



Alamogordo City Commission

NOTICE OF MEETING

Regular Meeting Agenda

September 10, 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 Bengoechea City Attorney
Rachel Hughes 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 Mayor's Committee on Aging (Barbara Telles, MCoA Vice Chairperson).

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.

2. Approve the minutes for the August 27, 2019 Regular meeting. *(Rachel Hughs, City Clerk)*
3. Approve the statements related to the Executive Closed Session held on August 27, 2019. *(Rachel Hughs, City Clerk)*
4. Consider, and act upon, final publication of Ordinance 1598, an amendment to the City Charter for submitting Candidate Disclosure Statements. *(Rachel Hughs, City Clerk)* **(Roll Call Vote Required)**
5. Approve the award of RFP 2019-003 Uniform and Linen Rental and Laundry Services for the City of Alamogordo to Unifirst Corporation. *(Barbara Pyeatt, Chief Procurement Officer)*

ITEMS REMOVED FROM CONSENT AGENDA

PUBLIC HEARINGS

6. Consider, and act upon, Application No. 1135085, a Beer and Wine Liquor License at 930 S. White Sands Blvd, to Y'all's Steakhouse. *(Rachel Hughs, City Clerk)*

NEW BUSINESS

7. Consider, and act upon, paving of McDonald Road, 8 Street-10th Street. *(Janice Akers)*
8. Consider, and act upon, awarding solid waste services to Southwest Disposal *(Larry Garner, Public Works Director)*.
9. Consider, and act upon, Change Order No. 2, Public Works Bid No. 2017-010, EN1701, to General Hydronics Utilities, LLC, related to Street Maintenance Program FY 2017, in an amount not to exceed \$242,569.71, excludes NMGR. *(Edward Balderrama, Project Manager)*
10. Appointments to Boards and Committees. *(Richard Boss, Mayor)*

EXECUTIVE SESSION (Roll Call Vote Required)

11. Recess into Executive Closed Session in compliance with 10-15-1(h)(8), NMSA (as amended) to discuss Real Property - land swap proposed by Michael Shyne and a street closure plan proposed by the Otero County Commission, and Limited Personnel Matters (City Manager). **(Roll Call Vote Required)**

RECONVENE INTO OPEN SESSION

ADJOURNMENT

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 9/10/2019

Report Date: 8/30/2019

Report No: 1.

Submitted By: Britney Courtier

Subject: Presentation of Mayor's Committee on Aging (Barbara Telles, MCoA Vice Chairperson).

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Presentation

Background: The Mayor's Committee on Aging will provide a presentation about the progress the Committee has made during the past year.

Mayor's Committee on Aging (MCoA)

Barbara Telles-
MCoA Vice-Chairperson

Purpose of the Mayor's Committee on Aging:

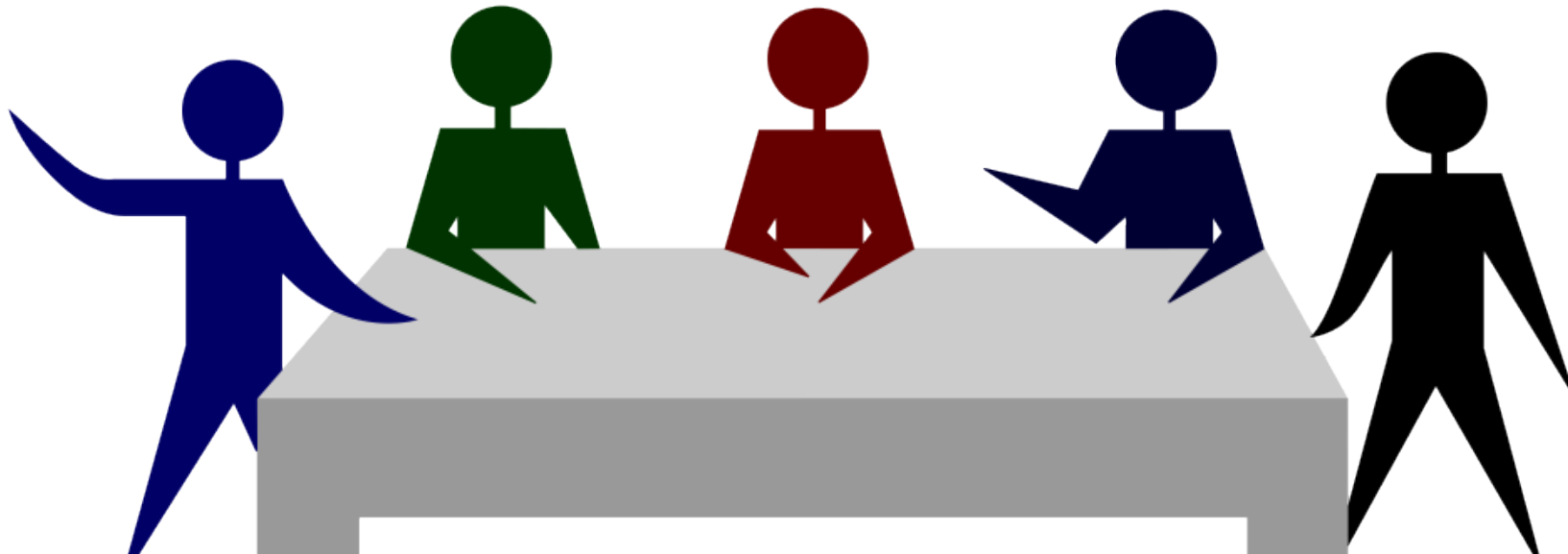
- ☐ To assume an advocacy role for Alamogordo seniors;
- ☐ To assist in identifying the needs, problems, and concerns of seniors in Alamogordo;
- ☐ To assist in identifying resources for meeting senior needs;
- ☐ To advise and make recommendations to the Mayor, City Commission, ASC Director, and appropriate organizations regarding senior issues;
- ☐ To work with other agencies for the purpose of coordinating resources for seniors;
- ☐ To review and comment on ASC funding proposals;
- ☐ To assist in monitoring service delivery at the Senior Center;
- ☐ To assist in the recruitment of volunteers to meet senior needs

MCoA Membership

- The MCoA shall consist of 7 regular members. Currently, there are 5 active members and 2 vacancies.
- Only one member may be under the age of 60.
- No more than two members may reside outside of City limits.

Meeting Time & Place

- The MCoA meets on the third Thursday of each month at 1:15 p.m.
- The Committee meets at the Alamo Senior Center Conference Room.



Alamo Senior Center Overview:

The Senior Center offers a wide array of services and activities for seniors age 60 and above:

- The Home-Delivered Meal program serves a daily average of 130 lunches to Alamogordo's homebound population.
- A daily average of 160 lunches are served in the Senior Center's congregate setting.
- The Senior Center provides socialization opportunities and many activities to include Bingo, lapidary, shuffleboard, billiards, art, quilting, and Friday evening dances.
- The Senior Center provides transportation to and from the Senior Center for our regular members.

Senior Center Activities

Mother's Day Brunch



Tea & Scones
Event



Lunch-time Dancing



White Sands Pupfish Volunteers



Senior Center belly-dancing class



Live Music



Senior Center Fitness Center

- Our Fitness Center offers over 25 senior-focused exercise classes that are taught by qualified volunteers.
- The Center also includes state-of-the-art fitness equipment to include elliptical machines, treadmills, weight equipment, etc.



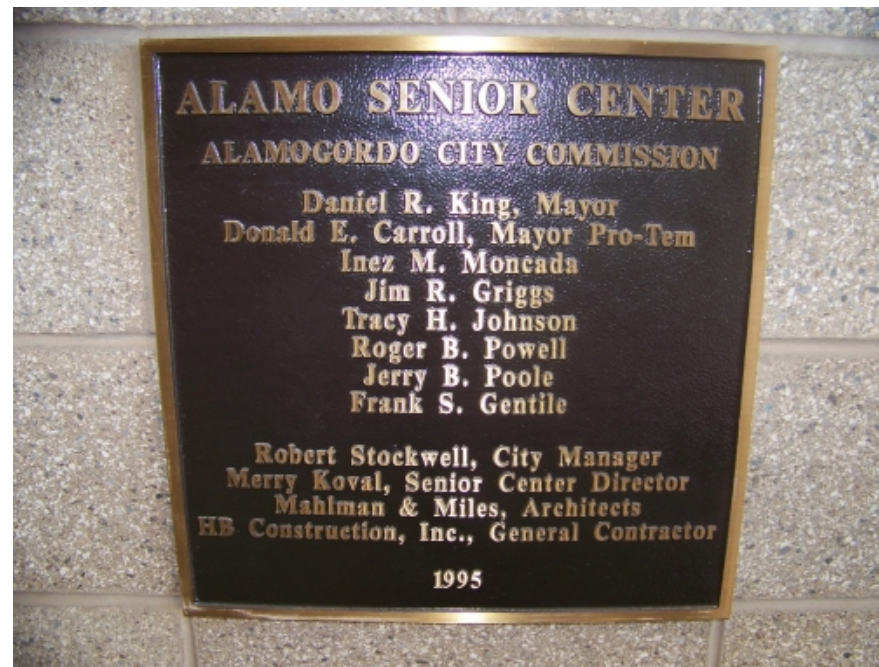
Alamo Senior Center 25 Year Anniversary Celebration

- MCoA members have been working to prepare for this all-day event which will take place in November of 2020.
- The event will include free tethered hot air balloon rides!
- The original time capsule will be unearthed! These are items that were selected by seniors at the original grand opening in 1995. (See below.)



The MCoA is working on the following 25-year celebration items:

- The Committee is working on an honored guest list to include the original ASC Director and the City government officials who were in office at the time of the original 1995 grand opening.



25-Year Celebration Planning - Continued

- The Committee plans to locate and invite the original winners of the 4th grade essay contest titled “What it Means to Have the Senior Center as our School’s Neighbor.”
- The Committee will sponsor another essay contest for Sierra Elementary fourth graders. Prizes will be awarded for 1st, 2nd and 3rd place winners.
- The Committee is working on a photo collage of Senior Center activity throughout the past 25 years.

25-Year Celebration Planning - Continued

- The Committee is working on musical arrangements.
- The Committee is planning special activities for the event (line dancing demonstrations, etc.)

Conclusion

- The MCoA continues to look for new ways to improve the lives of Alamogordo seniors.
- We are currently recruiting for new members to serve on the Committee.



AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 9/10/2019

Report Date:

Report No: 2.

Submitted By: Rachel Hughs

Subject: Approve the minutes for the August 27, 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
August 27, 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 BENGOCHEA, CITY ATTORNEY
RACHEL HUGHS, CITY CLERK**

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

Mayor Boss called the meeting to order at 6:31 p.m. Roll Call was taken by the City Clerk. Commissioner Payne was absent. City Clerk Hughs announced there was a quorum present. Invocation was given by Reverend Harp and the Pledge of Allegiance was led by Commissioner Payne.

APPROVAL OF AGENDA

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

PRESENTATIONS

1. Presentation of the Planning & Zoning Commission. *(City Planner Stella Rael)*

City Planner Rael gave a briefing of each meeting for the period of January through June 2019.

2. Presentation of the White Sands Beautification Committee. *(City Planner Stella Rael)*

City Planner Rael gave a briefing of each meeting for the period of January through June 2019.

Commissioner Rardin asked if David Gonzalez moved. City Planner Rael said Mr. Gonzalez did resign.

Commissioner Hernandez said to go back to the Planning and Zoning, he asked if when they do not have meetings, could that affect projects. City Planner Rael answered yes. She said if there is a case to be presented, she does not have the opportunity to contact that applicant. In one case she did call a special meeting. She said she has made the decision and has spoken to the Interim City Manager about this, instead of delaying it, she will just come to the Commission without recommendation from the Planning and Zoning Board. She said a map adjustment case is a two-month process and it is not fair to the applicant or anyone else to delay it. Commissioner Hernandez said they hear on the streets that there is a lot of red tape to get through with businesses and such, and he wants to make sure that they eliminate that as much as possible. City Planner Rael said that is why she had that discussion with the Interim City Manager to get direction to do that and come straight to the Commission without a recommendation.

Mayor Boss asked if the members have an agenda before the meeting, City Planner Rael said yes, and they send a reminder.

Commissioner Hernandez said there were two major projects come up this year that were both delayed, not because it was anybody's fault but because they were major projects. City Planner Rael said the motel does not come before the Planning and Zoning Committee; it is an internal review through the Technical Review Committee. Commissioner Hernandez stated, the City, not Planning and Zoning, is known to have a bunch of red tape. He said they as a City need to be better with these companies. City Planner Rael agreed and said they try their best to get those out in a timely manner,

sometimes things happen. Commissioner Hernandez said there are other hold ups beyond her department and that is what they need to try and eliminate.

3. Presentation update on progress of Return to Field Community Cat program. (Kathy Denton)

Mrs. Denton showed a Power Point presentation and gave an update on the progress of the program. She said they had 187 return to field cats as of today. She talked about the hidden numbers of the potential kittens from those 187 cats that were fixed. She said there is an estimated 376 kittens that were not had this year and if those cats were to have a second litter there would have been a potential of 658 cats. She said this program is working. She thanked everyone for their help and support. (See Blue Book for Power Point Presentation).

Commissioner Hernandez said he had complaints and did not know who to call. Mrs. Denton stated her number is at Animal Control and they will take those complaints to give to her. Commissioner Hernandez said that is not working, and they need to do a better job at that. He said the complaints he's had is they destroy gardens and poop in the yards. Ms. Denton gave her phone number and asked for these people to contact her. She said she has deterrents that were given to her, and she will work with these people. Commissioner Hernandez said in order for the program to work they got to make sure that is taken care of. She said this is going to help the shelter in all sorts of ways because the money not spent on food, litter and time is now being spent on more time with the dogs.

Mayor Boss asked if there has been a big increase or decrease in complaints. Mrs. Denton said she would need to ask Animal Control Manager Martinez because they keep a log of complaints. She said she is sure that there have been complaints because this has been a problem for a while.

4. Presentation on hiring a City/County consulting firm Cypress International. (Ed Brabson and Tom Thomas)

Mr. Brabson said he spent a lot of years advocating for the military, DOD (Department of Defense) and Holloman and that is what he is there for tonight to talk about the things they need to do to move forward. He said for years Alamogordo has worked under the problem with being a small community with limited funds to compete with major communities. He said one of the things they formed years ago is called ARMS and the idea was to sell our area as a regional area, representing Fort Bliss, White Sands and Holloman. By doing so, they found out that they could market that and compete with the other big mega bases. He said for a period of years they got out dollared. The Cypress group has offered up a partnership where they can go in with El Paso, Las Cruces, White Sands, Fort Bliss and Holloman and actually form a pact that would give them some of the same strength that the larger communities have.

Mr. Thomas asked the Commission for support for this organization so that they can hire Cypress International to be their consulting organization in Washington D.C. He said there is a contract in effect since March of this past year with Cypress International, the City, the Chamber and El Paso. He is asking for the City's financial support in helping them pay for this contract with Cypress International.

Mr. Dayoub stated they would get the presentation to Interim City Manager Cesar to bring back as this is not an action item. He said ARMS stand for the Alliance for Regional Military Support. This ARMS committee has been working together for a number of years. He said their mission is to ensure that Fort Bliss, White Sands Missile Range and Holloman (known as the triad) remain an integral part of America's National Defense Strategy. He said their goal is to solidify and enhance the capabilities of our regional military installation missions and importance to the Department of Defense. He said their strategy is to develop actionable items to enhance the military value of the region. He said there are 5 primary focus areas: prioritize current defense industry engagement (decisively engage in current defense companies based on missions through installations), hire education partnerships to attract defense research and development projects (develop relationships with New Mexico State Engineering,

JMC, WSMR and Holloman), address transitioning soldiers and families, improve region's appeal for future stationing and initiatives, and attracting new defense and aerospace contractors to the region.

