



Alamogordo City Commission

NOTICE OF MEETING

Regular Meeting Agenda

March 23, 2021 - 6:30 PM

The Commission Meeting will be a VIRTUAL MEETING
with City Commission and City staff participating through video. The link is:
<https://www.youtube.com/channel/UCTTgU3xsQBqlyRaME7TaYrQ/live>

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

Brian Cesar 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 a the north entrance of the City Hall, distributed to the appropriate news media, and posted on the City website: <http://ci.alamogordo.nm.us> within the required time frame. As a courtesy, the entire Agenda Packet has also been posted on the City of Alamogordo website: <http://ci.alamogordo.nm.us>

The Mayor and City Commission request that all cell phones be turned off or set to vibrate. Members of the audience are requested to step outside the Commission Chambers to respond to or to conduct a phone conversation. The Alamogordo Commission Chambers is wheelchair accessible. Other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Clerk's Office at 575-439-4100.

CALL TO ORDER & ROLL CALL

Announce the presence of a Quorum.

INVOCATION & PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

PRESENTATIONS

1. Presentation by Jennifer Toncray for help to proceed in efforts to locate and fix water leak. *(Jennifer Toncray, Citizen)*

PUBLIC COMMENT

Residents must submit comments to the City Clerk prior to 3 p.m. on the day of the Commission meeting. Comments will be distributed to the Commission and the City Manager and will be included in the public record.

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 March 9, 2021 Regular meeting. *(Rachel Hughes, City Clerk)*
3. Approve the 2021-2022 Law Enforcement Protection Funds Application in the amount of \$55,200. *(Richard Denton, Chief of Police)*
4. Consider, and act upon, acceptance of grant agreement from NMDOT to Alamogordo-White Sands Regional Airport in the amount of \$94,000.00 to construct a tractor shed. *(Jim Talbert, Airport Manager)*
5. Consider, and act upon Ordinance 1625, for adoption and final publication, authorizing the Repeal of Ordinance 1439 Housing Authority Advisory Board and Creating Resident Advisory Board. *(Marissa Ruiz, Housing Authority Manager and Evelyn Huff, Finance Director)* **(Roll Call Vote Required)**
6. Consider, and act upon, Resolution 2021-09 requesting written approval from the Local Government Division of the Department of Finance and Administration, State of NM for the revised budget numbers computed as of March 23, 2021 *(Evelyn Huff, Finance Director)* **(Roll Call Vote Required)**

ITEMS REMOVED FROM CONSENT AGENDA

NEW BUSINESS

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

EXECUTIVE SESSION (Roll Call Vote Required)

8. Adjourn into Executive Session in compliance with 10-15-1(h)(7)(8), NMSA (as amended) to discuss Threatened or Pending litigation - Western Baking Corporation LEDA and to discuss Real Property - 7th and Alaska.

ADJOURNMENT

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 3/23/2021

Report Date: 3/17/2021

Report No: 1.

Submitted By: Jennifer Toncray

Subject: Presentation by Jennifer Toncray for help to proceed in efforts to locate and fix water leak.
(Jennifer Toncray, Citizen)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Presentation only.

Background: Ms. Jennifer Toncray, citizen, will make a presentation regarding help to proceed in efforts to locate and fix water leak.



City of Alamogordo City Commission Meeting
AGENDA REQUEST FORM

RECEIVED
MAR 16 2021
CITY CLERK

Today's Date: 3/15/2021

Request Date
of Meeting:

3/23/2021

Name and Title:

Ms. Jennifer Toncray

Address:

7 Valle Vista

Alamogordo, N.M. ZIP 88310

Phone Number:

575-491-6088

E-Mail Address:

Item requested will be for Information only

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

Help to proceed in efforts to locate & fix
water leak.

Estimates range from 6K to 15K

Continuous payments from 12/19 to present. IP

Signature: 

Please return to:

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

Phone: (575) 439-4100

Fax: (575) 439-4396

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

Otero Plumbing & Heating LLC

501 Central Avenue Suite C
Tularosa, NM 88352

Estimate

Date	Estimate #
2/6/2020	700

Name / Address
Jennifer Tongray 7 Valle Vista Alamogordo, NM 88310

P.O. No.

Description	Rate	Qty	Total
OPH to run a new water line from the meter to the house. Call for locates. Attach the line to the house. Excludes any leaks in the house. Also excludes any repairs on the water system at the house.			
Plumbing Labor	6,000.00		6,000.00
Materials	1,281.16		1,281.16
Excavation	3,811.10		3,811.10
This estimate is valid for 15 days. Any other work to be done outside of the scope of this estimate will require a change order. Order must be approved in writing before other work is performed. 1/2 of estimate price is required down before the job will start. Remainder of payment due at completion of job.			0.00

	Subtotal	\$11,092.26
	Sales Tax (8.0%)	\$887.38
	Total	\$11,979.64

NOTE: Signed estimate and 1/2 down is required prior to scheduling appointment for the purpose of ordering equipment, supplies and/or material.

Signature _____

Phone #	E-mail
575-443-1975	ophrescue@otero plumbing.com

Ledbetter Quality Plumbing & Drain
Cleaning LLC

Estimate

PO Box 965 Alamogordo NM 88310
575-495-8338
rlqualityplumbing@gmail.com

Date	Estimate #
1/23/2020	15094

Name / Address

Jennifer Toncray
#7 Valle Vista
Alamogordo NM 88310

Ship To

Jennifer Toncray
#7 Valle Vista
Alamogordo, NM 88310

Project

Description	Qty	Rate	Total
Estimate to run new water yardline from meter to house Plumbing Materials/Labor	1	6,000.00	6,000.00T

We look forward to working with you!

Subtotal \$6,000.00

Sales Tax (7.875%) \$472.50

Total \$6,472.50

Jennifer Toncray 7 Valle Vista
55589-12634
Charge and Payment History October 2019- February 2021

Date	Column1	Charges	Payments	Balance
10/16/2019	Cycle Bill Charge	\$44.36		\$44.36
10/31/2019	Payment		(\$44.36)	\$0.00
11/14/2019	Cycle Bill Charge	\$48.32		\$48.32
11/27/2019	Payment		(\$48.32)	\$0.00
12/18/2019	Cycle Bill Charge	\$51.92		\$51.92
12/30/2019	Payment		(\$51.92)	\$0.00
1/19/2020	Cycle Bill Charge	\$195.47		\$195.47
2/3/2020	Payment		(\$45.00)	\$150.47
2/6/2020	Payment		(\$150.47)	\$0.00
2/12/2020	Cycle Bill Charge	\$1,664.85		\$1,664.85
3/3/2020	Payment		(\$46.07)	\$1,618.78
3/9/2020	Late Fee	\$10.00		\$1,628.78
3/18/2020	Cycle Bill Charge	\$54.14		\$1,682.92
4/1/2020	Payment		(\$45.00)	\$1,637.92
4/15/2020	Cycle Bill Charge	\$56.43		\$1,694.35
5/5/2020	Payment		(\$45.00)	\$1,649.35
5/13/2020	Cycle Bill Charge	\$49.76		\$1,699.11
6/30/2020	Payment		(\$45.00)	\$1,654.11
6/17/2020	Cycle Bill Charge	\$50.24		\$1,704.35
7/6/2020	Payment		(\$45.00)	\$1,659.35
7/13/2020	Late Fee	\$10.00		\$1,669.35

Jennifer Toncray 7 Valle Vista**55589-12634****Charge and Payment History October 2019- February 2021**

Date	Column1	Charges	Payments	Balance
7/15/2020	Cycle Bill Charge	\$52.58		\$1,721.93
8/3/2020	Payment		(\$45.00)	\$1,676.93
8/10/2020	Late Fee	\$10.00		\$1,686.93
8/12/2020	Cycle Bill Charge	\$51.28		\$1,738.21
9/1/2020	Delinquency Process	\$32.55		\$1,770.76
9/8/2020	Payment		(\$45.00)	\$1,725.76
9/10/2020	Cycle Bill Charge	\$68.50		\$1,794.26 FB
9/29/2020	Payment		(\$50.00)	\$1,744.26
10/2/2020	Payment		(\$150.00)	\$1,594.26
11/2/2020	Payment		(\$150.00)	\$1,444.26
11/30/2020	Payment		(\$150.00)	\$1,294.26
12/15/2020	Payment		(\$150.00)	\$1,144.26
1/8/2021	Payment		(\$150.00)	\$994.26
1/21/2021	Payment		(\$150.00)	\$844.26
2/9/2021	Payment		(\$150.00)	\$694.26

FB= Final Bill

ZENNER | Minol
All that counts.



Stealth Reader

Alamogordo, NM

Reading ▼

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

Reading Report | Reading Detail | Profile Graph | Graph Options

Account#: 055589012634WA00CF
Name: TONCRAY, JENNIFER
Meter ID: 00567939
MIU SN: 2445434
Address: 7 VALLE VISTA

Utility: Alamogordo, NM
Cycle: 05
Route: 10
Sequence: 002626
City, State: Alamogordo, NM
Period: 10/17/2019 - 12/30/2019

Peak consumption of 3703 cubic feet occurred during the day of 12/30/19

Current Read: 16101 Read Time: 12/31/2019 12:00:00 AM
Graph Date: 2/3/2020 3:34:48 PM

Align To Billing

Begin Date

10/17/2019 00:00

End Date

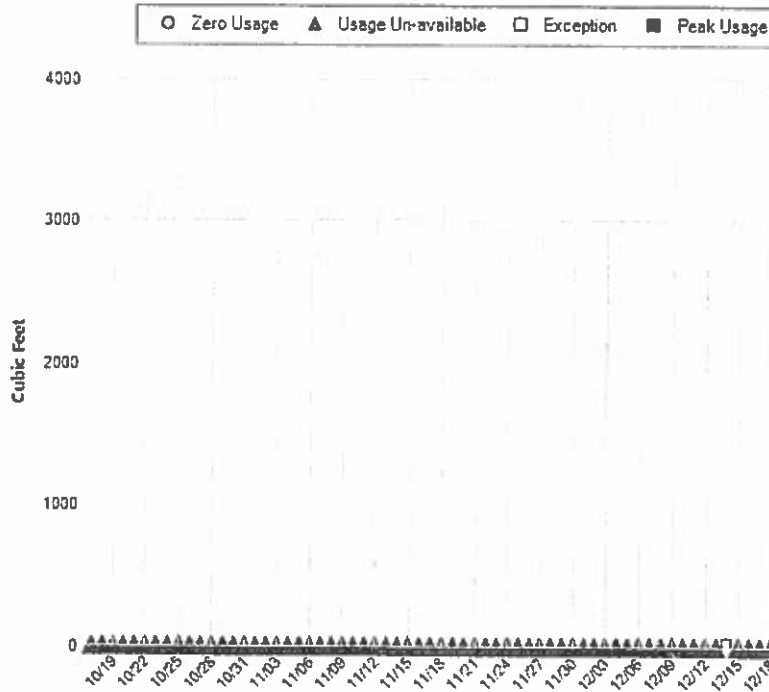
12/30/2019 23:59

Agg. Level: Daily

Refresh Graph



Now Displaying: 10/17/2019 12:00 AM - 12/30/2019 11:59 PM



Zenner USA. 2013-2020 All Rights Reserved.

Stealth Reader 1.2.20

[Terms of Use](#)

MVD-10385
REV. 03/11

IMPORTANT:
Remove Placard
Before Driving Vehicle

H64361



MONTH EXPIRES YEAR
 - DAY

8

30

20

NEW MEXICO



AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 3/23/2021

Report Date: 3/15/2021

Report No: 2.

Submitted By: Rachel Hughs

Subject: Approve the minutes for the March 9, 2021 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
6:00 P.M., VIRTUAL MEETING
March 9, 2021**

**RICHARD BOSS, MAYOR
SHARON McDONALD, COMMISSIONER
JOSH RARDIN, COMMISSIONER
DUSTY WRIGHT, COMMISSIONER
SUSAN PAYNE, COMMISSIONER**

**NADIA SIKES, MAYOR PRO-TEM
JASON BALDWIN, COMMISSIONER
BRIAN CESAR, 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 6:00 p.m. Roll Call was taken by the Deputy Clerk. Deputy Clerk Gutierrez announced there was a quorum present. Invocation was given by Commissioner Payne, and the Pledge of Allegiance was led by Commissioner Baldwin.

APPROVAL OF AGENDA

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

PRESENTATIONS

1. Presentation on Otero County Economic Development Council quarterly report. (*Laurie Anderson, Interim Executive Director*)

OCEDC Interim Director Laurie Anderson gave a presentation (included in agenda packet backup).

Commissioner Baldwin said he appreciated all the new analytics she had included in her presentation. He wondered with the Covid shutdown whether they had seen a slow down in economic development related traffic, or did it just shift with how they communicated with her office? Ms. Anderson felt it had shifted. Many of these businesses were looking for places to move because they had discovered people could work from home. Therefore, it was not necessarily that they needed the infrastructure of a facility that held 30 offices. Because of that, they were wanting to move out of places like the urban areas where they had riots and finding other areas to put their offices. Economic development did not necessarily stop but was put on pause primarily because of the election. The challenge they faced right now was that New Mexico was closed, so if any business were looking to move, she would try to reroute that to show that they now had the time to find them the right location and to build the building they wanted prior to getting their employees back to work.

PUBLIC COMMENT

Deputy Clerk Gutierrez read the following public comment for Elise Haley:

“Bridge over arroyo to access hospital from University addition. I realize budgeting is a problem always, and especially now. People living on such as Princeton, Westminster, Harvard, and such have a difficult time accessing the hospital in emergency situations. Ambulances usually have to go west to Pecan, north to Fairgrounds Rd., east to back entrance of the hospital. This will become more difficult when the new junior high will start construction and open for students. Another route used some is east on 25th, south on Cornell, east on Indian Wells, then north on Scenic. This puts the ambulance going through a dangerous intersection at the entrance of the Neighborhood Walmart. It also is round about, adding travel time. A bridge over the arroyo in the vicinity of 25th and Cornell will help. Current routes add precious minutes to the transport. Minutes that could be critical. I know this was brought up years ago

and was shot down. I have a personal history with the reasons for that. People who stopped it are no longer part of the situation. I am an example. I had to be transported some time back and the ambulance had to take me round about. The bridge could be designated for emergency only. Elise Haley Citizen"

CITY MANAGER'S REPORT

City Manager Cesar made the following comments:

1. City Manager Cesar said this Sunday was once again daylight savings time, so this would be our last meeting scheduled for 6:00 p.m. The next meeting will be at 6:30 p.m.
2. Last week staff members had participated in the Public Hearing before the Hearing Officer of the PRC. There were a number of residents from Alamogordo that spoke in favor of it, and none that spoke against it. Next the Hearing Officer would make his recommendation to the PRC Board in approximately two weeks, and thereafter we would receive an answer in writing. Obviously at this point we were not moving forward with the bidding process or acquiring right-of-way until, hopefully, we got the approval from the PRC.
3. Last Wednesday we met with the Regional Commander for the Corps of Engineer South Ditch project. The contractor was now roughly one year away from completing the south channel. There was only one more utility line that needed to be relocated. That project was moving forward ahead of schedule.
4. This Thursday our engineer, the contractor, and various City staff members would be meeting with a different section of the Corps of Engineers up at Bonito Lake to have what should be the second to last meeting. All the debris, as approved by FEMA, had been removed. The contractor was now commencing demobilization and removal of his equipment out of the area. That did not necessarily mean that we would be looking at this summer to reopen the campground. On tonight's agenda was the second reading of the NMFA loan, which was the loan we were able to secure to make the needed improvements for the intake tower, as well as the deficiencies on the dam facing and the spillway that the New Mexico Dam Safety Bureau had identified for multiple years. Once it went out to bid, that would be a 14 to 16-month project. Obviously, the lake would need to still be drained to perform that work. Once that neared completion, staff would be looking at bringing forward a phased plan on how we would like to see the campground area reopened and funding would be part of that issue.

Mayor Boss asked if there was any projection as to how long it would take the lake to come back up to a reasonably full level? City Manager Cesar said if we let the flow go into the lake today, it would be overtopping the spillway within probably a week and a half to two weeks. It would depend on the time of year as flows were typically slower in the middle of summer and the middle of winter, but higher around the spring.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Commissioner Rardin made the following comments:

Commissioner Rardin said we were on the one-year anniversary of the two-week flatten the curve. He felt we should have staff look at putting a plan together to start having our meetings in person again. He felt we should have never stopped having them in person. The State Legislature was able to convene in person, and we had been doing them over Zoom. Tonight, was a classic example with Ms. Anderson's presentation where she was cutting in and out. He would like to start having the meetings down at City Hall like we used to. Mayor Boss agreed and thought it was a great idea. Not just in this meeting, but in prior meetings as well, participants would mute out and then they were gone. Commissioner Rardin said he would like to look at possibly reopening starting the second meeting in April, which would give us a month and a half to figure out how to do it and meet all the State guidelines

too. Maybe we should contact the State because you could see in their legislative meetings they were meeting in person and not social distancing, and that was what we needed to be able to do.

Mayor Pro-Tem Sikes made the following comments:

Mayor Pro-Tem Sikes said she had a recent conversation with a constituent who resided in Commissioner Baldwin's district. The lady had a severe leak under her house, and she had asked the lady if she was aware of the City's feature "Aqua Hawk". She had heard a lot of compliments about that program which allowed a resident to set their thresholds regarding their water usage. If they wound up using more water than they had set the thresholds for, they were alerted by text, phone, or email. The woman asked her why that feature was not required of every water customer in Alamogordo. She felt everybody should be told about it when they signed up for water and be required to get in the program because leaks could be extremely inconvenient. She felt maybe we could talk to the water utilities staff about that, and have it become something we could go forward with and just continue hammering the information out to people because it was such a good feature. Commissioner Payne said she had found out that this was not required if you were getting water service but was required if you were getting a leak abatement. She felt it would behoove everybody to sign up for it because it was a great feature.

Commissioner Payne made the following comments:

Commissioner Payne said she sat in on a meeting for the Housing Authority with HUD, and it was very informative. Hopefully, we were going to start getting a report every month from Housing.

Commissioner Payne said she wanted to address what Commissioner Rardin said. She didn't disagree that it was time to get back to business. She did not know that it should be incumbent upon staff to figure this out because she did not know if there was a way to figure it out. There were a lot of Commissioners and staff and she did not know if it would be feasible. By asking staff to solely figure this out might be putting them in a sticky position because we would be asking staff members who might not be comfortable right now. At some point everybody was going to have to get comfortable because eventually we were going to open. Her personal feeling was to encourage everyone to write our Legislators and the Governor's office to make Santa Fe aware that we were here and that we did not like being closed down. It had been a year, and this was getting really, really old. We were a border city and with all the states around us opening and with this color-coded system, she just wasn't seeing a light at the end of the tunnel. It just was not fair. Our cases were very low, and she was fed up. The schools were opening in April and she hoped we saw something different in the future, but all she was seeing right now was hypocrisy. She knew there were people who watched our meetings and hoped that we would have insight on how to get our City back open. She knew that because she got those kinds of comments all the time. People needed to contact the Governor's office and be proactive in getting our voices heard because that was the only way we would get our City back open. This was positively ridiculous, she was tired of it, and she did fear for our businesses. She saw nothing but hypocrisy in Santa Fe, and quite frankly, she felt it was shameful.

Mayor Pro-Tem Sikes said she appreciated the idea that staff look into a way that we could potentially open up, but she would also appreciate it if staff could look into continuing the Zoom meetings until Otero County and the State have reached the right color level. She would not attend a meeting if we chose to open prior to reaching the threshold we needed in order to be safe. Also, last Thursday our zip code of 88310 had the highest number of cases in the County. The numbers were staying steady which was why Otero County had been pushing the testing sites and the added testing ability. The Department of Health was not saying that our numbers were getting better, and we were one of the red counties continuously and Dona Ana County had just gone back to red. She would appreciate continuing Zoom meetings until we were at the point where everybody else felt safe.

Commissioner Baldwin made the following comments:

Commissioner Baldwin said a couple months ago he had asked the Commission to support a letter to our representatives asking them to look at the Health Order and the authority given a sitting Governor

under the Health Order. Our City Attorney had done some research and put a letter together knowing that probably nothing was going to get done until next year. He had done a little extra research and found a couple of Bills, namely Senate Bill 74 and House Bill 159. They basically were to look at what the authorities were, how long they could be extended, what happened when they reached a certain timeframe, and who needed to be the authoritative figure from that point to extend it even further. That task he had asked of our Commission was seen to by our Senators and Representatives.

Commissioner Rardin said he was at a function a few months back and had talked to Senator Griggs and Senator Burt. He had asked them how they were able to be in session, and they told him that governing bodies were exempt from the Health Order. So, we had not had to do our meetings by Zoom this whole time. There were ways around the criteria for meetings with no more than five people. We just had to brainstorm and figure out how to do it, whether we spaced apart or used plexiglass. It was just time to say that enough was enough. Otero County had been doing their meetings in person the whole time, as had Roswell.

Commissioner McDonald made the following comments:

Commissioner McDonald said she had talked to a couple of constituents and they wanted to move on some things in their area to improve. Tonight, she was going to ask the Commission to authorize the City staff to engage in discussing using the guide of the MOU between the Historical Society and the City for the goal of the possible purchase and restoration of the old Dudley School building on the corner of Maryland Avenue and 6th Street. Hopefully, we could regain some of the time we have lost and see what could be done with that.

Commissioner McDonald said the baseball field between 5th Street and 7th Street at Florida Avenue had sat vacant for many years. She would like to ask the City Commission to allow the staff to inquire of Gerald Champion Regional Medical Center (GCRMC) whether they would be interested in allowing the City to purchase that property and reuse it as a park area.

City Manager Cesar said right now the City did not have an MOU with the Historical Society. Therefore, he was assuming Commissioner McDonald was asking for the City to reach out to the Historical Society to come to an agreement which would come before the Commission concerning the Dudley School and purchase of the property and rehabilitation of the building. Commissioner McDonald said yes.

City Manager Cesar said we could reach out to GCRMC to see if they were interested in selling the old baseball field property and what that price tag may be. This was typically something we brought before the Commission during budgetary process, so was that an acceptable timeframe? It would not include just purchasing the property, but also utility line extensions and a possible pavilion or playground. Commissioner McDonald said that was acceptable.

City Attorney Bengoechea said to keep in mind that our real property discussions preliminarily started in Executive Sessions, and then they could be brought back as action items as well.

Commissioner Rardin remembered that at the time GCRMC went through bankruptcy a few years ago, the City had been in negotiations to purchase the property then. So, purchasing this property had been talked about in the past.

City Manager Cesar said regarding the phased plan to go back to in person meetings, one Commissioner was saying definitely in person, and another Commissioner was saying definitely Zoom. Therefore, he really needed to know how many Commissioners wanted to meet in person versus how many did not want to until the State reached the proper color. Commissioner Baldwin said because this was regarding our procedures on getting consensus without it being an actual agenda item, he would ask the Clerk to schedule this item on our next agenda. That way they could have this discussion because the decision to meet by Zoom was not a Commission decision but was a decision by the City Manager and the Clerk. City Manager Cesar confirmed that it would be an item on the next agenda.

Commissioner Payne clarified that she agreed with Commissioner Rardin, but also, we may have employees who did not feel comfortable with it. She did not want to sound like we should just go against the Public Health Order because we needed to be mindful of the fact that we could be fined if we were not careful, and we were talking about taxpayer dollars.

CONSENT AGENDA

- 2. Approve the minutes for the February 23, 2021 Regular meeting. *(Rachel Hughs, City Clerk)***
- 3. Approve the statements related to the Executive Closed Session held on February 23, 2021. *(Rachel Hughs, City Clerk)***
- 4. Consider, and act upon, final publication and adoption of Ordinance 1626 authorizing the execution and delivery of a loan and subsidy agreement for the amount of \$2,151,300.00 between the City of Alamogordo and New Mexico Finance Authority. *(Evelyn Huff, Finance Director)* (Roll Call Vote Required)**
- 5. Consider, and act upon, Resolution 2021-07 to apply for the New Mexico Department of Tourism's Clean and Beautiful Grant for FY 22. This will provide funding for the Keep Alamogordo Beautiful program. *(Joshua Sides, Keep Alamogordo Beautiful Program Coordinator)* (Roll Call Vote Required)**
- 6. Consider, and act upon, acceptance of grant agreement from NMDOT, Aviation Division, to Alamogordo-White Sands Regional Airport in the amount of \$88,000.00 to purchase a tractor and attachments. *(Jim Talbert, Airport Manager)***
- 7. Consider, and act upon, Resolution 2021-08 to apply for the UPS Community & Recovery Tree Planting Grant through Keep America Beautiful. This will provide additional funding for the Keep Alamogordo Beautiful program. *(Joshua Sides, Keep Alamogordo Beautiful Program Coordinator)* (Roll Call Vote Required)**

Commissioner Rardin moved to approve items 2, 3, 4, 5, 6, and 7 of the Consent Calendar.
Commissioner Baldwin seconded the motion.
Roll Call Vote was taken.
Motion carried with a vote of 7-0-0.

NEW BUSINESS

- 8. Consider, and act upon, the proposed phase of the Alamogordo Family Recreation Center opening and personnel changes. *(Heather Casebolt, AFRC Manager)***

AFRC Manager Casebolt said she had already met with the City Manager, the Assistant City Manager, the Community Services Director, and the Finance Director and they had given her their approval to present this proposed opening plan to the Commission.

AFRC Manager Casebolt gave a PowerPoint presentation (included in agenda packet backup).

Commissioner Rardin moved to approve.

Commissioner McDonald said she had a question regarding the water conditions and the pool. If a person had Covid even though they had tested negative, and they got in the pool water, was it a concern? AFRC Manager Casebolt said the kind of chemicals they used in the pool were basically so strong that they killed most of everything. The pool maintenance staff and Aquatics Director were not concerned and felt the chemicals could handle just about anything, including Covid in the water.

**Commissioner Wright seconded the motion.
Motion carried with a vote of 7-0-0.**

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

Mayor Boss read the openings and reappointed Christopher Orwoll to the Alamogordo Promotion Board for his third term; Shirley Dakin to the Mayor's Committee on Aging for her second term; Raymond Nejerres to the Planning & Zoning Commission for his second term; and Xochitl Valenzuela to the Senior Volunteer Programs Advisory Council for her second term. No one was opposed.

ADJOURNMENT

**Commissioner Rardin moved to adjourn at 7:08 p.m.
Commissioner McDonald seconded the motion.
Motion carried with a vote of 7-0-0**

Mayor Richard Boss

ATTEST:

City Clerk Rachel Hughs

(Prepared by Teresa Gutierrez, Deputy Clerk)
Approved at the Regular Meeting held on March 23, 2021.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 3/23/2021

Report Date: 3/16/2021

Report No: 3.

Submitted By: Audra Smith

Subject: Approve the 2021-2022 Law Enforcement Protection Funds Application in the amount of \$55,200. (*Richard Denton, Chief of Police*)

Fiscal Impact: \$55,200

Amount Budgeted: \$55,200.00

Fund: Fund 36- 036-0000-317-16-08

Additional Fiscal Impact:

Recommendation: Approve application for participation in the 2022 Law Enforcement Protection Funds.

Background: The application is required to apply for funding from the state of New Mexico. These monies are awarded based on population and total number of full-time certified officers certified by July 1, 2021

Funding is to be used for law enforcement equipment and advanced training, which will enhance the efficiency and effectiveness of law enforcement services provided to the citizens of Alamogordo

**APPLICATION FOR LAW ENFORCEMENT PROTECTION FUNDS
FOR CLASS 2 MUNICIPALITIES AND COUNTIES
PURSUANT TO CHAPTER 29, ARTICLE 13 NMSA 1978
FOR THE JULY 1, 2021 - JUNE 30, 2022 FISCAL YEAR**

I. **Municipality or County:** ALAMOGORDO, NEW MEXICO.

II. **Computation of Proposed Distribution:**

A. Class 2 (Population per 2010 Census = 20,001 to 160,000) \$30,000

B. Total Number of Full-Time Certified Police Officers
or Sheriff Deputies (*) multiplied by \$600 (**):

42 X \$600 = \$25,200

(*) Each officer or Deputy listed on Supplemental Schedule (page 2) must be certified by the New Mexico Police Academy pursuant to Section 29-7-8 NMSA or authorized as a New Mexico Peace Officer pursuant to Section 29-1-11 NMSA. Certification status of officers for whom the award is requested must be current on the March 31, 2020 DPS Registry or officers must be enrolled in the New Mexico Police Academy with an anticipated graduation date prior to or on July 1, 2020.

C. Total Requested Distribution** (A + B) \$55,200

III. Amounts distributed from the Law Enforcement Protection Fund must be expended only for the purposes allowed by Section 29-13-7 NMSA 1978. Please itemize the proposed use of these funds below:

A.	Repair and purchase of law enforcement apparatus and equipment which meet minimum nationally recognized standards . (Please Note: regular maintenance on vehicles and police equipment; office furniture and supplies; or operating expenses are not allowable expenses) Rule 2 NMAC 110.3	\$ 20,200
B.	Expenses associated with advanced law enforcement planning and training.	\$ 35,000
C.	Complying with match or contribution requirements for the receipt of federal funds relating to criminal justice programs.	
D.	New Mexico Finance Authority Loan Intercept Agreement.	
E.	TOTAL REQUESTED EXPENDITURES**	\$55,200

**Total Requested Expenditures (Section III) must equal Total Requested Distribution (Section II).

IV. **CERTIFICATION:** Under penalty of law, we hereby certify that to the best of our knowledge and belief, the information contained in this application is correct, and that all expenditures of Law Enforcement Protection Fund monies will be made in accordance with Sections 29-13-7 and 29-13-9 NMSA 1978 as well as Rule 2 NMAC 110.3.

Mayor/Chairman

Police Chief or Sheriff

Date

(**) Per officer rate is based on current law as of 2/19/2020.

Municipality/County: City of Alamogordo

Contact Name: Audra Smith Contact Title: Executive Assistant

Contact Phone Number: 575-439-4300 Contact Email: asmith@ci.alamogordo.nm.us

**APPLICATION FOR LAW ENFORCEMENT PROTECTION FUNDS
FOR MUNICIPALITIES AND COUNTIES
PURSUANT TO CHAPTER 29, ARTICLE 13 NMSA 1978
FOR THE JULY 1, 2021 - JUNE 30, 2022 FISCAL YEAR
SUPPLEMENTAL SCHEDULE (1 of 3)**

Instructions: List the name, certificate number, and date of certification of all full-time police officers and sheriff deputies certified by the Department of Public Safety (DPS), New Mexico Police Academy pursuant to Section 29-7-8 NMSA 1978 or authorized to act as a New Mexico peace officer pursuant to Section 29-1-11 NMSA 1978. Please photocopy this form if additional space is needed.

Name of Full-Time Certified Police Officers and Sheriff Deputies			Certificate Number	Certification Date
1)	Ashe	Charlene	04-0320-P	12/21/2004
2)	Brown	Ray	11-0145-P	06/9/2011
3)	Brown	Robert	15-0199-P (W)	08/14/2015
4)	Bunker	Chyenne	17-0057-P	05/18/2017
5)	Denton	Richard	01-0042-P	04/26/2001
6)	Diaz	Zachariah	13-0028-P	03/01/2013
7)	Edwards	Austin	17-0061-P	05/17/2017
8)	Escalante	Agnieszka	18-0280-P	11/9/2018
9)	Esquero	Mark	98-0302-P	12/17/1998
10)	Ferguson	Anthony	12-0322-P	12/13/2012
11)	Ford	Clinton	19-0275-P	11/8/2019
12)	Garrett	David	03-0138-P	06/16/2003
13)	Glidden	Ryan	08-0280-P	11/26/2008
14)	Guinn	James	02-0072-P (W)	05/23/2002
15)	Huffmon	Herbert (Dewey)		Pending (Graduation May 2021)
16)	Hughs	Chris	10-0094-P	06/08/2010
17)	Jackson	Jack	01-0080-P	05/25/2001
18)	Jarrett	Kerry	84-0256-P	11/15/1984

NOTE: Please use name that has been reported to The Department of Public Safety (DPS), e.g. if female officer has married/divorced and has changed last name and has not been reported to DPS.

Municipality/County: City of AlamogordoContact Person: Audra SmithPhone Number: 575-439-4300, ext. 5137

**APPLICATION FOR LAW ENFORCEMENT PROTECTION FUNDS
FOR MUNICIPALITIES AND COUNTIES
PURSUANT TO CHAPTER 29, ARTICLE 13 NMSA 1978
FOR THE JULY 1, 2021 - JUNE 30, 2022 FISCAL YEAR
SUPPLEMENTAL SCHEDULE (2 of 3)**

Instructions: List the name, certificate number, and date of certification of all full-time police officers and sheriff deputies certified by the New Mexico Law Enforcement Academy pursuant to Section 29-7-8 NMSA 1978 or authorized to act as a New Mexico peace officer pursuant to Section 29-1-11 NMSA 1978. Please photocopy this form if additional space is needed.

Name of Full-Time Certified Police Officers and Sheriff Deputies			Certificate Number	Certificate Date
19)	Johnson	Jared	19-0784-P	06/28/2019
20)	Kunihiro	David	06-0193-P	11/29/2006
21)	Lewandowski	William	14-0325-P	12/18/2014
22)	McColley	David	06-0084-P	06/08/2006
23)	Mendoza	Victor	16-0229-P	08/19/2016
24)	Mitchell	Amber	11-0224-P	09/23/2011
25)	Murray	Marcus		Pending (graduation in May 2021)
26)	Narvaez	Daniel	13-0211-P	09/13/2013
27)	Puente	Mauricio	14-0036-P	01/24/2014
28)	Rincon	Richard	15-0311-P	11/25/2015
29)	Rodriguez	Juan	16-0299-P	11/16/2016
30)	Scharmack	Rodney	07-0264-P	12/14/2007
31)	Sewell	Dalton	20-0247-P	10/22/2020
32)	Silva	Eric	15-0349-P	12/4/2015
33)	Soto	Justin	20-0268-P	09/17/2020
34)	Thompson	Trevor		Pending (graduation in May 2021)
35)	Torres	Robert	20-0098-P	06/18/2020
36)	Villarreal	Phillip	16-0229-P	08/19/2016

NOTE: Please use name that has been reported to The Department of Public Safety (DPS), e.g. if female officer has married/divorced and has changed last name and has not been reported to DPS.

Municipality/County: City of Alamogordo

Contact Person: Audra Smith

Phone Number: 575-439-4300, ext. 5137

**APPLICATION FOR LAW ENFORCEMENT PROTECTION FUNDS
FOR MUNICIPALITIES AND COUNTIES
PURSUANT TO CHAPTER 29, ARTICLE 13 NMSA 1978
FOR THE JULY 1, 2021 - JUNE 30, 2022 FISCAL YEAR
SUPPLEMENTAL SCHEDULE (3 of 3)**

Instructions: List the name, certificate number, and date of certification of all full-time police officers and sheriff deputies certified by the New Mexico law Enforcement Academy pursuant to Section 29-7-8 NMSA 1978 or authorized to act as a New Mexico peace officer pursuant to Section 29-1-11 NMSA 1978. Please photocopy this form if additional space is needed.

Name of Full-Time Certified Police Officers and Sheriff Deputies			Certificate Number	Certificate Date
37)	Wakefield	Richard	06-0242-P	12/15/2006
38)	Wallenstein	Christoph	18-0115-P	05/15/2018
39)	Watts	James	08-0303-P	11/26/2008
40)	Welles	Robert	13-0335-P	10/31/2013
41)	Winrow	Scott	02-0211-P	09/04/2002
42)	Woods	Preston	19-0065-P	05/15/2019
43)				
44)				
45)				
46)				
47)				
48)				
49)				
50)				
51)				
52)				
53)				
54)				
55)				
56)				
57)				

NOTE: Please use name that has been reported to The Department of Public Safety (DPS), e.g. if female officer has married/divorced and has changed last name and has not been reported to DPS.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 3/23/2021

Report Date: 3/16/2021

Report No: 4.

Submitted By: Debbie Osborne

Subject: Consider, and act upon, acceptance of grant agreement from NMDOT to Alamogordo-White Sands Regional Airport in the amount of \$94,000.00 to construct a tractor shed. (*Jim Talbert, Airport Manager*)

Fiscal Impact: \$94,000.00

Amount Budgeted: \$0.00

Fund: 091

Additional Fiscal Impact: Funds are available in 091-0006-459.-57-57 and will be transferred to project. Grant is 100% State funded, no match required.

Recommendation: Accept grant from NMDOT Aviation Division.

Background: At the March 9, 2021 meeting, the Commission approved a grant agreement between the State of New Mexico, Aviation Division and Alamogordo-White Sands Regional Airport in the amount of \$88,000.00, to purchase a new, and much needed, tractor and various implements. The implements include a bucket scoop, a drag to smooth the dirt runway and a 15 foot folding mowing device. The State Aviation Division strongly desires, and the management agrees, that these new units be stored inside when not in use. In order for this to work on a more permanent basis, a new storage building is needed. This building has to be 45 feet long by 26 feet wide with a 12 foot roll up door on each end for easy access. In addition, the building will be equipped with 2 garage door openers and lights. Subsequently, NMDOT Aviation Division has offered a 100% grant, in the amount of \$94,000.00 to pay for the purchase and installation of a concrete pad and the above mentioned building on airport property.

NEW MEXICO DEPARTMENT OF TRANSPORTATION
Aviation Grant Agreement Form



Date 3/15/2020

Project Location ALM - ALAMOGORDO MUNICIPAL AIRPORT

Sponsor ALAMOGORDO, CITY OF

Address 1376 EAST 9TH ST

City ALAMOGORDO NM Zip Code 88310

The Sponsor must sign and send a digital PDF copy to their Airport Development Administrator at the NMDOT Aviation Division.

Participation STATE ONLY

Funding Breakdown 100-0

Contract No. _____

Project No. ALM-21-06

Vendor No. 0000054303-5

Expiration Date _____

Purchase Order No: _____

AVIATION GRANT AGREEMENT

This Agreement is between the New Mexico Department of Transportation, acting through its Aviation Division (Department), and the Sponsor. This Agreement is effective as of the date of the last party to sign on the signature page below.

Now Therefore, pursuant to the New Mexico Aviation Act, NMSA 1978, Section 64-1-11 et seq., and the New Mexico Municipal Airport Law, NMSA 1978 Sections 3-39-1 et seq., the parties agree as follows:

1. Purpose.

The purpose of this Agreement is to provide funding, authorized in Section 64-1-13, NMSA 1978, to the Sponsor to assist in financing an aviation project.

a. Project Description:

TRACTOR SHED

b. Site of Development. The site of development is identified on the property map, attached as Exhibit A.

c. Funding. Below is the funding for the Project. The State's contribution is the maximum amount that the Department will contribute. Attached as Exhibit B is the engineer's cost estimate.

State	Sponsor	Other	Total
\$ 94,000	\$	\$	\$ 94,000

2. The Sponsor Shall:

- Pay all costs, perform all labor, and supply all material, except as described in the Engineers Estimate attached as EXHIBIT B.
- Provide a representative from its organization who shall serve as the single point of contact for the Department.
- Establish and maintain a resolution by which the Sponsor agrees to establish an airport maintenance program and appoint an individual to be responsible for management of the program.
- Initiate engineering, survey, and all other design activities, inspect Project construction and, coordinate all meetings.
- Be responsible for all design and pre-construction activities.
- Initiate and cause to be prepared all necessary documents including plans, specifications, estimates (PS&E), and reports for this Project.
- Assure that all design and PS&E are performed under the direct supervision of a Registered New Mexico Professional Engineer.
- Design the Project in accordance with State and Federal guidelines and/or advisory circulars, hereby incorporated into this Agreement. Construction projects will be accomplished in accordance with the Federal Aviation Administration's Standards for Specifying Construction of Airports (Advisory Circular 150/5370-10, current edition).

- i. Notify the Department when the plans and specifications are sufficiently complete for review.
- j. Make no changes in design or scope of work without documented approval of the Department.
- k. Advertise for and contract for the construction of the Project in accordance with federal and state laws or local ordinances.
- l. Require the Engineer to prepare a final detailed estimate of the work, indicating the bid items, the quantity in each item, the unit bid price and cost of the items based on low acceptable bid prices. Progress estimates shall be submitted to the Department in acceptable form so that details of quantities allowed on various items of work shall be shown on each progress payment.
- m. The Sponsor shall submit to the Department one complete set of plans and specifications which incorporate all comments and recommendations received during pre-bid activities and which have been fully executed by all involved parties.
- n. The Sponsor shall take all steps, including litigation if necessary, to recover State funds spent in violation of state laws and rules. The Sponsor shall return any recovered state funds to the Department. It shall furnish to the Department, upon request, all documents and records pertaining to the determination of the amount of the state's share of any settlement, litigation, negotiation, or the efforts taken to recover such funds. All settlements or other final dispositions by the Sponsor, in court or otherwise, involving the recovery of such state funds shall be approved in advance by the Department.
- o. The Sponsor shall, upon reasonable notice, allow the Department the right to inspect the Project for the purposes of determining if it is being constructed in a good and workmanlike manner, and if the approved plans and specifications are being complied with satisfactorily. If an inspection discloses a failure to substantially meet such requirements and standards the Department may terminate payment or payments until a mutually satisfactory remedy is reached.

3. The Department Shall:

- a. Assign a contact person for this project.
- b. Provide timely reviews of all submittals of scopes, plans, specifications, investigations or other documents.
- c. The Department shall not provide an extensive check of any plans submitted by the Sponsor. The Department's concurrence of the Project plans does not relieve the Sponsor or its Consultant of their responsibility for errors and omissions.

4. Both Parties Agree:

- a. The allowable costs of this Project shall not include costs determined by the Department to be ineligible for consideration under the Aviation Act.
- b. The expenditure of any State money is subject to approval by the Department.
- c. Funds granted under the Local Governments Road Fund, NMSA 1978 Section 67-3-28.2, shall not be used to administer this Project or used to meet the local match.

5. Method of Payment - Reimbursement.

The Department shall reimburse the Sponsor in accordance with the terms of this agreement. Claims for reimbursement shall be completed on form A-1159, Request for Reimbursement. Each request for reimbursement shall contain proof of payment for valid expenditures for services rendered by a third party or items of tangible property received by the Sponsor for the implementation of the Project. The Department reserves the right to withhold reimbursement on requests that are incorrect and/or incomplete. The Final reimbursement request must be received no later than thirty (30) days after completion of the project or the expiration of this Agreement.

The Sponsor shall not be reimbursed for any costs incurred prior to the full execution of the Agreement, after the expiration of the Agreement or in excess of the maximum dollar amount of the agreement unless the maximum dollar amount is duly amended prior to incurring the service or deliverable. Any unexpended portion of funds subject to this Agreement shall revert to the State Aviation Fund.

6. Accountability of Receipts and Disbursements.

There shall be strict accountability for all receipts and disbursements. The Sponsor shall maintain all records and documents relative to the Project for a minimum of three (3) years after completion of said Project. The Sponsor shall furnish the Department or State Auditor, upon demand, all records which support the terms of this Agreement.

7. Term.

The Agreement becomes effective upon signatures of all parties. The effective date is the date when the last party signed the Agreement on the signature page below. This agreement shall expire two (2) years from the effective date, unless terminated pursuant to Sections 8 and 17, below.

8. Termination for Cause.

The Department has the option to terminate this Agreement if the Sponsor fails to comply with any provision of this Agreement. A written notice of termination shall be given at least thirty (30) days prior to the intended date of termination and shall identify all of the Sponsor's breaches on which the termination is based.

The Department may provide the Sponsor a reasonable opportunity to correct the breach. If within ten (10) days after receipt of a written notice of termination, the Sponsor has not corrected the breach or, in the case of a breach which cannot be corrected in ten (10) days, the Sponsor has not begun and proceeded in good faith to correct the breach, the Department may declare the Sponsor in default and terminate the Agreement. The Department shall retain any and all other remedies available to it under the law.

By such termination neither party may nullify obligations already incurred for performance or failure to perform for the work rendered prior to the date of termination. However, neither party shall have any obligation to perform services or make payment for services rendered after such date of termination.

9. Disposition of Property.

- a. Upon termination of this Agreement, the Sponsor shall account for any remaining property, materials or equipment belonging to the Department and dispose of them as directed by the Department.
- b. Any equipment, materials or supplies procured under this Agreement shall be used solely for aviation purposes maintained according to the manufacturers guidelines and stored at the airport.

10. Representations and Certification.

The Sponsor, by signing this Agreement, represents and certifies the following:

- a. Legal Authority - The Sponsor has the legal power and authority to: (1) do all things necessary in order to undertake and carry out the Project in conformity with the provisions stated in the New Mexico Aviation Act and Rules and Regulations pursuant thereto; (2) accept, receive and disburse grant funds from the State of New Mexico in aid of the Project; and (3) carry out all provisions stated in this Aviation Grant Agreement.
- b. Defaults - The Sponsor is not in default on any obligation to the State of New Mexico relative to the development, operation or maintenance of any airport or aviation project.
- c. Possible Disabilities - The Sponsor states, by execution of this Agreement, there are no facts or circumstance (including the existence of effective or proposed leases, use agreements, or other legal instruments affecting use of the airport or the existence of pending litigation or other legal proceedings) which in reasonable probability might make it impossible for the Sponsor to carry out and complete the Project.
- d. Land - The Sponsor holds the property interest in the areas of land which are to be developed or used as part of or in connection with the Project and is identified in a current Airport Property Map. The Sponsor further certifies that the aforementioned is based on a title examination by a qualified attorney or title company who has determined that the Sponsor holds the stated property interests.

11. Assurances.

The Sponsor, by signing this Agreement, covenants and agrees to the following Assurances:

- a. That it will operate the airport for the use and benefit of the public on fair and reasonable terms and without unjust discrimination.
- b. That it will keep the airport open to all types, kinds and classes of aeronautical use without discrimination between such types, kinds, and classes. The Sponsor shall establish fair, equal and not unjustly discriminatory conditions to be met by all users of the airport as may be necessary for the safe and efficient operation.

- c. Neither it nor any person or organization occupying space at the airport will discriminate against any person or class of persons by reason of race, color, creed, or national origin in the use of the facility and, further that any person, firm or corporation rendering service to the public on the airport will do so on a fair, equal and not unjustly discriminatory basis.
- d. Operate and maintain in a safe and serviceable condition the airport and all facilities which are necessary to serve the aeronautical users and will not permit any activity which would interfere with its use for airport purposes.
- e. By acquisition of land interest, acquisition of easements, airspace zoning, or other accepted means, protect the runway approaches and the airspace in the immediate vicinity of the airport from the construction, alteration, erection or growth of any structure which would interfere with the use or operation of the airport.
- f. Comply with the New Mexico Aviation Act and associated provisions, NMSA 1978 Sections 64-1-1 to 64-5-4 and the New Mexico Municipal Airport Law, NMSA 1978 Sections 3-39-1 et seq.
- g. That it shall not award the contract nor give bidding documents to any contractor who is subject to suspension or debarment by the U.S. Department of Transportation or the Department at the time of the bidding or award of the contract. Violation of this provision shall void this Agreement.

12. Third Party Beneficiaries.

It is not intended by any of the provisions of any part of this Agreement to create in the public or any member thereof a third party beneficiary or to authorize anyone not a party to the Agreement to maintain a suit(s) for wrongful death(s), bodily and/or personal injury(ies) to person(s), damage(s) to property(ies), and/or any other claim(s) whatsoever pursuant to the provisions of this Agreement.

13. New Mexico Tort Claims Act.

As between the Department and the Sponsor, 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 in connection with this Agreement is subject to the immunities and limitations of the New Mexico Tort Claims Act, NMSA 1978, Section 41-4-1, *et seq.* This paragraph is intended only to define the liabilities between the parties and it is not intended to modify, in any way, the parties' liabilities as governed by common law or the New Mexico Tort Claims Act.

14. Scope of Agreement.

This Agreement incorporates all the agreements, covenants, and understandings between the parties concerning the subject matter. All such covenants, agreements, and understandings have been merged into this written Agreement. No prior Agreement or understandings, verbal or otherwise, of the parties or their agents shall be valid or enforceable unless embodied in this Agreement.

15. Terms of this Agreement.

The terms of this Agreement are lawful; performance of all duties and obligations shall conform with and do not contravene any state, local, or federal statutes, regulations, rules, or ordinances.

16. Equal Opportunity Compliance.

The parties agree to abide by all federal and state laws and rules and regulations, and executive orders of the Governor of the State of New Mexico, pertaining to equal employment opportunity. In accordance with all such laws and rules and regulations, and executive orders of the Governor of the State of New Mexico, the parties agree to assure that no person in the United States shall, on the grounds of race, color, national origin, ancestry, sex, sexual preference, age or handicap, be excluded from employment with, or participation in, any program or activity performed under this Agreement. If the parties are found to not be in compliance with these requirements during the term of this Agreement, the parties agree to take appropriate steps to correct these deficiencies.

17. Appropriations and Authorizations of State and Federal Funds.

The terms of this Agreement are contingent upon sufficient appropriations and authorizations being made by the governing board of the Sponsor, the Legislature of New Mexico, or the Congress of the United States if federal funds are involved, for performance of the Agreement. If sufficient appropriations and authorizations are not made by the Sponsor, Legislature or the Congress of the United States if federal funds are involved, this Agreement shall terminate upon written notice being given by one party to the other. The Department and the Sponsor are expressly not committed to expenditure of any funds until such time as they are programmed, budgeted, encumbered, and approved for expenditure.

18. Severability.

In the event that any portion of this Agreement is determined to be void, unconstitutional or otherwise unenforceable, the remainder of this Agreement shall remain in full force and effect.

19. Applicable Law.

The Laws of the State of New Mexico shall govern this Agreement, without giving effect to its choice of law provisions. Venue shall be proper only in a New Mexico court of competent jurisdiction in accordance with NMSA 1978, Section 38-3-1(G).

20. Principal Contacts and Notices.

The principal contacts for this Agreement are listed below. Except as otherwise specified, all notices shall be in writing (including notice by facsimile or E-mail) and shall be given to the principal contacts listed below.

Name: Daniel R. Moran
Title: Finance & Administrative Manager

Address: New Mexico Department of Transportation - Aviation Division
3501 Access Rd C.
Albuquerque, NM 87106
Office: (505) 244-1788 ext. 9112
Fax: (505) 244-1790
E-mail: dan.moran@state.nm.us

Name	JIM TALBERT		
Title	AIRPORT MANAGER		
Sponsor	ALAMOGORDO, CITY OF		
Address	1376 EAST 9TH ST		
City	ALAMOGORDO	NM	Zip Code 88310
Office Phone	+1 (575) 439-4110	Fax	
E-Mail	JTAIRPORTMANAGER@CI.ALAMOGORDO.NM.US		

21. Amendment.

This Agreement shall not be altered, modified, or amended except by an instrument in writing and executed by the parties.

In witness whereof, each party is signing this Agreement on the date stated opposite of that party's signature.

NEW MEXICO DEPARTMENT OF TRANSPORTATION

By: _____
Cabinet Secretary or Designee

Date: _____

Recommended by:

By: _____
Aviation Division Director
or Designee

Date: _____

Approved as to form and legal sufficiency by the New Mexico Department of Transportation's Office of General Counsel

By: _____
Assistant General Counsel

Date: _____

SPONSOR

Print Name: _____

By: _____

Date: _____

Title: _____

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 3/23/2021

Report Date: 3/17/2021

Report No: 5.

Submitted By: Marissa Ruiz

Subject: Consider, and act upon Ordinance 1625, for adoption and final publication, authorizing the Repeal of Ordinance 1439 Housing Authority Advisory Board and Creating Resident Advisory Board. *(Marissa Ruiz, Housing Authority Manager and Evelyn Huff, Finance Director)* **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve for Adoption and Final Publication

Background: Ordinance 1625 came before the Commission on 2-23-2021 for first publication. Commission passed it with a vote of 7-0-0.

The Alamogordo Housing Authority Board was created in October of 2013 and had the first official meeting in January of 2014. The City of Alamogordo, New Mexico and its Commissioners are recognized as the governing board of the Public Housing Authority. The City Commission recognizes that a Housing Advisory Board is redundant and has no authority to make decisions on behalf of the Housing Authority. The City Commission acknowledges HUD's requirement for a Resident Advisory Board and sees the benefits of having members who represent the residents.

ORDINANCE NUMBER 1625

REPEALING ORDINANCE 1439 HOUSING AUTHORITY ADVISORY BOARD AND CREATING RESIDENT ADVISORY BOARD

WHEREAS, the City of Alamogordo, New Mexico and its commissioners recognized as the governing board of the Public Housing Authority

WHEREAS, the City Commission recognizes that a housing advisory board is redundant and has no authority to make decisions on behalf of the housing authority.

WHEREAS, the City Commission acknowledges HUD's requirement for a resident advisory board and see the benefits of having members who represent the residents.

THEREFORE, BE IT ORDAINED by the City Commission of the City of Alamogordo, New Mexico that Chapter 2-09 of the *Code of Ordinances* be amended as follows:

ARTICLE 2-09. - DEPARTMENT OF HOUSING AUTHORITY

~~2-09-020. - Housing authority advisory board.~~

~~The Alamogordo Housing Authority Advisory Board is hereby created.~~

- ~~(a) — *Structure.* The housing authority advisory board shall be composed of five (5) members who shall be residents of the city, but not current employees and officers of the City of Alamogordo. At all times, at least one (1) member of the board shall be a resident of a low rent public housing program dwelling unit owned by the city, who shall be called the resident commissioner. Termination of the dwelling lease of the resident commissioner shall result in their immediate removal from the advisory board. For any member of the board, termination of their residency inside the city limits shall result in their immediate removal from the advisory board.~~
- ~~(b) — *Appointment.* The housing authority advisory board shall be appointed by the mayor with the advice and consent of the city commission. Preference shall be given to appointing at least one (1) representative from a nonprofit community-based organization. Preference should also be given for appointment of no more than two (2) positions to individuals who have experience in residential construction, real estate sales or management and residential lending. Of the original members of the board, one (1) shall be appointed to a two-year term, another to a three-year term, another to a four-year term, and the last member shall be appointed to a five-year term. Thereafter, all members shall be appointed to five-year terms ending on June 31, except that all vacancies shall be filled for the unexpired term. A board member shall hold office until a successor has been appointed and has qualified, unless sooner removed according to law. Board members may serve a maximum of two (2) successive terms of office. The members of the board may elect their own chairperson.~~

- ~~(c) — Compensation and expenses. Members of the advisory board shall serve without compensation, except for reasonable travel or other expenses necessary in the fulfillment of their duties.~~
- ~~(d) — Meetings, rules and records. The advisory board shall meet at least once a month, but may meet more often if deemed necessary by the advisory board. The advisory board shall establish a regular time for its meetings. A majority of the membership shall constitute a quorum for the purpose of transacting business. Action by the advisory board shall be by majority vote. The advisory board shall keep a record of its resolutions, transactions, findings and determinations, which shall be public record.~~
- ~~(e) — Duties, responsibilities and powers.~~
- ~~(1) — The following duties, responsibilities and powers are hereby delegated to the housing authority advisory board by the city commission:~~
- ~~a. — The power within its area of operation, to investigate the living, dwelling and housing conditions and the means and methods of improving the conditions; to determine where slum areas exist or where there is a shortage of decent, safe and sanitary dwelling accommodations for persons of low and moderate income; to make studies and recommendations relating to the problem of clearing, replanning and reconstructing slum areas and the problem of providing dwelling accommodations for persons of low and moderate income, and to cooperate with the state or any political subdivision of the state in action taken in connection with the problems; and to engage in research, studies and experimentation on the subject of housing and affordable housing programs.~~
- ~~(2) — The board shall have the power to recommend to the city commission that the city take any of the following actions the final authority for which shall remain with the city commission:~~
- ~~a. — To acquire by the exercise of the power of eminent domain any real property;~~
- ~~b. — To sell, lease, exchange, transfer, assign, pledge or dispose of any real or personal property or any interest in real or personal property;~~
- ~~c. — To procure or agree to the procurement of insurance or guarantees from the federal government of the payment of any bonds or parts of any bonds issued pursuant to the state law, including the power to pay premiums on any such insurance;~~
- ~~d. — To issue bonds to fund the acquisition, purchase, lease, construct, reconstruct, improvement, alteration, extension, expansion or repair of any housing project or any part of a housing project and operate and maintain the housing project;~~
- ~~e. — The approval of the five-year public housing agency plan and annual plans.~~
- ~~f. — The power to adopt rules and regulations, bylaws and other policies for the operation of the housing authority department and for the conduct of the advisory board;~~
- ~~g. — The approval of grant applications or proposals for the benefit of the housing authority department;~~

- h. ~~The approval of the annual operating budget; and~~
- i. ~~The power to exercise all or any part or combination of powers herein granted.~~
- (3) ~~The advisory board shall provide an annual written report to the city commission with respect to the status and activities of the housing authority department including, but not limited to, progress made in reaching any stated goals and objectives specified in the five-year public housing agency plan and annual plan.~~

02-09-020: The Alamogordo Resident Advisory Board is hereby created.

- (a) *Structure.* The resident advisory board shall be composed of six (6) members who shall be residents of the housing authority, but not current employees and officers of the City of Alamogordo. The board shall consist of three (3) members from Alta Vista and three (3) members from Plaza Hacienda. Termination of the dwelling lease of the resident member shall result in their immediate removal from the advisory board.
- (b) *Appointment.* The resident advisory board shall be appointed by the housing manager or designee. Of the original members of the board, two (2) one from each housing shall be appointed to a two-year term, two (2) one from each housing shall be appointed to two (2) one from each housing shall be appointed to three-year term, Thereafter, all members shall be appointed to three-year terms ending on June 31, except that all vacancies shall be filled for the unexpired term. A board member shall hold office until a successor has been appointed and has qualified, unless sooner removed Board members may serve a maximum of five (5) successive terms of office. The members of the board may but is not required to elect their own chairperson.
- (c) *Compensation and expenses.* Members of the advisory board shall serve without compensation.
- (d) *Meetings, rules and records.* The Resident Advisory Board shall meet quarterly, but may meet more often if deemed necessary by the advisory board. The advisory board shall establish a regular time for its meetings. A majority of the membership shall constitute a quorum for the purpose of transacting business. Action by the advisory board shall be by majority vote. The advisory board shall keep a record of its resolutions, transactions, findings and determinations, which shall be public record.
- (e) *Role of Resident Advisory Board.*
 - (1) The board shall have the power to recommend to the city commission that the city take any of the following actions
 - a. Recommendations in the development of the Public Housing Authority five-year public housing agency plan, annual plans and capital plans.
 - b. Recommendations on any significant amendments or modifications to the Public Housing Authority Plan.
 - c. Recommendations on any items brought to the board by Public Housing Authority staff

DONE this _____ day of _____, 2021.

CITY OF ALAMOGORDO, NEW MEXICO
a New Mexico municipal corporation

By: _____
Richard Boss, Mayor

ATTEST:

Rachel Hughs, City Clerk

APPROVED AS TO FORM:

Petria Bengoechea, City Attorney

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 3/23/2021

Report Date: 3/16/2021

Report No: 6.

Submitted By: Evelyn Huff

Subject: Consider, and act upon, Resolution 2021-09 requesting written approval from the Local Government Division of the Department of Finance and Administration, State of NM for the revised budget numbers computed as of March 23, 2021 (*Evelyn Huff, Finance Director*) (**Roll Call Vote Required**)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact: Beginning Cash Balances \$0

Revenues \$724,429 Increase

Expenditures \$2,840,728 Increase

Transfers In \$1,830,000

Transfers Out \$1,830,000

Net Impact (\$2,116,299)

Recommendation: Approve the Resolution

Background: The City Commission adopted the FY 2020-2021 budget on May 26, 2020. The Department of Finance & Administration granted approval of the City of Alamogordo's Fiscal Year 2020-2021 Final Budget on August 4, 2020. Resolution 2021-09 amends the budget to reflect a more true and accurate projection of the actual revenues and expenditures. A summary and explanation of the revisions are attached for your review.

RESOLUTION NO. 2021-09

A RESOLUTION REQUESTING THE DEPARTMENT OF FINANCE AND ADMINISTRATION, STATE OF NEW MEXICO, APPROVE REVISED BUDGET FIGURES FOR CERTAIN LINE ITEMS IN THE CITY'S BUDGET FOR FISCAL YEAR 2020-21.

WHEREAS, the City of Alamogordo, New Mexico wishes approval to change some of the budget line item figures of various funds; and

WHEREAS, the Department of Finance and Administration, State of New Mexico, gave its written certification to the City of Alamogordo, New Mexico's annual budget on August 4, 2020, for fiscal year 2020-2021; and

WHEREAS, the City of Alamogordo, New Mexico, has tabulated on the following pages the additional resources and expenditures for fiscal year 2020-2021.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ALAMOGORDO, NEW MEXICO, that the City's annual budget for fiscal year 2021 be and hereby is revised as of March 23, 2021 to reflect a more true and accurate projection of the actual revenues and expenditures for fiscal year 2020-2021 as shown on the following pages.

NOW, BE IT FURTHER RESOLVED BY THE GOVERNING BODY OF THE CITY OF ALAMOGORDO, NEW MEXICO, that the Department of Finance and Administration, State of New Mexico, be requested to give its written approval to the revised budget figures computed on March 23, 2021 as a more true and accurate projection of the actual revenues and expenditures for fiscal year 2020-2021.

PASSED, APPROVED AND ADOPTED by the Governing Body of the City of Alamogordo, New Mexico, at a Regular Meeting held this 23rd day of March 2021.

CITY OF ALAMOGORDO, NEW MEXICO,
A NEW MEXICO MUNICIPAL CORPORATION

By: _____
Richard A. Boss, Mayor

ATTEST:

Rachel Hughs, City Clerk

APPROVED AS TO FORM:

Petria Bengoechea, City Attorney

**ALL FUNDS SUMMARY
BUDGET 2020-2021**

1/12TH REQ RSRV
1,185,378
1/12TH REQ RSRV
0
Fund Reserve Policy
462,900
Bal. Remaining
4,571,721

FY21 BUDGET - RESOLUTION 2021-09 (#8) MARCH 23, 2021

FUND NO.	FY 2020-2021 FUND DESCRIPTION	UNAUDITED BEGINNING CASH BALANCE	ESTIMATED REVENUES	TRANSFERS IN	TRANSFERS OUT	NET CASH TRANSFERS	BUDGETED EXPENDITURES	ESTIMATED ENDING CASH BALANCE	LOCAL RESERVE REQUIREMENTS UNAVAILABLE FOR BUDGETING	ADJUSTED ENDING CASH BALANCE
11	GENERAL OPERATING FUND	10,851,509	16,410,376	310,000	7,127,352	(6,817,352)	14,224,534	6,219,999	1,648,278	4,571,721
12	INTERNAL SERVICE FUND	75,354	419,050	2,826,751	41,528	2,785,223	3,212,967	66,660		\$66,660
15	CORRECTIONS-JAIL	10,557	81,827	69,300	273	69,027	161,000	411		\$411
16	LODGER'S TAX-PROMOTIONAL FUND	193,655	129,454	2,839	1,159	1,680	219,126	105,663		\$105,663
17	POLICE COURT BOND	7,938	0	0	0	0	0	7,938		\$7,938
19	COURT AUTOMATION FUND	0	68,566	0	9,000	(9,000)	49,537	10,029		\$10,029
20	LODGER'S TAX-CITY	39,187	259,447	58,000	61,971	(3,971)	227,131	67,532		\$67,532
21	D.A.R.E. DONATIONS FUND	22,129	4,120	0	0	0	8,109	18,140		\$18,140
24	GRANT CAPITAL IMPROVEMENT	65,880	2,192,689	20,000	0	20,000	2,205,218	73,351		\$73,351
27	MUNICIPAL COURT OPERATIONS	331	13,000	448,500	15,594	432,906	442,741	3,496		\$3,496
28	POLICE CONTINGENCY	59,105	2,714	0	0	0	10,000	51,819		\$51,819
31	CEMETERY-PERPETUAL CARE	796,327	25,843	0	0	0	0	822,170		\$822,170
32	COMMUNITY SERVICES	9,212	618,488	4,170,500	616,285	3,554,215	3,754,482	427,433		\$427,433
33	FIRE PROTECTION	560,664	687,650	0	0	0	1,033,361	214,953		\$214,953
35	HIDTA GRANT FUND	0	28,239	0	0	0	28,239	0		\$0
36	LAW ENFORCEMENT FUND	32,692	55,200	0	0	0	87,892	0		\$0
37	STATE HIGHWAY FUND	142,772	72,145	0	0	0	56,081	158,836		\$158,836
38	TRAFFIC SAFETY FUND	77,841	23,684	0	0	0	36,000	65,525		\$65,525
39	STATE JUDICIAL	2,171	75,500	0	0	0	75,500	2,171		\$2,171
42	1984 GROSS RECEIPTS TAX	1,081,048	1,432,928	0	1,613,091	(1,613,091)	17,765	883,120	251,546	\$631,574
44	TRANSPORTATION FUND	552,452	1,128,346	1,429,337	162,308	1,267,029	2,939,265	8,562		\$8,562
48	NEW MEXICO C.D.B.G.	0	500,000	806,305	0	806,305	1,306,305	0		\$0
49	1986 GROSS RECEIPTS TAX	5,367,554	1,493,467	0	3,841,333	(3,841,333)	321,190	2,698,498	269,505	\$2,428,993
50	PROPERTY ACQUISITION	85,010	0	0	0	0	0	85,010		\$85,010
53	GENERAL OBLIGATION	942,316	1,064,162	0	0	0	1,080,492	925,986	539,815	\$386,171
54	REVERSE OSMOSIS PROJECT RSV	21,967	0	37,465	0	37,465	37,465	21,967		\$21,967
56	99 GRT FLOOD CONTROL BOND PROJ	19,843	30,981	3,971,608	0	3,971,608	3,763,555	258,877		\$258,877
59	REVENUE BOND P & I FUND	152,016	7,250	2,679,704	0	2,679,704	2,679,704	159,266		\$159,266
61	MUNICIPAL INFRASTRUCTURE .0625%	1,148,787	358,305	0	834,819	(834,819)	4,442	667,831		\$667,831
63	COMMUNITY DEVELOPMENT	2,300	0	884,087	39,283	844,804	843,181	3,923		\$3,923
69	1994 GROSS RECEIPTS	3,080,368	1,429,449	0	2,625,814	(2,625,814)	17,765	1,866,238	554,603	\$1,311,635
71	ALAMO SENIOR CENTER	7,231	864,098	606,718	1,081	605,637	1,443,170	33,796		\$33,796
74	ALAMO SENIOR CENTER GIFT	140,663	25,797	0	0	0	80,365	86,095		\$86,095
75	RETIRED & SENIOR VOL. PROGRAM	382	242,606	69,500	18,496	51,004	293,576	416		\$416
81	WATER/SEWER OPERATING	8,703,658	15,439,902	4,574,578	1,998,892	2,575,686	23,183,450	3,535,796	1,359,965	\$2,175,831
82	98 JT WATER/SEWER BOND P&I	1,251,402	19,609	1,899,703	0	1,899,703	1,899,703	1,271,011		\$1,271,011
86	SOLID WASTE COLLECTION SYS.	534,473	2,098,552	0	132,962	(132,962)	1,996,741	503,322	166,854	\$336,468
88	BONITO CAMPGROUND	392,085	5,518	0	0	0	4,000	393,603		\$393,603
89	ESGRT .0625%	3,067,403	378,127	0	2,078,210	(2,078,210)	470,178	897,142		\$897,142
90	GOLF COURSE	64	1,597,648	148,000	81,190	66,810	1,631,602	32,920		\$32,920

**ALL FUNDS SUMMARY
BUDGET 2020-2021**

1/12TH REQ RSRV
1,185,378
1/12TH REQ RSRV
0
Fund Reserve Policy
462,900
Bal. Remaining
4,571,721

FY21 BUDGET - RESOLUTION 2021-09 (#8) MARCH 23, 2021

FUND NO.	FY 2020-2021 FUND DESCRIPTION	UNAUDITED BEGINNING CASH BALANCE	ESTIMATED REVENUES	TRANSFERS IN	TRANSFERS OUT	NET CASH TRANSFERS	BUDGETED EXPENDITURES	ESTIMATED ENDING CASH BALANCE	LOCAL RESERVE REQUIREMENTS UNAVAILABLE FOR BUDGETING	ADJUSTED ENDING CASH BALANCE
91	AIRPORT	120,432	898,993	100,000	45,966	54,034	920,065	153,394		\$153,394
94	OTERO GREENTREE REG LANDFILL	4,137,173	1,401,009	0	8,155	(8,155)	3,555,064	1,974,963		\$1,974,963
96	SELF-INSURED FUND	528,693	66,439	0	0	0	52,648	542,484		\$542,484
98	PAYROLL CLEARING	212,703	0	0	0	0	0	212,703		\$212,703
104	UTILITY DEPOSITS	674,999	0	0	0	0	0	674,999		\$674,999
105	ECONOMIC DEVELOPMENT	3,704,019	817,789	0	0	0	346,208	4,175,600		\$4,175,600
107	SELF INSURED/LIABILITY	952,065	11,694	300,000	14,718	285,282	583,948	665,093		\$665,093
109	2004 GRT CAPITAL OUTLAY	13,782,068	2,997,973	0	4,043,365	(4,043,365)	8,193,347	4,543,329	533,704	\$4,009,625
114	SIDEWALKS REVOLVING LOANS	141,416	2,095	0	0	0	32,360	111,151		\$111,151
115	CORP ESCROW ACCOUNT RESERVE	1,000	0	0	0	0	0	1,000		\$1,000
119	2012 GRT REF/IMP REVBD	690,594	24,232	0	0	0	442,811	272,015		\$272,015
121	2015 GO BONDS-FUN CENTER	89,067	1,441	0	0	0	0	90,508		\$90,508
122	2015 GO BONDS-STREETS	172,584	3,003	0	0	0	0	175,587		\$175,587
901	HOUSING LOW RENT OPERATING	1,130,674	822,806	0	50	(50)	1,134,440	818,990	86,881	\$732,109
903	HOUSING HOMEOWNERSHIP OPER	728,361	1,705	0	0	0	28,355	701,711		\$701,711
904	HOUSING CAPITAL FUND PROJECTS	0	1,837,226	0	0	0	1,790,260	46,966		\$46,966
TOTALS FY2021		66,564,194	58,171,142	25,412,895	25,412,895	0	86,925,338	37,809,998	5,411,151	32,398,847

ALL FUNDS SUMMARY

BUDGET 2020-2021

1/12TH REQ RSRV
1,185,378
1/12TH REQ RSRV
0
Fund Reserve Policy
462,900
Bal. Remaining

4,571,721

FY21 BUDGET - RESOLUTION 2021-09 (#8) MARCH 23, 2021

FUND NO.	FY 2020-2021 FUND DESCRIPTION	UNAUDITED BEGINNING CASH BALANCE	ESTIMATED REVENUES	TRANSFERS IN	TRANSFERS OUT	NET CASH TRANSFERS	BUDGETED EXPENDITURES	ESTIMATED ENDING CASH BALANCE	LOCAL RESERVE REQUIREMENTS UNAVAILABLE FOR BUDGETING	ADJUSTED ENDING CASH BALANCE
11	GENERAL OPERATING FUND	10,851,509	16,410,376	310,000	7,127,352	(6,817,352)	14,224,534	6,219,999	1,648,278	4,571,721
	Total Revised Fund 11	10,851,509	16,410,376	310,000	7,127,352	(6,817,352)	14,224,534	6,219,999	1,648,278	4,571,721
12	INTERNAL SERVICE FUND	75,354	419,050	2,826,751	41,528	2,785,223	3,212,967	66,660		\$66,660
	Total Revised Fund 12	75,354	419,050	2,826,751	41,528	2,785,223	3,212,967	66,660		66,660
15	CORRECTIONS-JAIL	10,557	81,827	69,300	273	69,027	161,000	411		\$411
	Total Revised Fund 15	10,557	81,827	69,300	273	69,027	161,000	411		411
16	LODGER'S TAX-PROMOTIONAL FUND	193,655	129,454	2,839	1,159	1,680	219,126	105,663		\$105,663
	Total Revised Fund 16	193,655	129,454	2,839	1,159	1,680	219,126	105,663		105,663
17	POLICE COURT BOND	7,938	0	0	0	0	0	7,938		\$7,938
	Total Revised Fund 17	7,938	0	0	0	0	0	7,938		7,938
19	COURT AUTOMATION FUND	0	68,566		9,000	(9,000)	49,537	10,029		\$10,029
	Total Revised Fund 19	0	68,566	0	9,000	(9,000)	49,537	10,029		10,029
20	LODGER'S TAX-CITY	39,187	258,247	58,000	61,971	(3,971)	225,931	67,532		\$67,532
	Revision #6		1,200			0	1,200	0		\$0
	Total Revised Fund 20	39,187	259,447	58,000	61,971	(3,971)	227,131	67,532		67,532
21	D.A.R.E. DONATIONS FUND	22,129	4,120			0	8,109	18,140		\$18,140
	Total Revised Fund 21	22,129	4,120	0	0	0	8,109	18,140		18,140
24	GRANT CAPITAL IMPROVEMENT	65,880	2,107,736	20,000	0	20,000	2,119,813	73,803		\$73,803
	Revision #2					0	452	(452)		(\$452)
	Revision #9		84,953			0	84,953	0		\$0
	Total Revised Fund 24	65,880	2,192,689	20,000	0	20,000	2,205,218	73,351		73,351
27	MUNICIPAL COURT OPERATIONS	331	13,000	448,500	15,594	432,906	442,741	3,496		\$3,496
	Total Revised Fund 27	331	13,000	448,500	15,594	432,906	442,741	3,496		3,496
28	POLICE CONTINGENCY	59,105	2,714			0	10,000	51,819		\$51,819
	Total Revised Fund 28	59,105	2,714	0	0	0	10,000	51,819		51,819
31	CEMETERY-PERPETUAL CARE	796,327	25,843			0		822,170		\$822,170
	Total Revised Fund 31	796,327	25,843	0	0	0	0	822,170		822,170
32	COMMUNITY SERVICES	9,212	618,488	4,170,500	616,285	3,554,215	3,754,482	427,433		\$427,433
	Total Revised Fund 32	9,212	618,488	4,170,500	616,285	3,554,215	3,754,482	427,433		427,433
33	FIRE PROTECTION	560,664	687,650	0	0	0	1,033,361	214,953		\$214,953
	Total Revised Fund 33	560,664	687,650	0	0	0	1,033,361	214,953	0	214,953
35	HIDTA GRANT FUND	0	28,239			0	28,239	0		\$0
	Total Revised Fund 35	0	28,239	0	0	0	28,239	0		0
36	LAW ENFORCEMENT FUND	32,692	55,200	0	0	0	87,892	0		\$0
	Total Revised Fund 36	32,692	55,200	0	0	0	87,892	0		0

37	STATE HIGHWAY FUND	142,772	69,645	0	0	0	53,581	158,836		\$158,836
	Revision #4		2,500				2,500	0		\$0
	Total Revised Fund 37	142,772	72,145	0	0	0	56,081	158,836		158,836
38	TRAFFIC SAFETY FUND	77,841	23,684	0	0	0	36,000	65,525		\$65,525
	Total Revised Fund 38	77,841	23,684	0	0	0	36,000	65,525		65,525
39	STATE JUDICIAL	2,171	75,500			0	75,500	2,171		\$2,171
	Total Revised Fund 39	2,171	75,500	0	0	0	75,500	2,171		2,171
42	1984 GROSS RECEIPTS TAX	1,081,048	1,432,928	0	1,613,091	(1,613,091)	17,765	883,120	251,546	\$631,574
	Total Revised Fund 42	1,081,048	1,432,928	0	1,613,091	(1,613,091)	17,765	883,120	251,546	631,574
44	TRANSPORTATION FUND	552,452	1,128,346	1,429,337	162,308	1,267,029	2,939,265	8,562		\$8,562
	Total Revised Fund 44	552,452	1,128,346	1,429,337	162,308	1,267,029	2,939,265	8,562		8,562
48	NEW MEXICO C.D.B.G.	0	500,000	806,305	0	806,305	1,306,305	0		\$0
	Total Revised Fund 48	0	500,000	806,305	0	806,305	1,306,305	0		0
49	1986 GROSS RECEIPTS TAX	5,367,554	1,493,467	0	3,041,333	(3,041,333)	321,190	3,498,498	269,505	\$3,228,993
	Revision #7				800,000	(800,000)		(800,000)		(\$800,000)
	Total Revised Fund 49	5,367,554	1,493,467	0	3,841,333	(3,841,333)	321,190	2,698,498	269,505	2,428,993
50	PROPERTY ACQUISITION	85,010	0	0	0	0	0	85,010		\$85,010
	Total Revised Fund 50	85,010	0	0	0	0	0	85,010		85,010
53	GENERAL OBLIGATION	942,316	1,064,162			0	1,080,492	925,986	539,815	\$386,171
	Total Revised Fund 53	942,316	1,064,162	0	0	0	1,080,492	925,986	539,815	386,171
54	REVERSE OSMOSIS PROJECT RSV	21,967	0	37,465	0	37,465	37,465	21,967		\$21,967
	Total Revised Fund 54	21,967	0	37,465	0	37,465	37,465	21,967		21,967
56	99 GRT FLOOD CONTROL BOND PROJ	19,843	30,981	3,971,608	0	3,971,608	3,763,555	258,877		\$258,877
	Total Revised Fund 56	19,843	30,981	3,971,608	0	3,971,608	3,763,555	258,877		258,877
59	REVENUE BOND P & I FUND	152,016	7,250	2,679,704		2,679,704	2,679,704	159,266		\$159,266
	Total Revised Fund 59	152,016	7,250	2,679,704	0	2,679,704	2,679,704	159,266		159,266
61	MUNICIPAL INFRASTRUCTURE .0625%	1,148,787	358,305	0	834,819	(834,819)	4,442	667,831		\$667,831
	Total Revised Fund 61	1,148,787	358,305	0	834,819	(834,819)	4,442	667,831		667,831
63	COMMUNITY DEVELOPMENT	2,300	0	884,087	39,283	844,804	843,181	3,923		\$3,923
	Total Revised Fund 63	2,300	0	884,087	39,283	844,804	843,181	3,923		3,923
69	1994 GROSS RECEIPTS	3,080,368	1,429,449	0	2,625,814	(2,625,814)	17,765	1,866,238	554,603	\$1,311,635
	Total Revised Fund 69	3,080,368	1,429,449	0	2,625,814	(2,625,814)	17,765	1,866,238	554,603	1,311,635
71	ALAMO SENIOR CENTER	7,231	864,098	606,718	1,081	605,637	1,443,170	33,796		\$33,796
	Total Revised Fund 71	7,231	864,098	606,718	1,081	605,637	1,443,170	33,796		33,796
74	ALAMO SENIOR CENTER GIFT	140,663	25,797	0	0	0	80,365	86,095		\$86,095
	Total Revised Fund 74	140,663	25,797	0	0	0	80,365	86,095		86,095
75	RETIRED & SENIOR VOL. PROGRAM	382	242,606	69,500	18,496	51,004	293,576	416		\$416
	Total Revised Fund 75	382	242,606	69,500	18,496	51,004	293,576	416		416
81	WATER/SEWER OPERATING	8,703,658	15,439,902	2,744,578	1,998,892	745,686	21,353,450	3,535,796	1,359,965	\$2,175,831
	Revision #7			800,000		800,000	800,000	0		\$0
	Revision #10			1,030,000		1,030,000	1,030,000	0		\$0
	Total Revised Fund 81	8,703,658	15,439,902	4,574,578	1,998,892	2,575,686	23,183,450	3,535,796	1,359,965	2,175,831
82	98 JT WATER/SEWER BOND P&I	1,251,402	19,609	1,899,703		1,899,703	1,899,703	1,271,011	0	\$1,271,011
	Total Revised Fund 82	1,251,402	19,609	1,899,703	0	1,899,703	1,899,703	1,271,011	0	1,271,011
86	SOLID WASTE COLLECTION SYS.	534,473	2,098,552	0	132,962	(132,962)	1,996,741	503,322	166,854	\$336,468
	Total Revised Fund 86	534,473	2,098,552	0	132,962	(132,962)	1,996,741	503,322	166,854	336,468
88	BONITO CAMPGROUND	392,085	5,518			0	4,000	393,603		\$393,603
	Total Revised Fund 88	392,085	5,518	0	0	0	4,000	393,603		393,603
89	ESGRT .0625%	3,067,403	378,127	0	1,048,210	(1,048,210)	470,178	1,927,142		\$1,927,142
	Revision #10				1,030,000	(1,030,000)		(1,030,000)		(\$1,030,000)
	Total Revised Fund 89	3,067,403	378,127	0	2,078,210	(2,078,210)	470,178	897,142	0	897,142

90	GOLF COURSE	64	1,597,648	148,000	81,190	66,810	1,631,602	32,920		\$32,920
	Total Revised Fund 90	64	1,597,648	148,000	81,190	66,810	1,631,602	32,920	0	32,920
91	AIRPORT	120,432	810,993	100,000	45,966	54,034	920,065	65,394	0	\$65,394
	Revision #5		88,000			0	0	88,000		\$88,000
	Total Revised Fund 91	120,432	898,993	100,000	45,966	54,034	920,065	153,394	0	153,394
94	OTERO GREENTREE REG LANDFILL	4,137,173	1,401,009	0	8,155	(8,155)	3,555,064	1,974,963		\$1,974,963
	Total Revised Fund 94	4,137,173	1,401,009	0	8,155	(8,155)	3,555,064	1,974,963	0	1,974,963
96	SELF-INSURED FUND	528,693	66,439	0	0	0	52,648	542,484		\$542,484
	Total Revised Fund 96	528,693	66,439	0	0	0	52,648	542,484	0	542,484
98	PAYROLL CLEARING	212,703	0	0	0	0	0	212,703		\$212,703
	Total Revised Fund 98	212,703	0	0	0	0	0	212,703	0	212,703
104	UTILITY DEPOSITS	674,999	0	0	0	0	0	674,999		\$674,999
	Total Revised Fund 104	674,999	0	0	0	0	0	674,999	0	674,999
105	ECONOMIC DEVELOPMENT	3,704,019	817,789	0	0	0	346,208	4,175,600		\$4,175,600
	Total Revised Fund 105	3,704,019	817,789	0	0	0	346,208	4,175,600		4,175,600
107	SELF INSURED/LIABILITY	952,065	11,694	300,000	14,718	285,282	583,948	665,093		\$665,093
	Total Revised Fund 107	952,065	11,694	300,000	14,718	285,282	583,948	665,093	0	665,093
109	2004 GRT CAPITAL OUTLAY	13,782,068	2,997,973	0	4,043,365	(4,043,365)	7,893,347	4,843,329	533,704	\$4,309,625
	Revision #8					0	300,000	(300,000)		(\$300,000)
	Total Revised Fund 109	13,782,068	2,997,973	0	4,043,365	(4,043,365)	8,193,347	4,543,329	533,704	4,009,625
114	SIDEWALKS REVOLVING LOANS	141,416	2,095	0	0	0	32,360	111,151		\$111,151
	Total Revised Fund 114	141,416	2,095	0	0	0	32,360	111,151	0	111,151
115	CORP ESCROW ACCOUNT RESERVE	1,000	0	0	0	0	0	1,000		\$1,000
	Total Revised Fund 114	1,000	0	0	0	0	0	1,000	0	1,000
119	2012 GRT REF/IMP REVBD	690,594	24,232	0	0	0	368,966	345,860		\$345,860
	Revision #3						73,845	(73,845)		(\$73,845)
	Total Revised Fund 119	690,594	24,232	0	0	0	442,811	272,015		272,015
121	2015 GO BONDS-FUN CENTER	89,067	1,441	0	0	0	0	90,508		\$90,508
	Total Revised Fund 121	89,067	1,441	0	0	0	0	90,508		90,508
122	2015 GO BONDS-STREETS	172,584	3,003	0	0	0	0	175,587		\$175,587
	Total Revised Fund 122	172,584	3,003	0	0	0	0	175,587		175,587
901	HOUSING LOW RENT OPERATING	1,130,674	822,806	0	50	(50)	1,134,440	818,990	86,881	\$732,109
	Total Revised Fund 901	1,130,674	822,806	0	50	(50)	1,134,440	818,990	86,881	732,109
903	HOUSING HOMEOWNERSHIP OPER	728,361	1,705	0	0	0	28,355	701,711		\$701,711
	Total Revised Fund 903	728,361	1,705	0	0	0	28,355	701,711	0	701,711
904	HOUSING CAPITAL FUND PROJECTS	0	1,289,450	0	0	0	1,242,482	46,968		\$46,968
	Revision #1						547,778	(547,778)		(\$547,778)
	Revision #2		547,776					547,776		\$547,776
	Total Revised Fund 904	0	1,837,226	0	0	0	1,790,260	46,966		46,966
TOTALS FY2021		66,564,194	58,171,142	25,412,895	25,412,895	0	86,925,338	37,809,998	5,411,151	32,398,847

Resolution # 2021-09 March 23, 2021

RECURRING/ NON- RECURRING	FUND NO.	LINE ITEM NO.	LINE ITEM DESCRIPTION	ORIGINAL BUDGET AMOUNT	INCREASE (DECREASE)	REVISED BUDGET AMOUNT
<u>REVISION #1</u>						
This revision is correcting CFP amounts to actuals available in ELOCC's.						
	904	HOUSING CAPITAL FUND PROJECTS				
		<i>Expenditures</i>				
	HP1802	904-0107-463.69-05	Dwelling Structures	244,948	5,855	250,803
	HP1901	904-0107-463.69-05	Dwelling Structures	540,887	2	540,889
	HP2001	904-0107-463.69-05	Dwelling Structures	0	541,921	541,921
			Total Expenditures	785,835	547,778	1,333,613
<u>REVISION #2</u>						
This revision is correcting projects per project reconciliation.						
	24	GRANT CAPITAL IMPROVEMENT				
		<i>Expenditures</i>				
	CS1901	024-9799-990.68-99	Capital Outlay/ICIP	135,271	452	135,723
			Total Expenditures	135,271	452	135,723
	904	HOUSING CAPITAL FUND PROJECTS				
		<i>Revenues</i>				
	HP1802	904-0000-317.16-73	Federal Grant	244,948	5,855	250,803
	HP2001	904-0000-317.16-73	Federal Grant	0	541,921	541,921
			Total Revenue	244,948	547,776	792,724
<u>REVISION #3</u>						
This revision increase in Natatorium Bonds due to interest income.						
	119	2012 GRT REF/IMP REVBD				
		<i>Expenditures</i>				
	NB1812	119-6199-990.63-91	NB Contingencies	518	73,845	74,363
			Total Expenditures	518	73,845	74,363
<u>REVISION #4</u>						
This revision is to budget for donations to Keep America Beautiful program and budget the related expenditures.						
	37	STATE HIGHWAY FUND				
		<i>Revenues</i>				
		037-0010-314.13-36	Donations	0	2,500	2,500
	KABPD	037-0010-314.13-36	Donations	0	2,500	2,500
		037-0010-314.13-36	Donations	2,500	(2,500)	0
			Total Revenue	2,500	2,500	5,000
		<i>Expenditures</i>				
	KABPD	037-0010-431.32-75	Program Supplies	0	1,500	1,500
	KABPD	037-0010-431.56-35	Advertising	0	1,000	1,000
			Total Expenditures	0	2,500	2,500
<u>REVISION #5</u>						
This revision is to budget for Grant awarded by NM DOT for \$88,000 to Alamogordo-White Sands Regional Airport to purchase a tractor and attachments. No matching funds are required.						
	91	AIRPORT				
		<i>Revenues</i>				
	AP2105	091-0000-317.16-13	State Grant	0	88,000	88,000
			Total Revenue	0	88,000	88,000
		<i>Expenditures</i>				
		091-0006-459.57-57	Consultant Fees	292,407	(88,000)	204,407
		091-0006-459.61-60	Capital Equipment	150,000	88,000	238,000
		091-0006-459.61-60	Capital Equipment	150,000	(88,000)	62,000
	AP2105	091-0006-459.61-60	Capital Equipment	0	88,000	88,000
			Total Expenditures	592,407	0	592,407
<u>REVISION #6</u>						
This revision is to budget for sponsorship by TDS for Movies at Medlin in the amount of \$1,200.						
	20	LODGER'S TAX-CITY				
		<i>Revenues</i>				
		020-0000-316.15-28	Special Events	6,920	1,200	8,120
			Total Revenue	6,920	1,200	8,120
		<i>Expenditures</i>				
		020-0006-454.57-93	Special Events	10,420	1,200	11,620
			Total Expenditures	10,420	1,200	11,620
<u>REVISION #7</u>						
This revision is to increase the project budget with the latest construction estimate from consultant and construction phase services. Requires increase in transfer from Fund 49 to cover increase.						
	49	1986 GROSS RECEIPTS				
		<i>Transfer Out</i>				
		049-0000-491.18.81	Transfer to Water/Sewer	1,813,165	800,000	2,613,165
			Total Transfer	1,813,165	800,000	2,613,165
	81	WATER/SEWER				
		<i>Transfer In</i>				
		081-0000-391.19-49	Transfer from '86 GRT	1,813,165	800,000	2,613,165
			Total Transfer	1,813,165	800,000	2,613,165
		<i>Expenditures</i>				
	PW2002	081-0008-461.60-79	Capital Outlay-Bonito	0	800,000	800,000
			Total Expenditures	0	800,000	800,000

REVISION #8

This revision is to increase the project budget with the latest construction estimate from consultant and construction phase services.

109 STREET CAPITAL GRT				
Expenditures				
EN2002	109-9003-430.65-29	Street Capital	943,135	300,0001,243,135
		Total Expenditures	943,135	300,0001,243,135

REVISION #9

This revision is to adjust budget for the Paso del Norte Foundation extension through 11/1/21 for CIT/MCRT grant and awarded an additional amount of \$84,953.33.

24 GRANT CAPITAL IMPROVEMENT				
Revenues				
PDCIT1	024-0000-317.16-59	Other Grants	105,802	84,953190,755
		Total Revenues	105,802	84,953190,755
Expenditures				
PDCIT1	024-0000-419.20-01	Supervisory	50,999	60,303111,302
PDCIT1	024-0000-419.20-10	Retirement	7,156	10,00017,156
PDCIT1	024-0000-419.20-12	Retiree Health Care	1,019	2,0003,019
PDCIT1	024-0000-419.20-15	Social Security	7,021	7,00014,021
PDCIT1	024-0000-419.20-25	Health Insurance	10,785	5,00015,785
PDCIT1	024-0000-419.20-30	WC Ins.	2,156	6002,756
PDCIT1	024-0000-419.20-31	WC Admin. Fee	36	5086
		Total Expenditures	79,172	84,953164,125

REVISION #10

This revision is to budget for the replacement and outfitting of a new sewer repair vehicle and replacement to treatment screens at the water treatment plant. Funds are being transferred from Fund 89 Environmental Services GRT.

89 ESGRT				
Transfer Out				
	089-0000-491.18-81	Transfer to Water/Sewer	833,000	1,030,0001,863,000
		Total Transfer	833,000	1,030,0001,863,000
81 WATER/SEWER				
Transfer In				
	081-0000-391.19-89	Transfer from ESGRT	833,000	1,030,0001,863,000
		Total Transfer	833,000	1,030,0001,863,000
Expenditures				
	081-5603-432.61-60	Capital Equipment	53,442	1,030,0001,083,442
		Total Expenditures	53,442	1,030,0001,083,442

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 3/23/2021

Report Date: 3/16/2021

Report No: 7.

Submitted By: Teresa Gutierrez

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

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Appoint to the Mayor's Committee on Aging.

Background: Airport Zoning Board - One (1) vacancy.

No applications received.

Housing Authority Advisory Board - One (1) vacancy.

No applications received.

Mayor's Committee on Aging - One (1) vacancy. This vacancy is due to the expiring term of Barbara Jo Telles.

The following individual is interested in being reappointed:

Barbara Jo Telles - if reappointed, this will be her third term.

Parks and Recreation Board - One (1) vacancy. This vacancy is due to the expiring term of (Rita) Moyra Robuck.

No applications received.

Senior Volunteer Programs Advisory Council - Three (3) vacancies. These vacancies are due to the expiring terms of Paul Farrant, Stephen Butler, and Marina de Mireles.

No applications received.

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

RECEIVED

MAR 05 2021

PLEASE COMPLETE THE FOLLOWING INFORMATION AND RETURN TO

CITY CLERK

tgutierrez@ci.alamogordo.nm.us

Or mail to: Teresa Y. Gutierrez
Deputy City Clerk
City of Alamogordo
1376 E. Ninth Street
Alamogordo, NM 88310

Mayor's Committee on Aging



Yes, I am interested in reappointment.



No, I am no longer interested in serving on this Board.

Printed Name: Barbara Jo Telles

Home Phone: 575-491-4883 Work Phone: _____

Cell Phone: ↑

E-mail address: barb_telles@yahoo.com

Physical Address: 2202 Cornell Apt. 4

Is the above address within City limits? Yes X No _____

Mailing Address: Same

Present Employer: retired Job Title: _____

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

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

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

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

Barbara Jo Telles
Signature

3-2-2021
Date

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 3/23/2021

Report Date: 3/12/2021

Report No: 8.

Submitted By: Petria Bengoechea

Subject: Adjourn into Executive Session in compliance with 10-15-1(h)(7)(8), NMSA (as amended) to discuss Threatened or Pending litigation - Western Baking Corporation LEDA and to discuss Real Property - 7th and Alaska.

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background: