



Alamogordo City Commission

NOTICE OF MEETING

Regular Meeting Agenda

November 15, 2022 - 6:30 PM
Donald E. Carroll Commission Chambers
City Hall, 1376 E. Ninth Street

Susan L. Payne Mayor
Dusty Wright Mayor Pro -Tem, District 6
Nick Paul District 1
Stephen Burnett District 2
Karl Melton District 3
Josh Rardin District 4
Sharon McDonald District 5

Brian Cesar City Manager
Ashley Smith 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 of 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. Swearing in of newly hired Alamogordo Police Department Police Officers, Animal Control Officer and the first ever Alamogordo Police Department, Police Service Aide. (*Richard Denton, Chief of Police*)

2. Presentation on tethered dogs inside yards. (*John Handcock, Citizen*)

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.

3. Approve the minutes for the October 25, 2022, and the November 1, 2022 Regular meetings. (*Rachel Hughs, City Clerk*)
4. Consider, and act upon, granting an easement west of U.S. Highway 54 to PNM for street right-of-way to facilitate an anchor pole and guy wire. (*Nancy Beshaler, Public Works Director*)
5. Consider, and act upon, approval of Change Order No. 10, to Bohannon Huston, Inc., related to the Engineering & Design Agreement for the Bonito Lake Restoration and Infrastructure Improvements projects in an amount not to exceed \$68,732.60, including NMGR. (*Bob Johnson, Engineering Manager*)
6. Consider, and act upon, Resolution 2022-47 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 November 15, 2022. (*Evelyn Huff, Finance Director*) **(Roll Call Vote Required)**
7. Consider, and act upon, the approval of the transfer of hangar lease E9-A1 from Howard Enterprises Inc. to Dr. Dan Moezzi, located at the Alamogordo White Sands Regional Airport, this is a land lease transfer only. (*Jim Talbert, Airport Manager*)
8. Consider, and act upon, the approval of the transfer of hangar lease E5-A from Eds Flying Service to Howard Enterprises, located at the Alamogordo White Sands Regional Airport, this is a land lease transfer only. (*Jim Talbert, Airport Manager*)

ITEMS REMOVED FROM CONSENT AGENDA

NEW BUSINESS

10. Consider, and act upon, the first publication of Ordinance 1665 Case Z-2022-0004(A), a map amendment to change the zoning of the property located at 1004 E. 9th Street from C-1 Neighborhood Business to R-4 Multiple Family Dwelling. (*Stella Rael, City Planner*) **(Roll Call Vote Required)**
11. Consider, and act upon, Resolution 2022-48 authorizing the release of liens that are outside of the 4 year statute of limitations. (*Ashley Smith, City Attorney*) **(Roll Call Vote Required)**
12. Consider, and act upon, canceling the December 20, 2022 regular commission meeting. (*Brian Cesar, City Manager*)
13. Appointments to Boards and Committees. (*Susan L. Payne, Mayor*)

ADJOURNMENT

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 11/15/2022

Report Date: 10/31/2022

Report No: 1.

Submitted By: Richard Denton

Subject: Swearing in of newly hired Alamogordo Police Department Police Officers, Animal Control Officer and the first ever Alamogordo Police Department, Police Service Aide. (*Richard Denton, Chief of Police*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background:

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 11/15/2022

Report Date: 11/09/2022

Report No: 2.

Submitted By:

Subject: Presentation on tethered dogs inside yards. (*John Hancock, Citizen*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background: Mr. Hancock would like to bring solutions.



City of Alamogordo City Commission Meeting
AGENDA REQUEST FORM

RECEIVED

OCT 31 2022

CITY CLERK

Today's Date: Oct 31st 2022

Request Date
of Meeting:

Nov. 15th 2022

Name and Title:

Forrest Hancock (self)

Address:

1008 Lindberg Ave

Alamogordo NM. ZIP 88310

Phone Number:

575-495-2111

E-Mail Address:

forrest.hancock2@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

a reminder that tethering dogs 24/7
inside a yard is not legal.
Solution to these violations

Signature: Forrest Hancock

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

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 11/15/2022

Report Date: 11/07/2022

Report No: 3.

Submitted By: Rachel Hughs

Subject: Approve the minutes for the October 25, 2022, and the November 1, 2022 Regular meetings.
(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
October 25, 2022**

**SUSAN PAYNE, MAYOR
SHARON McDONALD, COMMISSIONER
JOSH RARDIN, COMMISSIONER
STEPHEN BURNETT, COMMISSIONER
NICHOLAS PAUL, COMMISSIONER**

**DUSTY WRIGHT, MAYOR PRO-TEM
KARL MELTON, COMMISSIONER
BRIAN CESAR, CITY MANAGER
ASHLEY SMITH, CITY ATTORNEY
RACHEL HUGHS, CITY CLERK**

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

Mayor Payne called the meeting to order at 6:31 P.M. Roll Call was taken by the Deputy City Clerk. Deputy City Clerk Aleshire announced there was a quorum present. Invocation was given by Mayor Payne, and the Pledge of Allegiance was led by Pro-Tem Wright. City Attorney Smith was absent.

APPROVAL OF AGENDA

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

PUBLIC COMMENT

Edward Summers said Public Utilities Director David Nunnelley denied his request for a septic tank; he has no outlet to the alley whatsoever. The sewer line goes through the neighbor's place on both sides, and they don't want it going through their property. Mr. Summers said that David Nunnelley said he couldn't put in a sewer line. Mr. Summers said you must tear up Teresa Lane to put a sewer line over seven feet down. He said he was wondering if an exception could be made since you all are over David Nunnelley's denial, whether you want to approve of it or not. He said he would ask that you approve of it, as tearing up Teresa Lane would be very costly, and he would have to pay for it. He said he talked to a licensed plumber, and it would cost about \$5,000. Mr. Summers said it would be simple to put in a septic tank, he knows how to build septic tanks and has done it before. He said he would ask that you all consider letting him put in a septic tank at 1616 Teresa Lane.

City Manager Cesar said that if you are within 150 feet of a sewer main in our City ordinance, you are required to connect to the sewer main. In addition, the City doesn't regulate septic tanks; that is the New Mexico Environment Department. He said he does not believe that the New Mexico Environment Department will allow you to build your septic tank, but he could be wrong. The lot size, if it wasn't close within the proximity of two sewer mains, is actually under the size the Environment Department would permit for the installation of the septic tank. Other than the cost of installing a sewer service line, there are many things that would prevent a septic tank from going on this property. Mayor Payne said the bigger issue is the New Mexico Environment Department. City Manager Cesar said that, and our City ordinance.

Commissioner Burnett addressed Mr. Summers and said that the State will not let you build your septic systems anymore, and for the lot size, you would have to go to what they call an ATU unit, which runs about \$13,000 to start.

Mr. Summers said the sewer line runs like this, but then there's a house, and the sewer angles and goes through the neighbor's property. There are two neighbors, and both neighbors said no.

Mayor Payne said that Commissioner Burnett does this for a living, and we have another plumber here, and if they are saying you can't legally do that, then that is what we have to go by. She said it sounds like it would be better and cheaper if Mr. Summers hooked up to City sewer, because he can't build his own septic tank as he is not legally allowed to do that, and he will never get a permit for that. Commissioner Burnett agreed that Mr. Summers would never get a permit from the State. Mr. Summers said the sewer line going through the neighbor's property is deteriorating. Mayor Payne said Mr. Summers could contact the City tomorrow, and someone could explain it to him. Mr. Summers asked if they could vote on it, and Mayor Payne said they could not do that as this was simply Public Comment; they could not take any action.

CITY MANAGER'S REPORT

City Manager Cesar made the following remarks:

City Manager Cesar said he would talk about Bonito Lake. We have had that offline since the 2012 Little Bear Fire and subsequent flooding events. The last contractor is mostly complete now, though there are punch list items they need to take care of; they are waiting on some materials, now a year later, to come in so they can finish the project. We have approval now to allow water to go back into the Lake. We must keep the silt line underdrain open until we get final approval. That may be an item at the next meeting or meeting right after. We have to have an engineer's report go up to the New Mexico Dam Safety Bureau for approval, and then we can shut that down. He said he spoke with Community Services Director Ortega this morning, and they will be securing a consultant to bring in an opening plan and the associated cost. We will not be back up to pre-fire camping and recreation. We will initially focus on the access around the Lake, the day fishing and picnicking activities, then work into the West Lake campground and the Blue Hole Apple Orchard area. We will bring a plan with costs to the Commission probably near the beginning of the new year. Mayor Payne said it is going to be the cleanest lake. City Manager Cesar said they are anxious to have it back online, and the water will be higher quality and softer.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Commissioner McDonald made the following comments:

She said she wanted to report on the Dudley School and the groundbreaking for Sacramento Park. The workday on Saturday went well; if you are interested in coming out to help or have certain skills to offer, we would appreciate you coming out. She said she is working with Joe Lewandowski and several other people in the neighborhood. We already have several people coming out, but we need everyone's help if you have the time. This past Saturday, they were able to finish up some of the fencing and do some painting. When Sacramento School was torn down, she said she met with Jared Perry, who at the time was Superintendent, and he said they were going to try to do something to keep that area or at least invest in it. That way, the community would have something. This past Friday, they broke ground; the Park should be finished in early December. She said she wanted to thank both school administrations, Jared Perry, Kenneth Moore, and their staff, that have kept this going. It is a great investment for her and the community, and she is very grateful.

Mayor Payne made the following comments:

Our condolences to the Oliver Family for the passing of Yvonne Oliver. If you knew her, you knew she was a treasure; if you didn't, you missed a treasure. She passed away this week.

For those of you who knew Al Ward; he was a big icon in our community, he also passed away this week.

She said that the Sacramento School is a great thing they are doing, but she was super disappointed that she had to find out about it on social media. She said it was a little disrespectful that the schools did not extend that invitation to the entire Commission, but she was glad that Commissioner McDonald was there to represent the Commission. She said she was glad to see that was moving forward.

Mayor Payne said that she was wearing pink tonight in honor of Breast Cancer Awareness Month. She said that most of us know somebody that has, or has had, breast cancer. In 2022, there were 287,500 new cases of breast cancer in the United States. Aside from skin cancer, it is the number one leading cause of cancer in women. She said that her mother has been battling breast cancer for the last four years, so this hits close to her.

CONSENT AGENDA

1. Approve the minutes for the October 11, 2022, Regular meeting. (Rachel Hughs, City Clerk)
2. Consider, and act upon, Resolution 2022-46 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 October 25, 2022. (Evelyn Huff, Finance Director) (Roll Call Vote Required)
3. Consider, and act upon, the adoption and final publication of Ordinance 1660, amending Chapter 5 of the Alamogordo Code of Ordinances concerning Alcoholic Beverages. (Rachel Hughs, City Clerk) (Roll Call Vote Required)
4. Consider, and act upon, an emergency funds appropriation to purchase an evaporator and condenser for the Senior Center's walk-in freezer. Total amount budgeted is \$14,688.00. (Magdalena Morales, ASC Manager and Veronica Ortega, Community Services Director)
5. Consider, and act upon, the award of RFQ 2022-08 Development of a Drainage Master Plan for the Public Works Department to Bohannon Huston. (Nancy Beshaler, Public Works Director)
6. Consider, and act upon, the award of RFQ 2022-09 Engineering Services for Water and Wastewater Master Planning to CDM Smith Inc. (Dave Nunnelley, Utilities Director)
7. Consider, and act upon, the award of IFB 2022-08 Hot Mix to Aggregate Technologies, LLC in the amount of \$240,007.00. (Nancy Beshaler, Public Works Director)

Deputy City Clerk Aleshire removed item 3 from the Consent Agenda.

Mayor Pro-tem Wright moved to approve the Consent Agenda as amended.

Commissioner Melton seconded the motion.

Roll Call Vote was taken.

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

ITEMS REMOVED FROM CONSENT AGENDA

3. Consider, and act upon, the adoption and final publication of Ordinance 1660, amending Chapter 5 of the Alamogordo Code of Ordinances concerning Alcoholic Beverages. (Rachel Hughs, City Clerk) (Roll Call Vote Required)

Deputy City Clerk Aleshire said that City Clerk Hughs is not here today, but she wished to make the Commission aware of some new recommendations to amend the ordinance further. He read the listed new recommendations from the item's background as listed on the Agenda.

Commissioner Rardin said these are pretty significant changes, is it okay to do the final publication. City Manager Cesar said that the City Attorney is not here tonight, but the changes weren't significant enough to need to publish again.

Commissioner Rardin moved to approve.

Commissioner Burnett Seconded the motion.

Roll Call Vote was taken.

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

NEW BUSINESS

8. Consider, and act upon, a Residential Parking Only sign for location 1104 Indian Wells Road. (Dylan Aleshire, Deputy City Clerk)

Magdalena Plata said she lives at 1104 Indian Wells. Her neighbor passed away a year and a half ago and left two young adults there. One of them was her son, who has many friends. On the weekends, they ride motorcycles, trucks, cars, and block all the driveways. She said she has an ill husband, and sometimes they block her driveway with their motorcycles, so she has to get a neighbor or somebody to take her or her husband to the hospital. She said she is requesting a Residential Parking Only sign so they cannot park their bikes and trucks and leave them there all day or night.

Commissioner Rardin said he could vouch for her on that. He said he lives on the next street over and has seen enormous activity in that section of town.

Mayor Payne said that, in full disclosure, Maggie used to volunteer for her at once, and she knows her personally, so she would recuse herself in the interest of full transparency.

Commissioner Rardin said to City Manager Cesar, once the sign gets installed, could we get DPS to enforce it. Mayor Payne said that is a pretty tough road. Commissioner Rardin said it is a cul-de-sac. Ms. Plata said they jumped the cul-de-sac mainly on the weekends. During the week in the summertime, it is pretty bad. Ms. Plata said they have a scanner, so when they call the police, or the neighbors do, everybody leaves.

Commissioner Rardin moved to approve.

Pro-Tem Wright seconded the motion.

Motion carried with a vote of 6-0-1. Mayor Payne abstained.

9. Consider, and act upon, award of Public Works Bid No. 2022-005, to PDN SSL, LLC dba Superior Sign & Lighting related to the Digital LED Signs for Alameda Park Zoo and Alamogordo Family Recreation Center project in an amount not to exceed \$306,185.00, including NMGRT. (Bob Johnson, Engineering Manager)

Engineering Manager Johnson said the item before you is to award a project to install two digital signs. One is at the Zoo, and the other is at the REC Center. We have one large sign that is planned for the Zoo, sixteen feet wide by 10 feet high. These are digital LED electronic message board signs, some people call them just EMCs. There will be a new twelve-inch diameter post in conjunction with this new sign. The location is approximately at the corner where the new block wall turns into the parking lot, just a few feet north of where that turn is. Some existing power is underground, and City personnel will

extend power to that pole. The current sign on the east end of the Zoo, across from Walgreens, will be taken by the contractor and hauled to the Public Works yard.

The second sign is taking off the existing sign off the existing post at the REC Center and installing a new, slightly larger EMC. We had one bidder, PDN SLL, LLC, doing business as Superior Sign & Lighting. You may have seen Superior Sign & Lighting's large trucks around town. They do quite a bit of work in the State of New Mexico, specifically in the Alamogordo area. The signs are made in Indiana, and the lead time is about ten weeks once we approve the materials.

Commissioner Rardin said that sign would look a little overwhelming at sixteen feet wide and ten feet high. Engineering Manager Johnson said it was going to be larger. However, upon further review, we downsized it a bit. It will not hang over the existing Zoo fence, and it will not hang over White Sands Boulevard. It was requested to be an attention-getter, and it will certainly get some. Commissioner Rardin asked how high off the ground it will be. Engineering Manager Johnson said the bottom of the sign would be a minimum of twelve feet off the ground. We ensured that it would not conflict with existing signs, power lines, or light poles. None of that will be in the way. Commissioner Rardin said it would go in the parking lot. Engineering Manager Johnson said no, it will be in the grass area between the curb, gutter, and block wall. The folks that are Southbound on White Sands will see it very clearly, but it will be wide enough that both directions will be able to see it. Mayor Payne asked if we would put up different stuff there, like what is happening in the City. Engineering Manager Johnson said he was told that it would be a plethora of current events, job openings, and a wide variety of items.

Commissioner Rardin asked if it was going to be LED. Engineering Manager Johnson said correct. Commissioner Rardin said that an existing sign at 1st and 10th is pretty bright; what will be this sign's impact at night time. Engineering Manager Johnson said he did not know, but they specified an NITS rating of a minimum of 8000, which is fairly optimum for a sign that size of LED configuration.

Mayor Payne said she liked the idea that we will have a message board on White Sands, as it has been needed. Commissioner Rardin said the County has one across the street at the old Firestone building. Mayor Payne said that one is not as big, and it is very difficult to read that sometimes, especially when you are driving. Commissioner Rardin said that you have to think like billboards, which are thirty or thirty-five feet wide, and twelve to sixteen feet high.

Commissioner Burnett moved to approve.

Commissioner McDonald seconded the motion.

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

10. Consider, and act upon, approval of Amendment No. 1, to Santa Fe Engineering Consultants, LLC, related to the Services Agreement for completion of the hydrologic analysis, breach analysis, flood modeling, and emergency action plan for the Bonito Lake Dam in an amount not to exceed \$22,745.63, including NMGR. (Bob Johnson, Engineering Manager)

Engineering Manager Johnson said that in June '21, we issued a Professional Services Agreement to Santa Fe Engineering, or SFEC, to complete the hydrologic report, breach analysis, flood modeling, and emergency action plan for Bonito Lake Dam. This is a State-engineered Dam Safety Bureau requirement for all government agencies throughout the State, if you have impounded water. He said we have to have our engineer complete certain, but not all, aspects of their scope of work before we can fill the Lake, not just pass water through it, as City Manager Cesar explained earlier. Engineering Manager Johnson said it is a process whereby the consultant provides a bunch of data and modeling, then it goes forth to the State. They spend several months responding to those deliverables. Then it comes back to Santa Fe Engineering, and they respond to those. It is a back-and-forth process. The

latest round of comments will go back to the State Engineer's Office this week. However, just a few weeks ago, the Dam Safety Bureau requested that Santa Fe Engineering extend the flood modeling further downstream by about forty-four miles to the Two Rivers Dam near Roswell. This flood modeling extension or amendment does not impact what he calls the Base Bits Scope of Work for Bonito Lake Dam. It is just an extension of the flood modeling, it will not impact when they can start filling the Lake with water. A letter in your packet goes into a lot of detail regarding the State Engineer's justification for this extension of flood modeling. We have learned from experience that what the Dam Safety Bureau wants, the Dam Safety Bureau usually gets.

Commissioner Rardin said the rules changed quite a bit in the ten years this has been out of service. Engineering Manager Johnson said yes. Commissioner Rardin said the thing held water before the fire burned all that, so he did not understand why they had to go through all this paperwork. Engineering Manager Johnson said it started in about 2008, then when we had the fire and flood in 2012; we ceased moving this forward because we did not know what it would end up like. Like most regulatory agencies within the State and Federal government, it changes almost daily. Commissioner Rardin said there is a lot of unnecessary money and paperwork to use the Lake as we used it in the past. Engineering Manager Johnson said he concurs.

**Commissioner Burnett moved to approve.
Mayor Pro-Tem Wright Seconded the motion.
Motion carried with a vote of 7-0-0.**

11. Consider and act upon Case V-2022-0001(A), property owners Scott & Lynn Kimball are requesting to reduce the front setback line from fifty feet (50') to twenty-five feet (25') to allow the construction of a new building at 1021 N. Florida Ave. (Stella Rael, City Planner)

City Planner Rael presented Case V-2022-0001(A) via a PowerPoint presentation. She said that Ms. Kimball is here if the Commission has any questions about the business or building that she cannot answer.

Commissioner Rardin said the aerial map you have here from Google Maps, is it a little distorted or is it actually in that parking lot. He said he thought it was that dirt area, that lot next to Clyde Zimmerly's old place. He said to City Planner Rael that your map shows the parking lot in front of that hair salon, where the red dot is. City Planner Rael said no, C1101 is Clyde Zimmerly's place. Commissioner Rardin said it is that dirt area, just to the South. City Planner Rael said it is that dirt area, then right a little behind it. Not directly behind, but more to the South, is the hair salon. Commissioner Rardin said so it is not in their parking like the map is showing. City Planner Rael said no, it is not in their parking lot. Our zoning maps do not align very well. It won't encroach in their parking at all.

Commissioner Rardin asked if there were any other sections of property right there that this ordinance will impact; maybe we ought to change that down the road. City Planner Rael pointed out a little section closer to 10th Street and said those two little areas there are owned by the same property owner. They have never come and requested anything. She said they were very small, and she did not know if anything could even be put there, maybe they could be used for parking at some point. Commissioner Rardin said he was sure that was an ordinance that was in place because we didn't know about what would develop in that area. City Planner Rael said right, and since it is a busier street, she said she thinks that was a thought too. Commissioner Rardin said in case we ever needed to widen it or something, and City Planner Rael said correct.

Mayor Pro-Tem Wright said that as a client, he will abstain from voting.

Commissioner Rardin moved to approve.
Commissioner Melton seconded the motion.
Motion carried with a vote of 6-0-1. Mayor Pro-Tem Wright abstained.

Commissioner Wright moved to adjourn at 7:09 P.M.
Commissioner McDonald seconded the motion.
Motion carried with a vote of 7-0-0.

ADJOURNMENT

Mayor Susan L. Payne

ATTEST:

City Clerk Rachel Hughs

(Prepared by Dylan Aleshire, Deputy City Clerk)
Approved at the Regular Meeting held on November 15, 2022.

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 P.M., COMMISSION CHAMBERS
November 1, 2022**

**SUSAN PAYNE, MAYOR
SHARON McDONALD, COMMISSIONER
JOSH RARDIN, COMMISSIONER
STEPHEN BURNETT, COMMISSIONER
NICHOLAS PAUL, COMMISSIONER**

**DUSTY WRIGHT, MAYOR PRO-TEM
KARL MELTON, COMMISSIONER
BRIAN CESAR, CITY MANAGER
ASHLEY SMITH, CITY ATTORNEY
RACHEL HUGHS, CITY CLERK**

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

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

APPROVAL OF AGENDA

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

PRESENTATIONS

1. Extra Mile Day Proclamation. (Susan L. Payne, Mayor)

Mayor Payne proclaimed November 1, 2022, as Extra Mile Day in recognition of people that go the extra mile to include the non-profits in our city.

PUBLIC COMMENT

None.

CITY MANAGER'S REPORT

City Manager Cesar made the following remarks:
None.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Commissioner Melton made the following comments:

He asked City Manager Cesar if there was an update on police retention. It was an issue we talked about a few weeks ago. We mentioned possibly utilizing marijuana taxation for that. City Manager Cesar said that had been sent out to the entire Commission, and he asked Police Chief Denton to approach the podium and explain it.

Police Chief Denton said the marijuana money was supplemented with some funds from the City Manager. He said he was able to come up with a proposal for City Manager Cesar, and they came up with an agreement. His guys have already received their first retention portion. They are going to do that every quarter, so the last pay period for the City was their first paycheck. Mayor Payne said we have some new police officers. Chief Denton said we will have a bunch in here for the next Commission

meeting; it is already on the Agenda to have them sworn in. Mayor Payne said that was exciting and thought what we were doing was working.

Commissioner Melton said so to confirm; there are no next steps. We have pretty much tackled it all. City Manager Cesar said yes, it is already in effect for the officers. It is a sliding scale based on years of service. It is subject to approval every fiscal year, assuming that the Commission, through the budgetary process, approves the amount we will request every year. As the Chief explained, a large portion of it is the Gross Receipts Tax that we receive from the sale of cannabis, but it is supplemented by General Fund money. On an annual basis, whoever is the Chief will be presenting a plan to whoever is the City Manager. We foresee that this will continue past our time in the City. It does not have to be used strictly as it is being used this year and it can change as times and needs do.

Commissioner Paul made the following comments:

He said he had the pleasure of being a judge for the Zoo Boo Costume Contest, and he just wanted to thank the City staff that put that event on. It was amazing; what they do to accommodate four thousand families, kids, everyone through there, and all the businesses that locally donate to make that happen. It had been years since he had gone to it, but it was a cool event.

Mayor Payne made the following comments:

She said this weekend is the Veteran's Day Parade. If you get a chance, go out and support our veterans. They brought Gus Macker back, which is pretty exciting, and it starts at 7 o'clock. Dudley School is having a work day on Saturday. The Day of Hope will be an outreach on Saturday to the homeless or those on the verge of homelessness. There will be a lot of different organizations out there providing resources and information. They will be offering free legal services, and they will have a veterinarian out there. Love, Inc. will be giving out blankets and food bags. Kitty City will have pet food. The public schools will be out there. It will be at Mountain View Church from ten to two.

CONSENT AGENDA

- 2. Consider, and act upon, the adoption and final publication of Ordinance 1659, amending Chapter 2 of the Alamogordo Code of Ordinances, by adding 02-050 "City Commission Use of Social Media". (Brian Cesar, City Manager) (Roll Call Vote Required)**
- 3. Consider, and act upon, the adoption and final publication of Ordinance 1661, amending Chapter 17 of the Alamogordo Code of Ordinances concerning Licenses and Miscellaneous Business Regulations. (Rachel Hughs, City Clerk) (Roll Call Vote Required)**
- 4. Consider, and act upon, the adoption and final publication of Ordinance 1662, amending Chapter 2 of the Alamogordo Code of Ordinances, by adding 02-060 "Code of Conduct." (Brian Cesar, City Manager) (Roll Call Vote Required)**
- 5. Consider, and act upon, the adoption and final publication of Ordinance 1663, repealing Chapter 27 of the Alamogordo Code of Ordinances concerning Vehicles for Hire. (Rachel Hughs, City Clerk) (Roll Call Vote Required)**
- 6. Consider, and act upon, approval for Alamogordo Fire Department to accept a \$25,000 stipend award from the New Mexico Department of Homeland Security. (Richard Adler, Chief, Alamogordo Fire Department)**

7. Consider, and act upon, approval of Resolution 2022-45 authorizing the submission of a grant application for the purpose of rebuilding the circulatory roads at the Bonito Lake Recreational Area. (Debbie Osborne, Grant Coordinator) (Roll Call Vote Required)

8. Consider, and act upon, acceptance of a grant agreement from the New Mexico Economic Development Department in the amount of \$99,000 to repave a section of the walking path on Indian Wells Rd. (Veronica Ortega, Community Services Director)

City Clerk Hughs removed Item 3 from the Consent Agenda. Commissioner Rardin removed Item 4 from the Consent Agenda.

Commissioner McDonald moved to approve the Consent Agenda as amended.

Commissioner Burnett seconded the motion.

Roll Call Vote was taken.

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

ITEMS REMOVED FROM CONSENT AGENDA

3. Consider, and act upon, the adoption and final publication of Ordinance 1661, amending Chapter 17 of the Alamogordo Code of Ordinances concerning Licenses and Miscellaneous Business Regulations. (Rachel Hughs, City Clerk) (Roll Call Vote Required)

City Clerk Hughs said the reason she pulled the ordinance was because per State Statute, licenses that are being denied or revoked must come before the Commission. If after the information comes to the City Manager, which we had added that language, of the potential denial or revocation of a license, then if the City Manager agrees that it is not in the interest of the public's welfare or safety, or if a violation of an ordinance has occurred, a hearing will be set forth for the applicant or business owner to come before the Commission. They can present in front of the Commission. This only applies to the licenses, not the business registrations. Therefore, she said she will have to bring back the Alcoholic Beverage Dispenser's chapter passed at the last Commission meeting because it will have the exact same wording.

Commissioner Rardin moved to approve as amended.

Mayor Pro-Tem Wright seconded the motion.

Roll Call Vote was taken.

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

4. Consider, and act upon, the adoption and final publication of Ordinance 1662, amending Chapter 2 of the Alamogordo Code of Ordinances, by adding 02-060 "Code of Conduct." (Brian Cesar, City Manager) (Roll Call Vote Required)

Commissioner Rardin said that in Section Q, the word "collectively" needs to be removed or further defined. It is not so much for this Commission and upper management we have now, it is for future Commissions. He said that we now understand how it all works, but he has been there when we have not had decent management or when the Commission had to step in behind the scenes and recommend or urge something that needs to be done. Commissioner Melton said he agreed and thought this would tie their hands, as no one can predict what is going to be happening in the future.

Mayor Payne said she sees what he is saying, except that it does say, "delegated to the City Manager, including administration of the personnel system". We do not have any oversight of personnel other

than the City Manager. That is not going to change with a new City Manager. Our form of government is not set up that way.

Commissioner Rardin said he has been here when they did not have a City Manager. He has been here where the Commission kind of had to run things behind the scenes, because we didn't have anybody here to do it. He said he is just putting it out there.

City Manager Cesar said this just applies to the City Manager. He said he is fine with whatever change you all want to make. Just remember that this is also in the Charter, and you have a Charter Review Committee coming up. Commissioner Rardin said we looked at it, and the City Charter does not specifically say we cannot, just that we will delegate it to you. City Manager Cesar said right, and this is saying that, individually or collectively, the Commission is not going to go to whoever is the City Manager and say, "The Chief of Police, you need to fire him." It does not prevent one or all of you from saying "Hey, we have some serious concerns". Mayor Payne said that has also been done in the past. City Manager Cesar said change it as you see fit.

Commissioner Rardin said either remove "collectively" or further define it. He said that he has been here through some bad City Managers, and one of them happened to be an attorney, he would have taken that and probably run with it. He would have manipulated every little aspect of how this was written. The Charter is a little more broad than this statement is, there is a little more room for interpretation. Mayor Payne said she gets what you are saying, but she did not think it was going to happen in the next three years. Commissioner Rardin said he is going to be the first one that says I told you so.

Commissioner McDonald said that since Commissioner Rardin wanted to add meaning to the word "collectively", can't we get an example in there and refer back to that instead of changing it completely. Commissioner Rardin said we are either just removing the word "collectively", or putting a definition further defining it. Commissioner Melton said he felt that if we try to define it, it is going to violate the Open Meetings Act. If we say we need four Commissioners or something, we are just asking for trouble, unless this takes place in a Commission meeting. Commissioner McDonald said that Commissioner Rardin said examples, can't we refer to an example. Commissioner Rardin said there are numerous examples, but City Manager Cesar was here and he remembers some of those. City Manager Cesar said when you are saying "collectively", and again you can take out the word, define the word, or leave the word in; as you do it "collectively", then you are either doing it in an open meeting, or you are doing it in an Executive Session. That is the only way you can do that. You can't get together as a group, come visit the City Manager, and say hey we really want you to take care of that Richie problem.

