Alamogordo City Commission

NOTICE OF MEETING

Regular Meeting Agenda

August 24, 2021 - 6:30 PM
City Hall, City Commission Chambers
1376 E. Ninth St.

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 on What is Happening in the Alamogordo Police Department. *(Richard Denton, Chief of Police)*

PUBLIC COMMENT

Residents must sign up with the City Clerk to address the City Commission. Comments are limited to 3 minutes, and there will be a maximum of 21 minutes allowed for Public Comment.

CITY MANAGER'S REPORT

REMARKS AND INQUIRIES BY THE CITY COMMISSION

CONSENT AGENDA (Roll Call Vote Required for an Ordinance or Resolution)

All matters listed under the Consent Agenda are considered to be routine by the City Commission and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

2. Approve the minutes for the August 10, 2021 Regular meeting. *(Rachel Hughs, City Clerk)*

3. Approve Resolution 2021-30 designating the City Clerk as the Custodian of Records and including the method of destruction for City records as witnessed shredding. *(Rachel Hughs, City Clerk)* **(Roll Call Vote required)**

4. Consider, and act upon, Resolution 2021-32 requesting written approval from the Local Government Division of the Department of Finance and Administration, State of NM for the revised budget numbers computed as of August 24, 2021. *(Evelyn Huff, Finance Director)* **(Roll Call Vote Required)**

5. Consider, and act upon, acceptance of donation from Mr. Tom Springer to honor his late wife, Mrs. Barbara Springer, in the amount of $17,100 to be used for a new storage building at the Oregon Tennis Courts on Oregon Ave., adjacent to Court 7. (*Veronica Ortega, Community Services Director*)

ITEMS REMOVED FROM CONSENT AGENDA

NEW BUSINESS

6. Consider, and act upon, the placement of a second Resident Parking Only sign for home located at 1322 Vermont Avenue. *(Teresa Gutierrez, Deputy Clerk)*

7. Consider, and act upon, the placement of a new Resident Parking Only sign for home located at 1332 Vermont Avenue. *(Teresa Gutierrez, Deputy Clerk)*

8. Consider, and act upon, Resolution No. 2021-31 adopting an Infrastructure Capital Improvement Plan (ICIP) and identifying the top five (5) recommendations projects for Fiscal Years 2023-2027. (Debbie Osborne, Grant Coordinator) **(Roll Call Vote Required)**

9. Consider, and act upon, approval for the Mobile Crisis Response Team Clinician to be funded by the City and no longer grant funded. *(Richard Denton, Chief of Police)*

10. Consider, and act upon, amending the Project Participation Agreement for Medlin Ramps. *(Petria Bengoechea, City Attorney)*

11. Consider, and act upon, first publication of Ordinance 1636, an ordinance creating Chapter 34 in the Alamogordo Code of Ordinances concerning Marijuana. *(Petria Bengoechea, City Attorney)* **(Roll Call Vote Required)**

12. Consider, and act upon, Resolution 2021-33, a Resolution Declaring Support for the Floyd School Board. *(Susan Payne, City Commissioner)* **(Roll Call Vote Required)**

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

ADJOURNMENT

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 8/24/2021 **Report Date:** 8/17/2021 **Report No:** 1.

Submitted By: Richard Denton

Subject: Presentation on What is Happening in the Alamogordo Police Department. *(Richard Denton, Chief of Police)*

Fiscal Impact:
Amount Budgeted:
Fund:

Additional Fiscal Impact:

Recommendation:

Background: What is Happening in the Alamogordo Police Department

ALAMOGORDO POLICE DEPARTMENT

WHAT IS HAPPENING IN THE ALAMOGORDO POLICE DEPARTMENT? STAFFING

NOVEMBER 2019 WE WERE DOWN APPROXMIATELY 21 OFFICERS or ROUGHLY 36%

WE ARE CURRENLTY DOWN 25% or 14 OFFICERS

WE ARE CURRENTLY DOWN 17 CERTIFIED OFFICERS

WE WILL BE SENDING 3 TO THE ACADEMY NEXT WEEK

WHAT IS HAPPENING IN THE ALAMOGORDO POLICE DEPARTMENT?

SO WHAT DOES THIS DO TO US AS A COMMUNITY AND A DEPARTMENT?

CRIME INCREASES DUE TO BEING A MORE REACTIVE DEPARTMENT RATHER PROACTIVE

NORMALLY TRAFFIC CRASHES WOULD INCREASE

WHAT IS HAPPENING IN ALAMOGORDO?

JANUARY THRU JUNE

2019 POLICE RESPONDED TO 23382

2020 POLICE RESPONDED TO 17808

2021 POLICE RESPONDED TO 11198

2019 ANIMAL CONTROL RESPONDED TO 490

2020 ANIMAL CONTROL RESPONDED TO 444

2021 ANIMAL CONTROL RESPONDED TO 1143

TOTAL CALLS FOR APD JAN. THRU JUNE 2019,   23872

TOTAL CALLS FOR APD JAN. THRU JUNE 2020,   18252

TOTALS CALLS FOR APD JAN. THRU JUNE 2021, 12341

****new rms system****

WHAT IS HAPPENING IN ALAMOGORDO

ONE MIGHT SAY WELL THAT IS NOT MANY CALLS!

IT IS A LOT OF CALLS WHEN WE AVERAGE HAVING 4 PEOPLE ON A SHIFT. IN A 24 HOUR PERIOD THERE ARE 8 OFFICERS AND 2 SUPERVISORS

THAT MAKES AN OFFICER AVERAGE APPROXIMATELY 14 CALLS PER DAY

WHAT IS HAPPENING IN ALAMOGORDO

JANUARY THRU JUNE

2019: 353 TRAFFIC CRASHES/121 INJURED/1 KILLED

2020: 312 TRAFFIC CRASHES/ 94 INJURED/1 KILLED

2021: 224 TRAFFIC CRASHES/100/ INJURED /1 KILLED

WHAT IS HAPPENING IN ALAMOGORDO

JANUARY THRU JUNE

2019: 656 PROPERTY CRIMES REPORTED

2020: 549 PROPERTY CRIMES REPORTED

2021: 609 PROPERTY CRIMES REPORTED

WHAT IS HAPPENING IN ALAMOGORDO

JANUARY THRU JUNE

2019: 323 VIOLENT CRIMES REPORTED

2020: 262 VIOLENT CRIMES REPORTED

2021: 199 VIOLENT CRIMES REPORTED

NEW MARIJUANA LAW & HOW IT AFFECTS APD AND THE COMMUNITY

NEW MARIJUANA LAW & HOW IT AFFECTS APD AND THE COMMUNITY

MORE USERS COULD LEAD TO

MORE IMPAIRED DRIVERS THAT COULD LEAD TO

MORE CRASHES ON OUR ROADWAYS!

IT IS MY BELIEF; THIS ALSO WILL CAUSE MORE OF OUR CITIZENS TO BECOME ADDICTS AND NEED MORE INTERVENTION

NEW MARIJUANA LAW & HOW IT AFFECTS APD AND THE COMMUNITY

MORE TRAINING ON IMPAIRED DRIVING

ARIDE(ADVANCED ROADSIDE IMPAIRED DRIVING ENFORCEMENT)

THIS IS A TRAINING THAT BRIDGES A GAP BETWEEN OUR SFST TESTING AND BEING A DRUG RECOGNITION EXPERT

NEW K-9'S

NEW MARIJUANA LAW & HOW IT AFFECTS APD AND THE COMMUNITY

NEW K-9'S

HAD PURCHASE NEW K9'S THAT DO NOT DETECT MARIJUANA

ONE K9 THE HANDLER ADOPTED HIM AND THE OTHER K9 WILL BE GOING TO A RESCUE

MOBILE CRISIS RESPONSE TEAM

WHAT IS THE MOBILE CRISIS RESPONSE TEAM?(MCRT)

A TEAM THAT CURRENTLY CONSISTS OF A CLINICIAN, ONE PEER SUPPORT PERSONNEL AND ONE OFFICER.

THE TEAM RESPONDS TO CITIZENS IN THE COMMUNITY IN EXTREME STATES OF CRISIS.

MOBILE CRISIS RESPONSE TEAM

WHAT DOES THE TEAM DO?

PROVIDES IMPROVED SERVICES TO LAW ENFORCEMENT, COMMUNITY PROVIDERS, AND INDIVIDUALS BY PROVIDING APPROPRIATE EVALUATION, TRIAGE, AND TREAMENT RECOMMENDATIONS.

MOBILE CRISIS RESPONSE TEAM

THE MAIN GOAL OF THE TEAM IS TO DE-ESCALATE SITUATIONS SAFELY AND RESOLVE THE CRISIS WHEN REASONABLE, PRACTICAL, AND CONSISTENT WITH ESTABLISHED SAFETY PRIORITIES.

MOBILE CRISIS RESPONSE TEAM

PRIMARY OBJECTIVES OF THE TEAM

1. REDUCE UNNECESSARY CRIMINAL JUSTICE SYSTEM INVOLVEMENT WITH PEOPLE WHO LIVE WITH A MENTAL ILLNESS AND/OR A SUBSTANCE DISORDER
2. 2. INCREASE CONNECTION TO APPROPRIATE EVALUATION, TREATMENT, AND SUPPORT SERVICES FOR CITIZENS EXPERIENCING MENTAL HEALTH CRISIS

MOBILE CRISIS RESPONSE TEAM

PRIMARY OBJECTIVES OF THE TEAM

3. DEVELOP COMMUNITY PARTNERSHIPS TO COORDINATE SERVICES FOR THOSE LIVING WITH A MENTAL ILLNESS OR SUBSTANCE USE DISORDER.
4. ASSIST OFFICERS BY PROVIDING ADDITIONAL CRISI INTERVENTION SKILLS, REFERRALS TO SERVICES, EDUCATION, AND OUTREACH.

MOBILE CRISIS RESPONSE TEAM

- THE TEAM STARTED IN AUGUST OF 2020.
- FROM AUGUST TO THE END OF MAY, APD HAS HAD 336 CIT CALLS.
- 43% OF THOSE CALLS WERE REFERRED TO MCRT.
- 66% OF THE REFERRRALS SIGNED UP AS CLIENTS OF MCRT.
- MCRT MADE 182 REFERRALS TO THE COMMUNITY TO REDUCE EMERGENCY SERVICES

MOBILE CRISIS RESPONSE TEAM

- MCRT RESPONDED TO 75 ON SCENE CALLS AND ON 24 OF THOSE CALLS THE PATROL OFFICER WAS ABLE TO GET BACK TO PATROL DUTIES IMMEDIATELY
- ON AVERAGE MCRT TAKES APPROXIMATELY 14 CALLS PER DAY REALTED TO CRISIS, WHETHER IT BE IN PERSON OR VIA TELEPHONE
- 8/30/2020 – 12/31/2020 THE TEAM AVERAGED 4 CALLS PER DAY
- 1/1/2021 – 5/31/2021 THE TEAM AVERAGED 11 CALLS PER DAY

ONLINE REPORTING

IN THE NEAR FUTURE, 6 MONTHS, ALAMGORDO POLICE DEPARTMENT WILL HAVE AN ONLINE REPORTING SYSTEM THAT TIES IN WITH OUR RECORDS MANAGEMENT SYSTEM

ALLOW SOMEONE TO MAKE A REPORT AT ANYTIME

WILL NOT HAVE TO WAIT THE ARRIVAL OF AN OFFICER

WILL MAKE OBTAINING A REPORT EASY

CAN ADD SUPPLEMENTAL REPORTS ONLINE

SECURITY AT APD

THROUGH STATE FUNDING WE ARE ALBE TO FENCE OFF OUR POLICE STATION AND PARKING AREA.

PARKING ARRANGMENTS WILL CHANGE AT THE POLICE DEPARTMENT

THANK YOU FOR HAVING ME SPEAK AT YOUR MEETING!

QUESTIONS?

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 8/24/2021 **Report Date:** 8/17/2021 **Report No:** 2.

Submitted By: Rachel Hughs

Subject: Approve the minutes for the August 10, 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
6:30 P.M., COMMISSION CHAMBERS
August 10, 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 BENGOECHEA, CITY ATTORNEY
RACHEL HUGHS, CITY CLERK

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

Mayor Boss called the meeting to order at 6:33 p.m. Roll Call was taken by the Deputy City Clerk. City Attorney Petria Bengoechea was absent. Deputy Clerk Gutierrez announced there was a quorum present. Invocation was given by Pastor Joe Bryant and the Pledge of Allegiance was led by Commissioner McDonald.

City Manager Cesar pulled item No. 10 from the agenda due to the City Attorney's absence.

APPROVAL OF AGENDA

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

PRESENTATIONS

1. Alliance for Regional Military Support Quarterly presentation. ***(Richard Dayoub, Alliance for Regional Military Support Treasurer)***

Mr. Richard Dayoub presented a PowerPoint on the mission, goal, and strategy of the Alliance for Regional Military Support (ARMS). As to how Covid had affected their initiatives, it was not impacting this Alliance. They had not lost sight of the purpose of the mission of their organization and representation they provided for Alamogordo, Las Cruces, and El Paso. Their focus was to prioritize current defense industry engagement; to leverage higher education partnerships to attract defense research and development projects; to address transitioning soldiers and families; to improve our region's appeal for future stationing initiatives; and to attract new defense and aerospace contractors to this region. They had met with Congressional members, Alamogordo community leaders, and leaders within the Army and Air Force bases locally.

Mr. Tom Thomas, Civilian Agent Secretary to the Army, continued with the PowerPoint presentation. He said they would proactively pursue continuous improvement of regional military facilities and capabilities. They were working with the local educational institutions in having them provide classes for the veterans who left the military but who would consider staying in our region. They were working with local school districts for them to focus curricula on STEM, Artificial Intelligence, and Data Mining for Autonomy. They would continue to advocate for and improve air service at the El Paso International Airport, including providing a nonstop flight from El Paso to Washington, DC. That would benefit all three military bases in our region.

Mr. Ed Brabson, ARMS member and member of MainGate United, said Covid had caused them to adjust, including attending meetings by Zoom. They needed to talk about housing, because that was the biggest negative we had at Holloman AFB right now. There was a lack of adequate housing in town. Their goal was to try and tighten up the difference between what Airmen received as their allowance and what the developers needed when they built apartments. Economic development was not big because we always spent our time making sure Holloman was secure. In all the years he had worked this, he now felt more comfortable with the missions at Holloman than he had at any time in the past. The F-16 program was in place and solid and would continue for 10 to 15 years. The Robotic Process Automation (RPA) program was also solid, and Senator Henrich got $40 million reinstated back into fixing the schoolhouse for the RPA program. They had accomplished the air space optimization, which was a big issue for training the F-16's and the RPA program. They were currently putting together a team with El Paso in order that they could deal with several different committees in Washington. They were open to any ideas and advice from the Commission.

Mr. Dayoub addressed the "Project Convergence Exercises" being held in early November. There were always challenges on the battlefield because of a lack of communication between ground troops and those in the air. This project was designed to bring the different forces together under one Commander in charge of all the troops, regardless of whether they were Army or Air Force on any specific mission. Currently they were planning to get one day during Project Convergence where leaders from Washington would come down and watch how missions were being conducted.

Commissioner Payne said she was very concerned about the fact that we had a housing shortage here in Alamogordo. Mr. Brabson said a lot of the developers were looking at higher end rents, but a lot of people will upgrade who live locally now and that would free up housing at a lesser cost for the airmen. The BAH, or basic allowance for housing, was actually pretty high for Holloman, but it was still lower than most rents. Because we lacked housing, a lot of those military members were choosing to live in Las Cruces or El Paso. Commissioner Payne said we were losing people to live in other communities because of a lack of housing, and therefore, they were spending dollars elsewhere instead of spending them here. Mr. Brabson said military bases recruited people based on the availability to the mission. The Officers had to come, but the enlisted people did not need to. Their next step was to find some Grant applications they could apply for which would assist in the housing area.

Mayor Pro-Tem Sikes said she'd received a message from Dr. Mata regarding the Department of Defense mandating vaccinations for all military personnel. Also, Holloman had a very strict policy currently with regard to mask wearing. Our community didn't seem to be falling in line with either the vaccines or mask wearing, and she wondered whether that was causing any friction or problems. Mr. Brabson said it could be and it was something they were still working out some issues on and one which they would monitor.

PUBLIC COMMENT

Gerald Dodd commented on the following:

Mr. Dodd stated that he had a problem with walls and fences built in residential areas which impeded the sidewalks such that two people on a 40-inch sidewalk could not easily walk down the street if there was a wall or fence built right next to the sidewalk. By subdivision design, the sidewalks were built next to the curb, but there was about a 12-inch area between the edge of the sidewalk and the property line. However repeatedly in almost all of our subdivisions, especially in the Alamo Estates Subdivision built in approximately 1958 or 1959, those sidewalks were being crowded off. Essentially the open space that was designed for the subdivision was being negated or stolen, sometimes inadvertently, by the property owner. Good fences made good neighbors, but when a fence or a wall was built outside the property line, it could create a little bit of conflict. If two neighbors disputed because one of them was getting into the other's business with respect to their real estate, that certainly caused disharmony. He lived in this subdivision near 18th Street and College Avenue. Along 18th Street the street right-of-way was 60 feet wide, but yet there were a number of people who had built fences and built walls up against the sidewalk which was approximately five feet outside their property line. If it was on a corner, they were stealing our open space, and he didn't believe the City had given them permission to do that. In addition, when they didn't observe the traffic triangle for corners, it impeded the safe entry into the subdivision or into the main street. In this case it was 18th Street, and they could see it blatantly a number of times between Washington Avenue and Scenic Drive on 18th Street, and between Washington Avenue and Scenic Drive on 15th Street. If they went in the subdivision, they would see it more and more frequent. A chain link fence was a dangerous hazard for someone walking down the street as it could grab your clothes. A wall was just an inconvenience. Neither one of them should be there. His solution was to review with the City Planner the priorities for building walls and fences. He had spoken with the City Manager, but not since 2019. He had spoken with the City Attorney twice this year. The real problem was he was told, "We'll look into it, and we'll get back to you". He agreed that 2020 was a dead time but it was only through his insistence that he asked for an update.

CITY MANAGER'S REPORT

City Manager Cesar made the following remarks:

1. City Manager Cesar said the City's annual Consumer Confidence Report, which was the annual water report we had to publish due to the Safe Drinking Water Act, was available on the City's website. Also, hard copies were available at all of the City's facilities. This report gave a brief synopsis of where water came from, the quality of our water, and how our water met the statutory regulations for contaminant levels.

2. City Manager Cesar said tomorrow the City would be holding a public meeting at Sgt. Willie Estrada Civic Center to discuss and hear public comment on the City's 2023-2027 Infrastructure Capital Improvement Plan (ICIP). Staff met annually and prioritized our recommended top five projects and public input was solicited on all projects. Thereafter it was brought to the City Commission for their approval and then it was submitted to the State. The meeting was going to be held at the Civic Center at 5:00 p.m. Directors and Managers would be present to answer questions, and the Grants Coordinator would be present to take down public comments and suggestions for additional projects. Mayor Pro-Tem Sikes noted that she found these meetings very important and a place to introduce ideas and projects.

3. City Manager Cesar said he would not be here on Thursday or Friday of this week, and Stephanie Hernandez would be in charge while he was gone.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Commissioner Rardin made the following comments:
Commissioner Rardin noted the recent passing of some prominent people in Alamogordo, including Clif McDonald, Ed Thomas, and Doug Moore.

Mayor Pro-Tem Sikes made the following comments:
Mayor Pro-Tem Sikes said she had been a major fan of both Doug Moore and Clif McDonald because of all of the work they'd done for our community. She read and shared some excerpts from their obituaries. She felt Clif McDonald was one of the kindest people she had ever met. She also remembered Doug Moore calling her on numerous times "busting her chops" over the fact that the City required people to pay for their own sidewalks. He was a big man with a big heart. Regarding Ed Thomas, she was not familiar with him. Commissioner Rardin said Ed Thomas was the gentleman who played Santa for many years, and it was unknown who could take his place.

CONSENT AGENDA

2. Approve the minutes for the July 27, 2021 Regular meeting. *(Rachel Hughs, City Clerk)*

4. Consider, and act upon, adoption and final publication of Ordinance 1635, Case Z-2021-0003(A) for a map amendment to change the zoning designation of the property located at 21066 US Hwy 70 West, from R-1 Single Family Dwelling District to C-3 Business District. *(Stella Rael, City Planner)* (Roll Call Vote Required)

5. Consider, and act upon, approval of an agreement with the New Mexico Development District, Non-Metro Area Agency on Aging (NM-AAA) for the Nutrition Services Incentive Program, the total amount budgeted is $58,023.00. *(Magdalena Morales, ASC Manager and Veronica Ortega, Community Services Director)*

6. Consider, and act upon, the Investment Report for the quarter ending June 30, 2021, in accordance with the City of Alamogordo Investment Ordinance. *(Sue Ashe, Accounting Manager)*

7. Consider, and act upon, grant funding from the Non-Metro Area Agency on Aging FY22 contract for Direct Purchase of Services for senior programs, the total amount budgeted is $482,251.02. *(Magdalena Morales, ASC Manager and Veronica Ortega, Community Services Director)*

8. Consider, and act upon, grant funding from the North Central New Mexico Economic Development District (NCNMEDD) Non-Metro Area Agency on Aging (Non-Metro AAA) for the American Rescue Plan Sub-Award, the total amount budgeted is $182,923.97. *(Magdalena Morales, ASC Manager and Veronica Ortega, Community Services Director)*

ITEMS REMOVED FROM CONSENT AGENDA

Commissioner Rardin pulled item 3 from the Consent Agenda.

Commissioner Rardin moved to approve the Consent Agenda as amended.
Commissioner Wright seconded the motion.
Roll Call Vote was taken.
Motion carried with a vote of 7-0-0.

3. Consider, and act upon, adoption and final publication of Ordinance 1634, amending Section 23-02-060 of the Alamogordo Code of Ordinances regarding exemptions for Lodgers Tax and to amend Section 23-02-030 to include additional definitions. *(Stephanie Hernandez, Assistant City Manager and Evelyn Huff, Finance Director)* (Roll Call Required

Commissioner Rardin clarified the reason he had pulled this item off the Consent Calendar was because he had voted no on the first publication, and he planned to vote no on adoption because he didn't believe in that tax increase.

Commissioner Baldwin moved to approve.
Mayor Pro-Tem Sikes seconded the motion.
Roll Call Vote was taken.
Motion carried with a vote of 6-1-0. Commissioner Rardin voted "nay".

NEW BUSINESS

9. Consider, and act upon, reinstating the Records & Archives Clerk position that was laid off in May 2020 due to COVID-19, as a full-time position. *(Rachel Hughs, City Clerk)*

City Clerk Hughs gave a PowerPoint presentation. She outlined the necessary personnel changes and need for a full-time Records & Archives position, including the original creation of the position and history of the position. Emphasis was given on the importance for records management, as well as retention and proper destruction of documents. Budget impact for the position was outlined, and a request made for approval of the position.

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

10. Consider, and act upon, first publication of Ordinance 1636, an Ordinance creating Chapter 34 in the Alamogordo Code of Ordinances concerning Marijuana. *(Petria Bengoechea, City Attorney*) (Roll Call Vote Required)

This item was removed from the agenda.

11. Consider, and act upon, providing direction to City Staff on incentives for new businesses. *(Richard Boss, Mayor)*

Mayor Boss said he'd had a couple businesses ask him if there were any incentives for businesses to come to town. GRIP was one of those types of incentive programs, which was the Gross Receipts Incentive Program. However, because there were no limitations on it, they virtually had to do away with GRIP. Therefore, could we do some other type of program which had some limitations. City Manager Cesar said in 2020 we were at the tail end of preparing the budgets for Commission review and approval. This was one of the areas that we cut back, along with the part-time staff. There were a number of programs we actually shut down not knowing how long the State was going to be shut down and how it was going to impact the gross receipts coming in. The Commission did away with the GRIP Ordinance at that time. He had worded this item as "incentives" as opposed to "GRIP". A good example brought up earlier tonight was the housing shortage, and GRIP would have done nothing for that problem. At the last Commission meeting he had brought up that we were going to have to postpone a majority of our projects because of the skyrocketing material prices and contractors' issues with not being able to hire the staff needed to complete the projects. Staff had postponed issuing the Requests for Proposals until the new calendar year in the hopes that prices would come down and employment would pick up. With an incentive program, he would suggest the Commission allow staff to not only look at the old GRIP program, but also look at housing incentives and infill programs. During budget hearings they could look at a proposed budget for this as well as a clean, well thought out Ordinance for the Commission's review and approval.

Commissioner Payne said she loved that idea. However, if staff came up with something, did they necessarily have to wait until budget hearings to act on it. If the City was approached by businesses looking for incentives before budget time next year, would there be an opportunity to do a budget revision. Unfortunately, we needed to incentivize people because that was the only way we were going to get things done. City Manager Cesar said it could come earlier, but it would need to be done by Ordinance. The reason behind waiting until the new calendar year was because we would have a much better idea of where we were. In about a month and a half to two months we were actually going to start the budgetary process at a staff level. For the current fiscal year, we tried to factor in the increase in material costs, etc., but we just didn't expect to see what we were seeing now. Costs were just much higher than we had anticipated

Mayor Boss said he did not have a problem with waiting until the budget cycle to do that. He just thought it was something we needed to consider because we were recovering.

Mayor Pro-Tem Sikes clarified last year we repealed the GRIP program because we were having an influx of businesses coming into Alamogordo. The way GRIP worked was that the businesses were paid a percentage of the money they invested in the community. There were no limitations, and we would have gone broke. There were so many businesses coming in that we had to incentivize something we could afford. At this point she felt we could not do something minimal but had to do something that really did incentivize businesses in a way that fit the budget.

Commissioner Payne said she did not have a problem waiting until next budget year, but she was concerned that if we were approached with a really good opportunity would we have the ability to at least look at it.

Commissioner Rardin said regarding infill development programs, he would like to see staff reach out to other communities and find out what they had done to accomplish that. This type of program took the older parts of town and gave investors and builders an incentive to try and utilize some of the properties and improve them to bring the area back up.

The Commission took no action.

12. Consider, and act upon, providing direction to City of Alamogordo staff considering the composition of a letter to the Alamogordo Public School Board from the Alamogordo City Commission regarding gender and participation in school sports, the teaching of

critical race theory, mask requirements in public schools, and Covid-19 vaccinations in the public schools. *(Joshua Rardin, City Commissioner District 4*)

Mr. Ben George, citizen, said he was advocating for the people of Alamogordo, not Holloman or El Paso. We were struggling. When his wife was shut down, he pulled his youngest daughter out of public school and put her in private school. He worked three jobs. When was enough, enough. When were we going to stand up to our Governor and tell her "no". Critical race theory was something crazy they were teaching our kids. Just like the Pastor prayed, our Constitutional rights were being taken one, by one, by one. He was a father and lived in Otero County his whole life. His grandfather worked for the City for years. When was enough, enough. Our kids were being segregated because they wouldn't wear masks or get vaccinated. It was just crazy.

Ms. Sarah Weihausen, citizen, said she believed our rights were being taken away over and over and over and over. Things the government was not able to get across the State and nationally they were pushing in the schools. At the last several School Board meetings there had been no public comment. They were meeting tomorrow and the next night for public comment, but the people's voice had not been heard. They needed to hear from the community. There were three School Boards in New Mexico that were standing up and saying they wanted to do what was right for their district and not be told from the top down what we needed to do. The people needed to be heard locally for their own schools. She begged them to do this support because they needed courage and they needed to hear from the community so that they could decide what to do.

Mr. John Block, citizen, said he was an Alamogordo resident coming before the Commission, and he thanked them for taking this agenda item. It was a shame they had to do this because our School Board had a dereliction of duty. They were not protecting our children in the schools. They were allowing the Governor to dictate masks on children for eight hours a day. They were allowing segregation in schools by vaccination status, and they were also ramming down their throats critical race theory, transgender sports, and it was a darn shame that the honorable members of the City Commission had to do the School Board's jobs for them. It was a shame. He was here to beg the Commission to pass this resolution to send this letter to our School Board. They needed to hear our voices because clearly, they were not. He had sent them ten emails and not a single one of them had responded. His School Board member would not respond to him and would not listen to his concerns and the concerns of other people in his neighborhood. His community who had asked him about this issue had asked him to advocate on this issue and he felt like he was forced to do that for them. He really respected the Commission members and appreciated them for passing this forward and for sending this letter to make a big difference in our community because our children and their health and safety were at stake. It was our responsibility to stand up for them.

David Mote, citizen, said he was a veteran, business owner, and father of three boys in the public school system here. He would appreciate it if the Commission would send that letter. The School District was not listening. We couldn't just follow the CDC guidelines blindly because they were not following their own science. It had been proven that the masks were detrimental to our children, and they were at very low risk for any side effects from Covid 19. He didn't understand the process the schools were taking or the reason they were taking it. He hoped the Commission would stand up for our children and for this community because the community was going to stand up for themselves. They couldn't send all our children home and they couldn't arrest us all. They couldn't mandate everything. He hoped the Commission did the right thing and looked out for our children and told the School Board to get on board with the community.

Commissioner Rardin said he had put this item on here because he had attended the School Board meeting last Tuesday morning and it didn't appear to him that the School Board really cared what the public thought. He understood we had no authority over the School Board whatsoever, and he wanted to make that clear. But in the past, we had sent letters to other governing agencies taking a stance or letting them know our opinion and what we thought on issues. His main one on here was the vaccine and the mask requirements for our children in school. In 2020 the State and Federal government robbed our children of their education. All of last year was just a joke. Some of these kids didn't get the kind of schooling they needed. The reason he put this on was to see if we would take a stance and just send a letter of support and provide direction to staff of how we wanted the letter worded or whether we wanted all four of these issues in there. He didn't know it would be such a heated item when he put it on, but it was. There was a meeting at the Flickinger Center on Sunday and there were probably 300 people there. It was a very heated issue of what was going on in our schools right now.

Mayor Pro-Tem Sikes said when she saw this item on the agenda, she was a little put out, a little embarrassed, and a little indignant about the fact that Commissioner Rardin didn't respect his fellow Commissioners enough to realize that we have nothing to do with the Schools. This shouldn't even be on the agenda. But since it was on the agenda and we had a room full of people, she would like an explanation of critical race theory. She'd been reading critical race theory information for the past couple of weeks, and she'd spoken to multiple School Board members, including people from the AFT (American Federation of Teachers) and people from the PED (Public Education Department). Critical race theory was an academic exercise which started in the 1970's. She could barely get her arms around what they were doing, but according to every single person she had spoken with, we did not teach critical race theory. It was a talking point that for some reason had been latched onto, and we did not teach critical race theory. In order that we have a better understanding, she would like Commissioner Rardin to explain critical race theory and how it was being taught in our local public schools.

Commissioner Rardin said he did not have a whole lot of time to read up on critical race theory. He read very minimal about it. Essentially it taught racism, which he was against. From what he read, it taught Marxism. That was about as much of it that he'd gotten through. Mayor Pro-Tem Sikes said she would tell him that was not true. Commissioner Rardin said our School Board didn't need to be mandating this, nor our Federal government. His biggest thing on this one was our mask requirements and our Covid-19 vaccinations. If she'd gone to the meeting last Tuesday at the School Board, they were essentially segregating our children based off of being vaccinated and unvaccinated. They were creating mental health issues in these children. His daughter was so excited to go to school, but when she walked in wearing a "Gator", the nurse told her that didn't meet the face mask requirement. She had to take it off and wear a pink paper surgical mask the rest of the day. That was the kind of thing happening in our schools right now. They robbed our children of their education last year and it didn't need to happen this year. He would admit the last School Board meeting did get a little out of hand with some of the yelling and screaming and it was a little over the top. It could have been kept a little better under control, but they threatened to throw every member of the public out of that meeting numerous times. The public was not being listened to and this was an avenue for us to listen to the public because the same voters that voted the School Board in also voted us in. He wanted to note that on 3/23/2020 we voted to send a letter to another elected body regarding "regulating taxes". On 4/23/2020 we sent another letter, and it was the one the Governor never responded to us on about opening our local businesses. Mayor Boss said those issues affected us directly. Commissioner Payne agreed. Commissioner Rardin said this affected us directly.

Mayor Boss said the problem he was having with this was that he didn't see where we had any authority whatsoever with the School Board. If we did this, what would it accomplish because it was a political statement. Commissioner Rardin said yes, it was a political statement. Mayor Boss said the position we were all in was not a political position; it was nonpartisan. We didn't take sides between Republicans and Democrats. Commissioner Rardin said this was a commonsense issue and not a Republican-Democrat issue. Mayor Boss asked what good it would do. He agreed with everything about the issue, but he felt it was a political issue and it would do no good to do this.

Commissioner Payne read an email she had received from a constituent. It read, "Regarding Agenda Item 12, I find it disappointing and disturbing that a City Commissioner is trying to use the Commission as a platform for spreading information that is inaccurate, harmful, and contrary to current public health and safety recommendations to keep our youth and families safe as our kids and teachers return to school. It doesn't seem within the scope of the City Commission to direct the APS School Board to do anything, much less consider policies that are grounded in discriminatory and stigmatizing language and intentionally false and misleading information. Regarding vaccination and masks, given our low vaccination rates, unwillingness of many in our community to wear a mask indoors, and our high community transmission, anything other than promoting vaccination and encouraging universal mask wearing indoors is irresponsible and disrespectful to our kids and teachers as they go back to school".

Commissioner Payne said she vehemently disagreed with this person, completely. Personally speaking she did not believe that we should force our children to wear masks in school. She was not a show-boater and really did not care what people thought and she was not concerned about being re-elected or who was going to vote for her because she knew she did her job. She did not agree with this. She had a granddaughter at the High School who specifically told her the other day that she was feeling pressured to get the shot because the kids were giving her a hard time and telling her she was part of the problem. She didn't understand how they could tell which kids were vaccinated and which weren't. It was just like walking into Albertson's or any other store which had a sign stating that if you'd been vaccinated you didn't have to wear a mask. They didn't know the difference. Having said that, this was in effect a political issue. She wasn't interested in arguing with people in the audience, and again, didn't really care. They could get mad at her or not. She knew what she believed in, and she knew what she stood for. She did stand for individual liberties, and she did stand for the choice of whether you wore a mask or not. She did not agree that this Commission should get involved in another elected body's issues. She didn't agree with that because if we flipped that around in reverse, what was going to stop them from doing that to us the next time they didn't like something we did. They could agree or not agree with her, but we all had to work together. When we started writing letters dictating what we thought as a Commission to another elected body, it was going to cause division and we did have to work together. If we wanted to get things done in this community, we did have to work together. She had spoken to School Board members today. What was conveyed to her was not at all what had been portrayed out there. She would tell them that tomorrow night and Thursday night, Acting Superintendent Dr. Moore was opening up the Alamogordo High School for anybody. What she read stated that anyone could share anything, and the Schools would listen. Whether they would listen, she did not know, but Dr. Moore said they would listen. She couldn't guarantee it, but he said they would.

Commissioner Payne said she wondered if somebody in this room could point out one instance of an issue with transgender or critical race theory in our schools. We lived in Alamogordo, New Mexico, not Chicago, Los Angeles, or San Francisco. She strongly believed it would be tough to get those things through here because we weren't going to put up with it. But for us to open up a can of worms that just was not there right now, we had bigger fish to fry like mask mandates and protecting our children and she was in that camp. She just thought these other things were opening up a can of worms. And as long as Commissioner Rardin had been a Commissioner, for him not to think that this would wind up being a hot topic, she questioned. She knew better. Of course, this was going to be a hot topic. We have had literally three people show up to Commission meetings, if that many, since we started in person and all of a sudden we had 30 here tonight. She was glad everyone was present, but she was disappointed that this was the only reason they were here. Kudos to those who had the courage to stand up and talk and she felt their voice should be heard. But in her opinion, this was not something that the City of Alamogordo needed to get involved in. When she stood outside this Commission Chambers, she would stand toe to toe with everyone and argue for the rights of our children because she believed it was that important. But she could not, as part of a nonpartisan elected body, support writing a letter to another nonpartisan elected body and impose her personal beliefs. She represented all of the citizens. Clearly, we didn't agree with this lady who wrote the email, but she represented that lady, and she was one of her constituents. For everyone present who believed we should think one way, there was someone for each of them that thought we should think the complete opposite, and we all thought we were right. She felt we might be right about this issue, but for everyone of them who thought they were right there were people who felt just as passionately the other way and she was elected to represent all of them. This was turning into a political issue, and we were not a partisan body. We shouldn't be because that was not how we were set up. We were not a political body, but rather a nonpartisan body. So, for us to impose our personal will when we really didn't know what all our constituents thought, she felt was inappropriate.

Mayor Boss said Commissioner Payne always said things very much better than he did, and he wanted to state that he echoed everything she said. This was a political issue, no question. It was an issue we should not be involved in as the City of Alamogordo.

Mayor Pro-Tem Sikes moved to table for perpetuity.
Commissioner McDonald seconded the motion.

Commissioner Baldwin thanked everyone who came here to speak. He realized it was not easy to understand the way our particular government ran in reference to the way the School Board ran. The School Board was a wholly elected other government within this State. They had elected officials and they were the ones who had control over these issues. He knew everyone realized that. He knew it was stated that this would be ceremonial and for the most part it would have no weight. He sympathized that those present wanted some weight or something to maybe force them or show them they were serious about this or that maybe the City of Alamogordo was. This was not something this body of government should be getting involved in by looking up other letters we'd written other governmental entities. As the Mayor had clearly stated, those were well within our purview and within our Mission Statement as the City of Alamogordo. He'd stood on the Mission Statement multiple times when the Commission had gone kind of off the rails, so to speak, and when they started focusing on things that didn't fall into what our Mission Statement was. This particular one, although it did affect the citizens of Alamogordo, it did not fall within the Mission Statement of the City of Alamogordo. He had to echo not moving forward with this, not because he didn't stand with them and not that he didn't agree with some of the topics they were asking us to stand with them on. What he could say was that understanding and hearing their voices tonight would give him the ability to communicate to the School Board members which he did have access to and which they did contact on matters of City business and other business where we dealt with them. His ability to communicate the needs of his constituents to them, which was some of them tonight, would be heard by the School Board members he saw and who he talked to. He would echo their concerns and issues, but this should not have been brought to us and we should not move forward with it. To do something like this did set a precedent which he hoped they understood was not good for any political body.

Commissioner Rardin said back in 2008-2010 this Commission did send a letter to the School Board taking a stance on teaching sex ed to 2nd graders on up. He remembered that because he was here. The reason he put this on the agenda was mainly the mask requirements and the vaccinations. This was basically a letter telling the School Board, "Hey, we got your back". That was where he was going with this. You could tell they were worried about their funding being pulled for taking a stance. The reason he added this item on here was partly because he was asked to, but also so that showed them that we had their back. He also would have liked to send it to Otero County so that they could do something very similar. Last year we got shut down and they told us if we got vaccinated that we could open back up and wouldn't have to wear the masks anymore. Well, where were we at now, and where were we headed. We were headed for another shutdown and for wearing masks again because there was a new variant. When was enough, enough. We were local elected officials and we had all sat here quietly for years and years and years and we'd gotten to where we were now. Commissioner Baldwin disagreed that we had sat here quietly; we went kicking and screaming on this. Commissioner Payne said yes, we had. Commissioner Rardin said we did to a point. Commissioner Baldwin said we had done what we should have within the ability we had. Commissioner Rardin thought we could have done more. He felt we should support our School Board and tell them this was how we felt. We didn't have to put all four of these in the letter. We could just choose the masks if we wanted to at this point for the letter. The issue that Floyd School District was having over in Roosevelt County was over the masks; it was none of this other stuff but just over the masks. This was to show our School Board that we had their back and that we would stand behind them as an elected body because everyone of us had a school in our District we resided in.

Mayor Boss asked what he meant by "have their backs". Commissioner Rardin said just so when PED (Public Education Department) came back and said they were going to take funding away or they were going to suspend the School Board. Mayor Boss asked what we could do about that. Commissioner Rardin said we couldn't, but there was a picture on Facebook the other day of a shark over a bunch of little fish as a bigger shark was eating that shark. If all of us banned together, they couldn't arrest us all and they couldn't stop us all. They were just chipping away at our freedoms little by little by little. What they were doing to our children was wrong. The kids just wanted to go to school and learn. Mayor Boss agreed that it was wrong, but he didn't agree that we should write this.

Commissioner Payne said she was also at that meeting on Sunday. She actually signed up to speak but was not called on. She did talk to Representative Townsend after the meeting because our Governor had talked about shutting us down again and she was very concerned it would just really mess our kids up. She specifically asked him if he thought we would be shut down again, and he said no he did not. She asked him if he was 10 percent sure or 90 percent sure, and he told her he was about 95 percent sure that she would not shut us down again. She also heard some of the things said at that meeting, and they came straight from our State Representatives. Some of the things mentioned were sort of contrary to what they actually said at that meeting. She thought had Commissioner Rardin worded this letter of support differently, then it would have been taken differently. She did not think that was how a lot of people in the audience perceived it. She felt they had perceived it completely different, and it was all in the wording. She still did not agree that we should do this. She felt we were getting into a territory that could be very dangerous to us in the future, and as Commissioner Baldwin had stated, did not fall within our Mission Statement. She was not present in 2009 so she had no idea what happened back then. She just knew that for her to impose her personal will, which she felt very strongly about and had privately worked very hard against this, she was very concerned about. She felt we needed to be careful about staying in our lane.

Commissioner Rardin said that was their prerogative. He'd brought it forward like he was asked by his constituents – multiple constituents. Commissioner Payne asked how it was that Commissioner Rardin got multiple phone calls and emails that the rest of them didn't get. She didn't get anything. Commissioner Rardin said he was out in the public all day long. Commissioner Payne said she was very much out in the public all day long as well.

Mayor Pro-Tem Sikes made a point of order that we were not reacting to yelling from the audience. If it continued, then Chief Denton could escort them out. Commissioner Rardin said the School Board meeting was full of that, but it was people airing their frustrations. He really did not feel we should remove a member from the meeting. We really needed to take a stand. Mark his word, in three months let's see where we were at.

Mayor Pro-Tem Sikes said she looked at the numbers every single day. The email Commissioner Payne was referring to was from Dr. Mata who was a public health official. She found it very interesting that people wanted to defy public health information and public health guidelines. Look at the numbers – we had 58 positives over the weekend. When you looked at the numbers from this time last year, they were zero. The reason we had zero was because we were consistently masking and consistently social distancing. She would like to table this item because she felt defying public health information could serve us unjustly when people started becoming sicker and when kids started becoming sicker. She felt we needed to stay out of this and let the PED deal with it.

Mayor Boss said he felt that was not the issue, but rather, whether or not we could do any good by sending letters out. We could not because we had no authority whatsoever. This was totally political, and we all took an oath that we would be nonpartisan. Commissioner Rardin said our School Board was nonpartisan.

Mayor Boss called for the vote on the motion.
Roll Call Vote was taken.
Motion carried by a vote of 4-3-0. Commissioner Rardin, Commissioner Wright, and Commissioner Payne voted "nay".

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

Mayor Boss read the openings and appointed Randel Wilson to the Airport Zoning Board, and reappointed Rosanna Heath to the Mayor's Committee on Aging. No one was opposed.

Commissioner Payne moved to adjourn at 8:21 p.m.
Commissioner Baldwin seconded the motion.
Motion carried with a vote of 7-0-0.

ADJOURNMENT

____
Mayor Richard Boss

ATTEST:

____
City Clerk Rachel Hughs

Approved at the Regular Meeting held on August 24, 2021.

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 8/24/2021 **Report Date:** 8/17/2021 **Report No:** 3.

Submitted By: Rachel Hughs

Subject: Approve Resolution 2021-30 designating the City Clerk as the Custodian of Records and including the method of destruction for City records as witnessed shredding. *(Rachel Hughs, City Clerk)* **(Roll Call Vote required)**

Fiscal Impact: $1,822.91
Amount Budgeted: $4,400.00
Fund: 011-2001-411.30-41

Additional Fiscal Impact:

Recommendation: Approve Resolution 2021-30.

Background: The City uses shredding as the method of destruction. The number of boxes to be destroyed is 236.

Staff recommends approval of the resolution designating the City Clerk as Custodian of Records and to continue with records destruction by witnessed shredding by a bonded destruction vendor.

RESOLUTION NO. 2021-30

DESIGNATING THE CITY CLERK AS THE CUSTODIAN OF RECORDS AND DESIGNATING THE METHOD OF DESTRUCTION OF RECORDS AS WITNESSED SHREDDING BY A BONDED DESTRUCTION VENDOR

WHEREAS, the destruction of obsolete records is necessary for efficient records maintenance by the City of Alamogordo; and

WHEREAS, in the interest of sound records management principles, the City Clerk has established procedures for the retention and disposition of municipal records; and

WHEREAS, the City of Alamogordo adopted the New Mexico Municipal Records Retention Schedule on October 13, 2020; and

WHEREAS, the City of Alamogordo desires to use witnessed shredding by a bonded destruction vendor as the approved method of destruction of records.

NOW, THEREFORE, BE IT RESOLVED: that the City Clerk is designated as the Custodian of Records and the Clerk or her designee, is hereby authorized and directed to maintain the program for the municipality and to apply the retention period assigned by said records retention and disposition schedules to all records and files of the Municipality.

BE IT FURTHER RESOLVED: the official method for destruction of records will be designated as witnessed shredding by a bonded destruction vendor and the City Clerk is authorized to proceed with shredding of approved records.

PASSED, APPROVED AND ADOPTED this _______ day of __________________, 2021.

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

____
Richard Boss, Mayor

SEAL

ATTEST:

____
Rachel Hughs, City Clerk

APPROVED AS TO FORM:

____
Petria Bengoechea, City Attorney

Total Destruction, LLC
Purge/One Time Service Agreement

This Service Agreement is made effective as of ____August 12__________2021, by and between City of Alamogordo ____________________,and Total Destruction, LLC of Alamogordo, New Mexico. In this agreement, the party who is contracting to receive services will be referred to as "Customer," and the party who will be providing the services will be referred to as "Service Provider"

Services to be Furnished. Service Provider will provide the services for the secure destruction of records/information at the Customer's site, otherwise known as On-Site Shredding Services.

Ownership Warranty. Customer warrants that it is the owner, legal custodian, or otherwise has the right to deliver for confidential destruction any and all Customer Materials provided to Service Provider hereunder. Service Provider may act in reliance upon any instruction reasonably believed by Service Provider to be genuine and may assume that any of Customer's employees giving instruction to destroy has the authority to do so.

Hazardous Substances. Customer shall not deliver to Service Provider any material considered toxic or dangerous or which is regulated under any federal or state law or regulation relating to hazardous materials. In the event of the accidental or negligent custodial transfer of hazardous or regulated waste, including biohazard, Customer agrees to arrange to appropriately, safely, and legally assume custody of such hazardous materials at their expense. And further to indemnify the Service Provider from any property damage or personal injury resulting from such transfer of material.

Material Descriptions. Itemized lists or descriptions of contents of materials submitted by the Customer to the Service Provider shall be generally considered for record-keeping, reconciliation, and reference purposes only, and are not considered proof that said documents contained on such lists and descriptions are in fact contained in the materials accepted. Service Provider will make provision for validation of such document contents in advance under special terms and fees at the request of the Customer.

Confidentiality. The Service Provider will ensure that persons authorized to process Personal Data have committed themselves to confidentiality or are under an appropriate statutory obligation of confidentiality. The Service Provider will implement appropriate technical and organizational measures to protect Personal Data it receives from the Customer from misuse, interference, loss, unauthorized access, or disclosure.

Payment for Services. In exchange for the Services, the Customer will pay Service Provider the agreed upon charge as indicated on page 2 of agreement. Should Customer's non-payment as stipulated in agreement bring its account 60 days past due, regardless of the cause, including insolvency or bankruptcy, the Customer's owners, partners, shareholders, and/or directors, as determined appropriate by its ownership structure, accept responsibility for the Customer's obligations.

Term. This Service Agreement is for a One Time Document Shredding project and shall commence on the date agreed upon and terminate after project completion.

Total Destruction, LLC
Purge/One Time Service Agreement

Compensation: Invoices shall be due and payable within thirty (30) days from receipt of the applicable invoice. Amounts due and not paid within thirty (30) days after Customer's receipt of the invoice shall bear a late charge of $5.00 plus interest at the rate of two percent (2.0%) per month.

Non-paper media: will be destroyed and assessed fees depending on media type.

1. **Price per 65 gal. bin of material to be destroyed: $50.00 + tax 4.06=$54.06** .

   Estimated Number of Bins: 33
   Estimated Subtotal of Project *$1650.00*
   New Mexico Sales Tax 8.125%: $133.98
   Plus Material Destruction $38.93
   Estimated Project Total: $1822.91

Price for Materials destruction:

.25 cents each for CD's & Floppy Disks= 116 CD's @ .25c each = 29.00
$1.00 each for Voice Tapes, VHS Tapes= 7 Cassette tapes @ $1.00 each = 7.00
$5.00 each for Back-up tapes with metal plates on back
$15.00 each for Computer Hard Drives and Reel-to-Reel tapes

______________________ ______________
Authorized Business Representative Date

Sunny Clay 8/12/2021
Total Destruction Representative Date

Billing Address:______________________

NEW IN 2019: We are implementing electronic invoicing; therefore, we need the email address of the person responsible for paying the invoices.

Billing Email:______________________

CITY OF ALAMOGORDO, NEW MEXICO
Office of the City Clerk
1376 E. Ninth Street, Alamogordo, NM 88310
(575)439-4100 (575) 439-4396 fax
rhughs@ci.alamogordo.nm.us

2021 (2nd Destruction List)

NOTIFICATION OF RECORDS DESTRUCTION

The following records have been identified as eligible for destruction according to the Records Retention and Disposition Schedule:
The strikeout is the State's Retention Schedule, in red is the new Municipal Retention Schedule the City adopted.

DEPT. WHERE RECORD ORIGINATED	DESCRIPTION OF RECORD	YEAR OF RECORD	ITEM # AUTHORIZING DESTRUCTION	Archive Box Number	DESTROY DATE
Finance	Payroll Register, Year End Report PAYROLL REGISTER: (1940-1944,1947,1948,1965)	1940-65	~~1.15.5.404(1)~~ 18-03-019	~~PR 1-2~~ 2021-208	~~2025~~ 2021
Finance	Payroll Register, Year End Report PAYROLL REGISTER: (1950-1965)	0950-65	~~1.15.5.404(1)~~ 18-03-019	~~PR 1-3~~ 2021-209	~~2025~~ 2021
Finance	Payroll Register, Year End Report PAYROLL REGISTER: May-Nov 1957)	1957	~~1.15.5.404(1)~~ 18-03-019	~~PR 3-1~~ 2021-210	~~2017~~ 2021
Finance	Payroll Register, Year End Report PAYROLL REGISTER: (Dec 1957 –Sept 1958)	1957-58	~~1.15.404(1)~~ 18-03-019	~~PR 3-1~~ 2021-211	~~2018~~ 2021
Finance	Payroll Register, Year End Report PAYROLL REGISTER: (Oct 1958 –Jun 1959)	1958-59	~~1.15.5.404(1)~~ 18-03-019	~~PR 1-1~~ 2021-212	~~2019~~ 2021
Finance	Payroll Register, Year End Report PAYROLL REGISTER: (Octo 1958 –May 1959)	1958-59	~~1.15.5.404(1)~~ 18-03-019	~~PR 3-1~~ 2021-213	~~2019~~ 2021
Finance	Payroll Register, Year End Report PAYROLL REGISTER: (Jul –Sept 1959)	1959	~~1.15.5.404(1)~~ 18-03-019	~~PR 1-1~~ 2021-214	~~2019~~ 2021
Finance	Payroll Register, Year End Report PAYROLL REGISTER: (Oct –Dec 1959)	1959	~~1.15.5.404(1)~~ 18-03-019	~~PR 1-1~~ 2021-215	~~2019~~ 2021
Finance	Payroll Register, Year End Report PAYROLL REGISTER: (Jun 1959 –Feb 1960)	1959-60	~~1.15.5.404(1)~~ 18-03-019	~~PR 3-1~~ 2021-216	~~2020~~ 2021
Finance	Payroll Register, Year End Report PAYROLL REGISTER: (Jan –Mar 1960)	1960	~~1.15.5.404(1)~~ 18-03-019	~~PR 1-1~~ 2021-217	~~2020~~ 2021
Finance	Payroll Register, Year End Report PAYROLL REGISTER: (Apr –Jun 1960)	1960	~~1.15.5.404(1)~~ 18-03-019	~~PR 1-1~~ 2021-218	~~2020~~ 2021
Finance	Payroll Register, Year End Report PAYROLL REGISTER: (Jul –Sept 1960)	1960	~~1.15.5.404(1)~~ 18-03-019	~~PR 1-1~~ 2021-219	~~2020~~ 2021

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2021 (2nd Destruction List)

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Finance	Payroll Register, Year End Report PAYROLL REGISTER: (Oct –Dec 1960)	1960	~~1.15.5.404(1)~~ 18-03-019	~~PR 1-1~~ 2021-220	~~2020~~ 2021
Finance	Payroll Register, Year End Report PAYROLL REGISTER: (Mar –Nov 1960)	1960	~~1.15.5.404(1)~~ 18-03-019	~~PR 3-1~~ 2021-221	~~2020~~ 2021
Finance	Payroll Register, Year End Report PAYROLL REGISTER: (Mar 1960 –Aug 1961))	1960-61	~~1.15.5.404(1)~~ 18-03-019	~~PR 3-1~~ 2021-222	~~2021~~ 2021
Finance	Payroll Register, Year End Report PAYROLL REGISTER: (Dec 1960 –Dec 1964)	1960-64	~~1.15.5.404(1)~~ 18-03-019	~~PR 3-1~~ 2021-223	~~2024~~ 2021
Finance	Payroll Register, Year End Report PAYROLL REGISTER: (Jan –Mar 1961)	1961	~~1.15.5.404(1)~~ 18-03-019	~~PR 1-1~~ 2021-224	~~2021~~ 2021
Finance	Payroll Register, Year End Report PAYROLL REGISTER: (Apr 1961 –Jun 1961)	1961	~~1.15.5.404(1)~~ 18-03-019	~~PR 1-1~~ 2021-225	~~2021~~ 2021
Finance	Payroll Register, Year End Report PAYROLL REGISTER: (Jul –Sept 1961)	1961	~~1.15.5.404(1)~~ 18-03-019	~~PR 1-1~~ 2021-226	~~2021~~ 2021
Finance	Payroll Register, Year End Report PAYROLL REGISTER: (Oct –Dec 1961)	1961	~~1.15.5.404(1)~~ 18-03-019	~~PR 1-1~~ 2021-227	~~2021~~ 2021
Finance	Payroll Register, Year End Report PAYROLL REGISTER: (Sept 1961 –Jun 1962)	1961-62	~~1.15.5.404(1)~~ 18-03-019	~~PR 3-1~~ 2021-228	~~2022~~ 2021
Finance	Payroll Register, Year End Report PAYROLL REGISTER: (Jan 1962-Mar 1962)	1962	~~1.15.5.404(1)~~ 18-03-019	~~PR 1-1~~ 2021-229	~~2022~~ 2021
Finance	Payroll Register, Year End Report PAYROLL REGISTER: (Jul –Sept 1962)	1962	~~1.15.5.404(1)~~ 18-03-019	~~PR 1-1~~ 2021-230	~~2022~~ 2021
Finance	Payroll Register, Year End Report PAYROLL REGISTER: (Apr -Jun 1962)	1962	~~1.15.5.404(1)~~ 18-03-019	~~PR 1-1~~ 2021-231	~~2022~~ 2021
Finance	Payroll Register, Year End Report PAYROLL REGISTER: (Jul 1962)	1962	~~1.15.5.404(1)~~ 18-03-019	~~PR 3-1~~ 2021-232	~~2022~~ 2021
Finance	Payroll Register, Year End Report PAYROLL REGISTER: (Oct -Dec 1962)	1962	~~1.15.5.404(1)~~ 18-03-019	~~PR 1-1~~ 2021-233	~~2022~~ 2021
Finance	Payroll Register, Year End Report PAYROLL REGISTER: (Aug 1962 –Jun 1963 1962)	1962-63	~~1.15.5.404(1)~~ 18-03-019	~~PR 3-1~~ 2021-234	~~2023~~ 2021
Finance	Payroll Register, Year End Report PAYROLL REGISTER: (Jan –Mar 1963)	1963	~~1.15.5.404(1)~~ 18-03-019	~~PR 1-1~~ 2021-235	~~2023~~ 2021
Finance	Payroll Register, Year End Report PAYROLL REGISTER:	1963	~~1.15.5.404(1)~~ 18-03-019	~~PR 1-1~~ 2021-236	~~2023~~ 2021

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2021 (2nd Destruction List)

NOTIFICATION OF RECORDS DESTRUCTION

The following records have been identified as eligible for destruction according to the Records Retention and Disposition Schedule:
The strikeout is the State's Retention Schedule, in red is the new Municipal Retention Schedule the City adopted.

	(Apr -Jun 1963)				
Finance	Payroll Register, Year End Report PAYROLL REGISTER: (Jul -Sept 1963)	1963	~~1.15.5.404(1)~~ 18-03-019	~~PR 1-1~~ 2021-237	~~2023~~ 2021
Finance	Payroll Register, Year End Report PAYROLL REGISTER: (Oct -Dec 1963)	1963	~~1.15.5.404(1)~~ 18-03-019	~~PR 1-1~~ 2021-238	~~2023~~ 2021
Finance	Payroll Register, Year End Report PAYROLL REGISTER: (Jan –Mar 1964)	1964	~~1.15.5.404(1)~~ 18-03-019	~~PR 1-1~~ 2021-239	~~2024~~ 2021
Finance	Payroll Register, Year End Report PAYROLL REGISTER: (Apr –Jun 1964)	1964	~~1.15.5.404(1)~~ 18-03-019	~~PR 1-1~~ 2021-240	~~2024~~ 2021
Finance	Payroll Register, Year End Report PAYROLL REGISTER: (Jul -Sept 1964)	1964	~~1.15.5.404(1)~~ 18-03-019	~~PR 1-1~~ 2021-241	~~2024~~ 2021
Finance	Payroll Register, Year End Report PAYROLL REGISTER: (Oct -Dec 1964)	1964	~~1.15.5.404(1)~~ 18-03-019	~~PR 1-1~~ 2021-242	~~2024~~ 2021
Finance	Payroll Register, Year End Report PAYROLL REGISTER: (Jan –Mar 1965)	1965	~~1.15.5.404(1)~~ 18-03-019	~~PR 1-1~~ 2021-243	~~2025~~ 2021
Finance	Payroll Files TIME REPORTS: Executime Timesheets (8/17/2015-01/03/2016)	2016	~~1.15.5.402~~ 18.03.018	~~PR 19~~ 2021-244	~~2020~~ 2021
Finance	Payroll Files TIME SHEETS (Executime Time Reports): (4/13/2015-8/16/2015)	2016	~~1.15.5.402~~ 18.03.018	~~PR 20~~ 2021-245	~~2020~~ 2021
Finance	Payroll Files TIME SHEETS (Executime Time Reports): (9/15/2014- 12/21/2014)	2015	~~1.15.5.402~~ 18.03.018	~~PR 21~~ 2021-246	~~2019~~ 2021
Finance	Payroll Files PAYROLL WARRANTS (check stubs): (12/27/2010 – 12/11/2011)	2012	~~1.15.5.407(1)~~ 18.03.018	~~PR 22~~ 2021-247	~~2019~~ 2021
Finance	Payroll Files PAYROLL WARRANTS (check stubs): (12/24/2012 – 12/9/2013)	2014	~~1.15.5.407(1)~~ 18.03.018	~~PR 23~~ 2021-248	2021
Finance	Employer's Quarterly Federal Tax Return File (Form 941) 941 TRANSMITTALS ONLY (1990-2005) MULTI WORKSITE REPORTS 941 TRANSMITTALS 1990-2005 MULTI WORKSITE REPORT (2007)	2007	~~1.15.5.409~~ 18.03.010	~~PR 24-1~~ 2021-249	~~2017~~ 2021
Finance	Employer's Quarterly Federal Tax Return File (Form 941) 941 REPORTS (2000-2007)	2007	~~1.15.5.406~~ 18.03.010	~~PR 24-2~~ 2021-250	~~2017~~ 2021
Finance	Internal Audit File INTERNAL AUDIT – year end processing files (2006 – 2011)	2011	~~1.15.3.148~~ 18.03.016	~~PR 25-1~~ 2021-251	~~2060~~ 2021
Finance	Payroll Files	2013	~~1.15.7.106-2~~ 18.03.018	~~PR 25-2~~ 2021-252	~~2060~~ 2021

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2021 (2nd Destruction List)

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	RETIREMENT RECORDS: 2008-PERA & retiree health reports 2009-2013 PERA Certifications				
Finance	Payroll Files PAYROLL WARRANTS: 2008-2011 Voided payroll & manual hand checks 2004-2007 & 2009 early paycheck requests	2011	~~1.15.5.407~~ 18.03.018	~~PR 26-1~~ 2021-253	~~2068~~ 2021
Finance	Payroll Files ACCURUALS – DONATED LEAVE –carryover & comp time 2005-2013; 6/2006 – payouts	2013	~~1.15.7.105~~ 18.03.018	~~PR 27~~ 2021-254	~~2017~~ 2021
Finance	Payroll Files TIME SHEETS (Executime time reports): 12/22/14 – 4/12/15	2015	~~1.15.5.402~~ 18.03.018	~~PR 28~~ 2021-255	~~2019~~ 2021
Finance	Payroll Files PAYROLLS WARRANTS (check stubs): 12/9/2013 – 8/3/2014	2015	~~1.15.5.407(1)~~ 18.03.018	~~PR 29~~ 2021-256	~~2022~~ 2021
Finance	Payroll Files PAYROLL WARRANTS (check stubs): 12/12/2011 – 12/23/2012	2013	~~1.15.5.407(1)~~ 18.03.018	~~PR 30~~ 2021-257	~~2020~~ 2021
Finance	Payroll Files VOUCHER PAYMENT WARRANT REGISTER: PAID INSURANCE PREMIMUMS 2010-2012	2012	~~1.15.5.313~~ 18.03.018	~~PR 31~~ 2021-258	~~2020~~ 2021
Finance	Payroll Files PAYROLL WARRANTS (semi-monthly check stubs) 09/2010 – 09/2012	2013	~~1.15.5.407(1)~~ 18.03.018	~~PR 32~~ 2021-259	~~2020~~ 2021
City Clerk	Meetings - Recordings Cassette tape and CD recordings of various CC Meetings 2009-2013	2009-2013	18.06-015	2021-260	
City Clerk	Meetings - Recordings Cassette tape and CD recordings of various CC Meetings 2009-2013	2009-2013	18.06-015	2021-261	
Legal	Legal Case Files Armstrong v. City, et al CV-234-78	1978	18.02.001	2021-262	
City Clerk	Liquor Licenses Liquor License Files	1982-2001	18.06.012	2021-263	
Finance	Payroll Files Copies of New Hire Packets & Termination Packets	2006-2007	18.03.018	2021-264	
City Clerk	Liquor Licenses Liquor License Files	2004-2014	18.06.012	2021-265	
City Clerk	Permits Short Term / Business Licenses-Business Registrations Auctioneer Licenses; Beer Garden Licenses; Carnival-Circus Licenses; Distressed Merchandise Sales; Fireworks Permits	1987-2014	18.06.002	2021-266	
City Clerk	Business Licenses & Business Registrations Vehicle for Hire Licenses	2005-2013	18.06.002	2021-267	
General	Correspondence (Elected/Executive Level) Proclamations 2003-2009	2003-2009	18.01.013	2021-268	
City Clerk	Business Licenses & Business Registrations	1989-1993	18.06.002	2021-269	

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2021 (2nd Destruction List)

NOTIFICATION OF RECORDS DESTRUCTION

The following records have been identified as eligible for destruction according to the Records Retention and Disposition Schedule:
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	Various Licenses & Permits	& 2012-2013			
Comm. Services	Payroll Files Time Cards	2014-2015	18.03.018	2021-270	
Comm. Services	Payroll Files Time Cards	2015	18.03.018	2021-271	
City Clerk	Election Administration – Other March 2016 Regular Election Voting Machine Permits	2016	18.06.008	2021-272	
General	Logs – General Records Series Inventory Forms	2008-2015	18.01.028	2021-273	
General	Correspondence (Elected/Executive Level) City Clerk's notes from Directors' Meetings; Copies of bills, invoices, and expenses	2006-2012	18.01.013	2021-274	
General/City Clerk	Correspondence (Elected/Executive Level); Business License & Business Registration General Correspondence – City Clerk Liquor Licenses	2004-2016	18.01.013 18.06.012	2021-275	
General	Correspondence (Elected/Executive Level) General Correspondence – City Clerk Brochures	1998-2016	18.01.013	2021-276	
General/City Clerk	Correspondence (Elected/Executive Level); Business Licenses & Business Registrations; Liquor Licenses General Correspondence; Fireworks Permits; Liquor Licenses	2004-2015	18.01.013 18.06.002 18.06.012	2021-277	
City Clerk	Liquor Licenses; Business Licenses & Business Registrations Liquor Licenses; Special Licenses	1999-2007	18.06.012 18.06.002	2021-278	
City Clerk	Meetings: Minutes of Other Bodies; Business Licenses & Business Registrations Mayor's Youth Advisory Committee; Resident Parking Only and Handicapped Parking Only sign applications	1989-2010	18.06.015 18.06.002	2021-279	
General	Transportation & Trip Permits Travel Documents for various Administration Personnel	2014-2016	18.01.046	2021-280	
General	Transportation & Trip Permits Travel Documents for various Administration Personnel	2011-2013	18.01.046	2021-281	
City Clerk	Meetings – Agendas Agenda Books	2015	18.06.013	2021-282	
City Clerk	Meetings – Agendas Agenda Books	2015-2016	18.06.013	2021-283	
Finance	W-2 Reports	1990-2007	18.03.026	2021-284	
Finance	Payroll Files	1990-2007	18.03.018	2021-285	
Finance	Payroll Files Work Comp forms	1998	18.03.018	2021-286	
City Clerk	Meetings - Agendas	2016	18.06.013	2021-287	
City Clerk	Meetings - Agendas	2016	18.06.013	2021-288	
City Clerk	Meetings – Agendas	2016	18.06.013	2021-289	
City Clerk	Meetings – Agendas	2017	18.06.013	2021-290	
City Clerk	Meetings – Agendas	2017	18.06.013	2021-291	
City Clerk	Meetings – Agendas	2017-2018	18.06.013	2021-292	
City Clerk	Meetings – Agendas	2018	18.06.013	2021-293	

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2021 (2nd Destruction List)

NOTIFICATION OF RECORDS DESTRUCTION

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City Clerk	Meetings – Agendas	2018	18.06.013	2021-294	
City Clerk	Meetings- Agendas	2018	18.06.013	2021-295	
Human Resources	Grievance & Complaint Files, Employees	1984-1995	18.04.015	2021-296	
Human Resources	Grievance & Complaint Files, Employees	1990-1998	18.04.015	2021-297	
City Clerk	Meetings – Agendas	1997-2015 & 2021	18.06.013	2021-298	
City Clerk	Meetings – Agendas	2020-2021	18.06.013	2021-299	
City Clerk	Meetings – Agendas	2020	18.06.013	2021-300	
City Clerk	Meetings – Agendas	2019-2020	18.06.013	2021-301	
City Clerk	Meetings – Agendas	2019	18.06.013	2021-302	
City Clerk	Meetings - Agendas	2019	18.06.013	2021-303	
City Clerk	Liquor Licenses - Business Licenses & Business Registrations Govt. and Regular Liquor Licenses, Vehicle for Hire Licenses	2010-2017	18.06.012 18.06.002	2021-304	
City Clerk	Business Licenses & Business Registrations Food Vendors, Pawnbrokers, Animal Sales	2007-2017	18.06.002	2021-305	
City Clerk	Election Administration Ballots, Other, Special Election Files	2008-2014	18.06.006 18.06.008 18.06.009	2021-306	
City Clerk	Election Administration Ballots, Other, Special Election Files	2010-2014	18.06.006 18.06.008 18.06.009	2021-307	
General	Public (IPRA) Record Files Public Records Requests	2019	18.01.039	2021-308	
General	Public (IPRA) Record Files Public Records Requests	2019	18.01.039	2021-309	
General	Public (IPRA) Record Files Public Records Requests	2019	18.01.039	2021-310	
General	Correspondence (Elected Level; Executive Level; and Staff Level) Misc. correspondence from various levels and various years	1986-2018	18.01.013 18.01.014	2021-311	
City Clerk	Records Retention & Disposition Schedule RSI Forms for records which have all been destroyed	2016-2020	18.06.025	2021-312	
City Clerk	Permits, Short Term Various short-term permits: Special Events, Noise; Block Party; Street Closure; Commercial Solicitation; Parade; Vehicle for Hire; Power Washing; Special Dispenser's	2007-2015	18.06.023	2021-313	
General	Correspondence (Elected/Executive Level) Misc. correspondence – City Commission, City Manager, City Clerk	1993-2006	18.01.013	2021-314	
City Clerk	Liquor Licenses; Business Licenses & Business Registrations Liquor Licenses and Business Licenses (Carnivals)	2005-2014	18.06.012 18.06.002	2021-315	
City Clerk	Liquor Licenses; Business Licenses & Business Registrations Liquor Licenses, Oktoberfest 2013 documents; and Special Licenses	2013-2015	18.06.012 18.06.002	2021-316	

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2021 (2nd Destruction List)

NOTIFICATION OF RECORDS DESTRUCTION

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Finance	Contracts & Agreements Employment Contracts-Termed employees	1992-2016	18.03.008	2021-317	
Legal/Finance/City Clerk	Legal Case Files (1981-2007) / Donations / Franchise Files / Meetings-Agendas Grievances, Notices, Releases, Donations, Franchise information, Agenda Reports	1981-2015	18.02.001 18.03.009 18.06.010 18.06.013	2021-318	
General City Clerk	Correspondence (Elected/Executive Level)/Meetings-Agendas Boards/Committees miscellaneous correspondence, agendas, meeting backup	2016-2018	18.01.013 18.06.013	2021-319	
General Legal	Correspondence-Elected/Executive Level Legal Case	1986-2003	18.01.013 18.02.001	2021-320	
General	Correspondence -Elected/Executive Level Commission Correspondence-copies of threatened litigation files & tort claims	2007-2012	18.01.013	2021-321	
General	Correspondence -Elected/Executive Level Commission Correspondence-copies of threatened litigation files & tort claims; general miscellaneous correspondence	2013-2017	18.01.013	2021-322	
General	Correspondence-Elected/Executive Level Copies to City Commission; pamphlets; 1994 Municipal Code copy	1994-2015	18.01.013	2021-323	
General City Clerk	Correspondence-Elected/Executive Level --Disability Committee By-laws in Braille; various committee notes; extra copy of proposed water development plan; NM Alcohol & Gaming Division Rules & Regs (1966 & 2017); City Manager email Ordinance Code --NM Uniform Traffic Ordinance 2004 version Meetings-Agendas --Budget Public Hearings Agenda and Backup Industrial Revenue Bonds --IRB Series 1975 for The EV Lutheran Good Samaritan Society	1966-2017	18.01.013 18.06.021 18.06.013 18.06.011	2021-324	
General Finance Parks & Recreation City Clerk	Correspondence-Elected/Executive Level --General correspondence files of City Commission, Manager, and Clerk 2000-2004 Property Assessments --Special Assessment District 11 – 1967 Construction Grant Records --USDA Forest Service Westside Sacramento Mountains Watershed Restoration & Fuels Reduction Plan Concession Records --Server's Agreement Meetings-Agendas OCSWA – LCSWA Agendas & backup 2009-2010 Meetings-Minutes of Other Bodies --All Natural Hazards Mitigation Plan Meeting-2014	1967-2014	18.01.013 18.01.037 18.03.006 18.14.001 18.06.013 18.06.015	2021-325	

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2021 (2nd Destruction List)

NOTIFICATION OF RECORDS DESTRUCTION

The following records have been identified as eligible for destruction according to the Records Retention and Disposition Schedule:
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City Clerk	Meetings-Agendas --Old Agenda Books - June 1949 to November 2013	1949-2013	18.06.013	2021-326 thru 2021-444	
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 8/24/2021 **Report Date:** 8/20/2021 **Report No:** 4.

Submitted By: Maurice Gutierrez

Subject: Consider, and act upon, Resolution 2021-32 requesting written approval from the Local Government Division of the Department of Finance and Administration, State of NM for the revised budget numbers computed as of August 24, 2021. *(Evelyn Huff, Finance Director)* **(Roll Call Vote Required)**

Fiscal Impact:
Amount Budgeted:
Fund:

Additional Fiscal Impact: Beginning Cash Balances $0
Revenues $ 86,121 Decrease
Expenditures $ 494,809 Increase
Transfers In $ 215,000 Increase
Transfers Out $ 215,000 Increase

Recommendation: Approve the Resolution

Background: The City Commission adopted the FY 2021-2022 budget on May 11, 2021. The Department of Finance & Administration granted approval of the City of Alamogordo's Fiscal Year 2021-2022 Final Budget on August 12, 2021. Resolution 2021-32 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. 2021-32

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 2021-22.

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 final approval to the City of Alamogordo, New Mexico's annual budget on August 12, 2021, for fiscal year 2021-2022; and

WHEREAS, the City of Alamogordo, New Mexico, has tabulated on the following pages the additional resources and expenditures for fiscal year 2021-2022.

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 2022 be and hereby is revised as of August 24, 2021, to reflect a more true and accurate projection of the actual revenues and expenditures for fiscal year 2021-2022 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 August 24, 2021, as a more true and accurate projection of the actual revenues and expenditures for fiscal year 2021-2022.

PASSED, APPROVED AND ADOPTED by the Governing Body of the City of Alamogordo, New Mexico, at a Regular Meeting held this 24th day of August 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 2021-2022

1/12TH REQ RSRV
1,588,789
1/12TH REQ RSRV
0
Fund Reserve Policy
560,074
Bal. Remaining
3,935,050

FY22 BUDGET - RESOLUTION 2021-32 (#2) AUGUST 24, 2021

FUND NO.	FY 2021-2022 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	14,022,061	18,980,028	1,000,000	8,852,708	(7,852,708)	19,065,468	6,083,913	2,148,863	3,935,050
12	INTERNAL SERVICE FUND	80,006	448,711	3,554,534	0	3,554,534	3,930,770	152,481		$152,481
15	CORRECTIONS-JAIL	45,984	75,994	45,000	248	44,752	161,000	5,730		$5,730
16	LODGER'S TAX-PROMOTIONAL FUND	314,183	218,407	1,936	1,405	531	189,571	343,550		$343,550
17	POLICE COURT BOND	7,938	0	0	0	0	0	7,938		$7,938
19	COURT AUTOMATION FUND	8,582	50,000	0	10,571	(10,571)	40,895	7,116		$7,116
20	LODGER'S TAX-CITY	169,504	354,161	0	70,150	(70,150)	220,924	232,591		$232,591
21	D.A.R.E. DONATIONS FUND	22,409	2,165	0	0	0	8,109	16,465		$16,465
24	GRANT CAPITAL IMPROVEMENT	0	2,838,383	15,414	0	15,414	2,333,327	520,470		$520,470
27	MUNICIPAL COURT OPERATIONS	26,309	13,000	450,000	16,009	433,991	450,691	22,609		22,609
28	POLICE CONTINGENCY	69,213	2,549	0	0	0	10,000	61,762		$61,762
31	CEMETERY-PERPETUAL CARE	816,480	20,140	0	0	0	0	836,620		$836,620
32	COMMUNITY SERVICES	438,488	443,409	5,081,513	617,373	4,464,140	5,340,059	5,978		$5,978
33	FIRE PROTECTION	689,963	662,583	0	0	0	1,262,643	89,903		$89,903
35	HIDTA GRANT FUND	0	0	0	0	0	0	0		$0
36	LAW ENFORCEMENT FUND	4,818	55,200	0	0	0	60,018	(0)		($0)
37	STATE HIGHWAY FUND	147,869	70,751	0	0	0	128,828	89,792		$89,792
38	TRAFFIC SAFETY FUND	54,656	10,491	0	0	0	10,000	55,147		$55,147
39	STATE JUDICIAL	2,749	75,500	0	0	0	75,500	2,749		$2,749
42	1984 GROSS RECEIPTS TAX	2,385,672	1,730,991	0	2,150,774	(2,150,774)	22,675	1,943,214	252,119	$1,691,095
44	TRANSPORTATION FUND	165,480	1,239,016	1,976,537	140,914	1,835,623	3,235,453	4,666		$4,666
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	3,911,631	1,781,383	0	3,142,303	(3,142,303)	750,657	1,800,054	268,391	$1,531,663
50	PROPERTY ACQUISITION	85,010	0	0	0	0	0	85,010		$85,010
53	GENERAL OBLIGATION	908,523	1,062,849	0	0	0	1,114,058	857,314	557,029	$300,285
54	REVERSE OSMOSIS PROJECT RSV	21,967	0	16,239	0	16,239	16,239	21,967		$21,967
56	99 GRT FLOOD CONTROL BOND PROJ	7	29,091	1,830,905	19,476	1,811,429	1,608,382	232,145		$232,145
59	REVENUE BOND P & I FUND	150,101	7,363	2,679,243	0	2,679,243	2,679,243	157,464		$157,464
61	MUNICIPAL INFRASTRUCTURE .0625%	890,520	437,756	0	400,000	(400,000)	5,669	922,607		$922,607
63	COMMUNITY DEVELOPMENT	6,519	0	837,090	37,143	799,947	472,434	334,032		$334,032
69	1994 GROSS RECEIPTS	2,560,463	1,755,150	0	1,956,102	(1,956,102)	22,675	2,336,836	553,051	$1,783,785
71	ALAMO SENIOR CENTER	2,079	890,251	815,000	0	815,000	1,679,283	28,047		$28,047
74	ALAMO SENIOR CENTER GIFT	138,081	21,238	0	0	0	71,996	87,323		$87,323
75	RETIRED & SENIOR VOL. PROGRAM	14,328	176,851	46,000	16,102	29,898	205,231	15,846		$15,846
81	WATER/SEWER OPERATING	5,996,510	17,987,667	3,703,413	1,855,098	1,848,315	20,025,294	5,807,198	1,463,850	$4,343,348
82	98 JT WATER/SEWER BOND P&I	1,583,799	32,886	1,893,605	0	1,893,605	1,893,607	1,616,683		$1,616,683
86	SOLID WASTE COLLECTION SYS.	584,696	2,106,233	0	135,438	(135,438)	2,152,855	402,636	178,583	$224,053
88	BONITO CAMPGROUND	394,450	3,498	0	0	0	4,000	393,948		$393,948
89	ESGRT .0625%	2,538,217	458,704	0	1,406,625	(1,406,625)	995,582	594,714		$594,714
90	GOLF COURSE	72,040	1,473,298	660,000	91,334	568,666	2,110,514	3,490		$3,490
91	AIRPORT	17,373	525,560	65,000	53,178	11,822	553,885	870		$870

94	OTERO GREENTREE REG LANDFILL	4,909,828	1,379,465	0	725	(725)	4,528,855	1,759,713		$1,759,713
96	SELF-INSURED FUND	561,415	64,595	0	150,000	(150,000)	55,628	420,382		$420,382
98	PAYROLL CLEARING	291,874	0	0	0	0	0	291,874		$291,874
104	UTILITY DEPOSITS	653,070	0	0	0	0	0	653,070		$653,070
105	ECONOMIC DEVELOPMENT	4,508,656	925,576	0	0	0	423,257	5,010,975		$5,010,975
107	SELF INSURED/LIABILITY	1,176,628	6,805	0	0	0	635,000	548,433		$548,433
109	2004 GRT CAPITAL OUTLAY	15,469,629	3,593,680	0	4,354,058	(4,354,058)	9,102,805	5,606,446	534,452	$5,071,994
114	SIDEWALKS REVOLVING LOANS	143,001	1,454	0	0	0	0	144,455		$144,455
115	CORP ESCROW ACCOUNT RESERVE	1,000	0	0	0	0	0	1,000		$1,000
119	2012 GRT REF/IMP REVBD	407,932	29,960	0	0	0	154,384	283,508		$283,508
121	2015 GO BONDS-FUN CENTER	90,064	914	0	0	0	0	90,978		$90,978
122	2015 GO BONDS-STREETS	174,516	1,771	0	0	0	0	176,287		$176,287
901	HOUSING LOW RENT OPERATING	1,146,135	822,703	0	0	0	1,063,881	904,957	354,627	$550,330
903	HOUSING HOMEOWNERSHIP OPER	713,222	1,525	0	0	0	17,921	696,826		$696,826
904	HOUSING CAPITAL FUND PROJECTS	0	1,333,878	0	0	0	1,333,878	0		$0
	TOTALS FY2022	**69,595,645**	**64,703,583**	**25,477,734**	**25,477,734**	**0**	**91,529,449**	**42,769,779**	**6,310,965**	**36,458,814**

ALL FUNDS SUMMARY

BUDGET 2021-2022

1/12TH REQ RSRV
1,588,789
1/12TH REQ RSRV
0
Fund Reserve Policy
560,074
Bal. Remaining
4,044,729

FY22 BUDGET - RESOLUTION 2021-32 (#2) AUGUST 24, 2021

FUND NO.	FY 2021-2022 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	14,022,061	18,976,199	750,000	8,787,708	(8,037,708)	18,766,960	6,193,592	2,148,863	4,044,729
	Revision #7				65,000	(65,000)		(65,000)		(65,000)
	Revision #8		3,829			0	3,829	0		0
	Revision #17					0	44,679	(44,679)		(44,679)
	Revision #20			250,000		250,000	250,000	0		0
	Total Revised Fund 11	**14,022,061**	**18,980,028**	**1,000,000**	**8,852,708**	**(7,852,708)**	**19,065,468**	**6,083,913**	**2,148,863**	**3,935,050**
12	INTERNAL SERVICE FUND	80,006	448,100	3,554,534	0	3,554,534	3,905,159	177,481		$177,481
	Revision #5					0	25,000	(25,000)		($25,000)
	Revision #8		611			0	611	0		$0
	Total Revised Fund 12	**80,006**	**448,711**	**3,554,534**	**0**	**3,554,534**	**3,930,770**	**152,481**		**152,481**
15	CORRECTIONS-JAIL	45,984	75,994	45,000	248	44,752	161,000	5,730		$5,730
	Total Revised Fund 15	**45,984**	**75,994**	**45,000**	**248**	**44,752**	**161,000**	**5,730**		**5,730**
16	LODGER'S TAX-PROMOTIONAL FUND	314,183	218,407	1,936	1,405	531	181,771	351,350		$351,350
	Revision #18					0	7,800	(7,800)		($7,800)
	Total Revised Fund 16	**314,183**	**218,407**	**1,936**	**1,405**	**531**	**189,571**	**343,550**		**343,550**
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	8,582	50,000	0	10,571	(10,571)	35,895	12,116		$12,116
	Revision #6					0	5,000	(5,000)		($5,000)
	Total Revised Fund 19	**8,582**	**50,000**	**0**	**10,571**	**(10,571)**	**40,895**	**7,116**		**7,116**
20	LODGER'S TAX-CITY	169,504	352,857	0	70,150	(70,150)	219,620	232,591		$232,591
	Revision #2		1,304			0	1,304	0		$0
	Total Revised Fund 20	**169,504**	**354,161**	**0**	**70,150**	**(70,150)**	**220,924**	232,591		**232,591**
21	D.A.R.E. DONATIONS FUND	22,409	2,165			0	8,109	16,465		$16,465
	Total Revised Fund 21	**22,409**	**2,165**	**0**	**0**	**0**	**8,109**	**16,465**		**16,465**
24	GRANT CAPITAL IMPROVEMENT	0	2,838,383	15,414	0	15,414	2,333,327	520,470		$520,470
	Total Revised Fund 24	**0**	**2,838,383**	**15,414**	**0**	**15,414**	**2,333,327**	**520,470**		**520,470**
27	MUNICIPAL COURT OPERATIONS	26,309	13,000	450,000	16,009	433,991	450,691	22,609		$22,609
	Total Revised Fund 27	**26,309**	**13,000**	**450,000**	**16,009**	**433,991**	**450,691**	**22,609**		**22,609**
28	POLICE CONTINGENCY	69,213	2,549			0	10,000	61,762		$61,762
	Total Revised Fund 28	**69,213**	**2,549**	**0**	**0**	**0**	**10,000**	**61,762**		**61,762**
31	CEMETERY-PERPETUAL CARE	816,480	20,140			0		836,620		$836,620
	Total Revised Fund 31	**816,480**	**20,140**	**0**	**0**	**0**	**0**	**836,620**		**836,620**
32	COMMUNITY SERVICES	438,488	425,709	5,081,513	617,373	4,464,140	5,322,359	5,978		$5,978
	Revision #9		17,700			0	17,700	0		$0
	Total Revised Fund 32	**438,488**	**443,409**	**5,081,513**	**617,373**	**4,464,140**	**5,340,059**	**5,978**		**5,978**

33	FIRE PROTECTION	689,963	662,583	0	0	0	1,262,643	89,903		$89,903
	Total Revised Fund 33	**689,963**	**662,583**	**0**	**0**	**0**	**1,262,643**	**89,903**		**89,903**
35	HIDTA GRANT FUND	0	0			0	0	0		$0
	Total Revised Fund 35	**0**	**0**	**0**	**0**	**0**	**0**	**0**		**0**
36	LAW ENFORCEMENT FUND	4,818	53,400	0	0	0	58,218	(0)		($0)
	Revision #16		1,800				1,800	0		$0
	Total Revised Fund 36	**4,818**	**55,200**	**0**	**0**	**0**	**60,018**	**(0)**		**(0)**
37	STATE HIGHWAY FUND	147,869	22,967	0	0	0	81,044	89,792		$89,792
	Revision #10		47,784			0	47,784	0		$0
	Total Revised Fund 37	**147,869**	**70,751**	**0**	**0**	**0**	**128,828**	**89,792**		**89,792**
38	TRAFFIC SAFETY FUND	54,656	10,491	0	0	0	10,000	55,147		$55,147
	Total Revised Fund 38	**54,656**	**10,491**	**0**	**0**	**0**	**10,000**	**55,147**		**55,147**
39	STATE JUDICIAL	2,749	75,500			0	75,500	2,749		$2,749
	Total Revised Fund 39	**2,749**	**75,500**	**0**	**0**	**0**	**75,500**	**2,749**		**2,749**
42	1984 GROSS RECEIPTS TAX	2,385,672	1,730,991	0	2,150,774	(2,150,774)	22,675	1,943,214	252,119	$1,691,095
	Total Revised Fund 42	**2,385,672**	**1,730,991**	**0**	**2,150,774**	**(2,150,774)**	**22,675**	**1,943,214**	**252,119**	**1,691,095**
44	TRANSPORTATION FUND	165,480	1,239,016	1,976,537	140,914	1,835,623	3,235,453	4,666		$4,666
	Total Revised Fund 44	**165,480**	**1,239,016**	**1,976,537**	**140,914**	**1,835,623**	**3,235,453**	**4,666**		**4,666**
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	3,911,631	1,781,383	0	3,142,303	(3,142,303)	750,657	1,800,054	268,391	$1,531,663
	Total Revised Fund 49	**3,911,631**	**1,781,383**	**0**	**3,142,303**	**(3,142,303)**	**750,657**	**1,800,054**	**268,391**	**1,531,663**
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	908,523	1,062,849			0	1,114,058	857,314	557,029	$300,285
	Total Revised Fund 53	**908,523**	**1,062,849**	**0**	**0**	**0**	**1,114,058**	**857,314**	**557,029**	**300,285**
54	REVERSE OSMOSIS PROJECT RSV	21,967	0	16,239	0	16,239	16,239	21,967		$21,967
	Total Revised Fund 54	**21,967**	**0**	**16,239**	**0**	**16,239**	**16,239**	**21,967**		**21,967**
56	99 GRT FLOOD CONTROL BOND PROJ	7	29,091	1,830,905	19,476	1,811,429	1,608,382	232,145		$232,145
	Total Revised Fund 56	**7**	**29,091**	**1,830,905**	**19,476**	**1,811,429**	**1,608,382**	**232,145**		**232,145**
59	REVENUE BOND P & I FUND	150,101	7,363	2,679,243		2,679,243	2,679,243	157,464		$157,464
	Total Revised Fund 59	**150,101**	**7,363**	**2,679,243**	**0**	**2,679,243**	**2,679,243**	**157,464**		**157,464**
61	MUNICIPAL INFRASTRUCTURE .0625%	890,520	437,756	0	400,000	(400,000)	5,669	922,607		$922,607
	Total Revised Fund 61	**890,520**	**437,756**	**0**	**400,000**	**(400,000)**	**5,669**	**922,607**		**922,607**
63	COMMUNITY DEVELOPMENT	6,519	0	837,090	37,143	799,947	472,434	334,032		$334,032
	Total Revised Fund 63	**6,519**	**0**	**837,090**	**37,143**	**799,947**	**472,434**	**334,032**		**334,032**
69	1994 GROSS RECEIPTS	2,560,463	1,755,150	0	1,806,102	(1,806,102)	22,675	2,486,836	553,051	$1,933,785
	Revision #7				(100,000)	100,000		100,000		$100,000
	Revision #20				250,000	(250,000)		(250,000)		($250,000)
	Total Revised Fund 69	**2,560,463**	**1,755,150**	**0**	**1,956,102**	**(1,956,102)**	**22,675**	**2,336,836**	**553,051**	**1,783,785**
71	ALAMO SENIOR CENTER	2,079	678,095	815,000	0	815,000	1,471,507	23,667		$23,667
	Revision #1		1,263			0	0	1,263		$1,263
	Revision #8		64			0	(3,053)	3,117		$3,117
	Revision #11		1,719			0	1,719	0		$0
	Revision #12		182,924			0	182,924	0		$0
	Revision #13		9,961			0	9,961	0		$0
	Revision #14		16,225			0	16,225	0		$0
	Total Revised Fund 71	**2,079**	**890,251**	**815,000**	**0**	**815,000**	**1,679,283**	**28,047**		**28,047**

74	ALAMO SENIOR CENTER GIFT	138,081	21,238	0	0	0	71,996	87,323		$87,323
	Total Revised Fund 74	**138,081**	**21,238**	**0**	**0**	**0**	**71,996**	**87,323**		**87,323**
75	RETIRED & SENIOR VOL. PROGRAM	14,328	166,664	46,000	16,102	29,898	205,231	5,659		$5,659
	Revision #19		10,187			0	0	10,187		$10,187
	Total Revised Fund 75	**14,328**	**176,851**	**46,000**	**16,102**	**29,898**	**205,231**	**15,846**		**15,846**
81	WATER/SEWER OPERATING	5,996,510	17,987,667	3,703,413	1,855,098	1,848,315	19,965,294	5,867,198	1,463,850	$4,403,348
	Revision #3					0	60,000	(60,000)		($60,000)
	Total Revised Fund 81	**5,996,510**	**17,987,667**	**3,703,413**	**1,855,098**	**1,848,315**	**20,025,294**	**5,807,198**	**1,463,850**	**4,343,348**
82	98 JT WATER/SEWER BOND P&I	1,583,799	32,886	1,893,605		1,893,605	1,893,607	1,616,683		$1,616,683
	Total Revised Fund 82	**1,583,799**	**32,886**	**1,893,605**	**0**	**1,893,605**	**1,893,607**	**1,616,683**		**1,616,683**
86	SOLID WASTE COLLECTION SYS.	584,696	2,096,375	0	135,438	(135,438)	2,142,997	402,636	178,583	$224,053
	Revision #8		9,858			0	9,858	0		$0
	Total Revised Fund 86	**584,696**	**2,106,233**	**0**	**135,438**	**(135,438)**	**2,152,855**	**402,636**	**178,583**	**224,053**
88	BONITO CAMPGROUND	394,450	3,498			0	4,000	393,948		$393,948
	Total Revised Fund 88	**394,450**	**3,498**	**0**	**0**	**0**	**4,000**	**393,948**		**393,948**
89	ESGRT .0625%	2,538,217	458,704	0	1,406,625	(1,406,625)	995,582	594,714		$594,714
	Total Revised Fund 89	**2,538,217**	**458,704**	**0**	**1,406,625**	**(1,406,625)**	**995,582**	**594,714**		**594,714**
90	GOLF COURSE	72,040	1,472,648	660,000	91,334	568,666	2,109,864	3,490		$3,490
	Revision #8		650			0	650			
	Total Revised Fund 90	**72,040**	**1,473,298**	**660,000**	**91,334**	**568,666**	**2,110,514**	**3,490**		**3,490**
91	AIRPORT	17,373	910,668	100,000	53,178	46,822	841,289	133,574		$133,574
	Revision #7		(402,000)	(35,000)		(35,000)	(305,407)	(131,593)		($131,593)
	Revision #15		10,000				11,111	(1,111)		($1,111)
	Revision #21		6,892				6,892	0		$0
	Total Revised Fund 91	**17,373**	**525,560**	**65,000**	**53,178**	**11,822**	**553,885**	**870**		**870**
94	OTERO GREENTREE REG LANDFILL	4,909,828	1,379,465	0	725	(725)	4,423,541	1,865,027		$1,865,027
	Revision #4					0	105,314	(105,314)		($105,314)
	Total Revised Fund 94	**4,909,828**	**1,379,465**	**0**	**725**	**(725)**	**4,528,855**	**1,759,713**		**1,759,713**
96	SELF-INSURED FUND	561,415	64,595	0	150,000	(150,000)	55,628	420,382		$420,382
	Total Revised Fund 96	**561,415**	**64,595**	**0**	**150,000**	**(150,000)**	**55,628**	**420,382**		$420,382
98	PAYROLL CLEARING	291,874	0	0	0	0	0	291,874		$291,874
	Total Revised Fund 98	**291,874**	**0**	**0**	**0**	**0**	**0**	**291,874**		**291,874**
104	UTILITY DEPOSITS	653,070	0	0	0	0	0	653,070		$653,070
	Total Revised Fund 104	**653,070**	**0**	**0**	**0**	**0**	**0**	**653,070**		**653,070**
105	ECONOMIC DEVELOPMENT	4,508,656	925,576	0	0	0	423,257	5,010,975		$5,010,975
	Total Revised Fund 105	**4,508,656**	**925,576**	**0**	**0**	**0**	**423,257**	**5,010,975**		**5,010,975**
107	SELF INSURED/LIABILITY	1,176,628	6,805	0	0	0	635,000	548,433		$548,433
	Total Revised Fund 107	**1,176,628**	**6,805**	**0**	**0**	**0**	**635,000**	**548,433**		**548,433**
109	2004 GRT CAPITAL OUTLAY	15,469,629	3,593,680	0	4,354,058	(4,354,058)	9,102,805	5,606,446	534,452	$5,071,994
	Total Revised Fund 109	**15,469,629**	**3,593,680**	**0**	**4,354,058**	**(4,354,058)**	**9,102,805**	**5,606,446**	**534,452**	**5,071,994**
114	SIDEWALKS REVOLVING LOANS	143,001	1,454	0	0	0	0	144,455		$144,455
	Total Revised Fund 114	**143,001**	**1,454**	**0**	**0**	**0**	**0**	**144,455**		**144,455**
115	CORP ESCROW ACCOUNT RESERVE	1,000	0	0	0	0	0	1,000		$1,000
	Total Revised Fund 115	**1,000**	**0**	**0**	**0**	**0**	**0**	**1,000**		**1,000**
119	2012 GRT REF/IMP REVBD	407,932	29,960	0	0	0	154,384	283,508		$283,508
	Total Revised Fund 119	**407,932**	**29,960**	**0**	**0**	**0**	**154,384**	**283,508**		**283,508**
121	2015 GO BONDS-FUN CENTER	90,064	914	0	0	0	0	90,978		$90,978
	Total Revised Fund 121	**90,064**	**914**	**0**	**0**	**0**	**0**	**90,978**		**90,978**
122	2015 GO BONDS-STREETS	174,516	1,771	0	0	0	0	176,287		$176,287

	Total Revised Fund 122	**174,516**	**1,771**	**0**	**0**	**0**	**0**	**176,287**		**176,287**
901	HOUSING LOW RENT OPERATING	1,146,135	822,703	0	0	0	1,063,881	904,957	354,627	$550,330
	Total Revised Fund 901	**1,146,135**	**822,703**	**0**	**0**	**0**	**1,063,881**	**904,957**	**354,627**	**550,330**
903	HOUSING HOMEOWNERSHIP OPER	713,222	1,525	0	0	0	17,921	696,826		$696,826
	Total Revised Fund 903	**713,222**	**1,525**	**0**	**0**	**0**	**17,921**	**696,826**		**696,826**
904	HOUSING CAPITAL FUND PROJECTS	0	1,333,878	0	0	0	1,333,878	0		$0
	Total Revised Fund 904	**0**	**1,333,878**	**0**	**0**	**0**	**1,333,878**	**0**		**0**
				0	0	0				
	TOTALS FY2022	**69,595,645**	**64,703,583**	**25,477,734**	**25,477,734**	**0**	**91,529,449**	**42,769,779**	**6,310,965**	**36,458,814**

Resolution # 2021-32 (#2) - August 24, 2021

RECURRING/ NON-RECURRING	FUND NO.	LINE ITEM NO.	LINE ITEM DESCRIPTION	ORIGINAL BUDGET AMOUNT	INCREASE (DECREASE)	REVISED BUDGET AMOUNT
	REVISION #1					
	This revision budgets the THRIVE Agency pledge for FY22 and attaches these funds to Project SC22UW.					
	71	**SENIOR CENTER**				
		Revenues				
		071-0000-316-15.55	United Way/ THRIVE Grant	18,150	**1,263**	19,413
			Total Revenue	18,150	**1,263**	19,413
		Expenditures				
		071-8024-445.32-60	Food Purchases	101,410	**(19,413)**	81,997
	SC22UW	071-8024-445.32-60	Food Purchases	0	**19,413**	19,413
			Total Expenditures	101,410	0	101,410
	REVISION #2					
	This budget adjustment will increase Special Events to account for Movies at Medlin payout and an event sponsorship payment.					
	20	**LODGER'S TAX-CITY'S SHARE**				
		Revenues				
		020-0000-316.15-28	Special Events	1,195	**1,304**	2,499
			Total Revenue	1,195	**1,304**	2,499
		Expenditures				
		020-0006-454.57-93	Special Events	10,000	**1,304**	11,304
			Total Expenditures	10,000	**1,304**	11,304
	REVISION #3					
	This budget revision will provide funding for the comprehensive rate study to be completed in FY22.					
	81	**WATER/SEWER**				
		Expenditures				
		081-2202-461.57-34	Contract Services	50,636	**60,000**	110,636
			Total Expenditures	50,636	**60,000**	**110,636**
	REVISION #4					
	This budget revision corrects the Capital Equipment line item budget to the amount approved by the Landfill board.					
	94	**LANDFILL OPERATING**				
		Expenditures				
		094-0903-434.69-85	Other Equipment	1,274,105	**105,314**	1,379,419
			Total Expenditures	1,274,105	**105,314**	**1,379,419**
	REVISION #5					
	This budget revision increases funds for the Comprehensive Compensation & Classification Study. Actual bid was higher than original budget. The additional funds will allow the study to move forward.					
	12	**INTERNAL SERVICE FUND**				
		Expenditures				
		012-1701-415.57-83	Personnel Service Costs	55,000	**25,000**	80,000
			Total Expenditures	55,000	**25,000**	**80,000**
	REVISION #6					
	This budget revision is to provide additional funding for implementation of TRACS software in conjunction with the Alamogordo Police Department.					
	19	**COURT AUTOMATION FUND**				
		Expenditures				
		019-2701-427.44-06	Software Support Fees	12,500	**5,000**	17,500
			Total Expenditures	12,500	**5,000**	**17,500**
	REVISION #7					
	This revision removes all revenues and expenses in which there are no grant award letters. In addition, this removes the transfer from Fund 69 as this project has been competed and adds a transfer from Fund 11 to balance the fund.					
	11	**GENERAL**				
		Transfers Out				
		011-0000-491.18-91	Transfer to (91) Airport	0	**65,000**	65,000
			Total Transfers Out	0	**65,000**	65,000
	69	**94 GROSS RECEIPTS**				
		Transfers Out				
	AP2002	069-0000-491.18-91	Transfer to (91) Airport	100,000	**(100,000)**	0
			Total Transfers Out	100,000	**(100,000)**	0

91	**AIRPORT**				
	Revenues				
	091-0000-317.16-13	State Grant	386,888	**(42,000)**	344,888
	091-0000-317.16-73	Federal Grant	373,000	**(360,000)**	13,000
		Total Revenue	759,888	**(402,000)**	357,888
	Transfers In				
	091-0000-391.19-11	Transfer from (11) General	0	**65,000**	65,000
AP2002	091-0000-391.19-69	Transfer from (69) ' 94 Gross Receipts	100,000	**(100,000)**	0
		Total Transfers In	100,000	**(35,000)**	65,000
	Expenditures				
	091-0006-459.57-57	Consultant Fees	305,407	**(305,407)**	0
		Total Expenditures	305,407	**(305,407)**	**0**

REVISION #8

This budget adjustment records Sale of Scrap revenue with a corresponding increase in expenditures for June 2021.

11	**GENERAL OPERATING**				
	Revenues				
	011-4104-316.15-05	Sale of Scrap	1,000	**3,829**	4,829
		Total Revenue	1,000	**3,829**	4,829
	Expenditures				
CERDPS	011-4104-420.61-85	Equipment Replacement	0	**3,829**	3,829
		Total Expenditures	0	**3,829**	**3,829**
12	**INTERNAL SERVICE FUND**				
	Revenues				
	012-3402-316.15-05	Sale of Scrap	0	**491**	491
	012-3503-316.15-05	Sale of Scrap	0	**120**	120
		Total Revenue	0	**611**	611
	Expenditures				
CERMIS	012-3402-419.61-85	Equipment Replacement	0	**491**	491
CERFLT	012-3503-419.61-60	Equipment Replacement	0	**120**	120
		Total Expenditures	0	**611**	**611**
71	**SENIOR CENTER**				
	Revenues				
	071-0000-316.15-05	Sale of Scrap	0	**64**	64
		Total Revenue	0	**64**	64
	Expenditures				
	071-8116-445.61-85	Equipment Replacement	3,407	**(3,053)**	354
		Total Expenditures	3,407	**(3,053)**	**354**
86	**SOLID WASTE**				
	Revenues				
	086-0000-316.15-05	Sale of Scrap	1,400	**9,858**	11,258
		Total Revenue	1,400	**9,858**	11,258
	Expenditures				
CERCON	086-1003-434.61-60	Equipment Replacement	0	**9,858**	9,858
		Total Expenditures	0	**9,858**	**9,858**
90	**GOLF COURSE**				
	Revenues				
	090-0000-316.15-05	Sale of Scrap	248	**650**	898
		Total Revenue	248	**650**	898
	Expenditures				
CERGLC	090-0199-990.65-69	Golf Course Equipment	147,000	**650**	147,650
		Total Expenditures	147,000	**650**	**147,650**

REVISION #9

This revision is to attach a Donation to the Tennis Building Project.

32	**COMMUNITY SERVICES**				
	Revenues				
CS2105	032-6206-314.13-36	Donations	0	**17,700**	17,700
		Total Revenue	0	**17,700**	17,700
	Expenditures				
CS2105	032-6206-410.57-34	Contract Services	9,044	**17,700**	26,744
		Total Expenditures	9,044	**17,700**	**26,744**

REVISION #10

This budget revision will increase KAB revenue and expenditure line items to account for the New Mexico Department of Tourism's Clean and Beautiful Grant award.

37	**STATE HIGHWAY CLEANUP**				
	Revenues				
	037-0000-317.16-09	Keep Alamogordo Beautiful	0	**47,784**	47,784
		Total Revenue	0	**47,784**	47,784
	Expenditures				
	037-0006-431.20-03	Temp/Part-Time	0	**19,488**	19,488
	037-0006-431.20-12	Retiree Health Care	0	**289**	289
	037-0006-431.20-15	Social Security	0	**1,209**	1,209
	037-0006-431.20-30	Worker's Comp. Insurance	0	**153**	153
	037-0006-431.20-31	Worker's Comp. Admin. Fee	0	**20**	20
	037-0006-431.30-65	KAB Supplies	0	**3,142**	3,142
	037-0006-431.31-80	Landscaping Beautification	0	**13,232**	13,232
	037-0006-431.32-75	Program Supplies	0	**9,180**	9,180
	037-0006-431.56-05	Training, Travel, & Conferences	0	**2,230**	2,230
	037-5303-431.57-42	Graffiti Eradication	6,900	**(1,159)**	5,741
		Total Expenditures	6,900	**47,784**	**54,684**

REVISION #11

This budget revision is account for the AAA State/Federal Contract for FY22, effective July 1, 2021. Revenue/Expenditures reflect changes in Congregate Meals & Home Delivered Meals Programs, respectively.

71	**SENIOR CENTER**				
	Revenues				
	071-8023-317.16-30	SWNMAAA, Federal (SA1)	62,066	**(6,302)**	55,764
	071-8023-317.16-32	HB2/All Other State (SA1)	100,860	**28,451**	129,311
	071-8024-317.16-30	SWNMAAA, Federal (SA1)	18,429	**1,315**	19,744
	071-8024-317.16-32	HB2/All Other State (SA1)	130,358	**(21,745)**	108,613
		Total Revenue	311,713	**1,719**	313,432
	Expenditures				
	071-8023-445.32-60	Food Purchases (Congregate Meals)	104,168	**22,149**	126,317
	071-8024-445.32-60	Food Purchases (Home Delivered)	101,410	**(20,430)**	80,980
		Total Expenditures	205,578	**1,719**	**207,297**

REVISION #12

This budget revision is for the American Rescue Plan Act federal funding, allocation to expenditure line items, and to attach Project SCARP1.

71	**SENIOR CENTER**				
	Revenues				
SCARP1	071-8023-317.16-30	SWNMAAA, Federal (SA1)	62,066	**37,924**	99,990
SCARP1	071-8024-317.16-30	SWNMAAA, Federal (SA1)	18,429	**38,372**	56,801
SCARP1	071-8025-317.16-30	SWNMAAA, Federal (SA1)	32,375	**48,344**	80,719
SCARP1	071-8031-317.16-30	SWNMAAA, Federal (SA1)	32,792	**58,284**	91,076
		Total Revenue	145,662	**182,924**	328,586
	Expenditures				
SCARP1	071-8023-445.32-50	Kitchen Supplies (Congregate)	3,200	**18,962**	22,162
SCARP1	071-8023-445.32-60	Food Purchases (Congregate)	104,168	**18,962**	123,130
SCARP1	071-8024-445.32-60	Food Purchases (Home Delivered)	101,410	**19,186**	120,596
SCARP1	071-8024-445.32-75	Program Supplies (Home Delivered)	10,954	**19,186**	30,140
SCARP1	071-8025-445.30-40	Office Supplies (Transportation)	0	**24,172**	24,172
SCARP1	071-8025-445.32-75	Program Supplies (Transportation)	19,230	**24,172**	43,402
SCARP1	071-8031-445.63-91	Building Improvements (Fitness)	0	**58,284**	58,284
		Total Expenditures	238,962	**182,924**	**421,886**

REVISION #13

This budget revision is account for the State Non-Recurring General Fund Grant to be used for the American Rescue Plan 15% required matching funds.

71	**SENIOR CENTER**				
	Revenues				
SCGFNR	071-8023-317.16-32	HB2/All Other State (SA1)	100,860	**6,692**	107,552
SCGFNR	071-8024-317.16-32	HB2/All Other State (SA1)	130,358	**3,269**	133,627
		Total Revenue	231,218	**9,961**	241,179
	Expenditures				
SCGFNR	071-8023-445.32-50	Kitchen Supplies (Congregate)	3,200	**6,692**	9,892
SCGFNR	071-8024-445.32-75	Program Supplies (Home Delivered)	10,954	**3,269**	14,223
		Total Expenditures	14,154	**9,961**	**24,115**

REVISION #14

This budget revision is account for the AAA State/Federal Contract for FY22, effective July 1, 2021. Revenue/Expenditures reflect changes in Transportation, Fitness, and EB Programs.

71	**SENIOR CENTER**				
	Revenues				
	071-8025-317.16-30	SWNMAAA, Federal (SA1)	32,375	**7,564**	39,939
	071-8025-317.16-32	HB2/All Other State (SA1)	45,067	**5,537**	50,604
	071-8030-317.16-32	HB2/All Other State (SA1)	25,000	**3,000**	28,000
	071-8031-317.16-30	SWNMAAA, Federal (SA1)	32,792	**124**	32,916
		Total Revenue	135,234	**16,225**	151,459
	Expenditures				
	071-8025-445.32-75	Program Supplies-Transportation	19,230	**13,101**	32,331
	071-8030-445.32-75	Program Supplies-Fitness	4,023	**3,000**	7,023
	071-8031-445.32-75	Program Supplies-EB	25,792	**124**	25,916
		Total Expenditures	49,045	**16,225**	**65,270**

REVISION #15

This budget revision is for the NMDOT Aviation Division airfield maintenance grant in the amount of $20,000 for 2 years. This revision is for the FY22 portion of the Grant and attaches the funding to project AP2101. The Grant requires a $1,111/year matching funds from the City.

91	**AIRPORT**				
AP2101	091-0000-317.16-13	State Grant	344,888	**10,000**	354,888
		Total Revenue	344,888	**10,000**	354,888
	Expenditures				
AP2101	091-0006-459.33-05	Maintenance Supplies	34,095	**7,111**	41,206
AP2101	091-0006-459.44-17	AWOS Maintenance Agreement	8,282	**4,000**	12,282
		Total Expenditures	42,377	**11,111**	**53,488**

REVISION #16

This budget revision accounts for the increased local distribution for the Law Enforcement Protection Grant for FY22 of $55,200.

36	**LAW ENFORCEMENT FUND**				
	Revenues				
	036-0000-317.16-08	Law Enforcement Grant	53,400	**1,800**	55,200
		Total Revenue	53,400	**1,800**	55,200
	Expenditures				
	036-0000-420.50-50	Equipment - Non Capital	27,391	**1,800**	29,191
		Total Expenditures	27,391	**1,800**	**29,191**

REVISION #17

This budget revision is to provide funding for the Records & Archives Clerk position which was approved at the August 10, 2021 City Commission meeting.

11	**GENERAL**				
	Expenditures				
	011-2001-411.20-02	Operational	62,705	**26,030**	88,735
	011-2001-411.20-10	Retirement	19,288	**3,749**	23,037
	011-2001-411.20-12	Retiree Health Care	2,679	**521**	3,200
	011-2001-411.20-15	Social Security	10,718	**1,992**	12,710
	011-2001-411.20-25	Group Health Insurance	31,310	**12,173**	43,483
	011-2001-411.20-30	Worker's Comp Insurance	523	**204**	727
	011-2001-411.20-31	Worker's Comp Admin Fee	28	**10**	38
		Total Expenditures	127,251	**44,679**	**171,930**

REVISION #18

This budget revision is to provide additional funding to cover overtime costs for public safety and sanitation employees at the Sounds of Freedom event.

16	**LODGER'S TAX - PROMOTIONS**				
	Expenditures				
	016-0001-419.20-04	Overtime	0	**7,800**	7,800
		Total Expenditures	0	**7,800**	**7,800**

REVISION #19

This budget revision is to recognize the FY22 RSVP Grant from the State.

75	**SENIOR CENTER RSVP**				
	Revenues				
	075-0000-317.16-40	State Grant - RSVP	0	**10,187**	10,187
		Total Expenditures	0	**10,187**	**10,187**

REVISION #20

This revision is to fund repair of roof and replacement to air conditioner units for the Alamogordo Police Department. This project is funded by a transfer from Fund 69-'94 Gross Receipts.

11	**GENERAL**				
	Transfers In				
	011-0000-391.19-69	Transfer fr (69) '94 Gross Receipts	600,000	**250,000**	850,000
		Total Transfers Out	600,000	**250,000**	850,000
	Expenditures				
	011-4104-420.65-70	Facility Improvements	202,660	**250,000**	452,660
		Total Expenditures	202,660	**250,000**	**452,660**
69	**94 GROSS RECEIPTS**				
	Transfers Out				
	069-0000-491.18-11	Transfer to (11) General	600,000	**250,000**	850,000
		Total Transfers Out	600,000	**250,000**	850,000

REVISION #21

This budget revision is because NM DOT awarded a $72,000 grant to the Alamogordo-White Sands Regional Airport to complete solar runway lights. Shipping costs in the amount of $6,892 were not included in the initial award, subsequently, NM DOT amended the agreement to include the amount of $6,892 to cover shipping costs. No matching funds are required.

91	**AIRPORT**				
	Revenues				
AP2103	091-0000-317.16-13	State Grant	354,888	**6,892**	361,780
		Total Revenue	354,888	**6,892**	361,780
	Expenditures				
AP2103	091-0006-459.63-91	Building Improvement	72,000	**6,892**	78,892
		Total Expenditures	72,000	**6,892**	**78,892**

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 8/24/2021 **Report Date:** 8/17/2021 **Report No:** 5.

Submitted By: Antonio Gonzalez

Subject: Consider, and act upon, acceptance of donation from Mr. Tom Springer to honor his late wife, Mrs. Barbara Springer, in the amount of $17,100 to be used for a new storage building at the Oregon Tennis Courts on Oregon Ave., adjacent to Court 7. (*Veronica Ortega, Community Services Director*)

Fiscal Impact:
Amount Budgeted:
Fund:

Additional Fiscal Impact:

Recommendation: Accept the donation from Mr. Tom Springer.

Background: Mr. Tom Springer wishes to make a donation to honor his late wife, Mrs. Barbara Springer, in the amount of $17,100 to be used for a new storage building at the Oregon Tennis Courts on Oregon Ave., adjacent to Court 7.

7/28/2021

FROM: Tom Springer
2531 Hamilton Rd. #2
Alamogordo NM 88310
1- 575-489- 6070

SUBJECT: Donation of Funds to Construct a Building

TO: City of Alamogordo
1376 E. 9th Street
Attention: Veronica Ortega
Alamogordo, NM 88310

Veronica,

I wish to donate **$17,700** to be used to prepare for, purchase and install a building, similar to that described below, to honor my late wife, Barbara Springer. The building is to be located at the Oregon Tennis Courts, Oregon Ave., Alamogordo, NM, preferably adjacent to Court 7.

Building Described.

The new facility is expected to be a pitched roof steel building with dimensions on the order of 26'x40' (larger dimensions are acceptable). It is desired that about one fourth of the floor space be enclosed for storage. The storage area is to have windows and be accessed by a roll-up door and a walk-in door. The front end of the building is to be gabled, and the sides are to have frame-outs with Dutch (45deg.) openings.

I understand that the city may provide enhancements to the structure such as a concrete floor, picnic tables, electricity, ADN (handicap) access, etc. Any donated funds available after installation of the building may be applied to those enhancements.

Attached is a photo of a building which has most of the features desired. Shown is a 26'x40' structure with a 10' or so storage unit in the rear. The gabled front and the frame-outs with Dutch openings on the side are clearly visible. However, there is no concrete floor and no roll up door access to the storage.

Design features of the proposed building include an 8' tall ceiling, no insulation, six (three per side) 6'x7' frame-outs (7'x7' is OK) with 45 deg. corners, a gabled front opening, a 12' deep storage area (10' is OK) with a roll up door, a walk-in door and two windows. The steel framing is 12 gage, the 3/12 pitched roof has vertical paneling, J-trim is used, the job site is expected to be level and power available during construction. The structure should have a Wind/Snow rating on the order of 140 MPH//35PSF Certified. Building colors can match surroundings.

Building Use.

The facility is intended to provide a location from which tournaments and similar tennis activities can be conducted, and where players and spectators can relax and socialize. And since the facility will be on city park property, the public can enjoy similar benefits. It is anticipated that the city will establish rules for permitting and using the facility.

It is desired that the Alamogordo Tennis Association have keyed access and control of the storage area of the building, within rules as may be established by the city.

At a future date I intend to provide a plaque at the facility to honor my wife and will work with the city to arrange details.

Thank you.

Thomas H. Springer

Thomas H. Springer

Attached: Structure Photo

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 8/24/2021 **Report Date:** 8/18/2021 **Report No:** 6.

Submitted By: Teresa Gutierrez

Subject: Consider, and act upon, the placement of a second Resident Parking Only sign for home located at 1322 Vermont Avenue. *(Teresa Gutierrez, Deputy Clerk)*

Fiscal Impact:
Amount Budgeted:
Fund:

Additional Fiscal Impact:

Recommendation: Provide direction to staff.

Background: Pursuant to Section 24-13-010 of the Alamogordo Code of Ordinances, no residence may be posted which is not within five hundred (500) feet of the property line of a public meeting place.

RaDeana Dwyer, RN, will be present to make a request for a second Resident Parking Only sign for her home at 1322 Vermont Avenue. This property is within 500' of the Alamogordo Public Schools (North School - Academy del Sol complex). Her application explains why she is requesting a second sign and is attached, along with a location map.

If approved, Ms. Dwyer understands that she will have to pay a $100 fee for the sign to cover the cost of the sign and installation.

RECEIVED
AUG 09 2021
CITY CLERK

City of Alamogordo City Commission Meeting
AGENDA REQUEST FORM

Today's Date: 08/09/21

Request Date of Meeting: August 24, 2021

Name and Title: RaDeana Dwyer

Address: ~~503 Russell~~ 1322 Vermont Avenue
Alamogordo NM ZIP 88352

Phone Number: 5754422720

E-Mail Address: radeana.dwyer@gmail.com

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

I am asking for consideration of another resident only parking sign, to be placed at my residence, of 1322 Vermont Avenue. My neighbor is continuing to park in front of my house. Officers were ~~p~~ dispatched to residence

Signature: RaDeana M. Dwyer

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

Revised 6/16/2020

On Saturday 08/07/21. Resident became
upset with officers. My neighbor Linda Sheppard
was present when cops had interactions with
neighbor across the street. Linda Sheppard would
like to speak at meeting of her witness accoun
After officers left, neighbor immedidlely parked
two vehicles one on each side of the resident
only sign, she had chalked the road in front
of my house. Officer Ferguson called my cell
and told me the best thing would be to get
another Resident Only sign placed in front of
house so that entire front of property would be
covered. He stated it looked like I may have a
problem with this person, and that would solve
alot of this issue.

City of ALAMOGORDO

APPLICATION FOR "RESIDENT PARKING ONLY" SIGN

Name: RaDeana Dwyer

Phone: 575 4422720 **Email:** radeana.dwyer@gmail.com

Address Where Sign is Requested: 1322 Vermont Avenue
Alamogordo, NM 88310

RD
Initial **I understand that if approved by the City Commission, I will have to pay a $100 fee (per sign) to cover the cost of the sign and installation.**

Pursuant to Section 24-13-010 of the *Alamogordo Code of Ordinances*, no residence may be posted which is not within five hundred (500) feet of the property line of a public meeting place.

List the reason(s) for your request (please *PRINT* and be as detailed as possible):

I am requesting another Resident only parking sign in front of my residence at 1322 Vermont Avenue. My neighbors across the street have continued to park in front of my house on either side of the sign. This was right after police were called to my house for this issue, on 8/7/21 Saturday.

RaDeana Dwyer — 8/18/21

Applicant's Signature **Date**

****

For Office Use Only:
City Commission Meeting Date:______________

_____APPROVED _____DENIED Vote: ______________

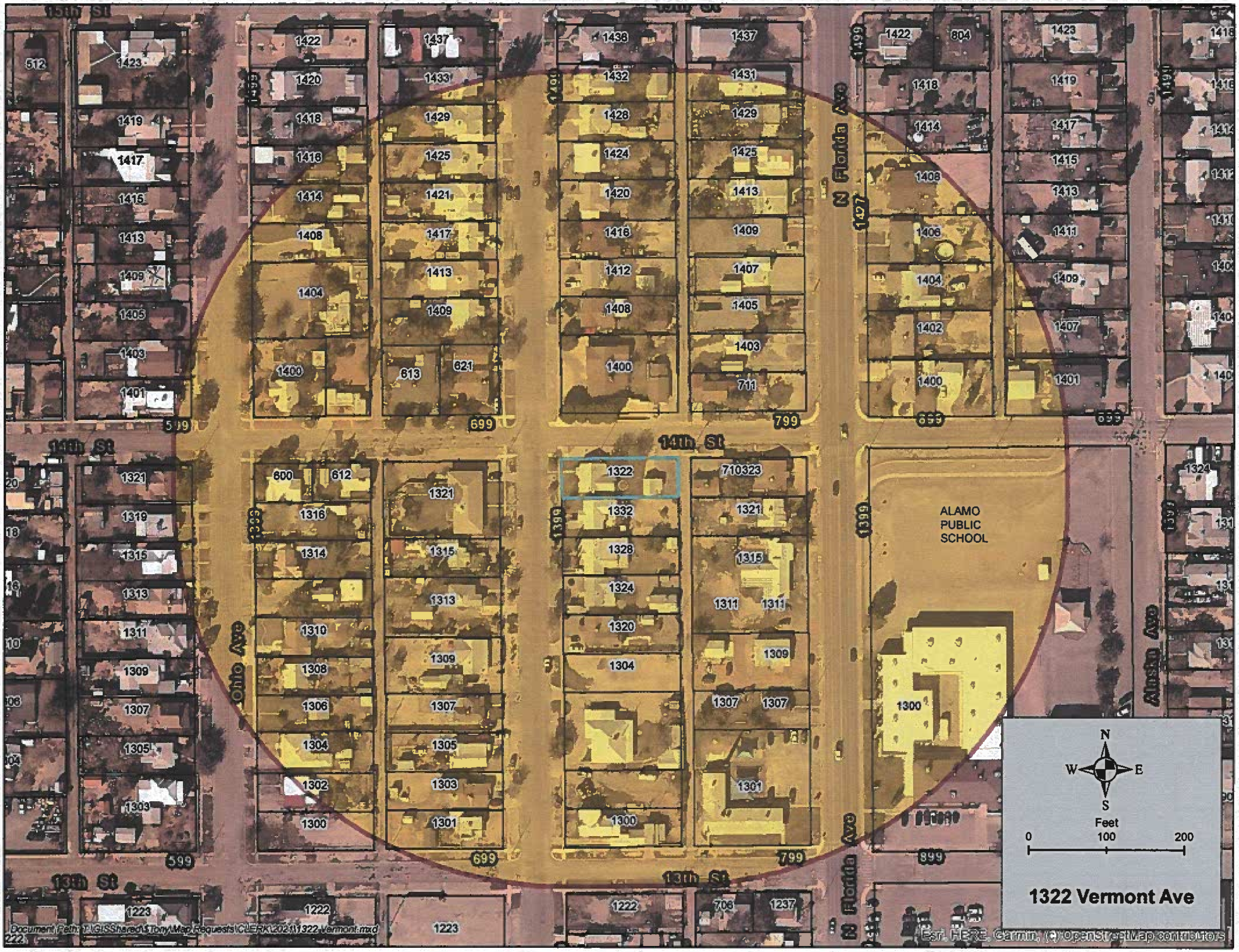
Date Applicant Notified: ______________

Payment Code: SX Payment Amount: $100.00

Payment Date & Receipt No.: ______________________________

Date Work Order Requested: ______________

REVISED: 3-22-2021



1322 Vermont Ave
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ALAMO
PUBLIC
SCHOOL
14th St
13th St
15th St
N Florida Ave
Ohio Ave
Alaska Ave
Esri, HERE, Garmin, (c) OpenStreetMap contributors

24-13-010. Residential parking restricted.

(a) Except when necessary to avoid conflict with other traffic, or in compliance with this section or the directions of a police officer or official traffic-control device, no person shall stop, stand or park a vehicle, whether occupied or not, except temporarily for the purpose of, and while actually engaged in, loading or unloading merchandise or passengers, at any place where an official sign reads "Residential Parking Only," and along the curb within ten feet of either side of such sign, unless given permission by the resident living directly behind the sign. Except upon the conditions listed in this section, it shall be unlawful to place a vehicle, occupied or not, along the curb within ten feet of a "Designated Mobility Disabled Resident Parking Only" sign unless the vehicle has the requisite handicapped placard and the resident living directly behind the sign has given permission for the vehicle to occupy the space. A citation for violation of this section shall be written only upon complaint of such resident.

(b) The determination to post a residence with "Residential Parking Only" signs shall be made by the city commission, after good cause is shown by the applicant. Good cause must include the reasons why the applicant's residence contains inadequate parking to meet the needs of the applicant. No residence may be posted which is not within five hundred (500) feet of the property line of a public meeting place.

(c) A fee of one hundred dollars ($100.00) shall be paid to the city treasurer upon approval of each application.

(d) The determination to post a residence with "Designated Mobility Disabled Resident Parking Only" signs shall be made administratively by a designee of the city manager, after good cause is shown by the applicant. Good cause must include the reasons why the applicant's residence contains inadequate parking to meet the needs of the applicant.

(e) At the first meeting in January each year, city manager shall prepare a list of the locations of all "Residential Parking Only" signs and all "Designated Mobility Disability Resident Parking Only" signs in the city. The city manager shall recommend continuance or discontinuance of each location; if discontinuance is recommended, the resident(s) shall be notified by first class mail not less than seven (7) days before the meeting. The commission shall direct the discontinuance and removal of signs at any location deemed advisable.

(f) The city manager shall have the authority to direct the removal of "Residential Parking Only" or "Designated Mobility Disabled Resident Parking Only" signs at any location not identified on the list of such signs approved by the city commission.

(g) Existing signs with wording approved under previous versions of this section remain effective and enforceable, but shall not be replaced except with signs containing the currently approved wording.

(Ord. No. 1567 , 5-29-18)

Teresa Gutierrez

From: Morning StarRae <radeana.dwyer@gmail.com>
Sent: Wednesday, August 18, 2021 8:59 AM
To: Teresa Gutierrez
Subject: Fwd: 1st pic

Sent from my iPhone

Begin forwarded message:

> **From:** Morning StarRae <radeana.dwyer@gmail.com>
> **Date:** August 18, 2021 at 8:34:38 AM MDT
> **To:** Gmail <radeana.dwyer@gmail.com>
> **Subject: 1st pic**
>
> This pic was taken after police left and neighbors parked in front and behind my resident only parking sign.
>
> 
>
> Sent from my iPhone

Teresa Gutierrez

From:	Morning StarRae <radeana.dwyer@gmail.com>
Sent:	Wednesday, August 18, 2021 8:59 AM
To:	Teresa Gutierrez
Subject:	Fwd: 2nd pic

Sent from my iPhone

Begin forwarded message:

> **From:** Morning StarRae <radeana.dwyer@gmail.com>
> **Date:** August 18, 2021 at 8:36:12 AM MDT
> **To:** Gmail <radeana.dwyer@gmail.com>
> **Subject: 2nd pic**
>
> This pic again is where the neighbor parked the vehicles as soon as the police had left my residence.
>
> 
>
> Sent from my iPhone

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 8/24/2021 **Report Date:** 8/18/2021 **Report No:** 7.

Submitted By: Teresa Gutierrez

Subject: Consider, and act upon, the placement of a new Resident Parking Only sign for home located at 1332 Vermont Avenue. *(Teresa Gutierrez, Deputy Clerk)*

Fiscal Impact:
Amount Budgeted:
Fund:

Additional Fiscal Impact:

Recommendation: Provide direction to staff.

Background: Pursuant to Section 24-13-010 of the Alamogordo Code of Ordinances, no residence may be posted which is not within five hundred (500) feet of the property line of a public meeting place.

Linda Shepperd will be present to request a Resident Parking Only sign for her home at 1332 Vermont Avenue. This property is within 500' of the Alamogordo Public Schools (North School - Academy del Sol complex). Her application and a location map are attached.

If approved, Ms. Shepperd understands that she will have to pay a $100 fee for the sign to cover the cost of the sign and installation.

City of Alamogordo City Commission Meeting
AGENDA REQUEST FORM

Today's Date: 8-10-2021

Request Date of Meeting: 8-24-2021

Name and Title: Linda Sheppard

Address: 1332 Vermont Ave
Alamogordo, NM **ZIP** 88310

Phone Number: 575-415-6612

E-Mail Address: lindasheppard@yahoo.com

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

Neighbors at 1321 Vermont keep parking in front of my house on trash pick up days. Concerned that the police didn't file a report despite a loud altercation with the neighbors

Signature: Linda Sheppard

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

Revised 6/16/2020

RECEIVED
AUG 10 2021
CITY CLERK

City of
ALAMOGORDO

APPLICATION FOR "RESIDENT PARKING ONLY" SIGN

Name: Linda Sheppard

Phone: 575 415 6612 **Email:** lindasheppard@yahoo.com

Address Where Sign is Requested: 1332 Vermont Ave
Alamogordo, NM 88310

ls Initial **I understand that if approved by the City Commission, I will have to pay a $100 fee (per sign) to cover the cost of the sign and installation.**

Pursuant to Section 24-13-010 of the *Alamogordo Code of Ordinances*, no residence may be posted which is not within five hundred (500) feet of the property line of a public meeting place.

List the reason(s) for your request (please *PRINT* and be as detailed as possible):

I have had to leave notes asking them not to park in front of my house - because of trash pickup. Theirs is a double lot with parking but until the police response they disregard. The owner is a bully - I am concerned about retaliation. My visitors have to park else where or our weekly game nigt.

Linda Sheppard
Applicant's Signature

8-10-2021
Date

****

For Office Use Only:
City Commission Meeting Date:__________________

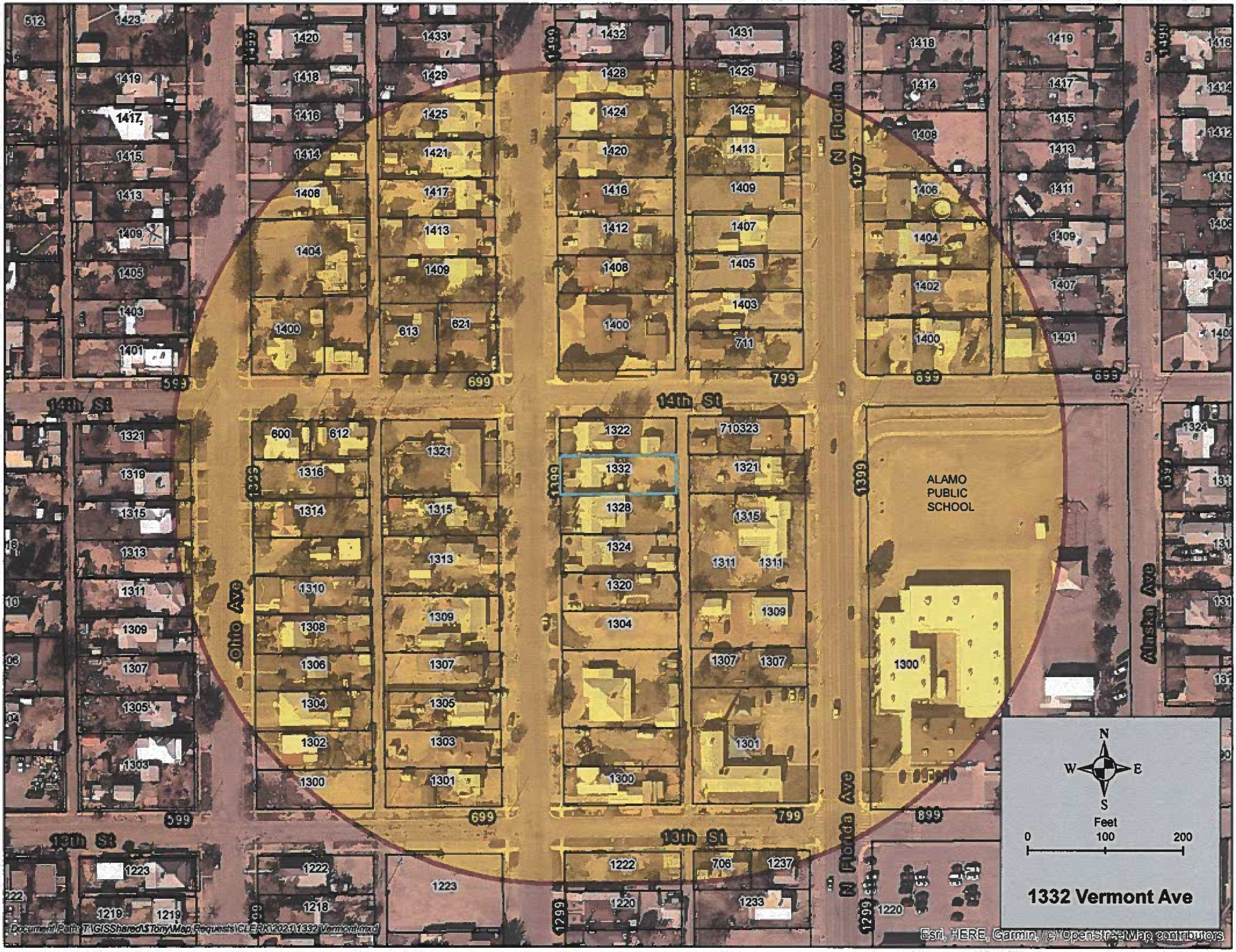
_____APPROVED _____DENIED Vote: ______________

Date Applicant Notified: _____________

Payment Date & Receipt No.: _______________ **AR Code: SX**

Date Work Order Requested: _____________

REVISED: 3-22-2021



ALAMO PUBLIC SCHOOL
N Florida Ave
Ohio Ave
Alaska Ave
14th St
13th St
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1332 Vermont Ave
Esri, HERE, Garmin, (c) OpenStreetMap contributors

24-13-010. Residential parking restricted.

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(Ord. No. 1567 , 5-29-18)

Teresa Gutierrez

From:	Morning StarRae <radeana.dwyer@gmail.com>
Sent:	Wednesday, August 18, 2021 9:00 AM
To:	Teresa Gutierrez
Subject:	Fwd: 3rd pic

Sent from my iPhone

Begin forwarded message:

> **From:** Morning StarRae <radeana.dwyer@gmail.com>
> **Date:** August 18, 2021 at 8:38:57 AM MDT
> **To:** Gmail <radeana.dwyer@gmail.com>
> **Subject: 3rd pic**
>
> This picture was taken to show how neighbor is parking his truck in front of my neighbors Linda's house.
>
> 
>
> Sent from my iPhone

Teresa Gutierrez

From:	Morning StarRae <radeana.dwyer@gmail.com>
Sent:	Wednesday, August 18, 2021 9:02 AM
To:	Teresa Gutierrez
Subject:	Fwd: 4th pic

Hello Teresa these are the pics I had to send you. I worked a 15 hour shift yesterday. I was called in this morning at 5 am. I'm get off about 9:30 and I will be right over there to fill out paper for the sign fee. Thank you.

Sent from my iPhone

Begin forwarded message:

> **From:** Morning StarRae <radeana.dwyer@gmail.com>
> **Date:** August 18, 2021 at 8:45:43 AM MDT
> **To:** Gmail <radeana.dwyer@gmail.com>
> **Subject: 4th pic**
>
> This picture is showing the neighbor parked in front of Linda's house.
>
> 
>
> Sent from my iPhone

Email WARNING: This email may have originated external to the City of Alamogordo email system. Review the email address and NOT just the email user name. Do not click on links or open attachments unless you are sure the content is Safe. If unsure send to the Go Secure email verification system for processing.

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 8/24/2021 **Report Date:** 8/16/2021 **Report No:** 8.

Submitted By: Debbie Osborne

Subject: Consider, and act upon, Resolution No. 2021-31 adopting an Infrastructure Capital Improvement Plan (ICIP) and identifying the top five (5) recommendations projects for Fiscal Years 2023-2027. (Debbie Osborne, Grant Coordinator) **(Roll Call Vote Required)**

Fiscal Impact:
Amount Budgeted:
Fund:

Additional Fiscal Impact: No additional fiscal impact.

Recommendation: Approve Resolution 2021-31 and adopt proposed FY2023-2027 ICIP.

Background: In January of each year the City provides our legislature with a prioritized list of Capital Improvement Projects for possible legislative funding. As a result, the Office of the City Manager and staff initiated the annual ICIP process by requesting City departments to submit feasible projects for consideration. The City conducted a public meeting on Wednesday, August 11, 2021, to receive public input. No members of the public attended the meeting. Staff advises that the City Commission approve the ICIP project list as recommended and that the top five ICIP projects be presented for the 2022 Legislative Capital Outlay Request for possible funding.

The recommended top five (5) projects and funding amounts for FY23 are:

1. Design and Replacement of Irrigation Systems at Desert Lakes Golf Course, Community Services, $500,000
2. Procurement of Police Vehicles & Equipment, Alamogordo Police Department, $400,000
3. Design and Construction of ADA-Compliant Corridors, Engineering, $300,000
4. Design, Construction and Improvement of Monte Vista Cemetery Entrances and Perimeter Fencing, Community Services, $340,000
5. Designing, Construction and installation of hospital pens, fencing and exhibits at Alameda Park Zoo, Community Services, $300,000

RESOLUTION NO. 2021-31

A RESOLUTION ADOPTING AN INFRASTRUCTURE CAPITAL IMPROVEMENTS PLAN (ICIP) AND IDENTIFYING THE TOP FIVE (5) RECOMMENDED PROJECTS FOR FISCAL YEAR 2023-2027

WHEREAS, the City of Alamogordo, New Mexico, a municipal corporation, recognizes the financing of public capital projects has become a major concern in the State of New Mexico, and nationally; and,

WHEREAS, in times of scarce resources, it is necessary to find new financing mechanisms and maximize the use of existing resources; and

WHEREAS, systematic capital improvements planning is an effective tool for communities to define their development needs, establish priorities and pursue concrete actions and strategies to achieve necessary project development; and,

WHEREAS, this process contributes to local and regional efforts in project identification and selection to achieve necessary project development; and

WHEREAS, this process contributes to the local and regional efforts in project identification and selection in short and long-range capital planning efforts.

NOW THEREFORE, BE IT RESOLVED by the governing body of the City of Alamogordo, New Mexico, that:

Section 1. The City of Alamogordo has adopted the attached infrastructure Capital Improvements Plan for FY2023-FY2027; and,

Section 2. The City of Alamogordo has identified the top five (5) recommendations for Capital Outlay projects for the Infrastructure Capital Improvements Plan for FY2023-FY2027; and,

Section 3. The it is intended that the Plan be a working document and that it be the first of many steps towards improving rational, long-range capital planning and budgeting for New Mexico's infrastructure.

PASSED APPROVED AND ADOPTED this _______ of _______ 2021.

CITY OF ALAMOGORDO, NEW MEXICO
A New Mexico Municipal Corporation

____
Richard A Boss, Mayor

ATTEST:

____
Rachel Hughs, City Clerk

APPROVED AS TO FORM;

____
Petria Bengoechea, City Attorney

FY 2023 through FY 2027 LOCAL INFRASTRUCTURE CAPITAL IMPROVEMENTS PLAN PROJECT SUMMARY (ICIP)

Number	Department	Project Title	Category	Fund Sources	Funded to Date	2023	2024	2025	2026	2027	Project Grand Total
1	Community Services	Replacement of Irrigation Systems at Desert Lakes Golf Course	Public Park	CAPITAL OUTLAY LOCAL FUND		$ 500,000	$ 500,000	$ 500,000	$ 500,000		$ 2,000,000
2	Alamogordo Police Department	Procurement of Police Department Vehicles & Equipment	Public Safety Equipment/Bldgs	CAPITAL OUTLAY	$ 1,100,000	$ 400,000	$ 400,000	$ 400,000	$ 400,000	$ 400,000	$ 3,100,000
3	Engineering	Construction of ADA-Compliant Corridors	Other	LOCAL FUNDS CAPITAL OUTLAY CDBG GRANT	$ -	$ 300,000	$ -	$ -	$ -	$ -	$ 300,000
4	Community Services	Construction and Improvement of Monte Vista Cemetery Entrances and Perimeter Fencing	Public Park	CAPITAL OUTLAY LOCAL FUND		$ 340,000					$ 340,000
5	Community Services	Construction and installation of hospital pens, fencing and exhibits at Alameda Park Zoo	Public Park	GRANTS CAPITAL OUTLAY LOCAL FUND		$ 300,000					$ 300,000
1	Airport	Design Runway 22/04 and Taxiway Lighting	Airports	CAPITAL OUTLAY FEDERAL	$ -	$ 300,000					$ 300,000
2	Airport	Construct Runway 22/04 and Taxiway Lighting	Airports	CAPITAL OUTLAY FEDERAL	$ -		$ 2,750,000				$ 2,750,000
3	Airport	Design Rrehab and Strengthen Runway 22/ 04 and Multiple Taxiways	Airports	CAPITAL OUTLAY FEDERAL	$ -		$ 800,000				$ 800,000
4	Airport	Construct Rrehab and Strengthen Runway 22/ 04 and Multiple Taxiways	Airports	CAPITAL OUTLAY FEDERAL				$ 2,500,000			$ 2,500,000
5	Airport	Design Rehab of Heavy Aircraft and General Aviation Parking Ramp	Airports	CAPITAL OUTLAY FEDERAL GRANT	$ -			$ 350,000			$ 350,000
6	Airport	Construct Rehab of Heavy Aircraft and General Aviation Parking Ramp	Airports	CAPITAL OUTLAY FEDERAL GRANT	$ -				$ 1,200,000		$ 1,200,000
7	Airport	Design Relocation of Taxiway A Center Line	Airports	CAPITAL OUTLAY FEDERAL	$ -					$ 500,000	$ 500,000
8	Airport	Airport Master Plan	Airports	CAPITAL OUTLAY FEDERAL GRANT	$ -					$ 350,000	$ 350,000

FY 2023 through FY 2027 LOCAL INFRASTRUCTURE CAPITAL IMPROVEMENTS PLAN PROJECT SUMMARY (ICIP)

Number	Department	Project Title	Category	Fund Sources	Funded to Date	2023	2024	2025	2026	2027	Project Grand Total
9	Alamogordo Police Department	Repair of Roof and Replacement of Air Conditioner Units for APD	Public Safety Equipment/Bldgs	CAPITAL OUTLAY STATE GRANTS FEDERAL GRANTS OTHER GRANTS	$ -	$ 225,000		$ -	$ -	$ -	$ 225,000
10	Alamogordo Police Department	Portable Radios and all Infrastructure Equipment for APD and City Departments	Public Safety Equipment/Bldgs	CAPITAL OUTLAY STATE GRANTS FEDERAL GRANTS OTHER GRANTS	$ -	$ 2,500,000					$ 2,500,000
11	Alamogordo Police Department	ADA Compliant Elevator for APD Building	Public Safety Equipment/Bldgs	CAPITAL OUTLAY STATE GRANTS FEDERAL GRANTS OTHER GRANTS	$ -	$ 500,000					$ 500,000
12	Alamogordo Fire Department	Construct New Fire Station for Whitesands Airport & Fire District 2	Fire	CAPITAL OUTLAY OTHER STATE GRANTS NMFA LOAN LOCAL FUNDS	$ -	$ 50,000	$ 1,560,000	$ -	$ -	$ -	$ 1,610,000
13	Alamogordo Fire Department	Stalls for Fire Station #6	Fire	CAPITAL OUTLAY OTHER STATE GRANTS NMFA LOAN LOCAL FUNDS		$ 350,000					$ 350,000
14	Alamogordo Fire Department	ARFF Truck for Fire Station #3	Fire	CAPITAL OUTLAY OTHER STATE GRANTS NMFA LOAN LOCAL FUNDS	$ -	$ 1,200,000	$ -	$ -	$ -	$ -	$ 1,200,000
15	Alamogordo Fire Department	ARFF Training Facility at White Sands Regional Airport	Fire	CAPITAL OUTLAY OTHER STATE GRANTS NMFA LOAN LOCAL FUNDS		$ 75,000	$ 1,000,000	$ 725,000			$ 1,800,000
16	Community Services	Acquisition of Equipment for City Parks	Public Park	CAPITAL OUTLAY LOCAL FUND	$ -	$ 115,000					$ 115,000
17	Community Services	Replacement of Irrigation Systems at City Parks	Public Park	CAPITAL OUTLAY LOCAL FUND		$ 75,000					$ 75,000
18	Community Services	Civic Center Renovations - A/C, Walls, Ceiling, & Windows	Cultural Facilities	CAPITAL OUTLAY LOCAL FUND		$ 149,000					$ 149,000
19	Community Services	Purchase and Install Driving Range Net Extension	Public Park	CAPITAL OUTLAY LOCAL FUND	$ -	$ 100,000					$ 100,000
20	Community Services	Purchase and Equip Vehicles for City Parks	Public Park	GRANTS CAPITAL OUTLAY LOCAL FUND		$ 120,000					$ 120,000
21	Community Services	Library HVAC System	Library	CAPITAL OUTLAY LOCAL FUND	$ 35,000		$ 65,621				$ 100,621
22	Community Services	Library North Patio Renovations	Library	CAPITAL OUTLAY LOCAL FUND	$ -		$ 42,807	$ -	$ -	$ -	$ 42,807
23	Community Services	Construct New Civic Center	Cultural Facilities	CAPITAL OUTLAY FEDERAL GRANT	$ -	$ -	$ -	$ -		$ 10,200,000	$ 10,200,000
24	PHA	Replacement of Windows at Alta Vista & Plaza Hacienda	Housing-Related Cap Infra	FEDERAL GRANT	$ -	$ 827,000	$ -	$ -	$ -	$ -	$ 827,000

FY 2023 through FY 2027 LOCAL INFRASTRUCTURE CAPITAL IMPROVEMENTS PLAN PROJECT SUMMARY (ICIP)

Number	Department	Project Title	Category	Fund Sources	Funded to Date	2023	2024	2025	2026	2027	Project Grand Total
25	PHA	Upgrade Housing Unit Plumbing at Plaza Hacienda	Housing Related Cap Infra	FEDERAL GRANT	$ -	$ 50,000	$ 50,000	$ 50,000	$ -	$ -	$ 150,000
26	PHA	Replacement of Storm Doors at Alta Vista & Plaza Hacienda	Housing-Related Cap Infra	FEDERAL GRANT	$ -	$ -	$ 25,000	$ -	$ -	$ -	$ 25,000
27	PHA	Repair Spalling at Alta Vista	Housing-Related Cap Infra	FEDERAL GRANT	$ -	$ -	$ 25,000	$ -	$ -	$ -	$ 25,000
28	PHA	Upgrade HVAC Systems at Alta Vista	Housing-Related Cap Infra	FEDERAL GRANT	$ -	$ -	$ -	$ 300,000	$ -	$ -	$ 300,000
29	PHA	Design & Remodel Kitchens at Plaza Hacienda	Housing-Related Cap Infra	FEDERAL GRANT	$ -	$ -	$ -	$ 300,000	$ -	$ -	$ 300,000
30	Public Works	Snake Tank Transmission Line	Water Supply	LOCAL FUNDS LOCAL BOND NMED GRANT CAPITAL OUTLAY NMED LOAN	$ 1,200,000	$ 2,000,000	$ 2,000,000	$ 2,000,000	$ 2,000,000	$ 2,000,000	$ 11,200,000
31	Public Works	Hubbard Bridge Re-Construction	Highways/Roads/Streets/Bridges	DOT GRANT STATE GRANT CAPITAL OUTLAY		$ 900,000					$ 900,000
32	Public Works	Fresnal Canyon Pipeline Replacement, Diversion 5 to Snow Smith Springs	Water Supply	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	$ -	$ 675,000	$ -	$ -	$ -	$ -	$ 675,000
33	Public Works	Foothills Water Storage Rehab	Water Supply	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	$ -	$ 1,052,300	$ -	$ -	$ -	$ -	$ 1,052,300
34	Public Works	Lower Alamo Water Storage Rehab	Water Supply	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	$ -	$ 810,600	$ -	$ -	$ -	$ -	$ 810,600
35	Public Works	Ocotillo Water Storage Rehab	Water Supply	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	$ -	$ 1,200,000	$ -	$ -	$ -	$ -	$ 1,200,000
36	Public Works	La Luz Well #4 Rehab	Water Supply	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY		$ 1,052,300					$ 1,052,300
37	Public Works	Griggs Field Park GSR	Wastewater	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	$ -	$ 897,317	$ -	$ -	$ -	$ -	$ 897,317
38	Public Works	18th Street GSR	Wastewater	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	$ -	$ 1,491,516	$ -	$ -	$ -	$ -	$ 1,491,516

FY 2023 through FY 2027 LOCAL INFRASTRUCTURE CAPITAL IMPROVEMENTS PLAN PROJECT SUMMARY (ICIP)

Number	Department	Project Title	Category	Fund Sources	Funded to Date	2023	2024	2025	2026	2027	Project Grand Total
39	Public Works	University Park GSR	Wastewater	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	$ -	$ 839,127	$ -	$ -	$ -	$ -	$ 839,127
40	Public Works	10th Street Reservoir Exterior	Water Supply	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	$ -	$ 208,600	$ -	$ -	$ -	$ -	$ 208,600
			Grand Total		$ 1,235,000	$ 17,762,760	$ 8,318,428	$ 6,225,000	$ 3,200,000	$ 13,050,000	$ 49,791,188
											$ 49,791,188

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 8/24/2021 **Report Date:** 8/17/2021 **Report No:** 9.

Submitted By:

Subject: Consider, and act upon, approval for the Mobile Crisis Response Team Clinician to be funded by the City and no longer grant funded. *(Richard Denton, Chief of Police)*

Fiscal Impact:
Amount Budgeted:
Fund:

Additional Fiscal Impact: The amount needed for the rest of this year is $71,172.4867.

Recommendation: Please approve the position for the MCRT Clinician

---

Background: In 2019 Commission approved the Paseo Del Norte Grant for the approval of a Mobile Crisis Response Team (MCRT) In the grant it was understood the city would eventually fund the team and would no longer depend solely on the grant for full funding. We are now asking for funding for the position of the clinician to start moving the process forward to become a city funded team not just grant funded.

CIT and Mobile Crisis Response Team

CIT and MCRT Calls By the Numbers

8/30/2020-5/31/2021

Total CIT calls = 336

43% (145) resulted in a referral to the MCRT for crisis stabilization services.

MCRT Referrals

- 182 Referrals to the community were made to reduce the use of emergency services.

MCRT Calls for Service

- MCRT has responded on scene to 75 of the 336 (22%) CIT calls for Crisis.
- MCRT has either made/received 1,463 calls related to crisis or referrals.
- Averages 8/30/20-12/31/20 is 4 calls/day.

  1/1/21-5/31/21 is 11 calls/day.

*MCRT has largely worked remotely during the COVID restrictions.

MCRT Impact on Officer and Dispatch Time

- Officers were sent back out on patrol immediately in 24 out of 75 (32%) on-scene calls for MCRT.
- On average 14 Alamogordo citizens utilize MCRT services on a day-to-day basis via telephone instead of calling 911.

1 hour 06 minutes and 59 seconds is the average time officers spend on CIT calls.

Officer Average Time with MCRT Assistance

- 38 minutes and 51 seconds

MCRT Average Time on Call

- 1 hour 27 minutes and 23 seconds

- MCRT has made 77 field visits for emergency services use prevention.

Questions?

- THANK YOU!

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 8/24/2021 **Report Date:** 8/13/2021 **Report No:** 10.

Submitted By: Petria Bengoechea

Subject: Consider, and act upon, amending the Project Participation Agreement for Medlin Ramps. *(Petria Bengoechea, City Attorney)*

Fiscal Impact:
Amount Budgeted:
Fund:

Additional Fiscal Impact:

Recommendation:

Background: Medlin Ramps has approached the City asking that they be allowed to sell 6 acres on the northern most part of their lot, including the old Showbiz Video, in order for a large truck stop to come in.

The original LEDA award of $2,500,000 has been reduced to $2,044,926 after payroll expenditures, and the property was appraised in May of 2020 for $3,550,000. The attached drawing shows the 5.5-6 acres that are being contemplate in the sale. The buyer will pay for and complete a survey and a subdivision of the property prior to close so the City can secure the LEDA grant on the remaining acreage.

APPRAISAL REPORT IN SUMMARY FORMAT

Commercial Facility
1900 U.S. Highway 54
Alamogordo, Otero County, New Mexico 88310
Appraisal File #E20031

Effective Date of Value: May 11, 2020

Date of Report: May 22, 2020

Prepared For:

Mark Medlin
(562) 229-1991; mark@medlinramps.com

Prepared By:

Estate Valuation Consultants, Inc.

2411 Cabezon Boulevard SE, Suite 101
Rio Rancho, New Mexico 87124
(505) 343-0400

Estate Valuation Consultants, Inc.

May 22, 2020

Mark Medlin
(562) 229-1991; mark@medlinramps.com

RE: Appraisal Report in Summary Format
Commercial Facility
1900 U.S. Highway 54
Alamogordo, Otero County, New Mexico 88310
Appraisal File #E20031

Mr. Medlin:

In accordance with your request, we have prepared an Appraisal Report in Summary Format for the above-referenced property. This report is intended to assist the client, subsidiaries and/or affiliates, as an aid with internal business decisions. The purpose of the appraisal report is to form an opinion of the market value "as is" of the fee simple interest in the subject property. The effective date of the "as is" market value is May 11, 2020.

This letter of transmittal is not to be misconstrued as a complete and full narrative report, but merely indicates the final value opinion developed in the following report. The report provides the necessary supporting data, assumptions, and justifications for the final value opinion conclusion. The appraisal was prepared in conformance with the current requirements of the Federal Financial Institutions Reform Recovery and Enforcement Act (FIRREA), the Appraisal Foundation for Uniform Standards of Professional Appraisal Practice (USPAP), the Office of the Comptroller of the Currency's Real Estate Appraisal and Evaluation Guidelines, and with the requirements of the federal bank regulating agencies. The Certification and Assumptions and Limiting Conditions are presented in the Addenda, and are considered an integral part of the report. Considering analysis presented herein, the following opinion of market value for the above-referenced property has been reconciled:

Opinion of Fee Simple Market Value "As Is"
May 11, 2020
$3,550,000

Should you have any questions or concerns, please do not hesitate to contact us at your earliest convenience.

Respectfully submitted,
Estate Valuation Consultants, Inc.

Shane LeMon, MAI, CCIM
NM General Certified Appraiser #00193-G

Kathleen E. Burmeister, MAI
NM General Certified Appraiser #03025-G

Jennifer D. Ridley
NM Apprentice Appraiser #03226-A

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SUMMARY OF IMPORTANT FACTS & CONCLUSIONS

PROPERTY IDENTIFICATION	Commercial Facility 1900 U.S. Highway 54 Alamogordo, Otero County, New Mexico 88310
EFFECTIVE DATE OF VALUE	May 11, 2020
DATE OF REPORT	May 22, 2020
PROPERTY RIGHTS	Fee Simple
OWNERS OF RECORD	Medlin 47, LLC
PROPERTY DATA	
Legal Description	Replat A, Shawna, Alamogordo, Otero County, New Mexico.
Site Area	23.469 acres, or 1,022,310 square feet (per legal description)
	21.122 net acres, or 920,079 net square feet (per appraisers' calculations on plat; subject to survey)
Main Building	65,930± SF
North Building	6,000± SF
South Building	10,800± SF
Gross Building Area	82,730± SF (per County information and site plan; all measurements subject to current legal survey)
Floor Area Ratio	0.09 (82,730 SF building area ÷ 920,079 SF net site area)
Quality/Condition	Average/Average
Age	Effective Age: 20 years Remaining Economic Life: 30-35 years (may be extended with renovations and ongoing repairs)
Zoning	C-3 Business District
Flood Zone	FIRM Map #35035C1180D, dated December 17, 2010, within unshaded Flood Zone "X", areas determined to be outside the 0.2% annual chance floodplain. There is a drainage easement along the eastern and southern boundaries of the site, located in shaded Zone "A" which is a special flood hazard area without base flood elevation.
Highest & Best Use	
As Though Vacant	Commercial development upon demand.
As Improved	Continued use as a commercial facility with future expansion or sale of excess site.

FINAL RECONCILED OPINION OF MARKET VALUE

Opinion of Fee Simple Market Value "As Is"
May 11, 2020
$3,550,000

APPRAISAL PREFACE

We have performed an Appraisal Report in Summary Format of a commercial facility, addressed as 1900 U.S. Highway 54, Alamogordo, Otero County, New Mexico 88310.

An *appraisal* is defined as:

> *"The act or process of developing an opinion of value; an opinion of value. An appraisal is numerically expressed as a specific amount, as a range of numbers, or as a relationship (e.g., not more than, not less than) to a previous value opinion or numerical benchmark (e.g., assessed value, collateral value)."*[1]

The following text defines a *report* as:

> *"Any communication, written or oral, of an appraisal or appraisal review that is transmitted to the client or a party authorized by the client upon completion of an assignment."*[2]

Reporting requirements are set forth in the Standards Rules in Standard 2 of the Uniform Standards of Professional Appraisal Practice.

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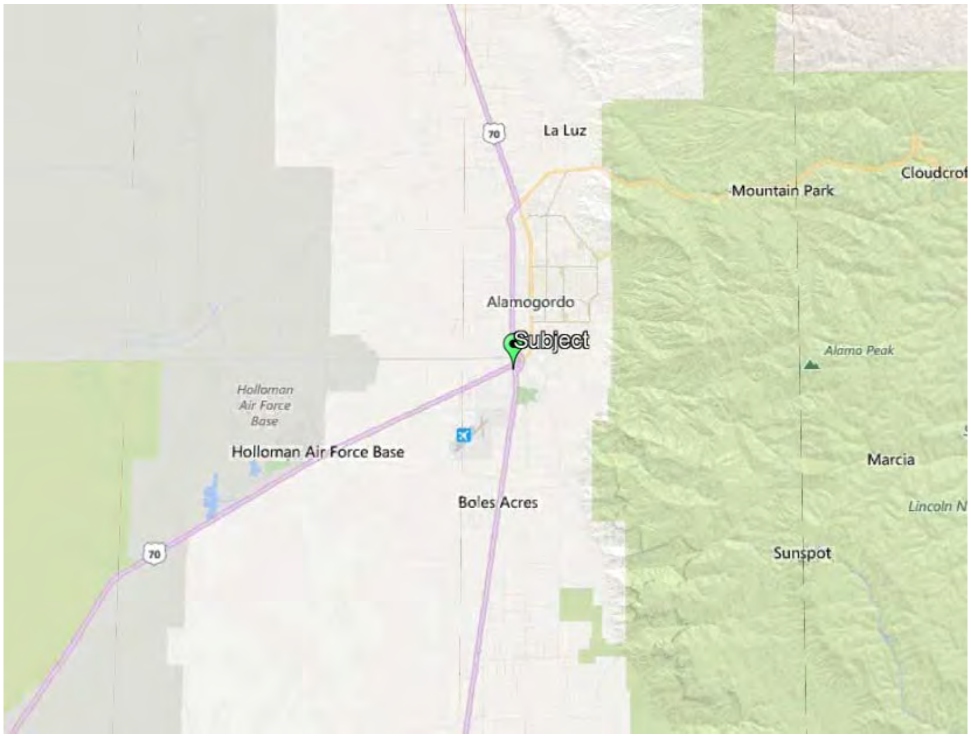
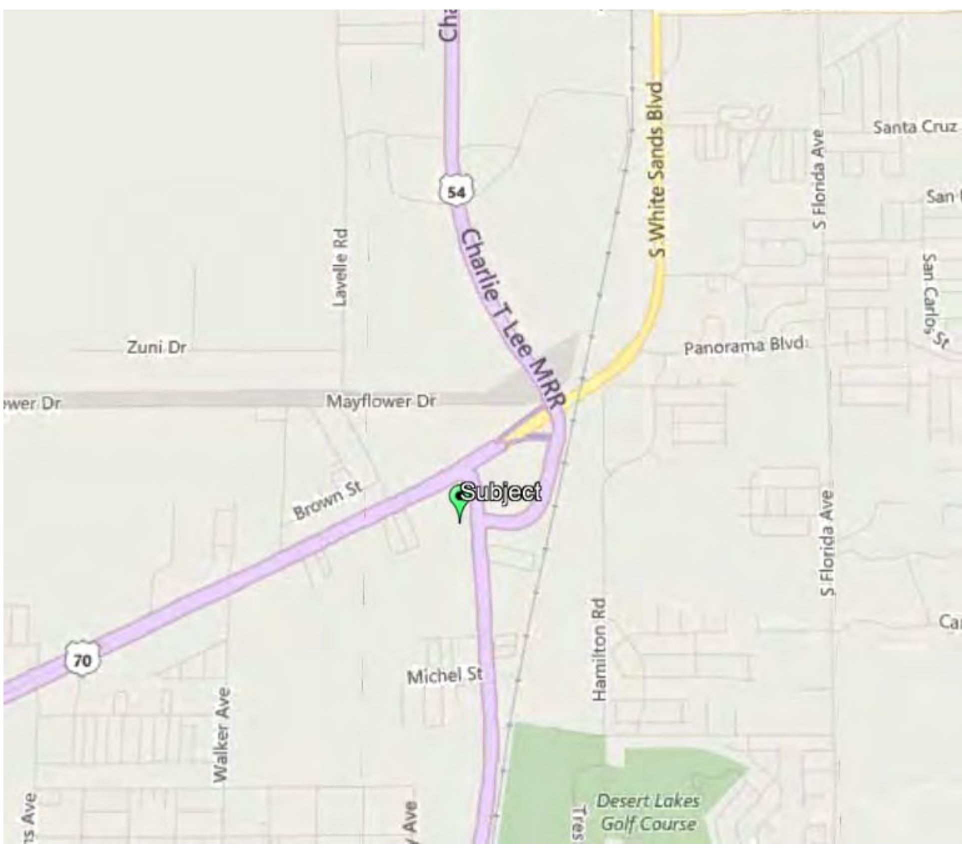
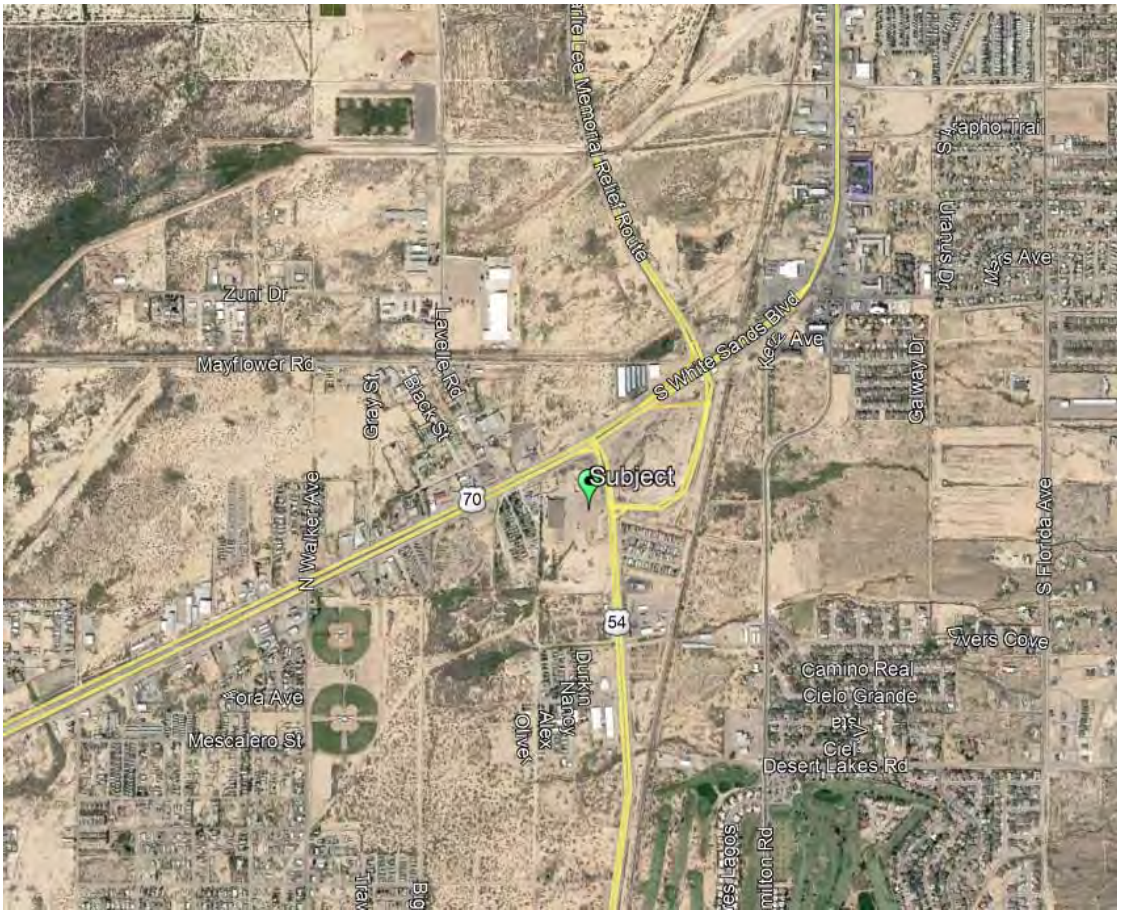
1 The Appraisal Foundation, 2020-2021 Uniform Standards of Professional Appraisal Practice (USPAP), 2020, page 3
2 Ibid. page 5


Durango
Southern Ute Indian Reservation
Trinidad
Raton
Elkhart
Carson National Forest
Taos
Jicarilla Apache I.R.
Clayton
Navajo Indian Reservation
Dalhart
Santa Fe National Forest
Los Alamos
Santa Fe
Las Vegas
Gallup
Jemez I.R.
Zia I.R.
Tucumcari
Grants
Albuquerque
Holbrook
Zuni I.R.
Laguna
Acoma I.R.
Pueblo Indian Land
Isleta I.R.
Santa Rosa
Hereford
Estancia
St Johns
Fort Sumner
Clovis
Cibola National Forest
NEW MEXICO
Socorro
Portales
Apache National Forest
Carrizozo
Levelland
Roswell
Gila National Forest
Truth Or Consequences
Mescalero Apache
Subject
Alamogordo
Lovington
Safford
Silver City
White Sands N.M.
Lincoln National Forest
Hobbs
Lordsburg
Carlsbad
Deming
Las Cruces
Kermit
Odessa
Sierra Vista
Ciudad Juárez
Agua Prieta
Pecos
Monahans
Ascensión
Cananea


La Luz
Mountain Park
Alamogordo
Subject
Alamo Peak
Holloman Air Force Base
Holloman Air Force Base
Marcia
Boles Acres
Sunspot
70


54
Charlie T Lee MRR
S White Sands Blvd
S Florida Ave
Lavelle Rd
Zuni Dr
Mayflower Dr
Panorama Blvd
Brown St
Subject
70
Michel St
Hamilton Rd
Walker Ave
Desert Lakes Golf Course

AERIAL PHOTOGRAPH



Source: Google Earth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APPRAISAL REPORT

This is an Appraisal Report in Summary Format which is intended to comply with the reporting requirements set forth under Standards Rule 2-2(a) of the Uniform Standards of Professional Appraisal Practice for an Appraisal Report. As such, it presents summary discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraisers' opinion of value. Supporting documentation concerning the data, reasoning, and analyses is retained in the appraisers' file. The depth of discussion contained in this report is specific to the needs of the client and for the intended use stated below. The appraisers are not responsible for the unauthorized use of this report.

CLIENT

Mark Medlin
(562) 229-1991; mark@medlinramps.com

APPRAISERS

Shane LeMon, MAI, CCIM, Kathleen E. Burmeister, MAI, and Jennifer D. Ridley
Estate Valuation Consultants, Inc.
2411 Cabezon Boulevard SE, Suite 101
Rio Rancho, New Mexico 87124

SUBJECT

Commercial Facility
1900 U.S. Highway 54
Alamogordo, Otero County, New Mexico 88310

LEGAL DESCRIPTION

The subject site is legally described as follows:

Replat A, Shawna, Alamogordo, Otero County, New Mexico as shown and designated on said plat filed in the Office of the County Clerk on July 26, 1988 in Book 38, Page 67-68.

EFFECTIVE DATE OF VALUE

The effective date of value is May 11, 2020.

DATE OF REPORT

The report was completed on May 22, 2020 and signed by Shane LeMon, MAI, CCIM, Kathleen E. Burmeister, MAI, and Jennifer D. Ridley.

INTENDED USER & INTENDED USE OF THE APPRAISAL

The only intended user of the appraisal report is our client, Mark Medlin, successors and/or assigns. This appraisal may not be used by any entity other than the client. The purpose of the appraisal is to provide our opinion of the market value of the fee simple interest of the subject as of the noted effective date of valuation. It is our understanding that the intended use of this report will be used as an aid with internal business decisions.

DEFINITION OF MARKET VALUE

Following is the definition of “market value” as defined by the Office of the Comptroller of the Currency Regulation 12 CFR Part 34:

> *“The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:*
>
> *(1) Buyer and seller are typically motivated;*
>
> *(2) Both parties are well informed or well advised, and acting in what they consider their own best interests;*
>
> *(3) A reasonable time is allowed for exposure in the open market;*
>
> *(4) Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and*
>
> *(5) The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.”*

PROPERTY RIGHTS

We are appraising the “fee simple estate” of the subject property, defined as:

“Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.”[3]

SCOPE OF WORK

In preparing this appraisal, we…

- researched data on comparable vacant site sales; improved sales and listings;
- confirmed and analyzed the data;
- analyzed highest and best use of the subject site;
- analyzed all sales, agreements of sale, offers, options, or listings of the subject property within three years prior to the effective date of this appraisal;
- interviewed various real estate professionals (brokers, developers, and investors) familiar with the market area;
- developed the Sales Comparison Approach for valuation of the subject property;
- and utilized sales comparison techniques for valuation of the excess land.

The Cost Approach has not been developed due to the age of the improvements. The Cost Approach is most accurate when a property is new or relatively new construction. Application of depreciation within this approach for older properties is very subjective, which leads to less reliable valuation results. Additionally, current market conditions evidence that the Cost Approach is not a driving factor or influence in regard to purchases. The subject was vacant for several years. The subject is partially owner occupied and the owner

[3] Ibid., page 90

plans to convert the remaining building area into retail and entertainment spaces in the future. The future plans have not been developed and are beyond the scope of this report and the owner has requested an “as is” valuation of the subject in its current condition. Given the current market, absorption of a large facility like the subject is nearly impossible to project, so the Income Approach is also considered inapplicable at this time. Therefore, only the Sales Comparison Approach merits weight and will be utilized in our analysis.

Due to the outbreak of COVID-19 (coronavirus), we did not perform a personal inspection of the subject for this assignment. We performed a personal inspection of the property in November 2018. Since then, the new owner has made significant improvements to the property and has provided current photographs of the subject property. The conclusions in this report are based on the extraordinary assumption that the photographs are accurate and represent the current condition of the subject. If the photographs are not accurate, the appraisers hold the right to revise this appraisal and their opinion of value, if necessary. “Extraordinary assumption” is defined as:

“An assumption directly related to a specific assignment, as of the effective date of the assignment results, which, if found to be false, could alter the appraiser’s opinions or conclusion.”[5]

This Appraisal Report is a brief recapitulation of our data, analyses, and conclusions. Supporting documentation is retained in the appraisal file. *Understanding that New Mexico is a non-disclosure State, information used in the report is as reliable as practical.*

The City, State, nation, and the world are entering a new era with the advent of the coronavirus (COVID 19). The full impact on real estate values is unknown at this time. It is too early to determine how long this epidemic will last, but it is already having a significant impact on people’s daily lives and businesses’ operations, which is leading to an uncertain stock market. Around the United States, businesses are being shut down or tremendously altered in the way they conduct day-to-day business to help prevent the spread of the virus. Employees are losing their jobs as an outcome of the rules enacted by our government concerning certain businesses, and unemployment is skyrocketing. Many workers (78%) as reported by the national news bureaus live paycheck to paycheck. The U.S. government has implemented bailouts and SBA loan programs to help those losing their jobs as well as small and large businesses that are suffering to survive. All of these factors will help to stabilize the economy short term, but there will be some negative impact on future supply and demand factors, and eventually real estate values. Most appraisals are based on historic information; i.e., sales of land and buildings are often prior to the effective date of the valuation, and pending sales and actual lease rates are often negotiated before the effective date of the valuation. As a result, these transactions prior to the virus do not indicate what is really going on with the current market. Listings of properties for sale or lease can provide some insight, but most property owners have not yet reflected the impact of the virus by lowering their expectations of pricing, they are just in a “wait and see” strategy. It will take weeks or

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[5] Ibid., page 83

months to be able to accurately measure the economic impact on real estate. It will depend upon how long the coronavirus lasts, how quickly businesses can recover, and how fast people can get back to work earning a living.

In the past two months, discussions with real estate brokers who are active in the Albuquerque metro market for both sales and leases of most property types suggest all are concerned about the long-term impact on properties due to the coronavirus, but at this time they see no clear indications of measurable value impact. Some pending sales are being delayed for longer due diligence examination periods. Some brokers report a few buyers have actually walked away from pending transactions in light of their immediate concerns. Some tenants in almost all aspects of real estate (apartments, offices, warehouses, retail, etc.) are telling landlords they cannot make rent payments because they have lost their jobs or their businesses are closed or only partially operating. The same is true of real estate and auto loans where banks car finance companies are offering provisions for interest only or even no payments by borrowers for two to six months in hopes the situation gets better.

The government is working hard with industry experts to help heal the sick COVID-19 patients with experimental drugs that appear to be showing some success. Numerous large corporations have been enlisted to assist the government with production of needed medical supplies and devices. And several pharmaceutical companies around the world are working on potential vaccines. Johnson & Johnson reports it may have a vaccine available in as little as seven months, which would be a game changer for the illness. Medical experts expect those getting the virus will peak in the US in mid to late April, then gradually curve downward. They believe COVID-19 may follow the course of other viruses that have been prevalent around the world and slowly go away with the change in seasons.

CBRE has reported the expectation of a real estate resurgence by the third quarter of 2020 as things settle down with the virus, and cures come closer to reality. With this in mind, the appraisers believe most properties will experience some rent loss and or higher vacancies short term, but these should start to dissipate by the third quarter of 2020 into the year end. Otherwise, until actual transactions take place under current market conditions with all parties involved understanding the ramifications of the coronavirus, including its longevity and survivability, these forecasts are subject to change in future conditions as a result of the virus.

There have been few cases of COVID-19 in Otero County; however, the area will likely still be impacted by the pandemic.

OWNERSHIP & HISTORY

Ownership of the subject is currently vested in the name of Medlin 47, LLC. The subject was purchased from TKG Alamogordo Center, LLC on February 5, 2019 (Document #201901227) at a price of $2,500,000. The main building of the subject was previously operated as a Walmart store with other retail users in the north and south buildings. The subject was reportedly vacant for roughly 11 years and was not actively marketed. According to the new owner, the City of Alamogordo purchased the property for Mr. Medlin as an incentive to bring business to the community. At the time of the purchase, the property required extensive clean up as pigeons nested in the building, and significant renovations were necessary including new electrical, roofing, flooring, etc. The new owner renovated the property at a cost of $1,143,514. The majority of the subject (roughly 44,000 square feet) is owner-occupied doing business as Medlin Ramps, a manufacturing business. The owner plans to convert the remaining building area into retail and entertainment spaces in the future. The future plans have not been developed and are beyond the scope of this report and the owner has requested an “as is” valuation of the subject in its current condition.

The subject property is considered an “essential” business and has continued to operate through the COVID-19 pandemic.

No other transactions, offers for purchase, or listings for sale of the subject property within the last three years have been reported, or are known to us.

REGIONAL AREA DATA/NEIGHBORHOOD

The southeast quadrant of New Mexico includes the major cities of Alamogordo, Artesia, Carlsbad, Clovis, Hobbs, Lovington, Portales, Roswell, and Ruidoso. The larger cities that are within 200± miles of Alamogordo include Lubbock, Midland-Odessa, and El Paso, Texas, as well as Albuquerque, New Mexico. These cities are included in the region because they are supplier cities to the population in southeastern New Mexico.

The regional economy is dependent upon agriculture, extracted mineral production, manufacturing, tourism, military bases, and large federally funded projects and/or training facilities. The economic factors that most influence the region are the oil and gas industry, ranching, farming, and the dairy industry.

Roswell (Chaves County) serves as the regional trade center for the southeastern quadrant of New Mexico, namely the agricultural portion of the economy. However, the east side of the region (Lea, Roosevelt, Curry, and Otero Counties) leans toward Texas for trade.

TRANSPORTATION

Transportation throughout the region is primarily by personal vehicle. The major highways through the region are U.S. Highways 285, 70, 380, 82, 54, 62, and 180, along with State Highways 18 and 32. These highways are generally two-lane asphalt paved roads. Construction was completed in 2005 on U.S. Highway 285, making it a new four-lane highway. This highway extends from Interstate 40 at Clines Corners south to Carlsbad. U.S. Highway 70 had construction completed in early 2006. This highway runs southwest to northeast across New Mexico from Las Cruces to Clovis. This four-lane highway provides an alternate route across New Mexico, just south of Interstate 40. Due to the large size of the region and the limited population, the highway network is essential; it allows for family transportation as well as the movement of goods and raw materials/products into and out of the region.

The Burlington Northern Santa Fe Railway Company services the region. Rail transportation is limited mainly to the movement of extractive minerals, grain, and commodities for livestock use. The closest rail passenger terminals are in Albuquerque, New Mexico, and El Paso, Texas.

Bus transportation is provided by TNM&O Coaches, Inc., a regional bus carrier that services Texas, New Mexico, and Oklahoma.

Air transportation from various communities in the southeast quadrant of New Mexico was provided by Mesa Airlines to Albuquerque for several years, but was discontinued in 2008. American Eagle also discontinued service between Roswell and Los Angeles International Airport (LAX) due to an insufficient number of passengers to support the flights. New Mexico Airlines currently provides daily round-trip flights between Alamogordo, Carlsbad, and Hobbs to Albuquerque. In 2011, Continental Airlines began operating once-daily flights on Tuesdays and Saturdays and twice-daily flights every other day between Hobbs and Houston, Texas. This was largely related to the service transportation needs of people involved in the oil and gas, uranium enrichment, and solar industries in southeastern New Mexico. Great Lakes Airlines provides daily flights between Clovis and Albuquerque. Service by major airlines is available in Albuquerque, New Mexico, as well as Lubbock, Midland-Odessa, and El Paso, Texas. The existing air transportation system is considered to be adequate for the current population.

MILITARY BASES

The 2005 Base Realignment and Closure Commission (BRAC) had considered closing all, or portions of, Cannon Air Force Base, Holloman Air Force Base, White Sands Missile Range, and Fort Bliss (near El Paso, Texas). Remarkably, none of these local bases were closed, which was good news for New Mexico and the El Paso region of Texas.

In July 2006, the Pentagon announced a new mission for Cannon Air Force Base. Cannon AFB, which is located approximately seven miles southwest of Clovis, New Mexico, activated the 27th Special Operations Wing in October 2007. The 27th Special Operations Wing is part of the Air Force Special Operations Command (AFSOC). This Special Operations Wing plans and executes specialized and contingency operations and provides intelligence, surveillance, reconnaissance, and close air support for special operations forces. Cannon AFB encompasses 4,543 acres and employs around 5,300 military and 200 civilian personnel; it also employs roughly 853 civilians in the Clovis/Portales area. The Base has roughly $688 million per year economic impact on the Clovis/Portales community.

Holloman Air Force Base, approximately six miles southwest of Alamogordo, was originally established in 1942. The 49th Wing – host wing at Holloman Air Force Base – supports national security objectives by deploying worldwide to support peacetime and wartime contingencies. The Wing provides combat-read airmen, F-22 Raptors, and trains MQ-1 Predator and MQ-9 Reaper pilots and sensor operators. Holloman AFB encompasses 59,904 acres and has approximately 4,037 active duty military personnel; it also provides 1,232 civilian jobs in the Alamogordo area. The Base has roughly $693 million per year economic impact on the Alamogordo/Las Cruces economy.

AGRICULTURE

Farming and ranching are found throughout the region. There is some irrigated farming in the Hobbs/Lovington area and some dryland farming in Curry and Roosevelt Counties. The estimated irrigated acreage in the region is 300,000 acres. Farming is limited by water availability. Ranching spans the region where there is insufficient water for farming. The livestock raised are mainly sheep, goats, and cattle as well as some horses using for racing and livestock handling. Dairy heifer raising has become an economic factor because of the numerous dairies in the region. Approximately 150 dairies and 313,200 head of milk cows (average of 2,088 per herd) are located in New Mexico. New Mexico produces 44 million pounds of milk per year, worth an estimated $5.8 million. New Mexico ranks ninth in the nation for milk production and fifth in the nation for production of cheese.

The Leprino Cheese Plant in Roswell is one of the largest manufacturers of mozzarella cheese and lactose in the world. The 430,000 square foot plant currently has 600± employees and currently processes about six million pounds of milk per day (four times as much as when the facility opened in 1993). The products Leprino produces include frozen diced cheese, bulk ribbon cheese, wrapped ribbon cheese, whey protein concentrate, and lactose. Leprino sells cheese to businesses such as Pizza Hut and Domino's Pizza. The Leprino plant had a major equipment upgrade in 2013; the equipment upgrade was estimated to cost approximately $20 million. It increased employment at the plant by 10 to 12 new positions and allowed for additional cheese product production. As do all Leprino facilities, the Roswell plant puts great importance on being environmentally responsible, even winning the 2011 Xcel Energy Environmental Leadership Award. The plant uses recycled water to irrigate over 360 acres of Triticale and 360 acres of Sordan sold in the area for feed.

The Southwest Cheese Company plant officially opened in Clovis on October 10, 2006. Southwest Cheese was a 50-50 joint venture between Glanbia PLC and the Greater Southwest Agency. Glanbia PLC is an international firm based in Kilkenny, Ireland. The Greater Southwest Agency is owned by Dairy Farmers of America, Select Milk Producers, Lone Star Milk Producers, and Zia Milk Producers. The cheese plant is a 340,000 square foot plant employing 300± people. In April 2009, a $90 million expansion was announced; it would be fully commissioned in 2010. The expansion increased jobs by approximately 50 positions. After the expansion, at full capacity the plant processes 10.5± million pounds of milk daily. Cheeses produced are Cheddar, Monterey Jack, Colby, and Pepper Jack in 40-pound and 640-pound blocks. The expansion made 1.1 million pounds of American style cheese and 70,000 pounds of high value-added whey daily. Southwest Cheese is one of the largest natural cheese and high protein whey processing plants in the world.

The recession caused demand for milk products to decline nationwide, which resulted in the prices received by dairy farmers to be below the cost of production. In other areas of the United States, the negative cash flow drove many dairies out of business. Due to a variety of factors, southeastern New Mexico was reasonably fortunately in the market slump; however, approximately 20 to 30 dairies in still shut down in the last ten years.

Crops grown on the farmland primarily include milo, corn, alfalfa, cotton, peanuts and some chili peppers. For years, Georgia has long held the overall production title of pecans, with Texas ranking second. Due to drought, beginning in 2011 New Mexico was ranked second in the nation for pecan production. It is estimated that New Mexico has the highest dollar value of pecan production of any state in the United States. This is partially due to the continued increase in pecan production in southeastern New Mexico, including a pecan orchard development in the Roswell/Artesia area by Chase Farms. Corn silage production has increased due to the demand created by the local dairies.

ENERGY & MINING

The extracted minerals portion of the regional economy includes oil and gas production as well as potash and sulfur mining. Oil and gas production are located throughout the region, but is primarily north and east of Roswell, east of Artesia and Carlsbad, and in the Hobbs/Lovington area. Artesia has the largest oil refinery (Navajo Refinery) in New Mexico. The refining process begins at the Navajo facility in Lovington. The oil is transported via underground pipeline to Artesia, where the refining process converts the crude oil into usable retail products, such as gasoline, diesel fuel, and jet fuel. The refinery in Artesia has been expanded over the years, allowing it to refine up to 100,000 barrels per day at full capacity. Employment at Navajo Refinery has stabilized at approximately 470 employees at this level of production. Refined products are piped to El Paso, Texas, and from El Paso to Albuquerque, Mexico, and Tucson and Phoenix, Arizona. This refinery completed Phase II of a major capital project initiative in the second quarter of 2010, providing the refinery the capability to process up to 40,000 barrels per day of heavy type crudes with the installation of a new solvent de-asphalter and the revamp of the crude and vacuum units. The refinery has spent several million dollars in capital costs in the past few years on several projects, including the upgrading of equipment to comply with EPA requirements, installing a new storm water surge tank, and upgrading several other processes at the refinery's Artesia waste water treatment plant.

In December 2012, Navajo Refinery announced their plan to bring in 1,000± contract workers in January/February 2013 for routine maintenance. This maintenance turnaround promised to produce a great economic start for 2013 for the hotels and local businesses in the Artesia area. Hotels throughout the larger market area were positively impacted because Artesia did not have adequate lodging capacity to house hundreds of contact laborers.

Due to the strong oil and gas industry presence in the region, hydraulic fracking (shale extraction) is becoming more prevalent in the area. In early May 2013, Mora County made national headlines for imposing a fracking ban. Fracking is a controversial process that involves horizontal drilling and injecting millions of gallons of pressurized water, sand, and chemicals into wellheads. Many areas in the southwest and northwest regions of New Mexico still employ the process.

Potash and sulfur, which are used in the manufacturing of fertilizer, are mined in the Carlsbad area. There are currently three operational potash mines and four processing facilities east of Carlsbad. New Mexico was already ranked first in potash production in the United States, but production growth in the past few years has now elevated it to New Mexico's largest mining commodity, dethroning coal and copper, the state's two long-time front-runners.

In December 2010, Xcel Energy and SunEdison broke ground on a 54 MW photovoltaic solar deployment to be built on five separate sites in Lea and Eddy Counties (four in Lea County and one in Eddy County). All five sites were in service as of November 17, 2011. Each site is comprised of utility-scale photovoltaic solar power arrays that are expected to deliver more than 112 million kilowatt hours of clean solar energy in the first year of operation alone. It is expected that the 54 MW deployment will generate more than 2 billion megawatt hours of clean, renewable energy over 20 years – enough energy to power more than 192,000 residences for one year. This is the largest solar deployment in New Mexico.

MANUFACTURING

Manufacturing in southeastern New Mexico is not a large portion of the economy, but this sector is improving. Louisiana Energy Services (LES) and Urenco have been issued a license from the United States Nuclear Regulatory Commission (NRC) to enrich uranium for nuclear power plants. The $3 billion facility began construction in early 2007, just a short distance east of Eunice. The first production facilities were completed in late 2008. The Nuclear Regulatory Commission authorized startup of this facility on June 10, 2010; this is the first major nuclear facility to be licensed in the United States in the past three decades. The NRC approval of the LES facility is a turning point for the nuclear industry in the United States. The National Enrichment Facility was rebranded URENCO USA/LES on January 2, 2010. The Nuclear Regulatory Commission announced approval on August 24, 2011, for URENCO USA/LES to bring online two additional sequential enrichment systems, known as cascades. As of the end of 2011, URENCO USA/LES capacity was 400 tSW/a (tons of separative work per year). Construction will continue at the plant until it reaches the planned 5,700 tSW/a capacity that is anticipated to produce sufficient enriched uranium for nuclear fuel, which will provide approximately 10% of America's electricity needs. The total cost of the project is expected to be approximately $4.5 billion. URENCO USA/LES currently employs approximately 350 employees along with another approximately 1,000 construction workers. Lea County purchased a 27.226 acre tract of land to be used by the Lea County Economic Development Corporation for company development. This tract is west of URENCO USA/LES, in the southeast corner of the intersection of SR 18 and SR 176. Jal and Eunice have seen several businesses open for support services for the facility. A large amount of HVAC (air-conditioning and filtering) services will be required by URENCO USA/LES for preventive maintenance to maintain a "clean room" in a dust-free environment.

Transportation Manufacturing Corporation (TMC) was the largest regional manufacturing employer. It was located at the Roswell International Air Center (RIAC), just south of Roswell. TMC built buses that were marketed nationally and worldwide. However, due to weak demand, TMC was forced to lay-off approximately 50 percent of its hourly workers in the fall of 1991. NovaBUS purchased TMC in late 1994. In 2002, NovaBUS announced that its bus manufacturing business was for sale. Millennium Transport, a new bus manufacturing company, began production in 2006; however, they filed for Chapter 11 bankruptcy in 2008 and there is no longer bus manufacturing at the RIAC. Fortunately for Roswell and the region, other businesses have come into the area to utilize the facilities available at the RIAC. These businesses serve both the aviation and manufacturing industries.

In June 2010, AerSale announced its acquisition of a division of Great Southwest Aviation in Roswell. Since then, AerSale has been successful in building its assets and expects continued growth over the next five years. AerSale disassembles and sells parts from older aircraft and refurbishes and leases airplanes and jet engines. The company typically buys 8 to 10 aircraft at a time. The aircraft that can be updated and repaired are then made available for lease. Those aircraft not deemed cost effective to update/repair are disassembled for parts or scrap. AerSale began with 15 employees and currently has 100± employees. AerSale anticipates employment of 130 to 150 with their current business model. Employees with specific skills may average

$40,000 to $70,000 per year. AerSale currently leases 400,000 square feet of aircraft hangar and facility space at the RIAC. They are an international firm with office facilities in two other locations in the United States and five locations around the world. The majority of the disassembly and aircraft refurbishing part of their operation takes place in Roswell. Another large RIAC employer anticipating strong growth is Dean Baldwin Aircraft Painting. Dean Baldwin currently employs approximately 165 full time employees at their Roswell location. The company has shown a large increase in employment, revenue, and the number of airplanes serviced. The Roswell facility sees between 200 to 300 planes a month, also servicing and painting planes in all six bays every eight to ten days.

CONCLUSION

The southeastern portion of New Mexico has exhibited a mostly stable economic basis over the past few years. In particular, the economy in Alamogordo has been slow but relatively stable, largely due to Holloman Air Force Base.

NEIGHBORHOOD DATA AND MARKET ANALYSIS

In the context of appraisal practice, a neighborhood is defined as *"a group of complementary land uses; a congruous grouping of inhabitants, buildings, or business enterprises."*[4] For purposes of this report, the subject property's neighborhood is the City of Alamogordo, New Mexico.

Area Demographics - The following table presents historical, current, and projected demographic data for the three-mile radius surrounding the subject property:

Demographic and Income Profile

Alamogordo, New Mexico
Ring: 3 mile radius

Prepared by Esri
Latitude: [illegible]
Longitude: [illegible]

Summary	Census 2010	2019	2024
Population	16,207	16,625	16,734
Households	6,880	7,187	7,261
Families	4,257	4,298	4,275
Average Household Size	2.33	2.29	2.28
Owner Occupied Housing Units	3,910	3,707	3,794
Renter Occupied Housing Units	2,970	3,480	3,467
Median Age	36.9	38.7	40.0
Trends: 2019 - 2024 Annual Rate	**Area**	**State**	**National**
Population	0.13%	0.65%	0.77%
Households	0.21%	0.61%	0.75%
Families	-0.11%	0.38%	0.68%
Owner HHs	0.47%	0.80%	0.92%
Median Household Income	0.45%	1.55%	2.70%

	2019		2024	
Households by Income	Number	Percent	Number	Percent
<$15,000	1,039	14.5%	987	13.6%
$15,000 - $24,999	711	9.9%	680	9.4%
$25,000 - $34,999	1,256	17.5%	1,289	17.8%
$35,000 - $49,999	1,108	15.4%	1,138	15.7%
$50,000 - $74,999	1,028	14.3%	1,057	14.6%
$75,000 - $99,999	1,077	15.0%	1,079	14.9%
$100,000 - $149,999	779	10.8%	826	11.4%
$150,000 - $199,999	131	1.8%	134	1.8%
$200,000+	60	0.8%	71	1.0%
Median Household Income	$41,725		$42,663	
Average Household Income	$56,055		$59,421	
Per Capita Income	$24,329		$25,893	

The data in the table above reveal a slight increase in population of 2.6% from 2010 to 2019 with an increase of less than 1% expected by 2024. Income data for the 2019 indicates 57.3% of the population within a three-mile radius had a household income of $49,999 per year or less. Projections for 2024 indicate that household incomes below $49,999 within the area will decrease by about 0.8%. Median household income, average household income, and per capita income are anticipated to increase by 2.2%, 6.0%, and 6.4%, respectively, over the next five years.

TRAFFIC ARTERIALS

Access to and within the neighborhood is good. The subject is located on the southwest corner of Highways 54 and 70. Highway 70 leads to Holloman Air Force Base and White Sands National Monument. Highway 54 becomes White Sands Boulevard just north of the subject which is the main arterial through the City of Alamogordo. This arterial ranges from two to three lanes of traffic in each direction (north and south) in the general vicinity of the subject. North White Sands Boulevard is improved with concrete curbs, gutters, and sidewalks and has concrete medians in the vicinity of the subject. This is the main arterial through the City of Alamogordo and becomes U.S. Highway 70 which leads to Holloman Air Force Base.

UTILITIES

Utilities available to the neighborhood include City water, sanitary sewer, natural gas, electricity and telephone. The Alamogordo and New Mexico State Police provide police protection. Fire protection is provided by the City of Alamogordo and Otero County.

NEIGHBORHOOD DEVELOPMENTS

There are mobile home parks to the west of the subject and east across Highway 54. U.S. Border Patrol is located just south of the subject. Developments near the intersection of White Sands Boulevard (Highway 54) and Highway 70 are retail and service-grade commercial users and include Chili's, Applebee's, Taco Bell, IHOP, and Anytime Fitness. There are several hospitality facilities near the intersection including Holiday Inn Express, Hampton Inn, Fairfield Inn & Suites, Luxury Inn & Suites, and Motel 6. Single-family residential developments are located on the interior neighborhood arterials.

SUMMARY

The commercial land uses located in the subject's vicinity exhibit good access and visibility. As such, access to the subject is considered adequate and typical of the area. Most of the area's commercial establishments are neighborhood-grade catering to daily consumer needs as well as the needs of travelers.

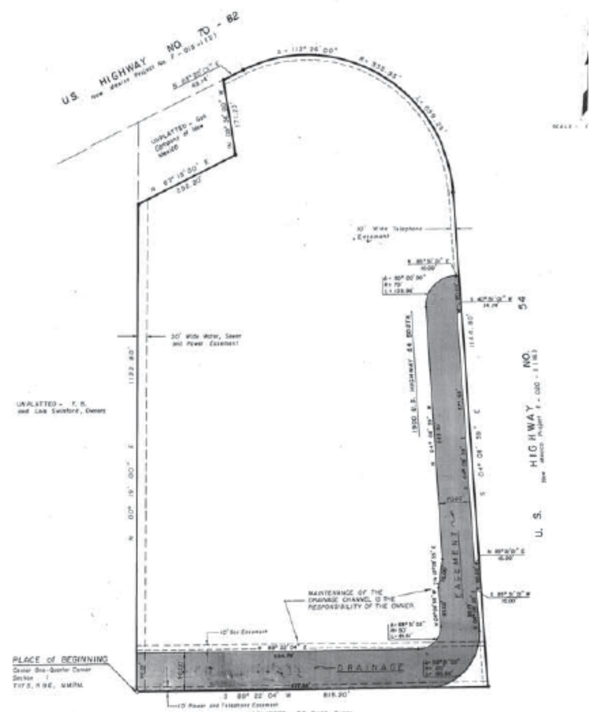
DESCRIPTION OF REAL ESTATE APPRAISED

Location – The maps presented in the *Preface* identify the location of the subject. The subject is addressed as 1900 U.S. Highway 54, Alamogordo, Otero County, New Mexico 88310. The subject site is located at the lighted intersection of U.S. Highways 54 and 70.

Topography & Soils – The site is slightly below street grade and has a slight downward slope from northeast to southwest. Drainage and soil conditions appear adequate to support the existing subject improvements and are typical of the area. It is assumed that the land is stable. Absent a soil analysis, and based on visual inspection of neighboring developments, the soil bearing capacity is assumed to be adequate. There were no observed signs of any environmental contamination or problematic sub-soil conditions noted at the time of property inspection. However, no warranty is made to this effect (see *Environmental Statement* forthcoming).

Zoning – The subject site is zoned C-3 Business District which allows a variety of residential and commercial uses.

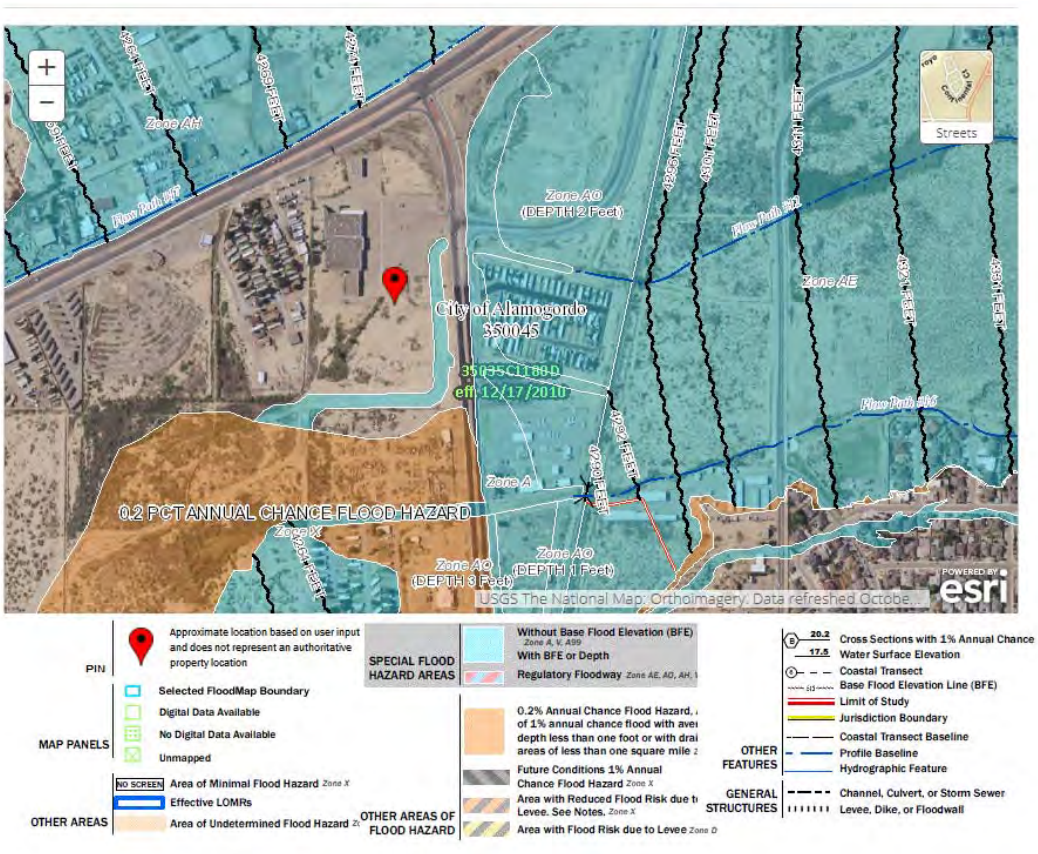
Shape & Size –The subject site is irregular in shape and contains 23.469 acres, or approximately 1,022,310 square feet (per legal description). There is a drainage easement along the eastern and southern portions of the site encompassing roughly 10% of the site (per appraisers' calculations on plat). Therefore, the site contains approximately 920,079 net square feet, or 21.122 net acres.



Easements/Encroachments – As discussed above, there is a drainage easement along the eastern and southern portions of the site encompassing roughly 10% of the site (per appraisers' calculations on plat). There is a 10' gas easement along the drainage easement on the south portion of the site. There is a 20' wide water, sewer, and power easement along the west boundary of the site and a 10' wide telephone easement along the eastern boundary of the site. No other apparent adverse easements or encroachments are noted or assumed that would affect the marketability of the subject property. **This assumption is subject to a current legal survey and title search of the property.**

Access & Visibility – The site has good visibility from U.S. Highways 70 and 54. The site can be accessed via two curb cuts along the west side of Highway 54. There is a traffic light along Highway 54 at the northern portion of the site providing direct access to the subject site. Overall, access and visibility are good for the area.

Flood Zone – The subject site is located on FIRM Map #35035C1180D, dated December 17, 2010, within unshaded Flood Zone "X", areas determined to be outside the 0.2% annual chance floodplain. There is a drainage easement along the eastern and southern boundaries of the site, located in shaded Zone "A" which is a special flood hazard area without base flood elevation.



Utilities – The subject property is reported to have all utilities connected and/or available to the site (i.e., gas, electric, telephone, and sewer, and City trash removal).

Real Estate Taxes – The subject property is taxed by the authority of Otero County under three separate accounts. Following is a summary of the property taxes associated with the subject.

Main Building

Year	Account	Land Assessed	Improved Assessed	Assessed Value	Taxable Value	Taxes
2020	R020449	$256,916	$343,846	$600,762	$200,254	*$6,766.20
2019		$251,878	$337,104	$588,982	$196,327	$6,633.48

North Building

Year	Account	Land Assessed	Improved Assessed	Assessed Value	Taxable Value	Taxes
2020	R020567	$81,995	$126,565	$208,560	$69,520	*$2,348.96
2019		$80,387	$124,083	$204,470	$68,157	$2,302.88

South Building

Year	Account	Land Assessed	Improved Assessed	Assessed Value	Taxable Value	Taxes
2020	R020566	$498,524	$70,681	$569,205	$189,735	*$6,410.76
2019		$488,749	$69,295	$558,044	$186,014	$6,285.04

Combined

Year	Account	Land Assessed	Improved Assessed	Assessed Value	Taxable Value	Taxes
2020		$837,435	$541,092	$1,378,527	$459,509	*$15,004.20
2019		$821,014	$530,482	$1,351,496	$450,498	$15,221.40

According to the Otero County Treasurer, all taxes have been paid and are current. Considering the indication of market value "as is" derived within this report, the subject is under assessed which is not unusual for the market.

Improvements - Improvement data is based on a physical property inspection from 2018 and recent photographs provided to the appraisers. The appraisers are not qualified to render an opinion on the adequacy of the structural or mechanical components of the building. The subject property recently underwent extensive clean up and renovations including new electrical, roofing, flooring, etc. The owner fully built out 4,000 square feet of office space and 40,000 square feet of warehouse space. The remaining space is currently warehouse or shell space with concrete floors and exposed ceilings. Following are the construction and building improvement details:

Construction Improvement Details – Commercial Facility

Building Description	The main building is an open retail building with warehouse containing 65,930± square feet. The southern building is a multi-tenant retail building containing 10,800 square feet. The northern building is a free-standing retail building containing 6,000 square feet (82,730 square feet total).
Building Quality	Average
Building Condition	Average
Effective Age	20 years
Remaining Economic Life	30-35 years which may be extended with renovations and ongoing repairs and maintenance.
Foundation	Reinforced concrete slab.
Exterior Walls	CMU block.
Office Area	4,000 square feet (5%)
Interior Walls	Mixture of textured and painted drywall, and exposed vinyl-backed insulation.

Interior Ceilings	Textured and painted drywall and exposed vinyl-backed insulation and steel deck. Drop acoustic tiles and exposed metal ceilings in office area.
Lighting	Fluorescent lighting and skylights.
Floor Finishes	Exposed concrete, vinyl tile, and commercial-grade carpet.
Plumbing	Assumed built to code.
Heating/Cooling	Gas heating and evaporative coolers. HVAC in office area.
Comments	The subject property recently underwent extensive clean up and renovations. The retail buildings require build out to be utilized as retail space. This space is considered warehouse space for valuation of the subject.
Conclusion	On the basis of property inspection, no forms of functional obsolescence were noted. Placement of the buildings is functional in regard to site configuration, and the overall design of the property is competitive within the market area. The property conforms well to the surrounding neighborhood and its legally permitted uses.

The appraisers are not qualified to judge the mechanical, electrical, HVAC, and structural components of the building and we assume they are adequate.

Other site improvements include asphalt parking and traffic circulation areas.

Floor Area Ratio – The floor area ratio (FAR) for the subject is calculated to be 0.09 (82,730 SF of building improvements divided by 920,079 net SF of total site area). This FAR is below the typical range for similar facilities located in the subject's general market area. Only a portion of the site is being utilized for building improvements, indicating the presence of excess site area. Applying a typical FAR of 0.15 indicates 551,533 square feet of site area is necessary to support the existing building improvements (82,730 SF / 0.15 = 551,533 SF). The remaining 368,546 square feet mostly to the south of the buildings (920,079 net SF – 551,533 SF necessary for building improvements = 368,546 SF) is considered excess site area. The value of the excess site will be added in the Sales Comparison Approach.

AMERICANS WITH DISABILITIES STATEMENT

The concluded market value is based on the extraordinary assumption that the property is not adversely impacted by non-compliance with the Americans with Disabilities Act. Such determination requires investigation by a qualified expert in the field of architecture or engineering. We have not been provided with information from such an expert as to the subject property's status with regard to the ADA. The user of this report is cautioned that the value opinion provided may be based on this extraordinary assumption.

ENVIRONMENTAL STATEMENT

No apparent or obvious signs of hazardous materials were noted at the time of property inspection. Hazardous materials may or may not be present on the subject property, but we are not qualified to detect such substances. The presence of substances such as asbestos, urea formaldehyde foam insulation, leaking oil or gas tanks, or other potentially hazardous materials may affect the value of the property. The opinion of value is predicated on the assumption that there is no such material on or in the property that would cause a loss in value. No responsibility is assumed for any such conditions or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in these fields, if so desired.

HIGHEST & BEST USE

Highest & Best Use As Though Vacant – The four highest and best use criteria are legally permissible, physically possible, financially feasible, and maximally productive. Based on the four highest and best use criteria, it is our opinion that the highest and best use of the site as though vacant is for commercial development upon demand. The zoning of the site allows for such uses. Based upon the trends and development patterns observed within the community, the optimal floor area ratio for this type of use would range from 0.10 to 0.30.

Highest & Best Use As Improved – The subject is improved with three commercial buildings. The existing subject improvements are legally permissible under current zoning ordinances and restrictions with no adverse easements, encroachments, or conditions found. This use is compatible with surrounding uses in the neighborhood. The existing use is also physically possible. The existing improvements continue to provide a financial return over and above the vacant site prices and listings in the general vicinity. At the present time there is no economic alternative use that would justify removal of the existing improvements (even given the estimated effective age and condition). Based on the four highest and best use criteria, it is our opinion that continued use of the commercial facility with absorption of the available vacant space is the highest and best use of the site as improved with future expansion to maximize the FAR or sale of the excess site area.

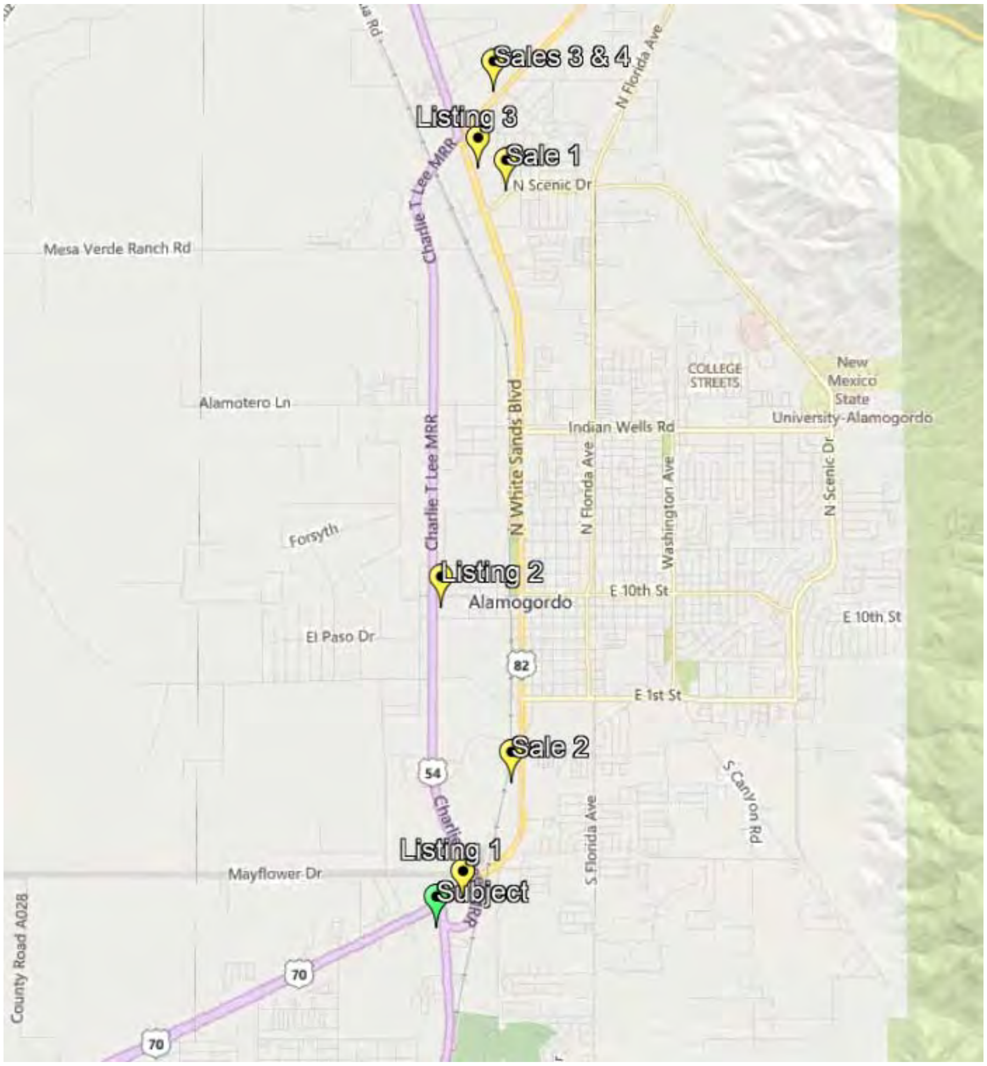
SUMMARY OF ANALYSIS & VALUATION

SALES COMPARISON APPROACH – EXCESS SITE

As mentioned, the subject has excess site area. We spoke with commercial real estate brokers in the area who reported there have been a limited number of larger land sales over the past few years. Following are recent land sales and listings utilized to estimate the value of the subject's excess site area.

Chart of Comparable Vacant Land Sales - Excess Site Area

	Subject	Sale 1	Sale 2	Sale 3	Sale 4	Listing 1	Listing 2	Listing 3
Address	1900 U.S. Hwy 54	N Scenic Dr, E/o White Sands Blvd	810 S. White Sands Blvd	N s/o US Highway 82, E/o White Sands Blvd	N s/o US Highway 82, E/o White Sands Blvd	1806 Charlie T. Lee Memorial Relief Bypass	SEC Charlie T. Lee Memorial Relief Bypass & 10th St	3650 N White Sands Blvd
Sale Date		Aug-17	Dec-15	Apr-14	Mar-14			
Sale Price		$139,500	$112,000	$85,000	$95,000	$1,600,000	$1,650,000	$599,500
Site Position	Corner	Interior	Interior	Interior	Interior	Corner	Corner	Interior
Topography	Mostly Level	Mostly Level	Mostly Level	Mostly Level	Mostly Level	Mostly Level	Mostly Level	Mostly Level
Shape	Irregular	Slightly Irregular	Mostly Rectangular	Slightly Irregular	Slightly Irregular	Slightly Irregular	Rectangular	Rectangular
Property Rights	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple
Zoning	C-3	C-3	C-3	None	None	C-3	M-2	C-3
Use		Retail	Retail	Speculative	Speculative	Speculative	Speculative	Speculative
Site Area (AC)	8.4607	1.1300	1.3110	3.0000	7.8460	15.0000	16.0000	7.9900
Site Area (SF)	368,546	49,223	57,107	130,680	341,772	653,400	696,960	348,044
Sale Price/SF		**$2.83**	**$1.96**	**$0.65**	**$0.28**	**$2.45**	**$2.37**	**$1.72**
		Transaction Adjustments						
Property Rights	-	0%	0%	0%	0%	0%	0%	0%
	-	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
Adjusted Price/SF	-	$2.83	$1.96	$0.65	$0.28	$2.45	$2.37	$1.72
Financing Terms	-	0%	0%	0%	0%	0%	0%	0%
	-	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
Adjusted Price/SF	-	$2.83	$1.96	$0.65	$0.28	$2.45	$2.37	$1.72
Conditions of Sale	-	0%	0%	0%	0%	-20%	-20%	-20%
	-	$0.00	$0.00	$0.00	$0.00	-$0.49	-$0.47	-$0.34
Adjusted Price/SF	-	$2.83	$1.96	$0.65	$0.28	$1.96	$1.89	$1.38
Expenditures	-	0%	0%	0%	0%	0%	0%	0%
	-	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
Adjusted Price/SF	-	$2.83	$1.96	$0.65	$0.28	$1.96	$1.89	$1.38
Market Conditions	-	0%	0%	0%	0%	0%	0%	0%
	-	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
Adjusted Price/SF	-	**$2.83**	**$1.96**	**$0.65**	**$0.28**	**$1.96**	**$1.89**	**$1.38**
		Property Adjustments						
Location	-	Inferior	Significantly Inferior	Significantly Inferior	Significantly Inferior	Slightly Inferior	Inferior	Inferior
Physical								
Size		Significantly Superior	Significantly Superior	Superior	Similar	Inferior	Inferior	Similar
Topography		Similar	Similar	Similar	Similar	Similar	Similar	Similar
Zoning	-	Similar	Similar	Similar	Similar	Similar	Slightly Inferior	Similar
Overall	-	**Superior**	**Slightly Inferior**	**Significantly Inferior**	**Significantly Inferior**	**Slightly Inferior**	**Inferior**	**Inferior**



ANALYSIS OF SALES

Real Property Rights Conveyed – No adjustments were required for property rights.

Financing Terms – All sales are cash or cash equivalent transactions, thus, no adjustments for financing terms are warranted.

Conditions of Sale - All of the sales were reported to be arm's-length transactions and were not adjusted. Properties typically sell for less than list price. Thus, all of the listings were adjusted downward by 20%.

Expenditures after Sale - None of the sales reported expenditures necessary after the transactions.

Market Conditions (Time of Sale) – The sales have transpired since March 2014. No adjustment for market conditions is evident in the data set.

Sale 1 – Sale 1 is located on a minor arterial which is considered inferior to the subject location. This sale is much smaller than the subject. Due to economies of scale, smaller properties typically sell for higher prices per unit than larger properties. Therefore, Sale 1 is considered significantly superior to the subject size. This sale has similar zoning to the subject. Overall, Sale 1 is considered superior to the subject.

Sale 2 – Sale 2 has an address on South White Sands Boulevard; however, this property has a rear location which is considered significantly inferior to the subject location. This sale is much smaller than the subject and is considered significantly superior to the subject size. This sale has similar zoning to the subject. Overall, Sale 2 is considered slightly inferior to the subject.

Sale 3 – Sale 3 is located on Highway 82 on the north side of the City which is considered significantly inferior to the subject location. This sale is smaller than the subject and is considered superior to the subject size. This property is outside the City limits and there is no zoning in Otero County. Overall, Sale 3 is considered significantly inferior to the subject.

Sale 4 – Sale 4 is located on Highway 82 on the north side of the City which is considered significantly inferior to the subject location. This sale is mostly similar to the subject's excess site area. This property is outside the City limits and there is no zoning in Otero County. Overall, Sale 4 is considered significantly inferior to the subject.

Listing 1 – Listing 1 is located directly across Highway 54 from the subject. This property has inferior access compared to the subject. It is larger in size than the subject's excess site area and has similar zoning compared to the subject. Overall, Listing 1 is considered slightly inferior to the subject.

We spoke to the listing agent, Doug Nelson, who told us this property has been on the market for over ten years. He has had it listed for two years and the owner increased the asking price one year ago. He said there has been some interest in the property and he believes the right user will come along and the property will be sold near the asking price.

Listing 2 – Listing 2 is located on a corner along the Charlie T. Lee Memorial Relief Bypass which is considered inferior to the subject's highway frontage. This property is larger in size than the subject's excess site area and has inferior zoning compared to the subject. Overall, Listing 2 is considered inferior to the subject.

Listing 3 – Listing 3 is located along White Sands Boulevard on the north side of the City which is considered inferior to the subject location. This property is mostly similar in size to the subject's excess site area. Its zoning is similar to the subject zoning. Overall, Listing 3 is considered inferior to the subject.

Sale	Comparison	$/SF
Sale 1	Superior	$2.83
Subject		
Sale 2	Slightly Inferior	$1.96
Listing 1	Slightly Inferior	$1.96
Listing 2	Slightly Inferior	$1.89
Listing 3	Inferior	$1.38
Sale 3	Significantly Inferior	$0.65
Sale 4	Significantly Inferior	$0.65

Conclusion – The adjusted vacant land sales present a range from \$0.28 per square foot to \$2.83 per square foot. Based on the above analysis, and considering the subject's location at the lighted intersection of Highways 54 and 70 and its infrastructure with all utilities located on the site, we estimate a value of \$2.00 per square foot for the excess site area.

Price Per Square Foot Method – Excess Site Area

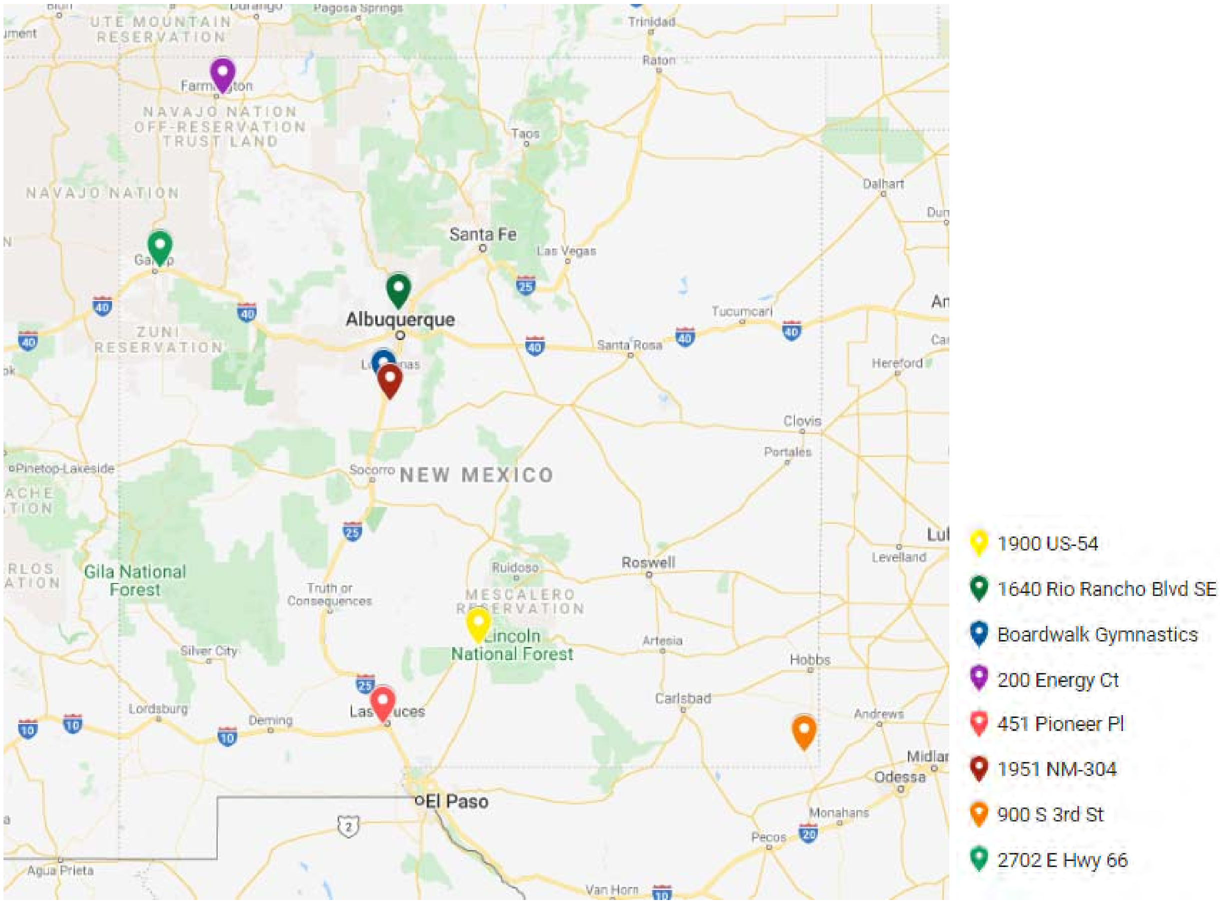
Excess Site Area	368,546 SF
Multiplied by Price Per Square Foot	x \$2.00
Indicated Value	\$737,092
Rounded to	\$735,000

Sales Comparison Approach

An in-depth search was conducted for recent sales which exhibit similar location and physical characteristics to the subject property. We spoke with real estate brokers active in the area who reported limited property sales in the last few years with no large properties similar to the subject. As such, we will utilize sales of larger properties throughout New Mexico in our analysis of the subject. Upward adjustments are made to the sales that have inferior characteristics compared to the subject, while downward adjustments are made to the sales that have superior characteristics compared to the subject. A summary of the data on the comparable improved sales is illustrated below, along with a location map. The unit of comparison is sale price per square foot.

Chart of Comparable Improved Sales

	Subject	Sale 1	Sale 2	Sale 3	Sale 4	Sale 5	Sale 6	Sale 7
Address	1900 U.S. Hwy 54	1640 Rio Rancho Blvd	6 & 8 Industrial Park Ln	200 Energy Ct	451 Pioneer Pl	1951 Hwy 304	900 S 3rd St	2702 E Hwy 66
City	Alamogordo	Rio Rancho	Belen	Farmington	Las Cruces	Belen	Jal	Gallup
Former User	Walmart	Kmart		Industrial	Industrial	Industrial	Industrial	Industrial
Sale Price		$4,900,000	$285,000	$1,500,000	$2,150,000	$3,300,000	$2,600,000	$925,000
Sale Date		Jun-19	Jun-19	Aug-18	Jun-17	Apr-17	Jan-17	Sep-16
Building Area RSF	82,730	89,147	12,000	30,000	44,315	165,000	56,300	28,632
Property Rights	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Leased Fee	Fee Simple	Fee Simple	Fee Simple
Quality	Average	Average	Average	Average	Average	Average	Average	Average
Condition	Average	Fair/Avg	Average	Average	Average	Average	Average	Average
Construction	CMU		Steel Frame	Fr/Stucco	Steel Frame	Concrete	Steel Frame	Steel Frame
Effective Age	20 Years	25 Years	25 Years	20 Years	20 Years	25 Years	25 Years	25 Years
Office %	5%		10%	77%	30%	6%	15%	3%
Site Area	551,533*	346,901	43,560	297,950	203,425	1,698,840	744,005	241,845
FAR	0.15*	0.26	0.28	0.10	0.22	0.10	0.08	0.12
Sale Price/SF	-	**$54.97**	**$23.75**	**$50.00**	**$48.52**	**$20.00**	**$46.18**	**$32.31**
				Transaction Adjustments				
Property Rights	-	0%	0%	0%	0%	0%	0%	0%
	-	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
Adjusted Price/SF	-	$54.97	$23.75	$50.00	$48.52	$20.00	$46.18	$32.31
Financing Terms	-	0%	0%	0%	0%	0%	0%	0%
	-	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
Adjusted Price/SF	-	$54.97	$23.75	$50.00	$48.52	$20.00	$46.18	$32.31
Conditions of Sale	-	0%	0%	0%	0%	0%	0%	25%
	-	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$8.08
Adjusted Price/SF	-	$54.97	$23.75	$50.00	$48.52	$20.00	$46.18	$40.39
Expenditures	-	0%	0%	0%	0%	0%	0%	0%
	-	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
Adjusted Price/SF	-	$54.97	$23.75	$50.00	$48.52	$20.00	$46.18	$40.39
Market Conditions	-	0%	0%	0%	0%	0%	0%	0%
	-	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
Adjusted Price/SF	-	**$54.97**	**$23.75**	**$50.00**	**$48.52**	**$20.00**	**$46.18**	**$40.39**
				Property Adjustments				
Location	-	-25%	0%	0%	-25%	25%	0%	0%
Physical	-							
Age/Condition	-	5%	5%	0%	0%	5%	0%	5%
Construction		0%	10%	0%	10%	0%	10%	10%
Size	-	0%	-20%	-10%	-5%	5%	-5%	-10%
Office %		0%	-3%	-23%	-13%	0%	-5%	1%
FAR	-	5%	5%	0%	5%	0%	-5%	0%
Net Adjustment	-	**-15%**	**-3%**	**-33%**	**-28%**	**35%**	**-5%**	**6%**
		-$8.25	-$0.71	-$16.50	-$13.59	$7.00	-$2.31	$1.94
Adj $/SF		**$46.72**	**$23.04**	**$33.50**	**$34.93**	**$27.00**	**$43.87**	**$34.25**
***Excludes surplus site area**								
Mean	$34.76							
Median	$34.25							
Midpoint	$34.88							



Property Rights – The subject represents a fee simple estate. The sales represent fee simple and leased fee interest; however, no adjustments are required under this category.

Financing Terms – All of the sales were cash or cash equivalent transactions and did not warrant a need for an adjustment; thus, no adjustment will be applied to these sales for financing terms.

Conditions of Sale – The sales were reportedly arm's-length transactions with no distress conditions reported.

Expenditures After Sale – No adjustments have been made under this category.

Market Conditions (Time of Sale) – The sales have occurred since September 2016. There is no evidence in the data set that an adjustment is warranted for market conditions during this time period.

Locational Characteristics – Location refers to arterial linkage, access, frontage, traffic volume, and surrounding developments. The subject is located along a highway in Alamogordo. Sales 2, 3, 6, and 7 are located in smaller communities similar to the subject and were not adjusted. Sales 1 and 4 are located in larger communities and are superior to the subject location. Sales 1 and 4 were adjusted downward by 25%. Sale 5 is located on a minor arterial with no nearby development which is inferior to the subject location. Therefore, Sale 5 was adjusted upward by 25%.

Physical Characteristics – The physical traits affecting the dataset compared to the subject property are effective age and condition, construction type, building size, office space, and floor area ratio.

Effective Age/Condition – We have applied an adjustment of 1% for each year difference in effective age.

Construction Type – The subject is block construction. Sales 2, 4, 6, and 7 are steel frame/metal construction which is inferior to the subject. These sales were adjusted upward by 10%.

Size – Due to "economies of scale", smaller buildings typically command higher prices per square foot in comparison to larger buildings. The subject contains 82,730 square feet of building area. Sale 5 is larger than the subject and was adjusted upward. The remaining sales are smaller than the subject and were adjusted downward under this category.

Office Space – Office space has a higher cost to build out than warehouse space. The subject contains 5% office space. The sales were adjusted 1% for every 2% difference in office space up to a maximum of 50%.

Floor Area Ratio (FAR) – The subject's adjusted floor area ratio is 0.15. Sales 1, 2, and 4 have higher FARs which is considered inferior to the subject and were adjusted upward. Sale 6 has a lower FAR and was adjusted downward for this superior characteristic. The remaining sales have mostly similar FARs to the subject and were not adjusted.

Opinion of Market Value by Sales Comparison Approach

The adjusted prices per square foot reflect a range from $23.04 to $46.72 with a mean of $34.76, a median of $34.25, and a midpoint of $34.88 per square foot. Based on this information, and considering the location and physical characteristics of the subject, we estimate a value of $34.00 per square foot is reasonable for the subject property.

Building Area	82,730 SF
Multiplied by Price per Foot	x $34.00
Opinion of Market Value	$2,812,820
Plus Value of Excess Site Area	$735,000
Indicated Value	$3,547,820
Rounded to	**$3,550,000**

Opinion of Fee Simple Market Value "As Is"
Sales Comparison Approach
May 11, 2020
$3,550,000

FINAL RECONCILED OPINION OF MARKET VALUE

Opinion of Fee Simple Market Value "As Is"
Sales Comparison Approach..$3,550,000

As discussed in the Scope of Work, the Cost Approach has not been developed due to the age of the improvements. The Cost Approach is most accurate when a property is new or relatively new construction. Application of depreciation within this approach for older properties is subjective, which leads to less reliable valuation results. Additionally, current market conditions evidence that the Cost Approach is not a driving factor or influence in regard to purchases. The subject was vacant for several years and is partially owner-occupied. Given the current market, absorption of a large facility like the subject is nearly impossible to project, so the Income Approach is also considered inapplicable at this time. Therefore, only the Sales Comparison Approach was utilized in our analysis. We conclude the following opinion of market value for the subject property "as is":

Final Reconciled
"As Is" Fee Simple Opinion of Market Value
May 11, 2020
$3,550,000

EXPOSURE & MARKETING TIME

Exposure Time is the estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale, at market value, on the effective date of the appraisal. It is a retrospective estimate, based on an analysis of past events assuming a competitive and open market. Based on recent supply/demand characteristics, and based on the exposure time of the comparable sales used within this report we estimate the subject property's exposure time at one to three years from the effective date of valuation.

Marketing Time is the estimated length of time it might take to sell the property interest in real estate at the estimated market value during the period immediately after the effective date of the appraisal. Marketing time differs from exposure time which is presumed to precede the effective dates of the appraisal. Because there are no significant changes anticipated in the supply/demand characteristics in this sub-market, immediately following the effective date of the appraisal, we estimate that the marketing time is similar to the estimated exposure time from one to three years from the effective date of valuation.

➢ ADDENDA ➣

➢ Exhibit A ➣
Certification

We certify that, to the best of our knowledge and belief:

The statements of fact contained in this report are true and correct.

The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are our personal, unbiased professional analyses, opinions, and conclusions.

We have no present or prospective interest in the property that is the subject of this report and have no personal interest or bias with respect to the parties involved.

Our compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event.

Our analyses, opinions, and conclusions were developed, and this report has been prepared in conformity with the Uniform Standards of Professional Appraisal Practice (USPAP) as adopted by the Appraisal Standards Board of the Appraisal Foundation.

The reported analyses, opinions, and conclusions were developed, and this report has been prepared in conformity with the requirements of the Code of Professional Ethics and Standards of Professional Practice of the Appraisal Institute.

We certify that the use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

No one provided significant real property appraisal assistance to the persons signing this certification.

We hereby certify that we are competent to complete the appraisal assignment. The reader is referred to Appraisers' Qualifications contained in the *Addenda.*

We performed an interior and exterior inspection of the subject property in November 2018 and were provided recent photographs from ownership.

The appraisal assignment was not based on a requested minimum valuation, a specific valuation, or approval of a loan.

As of the date of this report, Shane LeMon and Kathleen E. Burmeister have completed the requirements of the continuing education programs for Designated Members of the Appraisal Institute.

As of the date of this report, Shane LeMon, Kathleen E. Burmeister, and Jennifer D. Ridley have completed the continuing education program for the State of New Mexico.

We performed an appraisal regarding the property that is the subject of this report in November 2018.

Respectfully submitted,

Estate Valuation Consultants, Inc.

Shane LeMon, MAI, CCIM	Kathleen E. Burmeister, MAI	Jennifer D. Ridley
NM General Certified Appraiser #00193-G	NM General Certified Appraiser #03025-G	NM Apprentice Appraiser #03226-A

➢ Exhibit B ➣
Assumptions & Limiting Conditions

The certification of the appraisers appearing in this Appraisal Report is subject to the following assumptions and limiting conditions:

1. This report is intended to comply with the reporting requirements set forth under Standard Rule 2-2(a) of the Uniform Standards of Professional Appraisal Practice for an Appraisal Report. As such, it presents only summary discussions of the data, reasoning, and analyses that were used in the appraisal process to develop an opinion of value. Supporting documentation concerning the data, reasoning, and analyses is retained in the appraisal file. The depth of discussion contained in this report is specific to the needs of the client and for the intended use stated. We are not responsible for the unauthorized use of this report.
2. This report is an appraisal of the real estate value of the property, with no consideration given to the value of the business enterprise, furniture, fixtures, and equipment (FF&E).
3. No responsibility is assumed for the legal description or for matters including legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated.
4. The property is appraised free and clear of any or all liens or encumbrances unless otherwise stated.
5. Responsible ownership and competent property management are assumed.
6. The information furnished by other is believed to be reliable. However, no warranty is given for its accuracy.
7. All engineering is assumed to be correct. The plot plans and illustrative material in this report are included only to assist the reader in visualizing the property
8. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.
9. It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless noncompliance is stated, defined, and considered in the appraisal report.
10. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a nonconformity has been stated, defined, and considered in the report.
11. It is assumed that all required licenses, certificates of occupancy, consents, or other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the value opinion contained in this report is based.
12. It is assumed that the utilization of the site and improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespass unless noted in the report.
13. Possession of this report, or a copy thereof, does not carry with it the right of publication.
14. The appraisers, by reason of this appraisal, are not required to give further consultation or testimony, or be in attendance in court, with reference to the property in question unless arrangements have been previously made.
15. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraisers, or the firm with which the appraisers are connected) shall be disseminated to the public through advertising, public relations, news, sales, or other media without prior written consent and approval of the appraisers.
16. The forecasts, projections, or operating estimates contained herein are based upon current market conditions, anticipated short-term supply and demand factors, and a continued stable economy. These forecasts are, therefore, subject to changes in future conditions.
17. Any value opinions provided in the report apply to the entire property, and any proration or division of the total into fractional interests will invalidate the value opinion, unless such proration or division of interests has been set forth in the report.
18. Unless otherwise stated in this report, the appraisers did not observe the existence of hazardous material, which may or may not be present on the property. The appraisers have no knowledge of the existence of

such materials on or in the property. The appraisers, however, are not qualified to detect such substances. The presence of substances such as asbestos, urea-formaldehyde foam insulation, or other potentially hazardous materials may affect the value of the property. The value opinion is predicated on the assumption that there is no such material on or in the property that would cause a loss in value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in this field, if desired.

19. The Americans with Disabilities Act (ADA) became effective January 26, 1992. We have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA, could reveal that the property is not in compliance with one or more of the requirements of the act. If so, this fact could have a negative affect upon the value of the property. Since we have no direct evidence relating to this issue, we did not consider possible non-compliance with the requirements of ADA in estimating the value of the property.

20. **Due to the outbreak of COVID-19 (coronavirus), we did not perform a personal inspection of the subject for this assignment. We performed a personal inspection of the property in November 2018. Since then, the new owner has made significant improvements to the property and has provided current photographs of the subject property. The conclusions in this report are based on the extraordinary assumption that the photographs are accurate and represent the current condition of the subject. If the photographs are not accurate, the appraisers hold the right to revise this appraisal and their opinion of value, if necessary.**

➢ Exhibit C ➣
Qualifications of the Appraisers

SHANE LeMON, MAI, CCIM

PROFESSIONAL ASSOCIATIONS

Member of the Appraisal Institute: MAI No. 8662
State of New Mexico General Certified Real Estate Appraiser: #193-G
Individual Member of the Commercial Investment Real Estate Institute: CCIM No. 8029
State of New Mexico Licensed Broker: License No. 13725 I (Curtis Shane LeMon)
President of the FBI Citizens' Academy of New Mexico (2014-2015, 2017)
President of the Rotary Club of Albuquerque (2004/2005)
Chairman of the Board - Better Business Bureau of New Mexico & SW Colorado (2006/2007, 2017/2018); Board member since 2002
President – New Mexico Corvette Association (2002 & 2007)
President – Interstate Commerce Industrial Center (2007 - 2018)

PROFESSIONAL EXPERIENCE

President
American Property - Consultants & Appraisers, Inc., Albuquerque, New Mexico Office, March 1990 to Present

President
Estate Valuation Consultants, Inc., Albuquerque, New Mexico Office, December 2002 to Present

President
BPOXpress, Inc., Albuquerque, New Mexico Office, 2015 to Present

Fee Appraiser
Stiebler & Associates, Albuquerque, NM, April 1985 to February 1990
Stiebler, Smith & Assoc., Albuquerque, NM, June 1984 to March 1985

Tax Accountant
Deloitte, Haskins & Sells, Albuquerque, NM, January 1983 to May 1984

SPECIALIZED APPRAISAL EXPERIENCE

Since June 1984, Mr. LeMon has served as a fee appraiser concentrating in the following areas:

Hotels & motels	Vacant Land	Condominiums	Right-of-way
Multi-family residences	Office buildings	Industrial buildings	Farm & ranch
Retail Centers	Aircraft facilities	Restaurants	Special use properties
Car washes	Movie Theaters	Subdivisions	Golf courses

EDUCATION

University of Albuquerque, 1984; Accounting
Albuquerque Technical-Vocational Institute, 1980-1982; Business Management/Accounting
University of New Mexico, 1976-1980; Civil Engineering/Accounting

American Institute of Real Estate Appraisers Courses:
2; Standards of Professional Practice; 7/85
1A-1; Real Estate Appraisal Principles; 9/86
1B; Capitalization Theory & Techniques Part B; 9/87
1B-A; Capitalization Theory & Techniques Part A; 2/87
1A-2; Basic Valuation Procedures; 3/87
2-1; Case Studies in Real Estate Valuation; 3/88
2-2 Valuation Analysis & Report Writing; 6/88
MAI Comprehensive Examination; 8/89

New Mexico Real Estate Institute / KAPLAN Courses:
Real Estate Law; 2/96
Real Estate Practice; 2/96
Real Estate Broker Basics; 3/96
Real Estate Appraisal; 4/96
Real Estate Finance; 5/96
Real Estate Math; 5/96
NM Broker Examination; 6/96
NM Real Estate Commission – Mandatory; Albuquerque, New Mexico: 7/99, 4/02, 7/04, 11/07, 7/11, 4/14, 5/16
NM Advance Map Reading & Surveys; 8/05 - Albuquerque, New Mexico

NM Decision Making with the HP-10B Calculator; 9/05 - Albuquerque, New Mexico
NM Qualifying Broker Refresher Course; 12/07, 9/11, 5/14, 5/17 – Albuquerque, New Mexico
Leasing and Managing Residential Real Estate; 7/11 – Albuquerque, New Mexico
Successful Business Planning; 8/11 – Albuquerque, New Mexico
Negotiating and Completion of an Exchange; 8/11, 4/14 – Albuquerque, New Mexico
Understanding Residential Real Estate Investments; 3/14 – Albuquerque, New Mexico
Business Ethics in Real Estate; 10/15, 4/18 – Albuquerque, New Mexico
Property Management Essentials; 4/17 – Albuquerque, New Mexico
2017 NMREC Core Course A; 5/17 – Albuquerque, New Mexico
ANSI Square Footage Method of Measuring; 6/17 – Albuquerque, New Mexico
Real Estate & Taxes: What Ever Agent Should Know; 6/17 – Albuquerque, New Mexico
Easements and Access for the Non-lawyer; 7/17 – Albuquerque, New Mexico
Property Red Flags; 8/17 – Albuquerque, New Mexico
Mechanic's Liens: Law & Strategy; 8/17 – Albuquerque, New Mexico
Solar PV Value? Questions to Ask; 8/17 – Albuquerque, New Mexico
2018 NMREC Core Course B; 11/18 – Albuquerque, New Mexico
2019 NMREC Core Course C; 12/19 – Albuquerque, New Mexico
Surveys from A to Z; 2/20 – Albuquerque, New Mexico
Legal Descriptions & Survey Maps; 3/20 – Albuquerque, New Mexico

Commercial Investment Real Estate Institute
CI 101 – Financial Analysis for Commercial Investment Real Estate; 8/97 – Albuquerque, New Mexico
CI 201 – Market Analysis for Commercial Investment Real Estate; 2/98 – Albuquerque, New Mexico
CI 301 – Decision Analysis for Commercial Investment Real Estate; 5/98 – Albuquerque, New Mexico
CI 408 - Core Concepts Review – CCR; 6/98 – San Diego, California
Comprehensive Examination; 6/98 – San Diego, California
NAR Code of Ethics; 7/11, Albuquerque, New Mexico
Business Ethics in Real Estate 10/12, 10/15, 4/18 - Albuquerque, New Mexico

CONTINUING EDUCATION – Appraisal Related

American Institute of Real Estate Appraisers / Appraisal Institute
Standards of Professional Practice Update; 6/89 - Santa Fe, New Mexico
Reviewing Appraisals; 10/90 - Santa Fe, New Mexico
Accrued Depreciation; 1/91 - El Paso, Texas
Hotel/Motel Valuation Seminar; 6/91 - Dallas, Texas
Preparation and Use of the U.C.I.A.R. Form; 10/91 - Dallas, Texas
FHWA Course #14126; 12/91 - Santa Fe, New Mexico
Appraising Troubled Properties; 1/92 - El Paso, Texas
The Appraiser's Legal Liabilities; 9/92 - Las Cruces, New Mexico
Appraisal Regulations of the Federal Banking Agencies; 3/93 - Albuquerque, New Mexico
Standards of Professional Practice, Parts A & B; 4/93 - Albuquerque, New Mexico
Appraisal Office of the Future; 2/94 - San Diego, California
Understanding Limited Appraisals; 6/94 - Los Angeles, California
Fair Lending and the Appraiser; 4/95 - Las Cruces, New Mexico
Course 520; Highest & Best Use and Market Analysis; 9/97 – Phoenix, Arizona
Small Hotel/Motel Valuation Seminar; 9/98 – Ruidoso, New Mexico
Standards of Professional Practice, Part A (USPAP); 6/99 – Albuquerque, New Mexico
Standards of Professional Practice, Part B; 6/99 – Albuquerque, New Mexico
Valuation of Detrimental Conditions; 9/99 – Albuquerque, New Mexico
Real Estate Fraud; 1/01 – Albuquerque, New Mexico
Report Writing & Valuation Analysis; 6/01 – San Diego, California
General Applications; 10/01 – Salt Lake City, Utah
USPAP Course 401; 3/03 - Albuquerque, New Mexico
Rates and Ratios: Making Sense of GIMs, OARs and DCF; 7/04 – Albuquerque, New Mexico
USPAP Update Course 400; 1/05 – El Paso, Texas
Site to Do Business; 10/05 – Albuquerque, New Mexico
What Clients Would Like Their Appraisers to Know; 10/05 – Albuquerque, New Mexico
FHA and the New Residential Appraisal Form; 1/06 – Albuquerque, New Mexico
Subdivision Valuation Seminar; 4/06 – Santa Fe, New Mexico
Appraisal Consulting; A Solutions Approach for Professionals; 7/06 – Albuquerque, New Mexico
USPAP Course; 11/06 – Albuquerque, New Mexico

Business Practices & Ethics; 12/06 – Albuquerque, New Mexico
Cool Tools: New Technology for Real Estate Appraisers; 10/07 – Albuquerque, New Mexico
USPAP Course; 1/08 – Albuquerque, New Mexico
Office Valuation: A Contemporary Perspective 1/08 – Albuquerque, New Mexico
An Introduction to Valuing Green Buildings 9/08 – Albuquerque, New Mexico
Appraisal Tools Tune-Up 10/09 – Ruidoso, New Mexico
Appraising in 2009 10/09 – Ruidoso, New Mexico
Appraisal in Litigation 10/09 – Ruidoso, New Mexico
Appraising the Appraisal Business 10/09 – Ruidoso, New Mexico
Uniform Appraisal Standards for Federal Land Acquisitions 12/09 – Albuquerque, New Mexico
USPAP Course; 1/10 – Albuquerque, New Mexico
Business Practice & Ethics; 9/10 – Albuquerque, New Mexico
The Lending World in Crisis – What Clients Need Their Appraisers to Know Today; 11/10 – Albuquerque, New Mexico
Appraisal Review Seminar – General; 1/11 – Albuquerque, New Mexico
IRS Seminar: Conservation Easements & Your Taxes; 6/11 – Albuquerque, New Mexico
Appraisal Curriculum Overview (2-Day General); 9/11 – Albuquerque, New Mexico
Real Estate Finance, Value and Investment Performance; 10/11 – Albuquerque, New Mexico
Supervisor/Trainee Class – NM Real Estate Appraisers Board; 1/12 – Santa Fe, New Mexico
2012-2013 USPAP Course; 1/12 – Albuquerque, New Mexico
Evaluating Commercial Construction (2 days); 9/12 – Albuquerque, New Mexico
Practical Regression Using Microsoft Excel (2 days); 10/12 – Albuquerque, New Mexico
Fundamentals of Separating Real Property, and Intangible Business Assets (SBA Required) (2 days); 6/13 – Albuquerque, New Mexico
Supervisor/Trainee Class – NM Real Estate Appraisers Board; 12/13 - Albuquerque, New Mexico
Business Practices & Ethics; 1/14 – Albuquerque, New Mexico
2014-2015 USPAP Course; 1/14 – Albuquerque, New Mexico
Litigation Appraising: Specialized Topics & Applications; 10/14 – Ruidoso, New Mexico
NM Real Estate Appraisers Board Mandatory Renewal Class; 12/15 – Albuquerque, New Mexico
Business Practices & Ethics; 2/16 – Albuquerque, New Mexico
2016-2017 National USPAP Update Course; 2/16 – Albuquerque, New Mexico
Condemnation Appraising: Principles & Applications; 10/16 – Albuquerque, New Mexico
Contract or Effective Rent: Finding the Real Rent; 11/17 – Albuquerque, New Mexico
Examining Property Rights and Implications in Valuation; 11/17 – Albuquerque, New Mexico
2018-2019 National USPAP Update Course; 12/17 – Albuquerque, New Mexico
Business Practices & Ethics; 2/18 – Albuquerque, New Mexico
Supervisory Appraiser/Trainee Appraiser Course; 3/18 – Albuquerque, New Mexico (online)
Integrated Development Ordinance (IDO) Training; 5/18 – Albuquerque, New Mexico
Residential and Commercial Valuation of Solar; 1/19 – Albuquerque, New Mexico
Integrated Development Ordinance Training; 5/18 – Albuquerque, New Mexico
2020-2021 National USPAP Update Course; 1/20 – Albuquerque, New Mexico

COURT TESTIMONY – Appraisal Related

Mr. LeMon has provided his services as an Expert Witness in a variety of courts in New Mexico since 1990. He has been involved in litigation for over 50 cases involving real estate found in various areas of the state. Most often he provides secondary appraisal services, deposition testimony, and on a few occasions when cases are not settled out of court, court testimony.

State of New Mexico
REAL ESTATE APPRAISERS BOARD

PO Box 25101 Santa Fe, NM 87505 (505) 476-4622

This is to certify that

Curtis S LeMon #193-G

Having complied with the provisions of the New Mexico Real Estate Appraisers Act is hereby granted a license to practice as a

General Certified Appraiser

This appraiser is eligible to perform in Federally Related Transactions

Issue Date: 12/01/1990 Date Expires: 04/30/2022

THIS LICENSE MUST BE CONSPICUOUSLY POSTED IN PLACE OF BUSINESS

This Certifies That

the American Institute of Real Estate Appraisers

has awarded

Curtis Shane LeMon

the Professional Designation

MAI

subject to the limiting conditions of membership as set forth in the By-Laws and Regulations of the American Institute of Real Estate Appraisers.

In Witness Whereof, the Governing Council of the American Institute of Real Estate Appraisers has authorized this certificate to be signed in its behalf by the President and Executive Vice President, and the Corporate Seal to be hereunto affixed on this 12th day of December 1990.

PRESIDENT

James R. Langley

Acting EXECUTIVE VICE PRESIDENT

Certificate No

Commercial Investment Real Estate Institute

An Affiliate of the NATIONAL ASSOCIATION OF REALTORS®

By election of the Governing Council has designated

Shane LeMon

as a

CERTIFIED COMMERCIAL INVESTMENT MEMBER

CCIM

Dewey Struble, CCIM
1998 President

CERTIFICATE NO. 8029
June 10, 1998

KATHLEEN E. BURMEISTER, MAI
BACKGROUND AND EXPERIENCE

PRESENT POSITION
Vice President, Dominion Property Advisors, Albuquerque, New Mexico 2005-present
Associate, American Property Consultants & Appraisers, Inc., Santa Fe, New Mexico

CONTACT INFORMATION
505.688.8789 – Cell
kathleenm@dominionproperty.com
kathleenmclb@gmail.com

EDUCATION
Bachelor of Science-Biology and Earth and Planetary Sciences
University of New Mexico, Albuquerque, NM 87131
Master of Business Administration-Marketing and International Business
University of New Mexico, Albuquerque, NM 87131
Bilingual

REAL ESTATE COURSE WORK
Uniform Standards of Professional Appraisal Practice
Advanced Land Valuation: Sound Solutions to Perplexing Problems
Contract or Effective Rent: Finding the Real Rent
Examining Property Rights and Implications in Valuation
Analyzing Operating Expenses
Advanced Spreadsheet Modeling for Valuation Applications
Introduction to the Appraisal Profession Appraisal Techniques
Real Property Interest & Legal Descriptions for Appraisers
How to Use the Uniform Residential Appraisal Report
Basic Income Capitalization
Advanced Income Capitalization
General Appraiser Market Analysis and Highest and Best Use
Appraisal of Nursing Home Facilities
Business Practice and Ethics
Introduction to Valuing Commercial Green Buildings
Advanced Internet Search Strategies
Advanced Concepts & Case Studies
General Appraiser Report Writing and Case Studies
Comprehensive Examination Preparation Courses

ACADEMIC POSITIONS
Research Assistant/Instructor, Graduate Assistant, Anderson School of Business, University of New Mexico 2001-2002
Research Assistant, Earth and Planetary Sciences Department, University of New Mexico 1997-1999
Research Assistant MBRS, School of Medicine, University of New Mexico, 1996-1999

EXPERIENCE
Kathleen Mc Leroy has worked on various commercial appraisal assignments located throughout New Mexico and Colorado. Ms. McLeroy has worked independently and with various MAI

designated appraisers. She has shown a superior aptitude for commercial appraisal as a result of an intense workload often involving complex properties with unique components of value. Clients served included individuals, Fortune 500 corporations, banks and other lending institutions, government agencies, life insurance companies and attorneys. Estates appraised included fee simple, leased fee, leasehold and subleasehold. Property types include the following:

Office Buildings – Professional, Medical and Dental
Retail Buildings – Freestanding, Strip and "Big Box"
Multi-Family Residential Apartment Properties
LIHTC Apartment Properties
Storage Yards
Light Industrial Properties - Office/Warehouses, Distribution Warehouses
Assisted Living, Nursing Home and Special Care Facilities
Vacant Land – Commercial, Residential, Agricultural, Ground Lease
Section 8 Apartments
Houses of Worship
Single Family Residential Subdivisions
Hotels– Limited and Full Service
Bed & Breakfast Facilities (Rural and Urban)
Gas Station & Convenience Stores
Mortuaries and Cemeteries

AFFILIATIONS

Member, Appraisal Institute-MAI
Rio Grande Chapter of the Appraisal Institute - President (2018)
LDAC - 2017
NM General Certified Real Estate Appraiser (No. 03025-G)
Hispanic MBA Association
Marketing Association
Honors Graduate
Golden Key National Honor Society
SPURS, Honor Society
Deans List
American Geological Institute Scholar

Prior Professional Experience 2003-2005

Assistant General Manager/General Manager
Mastro's Corporation, Albuquerque, NM

Responsibilities:

Managed a staff of + 60 Employees. Assisted with payroll, inventory controls, purchasing, ordering, accounting, marketing and financing for a restaurant with gross annual sales of + $3,000,000. Organized public events for + 8000 people which consist of one of the major events ever done by a private organization in downtown Albuquerque

State of New Mexico

REAL ESTATE APPRAISERS BOARD

PO Box 25101 Santa Fe, NM 87505 (505) 476-4622

This is to certify that

Kathleen E. Burmeister #03025-G

Having complied with the provisions of the New Mexico Real Estate Appraisers Act is hereby granted a license to practice as a

General Certified Appraiser

This appraiser is eligible to perform in Federally Related Transactions

Issue Date: 09/09/2008 Date Expires: 04/30/2022

THIS LICENSE MUST BE CONSPICUOUSLY POSTED IN PLACE OF BUSINESS

Jennifer D. Ridley

PROFESSIONAL ASSOCIATIONS

State of New Mexico Registered Real Estate Apprentice Appraiser: No. 03226-A

PROFESSIONAL EXPERIENCE

Associate
American Property – Consultants & Appraisers, Inc., Albuquerque, New Mexico; July 2005 to April 2008, August 2011 to Present

Associate
Estate Valuation Consultants, Inc., Albuquerque, New Mexico; July 2005 to April 2008, August 2011 to Present

State of New Mexico, Human Services Department, Albuquerque, New Mexico; August 2008 to July 2011

EDUCATION

University of New Mexico, Bachelor of Arts in Psychology; 2005

University of New Mexico, Bachelor of Arts in Communication; 2005

APPRAISAL EDUCATION

Appraisal Institute courses:

Evaluating Commercial Construction; 9/12 – Albuquerque, New Mexico
General Appraiser Sales Comparison Approach; 10/12 – Aurora, Colorado
General Appraiser Income Approach; 4/14 – Aurora, Colorado
Real Estate Finance Statistics and Valuation Modeling; 11/15 – San Diego, California
General Appraiser Income Approach/Part 2; 5/16 – Aurora, Colorado
General Appraiser Site Valuation & Cost Approach; 3/17 – Austin, Texas
Integrated Development Ordinance (IDO) Training; 5/18 – Albuquerque, New Mexico
General Appraiser Market Analysis and Highest and Best Use; 8/18 – Aurora, Colorado

Other appraisal courses:

Basic Appraisal Principles; 7/11 – Albuquerque, New Mexico
Basic Appraisal Procedures; 7/11 – Albuquerque, New Mexico
USPAP (15-hour); 7/11 – Albuquerque, New Mexico
USPAP (most recent 7-hour update), 1/19 – Albuquerque, New Mexico

State of New Mexico Real Estate Appraisers Board Registration

State of New Mexico

REAL ESTATE APPRAISERS BOARD

PO Box 25101 Santa Fe, NM 87505 (505) 476-4622

This is to certify that

JENNIFER D RIDLEY #03226-A

Having complied with the provisions of the New Mexico Real Estate Appraisers Act is hereby authorized to practice as a

APPRENTICE APPRAISER

Issue Date: 10/06/2011 **Date Expires: 04/30/2021**

This appraiser is NOT eligible to perform in Federally Related Transactions

THIS LICENSE MUST BE CONSPICUOUSLY POSTED IN PLACE OF BUSINESS

➢ Exhibit D ➣

Engagement Letter

Estate Valuation Consultants, Inc.

May 7, 2020

Mark Medlin
Phone: (714) 366-5002
Email: mark@medlinramps.com

RE: Bid for updated Appraisal Report for commercial building located at 1900 U.S. Highway 54, Alamogordo, New Mexico 88310

Dear Mr. Medlin:

In accordance with your request, we have prepared this engagement letter for the assignment listed above. We propose to provide an updated Appraisal Report in Summary Format of the subject property for the fee of **$1,500 including tax.**

The report will provide the "as is" market value for the property for internal business decisions. The requested report will be prepared to comply with and be subject to the current requirements of the Appraisal Institute's Code of Professional Ethics and Uniform Standards of Professional Appraisal Practice. ***The fee includes an electronic copy of the report (PDF).*** The report can be completed and delivered roughly two weeks from the date we receive your signed authorization to move forward. T***he entire balance will be due immediately upon completion of the report, prior to the release of any value conclusions.***

If you are in agreement with the terms stated above and are prepared to order the work, please sign, print your name, and date below, and ***return to my office via FAX (505)343-0330, or Email jennifer.appraisenm@gmailcom.***

Mark Medlin   Mark Medlin   5/11/2020

Signature / Print Name   Date

Should you have any questions or require further information, please contact me at your earliest convenience.

Respectfully submitted,
Estate Valuation Consultants, Inc.

Jennifer Ridley

➢ Exhibit E ➣
Subject Information

Property Record Card

Otero Assessor

MEDLIN 47 LLC
14903 MARQUARDT AVE
SANTA FE SPRINGS, CA 90670

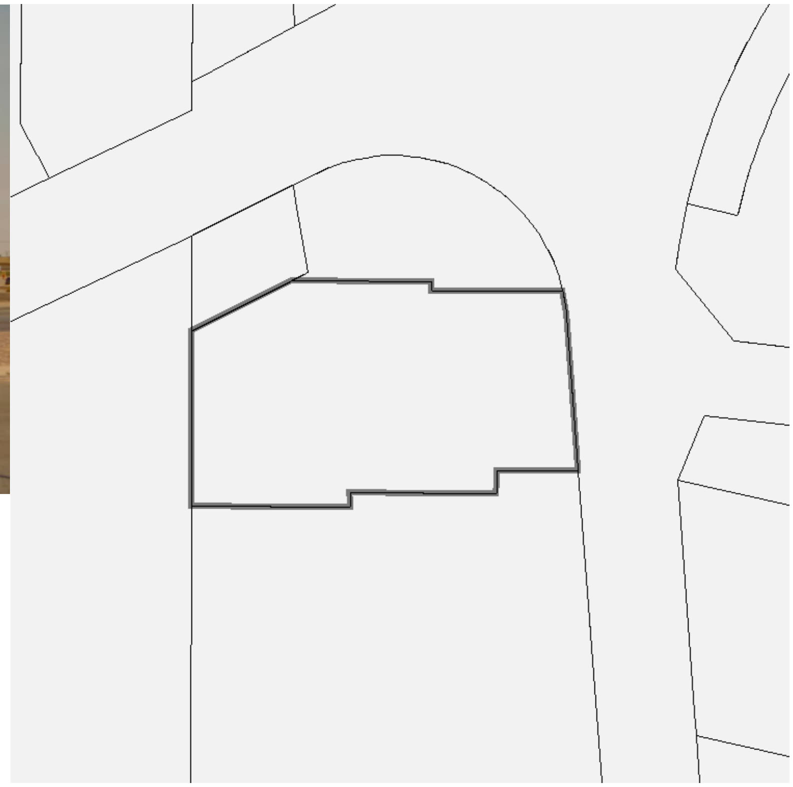
Account: R020449
Tax Area: 01_NR

Parcel: 01N4054097303166
Situs Address:
1900 US HWY 54 #A
ALAMOGORDO, 88310

Previous Parcel ID	01-11836	Neighborhood	C34 - Commercial US Hwy 54 South
Parcel Size	7.2039		

Legal Description

Subd: SHAWANA REPLAT A Lot: TRACT IN



Land Occurrence 1

Property Code	0200 - Non-Residential Land	Land Use Code	CM2 - Commer/Indus Acreage
Acres	7.2039	Description - PA, PS, PL, SF	PS
Rate	$235,000.00	Zoning	C-3 - Business
Topography Code	F - Flat Land	Sewer Type	Municipal Sewer
Street Code	Gravel		

Commercial Occurrence 1

Property Code	0220 - Non-Residential Improvement	Building Type	319 - Discount Store
Actual Year Built	1988	SQFT	71107
Construction Quality	2.0 - Average	Construction Type	C - Masonry Bearing Walls
Stories	1 - One Story	Story Height	14
Heating Fuel	NG - Natural Gas	Heating Type	PU - Package Unit
Air Conditioning	PU - Package Refrigerated Air	Sprinklers	Wet Sprinklers

Section 1 System Code 152 (Miscellaneous Yard Improvements) 10 20' LIGHT POLES 200 units $84.00 0.85% Depreciation Local Multiplier No Architect Fees

Section 1 System Code 139 (Fencing and Walls) 10' CHAIN LINK FENCE #11 188 units $21.90 0.85% Depreciation Local Multiplier No Architect Fees

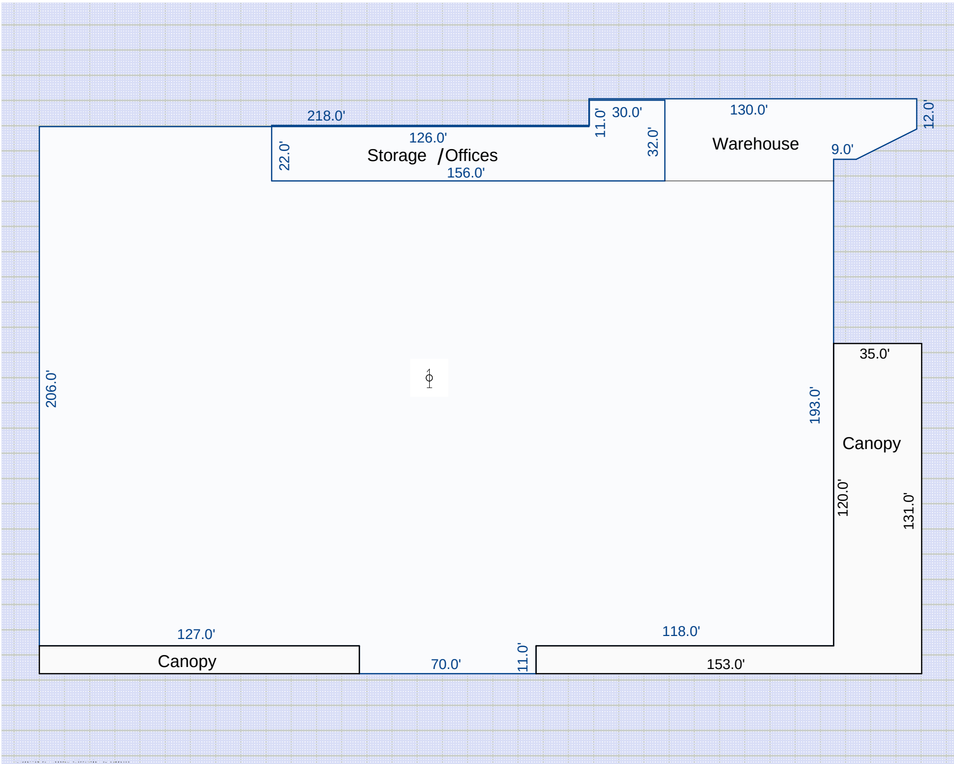
SubArea	ACTUAL	EFFECTIVE	HEATED	FOOTPRINT

Property Record Card

Otero Assessor

Commercial Occurrence 1

CP Con Slab	7280.0	
GBA 1st Floor	71107.0	71107.0
Total	78,387.00	71,107.00



Assessment History

Type	Actual	Assessed
Non-Residential Land	$256,916	$85,639
Non-Residential Improvement	$343,846	$114,615
Actual (2020)	$600,762	
Primary Taxable		$200,254

Property Record Card

Otero Assessor

MEDLIN 47 LLC
14903 MARQUARDT AVE
SANTA FE SPRINGS, CA 90670

Account: R020567
Tax Area: 01_NR

Parcel: 01N4054097310130
Situs Address:
1900 S US HWY 54
ALAMOGORDO, 88310

Previous Parcel ID	01-11958	Neighborhood	C34 - Commercial US Hwy 54 South
Parcel Size	2.3		

Legal Description

Subd: SHAWANA REPLAT A Lot: TRACT IN

Land Occurrence 1

Property Code	0200 - Non-Residential Land	Land Use Code	CM2 - Commer/Indus Acreage
Acres	2.3	Description - PA, PS, PL, SF	PS
Rate	$75,000.00	Zoning	C-3 - Business
Topography Code	F - Flat Land	Sewer Type	Municipal Sewer
Street Code	Asphalt Paving		

Commercial Occurrence 1

Property Code	0220 - Non-Residential Improvement	Building Type	353 - Retail Store
Actual Year Built	1990	SQFT	6000
Construction Quality	2.0 - Average	Construction Type	C - Masonry Bearing Walls
Stories	1 - One Story	Story Height	14
Heating Fuel	NG - Natural Gas	Heating Type	PU - Package Unit
Air Conditioning	PU - Package Refrigerated Air		

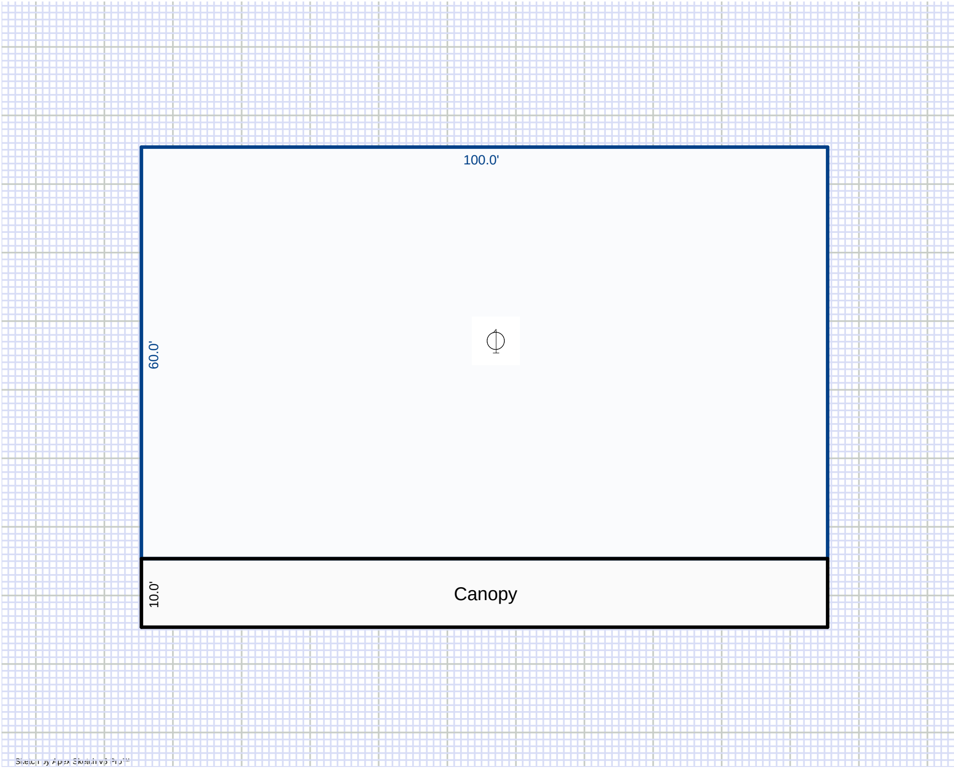
SubArea	ACTUAL	EFFECTIVE	HEATED	FOOTPRINT
CP Con Slab	1000.0			
GBA 1st Floor	6000.0		6000.0	

Property Record Card

Otero Assessor

Commercial Occurrence 1

Total	7,000.00	6,000.00



Assessment History

Type	Actual	Assessed
Non-Residential Land	$81,995	$27,332
Non-Residential Improvement	$126,565	$42,188
Actual (2020)	$208,560	
Primary Taxable		$69,520

Property Record Card

Otero Assessor

MEDLIN 47 LLC	**Account: R020566**	**Parcel: 01N4054097300217**
14903 MARQUARDT AVE SANTA FE SPRINGS, CA 90670	Tax Area: 01_NR	Situs Address: 1900 US HWY 54 #B ALAMOGORDO, 88310

Previous Parcel ID	01-11956	Neighborhood	C34 - Commercial US Hwy 54 South
Parcel Size	13.97		

Legal Description

Subd: SHAWANA REPLAT A Lot: TR IN

Land Occurrence 1

Property Code	0200 - Non-Residential Land	Land Use Code	CM2 - Commer/Indus Acreage
Acres	13.97	Description - PA, PS, PL, SF	PS
Rate	$456,000.00	Zoning	C-3 - Business
Topography Code	F - Flat Land	Sewer Type	Municipal Sewer
Street Code	Asphalt Paving		

Commercial Occurrence 1

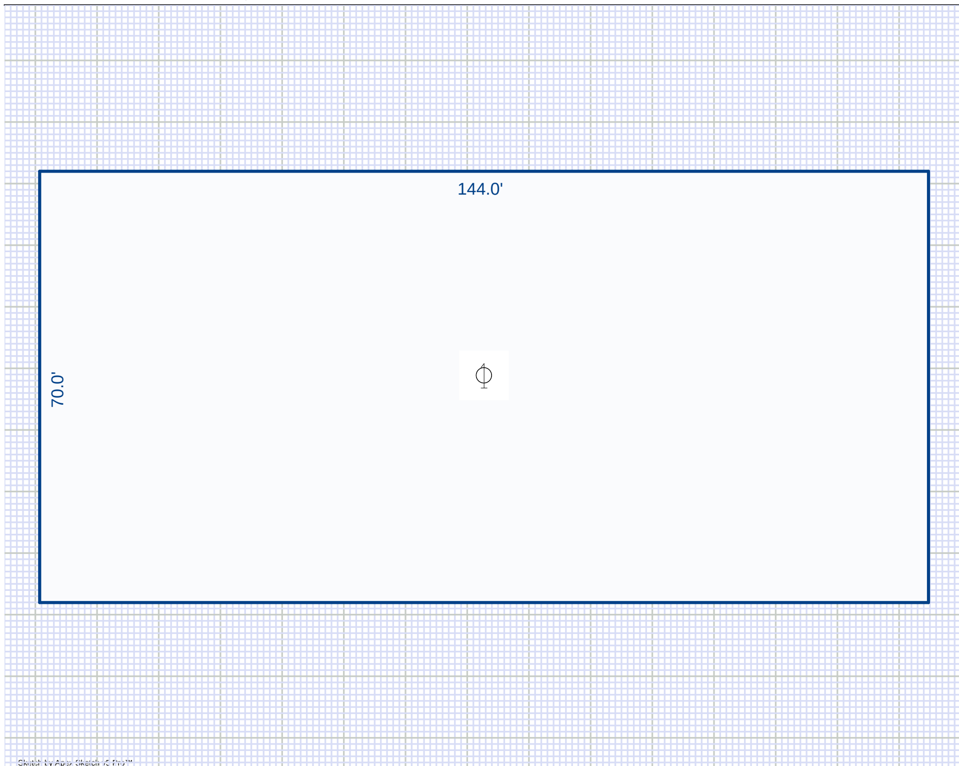
Property Code	0220 - Non-Residential Improvement	Building Type	353 - Retail Store
Actual Year Built	1990	SQFT	10080
Construction Quality	2.0 - Average	Construction Type	C - Masonry Bearing Walls
Stories	1 - One Story	Story Height	14
Heating Fuel	NG - Natural Gas	Heating Type	FC - Forced Circulation
Air Conditioning	ND - No Data	Sprinklers	Wet Sprinklers

SubArea	**ACTUAL**	**EFFECTIVE**	**HEATED**	**FOOTPRINT**
GBA 1st Floor	10080.0		10080.0	
Total	10,080.00		10,080.00	

Property Record Card

Otero Assessor

Commercial Occurrence 1



Assessment History

Type	Actual	Assessed
Non-Residential Land	$498,524	$166,175
Non-Residential Improvement	$70,681	$23,560
Actual (2020)	$569,205	
Primary Taxable		$189,735

29-03-290. - Use regulations—District C-3.

(a) In District "C-3," Business District, a building or premises shall be used only for the following purposes:

1. Detached single family dwellings, two-family dwellings, multiple dwellings, row dwellings, apartment houses, boarding and lodging houses, dwelling units attached to a commercial building.
2. Amusement places or theaters.
3. Bakery employing not more than twenty-five (25) persons.
4. Bank.
5. Barber shop or beauty parlor.
6. Dyeing and cleaning works employing not more than twenty-five (25) persons.
7. Electric repair shop.
8. Filling station.
9. Florist shop.
10. Hotel.
11. Laundry employing not more than twenty-five (25) persons on the premises.
12. Lodge or fraternal organization hall or meeting place.
13. Messenger or telegraph service station.
14. Newspaper and job printing establishments employing not more than twenty-five (25) persons.
15. Offices.
16. Parking lot.
17. Plumbing shop.
18. Public garage and automobile sales room.
19. Restaurant.
20. Sales and show room.
21. Store and shop for the conduct of any retail business.
22. Jewelry shop.
23. Tailor shop.
24. Tinsmith shop.
25. Tire repair shop.

26. Tourist courts.
27. Undertaking establishment, to include the placement of columbarium within the main building.
28. Used car sales or storage lot.
29. Self-service laundry.
30. Wholesale sales office or sample room.
31. Ice delivery station.
32. Any retail business that is ordinarily conducted in the section of a town or city commonly referred to as the business district; provided, however, that such use is not noxious or offensive by reason of the emission of odors, dust, fumes, noise or vibrations, and further provided that such business is not in any way a menace to the health and safety of the adjacent and surrounding buildings and structures.
33. Accessory buildings for uses customarily incident to the above uses when located on the same lot.

(b) Light assembly. An establishment engaged in the production of products by the assembly of existing components, and excluding the use of equipment such as drop hammers, automatic screw machines, punch presses which exceed five (5) tons' capacity and excluding the use of motors exceeding twenty (20) horse power, provided all activities are conducted within an enclosed building architectural similar to the surrounding properties, which use does not utilize or produce in significant quantities as a part of the assembly process, toxic or hazardous materials, which use does not utilize or produce explosive materials in any quantity, and because of the nature of its operations and products, little or no noise, odor, vibration, glare, and/or air and water pollution is produced, and, therefore results in a minimal impact on surrounding properties.

(Code 1960, § 11-5-1; Ord. No. 980, § 7, 7-23-96; Ord. No. 981, § 3, 8-26-96; Ord. No. 1234, § 1, 3-22-05; Ord. No. 1368, 1-12-10; Ord. No. 1401, 7-26-11; Ord. No. 1406, § 1, 11-15-11)

29-03-300. - Lot areas—District C-3.

For any two-family, or multiple-family dwelling located within the business district, the same requirements as to lot area shall apply as that governing the respective two-family, and multiple-family areas.

(Code 1960, § 11-5-2; Ord. No. 1234, § 1, 3-22-05)

29-03-310. - Yards—District C-3.

The rear yard and side yard regulations for dwellings within this district are the same as in the single-family district. In the case of business buildings, the yard requirements shall not apply except:

(a) On the side of a lot adjoining a dwelling district; in which case, there shall be a side yard of not less than five (5) feet; and

(b) On any street sides of a corner lot, there shall be a setback of not less than five (5) feet in width; and

(c) On the boundary of a lot adjoining an alley, there shall be a yard setback of not less than eight (8) feet if electric lines exist on the side of the alley abutting the property. No application for variance from the requirement set forth in this subsection (c) shall be accepted or considered without written concurrence of every public utility company providing electrical service within the corporate limits of the city.

(d) If electric lines do not exist on either side of the alley abutting the property, written concurrence on the proposed plans shall be required from every public utility company providing electrical service within the corporate limits of the city prior to the issuance of any building permit by the city.

Except as otherwise specified, there are no other yard regulations for business buildings. However, no building shall be built on White Sands Boulevard within ten (10) feet of the front lot line. The city manager shall not issue a permit for the construction of any permanent structure within the ten-foot setback.

(Code 1960 § 11-5-3; Ord. No. 783, § 5, 2-13-90; Ord. No. 804, § 1, 12-11-90; Ord. No. 1234, § 1, 3-22-05)

29-03-320. - Living facilities above stores—District C-3.

In the case of the existence of living facilities above stores or other commercial uses, every lot shall provide an area of not less than one thousand (1,000) square feet per family.

(Code 1960, § 11-5-4; Ord. No. 1234, § 1, 3-22-05)

29-03-330. - Off-street parking—District C-3.

(a) Off-street parking for automobiles shall be provided within a distance of five hundred (500) feet for all business buildings erected in the business district, in a proportion of not less than three (3) square feet for each square foot of area inside any such business building. Plans showing the proposed off-street parking shall be submitted to the building inspector, together with the application for the building permit; and no building permit shall be issued by the building inspector until such plans for off-street parking have been submitted and approved by the building inspector.

(b) Where property has been zoned Class "C-3" and improved before the effective date of Ordinance No. 661, adopted September 13, 1983, then that property is exempt from the off-street parking provisions of this section so long as the existing improvements remain on the premises and there is no addition to, or expansion of, such improvements so as to occupy a greater portion of the premises. In all other cases, parking must be provided as set forth in subsection (a) of this section.

(c) For motels and hotels there shall be a minimum of one off-street parking space of at least nine (9) feet by twenty (20) feet for each guest room or apartment, plus one (1) for each one and one-fourth (1¼) employees. Areas devoted to accessory uses (including but not limited to restaurants, lounges, and meeting rooms) shall comply with the requirements of subsection (a). Parking spaces shall not be directly accessible from a public right-of-way, nor require backing across a sidewalk for egress.

(Code 1960, § 11-5-5; Ord. No. 518, 10-22-74; Ord. No. 661, 9-13-83; Ord. No. 717, 1-13-87; Ord. No. 1234, § 1, 3-22-05)

FIRST AMENDMENT TO PROJECT PARTICIPATION AGREEMENT

This amendment, entered into this ____ day of _________, 2021 by the City of Alamogordo, a New Mexico municipal corporation ("City), and Medlin Ramps & Supply Corp USA, a for profit California Corporation whose business address is 1900 Highway 54 S, Alamogordo, NM 88310 (the "Qualifying Entity").

RECITALS

A. The purpose of this amendment is to allow the Qualifying Entity to sell off a portion of the land located at 1900 Highway 54 S, Alamogordo, NM 88310 not to exceed 6 total acres in order to help facilitate the building of a new business, namely a truck stop.
B. Ordinance 1584 authorized the issuance of the original Project Participation Agreement to the Qualifying Entity in the amount of $2,500,000. As a means of securing the grant, the Qualifying Entity entered into a mortgage arrangement with the City on the land mentioned above.
C. On May 11, 2020 the land at 1900 Highway 54 S, Alamogordo, NM 88310 was re-appraised, and with the updates done to the main structure is now valued at $3,550,000 (a copy of the appraisal is attached hereto as Exhibit A). Since the appraisal, the main structure has gone through additional upgrades giving it even more value.
D. Additionally, a job audit was conducted in August of 2021, and the debt was reduced by payroll expenditures of $455,074, making the total obligation now $2,044,926.

The parties wish to amend the agreement as follows:

The parties agree to allow the Qualifying Entity to sell no more than 6 acres located at 1900 Highway 54 S, Alamogordo, NM 88310. The Qualifying Entity agrees that it will not sell the main building on the property, but may sell the smaller accessory building on the Northern part of the lot (previously known as Showbiz Video).

The parties agree that all the rights and obligations contained in the Project Participation Agreement shall remain in full force and effect.

DONE this _______ day of August, 2021.

CITY OF ALAMOGORDO, NEW MEXICO
a New Mexico municipal corporation

By:___________________________________
Brian Cesar, City Manager

ATTEST:

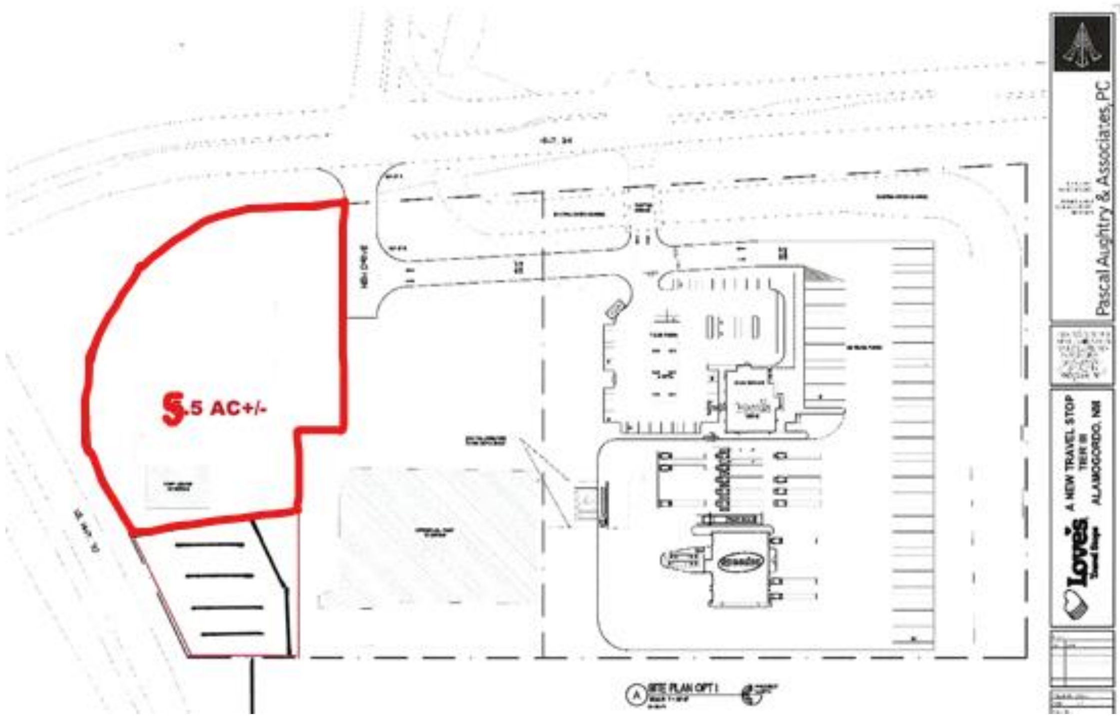
____
Rachel Hughes, City Clerk

MEDLIN RAMPS & SUPPLY CORP USA

By:__________________________________
Mark Medlin, CEO

APPROVED AS TO FORM:

____
Petria Bengoechea, City Attorney


5.5 AC+/-
SITE PLAN OPT 1
Pascal Aughtry & Associates, PC
A NEW TRAVEL STOP
TIER III
ALAMOGORDO, NM
Love's
Travel Stops

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 8/24/2021 **Report Date:** 8/11/2021 **Report No:** 11.

Submitted By: Petria Bengoechea

Subject: Consider, and act upon, first publication of Ordinance 1636, an ordinance creating Chapter 34 in the Alamogordo Code of Ordinances concerning Marijuana. *(Petria Bengoechea, City Attorney)* **(Roll Call Vote Required)**

Fiscal Impact:
Amount Budgeted:
Fund:

Additional Fiscal Impact:

Recommendation:

Background: Ordinance 1636 restricts where marijuana can be consumed, and where shops selling marijuana may be placed within City limits. The regulations mirror the regulations that we have for alcohol, except that it forbids the consumption of marijuana on City property or in open spaces.

Pursuant to the Cannabis Control Act passed in the 2021 Special Session, adult use cannabis in New Mexico has been legalized, but there are restrictions on what a local jurisdiction can and cannot do.

A local jurisdiction can adopt rules to reasonably limit the density of cannabis license and the operating times of cannabis businesses, and can restrict access to a cannabis consumption area to people who are 21 years of age or older, and require that any cannabis establishment that provides a consumption area be located a certain distance away from any schools or daycares.

The legislation specifically prohibits local jurisdictions from:
a. preventing people who are property licensed from transporting cannabis products on public roads,
b. completely prohibiting the operation of a cannabis license,
c. prohibiting or limiting signage identifying a business as a cannabis establishment if its attached to or located on the business premises
d. require a cannabis establishment or a consumption area be located more than 300 feet from a school or daycare that existed when the establishment was licensed,
e. require an existing cannabis licensee to relocate to a new premises, or
f. prohibit an adult New Mexican from producing homegrown cannabis.

ORDINANCE NO. 1636

AN ORDINANCE CREATING CHAPTER 34 IN THE ALAMOGORDO CODE OF ORDINANCES CONCERNING MARIJUANA

WHEREAS, the New Mexico Legislature Legalized Marijuana through the Cannabis Regulation Act during the 2021 Special Session;

WHEREAS, the City Commission of the City of Alamogordo wishes to make such reasonable regulations concerning proximity of businesses selling cannabis to schools; and

WHEREAS, the City Commission of the City of Alamogordo wishes to make such reasonable regulations concerning where cannabis can be used within City limits in order to protect the public's health safety and welfare;

THEREFORE, BE IT ORDAINED by the City Commission of the City of Alamogordo that a new Chapter be added to the *Code of Ordinances* as follows:

CHAPTER 34

ARTICLE 34-01. MARIJUANA

<u>34-01-010. Definitions.</u>

The words and phrases below, wherever used in this article, shall be construed as defined in this section unless, clearly from the context, a different meaning is intended. Words used in the present tense include the future tense, words in the plural number include the singular number, and words in the singular number include the plural number.

A. "Consume," "Consuming," and "Consumption" mean the act of ingesting, inhaling or otherwise introducing marijuana into the human body.

B. "Consumer" means an individual who is at least twenty-one years of age and who purchases marijuana or marijuana products.

C. "Cultivate" and "Cultivation" mean to propagate, breed, grow, prepare and package marijuana.

D. "Department" means the State of New Mexico Department of Health Services or its successor agency.

E. "Manufacture" and "Manufacturing" means to compound, blend, extract, infuse or otherwise make or prepare a marijuana product.

F. "Marijuana"

1. Means all parts of the plant of the genus cannabis, whether growing or not, as well as the seeds from the plant, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture or preparation of the plant or its seeds or resin.
2. Includes cannabis as defined in N.M.R.S. §26-2B-4, §26-2B-53. Does not include industrial hemp, the fiber produced from the stalks of the plant of the genus cannabis, oil or cake made from the seeds of the plant, sterilized seeds of the marijuana to prepare topical or oral administrations, food, drink or other products.

G. "Marijuana Establishment" means an entity licensed by the Department to operate all of the following:

1. A single retail location at which the licensee may sell marijuana and marijuana products to consumers, cultivate marijuana and manufacture marijuana products.
2. A single off-site cultivation location at which the licensee may cultivate marijuana, process marijuana and manufacture marijuana products, but from which marijuana and marijuana products may not be transferred or sold to consumers.
3. A single off-site location at which the licensee may manufacture marijuana and marijuana products and package and store marijuana and marijuana products, but from which marijuana and marijuana products may not be transferred or sold to consumers.

H. "Marijuana Products" means marijuana concentrate and products that are composed of marijuana and other ingredients and that are intended for use or consumption, including edible products, ointments, and tinctures.

I. "Marijuana Testing Facility" means the Department or another entity that is licensed by the Department to analyze the potency of marijuana and test marijuana for harmful contaminants.

J. "Open Space" means a public park, public sidewalk, public walkway or public pedestrian thoroughfare.

K. "Person" means an individual, partnership, corporation, association, or any other entity of whatever kind or nature.

L. "Process" and "Processing" means to harvest, dry, cure, trim or separate parts of the marijuana plant.

M. "Public Place" has the same meaning prescribed in the Dee Johnson Clean Indoor Air Act, N.M.R.S. §24-16-3.

N. "Smoke" means to inhale, exhale, burn, carry or possess any lighted marijuana or lighted marijuana products, whether natural or synthetic.

34-01-020. Building, Operating, and Zoning requirements.

A. No marijuana shall be sold or delivered by any marijuana dispenser, retailer, or grower except in areas, buildings and/or rooms open to the general public. No closed or curtained booths shall be permitted in any establishment or public place licensed under this chapter.

B. No person under 21 years of age may enter an establishment where the sale, cultivation or consumption of marijuana may occur.

C. No license shall be issued by the City for the sale or distribution of marijuana, marijuana products, or a marijuana testing facility that is within three hundred (300) feet of any church or school. Businesses operating in violation of this before September 1, 2021 will be granted an exception to this rule.

   a. A license may be granted for a proposed licensed premises if the owner or lessee has, prior to establishment of a church or school located within three hundred feet of the proposed licensed premises, applied for, been granted and maintained a valid building permit for the construction or renovation of the proposed licensed premises and has filed on a form prescribed by the Clerk a notice of intention to apply for transfer of a license to the proposed licensed premises. For the purposes of this section, all measurements taken in order to determine the location of licensed premises in relation to churches or schools shall BE THE STRAIGHT LINE DISTANCE FROM THE PROPERTY LINE OF THE LICENSED PREMISES TO THE PROPERTY LINE OF THE CHURCH OR SCHOOL. This provision shall not apply to any church that has been designated as an historical site by the cultural properties review committee and which does not have a regular congregation.

D. All marijuana establishments licensed to sell at retail marijuana products or to allow consumption of marijuana on their premises must follow the hours prescribed for alcohol sales and consumption in the Liquor Control Act.

34-01-050. Marijuana consumption in public places.

A. The use, sale, cultivation, manufacture, production, storage or distribution of marijuana or marijuana products is prohibited on property that is occupied, owned, controlled, or operated by the City of Alamogordo.

B. It is unlawful for an individual to smoke marijuana or to consume marijuana products on property that is occupied, owned, controlled or operated by the City of Alamogordo.

C. It shall be unlawful for anyone to smoke or to consume any marijuana of any kind, whether lawfully purchased or not, in any public place or in any street or in any government building, whether state or federal, or in any other public place except establishments having a license to dispense marijuana.

D. It its unlawful for an individual to smoke marijuana or consume marijuana products in any open space in the City of Alamogordo.

34-01-060. Selling of marijuana in public places.

(a) Selling of marijuana in public places consists of selling, serving, furnishing or permitting the smoking or consumption of marijuana in any public place or private club, or key club, whether operated for profit or not, except establishments having a license to dispense marijuana by the owner, operator, lessee or proprietor thereof.

(b) For purposes of this chapter, "public place" shall mean: an area, whether enclosed or open, held out for use by the public and to which the public is invited, or in which the public is permitted, whether owned or operated by public or private interests.

34-01-080. Lighting required.

All persons holding licenses for the sale of marijuana as retailers or dispensers shall keep all parts of the lots on which the licensed premises are situated, and the streets or alleys immediately adjacent to such places or buildings, well lighted during the hours when marijuana is being sold or served on such premises.

ARTICLE 34-02. MARIJUANA DISPENSERS LICENSE

34-02-010. Required.

The sale and possession for the purpose of selling, and the offering for sale of marijuana is hereby prohibited except by persons duly licensed within the area and upon the conditions specified in this chapter and other applicable provisions of this Code.

34-02-020. Application.

Applications for a license to sell marijuana within the city shall be made to the clerk on a form prescribed by the clerk. Each application shall include a copy of the application to the state department of cannabis control and shall be accompanied by a fee of fifty dollars ($50.00) to cover the expense of investigations. Upon receipt of the application, the clerk shall determine if preliminary approval of the issuance or transfer of the license has been made pursuant to the Cannabis Control Act. Upon determining that such preliminary approval has been made, the clerk shall set the application for hearing. An investigation shall be made of the applicant, the matters stated in the application, and for compliance by the applicant and the proposed location of the licensed premises for compliance with all applicable codes.

34-02-030. License Fee.

The fee for licenses to sell marijuana is as follows:

Retailer's/Dispensers license, per annum:	$250.00
Growers license, per annum:	$250.00

All licenses shall be issued for the period July 1 to the following June 30. The license fee shall not be refunded or prorated. The above does not business registration fees.

<u>34-02-040. Revocation.</u>

The city commission may, by a majority vote of all members elected, revoke any and all licenses for the sale of marijuana for the violation of any of the provisions of this chapter, after a public hearing and upon five (5) days' notice thereof.

ARTICLE 34-03. VIOLATIONS

<u>34-03-010. Penalties.</u>

Violation of any of the sections in this chapter shall be a misdemeanor punishable by up to five hundred dollars ($500.00) per day and up to six (6) months in jail per day of each violation.

PASSED, APPROVED AND ADOPTED this _______ day of ____________, 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

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 8/24/2021 **Report Date:** 8/16/2021 **Report No:** 12.

Submitted By: Susan Payne

Subject: Consider, and act upon, Resolution 2021-33, a Resolution Declaring Support for the Floyd School Board. *(Susan Payne, City Commissioner)* **(Roll Call Vote Required)**

Fiscal Impact:
Amount Budgeted:
Fund:

Additional Fiscal Impact:

Recommendation:

Background:

RESOLUTION NO. 2021-33

A RESOLUTION DECLARING SUPPORT FOR THE FLOYD SCHOOL BOARD

WHEREAS, the Floyd School Board is a duly elected school board, voted into power by the citizens of Roosevelt County, NM; and

WHEREAS, on July 26, 2021 the Floyd School Board met and made certain decisions based on their elected positions, the needs of their school district, and their constituents wishes for their children; and

WHEREAS, On August 2, 2021 the Floyd School Board met again as an elected body and affirmed those previously made decisions;

WHEREAS, On August 4, 2021 the Public Education Department of the State of New Mexico took the unprecedented, rash and overreaching action to suspend all of the elected officials on the Floyd School Board based on their actions in the aforementioned votes; and

WHEREAS, the City Commission of the City of Alamogordo believes local control over local issues is a fundamental right of citizens and one of the foundations of a strong democratic and functioning governmental system; and

WHEREAS, the City Commission of the City of Alamogordo believes that the best knowledge of what is right for local issues lies within locally elected leaders; and

WHEREAS, the City Commission of the City of Alamogordo supports the Floyd School Board in their statement that the Public Education Department of the State of New Mexico's policies have hurt their school and children locally, and a different solution was needed for their rural and unique jurisdiction;

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Alamogordo, New Mexico, as follows:

The City commission hereby declares support for the removed and duly elected officials of the Floyd School Board and expresses its grave concern about the Public Education Department of the State of New Mexico's overreaching and rash actions in their removal.

DONE this ___ day of _________, 2021.

CITY OF ALAMOGORDO, NEW MEXICO
A New Mexico municipal corporation

By: ___________________________________
Richard A. Boss, Mayor

ATTEST:	APPROVED AS TO FORM:
______________________________	_________________________________
Rachel Hughs, City Clerk	Petria Bengoechea, City Attorney

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 8/24/2021 **Report Date:** 8/18/2021 **Report No:** 13.

Submitted By: Teresa Gutierrez

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

Fiscal Impact:
Amount Budgeted:
Fund:

Additional Fiscal Impact:

Recommendation: One appointment to the Alamogordo Public Library Board.

Background: Alamogordo Public Library Board - Two (2) vacancies due to the resignation of Michael Eshleman and William G. Dennis II.
The following individual is interested in being appointed:
Karl Melton - if appointed, this will be his first term.

Mayor's Committee on Aging - One vacancy due to the resignation of Alan Kuchinsky.
No applications received.

Parks and Recreation Board - One (1) vacancy due to the expiring term of Stephen Ensminger.
No applications received.

Senior Volunteer Programs Advisory Council - One (1) vacancy due to the expiring term of Samuel Davis.
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
AUG 1 1 2021
CITY CLERK

City of Alamogordo Application to Serve on a City Board/Committee

First Name:	Karl
Last Name:	Melton
Phone Number:	5752149347
Email Address:	kpmelt93@gmail.com
Physical Address:	407 Sunnyside Ave
City:	Alamogordo
State:	NM
Zip Code:	88310
Is the above address within City Limits?	Yes
Mailing Address:	407 Sunnyside Ave
City:	Alamogordo
State:	NM
Zip Code:	88310
Present Employer:	Teaching Strategies
Job Title:	Partner Success Specialist
Board/Committee you would like to serve on (1st choice):	Public Library Board
Board/Committee you would like to serve on (2nd choice):	*Field not completed.*
Are you related to anyone who is presently employed by the City of Alamogordo?	No

If so, what is their relation to you?	*Field not completed.*
Are you related to an Elected Official of the City of Alamogordo?	No
Is so, what is their relation to you?	*Field not completed.*
Experience and education relating to the Board/Committee:	I have a Masters in Public Administration and currently work for an education technology/curriculum company called Teaching Strategies. When I attended college I worked at my university library and grew an appreciation for libraries and library staff.
Please indicate your interest in serving on a City Board/Committee:	I am an avid book lover who writes fiction for middle grade students and am an advocate for public libraries.