Mr. Thomas said the current participants in ARMS, for the Cypress contract, are the City of El Paso, the El Paso Chamber of Commerce and El Paso County. They have made a presentation to Las Cruces and expect they will participate. They've also made a presentation to Verizon and they have indicated they will participate but not have taken an official vote as of yet.

Mr. Dayoub mentioned that El Paso businesses have also put in money to help fund this contract with Cypress to ensure they make the best possible effort in our communities to win contract for the region to recoup missions from the various military organizations to our installations. He named businesses that have contributed.

Mr. Thomas gave background information about Cypress International. He said they are led by retired Senior Military Officers. He mentioned they have strong contacts within the Pentagon and in the Defense Industry.

Mr. Dayoub said they are asking for \$10,000 a year for 3 years to contribute to that contract.

Mayor Boss asked if El Paso has contributed \$110,000. Mr. Dayoub said the City itself. Mayor Boss said there is a portion that is contributed by the business community or the community at large. Mr. Dayoub said their group is committed to the City that they would raise the other \$60,000 a year. He said they are hoping for it to be a blend of the private and public sector.

Mayor Boss asked how much they are asking from Las Cruces. Mr. Dayoub answered \$5,000 a year for 3 years. Mr. Thomas said they are asking for \$5,000 from the City and \$5,000 from the County. Interim City Manager Cesar asked if that is what they are asking here. Mr. Thomas said it affects the Alamogordo area more, the White Sands area is relatively small. He also said they will be asking the County at a later date.

Commissioner Payne said she understands why they are asking for more from Alamogordo than they are for Las Cruces. She asked if they will get representation, from Cypress, in Washington and other areas. Mr. Dayoub and Mr. Thomas both answered that is correct. Mr. Thomas said Cypress will supply the City with a lot of other information not directly related to Holloman but on economic development issues as well. She said she would really like to see more manufacturing and aerospace in Alamogordo. Mr. Dayoub said each of the communities will have the ability to provide to Cypress what your priorities are for your community's needs and the installation.

Mayor Boss asked if they have considered that there are a lot of personnel at Holloman that commute every day and reside in Las Cruces, not only the military but civil servants as well. Mr. Dayoub said he is aware, but he has yet to find anyone that could give him that number. Mayor Boss said that would be an interesting number to know. He said Alamogordo having more burden than Las Cruces doesn't pass the smell test for him. Mr. Thomas said they know that 4,000 of 6,000 employees of White Sands come directly from El Paso, so White Sands is tremendously important to El Paso.

Mayor Pro-Tem Baldwin asked if they have met with MainGate and if they are on board with this. Mr. Thomas said they have not met with them yet. Mayor Pro-Tem Baldwin said he is hopeful that the Commission sees the importance of this. He also said that he would like to spend some time speaking with some MainGate people to make sure that it is going to work properly together. He said their focuses are right up the alley for what they need for this area.

Mr. Dayoub said they donate a lot of their own time, effort and funds to travel to make presentations and advocate on behalf of their region.

PUBLIC COMMENT

Gene Downer commented on the following:

He gave suggestions for creating a system for making selections for various projects within the City, to include roads and grants.

CITY MANAGER'S REPORT

Interim City Manager Cesar made the following remarks:

None.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Mayor Boss made the following comments:

He gave an update on the Big Give. He said the airmen and their spouses have contributed over 3,000 volunteer hours from over 300 volunteers and the estimated value of the work performed is over \$200,000. The Alamo Big Give has contributed over \$2 million since it started 12 years ago. He announced the results of the judging. First place was the Knights Unleashed, who cleaned up an area in Monte Vista Cemetery. Second place was the AEG Nighthawks, who did a great deal of painting and re-flooring for the Boys and Girls Club. Third place and the People's Choice went to Team Helpful Hawks, who did work at Odd Fellows Hall. There was much more work done by the remaining 14 teams. He named some of the organizations that benefited from their work. On behalf of the Commission, he thanked all of the service men and women and their families for their efforts and service they give the community and our Country. He also thanked the local business for their contributions.

Commissioner Sikes made the following comments:

She asked Interim City Manager Cesar what's the City's part in the New Mexico Department of Transportation's (NMDOT) public meeting regarding the intersection at Indian Wells and White Sands is. He answered there are safety issues and the City was involved in determining what needed to be done in that area. He said NMDOT acquired funding for this fiscal year and they are currently in the design phase. He said NMDOT is reaching out to the public because incorporated in this design is some things that might not be as popular to the community. Commissioner Sikes said people have come to the Commission because of that intersection. Commissioner Sikes took a moment to say on August 2nd they lost Ms. Maude Rathgeber. She spoke on Ms. Rathgeber's various accomplishments. She said no matter what, a lot of people considered Ms. Rathgeber an adversary but under no circumstances or conditions was Ms. Rathgeber considered an enemy because she did a lot for the community.

CONSENT AGENDA

5. Approve the minutes for the August 6, 2019 Workshop and the August 13, 2019 Regular meeting. (*Rachel Hughs, City Clerk*)

6. Approve Resolution No. 2019-38 Certifying the City of Alamogordo Fixed Asset Inventory Count for FY 2019. (*Stephanie Hernandez, Finance Director*) (Roll Call Vote Required)

7. Consider, and act upon, a request related to the Alamogordo Fire Department applying for the FY 20 Fire Protection Grant through the New Mexico Public Regulation Commission (PRC). (*Jim LeClair, Fire Chief*)

8. Consider, and act upon, a request related to the Alamogordo Fire Department applying for the FY20 Fire House Subs Public Safety Grant. (*Jim LeClair, Fire Chief*)

9. Consider, and act upon, a request related to the Alamogordo Police Department applying for the FY20 Fire House Subs Public Safety Grant. (*Richard Denton, APD Patrol Operations Captain*)

10. Consider, and act upon, Resolution 2019-37 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 August 27, 2019. (*Evelyn Huff, Budget Analyst*) (Roll Call Vote Required)

Commissioner Hernandez moved to approve item 5, 6, 7, 8, 9, 10 of the consent calendar.

Commissioner Rardin seconded the motion.

Roll call vote was taken.

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

NEW BUSINESS

11. Consider, and act upon Resolution 2019-36, a resolution Declaring Support for a New Center of Commerce Building. (*G.B. Oliver, Chamber of Commerce President*) (Roll Call Vote Required)

Ms. Schweers said she appreciates the resolution and she would accept it with an amendment. She read the resolution as written and then read what she would like to see amended. She said the reason she is asking for that is that they feel that the funds, they will most likely get, will not be given to an organization that did not own the property.

Mayor Boss asked if that is something they can handle. City Attorney Bengoechea answered absolutely.

Commissioner Sikes asked for clarification on the amendment. She said they are adding "outside" before funding but deleting "without any City contribution". Ms. Schweers confirmed and said that is for the flow of funds.

Commissioner Hernandez moved to approve as amended.

Commissioner Wright seconded the motion.

Roll call vote was taken.

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

12. Consider, and act upon, letter to Federal Aviation Administration for Regional Jet Service project. (*Baxter Pattillo*)

Mayor Pro-Tem Baldwin moved to approve.

Commissioner Hernandez seconded the motion.

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

13. Consider, and act upon, first publication of Ordinance 1599 to amend Municipal Election Campaign Disclosure Ordinance 1466. (*Rachel Hughs, City Clerk*) (Roll Call Vote Required)

City Clerk Hughs explained that were going to add the language that the County Clerk would be taking over these campaign disclosures, as well as changing the filing dates. She said upon being over at the County Clerk's Office today for Candidate Filing day, the County Clerk was able to look more in-depth at these forms. She said the County Clerk mentioned to her that the only thing she would be able to do is take the forms and put them in a folder because she would not be able to enforce any of the City's Ordinances as far as sending somebody out to cite someone or have someone come in and pay the \$10 late charge. She said the County Clerk's suggestion was for the City Clerk to continue taking these disclosure forms. City Clerk Hughs said that would be removed from the proposed Ordinance. City Clerk Hughs also suggested that the County Clerk does not have to do the certified mail because this would be an extra task for them, the City Clerk will continue doing that. She said there is also the

language that Commissioner Hernandez asked for as far as penalties for somebody that does not file the money coming in and going out.

Commissioner Hernandez said his language was that if it is an Ordinance, then it should fall under the rest of their Ordinances, as far as being enforced. He said he thinks this Ordinance is pretty much useless and unnecessary.

Commissioner Payne agreed with Commissioner Hernandez. She said she found out that the City of Alamogordo are the only ones that require this financial disclosure. She said with all due respect, she thinks people use this and manipulate it, which she has a real issue with. She said she has no problem disclosing how she pays for her campaign; she just feels like she should not have to.

Mayor Boss agreed with both Commissioner Hernandez and Payne. He said they are all non-partisan.

Commissioner Sikes asked why that matters, if they are non-partisan or not. Mayor Boss said he hadn't really thought about it, but it seems like it would. He then asked why it wouldn't. Mayor Boss then said to him, they would want to know how many republican and democrats. Commissioner Sikes interrupted and said nope, they don't want to know that. Mayor Boss said he would want to know that.

Commissioner Rardin stated these forms are required when you run for any office above this. He said it is done through the Secretary of State's Office. He said they are a lot harsher on what you have to report. He said that is why the County Clerk said she has no authority over it because the Secretary of State has it. He said because they are a non-partisan election, they are not going to get involved. He feels campaign reporting is important that way you know who is backing who.

Commissioner Payne said she has an issue with the way these are used. She gave an example of what happened during her last campaign. She said if the only reason to do this is to see if they are in the pockets of certain people, then she does have an issue with that. She said they are non-partisan, and this is a simple little election, she does not think they should treat it as they were running for a higher office. She said if they were running for a higher Office, then they would definitely want to know that.

Commissioner Rardin asked why they would want to know for the higher office, but they don't care on the lower Office. Commissioner Payne answered because this is a Municipality, this is not a State Representative where you have the opportunity to affect change throughout our entire State. She said there are seven of them on the Commission and it takes a majority vote and it is not the same. She said if you run for a higher Office, you can easily be manipulated and can do a lot of damage.

Mayor Boss said they do not have individual authority; they have authority up here if they got four people on an issue.

Commissioner Rardin said the County Commission is an example, there are three of them. They have to file those reports with the Secretary of State's Office. He said it does kind of matter. He also said that he agrees with them that this Ordinance is very un-enforceable.

Commissioner Payne said she thinks that if it was used in the spirit of how it was intended that would be one thing, but that is not how it is used.

Commissioner Sikes said this has only been since 2014 and when she found out having been involved in numerous State and National elections, that they as Commissioners did not have to be transparent, that they did not have to declare who supported them in their campaign and she found it to be a little bit of a travesty. She said over the years dealing with social media and even with people one on one, when she hears that the City Commission maybe absconding with money or spending money willy nilly. She thinks that it is important to be transparent. She thinks they should be above reproach when it comes to campaign finance. She thinks people within municipalities could also be doing things that could be construed to be potentially illegal. She said the reports are not complicated.

Mayor Boss asked Commissioner Sikes if she is presuming that a person takes a contribution from someone, that they are in that person's pocket. She said she is not presuming that she is hoping that people support people that they would like to see in Office. She said one of the reasons she wanted this to become an ordinance in 2014 was because of a situation with a Mayoral candidate that had been accused of potentially voting a certain way. She thinks they just want to be transparent and alleviate any concern.

Commissioner Hernandez said he does not disagree with anybody. He asked who enforces this and how is it enforced. He said if a donation from somebody is going to change your vote or direct you on what you are voting, then you shouldn't be up here. He said when he ran in 1996, his opponent was supported by Commissioner Hernandez's employer. He said his employer donated to both campaigns. If \$10,000 is going to change if you get elected, then you should not be up here. He stated you can still go to jail for things in their positions. It does not matter how much money you give him; Al Hernandez is going to do what Al Hernandez is going to do.

Commissioner Payne stated no one offered to donate her signs, but they just offered to wait until the end of the campaign for her to pay for them. She had to go and pay for them before then because it was all over social media that she was hiding money. She said if you're going to be crooked and vote a certain way, you're going to do it, it doesn't matter where the money came from and none of them can prove that their vote was based on where the money came from. She stated what bothers her is this information is being used for bad. She said you can accuse her as a candidate, but when you start dragging good people into this, just so that they can know, that is ridiculous. She said if they keep it up, no one is going to want to donate to campaigns. She said furthermore, once you are elected you could take money from somebody and nobody would know.

Mayor Pro-Tem Baldwin said just for transparency, he would say yes to the ordinance. He said there is an inherent distrust of anybody that becomes elected. Once you get elected, all of a sudden, you're a crooked politician. He said there were some comments made in reference to who is donating to the Commissioner or the position to see who is pulling strings and he was a little upset about the comment. He said as Commissioner Hernandez mentioned, you can't really be bought that way anymore, there is too much transparency, this just allows them to be a little more transparent. He stated he can see how it could affect potential donors.

Commissioner Hernandez said it is a piece of paper, there is nothing behind it, who is going to enforce this. He said it is not a Police matter and the Clerk does not have the authority to put somebody in jail. He said the only one that does is the Fire Chief under Code Enforcement. If they are going to carry this then they need to put who the enforcer is and there are repercussions if it is not enforced.

Commissioner Rardin suggested they put in the ordinance who enforces the ordinance and how they enforce it. He said he agrees with Mayor Pro-Tem Baldwin that this is about transparency. He said he personally does not take money from people; he funds his own campaigns that way he does not owe anybody anything.

Mayor Pro-Tem Baldwin suggested they table this and put something in for the enforcement.

City Attorney Bengoechea stated her office is responsible for enforcing all the Ordinances. She said the Code Enforcement Officer cannot arrest people. She could put in a criminal complaint and put into the Municipal Court and brought before the Judge. Things have happened in the past where she was not made aware so she would have to work with the City Clerk's Office to ensure that the filings were made timely.

Commissioner Sikes clarified that nothing has to be changed to this Ordinance, and the language as written would allow the City Attorney to be the enforcer. City Attorney Bengoechea answered correct.

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

City Clerk Hughs wanted to make clear that the City Clerk is going to continue to receive the campaign disclosure forms. Mayor Pro-Tem Baldwin asked if she is okay with pulling the forms out of the packet from the County or do, they need to give them directly to the City Clerk. City Clerk Hughs said the County went ahead gave them to the candidates and they will be returning them to the City Clerk, 12 days prior to the election. She then asked about the current filing days of the Ordinance. Mayor Pro-Tem Baldwin said they are fine. City Clerk Hughs asked if they were fine the old or the new way. Commissioner Sikes answered the new way. Mayor Pro-Tem Baldwin said the two reporting days, yes.

Mayor Pro-Tem Baldwin moved to approve as amended.

Commissioner Rardin seconded the motion.

Roll call vote was taken.

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

Mayor Boss and Commissioners Hernandez and Payne voted nay.

Commissioner Hernandez asked if he receives a donation of \$250 and he spends \$200 of it, how long does he need to report that. City Clerk Hughs answered the money that is left over has to be zeroed out, when the Ordinance passes, 45 days after the election. She said he will have the option to give it back to the donor or he can put into the general fund for the City. Commissioner Hernandez said that would be the better option because if you have two donors then who's money did you spend.

Commissioner Payne said she does not have a problem filing reports, but she does have a problem disclosing all the donors.

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

Mayor Boss read the openings and appointed Susan Hopkins to the Senior Volunteers Advisory Council. No one was opposed.

EXECUTIVE CLOSED SESSION

15. Adjourn into Executive Closed Session in compliance with 10-15-1(h)(8), NMSA (as amended) to discuss Real Property Tinsley Trailer Park located at 1620 N. White Sands. (Roll Call Vote Required)

Commissioner Hernandez moved to adjourn into Executive Closed Session at 8:13 p.m.

Commissioner Rardin seconded the motion.

Roll Call vote was taken.

Motion carried with a vote of 7-0-0

ADJOURNMENT

Mayor Richard Boss

ATTEST:

City Clerk Rachel Hughs

(Prepared by Eric Barraza, Deputy Clerk)

Approved at the Regular Meeting held on September 10, 2019.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 9/10/2019

Report Date: 8/22/2019

Report No: 3.

Submitted By: Rachel Hughs

Subject: Approve the statements related to the Executive Closed Session held on August 27, 2019.
(*Rachel Hughs, City Clerk*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve the following statements authorizing them to be included in the minutes of September 10, 2019: "The Governing Body of the City of Alamogordo, New Mexico, hereby states that on August 27, 2019, a Closed Executive Session was held and matters discussed in the closed meeting were limited only to: Real Property - Tinsley Trailer Park located at 1620 N. White Sands .

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

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 9/10/2019

Report Date: 8/21/2019

Report No: 4.

Submitted By: Rachel Hughs

Subject: Consider, and act upon, final publication of Ordinance 1598, an amendment to the City Charter for submitting Candidate Disclosure Statements. *(Rachel Hughs, City Clerk)* **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve ordinance 1598 for first publication.

Background: On August 13, 2019, ordinance 1598 was brought to Commission and was approved for first publication.

Information from Commission meeting of August 13, 2019.

This amendment to the ordinance is to remove the words "with the City Clerk".

The City Charter currently reads:

Article V Qualifications for Candidacy

Section 3. - Disclosure.

Each candidate for City office shall file a disclosure statement **with the City Clerk**, at the time of filing for the office. This statement shall identify all real property and businesses in New Mexico in which the candidate has a financial interest.

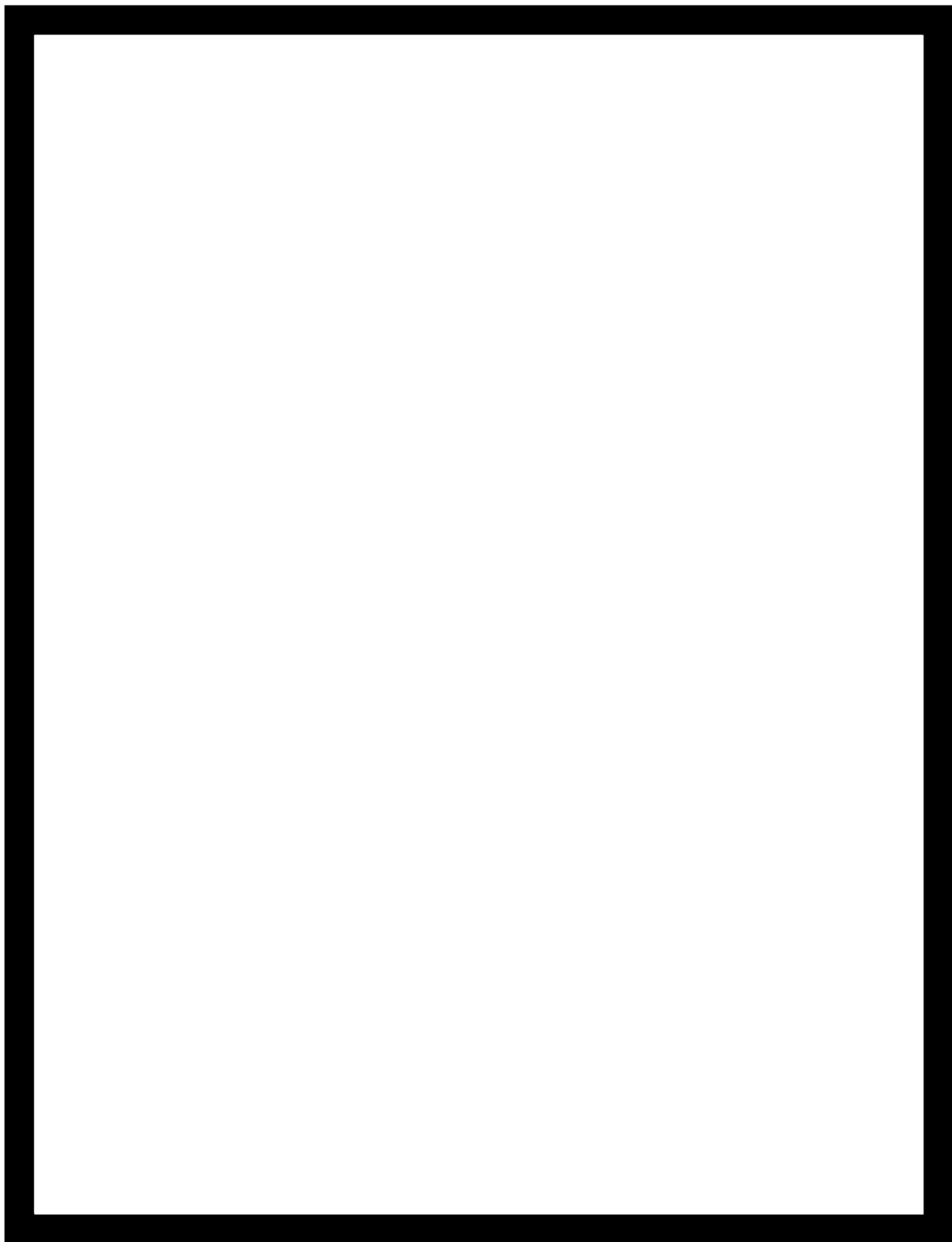
Election Code reads:

Section 1-22-7 A.

A candidate for a position that will be filled at a regular local election shall file a declaration of candidacy with the proper filing officer between 9:00 a.m. and 5:00 p.m. on the seventieth day before the date of the local election.

The City Opted-In to the Regular Local Election on December 4, 2018, therefore Candidates shall file their declaration of candidacy with the County Clerk.

The Otero County Clerk stated it would be less work and less confusing for Candidates if they submitted their disclosure statements with the County Clerk's office. Both Interim City Manager Cesar and City Clerk Hughs agree with the County Clerk.



ORDINANCE NO. 1598

**AN ORDINANCE AMENDING
ARTICLE V QUALIFICATIONS FOR CANDIDACY
SECTION 3 DISCLOSURE OF THE CITY CHARTER**

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

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

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

WHEREAS, the City of Alamogordo has adopted Ordinance 1581 to Opt-In to the Election of the Municipal Officers of the City Alamogordo in the Regular Local Election; and

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

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ALAMOGORDO, NEW MEXICO AMEND:

CITY CHARTER
ARTICLE V QUALIFICATIONS FOR CANDIDACY
SECTION 3. DISCLOSURE.

Each candidate for City office shall file a disclosure statement ~~with the City Clerk~~, at the time of filing for the office. This statement shall identify all real property and businesses in New Mexico in which the candidate has a financial interest.

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

CITY OF ALAMOGORDO, NEW MEXICO
a New Mexico municipal corporation

By: _____

Richard A. Boss, Mayor

ATTEST:

Rachel Hughs, City Clerk

APPROVED AS TO FORM:

Petria Schreiber, City Attorney

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 9/10/2019

Report Date: 9/3/2019

Report No: 5.

Submitted By: Barbara Pyeatt

Subject: Approve the award of RFP 2019-003 Uniform and Linen Rental and Laundry Services for the City of Alamogordo to Unifirst Corporation. *(Barbara Pyeatt, Chief Procurement Officer)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact: Estimated Fiscal Impact \$60,000. Service is funded by various departments.

Recommendation: Approve award of Uniform and Linen Rental & Laundry Services for the City of Alamogordo with Unifirst Corporation for an estimated yearly total of \$ 60,000.00.

Background: The RFP 2019-003 was advertised on July 28, 2019. The City received one response. Unifirst Corporation.

The uniform and linen rental service will include but not limited to: providing various city departments with floor mats, linen and uniforms rental as well as timely pick up and delivery.

The contract will be for an initial one (1) year period of time. The City reserves the right to exercise the option to extend the service agreement for up to three (3) additional one (1) year periods for a maximum term of four (4) years.

Proposal for RFP 2019-003 is available in City Clerk's Office.

The Contractor shall furnish at the start of the program, all brand new uniforms for all employees.

Weekly prices are based on 5 changes per week. To calculate price for a different number of change per week, multiply the unit cost (price per change) x the number of changes.

LONG TERM PRICING the pricing listed shall remain firm for 48 months

ITEM	DESCRIPTION	CHANGES PER WEEK	ESTIMATED NUMBER OF EMPLOYEES	PRICE PER CHANGE	TOTAL ANNUAL COST	INDICATE STOCK ITEM NUMBER YOU ARE BIDDING
CITY MAINTENANCE YARD 2600 N. Florida						
Work shirts Solid color Short /long Sleeve	4.25 oz. poplin; 65% poly/35% combed cotton; chambray	5	65	.506	8,551.40	0102 0108 0202 0208 0101 0335 0201 0436
Pants/Denim Jean	100% cotton	5	55	.638	9,123.40	10HD /1091
Work Pants Synthetic	.75 oz. twill 65% poly, 35% combed cotton;	5	10	.616	1,601.60	1002
Shop Coat		1	5	1.562	406.12	2525
Jacket		1	65	.92	3,109.60	1506
Coverall		1	45	.78	1,825.20	3002
Fire Retardant Welder Pant		5	1	1.804	469.04	11 K6
Mat 3 X 5	Visitors	9		2.25	1,053.00	76 A Q
Mat 4 X 6	Visitors	4		3.24	673.92	76 A R
Mat 3 X 10	Visitors	4		3.55	738.40	76 A S
Safety Mat	3 X 4	1		2.50	130.00	9857
Wipers	18 X 18			.081		8021
Fender Covers		5		.65	169.00	7521
Dry Mop	24"	2		.80	83.20	8324
Dry Mop	36"	3		.962	150.67	8336
Handle/Frame	24"	2		Ø	Ø	8141
Handle/Frame	36"	3		Ø	Ø	8142
LANDFILL HWY 54 MILE MARKER 43						
Work shirts Solid color Short /long Sleeve	4.25 oz. poplin; 65% poly/35% combed cotton; chambray	5	6	.506	789.36	0102 0108 0202 0208 0101 0335 0201 0436
Blue Jeans	100% cotton	5	6	.638	995.28	1091
Jacket		1	4	.92	191.36	1506
Coverall		1	4	.78	142.24	3002
Mat 3 X 5	Visitors	3		2.25	351.00	76 A Q
Mat 4 X 6	Visitors	1		3.24	168.48	76 A R
Wipers	18 X 18			.081		8021
Wet Mop		2		1.00	104.00	8116

Dry Mop	36"	1		.962	50.024	8336
Handle/Frame	24"	1		Ø	Ø	8141
Handle/Frame	36"	1		Ø	Ø	8142
AIRPORT 3500 AIRPORT						
Work shirts Solid color Short /long Sleeve	4.25 oz. poplin; 65% poly/35% combed cotton; chambray	5	1	.506	131.56	0102 0108 0202 0208 0101 0335 0201 0436
Work Pants Synthetic	7.75 oz. twill 65% poly, 35% combed cotton;	5	1	.616	160.16	1002
Jacket		1	1	.92	47.84	1506
Coverall		1	1	.78	40.56	3002
Mat 3X5	Visitors	2		2.25	234.00	76AQ
Mat 4X6	Visitors	2		3.24	336.96	76AR
Mat 3X10	Visitors	5		3.55	923.00	76AS
Mat 4 X 6	Scraper	1		2.52	131.04	5389
Wipers	18 X 18			.081		8021
Wet Mop		2		1.00	104.00	8116
Handle/Frame	24"	1		Ø	Ø	8141
Dry Mop	24"	1		.80	41.60	8324
GOLF COURSE HAMILTON RD						
Work shirts Solid color Short /long Sleeve	4.25 oz. poplin; 65% poly/35% combed cotton; chambray	5	7	.506	920.92	0102 0202
Blue Jeans	100% cotton	5	7	.638	1,161.16	1091
Wipers	18 X 18			.081		8021
CONVIENENCE CENTER 800 1 ST STREET						
Work shirts Solid color Short /long Sleeve	4.25 oz. poplin; 65% poly/35% combed cotton; chambray	5	4	.506	526.24	0102 0202
Blue Jeans	100% cotton	5	4	.638	663.52	1091
Coveralls		1	4	.78	145.60	3002
Work Pants Synthetic	.75 oz. twill 65% poly, 35% combed cotton;	5	4	.616	640.64	1002
Jacket		1	4	.92	191.36	1506
FAMILY RECREATION 100 OREGON STREET						
Work shirts Solid color Short /long Sleeve	4.25 oz. poplin; 65% poly/35% combed cotton; chambray	5	1	.506	131.56	0102 0202
Mat 4 X 6	Scraper	1		2.52	131.04	5389
Mat 3X5	Visitors	4		2.25	468.00	76AQ
Mat 4X6	Visitors	6		3.24	1,010.88	76AR
Mat 3X10	Visitors	3		3.55	553.80	76AS
Handle /Frame	36"	3		Ø	Ø	8142
Handle /Frame	48"	2		Ø	Ø	8143
Mops Wet		4		1.00	208.00	8116
Dry Mop	36"	5		.962	250.12	8336

Dry Mop	48"	4		1.17	243.36	8348
Ribbed Bar Towels		60		.225	702.00	8581
ZOO 1100 WHITESANDS						
Work shirts Solid color Short /long Sleeve	100% cotton	5	5	.506	657.80	0101 0201
Blue Jeans	100% cotton	5	5	.638	829.40	1091
Cargo Shorts	65% poly/35% combed cotton	5	5	.858	1,115.40	10A4 10A9 1271
CITY HALL/UTILITY BILLING 1376 E. NINTH STREET						
Work shirts Solid color Short /long Sleeve	100% Cotton	5	3	.506	394.68	0101 0201
Blue Jeans	100% Cotton	5	3	.638	497.64	1091
Jacket		1	3	.92	143.52	1506
Ribbed Bar Towels	Bag	40		.225	468.00	8581
CIVIC CENTER 800 1 ST STREET						
Mat 4X6	Visitors	7		3.24	1,179.36	76AR
Mat 3X10	Visitors	1		3.55	184.60	76AB
Dry Mop	36"	1		.962	50.024	8336
Dry Mop	48"	1		1.17	60.84	8348
Handle /Frame	48"	3		Ø	Ø	8143
Bar Towel	Bag	2		.225	23.40	8581
CEMETERY 1 ST STREET						
Work shirts Solid color Short /long Sleeve	100% cotton	5	2	.506	263.12	0102 0202 0101, 0201
Blue Jeans	100% cotton	5	2	.638	331.76	1091
Jacket		1	2	.92	95.68	1506
LIBRARY 920 OREGON						
Mat 3X5	Visitors	2		2.25	234.00	76AQ
Mat 4X6	Visitors	1		3.24	168.48	76AR
Mat 3X10	Visitors	2		3.55	369.20	76AS
Dry Mop with Handle	24"	1		.80	41.60	8324
DEPARTMENT OF PUBLIC SAFETY 700 VIRGINIA ST.						
Mat 4X6	Visitors	4		3.24	673.92	76AR
Mat 3X10	Visitors	6		3.55	1,107.60	76AS
FIRE STATION #1 619 TEXAS						
Wipers	18 X 18			.681		8621
Glass Towel		60		.24	748.80	8348
Bag Rack		6		Ø	Ø	8956

Laundry Bags		6		.25	78.00	9075
Dry Mop with Handle	24"	2		.80	83.20	8324
ANIMAL CONTROL 2910 N. FLORIDA						
Apron	Spun Poly Bib	40		.27	561.60	7646
Mat 3X5	Visitors	2		2.25	234.00	76 A Q
Mat 4X6	Visitors	3		3.24	505.44	76 AR
Dry Mop with Handle	24"	1		Ø	Ø	8141
Dry Mop	24"	1		.80	41.60	8324
Glass Towel		40		.24	499.20	8348
WASTE WATER TREATMENT PLANT - 3290 Airport Rd						
Work shirts Solid color Short /long Sleeve	4.25 oz. poplin; 65% poly/35% combed cotton; chambray	5	9	.506	1,184.04	0102 0202
Pants/Denim Jean	100% Cotton	5	9	.638	1,492.92	1091
Work Pants Synthetic	.75 oz. twill 65% poly, 35% combed cotton;	5	9	.616	1,441.44	1002
Jacket		1	9	.92	430.56	1506
Coveralls		1	9	.78	365.64	3002
Mat 3X5		4		2.25	468.00	76 A Q
Mat 3X10		1		3.55	184.60	76 AR
Wipers	18 X 18			.081		8021
WATER TREATMENT PLANT - 42 Valley View Rd						
Work shirts Solid color Short /long Sleeve	4.25 oz. poplin; 65% poly/35% combed cotton; chambray	5	11	.506	1,447.16	0102 0202
Pants/Denim Jean	100% Cotton	5	11	.638	1,824.68	1091
Work Pants Synthetic	.75 oz. twill 65% poly, 35% combed cotton;	5	11	.616	1,761.76	1002
Jacket		1	11	.92	526.24	1506
Coveralls		1	11	.78	446.16	3002
Mat 4 X 6		3		3.24	505.44	76 AR
Towels Microfiber		20		.24	249.60	8348
Wipers	18 X 18			.081		8021

Indicate Price for name Patch each

\$ 1.00

Indicate Percentage Discount Off Retail Catalog Price for Purchased Items:

30 %

NON-ALLOWED CHARGES. The following, but not limited to this list of charges, and including other incidental or standard industry charges not identified herein, are not allowed under this contract.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 9/10/2019

Report Date: 8/27/2019

Report No: 6.

Submitted By: Rachel Hughs

Subject: Consider, and act upon, Application No. 1135085, a Beer and Wine Liquor License at 930 S. White Sands Blvd, to Y'all's Steakhouse. *(Rachel Hughs, City Clerk)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve Application No. 1135085.

Background: The Alcohol and Gaming Division of the NM Regulation and Licensing Department has given this application preliminary approval. In accordance with Section 60-6B-4 NMSA of the Liquor Control Act, the Division must refer the application to the Governing Body for approval or disapproval. This public hearing is for the purpose of considering the application. A Notice of Public Hearing was published in the Alamogordo Daily News on Sunday, August 10, 2019 and Saturday, August 24, 2019. These publications meet the State regulations of publishing a notice twice prior to the hearing.

The applicant, Annette Rankin of 1314 College Ave., Alamogordo, NM, 88310, Application No. 1135085 is seeking a Beer and Wine Liquor License for 930 S. White Sands Blvd, Alamogordo, NM 88310 to Y'all's Steakhouse.



RECEIVED

AUG 05 2019

New Mexico Regulation and Licensing Department

ALCOHOLIC BEVERAGE CONTROL

PO Box 25101 • Santa Fe, New Mexico 87504-5101
Phone (505) 476-4875 • Fax (505) 476-4595 • www.rld.state.nm.us/abc

CITY CLERK

July 31, 2019

Certified Mail No.: 9171 9690 0935 0155 1031 89

9171 9690 0935 0155 1031 89

Michelle Lujan Grisham
GovernorMarguerite Salazar
SuperintendentClaudia Armijo
Deputy SuperintendentDaniel Rubin
General CounselAndrew Vallejos
DirectorCity of Alamogordo
Attn: Rachel Hughes
1376 E. Ninth St.
Alamogordo, NM 88310

RE: Lic. No. /Appl. No.: Application No. 1135085
Name of Applicant: Annette Rankin, Sole Proprietor
Doing Business as: Y'all's Steakhouse
Proposed Location: 930 S. White Sands Blvd.
Alamogordo, New Mexico 88310

Greetings:

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

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

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

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

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

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

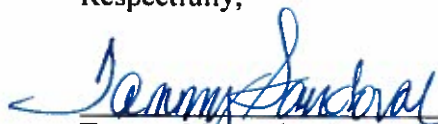
THE APPLICANT IS SEEKING A RESTAURANT BEER/WINE LIQUOR LICENSE.

Alcoholic Beverage Control
(505) 476-4875Boards and Commissions
Division
(505) 476-4600Construction Industries Division
(505) 476-4700Financial Institutions Division
(505) 476-4885Manufactured Housing Division
(505) 476-4770Securities Division
(505) 476-4580Administrative Services Division
(505) 476-4800

Within thirty (30) days after the Public Hearing, the governing body shall notify the Alcohol and Gaming Division of their decision to approve or disapprove the issuance or transfer of the license by signing the enclosed original Page 1 of the Application. The original Page 1 of the Application must be returned together with the notices of publication. If the Governing Body fails to either approve or disapprove the issuance or transfer of the license within thirty days after the Public Hearing, the Director may issue the license.

If the Governing Body disapproves the issuance or transfer of the license, it shall notify the Alcohol and Gaming Division within thirty (30) days setting forth the reasons for the disapproval. A copy of the Minutes of the Public Hearing shall be submitted to the Alcohol and Gaming Division with the Notice of Disapproval (*Page 1 of the Application, noting disapproval*).

Respectfully,



Tammy M. Sandoval, Hearing Officer
New Mexico Regulation & Licensing Dept. | Alcoholic Beverage Control
Phone: (505) 476-4548 Fax: (505) 476-4595
Email: tammy.sandoval@state.nm.us

Enclosures:

1. Original Page 1 of the Application (*must be signed and returned w/notices of publication*)
2. Copy of Page 2 of the Application
3. Copy of Zoning Statement



RECEIVED

AGD USE ONLY: Payment | Application Fee \$ 200 Received on: 6-14-19 Receipt No. 8197191
License Fee \$ _____ Received on: _____ Receipt No. _____
Application # 1135085 Local Option District: _____ **ALCOHOL & GAMING DIVISION**

RESTAURANT LIQUOR LICENSE APPLICATION

\$200.00 Application Fee, non-refundable.

Check appropriate boxes:

Application is for: ☐ New Restaurant Liquor License

Applicant is: ☒ Individual ☐ Limited Liability Company ☐ Corporation ☐ Partnership (General/Limited)

NAME OF APPLICANT (company or individual)

ADDRESS (including city, state, zip)

TELEPHONE NUMBER

Annette Rankin 1314 College Ave. Alamogordo NM 88310
(575) 415-9709

D/B/A Name to be used: Y'all's Steakhouse Business Phone #: (575) 495-2877

Email Address (required): mamma.nette @ icloud . com

Physical location where license is to be used: (Include street number / highway number / state road, city and county, state, and zip code)

930 S. White Sands Blvd. Alamogordo NM 88310

Mailing Address: 930 S. White Sands Blvd., Alamogordo NM 88310

Agent/Contact Person: Annette Rankin Phone# (575) 415-9709 Email: mamma.nette @ icloud . com

Are alcoholic beverages currently being dispensed at the proposed location? ☐ Yes ☒ No If Yes, License # / Type: _____

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

You must sign and date this form before a Notary Public.

Signature of Applicant: Annette Rankin Date: 6-5-19

NOTARY PUBLIC USE ONLY: (State of New Mexico, County of Otero)

SUBSCRIBED AND SWORN TO before me this 5 day of June, 2019

By: Annette Rankin Notary Public: Kacie Griego

My Commission Expires: 04/12/2023



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

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

Signature and Title of City/County Official: _____

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

Signed by Director: _____ Date: _____



PREMISES LOCATION, OWNERSHIP, AND DESCRIPTION

NMSA §60-6B-10

JUN 14 2019

ALCOHOL & GAMING DIVISION

1. The land and building which is proposed to be the licensed premises is: (check one)

- ☐ Owned by Applicant, copy of deed/document attached ☒ Leased by Applicant, copy of lease/document attached
☐ Other (provide details): _____

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

A. Owner(s): Guadalupe Gallegos

B. Date and Term of Lease: December 1, 2018

3. Premises location is Zoned (example C-1, see Zoning Statement): _____

☒ **Zoning Statement attached**, which must be obtained from the Local Government, listing the proposed location by address, Type of Zone, state whether alcoholic beverages are allowed at proposed location, and if applicable, whether packaged sales, patio service and/or manufacturing is allowable. If there is no zoning in the proposed location, attach Statement from the local government, indicating there is no zoning.

4. Distance* from nearest Church: (Property line of church to closest point of licensed premises—shortest distance)

Name of Church: Immaculate Conception Miles/feet: 1.3

Address/location of Church: 705 Delaware Ave. Alamogordo NM 88310

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

Name of School: Desert Star Elementary Miles/feet: 1.5 miles

Address/location of School: 400 S. Washington Ave, Alamogordo NM 88310

6. Distance from military installation *(Property line of military installation to closest point of licensed premises—shortest distance.)

Name of Military Installation, ^{circle one} Kirtland Air Force Base (Albuquerque), White Sands Missile Range (Las Cruces),
Miles: 8.4 Holloman Air Force Base (Alamogordo), Cannon Air Force Base (Clovis)

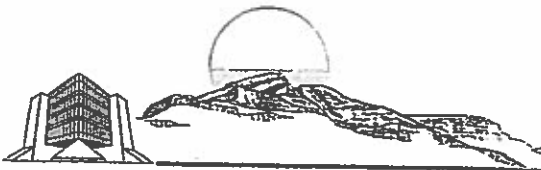
7. Attach Detailed Floor Plan, must include the Total Square Footage of premises; List nearest cross street; Show which direction is North; Show each level (floor) where alcoholic beverages will be sold or consumed, exterior walls, doors, and interior walls; Patio Area with type of barrier used; Highlight Bonded Areas. The floor plan should be no larger than 8½ x 11 inches and **must be labeled** with designated areas highlighted, which will reflect the proposed Licensed Premises.

8. Type of Operation: ☐ Hotel ☐ Lounge ☐ Package Grocery ☒ Restaurant ☐ Racetrack
☐ Small Brewer ☐ Craft Distiller ☐ Winery ☐ Wholesaler
☐ Other (specify): _____

*NOTE: If the distance is beyond 300 feet, but less than 400 feet, a Registered Engineer or Licensed Surveyor must complete a Survey Certificate showing the exact distance.

RECEIVED

JUN 14 2019



ALCOHOL & GAMING DIVISION

City of Alamogordo

Community Development • 1376 E. Ninth Street • Alamogordo, New Mexico 88310-5938 • (575)439-4220 FAX (575)439-4343

CD-002-2019

January 9, 2019

Department of Alcohol & Gaming
2550 Cerrillos Rd #2
Santa Fe, NM 87505

RE: Zoning of: **930 S. White Sands Blvd**
Legal Description: **30-16-10 S1/2 NW1/4 SE1/4, PT OF LOT 3**
Map Code **01N-4-055095055354 & PC 01-00034**

To Whom It May Concern,

At your request, we have researched our records and determined the zoning classification of that certain real property, which has the street address **930 S White Sands Blvd** within the corporate boundaries of the City of Alamogordo. This is written, in accordance with the provisions of Section 2-01-030(j) and Section 29-01-010 of the Code of Ordinances of the City of Alamogordo, New Mexico, to provide a Certificate of Zoning Classification regarding the Property.

The property at **930 S. White Sands Blvd** is within the **C-3 Business District** as per the City of Alamogordo Zoning Map, which does not prohibit the sale of alcoholic beverages. ~~Alamogordo Municipal Code Chapter 29, Zoning, allows restaurants, and commercial businesses within this district.~~

Please contact me if you need more information. Note that for a full understanding of what is permitted or prohibited by the Alamogordo Code of Ordinances please refer to the Code in its entirety. The City's website at <http://ci.alamogordo.nm.us> provides access to the entire Municipal Code. On the City's Home page click on GOVERNMENT – COA Code of Ordinances – Chapter 29 Zoning.

Sincerely,

Stella Rael, City Planner
City of Alamogordo
1376 E Ninth St.
Alamogordo, NM 88310-5938
(575) 439-4208; Fax: (575)439-4343
srael@ci.alamogordo.nm.us



City of Alamogordo

OFFICE OF THE CITY CLERK
1376 E. Ninth Street • Alamogordo, New Mexico 88310 •
(575) 439-4100 Fax (575) 439-4396

August 5, 2019

VIA CERTIFIED MAIL

Y'all's Steakhouse
Annette Rankin
1314 College Ave.,
Alamogordo, NM, 88310

Re: Application No. **Application No. 1135085**

Ms. Rankin,

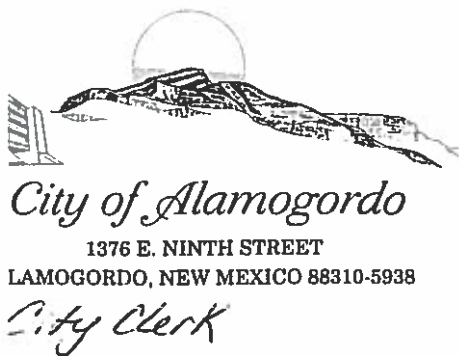
The City of Alamogordo will hold a Public Hearing on the question of whether or not the Alcohol and Gaming Division of the State of New Mexico should grant Application No. 1135085 a Beer and Wine Liquor License at 930 S. White Sands Blvd, Alamogordo, NM 88310 to Y'all's Steakhouse, owner Annette Rankin of 1314 College Ave., Alamogordo, NM, 88310.

The Public Hearing will be on September 10, 2019, at 6:30 pm at the Commission Chambers located at City Hall, 1376 E. Ninth Street in Alamogordo, New Mexico, 88310.

If you have any questions, please contact me at (575) 439-4100.

Sincerely,

Rachel Hughs
Rachel Hughs,
City Clerk



7006 3450 0001 8876 9572

easier

08/06/2019

US POSTAGE \$004.00



ZIP 8831
011E11672

Y'all's Steakhouse
Annette Rankin
1314 College Ave.,
Alamogordo, NM, 88310

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

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(Endorsement Required)

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(Endorsement Required)

Total Postage & Fees \$

4.00

Postmark
Here

Y'all's Steakhouse
Annette Rankin
1314 College Ave.,
Alamogordo, NM, 88310

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Y'all's Steakhouse
Annette Rankin
1314 College Ave.,
Alamogordo, NM, 88310

COMPLETE THIS SECTION ON DELIVERY

A. Signature

x Annette Rankin

☐ Agent

☐ Addressee

B. Received by (Printed Name)

Annette Rankin

C. Date of Delivery

8-9-19

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☒ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2

7006 3450 0001 8876 9572

Legal Notices 152

Legal Notices 152

Legal Notices 152

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Alamogordo City Commission will hold a PUBLIC HEARING on Tuesday, September 10, 2019 at 6:30 p.m. in the Commission Chambers of the Alamogordo City Hall located at 1376 E. Ninth Street, Alamogordo, New Mexico, on the question of whether or not the Alcohol and Gaming Division of the State of New Mexico should grant Application No. 1135085 a Beer and Wine Liquor License at 930 S. White Sands Blvd, Alamogordo, NM 88310 to Y'all's Steakhouse, owner Annette Rankin of 1314 College Ave., Alamogordo, NM, 88310. Inquiries regarding this Public Hearing should be directed to the City Clerk's Office at City Hall.

Date: 08/05/2019

City of Alamogordo, New Mexico

By: Rachel Hughes, City Clerk

Aug. 10, 24, 2019

#1293281

Legal Notices 152

Legal Notices 152

Legal Notices 152

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Alamogordo City Commission will hold a PUBLIC HEARING on Tuesday, September 10, 2019 at 6:30 p.m. in the Commission Chambers of the Alamogordo City Hall located at 1376 E. Ninth Street, Alamogordo, New Mexico, on the question of whether or not the Alcohol and Gaming Division of the State of New Mexico should grant Application No. 1135085 a Beer and Wine Liquor License at 930 S. White Sands Blvd, Alamogordo, NM 88310 to Y'all's Steakhouse, owner Annette Rankin of 1314 College Ave., Alamogordo, NM, 88310. Inquiries regarding this Public Hearing should be directed to the City Clerk's Office at City Hall.

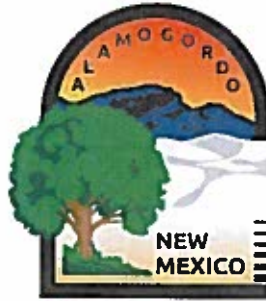
Date: 08/05/2019

City of Alamogordo, New Mexico

By: Rachel Hughes, City Clerk

Aug. 10, 24, 2019

#1293281



NOTICE OF PUBLIC HEARING

The Alamogordo City Commission
will hold a PUBLIC HEARING on:

**TUESDAY, September 10, 2019 at 6:30 pm
during their regular Commission Meeting at
City Hall in the
Commission Chambers
1376 E. Ninth St.
Alamogordo, New Mexico**

The purpose of this Hearing is on the question of whether or not the Alcohol and Gaming Division of the State of New Mexico should grant Application No. 1135085 a Beer and Wine Liquor License at 930 S. White Sands Blvd, Alamogordo, NM 88310 to Y'all's Steakhouse, owner Annette Rankin of 1314 College Ave., Alamogordo, NM, 88310.

The public may speak and submit comments during said Public Hearing. Inquiries regarding this Public Hearing should be directed to the City Clerk's Office at City Hall.

Date: August 5, 2018
City of Alamogordo, New Mexico
By: Rachel Hughs, City Clerk

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 9/10/2019

Report Date:

Report No: 7.

Submitted By:

Subject: Consider, and act upon, paving of McDonald Road, 8 Street-10th Street. *(Janice Akers)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Provide Staff direction.

Background: Ms. Akers is requesting paving McDonald Road, 8 Street-10th Street.



RECEIVED

AUG 20 2019

City of Alamogordo City Commission Meeting
AGENDA REQUEST FORM

CITY CLERK

Today's Date: 8-20-19

Request Date
of Meeting:

9-10-19

Name:

JANICE AKERS

Address:

PO Box 2363

Alamogordo NM ZIP 88311

Phone Number:

575-430-3433

E-Mail Address:

akersj1@yahoo.com

Item requested will be for: (Please check one)

☐ Information only

☒ Action Item

Brief description of topic to be discussed:

Please attach one original of any documents pertaining to the topic -
We do not allow handouts at the meeting

paving of a Road
Mc Donald 8-10 street

Signature: JANICE AKERS

Please return to:

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

Phone: (575) 439-4272

Fax: (575) 439-4396

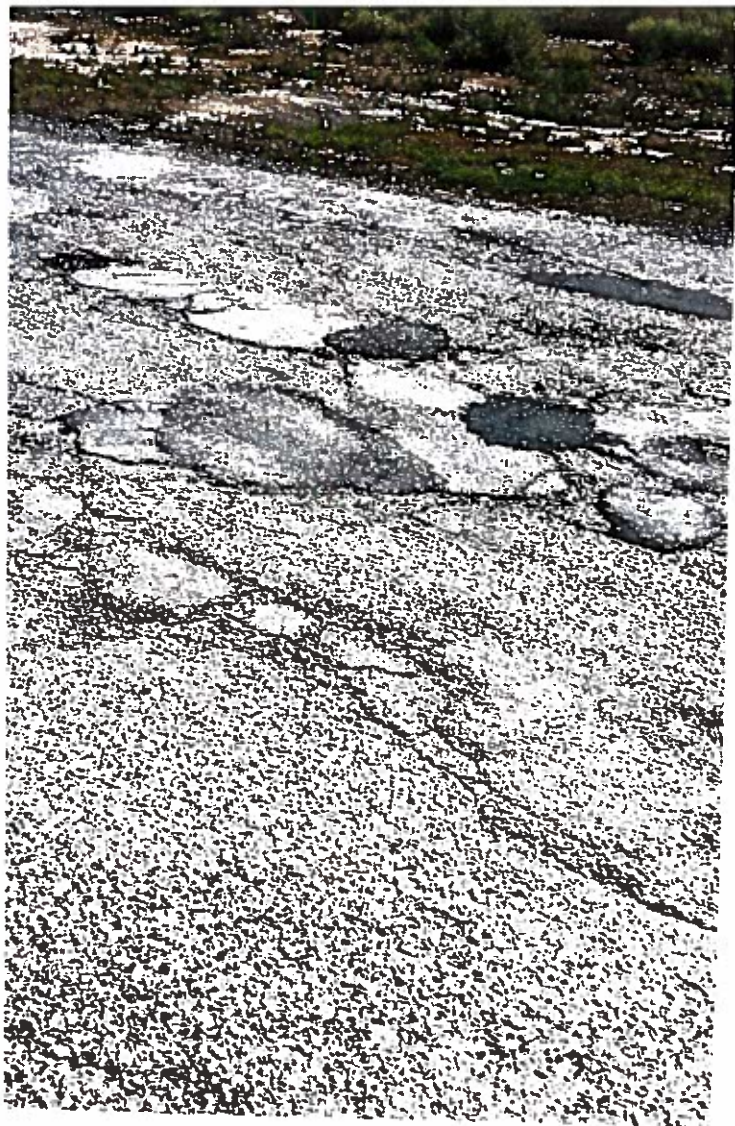
E-mail: rhughs@ci.alamogordo.nm.us

Revised 7/1/2019











AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 9/10/2019

Report Date:

Report No: 8.

Submitted By: Larry Garner

Subject: Consider, and act upon, awarding solid waste services to Southwest Disposal (*Larry Garner, Public Works Director*).

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

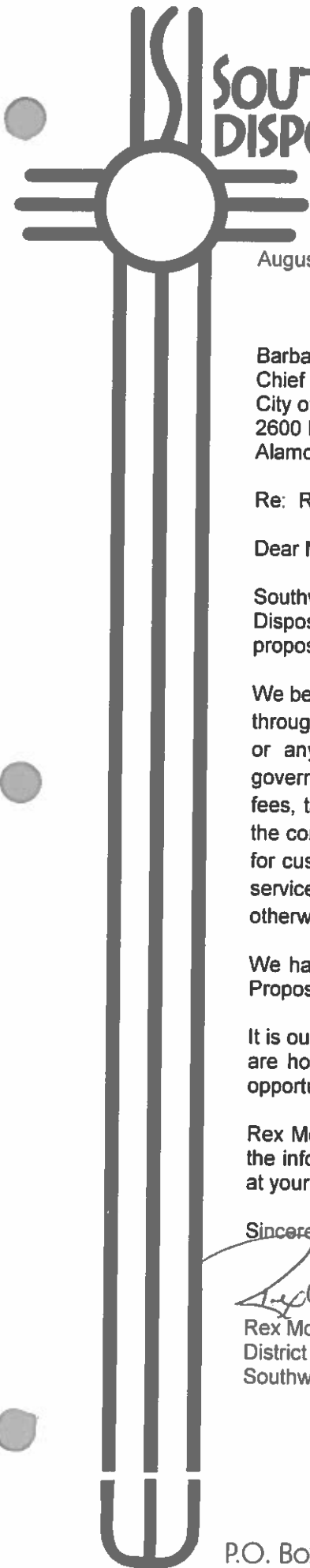
Recommendation: to allow staff to enter into negotiations with Southwest Disposal and finalize a contract to go in front of commission for acceptance.

Background: An RFP was sent out to contract solid waste disposal for the City. Only one company responded "Southwest Disposal"

REQUEST FOR PROPOSALS
RFP No. 2019-002
SOLID WASTE COLLECTION AND DISPOSAL SERVICES
FOR THE CITY OF ALAMOGORDO, NEW MEXICO

Proposal Submitted by:
Southwest Disposal - Alamogordo, NM
1350 La Velle Road
Alamogordo, New Mexico

August 5, 2019



SOUTHWEST DISPOSAL

August 5, 2019

Barbara Pyeatt
Chief Procurement Officer
City of Alamogordo
2600 N. Florida
Alamogordo, NM 88310

Re: RFP No. 2019-002 Solid Waste Collection and Disposal

Dear Ms. Pyeatt,

Southwest Disposal is pleased to present a proposal for Solid Waste Collection and Disposal. We have carefully reviewed the RFP for City of Alamogordo and we believe our proposal indicates our understanding of the requirements of this RFP.

We believe that our price proposal is fair and equitable based on the information provided through the RFP. All rates quoted are exclusive of and do not include gross receipt taxes or any other sales, use, or environmental taxes which may be imposed by any governmental authority; franchise fees, billing, or monitoring fees by the City, or any other fees, taxes or services not specifically stated. Under the terms of this service proposal, the contractor will provide services on behalf of the City, and the City will be responsible for customer billing and payments. The contractor will bill the City monthly for provided services. In addition, the City will pay all landfill fees for residential collection unless otherwise indicated in the proposal.

We have included some items for your consideration as exceptions to the Request for Proposal. These items are intended to identify areas of concern and remain negotiable.

It is our pleasure to be associated with the City of Alamogordo for over twenty years. We are hopeful that this proposal merits further consideration and we look forward to the opportunity to continue our business relationship.

Rex McCourt will be your primary point of contact if you have any questions concerning the information provided in this proposal or desire additional clarification, please call me at your convenience at 575-551-1283.

Sincerely,



Rex McCourt
District Manager
Southwest Disposal

ATTACHMENT 4

RFP 2019-002 Solid Waste Collection and Disposal Service

ACKNOWLEDGMENT OF RECEIPT FORM

REQUEST FOR PROPOSALS
Proposal Based

In acknowledgement of receipt of this Request for Proposal the undersigned agrees that he/she has received a complete copy of acknowledged RFP.

The acknowledgement of receipt should be signed and returned to the Chief Procurement Officer. Only potential Offerors who elect to return this form completed with the intention of submitting a proposal will receive copies of all Offeror written questions and the City's written responses to those questions in the form of an addenda.

COMPANY: Waste Connections of New Mexico Inc. dba SW Disposal Corp.

REPRESENTED BY: Rex McCourt

TITLE: District Manager PHONE NO.: (575) 434-1109

E-MAIL: rexm@wcnx.org FAX NO.: (575) 434-6739

ADDRESS: 1350 Lavelle Road

CITY: Alamogordo STATE: NM ZIP CODE: 88310

SIGNATURE: [Signature] DATE: 6/17/19

This name and address will be used for all correspondence related to the Request for Proposals.

Company does/does not (circle one) intend to respond to this Request for Proposals.

Acknowledgements must be delivered to the Chief Procurement Officer at the following address:

Barbara Pyeatt
Chief Procurement Officer
Purchasing Department
2600 N Florida Ave
Alamogordo, New Mexico 88310
bpyeatt@ci.alamogordo.nm.us
Fax Number: (575) 439-4117

ADDENDUM ACKNOWLEDGEMENT

ADDENDUM NO. 1

RFP No. 2019-002 Solid Waste Collection and Disposal Services

Received By: Rex McCourt

Date Received: 8/1/2019

Business Name: Southwest Disposal Corp.

Name: Rex McCourt

Signature: [Signature]

ADDENDUM ACKNOWLEDGEMENT

ADDENDUM NO. 2

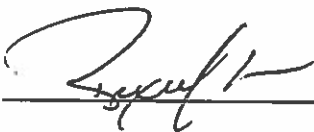
RFP No. 2019-002 Solid Waste Collection and Disposal Services

Received By: Rex 777 Court

Date Received: 8/1/2019

Business Name: Southwest Disposal Corp.

Name: Rex 777 Court

Signature: 

Technical Competence

Southwest Disposal is owned by Waste Connections. Waste Connections is the third largest publicly traded solid waste company in North America. As of December 31, 2018, Waste Connections served residential, commercial, industrial and E&P customers in 41 states in the U.S. and six provinces in Canada. It is a public company, currently traded on the New York Stock Exchange under the symbol WCN.

The company manages operations on a decentralized basis. This places decision-making authority closer to the customer, enabling the local management teams to address customers' needs quickly in a cost-effective manner. Each operating location has a district or site manager who has a high degree of decision-making authority for his or her operations and is responsible for maintaining service quality, promoting safety, implementing marketing programs and overseeing day-to-day operations, including contract administration.

The Southwest Division of Waste Connections is comprised of Southwest Disposal located in Alamogordo, NM with a satellite operation in Roswell; Southwest Disposal of Las Cruces with satellite operations in Bayard, NM, Willcox, NM, and Benson, AZ; Camino Real Environmental Center located in Sunland Park, NM and El Paso Disposal located in El Paso, TX. As combined entities they represent more than 130 years of solid waste collection and disposal service experience. As affiliate companies they provide excellent service by sharing personnel, technology, best management practices and equipment when required. The result is a proven track record of consistent dependable service. In addition, the parent company, Waste Connections, enhances and supports all operations through fleet support, technology, training, management support, and necessary capital.

Southwest Disposal presently provides solid waste collection, hauling and disposing of waste services to Las Cruces, Alamogordo, Roswell, New Mexico and surrounding areas. This company is expanding across Southern New Mexico. Southwest Disposal Corporation currently provides residential service to the 10,450 residences of Alamogordo, N.M., all waste collection for the Village of Hatch, N.M; 11,600 residences surrounding Las Cruces, N.M., all waste collection in New Mexico State University, as well as all waste collection service in Cloudcroft, New Mexico. Mechanical, management and personnel support are provided by El Paso Disposal.

Waste Connections

Honoring our commitments provides our stakeholders peace of mind and establishes us as the premier waste services company in the markets we serve. This creates a safe and rewarding environment for our employees while protecting the health and welfare of the communities we serve, thereby increasing value for our shareholders.

STATEMENT OF OPERATING VALUES

Safety. We strive to assure complete safety to our employees, our customers and the public in all of our operations. Protection from accident or injury is paramount in all we do.

Integrity. We define integrity as "saying what you will do and then doing it". We keep our promises to our customers, our employees and our stockholders. Do the right thing, at the right time, for the right reason.

Customer Service. We provide our customers the best possible service in a courteous, effective manner, showing respect for those we are fortunate to serve.

To be a Great Place To Work. We maintain a growth culture where our employees can maximize their potential personally and professionally. Our objective is to provide an environment where people enjoy what they do and take pride in their work. We wish to embody a work hard, play harder culture.

To be the Premier Waste Services Company in North America. We continue to provide superior returns, remain environmentally responsible, and continue to grow in a disciplined way, deploying resources intelligently and benefiting communities we live in. We remain a "different breed".

VISION FOR THE FUTURE

Our goal is to create an environment where self directed, empowered employees strive to consistently fulfill our constituent commitments and seek to create positive impacts through interactions with customers, and fellow employees, always relying on our Operating Values as the foundation for our existence.

Capacity and Capability

As the incumbent provider of solid waste services for the City of Alamogordo we have the capabilities and resources to continue to provide the requested products and services. These capabilities include:

- If Alternative "B" is selected, we make the financial commitment to replace all current trucks in year 1 (one) of the contract and replace 10% of the current 95 gallon polycarts/300-450 gallon containers on the street with new equipment.
- If Alternative "B" is selected, we make the financial commitment to replace 10% of the 95 gallon polycarts/300-450 gallon containers on the street with new equipment in each subsequent year of the contract.
- If Alternative "A" is selected, we make the financial commitment to replace all current trucks in year 1 (one) of the contract, replace existing 300-450 gallon containers with the appropriate number of new 95 gallon polycarts as well as add one (1) new truck to facilitate the new residential service level.
- If Alternative "A" is selected, we make the financial commitment to replace 10% of the 95 gallon polycarts on the street with new equipment in each subsequent year of the contract.
- Licensed business with the City of Alamogordo and a certified Resident Business for New Mexico.
- We maintain a fully equipped office and fleet yard (4.685 acre site on La Velle Rd.) in the City Alamogordo through which it can be contacted during business hours.
- The office is equipped with sufficient telephones and maintains radio contact between the office and its personnel.
- We have an on-site District Manager (responsible person) with 17 years experience housed in the office within the City of Alamogordo.

- On-site dedicated drivers and back-up drivers.
- On site truck mechanics housed in the office located within the City of Alamogordo.
- Required equipment already in place for Alternative "B" and the majority of Alternative "A" which provides continuity of service.
- Collection routes are already established which provides continuity of service.
- Financial, technology, personnel and equipment support by the Southwest Division leadership team in El Paso and corporate leadership team.
- Southwest Disposal is part of Waste Connections, the third largest publicly traded solid waste company in North America.
- Experienced leadership team in the Southwest Division with a cumulative 95 years in the business.

Past Record of Performance

Company Qualifications

Southwest Disposal has provided service to Otero County since 1989 and is in the eighth and final year as the Contractor providing the services called for under this current RFP. We are proud of the relationships we have built with our customers as represented by the longevity of Southwest Disposal as the service provider of choice in the communities we serve. Our office and maintenance center is located at 1350 La Velle Rd. in Alamogordo, New Mexico.

Examples of current contracted services by our company include:

Otero County

Entity	Service Provided	Type	Years
City of Alamogordo	10540 Residences	Cart/ Automated	24
	31 Commercial	Front-Load Cont.	
Cloudcroft, NM	1,047 Residential/Commercial	Front-Load Cont.	20+
Alamogordo Public Schools	20 Commercial	Front-Load Cont.	20+

Dona Ana County

Entity	Service Provided	Type	Years
Village of Hatch, NM	540 Residences	Cart/Automated	26
	120 Commercial	Front-Load Cont.	
Bayard, NM	831 Residences	Cart/Automated	20
	88 Commercial	ASL/Automated	
New Mexico State University	151 Residences	Cart/Automated	20
	77 Commercial	Front-Load Cont.	

Client References

1. City of Alamogordo
Brian Cesar, Interim City Manager
575-439-4200
2. Village of Cloudcroft
Dave Venable, Mayor
575-682-2411
3. Alamogordo Public Schools
Judy Campbell
575-812-6000
4. New Mexico State University
Art Lucero, Custodial, Solid Waste & Recycling Manager
575-932-9748

Approach to Providing Services

Southwest Disposal, as the incumbent hauler, will provide all labor, material and equipment necessary for the containerized collection, removal and transportation to an approved landfill of the municipal solid waste generated within the city as follows:

A. Conversion Associated with Alternative "A" (300 gallon containers to Carts)

The award of Alternative "A" would require the conversion of an estimated 2,447 300 gallon containers to an estimated 7,241 95 gallon carts. We would use our current facility located at 1350 La Velle Rd. as a staging area for this conversion. The service areas associated with the 300 gallon containers would be systematically routed to affect a smooth and seamless conversion. We estimate a conversion period of approximately four (4) to six (6) weeks once the containers are received from the manufacturer.

B. Collection Methods and Procedures for Residential

1. If Alternative "A" is selected, Southwest Disposal will provide automated refuse collection by sophisticated one-person collection vehicles that systematically dump 95 gallon polycarts at curb-side. This system requires each household have their own curbside cart. This automated system offers a higher productivity rate compared to other systems, controls the amount and type of waste a resident can place in the container and is less costly from a safety and workman's compensation standpoint. Typically, the system limits waste to be picked up to what is inside the container and relegates overages and large amounts of yard waste to periodic landscape (Brush) and Bulk waste pick-up. Restrictions (or excluded waste) would include hazardous waste, concrete or dirt, liquids and commercial debris. Any need to enter non-public or private right of ways would be arranged on an as needed basis with the appropriate individual or entities.
2. If Alternative "B" is selected, Southwest Disposal will provide automated refuse collection by sophisticated one-person collection vehicles that systematically dump specially designed 300 gallon shared alley containers or curbside rolling plastic 95 gallon carts at street-side depending on the application. This system requires each household to share a container if they have alley access or to have their own curbside cart if they do not have alley access. This automated system offers a higher productivity rate compared to other systems, controls the amount and type of waste a resident can place in the container and is less costly from a safety and workman's compensation standpoint. Typically, the system limits waste to be picked up to what is inside the container and relegates overages and large amounts of yard waste to periodic landscape (Brush) and Bulk waste pick-up. Restrictions (or excluded waste) would include hazardous

waste, concrete or dirt, liquids and commercial debris. Any need to enter non-public or private right of ways would be arranged on an as needed basis with the appropriate individual or entities.

3. **Routes of Collection:** Collection routes shall be as established by the Contractor. Contractor shall submit a map designating the collection routes to the City for its approval, which approval shall not be unreasonably withheld. Contractor shall publish at its own expense at least once during each calendar year a map of such collection routes and schedules in the Alamogordo Daily News. The published map shall be of such size to clearly show all pertinent information. The Contractor may, from time to time, propose changes in routes or days of collection, subject to approval by the City, which approval shall not be unreasonably withheld. Upon City's approval of the proposed changes, Contractor promptly shall give written or published notice to the affected residential accounts either directly or through the City's billing.
4. Collection of waste for people with disabilities shall be provided by the contractor at no extra charge to the producer or to the City of Alamogordo. Such service shall be provided to the front Collection of waste for people with disabilities shall be provided by the contractor at no extra charge to the producer or to the City of Alamogordo. Such service shall be provided to the front door, side yard or back yard, if necessary, depending upon the need and request of the customer. Such service will be provided to those providing a proof of physical disability to the Contractor, through the Public Works Department by means of a certified medical professional and further, that such household does not have any other able-bodied adults within the domicile. The City shall verify the list with the Contractor annually.

C. Collection Cart/Container

The 95-gallon curbside carts and 300-gallon alley containers are durable and well designed to meet and exceed the needs of this contract. Both the 300-gallon alley containers and the 95-gallon carts will be similar to those currently utilized. The Company will be responsible for normal wear and tear repairs. Customers shall be responsible for cleaning their polycart containers (95-gallon containers) and for paying for any negligence or excessive damage to any container. Under normal use, these containers have at least a ten-year lifespan, are very user friendly and are completely compatible with automatic pick-up equipment. The contractor shall be responsible for cleaning or replacing unsanitary 300-gallon containers.

D. Commercial Collections for City-Owned Facilities

The commercial service is primarily provided by Front-load vehicles servicing containers from 2 cubic yards in size up to 8 cubic yards with service frequency of one to six times per week, dependent upon requirements of the facilities.

Occasionally because of space or other factors, the commercial service will be by either the 95-gallon roll out polycart or the 300-gallon plastic container serviced by the Automated Side-load units.

E. Collection Equipment and Personnel

If awarded the new contract, we have a program to upgrade the residential collection portion of the fleet during the contract. If Alternative "A" is selected, Southwest Disposal will purchase five (5) new primary residential route collection vehicles for this contract in the initial year. If Alternative "B" is selected, Southwest Disposal will purchase four (4) new primary residential route collection vehicles for this contract in the initial year. Any such new vehicles would be by a recognized waste refuse body manufacturer.

- a. Company policy dictates that all trucks receive regularly scheduled "A" & "B" inspections as per Department of Transportation standards. The corporation maintains its own truck and equipment maintenance division, as well as outsourcing some of these activities. In regard to appearance, all trucks are washed on a regular basis in order to maintain a professional standard. All trucks are engineered and designed in a manner to minimize spills. This includes tailgates with reinforced rubber seals. In terms of strategy for spill prevention, our drivers are properly trained to collect, haul and dispose of waste in such a manner as to prevent any occurrences; however, should such an incident occur, the driver would immediately report to management. Identification of the nature of the spill would be immediate, as well as implementation of the proper clean up procedures. Timely notification, if appropriate, would be made to the TNRCC as well as other proper local authorities.
- b. All drivers of vehicles with GVWR in excess of 26,000 lbs. are DOT certified, and all vehicles are operated in accordance with applicable Federal, State and local rules and regulations. In order to insure the safety and welfare of our drivers and the public, we employ a full time safety officer who provides on-site training and safety seminars. In addition to the ongoing training programs, the company regularly monitors the performance of our drivers in the field. Finally, our drivers are taught that they are not only our eyes and ears in the community, but they are our most visible and most frequent contact with our boss - the customer.
- c. The procedure used to determine the serviceability of collection vehicles is a strict inspection program designed to prevent any major malfunction or problem from reaching the street. This begins with mandatory pre-trip and post-trip daily inspections. Results of these inspections determine serviceability on a day-to-day basis. These daily inspections are supported by more extensive weekly and monthly service schedules. Any vehicle discovered to have major faults is immediately pulled from the line and replaced with reserve equipment.

The replacement criteria for determining when a vehicle has exceeded its useful life is based on the age of the vehicle, careful analysis of service records, frequency of breakdowns and performance efficiency evaluations. Should a vehicle break down on a collection route, the action plan would be for the driver to notify management by radio, who would dispatch a service vehicle in order to evaluate the problem. Should the problem not be correctable in the field by service personnel, a replacement vehicle would be dispatched and the collection routes completed.

- d. In order to insure a favorable public impression, all vehicles are uniformly painted, cleaned regularly and well maintained. All personnel are required to be in company provided uniforms and with all applicable safety equipment.
- e. Minimum requirements for all drivers includes thorough pre-employment reference evaluation, current Department of Transportation certification, current medical exam, drug and alcohol screening, followed by random drug and alcohol testing, road driving test, specialized training in the use and function of the collection vehicle, and required attendance at all company sponsored safety meetings and seminars.

F. Overages Handling

The automated system is designed for safety and efficiency. All these things contribute to holding down costs. Requiring containerized service prevents tearing and the scattering of trash bags by animals and the blowing of litter and refuse, thus contributing to keeping the City clean. Allowing unlimited overages defeats the major benefits of the automated system. In the many places where we operate the automated system, our drivers will get out and pick up the occasional overage. However, where someone consistently has overages, they need additional service and as such should pay for that service. The use of the 300 gallon containers minimizes problems with overages since the shared larger containers provide additional capacity.

G. Yard Waste and Bulky Waste Collection

Southwest Disposal would provide and support a collection system for the pickup of "white goods", bulk items and yard waste. This would be accomplished by the use of a truck with a grapple lift. This service will be offered on a call-in basis for pickup and will be placed on a regular schedule by area of the City no less often than twice per month, scheduled when the company determines it to be necessary to provide the best level of service. Bulky waste that will not fit into the residential container shall be placed at street curbside no later than 6:30 a.m. on the scheduled day for bulky waste pickup. Brush and yard waste in excess of normal container capacity or items of unusual size would be collected in the same manner as indicated for bulky waste collection. All loose material and yard waste must be

bagged and tied in plastic bags designed for refuse with sufficient strength to contain waste. Their capacity should not exceed 30 gallons and a total weight of 35 lbs. In addition, limbs and garden trimmings shall be cut in lengths not to exceed four (4) feet and shall be tied in bundles not exceeding 35 lbs. in weight.

H. Support Facilities

Southwest Disposal Corporation currently has a company owned facility located at 1350 LaVelle Road in Alamogordo, New Mexico. This facility includes a 4.685 acre fenced yard for storage and 8,800 square feet office and multi-bay shop space. This facility provides multiple areas for truck repair and washing of all vehicles. The facility represents a significant investment and commitment to the community. It is more than adequate to provide day to day support of this contract with any additional needs being provided from the strength, facilities, and equipment of Southwest Disposal's other facilities located at 2485 W. Amador in Las Cruces, New Mexico or El Paso Disposal, its affiliated company, in El Paso, Texas.

I. Record Keeping

Customer complaints are entered into our customer billing system by a customer service representative and a work order is created. The work order is then relayed to employees in the field for correction. The employee to whom the order is assigned will then sign and return the work order to the office once the issue has been corrected. The customer service representative will then close the work order, note the action taken, and save it in the system. The Company's computer system has the ability to track this information. Quantities of waste collected and transported to disposal sites and other permanent information is maintained through landfill tickets and monthly reports, which in turn, are tracked via our computerized system. In addition, annual reports concerning tonnage, disposal facilities used and types of waste (if required) will be submitted and maintained as per the applicable state and or federal regulations.

J. Rules and Regulations

The Company's rules and regulations for curbside collection service are as follows:

Residential roll out polycarts shall be subjected to the following:

1. The city shall be billed an overload fee in the event that a residential 95-gallon container is filled with more than 200 lbs. of waste or that is filled beyond the capacity of the container, or with items that do not fit into the container.

2. The authorized rolling 95-gallon containers shall be placed by the resident for curbside collection at the curb by 6:30 a.m. and removed by 7:00 p.m. on the scheduled collection day. 95-gallon containers shall be located a minimum of six (6) feet from any mailbox, parked vehicle or any other obstacle to include other containers, with the opening facing the street of the public road. If there is no curb, "curb-side" is defined as the area at or near the line dividing the public road or easement right-of-way boundary nearest to the boundary of the residence. This should be a location adjacent to the nearest public roadway acceptable to the Contractor so that the authorized container can be serviced by automated equipment without the truck having to leave the public roadway.
3. Containers provided by Contractor shall be used for the disposal and storage of solid waste only and shall not contain any liquid, hazardous or toxic wastes as defined by any statutes, rules or regulations of the N.M.E.D. or the Environmental Protection Agency of the United States.
4. All 95-gallon containers used for collection or storage of solid waste shall be kept and maintained in clean, neat and sanitary condition by the owner or occupant of the premises. Such owner or occupant shall wash the container as often as necessary to maintain good appearance, sanitary condition and adequate fly control. Occupant shall be responsible for any loss, fire damage or other damage or destruction caused by their negligence or negligent use of such container. Contractor shall provide maintenance for normal wear and tear.

Rules relating to bulky waste pickup are outlined in that section. Additional information and classification will be available during contracting.

- a. Residential solid waste to be picked up must be placed at street-side or in the appropriate alley container by 6:30 A.M. on the scheduled collection day. If there is no curb, "street-side" is defined as the area at or near the line dividing the public road or easement right-of-way boundary nearest to the boundary of the residence, being a location adjacent to the nearest public roadway acceptable to the contractor so the site can be serviced by the Contractor's equipment without the equipment having to leave the public roadway.
- b. Contractor will pick up solid waste only and shall not remove any liquid, hazardous, or toxic waste as defined by any statute rules, or regulations of the State of New Mexico. All waste must be bagged with bags weighing no more than 35 lbs. each. Quantities would be limited to (3) 35-gallon bags. Overage or large amounts of yard waste would be regulated to bulky waste pickup.

c. Holidays

The following shall be holidays for purposes of this proposal:

New Year's Day
Memorial Day
Independence Day

Labor Day
Thanksgiving Day
Christmas Day

Contractor may decide to observe any or all of the above mentioned holidays by suspension of collection service on the holiday. In such cases, collection service will be provided on the weekday prior to or immediately after the regularly scheduled pick-up day.

Personnel Qualifications

Rex McCourt is currently serving as District Manager for Southwest Disposal Corporation in Alamogordo and Roswell. Prior to this assignment he served as District Manager for Waste Connections of Utah with responsibility for eleven municipal contracts. Mr. McCourt is a veteran and has seventeen years (17) experience in all facets of the waste industry. This includes supervision, budgeting, forecasting, routing, truck maintenance, driving, payable, billing and collections. As a citizen of Otero County, he is attune to the unique needs and concerns of the community.

John Fields is currently serving as Divisional Vice President, Southwestern Division for Waste Connections, Inc., with oversight responsibilities for West Texas, New Mexico and Eastern Arizona. Mr. Fields resides in El Paso, TX and has thirty-seven (37) years of experience in the solid waste industry building, growing, and managing high volume business operations with strengths in multi-site operations. Mr. Fields holds a B.S. degree in Education from Lamar University.

Bonnie Delgado, Southwest Division Controller. Mrs. Delgado has worked in the solid waste industry for twenty-four (24) years and has been in her current position for eight (8) years. Mrs. Delgado holds a Bachelor of Business Administration in Finance from the University of Texas at El Paso. Mrs. Delgado has extensive experience in financial management, cost containment, and internal controls, with expertise in compliance with GAAP and Sarbanes-Oxley.

Henry "Mike" Olivas, Divisional Maintenance Manager – Team Leader for the Southwest Division and Fleet Maintenance Manger for El Paso Disposal. Mr. Olivas has served in this role for more than eleven (11) years with oversight of all fleet maintenance facilities in the SW Division. In addition he has six (6) years prior solid waste industry experience with the City of El Paso. Over the course of his seventeen (17) year career he has been involved in all facets of heavy fleet maintenance in the solid waste industry. Mr. Olivas is a veteran and holds an Associates of Applied Science from Western Tech.

Drivers All drivers of vehicles with GVWR in excess of 26,000 lbs. are DOT certified and all vehicles are operated in accordance with applicable Federal, State and local rules and regulations. In order to insure the safety and welfare of our drivers and the public, drivers are provided regular on-site safety training to include Smith System Driver Certification courses. In addition, the company regularly monitors the performance of our drivers in the field utilizing on-route spot inspections by supervisors, DriveCam camera systems and Fleet Tracker GPS systems. Finally, our drivers are taught that they are not only our eyes and ears in the community, but they are our most visible and frequent contact with our boss – the customer.

Mechanics are professional technicians trained in all facets of heavy truck maintenance, certified in air brake systems, HVAC, and heavy use vehicle preventative maintenance. They insure that our vehicles are regularly inspected and maintained to the highest levels of safety and operating capability.

Customer Service Representatives are trained service professionals who provide helpful and courteous assistance to our customers. A secret shopper program is utilized to regularly test their competence and professionalism. Feedback and additional training is provided for continued improvement.

Alternative "A"

PRICE PROPOSAL

Residential Services

Description	Estimated Quantity	Number of Pickups Per Week DESCRIPTION	Unit Cost	Extended Monthly Charge
Municipal Residential (Includes Service to Handicapped)	10,400	2	\$ 13.25	\$ 137,800.00
In-Ground Cans (65-Gallon)	50	2	\$ 22.23	\$ 1,111.50
Municipal Commercial Roll-Off Container - Delivery	1	1	\$ 50.00	\$ 50.00
Municipal Commercial Roll-Off Container - Pull	1	1	\$ 217.78	\$ 217.78
TOTAL ESTIMATED PRICE:				\$ 139,179.28

Point of Service Listing of City-Owned Facilities

Location No.	Facility Location	Number of Units	Size	Number of Pickups Per Week DESCRIPTION	Unit Cost	Extended Monthly Charge
1	Cemetery - 1590 First St.	1	3 YD	1	\$ 24.33	\$ 105.36
2	Airport - 3500 Airport Rd.	1	6 YD	1	\$ 30.86	\$ 133.64

3	City Hall – 9th St. & Oregon Ave.	1	4 YD	3	\$ 63.81	\$ 276.33
4	Maint. Yard - 2600 N. Florida Ave.	1	2 YD	2	\$ 30.59	\$ 132.47
5	Maint. Yard - 2600 N. Florida Ave.	1	3YD	2	\$ 37.84	\$ 163.86
6	Maint. Yard - 2600 N. Florida Ave.	1	4 YD	2	\$ 43.82	\$ 189.75
6	Maint. Yard - 2600 N. Florida Ave.	1	6 YD	2	\$ 56.49	\$ 244.61
7	Zoo - 1021 White Sands Blvd.	1	2 YD	1	\$ 16.99	\$ 73.56
8	Zoo - 1021 White Sands Blvd.	2	6 YD	2	\$ 112.98	\$ 489.21
9	Civic Center - 800 First St.	1	8 YD	1	\$ 38.60	\$ 167.12
10	Golf Course - 2351 Hamilton Rd.	1	6 YD	2	\$ 56.49	\$ 244.61
11	Fire Station #7 - Indian Wells at Oregon	1	3 YD	1	\$ 20.66	\$ 89.47
12	Tennis Courts - Oregon Ave.	1	3 YD	1	\$ 20.66	\$ 89.47
13	Recreation Center - 1200 Oregon Ave.	1	2 YD	2	\$ 30.59	\$ 132.47
14	Senior Center - 2201 Puerto Rico Ave.	1	6 YD	3	\$ 81.77	\$ 354.08
15	Walker Ball Field - Walker Rd.	2	4 YD	3	\$ 127.64	\$ 552.68
16	Fire Station #2, Walker Rd. at Hwy. 70	1	CART	2	\$ 4.26	\$ 18.45
17	Animal Shelter - 2910 N. Florida Ave.	1	4 YD W/ LOCKS	1	\$ 26.58	\$ 115.08
17	Animal Shelter - 2910 N. Florida Ave.	1	6 YD	1	\$ 38.78	\$ 167.93
18	DPS Central Station - 700 Virginia Ave.	1	6 YD	2	\$ 81.77	\$ 354.08
19	Hobby Park – N. Florida Ave.	3	4 YD	1	\$ 72.96	\$ 315.90
20	Kids Kingdom - Oregon Ave.	2	2 YD	1	\$ 39.62	\$ 171.57
21	Fire Station #4 – 3310 10th St.	1	CART	2	\$ 4.26	\$ 18.45
22	Washington Park - First St. & Washington Ave.	1	2 YD	1	\$ 16.99	\$ 73.56

22	Washington Park - First St. & Washington Ave.	1	6 YD W/ LOCKS	1	\$ 33.69	\$ 145.86
23	City Library – 920 Oregon Ave.	1	3 YD	2	\$ 37.84	\$ 163.86
24	Desert Foothills Park - First St.	1	3 YD	1	\$ 20.66	\$ 89.48
25	Alta Vista Housing	4	6 YD	2	\$ 244.62	\$ 1,059.20
26	Avenida Amigos Housing	10	2 YD	2	\$ 305.94	\$ 1,324.71
27	Avenida Amigos Housing	6	6 YD	2	\$ 388.94	\$ 1,467.63
28	Alameda Park - 1021 White Sands Blvd.	10	200 GL	2	\$ 244.62	\$ 1,059.80
29	Fireman's Park - Oregon Ave.	1	6 YD	1	\$ 30.86	\$ 133.64
30	Fire Station #5 - 1492 S. Florida Ave.	1	3 YD	1	\$ 20.66	\$ 89.47
31	Fire Station #6 - 3100 N. Florida Ave.	1	CART	2	\$ 4.26	\$ 18.45
	Convenience Center & City Shops	Varies	Roll-Off	N/A		
32	Price per Pull	N/A	N/A	N/A	\$ 217.78	\$ 217.78
33	Charge per swap out	N/A	N/A	N/A	\$ 72.88	\$ 72.88
	TOTAL BID PRICE:					\$ 10,516.46

Alternative "B"

PRICE PROPOSAL

Residential Services

Description	Estimated Quantity	Number of Pickups Per Week DESCRIPTION	Unit Cost	Extended Monthly Charge
Municipal Residential (Includes Service to Handicapped)	10,400	2	\$ 10.54	\$ 109,616.00
In-Ground Cans (65-Gallon)	50	2	\$ 22.23	\$ 1,111.50
Municipal Commercial Roll-Off Container - Delivery	1	1	\$ 50.00	\$ 50.00
Municipal Commercial Roll-Off Container - Pull	1	1	\$ 217.78	\$ 217.78
TOTAL ESTIMATED PRICE:				\$ 110,995.28

Point of Service Listing of City-Owned Facilities

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3	City Hall – 9th St. & Oregon Ave.	1	4 YD	3	\$ 63.81	\$ 276.33
4	Maint. Yard - 2600 N. Florida Ave.	1	2 YD	2	\$ 30.59	\$ 132.47
5	Maint. Yard - 2600 N. Florida Ave.	1	3YD	2	\$ 37.84	\$ 163.86
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23	City Library – 920 Oregon Ave.	1	3 YD	2	\$ 37.84	\$ 163.86
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	Convenience Center & City Shops	Varies	Roll-Off	N/A		
32	Price per Pull	N/A	N/A	N/A	\$ 217.78	\$ 217.78
33	Charge per swap out	N/A	N/A	N/A	\$ 72.88	\$ 72.88
	TOTAL BID PRICE:					\$ 10,516.46

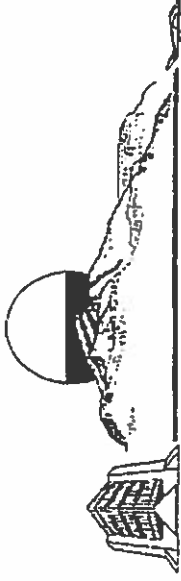
Additional Preference Award Points Available

As prescribed within the RFP page 16, Southwest Disposal qualifies for both New Mexico Business Preference and Local Business Preference.

Southwest Disposal shall specify and claim the Local Business Preference.

Certificates are attached

City of Alamogordo



Business Registration

WASTE CONNECTIONS DBA SW DISP

1350 LA VELLE RD

ALAMOGORDO NM 88310-7633

**LICENSE NUMBER
19-00001120**

**EXPIRATION DATE
December 31, 2019**

**CLASSIFICATION
GARBAGE/REFUSE HAULER**

*Issued By
Department of the City Clerk
(575) 439-4205*

Approved By

*Rachel Hughes
City Clerk*

POST IN A CONSPICUOUS PLACE ON PREMISES OF BUSINESS

STATE OF NEW MEXICO

TAXATION AND REVENUE DEPARTMENT

RESIDENT BUSINESS CERTIFICATE

Issued to: WASTE CONNECTIONS OF NEW MEXICO,
INC.

DBA: SOUTHWEST DISPOSAL CORP
PO BOX 369
LAS CRUCES, NM 88004-0369

Expires: 13-Feb-2021

Certificate Number:

L0422861616



John Monforte, Acting Cabinet Secretary

THIS CERTIFICATE IS NOT TRANSFERABLE

ATTACHMENT 3

CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Pursuant to Chapter 81, Laws of 2006, any prospective contractor seeking to enter into a Contract with any state agency or local public body must file this form with that state agency or local public body. The prospective contractor must disclose whether they, a family member or a representative of the prospective contractor has made a campaign contribution to an applicable public official of the state or local public body during the two (2) years prior to the date on which the contractor submits a proposal or, in the case of a sole source or small purchase contract, the two (2) years prior to the date the contractor signs the contract, if the aggregate total of contributions given by the prospective contractor, a family member or a representative of the prospective contractor to the public official exceeds two hundred and fifty dollars (\$250) over the two (2) year period.

THIS FORM MUST BE FILED BY ANY PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBER, OR THEIR REPRESENTATIVE HAS MADE ANY CONTRIBUTIONS SUBJECT TO DISCLOSURE.

The following definitions apply:

"Applicable Public Official" means a person elected to an office or a person appointed to complete a term of an elected office, who has the authority to award or influence the award of the contract for which the prospective contractor is submitting a competitive sealed proposal or who has the authority to negotiate a sole source or small purchase contract that may be awarded without submission of a sealed competitive proposal.

"Campaign Contribution" means a gift, subscription, loan, advance or deposit of money or other thing of value, including the estimated value of an in-kind contribution, that is made to or received by an applicable public official or any person authorized to raise, collect or expend contributions on that official's behalf for the purpose of electing the official to either statewide or local office. "Campaign Contribution" includes the payment of a debt incurred in an election campaign, but does not include the value of services provided without compensation or un-reimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political committee, nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee.

"Contract" means any agreement for the procurement of items of tangible personal property, services, professional services, or construction.

"Family Member" means spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law.

"Pendency of the Procurement Process" means the time period commencing with the public notice of the Request for Proposals and ending with the award of the Contract or the cancellation of the Request for Proposals.

"Person" means any corporation, partnership, individual, joint venture, association or any other private legal entity.

"Prospective Contractor" means a person who is subject to the competitive sealed proposal process set forth in the Procurement Codes or is not required to submit a competitive sealed proposal because that person qualifies for a sole source or a small purchase contract. **"Representative of a Prospective Contractor"** means an officer or director of a corporation, a member or

manager of a limited liability corporation, a partner of a partnership or a trustee of a trust of the prospective contractor.

DISCLOSURE OF CONTRIBUTIONS:

Contribution Made By: _____

Relation to Prospective Contractor: _____

Name of Applicable Public Official: _____

Date Contribution(s) Made: _____

Amount(s) of Contribution(s): _____

Nature of Contribution(s): _____

Purpose of Contributions(s): _____

Signature

Date

Title

--OR--

NO CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER TWO HUNDRED FIFTY DOLLARS (\$250) WERE MADE to an applicable public official by me, a family member or representative.

Signature

Rex McCourt

Date

8/1/19

Exceptions to Request for Proposals

Southwest Disposal ("Proposer") offers the following items to be incorporated in a contract and as exceptions to the Request For Proposals, RFP No. 2019-002 (the "RFP") issued by The City of Alamogordo, NM (the "City"). **These items are intended to identify areas of concern and remain negotiable.** We appreciate your consideration and welcome the opportunity to work with you on reaching agreeable terms. Unless defined herein, capitalized terms shall have the meanings set forth in the RFP.

EXCEPTIONS TO RFP

- Proposer takes exception to following provision of the Scope of Work (Alternative "A" and Alternative "B") – Equipment and Containers- item c., Overloads. Proposer believes that the additional rate specified for overloaded containers within the RFP is not fair and equitable and reserve the right to negotiate this rate with mutual agreement.
- Proposer takes exception to following provision of the Scope of Work (Alternative "A" and Alternative "B") – Equipment and Containers- item e., Repairs. Language should be added: "Contractor promptly shall repair and/or correct any damage to private or City property **that is caused due to the willful or negligent act of the Contractor**".
- Proposer takes exception to following provision of the Scope of Work (Alternative "A") – Equipment and Containers- item f., Location of Containers. This section states that containers are to be replaced every 2 (two) years. This is not industry standard and Proposer believes this is an unreasonable request based on the average life of a container and places an undue financial burden on the Proposer. Proposer requests that the language "Containers are to be changed every 2 (two) years" be removed.
- In addition to the terms set forth in the RFP, the following concepts need to be incorporated into the mutually agreeable contract between the City and Proposer.
 1. The following language shall be added to mutually agreed upon contract:
 - a. "Notwithstanding anything herein to the contrary, any equipment furnished hereunder by Proposer shall remain the property of Proposer; however, customers or City (as applicable) shall have care, custody and control of the equipment while at the service locations. Customers and City shall not overload (by weight or volume), move or alter the equipment, and shall use the equipment only for its proper and intended purpose. Customers and City must provide unobstructed access to the equipment on the scheduled collection day. The word "equipment" as used in this Agreement shall mean all containers used for the storage of non-hazardous solid waste."
 - b. "Except in the case of Proposer's negligence or willful misconduct, Proposer shall not be liable for any damages to pavement, curbing, or other driving surface resulting from the weight of its trucks and equipment."
 - c. "The awarded vendor shall be responsible for any damage to a building or other property caused by the negligence or willful misconduct of its employees while performing the work indicated in this RFP."



AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 9/10/2019

Report Date: 9/4/2019

Report No: 9.

Submitted By: Edward Balderrama

Subject: Consider, and act upon, Change Order No. 2, Public Works Bid No. 2017-010, EN1701, to General Hydronics Utilities, LLC, related to Street Maintenance Program FY 2017, in an amount not to exceed \$242,569.71, excludes NMGRT. (*Edward Balderrama, Project Manager*)

Fiscal Impact: \$242,569.71, excludes NMGRT
Amount Budgeted: \$4,027,194.00
Fund: 109-9003-430.65-02 available \$1,030,855.00

Additional Fiscal Impact:

Recommendation: Approve the adjusting change order, Change Order No. 2, Public Works Bid No. 2017-010, EN1701, to General Hydronics Utilities, LLC, related to Street Maintenance Program FY 2017, in an amount not to exceed \$242,569.71, excludes NMGRT.

Background: The work consisted of installing 6-inch, 8-inch and 10-inch water line, valves, water connections, new water services and fire hydrants, remove and replace concrete sidewalk, driveway aprons, curb/gutter, and concrete paving, construct accessible (ADA) curb ramps, earthwork, asphalt milling, asphalt paving, asphalt paving patch work, pavement marking and traffic control and appurtenances, in place, all within the city limits of Alamogordo, New Mexico.

To adjust the final quantities over/under runs, see attachment.

Street Maintenance Program FY 2017

Quantity Over/Under Runs

Item No.	DESCRIPTION OF WORK	Unit	Plan Quantity	Bid Item Unit Cost	In-Place Quantities	Quantity Net Difference	Cost Net Difference	Percentage Net Difference
203000	UNCLASSIFIED EXCAVATION	C.Y.	3,385	\$ 14.85	3,701.8	317	\$ 4,704.03	109%
207000	8" SUBGRADE PREPARATION	S.Y.	10,900	\$ 2.91	11,329.5	429	\$ 1,249.70	104%
303010	8" BASE COURSE	S.Y.	10,900	\$ 14.31	11,329.5	429	\$ 6,145.43	104%
414120	2" THICK HMA COLD MILLING	S.Y.	59,680	\$ 1.85	62,096.3	2,416	\$ 4,470.16	104%
417000	PAVEMENT PATCH	S.Y.	1,370	\$ 45.45	288.6	-1,081	\$ (49,149.63)	21%
423270	HMA SP-IV 1 1/2-INCHES THICK (CHANNEL)	S.Y.	265	\$ 35.63	321.0	56	\$ 1,995.28	121%
423270	HMA SP-IV 2-INCHES THICK	S.Y.	59,680	\$ 13.68	62,096.3	2,416	\$ 33,054.98	104%
423270	HMA SP-IV 3-INCHES THICK	S.Y.	10,900	\$ 18.24	11,329.5	429	\$ 7,833.17	104%
608000	TACTILE WARNING SURFACE	S.F.	1,166	\$ 39.00	1,180.0	14	\$ 546.00	101%
608104	4-INCH THICK CONCRETE	S.Y.	1,645	\$ 57.64	1,785.8	141	\$ 8,118.02	109%
608106	6-INCH THICK CONCRETE	S.Y.	1,514	\$ 77.77	1,614.3	100	\$ 7,803.44	107%
609424	TYPE II CURB/GUTTER	L.F.	6,085	\$ 32.00	11,685.0	5,600	\$ 179,200.00	192%
614006	CONCRETE PIPE ENCASEMENT	L.F.	220	\$ 50.50	500.0	280	\$ 14,140.00	227%
662400	ADJUST EXIST. MANHOLE TO FINAL GRADE	EA	36	\$ 858.50	32.0	-4	\$ (3,434.00)	89%
663100	NEW FIRE HYDRANT	EA	54	\$ 4,797.50	55.0	1	\$ 4,797.50	102%
663206	TRACER WIRE STATION	EA	54	\$ 101.00	55.0	1	\$ 101.00	102%
663710	3/4-INCH SERVICE LINE REPLACEMENT	EA	440	\$ 1,313.00	454.0	14	\$ 18,382.00	103%
663712	2-INCH SERVICE LINE REPLACEMENT	EA	5	\$ 3,232.00	6.0	1	\$ 3,232.00	120%
663724	4-INCH PVC WATERLINE	L.F.	40	\$ 37.37	0.0	-40	\$ (1,494.80)	0%
663726	6-INCH PVC WATERLINE	L.F.	12,750	\$ 39.39	12,604.0	-146	\$ (5,750.94)	99%
663728	8-INCH PVC WATERLINE	L.F.	4,265	\$ 44.24	4,379.0	114	\$ 5,043.36	103%
663730	10-INCH PVC WATERLINE	L.F.	2,810	\$ 46.21	3,074.5	265	\$ 12,222.55	109%
663772	DRY LATERAL WATERLINE CONNECTION	EA	22	\$ 1,010.00	20.0	-2	\$ (2,020.00)	91%
663855	ADJUST EXISTING VALVE BOX TO GRADE	EA	13	\$ 404.00	19.0	6	\$ 2,424.00	146%
663887	WET LATERAL WATERLINE CONNECTION	EA	18	\$ 3,737.00	22.0	4	\$ 14,948.00	122%
663894	4-INCH MAINLINE GATE VALVE	EA	1	\$ 858.50	0.0	-1	\$ (858.50)	0%
663896	6-INCH MAINLINE GATE VALVE	EA	53	\$ 1,262.50	48.0	-5	\$ (6,312.50)	91%
663898	8-INCH MAINLINE GATE VALVE	EA	24	\$ 1,717.00	26.0	2	\$ 3,434.00	108%
663899	10-INCH MAINLINE GATE VALVE	EA	7	\$ 2,373.50	10.0	3	\$ 7,120.50	143%
704224	RETROREFLECTORIZED PLASTIC PAVEMENT STRIPE 24-INCHES WIDE	L.F.	691	\$ 16.16	800.0	109	\$ 1,761.44	116%
704700	HOT THERMOPLASTIC PAVEMENT STRIPE 4-INCHES WIDE	L.F.	1,721	\$ 2.16	12,880.0	11,159	\$ 24,103.44	748%
							BASE BID OVER/UNDER RUNS \$ 297,809.62	

Street Maintenance Program FY 2017
Quantity Over/Under Runs

ADDITIVE ALTERNATIVE No. 1 - TENTH STREET									
203000	UNCLASSIFIED EXCAVATION	C.Y.	35	\$ 24.39	12.2	-23	\$ (556.09)	35%	
414120	2" THICK HMA COLD MILLING	S.Y.	17,250	\$ 1.86	17,644.0	394	\$ 732.84	102%	
417000	PAVEMENT PATCH	S.Y.	20	\$ 45.45	57.0	37	\$ 1,679.38	285%	
423270	HMA SP-IV 2-INCHES THICK	S.Y.	17,250	\$ 13.68	17,644.0	394	\$ 5,390.33	102%	
450090	CONCRETE PAVEMENT 9-INCHES THICK	S.Y.	235	\$ 145.44	0.0	-235	\$ (34,178.40)	0%	
608000	TACTILE WARNING SURFACE	S.F.	320	\$ 39.00	290.0	-30	\$ (1,170.00)	91%	
608104	4-INCH THICK CONCRETE	S.Y.	265	\$ 57.64	185.6	-79	\$ (4,576.62)	70%	
608106	6-INCH THICK CONCRETE	S.Y.	1,100	\$ 77.77	683.0	-417	\$ (32,430.09)	62%	
609424	TYPE II CURB/GUTTER	L.F.	1,885	\$ 32.00	1,946.7	62	\$ 1,974.40	103%	
614006	CONCRETE PIPE ENCASEMENT	L.F.	20	\$ 50.50	40.0	20	\$ 1,010.00	200%	
663710	3/4-INCH SERVICE LINE REPLACEMENT	EA	25	\$ 1,363.50	26.0	1	\$ 1,363.50	104%	
663726	6-INCH PVC WATERLINE	L.F.	700	\$ 42.42	777.0	77	\$ 3,266.34	111%	
663730	10-INCH PVC WATERLINE	L.F.	3,800	\$ 46.21	3,740.0	-60	\$ (2,772.60)	98%	
663772	DRY LATERAL WATERLINE CONNECTION	EA	4	\$ 1,010.00	5.0	1	\$ 1,010.00	125%	
663856	REMOVE & DISPOSE EXISTING VALVE BOX	EA	36	\$ 202.00	20.0	-16	\$ (3,232.00)	56%	
663887	WET LATERAL WATERLINE CONNECTION	EA	10	\$ 3,737.00	9.0	-1	\$ (3,737.00)	90%	
663899	10-INCH MAINLINE GATE VALVE	EA	22	\$ 2,373.50	23.0	1	\$ 2,373.50	105%	
704224	RETROREFLECTORIZED PLASTIC PAVEMENT STRIPE 24-INCHES WIDE	L.F.	70	\$ 16.16	200.0	130	\$ 2,100.80	286%	
704700	HOT THERMOPLASTIC PAVEMENT STRIPE 4-INCHES WIDE	L.F.	5,710	\$ 1.01	7,520.0	1,810	\$ 1,828.10	132%	
					ADDITIVE ALTERNATIVE No. 1 - TENTH STREET OVER/UNDER RUNS \$ (59,923.61)				

ADDITIVE ALTERNATIVE No. 2 - SUNDOWN AVENUE									
414120	2" THICK HMA COLD MILLING	S.Y.	3,850	\$ 2.27	3,900.4	50	\$ 114.41	101%	
417000	PAVEMENT PATCH	S.Y.	80	\$ 45.45	13.5	-67	\$ (3,022.43)	17%	
423270	HMA SP-IV 2-INCHES THICK	S.Y.	3,850	\$ 13.68	3,900.4	50	\$ 689.47	101%	
608104	4-INCH THICK CONCRETE	S.Y.	75	\$ 57.64	59.8	-15	\$ (874.40)	80%	
608106	6-INCH THICK CONCRETE	S.Y.	65	\$ 77.77	71.9	7	\$ 538.95	111%	
609424	TYPE II CURB/GUTTER	L.F.	75	\$ 32.00	135.0	60	\$ 1,920.00	180%	
663726	6-INCH PVC WATERLINE	L.F.	1,100	\$ 38.99	1,104.0	4	\$ 155.96	100%	
					ADDITIVE ALTERNATIVE No. 2 - SUNDOWN AVENUE OVER/UNDER RUNS \$ (478.04)				

ADDITIVE ALTERNATIVE No. 3 - SUNBEAM AVENUE									
414120	2" THICK HMA COLD MILLING	S.Y.	3,960	\$ 2.27	4,001.7	42	\$ 94.66	101%	
417000	PAVEMENT PATCH	S.Y.	80	\$ 45.45	10.5	-70	\$ (3,158.78)	13%	
423270	HMA SP-IV 2-INCHES THICK	S.Y.	3,960	\$ 13.68	4,001.7	42	\$ 570.46	101%	
608104	4-INCH THICK CONCRETE	S.Y.	85	\$ 57.64	68.5	-17	\$ (951.06)	81%	
608106	6-INCH THICK CONCRETE	S.Y.	65	\$ 77.77	69.4	4	\$ 344.52	107%	
609424	TYPE II CURB/GUTTER	L.F.	75	\$ 32.00	125.0	50	\$ 1,600.00	167%	
663100	NEW FIRE HYDRANT	EA	3	\$ 4,797.50	4.0	1	\$ 4,797.50	133%	
663206	TRACER WIRE STATION	EA	3	\$ 101.00	4.0	1	\$ 101.00	133%	
663730	10-INCH PVC WATERLINE	L.F.	1,100	\$ 45.45	1,144.0	44	\$ 1,999.80	104%	
					ADDITIVE ALTERNATIVE No. 3 - SUNBEAM AVENUE OVER/UNDER RUNS \$ 5,398.10				

Street Maintenance Program FY 2017
Quantity Over/Under Runs

ADDITIVE ALTERNATIVE No. 4 - SUNSHINE AVENUE								
414120	2" THICK HMA COLD MILLING	S.Y.	4,000	\$ 2.27	4,010.4	10	\$ 23.61	100%
417000	PAVEMENT PATCH	S.Y.	80	\$ 45.45	7.0	-73	\$ (3,317.85)	9%
423270	HMA SP-IV 2-INCHES THICK	S.Y.	4,000	\$ 13.68	4,010.4	10	\$ 142.27	100%
608104	4-INCH THICK CONCRETE	S.Y.	75	\$ 57.64	50.8	-24	\$ (1,394.89)	68%
608106	6-INCH THICK CONCRETE	S.Y.	60	\$ 77.77	74.4	14	\$ 1,116.00	124%
609424	TYPE II CURB/GUTTER	L.F.	75	\$ 32.00	125.0	50	\$ 1,600.00	167%
663726	6-INCH PVC WATERLINE	L.F.	1,100	\$ 38.89	1,141	41	\$ 1,594.49	104%
				ADDITIVE ALTERNATIVE No. 4 - SUNSHINE AVENUE OVER/UNDER RUNS \$ (236.37)				

PROJECT OVER/UNDER RUNS \$ 242,569.71

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 9/10/2019

Report Date: 8/21/2019

Report No: 10.

Submitted By: April Jones

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

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Appoint to the Senior Volunteer Programs Advisory Council and the White Sands Beautification Committee.

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

Mayor's Committee on Aging. Two (2) vacancies. One (1) of these vacancies may be filled by a county resident. Staff Liaison - Britney Courtier.

Senior Volunteer Programs Advisory Council. Two (2) city vacancies. Staff Liaison - Neil McFarland.
The following individual is interested in being appointed:
Chuck Keller - If appointed, this will be his first term.

White Sands Beautification Committee. One (1) vacancy. Vacancy due to the expiring term of Mark A. Praught. Staff Liaison - Stella Rael.
The following individual is interested in being appointed:
Mark A Praught - if appointed this will be his second term.

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

RECEIVED

AUG 27 2019

CITY CLERK

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

Name: Mark A. Praught

Home Phone: 575 434-1092 Work Phone:

Cell Phone: 305 393-0591 Fax No:

E-mail address: mapraught@cs.com

Physical Address: 28 Claraboya Loop Alamogordo, NM 88310

Is the above address within City limits? Yes No X

Mailing Address: Same as physical

Present Employer: Retired Job Title: N/A

Board/Committee you wish to serve on:

First choice: Wite Sand Beautification Committee

Second choice: None

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

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

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

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

Experience and education relating to the Board/Committee:

BSc, Professional Management, Nova SouthEastern University, Ft. Lauderdale, FL
US Army, Special Forces, 18Z Operations & Intelligence NCO, 1986 to 2002, rank
Master Sergeant (E8)

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

I wish to support and further the goals of this committee in making Alamogordo
an attractive and interesting place to live, work and retire in. This term is
a continuation of the previous one.

Please return completed application to:

City Clerk's Office
1376 E. Ninth Street
Alamogordo, NM 88310
PHONE: (575)439-4100
FAX: (575)439-4396

Application to serve on a Board/Committee

RECEIVED

SEP 03 2019

CITY CLERK

First Name	Chuck
Last Name	Keller
Address	1818 Puerto Rico Ave
City	Alamogordo
State	NM
Zip Code	88310
Phone Number	5204606980
Email Address	chuck@casakeller.com
Is the above address within City Limits?	Yes
Present Employer:	n/a
Board/Committee you would like to serve on (1st choice):	Mayor's Committee on Aging
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	No
If so, what is their relation to you?	<i>Field not completed.</i>
Are you related to an Elected Official of the City of Alamogordo?	No
Is so, what is their relation to you?	<i>Field not completed.</i>
Experience and education relating to the Board/Committee:	I have served on other boards/committees in Longmont, CO where we lived for 20 years. I am a senior with interests in senior issues. I have a BS in Geology from LSU. More recently I worked for United Health Care as a Medicare specialist.
Please indicate your interest in serving on a City Board/Committee:	I am retired and available

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 9/10/2019

Report Date: 8/27/2019

Report No: 11.

Submitted By:

Subject: Recess into Executive Closed Session in compliance with 10-15-1(h)(8), NMSA (as amended) to discuss Real Property - land swap proposed by Michael Shyne and a street closure plan proposed by the Otero County Commission, and Limited Personnel Matters (City Manager). **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background: