



Alamogordo City Commission

NOTICE OF MEETING

Regular Meeting Agenda

February 14, 2023 - 6:30 PM

Donald E. Carroll City 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. Mayor's Commendation to Trenton Odom. (Susan Payne, Mayor)
2. State of the City Address. (Susan Payne, Mayor)

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 January 24, 2023, Regular Commission meeting. *(Rachel Hughs, City Clerk)*
4. Consider, and act upon, the adoption and final publication of Ordinance 1666 repealing Chapter 23, Article 23-02 Lodgers Tax, and Chapter 2, Article 4-80 thru 4-110 relating to the Promotions Board. *(Stephanie Hernandez, Assistant City Manager, and Evelyn Huff, Finance Director)* **(Roll Call Vote Required)**
5. Consider, and act upon, the adoption and final publication of Ordinance 1667 Case Z-2022-0005(A), a map amendment to change the zoning of the property located at 1408 Black Street from R-1 Single Family Dwelling to M-2 Industrial District. *(Stella Rael, City Planner)* **(Roll Call Vote Required)**
6. Consider, and act upon, the adoption and final publication of Ordinance No. 1668 repealing Sections 24-13-010 and 24-13-020 of Chapter 24 of the Code of Ordinances relating to Resident and Mobility Disabled Parking only. *(Nancy Beshaler, Public Works Director)* **(Roll Call Vote Required)**
7. Consider, and act upon, the adoption and final publication of Ordinance 1669 Case Z-2022-0006(A), a map amendment to change the zoning of the property located at 1218 Michigan Ave. from R-3 Two Family Dwelling District to R-4 Multiple Family Dwelling District. *(Sean McGranaghan, Assistant City Planner)* **(Roll Call Vote Required)**
8. Consider, and act upon, the adoption and final publication of Ordinance 1670 Case Z-2022-0007(A), a map amendment to change the zoning of the property located at 2500 N Florida Ave from R-1 Single Family Dwelling District to R-4 Multi-Family Dwelling District. *(Sean McGranaghan, Assistant City Planner)* **(Roll Call Vote Required)**
9. Consider, and act upon, the Investment Report for the quarter ending December 31, 2022, in accordance with the City of Alamogordo Investment Ordinance. *(Sue Ashe, Accounting Manager)*
10. Consider, and act upon, Resolution 2023-10 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 February 14, 2023. *(Evelyn Huff, Finance Director)* **(Roll Call Vote Required)**
11. Consider, and act upon, the award of IFB 2023-01 1" Base Course to RD Blankenship Dirt Work in the amount of \$91,828.95. *(David Nunnelley, Utilities Director)*

ITEMS REMOVED FROM CONSENT AGENDA**NEW BUSINESS**

12. Consider, and act upon, the first publication of Ordinance 1671 Case Z-2023-0001(A), a map amendment to change the zoning of the property located at 451 Michel St. from MH-2 Manufactured Housing Park to MH-1 Manufactured Housing Subdivision. *(Stella Rael, City Planner)* **(Roll Call Vote Required)**
13. Consider, and act upon, the first publication of Ordinance 1672 amending Chapter 32, Article 32-01

concerning the disposition of Real Property. *(Ashley Smith, City Attorney)* **(Roll Call Vote Required)**

14. Consider, and act upon the first publication of Ordinance 1673 amending Chapter 32, Article 32-02 concerning the disposition of Personal Property. *(Ashley Smith, City Attorney)* **(Roll Call Vote Required)**

15. Consider, and act upon, appointing members to serve on the Charter Committee. *(Rachel Hughs, City Clerk)*

ADJOURNMENT

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 2/14/2023

Report Date: 02/10/2023

Report No: 1.

Submitted By: Susan Payne

Subject: Mayor's Commendation to Trenton Odom. (*Susan Payne, Mayor*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background:

The Mayor's commendation is to acknowledge the achievements Trenton Odom has achieved in becoming an Eagle Scout.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 2/14/2023

Report Date: 02/10/2023

Report No: 2.

Submitted By: Susan Payne

Subject: State of the City Address. (*Susan Payne, Mayor*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background:

The Mayor will present the annual state of the city report.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 2/14/2023

Report Date: 01/31/2023

Report No: 3.

Submitted By: Rachel Hughs

Subject: Approve the minutes for the January 24, 2023, Regular Commission meeting. *(Rachel Hughs, City Clerk)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve the minutes.

Background: This is required by the Open Meetings Act.

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 P.M., DONALD E. CARROLL COMMISSION CHAMBERS
January 24, 2023**

**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. Commissioner McDonald was absent. City Clerk Hughs announced there was a quorum present. Invocation was given by Pastor Joe Bryant and the Pledge of Allegiance was led by Commissioner Melton.

APPROVAL OF AGENDA

Mayor Payne said items 1 and 2 were to be switched in order.

**Commissioner Burnett moved to approve the agenda as amended.
Commissioner Melton seconded the motion.
Motion carried with a vote of 6-0-0.**

PRESENTATIONS

1. Swearing in certified Police Officers, Ryan Blanton & Collier Buffington, and swearing in Police Service Aides, Christopher Redden and David Melendrez. (Richard Denton, Chief of Police and Judge Overstreet, Municipal Court Judge)

Police Chief Denton introduced new Certified Police Officers Ryan Blanton and Collier Buffington, and Police Service Aids Christopher Redden and David Melendrez. Judge Overstreet administered the Oath of Office.

2. Reinstalling public benches. (John Davis, Citizen)

Mr. Davis asked the Commission to replace the benches that the City took down. He said he has vertigo and used the benches to keep from falling. He continued that the benches are helpful to a lot of people, especially those with disabilities. He said it might violate the Americans with Disabilities Act not to have the benches, and he did not intend to let the matter drop.

PUBLIC COMMENT

Carol Hernandez said she is 87 years old with COPD and used the benches. Many people use the benches, not just homeless people or the undesirable. She asked the Commission to reconsider placing the benches.

CITY MANAGER'S REPORT

City Manager Cesar made the following remarks:

1. He reminded the Commission that by February 7th the city charter nominations need to be given to the City Clerk so that her staff could make sure the nominees meet the criteria. There is only one nominee so far.
2. He said the benches were not City benches; they were private benches. The City entered into a contract with the owner of the benches, and that contract has since expired. The only part of benches regulated by ADA regulations is that they are required to be placed in the following facilities: spaces, elements, and rooms, saunas and steam rooms, dressing, fitting and locker rooms, holding cells, and housing cells. With the ADA regulations, there isn't a requirement for sidewalks. One issue we have had over the years with private benches is that we were in violation of ADA standards because they encroached into the area that needs to be clear for ADA access. The only other requirement is if we have a public meeting area; when benches are supplied, and it is four or more people, like for an amphitheater, 50% of those need to be ADA-compliant. Concerning the disposition of real property, our ordinance was last updated in 1984, and the current state statute that we have to meet is 2018. Later we will bring that portion of the ordinance to you with an update, so we become compliant. In the state statute, the value of municipal utility facilities or real property to be leased or sold in exchange, shall be determined by the appraised value of the municipal utility facilities or real property and not by the value of the lease. An appraisal shall be made by a qualified appraiser and submitted in writing to the governing body. We couldn't just extend a contract that wasn't being met. About three years ago, the State updated the Statute that all municipalities and counties have to follow regarding leases. The days of the \$1 lease for one hundred years are gone. We can't do that anymore. We will bring our ordinance into compliance, which staff has been working on and know about. It is something you are going to hear about when the audit is presented to the Commission. We plan to come forward to Commission to address these because we have several leases and agreements that do not meet the current standard. As those leases become due, or the agreement leases are out-of-compliance for whatever reason, at that point, we will be addressing those and bringing them up to the current standard. We have an existing agreement with Z-Trans to provide public transportation. We have been in contact with them, and their contract will be up in June of this year. We can do an additional one-year extension. We also discussed benches and shelters. Z-Trans is more than willing to come and place these items in the City right-of-way. If there isn't enough room in the City right-of-way, then just like anyone else, they would have to have permission from the private property owner to place their equipment on private property. If it is within City right-of-way and we don't violate the ADA standard for the clearance in the sidewalk area, then they will come in and place those. It will be something that will be discussed as we go through negotiations with them on the upcoming contract. That contract will have to go to Commission for approval. There was an earlier question concerning how Las Cruces does it. Las Cruces has an agreement with an outside entity to provide their public transportation like we do. As part of that agreement, that offsets the cost that the City of Las Cruces has to pay for the public transportation service. Z-Trans broached that topic with the City Management and Commission years ago. At that time, the sitting Commission and City Management did not want to go down that road because there were already all these advertising benches, and they didn't want any more clutter. They did not want advertising on their existing benches for Z-Trans or shelters. They currently do not have and have not had any advertising. The only things you will see at their bus stops are the bus routes and the Z-Trans logo, so you know that is where the bus stops. The larger municipalities are extremely protective of the right-of-way, much more than we are. They have ordinances on the books that prohibit any encroachment, including overhead encroachment, into the public right-of-way; the right-of-way is intended to get people back and forth in the future as cities grow. We have done that in several areas in the City; we have used the public right-of-way to widen roadways. White Sands belongs to the State, but it was widened quite a bit. If you go to North Florida just north of Indian Wells, the City has no more right-of-way there. The same thing happened at Indian Wells, where we used up the right-of-ways as the roads were widened. That will probably not happen throughout the entire City, but the right-of-way is also used for utility extensions and etcetera. He said he thinks that answers all the questions brought up at the last meeting. If not, let him know.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Mayor Payne made the following comments:

She said Commissioner McDonald's mother passed away and gave her condolences to the Roberts family. She also said that former Mayor Donald Carroll's wife, Rose Marie, passed away.

Commissioner Rardin made the following comments:

Concerning the railroad at Indian Wells and Fairgrounds Crossing, from what City Manager Cesar told him, we need agreements with them to pursue it further. He asked the Commission if and how they wanted to do that. City Manager Cesar asked if this would be for this fiscal year's budget or the upcoming fiscal year. Commissioner Rardin asked what are we looking at money-wise. City Manager Cesar said the railroad would start at \$10,000 for them to talk to our engineer and review plans. Then we need to get an engineering firm on board because Union Pacific will want to see plans. Commissioner Rardin asked if it would be thirty to forty percent design. City Manager Cesar said at least that for discussion purposes, but we are probably looking at \$130,000 to \$150,000. Commissioner Rardin said we have time; we probably wouldn't be able to get it in until next year's budget meeting. City Manager Cesar said if it was this fiscal year, at a staff level, we would bring that back in a budget resolution, maybe at the first Commission Meeting in February or later as part of the proposed budget for the next fiscal year. We typically don't start those projects until we have an approved budget from DFA. Nothing would start in the new fiscal year until after the first week in September. Mayor Payne asked even if we had that thirty to forty percent design and got nowhere with that, could it be used in the future? City Manager Cesar said it could be, but there would need to be updates as the standards change. Assuming Commission wants to move forward with this, we would need to reach out to NMDOT because White Sands is a State road, not a City road. Mayor Payne said she was open to this. Commission Melton said it was worth exploring. City Manager Cesar asked when they wanted this. The Commission indicated they wished to revisit this for the next fiscal year.

Commissioner Rardin said that the pothole on La Velle Road was better.

CONSENT AGENDA

3. Approve the minutes for the January 10, 2023, Regular Commission meeting. (Rachel Hughes, City Clerk)

4. Consider, and act upon, the award of IFB 2022-10 Internally Illuminated Street Name Signs to Trastar, Inc. in the amount of \$125,792.00. (Paul Bennett, Facility Maintenance Manager)

5. Consider, and act upon, Resolution No. 2023-04 to adopt the required Community Development Block Grant (CDBG) Annual Certifications and Commitments. (Debbie Osborne, Grant Coordinator) (Roll call vote required)

6. Consider, and act upon, Resolution 2023-05 relating to a rate increase of 3.50% effective February 1, 2023, for residential solid waste collection through Southwest Disposal. (Evelyn Huff, Finance Director) (Roll Call Vote Required)

7. Consider, and act upon, Resolution 2023-06 to adopt the required Public Housing Flat Rent Schedule effective January 1, 2023. (Evelyn Huff, Finance Director and Chris Herbert, Eastern Regional Housing Authority) (Roll Call Vote Required)

8. Consider, and act upon, Resolution 2023-07 to adopt the Revised Annual Plan for the City of Alamogordo Housing Authority. (Evelyn Huff, Finance Director and Chris Herbert, Eastern Regional Housing Authority) (Roll Call Vote Required)

9. Consider, and act upon, Resolution 2023-08 to adopt the Revised 5-Year Plan for the City of Alamogordo Housing Authority. (Evelyn Huff, Finance Director and Chris Herbert, Eastern Regional Housing Authority) (Roll Call Vote Required)

10. Consider, and act upon, Resolution 2023-09 to adopt the 5-Year Action Plan and Certification for the City of Alamogordo Housing Authority. (Evelyn Huff, Finance Director and Chris Herbert, Eastern Regional Housing Authority) (Roll Call Vote Required)

Commissioner Melton removed item 8 from the Consent Agenda.

Commissioner Rardin moved to approve the Consent Agenda as amended.

Mayor Pro-Tem Wright seconded the motion.

Roll Call Vote was taken.

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

ITEMS REMOVED FROM CONSENT AGENDA

8. Consider, and act upon, Resolution 2023-07 to adopt the Revised Annual Plan for the City of Alamogordo Housing Authority. (Evelyn Huff, Finance Director and Chris Herbert, Eastern Regional Housing Authority) (Roll Call Vote Required)

Commissioner Melton said on their packet, on page fifty-six, there is a line item requiring all contracts to use affirmative action to award them to minority-owned businesses. He said he knew that our contracts needed to be qualification based. He asked if we were legally required to have that, what it would look like, and what type of contracts. Chris Herbert said the language was included due to the requirements of the HUD Action Plan. These Federal programs are required to have that language. However, we also operate according to State procurement, so qualification folks at work are set out as well. It includes both. Commissioner Melton asked if there was a contradiction between our Code of Ordinances and this. Finance Director Huff said no, this is fully Federal money, so the Federal guidelines take precedence over the ordinances, even if we had something that contradicted this. Commissioner Melton said that none of these contracts are City money. Finance Director Huff said correct. The Housing Authority is under a management agreement with the Eastern Regional Housing Authority and will be moving there, so they are not under City Management right now.

Commissioner Rardin moved to approve.

Commissioner Burnett seconded the motion.

Roll Call Vote was taken.

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

NEW BUSINESS

11. Consider and act upon the first publication of Ordinance 1666 repealing Chapter 23, Article 23-02 Lodgers Tax, and Chapter 2, Article 4-80 thru 4-110 relating to the Promotions Board. (Stephanie Hernandez, Assistant City Manager) (Roll Call Vote Required)

Marianne Schweers commented on the following:

She said she disagrees with the decision to do away with the Lodger's Tax and the dedicated position to promote and market Alamogordo and then give those duties to Departments that are already very busy. What usually happens, if that is not your main focus, is it will fall by the wayside. She said she did not think that Alamogordo could afford to do that.

Nate Mandalia commented on the following:

He said City Manager Cesar spoke to them earlier at the Promotions Board Meeting. He said they have legitimate concerns about the proposal, the Lodger's Tax, how it is dedicated, and the potential solution for this issue. His concern is that tourism will go by the wayside. If we don't have tourism, we will lose many jobs and our community's best people. At the Board's last meeting, he said he didn't hear a plan to solve the issue if the Lodger's Tax was repealed. He said it is difficult to stomach the idea of promoting a tax that is designed to promote our community. We claim to be the gateway to White Sands, but this transient tax promotes many of our activities and outdoor recreation. He said he has documents presenting clear plans to many agencies over the years and has been on the Board since 2018. There are concerns from new hotels in the community if we pull our support for tourism. They employ hundreds of people and have lots of financial responsibility. If you drive down White Sands today, you see every hotel of significance investing heavily in our community. Hundreds of thousands of dollars from his property this year alone. He said he is a capitalist and would like to put more money in their pockets, as there is a slim margin in what we do, but not at the cost of losing untapped potential in Alamogordo. He said he would love to see an actual plan; they shouldn't be pulling this without a plan to replace it. He said he could demonstrate his plans if the Commission would like to see them and email them to anyone that submitted to the Commission in the past. He said the question is, what are the analytics, and did you measure them?

Assistant City Manager Hernandez said the Lodger's Tax is a 5% tax on anybody who rents here in the City of Alamogordo. It is split between 40% to Fund 16, advertising and promotions, and 60% to Fund 20, civic center and special events operations. Over the past three years, she was over the promotion fund, and Finance Director Huff and herself looked at the expenses. What concerned them was that when someone received the revenue, they had to spend it within two years or give it back to the State. That has cost wasteful spending. We are not getting rid of tourism. We are just going to refocus our tourism efforts and get rid of the tax. Getting rid of this tax allows more flexibility for the Lodging Industry. They can charge a lower price than Las Cruces or Ruidoso, or they can charge a service fee and keep that money, or they can invest it into their own advertising or whatever else they need. We felt that it was in everyone's best interest because of the restrictions on the funds. We have a plan; we plan to do the New Mexico Cooperative Grant, which is a 2:1 match. Last year we got about \$300,000, so we spent about \$100,000, giving us \$200,000. That is a really good grant. It has all the digital, print, and micro-influencers. Everything is built into it to where we will still be advertising the City of Alamogordo; we just won't be getting it from the patrons that stay here in Alamogordo. Regarding the part that supports the Civic Center, we will pull that into the General Fund. It is a City building for City citizens, so City funds best support it. We don't feel we can be good stewards of this tax because it has just been wasted. We have a full room of stuff that was bought because we could. We believe in the advertising of Alamogordo and support that. We have a great community, and we want people to come here. It needs to be scaled down to where the money isn't being wasteful, and we have a better handle on it. We had one person doing marketing, communications, and tourism; it was all done by one person. Now we have one individual for each of those, so there is going to be a better focus on communications out to the public and better marketing. Bailey is out there working on the videos, and she is marketing Alamogordo. Then we have the Tourism piece that Evelyn and I have been working on. Staff recommends repealing this.

Mayor Payne said if she reads this right, we end up with about \$300,000 a year from the Lodger's Tax. Assistant City Manager Hernandez said about half a million, and it fluctuates. If you get rid of that year

where we had Operation Allies Welcome, that year was extremely high, so take that out. The average over five years was \$580,000. Of that, about \$220,000 goes to Promotions, with the rest going to the Civic Center. Mayor Payne said it sounds like you have a plan to replace that money. Assistant City Manager Hernandez said yes, a lot of that \$220,000 was done for travel and buying things. We did a lot of advertising, but most of it fell under the Co-Op Grant, which we still intend to go after. That grant came out today, and Finance Director Huff and I were working on the survey. We will also provide some type of video for businesses to submit their photos or their type of advertising, as opposed to having a select few in the magazines. Mayor Payne asked if we knew where we were advertising now. She knew there was New Mexico Magazine. Assistant City Manager Hernandez said we have New Mexico Magazine, the Grand Canyon Magazine, Youtube, West Texas Digital, Texas Monthly, and Instagram. Mayor Payne said we are tracking that. Are you planning on changing that, or do we have a way to know what works and what does not? Finance Director Huff said when you go to DFA, and they train you on the Lodger's Tax, they give you four questions to answer. Those questions are: will the event bring people from out of town, will they stay in motels or other lodging facilities, will they be eating at local restaurants, and will they frequent global sites, stores, and attractions? Those are the four main questions. If you come up with an event that doesn't answer those questions, we can't help you from the Lodger's Tax. What we want to do is move this into the General Fund. The General Fund is very transparent, and this will allow us to have the Tourism program be more accountable to you all because it will be out there as opposed to having to answer those four questions. We have been in a situation a few times where there was something we wanted to support but couldn't because our program was based on the Lodger's Tax. We want to bring that in and do the Co-Op Grant, which has very specific branding concerning New Mexico True. Everything that goes out under the Co-Op Grant has to go through the brand resource hub and be approved. It has very specific words, captions, and a look. The other thing they bring is micro-influencers. We work with a company called Simply Social that hooks us up with influencers that fit our area and allows them to come out and do their social media posts. That is something we need to leverage more. We want to bring that in along with the print media. For those of you that have been on the Commission for a while, you might remember the billboards. At one time, our whole tourism program was billboards. We have scaled that back and gone to print. We need to move harder into social media and partnering with businesses. Moving away from the Lodger's Tax will allow us to move into those areas. Tourism is not going away, and that is not our intention. We want to make it more flexible and transparent. Let the money go back to hotels and let them use it more efficiently. She said she sat down and analyzed the money spent out of Fund 16, the promotions fund, to determine if we see a difference in the Lodger's Tax, and if we could measure the bang for our buck. She said she looked at nine years, and no matter how much we spent in promotions, whether it went up or down, the Lodger's Tax stayed flat until Covid made it take a dip, and then the refugees made it go up. One year we increased expenditures by 8%, and the next year it went up. The next year, it dropped 18%, and the Lodger's Tax went up 8%. She said she did not see a mathematical correlation between what we are doing on the Promotions side and the Lodger's Tax. She said if we remove the Lodger's Tax and let lodging use that how they need to use it, and let us use the General Fund to build a different type of tourism and promotions program, and see how that goes. Mayor Payne said in 2022, several nonprofits received a grant to provide temporary shelters to the homeless. They had to pay that tax too. In that respect, for them, it is a burden. Some other nonprofits and churches also provide hotel rooms. She said she sees both sides and wants to ensure we will still do those promotions and promote our City.

Commissioner Rardin said we could let it go for a few years. If we decide it is not working, we can always repeal Ordinance 1666 and put the Lodger's Tax back in place, correct? Finance Director Huff said correct. Commissioner Rardin asked when these hotels collect this, who do they remit it to, and do they give it to the State? Finance Director Huff said they remit it directly to the City. Commissioner Rardin asked if we don't spend it within two years, we have to give it back to the State? Finance Director Huff said yes. Commissioner Rardin said he didn't care for that; the State had nothing to do

with collecting it. Assistant City Manager Hernandez said that is why it was wasteful. Commissioner Rardin said yes because we are forced to spend it or give it away. We should try this for a couple of years and see what happens. It is a 5% tax decrease for our local businesses. Mayor Payne said maybe we could try it for six months to a year, and then you can come back and give us an idea of how it is going. Assistant City Manager Hernandez said that the NM Co-Op Grant would be the first check of what we are going out and getting; print, digital, social media, all of that. You will probably see that in May. That is when they let us know what we received from the grant. We will be coming to you more, especially if we see something isn't working and we need to adjust the budget. Commissioner Burnett asked if the grants covered the money we would have received with the Lodger's Tax. Assistant City Manager Hernandez said the grant would be a 2:1 match. Digital and social media have become much cheaper compared to billboards and prints. As Finance Director Huff said earlier, we are trying to move towards that part of the industry so that the matching money will go further for us. Commissioner Burnett asked if there were limitations on what they could spend that money on. Assistant City Manager Hernandez said they would have to apply and put what we wanted in there, and then we would be stuck with what we wanted. We will have to put some planning into how we are going to advertise. Finance Director Huff said that is for the New Mexico Co-Op Grant. If we are going to come into the budget and ask for General Fund money, there is going to be fewer limitations. We can ask for money to help local organizations advertise their events. Before with the Lodger's Tax money, it had to be for something that would draw somebody in. Whereas now, if it is something we can help with locally, we can help and not have to worry about the Lodger's Tax and bringing people in from the outside. Commissioner Burnette said he has heard from people commenting on the Lodger's Tax money concerning where it can help the community. Assistant City Manager Hernandez said usage is very specific with the Lodger's Tax. There used to be many events here. We want more sporting events for softball, baseball, soccer, swimming, and more. That will help bring local communities out for these tournaments. You can only use the Lodger's Tax for t-shirts, bottles, and advertising Alamogordo in a very specific manner. She said it is just too restrictive. We want to promote Alamogordo overall and help the local community. She said that City Manager Cesar is very big on quality, not quantity, and that is what we are trying to bring in while letting people know that Alamogordo is a great place to stay.

Commissioner Burnett asked if the Balloon Festival was affected by the Lodger's Tax. Assistant City Manager Hernandez said it wasn't. She said she gave former Public Information Officer Brideaux the paperwork because that and the Gus Macker were very specific events. It would have given them the money to help promote Alamogordo. However, she thought it was too cumbersome for them to apply for it, so we never got it for either the Balloon Festival or Gus Macker. Mayor Payor said then it was something they could apply for. Assistant City Manager Hernandez said yes, but the Lodger's Tax is very restrictive with a lot of paperwork, unlike the General Fund, where it will be much easier for us. Commissioner Rardin asked that if we keep this in place, is it possible to reallocate the money for other purposes? Assistant City Manager Hernandez asked for an example of other purposes. Commissioner Rardin said a convention center. Assistant City Manager Hernandez said the 60% could be used for a convention center, but it has to be used within two years. Commissioner Rardin said so we couldn't let it sit there and build up. Assistant City Manager Hernandez said no. City Manager Cesar said if you remember the 2008 money, we pledged that revenue, about a \$15 million loan. It would have to be something like that. Commissioner Rardin said we could pledge it to a bond or loan or something as a payback source. Finance Director Huff said yes, you could use it towards service like that. She said she didn't think our bonding capacity would get high enough to get that large of a bond because our average is close to \$600,000 yearly. There would be limitations to how much of a bond we could get. Commissioner Melton said he knew there were comments that this was a transient tax, but he didn't think that was fair. If your pipe bursts or your house floods, you will stay in a hotel, so this is a tax on Alamogordo residents. We shouldn't even be considering what-ifs or trial periods. If there is an opportunity to cut a tax, we have an obligation to cut it. He said he wanted to give accolades

to the City because it is rare for them to initiate a tough decision like this. Usually, an elected official would initiate it. He said he is all for this and thinks we should go forward. Mayor Payne said she felt confident in the plan going forward; it makes more sense because it is less restrictive. Commissioner Rardin said if we pass this tonight and then decide it is not working in two or three years, we can always reimplement the tax. Commissioner Paul asked if we would maintain the same level of spending that we have been getting from the Lodger's Tax. Assistant City Manager Hernandez said we would be able to get what we need without buying stuff that is not needed. We have to spend \$220,000, but it is not all for promoting Alamogordo. There is a lot of other stuff. Commissioner Paul asked how much, on average, goes towards physical, tangible items versus Alamogordo's actual advertising and marketing. Finance Director Huff said that in 2022, we spent about \$36,000 on salaries and benefits. Under this plan, salaries and benefits are already allocated, so we are not spending additional money. We spent \$4,700 on travel and \$132,000 on advertising. The biggest chunk went to New Mexico Tourism as our match for the Co-Op Grant. Then we spent \$9,215 on printing, then another \$15,000 on promotional. That was a lower number for promotional. In some of the previous years, we have been closer to \$6,000, but we have a lot of stuff. We don't need to buy any more stuff for a while. There are some other smaller things, like cell phones and \$70 on office supplies. She said as a person who does budget and presents the budget, her idea is to have about the same amount of spending, but she thinks that we will be able to make that money go further. At this point, she would like a new position, but there are some things she needs to get off the ground before it is worth asking for a tourism position. We can take about the same amount of money and make it go further, partially because we have inventory right now. She said she had to move the boxes again today, so she knows we have fifteen boxes of stuff. We have some stuff that we can use to help start some other programs. Commissioner Paul asked for the timetable for someone in that Promotions and Tourism position. Finance Director Huff said because we are in the budget process now, she did not request a new budget or a new person for this budget cycle. Her thought would be to request it in the next budget cycle. By then our new software will be implemented, and it is possible the new software could decrease somebody's job duties. If somebody could work on that, then maybe we can do something there. If that is not the case, then she would request it in the next budget cycle, and we would have the framework of the plan and something they work off. City Manager Cesar said there is nothing that is saying that can't happen sooner. New positions could come before you in the new fiscal year as part of budget resolutions. Finance Director Huff said some frameworks that could be extremely promising have been done, but they just haven't been fleshed out. If we get those fleshed out, then we would do the same thing that we have each Department do. We would come to you, give the presentation, talk about the position, and you all approve it or not. City Manager Cesar said the important thing between now and that point, whether or not this passes tonight, is everything that we did today and yesterday, we are doing tomorrow. What changes is where the funding comes from and how can staff, with Commission approval, use those funds. The question is does the Lodger's Tax go away, and that goes back to the businesses that collect and submit that money to the City.

Commissioner Rardin moved to approve.

Commissioner Melton seconded the motion.

Roll Call Vote was taken.

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

12. Discussion on Industrial Revenue Bonds and other requests by Valencia Real Estate Group. (Brian Cesar, City Manager and Stephanie Hernandez, Assistant City Manager)

Assistant City Manager Hernandez said that Valencia Real Estate Group reached out through the Chamber and made some requests of the City. Specifically, they asked for Industrial Revenue Bonds, IRBs. With an IRB, the municipality issues the bond, and so we are now holders of the project, and that is how they get the property tax abatement. She reviewed the ordinances and statutes, and six

categories qualify, but she couldn't find that this project qualifies. However, we reached out to the local Economic Development Board of the State. They received the information we had, and they said, "If the facility is wholly and solely a residential housing using apartments for rent or sale, it will not qualify for an IRB. If the facility is a long-time care facility with units for rent, it will qualify for an IRB." This project is just for an apartment complex at market, not low-income. After that, we reached out to our bond people, and they knew the lawyer Mr. Valencia was working with. They asked the lawyer about their intentions. After Chris Muirhead, our Bond Council, spoke with their lawyer, they also agreed that this wouldn't qualify for an IRB. It doesn't fall under those categories, is not a 501(c)3, and doesn't meet the manufacturing requirements. We are just bringing this to you as information. City Manager Cesar said Mr. Valencia had several other requests outside the industrial revenue bonds. If Commission wants to consider them, all three requests would require an ordinance change. The first item he asked the City to provide was the sidewalks required in any development; he would like the City of Alamogordo to install and pay for those sidewalks. Right now, the property owner is responsible for installing and maintaining sidewalks in front of their properties. The second item was for the City to perform and pay for the utility line extensions from our main lines into the property. That is not something the City does; the developer or the property owner bears that cost. The third item he requested was that once improvements have been made, the City takes over ownership and maintenance of the water and sewer lines inside the complex. He said he let Mr. Valencia know that these requests would be brought before Commission. If the Commission would like staff to pursue any of this, we are more than willing to do it.

Commissioner Melton asked if there were legal implications if we were to do the sidewalks, for instance. City Manager Cesar said that, in a nutshell, the sidewalk installation and maintenance responsibility is for the property owner. It would be for the developer when they do the initial developments, but once those pieces of property have changed hands, now that section of sidewalk becomes yours to maintain, or if it wasn't installed, for you to install. If we go and install it for Mr. Valencia, we need to repeal or drastically change the ordinance. Then the question becomes, this was a private development; now with the next development that comes in, do the taxpayers of Alamogordo pay for that subdivision or a future subdivision? What about the areas in the City where the sidewalks were never completed? It opens up a can of worms. If that was a direction that the Commission wanted to pursue, then from a staff level, sidewalks would become the City's responsibility. That is a huge responsibility and burden placed on not only staff, but on the citizens of Alamogordo to now pay for everything that may not have been maintained or even installed and any future installations. Mayor Payne asked what would happen if a pipe burst or the sidewalk caved in. City Manager Cesar said that if there is a failure on a City-owned portion of a utility, then yes, the City of Alamogordo will pay for the replacement and repair. If it is the City's fault or problem, we cover it. Mayor Payne said if it was the property owner's fault, and the sidewalk was damaged, we could be paying a lot of money by this logic. City Manager Cesar said yes, that would now be on the City of Alamogordo. Commissioner Rardin said it doesn't sound like anyone is in favor of doing this. Every subdivision in Alamogordo will come to us and say, "Hey, you did it for him; now you got to do it for us." City Manager Cesar said what passing an Industrial Revenue Bond does for the recipient is all the taxes are waived. Commissioner Rardin said that if they default, who does it fall back on? Assistant City Manager Hernandez said the City, because we are the owner of the project. Commissioner Rardin said we don't want that liability. City Manager Cesar said that in state statute, in the City, you can waive all or a portion of the City's overall property tax on the operational portion. Assistant City Manager Hernandez said yes, a Community Development Incentive Act allows municipalities and counties to waive their portion of the property's taxes that is not tied to debt service. For the City of Alamogordo, it would be 5.156% that we could waive of our property taxes. That has to be put on the books as an ordinance resolution, but they could do it. The County could do it as well, but they would have to pass their own. Mayor Payne said that would only be until the project is completed. Assistant City Manager Hernandez said it could go up to twenty years. City Manager Cesar said what Assistant City Manager Hernandez

said was not necessarily specific to this project. Still, if this is something that Commission is interested in, we would bring this forward as a new ordinance so that it wouldn't be just available for Mr. Valencia. This would meet the standards and procedures approved in the Commission's ordinance. That would now open and make other projects for other developers available if they meet certain criteria. Assistant City Manager Hernandez said that if we pass this as an ordinance, the Community Development Incentive Act, developers or whoever came, we would have to bring that specific project to you as a resolution. Mayor Payne said so we couldn't do it like a blanket. Assistant City Manager Hernandez said if you put it in the ordinance, you could. You could give the City Manager approval. City Manager Cesar said he would suggest that if you wanted to go down that road, do it specifically to the project, and then there would be certain criteria. You don't want to waive all property tax. Mayor Payne said she wouldn't want to do it for twenty years, but it may be something to be considered. Commissioner Rardin said something like that would take a year or more to construct. Waiving property tax for a year is not much of a benefit. City Manager Cesar said from his understanding, there are taxes that they pay right now on the vacant property, which are relatively low until the improvements are completed. Then the property tax is going to hike. Assistant City Manager Hernandez said she thinks this is why they encourage projects up to twenty years. Mayor Payne said it would be nice if we could offer an incentive to developers because we have a serious rental housing shortage. She asked if Chris Muirhead and their attorney spoke and agreed and if they didn't think it would work. Assistant City Manager Hernandez said that Chris Muirhead's purpose was to understand what the project was, what they were proposing, and why they felt this could qualify. She said she believed the lawyer said something similar like this was approved in Albuquerque. She said she did some research herself and believed this was in the Sawmill District. The Sawmill District had fifteen apartment units but was a completely different hybrid model where the apartment complex was not the main focus. Mayor Payne said the consensus is that we are not moving forward, right. Commissioner Rardin said the biggest thing is that the City is on the hook if he defaults or decides to leave. Mayor Payne said we have to consider that it would include all the property taxes, not just the City or County portion. She said she felt like we would have gotten pushback.

No action required.

13. Consider, and act upon, the Atari Solar Community Benefits Proposal. (Veronica Ortega, Community Services Director/Hillel Halberstam, SynerGen Solar)

Hillel Halberstam said he is a member of SynerGen Solar and would speak on a brief overview of the company and the proposed community solar project on La Velle Street Landfill. He spoke about SynerGen Solar, similar projects they have done, and the company's history. He presented a site plan for the proposal. He talked about the benefits, such as Level 2 EV charging stations at various City locations, providing a 10% discount on electricity to City facilities, sponsoring a 25-year annual Keep Alamogordo Clean program, and constructing and maintaining a 10-foot-wide pedestrian path around the solar facility. He said Atari Solar would fund these benefits as part of developing the project. Regarding contingencies for our commitment, he said they need to receive an MOU from the City as part of their application with the State. It is a little last minute, but it closes tomorrow because the deadline for them to submit their proposal. To develop this project, they need to be awarded capacity from the State, and the proposals are due on the 31st. We would also need to receive a capacity allocation once we submit our bid. It takes about two months for them to start notifying the applicants if they won an award in the procurement. We need to know if we won that award before moving forward with the project to maintain the commitment to those benefits. The final contingency will be if something stops them from being able to reach commercial operation.

Commissioner Melton asked what the other project locations in New Mexico were. Mr. Halberstam said he had one other in Clovis that was done adjacently to a landfill. Commissioner Melton asked if

that was under development or in operation. Mr. Halberstam said nothing in New Mexico is in operation because the program is relatively new, so there hasn't been an opportunity to do community solar. They just did the Solar Act recently, and the PRC just came out with rules and regulations for the program. It is a brand-new program.

Mayor Payne asked if City staff was in favor of this. City Manager Cesar said there is already an agreement that has been signed contingent upon the State approving the project for the area shown. This is an addition to the packet that gets submitted to the State. The State has a public participation component between the company and the community; that is what this portion is. Staff such as Community Services Director Ortega and Utilities Director Nunnelley and others met with representatives from the company to look at what could be brought to the community, and that is what you have before you tonight. He said he believed he would sign the MOU and the Mayor would sign the letter. That is why it is an action item before you all tonight.

Commissioner Melton asked if the City facilities would take advantage of that discount. City Manager Cesar said he didn't see why we wouldn't. Commissioner Melton asked if it would be a discount compared to what we are currently paying. Community Services Director Ortega said yes. Mr. Halberstam said that it is both supply and distribution that is what is unique about community solar.

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

14. Consider, and act upon, the first publication of Ordinance 1669 Case Z-2022-0006(A), a map amendment to change the zoning of the property located at 1218 Michigan Ave. from R-3 Two Family Dwelling District to R-4 Multiple Family Dwelling District. (Sean McGranaghan, Assistant City Planner) (Roll Call Vote Required)

Assistant City Planner McGranaghan showed the parcel to the Commission and explained that the property owner is requesting R-4 Multi Family Dwelling rezoning. He said he sent 32 letters to property owners within 200 feet of the property. Two letters were returned undeliverable, and he received no letters or phone calls of opposition. A legal ad was placed in the Alamogordo Daily News.

Commissioner Rardin asked if that property currently had a multiplex on it. Assistant City Planner McGranaghan said yes, it is not in the correct zoning. It should be in multi-family zoning, but it is currently in two-family. Commissioner Rardin said from the picture, it looks like there are two structures on there. Assistant City Planner McGranaghan said there are four. Commissioner Rardin asked what the outbuilding was in the back. Property owner Adam Hoydysh said the 1218 unit is comprised of four units. However, three are contiguous in the front, and then there is a detached unit in the back; therefore, four collectively.

**Commissioner Rardin moved to approve.
Commissioner Melton seconded the motion.
Roll Call Vote was taken.
Motion carried with a vote of 6-0-0.**

15. Consider, and act upon, the first publication of Ordinance 1670 Case Z-2022-0007(A), a map amendment to change the zoning of the property located at 2500 N Florida Ave from R-1 Single Family Dwelling District to R-4 Multi-Family Dwelling District. (Sean McGranaghan, Assistant City Planner) (Roll Call Vote Required)

Assistant City Planner McGranaghan showed the parcel to the Commission and explained that the property owner is requesting R-4 Multi Family Dwelling rezoning. He said there is already R-4 zoning in the immediate area, as well as industrial and business zoning. He said there are four apartments on the property, so this is also being brought into compliance with the proper zoning. Twenty-four letters were sent out, and one was returned undeliverable. No phone calls or letters of opposition were received. The application was filed, and all fees were paid; a legal ad was placed in the Alamogordo Daily News.

Mayor Pro-Tem Wright moved to approve.
Commissioner Rardin seconded the motion.
Roll Call Vote was taken.
Motion carried with a vote of 6-0-0.

Commissioner Rardin moved to adjourn at 8:20 p.m.
Mayor Pro-Tem Wright seconded the motion.
Motion carried with a vote of 6-0-0.

ADJOURNMENT

Mayor Susan L. Payne

ATTEST:

City Clerk Rachel Hughs

(Prepared by Dylan Aleshire, Deputy City Clerk)
Approved at the Regular Meeting held on February 14, 2023.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 2/14/2023

Report Date: 02/08/2023

Report No: 4.

Submitted By: Stephanie Hernandez

Subject: Consider, and act upon, the adoption and final publication of Ordinance 1666 repealing Chapter 23, Article 23-02 Lodgers Tax, and Chapter 2, Article 4-80 thru 4-110 relating to the Promotions Board. *(Stephanie Hernandez, Assistant City Manager, and Evelyn Huff, Finance Director)* **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact: Civic Center Operations at the current level- approximately \$300,000.

Recommendation: Adopt the Ordinance.

Background:

The City Commission approved the ordinance for first publication on January 24, 2023, by a vote of 6-0.

The City of Alamogordo Implemented a Tax on Lodging to create a funding source for the advertising and marketing of Alamogordo. The city wishes to eliminate this tax burden on visitors to Alamogordo. The City of Alamogordo Implemented a Tax on Lodging to create a funding source for the advertising and marketing of Alamogordo. The city wishes to eliminate this tax to allow more flexibility for the hotel industry. The current tax rate is 5%.

ORDINANCE NO. 1666

AN ORDINANCE REPEALING CHAPTER 23, ARTICLE 23-02, AND CHAPTER 2, ARTICLE 4-80 THROUGH 4-110 OF THE ALAMOGORDO CODE OF ORDINANCES CONCERNING LODGERS TAX AND THE PROMOTIONS BOARD

WHEREAS, the City Commission of the City of Alamogordo, New Mexico deems it necessary to repeal Chapter 23 Article 23-02 and Chapter 3 Articles 4-80 through 4-110 concerning the Lodgers Tax and Promotions Board.

WHEREAS, the City Commission of the City of Alamogordo, New Mexico recognizes that the hotel industry has faced challenges as a result of the Covid-19 pandemic.

WHEREAS, the City Commission of the City of Alamogordo, New Mexico, has determined that repealing the tax, will allow more flexibility to the hotel industry.

BE IT THEREFORE ORDAINED by the City Commission of the City of Alamogordo, New Mexico, that Chapter 23 Article 23-02 and Chapter 2 Articles 4-80 through 4-110 of the Code of Ordinances are repealed.

~~ARTICLE 23-02 LODGERS TAX~~

~~23-02-010. Short title.~~

~~This article shall be known as and may be cited as "The Lodgers' Tax Ordinance."~~

~~23-02-020. Purpose.~~

~~The purpose of this article is to impose a tax which will be borne by transient persons using commercial lodging accommodations which tax will provide revenues for advertising the community, improving its services, financing new facilities, attracting conferences, conventions and meetings of commercial, cultural, educational and social origin to the city and the state. (Code 1960, § 5-17-2)~~

~~23-02-030. Definitions.~~

~~As used in this article, the following terms shall have the meanings ascribed to them in this section, unless such meanings would be inconsistent with the manifest intent of the city commission, be repugnant to the context of the provisions or the context clearly requires otherwise.~~

~~Gross taxable rent means the total amount of rent paid for lodging.~~

~~Lodging means the transaction of furnishing rooms or other accommodations by a vendor to a vendee who for a rent, uses, possesses or has the right to use or possess any room or rooms or other units of accommodations in or at a taxable premise.~~

~~Lodgings means the rooms or other accommodations furnished by a vendor to a vendee by the taxable service of lodging.~~

~~Occupancy tax means the tax on lodging, authorized by this article.~~

~~Person means a corporation, firm, other body corporate, partnership, association or individual, includes an executor, administrator, trustee, receiver or other representative appointed according to law and acting in a representative capacity, but does not include the United States of America, the state, any corporation, department, instrumentality or agency of the federal government or the state government, or any political subdivision of the state.~~

~~Rent means the consideration received by a vendor in money, credits, property or other consideration valued in money for lodgings subject to an occupancy tax authorized in this article.~~

~~Taxable premises means a hotel, motel or other premises used for lodging that is not the vendee's household or primary residence.~~

~~Temporary lodging means lodgings for the purpose of housing a vendee within proximity of the vendee's employment or job location.~~

~~Tourist means a person who travels for the purpose of business, pleasure or culture to a municipality or county imposing an occupancy tax.~~

~~Tourist-related events means events that are planned for, promoted to and attended by tourists.~~

~~Tourist-related facilities and attractions means facilities and attractions that are intended to be used by or visited by tourists.~~

~~Tourist-related transportation systems means transportation systems that provide transportation for tourists to and from tourist-related facilities and attractions and tourist-related events.~~

~~Vendee means a natural person to whom lodgings are furnished in the exercise of the taxable service of lodging.~~

~~Vendor means a person furnishing lodgings in the exercise of the taxable service of lodging.~~

~~23-02-040. Administration.~~

~~The duties assigned to the city manager in this article may be delegated to the city treasurer or other officials in whole or in part as to the city manager shall appear useful. Duties may be, from time to time, reassigned.~~

~~23-02-050. Imposed.~~

~~There is hereby imposed an occupancy tax on revenues of five (5) percent of gross taxable rent for lodging paid to vendors.~~

~~23-02-060. Exemptions.~~

~~The occupancy tax imposed under the provisions of this article shall not apply:~~

~~(a) — If the vendee:~~

~~(1) — Has been a permanent resident of the taxable premises for a period of at least thirty (30) consecutive days; or~~

~~(2) — Enters into or has entered into a written agreement for lodgings at the taxable premises for a period of at least thirty (30) consecutive days.~~

~~(b) — If the rent paid by a vendee is less than two dollars (\$2.00) a day.~~

~~(c) — To lodging accommodations at institutions of the federal government, the state or any political subdivision thereof.~~

~~(d) — To lodging accommodations at religious, charitable, educational or philanthropic institutions, including without limitation such accommodations at summer camps operated by such institutions.~~

~~(e) — To clinics, hospitals or other medical facilities.~~

(f) — ~~To privately owned and operated convalescent homes or homes for the aged, infirm, indigent or chronically ill.~~

~~23-02-070. Collection of tax.~~

(a) — ~~Every vendor providing lodgings shall collect the tax thereof on behalf of the municipality and shall act as a trustee therefor.~~

(b) — ~~The tax shall be collected from vendees in accordance with this article and shall be charged separately from the rent fixed by the vendor for the lodgings.~~

(c) — ~~On and after May 1, 1970, each vendor licensed under this article shall be liable to the city for the tax provided herein on the rent paid for lodging.~~

~~23-02-071. Vendor's license.~~

(a) — ~~Pursuant to this article, no vendor shall engage in the business of providing lodging in the city who has not first obtained a license as provided in this section.~~

(b) — ~~An applicant for a vendor's license shall submit an application to the city manager stating the following:~~

(1) — ~~The name of the vendor, including identification of any person, as defined in this article, who owns or operates or both a place of lodging and the name or trade names under which the vendor proposes to do business and the post office address thereof.~~

(2) — ~~A description of the facilities, including the number of rooms and the usual schedule of rates thereof.~~

(3) — ~~A description of other facilities provided by the vendor or others to users of the lodgings, such as restaurant, bar, cleaning, laundry, courtesy car, stenographic, tailor or others, and a statement identifying the license issued, to whom issued, the authority issuing, and the period for which issued, if applicable, and the identification number provided by the bureau of revenue to the state.~~

(4) — ~~The nature of the business practices of the vendor and to what extent, if any, his business is exempt from the lodgers' tax.~~

(5) — ~~The information reasonably necessary to effect a determination of eligibility for such license.~~

(c) — ~~The city manager shall review the application for a license within ten (10) days of receipt thereof and shall grant the license in due course if he finds the applicant is doing business subject to the lodgers' tax.~~

(d) — ~~If the city manager finds that the applicant is not qualified to do business subject to the lodgers' tax, he shall, not more than ten (10) days after receipt of the application, advise the applicant of his decision and give the reason therefor. The notice of such action shall be given by registered mail, postage prepaid, addressed to the applicant at the address given on the application and deposited in the post office at the city on the date thereof.~~

(e) — ~~If the city manager finds the applicant not exempt under the terms of this article, he shall, not more than ten (10) days after receipt of the application, advise the applicant of his decision and give the reasons therefor.~~

(f) — ~~An applicant who is dissatisfied with the decision of the city manager may appeal the decision to the city commission by written notice to the city manager of such appeal to be made within fifteen (15) days of the date of the decision of the city manager on the application. The matter shall be referred to the city commission for hearing at a regular or special meeting in the usual course of business. The decision of the city commission made thereon shall be expressed in~~

writing and shall be communicated in the same manner as the decision of the city manager is transmitted. The action of the city commission shall be final.

(g) — If the city commission finds for the applicant, the city manager shall issue the appropriate license or other notice conforming to the decision made by the commission.

~~23-02-072. Revocation of license.~~

(a) — A person is required to obtain a license or registration as provided in this article and has violated any of the sections of this article or any other city ordinance relating thereto or whenever, in the judgment of the city manager, the public welfare shall require it, any license issued to such person by the city may be revoked.

(b) — Such license shall be revoked until the city clerk notifies the holder of the license in writing that the revocation is pending and will become final in thirty (30) days, unless the revocation is stayed by filing a request for a hearing with the city clerk to appeal the decision. The city commission will act as the board for hearing such license hearing appeals. If no appeal request is filed within the 30-day notification period, the revocation decision shall become final.

~~23-02-080. Monthly report.~~

Each vendor shall make a report by the twenty-fifth day of each month on forms provided by the city manager of the receipts for lodging paid to him in the preceding calendar month and shall remit therewith payment of the amounts due to the city under this article. The report shall include sufficient information to enable the city to audit the report, and shall be verified on oath by the vendor.

~~23-02-090. Records.~~

Each vendor shall maintain adequate records of facilities subject to the tax imposed by this article and of proceeds received for the use thereof. Such records shall be maintained in the city and shall be open to the inspection of the city during reasonable hours and shall be retained for three (3) years.

~~23-02-100. Failure to pay tax.~~

If any vendor makes a return as required by this article without paying the tax then due, he shall be liable for the tax and a penalty equal to ten (10) percent thereof, but not less than ten dollars (\$10.00) penalty in addition to the tax, without notice from the city with regard thereto. Promptly thereafter, the city shall give the delinquent vendor written notice of such estimated tax penalty and interest, which notice shall be served personally or by certified mail.

~~23-02-110. Failure to make return.~~

If any vendor neglects or refuses to make a return and pay the tax as required by this article, the city manager shall make an estimate based upon an examination of the vendor's books and records, or upon any information in its possession, or that may come into its possession, of the amount of the rent of the delinquent vendor for the period in respect to which he has failed to make return, and upon the basis of such estimated amount shall compute and assess the tax payable by the delinquent vendor, adding to the sum thus arrived at a penalty equal to ten (10) percent thereof, but not less than ten dollars (\$10.00). Promptly thereafter, the city shall give the delinquent vendor written notice of such estimated tax, penalty and interest, which notice shall be served personally or by certified mail.

~~23-02-120. Delinquent payments.~~

~~If payments are not made by the vendor within fifteen (15) days of the notice provided for in section 23-02-110, the city manager shall bring an action in law or equity in the district court for the collection of any amounts due, including without limitation, penalties thereon, interest on the unpaid principal at a rate of not exceeding one percent a month, the costs of collection and reasonable attorneys' fees incurred in connection therewith.~~

~~23-02-123. Lien for occupancy tax; payment; certificate of liens.~~

~~(a) — The occupancy tax imposed by the city constitutes a lien in favor of the city upon the personal and real property of the vendor providing lodgings in the city. The lien may be enforced as provided in sections 3-36-1 through 3-36-7 NMSA 1978. Priority of the lien shall be determined from the date of filing.~~

~~(b) — Under process or order of court, no person shall sell the property of any vendor without first ascertaining from the clerk or treasurer of the municipality in which the vendor is located the amount of any occupancy tax due the municipality. Any occupancy tax due the city shall be paid from the proceeds of the sale before payment is made to the judgment creditor or any other person with a claim on the sale proceeds.~~

~~(c) — The clerk of the municipality shall furnish to any person applying for such a certificate written evidence showing the amount of all liens in the records of the municipality against any vendor pursuant to chapter 3, article 38 NMSA 1978.~~

~~23-02-124. Penalties.~~

~~The governing body of the municipality shall, by ordinance, provide for penalties by creating a misdemeanor and imposing a fine of not more than five hundred dollars (\$500.00) or imprisonment for not more than ninety (90) days or both for a violation by any person of the provisions of the occupancy tax ordinance for a failure to pay the tax, to remit the proceeds thereof to the municipality or to account properly for any lodging and the tax proceeds pertaining thereto.~~

~~23-02-130. Confidentiality of return.~~

~~It is unlawful for any employee of the city to reveal to any individual other than another employee of the city or the state bureau of revenue any information contained in the return of any taxpayer, except to a court of competent jurisdiction in response to an order thereof in an action relating to taxes to which the city is a party and in which the information sought is material to the inquiry; to the taxpayer himself or to his authorized representative; and in such manner, for statistical purposes, the information revealed is not identified as applicable to any individual taxpayer.~~

~~23-02-140. Refunds and credits.~~

~~If any person believes that he has made payment of any occupancy tax in excess of that to which he was liable, he may claim a refund thereof by directing to the city clerk, not later than ninety (90) days from the date payment was made, a written claim for refund. Every claim for refund shall state the nature of the person's complaint and the affirmative relief requested. The city clerk may allow the claim in whole or in part or may deny it. Refunds of tax and interest erroneously~~

paid and amounting to one hundred dollars (\$100.00) or more may be made only with the written approval of the city manager.

~~2-04-080. Alamogordo Promotion Board—Purposes.~~

~~The Alamogordo Promotion Board is established for the purpose of advising the mayor and the city commission on the expenditure of lodgers tax revenues for advertising, publicizing and promoting tourist attractions and facilities in the city, as the expenditure of such funds may be authorized by state law.~~

~~2-04-090. Alamogordo Promotion Board—Organization.~~

~~(a) — The Alamogordo Promotion Board shall consist of five (5) residents, appointed by the mayor with the advice and approval of a majority of the remaining members of the city commission. Two (2) members shall represent the lodgers industry, two (2) shall be directly involved in other tourist-related industries; these members need not reside in the city, but must own or be employed by an enterprise within the city that primarily provides services or products to tourists, and one shall be a member at large representing the general public.~~

~~(b) — Appointments to fill expired terms will be for two-year terms.~~

~~(c) — Board members shall serve without pay.~~

~~(d) — The director of finance for the city shall be an ex-officio member and shall have a seat, but no vote, at each meeting of the board.~~

~~(e) — The board shall elect a minimum of two (2) officers (such as chairperson and vice-chairperson) and such other officers as the board may deem necessary. Each officer shall be elected by the members of the board for a term of one year.~~

~~2-04-100. Alamogordo Promotion Board—Business.~~

~~(a) — A quorum of three (3) board members is required for the conduct of board business. A motion shall carry upon the affirmative vote of the majority of the members present at any meeting. The board may adopt additional rules to govern its proceedings.~~

~~(b) — All meetings shall be open to the public and shall be held at a city-owned facility.~~

~~(c) — The board shall meet at least quarterly, and may hold additional meetings in its discretion. Notice of time, place and agenda meetings must be published as prescribed by the city's public meetings resolution.~~

~~(d) — Board minutes shall be taken at each meeting. Minutes shall be brief and include date and place of meeting, attendance, items discussed and action recommended, including a summary of expenditures for commission approval. Minutes must be filed with the city clerk, and sufficient copies forwarded to the mayor and city commission. After its submittal, the summary of expenditures shall be presented to the commission at its next regularly scheduled meeting for its consideration.~~

~~(e) — Expenditures will not be disbursed until final authorization has been granted by the city commission.~~

~~2-04-110. Alamogordo Promotion Board—Budget—Marketing effectiveness.~~

~~(a) — The board shall submit yearly, on or before March 1, when requested by the city manager, a proposed budget which shall not exceed the prior year's lodgers' tax receipts for the promotion of the city's recreational facilities and tourist attractions.~~

~~(b) — Annually, at the same time the yearly budget is submitted, or at other times when requested by the city manager, the board shall submit statistical information which measures the marketing effectiveness of the marketing efforts conducted in the preceding calendar year. Measures used shall include a return on investment (lodger's tax revenue divided by the total marketing expenditures).~~

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 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 Smith, City Attorney

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 2/14/2023

Report Date: 02/08/2023

Report No: 5.

Submitted By: Stella Rael

Subject: Consider, and act upon, the adoption and final publication of Ordinance 1667 Case Z-2022-0005(A), a map amendment to change the zoning of the property located at 1408 Black Street from R-1 Single Family Dwelling to M-2 Industrial District. *(Stella Rael, City Planner)* **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Adopt the ordinance.

Background:

The City Commission approved the ordinance for first publication on January 10, 2023, by a vote of 7-0.

Property owner Wallace Holdings LLC is requesting to rezone the property from R-1 Single Family Dwelling to M-2 Industrial District.

ORDINANCE No. 1667

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ALAMOGORDO, CHANGING THE CLASSIFICATION OF A CERTAIN PROPERTY COMMONLY KNOWN AS 1408 BLACK STREET FROM ITS PRESENT DESIGNATION AND ZONING DISTRICT: R-1 SINGLE-FAMILY DWELLING TO: M-2 INDUSTRIAL DISTRICT WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF ALAMOGORDO, OTERO COUNTY, NEW MEXICO.

WHEREAS, Wallace Holding LLC (hereinafter referred to as "the Owner") is the owner of certain real properties 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

1408 BLACK STREET

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

Z-2022-0005(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 the 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:

1408 BLACK STREET

Is hereby changed from R-1 Single Family Dwelling Zoning District to M-2 Industrial 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 _____, 2023.

**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

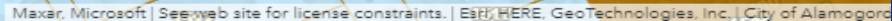
City Commission



Z-2022-0005(A)

Stella Rael, City Planner
January 10, 2023

2



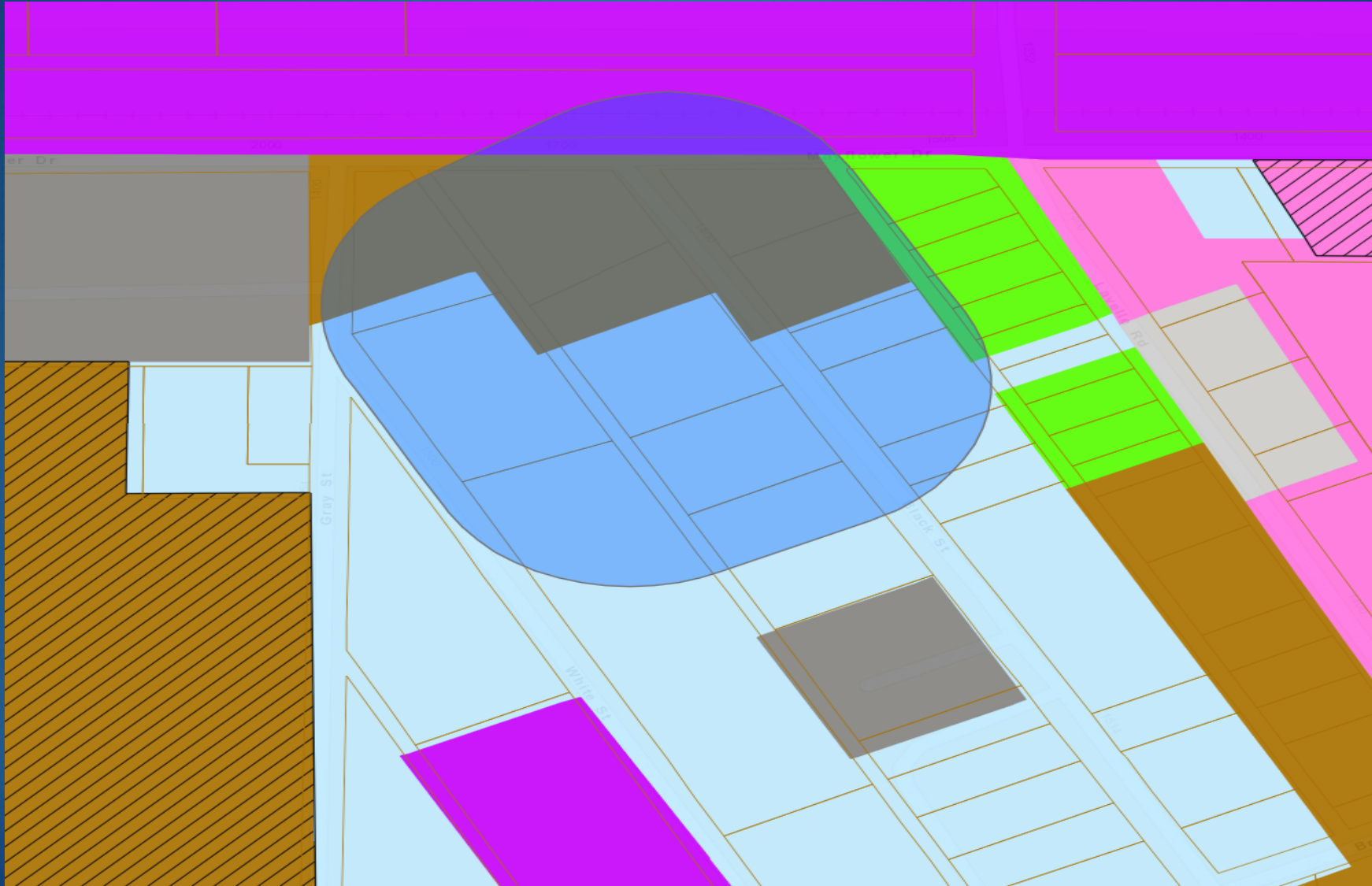
AERIAL

3



Protest Area

4



Zoning Request Case: Z-2022-0005(A)

Request:

The property owner is requesting for a map amendment to change the zoning of the property located 1408 Black Street from R-1 Single-Family Dwelling District to M-2 Industrial District

Wallace Holding LLC
11903 Eagle Rock Ave
Albuquerque, NM 801090

Findings of Fact

- ◆ 1. The application was filed and all fees were paid.
- ◆ 2. Legal ad was placed in the Alamogordo Daily News
- ◆ 3. Thirteen (13) 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 December 27, 2023, there have been no letters returned undeliverable and I have not received any letters or phone calls of opposition.

Z-2022-0005(A)

7

- ◆ 7. Staff recommends approval.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 2/14/2023

Report Date: 01/25/2023

Report No: 6.

Submitted By: Nancy Beshaler

Subject: Consider, and act upon, the adoption and final publication of Ordinance No. 1668 repealing Sections 24-13-010 and 24-13-020 of Chapter 24 of the Code of Ordinances relating to Resident and Mobility Disabled Parking only. (*Nancy Beshaler, Public Works Director*) **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve Ordinance 1668 for adoption and final publication.

Background: This Ordinance was approved for first publication on January 10, 2023, by a vote of 7-0-0.

Public Works has developed a Neighborhood Traffic Management Program Policy which is designed to address various kinds of special requests from citizens for assistance with traffic management and/or traffic calming treatments, specialty traffic signs, and specialty parking signs (Resident Parking Only, Resident Disability Parking Only, and Business Parking Only). Specialty parking issues more appropriately fall under the umbrella of the Public Works Department, and this policy will streamline the process for any citizen making application for a specialized parking sign. The policy includes a fee for a specialized parking sign placement which covers the cost of the sign, installation materials, labor, and staff review and processing time.

This Ordinance repeals all references to Resident Parking Only and Designated Mobility Disabled Resident Parking Only which will instead be covered under the Traffic Management Program Policy. The policy will go into effect once Ordinance 1668 becomes effective.

ORDINANCE NO. 1668

AN ORDINANCE REPEALING SECTIONS 24-13-010 AND 24-13-020 OF CHAPTER 24 OF THE ALAMOGORDO CODE OF ORDINANCES CONCERNING RESIDENTIAL PARKING RESTRICTED AND PARKING DESIGNATED FOR PERSONS WITH MOBILITY DISABILITY

WHEREAS, the City Commission of the City of Alamogordo, New Mexico, acknowledges that “Resident Parking Only” and “Designated Mobility Disabled Resident Parking Only” signs are regulated by Ordinance; and,

WHEREAS, the City Commission of the City of Alamogordo, New Mexico, recognizes that “Resident Parking Only” and “Designated Mobility Disabled Resident Parking Only” signs would be moved under the City’s Traffic Management Program Policy; and

WHEREAS, the City Commission of the City of Alamogordo, New Mexico, considers it necessary to repeal Sections 24-13-010 and 24-13-020 of the Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Alamogordo, New Mexico, that Sections 24-13-010 and 24-13-020 of the Code of Ordinances be repealed.

24-13-010. Residential parking restricted.

- (a) ~~Except when necessary to avoid conflict with other traffic, or in compliance with this section or the directions of a police officer or official traffic control device, no person shall stop, stand or park a vehicle, whether occupied or not, except temporarily for the purpose of, and while actually engaged in, loading or unloading merchandise or passengers, at any place where an official sign reads "Residential Parking Only," and along the curb within ten feet of either side of such sign, unless given permission by the resident living directly behind the sign. Except upon the conditions listed in this section, it shall be unlawful to place a vehicle, occupied or not, along the curb within ten feet of a "Designated Mobility Disabled Resident Parking Only" sign unless the vehicle has the requisite handicapped placard and the resident living directly behind the sign has given permission for the vehicle to occupy the space. A citation for violation of this section shall be written only upon complaint of such resident.~~
- (b) ~~The determination to post a residence with "Residential Parking Only" signs shall be made by the city commission, after good cause is shown by the applicant. Good cause must include the reasons why the applicant's residence contains inadequate parking to meet the needs of the applicant. No residence may be posted which is not within five hundred (500) feet of the property line of a public meeting place.~~
- (c) ~~A fee of one hundred dollars (\$100.00) shall be paid to the city treasurer upon approval of each application.~~
- (d) ~~The determination to post a residence with "Designated Mobility Disabled Resident Parking Only" signs shall be made administratively by a designee of the city manager, after good cause is shown by the applicant. Good cause must include the reasons why the applicant's residence contains inadequate parking to meet the needs of the applicant.~~
- (e) ~~At the first meeting in January each year, city manager shall prepare a list of the locations of all "Residential Parking Only" signs and all "Designated Mobility Disability Resident Parking Only" signs in the city. The city manager shall recommend continuance or discontinuance of each location; if discontinuance is recommended, the resident(s) shall be notified by first class mail not less than seven (7) days before the meeting. The commission shall direct the discontinuance and removal of signs at any location deemed advisable.~~
- (f) ~~The city manager shall have the authority to direct the removal of "Residential Parking Only" or "Designated Mobility Disabled Resident Parking Only" signs at any location not identified on the list of such signs approved by the city commission.~~
- (g) ~~Existing signs with wording approved under previous versions of this section remain effective and enforceable, but shall not be replaced except with signs containing the currently approved wording.~~

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

24-13-020. ~~Parking at businesses for persons with mobility disabilities.~~

- (a) ~~The determination to post the curb area adjacent to a business with "Parking Designated for Persons with Mobility Disability" signs shall be made by the city commission, after good cause is shown by the applicant. Good cause must include a statement that the applicant's business does not have off-street parking available or an off-street parking space that could be used for parking for persons with mobility disabilities.~~
- (b) ~~The application will be accompanied by an application fee of fifty dollars (\$50.00) to defray the costs of investigating the application and giving notice in accordance with this ordinance.~~
- (c) ~~In determining whether or not to authorize a sign in accordance with this section, the commission will consider the likelihood that the parking space will serve more than one person and whether the need of the business for the space is likely to be on-going.~~
- (d) ~~Before an application to post a sign according to this section can be considered by the city commission, the planning division will give notice of the application to all property owners within a 200-foot radius of the requesting business at least ten days prior to the meeting.~~
- (e) ~~A fee of one hundred dollars (\$100.00) for the sign shall be paid to the city treasurer upon approval of each application.~~
- (f) ~~The city commission will review signs placed in connection with this ordinance at the same time and in the same manner with which it reviews signs placed in accordance with section 24-01-080.~~

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

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2023.

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 Smith, City Attorney



NEIGHBORHOOD TRAFFIC MANAGEMENT PROGRAM POLICY



PURPOSE: To establish uniform procedures to be followed whenever a citizen request is received for assistance with traffic management and/or traffic calming treatments, specialty street signs, Resident Parking Only signs, Resident Disability Parking Only signs, and Business Parking Only signs.

ASSIGNED DEPARTMENT: All requests of this type shall be referred to the attention of the Public Works Director, with a copy to the Public Works Executive Assistant.

PROCEDURE FOR PUBLIC WORKS TO FOLLOW: When a citizen requests assistance with traffic management and/or traffic calming treatments, a specialty street sign, or a specialty parking sign, they will be informed of the process to be followed:

- 1) Citizen completes a Traffic Management Program Application. They may complete the form online at publicworks@ci.alamogordo.nm.us, a copy can be emailed to the citizen, or they may walk into the Public Works Office to receive a hard copy of the application.
- 2) Once the application is completed and returned to the Public Works Administration Office, arrangements will be made through the Streets Maintenance division for a street radar data collection sign to be placed on the applicant's street. (Note: Steps 2, 3, and 4 will be bypassed if the request is for a specialty parking sign)
- 3) The sign will remain on the street for a minimum of one (1) week.
- 4) Once the sign is removed, the sign data collection source within the sign itself will compile the data results. Public Works will receive an electronic copy and/or a printed copy of the results.
- 5) The data will be reviewed by the Public Works Director and a representative from the Alamogordo Police Department. In addition to the sign data, other factors considered may include street length, lane width, grading and/or curvature of street, existing traffic control measures, crosswalks and/or sidewalks, proximity to public meeting places, as well as other street defining features.
- 6) The Public Works Director will make a decision to: **a)** Approve the request; **b)** Prescribe an alternative treatment; or **c)** Deny the request with no alternative treatment. This decision will be made within ten (10) business days from Public Works' receipt of the internal sign data.
- 7) Public Works will notify the applicant of the Director's decision in writing.
- 8) If the requestor is not satisfied with the decision of the Public Works Director, they may appeal the decision to the City Manager in writing within ten (10) business days of the Public Works Director's decision.
- 9) If any treatment is approved and installed, it must be reviewed by the Public Works Director every two (2) years to ensure that the criteria still apply. The City retains the right to remove any installations at the direction of the City Manager at any given time.

**Complete and return to:**

City of Alamogordo
Department of Public Works
2600 N. Florida Ave., Alamogordo

Or online to:

publicworks@ci.alamogordo.nm.us

NEIGHBORHOOD TRAFFIC MANAGEMENT PROGRAM APPLICATION

This application is required when requesting any of the following: assistance with traffic management and/or traffic calming treatments, specialty street signs, or specialty parking signs.

Criteria for NTMP Application:

- The primary applicant must be a resident on the requesting street segment
- Street segment cannot be less than 800 feet long
- Must have at least 40% of the homes fronting the street segment
- Dead-ends and cul de sacs are not eligible
- If traffic calming measures are already in place, street is not eligible for additional measures
- Not eligible if the roadway has already been studied within the last five (5) years
- Must be within the City of Alamogordo city limits

Name of Applicant: _____

Address: _____

Email address: _____ Phone #: _____

Street for NTMP request: _____

Reason for Request (select all that apply):

- ☐ **Safety**
- ☐ **Speeding**
- ☐ **Excess Traffic**
- ☐ **Cut-Through Traffic**
- ☐ **Bicycle or Pedestrian**
- ☐ **Commercial Vehicle Restriction**
- ☐ **Noise**
- ☐ **Resident Parking Only Sign** (Note: If approved, a fee of \$275.00 shall be paid to the City Treasurer prior to sign installation)
- ☐ **Disabled Resident Parking Only Sign** (Note: If approved, a fee of \$275.00 shall be paid to the City Treasurer prior to sign installation)
- ☐ **Business Parking Only Sign** (Note: If approved, a fee of \$275.00 shall be paid to the City Treasurer prior to sign installation)
- ☐ **Other** (Please Describe): _____

Description of neighborhood conditions or recent changes in traffic leading to this application:



NEIGHBORHOOD TRAFFIC MANAGEMENT PROGRAM APPLICATION (continued)

Name of Applicant: _____

Street for NTMP Request: _____

- ☐ I understand that if a treatment is approved and installed, it must be reviewed by the Public Works Director every two (2) years to ensure that the criteria still apply. Furthermore, I understand that the City retains the right to remove any installations at the direction of the City Manager at any given time.

Date

Signature of Applicant



NEIGHBORHOOD TRAFFIC MANAGEMENT PROGRAM APPLICATION (continued)

Public Works use only:

Name of Applicant: _____

Street for NTMP Request: _____

Decision:

_____ Approve the request as submitted

_____ Prescribe an alternative treatment as follows:

_____ Deny the request

Date

Nancy Beshaler, Public Works Director

Pursuant to the City of Alamogordo Traffic Management Program Policy, the applicant may appeal this decision to the City Manager, who will make a final determination. An appeal must be made in writing within ten (10) business days of the Public Works Director's decision.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 2/14/2023

Report Date: 02/08/2023

Report No: 7.

Submitted By: Sean McGranaghan

Subject: Consider, and act upon, the adoption and final publication of Ordinance 1669 Case Z-2022-0006(A), a map amendment to change the zoning of the property located at 1218 Michigan Ave. from R-3 Two Family Dwelling District to R-4 Multiple Family Dwelling District. (*Sean McGranaghan, Assistant City Planner*) **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact: N/A

Recommendation: Adopt the ordinance.

Background:

The City Commission approved the ordinance for first publication on January 24, 2023, by a vote of 6-0.

Property owner Bennett Two, LLC is requesting to rezone the property located at 1218 Michigan Ave. from R-3 Two Family Dwelling District to R-4 Multiple Family Dwelling District.



City of Alamogordo

City Commission



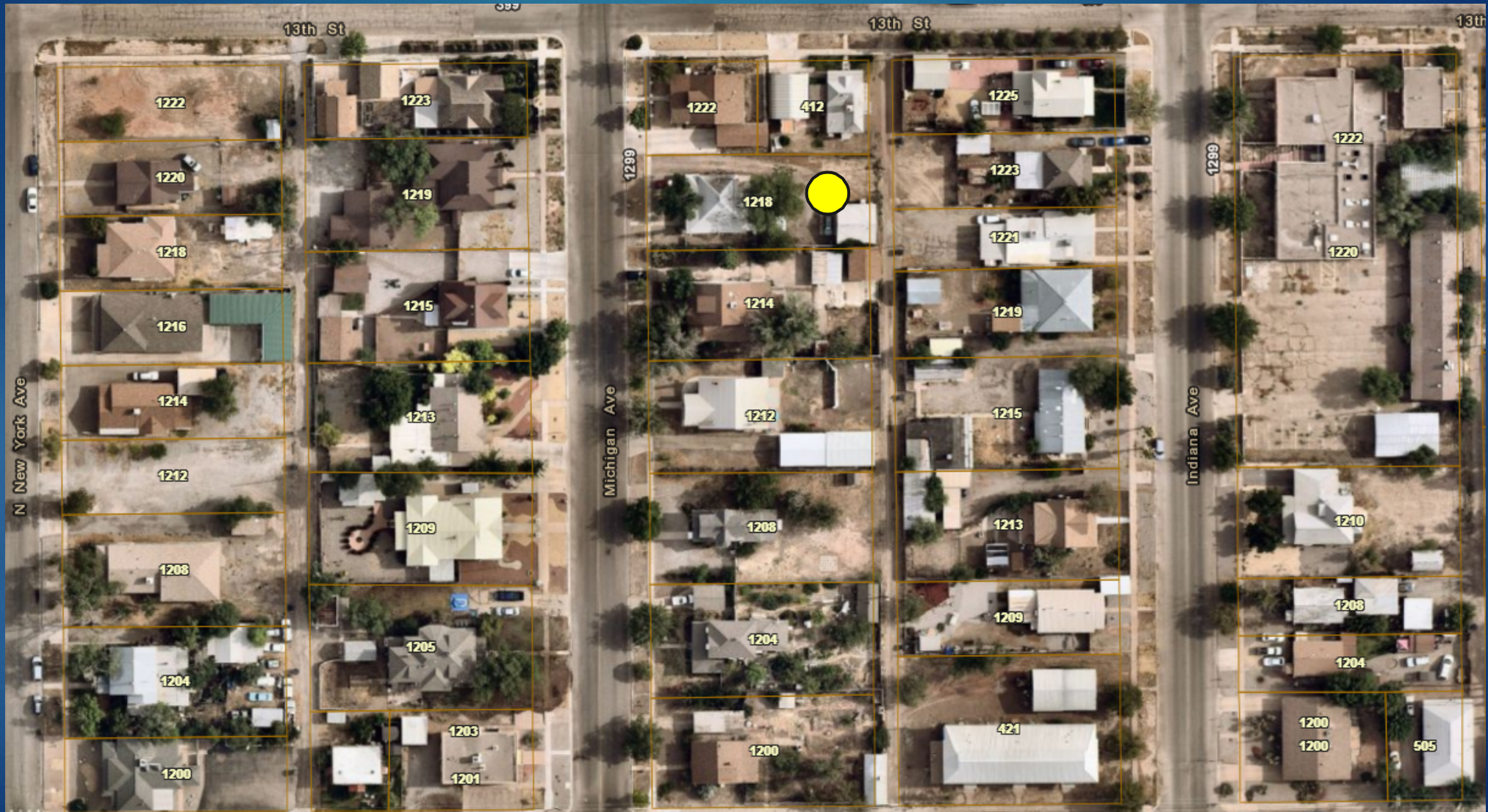
Z-2022-0006(A)

Sean McGranaghan, Assistant City Planner
January 24, 2023

2

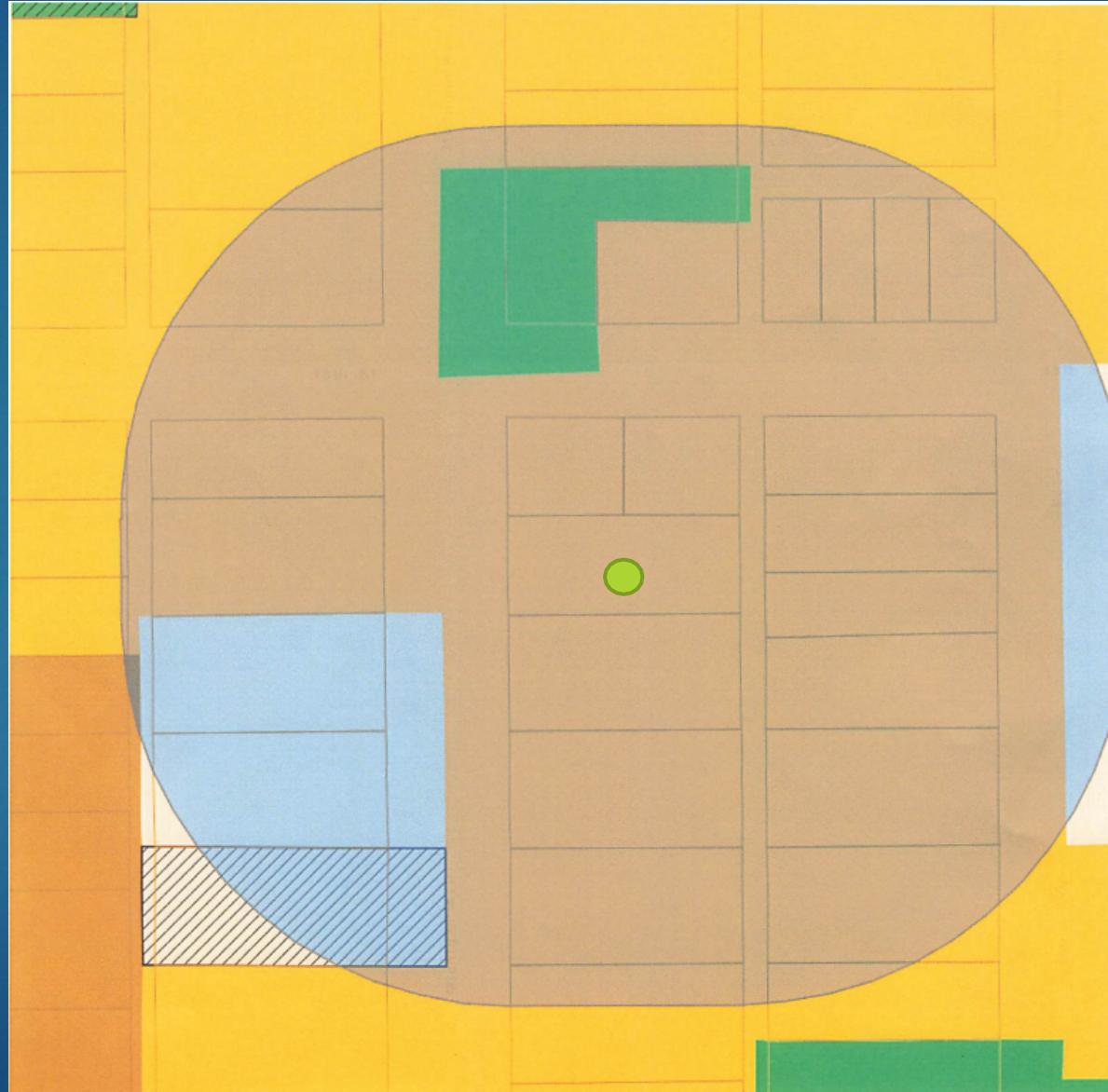


3



Protest Area

4



Zoning Request Case: Z-2022-0006(A)

5

Request:

The property owner is requesting for a map amendment to change the zoning of the property located 1218 Michigan Avenue from R-3 Two-Family Dwelling District to R-4 Multiple-Family District

Bennett Two, LLC

300 Drakes Landing Rd, #172

Greenbrae, CA 94904

Findings of Fact

- ◆ 1. The application was filed and all fees were paid.
- ◆ 2. Legal ad was placed in the Alamogordo Daily News
- ◆ 3. Thirty-Two (32) 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 January 17, 2023, there have been 2 letters returned undeliverable, and I have not received any letters or phone calls of opposition.

Z-2022-0006(A)

7

- ◆ 7. Staff recommends approval.

ORDINANCE No. 1669

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ALAMOGORDO, CHANGING THE CLASSIFICATION OF A CERTAIN PROPERTY COMMONLY KNOWN AS 1218 MICHIGAN AVE FROM ITS PRESENT DESIGNATION AND ZONING DISTRICT: R-3 TWO-FAMILY DWELLING TO: R-4 MULTIPLE-FAMILY DWELLING WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF ALAMOGORDO, OTERO COUNTY, NEW MEXICO.

WHEREAS, Bennett Two, LLC (hereinafter referred to as "the Owner") is the owner of certain real properties 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

1218 MICHIGAN AVENUE

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

Z-2022-0006(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 the 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:

1218 MICHIGAN AVENUE

Is hereby changed from R-3 Two-Family Dwelling Zoning District to R-4 Multiple-Family Dwelling 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 _____, 2023.

**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 Smith, City Attorney

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 2/14/2023

Report Date: 02/08/2023

Report No: 8.

Submitted By: Sean McGranaghan

Subject: Consider, and act upon, the adoption and final publication of Ordinance 1670 Case Z-2022-0007(A), a map amendment to change the zoning of the property located at 2500 N Florida Ave from R-1 Single Family Dwelling District to R-4 Multi-Family Dwelling District. (*Sean McGranaghan, Assistant City Planner*) **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact: N/A

Recommendation: Adopt the ordinance.

Background:

The City Commission approved the ordinance for first publication on January 24, 2023, by a vote of 6-0.

Property owner Bennett Two, LLC is requesting to rezone the property located at 2500 N. Florida Ave from R-1 Single Family Dwelling District to R-4 Multi-Family Dwelling District.



City of Alamogordo

City Commission



Z-2022-0007(A)

Sean McGranaghan, Assistant City Planner
January 24, 2023

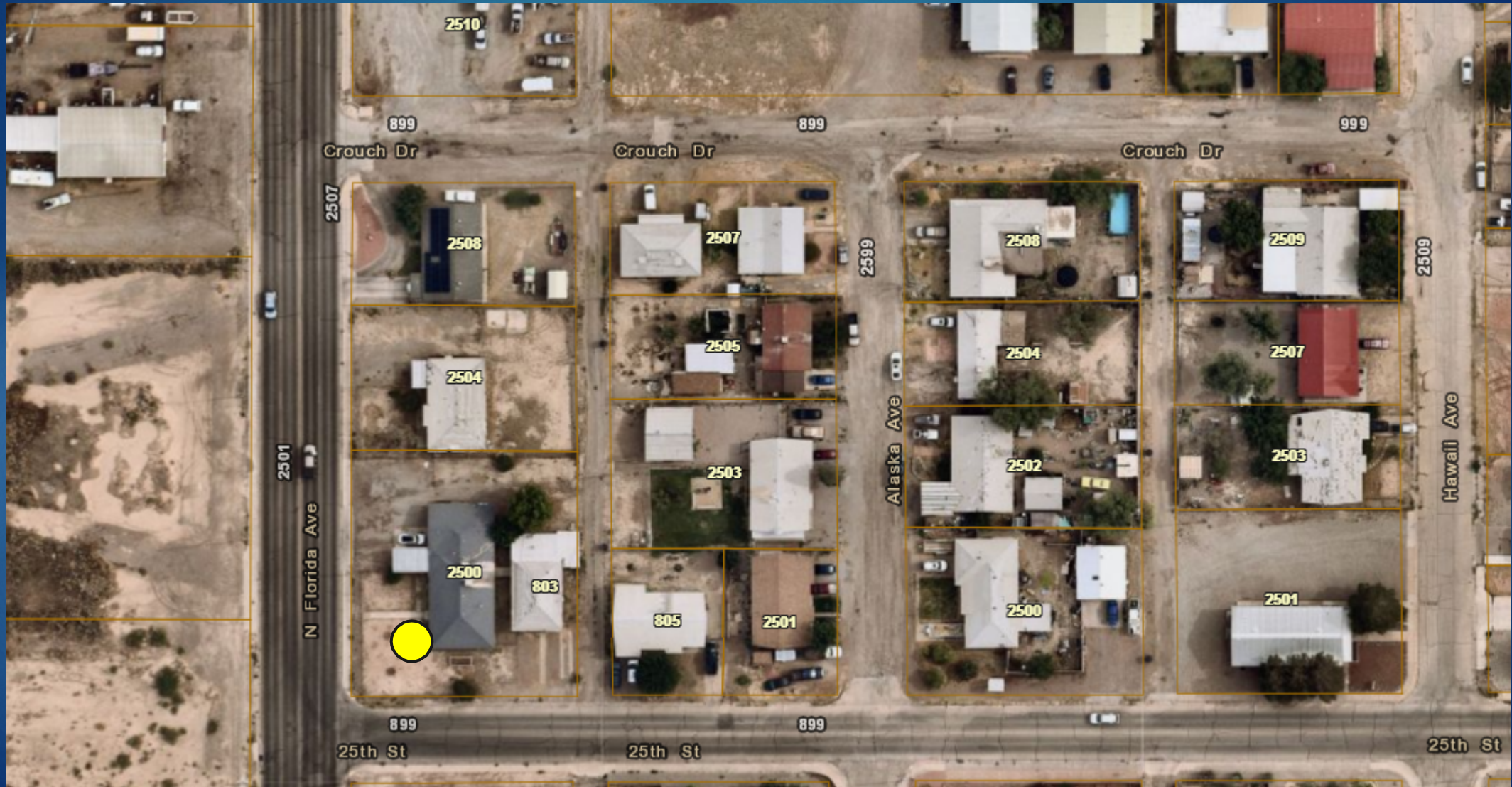
Zoning Map

2



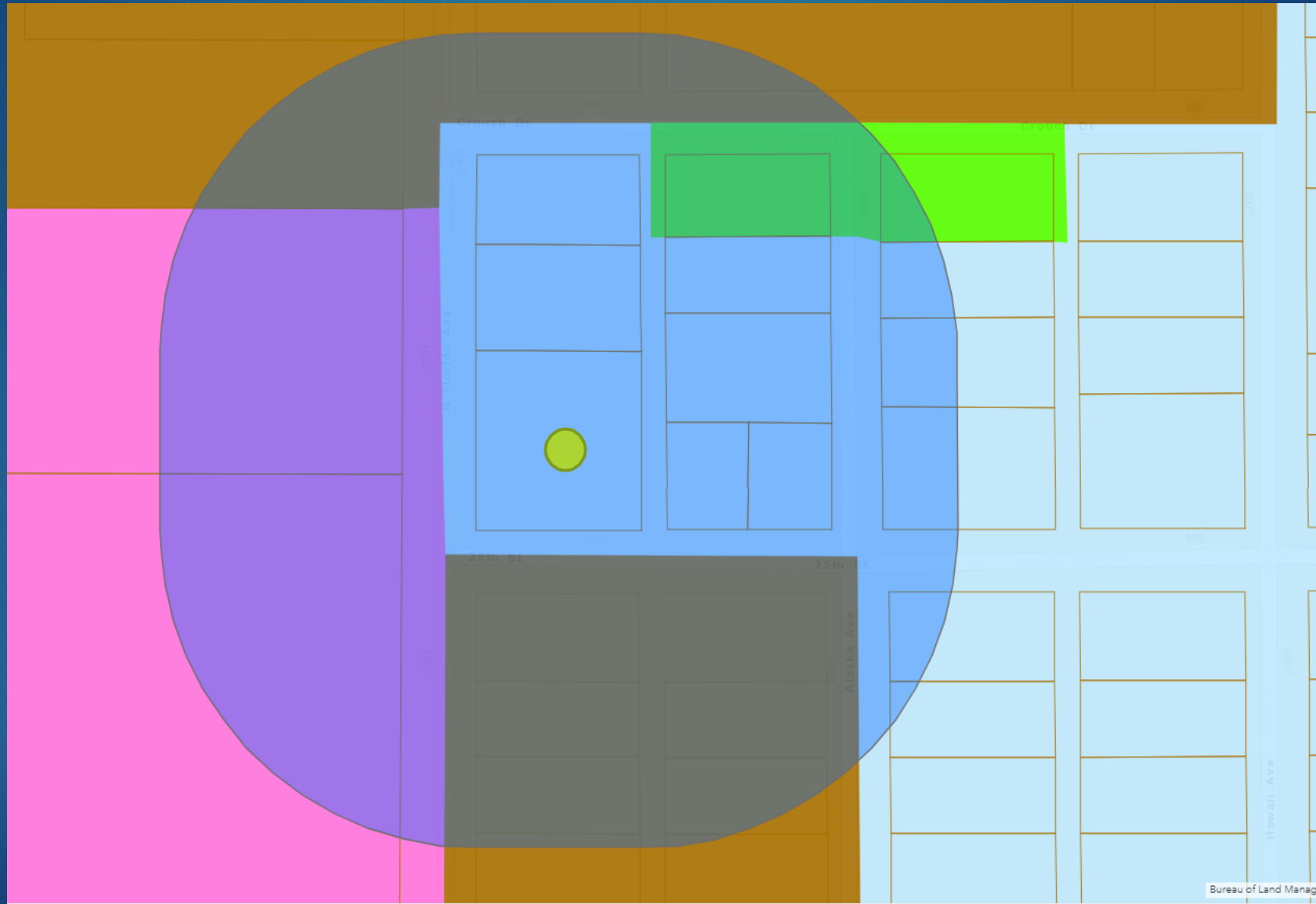
AERIAL

3



Protest Area

4



Zoning Request Case: Z-2022-0007(A)

5

Request:

The property owner is requesting for a map amendment to change the zoning of the property located 2500 N Florida Avenue from R-1 Single-Family Dwelling District to R-4 Multiple-Family Dwelling District

Bennett Two, LLC

300 Drakes Landing Rd, #172

Greenbrae, CA 94904

Findings of Fact

- ◆ 1. The application was filed and all fees were paid.
- ◆ 2. Legal ad was placed in the Alamogordo Daily News
- ◆ 3. Twenty-Four (24) 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 January 17, 2023, there have been 0 letters returned undeliverable, and I have not received any letters or phone calls of opposition.

Z-2022-0007(A)

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- ◆ 7. Staff recommends approval.

ORDINANCE No. 1670

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ALAMOGORDO, CHANGING THE CLASSIFICATION OF A CERTAIN PROPERTY COMMONLY KNOWN AS 2500 N FLORIDA AVE FROM ITS PRESENT DESIGNATION AND ZONING DISTRICT: R-1 SINGLE-FAMILY DWELLING TO: R-4 MULTIPLE-FAMILY DWELLING WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF ALAMOGORDO, OTERO COUNTY, NEW MEXICO.

WHEREAS, Bennett Two, LLC (hereinafter referred to as "the Owner") is the owner of certain real properties 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

2500 N FLORIDA AVE

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

Z-2022-0007(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 the 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:

2500 N FLORIDA AVE

Is hereby changed from R-1 Single-Family Dwelling Zoning District to R-4 Multiple-Family Dwelling 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 _____, 2023.

**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 Smith, City Attorney

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 2/14/2023

Report Date: 02/01/2023

Report No: 9.

Submitted By: Diane Malone

Subject: Consider, and act upon, the Investment Report for the quarter ending December 31, 2022, in accordance with the City of Alamogordo Investment Ordinance. (*Sue Ashe, Accounting Manager*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact: None

Recommendation: Accept the Quarterly Investment Report for the period ending December 31, 2022.

Background: The City of Alamogordo ended the quarter with an investment portfolio totaling \$ 68,200,632. The portfolio was made up of:

State Investment Pool	\$ 5,677	or	0.01%
Short Term Investments	\$ 712,087	or	0.91%
US Treasury Notes/Agency Bonds	\$ 38,546,625	or	49.80%
Certificates of Deposits	\$ 38,142,433	or	49.28%
Total Investments:	\$ 77,406,822		100.00%

Total gains (losses) for the quarter ended December 31, 2022, on maturities and/or called agency notes were \$0. Interest earned during the quarter on a cash basis was \$ 221,835..

Interest Income Budget Comparison for all Funds is as follows:

Interest Earned Budget	\$ 518,965	
Interest Received to Date	\$ 445,201	85.79% of budget

Note: The investments mature at different times throughout the year and 53.45% of the investments mature within three years. They are reinvested as they mature, so that they continue to roll over to be available for projects when needed. The difference between the above total and the Investment Summary is accrued interest of \$ 22,210.57.

INSTITUTION INVESTED IN	INV TYPE	INVESTMENT AMOUNT BOOK VALUE	MARKET VALUE	MARKET GAIN (LOSS)	RATE OF RETURN	MATURITY DATE	PURCHASE DATE	FY 22 - 23 Y-T-D
								EARNINGS
ST. INVESTMENT POOL - COA	ST. INVEST POOL-COA	5,676.51	\$5,676.51	0	1.907%	DAILY	N/A	61.23
First Savings Bank (CD# 81186796)	CD	282,077.63	282,077.63	0	1.250%	02/07/23	02/07/18	1,755.02
First Savings Bank (CD# 81186944)	CD	844,604.48	844,604.48	0	1.250%	03/22/23	03/22/18	5,226.51
First Savings Bank (CD# 81187231)	CD	580,015.26	580,015.26	0	0.800%	02/10/24	02/10/19	4,938.88
First Savings Bank (CD# 81187926)	CD	282,096.75	282,096.75	0	1.250%	03/15/23	03/12/18	1,745.65
First Savings Bank (CD#13312297)	CD	278,898.08	278,898.08	0	1.000%	02/07/23	02/07/18	1,400.66
First Savings Bank (CD# 13401520)	CD	1,102,375.19	1,102,375.19	0	1.000%	03/12/23	03/12/18	5,506.26
Bank '34 (CD#0101004984)	CD	250,000.00	250,000.00	0	1.650%	02/08/23	02/08/18	1,022.20
Pioneer Bank (CD#30100640)	CD	284,106.49	284,106.49	0	1.600%	02/12/23	02/12/18	2,277.74
Bank of the West (CD#029771907)	CD	283,363.71	283,363.71	0	1.600%	03/20/23	03/20/18	2,293.79
Washington Federal (CD# 172-200282-9)	CD	297,450.44	297,450.44	0	2.050%	03/22/23	03/22/18	3,028.33
Washington Federal (CD# 172-200283-7)	CD	1,175,280.71	1,175,280.71	0	1.250%	04/09/23	04/09/18	12,375.89
				0				
Moreton (Morgan Stanley Bk)	CD	250,000.00	\$249,882.50	(118)	2.650%	01/11/23	01/11/18	3,285.27
Moreton (BMW Bk North Amer Salt Lake	CD	251,193.49	\$248,592.50	(2,601)	3.250%	07/13/23	07/13/18	4,031.34
Moreton (Morgan Stanley Bk)	CD	245,723.05	\$242,868.50	(2,855)	2.400%	06/20/23	06/28/19	2,581.75
Moreton (EnerBank USA Salt Lake City)	CD	250,000.00	\$239,577.50	(10,423)	1.950%	08/15/24	08/15/19	2,444.16
Moreton (Encore BK Little Rock ARK)	CD	250,000.00	\$244,350.00	(5,650)	1.750%	10/23/23	10/23/19	2,193.51
Moreton (Live Oak BKG CO NC)	CD	250,000.00	\$243,462.50	(6,538)	1.800%	12/11/23	12/11/19	2,256.15
Moreton (Signature BK of ARK)	CD	250,000.00	\$242,887.50	(7,113)	1.700%	12/27/23	12/27/19	2,130.84
Moreton (Eaglebank Bethesda, MD)	CD	248,956.43	\$249,712.50	756	1.700%	01/17/23	01/17/20	2,130.84
Moreton (Marthas Vineyard Svgs Bk)	CD	248,529.32	\$249,607.50	1,078	1.650%	01/23/23	01/21/20	2,068.14
Moreton (Unity Bk Clinton, NJ)	CD	250,000.00	\$249,607.50	(393)	1.650%	01/23/23	01/22/20	2,068.14
Moreton (Synovus BK Columbus GA)	CD	250,000.00	\$249,080.00	(920)	1.550%	02/21/23	02/21/20	1,921.58
Moreton (Central BK Little Rock ARK)	CD	250,000.00	\$234,592.50	(15,408)	1.650%	03/13/25	03/13/20	2,068.14
Moreton (Choice Finl Group Grafton)	CD	250,000.00	\$248,450.00	(1,550)	1.000%	03/13/23	03/13/20	1,260.27
Moreton (Ultima MK Minn Winger)	CD	250,000.00	\$243,805.00	(6,195)	1.050%	09/02/23	03/20/20	1,316.10
Moreton (Cornhusker Bank Lincoln)	CD	250,000.00	\$231,422.50	(18,578)	1.100%	03/28/25	03/30/20	1,378.77
Moreton (Pacific Westn Bk)	CD	250,000.00	\$239,645.00	(10,355)	1.300%	04/16/24	04/16/20	1,629.45
Moreton (Celtic Bk Salt Lake City Utah)	CD	250,000.00	\$232,882.50	(17,118)	1.450%	04/17/25	04/17/20	1,817.49
Moreton (Flagstar Bk Bloomfield)	CD	250,000.00	\$247,782.50	(2,218)	1.150%	04/17/23	04/17/20	1,441.44
Moreton (Evergreen BK Group Oak Brook)	CD	250,000.00	\$239,105.00	(10,895)	1.200%	04/22/24	04/22/20	1,504.11
Moreton (First Natl BK McGregor Tex)	CD	250,000.00	\$239,275.00	(10,725)	1.300%	04/29/24	04/28/20	1,629.45
Moreton (Apex Bk Camden)	CD	250,000.00	\$229,690.00	(20,310)	0.950%	05/08/25	05/08/20	1,190.76
Moreton (Old MO Bk Springfield)	CD	250,000.00	\$236,435.00	(13,565)	0.550%	05/15/24	05/15/20	689.37
Moreton (Union ST Bk Clay Ctr)	CD	250,000.00	\$241,355.00	(8,645)	0.500%	11/09/23	05/12/20	626.70
Moreton (First Carolina Bk Rocky Mout)	CD	250,000.00	\$246,677.50	(3,323)	0.550%	05/12/23	05/13/20	689.37
Moreton (Malaga BK Palos Verdes)	CD	250,000.00	\$227,535.00	(22,465)	0.650%	05/28/25	05/28/20	814.71
Moreton (Merrick BK South Jordan)	CD	250,000.00	\$228,367.50	(21,633)	0.800%	05/29/25	05/29/20	1,002.72
Moreton (Financial Fed Svgs Bk)	CD	250,000.00	\$227,510.00	(22,490)	0.650%	05/29/25	05/29/20	814.71
Moreton (Jonesbror ST Bk)	CD	250,000.00	\$228,367.50	(21,633)	0.800%	05/29/25	05/29/20	1,002.72
Moreton (Profinium Finl Inc.)	CD	250,000.00	\$229,355.00	(20,645)	0.500%	05/29/25	05/29/20	626.70
Moreton (Freedom Finl Bk West Des)	CD	250,000.00	\$235,727.50	(14,273)	0.450%	05/29/24	05/29/20	564.06
Moreton (Tri-County TR CO)	CD	250,000.00	\$240,772.50	(9,228)	3.500%	11/29/23	05/29/20	501.36
Moreton (Southern STS Bk Anniston)	CD	250,000.00	\$235,555.00	(14,445)	0.500%	06/12/24	06/12/20	626.70
Moreton (Preferred Bk Los Angeles)	CD	250,000.00	\$226,127.50	(23,873)	0.550%	07/02/25	07/02/20	689.37
Moreton (Enterprise Bk NA NB)	CD	250,000.00	\$220,425.00	(29,575)	0.850%	06/05/26	06/05/20	1,065.42
Moreton (First Credit Bank)	CD	250,000.00	\$245,647.50	(4,353)	0.350%	06/12/23	06/10/20	438.72
Moreton (1st Finl Bk USA Dakota Dunes)	CD	250,000.00	\$235,015.00	(14,985)	0.400%	06/19/24	06/19/20	501.36
Moreton (Bristol Morgan Bk Oakfield)	CD	250,000.00	\$230,470.00	(19,530)	0.450%	12/19/24	06/19/20	564.06
Moreton (Vision Bk St Louis PK)	CD	250,000.00	\$228,635.00	(21,365)	0.600%	06/30/25	06/30/20	752.07
Moreton (Bankwell Bk New Canaan)	CD	250,000.00	\$245,050.00	(4,950)	0.400%	07/06/23	07/06/20	495.89
Moreton (Tandem Bk Tucker)	CD	249,883.22	\$227,352.50	(22,531)	0.550%	06/23/25	06/22/20	689.37
Moreton (Exchange Bk Gibbon Neb)	CD	249,883.22	\$230,815.00	(19,068)	0.550%	12/24/24	06/24/20	689.37
Moreton (Independence Bk Owensboro)	CD	249,883.22	\$233,097.50	(16,786)	0.550%	09/24/24	06/24/20	689.37

INSTITUTION INVESTED IN	INV TYPE	INVESTMENT AMOUNT	MARKET	MARKET GAIN	RATE OF RETURN	MATURITY DATE	PURCHASE DATE	FY 22 - 23 Y-T-D
								EARNINGS
		BOOK VALUE	VALUE	(LOSS)				
Moreton (Suthrn Bancorp Bk Arkadelphia)	CD	249,893.84	\$232,090.00	(17,804)	0.500%	10/25/24	06/26/20	626.70
Moreton (Franklin Savings Bk)	CD	249,915.07	\$234,745.00	(15,170)	0.400%	06/28/24	06/29/20	501.36
Moreton (Bank Princeton New Jersey)	CD	249,904.45	\$234,927.50	(14,977)	0.450%	06/28/24	06/30/20	564.06
Moreton (Murphy-Wall St Bk & Tr Co.)	CD	249,936.30	\$245,100.00	(4,836)	0.300%	06/28/23	06/30/20	376.02
Moreton (Peoples Bk Talbotton GA)	CD	249,958.90	\$249,182.50	(776)	0.200%	01/31/23	07/31/20	209.61
Moreton (Meridian Bk Paoli PA)	CD	249,936.30	\$244,182.50	(5,754)	0.300%	07/28/23	07/30/20	376.02
Moreton (Farmers & Merchants BK Col)	CD	249,893.84	\$225,162.50	(24,731)	0.500%	07/29/25	07/29/20	626.70
Moreton (Texas Exchange Bk Crowley)	CD	249,798.29	\$220,315.00	(29,483)	0.950%	07/17/26	07/17/20	1,190.76
Moreton (Bank VY Bellwood Neb)	CD	249,957.53	\$243,352.50	(6,605)	0.200%	08/18/23	08/19/20	250.71
Moreton (First Natl Bk of Albany Tex)	CD	249,936.30	\$232,765.00	(17,171)	0.300%	08/28/24	08/28/20	376.02
Moreton (BMO Harris BK Natl Assn)	CD	250,000.00	\$229,025.00	(20,975)	0.500%	02/27/25	08/27/20	630.14
Moreton Lincoln 1st BK Lincoln Pk)	CD	249,893.84	\$224,842.50	(25,051)	0.500%	08/11/25	08/12/20	626.70
Moreton (Northeast Cmnty Bk White)	CD	249,904.45	\$224,332.50	(25,572)	0.450%	08/20/25	08/20/20	564.06
Moreton (Bank3 Memphis Tenn)	CD	249,915.07	\$223,820.00	(26,095)	0.400%	08/28/25	08/28/20	501.36
Moreton (Home LN Invt Bk F S B Warwick)	CD	249,915.07	\$223,795.00	(26,120)	0.400%	08/29/25	08/31/20	501.36
Moreton (First Choice BK Cerritos Calif)	CD	249,936.30	\$232,222.50	(17,714)	0.300%	09/18/24	09/18/20	376.02
Moreton (Bridgewater Bk Bloomington)	CD	249,915.07	\$223,367.50	(26,548)	0.400%	09/16/25	09/18/20	501.36
Moreton (American Comm Bk NA Bremen G	CD	249,915.07	\$223,215.00	(26,700)	0.400%	09/22/25	09/22/20	501.36
Moreton (First Natl Bk Amer E Lansing)	CD	249,915.07	\$223,142.50	(26,773)	0.400%	09/25/25	09/25/20	501.36
Moreton (First Coml Bk Jackson Miss)	CD	249,936.30	\$227,042.50	(22,894)	0.300%	03/31/25	09/30/20	376.02
Moreton (JPMorgan Chase Bk)	CD	249,498.63	\$223,252.50	(26,246)	0.400%	09/30/25	09/30/20	501.37
Moreton (Insbank Nashville Tenn)	CD	244,916.77	\$218,549.80	(26,367)	0.400%	09/30/25	10/15/20	491.34
Moreton (Magnolia BK INC KY)	CD	249,915.07	\$226,825.00	(23,090)	0.400%	04/30/25	10/30/20	501.36
Moreton (Uinta BK MTN View WYO)	CD	249,915.07	\$222,257.50	(27,658)	0.400%	10/30/25	10/30/20	501.36
Moreton (Grand Bk Tulsa Okla)	CD	249,968.15	\$240,077.50	(9,891)	0.150%	11/27/23	11/25/20	188.01
Moreton (Banccentral Natl Assn Alva)	CD	250,000.00	\$240,077.50	(9,923)	0.150%	11/30/23	11/30/20	189.04
Moreton (First Glen Bk Rowland Heights)	CD	249,936.30	\$230,542.50	(19,394)	0.300%	11/20/24	11/20/20	376.02
Moreton (Old Dominion Natl Bk North CD)	CD	249,915.07	\$221,940.00	(27,975)	0.400%	11/13/25	11/13/20	501.36
Moreton (Oakstar Bk NA Springfield MO)	CD	249,915.07	\$221,480.00	(28,435)	0.400%	11/20/25	11/20/20	501.36
Moreton (Landmark Community Bank)	CD	249,904.45	\$221,977.50	(27,927)	0.450%	11/25/25	11/25/20	564.06
Moreton (Security Bk & TR CO Paris CD)	CD	250,000.00	\$213,697.50	(36,303)	0.450%	11/13/26	11/13/20	567.12
Moreton (Prospect Bk Paris ILL)	CD	249,936.30	\$229,790.00	(20,146)	0.300%	12/18/24	12/18/20	376.02
Moreton (Transportation Alliance Bk Inc.)	CD	249,936.30	\$229,790.00	(20,146)	0.300%	12/18/24	12/18/20	376.02
Moreton (1st Sec BK of Wash Mountlake)	CD	249,946.92	\$229,230.00	(20,717)	0.250%	12/30/24	12/30/20	313.35
Moreton (Bank Grove Okla)	CD	249,915.07	\$220,212.50	(29,703)	0.400%	01/22/26	01/22/21	501.36
Moreton (Connectone Bk Englewood)	CD	249,904.45	\$220,565.00	(29,339)	0.450%	01/22/26	01/22/21	564.06
Moreton (BankUnited Natl Assn)	CD	250,000.00	\$221,382.50	(28,618)	0.550%	01/22/26	01/22/21	689.39
Moreton (Chambers BK Davnille AK)	CD	250,000.00	\$220,700.00	(29,300)	0.450%	01/27/26	01/27/21	557.88
Moreton (First Reliance Bk SC)	CD	249,936.30	\$228,692.50	(21,244)	0.300%	01/29/25	01/29/21	376.02
Moreton (Community West Bk Goleta)	CD	249,968.15	\$238,180.00	(11,788)	0.150%	01/29/24	01/29/21	188.01
Moreton (Metropolitan Cap Bk Chicago IL)	CD	250,012.38	\$214,395.00	(35,617)	0.550%	11/18/26	02/19/21	681.85
Moreton (Legacy Bk & Tr CO, Rogersville)	CD	249,904.45	\$219,717.50	(30,187)	0.450%	02/26/26	02/26/21	564.06
Moreton (Sunwest Bak Irvine Calif)	CD	249,851.37	\$213,065.00	(36,786)	0.700%	03/05/27	03/05/21	877.41
Moreton (FNB Oxford BK)	CD	249,840.75	\$213,227.50	(36,613)	0.750%	03/19/27	03/19/21	940.08
Moreton (Home Savings Bk Chanute KS)	CD	248,991.78	\$214,025.00	(34,967)	0.800%	03/19/27	03/19/21	1,008.22
Moreton (American Natl Bk-Fox Cty)	CD	249,938.36	\$231,890.00	(18,048)	0.300%	09/30/24	04/06/21	314.38
Moreton (Third Fed Svgs & Ln Assn)	CD	250,000.00	\$237,732.50	(12,268)	0.200%	02/22/24	04/06/21	247.95
Moreton (Guaranty St Bk o Beloit)	CD	249,957.53	\$236,125.00	(13,833)	0.200%	04/15/24	04/14/21	250.71
Moreton (Goldman Sachs Bk USA N Y)	CD	249,808.90	\$221,182.50	(28,626)	0.900%	05/19/26	05/19/21	1,128.09
Moreton (Peoples Svgs BK)	CD	249,861.99	\$221,627.50	(28,234)	0.650%	05/19/26	05/19/21	814.71
Moreton (Sandhills St Bk Bassett NEB)	CD	249,830.14	\$212,350.00	(37,480)	0.800%	05/21/27	05/21/21	1,002.72
Moreton (National BK Comm Superior)	CD	249,872.60	\$218,782.50	(31,090)	0.600%	05/21/26	05/21/21	752.07
Moreton (Gulf Atlantic Bk Key West)	CD	249,946.92	\$230,180.00	(19,767)	0.250%	11/25/24	05/25/21	313.35
Moreton (Bank Little Chute Wis)	CD	249,946.92	\$235,070.00	(14,877)	0.250%	05/28/24	05/28/21	313.35

INSTITUTION INVESTED IN	INV TYPE	INVESTMENT AMOUNT	MARKET	MARKET GAIN	RATE OF RETURN	MATURITY DATE	PURCHASE DATE	FY 22 - 23 Y-T-D
								EARNINGS
		BOOK VALUE	VALUE	(LOSS)				
Moreton (Poppy Bk Santa Rosa Calif)	CD	249,915.07	\$224,580.00	(25,335)	0.400%	07/28/25	05/28/21	501.36
Moreton (Spring Bk Bronx NY)	CD	250,000.00	\$217,822.50	(32,178)	0.500%	05/28/26	05/28/21	626.70
Moreton (Merchants MFR Joliet ILL	CD	249,925.68	\$245,730.00	(4,196)	0.100%	05/30/23	05/28/21	125.34
Moreton (Webbank Salt Lake City)	CD	249,968.49	\$235,377.50	(14,591)	0.300%	05/28/24	05/28/21	378.08
Moreton (Mega BK San Gabriel Calif)	CD	250,000.00	\$234,280.00	(15,720)	0.200%	06/24/24	06/22/21	250.68
Moreton (First Bk Hamilton New Jersey)	CD	250,000.00	\$225,487.50	(24,513)	0.350%	06/11/25	06/11/21	438.72
Moreton (Pinnacle Bk Jasper ALA)	CD	250,000.00	\$217,762.50	(32,238)	0.500%	06/11/26	06/11/21	626.71
Moreton (Southeast Bank Athens Tenn)	CD	250,000.00	\$218,410.00	(31,590)	0.600%	06/17/26	06/17/21	752.05
Moreton (Denver Svgs Bk Iowa)	CD	250,000.00	\$217,897.50	(32,103)	0.600%	06/28/26	06/28/21	752.07
Moreton (Security St Bk Scott City KS)	CD	250,000.00	\$225,587.50	(24,413)	0.450%	06/30/25	06/29/21	564.06
Moreton (One Cmnty Bk Ore Wis)	CD	250,000.00	\$221,492.50	(28,508)	0.500%	12/29/25	06/29/21	626.70
Moreton (National Bk New York City)	CD	250,000.00	\$219,242.50	(30,758)	0.500%	03/30/26	06/30/21	626.70
Moreton (John Marshall Bk Baileys)	CD	250,000.00	\$242,237.50	(7,763)	0.150%	09/19/23	06/17/21	188.01
Moreton (Toyota Finl Svgs BK)	CD	250,000.00	\$220,305.00	(29,695)	0.950%	07/29/26	07/29/21	1,177.74
Moreton (Prime Alliance BK Utah)	CD	250,000.00	\$205,725.00	(44,275)	1.000%	07/31/28	07/30/21	1,253.43
Moreton (Sallie Mae Bk Murray Utah)	CD	250,000.00	\$220,557.50	(29,443)	1.050%	08/25/26	08/25/21	1,301.71
Moreton (Availa Bk)	CD	250,000.00	\$223,845.00	(26,155)	0.400%	08/27/25	08/27/21	501.36
Moreton (Cumberland Fed Bk)	CD	248,734.20	\$231,298.59	(17,436)	0.200%	09/03/24	09/08/21	347.85
Moreton (Nebraskaland Natl Bk)	CD	250,000.00	\$220,057.50	(29,943)	0.500%	02/27/26	09/08/21	523.96
Moreton (Industrial & Coml Bk)	CD	250,000.00	\$242,767.50	(7,233)	0.250%	09/08/23	09/09/21	315.07
Moreton (Farm Bur Bk FSB Sparks Nev)	CD	250,000.00	\$204,385.00	(45,615)	0.950%	09/08/28	09/10/21	1,190.76
Moreton (Veritex Cmnty Bk Dallas)	CD	250,000.00	\$242,462.50	(7,538)	0.200%	09/15/23	09/15/21	250.71
Moreton (Bank OZK Little Rock)	CD	250,000.00	\$239,580.00	(10,420)	0.180%	12/15/23	09/15/21	225.63
Moreton (Henderson ST Bk Neb)	CD	250,000.00	\$202,932.50	(47,068)	0.850%	09/18/28	09/17/21	1,065.42
Moreton (Riverwind Bk Augusta ARK)	CD	250,000.00	\$231,960.00	(18,040)	0.250%	09/20/24	09/20/21	313.35
Moreton (Envision Bank Massachusetts)	CD	250,000.00	\$242,130.00	(7,870)	0.150%	09/25/23	09/24/21	189.04
Moreton (Grant CNTY Bank Ulysses Kans)	CD	250,000.00	\$212,387.50	(37,613)	0.150%	01/15/27	12/15/21	1,504.11
Moreton (Hingham Instn Svgs Mass)	CD	250,000.00	\$247,675.00	(2,325)	0.150%	03/29/23	12/29/21	376.03
Moreton (Fidelity Co-Operative Bk)	CD	250,000.00	\$219,052.50	(30,948)	0.150%	01/26/27	01/26/22	1,566.78
Moreton (Discover BK Greenwood Del)	CD	250,000.00	\$236,195.00	(13,805)	3.200%	06/01/27	06/01/22	4,010.96
Moreton (Capital One Bank)	CD	250,000.00	\$237,842.50	(12,158)	3.400%	07/20/27	07/20/22	-
Moreton (Saco & Biddeford Svgs)	CD	250,000.00	\$238,300.00	(11,700)	3.450%	07/21/27	07/21/22	3,615.39
Moreton (Drake Bk St Paul Minn)	CD	250,000.00	\$237,097.50	(12,903)	3.450%	01/21/28	07/22/22	3,615.39
Moreton (Capital Cmnty BK Inc Provo UT)	CD	250,000.00	\$236,590.00	(13,410)	3.500%	07/24/28	07/22/22	3,667.81
Moreton (Freddie Mac)	FreddieMac	1,001,598.29	\$870,300.00	(131,298)	0.700%	11/24/26	12/11/20	2,606.90
Moreton (Freddie Mac)	FreddieMac	993,496.43	\$873,070.00	(120,426)	0.800%	10/28/26	04/05/21	6,991.28
Moreton (Federal Natl Mtg Assn)	Fed Natl Mtg Assn	1,491,173.90	\$1,313,670.00	(177,504)	0.875%	12/18/26	04/05/21	10,689.86
Moreton (Federal Home Loan Bank)	Fed Natl Mtg Assn	1,744,555.56	\$1,624,192.50	(120,363)	0.250%	08/16/24	04/05/21	2,539.49
Moreton (Federal Home Loan Bank)	Fed Natl Mtg Assn	1,990,283.03	\$1,746,560.00	(243,723)	1.000%	02/26/27	04/05/21	10,765.50
Moreton (Farmer Mac)	Farmer Mac	1,000,000.00	\$901,160.00	(98,840)	0.830%	03/27/26	04/05/21	4,150.00
Moreton (Federal Farm Credit Bank)	Federal Farm	499,188.96	\$439,325.00	(59,864)	0.710%	08/10/26	08/11/21	1,783.48
Moreton (Federal Farm Credit Bank)	Federal Farm	997,440.00	\$860,860.00	(136,580)	0.875%	06/22/24	09/10/21	4,375.00
Moreton (Federal Farm Credit Bank)	Federal Farm	1,000,000.00	\$838,100.00	(161,900)	1.290%	02/26/26	09/10/21	6,450.00
Moreton (Federal Home Loan banks)	Federal Home	997,870.00	\$869,190.00	(128,680)	0.830%	02/10/27	09/13/21	4,150.00
Moreton (Federal Home Loan banks)	Federal Home	993,000.00	\$869,190.00	(123,810)	0.830%	02/10/27	09/24/21	4,150.00
Moreton (Federal Farm Credit Bank)	Federal Farm	1,000,000.00	\$869,620.00	(130,380)	1.300%	10/20/27	10/25/21	6,500.00
Moreton (Federal Farm Credit Bank)	Federal Farm	999,189.95	\$864,820.00	(134,370)	1.300%	03/23/28	12/13/21	7,708.09
Moreton (Federal Farm Credit Bank)	Federal Farm	498,935.80	\$421,520.00	(77,416)	1.300%	10/12/28	12/13/21	4,079.36
Moreton (Federal Home Loan Banks)	Federal Home	496,551.63	\$438,350.00	(58,202)	1.300%	02/26/27	12/17/21	2,787.50
Moreton (Federal Home Loan Banks)	Federal Home	997,830.00	\$910,780.00	(87,050)	2.010%	02/17/27	02/17/22	10,050.00
Moreton (Federal Home Loan Banks)	Federal Home	498,367.00	\$469,080.00	(29,287)	1.750%	02/28/25	02/28/22	4,375.00
Moreton (Federal Farm Credit Bank)	Federal Farm	1,000,000.00	\$935,570.00	(64,430)	2.860%	03/29/27	03/30/22	14,220.56
Moreton (Federal Home Loan Banks)	Federal Home	999,877.09	\$976,740.00	(23,137)	2.250%	12/08/23	03/31/22	8,316.36

CITY OF ALAMOGORDO
COLLATERALIZATION SUMMARY REPORT

MONTH CLOSING: December 31, 2022

<u>Financial Institution</u>	<u>Amount of City Funds</u>	<u>FDIC Amount</u>	<u>Amount Uninsured</u>	<u>Required Collateral per NMSA 1978 6-10-17</u>	<u>Amount to be Collateralized</u>	<u>Collateral Pledged by Financial Institutions</u>	<u>Over/(Under) Pledged</u>	<u>At Risk</u>
1) State Treasurer's Pool - COA	\$ 5,677	n/a			-			-
Wells Fargo	\$ 2,460,956							
Wells Fargo - PHA	\$ -	-	\$ -					
	\$ 2,460,956	250,000	\$ 2,210,956	50.00%	1,105,478	1,208,488.62	103,011	1,002,467
2) Moreton Capital Markets								
a. Cash and Money Market	\$ 712,087	712,087						
Certificates of Deposit	\$ 32,482,165	32,482,165	\$ -					
b. Securities	\$ 38,546,625	n/a						
	\$ 71,740,877							
First National - Alamogordo	\$ 10,625,057	250,000	\$ 10,375,057	50.00%	5,187,529	7,708,794.94	2,521,266	2,666,262
First National - Alamogordo - PHA	\$ 587,381	-	\$ 587,381	50.00%	293,690	1,767,653.19	1,473,963	(1,180,273)
First Savings Bank	\$ 3,370,067	250,000	\$ 3,120,067	50.00%	1,560,034	2,929,725.71	1,369,692	190,342
Bank '34	\$ 250,000	250,000	\$ -	50.00%	-		-	-
Pioneer Bank	\$ 284,106	250,000	\$ 34,106	50.00%	17,053	66,002.42	48,949	(31,896)
Bank of the West	\$ 283,364	250,000	\$ 33,364	50.00%	16,682	112,690.00	96,008	(79,326)
Washington Federal	\$ 1,472,731	250,000	\$ 1,222,731	50.00%	611,366	1,250,381.00	639,015	(27,650)
3) New Mexico Finance Authority	\$ 1,600,423	n/a						
TOTAL	\$ 92,680,639		\$ 17,583,663		8,791,831	15,043,735.88	\$ 6,251,905	\$ 2,539,927

- 1) These funds are invested in 7-day and 14 day Treasury bills and fully-collateralized bank deposits; per NM STO correspondence Feb. 27, 2009. Per State Treasurer's Investment Policy authorized investments are U.S. Govt. Obligations, Investment Grade commercial paper, AA rated or better Corporate bonds, asset-backed obligations, and etc. (pages 4-8). - Per LGIP statements - New MexiGROW LGIP deposits are not guaranteed or insured by any bank, the State of New Mexico, the Federal Deposit Insurance Corporation, the Federal Reserve Board, or any other agency. New MexiGROW LGIP deposits involve certain investment risks. Yield and total return may fluctuate and are not guaranteed.
- 2) Moreton Capital Markets - transferred on May 2016 from WFBS, which included RBC
- a. Securities and cash are protected up to \$500,000 (including a \$250,000 limit for cash only)
- b. Federal Home Loan Notes, Freddie Mac, Fannie Mae, etc. are backed by the full faith and credit of the U.S. government.
- 3) NMFA is a governmental agency which must itself comply with state investment policies

**CITY OF ALAMOGORDO
ANALYSIS OF INVESTMENT AND YIELDS
TWELVE MONTHS ENDED**

MONTH	(1) TOTAL INVESTMENTS	(2) RETURN ON INVESTMENTS	(3) YIELDS ON INVESTMENTS	TOTAL RETURN ON INVESTMENTS
January 2022	62,972,136	57,832	1.102%	57,832
February 2022	63,036,096	30,754	0.585%	30,754
March 2022	68,085,201	63,960	1.127%	63,960
April 2022	68,121,711	50,117	0.883%	50,117
May 2022	68,149,513	36,510	0.643%	36,510
June 2022	68,149,513	27,801	0.490%	27,801
July 2022	68,230,334	27,144	0.477%	27,144
August 2022	77,315,483	85,149	1.322%	85,149
September 2022	77,213,281	105,454	1.639%	105,454
October 2022	77,277,711	64,429	1.000%	64,429
November 2022	77,343,110	65,400	1.015%	65,400
December 2022	77,429,032	86,944	1.347%	86,944
ANNUAL AVERAGE	71,110,260	58,458	0.9692%	\$58,458
12 MONTH TOTALS		701,494	0.9865%	701,494
			This Quarter	216,773

(1) AVERAGE TOTAL INVESTMENTS (BOOK VALUE)

(2) ALL RETURNS AND YIELDS ARE CALCULATED ON A CASH BASIS

(3) AVERAGE YIELD ON INVESTMENTS

**CITY OF ALAMOGORDO
INVESTMENT SUMMARY
BY FUND
December 31, 2022**

FUND NO.	FUND DESCRIPTION	PER FUND INVESTMENT
11	GENERAL OPERATING	15,118,353.87
16	LODGER'S TAX-PROMOTIONS	174,126.73
20	LODGER'S TAX-CITY SHARE	240,812.13
21	D.A.R.E. DONATIONS	16,441.39
28	POLICE CONTINGENCY	54,716.27
31	CEMETERY-PERPETUAL CARE	812,340.50
33	FIRE PROTECTION FUND	674,673.96
37	ST HIGHWAY CLEANUP	66,020.05
38	TRAFFIC SAFETY	48,955.12
42	84 GRT	3,242,191.95
49	86 GRT	3,867,620.54
61	91 GRT INFRASTRUCTURE	847,263.04
69	94 GROSS RECEIPTS TAX	2,641,556.12
74	SENIOR GIFT FUND	90,781.20
81	WATER/SEWER OPERATIONS	13,885,299.70
82	1998 JT. WATER/SEWER BOND P&I	40,482.46
86	SOLID WASTE	437,865.31
88	BONITO LAKE	348,594.44
89	ESGRT .0625%	1,614,548.97
94	LANDFILL OPERATIONS	3,145,469.49
96	FLEET COLLISION	457,858.33
104	UTILITY DEPOSITS	623,181.76
105	ECONOMIC DEVELOPMENT GRT	6,140,020.66
107	LIABILITY/DEDUCTABLE INSURANCE	678,150.87
109	2004 CAPITAL OUTLAY GRT	14,027,035.03
114	SIDEWALK REVOLVING LOANS	145,093.01
119	11 GRT REF/IMP REV BOND	259,859.00
121	2015 GO BONDS-FUN CENTER	91,087.01
122	2015 GO BONDS - STREETS	176,522.70
124	AMERICAN RESCUE PLAN ACT	7,462,110.87
TOTAL:		<u><u>77,429,032.48</u></u>

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 2/14/2023

Report Date: 02/07/2023

Report No: 10.

Submitted By: Evelyn Huff

Subject: Consider, and act upon, Resolution 2023-10 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 February 14, 2023. *(Evelyn Huff, Finance Director)* **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

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

Revenues \$ 3,986,569 Increase

Expenditures \$ 4,775,231 Increase

Transfers In \$ 490,292 Increase

Transfers Out \$ 490,292 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 2023-10 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. 2023-10

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 February 14, 2023, 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 February 14, 2023, 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 14th day of February 2023.

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
1,726,591
1/12TH REQ RSRV
0
Fund Reserve Policy
468,745
Bal. Remaining
2,605,374

FY23 BUDGET - RESOLUTION 2023-10 (#8) FEBRUARY 14, 2023

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	20,500,157	846,208	13,386,155	(12,539,947)	20,719,097	4,800,710	2,195,337	2,605,374
12	INTERNAL SERVICE FUND	24,496	316,531	5,698,663	0	5,698,663	6,034,005	5,685		\$5,685
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)	598,940	356,796		\$356,796
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	3,798,882	49,500	0	49,500	3,554,950	293,432		\$293,432
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	563,645	6,927,930	0	6,927,930	7,488,058	16,969		\$16,969
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	4,489,457	264,025	4,225,432	5,342,138	20,939		\$20,939
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	489,892	28,910	460,982	458,651	2,331		\$2,331
69	1994 GROSS RECEIPTS	3,345,432	1,925,513	0	2,373,033	(2,373,033)	24,299	2,873,613	553,051	\$2,320,562
71	ALAMO SENIOR CENTER	430	918,260	926,366	0	926,366	1,831,448	13,608		\$13,608
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	139,307	10,000	0	10,000	147,803	8,817		\$8,817
81	WATER/SEWER OPERATING	15,099,374	13,772,451	2,142,063	2,350,678	(208,615)	17,565,735	11,097,475	1,463,850	\$9,633,625
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)	2,300,940	772,843	178,583	\$594,260
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)	1,187,433	826,109		\$826,109

**ALL FUNDS SUMMARY
BUDGET 2022-2023**

1/12TH REQ RSRV
1,726,591
1/12TH REQ RSRV
0
Fund Reserve Policy
468,745
Bal. Remaining

2,605,374

FY23 BUDGET - RESOLUTION 2023-10 (#8) FEBRUARY 14, 2023

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	4,089,653	543,488	33,052	510,436	4,623,583	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)	72,373	493,208		\$493,208
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	1,010,451	0	0	0	200,255	6,387,406		\$6,387,406
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	4,091,083	(4,091,083)	3,719,867	10,686,006	534,452	\$10,151,554
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	102,100	0	102,100	306,100	0		\$0
901	HOUSING LOW RENT OPERATING	1,211,402	1,011,844	0	0	0	1,449,375	773,871	86,881	\$686,990
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	68,146,465	29,586,178	29,586,178	0	100,950,964	55,359,435	6,089,693	49,269,742

ALL FUNDS SUMMARY

BUDGET 2022-2023

1/12TH REQ RSRV
1,726,591
1/12TH REQ RSRV
0
Fund Reserve Policy
468,745
Bal. Remaining
2,605,374

FY23 BUDGET - RESOLUTION 2023-10 (#8) FEBRUARY 14, 2023

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	20,500,157	846,208	13,375,363	(12,529,155)	20,595,150	4,935,449	2,195,337	2,740,113
	Revision #6-Commercial Appraisals City Prop.					0	30,000	(30,000)		(30,000)
	Revision #7-FAA Refund/Subsidy Decrease				(13,512)	13,512		13,512		13,512
	Revision #11-P&R Director's Truck					0	46,000	(46,000)		(46,000)
	Revision #13-Cannabis GRT Admin Fee				6,100	(6,100)		(6,100)		(6,100)
	Revision #14-Code Enforcement Manager					0	47,947	(47,947)		(47,947)
	Revision #15-Facility Maintenance Truck Repair				10,000	(10,000)		(10,000)		(10,000)
	Revision #16-Janitorial Supplies Increase				8,204	(8,204)		(8,204)		(8,204)
	Total Revised Fund 11	17,559,597	20,500,157	846,208	13,386,155	(12,539,947)	20,719,097	4,800,710	2,195,337	2,605,374
12	INTERNAL SERVICE FUND	24,496	316,531	5,680,459	0	5,680,459	6,015,801	5,685		5,685
	Revision #15-Facility Maintenance Truck Repair			10,000		10,000	10,000	0		0
	Revision #16-Janitorial Supplies Increase			8,204		8,204	8,204	0		0
	Total Revised Fund 12	24,496	316,531	5,698,663	0	5,698,663	6,034,005	5,685		5,685
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)	598,940	356,796		356,796
	Total Revised Fund 20	599,081	426,175	0	69,520	(69,520)	598,940	356,796		356,796
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	3,699,882			0	3,382,520	317,362		317,362
	Revision #1-Animal Control Project AC2201					0	23,930	(23,930)		(23,930)
	Revision #10-NM Economic Dev. Grant		99,000	49,500		49,500	148,500	0		0
	Total Revised Fund 24	0	3,798,882	49,500	0	49,500	3,554,950	293,432		293,432
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	563,645	6,927,930	0	6,927,930	7,488,058	16,969		16,969
	Total Revised Fund 32	13,452	563,645	6,927,930	0	6,927,930	7,488,058	16,969		16,969
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	4,489,457	264,025	4,225,432	5,310,038	53,039		53,039
	Revision #2-Public Works Inspector Vehicle					0	5,600	(5,600)		(5,600)
	Revision #9-Vehicle Repairs					0	26,500	(26,500)		(26,500)
	Total Revised Fund 44	5,822	1,131,823	4,489,457	264,025	4,225,432	5,342,138	20,939		20,939
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	489,892	28,910	460,982	458,651	2,331		2,331
	Total Revised Fund 63	0	0	489,892	28,910	460,982	458,651	2,331		2,331
69	1994 GROSS RECEIPTS	3,345,432	1,925,513		1,943,033	(1,943,033)	24,299	3,303,613	553,051	2,750,562
	Revision #12-FAA Runway Lighting Grant				430,000	(430,000)		(430,000)		(430,000)
	Total Revised Fund 69	3,345,432	1,925,513	0	2,373,033	(2,373,033)	24,299	2,873,613	553,051	2,320,562
71	ALAMO SENIOR CENTER	430	918,260	926,366	0	926,366	1,831,448	13,608		13,608
	Total Revised Fund 71	430	918,260	926,366	0	926,366	1,831,448	13,608		13,608
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
	Revision #3-RSVP Senior Companion Grant		2,032			0		2,032		2,032
	Revision #4-RSVP Foster Grandparent Grant		2,025			0		2,025		2,025
	Total Revised Fund 75	7,313	139,307	10,000	0	10,000	147,803	8,817		8,817
81	WATER/SEWER OPERATING	15,099,374	13,772,451	2,142,063	2,350,678	(208,615)	17,464,735	11,198,475	1,463,850	9,734,625
	Revision #5-Fuels/Chemicals Increased Costs					0	101,000	(101,000)		(101,000)
	Total Revised Fund 81	15,099,374	13,772,451	2,142,063	2,350,678	(208,615)	17,565,735	11,097,475	1,463,850	9,633,625
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)	2,279,490	794,293	178,583	615,710
	Revision #8-Projected Line-Item Deficits					0	21,450	(21,450)		(21,450)
	Total Revised Fund 86	771,643	2,454,909	0	152,769	(152,769)	2,300,940	772,843	178,583	594,260
88	BONITO CAMPGROUND	398,101	3,003	150,000		150,000	152,000	399,104		399,104
	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)	1,187,433	826,109		826,109
	Total Revised Fund 89	2,282,812	494,876	0	764,146	(764,146)	1,187,433	826,109	0	826,109
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	206,141	127,000	33,052	93,948	323,583	19,406	0	19,406
	Revision #7-FAA Refund/Subsidy Decrease		13,512	(13,512)		(13,512)		0		0
	Revision #12-FAA Runway Lighting Grant		3,870,000	430,000		430,000	4,300,000	0		0
	Total Revised Fund 91	42,900	4,089,653	543,488	33,052	510,436	4,623,583	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)	72,373	493,208		493,208
	Total Revised Fund 96	547,004	84,177	0	65,600	(65,600)	72,373	493,208	0	493,208
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	1,010,451			0	200,255	6,387,406		6,387,406
	Total Revised Fund 105	5,577,210	1,010,451	0	0	0	200,255	6,387,406		6,387,406
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		4,041,583	(4,041,583)	3,719,867	10,735,506	534,452	10,201,054
	Revision #10-NM Economic Dev. Grant Match				49,500	(49,500)		(49,500)		(49,500)
	Total Revised Fund 109	14,557,615	3,939,341	0	4,091,083	(4,091,083)	3,719,867	10,686,006	534,452	10,151,554
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
	Revision #13-Cannibis GRT Admin Fee			6,100		6,100	6,100	0		0
	Total Revised Fund 125	0	204,000	102,100	0	102,100	306,100	0		0
901	HOUSING LOW RENT OPERATING	1,211,402	1,011,844			0	1,449,375	773,871	86,881	686,990
	Total Revised Fund 901	1,211,402	1,011,844	0	0	0	1,449,375	773,871	86,881	686,990
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	68,146,465	29,586,178	29,586,178	0	100,950,964	55,359,435	6,089,693	49,269,742

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 restore budget for the Animal Control Building project inadvertently left off FY23 Carryover list. These funds were the initial portion of the Carroll Petrie Foundation Grant.						
24	GRANT CAPITAL IMPROVEMENT FUND					
		<i>Expenditures</i>				
	AC2201	024-3804-429.63-91	Building Improvement	0	23,930	23,930
			Total Expenditures	0	23,930	23,930
REVISION #2						
This budget revision is to provide additional funding because of price increase for vehicle for Public Works Inspector.						
44	TRANSPORTATION FUND					
		<i>Expenditures</i>				
	CERPWA	044-1803-431.61-85	CER Equipment Replacement	45,000	5,600	50,600
			Total Expenditures	45,000	5,600	50,600
REVISION #3						
This budget revision is to account for funding for the Retired Senior Volunteer Program ALTSD Grant increase to \$ 69,782 for the RSVP Senior Companion Program.						
75	RSVP FUND					
		<i>Revenues</i>				
		075-0000-317.16-41	State Co-Op - SCP	67,750	2,032	69,782
			Total Revenues	67,750	2,032	69,782
REVISION #4						
This budget revision is to account for funding for the Retired Senior Volunteer Program ALTSD Grant increase to \$ 69,525 for the RSVP Foster Grandparent Program.						
75	RSVP FUND					
		<i>Revenues</i>				
		075-0000-317.16-42	Foster Grandparent Grant	67,500	2,025	69,525
			Total Revenues	67,500	2,025	69,525
REVISION #5						
This budget revision is to increase Fuels and Chemicals line-items because of substantial increased costs and shipping at the Wastewater Treatment Plant & Water Filter Plant.						
81	WATER/SEWER FUND					
		<i>Expenditures</i>				
		081-5603-432.30-55	Fuels	18,000	16,000	34,000
		081-5603-432.32-95	Water Treatment Chemicals	114,000	66,000	180,000
		081-5703-461.30-55	Fuels	25,000	19,000	44,000
			Total Expenditures	157,000	101,000	258,000
REVISION #6						
This budget revision is to increase funding for Commercial Appraisals of City properties to include the Chamber of Commerce, Fairgrounds Parking Lot, Ninth St/White Sands parking lot, Lion's Club, and Toy Train Depot.						
11	GENERAL FUND					
		<i>Expenditures</i>				
		011-1501-415.56-30	Legal Fees & Services	8,799	30,000	38,799
			Total Expenditures	8,799	30,000	38,799
REVISION #7						
This budget revision is to account for a refund from the FAA for prior services and is used to reduce the subsidy transfer from the General Fund.						
91	AIRPORT FUND					
		<i>Revenues</i>				
	AP2303	091-0000-316.15-01	Refunds & Collections	0	13,512	13,512
			Total Revenues	0	13,512	13,512
		<i>Transfers In</i>				
		091-0000-391.19-11	Trans fr (11) General	127,000	(13,512)	113,488
			Total Transfers In	127,000	(13,512)	113,488
11	GENERAL FUND					
		<i>Transfers Out</i>				
		011-0000-491.18-91	Trans to (91) Airport	127,000	(13,512)	113,488
			Total Transfers Out	127,000	(13,512)	113,488

REVISION #8

This budget revision is to increase Water/Sewer/Garbage, Uniforms, and Fuels to projected year end totals.

86 SOLID WASTE FUND				
<i>Expenditures</i>				
086-1003-434.47-60	Water/Sewer/Garbage	1,000	800	1,800
086-1003-434.31-05	Uniforms	1,340	650	1,990
086-1003-434.30-55	Fuels	25,000	20,000	45,000
Total Expenditures		27,340	21,450	48,790

REVISION #9

This budget revision is to increase funding to repair Water Truck air brakes, Transport Truck to make it DOT compliant, and 2003 Ford F350.

44 TRANSPORTATION FUND				
<i>Expenditures</i>				
044-5203-431.44-21	Fleet Commercial Parts	51,155	26,500	77,655
Total Expenditures		51,155	26,500	77,655

REVISION #10

This budget revision is to account for a NM Economic Development Grant to repave the Indian Wells Walking Trail and install covered benches and trash receptacles and requires a \$ 49,500 match.

24 GRANT CAPITAL IMPROVEMENT FUND				
<i>Revenues</i>				
CS2329 024-0000-317.16-73	Federal Grant	0	99,000	99,000
Total Revenues		0	99,000	99,000
<i>Transfers In</i>				
024-0000-391.91-09	Trans fr (109) 2004 GRT	0	49,500	49,500
Total Transfers In		0	49,500	49,500
<i>Expenditures</i>				
CS2329 024-0000-419.57-34	Contract Services	0	100,000	100,000
CS2329 024-0000-419.61-29	Infrastructure/Construction	0	48,500	48,500
Total Expenditures		0	148,500	148,500
109 STREET CAPITAL GRT				
<i>Transfers Out</i>				
CS2329 109-0000-491.18-24	Trans to (24) Grant Capital Improvement	0	49,500	49,500
Total Transfers Out		0	49,500	49,500

REVISION #11

This budget revision is to increase funding to purchase truck for new Parks & Recreation Director.

11 GENERAL FUND				
<i>Expenditures</i>				
011-2400-419.57-72	Contingencies	310,384	46,000	356,384
Total Expenditures		310,384	46,000	356,384

REVISION #12

This budget revision is to account for a FAA Runway Lighting Grant proposal for \$ 4,300,000 and to provide for the City's 10% match of \$ 430,000. Match is funded with a transfer from the '94 GRT Fund 69.

91 AIRPORT FUND				
<i>Revenues</i>				
AP2304 091-0000-317.16-73	Federal Grant	35,398	3,870,000	3,905,398
Total Revenues		35,398	3,870,000	3,905,398
<i>Transfers In</i>				
091-0000-391.19-69	Trans fr (69) '94 GRT	0	430,000	430,000
Total Transfers In		0	430,000	430,000
<i>Expenditures</i>				
AP2304 091-0006-459.60-01	Capital Outlay	0	4,300,000	4,300,000
Total Expenditures		0	4,300,000	4,300,000
69 94 GRT FUND				
<i>Transfers Out</i>				
069-0000-491.18-91	Trans to (91) Airport	0	430,000	430,000
Total Transfers Out		0	430,000	430,000

REVISION #13

This budget revision is to account for State GRT Administration Fees for the Cannabis Regulation Act Gross Receipts Tax.

125 CANNABIS REGULATION ACT GRT FUND			
<i>Transfers In</i>			
125-0000-391.19-11	Trans fr (11) General	96,000	6,100 102,100
	Total Transfers In	96,000	6,100 102,100
<i>Expenditures</i>			
125-2400-419.56-29	GRT Administration Fee	0	6,100 6,100
	Total Expenditures	0	6,100 6,100
11 GENERAL FUND			
<i>Transfers Out</i>			
011-0000-491.81-25	Trans to (125) Cannabis GRT	96,000	6,100 102,100
	Total Transfers Out	96,000	6,100 102,100

REVISION #14

This budget revision is to increase funds to re-establish the Code Enforcement Manager position.

11 GENERAL FUND			
<i>Expenditures</i>			
011-3104-429.20-01	Supervisory	0	24,394 24,394
011-3104-429.20-10	Retirement	25,820	3,879 29,699
011-3104-429.20-12	Retiree Health Care	3,466	488 3,954
011-3104-429.20-15	Social Security	13,958	1,512 15,470
011-3104-429.20-25	Group Health Insurance	40,682	5,036 45,718
011-3104-429.20-30	Worker's Compensation	4,504	134 4,638
011-3104-429.20-31	Worker's Comp Admin Fee	46	4 50
011-3104-429.30-40	Office Supplies	1,298	3,000 4,298
011-3104-429.31-05	Uniforms	2,000	1,000 3,000
011-3104-429.31-50	Safety Supplies	1,750	3,000 4,750
011-3104-429.47-41	Cellular Phone Service	0	500 500
011-3104-429.50-50	Equipment Non-Capital	10,000	3,000 13,000
011-3104-429.56-05	Training, Travel, & Conferences	2,000	2,000 4,000
	Total Expenditures	105,524	47,947 153,471

REVISION #15

This budget revision is to provide funding for repair of Digger Truck which has been red-tagged during annual inspection.

12 INTERNAL SERVICE FUND			
<i>Transfers In</i>			
012-0000-391.19-11	Trans fr (11) General	4,670,151	10,000 4,680,151
	Total Transfers In	4,670,151	10,000 4,680,151
<i>Expenditures</i>			
012-3303-419.44-21	Fleet Commercial Parts	8,450	10,000 18,450
	Total Expenditures	8,450	10,000 18,450
11 GENERAL FUND			
<i>Transfers Out</i>			
011-0000-491.18-12	Trans to (12) Internal Service	4,670,151	10,000 4,680,151
	Total Transfers Out	4,670,151	10,000 4,680,151

REVISION #16

This budget revision is to increase funding for Janitorial Supplies because of additional locations included in Custodial Cleaning Contract.

12 INTERNAL SERVICE FUND			
<i>Transfers In</i>			
012-0000-391.19-11	Trans fr (11) General	4,680,151	8,204 4,688,355
	Total Transfers In	4,680,151	8,204 4,688,355
<i>Expenditures</i>			
012-1602-415.31-01	Janitorial Supplies	3,796	8,204 12,000
	Total Expenditures	3,796	8,204 12,000
11 GENERAL FUND			
<i>Transfers Out</i>			
011-0000-491.18-12	Trans to (12) Internal Service	4,680,151	8,204 4,688,355
	Total Transfers Out	4,680,151	8,204 4,688,355

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 2/14/2023

Report Date: 02/06/2023

Report No: 11.

Submitted By: Barbara Pyeatt

Subject: Consider, and act upon, the award of IFB 2023-01 1" Base Course to RD Blankenship Dirt Work in the amount of \$91,828.95. (*David Nunnelley, Utilities Director*)

Fiscal Impact: 91,828.95

Amount Budgeted: \$100,000

Fund: 081-5503-461-4520

Additional Fiscal Impact:

Recommendation: Approve the award to RD Blankenship Dirt Work.

Background: IFB 2023-01 was advertised on January 15th, 2023. The bid was opened on January 31, 2023. The Purchasing Department received two bids. The bids were reviewed and determined to be acceptable and in compliance with the terms and conditions of the IFB.

This is an estimated quantity, multi-term contract. The term of this contract is to commence on February 23rd, 2023 through February 22nd, 2024. This contract may be extended for an additional three one-year terms. The estimated annual maximum usage determines quantity.

BID TABULATION
"1" Base Course
CITY OF ALAMOGORDO IFB 2023-01
January 31st, 2023 2:00 PM

ITEM NO.	ESTIMATED QUANTITY TONS	DESCRIPTION	RD Blankinship Dirt Work		AGGTEC LLC.	
			Unit Price	Total Price	Unit Price	Total Price
1	1 Ton	Base Course, as per attached specifications (not delivered)	\$8.45	\$8.45	\$10.00	\$10.00
2	8,000 tons	Base Course, as per attached specifications (not delivered)	\$11.45	\$91,600.00	\$14.50	\$116,000.00
3	1ea	Cost per ton mile for base course deliveries	\$0.50	\$0.50	\$1.00	\$1.00
4	1 ea	Cost per hour for 10 to 12 ton Capacity dump to haul base course to other than City Public Works Yard	\$100.00	\$100.00	\$95.00	\$95.00
5	1 ea	Cost per hour for 19 to 24 ton Capacity dump to haul base course to other than City Public Works Yard.	\$120.00	\$120.00	\$120.00	\$120.00
TOTAL BASE BID				\$91,828.95		\$116,226.00

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 2/14/2023

Report Date: 02/08/2023

Report No: 12.

Submitted By: Stella Rael

Subject: Consider, and act upon, the first publication of Ordinance 1671 Case Z-2023-0001(A), a map amendment to change the zoning of the property located at 451 Michel St. from MH-2 Manufactured Housing Park to MH-1 Manufactured Housing Subdivision. (*Stella Rael, City Planner*) **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact: N/A

Recommendation: Recommend Approval for First Publication

Background: Property owner Kristine C. Fambrough is requesting to rezone the property from MH-2 Manufactured Housing Park to MH-1 Manufactured Housing Subdivision



Otero Ave

Oliver

Nancy

Michel St

Michel

Alex

Durkin

2200

2200

2200

450

450

450

450

450

450

442

434

350

450

450

451

ORDINANCE No. 1671

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ALAMOGORDO, CHANGING THE CLASSIFICATION OF A CERTAIN PROPERTY COMMONLY KNOWN AS 451 MICHEL ST FROM ITS PRESENT DESIGNATION AND ZONING DISTRICT: MH-2 MANUFACTURED HOUSING PARK TO: MH-1 MANUFACTURED HOUSING SUBDIVISION WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF ALAMOGORDO, OTERO COUNTY, NEW MEXICO.

WHEREAS, Kristine C. Fambrough (hereinafter referred to as "the Owner") is the owner of certain real properties 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

451 MICHEL ST

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

Z-2023-0001(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 the 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:

451 MICHEL ST

Is hereby changed from MH-2 Manufactured Housing Park District to MH-1 Manufactured Housing Subdivision 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 _____, 2023.

**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 Smith, City Attorney



Otero Ave

Nancy

450

450

450

450

450

450

442

Michel St

Michel St

silver

Alex

Durkin

450

451

2200

2200

2200

100ft

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 2/14/2023

Report Date: 02/01/2023

Report No: 13.

Submitted By: Ashley Smith

Subject: Consider, and act upon, the first publication of Ordinance 1672 amending Chapter 32, Article 32-01 concerning the disposition of Real Property. (*Ashley Smith, City Attorney*) (**Roll Call Vote Required**)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Staff recommends approval of first publication.

Background: Amending Ordinance to reflect State Statute.

ORDINANCE NO. 1672**AN ORDINANCE AMENDING CHAPTER 32, ARTICLE 32-01 OF THE
ALAMOGORDO CODE OF ORDINANCES CONCERNING
DISPOSITION OF REAL PROPERTY**

WHEREAS, the City Commission of the City of Alamogordo, New Mexico deems it necessary to amend Article 32-01 concerning disposition of municipal real property.

WHEREAS, the City Commission of the City of Alamogordo, New Mexico recognize that the ordinances regarding disposition of municipal real property have not been updated in many years.

BE IT THEREFORE ORDAINED by the City Commission of the City of Alamogordo, New Mexico that Chapter 32, Article 01 of the Code of Ordinances is repealed in part and amended in part.

~~32-01-010. Authority to sell, exchange or lease real property.~~

~~The City of Alamogordo is authorized to sell, exchange or lease any real property owned by the city, where it is in the public interest to sell, exchange or lease the property. The sale, exchange or lease may be by bid or by negotiations. No such disposition of real property shall be effective until thirty (30) days after approval by the city commission.~~

~~(Ord. No. 679, § 1, 6-12-84)~~

~~32-01-020. Private sales and exchanges.~~

- ~~(a) If the sale or exchange is to be negotiated, a public notice of the terms and conditions of the sale, and a statement that alternate proposals may be presented at a specified meeting of the city commission, shall be published at least twice, according to subsection J of Section 3-1-2 NMSA 1978, not less than seven (7) days apart, with the last publication not less than seven (7) days before the specified meeting.~~
- ~~(b) Any alternate proposal presented at the meeting may be accepted by the city commission, if the alternate proposal better serves the public interest than the negotiated sale or exchange.~~
- ~~(c) The negotiated sale or exchange, or the alternate proposal, may be completed at any time following the meeting specified in this section.~~

~~(Ord. No. 679, § 1, 6-12-84)~~

~~32-01-030. Sales by public bid.~~

- ~~(a) Before any property is sold by public bid, a notice shall be published at least twice, as provided in subsection J of Section 3-1-2 NMSA 1978, not less than seven (7) days apart, with the last publication not less than seven (7) days before the sale. The notice shall contain:~~
 - ~~(1) The date, time and place of the sale;~~

(2) — Whether sealed bids will be submitted in advance of the sale or whether bids will be made at public auction;

(3) — Legal description of the property to be sold;

(4) — Minimum bids, if any;

(5) — The value of any appraisals on the property.

(b) — The bid of the highest responsible bidder shall be accepted, unless the terms of the bid do not meet the published terms and conditions of the sale.

(c) — The city may reject all bids.

(Ord. No. 679, § 1, 6-12-84)

32-01-040. Records and appraisals.

A record shall be maintained by the city treasurer of all sales, exchanges and leases, for the auditors' inspection. In addition, a market analysis is required for every exchange or sale of real property where its value is greater than ten thousand dollars (\$10,000), but less than twenty-five thousand dollars (\$25,000), and an appraisal is required for every exchange or sale of real property where its value exceeds twenty-five thousand dollars (\$25,000.00), and the lease where the annual lease value exceeds ten thousand dollars (\$10,000.00).

(Ord. No. 679, § 1, 6-12-84; Ord. No. 883, 9-14-93)

32-01-050. Leases.

No notice is required of the lease of municipal real property, unless the annual lease value exceeds ten thousand dollars (\$10,000.00), or bids are solicited. In those cases, the notice of solicitation of bids for the lease shall be as provided in section 32-01-030.

(Ord. No. 679, § 1, 6-12-84; Ord. No. 883, 9-14-93)

32-01-010. Authority to sell, exchange or lease real property.

(a) The City may lease or sell and exchange any real property owned by the City having a value of twenty-five thousand dollars (\$25,000) or less by public or private sale or lease any municipal facility or real property of any value normally leased in the regular operations of such facility or real property, and such sale or lease shall not be subject to referendum.

(b) The City may lease or sell and exchange any real property owned by the City having an appraised value in excess of twenty-five thousand dollars (\$25,000) by public or private sale or lease, subject to the referendum provisions set forth in this section. The value of real property to be leased or sold and exchanged shall be determined by the appraised value of the real property and not by the value of the lease. An appraisal shall be made by a qualified appraiser and submitted in writing to the governing body. If the sale price is less than the appraised value, the governing

-
- body shall cause a detailed written explanation of that difference to be prepared, and the written explanation shall be made available to any interested member of the public upon demand.
- (c) If a public sale is held, the bid of the highest responsible bidder shall be accepted unless the terms of the bid do not meet the published terms and conditions of the proposed sale, in which event the highest bid that does meet the published terms and conditions shall be accepted; provided, however, the City may reject all bids. Terms and conditions for a proposed public sale or lease shall be published at least twice, not less than seven days apart, with the last publication no less than fourteen days prior to the bid opening, and in accordance with the provisions of Subsection J of Section 3-1-2 NMSA 1978.
- (d) Any sale or lease of municipal real property entered into pursuant to Subsection B of this section shall be by ordinance of the City. Such an ordinance shall be effective forty-five days after its adoption, unless a referendum election is held pursuant to this section. The ordinance shall be published prior to adoption pursuant to the provisions of Subsection J of Section 3-1-2 NMSA 1978 and Section 3-17-3 NMSA 1978 and shall be published after adoption at least once within one week after adoption pursuant to the provisions of Subsection J of Section 3-1-2 NMSA 1978. Such publications shall concisely set forth at least:
- (1) the terms of the sale or lease;
 - (2) the appraised value of the municipal real property;
 - (3) the time and manner of payments on the lease or sale;
 - (4) the amount of the lease or sale;
 - (5) the identities of the purchasers or lessees; and
 - (6) the purpose for the City making the lease or sale.
- (e) In order to call for a referendum election on a sale or lease ordinance, a petition shall be filed with the City Clerk:
- (1) no later than thirty days after the adoption of the sale or lease ordinance;
 - (2) containing the names, addresses and signatures of at least fifteen percent of the qualified electors of the City; and
 - (3) the Petition for a Referendum forms shall be obtained from the City Clerk's office.
- (f) Section 3-1-5 NMSA 1978 shall apply to all petitions filed calling for a referendum election on a sale or lease ordinance.
- (g) If the City Clerk certifies to the Commission that the petition does contain the minimum number of valid names, addresses and signatures required to call a referendum election on the sale or lease ordinance, the Commission shall adopt an election resolution within fourteen days after the date the clerk makes such certification, calling for a referendum election on the sale or lease ordinance. The election resolution shall be adopted and published pursuant to the provisions of the Local Election Act and shall also concisely set forth:
- (1) the terms of the sale or lease;
 - (2) the appraised value of the municipal real property;
 - (3) the time and manner of payments on the lease or sale;
 - (4) the amount of the lease or sale;
 - (5) the identities of all purchasers or lessees; and
 - (6) the purpose for the City making the lease or sale.
- (h) The referendum election on the sale or lease ordinance shall be held not later than ninety days after the election resolution is adopted. Such election shall be held at a special or regular local

election and shall be conducted pursuant to the provisions of the Local Election Act. Any qualified elector of the City may vote in such a referendum election.

(i) If a majority of the votes cast is to approve the sale or lease ordinance, the sale or lease ordinance shall be effective after the election results have been canvassed and certified. If a majority of the votes cast is to disapprove the sale or lease ordinance, the ordinance shall not be effective.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2023.

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 Smith, City Attorney

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 2/14/2023

Report Date: 02/01/2023

Report No: 14.

Submitted By: Ashley Smith

Subject: Consider, and act upon the first publication of Ordinance 1673 amending Chapter 32, Article 32-02 concerning the disposition of Personal Property. *(Ashley Smith, City Attorney)* **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Staff recommends approval of first publication.

Background: Amending ordinance to reflect State Statute.

ORDINANCE NO. 1673**AN ORDINANCE AMENDING CHAPTER 32, ARTICLE 32-02 OF THE
ALAMOGORDO CODE OF ORDINANCES CONCERNING
DISPOSITION OF PERSONAL PROPERTY**

WHEREAS, the City Commission of the City of Alamogordo, New Mexico deems it necessary to amend Article 32-02 concerning disposition of municipal real property.

WHEREAS, the City Commission of the City of Alamogordo, New Mexico recognize that the ordinances regarding disposition of municipal real property have not been updated in many years.

BE IT THEREFORE ORDAINED by the City Commission of the City of Alamogordo, New Mexico that Chapter 32, Article 02 of the Code of Ordinances is repealed in part and amended in part.

32-02-010. Authority to sell.

~~The city may sell personal property at bid or at a negotiated sale, where the sale is in the interest of the public, in accord with the provisions of this chapter.~~

~~(Ord. No. 679, § 1, 6-12-84)~~

32-02-020. Negotiated sales.

- ~~(a) If the value of the property is two thousand five hundred dollars (\$2,500.00) or less, a written record shall be made of the sale for the auditors' inspection.~~
- ~~(b) If the value of the property is over two thousand five hundred dollars (\$2,500.00), notice of the sale shall be published two (2) times, as provided in section 32-01-020 of this Code, and disposition shall not be final until approval by the city commission.~~
- ~~(c) If the value of the property is over five thousand dollars (\$5,000.00), in addition to the requirements of subsection (b) of this section, a written appraisal of the property shall be made.~~
- ~~(d) For the purpose of valuation under this section, the value shall be aggregated of all items of property which are:~~

~~(1) Substantially similar or designed to function together; and~~

~~(2) Sold to the same buyer.~~

~~(Ord. No. 679, § 1, 6-12-84)~~

32-02-030. Public sales.

If the personal property is to be sold at bid, the bid shall be advertised as provided in section 32-01-030. However, if the personal property is of a type more appropriately advertised in a specialized or trade periodical, publication shall be in such a periodical instead of a newspaper of general circulation.

(Ord. No. 679, § 1, 6-12-84)

32-02-040. Certain state provisions not changed.

Nothing in this chapter is intended to abrogate the provisions of subsection D of Section 3-54-2 NMSA 1978 (sales, exchanges or donations to other governmental entities), or the provision of Sections 29-1-13 through 29-1-15 NMSA 1978 (property taken by peace officers).

(Ord. No. 679, § 1, 6-12-84)

32-02-010. Sale, exchange and gift of personal property

- (a) The City may sell personal property for cash at public or private sale without notice where it is shown that such property does not exceed the value of two thousand five hundred dollars (\$2,500).
- (b) The City may sell personal property having a value of more than two thousand five hundred dollars (\$2,500) at public or private sale. If a private sale is held under this subsection, such sale shall be held only after notice is published at least twice, pursuant to the provisions of Subsection J of Section 3-1-2 NMSA 1978, not less than seven days apart, with the last publication not less than fourteen days prior to the sale.
- (c) If a public sale is held, the bid of the highest responsible bidder shall be accepted unless the terms of the bid do not meet the published terms and conditions of the City, in which event the highest bid which does meet the published terms and conditions shall be accepted; provided, however, the City may reject all bids. Terms and conditions for a proposed sale or lease shall be published at least twice, not less than seven days apart, with the last publication no less than fourteen days prior to the bid opening, and shall be published according to the provisions of Subsection J of Section 3-1-2 NMSA 1978.
- (d) The City may sell, at a private or public sale, exchange or donate real or personal property to the state, to any of its political subdivisions or to the federal government if such sale, exchange or gift is in the best interests of the public and is approved by the local government division of the department of finance and administration. The provisions of Section 6-6-11 NMSA 1978 shall not apply to such sale, exchange or a donation.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2023.

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 Smith, City Attorney

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 2/14/2023

Report Date: 02/10/2023

Report No: 15.

Submitted By: Rachel Hughs

Subject: Consider, and act upon, appointing members to serve on the Charter Committee. *(Rachel Hughs, City Clerk)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Appoint to the Charter Committee.

Background:

During the regular Commission meeting on January 10, 2023, the Commission passed Resolution 2023-03 Establishing a Charter Committee. The resolution was passed to form a committee to review the effectiveness of the City Charter. The committee would consist of not less than 7 residents and no more than 14 residents of the City. Each member of the Commission may nominate 2 residents of the city. The nominations were to be turned in to the City Clerk by February 7, 2023. The City Commission shall appoint the members to the committee during the Regular Commission meeting on February 14, 2023. Resolution 2023-03 is attached.

There were 7 applications turned in that were nominated by the Commission. The City Clerk verified the applicant's party affiliation with the voter registration list. There are 4 Republicans, 1 Democrat, and 2 are No Party/Independent.

There was one application that was self-nominated. The application is attached for information only.

RESOLUTION NO. 2023-03

A RESOLUTION ESTABLISHING A CITY CHARTER COMMITTEE FOR THE CITY OF ALAMOGORDO, NEW MEXICO

WHEREAS, the governing body of the City of Alamogordo, New Mexico, a New Mexico municipal corporation, is mandated by Article 12, Section 3(B) of the City Charter to appoint a committee every ten (10) years to review the effectiveness of the Charter and to make written recommendations within sixty (60) days of its appointment; and

WHEREAS, it is the desire of the governing body of the City of Alamogordo to establish a City Charter Committee consisting of not less than 7 (seven) residents and no more than fourteen (14) residents of the City; and

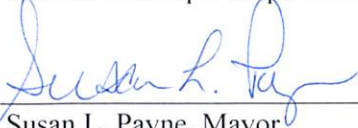
WHEREAS, each member of the governing body of the City of Alamogordo may nominate two (2) residents of the City to serve as members of the Committee subject to confirmation by the governing body of the City.

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

1. A City Charter Committee is hereby established and shall consist of not less than 7 (seven) residents and not more than fourteen (14) residents of the City.
2. Each member of the governing body may nominate two (2) residents of the City to serve as members of the Committee and shall submit their nominations to the City Clerk prior to February 7, 2023.
3. The Committee shall meet and make written recommendations to the governing body of the City regarding the effectiveness of the City Charter within sixty (60) days of the date the members are appointed to the Committee.
4. The City Commission shall appoint the members to the Committee at its regularly scheduled meeting of February 14, 2023.

PASSED, APPROVED, AND ADOPTED this 10th day of January, 2023.

CITY OF ALAMOGORDO, NEW MEXICO
a New Mexico municipal corporation

By: 
Susan L. Payne, Mayor

ATTEST:



Rachel Hughes, City Clerk

APPROVED AS TO FORM:


Ashley Smith, City Attorney



City of
ALAMOGORDO

Nomination application to serve
on the 2023 City Charter Committee

RECEIVED

JAN 13 2023

CITY CLERK

Nominated by: KARL MELTON
Name of Elected Official (if applicable)

Name: BENJAMIN LUNA JR
Home Phone: _____ Cell Phone: 575-921-5450
Email address: GLOPRO575@GMAIL.COM
Physical Address: 963 DEWEY LN
Is the above address within City limits? Yes ☒ No _____
Mailing Address: 903 DEWEY LN
Present Employer: SPOT FREE CLEANING Job Title: EVERYTHING

Experience and education you feel would benefit the City Charter Committee:
KNOWLEDGE OF OUR FOUNDING FATHERS, FOUNDING
DOCUMENTS, THE ORIGINAL INTENT OF THE
CONSTITUTION, AND INFORMED OF NATIONAL &
STATE EVENTS, SUCH AS LEGISLATIVE SESSIONS, ETC.

Please indicate your interest in serving on the City Charter Committee:
PROTECT CITY FROM ANTI-AMERICAN OR
PRO-COMMUNIST DOCTRINES, WHICH INFLUENCE
LAWS AND ORDINANCES

Please indicate the days of the week and times you are not available for meetings:
NOT AVAILABLE ON SUNDAYS OR AFTER 5PM
ON WEDNESDAYS.

Please return the completed application to:
Rachel Hughs, City Clerk
1376 E. Ninth Street, Alamogordo, NM 88310
Phone: (575) 439-4100
Email: rhughs@ci.alamogordo.nm.us

RETURN TO THE CITY CLERK PRIOR TO 5:00 P.M. ON FEBRUARY 7, 2023



City of
ALAMOGORDO

RECEIVED

JAN 26 2023

CITY CLERK

**Nomination application to serve
on the 2023 City Charter Committee**

Nominated by: Commissioner Stephen Burnett
Name of Elected Official (if applicable)

Name: Tim Mills

Home Phone: 210 883 7170 Cell Phone: 210 883 7170

Email address: tim.mills1@gmail.com

Physical Address: 1608 Teresa Ln

Is the above address within City limits? Yes X No

Mailing Address: P.O. Box 1481 Alamogordo, NM 88311

Present Employer: Tetra Tech Inc Job Title: Principle Investigator

Experience and education you feel would benefit the City Charter Committee:
I am employed in the environmental permitting industry and frequently deal with
an assortment of government agencies.

Please indicate your interest in serving on the City Charter Committee:
Democracy only works if it is participatory. I wish to be involved in government
oversight at the local level

Please indicate the days of the week and times you are not available for meetings:
My schedule is erratic as I am an on-call employee.

Please return the completed application to:
Rachel Hughs, City Clerk
1376 E. Ninth Street, Alamogordo, NM 88310
Phone: (575) 439-4100
Email: rhughs@ci.alamogordo.nm.us

RETURN TO THE CITY CLERK PRIOR TO 5:00 P.M. ON FEBRUARY 7, 2023



City of
ALAMOGORDO

Nomination application to serve
on the 2023 City Charter Committee

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Nominated by: Josh Rardin
Name of Elected Official (if applicable)

Name: Elise Barela
Home Phone: 575-551-6613 Cell Phone: _____
Email address: Elise_casteel@yahoo.com
Physical Address: 900 Dewey Ln
Is the above address within City limits? Yes ☒ No _____
Mailing Address: 900 Dewey Ln
Present Employer: North 54 Salvage Inc Job Title: Manager

Experience and education you feel would benefit the City Charter Committee:

I have experience ranging from being an assistant at the 2022 30 Day legislative session to holding multiple management positions at different places such as McDonalds, The NM Trump Victory team and North 54 Salvage. I'm also a local business owner, from all of this I have learned not only how to be a leader, understand budgets and what it takes to run a business but also how to work with different types of people in different settings as a team to accomplish goals.

Please indicate your interest in serving on the City Charter Committee:

I'm from Alamogordo and I plan on staying here and raising my family. I want to see our town thrive and I believe the charter committee would be a great step for myself in helping to see that happen.

Please indicate the days of the week and times you are not available for meetings:

Please return the completed application to:
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**Nomination application to serve
on the 2023 City Charter Committee**

Nominated by: Susan Payne
Name of Elected Official (if applicable)

Name: Marjorie L. Schulze
Home Phone: N/A Cell Phone: 575-446-2428
Email address: marjschulze@centurylink.net
Physical Address: 3009 Ute Place
Is the above address within City limits? Yes ☒ No ☐
Mailing Address: 3009 Ute Place Alamogordo, NM 88310
Present Employer: LoveINC of Otero County Job Title: Ministry Assistant

Experience and education you feel would benefit the City Charter Committee:

As a former small business owner, I
have served on several boards including the
Lodgers Tax Advisory Board, the Board of Directors
for the NM Lodging Association and the Raton
Chamber of Commerce.

Please indicate your interest in serving on the City Charter Committee:

My husband and I chose to retire in Alamogordo for
several reasons, including the city form of government.
While not actively involved on other city boards, I do follow
actions of the city and commission. I am willing to serve and
help ensure the charter is up to date and upholds the values of
Please indicate the days of the week and times you are not available for meetings: the citizens of
Monday, Tuesday, Thursday 9:00 am - 2:00 pm Alamogordo.

Please return the completed application to:
Rachel Hughs, City Clerk
1376 E. Ninth Street, Alamogordo, NM 88310
Phone: (575) 439-4100
Email: rhughs@ci.alamogordo.nm.us

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**Nomination application to serve
on the 2023 City Charter Committee**

Nominated by: DUSTY K WRIGHT
Name of Elected Official (if applicable)

Name: SHANNAN T WRIGHT

Home Phone: NA Cell Phone: 575-430-7106

Email address: shannan@generalhydronics.com

Physical Address: 2247 CASA BONITA ALAMOGORDO NM 88310

Is the above address within City limits? Yes X No

Mailing Address: SAME

Present Employer: SELF/RET Job Title: BUSINESSMAN/CONTRACTOR

Experience and education you feel would benefit the City Charter Committee:

HIGH SCHOOL GRADUATE, SERVED 4 YEARS USAF
JET ENGINE TECH, HOME BUILDER, PLUMBING &
MECHANICAL CONTRACTOR, MANAGE MY OWN PROPERTY
FOR MY RENTALS,

Please indicate your interest in serving on the City Charter Committee:

I AM INTERESTED IN THIS COMMUNITY FOR THE PAST 44
YEARS & HAVE HAD SEVERAL BUSINESSES & EMPLOYED
HUNDREDS OF PEOPLE - WANT TO SEE ALAMOGORDO GROW

Please indicate the days of the week and times you are not available for meetings:

TUESDAYS

Please return the completed application to:

Rachel Hughs, City Clerk

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Phone: (575) 439-4100

Email: rhughs@ci.alamogordo.nm.us

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CITY CLERK

**Nomination application to serve
on the 2023 City Charter Committee**

Nominated by: Sharon A. McDonald
Name of Elected Official (if applicable)

Name: Vesta Sherrie Edmond
Home Phone: _____ Cell Phone: 510-410-6487
Email address: vestasherrie@gmail.com
Physical Address: 805 Miami Avenue, Alamogordo, NM 88310
Is the above address within City limits? Yes X No _____
Mailing Address: same as above
Present Employer: none Job Title: _____

Experience and education you feel would benefit the City Charter Committee:
Worked in administrative field for over 40 years

Please indicate your interest in serving on the City Charter Committee:
More interested in the way our government works. Interested in seeing how the
charter role helps with the governing of our city and those involved.

Please indicate the days of the week and times you are not available for meetings:
Weekends including Fridays.

Please return the completed application to:
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**Nomination application to serve
on the 2023 City Charter Committee**

Nominated by: Nicholas Paul
Name of Elected Official (if applicable)

Name: Vincent Jones
Home Phone: _____ Cell Phone: 575-491-6994
Email address: vjoneshistoryshack@yahoo.com
Physical Address: 2115 Pecan Dr.
Is the above address within City limits? Yes ☒ No _____
Mailing Address: 2115 Pecan Dr.
Present Employer: Alamogordo Public Schools Job Title: Teacher

Experience and education you feel would benefit the City Charter Committee:
I have taught Government and Economics for over a decade and have a working knowledge of the
basic structure of city government. Additionally, I was born and raised in Alamogordo and have
a solid memory of past history that may be relevant to this undertaking. Finally, I have served
on three different New Mexico incorporated 501c3 boards.

Please indicate your interest in serving on the City Charter Committee:
I feel that good government is crucial to the quality of life for our community and is key
to both immediate and long-term economic health of the city.

Please indicate the days of the week and times you are not available for meetings:

Mon-Fri 8am to 5pm, Saturday and Sunday mornings and evenings, will not be in town last week of May or month of June.

Please return the completed application to:
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Nominated by: _____
Name of Elected Official (if applicable)

Name: Nadia Sikes

Home Phone: 575 434 8104

Cell Phone: 575 491 7910

Email address: NMSikes@gmail.com

Physical Address: 400 Cottonwood Dr. Alamogordo NM 88310

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

Mailing Address: 400 Cottonwood Dr. Alamogordo NM 88310

Present Employer: The Counseling Center

Job Title: Community Rebuild
Coordinator

Experience and education you feel would benefit the City Charter Committee:

As a City Commissioner from July, 2012 to December 2021, I learned parliamentary procedure, how to run a meeting, practiced 'team playing' and Collaboration, remained politically neutral, level-headed and civic minded - always keeping 'the good of the city' in mind. My decisions were thoughtful, deliberative. The past year in my position has enabled me to be participatory and given me ample opportunity to work with the many non-profit organizations and a better understanding of the needs of our city.
Please indicate your interest in serving on the City Charter Committee:

As a former Alamogordo City Commissioner, I found that conflicts with the City Charter and our state and federal laws could be confusing and challenging to work around. I envision updating the charter to comply with state and federal laws to make the city's mission easier. I am passionate about the possibilities.

Please indicate the days of the week and times you are not available for meetings:

This project/initiative is very important and I would be available any time a meeting is scheduled.

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