Mayor Payne said to Commissioner Rardin you do not like the word "collectively", but, "the governing body shall not perform, collectively or individually, general executive management functions in the administration of City government." Commissioner Rardin said he had been here at times when we had to do that. Mayor Payne asked "collectively". Commissioner Rardin said they were behind the scenes running it because we did not have any upper level staff. Mayor Payne said if we do that behind the scenes "collectively", are we not violating the Open Meetings Act. Commissioner Rardin said to a point, basically we would have the City Manager or whoever we had in the position at the time, he said he thought it was the City Attorney at the time that was running things. City Manager Cesar said this applies, as it does in the Charter, to the City Manager. Not if you fired me and put Richie in my place, he would not be the City Manager, but he could be the Acting City Manager, until such time as he becomes the City Manager. Mayor Payne said to Commissioner Rardin you are saying we did not have a City Manager or Assistant City Manager, are you saying we did not have any of that. Commissioner Rardin said we had an attorney here. City Manager Cesar asked if Commissioner Rardin was talking

about Becky Ehler. Commissioner Rardin said no, it was in the Suzie era. Mayor Payne said that had to be Stephen Thies. Commissioner Rardin said that Stephen was around, but he believed that Stephen was running things for a short period of time. City Manager Cesar said he was not the one that was Acting, we had Matt McNeil who was the Acting. Commissioner Rardin said so it would have been Matt. City Manager Cesar said we had a Chief of Police who was Acting at one point, we had a contract City Manager. Mayor Payne said if it was Matt McNeil, he was an Assistant City Manager. Commissioner Rardin said so we had a Police Chief running things at one time. City Manager Cesar said which would take a greater level of oversight by the Commission. Commissioner Rardin said that is what he means by that, we were not really running anything, but the Commission as a whole was having to, as the City Manager stated, oversight, to make sure everything was going smoothly. Mayor Payne said that is not general executive management functions then. Commissioner Melton said that is a vague term, anyone can make the case. City Manager Cesar said that for you all to do it collectively, you would have to do it in an open meeting, or an Executive Session, and there is only certain things that can be discussed in an Executive Session. Mayor Payne said if we don't do it an open meeting, then we are violating the Open Meetings Act, that is what it boils down to. There is no way that the Commission legally, collectively, perform general management functions behind the scenes. There is no way that can happen legally.

Commissioner Paul said can we just define exactly how that is going to read then. We are just going to be removing "collectively". Commissioner Melton said we have to get rid of the "or" as well. Mayor Payne said it would say, "shall not perform individually". That is all it would say. City Attorney Smith said that you could take out "collectively or individually", you could take out both of those, and then it would just be, "the governing body shall not perform general executive management functions". Mayor Payne said she liked that. Commissioner Melton said aren't we in the same place though, we are still limited. It doesn't change anything. Commissioner Rardin said we are limited by the Charter, but it is not as stringent as this. It says yeah we have to do this, but it doesn't say we can't do it either. Our Charter is very difficult to change. Mayor Payne said she is more uncomfortable with the idea that if we say "individually", then the assumption is collectively, we can perform general administrative management functions. She said she doesn't see us as being able to do that. Commissioner Melton said why don't we add a clause, if there is a shortage of senior level staff, something in that case. Mayor Payne said our City is in trouble if we are in that big of a shortage. Commissioner Rardin said he has been there before. Commissioner Melton asked Commissioner Rardin if that is what he was going at. Commissioner Rardin said he thinks it ties the Commission's hands in certain cases. We all know that we are not going to come in here behind the scenes and try to run the City, we can't do that. He said he just thinks that in certain cases. Mayor Payne said it is back to that same argument, we are not, but what if a future Commission does. Commissioner Rardin said a future Commissioner or City Manager. Mayor Payne said especially if they do not understand what their role is. Commissioner Rardin said at least this document can be changed in thirty days. In the Charter, it has to go to a vote of the people and it is very difficult to change.

City Manager Cesar asked Commissioner Rardin what was his motion now. Commissioner Rardin said his motion is still the same, where we will remove "collectively or individually". Mayor Payne said and just say "shall not perform executive management functions". Commissioner Rardin said yes. Mayor Payne asked City Clerk Hughs if she got all that, we are taking out "collectively or individually". We are striking it completely. Mayor Payne asked the Commission if that was right, and Commissioner Rardin said yes.

Commissioner Rardin moved to approve Item 4, Ordinance 1660, Section Q, to state "the governing body shall not perform general executive management functions".

Commissioner McDonald seconded the motion.

Roll Call Vote was taken.

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

Commissioner Rardin moved to adjourn at 7:02 p.m.

Mayor Pro-Tem Wright seconded the motion.

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

ADJOURNMENT

Mayor Susan L. Payne

ATTEST:

City Clerk Rachel Hughs

(Prepared by Dylan Aleshire, Deputy City Clerk)

Approved at the Regular Meeting held on November 15, 2022.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 11/15/2022

Report Date: 11/09/2022

Report No: 4.

Submitted By: Nancy Beshaler

Subject: Consider, and act upon, granting an easement west of U.S. Highway 54 to PNM for street right-of-way to facilitate an anchor pole and guy wire. *(Nancy Beshaler, Public Works Director)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve PNM Easement.

Background: PNM is requesting the City to grant them a small easement just west of U.S. Highway 54.

PNM will be using the easement to anchor a pole that is within NMDOT right-of-way, including the guy wire as well. A copy of the easement along with other supporting documentation is attached. Staff requests approval of the easement.

PUBLIC SERVICE COMPANY OF NEW MEXICO
EASEMENT (ELECTRIC)

MT#P12057
A#00006094
O#000033

THIS EASEMENT made this _____ day of November, 2022 by and between

City of Alamogordo

(Grantor) and PUBLIC SERVICE COMPANY OF NEW MEXICO, a New Mexico corporation (Grantee), and its successors and assigns.

WITNESSETH:

Grantor, for and in consideration of the sum of One Dollar (\$1.00) in hand paid and other valuable consideration, the receipt of which is acknowledged, does hereby give, bargain, sell, grant and convey unto Grantee a perpetual easement to build, rebuild, construct, reconstruct, locate, relocate, change, remove, replace, modify, renew, operate and maintain overhead and/or underground facilities for the transmission and distribution of electric power and energy and facilities for fiber optics and other communication purposes. Such facilities may include (but are not limited to) lines, cables, poles, guy wires, anchors, conduits and other equipment, fixtures, appurtenances and structures necessary to maintain such facilities on, over, beneath, through and across the easement hereinafter described, together with free access to, from and over said easement with the right and privilege of going upon, over and across adjoining lands of Grantor for the purposes set forth herein and with the right to utilize the easement to extend services to customers of Grantee and to trim and remove any trees, shrubs, bushes or vegetation and remove any structures which interfere with the purposes set forth herein. The easement granted herein is within lands situate in Otero County, New Mexico, and is more particularly described as follows, to wit:

PNM MT# P12057

A 10’ wide easement lying situate within the East Half (E/2) of the West Half (W/2) of the Northeast Quarter (NE/4) of Section 12, Township 17 South, Range 9 East, N.M.P.M., City of Alamogordo, Otero County, New Mexico, as the same is shown and designated on the patent thereof filed in the office of the Otero County Clerk on March 11, 1971, in Book 345, Pages 83-85.

Said easement is more particularly shown on Exhibit A, attached hereto and made a part hereof.

Grantor hereby covenants that Grantor is the true and lawful owner of the land described herein.

Grantor shall have the right to use the above described easement for purposes not inconsistent with the rights hereby granted, **provided** that Grantor shall not erect nor construct any building, pool or other structure thereon, nor drill nor operate any well thereon, nor conduct any activity which violates provisions of the National Electrical Safety Code.

The provisions hereof shall inure to the benefit of and bind the heirs, executors, mortgagees, lessees, tenants, successors and assigns of the parties hereto. Grantee shall have the unrestricted right to sell, transfer, assign, pledge, mortgage, lease, grant licenses or other use or occupancy rights with respect to, or otherwise dispose of, in whole or in part, any interest in the easement, and such assigns shall have the further right to convey, in whole or in part, the rights granted to them by Grantor.

WITNESS _____ my _____ hand _____ this _____ day of _____ November _____, 2022

_____(SIGNATURE) _____(SIGNATURE)
Brian Cesar, City Manager

ACKNOWLEDGMENT

STATE OF NEW MEXICO
COUNTY OF OTERO

This instrument was acknowledged before me on _____ November _____, 2022.

By Brian Cesar, City Manager for City of Alamogordo

My commission expires: _____
(Seal)

FOR RECORDER'S USE ONLY

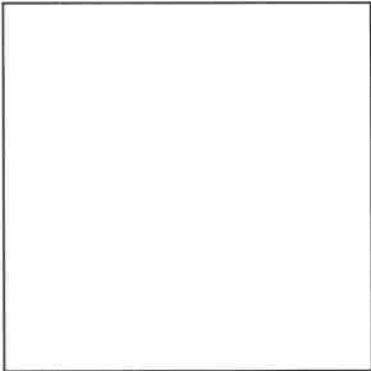
Notary Public
ACKNOWLEDGMENT FOR CORPORATION
STATE OF NEW MEXICO
COUNTY OF OTERO
This instrument was acknowledged before me on

November _____, 2022
By _____ Mayor
(Name of Officer) Susan L. Payne (Title of Officer)
of City of Alamogordo,
(Corporation Acknowledgment)
a NM Municipal corporation, on behalf of said corporation.
(State of Incorporation)
Said officer hereby acknowledges that s/he is the duly authorized signatory for said corporation.
My Commission Expires: _____
(Seal)

Notary Public



RECORDING STAMP



Surveyor's Certificate

I, LARRY W. MEDRANO, A REGISTERED PROFESSIONAL SURVEYOR UNDER THE LAWS OF THE STATE OF NEW MEXICO, HEREBY CERTIFY THAT THIS EXHIBIT FOR EASEMENT SURVEY WAS PREPARED FROM FIELD NOTES OF AN ACTUAL ON THE GROUND SURVEY PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT I AM RESPONSIBLE FOR THIS SURVEY. THIS SURVEY MEETS THE MINIMUM REQUIREMENTS FOR THIS CLASSIFICATION OF (EASEMENT) SURVEY AS PER THE MINIMUM STANDARDS FOR LAND SURVEYING IN NEW MEXICO AS ADOPTED BY THE N.M. BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

[Signature]
LARRY W. MEDRANO
N.M.P.S. No. 11993

10/31/22
DATE



Acknowledgment

STATE OF NEW MEXICO)
COUNTY OF BERNALILLO) SS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 21 DAY OF October 2022 BY LARRY W. MEDRANO, PRESIDENT, PRECISION SURVEYS, INC.

BY *[Signature]* MY COMMISSION EXPIRES: 21, Feb. 2025
NOTARY PUBLIC

STATE OF NEW MEXICO
NOTARY PUBLIC
Rosemary Pagliaro
Commission No. 1132687
February 24, 2025



OFFICE LOCATION:
9200 San Mateo Boulevard, NE
Albuquerque, NM 87113

505.856.5700 PHONE
505.856.7900 FAX

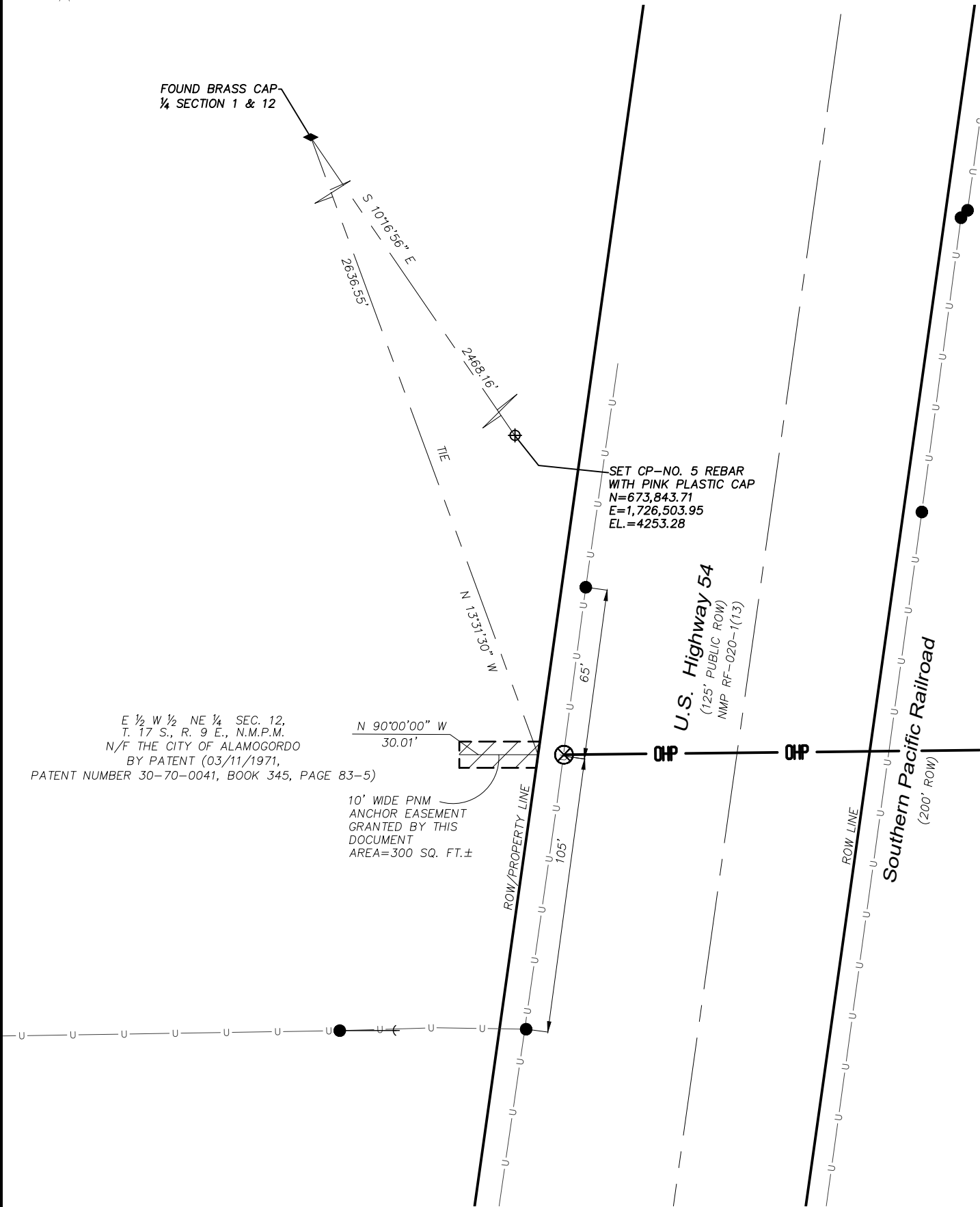
PNM PROJECT NO. MT #: P12057		PNM APPROVAL DA
CREW/TECH: AG/ML	DATE OF SURVEY 05/05/2022	PROPERTY OWNER CITY OF ALAMOGORDO
DRAWN BY: JK	CHECKED BY: LM	SUBDIVISION NAME N/A
PSI JOB NO. 228017	SHEET NUMBER 1 OF 2	UPC 01N4054098420133

COORDINATE AND DIMENSION INFORMATION			PLSS INFORMATION				PROJECT INFORMATION		INDEXING INFORMATION
STATE PLANE ZONE: NM-C	GRID/GROUND COORDINATES: GRID	GEIOD: GEIOD 18	LAND GRANT n/a				CREW/TECH: AG/ML	DATE OF SURVEY 05/05/2022	PROPERTY OWNER CITY OF ALAMOGORDO
HORIZONTAL DATUM: NAD83	VERTICAL DATUM: NAVD88	ROTATION ANGLE: 0° 00' 00.00"	SECTION 12	TOWNSHIP 17 SOUTH	RANGE 9 EAST	MERIDIAN NMPM	DRAWN BY: JK	CHECKED BY: LM	SUBDIVISION NAME N/A
CONTROL USED: NATIONAL GEODETIC SURVEY			CITY ALAMOGORDO				PSI JOB NO. 228017	SHEET NUMBER 1 OF 2	UPC 01N4054098420133
COMBINED SCALE FACTOR: GRID TO GROUND: 1.0002910832 GROUND TO GRID: 0.9997090015			COUNTY OTERO				STATE NM		
DISTANCE ANNOTATION: GROUND			BEARING ANNOTATION: GRID						

Legend

●	EXISTING UTILITY POLE
←	GUY WIRE
—U—	EXISTING OVERHEAD UTILITY LINE
—OHP—	PROPOSED OVERHEAD UTILITY LINE
—X—	FENCE
⊗	PROPOSED POWER POLE
⊠	TRANSFORMER

EXHIBIT "A"



COORDINATE AND DIMENSION INFORMATION				PLSS INFORMATION				PROJECT INFORMATION		INDEXING INFORMATION
STATE PLANE ZONE: NM-C	GRID /GROUND COORDINATES: GRID		GEIOD: GEIOD 18	LAND GRANT n/a				CREW/TECH: AG/ML	DATE OF SURVEY 05/05/2022	PROPERTY OWNER CITY OF ALAMOGORDO
HORIZONTAL DATUM: NAD83	VERTICAL DATUM: NAVD88		ROTATION ANGLE: 0° 00' 00.00"	SECTION 12	TOWNSHIP 17 SOUTH	RANGE 9 EAST	MERIDIAN NMPM	DRAWN BY: JK	CHECKED BY: LM	SUBDIVISION NAME N/A
CONTROL USED: NATIONAL GEODETIC SURVEY			BASE POINT N = 0 E = 0	CITY ALAMOGORDO		COUNTY OTERO	STATE NM	PSI JOB NO. 228017	SHEET NUMBER 2 OF 2	UPC 01N4054098420133
COMBINED SCALE FACTOR: GRID TO GROUND: 1.0002910832 GROUND TO GRID: 0.9997090015		DISTANCE ANNOTATION: GROUND	BEARING ANNOTATION: GRID							

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 11/15/2022

Report Date: 11/03/2022

Report No: 5.

Submitted By: Bob Johnson

Subject: Consider, and act upon, approval of Change Order No. 10, to Bohannon Huston, Inc., related to the Engineering & Design Agreement for the Bonito Lake Restoration and Infrastructure Improvements projects in an amount not to exceed \$68,732.60, including NMGR. *(Bob Johnson, Engineering Manager)*

Fiscal Impact: \$68,732.60

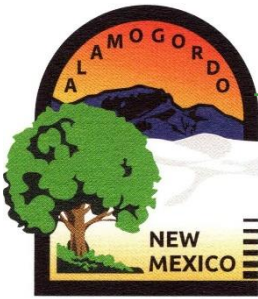
Amount Budgeted: \$2,769,795

Fund: 081-0008-461.60-79 PW2002

Additional Fiscal Impact: \$870,625.71 available and unencumbered.

Recommendation: Approve the Change Order.

Background: Change Order No. 10 incorporates an additional level of effort by Bohannon Huston, Inc. (BHI). As the engineer of record for the Bonito Lake Restoration and Infrastructure Improvements projects, one of the many elements of BHI's scope is to coordinate with, and secure approvals from, various regulatory agencies associated with the projects. City staff and the Office of State Engineer - Dam Safety Bureau (OSE-DSB) have expressed a preference to keep the coffer dam in place as a precautionary and maintenance measure after all other work is completed and the bypass pipeline is removed. The US Army Corps of Engineers (USACE), one of the permitting agencies, initially expressed a preference that the coffer dam be removed upon construction completion. However, as a result of a recent regime change, the USACE will now consider the City's request to keep the coffer dam in place as a permanent structure. This additional level of effort requires the research, generation, and submission of substantial environmental and mitigation plans in order for the City's request to be considered by the USACE for permitting purposes. In addition, City staff has requested 2 (two) changes to the scope of work presently under contract with Smithco Construction, Inc. Commensurately, BHI will provide construction administration and oversight inspections for (1) replacement of the valve house walkway structure and (2) raising of the discharge line pathway by approximately 2 (two) feet. Lastly, Change Order no. 10 incorporates additional requirements imposed by the OSE-DSB relative to final project reporting and documentation.



City of Alamogordo

ENGINEERING DEPARTMENT
1376 East Ninth St. • Alamogordo, NM 88310
OFFICE PHONE (575) 439-4235, EXT 3
FAX (575) 439-4343

CONTRACT CHANGE ORDER

CHANGE ORDER NO. 10

BONITO LAKE INFRASTRUCTURE IMPROVEMENTS

RFQ NO. 2014-05

DATE: **NOVEMBER 2, 2022**

ENGINEER: BOHANNAN HUSTON, INC.
7500 JEFFERSON NE, COURTYARD 1
ALBUQUERQUE, NM 87107

OWNER: CITY OF ALAMOGORDO
1376 E. NINTH ST.
ALAMOGORDO, NM 88310

THE FOLLOWING CHANGES ARE HEREBY MADE TO THE CONTRACT DOCUMENTS:

Increase engineering and design services for (1) additional construction administration and observation inspections associated with Owner-requested additions to the valve house walkway structure and raising of the discharge pipeline pathway, (2) incorporation of additional NMOSE-DSB requirements for the final project report documents, and (3) preparation and submission of technical documentation to the USACE to change the coffer status from temporary to a permanent structure.

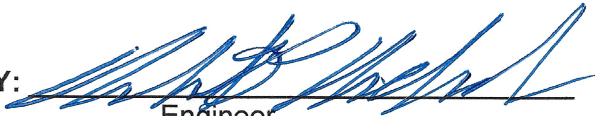
REVISED CONTRACT AMOUNT

1. Original Contract Amount	\$1,298,811.94*
2. Total Contract Amount Including Previously Approved Change Orders.....	\$2,283,224.41*
3. Amount of this Change Order (Increase)	\$ 68,732.60*
4. Total Revised Contract Amount to Date.....	\$2,351,957.01*

* includes New Mexico Gross Receipts Tax.

The work covered by this order shall be performed under the same terms and conditions as that included in the original contract.

CHANGE ORDER ACCEPTED AND APPROVED:

BY:  11-02-22
Engineer Date

CHANGE ORDER APPROVED BY CITY COMMISSION / CITY MANAGER:

BY: _____
City Manager Date

BY: _____
City Attorney Date



**ENGINEERING SERVICES
AGREEMENT AMENDMENT**

Project: Alamogordo Bonito Lake Restoration Design
Permitting and Construction

Project No.: 20160031

Contract Date: 5/7/2015

Engineer: Bohannon-Huston, Inc.
425 S. Telshor Blvd., Suite C-103
Las Cruces, NM 88011-8237

Amendment No.: 10
Date: November 2, 2022

Reason and Justification for Amendment: (use additional sheets, if necessary)

Provide additional construction administration and observation due to extended schedule and provide technical assistance to request USACE reclassify the coffer dam from a temporary to permanent structure

Requested or initiated by: ☐ User Agency ☒ Owner ☐ Engineer ☐ Other

The Engineer is authorized to provide the following described services (scope of services and compensation).

See attached Work Description for items included on this amendment

FEE SCHEDULE

Description	Current Contract Amount	Amend #10	Revised Contract Amount
1B1 - Project Management	\$161,586		\$161,586
1B2 - Surveying and Mapping	\$93,740		\$93,740
1B3 - Environmental Clearances	\$86,267		\$86,267
1B4 - Funding Agency Coordination	\$108,200		\$108,200
1B5 - Geotechnical Invest and Eval	\$62,100		\$62,100
2B1 - Cofferdam/Flow Diversion Design	\$109,886		\$109,886
2B2 - Erosion Control Measures Design	\$17,000		\$17,000
2B3 - Dewatering & Debris Removal	\$156,700		\$156,700
2B4 - Dewatering/Debris Removal Permit	\$70,000		\$70,000
2B5 - Haul Route Traffic Control	\$6,700		\$6,700
2B6 - Disposal Site Grading/Access/SWPPP	\$27,800		\$27,800
3B1 - Intake Tower Damage Ass. and Design	\$79,890		\$79,890
3B21 - Catwalk to Intake Tower Evaluation	\$24,500		\$24,500
3B22 - Catwalk to Intake Tower Design	\$83,700		\$83,700

Description	Current Contract Amount	Amend #10	Revised Contract Amount
3B3 - Upstream Dam Face Repair	\$26,600		\$26,600
3B4 - Drain System Improvements Design	\$30,964		\$30,964
4B1 - Engineering Design Report	\$21,200		\$21,200
4B2 - Contract Documents	\$5,800		\$5,800
4B3 - OSE Permitting	\$46,417		\$46,417
4B4 - OSE Supplemental Responses/Permitting	\$46,905		\$46,905
5B1 - Bid Phase Administration	\$23,800		\$23,800
5B2 - Rebid Permanent Improvements	\$19,618		\$19,618
6B1 - Construction Administration	\$340,347	\$14,009	\$354,356
6B2 - Construction Observation	\$419,900	\$8,480	\$428,380
6B3 - Final Project Documentation	\$42,574	\$11,140	\$53,714
6B4 - Cofferdam Temp/Perm Status Change Request	\$0	\$29,902	\$29,902
TOTAL	\$2,112,194	\$63,531	\$2,175,725

AGREED AND RECOMMENDED:

Engineer: Bohannon-Huston Inc.

By: 

Title: Vice President

APPROVED:

Owner: City of Alamogordo

By: _____

Date: _____

Item Number	Description
6B1 - Construction Administration	Provide additional construction administration for extended construction schedule due to owner requested additional work to be added to the project and delays in receiving materials to be installed on the project. Additional work added includes replacing the entire walkway structure at the valve house and raising the discharge pipeline pathway approximately 2 feet so that it can be used by the operations staff to access the spillway for maintenance. Tasks include negotiating and approving change orders, approving pay applications, reviewing additional submittals and RFI's and additional visits to the site.
6B2 - Construction Observation	Provide additional construction observations for extended construction schedule due to owner requested additional work to be added to the project and delays in receiving materials to be installed on the project. Additional work added includes replacing the entire walkway structure at the valve house and raising the discharge pipeline pathway approximately 2 feet so that it can be used by the operations staff to access the spillway for maintenance. Tasks include monitoring and documenting construction activities, verifying quantities for change orders, preparing additional construction reports and reviewing pay applications.
6B3 - Final Project Documentation	Incorporate NMOSE requirements for final construction report and compiling project documentation
6B4 - Cofferd Dam Temp/Perm Status	Prepare a technical memorandum to send to USACE requesting a status change for the coffer dam from a temporary to permanent structure. The memo will include written descriptions, figures and map to answer the 7 items requested by the USACE that include: 1) Description why the structure needs to be in place and not removed; 2) Complete description of the Proposed structure; 3) Purpose of the Proposed structure; 4) Total impacts from the structure permanent and temporary; 5) Direct and indirect adverse environmental effects the activity would cause, including the anticipated amount of loss of wetlands and other waters of the U.S. expected; 6) Description of any proposed mitigation measures intended to reduce the adverse environmental effects; 7) Describe how you propose to compensate for the loss of waters. Memo will be prepared with the aid of NV5 Environmental and King Industries as subconsultants. USACE has indicated that a new permit for the structure may be required. A new permit application and processing is not included in this scope but can be added once USACE makes its initial determination.

October 28, 2022

Mr. Rob Richardson, P.E.
Vice President – Las Cruces Office
Bohannon Huston, Inc.
rrichardson@bhinc.com

Re: Bonito Lake Cofferd Dam Wetlands Study
Proposal Number: P44622-0006916.00

Dear Mr. Richardson:

NV5, Inc. (NV5) thanks you for the opportunity to provide a scope of work and fee estimate for environmental services associated with a wetlands study related to the installation of a coffer dam above Bonito Lake. As part of a sediment removal project at Bonito Lake a coffer dam was installed along a narrow reach of Bonito Creek upstream and west of the lake. Initially, this dam was considered to be temporary, but a variety of factors has prompted the City of Alamogordo to request that this dam be retained permanently. In 2015, a wetland determination and delineation study was completed for all potential wetlands that occurred at and around Bonito Lake, including the discharge of Bonito Creek into the lake. The discharge of Bonito Creek has created a delta within the upper western reaches of the lake. Twenty-seven wetland study sites were utilized to delineate the various components of this wetland (Figure 1).

The current task is to determine what impact the coffer dam has had on wetlands and waters of the US, both upstream and downstream of the dam. This environmental scope addresses the following tasks requested by Bohannon Huston, Inc:

- Task 1. Wetlands study: data collection within the Bonito Lake Project Area, report, and summary

SCOPE-OF-SERVICES

Task 1. Wetlands study: data collection within the Bonito Lake Project Area, report, and summary

The purpose of the wetland study is to determine what impact the coffer dam has had on wetlands and waters of the United States, both upstream and downstream of the dam. In order to collect that data, NV5 proposes to repeat the 2015 wetland study. Some of the study sites along the eastern edge of the delta wetland within the 2015 study were not included in this proposed survey as they receive their hydrology wholly from surface water when the lake level is up and are not sustained by hydrology related to Bonito Creek. Four additional wetland study sites are proposed to reflect the current conditions at the confluence of Bonito Creek and the dam as well as the channel of Bonito Creek immediately below the dam. Finally, two unassigned wetland study pit sites have been included in this proposal should unexpected conditions be encountered that are not covered by the study sites presented (Figure 2). The Ordinary High Water Mark (OHWM) will be mapped in the 'waters in the project area'. The data from this study will be utilized to compare the extent of wetlands and waters present in 2015 with those present today. A wetland report will be produced, which will include associated data sheets for each of the study

sites. In addition, the findings will be summarized and incorporated into a memorandum being prepared by Bohannon Huston, to be presented to the United States Army Corps of Engineers (USACE). Fees include up to four hours of participation in consultation meetings.

Deliverable: Wetlands report (with associated data) and summary, in digital format

FEES FOR TASK 1

The environmental services will be completed on a time and materials not to exceed (NTE) ceiling basis for **\$18,700.00** excluding applicable tax. NV5 proposes to complete the scope of services described in this proposal under a subcontract with Bohannon-Huston. This proposal is valid for 90 days from the date of issuance.

SCHEDULE

Once NV5 receives the written notice to proceed (NTP) from Bohannon-Huston, NV5 will initiate the project. NV5 will coordinate with Bohannon Huston to meet the schedule of deliverables, as outlined in this scope. This proposal is valid for 30 days from the date of issuance.

CHANGES IN SCOPE-OF-SERVICES

If the scope of the project or services (as discussed herein) change materially after the award is made, the contract amount will be equitably adjusted. If the project is suspended or abandoned, in whole or in part, NV5 will require compensation for services performed up to that point. If necessary, the following tasks would necessitate change orders and fee adjustments:

Task 1 – Wetlands study: data collection within the Bonito Lake Project Area, report, and summary

- If additional acres are added to the existing project areas.
- If additional site locations are added to the existing project areas.
- If the project area limits are expanded.
- If additional special studies are required.
- If site visits with the client, federal, state, county, or city agencies, or community representatives is required.
- If communication with agency or community representatives beyond the allotted four hours.
- If NV5 is required to provide any other than an electronic copies.

If you have any questions regarding this proposal or require any additional information, please do not hesitate to contact one of us.

Sincerely,



Charles Britt
Senior Project Manager Natural Resources
charles.britt@nv5.com



Michel A. Hulst, RG
VP Environmental & Water Resource Services
mike.hulst@nv5.com

Bohannon Huston, Inc. Notice to Proceed

By virtue of the associated signature below, NV5 is hereby given Notice to Proceed with the proposed Scope of Services contained in this proposal.

APPROVED AND ACCEPTED BY: _____

Printed Name: _____

Title: _____

Organization: _____

Mailing Address: _____

City/State/Zip Code: _____

Email Address: _____

Telephone Number: _____

Date: _____

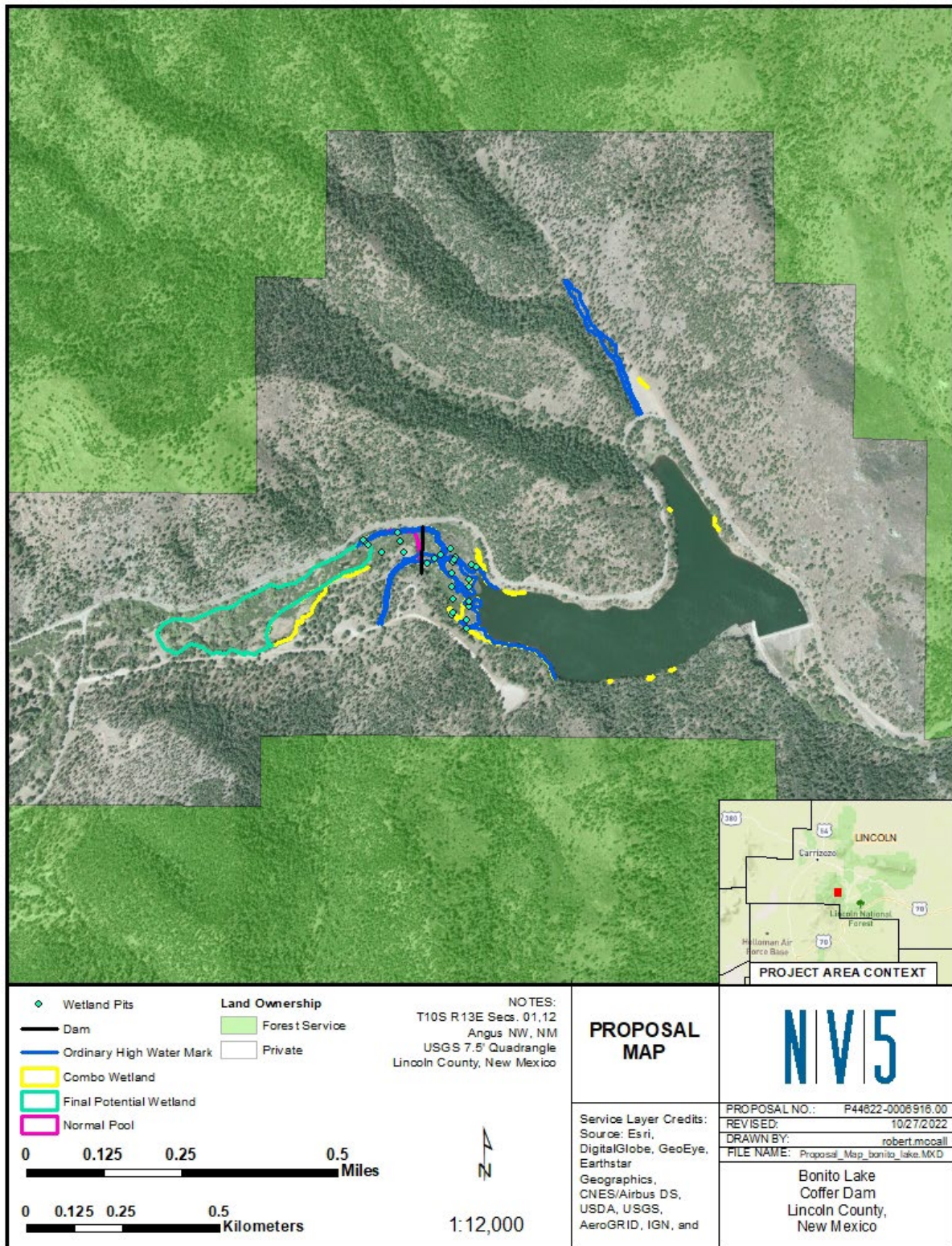


Figure 1. Locations of wetlands, Ordinary High Water Marks, and wetland pits during the 2015 wetland study.



Figure 2. Proposed wetland test pits locations.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 11/15/2022

Report Date: 11/08/2022

Report No: 6.

Submitted By: Evelyn Huff

Subject: Consider, and act upon, Resolution 2022-47 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 November 15, 2022. *(Evelyn Huff, Finance Director)* **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact: Beginning Cash Balances \$88,163,935

Revenues \$ 16,075 Increase

Expenditures \$ 322,844 Increase

Transfers In \$ 322,844 Increase

Transfers Out \$ 400,478 Increase

Recommendation: Approve the Resolution

Background: The City Commission adopted the FY 2022-2023 budget on May 24, 2022. The Department of Finance & Administration granted approval of the City of Alamogordo's Fiscal Year 2022-2023 Final Budget on August 9, 2022. Resolution 2022-47 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. 2022-47

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 2022-2023.

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

WHEREAS, the Department of Finance and Administration, State of New Mexico, gave its written approval to the City of Alamogordo, New Mexico's annual budget on August 9, 2022, for fiscal year 2022-2023; and

WHEREAS, the City of Alamogordo, New Mexico, has tabulated on the following pages the additional resources and expenditures for fiscal year 2022-2023.

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 2022-2023 be and hereby is revised as of November 15, 2022, to reflect a more true and accurate projection of the actual revenues and expenditures for fiscal year 2022-2023 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 November 15, 2022, as a more true and accurate projection of the actual revenues and expenditures for fiscal year 2022-2023.

PASSED, APPROVED, AND ADOPTED by the Governing Body of the City of Alamogordo, New Mexico, at a Regular Meeting held this 15th day of November 2022.

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

By: _____
Susan L. Payne, Mayor

ATTEST:

Rachel Hughs, City Clerk

APPROVED AS TO FORM:

Ashley N. Smith, City Attorney

**ALL FUNDS SUMMARY
BUDGET 2022-2023**

1/12TH REQ RSRV
1,657,140
1/12TH REQ RSRV
0
Fund Reserve Policy
468,745
Bal. Remaining
3,371,563

FY23 BUDGET - RESOLUTION 2022-47 (#5) NOVEMBER 15, 2022

FUND NO.	FY 2022-2023 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	17,559,597	20,124,249	813,208	13,113,932	(12,300,724)	19,885,674	5,497,448	2,125,885	3,371,563
12	INTERNAL SERVICE FUND	24,496	315,433	5,541,367	0	5,541,367	5,871,296	10,000		\$10,000
15	CORRECTIONS-JAIL	68,129	57,435	0	0	0	81,000	44,564		\$44,564
16	LODGER'S TAX-PROMOTIONAL FUND	555,375	228,565	0	1,753	(1,753)	626,702	155,485		\$155,485
17	POLICE COURT BOND	8,638	0	0	0	0	0	8,638		\$8,638
19	COURT AUTOMATION FUND	2,637	47,000	0	0	0	42,833	6,804		\$6,804
20	LODGER'S TAX-CITY	599,081	426,175	0	69,520	(69,520)	588,940	366,796		\$366,796
21	D.A.R.E. DONATIONS FUND	23,702	1,142	0	0	0	6,846	17,998		\$17,998
24	GRANT CAPITAL IMPROVEMENT	0	3,699,882	0	0	0	3,382,520	317,362		\$317,362
27	MUNICIPAL COURT OPERATIONS	1,704	13,000	470,856	0	470,856	480,560	5,000		\$5,000
28	POLICE CONTINGENCY	61,916	2,471	0	0	0	10,000	54,387		\$54,387
31	CEMETERY-PERPETUAL CARE	836,995	18,996	0	40,000	(40,000)	0	815,991		\$815,991
32	COMMUNITY SERVICES	13,452	556,702	6,808,770	0	6,808,770	7,360,261	18,663		\$18,663
33	FIRE PROTECTION	907,446	740,788	0	0	0	1,557,671	90,563		\$90,563
35	HIDTA GRANT FUND	0	16,048	0	0	0	16,048	0		\$0
36	LAW ENFORCEMENT FUND	11,664	82,000	0	0	0	93,664	0		\$0
37	STATE HIGHWAY FUND	101,774	52,583	0	0	0	57,581	96,776		\$96,776
38	TRAFFIC SAFETY FUND	59,666	10,422	0	0	0	10,000	60,088		\$60,088
39	STATE JUDICIAL	2,352	42,000	0	0	0	42,000	2,352		\$2,352
42	1984 GROSS RECEIPTS TAX	3,775,451	1,917,573	0	3,722,863	(3,722,863)	24,299	1,945,862	252,119	\$1,693,743
44	TRANSPORTATION FUND	5,822	1,131,823	4,404,457	264,025	4,140,432	5,116,485	161,592		\$161,592
48	NEW MEXICO C.D.B.G.	124,174	392,376	1,308,968	0	1,308,968	1,701,345	124,173		\$124,173
49	1986 GROSS RECEIPTS TAX	4,708,800	1,936,510	0	1,945,315	(1,945,315)	1,424,568	3,275,427	268,391	\$3,007,036
50	PROPERTY ACQUISITION	85,009	0	0	0	0	0	85,009		\$85,009
53	GENERAL OBLIGATION	930,035	1,140,284	0	0	0	1,144,195	926,124	557,029	\$369,095
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	109	0	586,702	0	586,702	366,875	219,936		\$219,936
59	REVENUE BOND P & I FUND	162,267	300	2,406,935	0	2,406,935	2,410,435	159,067		\$159,067
61	MUNICIPAL INFRASTRUCTURE .0625%	1,311,953	481,432	0	293,000	(293,000)	6,075	1,494,310		\$1,494,310
63	COMMUNITY DEVELOPMENT	0	0	483,713	28,910	454,803	452,472	2,331		\$2,331
69	1994 GROSS RECEIPTS	3,345,432	1,925,513	0	1,907,033	(1,907,033)	24,299	3,339,613	553,051	\$2,786,562
71	ALAMO SENIOR CENTER	430	918,260	926,366	0	926,366	1,826,587	18,469		\$18,469
74	ALAMO SENIOR CENTER GIFT	138,296	13,282	0	0	0	36,045	115,533		\$115,533
75	RETIRED & SENIOR VOL. PROGRAM	7,313	135,250	10,000	0	10,000	147,803	4,760		\$4,760
81	WATER/SEWER OPERATING	15,099,374	13,772,451	2,142,063	2,350,678	(208,615)	17,196,011	11,467,199	1,463,850	\$10,003,349
82	98 JT WATER/SEWER BOND P&I	1,119,487	13,473	1,807,764	0	1,807,764	1,807,762	1,132,962		\$1,132,962
86	SOLID WASTE COLLECTION SYS.	771,643	2,454,909	0	152,769	(152,769)	2,278,107	795,676	178,583	\$617,093
88	BONITO CAMPGROUND	398,101	3,003	150,000	0	150,000	152,000	399,104		\$399,104
89	ESGRT .0625%	2,282,812	494,876	0	764,146	(764,146)	1,027,433	986,109		\$986,109

**ALL FUNDS SUMMARY
BUDGET 2022-2023**

1/12TH REQ RSRV
1,657,140
1/12TH REQ RSRV
0
Fund Reserve Policy
468,745
Bal. Remaining

3,371,563

FY23 BUDGET - RESOLUTION 2022-47 (#5) NOVEMBER 15, 2022

FUND NO.	FY 2022-2023 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
90	GOLF COURSE	63,461	1,593,400	613,047	0	613,047	2,262,669	7,239		\$7,239
91	AIRPORT	42,900	191,141	127,000	33,052	93,948	308,583	19,406		\$19,406
94	OTERO GREENTREE REG LANDFILL	3,655,124	1,263,067	0	4,276	(4,276)	2,818,914	2,095,001		\$2,095,001
96	SELF-INSURED FUND	547,004	84,177	0	65,600	(65,600)	52,373	513,208		\$513,208
98	PAYROLL CLEARING	216,796	0	0	0	0	0	216,796		\$216,796
104	UTILITY DEPOSITS	624,156	0	0	0	0	0	624,156		\$624,156
105	ECONOMIC DEVELOPMENT	5,577,210	1,010,312	0	0	0	200,255	6,387,267		\$6,387,267
107	SELF INSURED/LIABILITY	1,134,195	5,842	0	0	0	535,000	605,037		\$605,037
109	2004 GRT CAPITAL OUTLAY	14,557,615	3,939,341	0	3,956,583	(3,956,583)	3,719,867	10,820,506	534,452	\$10,286,054
114	SIDEWALKS REVOLVING LOANS	144,232	1,249	0	0	0	0	145,481		\$145,481
115	CORP ESCROW ACCOUNT RESERVE	1,000	0	0	0	0	0	1,000		\$1,000
119	2012 GRT REF/IMP REVBD	392,207	2,686	0	0	0	394,893	0		\$0
121	2015 GO BONDS-FUN CENTER	90,836	785	0	0	0	0	91,621		\$91,621
122	2015 GO BONDS-STREETS	176,014	1,825	0	0	0	0	177,839		\$177,839
124	AMERICAN RESCUE PLAN ACT	3,897,893	0	0	0	0	3,897,893	0		\$0
125	CANNABIS GRT	0	204,000	96,000	0	96,000	300,000	0		\$0
901	HOUSING LOW RENT OPERATING	1,211,402	1,011,844	0	0	0	1,440,105	783,141	86,881	\$696,260
903	HOUSING HOMEOWNERSHIP OPER	704,785	990	0	0	0	17,859	687,916		\$687,916
904	HOUSING CAPITAL FUND PROJECTS	8	1,283,943	0	0	0	1,283,943	8		\$8
TOTALS FY2023		88,163,935	63,760,808	28,713,455	28,713,455	0	94,504,985	57,419,757	6,020,241	51,399,516

ALL FUNDS SUMMARY

BUDGET 2022-2023

1/12TH REQ RSRV
1,657,140
1/12TH REQ RSRV
0
Fund Reserve Policy
468,745
Bal. Remaining
3,371,563

FY23 BUDGET - RESOLUTION 2022-47 (#5) NOVEMBER 15, 2022

FUND NO.	FY 2022-2023 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	17,559,597	20,122,862	813,208	12,941,088	(12,127,880)	19,884,287	5,670,292	2,125,885	3,544,407
	Revision #2-Animal Control Donations		137			0	137	0		0
	Revision #4-Zoo Gift Shop Cashier				36,344	(36,344)		(36,344)		(36,344)
	Revision #6-Employee Referral Program				30,000	(30,000)		(30,000)		(30,000)
	Revision #7-Family Recreation Center Sign				95,000	(95,000)		(95,000)		(95,000)
	Revision #8-HVAC Parks Maintenance Bldg.				10,000	(10,000)		(10,000)		(10,000)
	Revision #9-HVAC Facility Maintenance Bldg.				1,500	(1,500)		(1,500)		(1,500)
	Revision #10-Fire Department Donation		1,250			0	1,250	0		0
	Total Revised Fund 11	17,559,597	20,124,249	813,208	13,113,932	(12,300,724)	19,885,674	5,497,448	2,125,885	3,371,563
12	INTERNAL SERVICE FUND	24,496	315,433	5,509,867	0	5,509,867	5,839,796	10,000		10,000
	Revision #6-Employee Referral Program			30,000		30,000	30,000	0		0
	Revision #9-HVAC Facility Maintenance Bldg.			1,500		1,500	1,500	0		0
	Total Revised Fund 12	24,496	315,433	5,541,367	0	5,541,367	5,871,296	10,000		10,000
15	CORRECTIONS-JAIL	68,129	57,435	0	0	0	81,000	44,564		44,564
	Total Revised Fund 15	68,129	57,435	0	0	0	81,000	44,564		44,564
16	LODGER'S TAX-PROMOTIONAL FUND	555,375	228,565	0	1,753	(1,753)	626,702	155,485		155,485
	Total Revised Fund 16	555,375	228,565	0	1,753	(1,753)	626,702	155,485		155,485
17	POLICE COURT BOND	8,638	0			0		8,638		8,638
	Total Revised Fund 17	8,638	0	0	0	0	0	8,638		8,638
19	COURT AUTOMATION FUND	2,637	47,000		0	0	42,833	6,804		6,804
	Total Revised Fund 19	2,637	47,000	0	0	0	42,833	6,804		6,804
20	LODGER'S TAX-CITY	599,081	426,175		69,520	(69,520)	588,940	366,796		366,796
	Total Revised Fund 20	599,081	426,175	0	69,520	(69,520)	588,940	366,796		366,796
21	D.A.R.E. DONATIONS FUND	23,702	1,142			0	6,846	17,998		17,998
	Total Revised Fund 21	23,702	1,142	0	0	0	6,846	17,998		17,998
24	GRANT CAPITAL IMPROVEMENT	0	3,685,194			0	3,367,832	317,362		317,362
	Revision #1-ALTSD Emergency Grant Funds		14,688			0	14,688	0		0
	Total Revised Fund 24	0	3,699,882	0	0	0	3,382,520	317,362		317,362
27	MUNICIPAL COURT OPERATIONS	1,704	13,000	470,856	0	470,856	480,560	5,000		5,000
	Total Revised Fund 27	1,704	13,000	470,856	0	470,856	480,560	5,000		5,000
28	POLICE CONTINGENCY	61,916	2,471			0	10,000	54,387		54,387
	Total Revised Fund 28	61,916	2,471	0	0	0	10,000	54,387		54,387
31	CEMETERY-PERPETUAL CARE	836,995	18,996		40,000	(40,000)	0	815,991		815,991
	Total Revised Fund 31	836,995	18,996	0	40,000	(40,000)	0	815,991		815,991

32	COMMUNITY SERVICES	13,452	556,702	6,667,426	0	6,667,426	7,218,917	18,663		18,663
	Revision #4-Zoo Gift Shop Cashier			36,344		36,344	36,344	0		0
	Revision #7-Family Recreation Center Sign			95,000		95,000	95,000	0		0
	Revision #8-HVAC Parks Maintenance Bldg.			10,000		10,000	10,000	0		0
	Total Revised Fund 32	13,452	556,702	6,808,770	0	6,808,770	7,360,261	18,663		18,663
33	FIRE PROTECTION	907,446	740,788			0	1,557,671	90,563		90,563
	Total Revised Fund 33	907,446	740,788	0	0	0	1,557,671	90,563	0	90,563
35	HIDTA GRANT FUND	0	16,048			0	16,048	0		0
	Total Revised Fund 35	0	16,048	0	0	0	16,048	0		0
36	LAW ENFORCEMENT FUND	11,664	82,000			0	93,664	0		0
	Total Revised Fund 36	11,664	82,000	0	0	0	93,664	0		0
37	STATE HIGHWAY FUND	101,774	52,583			0	57,581	96,776		96,776
	Total Revised Fund 37	101,774	52,583	0	0	0	57,581	96,776		96,776
38	TRAFFIC SAFETY FUND	59,666	10,422			0	10,000	60,088		60,088
	Total Revised Fund 38	59,666	10,422	0	0	0	10,000	60,088		60,088
39	STATE JUDICIAL	2,352	42,000			0	42,000	2,352		2,352
	Total Revised Fund 39	2,352	42,000	0	0	0	42,000	2,352		2,352
42	1984 GROSS RECEIPTS TAX	3,775,451	1,917,573		3,722,863	(3,722,863)	24,299	1,945,862	252,119	1,693,743
	Total Revised Fund 42	3,775,451	1,917,573	0	3,722,863	(3,722,863)	24,299	1,945,862	252,119	1,693,743
44	TRANSPORTATION FUND	5,822	1,131,823	4,404,457	264,025	4,140,432	5,064,122	213,955		213,955
	Revision #3-Public Works Inspector					0	52,363	(52,363)		(52,363)
	Total Revised Fund 44	5,822	1,131,823	4,404,457	264,025	4,140,432	5,116,485	161,592		161,592
48	NEW MEXICO C.D.B.G.	124,174	392,376	1,308,968	0	1,308,968	1,701,345	124,173		124,173
	Total Revised Fund 48	124,174	392,376	1,308,968	0	1,308,968	1,701,345	124,173		124,173
49	1986 GROSS RECEIPTS TAX	4,708,800	1,936,510		1,945,315	(1,945,315)	1,424,568	3,275,427	268,391	3,007,036
	Total Revised Fund 49	4,708,800	1,936,510	0	1,945,315	(1,945,315)	1,424,568	3,275,427	268,391	3,007,036
50	PROPERTY ACQUISITION	85,009	0			0	0	85,009		85,009
	Total Revised Fund 50	85,009	0	0	0	0	0	85,009		85,009
53	GENERAL OBLIGATION	930,035	1,140,284			0	1,144,195	926,124	557,029	369,095
	Total Revised Fund 53	930,035	1,140,284	0	0	0	1,144,195	926,124	557,029	369,095
54	REVERSE OSMOSIS PROJECT RSV	21,967	0	16,239		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	109	0	586,702	0	586,702	366,875	219,936		219,936
	Total Revised Fund 56	109	0	586,702	0	586,702	366,875	219,936		219,936
59	REVENUE BOND P & I FUND	162,267	300	2,406,935		2,406,935	2,410,435	159,067		159,067
	Total Revised Fund 59	162,267	300	2,406,935	0	2,406,935	2,410,435	159,067		159,067
61	MUNICIPAL INFRASTRUCTURE .0625%	1,311,953	481,432		293,000	(293,000)	6,075	1,494,310		1,494,310
	Total Revised Fund 61	1,311,953	481,432	0	293,000	(293,000)	6,075	1,494,310		1,494,310
63	COMMUNITY DEVELOPMENT	0	0	483,713	28,910	454,803	452,472	2,331		2,331
	Total Revised Fund 63	0	0	483,713	28,910	454,803	452,472	2,331		2,331
69	1994 GROSS RECEIPTS	3,345,432	1,925,513		1,907,033	(1,907,033)	24,299	3,339,613	553,051	2,786,562
	Total Revised Fund 69	3,345,432	1,925,513	0	1,907,033	(1,907,033)	24,299	3,339,613	553,051	2,786,562
71	ALAMO SENIOR CENTER	430	918,260	926,366	0	926,366	1,817,391	27,665		27,665
	Revision #11-Fitness Coordinator Hours					0	5,846	(5,846)		(5,846)
	Revision #10-Kithcen Aide Hours					0	3,350	(3,350)		(3,350)
	Total Revised Fund 71	430	918,260	926,366	0	926,366	1,826,587	18,469		18,469
74	ALAMO SENIOR CENTER GIFT	138,296	13,282			0	36,045	115,533		115,533
	Total Revised Fund 74	138,296	13,282	0	0	0	36,045	115,533		115,533

75	RETIRED & SENIOR VOL. PROGRAM	7,313	135,250	10,000	0	10,000	147,803	4,760		4,760
	Total Revised Fund 75	7,313	135,250	10,000	0	10,000	147,803	4,760		4,760
81	WATER/SEWER OPERATING	15,099,374	13,772,451	2,142,063	2,200,678	(58,615)	17,196,011	11,617,199	1,463,850	10,153,349
	Revision #5-Bonito Lake Re-Open Consultant				150,000	(150,000)		(150,000)		(150,000)
	Total Revised Fund 81	15,099,374	13,772,451	2,142,063	2,350,678	(208,615)	17,196,011	11,467,199	1,463,850	10,003,349
82	98 JT WATER/SEWER BOND P&I	1,119,487	13,473	1,807,764		1,807,764	1,807,762	1,132,962	0	1,132,962
	Total Revised Fund 82	1,119,487	13,473	1,807,764	0	1,807,764	1,807,762	1,132,962	0	1,132,962
86	SOLID WASTE COLLECTION SYS.	771,643	2,454,909		152,769	(152,769)	2,278,107	795,676	178,583	617,093
	Total Revised Fund 86	771,643	2,454,909	0	152,769	(152,769)	2,278,107	795,676	178,583	617,093
88	BONITO CAMPGROUND	398,101	3,003			0	2,000	399,104		399,104
	Revision #5-Bonito Lake Re-Open Consultant			150,000		150,000	150,000	0		0
	Total Revised Fund 88	398,101	3,003	150,000	0	150,000	152,000	399,104	0	399,104
89	ESGRT .0625%	2,282,812	494,876		764,146	(764,146)	1,027,433	986,109		986,109
	Total Revised Fund 89	2,282,812	494,876	0	764,146	(764,146)	1,027,433	986,109	0	986,109
90	GOLF COURSE	63,461	1,593,400	613,047	0	613,047	2,262,669	7,239		7,239
	Total Revised Fund 90	63,461	1,593,400	613,047	0	613,047	2,262,669	7,239	0	7,239
91	AIRPORT	42,900	191,141	127,000	33,052	93,948	308,583	19,406	0	19,406
	Total Revised Fund 91	42,900	191,141	127,000	33,052	93,948	308,583	19,406	0	19,406
94	OTERO GREENTREE REG LANDFILL	3,655,124	1,263,067		4,276	(4,276)	2,818,914	2,095,001		2,095,001
	Total Revised Fund 94	3,655,124	1,263,067	0	4,276	(4,276)	2,818,914	2,095,001	0	2,095,001
96	SELF-INSURED FUND	547,004	84,177		65,600	(65,600)	52,373	513,208		513,208
	Total Revised Fund 96	547,004	84,177	0	65,600	(65,600)	52,373	513,208	0	513,208
98	PAYROLL CLEARING	216,796	0			0		216,796		216,796
	Total Revised Fund 98	216,796	0	0	0	0	0	216,796	0	216,796
104	UTILITY DEPOSITS	624,156	0			0		624,156		624,156
	Total Revised Fund 104	624,156	0	0	0	0	0	624,156	0	624,156
105	ECONOMIC DEVELOPMENT	5,577,210	1,010,312			0	200,255	6,387,267		6,387,267
	Total Revised Fund 105	5,577,210	1,010,312	0	0	0	200,255	6,387,267		6,387,267
107	SELF INSURED/LIABILITY	1,134,195	5,842			0	535,000	605,037		605,037
	Total Revised Fund 107	1,134,195	5,842	0	0	0	535,000	605,037	0	605,037
109	2004 GRT CAPITAL OUTLAY	14,557,615	3,939,341		3,956,583	(3,956,583)	3,719,867	10,820,506	534,452	10,286,054
	Total Revised Fund 109	14,557,615	3,939,341	0	3,956,583	(3,956,583)	3,719,867	10,820,506	534,452	10,286,054
114	SIDEWALKS REVOLVING LOANS	144,232	1,249			0		145,481		145,481
	Total Revised Fund 114	144,232	1,249	0	0	0	0	145,481	0	145,481
115	CORP ESCROW ACCOUNT RESERVE	1,000	0			0		1,000		1,000
	Total Revised Fund 115	1,000	0	0	0	0	0	1,000	0	1,000
119	2012 GRT REF/IMP REVBD	392,207	2,686			0	394,893	0		0
	Total Revised Fund 119	392,207	2,686	0	0	0	394,893	0		0
121	2015 GO BONDS-FUN CENTER	90,836	785			0	0	91,621		91,621
	Total Revised Fund 121	90,836	785	0	0	0	0	91,621		91,621
122	2015 GO BONDS-STREETS	176,014	1,825			0	0	177,839		177,839
	Total Revised Fund 122	176,014	1,825	0	0	0	0	177,839		177,839

124	AMERICAN RESCUE PLAN ACT	3,897,893	0			0	3,897,893	0		0
	Total Revised Fund 124	3,897,893	0	0	0	0	3,897,893	0		0
125	CANNABIS GRT	0	204,000	96,000		96,000	300,000	0		0
	Total Revised Fund 125	0	204,000	96,000	0	96,000	300,000	0		0
901	HOUSING LOW RENT OPERATING	1,211,402	1,011,844			0	1,440,105	783,141	86,881	696,260
	Total Revised Fund 901	1,211,402	1,011,844	0	0	0	1,440,105	783,141	86,881	696,260
903	HOUSING HOMEOWNERSHIP OPER	704,785	990			0	17,859	687,916		687,916
	Total Revised Fund 903	704,785	990	0	0	0	17,859	687,916	0	687,916
904	HOUSING CAPITAL FUND PROJECTS	8	1,283,943			0	1,283,943	8		8
	Total Revised Fund 904	8	1,283,943	0	0	0	1,283,943	8		8
TOTALS FY2023		88,163,935	63,760,808	28,713,455	28,713,455	0	94,504,985	57,419,757	6,020,241	51,399,516

FUND NO.	PROJECT NO.	LINE ITEM NO.	LINE ITEM DESCRIPTION	ORIGINAL BUDGET AMOUNT	INCREASE (DECREASE)	REVISED BUDGET AMOUNT
REVISION #1						
This budget revision is to account for the ALTSD Emergency State Grant Award for purchase of a condenser/evaporator for the indoor walk-in freezer at the Senior Center.						
24	GRANT CAPITAL IMPROVEMENT FUND					
	Revenues					
	SCFRZR	024-0000-317.16-13	State Grant	3,548,919	14,688	3,563,607
			Total Revenues	3,548,919	14,688	3,563,607
	Expenditures					
	SCFRZR	024-0000-419.61-60	Capital Equipment	727,172	14,688	741,860
			Total Expenditures	727,172	14,688	741,860
REVISION #2						
This budget revision is to account for Donations received at the Animal Shelter.						
11	GENERAL FUND					
	Revenues					
	PSACO2	011-3804-314.13-36	Donations	2,322	137	2,459
			Total Revenue	2,322	137	2,459
	Expenditures					
	PSACO2	011-3804-429.33-26	Designated Materials	11,369	137	11,506
			Total Expenditures	11,369	137	11,506
REVISION #3						
This budget revision is to add funds for the position of Public Works Inspector.						
44	TRANSPORTATION FUND					
	Expenditures					
	044-1803-431.20-02	Operational	36,838	34,707	71,545	
	044-1803-431.20-10	Retirement	12,507	5,172	17,679	
	044-1803-431.20-12	Retiree Health Care	1,679	695	2,374	
	044-1803-431.20-15	Social Security	7,457	2,656	10,113	
	044-1803-431.20-25	Group Health Insurance	475	8,428	8,903	
	044-1803-431.20-30	Worker's Compensation	398	695	1,093	
	044-1803-431.20-31	Worker's Comp Admin Fee	14	10	24	
		Total Expenditures	59,368	52,363	111,731	
REVISION #4						
This budget revision is to add funds for the position of Zoo Gift Shop Cashier.						
11	GENERAL FUND					
	Transfers Out					
	011-0000-491.18-32	Trans to (32) Community Services	6,197,518	36,344	6,233,862	
		Total Transfers Out	6,197,518	36,344	6,233,862	
32	COMMUNITY SERVICES FUND					
	Transfers In					
	011-0000-491.18-32	Trans fr (11) General Fund	6,197,518	36,344	6,233,862	
		Total Transfers In	6,197,518	36,344	6,233,862	
	Expenditures					
	032-6306-452.20-02	Operational	321,948	22,349	344,297	
	032-6306-452.20-10	Retirement	57,918	3,330	61,248	
	032-6306-452.20-12	Retiree Health Care	7,774	447	8,221	
	032-6306-452.20-15	Social Security	32,218	1,710	33,928	
	032-6306-452.20-25	Group Health Insurance	33,181	8,428	41,609	
	032-6306-452.20-30	Worker's Compensation	45,192	70	45,262	
	032-6306-452.20-31	Worker's Comp Admin Fee	83	10	93	
		Total Expenditures	498,314	36,344	534,658	
REVISION #5						
This budget revision is to provide funding for a consultant to develop a re-opening plan for the recreation areas surrounding and including Bonito Lake.						
81	WATER/SEWER FUND					
	Transfers Out					
	081-0000-491.18-88	Trans to (88) Bonito Lake	0	150,000	150,000	
		Total Transfers Out	0	150,000	150,000	
88	BONITO LAKE FUND					
	Transfers In					
	088-0000-391.19-81	Trans fr (81) Water/Sewer	0	150,000	150,000	
		Total Transfers In	0	150,000	150,000	
	Expenditures					
	088-0003-461.57-34	Contract Services	0	150,000	150,000	
		Total Expenditures	0	150,000	150,000	
REVISION #6						
This budget revision is to provide funding for an employee referral program for new applicants.						
11	GENERAL FUND					
	Transfers Out					
	011-0000-491.18-12	Trans to (12) Internal Service	4,499,559	30,000	4,529,559	
		Total Transfers Out	4,499,559	30,000	4,529,559	
12	INTERNAL SERVICE FUND					
	Transfers In					
	012-0000-391.19-11	Trans fr (11) General	4,499,559	30,000	4,529,559	
		Total Transfers In	4,499,559	30,000	4,529,559	
	Expenditures					
	012-1701-415.57-83	Personnel Service Costs	40,383	30,000	70,383	
		Total Expenditures	40,383	30,000	70,383	

REVISION #7

This budget revision is to provide additional funding completion of a new sign at the Family Recreation Center.

11 GENERAL FUND					
	<i>Transfers Out</i>				
CS2204	011-0000-491.18-32	Trans to (32) Community Service	50,000	95,000	145,000
	<i>Total Transfers Out</i>		50,000	95,000	145,000
32 COMMUNITY SERVICES FUND					
	<i>Transfers In</i>				
CS2204	032-0000-391.19-11	Trans fr (11) General	50,000	95,000	145,000
	<i>Total Transfers In</i>		50,000	95,000	145,000
	<i>Expenditures</i>				
CS2204	032-6106-450.65-70	Tourism Signage	50,000	95,000	145,000
	<i>Total Expenditures</i>		50,000	95,000	145,000

REVISION #8

This budget revision is to provide additional funding for HVAC replacement at the Parks Maintenance Building.

11 GENERAL FUND					
	<i>Transfers Out</i>				
	011-0000-491.18-32	Trans to (32) Community Service	6,197,518	10,000	6,207,518
	<i>Total Transfers Out</i>		6,197,518	10,000	6,207,518
32 COMMUNITY SERVICES FUND					
	<i>Transfers In</i>				
	032-0000-391.19-11	Trans fr (11) General	6,197,518	10,000	6,207,518
	<i>Total Transfers In</i>		6,197,518	10,000	6,207,518
	<i>Expenditures</i>				
	032-6206-410.60-01	Capital Outlay	545,496	10,000	555,496
	<i>Total Expenditures</i>		545,496	10,000	555,496

REVISION #9

This budget revision is to provide additional funding for HVAC replacement at the Facility Maintenance Building.

11 GENERAL FUND					
	<i>Transfers Out</i>				
	011-0000-491.18-12	Trans to (12) Internal Service	4,529,559	1,500	4,531,059
	<i>Total Transfers Out</i>		4,529,559	1,500	4,531,059
12 INTERNAL SERVICE FUND					
	<i>Transfers In</i>				
	012-0000-391.19-11	Trans fr (11) General	4,529,559	1,500	4,531,059
	<i>Total Transfers In</i>		4,529,559	1,500	4,531,059
	<i>Expenditures</i>				
	012-3303-419.60-88	Improvements	9,400	1,500	10,900
	<i>Total Expenditures</i>		9,400	1,500	10,900

REVISION #10

This budget revision is to account for Donations received at the Alamogordo Fire Department.

11 GENERAL FUND					
	<i>Revenues</i>				
	011-4204-314.13-36	Donations	380	1,250	1,630
	<i>Total Revenue</i>		380	1,250	1,630
	<i>Expenditures</i>				
	011-4204-421.50-75	Public Education	391	250	641
	011-4204-421.50-76	Safety Awareness	7,097	1,000	8,097
	<i>Total Expenditures</i>		7,488	1,250	8,738

REVISION #11

This budget revision is to add funds for increasing the Part-Time Fitness Coordinator from 19 to 25 hours per week at the Senior Center for the remainder of FY23.

	<i>Expenditures</i>				
071-8030-445.20-03	Temp/Part-Time	14,623	3,216	17,839	
071-8030-445.20-10	Retirement	33,781	2,064	35,845	
071-8030-445.20-12	Retiree Health Care	4,534	268	4,802	
071-8030-445.20-15	Social Security	18,180	247	18,427	
071-8030-445.20-25	Group Health Insurance	15,020	35	15,055	
071-8030-445.20-30	Worker's Compensation	5,113	16	5,129	
	<i>Total Expenditures</i>	91,251	5,846	97,097	

REVISION #12

This budget revision is to add funds for increasing the Part-time Kitchen Aide from 20 to 25 hours per week at the Senior Center for the remainder of FY23.

71 SENIOR CENTER FUND					
	<i>Expenditures</i>				
071-8023-445.20-03	Temp/Part-Time	17,839	2,391	20,230	
071-8023-445.20-10	Retirement	35,845	369	36,214	
071-8023-445.20-12	Retiree Health Care	4,802	48	4,850	
071-8023-445.20-15	Social Security	18,427	184	18,611	
071-8023-445.20-25	Group Health Insurance	15,055	0	15,055	
071-8023-445.20-30	Worker's Compensation	5,129	54	5,183	
	<i>Total Expenditures</i>	97,097	3,046	100,143	
	<i>Expenditures</i>				
071-8024-445.20-03	Temp/Part-Time	23,624	237	23,861	
071-8024-445.20-10	Retirement	31,514	37	31,551	
071-8024-445.20-12	Retiree Health Care	4,230	5	4,235	
071-8024-445.20-15	Social Security	16,932	19	16,951	
071-8023-445.20-30	Worker's Compensation	5,129	6	5,135	
	<i>Total Expenditures</i>	81,429	304	81,733	

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 11/15/2022

Report Date: 11/08/2022

Report No: 7.

Submitted By: Antonio Gonzalez

Subject: Consider, and act upon, the approval of the transfer of hangar lease E9-A1 from Howard Enterprises Inc. to Dr. Dan Moezzi, located at the Alamogordo White Sands Regional Airport, this is a land lease transfer only. (*Jim Talbert, Airport Manager*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve hangar land lease transfer.

Background: This is a land lease transfer only. The sale of the hangar is being handled between the two parties.

CITY OF ALAMOGORDO
ALAMOGORDO-WHITE SANDS REGIONAL AIRPORT

APPLICATION FOR ASSIGNMENT OF LEASE

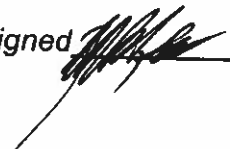
The undersigned hereby applies to the City of Alamogordo for the assignment of that land lease governing the area of the Alamogordo-White Sands Regional Airport known as _____ Area _____ E9-A1 _____.

The current holder of this lease is Howard Enterprises INC. By my signature below, I state to the City of Alamogordo that I approve of and request the authority to transfer all of my right, title and interest in this lease to Dr. Dan Moezzi dba Alamogordo Rental Company LLC  I understand that if the City approves this assignment of lease, I will be relieved of any further responsibility under this lease other than undetected or undisclosed environmental issues.

Both parties to this request for assignment state that they are requesting the City of Alamogordo to accept the Assignee in the stead of the current lessee.

Assignee agrees that the rental for the area pursuant to the Lease agreement will be \$744.35__per year and will increase by the City determined CPI each year thereafter, and that any amounts due and owing must be paid at the time this assignment is approved by the City.

ASSIGNOR:

Date: 11-01-2022 _____ James Howard, signed 

ASSIGNEE:

Date: 11-02-2022



Dr. Dan Moezzi dba Alamogordo Rental

Company LLC.

The City of Alamogordo hereby agrees to the assignment of the Lease governing the area at the Alamogordo-White Sands Regional Airport known as E9-A1 from Howard Enterprises INC. _____ to Alamogordo Rental Company LLC. This assignment is effective on the _____ day of _____, 2022.

CITY OF ALAMOGORDO, NEW MEXICO

Date: _____

By: _____
Brian Cesar, City Manager

ATTEST:

Rachel Hughs, City Clerk

APPROVED AS TO FORM:

Ashley Smith, City Attorney

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 11/15/2022

Report Date: 11/08/2022

Report No: 8.

Submitted By: Antonio Gonzalez

Subject: Consider, and act upon, the approval of the transfer of hangar lease E5-A from Eds Flying Service to Howard Enterprises, located at the Alamogordo White Sands Regional Airport, this is a land lease transfer only. (*Jim Talbert, Airport Manager*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve hangar land lease transfer.

Background: This is a land lease transfer only. The sale of the hangar is being handled between the two parties.

CITY OF ALAMOGORDO
ALAMOGORDO-WHITE SANDS REGIONAL AIRPORT

APPLICATION FOR ASSIGNMENT OF LEASE

The undersigned hereby applies to the City of Alamogordo for the assignment of that land lease governing the area of the Alamogordo-White Sands Regional Airport described as a 12,960 square foot parcel of Real Property located in the NM 1/4 of Section 14, T17S, R9E, N.M.P.M. of the U.S.G.L.0. Surveys, within the City Limits of Alamogordo in the County of Otero, State of New Mexico, Area/Parcel E5-A as shown on ***Exhibit "1"*** attached hereto and incorporated herein by this reference.

The current holder of this lease is Ed's Flying Service, Inc. a New Mexico corporation and, a division of the Pavelka Family Trust established pursuant to that Trust Agreement dated December 9, 1998. By our signatures below, we state to the City of Alamogordo that we approve of and request the authority to transfer all of the corporation's and trust's right, title and interest in this lease to Howard Enterprises, Inc., a New Mexico corporation.

We understand that if the City approves this assignment of lease, we will be relieved of any further responsibility under this lease other than undetected or undisclosed environmental issues.

Both parties to this request for assignment state that they are requesting the City of Alamogordo to accept the Assignee in the stead of the current lessee.

Assignee agrees that the rental for the area pursuant to the Lease Agreement will be \$ _____
~~\$1599.47~~ per year and will increase by the City determined CPI each year thereafter, and that any amounts due and owing must be paid at the time this assignment is approved by the City.

ASSIGNOR:

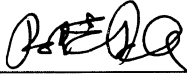
ED'S FLYING SERVICE, INC.

a New Mexico corporation and

a Division of the **PAVELKA FAMILY TRUST**

established pursuant to that Trust Agreement

dated December 9, 1998



By: Robert E. Pavelka

Individually and as Co-Successor Trustee

Date: 10-28-2022



By: Lisa Pavelka Stone

f/k/a Lisa Pavelka McAlister

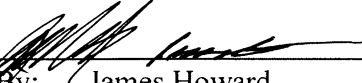
Individually and as Co-Successor Trustee

Date: 10/28/2022

ASSIGNEE:

HOWARD ENTERPRISES, INC.

a New Mexico corporation



By: James Howard

Its: President

Date: 10/28/22

The City of Alamogordo hereby agrees to the assignment of the Lease governing the area at the Alamogordo-White Sands Regional Airport known as Area E5-A from _____, 2022 to the 30th day of June, 2032.

CITY OF ALAMOGORDO, NEW MEXICO

Date: _____

By: Brian Cesar, City Manager

ATTEST:

Rachel Hughs, City Clerk

APPROVED AS TO FORM:

Ashley Smith, City Attorney

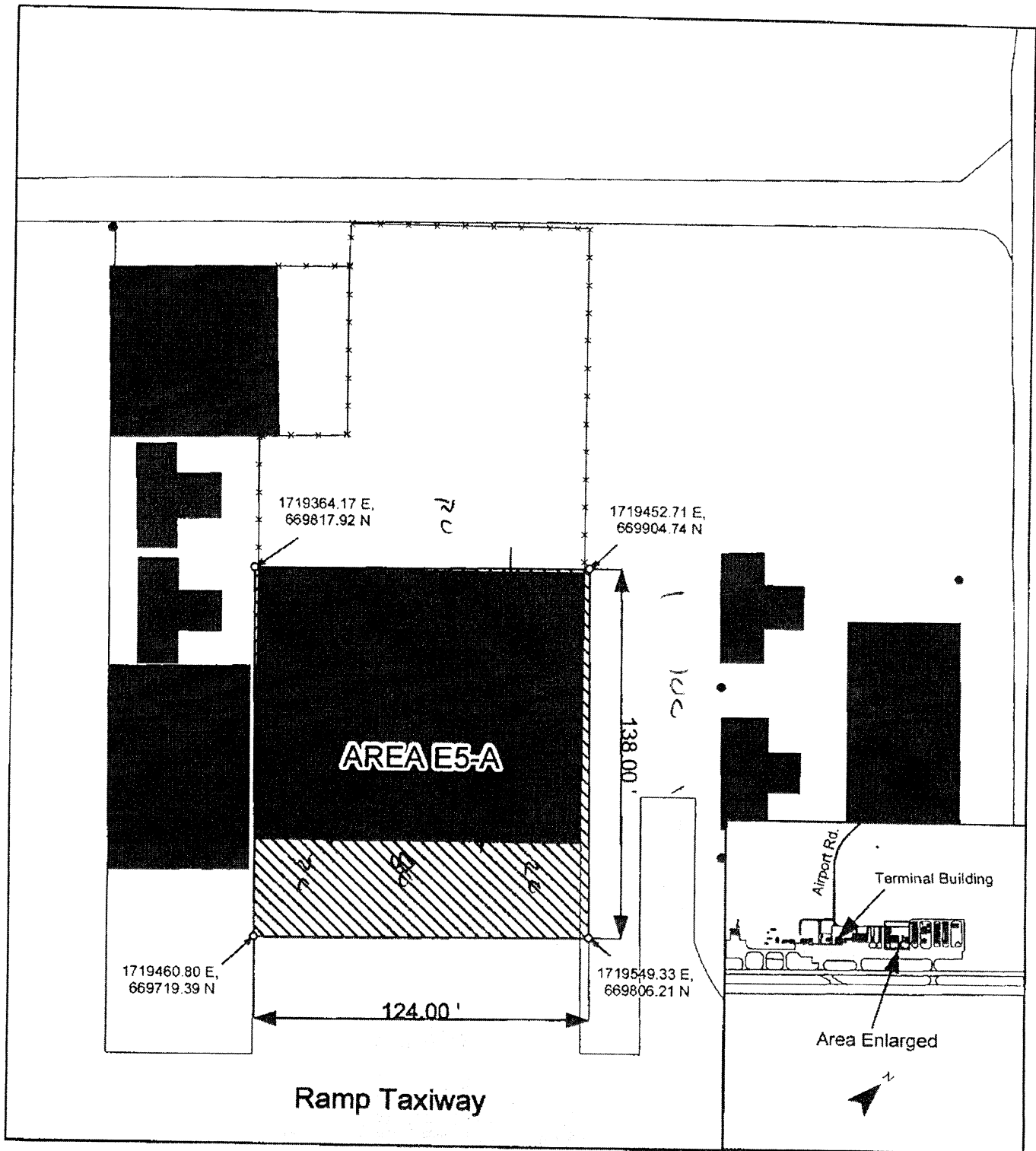
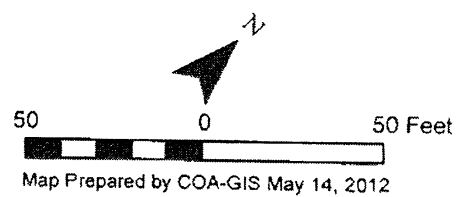


Exhibit A
Area E5-A
17,112 Square Feet

Handwritten signature

Coordinates are New Mexico
State Plane, NAD 83, Central
Zone.



AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 11/15/2022

Report Date: 11/09/2022

Report No: 10.

Submitted By: Stella Rael

Subject: Consider, and act upon, the first publication of Ordinance 1665 Case Z-2022-0004(A), a map amendment to change the zoning of the property located at 1004 E. 9th Street from C-1 Neighborhood Business to R-4 Multiple Family Dwelling. *(Stella Rael, City Planner)* **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact: N/A

Recommendation: Approve for first publication.

Background: Property Owner William O. Perez is requesting to rezone the property from C-1 Neighborhood Business to R-4 Multiple Family Dwelling,

ORDINANCE No. 1665

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ALAMOGORDO, CHANGING THE CLASSIFICATION OF CERTAIN PROPERTY COMMONLY KNOWN AS 1004 E. 9TH STREET FROM THE PRESENT DESIGNATION AND ZONING DISTRICT C-1 NEIGHBORHOOD BUSINESS TO R-4 MULTIPLE-FAMILY DWELLING ZONING DISTRICT, WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF ALAMOGORDO, OTERO COUNTY, NEW MEXICO.

WHEREAS, William O. Perez (hereinafter referred to as "the Owner") is the owner of certain real property legally described below (herein after referred to as "the Property") located within the corporate boundaries of the City of Alamogordo, New Mexico, (hereinafter referred to as "the City"); and

LEGAL DESCRIPTION

ALAMO BLOCKS, LOT 10, PT OF BLOCK 125

WHEREAS, an application has been filed in the Owner's name under Case No.

Z-2022-0004(A) to change the zoning of the Property, and

WHEREAS, the City Commission, after notice and hearing, finds and determines that the application for the re-zoning of the Property is in the public interest and is consistent with proper development of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION, THAT the zoning of the Property, which is more fully described below:

ALAMO BLOCKS, LOT 10, PT OF BLOCK 125

Is hereby changed from C-1 Neighborhood Business Zoning District to R-4 Multiple-Family Zoning District, and the official zoning map and comprehensive plan of the City are hereby amended to reflect this change.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2022.

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

By: _____
Susan Payne Mayor

ATTEST:

Rachel Hughs, City Clerk

APPROVED AS TO FORM:

Ashley Smith, City Attorney



City of Alamogordo

City Commission



Z-2022-0004(A)

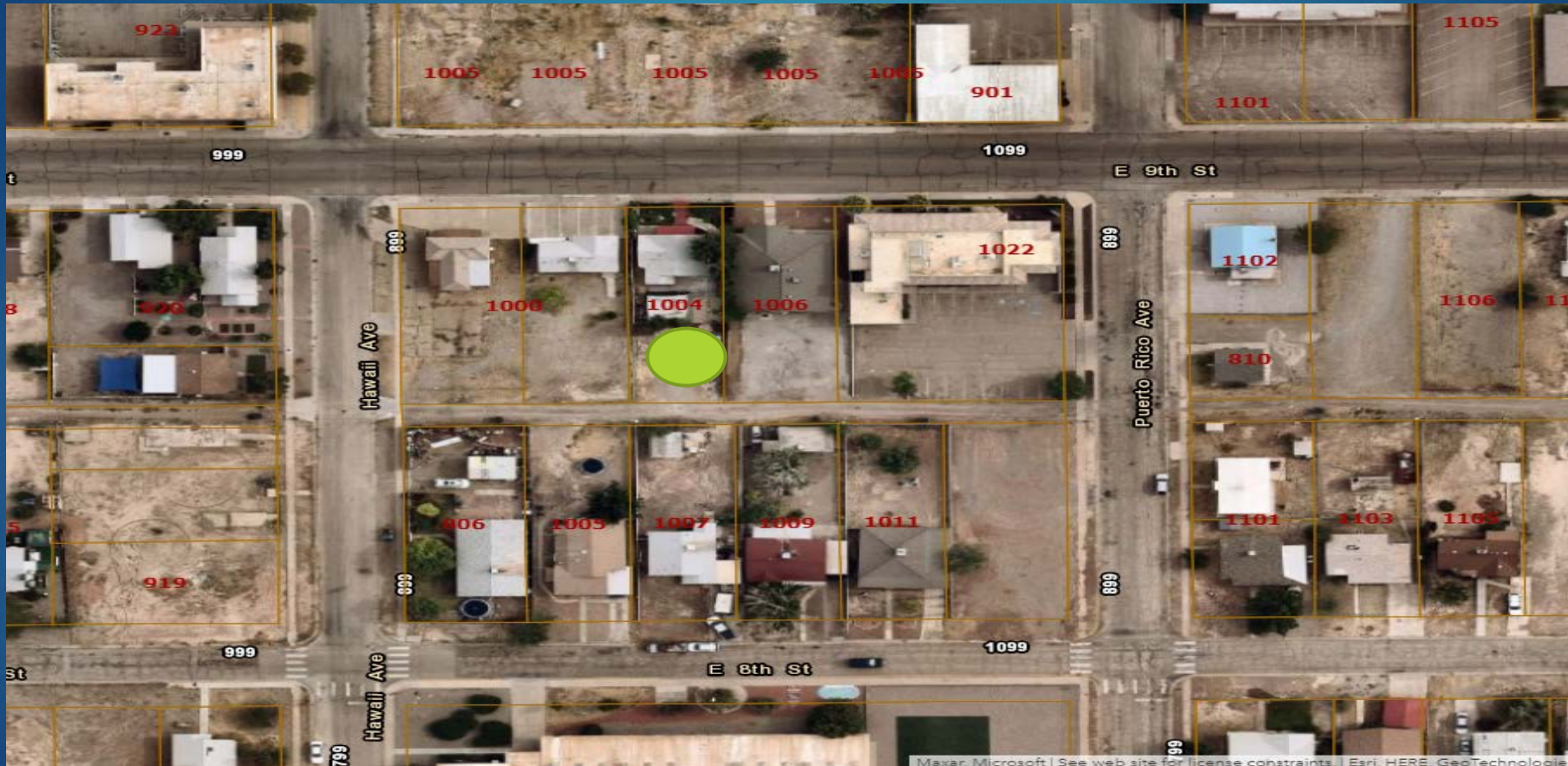
Stella Rael, City Planner
November 15, 2022

2

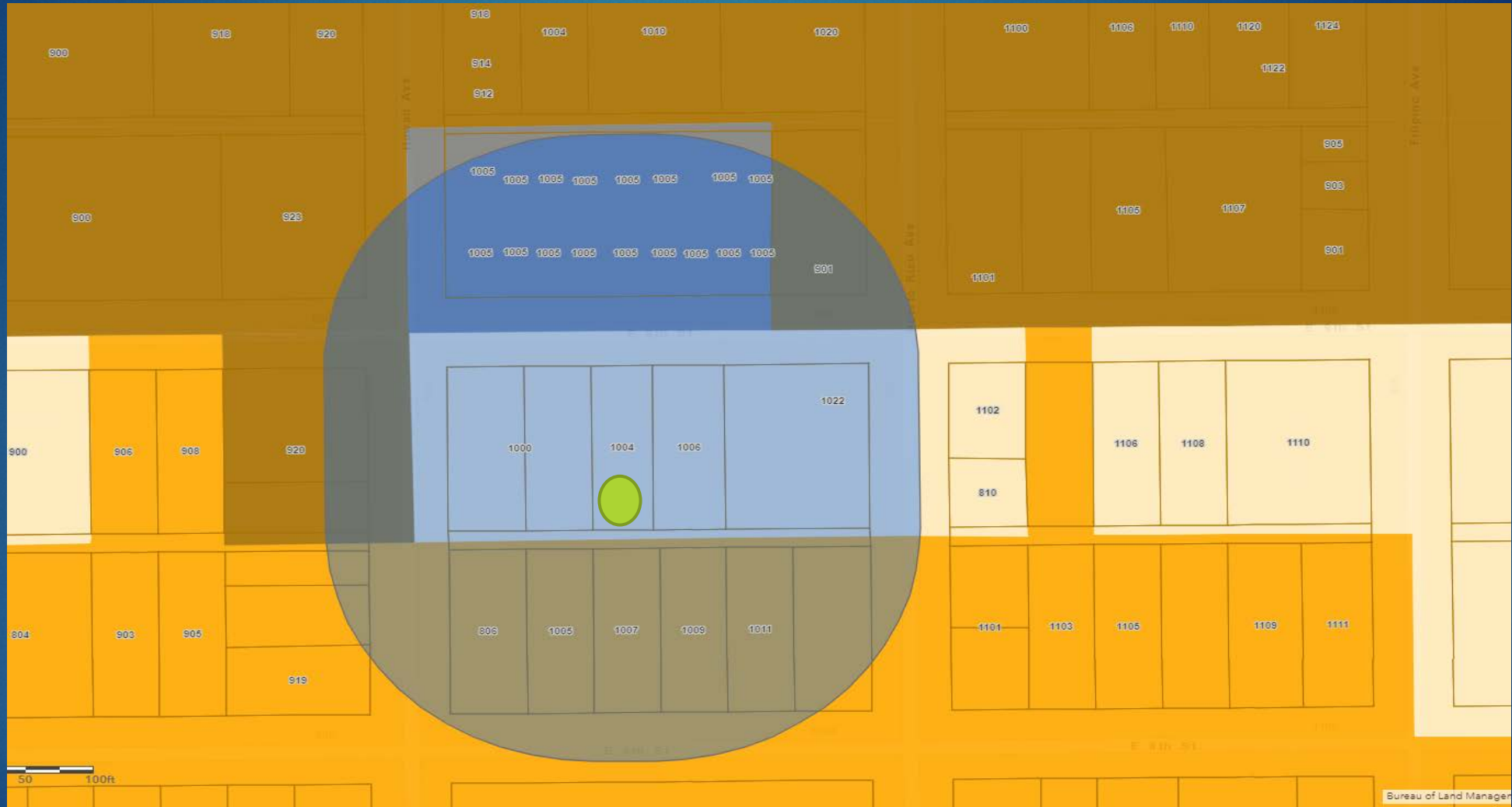


Aerial Map

3



4



Zoning Request Case: Z-2022-0004(A)

Request:

The property owner is requesting for a map amendment to change the zoning of the property located 1004 E. 9th Street from C-1 Neighborhood Business District to R-4 Multiple-Family Dwelling Zoning District

William O. Perez

1104 E. 9th Street

Alamogordo, NM 88310

Findings of Fact

- ▶1. The application was filed and all fees were paid.
- ▶2. Legal ad was placed in the Alamogordo Daily News
- ▶3. Fourteen(14) letters were mailed by certified/returned receipt mail to all property owners of record within two hundred (200) feet from the property excluding public right-of-way, of the property.
- ▶4. As of October 28, 2022, there have been no letters returned undeliverable and I have not received any letters or phone calls of opposition.

Z-2022-0004(A)

7

- ▶ 7. Staff recommends approval.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 11/15/2022

Report Date: 11/08/2022

Report No: 11.

Submitted By: Stephanie Brusuelas

Subject: Consider, and act upon, Resolution 2022-48 authorizing the release of liens that are outside of the 4 year statute of limitations. (*Ashley Smith, City Attorney*) **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact: \$34,616.01

Recommendation: Approve Resolution

Background: This resolution authorizes the release of \$34,616.01 of liens that are uncollectable due to the 4 year statute of limitations. The City Attorney's office is still attempting to collect liens that are within the statute of limitations and has had some success with our collection efforts.

RESOLUTION NO. 2022-48

**AUTHORIZING THE REALEASE OF CERTAIN LIENS THAT FALL OUTSIDE
STATUTE OF LIMITATIONS**

WHEREAS, the City of Alamogordo, New Mexico places liens for unpaid water bills and weed abatement, and;

WHEREAS, the City of Alamogordo, New Mexico, has a four (4) year statute of limitations on all Municipal Liens pursuant to New Mexico law;

NOW, THEREFORE BE IT RESOLVED by the City Commission of the City of Alamogordo, New Mexico that the attached liens shall be released as they are outside of the statute of limitations:

DONE this ____ day of _____, 2022.

CITY OF ALAMOGORDO, NEW MEXICO
A New Mexico municipal corporation

By: _____
Susan L Payne, Mayor

ATTEST:

APPROVED AS TO FORM:

Rachel Hughs, City Clerk

Ashley Smith, City Attorney

Liens to be Released
November 15, 2022City Commission Meeting

Name	Address	Amount	Date filed	Type
Lester and Baraba Ann Robinson	1113 Catalina Ln.	\$ 1,128.11	2/5/2018	weed
Charles & Janice Fender	704 Panorama	\$ 463.26	4/16/2018	weed
Seedorf & Zajac	118 New York Ave.	\$ 496.57	4/16/2018	weed
Roy C 7 Tammy G. Walker	914 Brooks Ave.	\$ 456.17	4/16/2018	weed
Andrew T & Amy Fiedler	3419 Sequoia Loop	\$ 266.32	5/1/2018	water
Marjorie Seedorf & Micheal Zaja	118 N. New York Ave.	\$ 393.22	5/1/2018	water
Diane Hansen & Chadwick Luque	205 Ascot Parade	\$ 265.93	5/1/2018	water
Edward Summers	1105 Madison	\$ 250.47	5/1/2018	water
George & James Contreras, Mary	1105 Ridgecrest	\$ 292.73	7/6/2018	water
Patrick K & Shuko Ruble	325 Robert H. Bradley	\$ 266.72	7/6/2019	water
Kern Family Trust c/o Charles Ke	1509 Jefferson	\$ 250.16	7/6/2018	water
Getrude Sailer	1507 Rockwood	\$ 24,688.08	7/6/2018	Demo
Rose A. Stacy	1306 Scenic	\$ 720.94	7/6/2018	weed
Rose A. Stacy	1308 Scenic	\$ 635.36	7/6/2018	weed
Jeffrey A & Terre Kim Crain	1108 Airport	\$ 562.11	7/6/2018	weed
Josephine Silvie Adams	117 Texas Ave.	\$ 359.89	7/6/2018	weed
Doug & Jo Gochenour	412 13th St.	\$ 265.38	7/6/2018	weed
Micheal Freeman	2001 Dewey	\$ 581.54	7/6/2018	weed
KTK Properties NM, LLC	322 Wildwood Dr.	\$ 284.02	8/7/2018	water
Musgrave Living Trust	1051 Mimosa Ave.	\$ 320.38	8/7/2018	water
Linda Paz	1306 Mountain View	\$ 388.21	8/7/2018	water
Michael L. & Erin Baker	1105 Lucky St.	\$ 273.94	8/7/2018	water
Abri Apartment Homes	1625 Aspen Dr. G	\$ 306.25	8/7/2018	water
Barbara A. Pacheco	1001 Cauthen Ln.	\$ 374.41	8/7/2018	water
Douglas M. Wood & Nancy Sum	1600 Indian Wells Rd.	\$ 325.84	8/7/2018	water
		\$ 34,616.01		

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 11/15/2022

Report Date: 11/09/2022

Report No: 12.

Submitted By: Brian Cesar

Subject: Consider, and act upon, canceling the December 20, 2022 regular commission meeting. (*Brian Cesar, City Manager*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Cancel the meeting.

Background:

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 11/15/2022

Report Date: 11/07/2022

Report No: 13.

Submitted By: Dylan Aleshire

Subject: Appointments to Boards and Committees. (*Susan L. Payne, Mayor*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: One application was received. Staff recommends one (1) appointment to the Airport Advisory Board.

Background: Airport Advisory Board

- One (1) upcoming vacancy.
- One (1) application by Jeff Rabon. If re-appointed, this will be his 8th term.

Airport Zoning Board

- Three (3) current vacancies.
- No applications were received.

Senior Volunteer Programs Advisory Council

- Three (3) current vacancies.
- No applications were received.

If anyone is interested in serving on a Board or Committee, you may apply in-person at the City Clerk's office, or online via the City website.

URL Link: <https://ci.alamogordo.nm.us/353/Boards-Committees>

You may check if you live within the city limits by using the online, interactive GIS Alamogordo Public Map on the City website. City limits appear as dotted red lines. URL Link: <https://coa-nm.maps.arcgis.com/home/index.html>

Print

Application to Serve on a Board/Committee - Submission #5448

Date Submitted: 11/5/2022



City of
ALAMOGORDO

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

First Name:*

Jeff

Last Name:*

Rabon

Phone Number:*

5754306171

Email Address:*

jeffrabon@mesaverdeinc.com

Physical Address:*

10 Piedra Rd

City:*

Alamogordo

State:*

NM

Zip Code:*

88310

Is the above address within City Limits?*

- ☐ Yes
☒ No

Mailing Address:*

10 Piedra Rd

City:*

Alamogordo

State:*

NM

Zip Code:*

88310

Present Employer:*

Mesa Verde Enterprises

Job Title:

owner

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

Airport Advisory Board ▼

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

-- Select One -- ▼

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

- ☐ Yes
☒ No

If so, what is their relation to you?

Are you related to an Elected Official of the City of Alamogordo?*

- ☐ Yes
☒ No

Is so, what is their relation to you?

Experience and education relating to the Board/Committee:*

Private pilot. Member of this Board for over 10 years

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

Continue with the development and success of the White Sands Regional Airport. We have had success with the Runway extension completion, keeping our USFS tanker base viable with next generation aircraft. More work to be done!