did not give a two week notice before termination. Two week notice may be waived, with documented approval, from the Department Director and Human Resource Director to accommodate extenuating circumstances; or
- L. where an employee resigns to avoid dismissal or other corrective action.

Selection Hiring Process

The Human Resources Department shall be responsible for determining selection methods to obtain the best-qualified applicants for each class of positions. Such selection methods may include the interview process, job relevant testing, and examinations. In the development of selection methods, Human Resource Department shall confer with department heads, consultants, or others skilled in/or familiar with minimum job requirements. The minimum passing score is 70% or greater for interviews, testing, and examinations.

Human Resources will be responsible for developing and maintaining a background check program that is appropriate depending on the nature of each position. Applicants must provide a written authorization to the City which notifies the applicant that the City will conduct a background check and that the applicant agrees.

Interview Process

The Human Resources Department shall coordinate the interview process. As a supplement to the selection process, applicants who have passed the application process may be interviewed by a panel of three (3) or more panelists. In processes where only three (3) or fewer applicants pass the application process, the Department Director may choose to interview the applicants in lieu

of using a panel. The City Manager has the authority to approve, by request of the Director, elimination of the panel interview.

All interviews will strictly adhere to Equal Opportunity Laws and the Americans with Disabilities Act.

Interview Panels

The Human Resources Department and Department Directors will coordinate the selection of panel members, scheduling of applicants, development of questions, and rating process.

Rating and Recommendation Process

All applicants will be rated individually on the information provided by the applicant during the interview. The Human Resources Department will tabulate all scores and provide a listing to the Department Director of the three (3) top scoring applicants in alphabetical order or will provide the top scoring applicant. Filling the position from the top three (3) scoring applicants or from the top scoring applicant will be determined by the Department Director at the time a request is submitted to fill a vacancy. Where there is a tie score among the third of the top three (3) applicants, all four (4) top ranking applicants will be listed in alphabetical order. The Department Director will advise the Human Resources Department of his or her recommended selection. If the Department Director finds that none of the applicants are suitable, the remaining applicants will then be reconsidered or, if necessary the position will be re-advertised.

Eligibility for Hire Roster

Applicants who pass the initial interview phase will be placed on an eligibility roster for a period of six (6) months from the date of the initial interviews. Police, Fire and Dispatcher rosters will be for a period of twelve (12) months, from the date of the initial interviews. Placement on the eligibility roster will be in order beginning with the highest scoring applicant to lowest scoring applicant. Should the position become vacant within the relevant time period, the top applicants on the roster who passed the initial interview phase may be considered by the Department Director before re-advertising the position.

Notice of Non-Selection

The Human Resource Department and/or in some cases, the Department Director or designee, will notify applicants of their status during the process when it is determined the applicant is no longer being considered.

2-3. Transfers/Promotions/Demotions

City employees are encouraged ~~and offered the opportunity~~ to apply for a transfer or promotion to vacant positions for which they are qualified. In order to promote, the City will allow on-duty employees to attend testing and interview procedures for other City positions, during scheduled work hours, under the following conditions:

- Appropriate notice is given to the supervisor of the absence from work; and
- Employee will report to work immediately following appointment if during scheduled work hours.

Employees will not be compensated for time to attend testing and/or interviews that are conducted outside of their normally scheduled work hours.

The City Manager, or designee, may, for the good of the City, transfer an employee to a vacant position within a department or division or to a different department or division within the City. Transfers may be approved without conducting an open or internal recruitment only in cases resulting in either a budget savings to the City and/or more effective and efficient operations as determined by the City Manager. The City Manager may also transfer an employee to another position without conducting a recruitment in the case of an employee being involuntarily demoted, or in other extenuating circumstances. Employees cannot be laterally transferred outside their PERA Retirement classification where the transfer is detrimental to the employee's vested interest, unless employee initiated.

Pay Upon Transfers/Promotions/Demotions/Reclassifications

Employees who are transferred, promoted, demoted, or reclassified may have their pay changed accordingly. Internal salary equity shall be considered when setting pay. No transfers will be made outside the pay range for the new position.

Change of Anniversary Date & Introductory Period

A regular employee who is promoted, demoted, or transferred will have his/her anniversary date changed to the effective date of said personnel action for evaluation and seniority in grade purposes. They will also serve a probationary period as outlined in that section. This provision does not apply in the case of an involuntary transfer.

Employees transferring may have their pay changed accordingly.

SECTION 3. COMPENSATION

Section 3-1. Compensation

The term "Compensation" refers to base salary and other forms of compensation to include, but not limited to, fringe benefits such as paid leaves, insurance, retirement pensions, incentive plans, and paid holidays. The Compensation Plan shall strive for fair market compensation in terms of service provided to the community for resources expended.

Purpose and Policy

It is the policy of the City to establish a compensation system that will allow the City, within budgetary constraints, to effectively compete for qualified personnel and to ensure that salaries are equitable and commensurate with the duties performed by each employee.

Salary Plan

A salary plan shall be prepared and reviewed by the City Manager, and approved in the budget by the City Commission, and shall apply to all employees not covered by a labor contract. Employees covered by a labor contract shall be compensated as referenced in their respective agreements. A copy of the current salary plan shall be on file in the Human Resource Office.

Maintenance of the Salary Plan

The Human Resource Department shall be responsible for the maintenance and administration of the City's Salary Plan. Any recommended changes shall be presented to the Department Director and the City Manager for approval.

Standards for Development of the Salary and Compensation Plan

The Compensation Pay Plan is directly tied to the Classification Plan and is determined on the basis of:

1. Uniformity of pay for each class.
2. Relative difficulty and responsibility of positions.
3. Prevailing wages within the identified relevant public and private sector markets.
4. Cost of living index.
5. Financial policies of the municipality.
6. Difficulty in recruiting suitable employees.
7. Other economic considerations.

Classification Plan

Positions that require similar qualifications and similar duties and responsibilities are assigned to the same salary level. The City may conduct periodic studies to determine if an employee is working above or below the responsibility level for that position. Where unusual conditions exist that affect the market value of a position, the salary may be adjusted accordingly by the City Manager.

Classification and Re-Classification of Positions

An internal and external analysis will be conducted by Human Resources for any new position or existing position that has experienced significant changes in duties or qualification requirements. Human Resources will provide a recommendation to the Department Director and City Manager for approval.

Compensation System

Entry Level Pay Rates

The entry level rate is the minimum rate in the pay grade for the position. A Department Director, subject to approval by the City Manager, may recommend for appointment, a candidate above the entry level rate, to the midpoint of the pay grade if:

1. There are a limited number of qualified applicants available at the entry level, or
2. The applicant has exceptional qualifications.

Above the mid-point if:

1. Multiple recruitments have failed to yield a qualified candidate, or
2. The applicant has qualifications which are unique or critical, or
3. A survey of the market reveals that the City is not competitive.

Pay Rate Adjustments

Pay rate adjustments shall be administered as follows:

Seasonal employees promoting from seasonal to regular status shall start at the entry rate of the new position;

Internal salary equity shall be considered when setting pay;

Entry level pay rate section may be applied when deemed appropriate by the City Manager.

1. **Transfers.** When an employee is transferred (reassigned) from one position to another within the same pay grade he or she shall continue to receive the same base rate of pay. Employees moving from a non-exempt position to an exempt position will receive:

A. Five (5) percent increase if moving from a non-exempt to an exempt position.

2. **Promotions.** A promotion is defined as an assignment from one grade to another, which has a higher maximum rate of pay and greater responsibility. The employee will receive the higher of:

A. Ten (10) percent when the new position is at least one salary grade higher, or

B. Fifteen (15) percent when the new position is at least two (2) or more salary grades higher, or

C. Fifteen (15) percent if moving from a non-exempt to a higher exempt position, or

D. Five (5) percent above the minimum of the new pay grade, provided the employee has successfully completed their initial probationary period.

The new pay rate, upon promotion, shall not exceed the maximum of the new pay range.

3. **Reclassification.** Reclassification is the reassignment of a position from one class to a different class to recognize a significant change in the duties and responsibilities of the position. For an upward reclassification the percentage increase will be the higher of:

A. Ten (10) percent when the new position is at least one salary grade higher, or

B. Fifteen (15) percent when the new position is at least two (2) or more salary grades higher, or

C. Fifteen (15) percent if moving from a non-exempt to a higher exempt position, or

D. Five (5) percent above the minimum of the new pay grade, provided the employee has successfully completed their initial probationary period.

E. For a downward reclassification the affected employee shall remain at their current base salary rate. However, the employee will not be eligible for any salary increase, other than an across the board increase, until their current base salary is within the range of the new pay grade.

4. **Demotion.** The placement of an employee from one class to another which has a lower pay rate or grade, resulting in a decrease in pay. In the case of a demotion, the employee's base salary shall be adjusted at the lower of:

A. Ten (10) percent when the new position is at least one salary grade lower, or

B. Fifteen (15) percent when the new position is two (2) or more salary grades lower, or

C. Fifteen (15) percent if moving from an exempt to a lower non-exempt position, or

D. The maximum base salary of the new pay grade.

E. An employees pay when an in-voluntary movement to a lower pay grade occurs will be evaluated based on the extenuating circumstances surrounding the reason for the pay grade change.

F. An employee transferring or demoting back to their previous position will receive their final salary in that previous position, plus any across the board increases applied since the employee moved from that position.

Additional Compensation

The City Manager may recommend additional forms of compensation in addition to the Salary Plan in the best interest of the City and within the amounts approved in the budget by the City Commission. The manner in which the award of additional compensation is to be determined

will be outlined in writing by the City Manager and maintained in the Human Resource Department.

Cost of Living

Cost-of-living adjustments/salary modifications may be granted by the City Manager when authorized by the City Commission. If granted, they are effective the first day of the first pay-period that is subsequently paid in the new fiscal year.

Pay Increases

Pay increase requests for non-represented employees shall generally be required during the budget process for the following budget year. Merit based and other increases are limited to the approved departmental budget, and are subject to the availability of funds. Other pay increases occurring during the fiscal year will be effective the first full pay period following approval. Employees covered by a labor contract shall be compensated as referenced in their respective agreements.

Overtime/Compensatory Time

Overtime and Compensatory time will be paid in accordance with the Fair Labor Standards Act. A maximum limit of compensatory time may be set by the City Manager, not to exceed the rate set by local, state, or federal law. Exempt employees are not eligible for overtime pay, and will be paid in accordance with the Fair Labor Standards Act.

Responsibilities and Authority to Approve Overtime/Compensatory Time

Employees may not work beyond their scheduled hours without prior approval from their Department Director or their designee. This written approval will be on an exception report form or other standard City forms within the work week. Department Directors are responsible for the accurate recording of all overtime and compensatory time on the employee's exception report. Accrued compensation time shall be utilized prior to accrued PTO, unless otherwise approved by the Department Director. Overtime and compensatory time will be administered in accordance with local, state, and federal laws.

When allowed by law, Department Directors may utilize compensatory time off in order to conserve their budgeted overtime for emergencies. Compensatory time accrued must be taken by the last day of the next to the last pay period of the fiscal year, unless otherwise approved by the City Manager, or the employee will be paid out for the compensatory time he/she has accrued. Employees will be paid for all compensatory time they have earned and not used at the time of termination or fiscal year end.

Premium Pay

Time worked on specific projects, emergencies, or grant funded projects may be paid at a premium rate of time and a half the regular rate at the discretion of the City Manager prior to overtime pay being required by law.

Compensation for Temporary Acting Assignment

When an employee is assigned to fulfill the duties and responsibilities in a higher classification or duties given as a special assignment, on a temporary basis, he or she shall be paid additional compensation either at a rate equal to the starting salary of the higher classification or given a ten percent (10%) increase, whichever is greater. The preceding provision shall not apply to those circumstances where a person is temporarily assigned to fulfill the duties and responsibilities of a Department Director. Instead, the employee shall be paid additional compensation either at a rate equal to the starting salary of the directors position or given a fifteen percent (15%) increase, whichever is greater. This section shall not apply to the position of acting, temporary, or interim City Manager. Internal equity may be considered. The compensation paid to any individual serving in such a capacity shall be fixed by the City Commission.

When an employee is temporarily assigned a project or task outside of the scope of their current position, and is not fulfilling the capacity of a vacant position, the employee will receive overlay pay at a rate to be determined by the City Manager. This provision does not apply to assigned tasks that qualify as "other duties as assigned".

For the purpose of this section, temporary is defined as a period of time in excess of thirty (30) calendar days.

When the temporary acting assignment is complete, the employee's salary shall revert to the previous level.

If an employee separates from employment, either voluntarily or involuntarily, or as the result of a retirement, while temporarily assigned to a higher classification or as a Department Director, any accrual payouts made in conjunction with the separation, retirement, or PTO Conversion shall be calculated and paid without the additional rate of the temporary or acting pay or salary.

Holiday Pay

When a non-exempt employee works on the actual holiday, the employee shall be compensated at a holiday pay rate for all hours worked on the actual holiday. All time worked on **actual** holidays will be paid at one and one half (1 ½) times the normal hourly rate, in addition to the holiday leave pay if applicable. For example, if Christmas Day is Sunday and the City observes the holiday on Monday, the employee who is scheduled to work on Sunday, the ACTUAL holiday, will receive the holiday pay rate of one and half (1 ½) times the normal hourly rate. The employee who works on Monday, the observed holiday, will receive the eight (8) hours of holiday leave pay and regular pay for the time they work on the observed holiday. In cases where an employee works both the actual holiday and the City observed holiday, only the actual holiday will be considered a holiday for the purposes of using the holiday pay rate.

The starting date of employees' shifts will be used to determine whether the employee worked the holiday. For example, if an employee's shift begins at 7:00 p.m. on Christmas Eve and continues through 7:00 a.m. on Christmas morning, they will not be considered to have worked the holiday. If the employee works from 7:00 p.m. on Christmas Day to 7:00 a.m. on December 26th, they will be considered to have worked the holiday for the entire shift.

See Section 5-16. Paid Holidays for a list of City observed holidays.

Bi-Lingual Pay

Regular non-exempt employees may be compensated at a rate of \$.26 per hour for their bilingual abilities based on the following conditions:

- A. The language is recognized by the City Manager as adding to the increased productivity and efficiency of the City.
- B. Must prove proficiency by meeting the standards established and administered by the Human Resources Department.
- C. Employee will be available during work hours to translate when requested by City personnel.
- D. If the need for the ability exists and the Departmental budget allows for the additional costs, as determined by the Department Director.
- E. Bilingual pay may be removed at any time when determined to be in the best interest of the City as determined by the City Manager.

Exempt employees are not eligible for this benefit.

Wage Garnishments and Assignments

It is the policy of the City to comply with all lawful claims against the wages of our employees, such as garnishments, assignments, and child support orders.

In accordance with applicable federal and state laws, corrective action may not be taken against any individual whose wages have been garnished or assigned. When the City receives a garnishment or assignment, the Finance Department will be responsible for informing the employee of the notice received, and will maintain such records.

Pay Days

Paychecks shall be issued bi-weekly, on Thursday, or as designated by the City Manager. A payroll period consists of two calendar weeks from Sunday midnight to Sunday midnight, or the end of the shift in progress at that time.

Work Week

Except as otherwise provided by a labor agreement, the Department Director shall assign the work day. The work week shall be a seven (7) day period beginning on Monday at 12:01 a.m. and continuing through Sunday at midnight. This regulation does not apply to employees who are FLSA "exempt".

The City Manager has the authority to establish work periods that are within the Fair Labor Standards Act. These periods will be in writing by the City Manager and maintained in the Human Resource Department.

Time Clock

- A. Non-exempt employees will clock in and out at their scheduled time.
- B. Falsification of time records including, but not limited to clocking in/out for a coworker is a breach of this policy. Any errors or accidental omissions must be documented on an exception report and signed by the employee, the supervisor, and the Department Director.
- C. Department Directors have overall responsibility for the timely and accurate submission of employee time through the City's timekeeping system. Actual time entry may be delegated to a department employee.

SECTION 4. OPERATIONAL POLICIES

4-13. Investigations, Inquiries, and Audits

The City reserves the right to conduct appropriate investigations, inquiries or audits for the purpose of monitoring the adherence of all City employees to all policies and procedures.

City employees are required to be truthful and forthcoming when responding to an inquiry. City employees shall maintain confidentiality while the investigation or inquiry is being conducted and shall not attempt to interfere or otherwise influence the investigation. Violations of this policy may result in corrective action.

City employees must cooperate with investigations pursuant to Garrity Rights originating from a 1967 United States Supreme Court decision, Garrity v. New Jersey.

The complainant will receive notice of completion of the investigation; however, the complainant is not privy as to what action was taken, if any.

Requests for copies of investigations are made through the City Clerk's Office pursuant to the New Mexico Information and Public Records Act. City employees receiving corrective action involving a financial impact may receive a copy of the investigation upon request in compliance with due process.

4-15. Corrective Action Procedures **Policy**

It shall be the policy of the City to administer corrective action fairly, reasonably, and impartially. Employees and the City are best served when corrective action is administered to correct actions rather than to punish.

Grounds for Corrective Action

The continued employment of City employees shall be based on reasonable standards of job performance and personal and professional conduct. Refusal to meet these standards or comply with City policies shall constitute just cause for corrective action including, but not limited to Alternative Dispute Resolution, verbal or written reprimands, suspensions, demotions, termination, arrest, and/or prosecution.

Type of Action Administered

Corrective action is not primarily intended to be punitive, but rather to maintain the efficiency and integrity of City service. The degree of corrective action administered will depend on the nature and severity of the infraction and the employee's prior record. Management has the right to bypass the progressive discipline process. Corrective action shall be in accordance with any applicable City policies and procedures as well as local, state, and federal laws and regulations.

It is the responsibility of each supervisor and department head to evaluate thoroughly the circumstances and facts as objectively as possible, follow the corrective action procedures outlined herein, and apply the most suitable form of corrective action.

Should a City employee be subsequently charged and convicted of a crime following corrective action, the City reserves the right to take additional corrective action up to and including termination, as allowed by law.

The Corrective Action form is required for all corrective actions.

See Section 1-15. for Alternative Dispute Resolution information.

Corrective Action Procedures

Depending on the type of action administered, there are different procedures required for issuing corrective action. Some of these procedures are required by law.

In any major corrective action, the pertinent information shall be reviewed with the employee specifying the following: The cause for discipline, the specific reasons supporting the cause, the discipline to be imposed, the effective date, and the right of the employee to be heard.

Corrective actions in the form of verbal warnings and written reprimands are the responsibility of each supervisor and do not require intervention by the Human Resources Department. Supervisors shall inform the Department Director of verbal warnings and written reprimands given and the procedure outlined in the Verbal Warning and Written Reprimand section(s) will be followed.

All corrective actions involving suspensions without pay, demotions, or termination require consultation with the Human Resource Director prior to corrective action being administered to ensure actions are being administered fairly, consistently, and in compliance with applicable laws.

Verbal Warning

This type of corrective action should be applied to infractions of a relatively minor degree or in situations where the employee's performance needs to be discussed. The verbal warning should be given in private, and the reason and date for the warning documented in writing. Supervisors should inform the employee that the supervisor is issuing a verbal warning, that the employee is being given an opportunity to correct the condition, and if the condition is not corrected, the person will be subject to more severe corrective action. Records of verbal warnings will be kept by the supervisor or manager. A documented verbal may be used as a basis for further progressive discipline.

Written Reprimand

This notice will be issued in the event the employee continues to disregard a verbal warning or if the infraction is severe enough to warrant a written reprimand.

The reprimand shall state:

- the nature of the infraction;
- what action must be taken by the employee to avoid further corrective action, up to and including termination;
- when correction of the infraction is expected;
- policies or procedures violated; and
- and what the employee's rights are in the corrective action process.

A copy of the written reprimand is to be given to the employee at the time of the discussion of the corrective action. The employee shall sign the written reprimand to acknowledge receipt. A copy, signed by the employee, will be forwarded to the Human Resource Department and placed in the employee's personnel file. If the employee refuses to sign the acknowledgment, then the supervisor and one other witness, of a supervisory capacity, shall note on the reprimand that the employee received a copy thereof and refused to sign it.

Suspension Without Pay

The Department Director may take this form of corrective action only after consultation with the Human Resource Director as a result of a severe infraction of policies or for repeated violations. Suspensions shall not exceed thirty (30) work days. Employees serving a suspension without pay remain eligible for paid observed holidays occurring during the suspension; however, the paid holiday shall not also satisfy an imposed day of suspension without pay.

FLSA exempt employees may be suspended for one (1) or more full days for infractions of City of Alamogordo Ordinances, City wide and Departmental policies and procedures, and any applicable laws regulated by an outside authority.

Suspensions Pending Investigation

An employee may be suspended in cases where it is necessary to investigate a situation to determine what corrective action may be justified. This suspension gives the supervisor the opportunity to investigate the situation when it is serious enough for the employee to be removed from the work environment. Investigatory suspension may be with or without pay. If after the investigation, it is determined that the employee was not guilty of any violation, the employee will be returned to work, paid for any lost time, and cleared of all charges. If, however, the employee is found in violation, then the appropriate corrective action may take effect on the date that the suspension began. In any case, the employee remains eligible for paid observed holidays occurring during the suspension.

Demotions

Demotion may be used in those instances where an employee is unwilling or unable to perform the responsibilities of the position. Demotion is not to be used as a substitute for dismissal, when dismissal is warranted.

The pay rate of an employee who is demoted may be reduced to the appropriate rate of the new pay grade of the position into which the employee is demoted.

Involuntary Termination

Employees may be recommended for termination in instances involving, but not limited to, insubordination, theft, illegal or destructive acts. An involuntary termination will require the Human Resource Director consultation prior to being administered by the Department Director. An employee may also be dismissed after repeated offenses of a less serious nature if the supervisor has documented the offenses and appropriate behavioral changes have not resulted from previous corrective action.

Probationary employees may be terminated at any time and may not appeal this action.

Informal Appeal

Written reprimands may be appealed informally to the employee's Department Director. The employee must present a written appeal to his or her department Director within seven (7) calendar days of the disciplinary action. The Director shall attempt to resolve the matter within seven (7) calendar days after it has been presented to him or her. The Department Director shall provide his or her decision to the employee in writing. The decision of the Department Director shall be final. Verbal warnings cannot be appealed informally.

Pre-Disciplinary Hearing Process

A pre-disciplinary hearing shall be made available to any employee who will be subject to a demotion, suspension without pay, or termination. The pre-disciplinary hearing process shall be as follows:

A. An employee shall be provided, in writing, with a notice citing the specific incidents constituting just cause; citing the violation of any statute, ordinance, rule or policy; provide an explanation of the documentation, evidence and/or facts relied upon by the department; specify the contemplated disciplinary action; and state that the employee has seven (7) calendar days from service of the notice of contemplated disciplinary action to respond in writing as to why the proposed action should not be taken, or to request a pre-disciplinary hearing with the Department Director, or designee, for that same purpose. A request for a pre-disciplinary hearing will not preclude the employee from submitting his or her written version and mitigating evidence to the Department Director, or designee, no later than the start of the pre-disciplinary hearing. All hearing requests shall be submitted in writing to the Human Resources Director or designee.

B. If the proposed discipline is termination, the employee is not eligible for administrative leave with pay or paid holidays during the pre-disciplinary process. However, if the Director does not uphold the proposed termination, the employee will be back-paid for this period.

C. If the employee requests a pre-disciplinary hearing, the Human Resources Director or designee shall ~~schedule~~ ~~arrange for~~ a hearing before the Department Director, or designee, within seven (7) calendar days, and prior to imposing the any corrective action. The corrective action may be imposed prior to the completion of the seven (7) calendar days if the employee elects not to appeal; however, only upon mutual agreement between the supervisor and the employee, and said agreement is documented in writing. Union represented employees shall have the right to union representation at the pre-disciplinary hearing. Non-represented employees may be accompanied by one personal representative. The employee is responsible for arranging said representation, but must notify the Human Resources Director or designee they intend to do so at least two (2) business days before the hearing. The pre-disciplinary hearing is non-adversarial and, if the employee has a person accompany him or her to the hearing, that person is not entitled to be an advocate. The Department Director or designee, the Human Resources Director or designee, the employee and if the employee so chooses, their representative, shall be in attendance for the pre-disciplinary hearing. The supervisor initiating the proposed corrective action shall also attend unless the employee has requested otherwise. Legal representation or paralegals thereof, are not permitted to attend the pre-disciplinary hearing. Other Department Directors are not permitted to serve as the employee's personal representative.

D. The department's pre-disciplinary notice provided to the employee prior to the hearing shall be sufficient to apprise the employee of the basis for the proposed disciplinary action. Reliance upon the contents of the pre-disciplinary notice shall not limit the City at subsequent hearings from presenting witnesses testimony and additional documentation not submitted prior to or during the pre-disciplinary hearing. The purpose of a pre-disciplinary hearing is to give the employee the opportunity to respond to the pre-disciplinary notice and to provide information why the proposed action should not be taken. The rules of evidence shall not apply to the pre-disciplinary hearing, nor are there specific procedural regulations for the conduct of the hearing. Additionally, the hearing shall not be recorded by audio or visual equipment nor should there be any attempt to make a verbatim record of the proceedings.

E. Should the Department Director, or designee, uphold the proposed ~~determine to~~ discipline following the pre-disciplinary hearing, written notice of discipline shall be given to the

employee. The Department Director, or designee, may either uphold the recommended corrective action, or impose a lesser or more severe action as deemed appropriate by the Director's or designee's findings. In any case, a written response will be provided to the employee within seven (7) calendar days. Such notice shall include a general statement of the findings of the hearing and notice of the employee's right to appeal to the City Manager. If the sustained discipline is termination, the termination ~~will~~ will be effective upon notice being given to the employee. The official termination date shall be documented in the employee's employment record with the date the employee received notice from the Director or designee. In the case of termination, a formal appeal to the City Manager shall be considered a post-termination hearing. All other corrective actions will be imposed as described in the notice, unless the employee and Department Director otherwise agree.

In the interest of providing a fair and unbiased process, the Department Director of the employee receiving the corrective action may be substituted with another City Director or the Assistant City Manager. This substitution shall be allowed in cases when there is a conflict or when the Department Director is the supervisor imposing the corrective action.

Nothing in these procedures is designed to supersede or prevent an employee from availing himself or herself of the City's grievance procedure.

Formal Appeal

Any employee who is disciplined following the pre-disciplinary hearing may appeal the decision of the Department Director to the City Manager, or designee. This formal appeal must be ~~filed~~ received in writing by the Human Resources Director or designee within seven (7) calendar days of receipt of the decision of the Department Director. The City Manager, or designee shall schedule ~~and hold~~ a hearing within seven (7) calendar days of receipt of the appeal from the employee. The employee may have legal ~~counsel~~ representation and or witnesses at the hearing to present evidence that support the appeal, but must notify the Human Resource Director that they intend to do so at least two (2) business days before the hearing. The Formal Appeal Hearing shall be recorded as a verbatim record of the proceedings. The City Manager, or designee must render a written decision within seven (7) calendar days following the hearing. The decision of the City Manager, or designee will be final and binding. Should a termination result, the termination date will be the same date as determined by the Director as documented in the determination notice following the pre-disciplinary hearing. If a decision to terminate is overturned, administrative pay will be paid.

In the interest of providing a fair and unbiased process, the City Manager may be substituted with another City Director or the Assistant City Manager for the purpose of a formal appeal. This substitution shall be allowed in cases when there is a conflict or when the City Manager is the supervisor imposing the corrective action. An external hearing officer may also be utilized upon mutual agreement of the City and the employee.

At-Will employees are ineligible for the appeal process except as provided for in their respective employment contract.

Extension of Time Limits

Any of the time limits in the corrective action procedure may be extended upon mutual agreement. However, if no action is taken within one (1) calendar year from the date of the appeal to the Department Director or the City Manager the Appeal will be considered closed and the action upheld.

4-16. Grievance Process

It is the policy of the City to afford all employees a means of obtaining further consideration of problems when they remain unresolved at the supervisory level, and to establish policies and procedures that provide for timely resolution of grievances. Included below is a preliminary step which encourages, whenever possible, the use of mediation to resolve conflict. This step is intended to urge the consideration of the option of mediation, but in no way limits or preempts other remedies to which employees and the City are entitled by law. Whenever possible and appropriate, the employee considering filing a grievance may file a request for mediation with the Human Resources Department prior to initiating the grievance process outlined below. When mediation is pursued, participation in such session will be limited to the two parties involved and the mediator. Other parties may be included, exclusive of any representative or attorney, at the discretion of the mediator. Further, when mediation is pursued, all time limitations will be tolled as of the filing of the request for mediation with the Human Resources office and until such time as the mediation is completed. If agreement is not reached through mediation, the procedures outlined below may ensue.

A "grievance" shall mean a complaint, made by a regular full-time or regular part-time employee, which alleges an unjust application, interpretation, or violation of the rules and regulations of the City or Department that:

1. a specific administrative act was arbitrary or capricious and adversely affected the employee's then-existing terms or conditions of employment, and/or;
2. involves improper discrimination or treatment prohibited by the Constitution of the United States and State of New Mexico, or federal and or state statutes, and/or;
3. a violation of applicable City rules, regulations, or personnel policies which adversely affected the employee's then-existing terms or conditions of employment.

For the purposes of this policy, an act is not arbitrary or capricious if the decision-maker exercised reasoned judgment.

The following matters are not grievable:

- lay-offs,
- changes in policies and procedures,
- performance evaluations,
- transfers or promotions,

- changes in duty stations or shifts,
- all corrective actions,
- levels of compensation, and/or,
- other matters of inherent management rights, unless they are directly related or a direct consequence of a grievable matter.

If a question arises with regard to whether an issue is a grievable matter the City Manager reserves the right to make that determination.

Strict adherence to the procedures outlined below is mandatory for all concerned, except that time limits may be extended upon mutual agreement or good cause shown.

Reasonable attempts will be made to resolve the grievance to the mutual satisfaction of the employee and the City.

STEP 1: An employee must present a grievance in writing within seven (7) calendar days of its alleged occurrence or within seven (7) calendar days of when the employee should have reasonably known of the occurrence to the employee's immediate supervisor and Department Director, who shall attempt to resolve it within seven (7) calendar days after it is presented to them.

STEP 2: If the employee is not satisfied with the decision of the Department Director, the employee must submit the grievance, in writing, to the City Manager's office within seven (7) calendar days of receipt of the Department Director's decision. This written notice shall include the following:

- A. Statement of the grievance and relevant facts.
- B. Specific remedy sought.
- C. Reasons for the dissatisfaction with Department Director's decision.

Note: Issues not presented to the Department Director will not be considered in an appeal to the City Manager. If the grievance presented does not include the specified requirements in Step 2, A.-C., the grievance will be rejected.

STEP 3: Within seven (7) calendar days of receipt of the employee's written grievance the City Manager shall schedule a hearing. The employee may be accompanied by another employee or union conferee. Such conferee must attain a release from their supervisor and will be considered in pay status during their regularly scheduled workday hours. The purpose of the hearing is for the employee to present any information pertinent to the grievance. The hearing will be recorded. The employee and Department Director may call witnesses to testify about information relevant to the grievance. Within seven (7) calendar days of the hearing the City Manager will provide the employee a written decision. The decision of the City Manager will be final and binding.

Complaints or grievances filed against the City Manager shall follow the same process and timeline described above. However, the complaint or grievance should be filed with the Human Resources Director or designee. The Human Resources Director or designee shall provide the complaint or grievance to the City Mayor for any action deemed necessary, if any. Should an investigation be required, an external investigator may conduct the investigation at the Mayor's discretion. The Mayor and Commission shall make the final decision regarding any action to be taken by majority vote in executive session.

Protection Against Retaliation - The City and its employees will not retaliate against any person who, in good faith, uses the grievance procedure.

4-17. Classification of Positions

All positions/classifications in the City's service shall be grouped into classes and each class shall include those positions sufficiently similar as to character of work, required performance, and level of responsibility, so that:

- A. An equivalent level of training, experience, knowledge, and ability, and other qualifications may be required of incumbents;
- B. Comparable tests of such qualifications may be used to select incumbents; and
- C. The same salary range will apply with equity under substantially equal working conditions; or
- D. Positions that are unusual for reasons such as market demand will be classified according to reasonable market standards.

Position descriptions and job specifications shall be maintained by the Human Resource Office for all positions. Any changes to position descriptions must be submitted to Human Resources. Requests that result in a position's reclassification will require the City Manager's approval.

The position descriptions should include: Job Title, Department, Division, FLSA Status, Effective Date, Summary of Position, Supervision Received, Supervision Exercised, Essential Functions, Other Duties, Minimum Qualifications, Special Requirements, Working Conditions, History Summary, Job Hazard Analysis, and Approval section.

Reclassification Procedure

Revision of position descriptions and re-allocations within the classification plan shall be made as often as is necessary to provide current information on positions and classes.

It shall be the duty of the Human Resource office to examine the nature of all positions and to allocate them to existing or newly created classes, to make changes in the duties and responsibilities of existing positions.

When a new position is requested by a Department Director or the duties of an old position are substantially changed, the Department Director shall submit a change request form and written recommendation to the Human Resource Office including justification for the reclassification, emphasizing changes in position responsibilities or requirements for qualifications (i.e., experience, education, certifications, etc.).

The request will be reviewed by the Human Resource Office. The Human Resource Department will use a standardized method in reviewing new position descriptions or requests for changes to existing position descriptions. This method will value the position responsibilities, requirements and qualifications to accurately classify or reclassify the position.

If the request is justified, the budget impact will be determined, and a recommendation will be made to the City Manager. The City Manager shall be the final decision-maker for all reclassification requests. If approved, the Human Resource Office will take the necessary steps to implement the reclassification. **Reclassification of a position currently filled and not vacant shall not require the position be posted for recruitment.** No reclassification involving an upgrade of salary that would overspend the authorized department budget will be approved without City Commission approval.

SECTION 5. BENEFITS

5-16. Paid Holidays

The City Manager shall determine which holidays employees of the City will observe, and the date of observation.

Regular full-time and part-time employees will be paid for the following holidays:

New Year's Day
Martin Luther King, Jr. Day
President's Day
Memorial Day
Independence Day
Labor Day
Veteran's Day
Thanksgiving Day
Day after Thanksgiving
Christmas Day

Holiday pay for regular part-time employees will be calculated based on a pro-rated eight (8) hour holiday and the annual budgeted hours for the position held.

If a holiday falls within an eligible employee's approved leave period the eligible employee will be paid for the holiday. Leave benefits will not be charged.

Employees serving a suspension without pay shall remain eligible for observed paid holidays occurring during the suspension period; however, the observed paid holiday shall not also satisfy an imposed day of suspension without pay. Employees are not eligible for paid observed holidays while on administrative leave without pay in the pre-disciplinary process for a proposed termination of employment except in the circumstance the employee's termination is not upheld, in which case the paid holiday would be included in the back-pay for this period.

In the event a holiday falls on Sunday the following Monday shall be deemed to be the holiday. In the event the legal holiday falls on Saturday, the proceeding Friday shall be deemed to be the holiday. In these cases, time worked on the actual holiday on Saturday or Sunday will be the time that is eligible for holiday pay in accordance with the section on Holiday Pay under Compensation.

DONE this _____ day of _____, 2019.

CITY OF ALAMOGORDO, NEW MEXICO
a New Mexico municipal corporation

By: _____
Richard Boss, Mayor

ATTEST:

Rachel Hughs, City Clerk

APPROVED AS TO FORM:

Petria Schreiber, City Attorney

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 4/9/2019

Report Date: 3/25/2019

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 Senior Volunteer Programs Advisory Council, Mayor's Committee on Aging, and Parks and Recreation Board.

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

Alamogordo Public Library Board. Two (2) county vacancies. Staff Liaison - Melissa Garcia
No appointments by County.

Mayor's Committee on Aging. Two city (1) vacancies. Staff Liaison - Britney Courtier.
One vacancy is due to the expiring term of Barbara Jo Telles. This term will expire on 5/1/19.
The following individual is interested in being reappointed:
Barbara Jo Telles if reappointed, this will be her 2nd term.

Parks and Recreation Board. Two (2) city vacancies. Staff Liaison - Tony Gonzalez. The vacancies are due to the expiring terms of Lori Adam and Moyra Robuck. These terms will expire on 6/30/19 and 5/20/19 respectively.
The following individuals are interested in being reappointed:
Lori Adam, if reappointed this will be her 2nd term
Moyra (Rita) Robuck, if reappointed this will be her 3rd term.

Senior Volunteer Programs Advisory Council. Two to Six (2-6) city vacancies. Staff Liaison - Neil McFarland. One vacancy due to expiring term of Dr. John Ely, MPH, PhD, President of the SVP Advisory Council, this term will expire on 5/1/19.
The following individual is interested in being reappointed:
Dr. John Ely, MPH, PhD. If reappointed this will be his 2nd term.
The following individual is interested in being appointed:
Ms. Xochitl Valenzuela, if appointed, this will be her 1st term.

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

21 March 2019

RECEIVED

MAR 22 2019

CITY CLERK

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

Name: Dr. John ELY, MPH, PhD

Home Phone: 434-5040 Work Phone: 434-5040

Cell Phone: - Fax No: -

E-mail address: john10ely@gmail.com

Physical Address: 1610 Juniper Dr.

Is the above address within City limits? ☒ Yes ☐ No

Mailing Address: _____

Present Employer: Self-employed Consultant Job Title: Educator

Board/Committee you wish to serve on:

First choice: SVP Advisory Council

Second choice: -

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

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

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

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

Experience and education relating to the Board/Committee: _____

Have been on Board ~2 yrs, & ASC Volunteer ~5 yrs

Master's degree in Public Health

Member Otter Co. Comm. Health Council

20+ yrs experience in health science research

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

I support & promote healthy aging through teaching,
research and service!

Please return completed application to:

Rochel 1st L

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

RECEIVED

MAR 25 2019

CITY CLERK

Print

Application to serve on a Board/Committee - Submission #303

Date Submitted: 3/25/2019



First Name*

Xochitl

Last Name*

Valenzuela

Address*

2200 1st street 1215

City*

Alamogordo

State*

NM

Zip Code*

88310

Phone Number*

8066627972

Email Address*

xoval@yahoo.com

Is the above address within City Limits?*

☒ Yes☐ No

Present Employer:*

Alamogordo Home Health and Hospice

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

Public Library Board

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

Senior Volunteer Programs Advisory Council

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

☒ Yes☐ No

If so, what is their relation to you?

Are you related to 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 LMSW. I have no experience serving in a board and I would like the opportunity to help my new community.

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

I am new to Alamogordo and I am a reader. I enjoy libraries and would like an opportunity to learn how to serve my new community.

RECEIVED

MAR 26 2019

CITY CLERK

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

Name: Barbara Jo Telles
Home Phone: 575-491-4883 Work Phone: _____
Cell Phone: 575-491-4883 Fax No: _____
E-mail address: barb_telles@yahoo.com
Physical Address: 2202 Cornell Ave. Apt A Alamogordo, NM
Is the above address within City limits? Yes ☒ No _____
Mailing Address: 2202 Cornell Ave, Apt. A, Alamogordo, NM
Present Employer: retired Job Title: educator 883310
1969-2002, APS
Board/Committee you wish to serve on:
First choice: Mayor's Committee, on Aging
Second choice: _____

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

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

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

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

Experience and education relating to the Board/Committee: I served
on Mayor's Committee, on Aging
2017-2019. This is a
renewal application.

Please indicate your interest in serving on a City Board/ Committee: I
want to serve the community.
I am currently a volunteer
at the Alamogordo Senior Center.

Please return completed application to:

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

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

RECEIVED

MAR 29 2019

CITY CLERK

Name: Lori Adam

Home Phone: _____ Work Phone: 575 439 4410

*Cell Phone: 575 921 1809 Fax No: _____

e-mail address: rainecoate@yahoo.com

Physical Address: 1313 Catalina Ln

Is the above address within City limits? Yes ☒ No ☐

Mailing Address: same

Present Employer: NMSPV1 Job Title: occupational therapist

Board/Committee you wish to serve on:

First choice: Parks & Rec

Second choice: _____

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

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

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

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

Experience and education relating to the Board/Committee: _____

Minor in Recreation
As an OT, I have knowledge in accessibility

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

I'd like to be involved with the town I live
As an active citizen, I would like to see
our town provide a variety of rec options.

Please return completed application to:

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

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

RECEIVED

APR 01 2019

CITY CLERK

Name: RITA MOYRA ROBUCK
Home Phone: (575) 443-1528 Work Phone: _____
Cell Phone: (575) 443-3692 Fax No: _____
e-mail address: moyra55@gmail.com
Physical Address: 908 Dexter Lane, Alamogordo 88310
Is the above address within City limits? Yes ☒ No _____
Mailing Address: SAME AS ABOVE
Present Employer: RETIRED Job Title: _____

Board/Committee you wish to serve on:

First choice: PARKS & REC.

Second choice: _____

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

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

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

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

Experience and education relating to the Board/Committee: _____

PREVIOUS 2 TERM BOARD MEMBER.

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

PREVIOUS 2 TERM BOARD MEMBER.

Please return completed application to:

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

R. Moyra Robuck
4/1/19

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 4/9/2019

Report Date: 4/1/2019

Report No: 12.

Submitted By:

Subject: Adjourn into Executive Closed Session in compliance with 10-15-1(H), NMSA 1978 (as amended) to discuss the Fairgrounds Parking Lot Lease. **(Roll Call Vote Required).**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background: