



Alamogordo City Commission

NOTICE OF MEETING

Regular Meeting Agenda

October 8, 2019 - 6:30 PM
City Hall, City Commission Chambers
1376 E. Ninth St.

Richard Boss Mayor
Jason Baldwin Mayor Pro-Tem, District 1
Nadia Sikes District 2
Susan Payne District 3
Josh Rardin District 4
Al Hernandez District 5
Dusty Wright District 6

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

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

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

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

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

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

CALL TO ORDER & ROLL CALL

Announce the presence of a Quorum.

APPROVAL OF AGENDA

PRESENTATIONS

1. The New Mexico Department of Transportation (NMDOT) will present a project schedule for pedestrian facilities and traffic lights at the White Sands Blvd/Indian Wells intersection. (Andreas Linnan, NMDOT Project Engineer)

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 September 24, 2019 Regular meeting. *(Rachel Hughs, City Clerk)*
3. Approve and support the acceptance of the New Mexico Department of Tourism "Clean and Beautiful" Grant award for Keep Alamogordo Beautiful for fiscal year 2020. *(Josh Sides, Special Events Manager)*
4. Approve the agreement with Otero County for Alamogordo Public Library Services to County residents. *(Sharon Rowe, Library Manager)*
5. Approve agreements with Otero County for Alamo Senior Center services to County residents. *(Magdalena Morales, ASC Manager)*
6. Consider, and act upon, Resolution No. 2019-42 authorizing and approving submission of a capital outlay grant application to New Mexico MainStreet. *(Camden Wilde, Alamogordo MainStreet Executive Director and Debbie Osborne, Grant Coordinator)* **(Roll Call Vote Required)**
7. Consider, and act upon, approval to submit a grant application to Keep America Beautiful's Community Partner Grants program. *(Joshua Sides, Special Events Manager/KAB)*

ITEMS REMOVED FROM CONSENT AGENDA

UNFINISHED BUSINESS

8. Consider, and act upon, water bill dispute for property located at 1123 N. Florida Ave and requesting excessive water bill to be waived in the amount of \$414. *(Casey Summerfield, Property Owner)*

NEW BUSINESS

9. Consider, and act upon, appointing Brian Cesar as City Manager. *(Richard Boss, Mayor)*
10. Consider, and act upon, award of Public Works Bid No. 2019-006 to General Hydronics Concrete, LLC related to the Las Lomas Drainage Improvements project in an amount not to exceed \$118,890.83, including NMGR. *(Nancy Beshaler, Project Manager)*
11. Consider, and act upon, lien abatement request on 102 Texas. *(Petria Bengoechea, City Attorney)*
12. Appointments to Boards and Committees. *(Richard Boss, Mayor)*

EXECUTIVE SESSION (Roll Call Vote Required)

13. Adjourn into Executive Closed Session in compliance with 10-15-1(h)(8), NMSA (as amended) to discuss Real Property - Possible land sale regarding property adjacent to Bonito Lake. **(Roll Call Vote Required)**

ADJOURNMENT

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 10/8/2019

Report Date: 10/3/2019

Report No: 1.

Submitted By: Larry Garner

Subject: The New Mexico Department of Transportation (NMDOT) will present a project schedule for pedestrian facilities and traffic lights at the White Sands Blvd/Indian Wells intersection. (*Andreas Linnan, NMDOT Project Engineer*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Presentation only.

Background: The New Mexico Department of Transportation will present a project to expand the pedestrian facilities and reconfigure the traffic lights at White Sands Blvd/Indian Wells intersection.



City of Alamogordo City Commission Meeting AGENDA REQUEST FORM

Today's Date: 10/1/2019

Request Date
of Meeting:

10/8/2019

Name:

NMDOT - Andreas Linnan, P.E.

Address:

750 N Solano Dr.

Las Cruces, NM

ZIP 88001

Phone Number:

575-323-4591

E-Mail Address:

andreas.linnan@state.nm.us

Item requested will be for: (Please check one)

☐ Information only

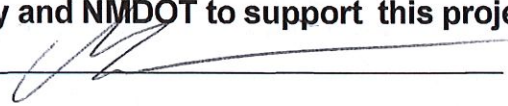
☒ Action Item

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

NMDOT District Two programmed Project CN2104350, to expand the pedestrian facilities and reconfigure the traffic lights at the White Sands/ Indian Wells Intersection within the City of Alamogordo, NM. This project will require additional Right-of- Way, relocation of existing utilities as well as an adjustment to the current traffic pattern at the Intersection of White Sands Blvd/ Canal Street. We would like to present our project schedule and discuss the required corporation between the City and NMDOT to support this project.

Signature: 

Please return to:

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

Phone: (575) 439-4272

Fax: (575) 439-4396

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

Revised 7/1/2019



Project Control Number: 2104350

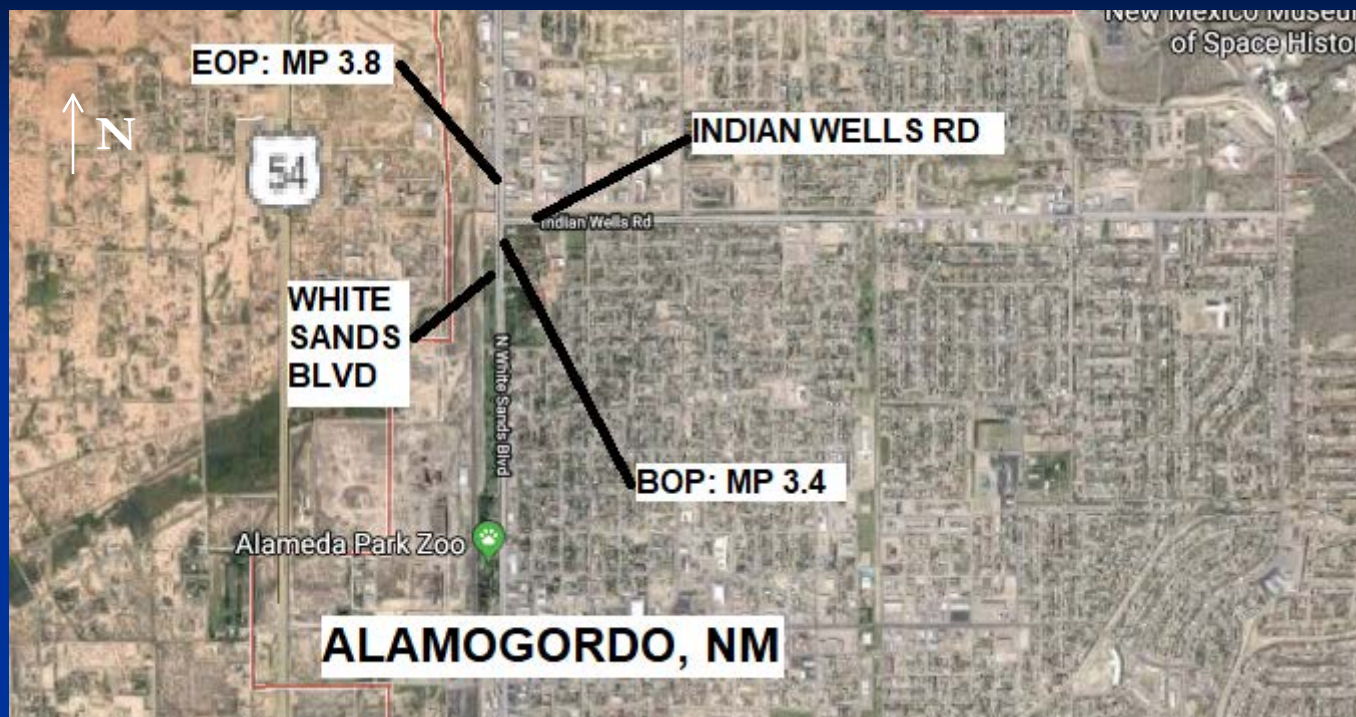
On-Call Services: Intersection of White Sands Blvd/Indian Wells
in Alamogordo, NM - District Two

Presented by:

Francisco Sanchez, P.E. (Assistant District Engineer)

Andreas Linnan, P.E., MBA (Project Development Engineer)

PROJECT LIMITS & SCOPE



The project area is located in Alamogordo (Otero County), New Mexico. The project focuses on the intersection of White Sands Blvd. and Indian Wells Rd.

CN 2104350 is an Intersection, Sidewalk & ADA, and Drainage Improvements Project.

White Sands Blvd/Indian Wells Rd

■ Existing Conditions:

- Roadways:

- Offset T-Intersection
- Divided four-lane road
- 12-ft lanes and 8-ft shoulders
- Raised concrete medians
- Partial sidewalk and ADA ramps exist
- Posted speed limit: 45mph & 35mph

- Signalized Intersection:

- PHASE 1: Protected turn SB from Indian Wells onto White Sands
- PHASE 2: White Sands Blvd. NB straight through
- PHASE 3: Protected turn SB from White Sands Blvd. onto Indian Wells WB
- PHASE 4: White Sands Blvd. SB straight through.

- Drainage:

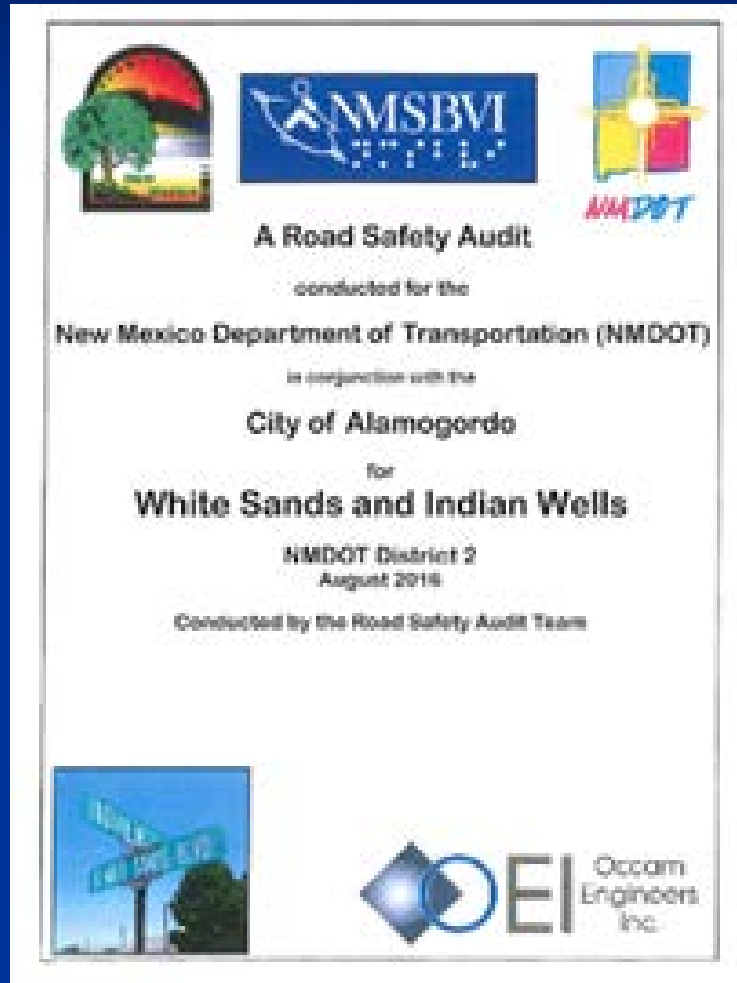
- Partial Curb & Gutter exists
- CBC runs east/west underneath White Sands Blvd (4 barrel, 10' x 9' x 109' long)

- Railroad:

- Union Pacific railroad tracks run parallel to White Sands Blvd
- Traffic crosses railroad at Canal St. near EOP

■ AADT (2016): 5,700 (2.5% heavy commercial vehicles)

White Sands Blvd/Indian Wells Rd



A Road Safety Audit (RSA) identifying the existing conditions at the White Sands/Indian Wells and White Sands/Canal St. Intersections in the City of Alamogordo, was prepared by OCCAM in August of 2016

White Sands Blvd/Indian Wells Rd

■ Deficiencies/Problem Areas:

- **Roadway:**
 - Traffic Congestion
 - Pavement failure
 - Limited turning capacity
- **Pedestrian and bicycle facilities**
 - Existing areas of sidewalk and curb ramps do not meet ADA/PROWAG
 - Bicycle and pedestrian access is limited
- **Intersection:**
 - Signal phasing/timing during peak hour traffic is insufficient
 - Additional turning lanes and queuing capacity needed
- **Traffic Signals:**
 - Equipment is outdated
 - Pedestrian push buttons do not meet ADA/PROWAG
- **Right-of-Way:**
 - Existing ROW appears to be insufficient to accommodate pedestrians
 - Adjacent landowners: City of Alamogordo and School of the Blind

Existing Conditions



Pedestrian/Bicycle Facilities



- Sidewalk exists partially
- ADA ramps do not meet PROWAG



- Pedestrian Crossing at Intersection



- No dedicated bicycle lanes

White Sands/Indian Wells Intersection



■ Northbound

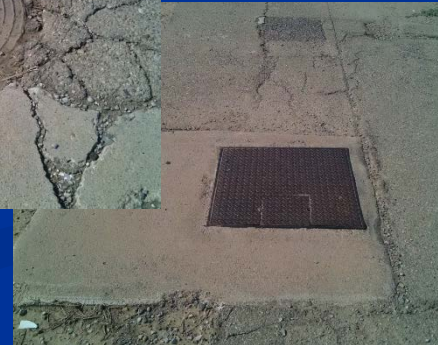


■ Southbound



■ Indian Wells Rd.

Existing Utilities



- Water
- Gas
- Power/Communication
- Sanitary Sewer

School of the Blind



■ Layout



■ Access from Indian Wells Rd



■ Access from White Sands Blvd

Traffic Signal



Drainage



Miscellaneous

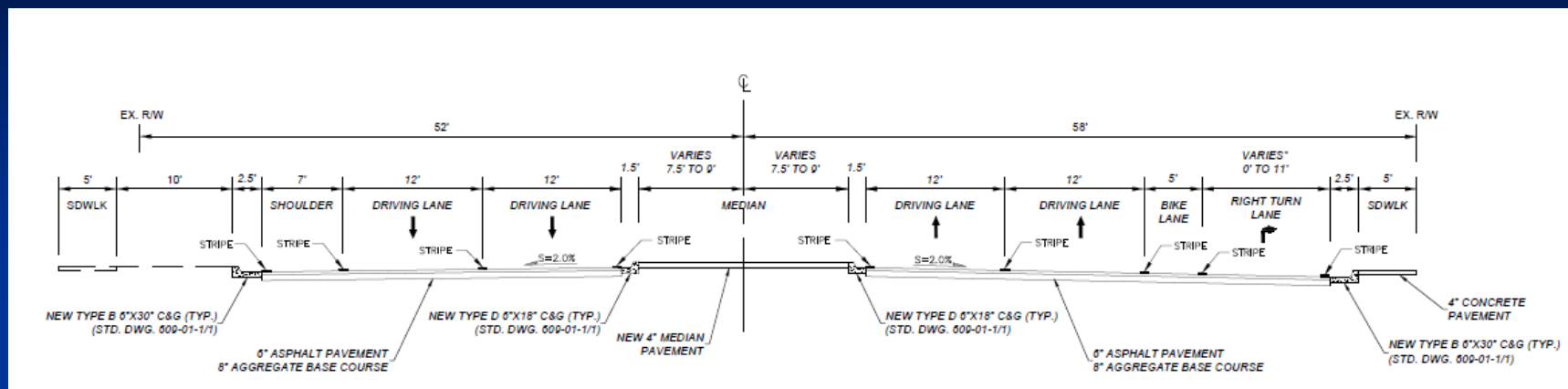


- Connection to ex. walking path

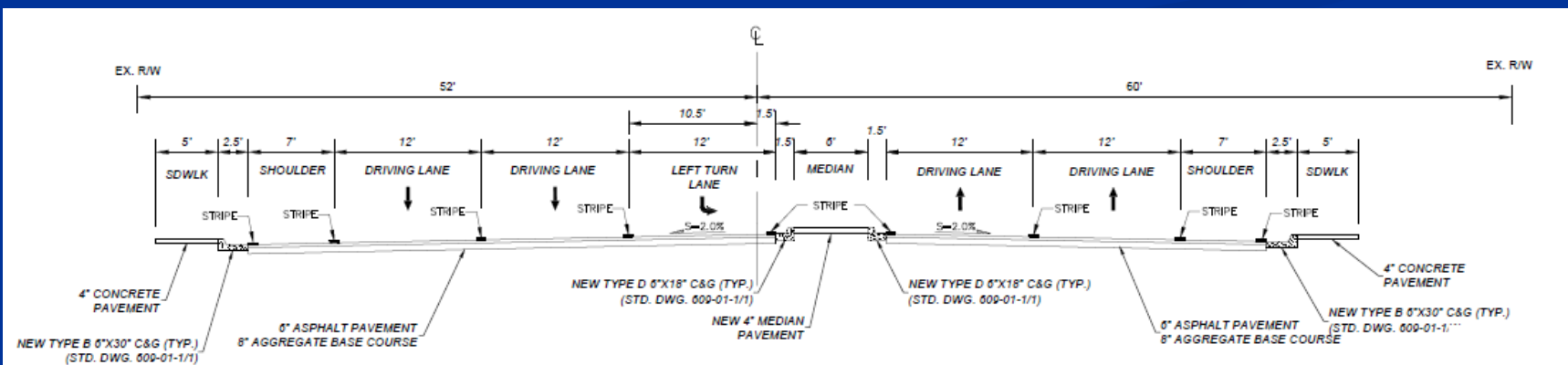


- White Sands Blvd/
Canal St Intersection

Proposed Improvements

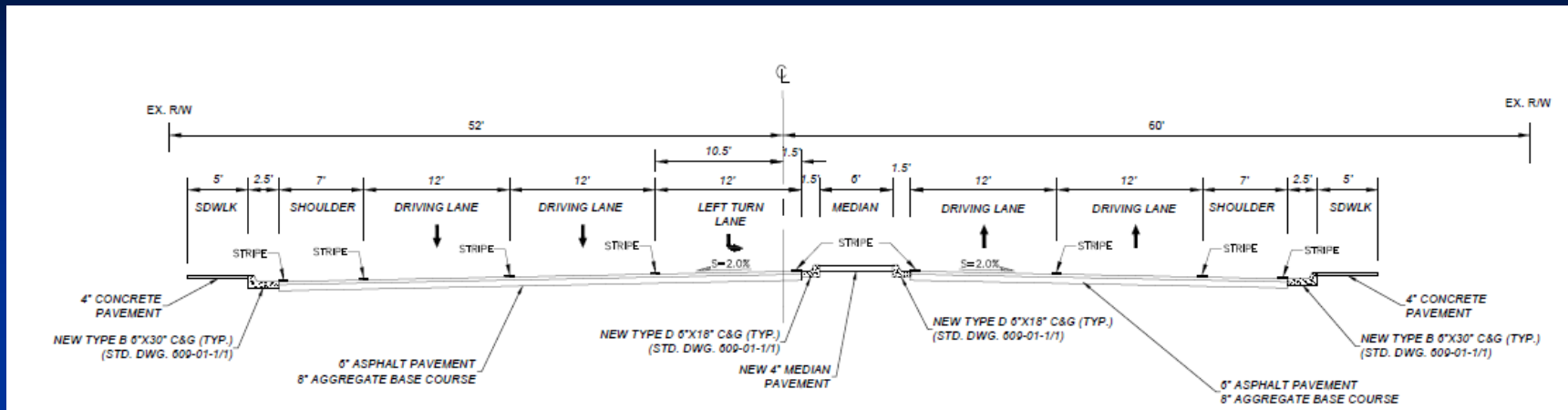


- White Sands Blvd. (approaching Indian Wells from the South)

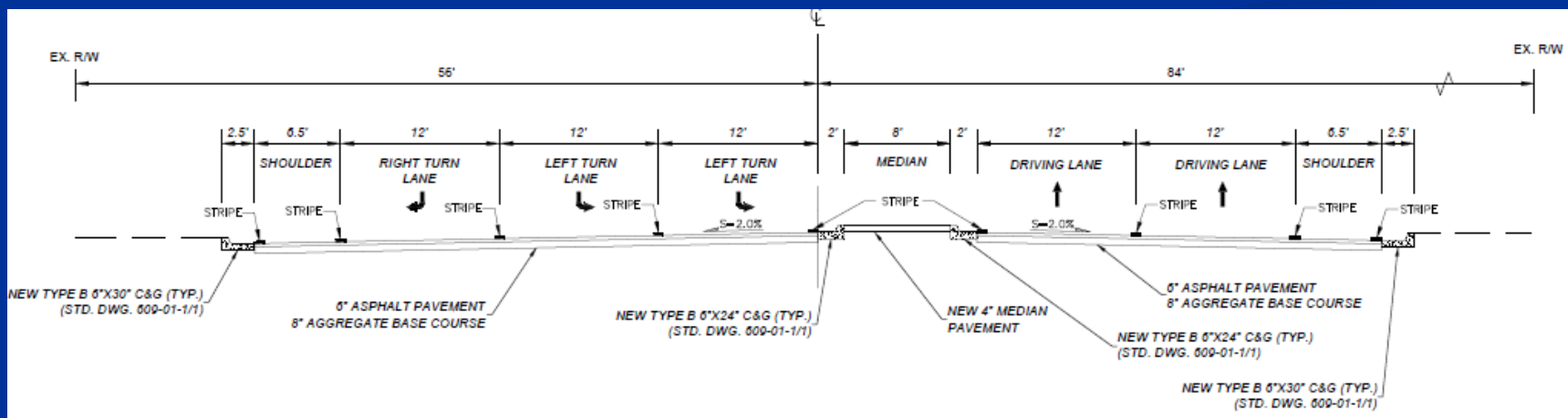


- White Sands Blvd. (approaching Indian Wells from the North)

Proposed Improvements

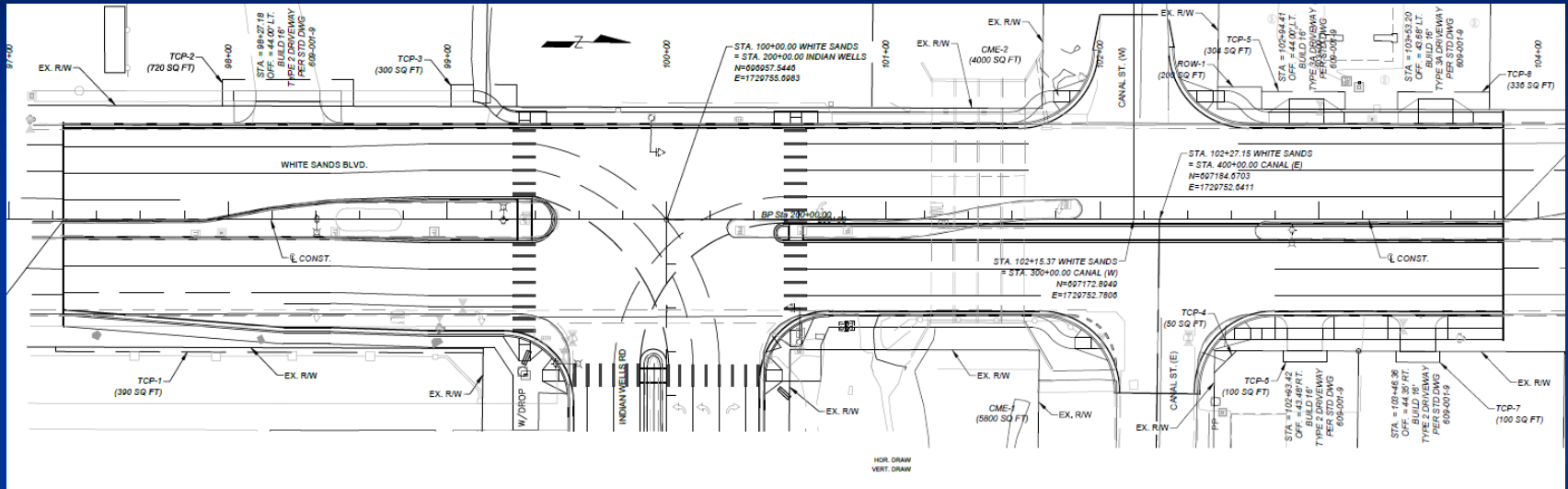


■ White Sands Blvd. (at Canal Street)



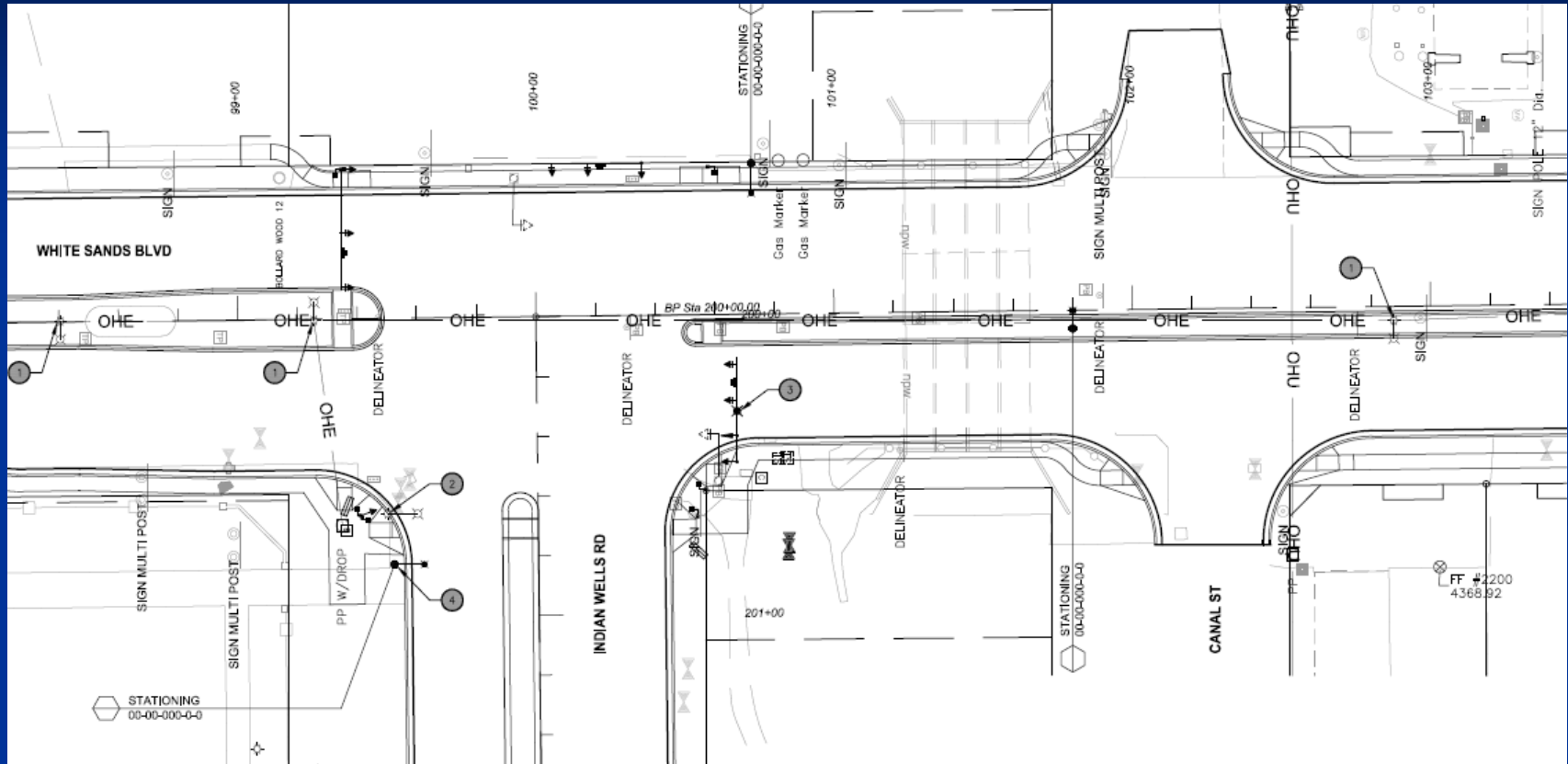
■ Indian Wells (approaching White Sands Blvd. from the East)

Proposed Improvements



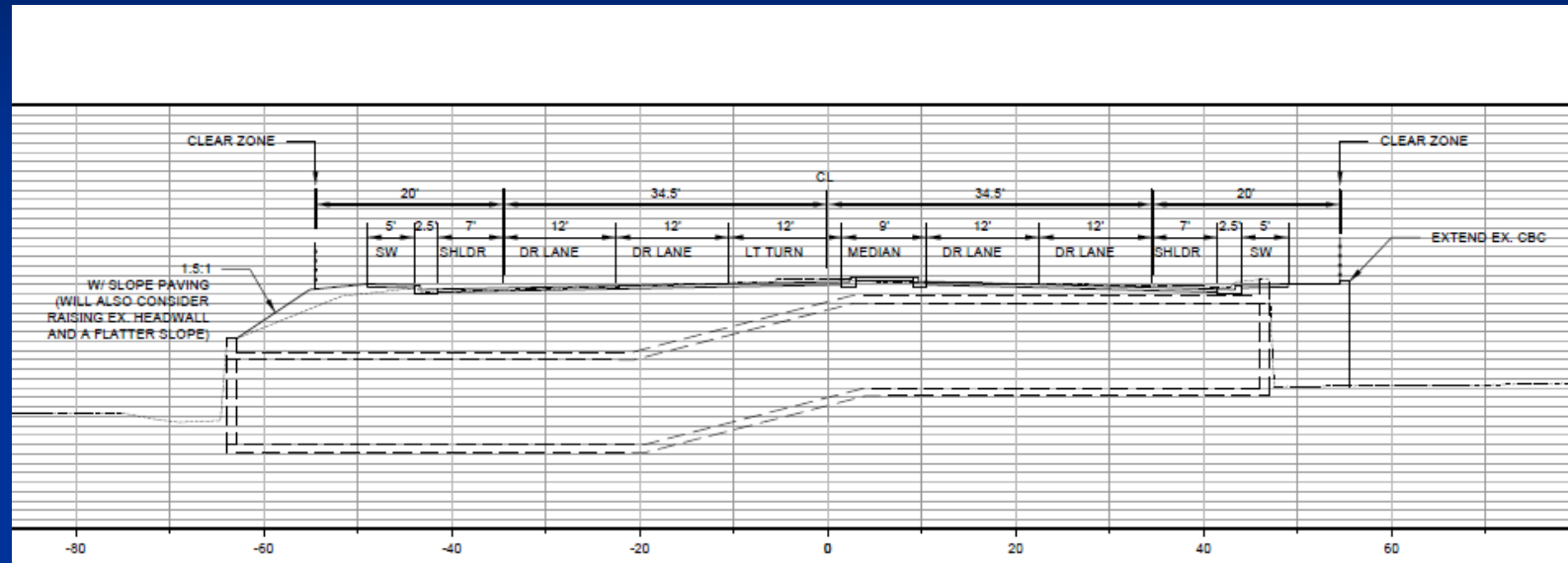
■ White Sands Blvd. Roadway Layout

Proposed Improvements



■ Sidewalk Layout

Proposed Improvements



■ Extended Drainage Structure

White Sands Blvd/Indian Wells Rd

■ Project Schedule:

- Roadway Safety Audit: August 2016
- NMDOT State Transportation Improvement Program (2017)

- Project Funding:

- Funding for design secured in 2018
- Funding requested for Construction in FFY'2020/21

- Project Design:

- Preliminary Design: Completed
- Pre-final Design: Submitted and under Review
- Final Design: Fall of 2020



Questions and Comments?

Thank you!

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 10/8/2019

Report Date: 10/3/2019

Report No: 2.

Submitted By: Rachel Hughs

Subject: Approve the minutes for the September 24, 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
September 24, 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 6:30 p.m. Roll Call was taken by the City Clerk. Mayor Pro-Tem Baldwin was absent. City Clerk Hughs announced there was a quorum present. Invocation was given by Bishop Westover and the Pledge of Allegiance was led by Commissioner Wright.

APPROVAL OF AGENDA

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

PRESENTATIONS

1. Presentation follow up from the White Sands Balloon Festival. (*G.B. Oliver, Chamber of Commerce President*)

Mr. Oliver presented a video from the White Sands Balloon Festival. He said this would not have happened without the support of City staff. There were 150 volunteers with no fender benders. He thanked Police Chief Peete and the police department. He said 60 percent of the 21,000 plus attendees were from out of town. He said in the first 4 days of the announcement of the event there were over 89,000 hits on the Chambers website. He stated the feedback they are getting from restaurants, is they had the biggest turn out on Friday and Saturday. He apologized to Parks Manager Marion for tearing up the field. He said they brought in 800 tons of field dirt to fill in all of the ruts. He asked the Commission to come to their office so they can share the information on what they think drew this many people to this event. He said Special Events Manager Sides and staff picked up 44,000 pounds of trash. Mayor Boss thanked everyone involved with the event.

2. Alamogordo Senior Volunteer Programs Advisory Council presentation. (*Sue Hopkins, Acting President of Senior Advisory Council*)

Senior Volunteers Programs Administrator Baker showed a Power Point presentation. She talked about the purpose of the Council, volunteer hours provided to the community, background on their programs, projects accomplished and future projects. She said between January 1 and July 31, 2019 their Senior Volunteer Programs volunteered 51,914 hours. (See Blue Book for PowerPoint)

On behalf of the Commission, Mayor Boss thanked Senior Volunteers Programs Administrator Baker, the volunteers and everyone on the Council.

PUBLIC COMMENT

Gene Downer commented on the following:

He spoke of Operation Round-up. He said he got an application from Cloudcroft made some changes and printed one for Alamogordo. He said they will come up with an estimate. He also said he spoke

with Interim City Manager Cesar who was concerned with the anti-donation clause and the State Constitution.

CITY MANAGER'S REPORT

Interim City Manager Cesar made the following remarks:

1. He stated the F-4 has been delivered to the airport and staff will continue working on finding a permanent location for the F-4. They will be bringing plans, proposals to the Commission for approval.
2. He said he, the Mayor, the Public Works Director and Water Operations Manager met with the State Engineer. He said that meeting was very successful. He said they discussed the City's application to the Water Trust Board for the parallel pipeline from the Snake Tank Well field, the restoration efforts to Bonito Lake and Aquafer Storage and recharge.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Commissioner Rardin made the following comments:

He said he received a phone call about the video arcade at the Fun Center. He said if he is not mistaken, it does state in their contract that they will have an arcade in there, or that was what was sold to the voters. Interim City Manager Cesar said he believes that went to the voters and does not think it was in the lease. Commissioner Rardin said this was not the first person to talk to him about it. He also said the Fun Center was approved at \$1.5 million in 2017 and \$750,000 for video games. That was money spent but they don't have any video games. Interim City Manager Cesar said he will go back and review the contract. Commissioner Rardin asked if they can get an answer, for the constituents, of when they will get that.

Commissioner Payne made the following comments:

She said at the last meeting they had a few things to discuss in Executive Closed Session. She explained that Executive Session is the only opportunity for the Commission to speak privately. She read a post from social media. She said historically this person likes to attack the City. It is really interesting because that was not said in public, the first time they talked about it was in Executive Closed Session. She explained that the law prohibits them to talk about agenda items until the Commission meetings. She said unless the Offices are bugged, then somebody was talking to Mr. Bass and if this is how it is going to be, then what is the point of Executive Closed Session, why not just talk about it in public, have it all out in the open. She said they shouldn't have to read this on social media, it is important that this stuff stays private not because they are trying to hide anything or because they are not transparent because of regardless of what Mr. Bass says, the City is very transparent. She said there are times when they can't be transparent and it's to protect an employee or a situation. She said she is very disappointed with this, just like she is disappointed when somehow, he receives information that he could have only received because somebody decided to slip it to him. Mayor Boss said he did not say that. He echoed everything Commissioner Payne said. Commissioner Payne said not one word of that was said publicly, so wherever it came from, it came from one of them.

Commissioner Rardin said he concurs with them. He said he went to the City Clerk's office and spoke to the Deputy Clerk and asked to hear the end of the meeting to see what was said. He said he feels the same way, and also mentioned that there were only seven of them in that room.

Commissioner Payne stated they need to protect their employees and the City, and they don't need to embarrass or shame people. She stated shame on whoever did it.

Mayor Boss explained that no decisions are made in Executive Session and if they make a decision they have to come back out and have a motion made and a second and it has to be vote upon. He also said it is limited to certain things; property, employees and litigation. He said they are doing things to protect the public and anything they do in there the public is aware of. When they come back out, he will read a statement that they did or did not take any action.

Commissioner Sikes said for the record, she would never talk about anything in an Executive Session nor would she never spend some time speaking to a sensational Journalist, who she knows is streaming the meeting as they speak. Commissioner Wright agreed with Commissioner Sikes.

Commissioner Hernandez made the following comments:

He said he had the privilege to attend a CDBG Grant Proposal with Grant Coordinator Osborne in Albuquerque. He said he was impressed with what Grant Coordinator Osborne does and how she does it. He said Grant Coordinator Osborne gave her presentation and gave them all the information needed and was asked only one question. He said they go back on the 2nd to hopefully receive their grant.

Commissioner Sikes made the following comments:

She said in the past 3 weeks, the City has had quite a bit of rain and the City has taken care of it. In the last rain, the Alamogordo Police Department got word that a wall of water was heading down the mountain towards the intersection of Scenic and Florida and immediately APD was on the scene. She said it is great that the City cleans up after the fact and they are very conscientious about taking care of the citizenry, in regard to the road, but they need to figure out what they are going to do about that intersection.

Interim City Manager Cesar said the drainage channel that Commissioner Sikes talked about has been studied extensively. He said the City has the sizing and type of concrete box culverts that need to go in. He said right now it is a matter of funding and design.

Commissioner Hernandez said this is a Corp project. He has already asked Interim City Manager Cesar to look at some other funding to do these things. There were several plans in the past, in using the corner property as a detention pond. There is new debris that comes every time because the culverts are round and if they were box culverts it would have a better chance of flowing through and passing on down. The price to replace the culverts under the road is expensive and that is where the problem is. He said he told Interim City Manager Cesar when they do Fairgrounds, the County talked about doing a temporary bridge across the arroyo to access the property, that they extend the box culvert down further, and go to the County and see if they would pay for that. He said they have been planning it for a long time, it's just the funding because it is a Corp project. He said if you are going to do it, you have to go through the Corp and make sure that you are going to do the right size according to their calculations because the City has theirs, but the Corps' may be different.

Commissioner Rardin said in 2013, he brought a proposal to executive session to look at purchasing the Bloom property because that is where the problem starts. He said this last rain, it looks like what the Corp did in the Oasis Trailer Court where they built that detention pond, the only road that seemed to flood was Florida on up to Scenic and Fairgrounds. He said it looks like they may have got it solved from downstream from Fairgrounds. He said at one time, they had budgeted \$250,000 a year to go into a fund to replace all of the box culverts and somewhere along the lines that kind of went by the waste side and never got done. Interim City Manager Cesar said they did one at 24th Street and that \$250,000 was nowhere near enough. Commissioner Rardin said they should brainstorm and get together and look at a fix at the top where the problem actually starts at Scenic and Florida. Interim City Manager Cesar said they would start down at Canal and work their way upstream. He also mentioned they are looking at using a portion of fund 109, the Street Maintenance money and would not try and tackle all the box culverts in one project.

Mayor Boss made the following Comments:

He said he had the Honor and Privilege in proclaiming Sunday September 22, 2019 as Sergeant Willie Estrada Day. He read the proclamation. He also recognized City Planner Rael for obtaining the position of President of the NMLZO (New Mexico League of Zoning Officials) Board of Directors. Mayor Boss said City Attorney Bengoechea was awarded the Daniel J. Curtain "Young Public Lawyer of the Year Award" by the International Municipal Lawyer's Association.

CONSENT AGENDA

- 3. Approve the minutes for the September 10, 2019 Regular meeting. (*Rachel Hughs, City Clerk*)**
- 4. Consider, and act upon, final publication of Ordinance 1599 to amend certain sections of Chapter 2 relating to Campaign Disclosure. (*Rachel Hughs, City Clerk*) (Roll Call Vote Required)**
- 5. Consider, and act upon, a leak abatement request for 2820 Carmel Dr. in the amount of \$2,818.00. (*Mark Threadgill, Customer Service Manager*)**
- 6. Consider, and act upon, Resolution 2019-39 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 September 24, 2019. (*Evelyn Huff, Budget Analyst*) (Roll Call Vote Required)**
- 7. Consider, and act upon, acceptance of grant award of trees from Apache Corporation. (*Debbie Osborne, Grant Coordinator*)**
- 8. Consider, and act upon, grant application to the New Mexico Library Foundation. (*Sharon Rowe, Library Manager*)**
- 9. Consider, and act upon, grant application to Petco Foundation. (*Dwain Martinez, Animal Control Manager, and Debbie Osborne, Grant Coordinator*)**
- 10. Consider, and act upon, Resolution No. 2019-40 approving the submission of an application in the amount of \$3,340,000 and a \$334,000 City match for financial assistance and project approval to the New Mexico Finance Authority Water Trust Board for the parallel pipeline project. (*Larry Garner, Public Works Manager/Debbie Osborne, Grant Coordinator*) (Roll Call Vote Required)**
- 11. Consider, and act upon, Resolution No. 2019-41 approving the submission of an application in the amount of \$1,200,000 with a \$120,000 City match for financial assistance and project approval to the New Mexico Finance Authority Water Trust Board for the rehabilitation of the Lower Heights Water Storage Tank. (*Larry Garner, Public Works Manager and Debbie Osborne, Grant Coordinator*) (Roll Call Vote Required)**

Commissioner Hernandez asked to remove Item # 4 and 5 from the Consent Calendar.

Commissioner Hernandez moved to approve items #3,6,7,8,9,10 and 11 of the consent calendar.

Commissioner Rardin seconded the motion.

Roll call vote was taken.

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

ITEMS REMOVED FROM CONSENT AGENDA

- 4. Consider, and act upon, final publication of Ordinance 1599 to amend certain sections of Chapter 2 relating to Campaign Disclosure. (*Rachel Hughs, City Clerk*) (Roll Call Vote Required)**

Commissioner Hernandez pulled this item because he does not support it.

Commissioner Rardin moved to approve.

Commissioner Wright seconded the motion.

Roll call vote was taken.

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

Commissioner Hernandez, Commissioner Payne and Mayor Boss voted nay.

Mayor Boss said it is a tie. City Clerk Hughs announced the Ordinance did not pass and will stay as it is. Mayor Boss asked if it will come back again and the answer was no.

Commissioner Sikes asked if it reverts back to the Ordinance as previously written. City Clerk Hughs answered that is correct. Commissioner Sikes said rather than loosen it up and report less and less often, they are going back to the way it was before, so congratulations.

Mayor Boss asked if it could be brought back adjusted. City Clerk Hughs asked what he would like to adjust. She said right now the Ordinance is going to stay the way it is, so they are going to have 4 reports out of the year.

Commissioner Rardin asked how it is going to work since this is final reading, but it has already passed for first reading. City Clerk Hughs said the first reading is for publication only, and this is for the adoption of this Ordinance.

Mayor Boss asked if there is any way in this meeting to reverse what they did. City Clerk Hughs answered that they can because they are still on the item. Mayor Boss asked if they can call the vote again because he did not consider that, and his vote would change.

Commissioner Sikes said point of order, she thinks that is not the way they have to do it.

City Attorney Bengoechea said Robert's Rules of Order says that it could be brought back but it will have to be brought back by someone that prevailed. Commissioner Rardin said neither side prevailed. City Attorney Bengoechea said it was defeated, so whoever voted nay, technically prevailed and those people can ask for it to be put another agenda for it to start over again.

5. Consider, and act upon, a leak abatement request for 2820 Carmel Dr. in the amount of \$2,818.00. (Mark Threadgill, Customer Service Manager)

Commissioner Hernandez said he pulled this for transparency. He asked for Customer Service Manager Threadgill to give a rundown of the request.

Customer Service Manager Threadgill said the customer made the request and met the criteria set by City policy. He said the only reason it is before the Commission is because it exceeds the dollar amount that staff is allowed to approve.

Commissioner Hernandez moved to approve.

Commissioner Rardin seconded the motion.

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

NEW BUSINESS

Item 15 was moved up on the agenda by Commission

15. Consider, and act upon, approval of changes to City of Alamogordo Leak Abatement Policy. (Mark Threadgill, Customer Service Manager)

Customer Service Manager Threadgill explained the revisions to the policy. He said it will add some clarity to what is considered a leak and what is subject to abatement. He said right now a leak abatement is such a broad reading and there is no definition of a leak inside the policy. It is very vague and open to interpretation. This will also take out a section of unexplainable consumption. He said once it passes the meter, it is unexplainable. That is an overly broad statement that cannot be shown one way or another. They have also added language on the winter quarter average for the sewage consumption rates when there is a leak during those months. They are also requesting an amendment

to the policy as far as, final approval of leak abatements in excess of \$2500. That approval would come from the City Manager, instead of having to bring those to the Commission.

Commissioner Hernandez wanted to make it clear that there is a "Checks and Balances" System. Customer Service Manager Threadgill said right, there is no one person that could make that decision.

Commissioner Rardin asked if they want to put a dollar amount if it exceeds a certain amount so that it still has to come back to Commission. Commissioner Hernandez said he does not think they should, unless it is commercial. Commissioner Rardin said maybe \$5000 or \$6000. Mayor Boss said if they have established criteria to write it off, then he does not see why they would, but maybe they do.

Commissioner Rardin said in this policy it states that leak abatements will not be granted for leaks in toilets, faucets, sprinkler irrigation systems, coolers, softeners, reverse osmosis systems, icemakers, water heaters or any other appliance or fixture. He said he had a customer that his water softener and RO system were leaking, but they run into a drain and it leaked. The only reason he found out that he had a problem is because he started having septic system problems because it was getting too much water. He has an issue with that because they may have a customer that has a leaky RO system and never know it.

Customer Service Manager Threadgill said when they were looking at bringing these changes to the leak abatement policy to the Commission, one of the things he did was go back and look at the originals, what the discussion was. He said the intent at that time was to assist those people because of the corrosive nature of our water and especially with some types of materials and the age of our service lines from the meter to the house or even some of the internal plumbing. He said over a period of time, it's kind of expanded because of the liberal wording in the policy to include almost anything that could happen. When they were looking at this and saying what do we really want to do and how do they want to get this down. In 2018, they had 266 leak abatements approved for a total of \$178,000 that was abated. He said the largest number of leak abatements were the service line from the meter to the structure. He said some of these are things that are not leaks and are just maintenance issues, so that is why they included those in the policy. He asked are these things truly a leak in the sense that the leak abatement policy was originally intended to address.

Commissioner Rardin stated he can see a leaky toilet or faucet because those are things that you use daily and can tell that they are actually leaking. He said he had another customer where their house settled because of a leaky control valve. These are things that are out of sight, out of mind because they do not look at it every single day. Customer Service Manager Threadgill asked if the City is to be the coverage for all things that might be water leaks and that is the Commission's decision to make. Commissioner Rardin said a toilet or faucet are things that are noticeable but some of these other ones in here are big ones. Customer Service Manager Threadgill said they also have a method now that they didn't have when this was brought. They have the Aqua hawk, where a customer can go on and get warnings themselves, rather than the City having to go out and physically give them a warning. He said they sent out over 2000 courtesy notices in 2018, letting people know that they had some kind of continuous water consumption; they were not all leaks. The Aqua hawk can give them notification if they have continuous consumption much quicker than they are doing it manually.

Commissioner Sikes asked just for clarification if her water softener was going awry, would Aqua hawk give her notifications. Customer Service Manager Threadgill said yes and explained how it would work if she went in and set up thresholds. She asked if she sets the threshold. He said the customer sets those thresholds. She asked if she would get those notifications via email or text. Customer Service Manager Threadgill said email or text. Commissioner Sikes said when she went through it a couple of times, she was under the impression that a customer would have to bring them an actual bill that a leak was fixed before the Commission would decide, and there was no language in this policy in regard to that. Customer Service Manager Threadgill said the customer has to prove to them that the leak was fixed. He said their primary thing is to stop the leak.

Commissioner Hernandez said he agreed with everything he has in there, but the only thing he would add or figure out how to do is give you discretion. He gave a scenario of him on his way out and he flushed the toilet and headed out the door and got on an airplane and took off for a week. He said yes you have Aqua Hawk, but there is no way that he can come back and turn the water off. He said even a water heater blows out 15 minutes after you leave the house and you are gone for a week. Customer Service Manager Threadgill asked if that same logic could not be applied to any appliance. Commissioner Hernandez said that is what he is saying, to give him discretion that if somebody is not able. He said if someone can prove that they were not there. He said being able to give him the discretion to be able to say it meets our criteria based on this. He said he doesn't know how many of those he would have. Customer Service Manager Threadgill said there is probably going to be quite a few, it is not a rare occurrence. Commissioner Hernandez asked him if this is something he agrees with or disagrees. Customer Service Manager Threadgill said he would have to write some stuff out to see how it would look, as far as discretion goes. Commissioner Hernandez said it still has its checks and balances. Customer Service Manager Threadgill said it does, but then it gets to at what level is that discretion finalized and who has the final say. He asked if that is put back on the City Manager because that is almost would have to be. Commissioner Hernandez said it's still at the levels, it ends with the City Manager.

Mayor Boss asked the Commission if they want to delay action on this because they are not going to find every little instance that can occur with a water line. Commissioner Hernandez said he thinks they can approve it as it is. Customer Service Manager Threadgill said he would like to write some language. He said he does better when he can read it and go through all the permutations that might happen. Mayor Boss said if they can live with this one, they can approve it and then they could bring it back in a couple of weeks and adjust it.

Commissioner Sikes said Customer Service Manager Threadgill made sure he included the fact that if anyone is getting a major leak abatement, they have to sign up for Aqua Hawk. She asked if a person is signed up for Aqua Hawk and they take their phone everywhere and should their water be running continuously for 24 hours could that person call Customer Service Manager Threadgill and ask him to go and turn off the water. He answered yes. Mayor Boss stated not everyone has a cell phone.

Commissioner Rardin said this ordinance is making it if you have a leak and you want an abatement that they have to sign up for Aqua Hawk. He said if they have an elderly person that does not have a smartphone, they probably won't have a way to sign up for that. Customer Service Manager Threadgill said they could use a computer. He said most of the people that have registered for Aqua Hawk are over 50.

Commissioner Hernandez moved to approve.

Commissioner Payne seconded the motion.

Motion carried with a vote of 5-1-0. Commissioner Rardin voted nay.

12. Consider, and act upon, first publication of Ordinance 1600 for refunding of the City's outstanding 2009 loan agreement. (Chris Muirhead and John Archuleta) (Roll Call Vote Required)

Mr. Archuleta announced that George K. Baum and Company has been bought out by Stiefel, Nicolaus and Company. He wanted to let the Commission know that things will remain as they are, and Stiefel will be taking over the contract that they have with the City of Alamogordo. He, himself, will continue working on the City's account and there will be no increase in fees or increase in anything else. He said they will be back on October 22, 2019 and at that time they will have the final interest rates for the transaction.

Mr. Muirhead said since the last time they were here, the application did get approved by the Finance Authority. He said the Ordinance authorizes the redemption of the 2009 bonds for interest cost savings. The pledge is the net system of the joint utilities system. He said they are comfortable to

move this forward with publication. He said they will be back on the 22nd to approve the Ordinance and then close within 30 days after that. Once the rates are set and the Ordinance is approved the City will be locked in and they will know on the 22nd what interest rates and savings they will receive.

Commissioner Hernandez moved to approve.

Commissioner Payne seconded the motion.

Roll call vote was taken.

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

13. Consider, and act upon, award of Public Works Bid No. 2019-005 to Stone Electric & Power, LLC related to the Replace Emergency Generator at Alamogordo Police Department project in an amount not to exceed \$77,554.80, including NMGRT. (Bob Johnson, Engineering Manager)

Engineering Manager Johnson explained that the bid is to replace a backup emergency generator. Mayor Boss commented about the difference in the bid amounts. Engineering Manager Johnson explained that the other two bidders are from out of town and they are setup to pay a slightly different wage scale.

Commissioner Rardin asked if this is just the labor cost. Engineering Manager Johnson said the generator was purchased by the City several months ago, this is for the labor and some wire pulling. Commissioner Rardin asked how much wire they will be pulling. Engineering Manager Johnson said this new generator will supply backup power to the entire building. The existing generator is about 25 years old and is only sized to support dispatch only.

Commissioner Hernandez moved to approve.

Commissioner Rardin seconded the motion.

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

14. Consider, and act upon, an MOU Agreement with Alliance for Regional Military Support to hire a consulting group Cypress International for \$10,000 a year for 3 years for a total of \$30,000. (Ed Brabson and Tom Thomas)

Commissioner Sikes asked Mr. Brabson how they will work with MainGate, New Mexico TRUE and all of the things that are currently going on. He said they will create a four- or five-member Commission here that will reach out to all the other entities including MainGate. He said they would like to have a representative from the City, the County and then 3 or 4 other people so that everybody has some input. He said the idea is to get as broad of base as they can.

Commissioner Rardin asked where they were going to pull this money from. Finance Director Hernandez said they have a contingency line under the City Manager's control. Commissioner Rardin asked how much that budget is a year. Interim City Manager Cesar said it fluctuates every year. Budget Analyst Huff announced, from the audience, it is about \$250,000.

Commissioner Payne asked Mr. Brabson if the County is on board with this. He said they make their presentation to the County on Thursday.

Mayor Boss asked if they heard anything from Las Cruces. Mr. Brabson said Las Cruces passed it, as well as the County. Commissioner Rardin asked how much Las Cruces is giving. Mr. Brabson answered that it is \$5000 each, for the City and the County. Commissioner Rardin asked why Alamogordo has more invested than Las Cruces. Mr. Brabson said Alamogordo has more invested, Holloman is an economic engine for us where White Sands is only a partial economic engine to them. Mr. Dayoub clarified that they do not have confirmation from Las Cruces yet. Commissioner Rardin asked what they would be asking from Otero County. Mr. Dayoub answered \$10,000. Commissioner Rardin said he does not understand because Dona Ana has the majority of the Missile Range. Mr. Brabson said the contribution from the Missile Range to Las Cruces is not as great as everybody thinks

it is, and that is part of the reason for the disparity. He said Holloman is a major contributor to Alamogordo and Otero County.

Mayor Boss said he supports this, but he thinks that Las Cruces gets a big benefit. He said he has come from Las Cruces on many occasions, during rush hour traffic, going to White Sands Missile Range and a lot of them go on to Holloman. He thought they may have underestimated that, but also thought it was a moot point.

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

16. Consider, and act upon, first publication of Ordinance 1601 Adopting a Municipal Gross Receipts Tax and Repealing Ordinance 1594 titled "An Ordinance Implementing Hold Harmless Tax". (*Stephanie Hernandez, Finance Director*) (Roll Call Vote Required)

Item withdrawn by Interim City Manager Cesar

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

Mayor Boss read the openings and appointed Chuck Keller to the Mayor's Committee on Aging. No one was opposed. Mr. Keller was in the audience, Mayor Boss thanked him for his volunteerism.

EXECUTIVE CLOSED SESSION (Roll Call Vote Required)

18. Recess into Executive Closed Session in compliance with 10151(h)(2), NMSA (as amended) to discuss Limited Personnel Matters (City Manager). (Roll Call Vote Required)

**Commissioner Payne moved to recess into Executive Closed Session at 8:10 p.m.
Commissioner Hernandez seconded the motion.
Roll Call vote was taken.
Motion carried with a vote of 6-0-0**

RECONVENE INTO OPEN SESSION

**Commissioner Hernandez moved to reconvene into open session at 8:32 p.m.
Commissioner Sikes seconded the motion.
Motion carried with a vote of 6-0-0**

Mayor Boss asked for a motion to consider and act upon hiring Brian Cesar as the permanent City Manager.

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

Interim City Manager Cesar was appointed as City Manager.

**Commissioner Wright moved to adjourn at 8:33 p.m.
Commissioner Rardin seconded the motion.
Motion carried with a vote of 6-0-0.**

ADJOURNMENT

Mayor Richard Boss

ATTEST:

City Clerk Rachel Hughs

(Prepared by Eric Barraza, Deputy Clerk)
Approved at the Regular Meeting held on October 8, 2019.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 10/8/2019

Report Date: 9/19/2019

Report No: 3.

Submitted By: Josh Sides

Subject: Approve and support the acceptance of the New Mexico Department of Tourism "Clean and Beautiful" Grant award for Keep Alamogordo Beautiful for fiscal year 2020. *(Josh Sides, Special Events Manager)*

Fiscal Impact: \$13,198.67

Amount Budgeted: \$0.00

Fund: 037

Additional Fiscal Impact:

Recommendation: Approve and support the acceptance and implementation of funds awarded by the New Mexico Department of Tourism.

Background: Keep Alamogordo Beautiful has been a program in place by the City of Alamogordo for approximately twenty-three years. The majority of funds for the program have come yearly from the New Mexico Tourism Department's "Clean and Beautiful Grant".

**STATE OF NEW MEXICO
TOURISM DEPARTMENT
Litter Control and Beautification
"Clean & Beautiful" Grant Program Agreement**

THIS AGREEMENT, numbered **20-418-6002-00004-00**, is made and entered into by the State of New Mexico Tourism Department, hereinafter referred to as the "NMTD," and **City of Alamogordo**, hereinafter referred to as the "Partner" (collectively the "Parties") and is effective as set forth below.

RECITALS

WHEREAS, the purpose of the New Mexico "Litter Control and Beautification Act," NMSA 1978, § 67-16-1 et seq. (hereinafter "the Act") is to control litter by authorizing NMTD to eliminate litter from the state to the maximum practical extent through a state-coordinated plan of education, control, prevention, and elimination; and

WHEREAS, the "Litter Control and Beautification Fund," hereinafter "the Fund," is appropriated to NMTD for the purpose of carrying out the provisions of the Act; and

WHEREAS, the Act provides that NMTD may contract with other state and local government agencies to carry out the provisions of the Act;

AGREEMENT

NOW, THEREFORE, IT IS AGREED BETWEEN THE PARTIES, in consideration of the mutual covenants and obligations contained herein, as follows:

I. Obligations of Partner.

- A. Perform and complete the projects and programs, expending all related funds, as outlined in the Project Award Schedule, as approved by NMTD and attached hereto as *Exhibit A*.
- B. Acknowledge and comply with all Grant Program Guidelines, as approved by NMTD and attached hereto as *Exhibit B*.
- C. Complete and submit all required documentation for Initial Disbursement and Final Reimbursement in accordance with the requirements described in *Exhibit B*.
- D. Acknowledge that any failure to adhere to the parameters set forth herein may affect Partner's eligibility for future awards.

II. Obligations of NMTD.

- A. Provide award funds for all eligible expenses in accordance with the Act and according to *Exhibit A* and *Exhibit B*.

- B. Provide access to all forms required for submission for Initial Disbursement and Final Reimbursement in accordance with the requirements described in *Exhibit B*.

III. Additional Terms & Conditions:

- A. The terms of this Agreement are contingent upon sufficient appropriations and authorization being made by the Legislature of New Mexico. If sufficient appropriations and authorization are not made, this Agreement shall terminate upon written notice given by NMTD to the Partner. NMTD's decision as to whether sufficient appropriations are available shall be accepted by the Partner and shall be final.
- B. This Agreement shall become effective upon its execution by both Parties and shall terminate on **June 30, 2020**. Either party may terminate or seek to further negotiate this Agreement upon ninety (90) days written notice to the other. In the event of termination, neither party may nullify obligations already incurred for performance or failure to perform, prior to the date of termination and any outstanding reimbursements shall be made pro rata.
- C. This Agreement shall not be altered, changed, or amended except by instrument of writing executed by the Parties hereto.
- D. The Parties shall not be jointly liable. Neither party shall be responsible for liability incurred as a result of the other party's acts or omissions in connection with this Agreement. Any liability incurred by either party in connection with this Agreement is subject to the immunities and limitations of the New Mexico Tort Claims Act, §41-4-1, et seq., NMSA 1978, as amended.
- E. This Agreement is governed by the laws of the State of New Mexico.
- F. This Agreement is not intended to and does not create any rights in any persons or entity not a party hereto.
- G. Any notice required to be given to either party by this Agreement shall be in writing and shall be delivered in person, by courier service, by electronic mail or by U.S. mail, either first class or certified, return receipt requested, postage prepaid, as follows:

To NMTD: New Mexico Tourism Department
Suzy Lawrence, Tourism Development Director
491 Old Santa Fe Trail | Santa Fe, NM 87501
505-795-0343 | suzy.lawrence@state.nm.us

To Partner: City of Alamogordo
Joshua Sides, Program Coordinator
1376 E Ninth Street | Alamogordo, NM 88310
575-439-4353 | jsides@ci.alamogordo.nm.us

- H. The individual signing below on behalf of the Partner represents and warrants that he or she has the authority to bind the Partner, and that no further action, resolution or approval from the Partner is necessary to enter into a binding agreement.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date of signature by the NMTD Cabinet Secretary listed below.

By: _____

Date: _____

Print Name: _____

For PARTNER (City of Alamogordo)

By: _____

Carlos F. Gonzales, NMTD Chief Procurement Officer

Date: _____

By: _____

Isabel B. Lopez, NMTD Chief Financial Officer

Date: _____

Approved for legal sufficiency:

By: _____

Allison P. Hedgecock, NMTD General Counsel

Date: _____

By: _____

Jen Paul Schroer, NMTD Cabinet Secretary

Date: _____

The records of the Taxation and Revenue Department reflect that the Partner is registered with the Taxation and Revenue Department of the State of New Mexico to pay gross receipts and compensating taxes.

ID Number: **01-406012-004**

By: _____

Taxation and Revenue Department

Date: _____

**EXHIBIT A
PROJECT AWARD SCHEDULE
CITY OF ALAMOGORDO**

Budgeted Program Expenses	Programs				Youth Employment		KAB		
	Program 1	Program 2	Program 3	Program 4	Internships	Subcontracts	KAB Dues	KAB Conference Fees	
Program 1									
Litter Control									
Litter free events, orange u-tongs	\$ 4,558.00								
Program 2									
Recycling									
Stream recycling stations and wheeled outdoor recycling cans		\$ 4,260.67							
Program 3									
Beautification									
Vegetation and supplies			\$ 3,180.00						
Program 4									
Education, Outreach & Promotional materials									
Marketing/promotional items				\$ 1,200.00					
Youth Employment									
KAB Annual Dues & Conference Expenses									
Sub total	\$ 4,558.00	\$ 4,260.67	\$ 3,180.00	\$ 1,200.00					
						Total	\$ 13,198.67		

EXHIBIT B

NEW MEXICO TOURISM DEPARTMENT CLEAN & BEAUTIFUL GRANT PROGRAM FY20 GUIDELINES

1. OVERVIEW

The purpose of the New Mexico “Litter Control and Beautification Act,” NMSA 1978, § 67-16-1 et seq., is to control litter by authorizing the New Mexico Tourism Department (NMTD) to eliminate litter from New Mexico to the maximum practical extent through a state-coordinated plan of education, control, prevention, and elimination. Therefore, NMTD distributes funds throughout the state to fulfill program goals and objectives that promote citizen engagement, reduce blight, further beautification and waste diversion efforts keeping New Mexico a clean and beautiful place to live, work and play.

2. ELIGIBLE EXPENDITURES

Grant funds may be used by Partner (Awardee) for the following expenditures:

Public information and education:

- Production of educational and promotional materials or advertising that raise awareness, provide training and increase public support
- All promotional items & permanent structures must be branded with the “Toss No Mas” or the “Keep New Mexico True” logo, which are available for download at the NM Clean & Beautiful Grant Resources webpage (<https://www.newmexico.org/industry/work-together/grants/clean-and-beautiful/nm-clean-beautiful-grant-resources/>).

Equipment purchase:

- Safety equipment (gloves, vests, goggles...)
- Tools (litter grabbers, rakes, shovels, buckets, brushes...)
- Supplies (trees, shrubs, paint, educational materials...)

Labor:

- Sub-contracting for approved program activities
- Summer Youth Employment programs – individuals 14 to 25 years of age
 - Salary range = minimum wage plus \$1.00 to \$3.00 per hour
 - [Youth Employment Verification](#) forms required for each youth employed

Solid waste diversion programs:

- Recycling
- Composting

Program Development Events:

- Program leader attendance at Keep America Beautiful program development events
- Proof of Program Development Event Attendance is required. In addition to the financial documentation, a one-page summary of key lessons learned & implementation plans for future projects, as well as event registration confirmation are required for reimbursement.

EXHIBIT B

3. INELIGIBLE EXPENDITURES

- Grant money cannot be used to purchase office supplies (hardware, software or accessories, pencils, pens, paper, paper clips, tape, etc.).
- Grant money cannot be used for gas, food, utensils, bandstands, or playground equipment.

4. MATCHING REQUIREMENTS

The following sections may be used to determine the costs and calculate totals for In-Kind & Monetary Donations, which must be reported in the [End-of-Year Report](#).

Donated Goods or Services:

Entities may receive non-monetary contributions of goods or services, often referred to as “in-kind donations” from businesses, groups and individuals. Examples include private waste hauler services, “pro-bono” accounting services, food/drinks, donated advertising space, or office space in a non-government building. The dollar value of any donated goods or services is equal to the market price of the goods or services contributed. Whenever possible, submit the dollar-value in writing.

How to Calculate Government Costs:

Government employee time and services for which they receive government salary, overtime or compensatory time are considered a cost. If a government employee is working on a project on their own time, as a volunteer or board member, calculate their time as an in-kind donation. Government in-kind goods include hauling by sanitation vehicles, printing, and the use of consumable supplies. To calculate the value of in-kind government agency costs, estimate the market value of the goods or services provided to your affiliate and add to that the dollar-value for each hour of work given by government employees.

Volunteer Hours:

All volunteer hours should be documented on a [Volunteer Sign-In Sheet](#). Each volunteer hour should be assigned the national or applicable state value provided by Independent Sector unless a professional provides a specific value for professional services. Current value for volunteer hours is available at https://www.independentsector.org/volunteer_time.

5. GRANT AGREEMENT

Following the notification of award, Awardees will enter into a grant agreement with NMTD. Agreements will include two accompanying exhibits: Project Award Schedule (*Exhibit A*) and these Grant Program Guidelines (*Exhibit B*). PLEASE NOTE: Any changes or exceptions to the procedures outlined in the Grant Agreement or these Guidelines will require approval from the NMTD Cabinet Secretary or Deputy Secretary.

6. INITIAL DISBURSEMENT OF FUNDS

For FY20 grant awards, Partners will be eligible to receive 50% of the total award amount following the execution of the grant agreement and submission of the [Initial Disbursement Invoice](#). This form is available for download at the NM Clean & Beautiful Grant Resources webpage.

EXHIBIT B

7. REIMBURSEMENT REQUIREMENTS

In order to receive reimbursement for the remaining 50% of the total award amount, Partners must submit the [Final Reimbursement Request Packet](#) within 60 days of the project end, but **no later than June 15, 2020.**

Final Reimbursement Request Packet should include:

- [Final Reimbursement Invoice](#)
- [Total Project Expense Worksheet](#) with back-up documentation*
- [End-of-Year Report](#)
- [Youth Employment Verification](#) forms, if applicable
- [Volunteer Sign-In Sheet](#), if applicable
- Proof of Program Development Event Attendance, if applicable

***Eligible back-up documentation includes:**

1. Invoices *or* receipts

AND

2. Cleared checks, warrants, bank statements *or* an attestation by Partner's CFO or equivalent financial authority.

*Youth Employment expense documentation may be satisfied by paystubs or an attestation from the Partner's CFO or equivalent financial authority.

8. SUBMISSION REQUIREMENTS

- All required forms are available for download at the NM Clean & Beautiful Grant Resources webpage (<https://www.newmexico.org/industry/work-together/grants/clean-and-beautiful/nm-clean-beautiful-grant-resources/>).
- Submission of all required forms and back-up documentation must be via upload to the Survey Monkey Apply portal located at: <https://nmtourism.smapply.io/>.

9. PROGRAM ASSISTANCE

NMTD Tourism Development Director (Suzy Lawrence) will establish communication schedules and provide technical assistance for all awardees. She can be reached by email at Suzy.Lawrence@state.nm.us or by phone at 505-795-0343. Clean & Beautiful Grant Program Financial Specialist (Jessica Chavez) will establish a line of communication with each awardee's financial representative to offer technical assistance, as needed. She can be reached at Jessica.Chavez2@state.nm.us.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 10/8/2019

Report Date: 10/3/2019

Report No: 4.

Submitted By: Sharon Rowe

Subject: Approve the agreement with Otero County for Alamogordo Public Library Services to County residents. (*Sharon Rowe, Library Manager*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve award of \$24,750 for library services to Otero County residents.

Background: This agreement is a MOU to provide library services to the residents of Otero County who are outside the Alamogordo city limits. Otero County will award \$24,750 in FY20 in return for provision of such services.

ADMINISTRATION
1101 NEW YORK AVENUE
ALAMOGORDO, NM 88310



WWW.CO.OTERO.NM.US
☎ (575) 437-7427
📠 (575) 443-2928

September 18, 2019

Alamogordo Public Library
Sharon Rowe
920 Oregon Ave
Alamogordo, NM 88310

Dear Ms. Rowe:

Enclosed you will find the original agreement between Otero County and the Alamogordo Public Library. Please sign and return a copy, at your earliest convenience.

If you have any questions, please feel free to contact me at (575) 437-7427.

Sincerely,

Sylvia C. Tillbrook
Executive Assistant
County Manager's Office

Enclosure(s)

cc: File

ADMINISTRATION
1101 NEW YORK AVENUE
ALAMOGORDO, NM 88310



WWW.CO.OTERO.NM.US
☎ (575) 437-7427
📠 (575) 443-2928

Commissioner, Dist. 1

Commissioner, Dist. 2

Commissioner, Dist. 3

County Manager

Gerald Matherly

Couy Griffin

Lori Bies

Pamela Heltner

AGREEMENT ALAMOGORDO LIBRARY SERVICES

THIS AGREEMENT REGARDING LIBRARY SERVICES is made and entered into this **1st day of July 2019**, hereinafter referred to as the "Agreement", is made by and between the Board of County Commissioners of Otero County, State of New Mexico (hereinafter referred to as "**COUNTY**"), and the City of Alamogordo, New Mexico, a New Mexico municipal corporation (hereinafter referred to as "**CITY**") to witness the following:

WHEREAS, at the request of the County, City has agreed to provide library services to residents of County;

WHEREAS, the County has determined that it is in the best interests of the citizens of Otero County and that it will protect the health, safety, and welfare of the County to provide certain services provided for in this agreement; and

WHEREAS, the County has determined that these services can be performed most economically by the City;

WHEREAS, the City, the County, the State of New Mexico and private donors have historically provided funding for the library.

NOW THEREFORE, in consideration of the mutual benefits to be derived by each of the parties hereto, the County and the City agree as follows:

I. TERM OF AGREEMENT:

The term of the Agreement begins on the **1st day of July 2019**, and shall terminate no later than the **30th day of June 2020**, or upon thirty (30) day written notice by either party to the other.

II. STATUS:

City understands that as an Independent Contractor, it is not considered an employee of the County of Otero and, as such, is not entitled to any benefits normally provided to regular employees of the County of Otero. City further understands that this Agreement can be terminated for any reason whatsoever at any time. If this Agreement is terminated by either party, the City shall be entitled to payment for services rendered through the date of termination.

The City or its employees shall personally perform all services under this Agreement and the City shall not assign any interest in this Agreement without prior written consent of the County.

III. SCOPE OF WORK:

City agrees to enhance the library collection and furnish library services to residents of the County, utilizing City employees and City equipment, such services to be provided in accordance with and under the supervision of the Director, Alamogordo Public Library.

IV. COMPLIANCE WITH APPLICABLE LAW:

City is solely responsible for providing all services described herein and provided in a manner consistent with the laws of the United States and the laws of the State of New Mexico.

City agrees to indemnify and hold County harmless from any and all liability whatsoever for the services provided.

V. COMPENSATION AND BENEFITS:

A. For the services rendered, County agrees to pay the City a certain budgeted amount. The parties acknowledge and agree that the County intends to fund this agreement with funds received through the payment in lieu of tax programs of the United States Government and that failure by the County to receive PILT funds or a reduction in the funding level for PILT will result in the nullification of this agreement.

B. The County agrees to contribute the amount of **\$24,750.00** to the City to enhance its library collection and to perform the services of furnishing library services to residents of

County, utilizing City employees and City equipment, such services to be provided in accordance with and under the supervision of the Director, Alamogordo Public Library.

C. Payments will be made in equal quarterly installments on October 1st, January 1st, April 1st, and June 15th. All payments shall be for services rendered to the date of payment and no advance payment may be made hereunder. On or before the date of the quarterly payment, the City shall furnish to the County a request for payment pursuant to this Agreement.

D. The City agrees to use the sums received from the County for the exclusive purposes of completing the scope of work set forth in Section II above.

E. To enable the County to evaluate the use of funds, the Library shall keep detailed records of the titles of books purchased and identification of other materials purchased in order to enhance the Library's collection; as well as detailed information regarding the library services provided to the residents of the County. The Library shall submit to the County's Legal and Finance Departments quarterly reports on or before October 1st, January 1st, April 1st, and June 30th regarding the use of funds. In addition, the Library shall submit an annual report by June 30th for presentation to the County Commission.

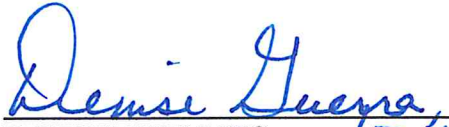
VI. GENERAL PROVISIONS:

- A. This agreement expresses the entire agreement of the parties, all prior discussions, negotiations, and correspondence shall deem to be merged herein and shall not be offered to vary or contradict the terms hereof.
- B. This agreement shall be binding on and inure to the benefit of the parties and their successors and assigns.
- C. If any provisions, or portions thereof contained in this Agreement are held unconstitutional, invalid or unenforceable, the remainder of this Agreement or portion thereof shall be deemed severable and shall not be affected and shall remain in full force and effect.
- D. This Agreement shall be governed and construed in accordance with the laws of the State of New Mexico.

IN WITNESS WHEREOF the parties have set their hand this 13th day of September, 2019.

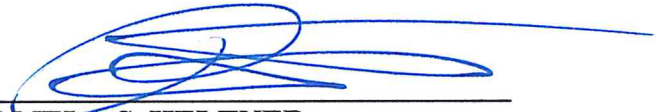
ATTEST:

OTERO COUNTY, NEW MEXICO

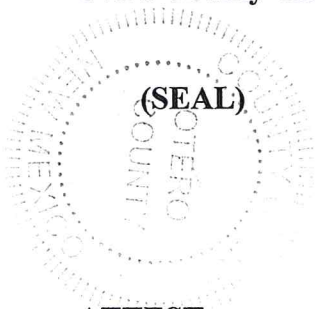


ROBYN HOLMES
Otero County Clerk

Chief Deputy



PAMELA S. HELTNER
County Manager



ATTEST:

CITY OF ALAMOGORDO
State of New Mexico

RACHEL HUGHES
City Clerk

RICHARD BOSS
Mayor

ADMINISTRATION
1101 NEW YORK AVENUE
ALAMOGORDO, NM 88310



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Commissioner, Dist. 1

Gerald Matherly

Commissioner, Dist. 2

Couy Griffin

Commissioner, Dist. 3

Lori Bies

County Manager

Pamela Heltner

AGREEMENT ALAMOGORDO LIBRARY SERVICES

THIS AGREEMENT REGARDING LIBRARY SERVICES is made and entered into this **1st day of July 2019**, hereinafter referred to as the "Agreement", is made by and between the Board of County Commissioners of Otero County, State of New Mexico (hereinafter referred to as "**COUNTY**"), and the City of Alamogordo, New Mexico, a New Mexico municipal corporation (hereinafter referred to as "**CITY**") to witness the following:

WHEREAS, at the request of the County, City has agreed to provide library services to residents of County;

WHEREAS, the County has determined that it is in the best interests of the citizens of Otero County and that it will protect the health, safety, and welfare of the County to provide certain services provided for in this agreement; and

WHEREAS, the County has determined that these services can be performed most economically by the City;

WHEREAS, the City, the County, the State of New Mexico and private donors have historically provided funding for the library.

NOW THEREFORE, in consideration of the mutual benefits to be derived by each of the parties hereto, the County and the City agree as follows:

I. TERM OF AGREEMENT:

The term of the Agreement begins on the **1st day of July 2019**, and shall terminate no later than the **30th day of June 2020**, or upon thirty (30) day written notice by either party to the other.

II. STATUS:

City understands that as an Independent Contractor, it is not considered an employee of the County of Otero and, as such, is not entitled to any benefits normally provided to regular employees of the County of Otero. City further understands that this Agreement can be terminated for any reason whatsoever at any time. If this Agreement is terminated by either party, the City shall be entitled to payment for services rendered through the date of termination.

The City or its employees shall personally perform all services under this Agreement and the City shall not assign any interest in this Agreement without prior written consent of the County.

III. SCOPE OF WORK:

City agrees to enhance the library collection and furnish library services to residents of the County, utilizing City employees and City equipment, such services to be provided in accordance with and under the supervision of the Director, Alamogordo Public Library.

IV. COMPLIANCE WITH APPLICABLE LAW:

City is solely responsible for providing all services described herein and provided in a manner consistent with the laws of the United States and the laws of the State of New Mexico.

City agrees to indemnify and hold County harmless from any and all liability whatsoever for the services provided.

V. COMPENSATION AND BENEFITS:

A. For the services rendered, County agrees to pay the City a certain budgeted amount. The parties acknowledge and agree that the County intends to fund this agreement with funds received through the payment in lieu of tax programs of the United States Government and that failure by the County to receive PILT funds or a reduction in the funding level for PILT will result in the nullification of this agreement.

B. The County agrees to contribute the amount of **\$24,750.00** to the City to enhance its library collection and to perform the services of furnishing library services to residents of

County, utilizing City employees and City equipment, such services to be provided in accordance with and under the supervision of the Director, Alamogordo Public Library.

C. Payments will be made in equal quarterly installments on October 1st, January 1st, April 1st, and June 15th. All payments shall be for services rendered to the date of payment and no advance payment may be made hereunder. On or before the date of the quarterly payment, the City shall furnish to the County a request for payment pursuant to this Agreement.

D. The City agrees to use the sums received from the County for the exclusive purposes of completing the scope of work set forth in Section II above.

E. To enable the County to evaluate the use of funds, the Library shall keep detailed records of the titles of books purchased and identification of other materials purchased in order to enhance the Library's collection; as well as detailed information regarding the library services provided to the residents of the County. The Library shall submit to the County's Legal and Finance Departments quarterly reports on or before October 1st, January 1st, April 1st, and June 30th regarding the use of funds. In addition, the Library shall submit an annual report by June 30th for presentation to the County Commission.

VI. GENERAL PROVISIONS:

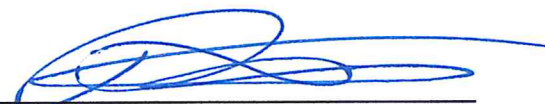
- A. This agreement expresses the entire agreement of the parties, all prior discussions, negotiations, and correspondence shall deem to be merged herein and shall not be offered to vary or contradict the terms hereof.
- B. This agreement shall be binding on and inure to the benefit of the parties and their successors and assigns.
- C. If any provisions, or portions thereof contained in this Agreement are held unconstitutional, invalid or unenforceable, the remainder of this Agreement or portion thereof shall be deemed severable and shall not be affected and shall remain in full force and effect.
- D. This Agreement shall be governed and construed in accordance with the laws of the State of New Mexico.

IN WITNESS WHEREOF the parties have set their hand this 13th day of September, 2019.

ATTEST:

OTERO COUNTY, NEW MEXICO


ROBYN HOLMES
Otero County Clerk


PAMELA S. HELTNER
County Manager

(SEAL)

ATTEST:

CITY OF ALAMOGORDO
State of New Mexico

RACHEL HUGHES
City Clerk

RICHARD BOSS
Mayor

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 10/8/2019

Report Date: 9/25/2019

Report No: 5.

Submitted By: Britney Courtier

Subject: Approve agreements with Otero County for Alamo Senior Center services to County residents. (*Magdalena Morales, ASC Manager*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve award of \$60,550 for Senior Center services to Otero County residents.

Background: These agreements are a memorandum of understanding to provide transportation, home-delivered meals, and RSVP services to the residents of Otero County who are outside of the Alamogordo city limits. Otero County will award \$60,550.

ADMINISTRATION
1101 NEW YORK AVENUE
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(575) 443-2928

Commissioner, Dist. 1

Gerald Matherly

Commissioner, Dist. 2

Couy Griffin

Commissioner, Dist. 3

Lori Bies

County Manager

Pamela Heltner

AGREEMENT
BETWEEN
OTERO COUNTY, NEW MEXICO
AND CITY OF ALAMOGORDO
FOR
HOME BOUND MEALS - LA LUZ - COMMUNITY SERVICES FUNDING

THIS AGREEMENT is made and entered into this **1st day of July, 2019**, by and between the Board of County Commissioners of Otero County, State of New Mexico, hereinafter referred to as "**COUNTY**", and the City of Alamogordo, New Mexico, hereinafter referred to as "**CITY**", to witness the following:

WHEREAS, at the request of the County, City has agreed to provide meal services for the home bound citizens in the La Luz area of the County;

WHEREAS, the County has determined that it is in the best interest of the citizens of Otero County and that it will protect the health, safety, and welfare of the County to provide certain services provided for in this Agreement; and

WHEREAS, the County has determined that these services can be performed most economically by the City.

NOW THEREFORE, in consideration of the mutual benefits to be derived by each of the parties hereto, the County and the City agree as follows:

I. TERMS OF AGREEMENT:

The term of the Agreement begins on the **1st day of July 2019**, and shall terminate no later than the **30th day of June 2020**, or upon thirty (30) day written notice by either party to the other.

II. STATUS:

City understands that as an Independent Contractor, it is not considered an employee of the County of Otero, and as such, is not entitled to any benefits normally provided to regular employees of the County of Otero. City further understands that this Agreement can be terminated for any reason whatsoever at any time. If this Agreement is terminated by either party, the City shall be entitled to payment for services rendered through the date of termination. The City or its employees shall personally perform all services under this Agreement and shall not assign any interest in this Agreement without prior written consent of the County.

III. SCOPE OF WORK:

City agrees to furnish meal services for the home bound citizens in the La Luz area of the County, utilizing City employees and City equipment, such services to be provided in accordance with and under the supervision of the City Senior Programs Director.

IV. COMPLIANCE WITH APPLICABLE LAW:

City is solely responsible for providing all services described herein and provided in a manner consistent with the laws of the United States and the laws of the State of New Mexico.

City agrees to indemnify and hold County harmless from any and all liability whatsoever for the services provided.

V. COMPENSATION AND BENEFITS:

1. For the services rendered, County agrees to pay the City a certain budgeted amount each fiscal year. The parties acknowledge and agree that the County intends to fund this Agreement with funds through the Payment in Lieu of Taxes program of the United States Government, and that failure by the County to receive PILT funds, or a reduction in the funding level for PILT will result in the nullification of this Agreement.
2. The County agrees to contribute the amount of **\$30,050.00** to the City to perform the services of furnishing meal services to the home bound citizens in the La Luz area of the County, utilizing City employees and City equipment, such services to be provided in accordance with and under the supervision of the City Senior Programs Director.
3. Payments will be made quarterly; on October 1st, January 1st, April 1st, and on June 30th. All payments shall be for services rendered to the date of payment and no advance

payment may be made hereunder, with final payment submitted on or before June 15th. On or before the date of the quarterly payment, the Independent Contractor shall furnish to the County a statement reflecting all services rendered on behalf of the County, a report of the financial status, and the expenditures of funds. In addition, Independent Contractor shall submit an annual report by June 30th for presentation to the County Commission.

4. The City agrees to use the sums received from the County towards the payment of program and operating expenses and for no other purpose.
5. As an Independent Contractor, City shall not be entitled to incur or receive compensatory or overtime pay.
6. This Agreement will terminate in the event the County cannot fund City, or the City ceases to provide the services as stated herein. Termination of this Agreement will be in writing by either party by certified mail, return receipt requested. If the City ceases to provide services during any year after the County has paid its budgeted amount, the City will reimburse the County for that percentage of the fiscal year which is left after the City discontinues its services.
7. City agrees to use the sums received from the County toward payment of its operational expenses, including but not limited to, the purchase of office supplies and for the payment of salaries for employees. However, City agrees that none of the funds provided to City by the County shall be used for the purchase of "capital" items.

VI. GENERAL PROVISIONS:

1. This Agreement expresses the entire agreement of the parties, all prior discussions, negotiations, and correspondence shall deem to be merged herein and shall not be offered to vary or contradict the terms hereof.
2. This Agreement shall be binding on and inure to the benefit of the parties and their heirs, executors, and personal representatives of the City.
3. If any provisions, or portions thereof contained in this Agreement is held unconstitutional, invalid or unenforceable, the remainder of this Agreement or portion thereof shall be deemed severable and shall not be affected and shall remain in full force and effect.
4. This Agreement shall be governed and construed in accordance with the laws of the State of New Mexico.

IN WITNESS WHEREOF the parties have set their hand this 13th day of September, 2019.

OTERO COUNTY, NEW MEXICO

ATTEST:


ROBYN HOLMES
Otero County Clerk


PAMELA S. HELTNER
County Manager

(SEAL)

CITY OF ALAMOGORDO, NEW MEXICO
a municipal corporation

ATTEST:

Rachel Hughes
City Clerk

RICHARD BOSS
Mayor

ADMINISTRATION
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Commissioner, Dist. 1

Gerald Matherly

Commissioner, Dist. 2

Couy Griffin

Commissioner, Dist. 3

Lori Bies

County Manager

Pamela Heltner

AGREEMENT
BETWEEN
OTERO COUNTY, NEW MEXICO
AND CITY OF ALAMOGORDO, NEW MEXICO
FOR
TRANSPORTATION OF SENIORS - COMMUNITY SERVICES FUNDING

THIS AGREEMENT is made and entered into this **1st day of July 2019**, by and between the Board of County Commissioners of Otero County, State of New Mexico, hereinafter referred to as "COUNTY," and the City of Alamogordo, New Mexico, hereinafter referred to as "CITY," to witness the following:

WHEREAS, the County has determined that it is in the best interests of the citizens of Otero County and that it will protect the health, safety, and welfare of the County to provide certain services provided for in this agreement; and

WHEREAS, the County has determined that these services can be performed most economically by the City;

WHEREAS, the City of Alamogordo, the County, the State of New Mexico and the Federal Government have historically provided funding for transportation services, case management and nutrition at the Alamogordo Senior Center.

NOW THEREFORE, in consideration of the mutual benefits to be derived by each of the parties hereto, the County and the City agree as follows:

I. TERMS OF AGREEMENT:

The term of the Agreement begins on the **1st day of July 2019**, and shall terminate no later than the **30th day of June 2020**, or upon thirty (30) day written notice by either party to the other.

II STATUS:

City understands that as an Independent Contractor, it is not considered an employee of the County of Otero and, as such, is not entitled to any benefits normally provided to regular employees of the County of Otero. Independent Contractor further understands that this Agreement can be terminated for any reason whatsoever at any time. If either party terminates this Agreement, the City shall be entitled to payment for services rendered through the date of termination.

The City or its employees shall personally perform all services under this Agreement and shall not assign any interest in this Agreement without prior written consent of the County.

III SCOPE OF WORK:

The City agrees to provide transportation services to senior citizens who reside in the County.

IV. COMPLIANCE WITH APPLICABLE LAW:

The City is solely responsible for providing all services described herein and provided in a manner consistent with the laws of the United States and the laws of the State of New Mexico. City agrees to indemnify and hold County harmless from any and all liability whatsoever for the services provided.

V. COMPENSATION AND BENEFITS:

A. For the services rendered, County agrees to pay the City a certain budgeted amount each fiscal year. The parties acknowledge and agree that the County intends to fund this Agreement with funds received through the Payment In Lieu Of Taxes Program of the United States Government, and that failure by the County to receive PILT funds, or a reduction in the funding level for PILT will result in the nullification of this Agreement.

B. The County agrees to contribute the amount of **\$24,500.00** to assist with the transportation services for senior citizens who reside in the County.

C. Payments will be made in equal quarterly installments, on October 1st, January 1st, April 1st, and June 15th. All payments shall be for services rendered to the date of payment and no advance payment may be made hereunder. On or before the date of the payment, the City shall furnish to the County a request for payment pursuant to this Agreement.

D. The City agrees to use the sums received from the County towards the payment of program and operating expenses.

E. To enable the County to evaluate the use of funds, the Independent Contractor shall keep detailed records of the transportation services provided to senior citizens who reside in the County. The Independent Contractor shall submit to the County's Legal and Finance

Departments quarterly reports on October 1st, January 1st, April 1st, and June 30th regarding the use of funds for such purposes. In addition, the Library shall submit an annual report by June 30th for presentation to the County Commission.

VI. GENERAL PROVISIONS:

- A. This agreement expresses the entire agreement of the parties, all prior discussions, negotiations, and correspondence shall deem to be merged herein and shall not be offered to vary or contradict the terms hereof.
- B. This agreement shall be binding on and inure to the benefit of the parties and their successors and assigns.
- C. If any provisions, or portions thereof contained in this Agreement are held unconstitutional, invalid or unenforceable, the remainder of this Agreement or portion thereof shall be deemed severable and shall not be affected and shall remain in full force and effect.
- D. This Agreement shall be governed and construed in accordance with the laws of the State of New Mexico.

IN WITNESS WHEREOF the parties have set their hand this 13th day of September, 2019.

ATTEST:

OTERO COUNTY, NEW MEXICO


ROBYN HOLMES
Otero County Clerk

Chief Deputy


PAMELA S. HELTNER
County Manager

(SEAL)

ATTEST:

CITY OF ALAMOGORDO
State of New Mexico

RACHEL HUGHES
City Clerk

RICHARD BOSS
Mayor

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Commissioner, Dist. 1

Gerald Matherly

Commissioner, Dist. 2

Couy Griffin

Commissioner, Dist. 3

Lori Bies

County Manager

Pamela Heltner

AGREEMENT
BETWEEN
OTERO COUNTY, NEW MEXICO
AND CITY OF ALAMOGORDO
FOR
RETIRED SENIOR VOLUNTEER PROGRAM – COMMUNITY SERVICES FUNDING

THIS AGREEMENT regarding the Retired Senior Volunteer Program hereinafter referred to as "AGREEMENT", and is made and entered into this **1st day of July 2019**, by and between the Board of County Commissioners of Otero County, State of New Mexico hereinafter referred to as "**COUNTY**"), and the City of Alamogordo, New Mexico (hereinafter referred to as "**CITY**").

WHEREAS, at the request of the County, City has agreed to coordinate the provision of the Retired Senior Volunteer Program Services to residents of Otero County; and

WHEREAS, the County has determined that these services can be performed most economically by the City; and

NOW THEREFORE, in consideration of the mutual benefits to be derived by each of the parties hereto, the County and the City agree as follows:

I. TERM OF AGREEMENT:

The term of the Agreement shall be from the **1st day of July 2019**, and the last day of the Agreement shall be not later than the **30th day of June 2020**, unless this Agreement is terminated earlier by either of the parties.

II. STATUS:

Independent Contractor understands that as an Independent Contractor, it is not considered an employee of the County of Otero and, as such, is not entitled to any benefits normally provided to regular employees of the County of Otero. Independent Contractor further understands that

this Agreement can be terminated for any reason whatsoever at any time. Independent Contractor, if terminated, shall be entitled to payment for services rendered through the date of termination. It is specifically understood by Independent Contractor that its Agreement with the County of Otero shall immediately terminate no later than the **30th of June 2020**. The City or its employees shall perform all services under this Agreement and shall not assign any interest in this Agreement without prior written consent of the County.

III. SCOPE OF WORK:

The City agrees to reimburse the RSVP volunteers for mileage between their home and volunteer site. The reimbursement is limited to .40 per mile and limited to \$70.00 per month.

IV. COMPLIANCE WITH APPLICABLE LAW:

City is solely responsible for providing all services described herein and provided in a manner consistent with the laws of the United States and the laws of the State of New Mexico.

City agrees to indemnify and hold County harmless from any and all liability whatsoever for the services provided.

V. COMPENSATION AND BENEFITS:

1. For the services rendered, County agrees to pay the City a certain budgeted amount. The parties acknowledge and agree that the County intends to fund this Agreement with monies received through the Payment In Lieu Of Tax Program of the United States Government, and that failure by the County to receive PILT Funds, or a reduction in the funding level for PILT will result in the County canceling this Agreement.
2. The County agrees to contribute the amount of **\$6,000.00** to the City for funding the Retired Senior Volunteer Program (RSVP).
3. Payments will be made quarterly, on October 1st, January 1st, April 1st and June 30th. All payments shall be for services rendered to the date of request and no advance payment shall be made, with final payment submitted on or before June 15th. On or before the date of the quarterly payment, the City shall furnish to the County a statement, as well as a detailed accounting of payments made to volunteers to reimburse them for mileage expenses for travel between home and volunteer site. In addition, the City shall submit an annual accounting by June 30th for presentation to the County Commission.
4. The City agrees to use the sums received from the County toward the payment of reimbursing volunteers for mileage expenses

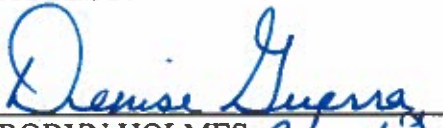
VI. GENERAL PROVISIONS:

1. This Agreement expresses the entire agreement of the parties, and all prior discussions, negotiations, and correspondence shall be deemed to be merged herein and shall not be offered to vary or contradict the terms hereof.
2. This Agreement shall be binding on and inure to the benefits of the successors and assigns of the parties.
3. If any provisions, or portions thereof contained in this Agreement are held unconstitutional, invalid or unenforceable, the remainder of this Agreement or portion thereof shall be deemed severed and shall not be affected and shall remain in full force and effect.
4. This Agreement shall be governed and construed in accordance with the laws of the State of New Mexico.

IN WITNESS WHEREOF the parties hereto have set their hand this 13th day of September, 2019.

OTERO COUNTY, NEW MEXICO

ATTEST:


ROBYN HOLMES
Otero County Clerk

(SEAL)


PAMELA S. HELTNER
County Manager

CITY OF ALAMOGORDO, NEW MEXICO
a Municipal Corporation

ATTEST:

RACHEL HUGHES
City Clerk

(SEAL)

RICHARD BOSS
Mayor

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 10/8/2019

Report Date: 10/3/2019

Report No: 6.

Submitted By: Debbie Osborne

Subject: Consider, and act upon, Resolution No. 2019-42 authorizing and approving submission of a capital outlay grant application to New Mexico MainStreet. (*Camden Wilde, Alamogordo MainStreet Executive Director and Debbie Osborne, Grant Coordinator*) **(Roll Call Vote Required)**

Fiscal Impact: \$20,000.00

Amount Budgeted: \$0.00

Fund: 109

Additional Fiscal Impact: Grant award in the amount of \$100,000.00 with \$20,000.00 City match.

Recommendation: Approve Resolution No. 2019-42.

Background: New Mexico MainStreet is accepting proposals from accredited MainStreet Communities for Public Infrastructure Funding in accordance with Senate Bill 280: “four million dollars (\$4,000,000) to plan, design and construct infrastructure improvements in MainStreet districts.”

As an eligible program, specifically a New Mexico MainStreet/Main Street America Accredited program, Alamogordo qualifies to receive capital outlay through New Mexico MainStreet for Alamogordo MainStreet district infrastructure improvements.

For FY20, Alamogordo MainStreet requests that the City of Alamogordo, with assistance from Alamogordo MainStreet and New Mexico MainStreet, submit an application for capital outlay funding for the development of planning, construction, and engineering documents under Category Two: New Great Blocks on MainStreet Project.

During this FY20 phase, this successful application will result in \$100,000 in NMMS Capital Outlay funding to hire a design team to conduct a community-based planning, design and engineering process and develop plans and construction-ready drawings. A \$20,000 cash match by the City of Alamogordo for community meetings, marketing and any contingencies discovered during the development of the project is required.

The completed design/construction/engineering documents—making Alamogordo MainStreet's Great Blocks project “shovel ready”—will ultimately qualify Alamogordo to receive future phased New Mexico MainStreet Capital Outlay funding (Category Three; approximately \$1.5 million dollars [\$1,500,000]) to construct and complete the Great Blocks on MainStreet project.

RESOLUTION NO. 2019-42

A RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION TO NEW MEXICO MAINSTREET FOR FISCAL YEAR 2020 MAINSTREET CAPITAL OUTLAY PUBLIC INFRASTRUCTURE FUNDING

WHEREAS, the City of Alamogordo in conjunction with Alamogordo MainStreet seeks to submit an application to New Mexico MainStreet's Great Blocks on MainStreet Project for capital outlay funding,

WHEREAS, New Mexico MainStreet is accepting applications from accredited MainStreet Communities for Public Infrastructure Funding in accordance with Senate Bill 280; and,

WHEREAS, as an eligible program, specifically a New Mexico MainStreet/Main Street America Accredited program, Alamogordo qualifies to receive capital outlay through New Mexico MainStreet for Alamogordo MainStreet district infrastructure improvements.; and,

WHEREAS, funding in the amount of \$100,000.00, with a required City match of \$20,000.00, which is available in City fund 109, will be awarded to plan, design and engineer construction-ready drawings for improvements to the intersection of New York Avenue and 10th Street in the MainStreet district; and,

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ALAMOGORDO, NEW MEXICO, THAT

Section 1. The City of Alamogordo in conjunction Alamogordo MainStreet is authorized to prepare and submit the capital outlay application in the amount of \$100,000.00 with a City match of \$20,000.00 to New Mexico MainStreet.

Section 2 . The City of Alamogordo officials and staff are directed to do any and all acts necessary to carry out the intent of this Resolution.

PASSED APPROVED AND ADOPTED this _____ of _____ 2019.

CITY OF ALAMOGORDO, NEW MEXICO
A New Mexico Municipal Corporation

Richard Boss, Mayor

ATTEST:

Rachel Hughs, City Clerk

APPROVED AS TO FORM;

Petria Bengoechea, City Attorney



Invitation to Submit Project Proposals for Fiscal Year 2020 MainStreet Capital Outlay Public Infrastructure Funding

Pre-Application Webinar - September 16, 2019, 10am

Proposal Due Dates: October 30, 2019, 2pm

New Mexico MainStreet Public Infrastructure Funding is for leveraging economic redevelopment within a targeted public investment area that will ultimately lead to revitalization within traditional and historic commercial neighborhood districts and downtowns, private property improvements, business creation and expansion, creative start-ups, and employment opportunities. The targeted public investment is required to have a designated New Mexico MainStreet organization specifically organized to revitalize and redevelop the area or district in partnership with the local government partner and with the Economic Development Department's MainStreet Program. Additionally, the redevelopment district should be a priority community economic growth and revitalization project of the local government in partnership with the MainStreet district revitalization organization.

LEGISLATIVE ENABLING and APPROPRIATION LANGUAGE

Senate Bill 280: four million dollars (\$4,000,000) to plan, design and construct infrastructure improvements in mainstreet districts and local arts and cultural districts statewide.

ELIGIBLE PROGRAMS

- New Mexico MainStreet America Accredited programs during this current fiscal year may submit one project proposal.
 - Coordinating Councils of State Authorized Arts & Cultural District and Compounds, which are a fifth standing committee must come to agreement within the board on the one project proposal to be submitted through the local MainStreet organization.
- Where there is a local MainStreet program and the State Authorized Arts & Cultural District or Compound is a separate organization from the local MainStreet program, both organizations must work collaboratively to submit a joint partnership application.

- Where there is no MainStreet program, a State Authorized Arts & Cultural District or Compound may submit one project proposal.
- The local MainStreet program must:
 - Have a current full-time Executive Director for project and program management.
 - Be up to date with its compliance records in the MainStreet digital dashboard.

GENERAL ELIGIBILITY CRITERIA

- This is a competitive application process. Your local government must partner in this application.
 - The local governing body and the organization or association representing the redevelopment district must jointly file the submittal.
 - A letter of agreement to partner on the project from either the Manager, or County Chair, or Tribal Chair, or Mayor must be included with the submittal.
- If the local program/local government is a previous recipient of MainStreet Public Infrastructure Capital Outlay, all funds must be expended and invoiced to the Department by the date of application submittal.
 - *Current Great Blocks on MainStreet Projects and larger infrastructure projects that have received partial funding for phased projects are exempt from this requirement.
- Local Government must have a current clean audit from the state auditor (the Department will review awarded projects to ensure local government is in current compliance with state auditing policy).
- Project proposal should be directly tied to the organization's Economic Transformation Strategy and the district's Metropolitan Redevelopment Area Plan (MRA), Master Plan, or Cultural Economic Development Plan. The plan must have been municipally adopted within the past 7 years.
- When applicable:
 - The project will meet all requirements of the Historic Preservation Division to protect and restore cultural and heritage assets.
 - The project shall engage NMDOT for review and approvals if it includes highway or streets under the jurisdiction of the New Mexico Department of Transportation.
 - The project will meet "Dark Skies" lighting requirements
 - The project will integrate regionally appropriate water-wise landscaping and green infrastructure.
- Awarded Public Infrastructure projects are expected to be complete By June 2021.
- A current full project budget must be submitted including funding gaps and all sources of secured and anticipated revenue.

MATCHING REQUIREMENTS

- Each offeror is expected to provide a minimum of 20% (twenty percent) match, \$2.00 (two dollars) to match every \$10.00 (ten dollars) requested.
- At least 60% (sixty percent) of the offeror's required match must be in the form of cash from other local, state (with the exception of state Capital Outlay funds), federal, and foundation grant sources.
 - The economic development department will consider previously paid professional planning, design, and engineering services directly associated with the project as potential cash matches if the professional services were completed within the last two years.
 - The remainder of the match may come in the form of an in-kind contribution by the offeror or any partner of the offeror in the project.
 - An in-kind contribution is any item of cost that is necessary for the completion of the work and that has a verifiable and accountable economic value. Some examples of eligible in-kind contributions include the following:
 - a) a MainStreet Executive Director's time dedicated to coordinating project activities;
 - b) value of the time and cost associated with a city assigning a planner or designer to project activities;
 - c) items cost borne by the offeror or one of the offeror's partners involved in the project; or
 - d) the cost of publicizing notices of meetings and events.
- *Communities applying for Great Blocks on MainStreet funds to develop construction ready documents must commit to a full 20% cash match. Please see the Great Blocks on MainStreet Application section for more details.
- Grant Award is contingent on funding through the New Mexico State Legislature.

Funding Categories

The Department will review the submittal, from an eligible organization and its local government partner for project proposals in three areas: 1. Planning, design, and/or construction for smaller infrastructure projects; 2. The development of construction documents for new Great Blocks on MainStreet Projects; and 3. Targeted construction funding for larger infrastructure projects (must have complete executed construction documents and detailed budget for construction).

Please choose one pathway for funding, A., B., or C.

A. Planning, Design, and/or Construction of Smaller Public Infrastructure Projects.

This option is for smaller public infrastructure projects that need funding for planning, design, and/or construction funding. Maximum proposed construction project amount requested from NMMS FY2020 for smaller infrastructure projects not to exceed \$80,000 (responsibility for costs above this amount are the local government and MainStreet partner's responsibility). If applying for planning and design of construction documents only for smaller projects, maximum request should not exceed \$40,000. Signed and executed Construction Documents must be executed and all invoicing complete and delivered to the Economic Development department within 2 years of award. \$500,000 of the NMMS Capital Outlay allocation has been dedicated to this funding category.

Applicants having received previous funding for the development of construction documents but have not yet finished construction on that project are not eligible for funding to develop construction document for new projects.

- In your application narrative please define the Public Infrastructure project and project area.
 - Please include maps that establish the project area boundary.
 - Identify historic and cultural properties.
 - If in a historic district, provide the boundary of the district.
 - Provide up to 12 photos that show existing conditions of the street for Public Infrastructure and buildings within the project area.
 - Specify the improvements needed in the project area.
 - Identify any recent or planned utility improvement projects in the area.
- Explain how the Proposed Public Infrastructure Project meets your ETS?
- Explain how the Proposed Public Infrastructure Project meets your MRA/Master Plan goals? How will your annual work plan change and what resources will your organization need to prioritize to complete the project?
- Describe how the Public Infrastructure investment will directly increase building rehabilitations and restorations in the project area. How will your organization identify those additional economic development projects?
- Describe how the Public Infrastructure investment will directly expand businesses and or provide local entrepreneurs space opportunities for their start-ups. How will your organization identify strategies to implement business development strategies?
- Describe the financing plan for securing additional funding (i.e. funds in place, committed, or identified) to complete the project.

B. New Great Blocks On Mainstreet Projects

These projects are designed to dramatically upgrade a core three-block commercial area within a MainStreet District through the creative implementation of urban design, architecture, landscape architecture and creative economy projects. \$200,000 of the NMMS Capital Outlay allocation has been dedicated to this funding category.

- Selected MainStreet communities will receive \$100,000 in New Mexico MainStreet Public Infrastructure Capital Outlay funding to hire a design team to conduct a community-based planning, design and engineering process and develop plans and construction-ready drawings, which will be provided to the community as a “shovel-ready” project.
- The applicant is expected to provide an additional \$20,000 cash match for community meetings, marketing and any contingencies discovered during the development of the project. (the discovery process often finds unknown engineering issues that may require changes to the design and which have to be remediated within the documents).
- Total construction costs for Great Blocks on MainStreet projects have averaged around \$1.5 million.
- Please see the attached Great Blocks on MainStreet Request for Proposals Addendum for more information on requirements and application details for this category of funding.

C. Construction Funding (must have executed construction documents and detailed budget to apply for this category)

This category is for local communities that need construction funding for Great Blocks on MainStreet and other larger public infrastructure projects that already have completed (shovel ready) construction documents. \$3.3 million of the NMMS Capital Outlay allocation has been dedicated to this funding category.

- Maximum proposed construction project amount requested from NMMS FY2020 for larger public infrastructure construction funding not to exceed \$800,000.
 - The local government and MainStreet partners are responsible for project costs above this amount. NMMS will work with the community to present the project to the NM Economic Development Department’s *FundIt* program.
- Please submit electronic copies of construction ready documents and schematics signed by the appropriate licensed professionals – licensed architect, licensed landscape architect and/or engineer – for NMMS FY2020 Public Infrastructure funding with a current full construction budget (expenses and revenue).

- If this proposal is for one phase of a larger project, please submit the total budget as requested above and the scope of the project these funds are to be used for and a detailed breakout budget for the phase you are applying for.
- Or if a NM Department of Transportation funded project, the appropriate construction ready certificate from the regional transportation district engineer for the proposed project. Construction ready includes all survey, environmental assessments, 100% schematics, economic impact analysis, and, if appropriate, review and approval from NMDOT and the Historic Preservation Division (HPD), submitted as signed architectural and engineering documents with a current full construction budget (expenses and revenue).
- Please provide the following narratives along with the above documents.
 - Define Proposed Public Infrastructure Project and area. Specify improvements needed.
 - Explain how the Proposed Public Infrastructure Project meets your ETS?
 - Explain how the Proposed Public Infrastructure Project meets your MRA/Master Plan goals? How will your annual work plan change and what resources will your organization need to prioritize to complete the project?
 - Describe how the Public Infrastructure investment will directly increase building rehabilitations and restorations in the project area. How will your organization identify those additional economic development projects?
 - Describe how the Public Infrastructure investment will directly expand businesses and or provide local entrepreneurs space opportunities for their start-ups. How will your organization identify strategies to implement business development strategies?

PRE-APPLICATION WEBINAR

NMMS will host a Pre-Application Webinar on September 16, 2019 at 10am.

It is highly recommended that both a representative of your organization and a representative from your local government attend this webinar. The webinar will provide information about the application and program details for MainStreet Public Infrastructure Funding. A recording of the webinar will also be available on our youtube webpage

<https://www.youtube.com/user/NewMexicoMainStreet> shortly following the live webinar.

Please register for MainStreet Capital Outlay Project Proposals - Pre-Application Webinar on September 16, 2019 10:00 AM MDT at: <https://register.gotowebinar.com/register/7722042087127102220>

After registering, you will receive a confirmation email containing information about joining the webinar.

REVIEW COMMITTEE

The Department shall establish a professional review committee to examine the proposed projects and the accompanying construction documents. If satisfied with the proposed project specifications for public infrastructure investment, the committee will rank and make an Award announcement for smaller infrastructure and new Great Blocks on MainStreet projects in November.

REQUEST FOR FINAL DOCUMENTS

If the review committee finds all documents are in order, including that the partnering organization and the governing body meet the due diligence qualifications, and the project is recommended for award based on ranking of the project a request for final documents will be made. This includes:

- A resolution of administrative and financial support from the local government for the project.
- A support letter for the project from the appropriate Council of Government (COG) indicating their knowledge and support of the project as well as willingness to support the local governing body and redevelopment organization/association partner in securing funding necessary to complete the public infrastructure project.
- The redevelopment revitalization organization, in partnership with its local governing body and with the assistance from NMMS, agreement to create a 3-year property renovation and restoration implementation plan and business economic growth plan to maximize the public infrastructure investment in the district. Where applicable, the following shall be included in the property renovation and restoration implementation plan: residential housing, second story housing conversion, live/studio, and live/ work adaptive reuse and renovation.
- Agreement to create implementation and growth plans will include targeted goals with specific results in building renovations (interior and exterior), restoration of historic and cultural properties, business expansion, new business investment, creative enterprises and industries, and entrepreneurial start-ups, which contribute to sustainable businesses and jobs. Performance measures will be submitted quarterly for the implementation plan upon completion of the Public Infrastructure project.

Qualifying Public Infrastructure Projects

The review committee will prioritize projects that are part of a comprehensive public infrastructure improvement package.

- Eligible Public Infrastructure Projects include:
 - Streets:
 - Storm sewer and drainage projects; Water, electric, and sewer utilities; Broadband; and Pedestrian night lighting (and accompanying conduit and electrical cabling).

- Pedestrian Safety:
 - including: sidewalks, curb extensions, road diets, pedestrian crossings and medians; traffic calming, traffic parking configuration, context sensitive solution projects; and complete streets projects.
- Street amenities:
 - Wayfinding systems; benches; trash receptacles; tree canopy; and landscape buffers (including watering systems consistent with drought tolerant plantings that are consistent with the historic context of the project area, and if in an historic designated district, consistent with the appropriate period of significance as designated in the district nomination).
- Placemaking:
 - Town Centers, Town Squares and Plazas; Public and Farmers Markets; Outdoor performance spaces and amphitheaters (placemaking projects must be able to directly demonstrate support for economic growth, property renovation, business development, and job creation within the district.
- Great Blocks on MainStreet Projects with completed construction documents.

Application Due October 30th, 2019 by 2pm

PROPOSALS MUST BE SUBMITTED ELECTRONICALLY TO:

Daniel Gutierrez, Co-Director of New Mexico MainStreet

Email: daniel.gutierrez2@state.nm.us

Additional information or questions related to potential projects should be directed to Daniel Gutierrez at 505-827-0151 or daniel.gutierrez2@state.nm.us

**The Department is not responsible for late
or undeliverable email submissions.**



“Great Blocks on Main Street” Request for Proposals Addendum

The New Mexico Main Street (NMMS) Program is pleased to announce a community competition for an innovative and intensive design/economic vitality demonstration project, ***Great Blocks on MainStreet***.

The project is designed to dramatically upgrade a core three-block commercial area within a MainStreet District through the creative implementation of urban design, architecture, landscape architecture and creative economy projects. Great Blocks is meant to catalyze the target area by providing through this grant much needed public infrastructure upgrades that will in the next phase result in private sector reinvestment in buildings and businesses.

- This application is for the Phase 1 of Great Blocks, the development of construction documents for Public Infrastructure, inclusive of:
 - Curb, gutter, sidewalks and pedestrian and bicycle amenities
 - Landscape plantings
 - Lighting improvements
 - Identified public areas for potential public art installations and creative placemaking
 - Gateway/entry features and Wayfinding
- Selected MainStreet communities will receive \$100,000 in New Mexico MainStreet Public Infrastructure Capital Outlay funding to hire a design team to conduct a community-based planning, design and engineering process and develop plans and construction-ready drawings, which will be provided to the community as a “shovel-ready” project. Total construction costs for Great Blocks on MainStreet projects have averaged around \$1.5 million.
- The applicant is expected to provide an additional \$20,000 cash match for community meetings, marketing and any contingencies discovered during the development of the project. (the discovery process often finds unknown engineering issues that may require changes to the design and which have to be remediated within the documents).
- If the proposed area has buildings on the state’s “Cultural and Historic Properties Registry,” the state’s Historic Preservation Division of the Department of Cultural Affairs will be engaged in the process. If the proposed area is on a state or federal highway, the New Mexico Department of Transportation’s Regional Transportation

office will be engaged in the process.

- As part of a “great block” project. The project’s initial focus will be on public infrastructure for the three block target area. A designated NM Main Street community, in good standing may apply in partnership with their local government. Two projects will be selected by a distinguished panel based on a proposal submitted from the community.
- New Mexico MainStreet will assist local government and the local revitalization partner to secure funding for the public infrastructure improvements.
- NMMS will also focus a substantial portion of its technical professional assistance, post execution of construction documents, into the Great Block target area for building renovations, business and entrepreneur development and a diversified business mix including potential creative enterprises and industries.
- Volunteer-based design intervention programs based on public infrastructure improvements, such as “tactical urbanism,” “facade squads,” and public art installations and creative placemaking, are among the revitalization and redevelopment results in this catalytic area targeted by the local MainStreet organization. These may additionally include:
 - Façade improvements
 - Building renovations and adaptive reuses
 - Business expansions and local entrepreneur start ups
 - Creative Industry and Enterprises development

Pre-Application Workshop

It is highly recommended that applicants (both representatives of the local MS organization and their local government partner, attend a Pre-Application Webinar for Great Blocks on **September 16th at 10am.**

Please register for MainStreet Capital Outlay Project Proposals - Pre-Application Webinar on September 16, 2019 10:00 AM MDT at: <https://register.gotowebinar.com/register/7722042087127102220>

Selection Criteria

The Great Blocks on MainStreet proposal submitted by the MainStreet Board although initially targeted in Phase 1 to Public Infrastructure, additional phases will be focused on capitalizing and leveraging the public investment for economic redevelopment and private sector reinvestment. Consideration should be given to the following in the application for this grant:

- Maximum 15 - page description of the project that addresses the following:
 - Information, graphics and/or photos describing the project.
 - Organization is in good standing with NMMS.
 - Anticipated economic impact of project (building renovations, entrepreneur and/or business development, enhancement of the economic environment catalyzing local economy, job creation, etc).

- Partnerships that will be involved in the project implementation and maintenance.
- Is the project in the adopted Metropolitan Redevelopment Area Plan/Master Plan or Cultural Plan?
- Is the project on the local government's ICIP?
- Is the project on the annual MS implementation plan?
- Local Government's willingness to explore (with NMMS assistance) for CDBG, LEDA, NMFA, DOT TAP, HPD grants, ICIP and/or other funding sources as appropriate to the proposed project
- A letter of support for the proposed project must be submitted from the local government's city/county manager and/or mayor and an approved resolution from the Mayor/County and Council (since public right-of-way is mostly under local government jurisdiction and most state and federal funding will need to be administered through local government.
- Further criteria in ranking the proposed project that will be considered by the Selection Panel includes:
 - Past success of the applicant implementing public infrastructure and economic redevelopment projects for the District area.
 - Preservation-based projects that can use state historic tax credits.
 - Executive Director employed for 40 paid hours per week to take on project management.
 - Main Street America Accredited program in the immediate past year.
 - MainStreet Accelerator and Affiliate level programs are not eligible.

**PROPOSALS ARE DUE BY OCTOBER 30 AT 2:00PM and
MUST BE SUBMITTED ELECTRONICALLY TO:**

Daniel Gutierrez, Director of New Mexico MainStreet

Email: daniel.gutierrez2@state.nm.us

Additional information or questions related to potential projects should be directed to Daniel Gutierrez at 505-827-0151 or daniel.gutierrez2@state.nm.us

**The Department is not responsible for late
or undeliverable email submission**



GREAT BLOCKS ON MAINSTREET

Category Two Capital Outlay Funding

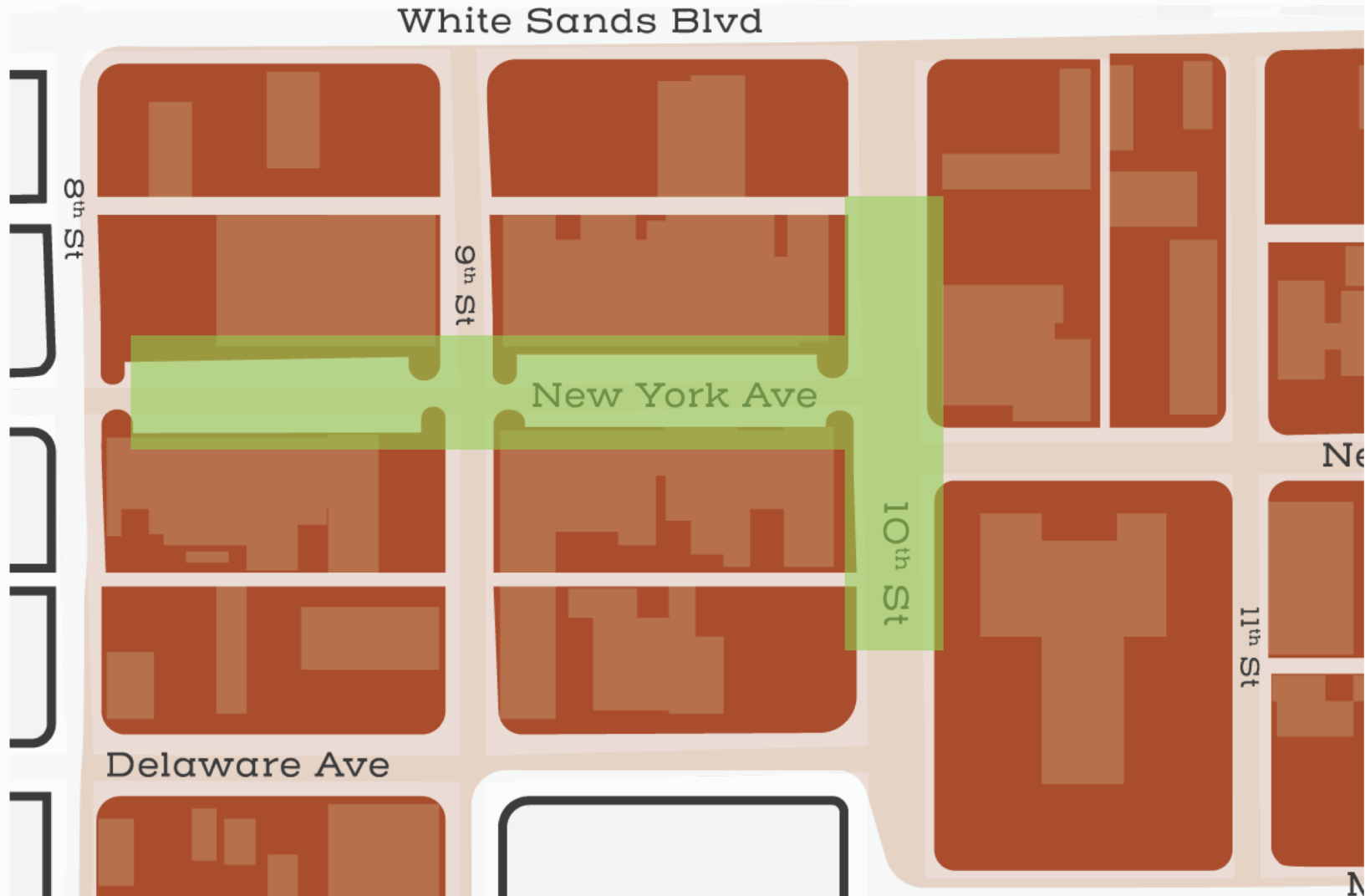
Cam Wilde, Executive Director, Alamogordo MainStreet



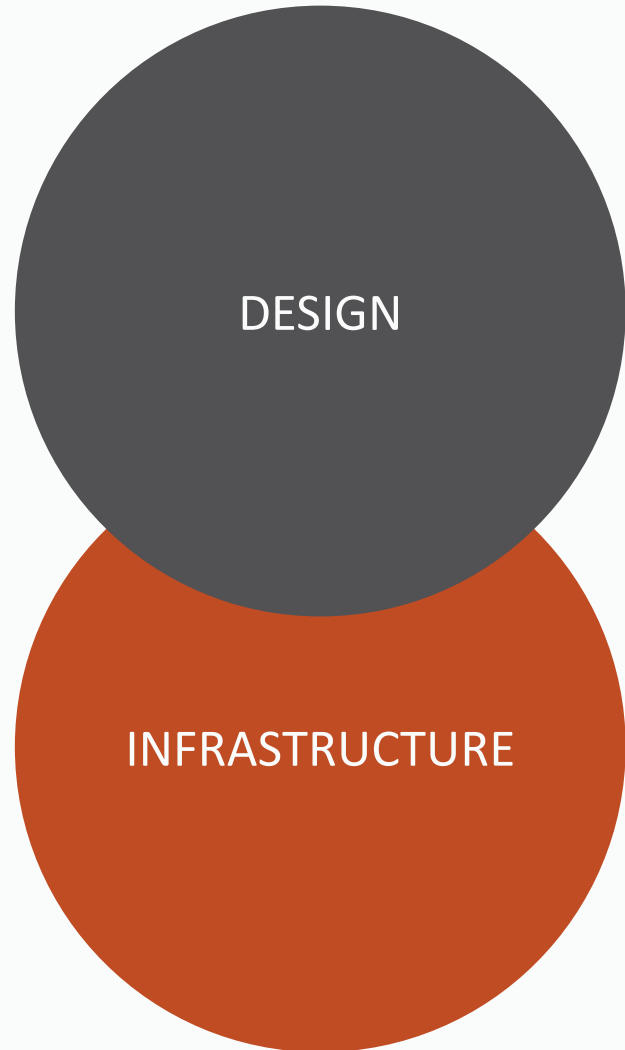
GREAT BLOCKS on MAINSTREET Project



Proposed Great Blocks Area



What We Can Expect from Great Blocks



Visual Improvements

Public Placemaking

Wayfinding

Lighting Improvements

Gateway/entry features

Street and Pedestrian enhancements

Storm Sewer and drainage

Water, electric and sewer utilities

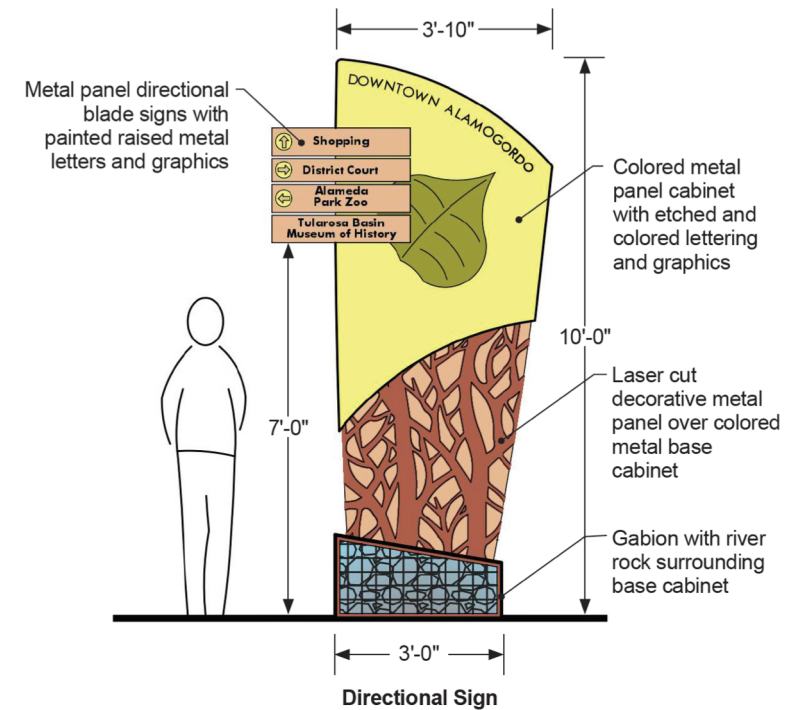
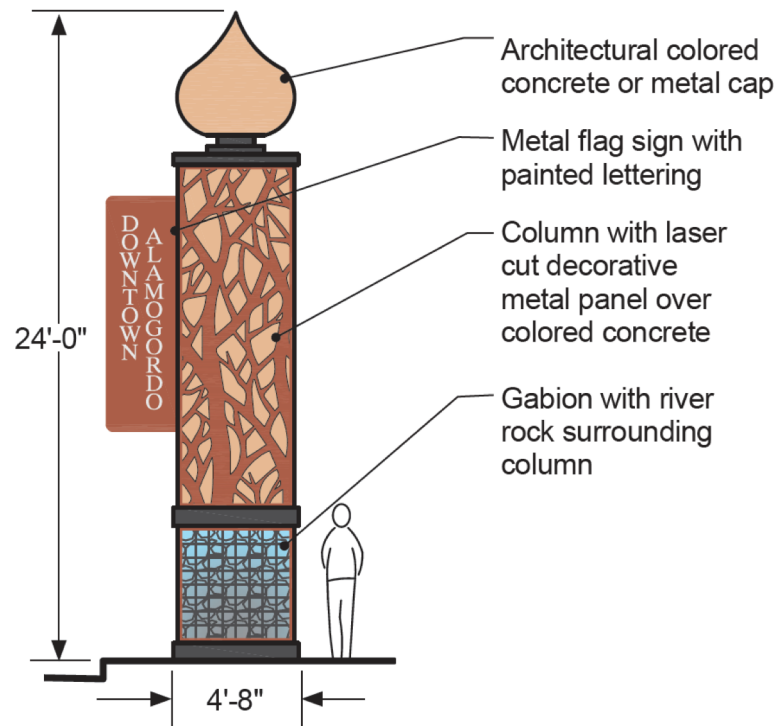
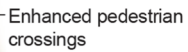
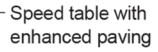
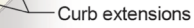
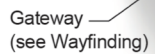
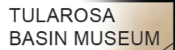
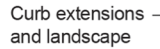
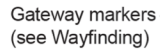
Pedestrian lighting

Pedestrian safety (sidewalks, crosswalks)

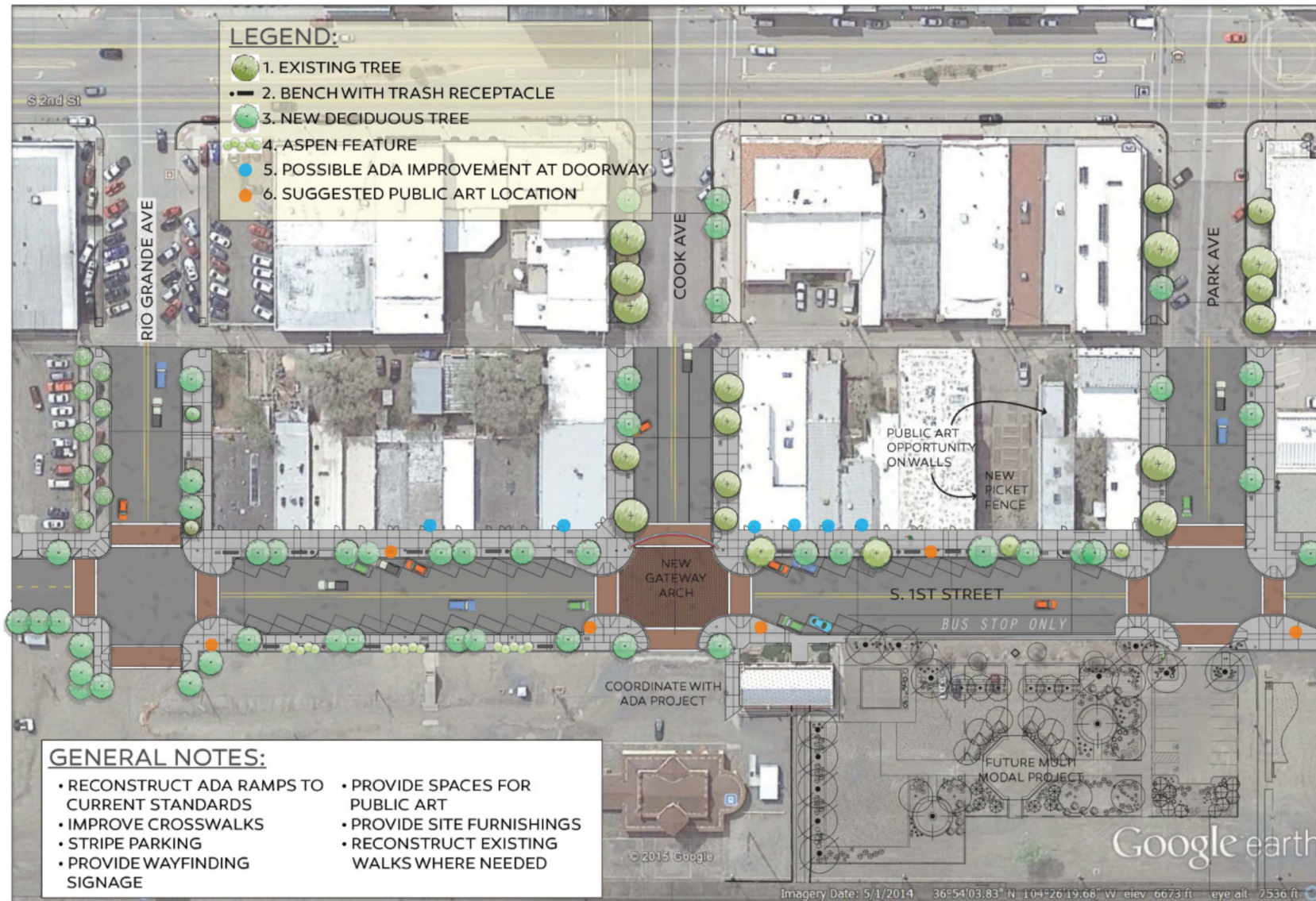
Street amenities/Landscaping

Outdoor Spaces

Gateway markers
(see Wayfinding)



Other GREAT BLOCKS in New Mexico (examples)



1ST STREET SCHEMATIC DESIGN • FROM RIO GRANDE AVE TO PARK AVE

RATON, NM • GREAT BLOCKS • APRIL, 2015



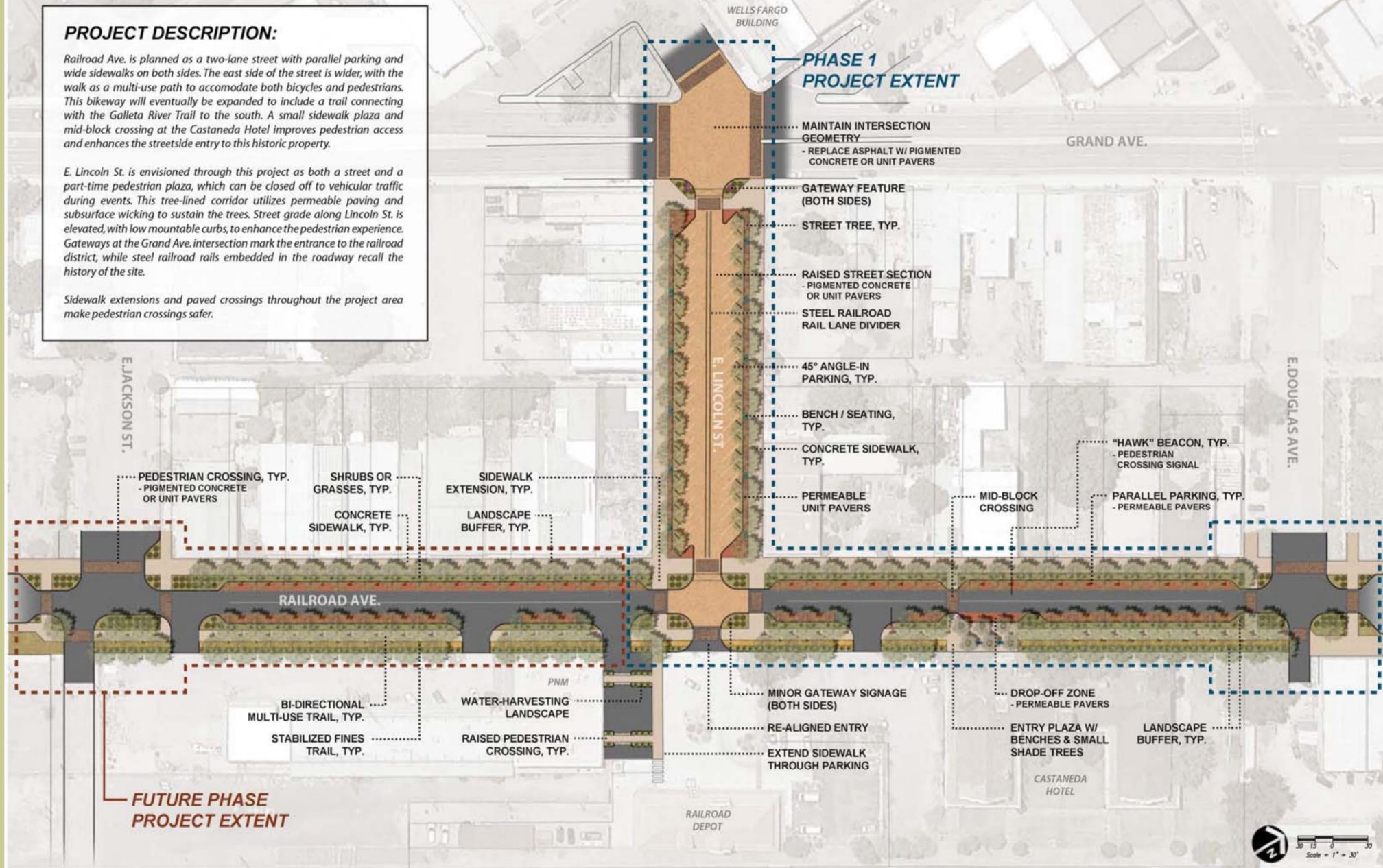
LANDSCAPE ARCHITECTS
Morrow Reardon Wilkinson Miller, Ltd.

PROJECT DESCRIPTION:

Railroad Ave. is planned as a two-lane street with parallel parking and wide sidewalks on both sides. The east side of the street is wider, with the walk as a multi-use path to accommodate both bicycles and pedestrians. This bikeway will eventually be expanded to include a trail connecting with the Galleta River Trail to the south. A small sidewalk plaza and mid-block crossing at the Castaneda Hotel improves pedestrian access and enhances the streetside entry to this historic property.

E. Lincoln St. is envisioned through this project as both a street and a part-time pedestrian plaza, which can be closed off to vehicular traffic during events. This tree-lined corridor utilizes permeable paving and subsurface wicking to sustain the trees. Street grade along Lincoln St. is elevated, with low mountable curbs, to enhance the pedestrian experience. Gateways at the Grand Ave. intersection mark the entrance to the railroad district, while steel railroad rails embedded in the roadway recall the history of the site.

Sidewalk extensions and paved crossings throughout the project area make pedestrian crossings safer.

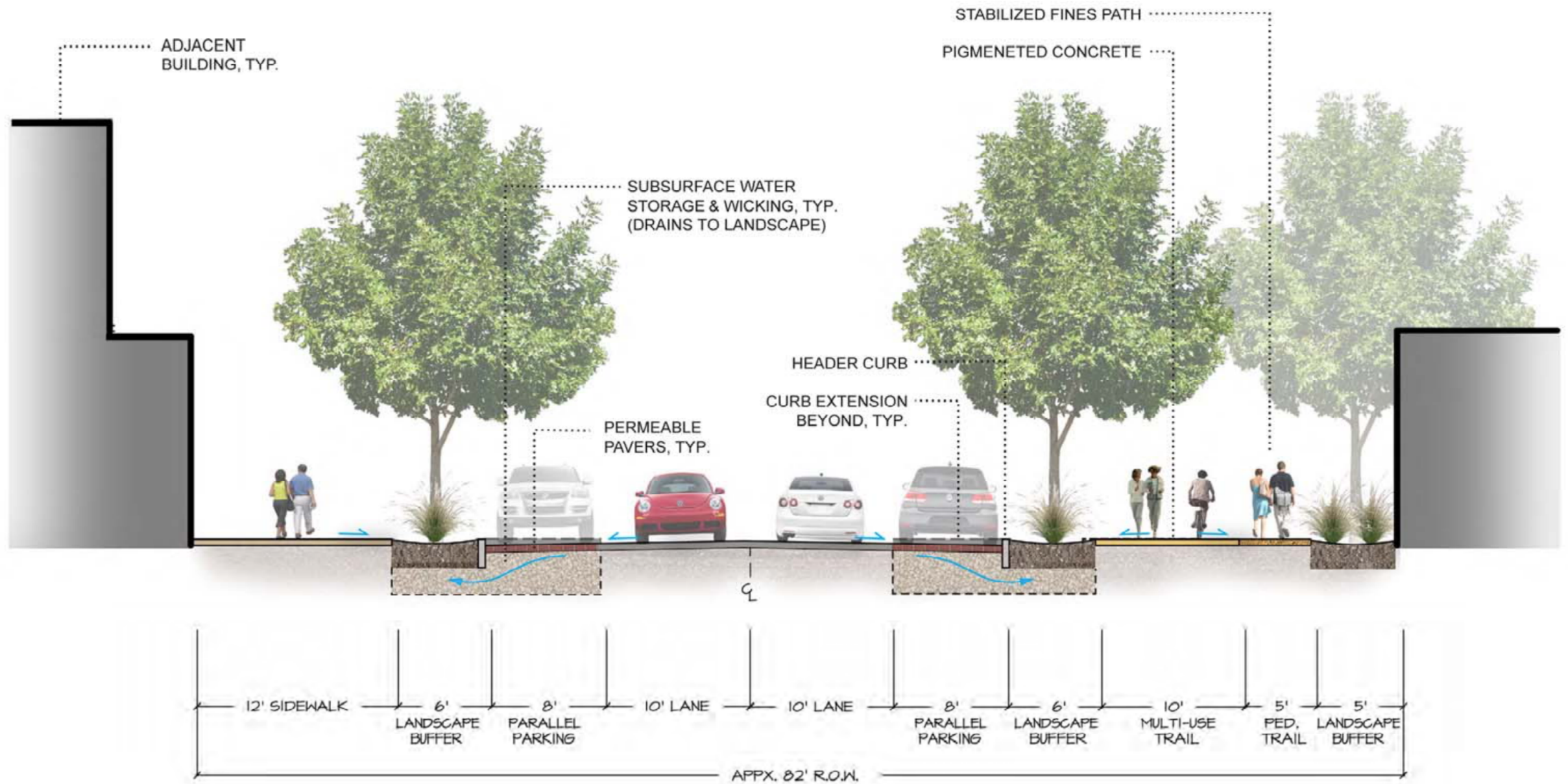


Great Blocks on Mainstreet Conceptual Plan

City of Las Vegas, NM

March 2016





RAILROAD AVE. SECTION

VIEW TO NORTH

Category Two NMMS Capital Outlay Funding



\$

\$100,000 + \$20,000

With a 20% match from the City of Alamogordo, funding will be used to hire a design team to conduct a community-based planning, design and engineering process and develop plans and construction-ready drawings, which will be provided to the community as a “shovel-ready” project.

Upon completion of construction documents, Alamogordo will qualify for Category Three funding (approximately \$1.5 million) for phased construction.

Application due: October 30, 2019



FLICKINGER
CENTER FOR PERFORMING ARTS

ACADEMY BALLET
PRESENTS
CHRISTMAS CAROL
DEC 9 7PM
DEC 10 2&7 PM
DEC 11 2PM

PATRON'S HALL

**COFFEE
TEA AND
ICE CREAM**

*Heritage
Gallery*

ART

**PATRON'S
HALL**

Questions? Thank you!



AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 10/8/2019

Report Date: 10/3/2019

Report No: 7.

Submitted By: Debbie Osborne

Subject: Consider, and act upon, approval to submit a grant application to Keep America Beautiful's Community Partner Grants program. (*Joshua Sides, Special Events Manager/KAB*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact: No fiscal impact.

Recommendation: Approve submission of application to Keep America Beautiful's Community Partner Grants program.

Background: Keep American Beautiful (KAB) and Lowe's Home Improvement are offering Community Partner Grants to KAB Affiliates only. The purpose of the grant projects are to engage local volunteers to take action to benefit communities. Grant funding is awarded in the form of a Lowe's gift cards in the amounts of \$500, \$1,000, \$5,000 and \$10,000. The gift cards may be used for building needs, including items such as buckets for the Great American Cleanup as well as local cleanup activities, equipment rentals, and project materials.



2019 Keep America Beautiful Community Partner Grants

2019 Keep America Beautiful & Lowe's Community Partner Grants

Application Deadline: Oct. 22, 2019

This grant opportunity is open to KAB Affiliates only

Keep America Beautiful (KAB) and Lowe's are proud once again to announce this year's Community Partner Grants. These grant projects engage local volunteers to take action to benefit communities across the country. Over the past eight years, Lowe's has supported Keep America Beautiful Affiliates with more than \$7 million in contributions for projects in conjunction with Lowe's Hero employee volunteer support. Lowe's and Keep America Beautiful have mobilized over 50,000 volunteers since the partnership began.

Grant funding this year will be awarded in the form of Lowe's **GIFT CARDS**. Gift card amounts include:

- . **\$500**
- . **\$1,000**
- . **\$5,000**
- . **\$10,000**

Gift cards may also be used for overall affiliate capacity building needs, including items such as buckets for the Great American Cleanup and local cleanup activities, equipment rentals, as well as other project materials (soil, native plant species, composting mulch), etc. Please include in your application.

All projects must be completed and have final reports submitted by Aug. 1, 2020. If project cannot be completed by the deadline, grant funds must be returned.

Projects should include a critical needs component and fall within the KAB focus areas of ending littering, improving recycling and beautifying America's communities.

Grant recipients will be notified on or before Nov. 12, 2019. Questions? Contact [Grace Keegan](#).

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 10/8/2019

Report Date: 10/3/2019

Report No: 8.

Submitted By: Rachel Hughs

Subject: Consider, and act upon, water bill dispute for property located at 1123 N. Florida Ave and requesting excessive water bill to be waived in the amount of \$414. (*Casey Summerfield, Property Owner*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Provide Staff with direction.

Background: Ms. Summerfield came before Commission on July 9, 2019 requesting a portion of her water bill be waived. A new meter was going to be installed to see if the problem continued. Commission asked for this to be brought back in two or three months. The minutes for that meeting are attached, item 5 under new business.

Agenda information from July 9, 2019.

Ms. Summerfield is disputing the water bill for the month of June 2019 in the amount of \$504. She is willing to pay the normal water bill average of \$90, therefore she is requesting to have \$414 waived. She may dispute the water bill for the month of July 2019 and request to have the excessive amount waived in the amount of \$295.



RECEIVED

OCT 02 2019

CITY CLERK

Ponderosa Plumbing
101 Alamotero Lane
Alamogordo, NM 88310
(575) 434-0487 Office
(575) 434-0488 Fax
ponderosa_plumbing@yahoo.com
NM Contractor's License #14148

08/27/19

Re: 1123 N. Florida Alamogordo, NM 88310

To whom it may concern,

On 8/27/19 I pulled the water meter lid at the above mentioned address and the meter was turning. I found a pin hole in a 3/4" pex under the house and fixed it and the meter was no longer turning. It is my opinion that the leak hasn't been there for more than 2 months.

If you have any questions feel free to contact me at the office.

Sincerely,

Stanton Cady

Ponderosa Plumbing

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 P.M., COMMISSION CHAMBERS
July 9, 2019**

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

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

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

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

APPROVAL OF AGENDA

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

PRESENTATIONS

1. Airport Advisory Board Annual Presentation for FY19 (*Manny Gonzales, Jr., Vice Chairman*)

Mr. Gonzales gave some information on the Airport Advisory Board. He spoke on aviation activity at the Airport. He said there are about 100 aircraft based at the Airport and their aircraft hangar capacity is at nearly 100 percent. This Airport is an important resource for the use of the air tanker firefighting operation. The Airport has also been host to the United States Army Helicopter's traffic. In April, the Airport partnered with the local emergency planning committee to host and operate a simulated emergency exercise. This exercise validated emergency response times and effective solutions to an Airport catastrophic event. He also mentioned the Airport hosted the second Aerospace Expo in September of 2018. He stated the Board has joined the effort in preparing careful plans to understand the requirements for eligibility with the federal aviation administration's part 139 designation. He said this designation is an essential piece of the fact pattern to the eventual prospect of regional jet service at the airport.

Mayor Boss thanked Mr. Gonzales and the other members of the Board for their service on the Board.

2. Alamogordo Promotion Board Annual Presentation for FY19. (*Michelle Brideaux, Communications & Marketing Administrator*)

Communications and Marketing Administrator Brideaux showed a PowerPoint presentation. She explained that the Promotion Board oversees fund 16, which is 40 percent of the Lodger's tax that the City brings in, and how they utilize that money to advertise Alamogordo for tourism outside of a 50-mile radius. She said last year they got nearly \$40,000 in advertising through the Co-op grant. She said they did six ads in the New Mexico Magazine this year. She said it was a great opportunity to highlight some local attractions and some of these agencies actually gave financially, towards the Co-op grant match money. She encouraged everyone to go by and visit the Visitor's Center. (See Blue Book for PowerPoint)

Mayor Boss thanked the members of the Promotion's Board. Mayor Pro-Tem Baldwin asked her what Sunny 505 is on the PowerPoint. Communications and Marketing Administrator Brideaux said Sunny 505 is the Ad agency that they work with, Sunny 505 helps them come up with a strategic plan and helps them to know how to get the most bang for the buck.

PUBLIC COMMENT

Mayor Boss thanked Mr. Downer for the contribution he made to Habitat for Humanity on behalf of Mayor Boss.

Gene Downer commented on the following:

He reminded the Commission of the billions of dollars politicians are receiving in taxes related to minerals. He thought it is very important for everybody to look at every possible grant that may be available to the City. He encouraged the trash be cleaned up entering the City. He gave a pats on the back to various City departments and certain businesses. He complimented Community Services Director Ortega on the landscaping done to the entrance to the Civic Center.

Joe Lewandowski commented on the following:

He spoke on "The Right Thing to Do", a book about segregation in this area. He said it is available at the museum and encouraged everyone to read the book.

CITY MANAGER'S REPORT

Interim City Manager Cesar made the following remarks:

1. He said there will be a special meeting on July 29, 2019 for approval of the year end numbers for the FY 19 Budget year. This will allow Finance two days to finalize and upload the FY 20 to the Department of Finance and Administration (DFA).
2. He said there will be a workshop on August 6, 2019 at 6:30 p.m. for the Airport Advisory Board on regional jet service.
3. He stated the Senior Volunteer Program has received notice that the RSVP program is eligible for a permanent increase in their federal grant. He said it will raise it from \$42,914 to \$50,414 each year. These monies are slated for volunteer, recruitment and retention.
3. He stated the next coffee with a cop is on Monday, July 16, 2019 from 10:00 a.m. to 12:00 p.m. at Patron's Hall located at 1106 North New York Avenue.
4. He said the Recreation Center had a successful free swim day on July 4, 2019. He said their youth program "Camp Cottonwood" has been thriving this summer. He said the Recreation Center brought back the summer volleyball camp for the week of June 24th through the 28th, 2019.
5. He stated the Legal department has sent out notices to every property owner that had an outstanding lien on their property in Alamogordo. Since these notices have gone out, the legal department has fielded numerous inquiries and a number of them had made arrangements to pay their outstanding liens.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Commissioner Rardin made the following comments:

He asked about the leak in front of AutoZone. Interim City Manager Cesar said they would get that information out to the Commission shortly. Commissioner Rardin asked when the Family Fun Center is going to get the video games. He said the money that was approved in 2017, there was \$700,000 that was set for video games. Interim City Manager Cesar said he would get an update from Mr. Chun. He acknowledged that Senator Griggs' mother passed away.

Mayor Boss made the following comments:

He said the Big Give is where Airman from Holloman come into the community and do projects on their own time. He said he has seen firsthand where they have come in and done a \$150,000 remodel on a building for \$50,000. He said they are estimating that they are about to go over the \$2 million dollar mark in the Big Give this year as a result of the work that they do. He said we need to appreciate that because it is work that would not have been done, the City did not have the funding to do it. He stated these airman work till midnight, in addition to their regular work. He encouraged everyone to thank an Airman anytime there is an opportunity.

CONSENT AGENDA

3. Approve the minutes for the June 25, 2019 Regular meeting. *(Rachel Hughs, City Clerk)*

4. Consider, and act upon, final publication of Ordinance 1595 amending section 2-15-080 and 2-15-090 of Chapter 2 of the Alamogordo Code of Ordinances regarding the Gross Receipts Investment Program. *(Petria Schreiber, City Attorney)* (Roll Call Vote Required)

Commissioner Hernandez moved to approve items 3 & 4 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

5. Water bill dispute for property located at 123 N. Florida Ave and requesting excessive water bill to be waived in the amount of \$414. *(Casey Summerfield, Property Owner)*

Interim City Manager Cesar stated there is a typo in the property address, it should be 1123 N. Florida Avenue.

Ms. Summerfield explained inconsistencies in water consumption at the residence. She said that a leak does not fix itself and it is only her and her 5-month baby at home. According to a bill that she received in June says that she has used 62,260 gallons of water. She stated her average bill is \$90 a month. She is willing to pay \$90 today and another \$90 when she gets paid, but the extra amount she is not willing to pay because she has no proof of where that water is. She does not understand why there is a high water bill and asked for help.

Mayor Boss asked her if she has had a plumber do any searching in the yard. He also asked if there is any green grass in her yard. She said there is a little patch of green on the side of the house that has always been green and everything else is dead.

Commissioner Rardin asked her if she lives in the two-story house on the corner next to Alamotero Surveys. She said yes, she is across from the Worship Center. Commissioner Rardin explained that on Google Earth it shows there are some plants in the yard but there is no indication of a leak. Commissioner Payne said there is a little section of green.

Customer Service Manager Threadgill said in this account, the day it was initiated they received a call from the customer to go out and do a turnoff because of a leak at the property in 2018. He said in November of 2018, they sent out a courtesy notice for continuous consumption. He stated in this case, there was a buildup of water consumption. He said it looked like there was a background usage of about 2 to 3 cubic feet per hour that peaked about May 14th. He said the continuous consumption continued but it just reduced itself. There were short periods of stoppage for about seven days. On June 16th continuous consumption stopped and has not restarted since then.

Mayor Boss asked if they are sure about the integrity of the meter. Customer Service Manager Threadgill said yes, that was checked on June 7th.

Customer Service Manager Threadgill said when he last spoke to the customer, she mentioned that she was going to have a plumber go out and look at it. He advised her at that time, if she was looking for a leak, she would not find anything because there was no longer any continuous consumption. He said during the period of usage there appeared to be background usage, constant consumption. He said at first it got lower, then it stopped, recontinued and then it stopped for the last few weeks. Where that water went, he does not know. He said once it passes through the meter that is the last they can account for the water. He advised the renter that he could offer her a three-month payment plan. He

said he is not convinced there is a water leak in a traditional sense only because it stopped and started and then stopped again on its own without any outside intervention.

Mayor Boss asked if someone could be tapping into the water. Customer Service Manager Threadgill said that is possible but the fact is that it is continuous for 24 hours a day. He said there is not a process for abating that for a leak abatement because nothing was repaired. He said a requirement for a leak abatement is that something is repaired.

Mayor Boss asked if there is anyway the meter could be recording that and water not passing through it. Customer Service Manager Threadgill said no, there is no device in the meter that makes it stand on its own.

Commissioner Rardin asked Customer Service Manager Threadgill what is LE10 on the hourly consumption sheets. He said it is code for continuous consumption. Commissioner Rardin asked what LE10-RS10 is. He said it is a reset during a software upgrade, which they send out upgrades about quarterly. Commissioner Rardin said it is weird because it is a short timeframe where the huge amount of consumption is. Customer Service Manager Threadgill said he has been through every possible contingency with the customer. Commissioner Rardin asked if the little black triangle continues to spin on the meter. Customer Service Manager Threadgill said yes, everything adds up. Commissioner Rardin asked what happens when they turn everything off. Customer Service Manager Threadgill said he does not know if they have checked that.

Commissioner Payne said even \$95 is too much, it should be around \$60. It sounds like this has been going on for a while. Customer Service Manager Threadgill said a \$90 bill is not all that in frequent in Alamogordo. Commissioner Payne said it is not if you are watering your lawn. She gave an example at Love Inc., where they found a leak and they paid over \$100 water bills for many months. After they fixed the leak the bill went down. She said it was not a huge leak, but a crack in the pipe. She said she is suspect where the little patch of green grass is. She said that is a lot of money for someone who is not there all day and only has a 5-month old.

Mayor Boss said if there is a patch of green in the yard there is water somewhere. Commissioner Payne said the leak at Love Inc. never registered as continuous consumption. Customer Service Manager Threadgill said it is not always a leak, it can be the sprinkler system or something. It is water passing through the meter.

Mayor Boss asked Customer Service Manager Threadgill if he had ever seen anything like this, where they weren't using this much water and there was this much water being charged. He answered he has had many customers come in and say that they did not use this much water. He said something is going on, the meters can't spin by themselves.

Commissioner Hernandez said his concern is the amount of the water bill. He said his average bill is about \$65 a month and it is for he and his wife and his yard is fairly green. He said what really strikes him is if you have a leak it is usually pretty steady. He said the consumption here starts and stops, it is not normal especially during the times.

Mayor Boss mentioned that his bill usually runs about \$25 a month, and when his granddaughter lived with them the bill was no more than \$35 a month. Customer Service Manager Threadgill said the average bill for water and sewer is about \$64 a month. He said you are looking around \$49.50 without the trash. He said these are averages based on 10,000 residential accounts.

Commissioner Rardin asked what side is the meter on. Ms. Summerfield answered it is on 12th street side. Commissioner Rardin said there is a house being built right behind this house. He asked if that had anything to do with this. Commissioner Payne said no because her bill has been too high for too long.

Commissioner Rardin said he has been around construction for a long time and when there is a leak it is fairly consistent. He asked Ms. Summerfield if there is a restroom on the side of the house where the yard is green. She explained the layout of the house. Commissioner Rardin said even if a toilet is leaking, 60,000 gallons is a lot of water.

Commissioner Payne asked Customer Service Manager Threadgill if he had gone back and looked at the bills from the previous tenants. He answered no. Ms. Summerfield said the people that lived there before paid a little over \$100 per month and there were 7 of them.

Mayor Boss suggested to put a brand new water meter and suspend the account. Not do anything with the \$414 for now and go another couple of months and see if they continue to have these problems. He said it sounds like she has a leak. He asked if that would be feasible. He also said to pick a period of 2-months, 3-months or whatever. He said they would not turn off Ms. Summerfield's water because of non-payment and then they would look at it again at that point. He asked the Commission if that sounds reasonable. Customer Service Manager Threadgill said they can do that but for the last two weeks there has been nothing going on. Mayor Boss said let's go two months and let's put a brand new meter.

Commissioner Hernandez said that is fine as long as she pays for the normal consumption to keep it current. Mayor Boss said just the \$414 is in suspension. Customer Service Manager Threadgill mentioned that there is over \$800 due on the account right now.

Mayor Boss said they can figure out what the normal bill had been for months and she can pay that portion of it, but any of the excess if Customer Service Manager Threadgill could come up with some formula where they suspend that for now, put a brand new meter on it and look again at it in two months.

Commissioner Payne asked Commissioner Wright if he had any thoughts. Commissioner Wright asked Ms. Summerfield if she had not had a plumber come out and look. She answered no. Mayor Boss said that is a good point. He said that is something that she is going to need to do.

Commissioner Wright said the inconsistency with the consumption is odd. He said usually if there is a leak, it is continuous and noticeable. He said if the Commission is willing to help, he would be willing to personally help find a leak. He said there has got to be something dripping or something for it to be that high for that long period of time. Mayor Boss asked Commissioner Wright what he would be willing to do. He answered that he would be willing to go and put a test and check.

Commissioner Hernandez said he would do the same thing because he has the equipment, but he thinks it would be a conflict because of where they sit.

Commissioner Wright said he would lean towards checking the meter. He asked Ms. Summerfield if she has noticed cables being cut or pinched.

Customer Service Manager Threadgill said there are other ways of checking if that does not occur. He said they could always go back to the odometer reading.

Commissioner Rardin said Ms. Summerfield stated there is a restroom on that side of the house, it could also be if there is a patch of green that sewer line could be leaking. He said that could be the reason for the green grass. He said he noticed that the consumption charges, the base rate, for her sewer did jump from 1043 to about 2240, which adds about \$10 extra a month. He agrees with the Mayor, let's suspend that for a little bit.

Commissioner Payne asked how the bill got to be \$800. Customer Service Manager Threadgill stated April 5 through June 5 was \$504 and then \$321. She asked if there was any notice put on the door for

that. Customer Service Manager Threadgill said there was a notice sent on the June bill for non-payment of the previous bill. Commissioner Payne asked if a \$500 bill doesn't trigger an alarm. Customer Service Manager Threadgill said continuous consumption would send that out, but the bill amount does not trigger anything. Ms. Summerfield said she has never received a notice for continuous consumption.

Mayor Pro-Tem Baldwin said the Commission never likes charging people for water they don't think they consume. He said the first thing that has to happen is, she needs to have a plumber inspect. He said if they find something, then she can have it repaired and a portion of this can be abated. He thought they are all in agreement with moving forward with the Mayor's recommendation; get the plumber and get the Commission some information to help them make a decision.

Mayor Boss suggested for Ms. Summerfield to get with City Clerk Hughs and bring this item back. Interim City Manager Cesar said to bring this back two months after the meter has been changed.

Commissioner Wright said he would like to see proof that a plumber has gone to look at it. Mayor Pro-Tem Baldwin said he knows that is an expense that might be difficult, but it is better than \$800. Mayor Boss said it is something that the Commission would like to see. Commissioner Payne strongly suggested to get the green patch in the yard checked out.

Interim City Manager Cesar suggested Ms. Summerfield check the water softener or Reverse Osmosis system. She stated she does not have one.

Commissioner Hernandez said not to disagree with Commissioner Payne, but where Love Inc. is, it is basically a large leech field, so the water is going to leak down. She said she understands but there was this green patch among all this rock. Commissioner Hernandez said he thinks that the Commission should move forward with this direction and see what they can find. Commissioner Payne said any future votes like this, she will need to recuse herself.

Mayor Pro-Tem asked if this is Commission consensus or do they need to table this item or just not doing anything. Mayor Boss asked City Attorney Schreiber if they take no action or table. City Clerk Hughs said this could be brought to a future meeting under unfinished business.

6. Consider, and act upon, Resolution 2019-31, declaring the City's intent to refund its outstanding Series 2009 Water and Sewer Net System Revenue Bond to achieve debt service savings for the benefit of the City. (Stephanie Hernandez, Finance Director) (Roll Call Vote Required)

Mr. Archuleta said they gave the Commission an update on the City's financial data back in February, when they told the Commission there was a possibility of doing a refinancing on one of their issues. He said they are at that point now, where the 2009 issue is refundable which would allow the City to save about \$369,000 over the life of the issue which translate into a little over \$49,000 per year. He said the City is currently paying about four and a half percent interest on that 2009 issue and with the interest rates we have now they should be able to drop that down to about a 2.09 percent. That is where the savings come in. He said what they have for the Commission tonight is an opportunity to go ahead and do the refinancing and allow them the opportunity to save the City \$369,000. Mr. Archuleta said they also have to take into consideration the present value of the savings of the transaction because they are dealing with present value dollars today versus what they would be in 2029. He said they would be going through the New Mexico Finance Authority, which is one of the main reasons they can actually get low interest rates for this transaction.

Commissioner Rardin said this being a water and sewer bond, they need to start looking for money for the parallel pipeline for the Snake Tank Project. He asked if it would be possible to look at refunding this and borrowing additional money for the payment and their debt service stays the same, but they would actually have additional money to pigeon hole away for that parallel pipeline for the RO system.

Finance Director Hernandez said they were looking at that exact same issue. What this would do is help them with the capacity. She said there would be two separate processes, so they cannot roll this into a new loan. Commissioner Rardin said in the past when they came up, usually around ten years, they would roll them over and refinance and borrow additional money.

Mr. Archuleta said you would be able to do that depending on the amount of money you would need. He said they could run different scenarios for the Commission to give them a better idea.

Interim City Manager Cesar told Commissioner Rardin what he was remembering from the past, as these various bonds were maturing, that is when staff was coming back to Commission to do the Wastewater Treatment Plant, to do big projects associated with the SMP, the intersection realignments and what not. He said these don't mature until around 29.

Commissioner Rardin said if he remembers right, they were at a 10 year mark when they did those, the economy kind of crashed so they were borrowing money at less than a percent or two percent. Interim City Manager Cesar said in the past, it was setup and structured so that they had these maturing every few years. He said the City got away from it during a period of time and other projects were done, so they are not in that same cycle that Commissioner Rardin is remembering. Commissioner Rardin said they need to start looking ahead and figure out what they are going to do. Interim City Manager Cesar said that is part of the reason they came to the Commission with Fund 49. They will be applying to the Water Trust Board and will be exploring every avenue to find monies to complete the process for the parallel pipeline.

Mr. Muirhead explained that tonight's action is just to give the go ahead to file the application and start talking to the Finance Authority and other banks. He explained the process and timeline. He said by adopting this Resolution tonight does not make this binding. If something changes and the Commissions wants to add to it, that is all still on the table. He said this just gets the ball rolling. He said the real dispositive time would be September when they would be back to talk about the bonds, the rates and the numbers. Mayor Boss said if at that time, if any fluctuations happen, they will have solid numbers then. Mr. Muirhead confirmed they would.

Mayor Pro-Tem Baldwin moved to approve.

Commissioner Rardin said he would second the motion, but he had a comment for the Interim City Manager. He asked Interim City Manager Cesar if he could get the Commission the original amount borrowed for the 2009 Water Bond and then look at how much they could re-borrow in this refinance. Interim City Manager Cesar agreed.

Finance Director Hernandez explained where to find the original loan amount in the agenda packet.

Mayor Pro-Tem Baldwin moved to approve

Commissioner Rardin seconded the motion.

Roll call vote was taken.

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

Mayor Pro-Tem Baldwin said in reference to what Commissioner Rardin was talking about. He said they did do two separate refinancing of the bonds. He said he was aware of it because the Golf Course was the recipient of that, and the Commission earmarked it as you can for those refinances taking out loans for it. He said they call it the quality of life bond. He said a lot of good things can be done with that refinancing and he is for that too.

Commissioner Rardin said it is something to look into. If they are going to save \$40,000 to \$50,000 a year in debt service, they can reborrow the money and put it to good use.

7. Consider, and act upon, a revised agreement with Alamogordo Public Schools (APS) for School Resources Officers. (Brian Peete, Chief of Police)

Chief of Police Peete said they are moving from 4 to 3 SRO's (School Resource Officers). He said APS (Alamogordo Public Schools) agrees to pay for half the Salaries and Benefits for the Officers assigned. He said the reason the drop of costs is substantial is because the tenure of the Officers that are going to be assigned as SROs coming in is much less than the ones who are leaving those posts and they are moving down from 4 to 3 Officers.

Mayor Boss asked if APS is able to cut an Officer because they will closing the campus. Chief of Police Peete answered no, it is due to projected manning shortfalls.

Commissioner Hernandez asked if their SRO's wear bodycams, Chief of Police Peete answered yes. Commissioner Hernandez asked if they know to have them on all the time. Chief of Police Peete said depending on the situation and the policies and procedures, yes sir. Commissioner Hernandez said he has some concerns with situations that he has heard about with staff members especially from the High School. He said he would be concerned with the single Officer having to deal with something without making sure they don't have a backup. He said as long as they follow those policies, he does not have a problem with it.

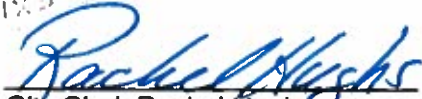
**Mayor Pro-Tem Baldwin moved to approve.
Commissioner Sikes seconded the motion.
Motion carried with a vote of 7-0-0.**

ADJOURNMENT

**Commissioner Payne moved to adjourn at 8:01 p.m.
Commissioner Hernandez seconded the motion.
Motion carried with a vote of 7-0-0.**



ATTEST:


City Clerk Rachel Hughes


Mayor Richard Boss

(Prepared by Eric Barraza, Deputy Clerk)
Approved at the Regular Meeting held on July 23, 2019.



RECEIVED
JUN 24 2019
CITY CLERK

City of Alamogordo City Commission Meeting

AGENDA REQUEST FORM

Date: 6/24/19

Request Date
of Meeting:

July 9, 2019

Name:

Casey Summerfield

Address:

1123 N. Florida Ave

Alamogordo NM ZIP 88310

Phone Number:

575-921-8480

E-Mail Address:

mz.caseylee69@gmail.com

Item requested will be for: (Please check one)

☐ Information only

☒ Presentation

Brief description of topic to be discussed:

Please attach one original of any documents pertaining to the topic -

We do not allow handouts at the meeting

my water bill said I used over 60,000 gallons
of water I am a single mom with a 5 month
old, there is no way I used that much water.
I have tried working + talking to the water company
they have been ^{very} rude to me + talking to as if I am stupid.
I am not the only one Signature: Casey Summerfield
this has happen to.

Please return to:

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

Phone: (575) 439-4205

Fax: (575) 439-4396

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

Revised 10/13/2017

Customer/location ID . : 117873-15524
Customer name : SUMMERFIELD, CASEY
Service address . . . : 1123 N FLORIDA AVE
Plan number : 119060006
Plan type/description : PAY /PAYMENT AGREEMENT
Plan status : Open
Plan amount : 835.88
Amount unpaid : 835.88
Open date : 6/20/19

Payment Date	Payment Amount	Amount Paid	Comments
8/02/19	278.64	.00	
9/03/19	278.64	.00	
10/03/19	278.60	.00	

The current monthly charges plus the monthly payment arrangement must be paid by the payment due date each month. I understand that I will not be assessed a penalty on the payment plan amount, but could still incur a \$10.00 late fee if the current bill is not paid as specified by ordinance. I also understand and agree that failure to comply with this agreement may result in cancellation of this agreement and immediate disconnection of water service. If service is disconnected for failure to comply with this agreement, the total agreement amount plus a service fee of \$31.00 must be paid in full prior to reinstatement of service. This property is subject to lien for the full amount owed on the account plus an administrative fee of \$200.00 unless otherwise stipulated.

I, the undersigned utility customer of the City of Alamogordo, do hereby agree to meet the terms of this payment agreement as stated above.

Customer Name (Print)

Employee's Signature

Customer Name Signature

Title of Employee

Telephone Number

Date



**City of Alamogordo
Utility Billing Division**

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

117873-15524
CASEY SUMMERFIELD
1123 N FLORIDA AVE

*****AUTO**SCH 5-DIGIT 88310

468



CASEY SUMMERFIELD
1123 N FLORIDA AVE
ALAMOGORDO NM 88310-6410

PLEASE BE ADVISED THAT YOUR UTILITY BILL REMAINS UNPAID.

**THE PAST DUE AMOUNT OF \$514.14, MUST BE PAID IN FULL BY JUNE 24, 2019 AT 5:00pm
TO AVOID DISCONNECTION OF SERVICE AND THE ADDITION OF A DELINQUENCY
PROCESSING FEE OF \$31.00 PLUS TAX.**

If payment has already been made, please disregard this notice.

Thank you for your attention to this matter.

MAKE PAYMENTS TO:

**City of Alamogordo
Utility Billing Division
PO Box 2978
Alamogordo, NM 88311-2978**

If you have a dispute regarding your charges please call (575) 439-4260.

Alamogordo Collection Center Hours
Sunday through Saturday 8:00 a.m. – 5:00 p.m.
Closed on all City recognized holidays
For a list of items accepted visit their web page at
<http://ci.alamogordo.nm.us/coa/publicworks/convenience.htm>
or call (575) 439-4109 .

Place this side out in the return envelope.

**CHECK LIST
HAVE YOU:**

Enclosed your check Payable to
City of Alamogordo?

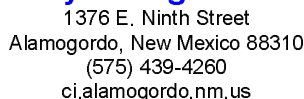
Enclosed your remittance slip?

Signed your check?

Written your account number on your check?



CITY OF ALAMOGORDO
UTILITY BILLING DIVISION
PO BOX 2978
ALAMOGORDO NM 88311-2978



CASEY SUMMERFIELD
1123 N FLORIDA AVE
ALAMOGORDO NM 88310-6410

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

Alamogordo Collection Center Hours
Sunday through Saturday 8:00 a.m. – 5:00 p.m.
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ALAMOGORDO NM 88311-2978

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CITY OF ALAMOGORDO
UTILITY BILLING DIVISION
PO BOX 2978
ALAMOGORDO NM 88311-2978

Place this side out in the return envelope.

**CHECK LIST
HAVE YOU:**

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City of Alamogordo?

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Written your account number on your check?



CITY OF ALAMOGORDO
UTILITY BILLING DIVISION
PO BOX 2978
ALAMOGORDO NM 88311-2978



City of Alamogordo Utility Billing Division

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

Billing Date	Due Date	ENTER AMOUNT PAID
02/20/2019	03/07/2019	

ACCOUNT NUMBER **117873-15524**

PREVIOUS BALANCE 0.00

CURRENT CHARGES 76.89

TOTAL AMOUNT NOW DUE **76.89**

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

*****AUTO**SCH 5-DIGIT 88310

470

CASEY SUMMERFIELD
1123 N FLORIDA AVE
ALAMOGORDO NM 88310-6410

00011787300001552400000007689

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

Customer Name			Service Address		Meter Size	Account Number		Due Date		Last Payment		
										Date	Amount	
CASEY SUMMERFIELD			1123 N FLORIDA AVE		075	117873-15524		03/07/2019		02/01/2019	111.73	
BILLING DATE	02/20/2019		SERVICE PROVIDED FROM		01/05/2019	TO	02/05/2019		DAYS THIS BILLING	31	CYCLE ROUTE	07-60
DESCRIPTION			PREVIOUS READING	PRESENT READING	CLS	USAGE		CHARGES		SUBTOTAL		
						Cubic feet	Gallons					
WA BASE RATE			75191	76401	R			13.90				
WA Total Consumption						1210	9051					
WA CAPITAL SURCHARGE 81						0	0	1.00				
WA TIER 1						1210	9051	17.55				
WA Service Total										32.45		
SW BASE RATE						0	0	13.60				
SW CONSUMPTION CHARGES						1043	7802	11.99				
SW Service Total										25.59		
GR GARBAGE								15.19		15.19		
GOV GROSS RECPTS TAX								3.66		3.66		

Place this side out in the return envelope.

**CHECK LIST
HAVE YOU:**

Enclosed your check Payable to
City of Alamogordo?

Enclosed your remittance slip?

Signed your check?

Written your account number on your check?



CITY OF ALAMOGORDO
UTILITY BILLING DIVISION
PO BOX 2978
ALAMOGORDO NM 88311-2978

Place this side out in the return envelope.

**CHECK LIST
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City of Alamogordo?

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Written your account number on your check?



CITY OF ALAMOGORDO

UTILITY BILLING DIVISION

PO BOX 2978

ALAMOGORDO NM 88311-2978

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CITY OF ALAMOGORDO
UTILITY BILLING DIVISION
PO BOX 2978
ALAMOGORDO NM 88311-2978



**City of Alamogordo
Utility Billing Division**

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

117873-15524
CASEY SUMMERFIELD
1123 N FLORIDA AVE

*****AUTO**SCH 5-DIGIT 88310

450



CASEY SUMMERFIELD
1123 N FLORIDA AVE
ALAMOGORDO NM 88310-6410

PLEASE BE ADVISED THAT YOUR UTILITY BILL REMAINS UNPAID.

**THE PAST DUE AMOUNT OF \$66.20, MUST BE PAID IN FULL BY NOVEMBER 26, 2018 AT 5:00pm
TO AVOID DISCONNECTION OF SERVICE AND THE ADDITION OF A DELINQUENCY
PROCESSING FEE OF \$31.00 PLUS TAX.**

If payment has already been made, please disregard this notice.

Thank you for your attention to this matter.

MAKE PAYMENTS TO:

**City of Alamogordo
Utility Billing Division
PO Box 2978
Alamogordo, NM 88311-2978**

If you have a dispute regarding your charges please call (575) 439-4260.



City of Alamogordo Utility Billing Division

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

Billing Date	Due Date	ENTER AMOUNT PAID
11/20/2018	12/05/2018	

ACCOUNT NUMBER **117873-15524**

PREVIOUS BALANCE 66.20

CURRENT CHARGES 111.20

TOTAL AMOUNT NOW DUE **177.40**

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

*****AUTO**SCH 5-DIGIT 88310

450

CASEY SUMMERFIELD
1123 N FLORIDA AVE
ALAMOGORDO NM 88310-6410

00011787300001552400000017740

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

Customer Name			Service Address		Meter Size	Account Number	Due Date	Last Payment			
								Date	Amount		
CASEY SUMMERFIELD			1123 N FLORIDA AVE		075	117873-15524	12/05/2018		0.00		
BILLING DATE	11/20/2018	SERVICE PROVIDED FROM		10/05/2018	TO	11/05/2018	DAYS THIS BILLING		31	CYCLE ROUTE	07-60
DESCRIPTION			PREVIOUS READING	PRESENT READING	CLS	USAGE		CHARGES	SUBTOTAL		
						Cubic feet	Gallons				
WA BASE RATE			67492	70213	R			13.90			
WA Total Consumption						2721	20354				
WA CAPITAL SURCHARGE 81						0	0	1.00			
WA TIER 1						1500	11221	21.75			
WA TIER 2						1221	9134	28.69			
WA Service Total									65.34		
SW BASE RATE						0	0	13.60			
SW CONSUMPTION CHARGES						1043	7802	11.99			
SW Service Total									25.59		
GR GARBAGE								14.97	14.97		
GOV GROSS RECPTS TAX								5.30	5.30		

STAGE 1 WATER RATIONING IS NO LONGER IN EFFECT

Outdoor watering schedule until November 1, 2018 is:

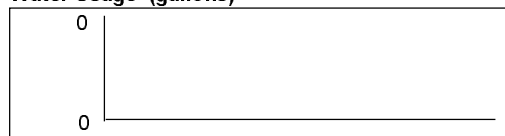
Odd numbered addresses (street number ends in 1, 3, 5, 7, 9)
May water on Sunday, Wednesday & Friday

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

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

Outdoor watering is not permitted on Monday.

Water Usage (gallons)



Alamogordo Collection Center Hours
Sunday through Saturday 8:00 a.m. – 5:00 p.m.
Closed on all City recognized holidays

For a list of items accepted visit their web page at

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

Place this side out in the return envelope.

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CITY OF ALAMOGORDO
UTILITY BILLING DIVISION
PO BOX 2978
ALAMOGORDO NM 88311-2978

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

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CITY OF ALAMOGORDO
UTILITY BILLING DIVISION
PO BOX 2978
ALAMOGORDO NM 88311-2978

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 10/8/2019

Report Date: 10/3/2019

Report No: 9.

Submitted By: Rachel Hughs

Subject: Consider, and act upon, appointing Brian Cesar as City Manager. (*Richard Boss, Mayor*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Appoint as City Manager.

Background: At the last regular Commission meeting of September 24, 2019, the Commission voted to appoint Brian Cesar as City Manager. The vote was not valid as under Reconvene, there was no mention of possible action.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 10/8/2019

Report Date: 9/25/2019

Report No: 10.

Submitted By: Nancy Beshaler

Subject: Consider, and act upon, award of Public Works Bid No. 2019-006 to General Hydronics Concrete, LLC related to the Las Lomas Drainage Improvements project in an amount not to exceed \$118,890.83, including NMGRT. (*Nancy Beshaler, Project Manager*)

Fiscal Impact: \$118,890.93

Amount Budgeted: \$190,000.00

Fund: 109-9003-430.65-29 EN2001

Additional Fiscal Impact:

Recommendation: Approve the award.

Background: The work will consist of construction of a low water crossing and a 6" water line on Las Lomas.

The project was advertised for bids on August 25, 2019. Bids were opened at 11:00 a.m. on September 24, 2019 with three (3) bids received:

Please refer to the attached bid tabulation.

BID TABULATION
LAS LOMAS DRAINAGE IMPROVEMENTS
PUBLIC WORKS BID NO. 2019-006
September 24, 2019

ITEM	ESTIMATED QUANTITY		DESCRIPTION	General Hydronics Concrete LLC 388890		J29 Enterprises LLC 392033		Renegade Construction LLC 92228	
				Unit Price	TOTAL AMOUNT	Unit Price	TOTAL AMOUNT	Unit Price	TOTAL AMOUNT
1	1	LS	MOBILIZATION	\$13,000.00	\$ 13,000.00	\$ 7,910.00	\$ 7,910.00	\$18,532.62	\$ 18,532.62
2	1	LS	CLEARING AND GRUBBING	\$ 400.00	\$ 400.00	\$ 3,100.00	\$ 3,100.00	\$ 3,211.51	\$ 3,211.51
3	270	CY	UNCLASSIFIED EXCAVATION	\$ 19.65	\$ 5,305.50	\$ 32.80	\$ 8,856.00	\$ 20.04	\$ 5,410.80
4	360	SY	SUBGRADE PREPARATION	\$ 3.30	\$ 1,188.00	\$ 9.90	\$ 3,564.00	\$ 11.56	\$ 4,161.60
5	80	CY	BASE COURSE	\$ 49.50	\$ 3,960.00	\$ 138.00	\$ 11,040.00	\$ 110.21	\$ 8,816.80
6	330	LF	SEALING CONCRETE PAVEMENT JOINTS	\$ 6.70	\$ 2,211.00	\$ 14.30	\$ 4,719.00	\$ 7.56	\$ 2,494.80
7	110	CY	STRUCTURAL CONCRETE, CLASS AA	\$ 255.00	\$ 28,050.00	\$ 262.00	\$ 28,820.00	\$ 509.86	\$ 56,084.60
8	4,910	LB	REINFORCING BARS, GRADE 60	\$ 1.22	\$ 5,990.20	\$ 4.30	\$ 21,113.00	\$ 4.03	\$ 19,787.30
9	15	SY	HMA SP-IV ASPHALT PATCHING	\$ 37.80	\$ 567.00	\$ 207.00	\$ 3,105.00	\$ 157.44	\$ 2,361.60
10	370	SY	REMOVAL OF SURFACING	\$ 2.22	\$ 821.40	\$ 13.70	\$ 5,069.00	\$ 10.89	\$ 4,029.30
11	35	CY	RIPRAP, CLASS B	\$ 106.00	\$ 3,710.00	\$ 235.00	\$ 8,225.00	\$ 218.74	\$ 7,655.90
12	1	LS	WATERLINE LOWERING	\$28,200.00	\$ 28,200.00	\$10,132.00	\$ 10,132.00	\$13,003.44	\$ 13,003.44
13	1	LS	CONSTRUCTION STAKING BY CONTRACTOR	\$ 4,995.00	\$ 4,995.00	\$ 6,232.00	\$ 6,232.00	\$ 3,977.05	\$ 3,977.05
14	4	EA	OBJECT MARKER, TYPE 3	\$ 175.00	\$ 700.00	\$ 168.00	\$ 672.00	\$ 195.70	\$ 782.80
15	1	LS	TRAFFIC CONTROL	\$ 7,000.00	\$ 7,000.00	\$ 2,270.00	\$ 2,270.00	\$ 3,624.15	\$ 3,624.15
16	40	SF	PANEL SIGNS	\$ 29.00	\$ 1,160.00	\$ 27.40	\$ 1,096.00	\$ 31.89	\$ 1,275.60
17	110	LF	STEEL POST AND BASE POST FOR ALUMINUM PANEL SIGNS	\$ 16.60	\$ 1,826.00	\$ 15.90	\$ 1,749.00	\$ 18.48	\$ 2,032.80
18	1	ALLOW	POST CONSTRUCTION AS-BUILT PLANS	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
SUBTOTAL				\$	110,084.10	\$	128,672.00	\$	158,242.67
NMGR (8.0%)				\$	8,806.73	\$	10,293.76	\$	12,659.41
TOTAL BASE BID with tax				\$	118,890.83	\$	138,965.76	\$	170,902.08
Preference				10% Local	\$ 11,008.41	5% State	\$ 6,433.60	5% State	\$ 7,912.13
Bid With Preferences (for consideration of award only)				\$107,882.42		\$132,532.16		\$162,989.95	
				General Hydronics Concrete LLC		J29 Enterprises LLC 392033		Renegade Construction LLC	

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 10/8/2019

Report Date: 10/3/2019

Report No: 11.

Submitted By: Petria Bengoechea

Subject: Consider, and act upon, lien abatement request on 102 Texas. (*Petria Bengoechea, City Attorney*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve abatement of the \$658.12 lien.

Background: Lien letters went out in June and July 2019 for properties with liens on them. The owner at 102 Texas had two liens on his property totaling \$1411.27 (payoffs good as of 9/30/2019). The letter that was sent out only referenced one lien totaling \$753.15, and the homeowner, after many conversations about that lien, agreed to a payment plan on that lien. When the payment plan was being set up, staff pulled the lien out of our lien book, and discovered that one lien was left off of the letter totaling \$658.12. At this time, since my office failed to notify the customer of the first lien until after a payment arrangement was agreed to, I am asking that the lien be abated and the customer only pay the lien we notified them of. Additionally, the lien that was left off has now expired since the mistake has been discovered, as it has a filed date of August 7, 2015, and the statute of limitations runs at 4 years.

Since June, the City has collected a total of \$16,940.17 on lien payoffs and has payment arrangements in the amount of \$5,066.72. This number is offset by \$11,900 in payments we had to make on two properties to keep them from going to tax auction, and several hundred dollars that the City wrote off in staff errors.

Moving forward, we have reemphasized the procedures already in place when sending out letters and accepting payoffs to ensure that when lien letters are sent that all outstanding liens are referenced on the letter, so that this situation does not reoccur.

NOTICE OF LIEN

NOTICE IS HEREBY GIVEN that the City of Alamogordo, New Mexico ("City"), by and through its Clerk, claims a lien upon the below-described property.

1. The lien is established under City ordinances codified as §§14-01-020 and 26-03-030, *Code of Ordinances of the City of Alamogordo, New Mexico* and under §§3-23-6 and 3-26-2 NMSA 1978 (As Amended).
2. The purpose of the lien is to recover unpaid charges for weed abatement services provided by the City.
3. The name of the owner and the property against which the lien is established, as determined by the records of the County Assessor, Otero County, New Mexico, is Jaime Torres, whose address is 327 Corona Dr., Chapparal, NM 88081.
4. The property against which the lien is established is described as follows:
Chihuahua Addition, Lot 2, Block N of the City of Alamogordo, County of Otero, State of New Mexico having the street address of 102 Texas, Alamogordo, NM 88310.
5. The Principal amount of the lien is \$639.90.
6. The lien is established for services provided on 12.11.17 (case #17-11739).
7. The principal amount of the lien shall bear interest at the rate of eight (8%) percent per year from the date of filing of the Notice of Lien unless otherwise provided by law.

CITY OF ALAMOGORDO, NEW MEXICO,
a New Mexico municipal corporation

By:

RACHEL HUGHS, CITY CLERK

[illegible]

The foregoing Notice of Lien was acknowledged before me this 29th day of June, 2018, by Rachel Hughs, City Clerk of the City of Alamogordo, New Mexico, a New Mexico municipal corporation, on behalf of said corporation.



KATRINA WILLIAMS
NOTARY PUBLIC - STATE OF NEW MEXICO

My commission expires: 8-25-19

My commission expires _____

Notary Public

APPROVED AS TO FORM:

Petria Schreiber, City Attorney

APPROVED AS TO AMOUNT:

Wendy Robinson, Internal Control Analyst

**CITY OF ALAMOGORDO
WEED LIEN PAYOFF**

Prepared by: CTRUJILLO
Address: 102 Texas
Lien No. 1646
Case No. 17-11739
AR No.

Date: 9/30/2019
Lien filed: 7/6/2018
Name: Jaime Torres

Interest:	8%	0.000219178	per day
7/6/2018	\$ 639.90	\$ 63.25	451
	\$ -		
	\$ 639.90	\$ -	

\$ 639.90	Lien amt
\$ 50.00	filing fees
\$ 63.25	interest
<u>\$ 753.15</u>	total due

PAYOFF GOOD THROUGH: 9/30/2019

PLEASE MAKE CHECK PAYABLE TO "CITY OF ALAMOGORDO"

City Attorney's Office
CITY OF ALAMOGORDO
1376 E. Ninth Street
Alamogordo, NM 88310

9/30/2019

To: Petria Schreiber, City Attorney
From: Nichole Sierra, Utility Billing Supervisor
Date: March 20, 2018
Thru: Mark Threadgill, Customer Service Manager
Re: Abatement Action; 102 TEXAS

sm
[Signature]

PLEASE PLACE A LIEN AGAINST THE PROPERTY LISTED BELOW:

PROPERTY OWNER INFORMATION

JAIME TORRES
327 CORONA DR
CHAPARRAL, NM 88081

RECEIVED

MAR 20 2018

City of Alamogordo
City Attorney's
Office

PROPERTY ADDRESS

102 TEXAS

LEGAL DESCRIPTION

Subd: CHIHUAHUA ADDITION Lot: 2 Block: N

DATE OF ABATEMENT

12/11/17

ADPS CASE NUMBER

17-11739

BREAKDOWN OF CHARGES

Invoice Number	Date of Invoice	Description	Amount
34304	02/21/18	Abatement Action	\$ 418.95
34304	02/21/18	Tax	\$ 20.95
34416	03/20/18	Admin Fee	\$ 200.00
		Total	\$ 639.90



CITY OF ALAMOGORDO CODE ENFORCEMENT

2010 Oregon / Fire Station #7
Alamogordo, NM 88310
(575) 439-4179

To: Nichole Sierra , Utility Billing Supervisor
Thru: James Baker, Code Enforcement Manager
From: Candice Gebhardt , Code Administrative Assistant
Date: February 8, 2018
Ref: Abatement Invoice

Please find attached an invoice and report for an abatement of the property listed below.

Date of Abatement	<u>December 11, 2017</u>
Case Number	<u>17-11739</u>
Property Address	<u>102 Texas</u>
Property Owner Info	<u>Jaime Torres</u> <u>327 Corona Dr.</u> <u>Chaparral, NM 88081</u>
Clean Up Charge	<u>\$418.95</u>
Vendor <u>Code Enforcement</u>	<u>011.0000.316-15.08</u>
Tax (5% Govt.)	<u>\$20.95</u>
	<u>011.0000.207-04.40</u>
Administrative Fee (if not paid in 25 days of date of invoice)	<u>\$200.00</u>
	<u>011.0000.316-15.56</u>
Total to be Billed	<u>\$439.90</u> (does not include Administrative Fee)

Please bill accordingly. If you need anything further, please let me know.

cc: Code Enforcement
Legal Dept.

Revised 6/18/15

RECEIVED
FEB 08 2018
BY: Sm

Code Enforcement Cost Sheet

DATE: 12-12-17		Project #:		
		Revenue Line: 011-0000-316.15-08		
		Expense Line: 011-3104-429.56-11		
BILLING PREPARED BY: James Baker		MAILING ADDRESS FOR BILLING:		
DEPARTMENT: Code Enforcement		Torres, Jaime		
JOB LOCATION: 102 Texas		327 Corona Dr.		
JOB DISCRPTION: Weeds		Chaparral, NM 88081		
DATE COMPLETED:	12/11/2017			
MATERIAL LIST	DESCRIPTION	QUANTITY	UNIT COST	TOTAL
Convenience Center	Dump Fees	0	\$0.00	\$0.00
Weed Herbicide	Weed Herbicide	1	\$5.00	\$5.00
		0	\$0.00	\$0.00
		0	\$0.00	\$0.00
		0	\$0.00	\$0.00
		0	\$0.00	\$0.00
		0	\$0.00	\$0.00
	MATERIAL TOTAL:			\$5.00
EQUIPMENT LIST	DESCRIPTION	HOURS	RATE	TOTAL
P/U	Code Chevy PK	7	\$18.50	\$129.50
P/U	Code Ford Ranger		\$10.00	\$0.00
Trailer	2017 PJ Dump Trailer	7	\$24.00	\$168.00
Lawn Mower	Lawn Mower	0	\$5.25	\$0.00
Weed Eater	Weed Eater	6.5	\$6.75	\$43.88
Chain Saw	Chain Saw		\$6.75	\$0.00
Tree Saw	Tree Saw		\$6.75	\$0.00
Weed Sprayer	Weed Sprayer	0.5	\$5.00	\$2.50
	EQUIPMENT TOTAL:			\$343.88
MANPOWER LIST	EMPLOYEE	HOURS	RATE	TOTAL
Parks Maintenance			\$0.00	\$0.00
Code Supervisor			\$0.00	\$0.00
Code Abatement Officer	1	7	\$10.01	\$70.07
Code Officer			\$0.00	\$0.00
Code Officer			\$0.00	\$0.00
Code Officer			\$0.00	\$0.00
	MANPOWER TOTAL:			\$70.07

MATERIAL TOTAL:	\$5.00
EQUIPMENT TOTAL:	\$343.88
MANPOWER TOTAL:	\$70.07
ADMINISTRATION FEE:	\$0.00
SUBTOTAL:	\$418.95
5% TAX:	\$20.95
TOTAL BILLING:	\$439.89

CODE ENFORCEMENT SUPERVISOR

JAMES BAKER

DIRECTOR OF CODE ENFORCEMENT:

JAMES LECLAIR

17-011739

Code Enforcement Supervisor's Abatement Checksheet

Address: 102 TEXAS AVEDate Received: 12-07-17

Date	Action	Result/Comments
	Contact with Neighbors	No - Vacant Lot
	County Assessor, County Clerk Research (lis pends, last recorded document)	attached
	Water Billing research	attached
	Other	Phone call 10-26-17 Certified letter sent 11-09-17 RTN Receipt Card 11-30-17 Follow up 12-06-17 → not done
Date	Supervisor Determination Criteria	Abatement: ☒ Out of City Owner ☒ Vacant Property ☒ No Successful Contact ☒ Other <i>Certified Letter signed for</i> ☒ Supervisor Abatement Checksheet Completed Summons: ☐ Local Owner ☐ Occupied Property ☐ Successful Contact ☐ Other ☐ Summons Info Sheet Verified ☐ Case report attached
Date	Supervisor Summary & Recommendation <i>Certified Letter sent + signed for no citations made so Abatement necessary to correct violations.</i>	

Abatement Provider: _____

Quote Amount: _____

Date Performed: _____

Date to AR: _____

Date Case Closed: _____

CODE ENFORCEMENT CASE CHECK LIST

Case No: 17-11739

Location: 102 Texas Ave

VL

Date: 9/21/17

Person: Jaime Torres
327 Corona Dr
Chaparral, NM 88081

Offense: 26-03-030

Chiefs Report	9/21/17	Donaubauer	<i>Wrong #</i>
Photo	9/21/17	Donaubauer	File Path: S drive/Code/Case Photos 2017/Donaubauer/Sept
Notice / Citation	9/21/17	Donaubauer	
Follow-up	<i>10-7-17</i>	<i>Doni</i>	<i>10-25</i>
Letter Sent	<i>11-8-17</i>	<i>Gebhardt</i>	
RTN Receipt Card	<i>11-28-17</i>	<i>Gebhardt</i>	Compliant / Noncompliant
RTN'D Letter (5 days to Comply)			FLP Date: <i>12-6-17</i>
Requested Extension			Compliant / Noncompliant
Second Follow-up	<i>12-06-17</i>	<i>Doni</i>	
Officer Recommendation			Circle One: ABATEMENT SUMMONS FLP Pictures: S:drive/code/case photos 2017/

Management Use Only

Review and Date:	Supervisor	Manager	Director
Abatement		Summons	
Contractor		To Legal	
Quote		Plea / Judgment	
Billing		Re-inspected	
Lien			

Comments:

Case Closed:

Case No: 11739

City of Alamogordo Code Enforcement

2010 Oregon - Fire Station 7 Alamogordo NM 88310 (575) 439-4375

Notification of Violation

Date: 09-21-17

Code Officer: J. Donan Saml

Location of Violation: 102 Texas Ave

☐ Contact made

☐ Left notice/No contact

☒ Vacant Lot

☐ Vacant House

Name: _____ DOB/Phone: _____
(If contact is made, signature below)

It has been determined this property does not comply with the Codified Ordinances of the City of Alamogordo in the following manner:

☐ Garbage, Trash and Refuse

☐ 14-01-020 ☐ 14-01-030 ☐ 14-01-040 ☐ 14-01-120

☐ Outdoor Storage/Automotive Storage

☐ 14-01-140 ☐ 14-01-150

☒ Vegetation

☒ 26-03-030 ☐ 26-03-040 ☐ 26-01-010 ☐ 26-01-020

GRASS/WEED OVER 6 INCHES TALL TO BE REMOVED

☐ Other

☐ 8-07-040 ☐ 8-01-180 ☐ _____

You have fifteen (15) days from the above date to comply with this request and to resolve the violation. After this fifteen (15) day period we will return to inspect the location found in violation. This is a notification, not a citation; if you need further assistance, have a special circumstance, or need a reasonable time extension please feel free to call us.

Failure to correct the violation(s) or contact us during this notification period may result in the following:

A citation will be issued requiring the responsible party to appear in Municipal Court

-OR-

The City will have the violation corrected and the person in charge of the property will be responsible for the cost of correction plus a \$200.00 administrative fee. If the costs are not paid in full in a timely manner, the city will file a lien upon the property in favor of the City to recover such costs.

Signature of Recipient

- [Account Search](#)
- [My Reports](#)
- [Help](#)
- [Logout Public](#)

Account: R013243

<u>Location</u>	<u>Owner Information</u>	<u>Assessment History</u>
Parcel Number 01N4055094277505	Owner Name TORRES, JAIME	Actual (2017) \$2,845
Tax Area 01_R	Owner Address 327 CORONA DR	Primary Taxable \$948
Situs Address 102 TEXAS AVE	CHAPARRAL, NM 88081	Tax Area: 01_R Mill Levy: 24.275000
Legal Summary Subd: CHIHUAHUA		Type Actual Assessed SQFT
ADDITION Lot: 2 Block: N		Residential \$2,845 \$948 6000.000
		Land

Transfers

<u>Sale Date</u>	<u>Sale Price</u>	<u>Doc Description</u>
		Deed
		Deed
		Deed
		Warranty Deed
		Tax Deed
06/07/2017		

Tax History**Images**

<u>Tax Year</u>	<u>Taxes</u>	
*2017	\$23.00	• Map
2016	\$22.56	• Photo
		• GIS

* Estimated

Focusing On: 102 TEXAS AVE ALAMOGORDO 88310

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

OFFICIAL USE

For delivery information, visit our website at www.usps.com.

Certified Mail Fee

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$ _____

☐ Return Receipt (electronic) \$ _____

☐ Certified Mail Restricted Delivery \$ _____

☐ Adult Signature Required \$ _____

☐ Adult Signature Restricted Delivery \$ _____

Postage \$ _____

Total Postage and Fees \$ _____

Sent To _____

Street and Apt. No., or PO Box No. _____

City, State, ZIP+4® _____

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

■ Complete items 1, 2, and 3.

■ 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:

Jaime Torres
327 Corona Dr
Chaparral, NM 88041

9590 9402 3116 7166 4485 39

2. Article Number (Transfer from service label)

PS Form 381

7017 1000 0000 1221 3104

COMPLETE THIS SECTION ON DELIVERY

A. Signature

[Signature]

B. Received by (Printed Name)

[Signature]

C. Date of Delivery

11/20

D. Is delivery address different from item 1? ☐ Yes ☒ No

If YES, enter delivery address below: ☐ Yes ☒ No

3. Service Type

☐ Adult Signature

☐ Adult Signature Restricted Delivery

☐ Certified Mail®

☐ Certified Mail Restricted Delivery

☐ Collect on Delivery

☐ Collect on Delivery Restricted Delivery

☐ Insured Mail

☐ Insured Mail Restricted Delivery

☐ Registered Mail™

☐ Registered Mail Restricted Delivery

☐ Return Receipt for Merchandise

☐ Signature Confirmation™

☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

17-11739



Code Enforcement

Fire Station #7
2010 Oregon Ave
Alamogordo, New Mexico 88310

November 8, 2017

Jaime Torres
327 Corona Dr.
Chaparral, NM 88081

Re: 102 Texas Ave.

To Whom It May Concern:

It is the objective of the City of Alamogordo to provide for the health, safety and welfare of the citizens of our community. In order to accomplish this goal, the City has established a Code of Ordinances which sets forth minimum standards for the upkeep of all real property within the City.

Recently, we became aware of an alleged violation of these ordinances at the above referenced address. We have listed the ordinance section below:

26-03-030 - Unlawful growth or accumulation on lots.

It shall be unlawful for any owner, lessee or occupant, or any agent, servant, representative or employee of any such owner, lessee or occupant, having charge or control of any lot within the city to permit or maintain on any such lot, including the area located between the property line and the middle of the alley adjacent to the property, and the area located between the property line and the curb, and the area located ten (10) feet outside the property line where there is no curb, any growth of weeds to a greater height than six (6) inches, or any other accumulation of weeds. It shall also be unlawful for a person having charge or control of any tract within the city to allow any growth of weeds to a greater height than six (6) inches on curbs and sidewalks located on their property as well as the area adjacent to and five (5) feet back of the curbs, sidewalks and streets.

****Specific Violation: Remove/Cut, weeds / grass (dead & alive), over 6 inches on entire property to include the alley need to be removed.**

You will have fifteen (15) days from the date this notice is delivered to comply with this request and to assure the cause of the alleged violation no longer exists. After this fifteen (15) day period, we will be by to inspect. Please use this time as an opportunity to correct the violation.

If the violation is not corrected by the above compliance date, the City will have it corrected. Cost of correction plus \$200.00 for the incurred administrative expense shall constitute a lien upon the property in favor of the City. The other possible course of action is that you may be cited into Municipal Court on this matter. If you have already taken care of the violation, then it will be noted on the follow-up inspection and no further action will be taken. We hope you understand this is an effort to keep our community safe and an attractive place for you and your neighbors to live.

City Ordinances can be obtained on the city's webpage (www.ci.alamogordo.nm.us). Should you have any questions, please contact the Code Enforcement Office located at 2010 Oregon Ave, Alamogordo, NM 88310 or by phone at (575) 439-4179.

Sincerely,

Juergen Donaubauer

Juergen Donaubauer
Code Enforcement Officer

UT210101

CITY OF ALAMOGORDO, NEW MEXICO
Location Customer History Inquiry

12/06/17
17:26:56

Location ID: 10518 Addr: 102 TEXAS AVE

Type options, press Enter.

1=Select 5=View detail

----- C u s t o m e r -----						Initiation	Termination
Opt	ID	Name	Type	Sts	Date	Date	Date
-	4479	RICHARDS, DONALD R	O	C	9/15/16	12/12/16	
-	50469	ORTIZ, CARLOS	R	F	11/15/99	3/06/00	
-	46459	BENNING, TREVELYN	R	F	9/14/98	10/20/99	
-	14341	RICHARDS, A V	O	F	1/01/60	12/16/96	

Bottom

F3=Exit F5=Services F12=Cancel

UT260101

Predefined

CITY OF ALAMOGORDO, NEW MEXICO

Customer Miscellaneous Information Inquiry

12/07/17

11:22:24

Customer ID . . . : 4479 Name . . . : RICHARDS, DONALD R
Position to . . . : Starting character(s)

Type options, press Enter.

5=Display

Opt	Description	Primary Information	Add Date	Location ID
—	SSN	*****4701	1/03/08	
—	DOB	06/03/50	1/03/08	
—	License	CA N3405016	1/03/08	
—	Employer	RETIRED	1/03/08	
—	Spouse	N/A	1/03/08	
—	Relative	BRANDON RICHARDS 5123108584	1/03/08	
—	Rel Ph #	2105 VINWOOD,CV ROUNDROCK	1/03/08	

F3=Exit F10=View by Seq Number F11=Display all Codes
F15=Display Special Notes

F12=Cancel

Tax Account

Tax Account

Summary

Account Id R013243
Parcel Number 01N4055094277505
Owners TORRES, JAIME
Address 327 CORONA DR
CHAPARRAL, NM 88081
Situation Address 102 TEXAS AVE
Legal Subd: CHIHUAHUA ADDITION Lot: 2 Block: N

Inquiry

As Of 12/07/2017

Payment Type ☐ First
☒ Full

Taxes Due \$23.20

Total Due \$23.20

Value

Area Id	Actual	Mill Levy	Assessed
01_R - 01_R		24.4580000	
Residential Land - 0100	2,845		948
Taxes			\$23.20



City of Alamogordo

1376 E Ninth St
Alamogordo NM 88310
(575) 439-4260



City of Alamogordo

Customer #: 000003913/000003913
Customer Type: AA
Invoice #: 34304
Date: 02/21/18

JAIME TORRES
327 CORONA DR
CHAPARRAL, NM 88081

Quantity	Description	Unit Price	Extended Price
1.00	ABATEMENT ACTIONS 102 TEXAS DECEMBER 11, 2017 APD CASE #17-11739	418.95	418.95
1.00	GOVT GR TAX 5.000 (11)	20.95	20.95

Total Due: \$439.90

City of Alamogordo

Accounts Receivable Division
1376 E Ninth St
Alamogordo NM 88310

Customer #: 000003913/000003913
Customer Type: AA
Invoice #: 34304
Invoice Date: 02/21/18

JAIME TORRES
327 CORONA DR
CHAPARRAL, NM 88081

Due Date: 03/19/18
Total Due: \$439.90

Date:

Receipt #:

This Box for Finance Use Only

Please Return This Stub With Your Payment



City of Alamogordo

February 21, 2018

Dear Property Owner:

Enclosed is the invoice and report for the abatement of your property. Please remit payment to the Accounts Receivable Division within twenty-five (25) days from the date of the invoice.

The City desires to give you every opportunity to make payment. However, if you do not comply with this request within the allocated time, this account will be turned over to the City Attorney's Office and a lien will be filed against your property for the amount owed plus \$200.00 administration fee.

If you have any questions, please feel free to contact Code Enforcement at (575) 439-4375.

Regards,

Accounts Receivable Division
City of Alamogordo

City of Alamogordo

1376 E Ninth St
Alamogordo NM 88310
(575) 439-4260



City of Alamogordo

Customer #: 000003913/000003913
Customer Type: AA
Invoice #: 34416
Date: 03/20/18

JAIME TORRES
327 CORONA DR
CHAPARRAL, NM 88081

Quantity	Description	Unit Price	Extended Price
1.00	ADMINISTRATION FEE 111556 102 TEXAS 12/11/17 APD CASE #17-11739	200.00	200.00

Total Due: \$200.00

City of Alamogordo

Accounts Receivable Division
1376 E Ninth St
Alamogordo NM 88310

Customer #: 000003913/000003913
Customer Type: AA
Invoice #: 34416
Invoice Date: 03/20/18

JAIME TORRES
327 CORONA DR
CHAPARRAL, NM 88081

Due Date: 04/16/18
Total Due: \$200.00

Date:

Receipt #:

This Box for Finance Use Only

Please Return This Stub With Your Payment

NOTICE OF LIEN

NOTICE IS HEREBY GIVEN that the City of Alamogordo, New Mexico ("City"), by and through its Clerk, claims a lien upon the below-described property.

1. The lien is established under City ordinances codified as §§14-01-020 and 26-03-030, *Code of Ordinances of the City of Alamogordo, New Mexico* and under §§3-23-6 and 3-26-2 NMSA 1978 (As Amended).
2. The purpose of the lien is to recover unpaid charges for weed abatement services provided by the City.
3. The name of the owner and the property against which the lien is **Donald R. Richards**, whose address is 4382 Blueridge Draw, Riverside, CA 82525.
4. The property against which the lien is established is described as follows:
Chihuahua Addition, Lot 2, Block N of the City of Alamogordo, County of Otero, State of New Mexico having the street address of 102 Texas Avenue, Alamogordo, NM 88310.
5. The Principal amount of the lien is \$456.53.
6. The lien is established for services provided on June 6, 2015 (case #14-12868).
7. The principal amount of the lien shall bear interest at the rate of eight (8%) percent per year from the date of filing of the Notice of Lien unless otherwise provided by law.

CITY OF ALAMOGORDO, NEW MEXICO,
a New Mexico municipal corporation

By: Renee L. Cantin
RENEE L. CANTIN, CITY CLERK

[illegible]

The foregoing Notice of Lien was acknowledged before me this 24th day of July 2015, by René L. Cantin, City Clerk of the City of Alamogordo, New Mexico, a New Mexico municipal corporation, on behalf of said corporation.

My commission expires: Nov. 5, 2015

Corrigan Group
Notary Public

APPROVED AS TO FORM:

Stephen P. Thies, City Attorney

APPROVED AS TO AMOUNT:

Sue Ashe, Accounting Project Analyst

**CITY OF ALAMOGORDO
WEED LIEN PAYOFF**

Prepared by: **DMURPHY**
 Address: **102 Texas Ave**
 Lien No. **1487**
 Case No. **14-12868**
 AR No.

Date: **9/30/2019**
 Lien filed: **8/7/2015**
 Name: **Donald R. Richards**

Interest:	8%	0.000219178	per day
8/7/2015	\$ 456.53	\$ 151.59	1515
	\$ -		
	<u>\$ 456.53</u>	\$ -	

\$ 456.53	Lien amt
\$ 50.00	filing fees
\$ 151.59	interest
<u>\$ 658.12</u>	total due

PAYOFF GOOD THROUGH: 9/30/2019

PLEASE MAKE CHECK PAYABLE TO "CITY OF ALAMOGORDO"

City Attorney's Office
 CITY OF ALAMOGORDO
 1376 E. Ninth Street
 Alamogordo, NM 88310

9/30/2019

To: Stephen Thies, City Attorney
From: Stephanie Reyes, Utility Billing Collections Clerk
Date: July 23, 2015
Thru: Nichole Sierra, Acting Customer Service Manager
Re: Abatement Action; 102 Texas Ave

SR
SM

PLEASE PLACE A LIEN AGAINST THE PROPERTY LISTED BELOW:

PROPERTY OWNER INFORMATION

Donald R Richards
4382 Blueridge Draw
Riverside, CA 82525

PROPERTY ADDRESS

102 Texas Ave

LEGAL DESCRIPTION

Subd: CHIHUAHUA ADDITION Lot: 2 Block: N

DATE OF ABATEMENT

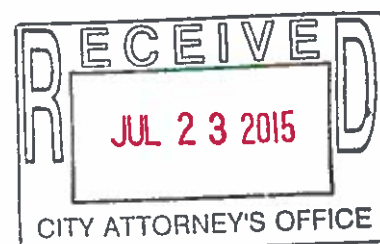
June 2, 2015

ADPS CASE NUMBER

14-12868

BREAKDOWN OF CHARGES

<u>Invoice Number</u>	<u>Date of Invoice</u>	<u>Description</u>	<u>Amount</u>
31767	06/16/15	Abatement Action	244.31
31767	06/16/15	Tax	12.22
31864	07/23/15	Admin Fee	200.00
		Total	\$ 456.53



City of Alamogordo

1376 E. Ninth Street
Alamogordo, NM 88310
(505) 439-4288

DONALD RICHARDS
4382 BLUERIDGE DRAW
RIVERSIDE, CA 82525

Invoice No: 31767
Date: 6/17/15

Customer Number: 3731/3731

Customer Type: AA

Quantity	Description	Unit Price	Extended Price
1.00	ABATEMENT ACTIONS 102 TEXAS AVE DATE OF ABATEMENT - 06/02/15 APD CASE# 14-12868	244.31	244.31
1.00	GOVT GR TAX 5.000 (11)	12.22	12.22

City of Alamogordo
Accounts Receivable Division
1376 E. Ninth Street
Alamogordo, NM 88310

TOTAL DUE: \$256.53

Customer No: 3731/3731
Customer Type: AA

Invoice No: 31767
Invoice Date: 6/17/15

Terms: NET 25 DAYS
Due Date: 7/13/15

Total Due: \$256.53

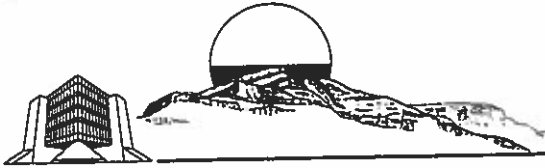
DONALD RICHARDS
4382 BLUERIDGE DRAW
RIVERSIDE, CA 82525

Legal's
COPY

This Box For Finance Office Use Only

Date
Receipt #:

*****Please Return This Stub With Your Payment*****



City of Alamogordo



June 17, 2015

Dear Property Owner:

Enclosed is the invoice and report for the abatement of your property. Please remit payment to the Accounts Receivable Division within twenty-five (25) days from the date of the invoice.

The City desires to give you every opportunity to make payment. However, if you do not comply with this request within the allocated time, this account will be turned over to the City Attorney's Office and a lien will be filed against your property for the amount owed plus \$200.00 administration fee.

If you have any questions, please feel free to contact Code Enforcement at (575) 439-4375.

Sincerely,

Stephanie Reyes
Utility Billing Collections Clerk
City of Alamogordo



CITY OF ALAMOGORDO CODE ENFORCEMENT

2010 Oregon Ave.
Alamogordo, NM 88310
(575) 439-4179

To: Stephanie Reyes, Collections Clerk
Thru: Lora Nelson, Code Enforcement Manager 
From: Cathy Garcia, Code Enforcement Administrative Assistant
Date: June 17, 2015
Ref: Abatement Invoice

Please find attached an invoice and report for an abatement of the property listed below.

Date of Abatement	<u>June 2, 2015</u>
APD Case Number	<u>14-12868</u>
Property Address	<u>102 Texas Ave.</u>
Property Owner Info	<u>Donald Richards</u> <u>4382 Blueridge Draw</u> <u>Riverside, CA 82525</u>
Water Meter	<u></u>
Clean Up Charge	<u>\$244.31</u>
Vendor <u>COA Parks Dept.</u>	<u>011.0000.316-15.08</u>
Tax (5% Govt.)	<u>\$12.22</u>
	<u>011.0000.207-04.40</u>
Administrative Fee	<u></u>
	<u>011.0000.316-15.56</u>
Total to be Billed	<u>\$256.53</u>

Please bill accordingly. If you need anything further, please let me know.

cc: Code Enforcement
Legal Dept.

Revised 1/28/15

Legal's
COPY

RECEIVED
JUN 17 2015

BY: 

COMMUNITY SERVICES COST SHEET

DATE: 06/16/15

Revenue Line: 032-6206-316.15-08

Expense Line: 011-3104-429.56-11

BILLING PREPARED BY:

E. Marion

MAILING ADDRESS FOR BILLING:

Donald Richards

DEPARTMENT:

Parks

4382 Blueridge Draw

Riverside, CA 82525

JOB LOCATION: 102 Texas

JOB DESCRIPTION: Lot Abatement to include mowing, trimming

DATE COMPLETED: 6/2/2015

MATERIAL LIST	DESCRIPTION	QUANTITY	UNIT COST	TOTAL
COA Convenience Center	Debris Disposal/Ton	0.47	\$40.00	\$18.80
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00

MATERIAL TOTAL: \$18.80

EQUIPMENT LIST	DESCRIPTION	HOURS	RATE	TOTAL
P/U	1336 Ford F250	3	\$10.00	\$30.00
P/U	1180 Ford F150	3	\$10.00	\$30.00
Trailer: Small Equipment	1342 Big Tex Trailer	3	\$10.00	\$30.00
				\$0.00
				\$0.00

EQUIPMENT TOTAL: \$90.00

MANPOWER LIST	EMPLOYEE	HOURS	RATE	TOTAL
Parks Maintenance	Nancy Carrell	3	\$14.18	\$42.54
Parks Laborer	Paul Henley	3	\$8.49	\$25.47
Seasonal Parks Laborer	Mike Marquez	3	\$7.50	\$22.50
Seasonal Parks Laborer	Chris Landrie	3	\$7.50	\$22.50
Seasonal Parks Laborer	Franklin Martin	3	\$7.50	\$22.50
Seasonal Parks Laborer			\$7.50	\$0.00

MANPOWER TOTAL: \$135.51

MATERIAL TOTAL:	\$18.80
EQUIPMENT TOTAL:	\$90.00
MANPOWER TOTAL:	\$135.51
SUBTOTAL:	\$244.31
5% TAX:	\$12.22
SUBTOTAL:	\$256.53
ADMIN FEE:	\$200.00

DIRECTOR OF COMMUNITY SERVICES:

TOTAL BILLING: \$456.53

MATT MCNEILE

COMMUNITY SERVICES COST SHEET

DATE: 05/28/15		Quote			
BILLING PREPARED BY: E. Marion		MAILING ADDRESS FOR BILLING: 102 Texas			
DEPARTMENT: Parks		Alamogordo, NM 88310			
JOB LOCATION:					
JOB DESCRIPTION: Lot Abatement to include mowing, trimming and debris removal					
DATE COMPLETED:		5/9/2014			
MATERIAL LIST	DESCRIPTION	QUANTITY	UNIT COST	TOTAL	
				\$0.00	
				\$0.00	
				\$0.00	
				\$0.00	
				\$0.00	
				\$0.00	
				\$0.00	
MATERIAL TOTAL:				\$0.00	
EQUIPMENT LIST	DESCRIPTION	HOURS	RATE	TOTAL	
P/U	1336 Ford F250	1	\$10.00	\$10.00	
P/U	1180 Ford F150	1	\$10.00	\$10.00	
Trailer: Small Equipment	1342 Big Tex Trailer	1	\$10.00	\$10.00	
				\$0.00	
				\$0.00	
EQUIPMENT TOTAL:				\$30.00	
MANPOWER LIST	EMPLOYEE	HOURS	RATE	TOTAL	
Parks Maintenance	Nancy Carrell	1	\$14.18	\$14.18	
Parks Laborer	Paul Henley	1	\$8.49	\$8.49	
Seasonal Parks Laborer	Mike Marquez	1	\$7.50	\$7.50	
Seasonal Parks Laborer	Chris Landrie	1	\$7.50	\$7.50	
Seasonal Parks Laborer			\$7.50	\$0.00	
Seasonal Parks Laborer			\$7.50	\$0.00	
MANPOWER TOTAL:				\$37.67	
				MATERIAL TOTAL:	\$0.00
				EQUIPMENT TOTAL:	\$30.00
				MANPOWER TOTAL:	\$37.67
				SUBTOTAL:	\$67.67
				5% TAX:	\$3.38
				SUBTOTAL:	\$71.05
				ADMIN FEE:	\$200.00
DIRECTOR OF COMMUNITY SERVICES:				TOTAL BILLING:	\$271.05
MATT MCNEILE					

14-12868

**City of Alamogordo
Code Enforcement**

2010 Oregon - Fire Station 7 Alamogordo NM 88310 (575) 439-4375

Notification of Violation

Date: 8-25 Code Officer: K. Quigley

Location of Violation: 102 TEXAS
☐ Contact made ☐ Left notice/No contact

Name: _____ DOB/Phone: _____
(If contact is made)

It has been determined this property does not comply with the Codified Ordinances of the City of Alamogordo in the following manner:

☒ Garbage, Trash and Refuse ☒ 14-01-020 ☐ 14-01-030 ☐ 14-01-040 ☐ 14-01-120
Trash / Tree Limbs

☐ Outdoor Storage/Automotive Storage ☐ 14-01-140 ☐ 14-01-150

☒ Vegetation ☒ 26-03-030 ☐ 26-03-040 ☐ 26-01-010 ☐ 26-01-020
grass / weeds over 6 inches tall on lot

☐ Other ☐ 8-07-040 ☐ _____ ☐ _____

You have fifteen (15) days from the above date to comply with this request and to resolve the violation. After this fifteen (15) day period we will return to inspect the location found in violation. This is a notification, not a citation; if you need further assistance, have a special circumstance, or need a reasonable time extension please feel free to call us.

Failure to correct the violation(s) or contact us during this notification period may result in the following:

A citation will be issued requiring the responsible party to appear in Municipal Court
-OR-

The City will have the violation corrected and the person in charge of the property will be responsible for the cost of correction plus a \$200.00 administrative fee. If the costs are not paid in full in a timely manner, the city will file a lien upon the property in favor of the City to recover such costs.

Signature of Recipient

Owner Information

Owner Name RICHARDS, DONALD R
Mailing Address1 4382 BLUERIDGE DRAW
Mailing Address2
City RIVERSIDE
State CA
Zip 82525
Owner ID C012511
Owner Number 78488
Account Number R013243

Property Description

Property Address 102 TEXAS AVE
 Subd: CHIHUAHUA
 ADDITION Lot: LT 2 Block:
Legal Descript N
Neighborhood A1
Account Number R013243
Previous ID 01-03666

Deeds

Description
BK 172 PG 433
BK 762 PG 56-RICHARDS
201005177-AF/DC

Parcel Summary

Land Value

\$2,680.00

Impr Value

\$0.00

Full Value

\$2,680.00

Taxable Value

\$893.33

Mobile Summary

PropValue

\$0.00

Mobile Taxable

\$0.00

Total Full Value

Taxable

Total Exemptions

\$0.00

Net Taxable Value

\$893.00

Taxes

Bill # 10042461

Year 10

Original Amount \$70.27

Total Due \$35.13

Exemptions

ExemptionType	Amount
---------------	--------

Land Segments

SegNo	Description	Size	TaxYear
0	S-Family Res Lot	40 x 150	2014

Residential Buildings

Build No	Description	Year Built	Stories	Gross Living Area	Baths	Beds	Construction	Roof Cover	Heating	Cooling	Quality	TotalRooms
----------	-------------	------------	---------	-------------------	-------	------	--------------	------------	---------	---------	---------	------------

Other Improvements

Item No	Description	Length	Width	Area Units	Impr Value
---------	-------------	--------	-------	------------	------------

Commercial Buildings

Build No	Description	Year Built	Stories	Gross Area	Class	Quality	Story Height	HVAC	Extr Walls	DBA	Tax year
----------	-------------	------------	---------	------------	-------	---------	--------------	------	------------	-----	----------

Mobile Homes

Licence Plate	Serial No	Make	Year Built	Length	Width	Area	Size
---------------	-----------	------	------------	--------	-------	------	------



Code Enforcement

Fire Station #7
2010 Oregon Ave.
Alamogordo, New Mexico 88310

September 23, 2014

Donald Richards
4382 Blueridge Draw
Riverside, CA 82525

Re: 102 Texas Ave., Alamogordo, NM 88310

To Whom It May Concern:

It is the objective of the City of Alamogordo to provide for the health, safety and welfare of the citizens of our community. In order to accomplish this goal, the City has established a Code of Ordinances which sets forth minimum standards for the upkeep of all real property within the City.

Recently, we became aware of an alleged violation of these ordinances at the above referenced address. We have listed the ordinance section below:

26-03-030. Unlawful growth or accumulation on lots.

It shall be unlawful for any owner, lessee or occupant, or any agent, servant, representative or employee of any such owner, lessee or occupant, having charge or control of any lot within the city to permit or maintain on any such lot, including the area located between the property line and the middle of the alley adjacent to the property, and the area located between the property line and the curb, and the area located ten (10) feet outside the property line where there is no curb, any growth of weeds to a greater height than six (6) inches, or any other accumulation of weeds. It shall also be unlawful for a person having charge or control of any tract within the city to allow any growth of weeds to a greater height than six (6) inches on curbs and sidewalks located on their property as well as the area adjacent to and five (5) feet back of the curbs, sidewalks and streets.

****Specific Violation: Cut weeds / grass (dead & alive), over 6 inches tall on the property.**

You will have fifteen (15) days from the date this notice is delivered to comply with this request and to assure the cause of the alleged violation no longer exists. After this fifteen (15) day period, we will be by to inspect. Please use this time as an opportunity to correct the violation.

If the violation is not corrected by the above compliance date, the City will have it corrected. Cost of correction plus \$200.00 for the incurred administrative expense shall constitute a lien upon the property in favor of the City. The other possible course of action is that you may be cited into Municipal Court on this matter. If you have already taken care of the violation, then it will be noted on the follow-up inspection and no further action will be taken. We hope you understand this is an effort to keep our community safe and an attractive place for you and your neighbors to live.

City Ordinances can be obtained on the city's webpage (3). Should you have any questions, please contact the Code Enforcement Office located at 2010 Oregon, Alamogordo, NM 88310 or by phone at (575) 439-4179.

Sincerely,

Kevin Quigley

Kevin Quigley
Code Enforcement Officer



Code Enforcement

Fire Station #7
2010 Oregon Ave.
Alamogordo, New Mexico 88310

September 23, 2014

Donald Richards
4382 Blueridge Draw
Riverside, CA 82525

Re: 102 Texas Ave., Alamogordo, NM 88310

To Whom It May Concern:

It is the objective of the City of Alamogordo to provide for the health, safety and welfare of the citizens of our community. In order to accomplish this goal, the City has established a Code of Ordinances which sets forth minimum standards for the upkeep of all real property within the City.

Recently, we became aware of an alleged violation of these ordinances at the above referenced address. We have listed the ordinance section below:

14-01-020. Accumulation of garbage, refuse and debris; removal.

(a) No person shall permit to accumulate upon premises owned, leased or occupied by him, any garbage or refuse, except in covered watertight containers made of metal or plastic. (b) No person shall throw, place, dump or dispose of any debris on any street, gutter, sidewalk or alley, nor shall any person allow the accumulation upon his property or cause accumulation on any adjoining property, of any debris for a longer period than five (5) days. Sites subject to an active building permit may accumulate these items for longer than five (5) days, but such items must be maintained in an orderly fashion so as not to impede on the property of others or create a hazard or attractive nuisance. Material must be removed upon the completion of the permitted construction. (c) No person shall dump, deposit, place or dispose of any trash, debris, junk, or other matter on public property or upon the property of another without the written consent of the property owner. (d) No person shall cause or permit to remain upon any property, private or public, any dead animal, animal waste or vegetable or mineral matter or any composition or residue thereof which is in an unsanitary condition or is hazardous to public health. (e) Any unauthorized accumulation of garbage, refuse or debris is declared to be a nuisance and is prohibited. (f) No person shall cast, place, sweep or deposit anywhere within the city any garbage, refuse or debris in such a manner that it may be carried or deposited by the elements upon the street, sidewalk, alley, sewer, parkway or other public place, or into any occupied premises within the city.

*****Specific Violation: Remove tree limbs & trash from the property (s).**

You will have fifteen (15) days from the date this notice is delivered to comply with this request and to assure the cause of the alleged violation no longer exists. After this fifteen (15) day period, we will be by to inspect. Please use this time as an opportunity to correct the violation.

If the violation is not corrected by the above compliance date, the City will have it corrected. Cost of correction plus \$200.00 for the incurred administrative expense shall constitute a lien upon the property in favor of the City. The other possible course of action is that you may be cited into Municipal Court on this matter. If you have already taken care of the violation, then it will be noted on the follow-up inspection and no further action will be taken. We hope you understand this is an effort to keep our community safe and an attractive place for you and your neighbors to live.

City Ordinances can be obtained on the city's webpage (www.ci.alamogordo.nm.us). Should you have any questions, please contact the Code Enforcement Office located at 2010 Oregon, Alamogordo, NM 88310 or by phone at (575) 439-4179.

Sincerely,

Kevin Quigley
Code Enforcement Officer

7014 0510 0002 3401 5270

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

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Post		

Donald Richards
4382 Blueridge Draw
Riverside, CA 82525

Send To
 Street, Apt.
 or PO Box
 City, State, ZIP+4®

PS Form 3800, August 2005

See Reverse for Instructions

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:

Donald Richards
4382 Blueridge Draw
Riverside, CA 82525

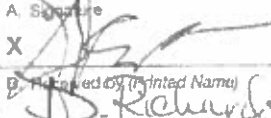
2. Article Number
 (Transfer from service label)

7014 0510 0002 3401 5270

PS Form 3811, July 2013

Q Domestic Return Receipt 14-12868

COMPLETE THIS SECTION ON DELIVERY

- A. Signature
 X  ☐ Agent
☐ Addressee
- B. Received by (Printed Name) C. Date of Delivery
 Donald Richards 7/15/14
- D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below. ☐ No

RECEIVED
 7/10-21-14

3. Service Type
☒ Certified Mail® ☐ Priority Mail Express®
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ Collect on Delivery
4. Restricted Delivery? (Extra Fee) ☐ Yes

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 10/8/2019

Report Date: 10/1/2019

Report No: 12.

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.

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

Alamogordo Promotions Board. One (1) lodging industry vacancy. Staff Liaison - Michelle Brideaux.
No applications received.

Cemetery Board. One (1) city or county vacancy. Staff Liaison - Tony Gonzalez.
No applications received.

Mayor's Committee on Aging. One (1) vacancy. This vacancy may be filled by a county resident. Staff
Liaison - Britney Courtier.
No applications received.

Senior Volunteer Programs Advisory Council. Three (3) city vacancies. One (1) county vacancy, due to
the expiring term of Mr. Michael Groves. Staff Liaison - Neil McFarland.
The following individual is interested in being reappointed:
Michael Groves - if appointed this will be his third term.

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

RECEIVED

SEP 23 2019

CITY CLERK

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

Name: Michael D. Groves

Home Phone: 921-8000 Work Phone:

Cell Phone: 439-5709 Fax No:

E-mail address: khgroves@hotmail.com

Physical Address: 8 La Escopeta Court, Alamogordo, NM 88310

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

Mailing Address: Same as above

Present Employer: Retired Job Title:

Board/Committee you wish to serve on:

First choice: SVP Senior Volunteer Programs

Second choice:

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

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

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

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

Experience and education relating to the Board/Committee: 3 YEARS

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

TO BETTER ASSIST SVP COUNCIL

Please return completed application to:

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

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 10/8/2019

Report Date: 10/1/2019

Report No: 13.

Submitted By: Larry Garner

Subject: Adjourn into Executive Closed Session in compliance with 10-15-1(h)(8), NMSA (as amended) to discuss Real Property - Possible land sale regarding property adjacent to Bonito Lake. **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background: