



Alamogordo City Commission

NOTICE OF MEETING

Regular Meeting Agenda

August 8, 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

Stephanie Hernandez Acting 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. Presentation and Discussion: Open Government, Transparency and Ethics for City Commissions
(Geno Zamora, Ortiz & Zamora Law Firm, through NMSIF Agency Assist Program)

PUBLIC COMMENT

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

CITY MANAGER'S REPORT**REMARKS AND INQUIRIES BY THE CITY COMMISSION****CONSENT AGENDA** (Roll Call Vote Required for an Ordinance or Resolution)

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

2. Approve the minutes for the July 25, 2023, Regular Commission meeting and the July 28, 2023, Special Commission meeting. *(Rachel Hughs, City Clerk)*
3. Approve the statements related to the Executive Closed Session held on July 25, 2023. *(Rachel Hughs, City Clerk)*
4. Approve the weekly City Manager Reports for 7/21/2023 & 7/28/2023. *(Stephanie Hernandez, Acting City Manager)*
5. Consider, and act upon, the adoption and final publication of Ordinance 1680 to approve a Local Economic Development Project for Secured Assistance Proposed by Learn New Mexico. *(Michelle Perry, CEO Learn New Mexico LLC)* **(Roll Call Vote Required)**
6. Consider, and act upon, approval of Resolution No. 2023-38 authorizing and approving submission of completed application for financial assistance and project approval to the New Mexico Finance Authority. *(Debbie Osborne, Grant Coordinator)* **(Roll Call Vote Required)**
7. Consider, and act upon, acceptance of a capital outlay reauthorization agreement to Alamogordo Fire Department from the Department of Finance in the amount of \$485,100.00. *(Debbie Osborne, Grant Coordinator)*
8. Approve Resolution No. 2023-39 authorizing the Mayor to execute the agreement for membership in the Southeastern New Mexico Economic Development District/Council of Governments. (SNMEDD/COG). *(Rachel Hughs, City Clerk)* **(Roll Call Vote Required)**
9. Consider, and act upon appointing the Mayor as the Voting Delegate for the New Mexico Municipal League 66th Annual Conference. *(Rachel Hughs, City Clerk)*

ITEMS REMOVED FROM CONSENT AGENDA**NEW BUSINESS**

10. Consider, and act upon, Resolution No. 2023-37, adopting an Infrastructure Capital Improvement Plan (ICIP) and identifying the top five (5) recommended capital outlay projects for Fiscal Years 2025-2029. *(Debbie Osborne, Grant Coordinator)* **(Roll Call Vote Required)**
11. Appointments to Boards and Committees. *(Susan Payne, Mayor)*

EXECUTIVE SESSION (Roll Call Vote Required)

12. Adjourn into Executive Closed Session in compliance with 10-15-1(H)(2) NMSA (as amended) to discuss: Limited Personnel Matters (City Manager). **(Roll Call Vote Required)**

ADJOURNMENT

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 8/8/2023

Report Date: 08/03/2023

Report No: 1.

Submitted By: Stephanie Hernandez

Subject: Presentation and Discussion: Open Government, Transparency and Ethics for City Commissions
(Geno Zamora, Ortiz & Zamora Law Firm, through NMSIF Agency Assist Program)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background:

Open Government, Transparency, and Ethics

Presented to the Alamogordo City Commission

August 8, 2023

Geno Zamora, Esq.

Through NMSIF Agency Assist Program



Laws/Practices to Be Reviewed

- New Mexico Open Meetings Act (OMA), § 10-15-1, et seq.
- New Mexico Inspection of Public Records Act (IPRA), § 14-2-1, et seq. – **IPRA Case Law**
- New Mexico Governmental Conduct Act, § 10-16-1, et seq.
- City Commission Code of Conduct Ordinance 2-02-060

Open Meetings Act

- **Meeting notices and agendas published 72 hours in advance**
 - No amendments within 72 hours
 - Publication includes website if have one
 - Comply with annual OMA resolution
- **Emergency Meetings**
 - AG must be informed of emergency meetings within 10 days after the emergency meeting
 - Must be unforeseen circumstances that will likely result in injury or damage to persons or property or substantial financial loss
- **Proposed: Mandatory Public Comment period**
 - HB 378 (2015) - Either general period or during agenda items
 - Allow reasonable amount of time and diverse perspectives
 - Topics limited to those in scope of board authority

OMA Important Provisions

- **Applies to all meetings with a quorum of members (§10-15-1(D)):**
 - No rolling quorums
 - Meetings of a quorum by email/text/phone included
- **Decisions must be made in open meetings (§10-15-1(A)):**
 - Public entitled to the greatest possible information including the official acts of officers and employees
 - Formulation of public policy or the conduct of business by vote shall be done in open meetings
 - All persons shall be permitted to attend and listen, reasonable efforts shall be made to accommodate use of audio and video devices

OMA - Executive Sessions

- Section 10-15-1(H), permitted for:
 - (2) **Limited personnel matters of any individual public employee**
 - (5) **Collective bargaining** strategy and negotiations
 - (6) Reviewing **competitive sealed proposals and negotiations** under the Procurement Code, for proposals over \$2,500
 - (7) **Attorney-client privileged** discussions of pending or threatened litigation
 - (8) Discussions of the acquisition or disposal of **real property or water rights**
- **Executive session must be publicly noticed, state specific statutory provision, and state the subject with reasonable specificity. Section 10-15-1(I)**

OMA

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Important Provisions

- **Meeting Notices shall contain an agenda with a list of specific items of business to be discussed or transacted (§10-15-1(F))**
- **Minutes (§10-15-1(G)): The policymaking body shall keep written minutes of all its meetings including:**
 - Date, time and place of meeting
 - Names of members in attendance and absent
 - Substance of the proposals considered and a record of votes
 - **Minutes shall be prepared within 10 days**, shall be approved at the next meeting with a quorum and are not official until approved by the policymaking body
- **Enforcement and penalties: AG, DA or individual enforcement; penalties include misdemeanor and/or fines, attorneys fees and costs (§10-15-3)**

Recent Issues in OMA

- Vague Agenda Items - for example: Contracts
- Executive Session placeholders
- Discussions during a meeting recess
- Compliance with minutes requirements
- Enforcement of public comment rules
- Properly posted meeting notices
- Pattern of rescheduled/postponed meetings

- ATTORNEY GENERAL INQUIRIES
 - Costly – monetarily and public opinion

OMA Post- COVID

- AG's Guidance for Open Meetings during COVID
 - Verbally Identify yourself at the beginning of the meeting and when you speak
 - Public must be able to have remote access or call-in number to listen
 - All votes must be by Roll Call Vote
 - If the audio or video is interrupted the Chair should suspend the discussion until it is operational again.
- Guidance ended when Public Health Emergency was lifted

Open Meetings Act - Best Practices

- **Meeting Notices and Agendas**
 - Publish by 5 pm Friday the week before
 - Include copies of commission packet online
 - No additions, only noted deletions, within 72 hours
- **Include a Public Comment item**
 - Limit comments to topics within authority?
 - No disclosure of specific employee information
 - Limit to 2 to 3 minutes per person, and no sharing of time
 - Treat all the public participants the same
 - Use a “script” to introduce public session

Open Meetings Act — Best Practices

- Use specific language in agenda items, including Executive Session
- Post draft meeting minutes online within 10 days, until final minutes are adopted
- NO rolling quorums!
- Conduct as much business as possible in open session
- Continue taping or live streaming meetings and permanently post online

Inspection of Public Records Act (IPRA)

- **Public has the right to inspect public records except for limited exclusions**
 - Records include emails, texts, pictures, videos, etc.
 - Includes draft documents
 - Unless there is a specific exclusion, it is typically public record
 - If the Request is vague or contradictory, you can ask the Requester for Clarity
- **Response Timelines (§ 14-2-8): Immediately or as soon as practicable but not later than 15 days**
- **Enforcement action (§ 14-2-12): Brought by AG, DA or requestor**
- **Penalties: Damages up to \$100 per day, costs and attorneys fees (§ 14-2-11)**

Newer IPRA Caselaw

- *Britton v. Office of the AG of N.M.* (2018) - **Your search must find all documents!**
 - **Need trained records custodian with comprehensive compliance procedures**
 - **Allows for Punitive Damages and Attorneys' Fees for all IPRA litigation**
- *Libit v. UNM Foundation, Inc. and the Board of Regents of the University of New Mexico*, Second Judicial District Court, (2018)
 - **If you have a private entity fundraising solely for you, their documents and communications regarding that fundraising may be subject to IPRA.**
- *American Civil Liberties Union of N.M v. Duran*, 2016-NMCA-063
 - **You must produce the document even if they already have it**

Potential Damages

- Money is becoming the driving force behind IPRA litigation
 - \$130,000 paid by the N.M. Secretary of State's Office
 - \$90,334.49 awarded against Doña Ana County.
 - \$397,659.02 awarded against the N.M. Governor's Office

What can we do about the new IPRA cases?

- Help your Record's Custodians
 - Provide them with the resources and staff to ensure IPRA compliance
 - Training – Provide Record's Custodians with the I.T. training and ensure that the I.T. Department plays a role in records searches.
 - It is no longer good enough just to ask for employees to turn over records. You must find them, if they exist.
- Use your legal counsel
 - Make sure that your legal counsel is involved in building the IPRA process, especially communications with requestors.
 - If employees aren't sure how something in IPRA works, ensure that they have a way to pass a request up to the legal counsel.

IPRA

- Best Practices

- ALWAYS Use City Email for City Business
 - Avoids a search of your personal email
- Only Use City Cell Phone for City Business
 - Understand implications of using personal cell
- Written Communications Should Always be Professional
 - Write like a 3rd party is going to read your emails
- City should have a centralized public records custodian, with records as primary duty

New Mexico Governmental Conduct Act (NMGCA)

- General rules for public officers or employees (§ 10-16-3):
 - Treat their position as public trust and use powers/resources only to advance the public interests, not obtain personal benefits or pursue private interests
 - Conduct themselves in a manner that justifies the confidence placed in them by the people
 - Full disclosure of real or potential conflicts of interest shall be a guiding principle for determining appropriate conduct
 - Make reasonable efforts to avoid undue influence and abuse of office

NMGCA (cont.)

- Prohibited Political activities (§ 10-16-3.1):
 - No coercion to contribute, vote or participate in political activity
 - No threats to deny promotion or pay increase
 - No requiring employee contribution or event ticket
 - No advising an employee to take part in political activity
 - No use of governmental property for non-authorized purposes
- Official Acts for personal financial interest prohibited (§ 10-16-3.1):
 - Knowing and willful violation is a 4th degree felony
 - Public officer or employee is disqualified from engaging in any official act directly affecting their financial interest

NMGCA (cont.)

- Other important provisions:
 - No honoraria for speeches/service relating to the performance of public duties (expenses ok)
 - No use of confidential information for private gain
 - Restrictions on contracts involving current or former officers or employees
 - Prohibited bidding
- Enforcement and additional penalties (§ 10-16-14, 17, 18):
 - Enforced by Attorney General or District Attorney
 - Penalties: discipline, dismissal, demotion or suspension
 - Criminal penalties include misdemeanor (unless otherwise specified) and up to \$1,000 fine
 - Civil penalties of \$250 per violation up to \$5,000

NMGCA

Best Practices

- Avoid conflicts and improper interactions with employees
- Abstain from decisions affecting personal financial interests
- Be careful with political campaigns
- Public disclosures of financial interests, non-profit, memberships, and gifts received

City Commission Code of Conduct

- **Ordinance 2-02-060** applicable to elected or appointed officials
- Maintain public trust
 - Act with highest principles worthy of public respect, trust, and support
 - Shall not create perception of misuse of public position
 - Shall not disseminate untrue, inaccurate, or misleading information
- Avoid conduct creating the appearance of impropriety
 - Shall not knowingly engage in conduct violating the rights of others
 - Shall refrain from all conduct where personal gain or advantage is involved indicating personal benefit
- No financial interest in City business if person is in a decision-making capacity regarding that interest
 - Disclosure requirements
 - Disqualified from participating in debate, decision, or vote
- No prejudice or favoritism to hire, promote, or reward family members, relatives, friends, or political supporters **or to hinder or punish enemies and opponents.**

City Commission Code of Conduct

- Disclose **conflicts of interest** in a public meeting and clerk shall record in the minutes
- **May not solicit** gifts, personal benefits, favors, gratuities or political or charitable contributions that create a reasonable inference that special access, services, favors, or official/unofficial actions
- No misuse of confidential/non-public information, or attempt to obtain info for personal benefit
- No misuse of city property and resources for private gain or personal advantage
 - Certain rental exemptions

City Commission Code of Conduct

- No misuse of City Property for political purposes
 - Public funds, staff time, facilities, property, equipment, data, etc.
- Limits on political activity
 - No coercion or intimidation regarding political contributions
 - Shall not require an employee to perform political activities
- No retaliation against any individual for reporting a violation
 - Includes adverse employment action
- Enforced by City Ethics Panel
 - Penalties: up to \$500 fine, censure, criminal referral to district attorney, referral for removal

City Charter

- City Manager “[s]hall employ and discharge the employees of the City. Charter Article XI, Section 2(b)

Topics Covered, Questions, Discussion

- New Mexico Open Meetings Act
- New Mexico Inspection of Public Records Act
- New Mexico Governmental Conduct Act
- City Ordinances and Charter

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ORTIZ & ZAMORA
Attorneys at Law, LLC



AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 8/8/2023

Report Date: 08/02/2023

Report No: 2.

Submitted By: Rachel Hughs

Subject: Approve the minutes for the July 25, 2023, Regular Commission meeting and the July 28, 2023, Special 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
July 25, 2023**

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

**DUSTY WRIGHT, MAYOR PRO-TEM
KARL MELTON, COMMISSIONER
STEPHANIE HERNANDEZ, ACTING CITY MANAGER
ASHLEY SMITH, CITY ATTORNEY
RACHEL HUGHS, CITY CLERK**

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

Mayor Payne called the meeting to order at 6:31 p.m. Roll Call was taken by the City Clerk. City Clerk Hughs announced there was a quorum present. Invocation was given by Pastor Justin Crispin, and the Pledge of Allegiance was led by Commissioner Burnett.

APPROVAL OF AGENDA

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

PRESENTATIONS

1. Swearing in Police Officers, Christopher Redden and Justin Gillespie. (David Overstreet, Municipal Judge)

Judge Overstreet administered the Oath to Officers Christopher Redden and Justin Gillespie.

2. White Sands Balloon Invitational presentation. (Ed Brabson)

Mr. Brabson and Dave Chelgren gave their presentation and requested funding support of \$20,000 in multi-year funding, potentially \$15,000 this year and another \$5000 next year. Mr. Chelgren said that amount would allow them to build back their sponsor base after COVID.

Commissioner McDonald said it was windy last year. Is there any plan to do anything different if the wind is blowing? Mr. Chelgren said the wind is always a problem with balloons. The ballooning community, crew, and sponsors know that it is weather dependent. We try our best. We tell people instead of hurting you, we would rather disappoint you. Sometimes the weather is such that it is not safe to launch balloons. We make every effort to launch. We picked the third week in September because it is towards the end of the monsoon season and our weather is typically better. He said he does a detailed safety briefing before the morning launches and the glow at night. Last year we did what is called a candlestick. We will make every effort to fly, but weather is a determining factor. We do not have anything planned beyond that point, but we will make every effort to either put the balloons up for the glow or fly them in the morning.

Commissioner Paul asked for clarity regarding the funding this year. The slide shows \$20,000, but you mentioned \$15,000 and then \$5,000. Mr. Chelgren said they talked to the Acting City Manager, and that older slide said, "carryover money". Carryover money is a military term. Most military organizations have annual funding, and at the end of the fiscal year, your budget drops to zero, and you must start all over again. More and more tests have become multi-year funding. We have funds that do not drop

dead at the end of the fiscal year and carry over. So, we were initially interested in \$20,000 that we would use to carry over into next year's program. In the meeting with the Acting City Manager, we discussed using \$15,000 to get started and request the other \$5,000 next year.

Acting City Manager Hernandez said this should have been an action item, but with the events of last week, the contract was not ready. You will see the contract on Friday, and everything will be lined out. We are doing a two-year contract. She said she initially spoke with Mr. Brabson, and they did not have the money to do it with the current situation. Either they do not do it, or they get help from the City. This is a major tourism draw, so we are partnering as a tourism event. The contract is written as such; it will be up to \$15,000 once the invoice is presented. In year two, any remaining up to \$20,000. So, for two years, it is not \$20,000 a year but \$20,000 total. Commissioner Paul asked Mr. Chelgren if they would have the sponsorships back by that point and be good to go. Mr. Chelgren said yes sir. Mr. Brabson said that is exactly right. Once we rebuild that, we will be self-sufficient.

Commissioner Burnett asked if they planned on having vendors other than balloons. Mr. Chelgren said yes, they would contract vendors. They get a list from the Center of Commerce that shows the food vendors and non-food vendors, and we would call them. He said he talked to one of the vendors and that the vendor wanted to know how many other food vendors they had because if there were too many out there, the vendor would not make any money. We are going to pick and choose to have a good variety. We have some that we have used in the past, and we expect to have both food and non-food vendors. Commissioner Burnett said he was a vendor at two of the previous events, but he just wanted to know if that was what they were doing.

Mayor Payne said this is not an action item, but it sounds like we will bring this back on Friday. Acting City Manager Hernandez said yes ma'am.

PUBLIC COMMENT

None.

CITY MANAGER'S REPORT

Acting City Manager Hernandez made the following remarks:

1. She asked City Attorney Smith to speak on the indictment that came in today. City Attorney Smith said an email went out earlier from Acting City Manager Hernandez. As you all are aware, there was a grand jury indictment. An arraignment has been set for July 31st in that case, and a detention hearing has also been set. She said she could answer the Commission's questions, but her responses were limited to certain information because she did not want to divulge too much and jeopardize the case.

Commissioner Rardin said in the email sent earlier today you all said it was anywhere from twelve years to life. Is the death penalty on the table? City Attorney Smith said that New Mexico no longer has the death penalty. The first-degree count is a capital offense that carries a maximum sentence of life incarceration.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Mayor Payne made the following comments:

She said our City faced a huge tragedy and thanked Chief Kunihiro for handling it well. She also thanked Operations Lieutenant Glidden for his leadership and the Police Department for stepping up. She lastly thanked Acting City Manager Hernandez, City Attorney Smith, and Finance Director Huff

for the amazing job they did under extraordinary pressure. She said she was honored to serve alongside them.

She said she will meet with Senator Bert later this week and will meet Scott Key along with City Attorney Smith tomorrow morning. We had a press conference where we talked about bail reform laws, and she would not let that go. We must do something different, something better, and make it easier for our officers to do their jobs.

Commissioner McDonald made the following comments:

She said she also wanted to thank City staff for their work and was proud of them.

She thanked Public Works, Code Enforcement, and Parks and Recreation for their help on July 15th on the cleanup in District Five. We did seventeen yards and had thirty-eight volunteers.

CONSENT AGENDA

3. Approve the minutes for the July 11, 2023, Regular Commission meeting. (Rachel Hughs, City Clerk)

4. Consider, and act upon, acceptance of a grant agreement from the New Mexico Department of Finance, in the amount of \$75,000, for housing and shelter programs in Alamogordo. (Debbie Osborne, Grant Coordinator)

5. Consider, and act upon, acceptance of a grant agreement from the New Mexico Department of Finance, in the amount of \$100,000, to purchase and equip vehicles for Alamogordo Police Department. (Debbie Osborne, Grant Coordinator)

6. Consider, and act upon, acceptance of a grant agreement from the New Mexico Department of Finance, in the amount of \$100,000, for equipment for the parks and recreation department in Alamogordo. (Debbie Osborne, Grant Coordinator)

Mayor Payne pulled Item 4 and said it would be brought back at a later date.

Commissioner McDonald 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 7-0-0.

UNFINISHED BUSINESS

7. Consider, and act upon, Resolution 2023-25, declaring 1703 Dewey Lane to be so ruined, damaged, and dilapidated that it is a menace to the public comfort, health, peace, or safety and ordering its abatement. (Josh Sides, Code Enforcement Manager) (Roll Call Vote Required)

Mayor Payne said the owner's son-in-law was supposed to bring back some information, but she did not see him here tonight. Code Enforcement Manager Sides said they have not been able to have any contact with him.

Commissioner Rardin asked if we knew where the homeowner was at. Code Enforcement Manager Sides said no. Commissioner Rardin asked if we had any contact with him. Code Enforcement Manager Sides said no.

Commissioner Melton moved to approve.
Commissioner McDonald seconded the motion.
Roll Call Vote was taken.
Motion carried with a vote of 7-0-0.

NEW BUSINESS

8. Consider, and act upon, first publication of Ordinance 1678 to amend sections of the City Charter to coincide with State Statutes and the New Mexico Election Code. (Rachel Hughs, City Clerk) (Roll Call Vote Required)

City Clerk Hughs said she is bringing Ordinance 1678 back for approval for first publication to add an amendment to the ordinance. Our current City Charter under Article VI, Elections, Section 3 Vacancies B. states, "The commissioner or mayor appointed or elected shall serve for the remainder of the unexpired term for which the commissioner or mayor who vacated the position was elected." That is no longer consistent with the State statute. In 3-14-9, "The appointment is to fill the vacancy until the next regular local election, at which time a qualified elector shall be elected to fill the remaining unexpired term, if any." The rest of the ordinance that had come back for adoption on July 11th is the same except for this addition.

Mayor Payne said that even if that seat is not up for reelection yet, if it is vacated and somebody fills it, they only fill it until the next regular election. City Clerk Hughs said that is correct. Mayor Payne said if they fill it to the next regular election and there are still technically two more years on it, do they just serve two more years, or does that change the cycle? City Clerk Hughs said no, if they get elected, it is going to be for the remainder of the unexpired term, not for the full four years.

Commissioner Rardin said that sounds a little confusing. Say you get elected, and a year later, you resign, we appoint somebody for a year, and then we will have a special election called in conjunction with a regular election? Mayor Payne said yes, to serve two more years. City Clerk Hughs said we no longer have special elections to appoint someone; it is now just in the election itself. Commissioner Rardin said it would be, but since that would be an off year for that seat, it would technically be a special election called for that seat in conjunction with the regular election, correct? City Clerk Hughs said no, we no longer have conjunction with; it is just together. Commissioner Rardin said so they just call it all? City Clerk Hughs said yes.

Commissioner Burnett moved to approve.
Mayor Pro-Tem Wright seconded the motion.
Roll Call Vote was taken.
Motion carried with a vote of 7-0-0.

9. Consider, and act upon, Resolution 2023-30, declaring 313 New York Avenue to be so ruined, damaged, and dilapidated that it is a menace to the public comfort, health, peace, or safety and ordering its abatement. (Josh Sides, Code Enforcement Manager) (Roll Call Vote Required)

Code Enforcement Manager Sides gave his presentation and recommended approving and ordering the property's abatement.

Mayor Payne asked if we had heard from the owner. Code Enforcement Manager Sides said no. She said but we knew they got it because they signed for it. He said yes. She asked if we knew if the owner lived here. He said no, the owner lives in Las Cruces.

Commissioner Melton asked if we knew the cause of the fire. Code Enforcement Manager Sides said he got a report from the Fire Department but did not recall the cause.

Mayor Pro-Tem Wright asked how close that structure was to 311. Code Enforcement Manager Sides said they may as well be on one property; it looks like that from the street. 311 will be coming up.

Mayor Payne asked if this had ever come before them previously. Code Enforcement Manager Sides said not that he could find. Mayor Payne said it feels like it has. Commissioner McDonald said we were at the property last year, at 311 and viewing 313. You want to tear down 313; will you bring 311 back? Code Enforcement Manager Sides said he had both on one agenda, but we had to do some shuffling so only 313 came before you today. Commissioner McDonald asked if he was going to do both at the same time. Code Enforcement Manager Sides said if funding allows, yes. Mayor Payne asked if the same owner owned both properties. Code Enforcement Manager Sides said yes. Commissioner McDonald said she remembered the wall on the south side of 311 was almost out. Code Enforcement Manager Sides said that one has lots of problems and holes.

Commissioner Rardin asked if we had an estimate of the cost to tear this down. Code Enforcement Manager Sides said he did not. Commissioner Rardin asked if we were doing this in-house with City staff. Code Enforcement Manager Sides said the decision for how we tear this down was above him. Acting City Manager Hernandez said we have done both, but something like this would probably be better to do in-house. Commissioner Rardin said we used to do that to save money. Our problem is that this lot is worth \$1,500 once cleaned up if we are lucky. So, we go and pay a contractor \$30,000 to clean it, and we make \$1,500 back. This one would be easy for city staff to do.

Commissioner McDonald moved to approve.

Commissioner Melton seconded the motion.

Roll Call Vote was taken.

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

10. Consider, and act upon, Case SP-2023-0004(A), property owners Douglas A. & Carla C. Kerr are requesting to be granted a special permit to allow family members to reside in an RV on their property at 3102 Thunder Road. (Sean McGranaghan, Assistant City Planner)

Assistant City Planner McGranaghan gave his presentation and recommended denial of the special permit request. He said they received one letter of opposition from the neighbor at 3109 Thunder Road.

Mayor Payne asked if we knew why the neighbor sent the letter of opposition. Assistant City Planner McGranaghan said they said it set a precedent of having people live in RVs in single-family districts, and it would lower their property value.

Commissioner Rardin asked if the RV would be put in the backyard. Assistant City Planner McGranaghan said yes. Commissioner Rardin asked if there was a time limit for how long the RV would be there. Assistant City Planner McGranaghan said with the way the ordinance is written, he believed it is a one-year limit, but he did not know this specific timeline. Commissioner Rardin asked if they were here tonight. Assistant City Planner McGranaghan said they were. If you were to approve this, it would be up to one year.

Commissioner Melton asked if we have ever granted this to any other applicants. Assistant City Planner McGranaghan said not since he has been here.

Mayor Payne asked if you could see it from the road. Assistant City Planner McGranaghan said he did not believe so. City Planner Rael said you could not see it from the road. Mayor Payne said so the only way you would know it was in the backyard was if you knew it was there. City Planner Rael said if the neighbor complained, or if Code Enforcement was out. Mayor Payne said she knew of someone with an RV parked in their backyard nearby, so what is the difference other than living in it? City Planner Rael said that was correct; you can store your RV within your property, but living in it is different. Are they running electricity from the main home, is their sewer water just soaking into the ground? Per ordinance, you cannot live within an RV unless it is within a zoning designation for RVs. Commissioner Burnett asked if we knew if they put in a 30-amp or 50-amp service. City Planner Rael said she did not know, but the property owners that can answer those questions are here. She wanted to clarify one more thing that was not mentioned. Per ordinance, the Commission has the right to decide to issue a permit for a year, but then the requestor can come back for one renewal for an additional year.

Mr. Douglas Kerr introduced himself, his wife Carla Kerr, and her son Larry Henry. He said that Mr. Henry's wife could not be here tonight, but the four of them live at 3102 Thunder Road. He said that he would not say all the medical issues but suffice to say that he and his wife were not at one hundred percent operating condition. In the middle of last year, they concluded that because of their limitations, they would have to get some kind of assistance to continue their lifestyle, but it was not clear what that would be or how it would happen. Larry Henry retired from the US Army in 2015 after twenty-six years of service, and we were dealing with this dilemma at about the same time. The answer that was agreed upon was that they would go to Alamogordo and move in with us; that way, they could help us function in a safe way, and we could provide intellectual context to improve their life. However, there was a problem. Our house did not have an available bedroom. It had two small bedrooms when we moved in back in 2012, but those were repurposed as offices. He said he does technical research and articles, and Carla is an author, playwright, poet, and paints acrylics. We decided the direct way to solve this problem was to acquire a quite new, modest-sized travel trailer and had it delivered into the backyard. We connected it up as provided by the code with temporary flexible connections, and yes, we put in a 30-amp service for it. It has a typical RV connector and box for it in the backyard. Larry and his wife use that as their bedroom. Having them live with us is a godsend and has made it possible for us to have a safe life and continue to function. Carla has returned to painting and social activities, having them with us has been wonderful. It was called to our attention recently that the code statutes do not allow this kind of usage of a travel trailer on an extended basis without the benefit of a permit that the Commission can grant. Insofar as the effect on the neighborhood, they do not make any noise, and the trailer is kept spotless and clean, and the backyard around it looks better than it ever did before because Mr. Henry is a good groundskeeper. We do not know of any reason why it should be of any difficulty to the neighbors, as it is not an inconvenience or unsightly. If you approve this permit, we will be able to continue our way of life here in the city we love. If not, he is unsure what they are going to do. He said there was some discussion on the sewer before, and no it does not go out on the ground. We pump the black tank out into a sewer drain around every ten days. There is no permanent connection to a sewer, and we certainly do not let it drain out onto the ground.

Commissioner Burnett asked about the electrical service line. Mr. Kerr said it runs off a 30-amp breaker in our service box, a circuit dedicated to this, and it goes to a standard RV. RVs plug into a type of 30-amp connector that is not used any place else. That is installed and within reach of the trailer. We have the conventional umbilical cord that comes with a trailer long enough to reach that receptacle and plugs into that. It has its own breaker in the service panel. Commissioner Burnett asked if there was an extension to the service line. Mr. Kerr said no, there are no extension cords. The connection of the trailer is flexible but not an extension cord. The water is the same, the water line runs from the back of the house and goes into what is called the city water connection on the trailer.

Commissioner Melton asked City Planner McGranaghan if they approved this, and if there are sanitation or safety issues, or if the neighbors bring something to their attention, can we rescind the permit? City Planner McGranaghan said he did not believe they could. City Planner Rael said that would be a legal question. City Attorney Smith said yes, if it is a health and sanitation issue, we are allowed to withdraw. We consider those a kind of emergency, and we can instantly withdraw it.

Commissioner Burnett asked Mr. Kerr if the sewer cleanouts were in the front or rear of the house. Mr. Kerr said to be more specific, we drain it into a toilet through the bathroom window. We have a macerator pump which makes sure that it is completely liquid. It runs through a special hose dedicated to this purpose with a valve on the end. He said it is perfectly sanitary, there is no spillage or anything. Mr. Kerr said the trailer is very safe. It has smoke detectors, carbon monoxide detectors, and a propane detector. It is very modern, only a few years from manufacture, and it is safe to sleep there at night.

Mayor Pro-Tem Wright moved to approve.
Commissioner Rardin seconded the motion.
Roll Call Vote was taken.
Motion carried with a vote of 7-0-0.

EXECUTIVE SESSION

11. Adjourn into Executive Closed Session in compliance with 10-15-1(H)(2) NMSA (as amended) to discuss: Limited Personnel Matters (City Manager). (Roll Call Vote Required)

Mayor Pro-Tem Wright moved to adjourn at 7:23 p.m.
Commissioner McDonald seconded the motion.
Motion carried with a vote of 7-0-0.

ADJOURNMENT

Mayor Susan L. Payne

ATTEST:

City Clerk Rachel Hughs

(Prepared by Dylan Aleshire, Deputy City Clerk)
Approved at the Regular Meeting held on August 8, 2023.

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION SPECIAL MEETING MINUTES
6:30 P.M., DONALD E. CARROLL COMMISSION CHAMBERS
July 28, 2023**

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

**DUSTY WRIGHT, MAYOR PRO-TEM
KARL MELTON, COMMISSIONER
STEPHANIE HERNANDEZ, ACTING CITY MANAGER
ASHLEY SMITH, CITY ATTORNEY
RACHEL HUGHS, CITY CLERK**

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

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

APPROVAL OF AGENDA

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

PUBLIC COMMENT

None.

NEW BUSINESS

1. Consider, and act upon, approving tourism funding. (Stephanie Hernandez, Acting City Manager)

Acting City Manager Hernandez said in front of you is the contract regarding the White Sands Balloon Invitational mentioned during Tuesday's regular meeting. It spells out what was previously presented to you regarding the \$20,000 asking amount, up to \$15,000 the first year and \$5,000 the next year. It lays out our expectations, such as the City of Alamogordo will be the main sponsor, and our logo will be on any advertisements going out. The rest of it is pretty general to contracts.

**Commissioner Burnett moved to approve.
Commissioner McDonald seconded the motion.
Motion carried with a vote of 7-0-0.**

2. Consider, and act upon, Resolution 2023-35 approving the DFA Quarterly Report for the period ending June 30, 2023. (Evelyn Huff, Finance Director) (Roll Call Vote Required)

Finance Director Huff said they are required to submit a quarterly financial report to DFA every quarter. However, for the fourth quarter of every fiscal year, DFA requires us to get a resolution. Two documents were sent out yesterday, one was the trial balance showing the revenues for the year, and the other was the trial balance showing the expenditures for the year. We will send this information to DFA as our fourth-quarter report.

Commissioner Rardin asked which tab the DFA was on. Mayor Payne said it was the first and second one after the agenda. Commissioner Rardin said that on page two of the expense one, regarding the

property tax admin fees and the state ones, does the County charge us an admin fee for collecting and remitting the property tax to us? Finance Director Huff said that is the state admin fee. Commissioner Rardin said it says here, "property tax admin fee" okay, so that actually goes to the State. Finance Director Huff said yes, because the County submits it all to the State, and the State submits it back to us minus the admin fee. Commissioner Rardin asked if the \$311,000 amount was for the GRT admin fee. Finance Director Huff said correct. Commissioner Rardin said that is money they charge us for basically nothing.

Commissioner McDonald moved to approve.

Commissioner Rardin seconded the motion.

Roll Call Vote was taken.

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

3. Consider, and act upon, the approval of Resolution No. 2023-34 amending the Preliminary FY 2023-2024 Budget with carry-over fund balances and adopting the Final Budget for 2023-2024. (Evelyn Huff, Finance Director) (Roll Call Vote required)

Finance Director Huff said the Commission approved the preliminary budget FY24 budget in May. We sent that to the State by May 31st, and then we are required to send what is labeled the final budget to the State by July 31st. This has the cash balances as of June 30th, which are updated from the budget approved in May. That was revision number one. Revision number two is revising the salary and benefits. When we do the initial salary and benefit projection in May, we have people that come and go, and salaries and insurances change. At that point, we do not know our worker's comp rate yet, so we always have a reconciling entry. Revision three is all of the carry overs; these are projects or purchase orders that are not completed in FY23, so we carry those over and the budgets with them. This is money that was approved in FY23 but is actually now going to be spent in FY24. There are a couple of little exceptions to the projects and purchase orders. The Law Enforcement Protection Fund gets carried over if they have any cash balance left over. The same thing with the Fire Protection Fund; per the State Fire Marshall, they are allowed to carry over all of their balances. Revision four is amending the contract between the City of Alamogordo and Alamogordo MainStreet to what the actual negotiated contract price was. Revision five is to handle an unexpected refund, the revenue and the expense. Revision six is to true up some numbers for the Senior Center, we will probably have to correct that, as there is a number that is incorrect there, but we have already published it at this point. Revision seven is to move some funding into the Community Affairs Division to do the City Profile; that money had originally lived in the City Manager's budget. Revision eight is to add funding to Five Placer software, which will help with economic development and tourism. Revision nine is to add funding and contract services for some repairs and to purchase equipment for the Civic Center; they need new carpet and desks. Revision ten is modifying the transfers-in that we had originally had in the preliminary budget to account for any differences caused by the carry overs or any of the new stuff.

Commissioner Rardin said regarding the pay raise we just gave DPS, does this reflect that? Finance Director Huff said that is not reflected here because when we put this together, we had not calculated the tax revenue we would have. We will bring that to you in August. Commissioner Rardin asked how that worked since we cannot implement the tax until January. What do we do for the rest of this fiscal year? Finance Director Huff said the rest of this fiscal year will come from the fund balance. Commissioner Rardin asked if that was until we could start collecting it. Finance Director Huff said until we start getting the revenue that will offset it. Commissioner Rardin said we gave those raises on the 24th, correct? Finance Director Huff said yes. The other option is the cannabis money which is currently unbudgeted. The Commission could also vote to transfer-in the cannabis money into the General Fund to offset that difference, which is something we may have talked about. Commissioner Rardin asked if that was until the end of the year, until the tax kicks in. Acting City Manager Hernandez

said the cannabis was going to be used by the sign-on bonus. Finance Director Huff said that it will still need to be transferred in. Commissioner Rardin said we are probably okay because we will be close to the end of the year by the time we get them hired and start paying them. Acting City Manager Hernandez said we had a bunch of salary savings from the Police that go back into the General Fund, so that is why we constant in putting in forward. Commissioner Rardin asked if it would balance out. Finance Director Huff said yes.

Commissioner Rardin said regarding the sidewalk on the revolving loan fund, didn't we do away with that a couple of budgets ago? Finance Director Huff said no, we left it in place partially because of the CDBG project that is going on right now. It has come back in discussion, so we wanted to leave it in case somebody needs it. There have been some questions. Commissioner Rardin said there is only \$114,000 in there, but do you remember what we used to allocate? Was it \$150,000 or \$250,000 a year? Finance Director Huff said initially, it was allocated at \$100,000, and she has not seen anywhere where it had been used. Commission Rardin said he did not think it had ever been used. Mayor Payne asked how much it was to replace the sidewalk. Commissioner Rardin said it depends on how much sidewalk. If you have to do all of a sixty-foot lot, you are probably talking \$10,000 to \$12,000, and it may even be more than that. Finance Director Huff said that she and Grant Coordinator Osborne researched it. We looked at the old policy and application because there have been questions for the people that either did not qualify for CDBG sidewalks or already had a sidewalk that the CDBG program could not replace. Commissioner Rardin said the sidewalk revolving loan is to help people if they can afford to fix certain repairs. Is there any way we can look at setting up another fund such as that for some of these homes that may not need to be torn down but do need to be repaired? We could have a solution for somebody that may only need \$10,000 or \$15,000 for repairs to their home. Finance Director Huff said that New Mexico MFA used to offer a program like that. There could be a possibility that we internally offer a similar program. It was called the Low-Income Small Housing Repair Program, and it was up to \$25,000. Commissioner Rardin said we could talk about that later.

Commissioner Rardin moved to approve.

Mayor Pro-Tem Wright seconded the motion.

Roll Call Vote was taken.

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

4. Consider, and act upon, Resolution 2023-33 requesting state officials to review the bond rules implemented in 2017 in response to the amendment of the State of New Mexico Constitution regarding bail for criminal offenders passed in 2016. (Stephanie Hernandez, Acting City Manager and Ashley Smith, City Attorney) (Roll Call Vote required)

Acting City Manager Hernandez said that as a result of Officer Ferguson's death, there are many questions, concerns, and anger about how the process broke down. How was this individual on the streets? How did this happen to our officer? As those conversations were happening, she and City Attorney Smith reached out to Scott Key and others. There is a big picture on bail bond reform. As we were discussing, that is a long-term goal, but there are many other little things that can happen before we get there. As we found out, it is not necessarily bail bond reform that we can take on at this moment and she has an update to the resolution she will elaborate on in a moment. We found out that the individual who killed Officer Ferguson was on pretrial services and had a history of escalating violence. Back in 2022, House Bill 5 was introduced but never got anywhere. That could have had an impact on what happened here. If that had passed, there were caveats in there where if a suspect would have shown a weapon, that could have been considered dangerous, and he would have been kept in jail. As we know, that is exactly what happened back in January. She said the changes she wanted to make on the resolution to properly represent what we are asking for are, on the title, where it says New Mexico Constitution regarding bail reform, is conditions of release. We want to start advocating

so that all our senators, representatives, and whoever will listen to us will start looking at conditions of release. On the second whereas, on June 16, 2023, the defendant was released on conditions of release set by the court and was ordered to be placed back on pretrial services; we want to add that in there. Be it resolved to move bail bond reform laws, and change that to pretrial services, and to revisit House Bill 5 from the 2022 Legislature. The reason we are doing this is we do not want to drop the conversation. We had so much support from everyone when this happened, and we do not want to lose that support. If they really want to support us and we think there are some laws, we are not naïve to think we can completely reduce risk to our officers, but there are steps to minimize that risk and get the more dangerous people off the streets so they are not continuous problems for law enforcement. City Attorney Smith will speak on pretrial services, what we are advocating for, and how House Bill 5 could have helped in this situation.

City Attorney Smith said that when we spoke to District Attorney Scott Key, we were able to get more information concerning the system and what we can do to try to make sure people are held more accountable when they are held on conditions of release. As you all know, the individual that committed the crime against Officer Ferguson was on conditions of release. He was on conditions of release for two different cases before his incident. One of the things he was placed on is called pretrial services. That is kind of like probation while you are on conditions of release. In theory, what is supposed to happen is the Pretrial Services Coordinator is supposed to meet with the defendant, usually weekly. He is supposed to make sure the defendant is abiding by conditions of release, such as making sure they not using drugs or alcohol and that he does not have any firearms. They do random urine analyses to make sure there is no drug use. They are supposed to make sure people abide by any curfews the court sets. What we have discovered, per her own experience as a Defense Council, but also from what Scott Key was saying from the point of the DA's Office, is that pretrial services are not quite working the way we would want them to be from the lack of resources. They do not have ankle monitors available to give to people when they are out on conditions of release. They do not have enough people to go out and check on people out on conditions of release to make sure they are abiding by the curfews or that they are staying at the places they are living at. One of the things that we spoke to Scott Key, and we all agreed about, was advocating for getting those resources to pretrial services so that pretrial services can make sure that people are abiding by the conditions of release. We agreed that bail reform needs to happen, but we have to attack it strategically. The New Mexico Constitution was amended in 2016, and that is where the whole bail reform started. We cannot just go in and attack the New Mexico Constitution; we have to go after and fix things we can fix. One of the things we can fix is the pretrial services program and making it have more accountability and making sure they are actually able to do their job appropriately. One of the conversations she will have with the new Pretrial Services Manager is to find out what his goals for the pretrial services are and maybe some of the things we can advocate to help him as well. Additionally, as far as House Bill 5, it addresses what we call a detention hearing, or as we call it in the legal field, a 5409. It is considered a dangerous hearing. Currently, the State has to prove that the individual is a danger to the community or to an individual in the community and that no conditions of release can guarantee safety. House Bill 5 has gone through the House twice and would shift the burden from the State proving a person is a danger, to the person automatically being assumed they are a danger based on certain circumstances, such as if the charges are 1st degree murder, 2nd degree felony human trafficking of a child, 1st degree felony abuse of a child, sexual exploitation of a child constituting at least a 2nd degree felony, or a serious violent offense, which is outlined in state statutes. In a case that has any of those charges, that person in a detention hearing would automatically be assumed that they are a danger if this house bill passed. Additionally, this house bill also mentions when a firearm is brandished. It says, "In a felony and other incidents where the person would be presumed to be a danger is when a felony offense occurred during which a firearm was brandished." That is where we say that this house bill, if it had been passed, could have prevented what happened to Officer Ferguson because the defendant in this case had brandished a firearm before. On the defendant's second case, he actually brandished a

firearm, pointed it at himself, and struggled with police officers with that firearm. Had the statute changed, had House Bill 5 passed, then that would have given the DA's Office more of an argument for a detention hearing in that second case, and we may have had the issues we have now. What happened to Officer Ferguson may not have occurred. That is why we are asking in the resolution for the state senators, state representatives, Attorney General, and the New Mexico Governor to work with local attorneys and judges to review House Bill 5, to bring it back on the table, and to review pretrial services to make it stronger.

Mayor Payne said just so everyone understands, there is a hearing on Monday, and they have to go in and argue that this man is dangerous and should not be released. This bill would prevent that argument. She said she thinks we all know he is dangerous and should not be released, but they still have to go and argue that in front of the judge. With House Bill 5, if it had been in place, then they would not have to go do that, or they would not have to go do that because of his last incident where he brandished a gun. That is why this bill and resolution are so important. There is no accountability right now when these people are let out on pretrial services. When we met with Scott, we even asked, how do you know if they are reoffending? If the pretrial services are such a breakdown and nobody is keeping track of these individuals, how do you know? She said that he literally said he reads the activity sheets, the same ones that we get. That is how they know if somebody released to pretrial services has reoffended. It is not a very effective way to keep an eye on somebody released into our community. We are all doing the same thing. It is twofold, really. House Bill 5 has somewhat to do with bail reform in some ways, at least looking at the condition of release. This resolution has to do with strengthening the conditions on which they are released, and making sure they are doing what they are supposed to.

Commissioner Rardin said they did a constitutional amendment in 2016. Could you get us that amendment? Acting City Manager Hernandez said she thought she put that in there. City Attorney Smith could give you a breakdown of it. This is just the initial step; we expect to bring more resolutions so we can inform the Commission. As we get more information and steps that we can do, we will bring those forward as a resolution as well, so we can show a unified message. This is our officer, and we expect the support to go beyond the services. This is not going to be the end of these resolutions until we can see some progress. Commissioner Rardin said that if they did that as a constitutional amendment and it changed this, that has to go to a vote to the people. Mayor Payne said it did. Commissioner Rardin said it is the way they word it sometimes. Mayor Payne said that is really important for people to understand. You see people saying it was this governor, or it was actually passed under that one. No, it was actually passed by the people of the state of New Mexico. That is where it lies if you want to call it a fault or burden. She said the bail bondsmen went around the state to lobby against that constitutional amendment. The voters of the state of New Mexico voted for this, not the governor, but the governor at the time did sign it. Acting City Manager Hernandez said they would send it out, but City Attorney Smith could break it down now. Acting Attorney Smith said she had the statutes. Commissioner Rardin said we do not have to do that tonight. Acting City Manager Hernandez said we would send it to you with a summary of the main points. Commissioner Rardin said the resolution is almost as good as the paper it is written on, but if we could start lobbying these guys to look at that and make the wording just as good as it was back in 2016. Acting City Manager Hernandez said that is really the end goal, but there are a lot of steps to get there. These are the first steps. She said she was glad that Commissioner Barela was here because the next step is to present it to the County Commission so they can get on board. This is in their county too. Commissioner Rardin said we have a joint meeting with them. Acting City Manager Hernandez said that is one of the agenda items, actually. Mayor Payne said it is important that we show solidarity with this. This is the second time in less than seven years this has happened. Commissioner Rardin said holding this guy in jail is common sense. Even with the way the law reads, he said she did not know why they could not still hold him because he is a danger to the community. Acting City Manager Hernandez said we have the

answer to how he got out. Commissioner Rardin said there was a gentleman that murdered a lady off of Florida. He busted in the door with an AR-15 and shot the boyfriend and her. His attorney got him out on pretrial for a short period of time, and then they put him back in. Acting City Manager Hernandez said what happened on this was the defense lawyers for the suspect said he was not a danger to anyone but himself. When he pulled the gun out on Scenic, he was not aiming at the officers. He was trying to shoot himself and got into a tussle with our officers. City Attorney Smith said that one of the issues was that he did not have a violent history. The second was that his first case was aggravated fleeing and DWI. Not considered violent. In the second case, the charges they cited him with are not considered violent offenses. A dangerousness hearing can be quite difficult for the State to prove. She said she knew that because she had done many of them from the other side. It is a high burden to prove that the person is a danger to the community. Even if they found he was a danger to the community, the question is, are there conditions of release that can guarantee safety? From a defense standpoint, you can make many arguments to show they are not a danger to the community, and that is what happened here. The State did what is called a 5403, which means it is a violation of conditions of release hearing. It was not a dangerousness hearing. Basically, what they argued was that he violated the conditions of release by picking up a new case. He was held on the 5403 for three months. The defense then did a motion to reconsider that 5403, and 5403s are easier to overturn than 5409s. Violating conditions of release is easier to reverse than if they are found to be a danger and being held on detention. In this case, three months after the conditions of release hearing, there was another release hearing, and basically, he argued that he was not getting proper medical care as well as other things. At that time, because he had already been in jail for three months, the judge then decided to release him on that 5403. That is what happened. 5409s are stronger, and when the State can implement them, the State can hold the person longer because it is hard to overturn them. 5403s are quite easy, and the more time passes when a person is on a 5403, the more likely it is to get overturned. She said she knew that from practice. The State in that case argued hard against his release. There was no proof he was not getting proper medical care, and the State argued against it. The State did a great job trying to keep him in, but at the end of the day, it was a discretionary decision, and the law allowed for him to be released. There was nothing legally we could point to that mandated for him to be incarcerated, unfortunately. Mayor Payne said that goes back to bail reform because he was released. It is a get-out-of-jail-free card, and there was no incentive. He should have never been out on the street.

Commissioner Melton said that going back to lobbying, are we thinking of hiring an outside lobbyist or sticking with the City? Acting City Manager Hernandez said it is just us. By doing a uniform decision by the City, we are reaching out to people and we are having individual meetings. As a Commission, you guys will probably want to do that. We are not hiring anybody; this is us doing this to make sure that they know where the City stands, and hopefully where the County stands. They need to take a real hard look at this. It is not so much as us paying somebody to do it, it is us advocating, being on the same page, and making sure we all give what our expectations are. Instead of giving seven different messages, we are trying to get a uniform message to get some change and impact on what can be done. Commissioner Melton asked if someone was going to be talking to every committee member that bill was going to be in. City Attorney Smith said we talked to Senator Burt today. The issue with the bill is that it has not been in the House, and it has been stopped by the 7th Judiciary. We are going to meet with Cervantes to find out his concerns with this bill. Additionally, Scott Key will reach out to DAs from around the State. She said she would try to reach out to attorneys as well; if we can get more attorneys on board with either House Bill 5 or a version of it, maybe a compromise to push through, then we are going to need more attorney support. She said she has been involved in a lot of these meetings and will continue to be so she can help and find out who we need to approach. She said that Acting City Manager Hernandez and herself were divvying a lot of that up. Acting City Manager Hernandez had contacts for Cervantes and would reach out to him. She said that she herself knew Don Al Bryant, who is now the Pretrial Services Manager, and was reaching out to him to set up

a meeting. After we speak to Cervantes, we are going to go out, and she will speak to more attorneys. We are doing a lot in-house, and we are trying to gather more support. We are trying to get local legislatures on board and have them try to help us push this.

Acting City Manager Hernandez asked the Commission that if they were having a meeting where they were discussing this, that City Attorney Smith or herself be involved. City Attorney Smith has a great legal background, which would help keep everyone informed on this. She said the Commission should have conversations, but we should know where we are all at. City Attorney Smith can break it down easily for all of us. She said she would reach out to other City Managers because it does not affect the City of Alamogordo. It is every police department. The more support we get as we get closer to our goal, the better it will be. City Attorney Smith said something that we have seen that was helpful, especially in her talks with Senator Burt, was that a lot of legislatures do not understand state statutes and how these things are being implemented. She said she has done these hearings and seen how they act here firsthand. She had made the arguments herself and heard the judges when they made their ruling. It helps because she can break it down for a lot of them too. So, if you are talking to someone and they do not understand how a 5409 works, feel free to tell them to reach out to me. I am more than willing to tell them this is how it works, how we have seen it in practice, and how it is going down here. She said that today she explained things that she would argue on conditions of release. These are all things she has advocated for clients. It helps the legislature to realize this is what is going on and how it is being practiced. Mayor Payne said the biggest thing is that the public needs to be educated, and we are in a good position right now to do that. There has been a spotlight on Otero County once again for an officer being killed. Right now, we are in a good position to educate the public. The general public does not understand bail reform or pretrial services. They just think that people are just letting them out or that the police are not doing their job. She said she had heard it all recently, and that is not true. They need to understand because the more we can educate the public, the more pressure can be applied in Santa Fe, which needs to happen now. We are in a good position to do it, and we need to keep that momentum. We previously had this happen back in 2016, and the ball kind of got dropped, unfortunately. We can now see this is a critical thing, and we know it can happen, and it just happened again. We all feel the same. We do not want to let this go. We want to make sure everyone understands that if we are going to affect change, it needs to start with our legislatures because they are the ones that have the power to do it. We have the power to use our voice collectively and get that message out and educate the public. They have got to understand why these things are happening because there are too many assumptions out there. We need to be organized and unified as a City and County together. We need to make sure we educate people, and they need to understand what is happening.

Commissioner Rardin said the hard part about this next session is that it is a thirty-day session. Mayor Payne said yes, and it is only five months away. Commissioner Rardin said they will only do budgetary, so we are looking at a year and five months. Acting City Manager Hernandez said they are forming committees right now, so that is why we are trying to get to the Judiciary Committee. Commissioner Rardin said that sometimes they will add it if it is a pressing issue. Acting City Manager Hernandez said that was one of the questions we asked, how can we push this to the top? She said she thought the best way was to have not just the City and County Commissions but senators and representatives. Having all that support is the best way for us to rise to the top and prioritize it. They will not make it a priority unless we make them, not just as a Commission but as citizens. We are doing a hard stance and trying to hurry up and get in with Cervantes and everyone we can. Commissioner Rardin said that Las Cruces had an officer shot a couple of weeks ago. We should see if we can get everyone together and write a joint letter to send to the Governor's Office to get her attention. She was there, she knows what happened, and she can add that to the agenda. Acting City Manager Hernandez said from everything we are gathering, there is bipartisan support, and the Governor is supporting it. There is something in this bill that the lawyers do not like. That is what we are trying to figure out. What can be

fixed, and how can we fix it? We need to keep the conversation going. We are not naïve enough to think we can take away all the risk, but we can help support them.

Commissioner McDonald moved to approve as amended.

Mayor Pro-Tem Wright seconded the motion.

Roll Call Vote was taken.

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

ADJOURNMENT

Commissioner Rardin moved to adjourn at 7:18 p.m.

Mayor Pro-Tem Wright seconded the motion.

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

Mayor Susan L. Payne

ATTEST:

City Clerk Rachel Hughs

(Prepared by Dylan Aleshire, Deputy City Clerk)

Approved at the Regular Meeting held on August 8, 2023.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 8/8/2023

Report Date: 08/03/2023

Report No: 3.

Submitted By: Rachel Hughs

Subject: Approve the statements related to the Executive Closed Session held on July 25, 2023. *(Rachel Hughs, City Clerk)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: The statement is required per the Open Meetings Act.

Background:

Approve the following statements authorizing them to be included in the minutes of August 8, 2023: "The Governing Body of the City of Alamogordo, New Mexico, hereby states that on July 25, 2023, an Executive Closed Session was held and matters discussed in the closed meeting were limited only to: Limited Personnel Matters (City Manager).

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 8/8/2023

Report Date: 07/31/2023

Report No: 4.

Submitted By: Stephanie Hernandez

Subject: Approve the weekly City Manager Reports for 7/21/2023 & 7/28/2023. (*Stephanie Hernandez, Acting City Manager*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve the reports.

Background:



City of **ALAMOGORDO**

Weekly Report-Commission

Week Ending:
07/21/2022

Stephanie Hernandez
Acting City Manager

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City Manager

- ❖ Applications Packets are in your commission box 7/21

Commission Meeting Follow-up

- ❖ Question by Commissioner Rardin, about Lodgers Tax and us having to use General Fund Money to cover civic center. Just wanted to clarify , the money should have never been used to cover civic center operations and special events. I am not sure how this was allowed for so many years, per state statute 3-38-15 NMSA 1978, funds could be used for Tourist facility only. The civic center does not qualify for a tourist facility as the majority usage is for local events. Weddings, regardless if the family comes from out of town is not a tourism facility as it is private party.
- ❖ Commissioner Rardin asked about Rutz park canopy, and I forgot to follow up with Eric or Belinda. Will try to follow-up next week.

Legal

- ❖ Assisted in preparation of Services for Officer Ferguson.

Legal Research

- ❖ I was asked to do research concerning the process of selling public property. A legal brief detailing my findings will be submitted with next week's report.
- ❖ Was asked to research Bail Bond Reform & Catch and Release.
- ❖ Properties in Foreclosure listed at the end.



Police Department (David Kunihiro, Chief)

- ❖ Police Department on Standdown due to Officer Ferguson's passing.
- ❖ Saturday-APD will take back the streets at 0700 hours. We WILL ride two person units. NMSP will provide a couple units for both day and night shift through Wednesday morning.

Animal Control

○ Calls for Service	58
○ Citations	0
○ Surrenders	1
○ Adoptions	4
○ Euthanizations	2
○ Rescue	5
○ Returned to Owner	6



City of Alamogordo
Alamogordo Fire Department
619 Texas Avenue, Alamogordo, New Mexico 88310
Administration 575-439-4298, Code Enforcement 575-439-3337



Fire Department (Richard Adler, Chief)

The Alamogordo Fire Department answered 27 calls for service last week; they are listed as follows:

- ❖ 5 Assist AMR
- ❖ 1 Assist Public
- ❖ 1 Carbon Monoxide
- ❖ 6 Fire Alarm
- ❖ 2 Structural Fires
- ❖ 5 MVA
- ❖ 3 Misc. Fires
- ❖ 1 Powerline Down
- ❖ 3 Other

Weekly projects:

- ❖ Fire Staff had 14 hours related to company, drivers, volunteer, HazMat and new recruit raining.
- ❖ Fire Staff had (22) Initial/Annual business fire inspections, (5) re-inspections.
- ❖ National Construction continued work on the Oregon facility.
- ❖ Attended Multiple Officer Ferguson Meetings.
- ❖ Assisted with Ferguson Procession/Service.
- ❖ Contractor pre-bid meeting for Fire Station 6 Addition.
- ❖ Attended Statewide Arson Investigators meeting.
- ❖ Zoom Meeting EOC Emergency Managers meeting
- ❖ All Fire station Extinguishers received annual service.
- ❖ Pushed job opening for vacant FF position.
- ❖ Continued Department 1st Due training with Contractor
- ❖ Hosted AFD Vol/County Vol training at Station #5
- ❖ Performed 2 Fire House Tours.
- ❖ Made contact with NMFinance Carmela Manzari on Ladder financing options.
- ❖ Set appointment with Senator Burt to discuss potential fire funding options.
- ❖ Submitted 2024 Hazard Mitigation Plan Application to FEMA

A ALAMOGORDO **PUBLIC WORKS**

Public Works (Nancy Beshaler, Director)

Facility Maintenance

- ❖ Received 58 new work orders and completed 51 work orders.
- ❖ Electrical (1 journeyman) – 8 work orders, one being overtime
- ❖ Communication (2 technicians) – 11 work orders, 2 being overtime
- ❖ HVAC (1 technician) – 14 work orders
- ❖ Plumbing and Carpentry (1 technician) – 7 plumbing and 16 carpentry work orders, 4 on overtime
- ❖ Pool Maintenance (1 pool tech) – Normal pool maintenance plus 3 work orders
- ❖ Staffing Challenges: Dispatcher workload is burdensome, as she does admin/dispatch for Facility Maintenance, Weeds and Drainage, and Streets divisions. This employee is becoming burned out and cannot sustain this workload.
- ❖ Equipment: working with 30 year old vehicles and equipment

Planning and Zoning

❖ PHONE CALLS	93
❖ EMAILS	239
❖ FEMA DETERMINATIONS	3
❖ IPRA REQUESTS	1
❖ BUSINESS REGISTRATION PREREQUISITES	3
❖ COUNTER CUSTOMERS	17
❖ PROCESSED APPLICATIONS	22
❖ INTERPRETED	1
❖ PRINTED PLANS FOR OTHER DEPARTMENTS	1 SET
❖ ZOOM MEETINGS	2
❖ VECTOR TRAINING	1
❖ ASSIGNED ADDRESS	2
❖ ZONING CASES, MET WITH CITIZENS	2
❖ DRAFTED SOP FOR ZONING REVIEW	1

- ❖ Need to meet with Tommie Herrell RE: Centennial Plaza
- ❖ Need to get Assistant City Planner certified as a Floodplain Manager. Nancy is the only CFM, and this will need to be accomplished before she leaves city service. If the city does not have a CFM on staff, they are out of compliance with FEMA National Flood Insurance Program requirements, and the city could be taken out of the program. The result of this is that no one in the city that is in a flood zone will qualify for a federally-backed mortgage. Approximately 50% of the city is in a flood zone.

- ❖ FEMA's cycle visit audit will occur in October. This is a week-long effort with a FEMA representative on-site. It requires a huge amount of work to provide documentation that we are in compliance with the program.
- ❖ Working with developer on Patriot Pointe Apartments.

Street Maintenance

4-man crew for asphalt, 2-man crew for signs/stripping, 1 alley maintenance, and 1 street sweeper

- ❖ Tore out, prepped, and paved 11 patches
- ❖ Twelve sign maintenance work orders
- ❖ Five stripping work orders were completed
- ❖ One 3M tape work order (Crosswalk, arrows)
- ❖ Four alleys were graded
- ❖ Swept 106 streets
- ❖ There were 2 standby callouts for the street crew to put out barrels.
- ❖ Equipment Challenges: F250 air conditioning problem, Steel wheel roller water system is not working, curb cut machine is broken (the hub that holds the blades is broken). This piece of equipment is reaching the end of its life expectancy (30 years old) and the manufacturer is no longer making the repair parts. The city should eliminate doing curb cuts and have property owners hire licensed contractors to do the work. Asphalt patching laydown machine is broken down and at Neudorf for repairs. Will likely be out of operation for months. This eliminates the crew's abilities to do large patches and limits them to small patches because they can only do hand-raking. The Utility crews are tearing up entire streets putting in valves that will essentially leave entire streets open that cannot be patched until the laydown machine is repaired.
- ❖ Staffing Challenges: need admin/dispatch and 3-man crew to prep for patches

Weeds Drainage

(4-man crew)

- ❖ 11 weed-eating work orders
- ❖ Mowed 4 medians and ditches
- ❖ Scraped weeds from 5 curb and gutter locations
- ❖ Sprayed 8 locations
- ❖ Stabilization of one ditch

Code Enforcement

Finance Department (Evelyn Huff, Director)

Finance department assisted in Officer Ferguson's Memorial. Seating charts, listings, and purchasing documents, credit card.

Special meeting requested to

- ❖ Approving the final FY24 budget
- ❖ Approving the financials as of 6/30/2023
- ❖ Approving a resolution for the housing authority

Budget

Working on Final Budget and processed several resolutions.

Customer Service

Utility Billing Mail Payments	471
Utility Billing Over Counter Payments	346
Miscellaneous Over Counter Payments	162
New Service Applications	36
Account Transfers	9
Lien Letters	32
Final Billing Statements	37
Cycle Billing Statements	7186
Cut-off for Non-Pay Service Orders	37
ETR Replacement Service Orders	35
Final Read Service Orders	63
High Audit Service Orders	4
Manual Reading Service Orders	28
Recheck Service Orders	265
Radio Read Maintenance Service Orders	13
Turn-off Service Order	2
Turn-on Service Order	93

Accounting & Payroll

Working on cash balances.

Grants

- ❖ Public Meeting for ICIP tentatively set for 5:00 Pm @ Civic Center. Top 5 will be presented to public per requested.
- ❖ 3 items on 7/25 meeting will be last year's ICIP grants awarded.

Community Services (Veronica Ortega, Director)

Airport

- ❖ Airport manager accepted position and is in back ground. Airport manager selected is Shane Thurman.
- ❖ Worked with Representative Vasquez. His office was requesting feed back if the city of Alamogordo would be interested in a feasibility study for commercial service. Here is the link if anyone interested in seeing what they proposed. https://amendments-rules.house.gov/amendments/THOMPA_035_xml230712105221784.pdf

Marketing/Communications

- ❖ Working all week on PSA's, graphics and services for officer Ferguson.

Zoo

- ❖ Worked on improving watering methods for the primates, bears, and mountain lions.
- ❖ Cleaned the education center and office.
- ❖ Sarah Moody started as our education coordinator. She has started training in the gift shop and going through education materials. The zoo is looking at purchasing new, updated materials for the education program to comply with ZAA regulations.
- ❖ Started the renovation of the aviary, including removing trees that interfere with the net, outsourcing a contractor to install a watering system, and replacing trees that are appropriate for the aviary netting.
- ❖ The commissary walk-in freezers and fridges were deep cleaned. This is apart of the commissary cleaning routine.
- ❖ Routine pond cleaning for the tapir and aviary pond.
- ❖ General maintenance upkeep.
- ❖ Received new animal signs and put into place at each animal exhibit.



Parks & Recreation Services (Belinda Bass, Director)

Bonito Campground

Cemetery

- ❖ Completed routine mowing and trimming in all areas.
- ❖ Weed control in "Old" section.
- ❖ Set 1 headstone.
- ❖ 1 casket internment
- ❖ Repaired two irrigation breaks.

Golf Course

Michael Bradley and he has accepted the position for the Golf Course Superintendent position. He is currently working his way through the background check process. If everything goes smoothly he could start as early as the first or second week of August!

- ❖ Director of Parks met with Men's Golf Association
- ❖ The desire for new fixtures in the course restrooms, The need for the installation of drinking fountains or bottle fillers at the restrooms.
- ❖ The irrigation ponds on the front 9 are still struggling to take on enough water to keep up with the watering.
- ❖ One of the pumps on the front 9 has stopped working. It is covered by warranty as it was only installed a year ago. Arrangements are being made to have it repaired.

- ❖ Faulty valve on Desert Lakes Rd near the maintenance building. Quote is being prepared to have it fixed/replaced.
- ❖ Multiple leaks have been repaired.
- ❖ More leaks and breaks are being identified and addressed .

Parks

Major upcoming initiatives-long-term for this growing season

- ❖ Continue to adjust and retrofit the system with low-angle nozzles to comply with reclaimed water permit requirements.
- ❖ Install a new irrigation system around Railroad History Park
- ❖ Add a new irrigation zone at West Indian Wells
- ❖ Re-wire the irrigation system at Fireman's Park
- ❖ Re-paint the interiors of Park's public restrooms with new colors
- ❖ Paiute Park project
- ❖ Plans submitted and approved.
- ❖ Materials acquisition begun.

- ❖ Performed recurring mowing, trimming and edging in all park spaces per schedule.
- ❖ Mowing heights raised to 2.5 inches
- ❖ Backfilled and compacted area for pickleball courts
- ❖ Removed two large dying trees adjacent to Alameda Park playground.
- ❖ Conducted playground inspections.
- ❖ Daily restroom cleaning and sanitizing
- ❖ Daily litter removal from all park areas
- ❖ Gopher control
- ❖ Cleaned and sanitized the Garden Center fountain.
- ❖ Replaced, repaired, and adjusted irrigation components at:
 - Las Alturas Park
 - Library
 - Juniper medians
 - Indian Wells
 - Washington Park
 - Tierra De Suenos Park
 - Civic Center
- ❖ Weed removal on:
 - Scenic medians
 - Indian Wells medians
 - 1st St. medians
 - Washington Park- raised planters.
 - Panorama medians
- ❖ Watered:
 - 1st St. median trees
 - Scenic median trees

- Oregon tennis court roses
- City Hall planters
- Alameda roses
- ❖ Seeded 2,000lbs of Bermuda grass seed in Alameda Park
- ❖ Fertilized Alameda Park- starter fertilizer- 4,000lbs
- ❖ Alameda Park watering schedule is set for the germination of newly applied seed.
- ❖ Alameda Park Irrigation system installation-
 - System is currently functioning.
 - Final connection of master valves and flow meters scheduled for week of 7/24
 - Installation of pressure regulating valves completed.
- ❖ Park Board Meeting on 7/12- not enough to make a quorum. This is second time in a row. Tentative next meeting is 7/26.

Hooser & Griggs

- ❖ No events or tournaments
- ❖ Daily Restroom Cleaning and litter pick-up, Routine Sprinkler adjustment/replacement, Daily mowing, edging and trimming per weekly schedule,
- ❖ League play completed.
- ❖ Fence repairs from previous weekend collision
- ❖ Lateral line repair in progress at Griggs.

Next Steps

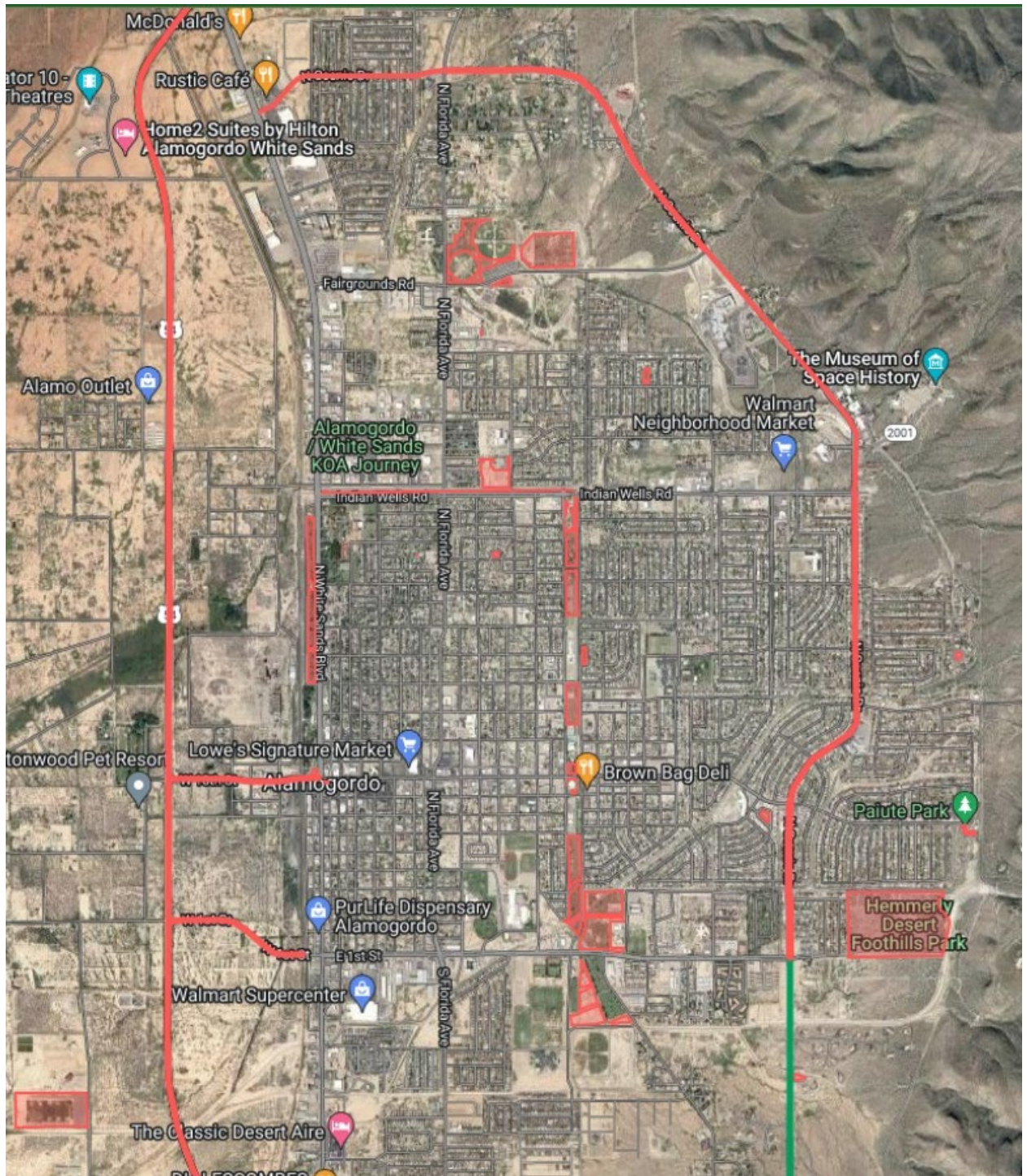
- ❖ Install new pipe and rail fencing between fields 3&4 at Griggs (someone keeps driving through there and has broken the valve box...more than once in less than a month)
- ❖ Continued pre-emergent weed control application in median areas.

Recreation Center

- ❖ Continuing to update marquee/website/AFRC TV with current programming.
- ❖ Updating the website with Monsido (ADA accessibility monitoring service)
- ❖ Youth staff continues to be short staffed.

Keep Alamogordo Beautiful

- ❖ Adopt-A-Spot Event



- ❖
- ❖ Wells Fargo of Alamogordo held a cleaning event at their adopted spot (Tierra de Suenos Park) on 7-14-23.
- ❖ KAB provided safety vests, gloves, trash grabbers, and trash bags for this District 5 clean-up effort.
- ❖ Adopt-A-Spot signs have come in and will be installed at all the various adoptable spots.
- ❖ New litter kits have been created and are easy to carry and manage.

- ❖ Volunteers will be required to sign up online and will receive training to ensure they understand their role, how important they are, and how to report their hours, and more

Issues-KAB has a strong need for an intern to start soon to help with clean ups and graffiti removal.

Human Resources (Kim Torres, Director)

- ❖ City Manager applications reviewed, and individual recruitment folders created for City Commission review with qualified applicants.
- ❖ Tables built in HTE for Police Officers' new pay table. Internal documentation is being prepared and edited to implement, effective July 24, 2023.
- ❖ Met with Toshiko from Tyler for three days this week to get employee data ready to send to Production. We will be in Production by August 4 and have training with Toshiko scheduled all day on August 4 and August 11. After training, we will maintain the data in Tyler Production and HTE. We must maintain both systems until the scheduled go live in January.
- ❖ Three accidents involving City-owned vehicles.
- ❖ Four safety orientations were performed.
- ❖ Poms Safety Training contract prepared and distributed for signatures. Safety training scheduling began with NMSIF.
- ❖ One Job Hazard Analysis was done on position descriptions.
- ❖ Much time was spent this week working on Workers' Compensation and insurance paperwork.
- ❖ City Hall monthly fire inspections performed.

RECRUITING

Current Vacancies*	In Pre-Hire Process	Position Interviews Held	New Hires In Process	Employees Out Processed
49	10	0	2	1

CITY OF ALAMOGORDO

AN AFFIRMATIVE ACTION/EQUAL OPPORTUNITY EMPLOYER.

OPEN UNTIL FILLED:

ADMINISTRATION

- City Manager - \$105,665.00 Annually - DOQ

POLICE

- Trainee Police Officer - \$20.00-DOQ
- Certified Police Officer - \$27.00 -DOQ
- Animal Control Officer - \$18.51
- CIT Clinician - \$26.32

UTILITIES

- Industrial Electrician (Water-Wastewater) - \$24.10 - \$28.80
- Utility Maint. Trainee - \$16.21
- Utility Maint. Operator I - \$16.21
- Utility Maint. Operator II - \$19.34
- Utility Maint. Operator III - \$21.12
- Utility Maint. Journeyman Operator - \$23.10
- Wastewater Reclamation Maint. Foreman - \$26.31
- Water Production Operator Trainee - \$16.21
- Water Production Operator I - \$16.21
- Water Production Operator II - \$21.12
- Water Production Operator III - \$23.06
- Water Production Journeyman Operator - \$24.10

PUBLIC WORKS

- Facility Maintenance Mechanical Foreman - \$26.31
- Mechanic Level 1 - \$16.21 + Tool Allowance
- Mechanic Level 2 - \$19.34 + Tool Allowance
- Mechanic Level 3 - \$24.10 + Tool Allowance
- Weed/Drainage Maint. Foreman - \$20.21



CLOSING SOON:

New! Open Until 8/4/2023

- Code Enforcement Admin. Assistant - \$15.51

Open Until 7/28/2023

- AFD Firefighter - \$48,500+ Annually - DOQ
- Civic Center Maintenance (PT) - \$16.21
- Recreation Aide (PT) - \$14.85
- Zookeeper - \$21.12

VOLUNTEER

FIRE

- Volunteer Firefighter

Run ad: 7/21/2023 - 7/27/2023.

Safety

SAFETY

Active WC Claims/Current Employees	Active WC Claims/Termed Employees	New WC Claims	Facility Inspections Performed	Job Site Inspections
12	2	1	1	4

City Clerk (Rachel Hughs, City Clerk)

- ❖ I have been training the Administrative Assistant all week at the front office. My other staff has been helping to train her when I have been unavailable.

Just a reminder:

- ❖ The NMML 66th Annual Conference will be held in Farmington this year. The dates are Wednesday, August 30th - Friday, September 1st. I sent the agenda for the conference to you by email. Please let me know if you want to attend no later than July 28th, the sooner the better as the hotels get booked quickly.
- ❖ Just to note that Candidate Filing Day is on August 30th from 9-5 at the County Clerk's office. Therefore, if you plan to attend the conference, you may designate someone to take your Declaration and other documents by filling out the Designation form.
- ❖ The Candidate Filing Day information is on the July City Profile. The County Clerk's phone number is incorrect. The correct number is 575 437-4942 not 575 439-4942.

Utilities Department (David Nunnelley, Director)



PERSONNEL

Current staff levels are at 71%.

PUBLIC RELATIONS

2 water quality concerns.

Low pressure reported at 3931 Basswood. Low pressure was the result of a clogged aerator on the customer's kitchen faucet.

Low pressure reported at 402 Coronado Drive. Low pressure was the result of Utility Maintenance repairing a service line at 310 Santa Fe Drive.

Discussed ownership of a culvert on Wild Jasmine Drive with Ken Holland and Roger Storms. Determined that the city does not maintain that culvert because Wild Jasmine is a private road.

2 sewer concerns.

Sewer call at 702 Indian Wells was a customer related inside the kitchen sink garbage disposal.

Sewer call at 803 Valencia was also found to be a customer issue. The sewer main has been cameraed in the past, manholes and sewer main were flowing freely.

10 solid waste concerns.

Administration staff fielded ten (10) concerns about trash calls ranging from missed pickups to missing containers. Staff generally receive a large volume of trash concerns after a wind storm.

Southwest Disposal experienced a higher volume of trucks breaking down this week. As a result, they fell behind on trash pickups and are bringing in outside support trucks to ensure the schedule is met today 7/14/2023.

WEEKLY OPERATION HIGHLIGHTS

Engineering

- Patrick Riele was named the "Acting" Engineering Manager.
- PW1606 - Scenic Extension - PNM/Neil Stone - Stone Electric - Agreement processed, will receive invoice this month for PNM materials to hand deliver check to them.
- FD2201 - Fire Station 6 Addition - Studio D. Architects - Bid & Construction Phase - Project advertised July 9, Pre-bid conference is scheduled July 16.
- PW2001 - SMP 2021 (Ridgecrest) - La Luz Dirt & Paving - General Hydronics Utilities - General Hydronics Concrete - Smith Engineering - 65% on main install.
- EN2013 - CDBG ADA 2020 - General Hydronics Concrete - Smith Engineering - 30% complete.
- EN2201 - APD Reroof & HVAC - CD General Contractors/Desert Peak Architect - Roof work 20% complete. HVAC 100% complete.
- ZO2301 - Zoo Improvements - CES- White Sands Construction Inc. - Received bonds from White Sands Construction, conducted pre-con meeting on July 12, performance to begin late August.
- GC2301 - Golf Course Irrigation - CES- Mountain West Golfscapes Inc. - Material enroute, expect update in Oct/Nov.
- EN2305 - New York SMP - CES- Smith Engineering, Design Phase Service - Design 60% complete
- CM2303 - Dudley School - CES- 5 Contractors - All work ongoing.
- LI2301 - Library HVAC - Mountain Air Heating & Cooling - Est. 28 weeks out for 40t RTU.
- PK2303 - Zoo Irrigation Design - Morrow Reardon Wilkinson Miller - Design only, Parks - Erik Marion monitoring and processing invoices.
- EN1904 - 10th St, Hubbard Bridge Repairs - Bohannon Huston - Design only, Public Works - Nancy is monitoring. Engineering is processing invoices, last invoice processed July 10.
- EN2002 - Dry Canyon Evaluation, Improvements - CES- Bohannon Huston - 95% design complete, awaiting PNM for pole relocation issue.
- UC2202 - 54-70 Waterline Replacement - Smith Engineering - 90% design, water modeling efforts completed by Eddie Livingston, awaiting a final decision.
- EN2202 - Desert Lakes Rd Drainage - Smith Engineering - Design complete, hold for construction funding.
- PW2203 - Smith Engineering - Parallel Pipeline Phase 2 - Design complete, hold for construction funding.
- PW2007 - Smith Engineering - Parallel Pipeline Phase 1 - Design complete, hold for construction funding.
- CE2301 - TriWest Fence LLC. - 100% complete on fencing, awaiting entrance concept.

Solid Waste

- The Otero-Greentree Regional Landfill experienced a fire on July 7, 2023. County and City Emergency Services and Solid Waste - Landfill Heavy Equipment Operators (HEO) worked together to knock down the flames. The fire became sub-surface as crews covered it with dirt and doused it with water. During the evening on the same date, winds

No reportable interactions took place with the general public this week.

SAFETY PERFORMANCE

No lost time accidents or reportable injuries occurred this week.

A Utility Maintenance employee was involved in a vehicle accident on 7/12/2023 at about 9:05am. The employee was struck by a citizen backing out of her driveway on 2805 15th. St. The citizen was assessed fault and cited by State Police. No injuries were reported and the employee did not receive any citations. Employee was screened at White Sands for DOT drug and alcohol testing and cleared to return to work at 10:40am.

All Water Production and Utility Maintenance staff attended a New Mexico Excavation Law & Procedures class given by the New Mexico Public Regulation Commission Pipeline Safety Bureau.

Todd Wagorn is on duty with restrictions due to his injury reported last week.

Reviewed

SOP_20160810_BulkChemicalUnloading with Paul Bennet and new employee Davondre Pistilli before transferring sodium hypochlorite in the Water production area.

increased, reigniting the fire. Emergency service staff responded to contain the fire throughout the night. The fire is currently under control and remains sub-surface.

- Six hundred forty-seven (647) vehicles were scaled at the Solid Waste Collections Center.
- 149.51 tons of trash were received at the Solid Waste Collections Center.
- Sixteen (16) containers were transported from the Solid Waste Collections Center to the Otero-Greentree Regional Landfill.
- One hundred seventy-eight (178) trash vehicles were scaled at the Otero-Greentree Regional Landfill.
- 1697.77 tons of trash was received at the Otero-Greentree Regional Landfill.
- 67.75 tons of asbestos waste was received and disposed of per permit at the Otero-Greentree Regional Landfill.
- 9.30 tons of sludge was received and properly disposed of at the Otero-Greentree Regional Landfill.
- The Otero-Greentree Regional Landfill, Emergency Response Plan (ERP), details the county emergency services as the POC. Solid Waste – Landfill staff recently began involving City Fire Services, and the incident command, logistics, and overall organizations have improved significantly. Kudos to Jerry Ramirez and William Skaggs for ensuring the health and safety of everyone involved is of the utmost importance.
- Staff serviced the 623K Caterpillar elevated scraper on 7/12/2023.
- Conducted shop housekeeping.

Utilities Administration

- Work continues digitally archiving the Bonito historical files. Files date back to the 1800's and we are actively compiling a report to document the history.
- Met with Nancy Beshaler, Helene Sickler, Joe Swing, Toby Torres and Rusty Payne from Smith Engineering for the annual Technical Standards review.
- Attended three (3) days of EAM configuration workshop training.
- Discussed water and sewer availability on North Scenic between Christ Community Church and Plateau Espresso with a local developer. Unfortunately, sewer service is currently unavailable, and no distribution system exists. Water operates across an easement in a 30" transmission main. Additional infrastructure would be necessary to develop this area to supply adequate fire flow pressure and supply separate from the transmission system.
- Met with Eddie Livingston regarding the design of the North Reservoir inlet tower replacement and cover design project.

Utility Maintenance

- Staff fielded 156 phone calls.
- Thirteen (13) water turn on/off's.
- Backfilled six (6) excavations at 2913 Hopi Trail, Kiowa Ct, Collins/Municipal, 227 Grosvenor, Oregon & 18th St, and 1201 Monroe.
- Investigated and repaired two (2) water main failures at Collins/Municipal, and 1201 Monroe.
- Investigated and repaired three (3) service line failures at 318 S White Sand in the alley, and 105 Virginia.
- Repaired fifteen (15) leaks inside meter cans at 411 New York, 101 Shadow Mountain, 3223 Summer, 1217 Wright, 2511 Abbott, 608 Zia, 2364 Saguaro Lp, 458 Desert Lakes, 3008 El Dorado, 1313 Greenwood,

3547 Driftwood, 618 Andergill, 504 Sunnyside, 524 N canyon, and 1309 12th St.

- Fielded forty-seven (47) utility locates.
- Replaced nine (9) curb stop / meter setters.
- Nine (9) excavations.
- Prepped two (2) cement pours.
- Performed one (10) cement pour.
- Performed daily inspections of the pipe installation on Ridgecrest to ensure compliance with current standards.
- Removed a valve on 2913 Hopi Trail

Wastewater Reclamation

- Installed new feed lines to the CL17sc and the NTU (Nephelometric Turbidity Unit) analyzers
- Mowed all of the grounds at the Wastewater Reclamation Facility.
- Repaired two sprinkler heads at the Wastewater Reclamation Facility.
- Replaced the manhole lid at the corner of Abbot and Ridgecrest
- Found and raised a manhole at 1900 block of Crescent
- Cleaned all basin probes, Total Suspended Solids (TSS) (9), Dissolved Oxygen (DO) (9), Mixed Liquor Suspended Solids (MLSS) (9)
- Collected all weekly EFF and INF samples
- Collected 2 COVID samples for the New Mexico Department of Health
- Collected by-yearly monitor well samples per compliance with discharge permit 806 (DP806).
- Collected annual effluent samples per compliance with discharge permit 220 (DP220).
- Collected quarterly drying bed sample per compliance with discharge permit 220 (DP220).
- Collected monthly belt press cake sample per compliance with discharge permit 220 (DP220).
- Met with Golf Course maintenance staff to discuss effluent availability.

Water Production

- The average seven-day water usage is 6.4 million gallons daily (MGD).
- The Bonito Lake Reservoir is currently at 7381.0 ft elevation or full and running over the spillway.
- Switched to the lowest intake at La Luz Reservoir to run cooler water through La Luz Plant. The cooler water reduced our chlorine demand by 0.2 PPM (Parts Per Million) and lowered the raw turbidity by 0.1 NTU (Nephelometric Turbidity Unit).
- Performed sanitary inspections and maintenance on 7 wells.
- Replaced a 2" isolation valve on Lower Heights Booster Pump Station pump manifold.
- Replaced a cracked sodium hypochlorite injector at La Luz Plant.
- Performed the weekly Bonito Dam inspection.
- Collected 10 bacteriological samples per Revised Total Coliform Rule (RTCR).
- Conducted routine comparison analysis on all chlorine residual monitors (4) at both surface plants.
- Cleaned and verified all NTU (Nephelometric Turbidity Unit) analyzers (6) at both surface plants.

WEEK AHEAD

- Landfill tipping floor post fire cleanup.

- Collect Total Dissolved Solids (TDS) and Anion samples from Snake Tank Well Field along with all well level data.
- Work with IDESAA to correct communication issues at remote Water Production sites.
- Work with Cummins to diagnose and repair the La Luz Emergency Generator
- Review and revise the Bonito Dam O & M (Operations and Maintenance Manual) and submit to New Mexico Office of the State Engineer Dam Safety Bureau.
- Form and pour manholre on 1900 block of Crescent.

Other

Properties in Foreclosures

RAYMOND GUTIERREZ	Lien Number	Account Number	Amount	Interest	File amount	Total	Date filed
1004 Brooks Ave.	1730	111847-11928	\$ 415.45	\$ 194.91	\$ 50.00	\$ 660.36	12/7/2018
	1934	102105-11928	\$ 276.89	\$ 107.33	\$ 50.00	\$ 434.22	8/12/2019
	2104	119085-11928	\$ 182.38	\$ 59.54	\$ 50.00	\$ 291.92	2/14/2020
	2328	123111-11928	\$ 430.39	\$ 84.05	\$ 50.00	\$ 564.44	3/19/2021
		TOTAL	\$ 1,305.11	\$ 445.83	\$ 200.00	\$ 1,950.94	
PENNY DOWNS	Lien Number	Account Number	Amount	Interest	File amount	Total	Date filed
2505 Tulane Ave.	1701	49969-18592	\$ 413.34	\$ 193.92	\$ 50.00	\$ 357.26	12/7/2018
	2105	119107-18592	\$ 299.56	\$ 97.80	\$ 50.00	\$ 447.36	2/14/2020
	2408	123113-18592	\$ 291.57	\$ 19.65	\$ 50.00	\$ 361.22	4/12/2022
		TOTAL	\$ 1,004.47	\$ 311.37	\$ 150.00	\$ 1,165.84	
JOSEPHINE SILVIE ADAMS	Lien Number	Account Number	Amount	Interest	File amount	Total	Date filed
117 Texas Ave.	1709	112099-9062	\$ 408.75	\$ 191.77	\$ 50.00	\$ 650.52	12/7/2018
	2194	119103-9062	\$ 311.56	\$ 91.16	\$ 50.00	\$ 452.72	5/27/2020
	2377	124011-9062	\$ 547.91	\$ 99.43	\$ 50.00	\$ 697.34	4/30/2021
	2532	127339-9062	\$606.63	\$1.20	\$50.00	\$657.83	10/28/2022
		TOTAL	\$ 1,874.85	\$ 383.56	\$ 200.00	\$ 2,458.41	
CORNELIUS M. MELON, JR.	Lien Number	Account Number	Amount	Interest	File amount	Total	Date filed
1102 Hawaii Ave.	1700	66909-15590	\$433.26	\$203.26	\$50.00	\$686.52	12/7/2018
	2210	119109-15590	\$311.56	\$89.93	\$50.00	\$451.49	6/8/2020
	2311	124147-15590	\$552.08	\$109.63	\$50.00	\$711.71	3/9/2021
	2488	126691-15590	\$700.72	\$11.06	\$50.00	\$761.78	9/16/2022
	2039	18-4689	\$666.67	\$161.02	\$50.00	\$877.69	11/22/2019
		TOTAL	\$2,664.29	\$574.90	\$250.00	\$3,489.19	
ROBERT CHAVEZ	Lien Number	Account Number	Amount	Interest	File amount	Total	Date filed
607 Maryland Ave.	1779	110601-4214	\$420.94	\$200.25	\$50.00	\$671.19	12/7/20218
	2379	123891-4214	\$547.40	\$102.94	\$50.00	\$700.34	4/30/2021
	2427	2021-01434	\$373.30	\$16.77	\$50.00	\$440.07	5/19/2022
	2283	19-10146	\$769.95	\$136.60	\$50.00	\$983.55	10/2/2020
	2023	19-2565	\$329.58	\$82.57	\$50.00	\$462.15	10/7/2019
	2043	18-11326	\$644.28	\$154.91	\$50.00	\$849.19	11/22/2019
	2523	127343-4214	\$606.63	\$11.37	\$50.00	\$668.00	9/27/2022
	2184	119147-4214	\$311.56	\$94.75	\$50.00	\$456.31	5/12/2020
		TOTAL	\$4,003.64	\$800.16	\$400.00	\$5,230.80	
JOHNNIE & HELEN BROWN EST.	Lien Number	Account Number	Amount	Interest	File amount	Total	Date filed
107 Texas Ave.	1753	113363-9074	\$220.48	\$105.25	\$50.00	\$375.73	12/7/2018
	2345	119061-9074	\$215.60	\$41.18	\$50.00	\$306.78	4/26/2021
		TOTAL	\$436.08	\$146.43	\$100.00	\$682.51	
HUGH JR. & WENDELL LANG & SANDRA SIMPSON	Lien Number	Account Number	Amount	Interest	File amount	Total	Date filed
206 Maryland Ave.	1754	112425-9218	\$586.64	\$279.08	\$50.00	\$915.72	12/7/2018
	2220	114759-9218	\$319.66	\$92.90	\$50.00	\$462.56	6/22/2020
	2363	124489-9218	\$420.57	\$79.64	\$50.00	\$550.21	4/26/2021
	2553	127201-9218	\$606.64	\$5.19	\$50.00	\$661.83	10/28/2022
	2238	121191-9218	\$319.92	\$90.77	\$50.00	\$460.69	7/13/2020
	2289	20-002307	\$459.55	\$77.76	\$50.00	\$587.31	10/12/2020
		TOTAL	\$2,712.98	\$625.34	\$300.00	\$3,638.32	

DEBBIE LOPEZ	Lien Number	Account Number	Amount	Interest	File amount	Total	Date filed
108 Maryland Ave.	1781	109889-9110	\$419.73	\$199.68	\$50.00	\$669.41	12/7/2018
	2196	119015-9110	\$311.56	\$93.21	\$50.00	\$454.77	5/27/2020
	2378	124009-9110	\$547.91	\$103.04	\$50.00	\$700.95	4/30/2021
		TOTAL	\$1,279.20	\$395.93	\$150.00	\$1,825.13	
RAYMOND GUTIERREZ	Lien Number	Account Number	Amount	Interest	File amount	Total	Date filed
822 Travis Ct.	1810	92197-12178	\$288.45	\$137.22	\$50.00	\$475.67	12/7/2018
	2157	114099-12178	\$539.15	\$174.06	\$50.00	\$763.21	3/16/2020
	1905	112581-12178	\$293.22	\$120.02	\$50.00	\$463.24	6/27/2019
	2215	114047-12178	\$260.20	\$75.62	\$50.00	\$385.82	6/22/2020
	2327	123399-12178	\$593.96	\$119.90	\$50.00	\$763.86	3/19/2021
	2502	126819-12178	\$700.81	\$13.13	\$50.00	\$763.94	9/27/2022
		TOTAL	\$2,675.79	\$639.95	\$300.00	\$3,615.74	
APACHE VAN & STORAGE C/O JONATHAN BURTON	Lien Number	Account Number	Amount	Interest	File amount	Total	Date filed
823 W US HWY 70 (829 W US HWY 70)	1822	85503-11128	\$340.90	\$162.18	\$50.00	\$55.08	12/7/2018
	2324	123263-11128	\$656.07	\$132.44	\$50.00	\$838.51	3/19/2021
	2141	118995-11128	\$324.22	\$105.74	\$50.00	\$479.96	3/6/2020
		TOTAL	\$1,321.19	\$400.36	\$150.00	\$1,373.55	
ROSE A. STACY	Lien Number	Account Number	Amount	Interest	File amount	Total	Date filed
1306 N. Scenic Dr.	1830	110561-3274	\$412.65	\$196.31	\$50.00	\$658.96	12/7/2018
	2189	119005-3274	\$315.74	\$96.02	\$50.00	\$461.76	5/12/2020
	2356	123885-3274	\$554.70	\$105.04	\$50.00	\$709.74	4/26/2021
	2536	127193-3274	\$613.50	\$5.24	\$50.00	\$668.74	10/28/2022
	2011	19-3232	\$311.07	\$77.93	\$50.00	\$439.00	10/7/2019
	2252	19-008479	\$881.20	\$161.08	\$50.00	\$1,092.28	8/11/2020
	2392	20-005751	\$368.62	\$37.49	\$50.00	\$456.11	8/16/2021
	2434	2021-01796	\$329.34	\$9.75	\$50.00	\$389.33	7/11/2022
		TOTAL	\$3,786.82	\$688.86	\$400.00	\$4,875.92	
JESSE BOUIE	1769	109895-10844	\$ 439.29	\$ 208.12	\$ 50.00	\$ 697.41	12/7/2018
814 Miami Street	2204	119031-10844	\$ 311.56	\$ 88.89	\$ 50.00	\$ 452.93	6/8/2020
		TOTAL	\$ 750.85	\$ 297.01	\$ 100.00	\$ 1,147.86	
TINO AND MARLOWE NELMS	Lien Number	Account Number	Amount	Interest	File amount	Total	Date filed
821 Azelia St.	1848	113661-21266	\$ 300.15	\$ 143.97	\$ 50.00	\$ 494.12	1/7/2019
	2256	37053-21266	\$ 252.84	\$ 72.90	\$ 50.00	\$ 375.74	8/11/2020
		TOTAL	\$ 552.99	\$ 216.87	\$ 100.00	\$ 869.86	
BULA GRIM & WILLIE MAE ROBINSON	Lien Number	Account Number	Amount	Interest	File amount	Total	Date filed
2401 N. White Sands Blvd.	2128	119121-8138	\$ 322.28	\$ 109.66	\$ 50.00	\$ 481.94	3/6/2020
	2322	123267-8138	\$ 651.02	\$ 142.12	\$ 50.00	\$ 843.14	3/12/2021
	1854	110695-8138	\$ 409.13	\$ 196.25	\$ 50.00	\$ 655.38	1/7/2019
		TOTAL	\$ 1,382.43	\$ 448.03	\$ 150.00	\$ 1,980.46	
JIM MORGAN DOHERTY	Lien Number	Account Number	Amount	Interest	File amount	Total	Date filed
1211 Puerto Rico Ave.	1876	18-4978	\$ 440.65	\$ 140.91	\$ 50.00	\$ 631.56	1/7/2019
		TOTAL	\$ 440.65	\$ 140.91	\$ 50.00	\$ 631.56	

ELKINS FAMILY TRUST	Lien Number	Account Number	Amount	Interest	File amount	Total	Date filed
AR-3873	1878	18-2605	\$ 296.89	\$ 94.94	\$ 50.00	\$ 441.83	1/7/2019
1806 Hubbard Dr.	2078	16-5805	\$ 331.42	\$ 76.71	\$ 50.00	\$ 458.13	2/14/2020
	1980	19-0464	\$ 348.09	\$ 94.76	\$ 50.00	\$ 492.85	8/12/2019
		TOTAL	\$ 976.40	\$ 266.41	\$ 150.00	\$ 1,392.81	
RAYMOND BROKAW	Lien Number	Account Number	Amount	Interest	File amount	Total	Date filed
PC# 01-15789		18-1372	\$ 611.59	\$ 195.57	\$ 50.00	\$ 857.16	1/7/2019
CONTRERAS, GARIEPY & RAMP	Lien Number	Account Number	Amount	Interest	File amount	Total	Date filed
AR-4042	1974	18-9451	\$ 366.60	\$ 99.80	\$ 50.00	\$ 516.40	8/12/2019
1105 Ridgecrest Dr.	1846	110973-3208	\$ 392.20	\$ 188.13	\$ 50.00	\$ 630.33	1/7/2019
	2390	20-0054	\$ 278.56	\$ 30.95	\$ 50.00	\$ 359.51	8/16/2021
	2062	19-6348	\$ 537.93	\$ 124.51	\$ 50.00	\$ 712.44	2/14/2020
		TOTAL	\$1,575.29	\$ 443.39	\$ 200.00	\$ 2,218.68	
WARNER COLEMAN	Lien Number	Account Number	Amount	Interest	File amount	Total	Date filed
220 Fourth St.	1893	46453-2080	\$ 315.74	\$ 144.19	\$ 50.00	\$ 509.93	6/27/2019
JUSTIN DANLEY	Lien Number	Account Number	Amount	Interest	File amount	Total	Date filed
2090 E. First St.	1906	109829-13238	\$ 454.79	\$ 207.68	\$ 50.00	\$ 712.47	6/27/2019
	1959	18-3785	\$ 755.35	\$ 344.94	\$ 50.00	\$ 1,150.29	8/12/2019
		TOTAL	\$ 1,210.14	\$ 552.62	\$ 100.00	\$ 1,862.76	
BRAULIO & MARC ESTRADA	Lien Number	Account Number	Amount	Interest	File amount	Total	Date filed
220 N. New York Ave.	1897	114775-34469	\$ 392.04	\$ 179.03	\$ 50.00	\$ 621.07	6/27/2019
TORSTEN MEINSEN	Lien Number	Account Number	Amount	Interest	File amount	Total	Date filed
2639 Oakmont Dr.	1913	41017-23424	\$ 518.25	\$ 236.66	\$ 50.00	\$ 804.91	6/27/2019
KENNETH OSBORNE III	Lien Number	Account Number	Amount	Interest	File amount	Total	Date filed
1003 N. Scenic Dr.	1901	114763-3230	\$409.57	\$ 187.03	\$ 50.00	\$ 646.60	6/27/2019
KENNETH DOANE	Lien Number	Account Number	Amount	Interest	File amount	Total	Date filed
1100 Airport Avenue	2333	123123-12146	\$551.04	\$106.89	\$50.00	\$707.93	3/19/2021
	2487	126827-12146	\$659.19	\$9.54	\$50.00	\$718.73	9/16/2022
	1768	52375-12146	\$456.23	\$213.44	\$50.00	\$719.67	12/7/2018
	2004	18-11947	\$311.07	\$75.61	\$50.00	\$436.68	10/25/2019
	2113	119033-12146	\$307.38	\$99.94	\$50.00	\$457.32	2/14/2020
	Demo	3857	\$ 46,662.72	\$102.27	\$50.00	\$46,814.99	10/28/2022
		TOTAL	\$48,947.63	\$607.69	\$300.00	\$49,855.32	

ACM Calendar

July 17, 2023 - July 23, 2023

July 2023							August 2023						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
						1			1	2	3	4	5
2	3	4	5	6	7	8	6	7	8	9	10	11	12
9	10	11	12	13	14	15	13	14	15	16	17	18	19
16	17	18	19	20	21	22	20	21	22	23	24	25	26
23	24	25	26	27	28	29	27	28	29	30	31		
30	31												

Monday, July 17

- 12:00am Ronnie O off
- 9:30am - 11:00am Press Conference
- 11:00am - 5:30pm Arrangements
- 1:00pm - 2:00pm EnerGov/Alamogordo PM Bi-Weekly Meeting (Microsoft Teams Meeting) - Hough, Haley
- 3:00pm - 4:00pm Kim mtg rqst - APSOA counter review (CM) - Stephanie Hernandez

Tuesday, July 18

- 8:45am - 10:00am APD planning meeting
- 10:00am - 11:00am Mandatory Directors' Meeting Tuesday 07/18 (Commission Chambers) - Stephanie Hernandez
- 10:00am - 11:00am Stephanie Reservation - Chambers (Commission Chambers) - Room-Commission Chambers
- 11:00am - 9:30pm Busy-Arrangements
- 1:30pm - 3:00pm Discussion of All Things Tourism (Civic Center) - Evelyn Huff

Wednesday, July 19

- 7:30am - 8:30am ARMS Monthly Partners Meeting (<https://us06web.zoom.us/j/88923485376?pwd=V2EyaWxIODBGQUxDb3BtcXhYNGJvQT09>) - Veronica Rojas
- 9:00am - 9:30am Agenda Review w/City Clerk (Commission Chambers) - Stephanie Hernandez
- 10:00am - 6:00pm Preperation- Tays - Stephanie Hernandez
- 6:30pm - 7:30pm Officer Ferguson Vigil (AHS gym) - Stephanie Hernandez

Thursday, July 20

- 6:00am - 5:00pm *Busy*

Friday, July 21

- 1:00pm - 2:00pm Ed Brabson -arms - Stephanie Hernandez

July 10, 2023 - July 16, 2023

July 2023							August 2023						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
						1			1	2	3	4	5
2	3	4	5	6	7	8	6	7	8	9	10	11	12
9	10	11	12	13	14	15	13	14	15	16	17	18	19
16	17	18	19	20	21	22	20	21	22	23	24	25	26
23	24	25	26	27	28	29	27	28	29	30	31		
30	31												

Monday, July 10

- 12:00am Ronnie O off →
- 7:00am - 8:30am Meeting with Consultants... Airport/Leases etc.
- 2:00pm - 3:00pm AAR-4th July & Burt Broadcasting MOU (Civic Center)
- 3:00pm - 4:00pm Tourism and Special Events w/ new staff (Civic Center conference room)
- 4:15pm - 4:45pm P&R Discussion
- 4:30pm - 5:30pm Ordinance & Charter Review/Discussion

Tuesday, July 11

- 12:00am Ronnie O off →
- 12:00pm - 1:00pm PNM Meeting
- 6:30pm - 9:00pm Commission Meeting (Comm Chambers) - Cheryl OteroBaker ☺

Wednesday, July 12

- ← Ronnie O off →
- 7:00am - 8:00am Radio station -Nadia
- 8:00am - 9:00am Exiler Media-Department Spotlight Lineup
- 3:00pm - 3:30pm No Meetings 2:55-3:15 p/u Vincent ☺
- 6:00pm - 8:00pm Parks and Recreation Board Meeting (Alamogordo Family Recreational Center (1100 Oregon Ave, Alamogordo, Nm 88310, United States)) - Parks & Recreation Board ☺

Thursday, July 13

- ← Ronnie O off →
- 12:00am Evelyn Off →
- 10:00am - 11:00am Directors' Meeting (Chambers) - Stephanie Hernandez
- 11:00am - 12:00pm Arms Meeting (City Manager Office) - Stephanie Hernandez
- 4:30pm - 5:30pm Meeting with BC

Friday, July 14

- ← Ronnie O off →
- ← 12:00am Evelyn Off
- 8:00am - 9:30am TBRDA PSAP Meeting (1108 Highway 70 W - 1108 Highway 70 W, Alamogordo, New Mexico, United States) - TBRDA Director John Barney ☺
- 9:00am - 10:30am Job Training Incentive Program
- 10:15am - 11:15am Coffee w/ Cop
- 1:30pm - 2:00pm P&Z meeting- MoonGlow
- 2:30pm - 4:30pm No Meetings: Block for Weekly report and discussion with Directors if needed



City of **ALAMOGORDO**

Weekly Report-Commission

Week Ending:
07/28/2023

Stephanie Hernandez
Acting City Manager

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City Manager

- ❖ Job description updated per Commission request.
 - Expanded the pay range.
 - Removed review date.
 - <https://www.governmentjobs.com/careers/alamogordo/jobs/4047886/city-manager?pagetype=jobOpportunitiesJobs>

Commission/Citizen Communication

- ❖ Received information from a commissioner about Alamogordo Multifamily Housing for Military. Researching to get more information.



Police Department (David Kunihiro, Chief)

- ❖ Back to business-July 21st for Support Staff, July 22nd-Police and Police Service Aides.
- ❖ Police Officers-Currently have 38 officers, 11 vacancies with current budget; 20 vacancies from being fully staffed.
- ❖ 1 Certified Officer applicant Voice Stress Analysis
- ❖ 5 Certified Officer applicants-will be setting up interviews.
- ❖ 83 uncertified Officer Trainee applicants-testing August 26th
- ❖ Roof project ongoing.
- ❖ Officer Winrow retirement - 7/28.

Animal Control

- ❖ ACO Officer applicant-set up for Voice Stress Analysis
- ❖ ACO numbers:
 - Calls for Service-61
 - Citations-6
 - Surrenders-0
 - Adoptions-10
 - Euthanizations-2
 - Rescues-3
 - Return to Owner-8

Public Works (Nancy Beshaler, Director)

- ❖ Reviewed 6 Neighborhood Traffic Management Program applications. Working on task order for the consultant to perform Pedestrian Count for a citizen request for a crosswalk.
- ❖ Small Services Contract for the repair of the fence by Mt View Middle School
- ❖ Met with Street Assessment consultant to review comments provided to them on June 16th.
- ❖ Met with consultant working on Chapter 29 Zoning Ordinance re-write. Reviewed Livestock, Poultry, and Parking language for the ordinance. Developed action items resulting from the meeting. We are getting very close to having this ordinance ready for 30-day public review.
- ❖ Met with Planner to discuss Special Events language for the ordinance.
- ❖ Working with City Attorney to provide information on subdivision lawsuit; Reviewed proposal for consultant review of modified drainage report.
- ❖ Met with Legal staff to discuss code enforcement case related to 1401 Gray Street
- ❖ Reviewed documents for Technical Review Committee
- ❖ Still need to incorporate Chapter 22 Subdivision public comments received in April into this ordinance to bring it to Commission.

Communication/Citizen Communication

- ❖ Need to meet with Tommie Herrell RE: Centennial Plaza
- ❖ Need to get Assistant City Planner certified as a Floodplain Manager.
- ❖ FEMA's cycle visit audit will occur in October. This is a week-long effort with a FEMA representative on-site. It requires a huge amount of work to provide documentation that we are in compliance with the program.
- ❖ Working on Chapter 29 Zoning Ordinance Re-write

Facility Maintenance

- ❖ Received 56 new work orders and completed 53 work orders.
- ❖ Electrical (1 journeyman) – 5 work orders, one being overtime.
- ❖ Communication (2 technicians) – 11 work orders, 5 being overtime, 7 being intersection traffic signal repairs.
- ❖ HVAC (1 technician) – 5 work orders, 2 being overtime.
- ❖ Plumbing and Carpentry (1 technician) – 10 plumbing and 19 carpentry work orders, performed 3 days of runway checks at the airport.
- ❖ Pool Maintenance (1 pool tech) – Normal pool maintenance plus 3 work orders
- ❖ Staffing Challenges: Dispatcher workload is burdensome, as she does admin/dispatch for Facility Maintenance, Weeds and Drainage, and Streets divisions. This employee is becoming burned out and cannot sustain this workload.

- ❖ Equipment: working with 30 year old vehicles and equipment; Had throttle problem repaired on digger derrick truck

Planning and Zoning

❖ PHONE CALLS	79
❖ EMAILS	239
❖ FEMA DETERMINATIONS	3
❖ IPRA REQUESTS	1
❖ BUSINESS REGISTRATION PREREQUISITES	5
❖ COUNTER CUSTOMERS	13
❖ PROCESSED APPLICATIONS	24

Street Maintenance

- ❖ Tore out, prepped, and paved 7 patches – all by hand raking because the laydown machine is broken.
- ❖ Twelve sign maintenance work orders
- ❖ Five striping work orders were completed, plus 35 other miscellaneous work orders for the crew.
- ❖ Thursday, the 20th was spent providing and removing traffic control at the Tays Center for the service.
- ❖ Three alleys in the Walker area were graded, which takes more time because of the travel distance from the PW Yard to the site.
- ❖ 81 Streets swept by the sweeper (This position needs to be double-filled to get someone hired and trained before this employee retires)
- ❖ There was 1 standby callout for a stop sign being down.
- ❖ Manager is working on gathering information (locations/sizes) for the development of a Public Works project to contract out the backlog of patching/concrete work orders (122 locations)
- ❖ Equipment Challenges: F250 air conditioning problem, Steel wheel roller water system is not working, curb cut machine is broken (the hub that holds the blades is broken). This piece of equipment is reaching the end of its life expectancy (30 years old), and the manufacturer is no longer making the repair parts. The city should eliminate curb cuts and have property owners hire licensed contractors to do the work.
- ❖ Asphalt patching laydown machine is broken down and at Neudorf for repairs. Will likely be out of operation for months. This eliminates the crew's abilities to do large patches and limits them to small patches because they can only do hand-raking. The Utility crews are tearing up entire streets, putting in valves that will essentially leave entire streets open that cannot be patched until the laydown machine is repaired.
- ❖ Had hydraulic hoses replaced on the backhoe.
- ❖ Staffing Challenges: need admin/dispatch and 3-man crew to prep for patches.

Weeds Drainage

- ❖ Performed 10 weed-eating/mowing work orders (ditch and pond locations)

- ❖ Sprayed 5 locations.
- ❖ Silt removal in the Bus Company Ditch off of Florida.
- ❖ Three graffiti eradications

Code Enforcement

- ❖ New cases opened – 27
- ❖ Re-inspections – 18
- ❖ New Code Enforcement Officer John Romero started work. Now have 4 Code Enforcement officers.
- ❖ Presented to Commission- 1703 Dewey Lane and 313 New York Avenue
- ❖ Code officers have been signed up for and are working on obtaining certifications in Code Enforcement
- ❖ Manager is working towards the division becoming accredited by AACE.

Community Services (Veronica Ortega, Director)

Airport

- ❖ The FAA inspector was out at the Airport to investigate a plane failure due to improper landing procedures.
- ❖ Maintenance staff worked on the windsock, and we are hopeful that this repair was successful. The main gate was also repaired. Working on the John Deere mower to get it operational again. The sprinkler system on the east side is at 85% complete.
- ❖ Surveillance camera installation was completed by BITS.
- ❖ Looking into the opportunity to request a Z turn mower through a State-funded grant.
- ❖ Worked on coordinating the annual fire extinguisher hangar inspection.
- ❖ Reviewed software programs for tracking planes that are coming and going out of the airport. Spoke to Jane Lucero with State Aviation, and she recommended another software program.
- ❖ Ronnie attended a meeting with G.B. Oliver and Stephanie Hernandez regarding the Part 139 certification process.

Civic Center/Special Events

- ❖ Replenished alcohol for the Civic Center and Griggs Field.
- ❖ Prepared civic center for 200 attendees private party on 7/29.
- ❖ Completed 4th Friday vendor sign-up, 20 total.
- ❖ Finalized agreements with K&R Rentals, Once Upon a Time, and folklorico dancers for 4th Friday.

Marketing/Communications

- ❖ Published 6 PSAs on Social media accounts and e-mail blast.
- ❖ Updated Marquee advertising and information.
- ❖ Completed new hire Luke Haines onboarding.
- ❖ Completed Newsletter and city profile for water bill insert..

Tourism

- ❖ Headed NMCO meeting for website and newsletter services.
- ❖ Finalized NMTrue advertising requirements and submitted revision.
- ❖ Finalized migration of data from NMTrue accounts.
- ❖ Completed cross-training with community affairs personnel.
- ❖ Inquired/investigated social media account status and origination.

Library

- ❖ Summer Reading Program 2023 ~ All Together theme; 681 Youth & 104 Adults
- ❖ Summer Reading Finale ~ Block Party Sat, July 29, 10:30am-Noon
- ❖ NM State Library Annual ~ Completion August 1, 2023 (Funding Source)
- ❖ Otero County Funding ~ Awarded \$50,000 for FY24
- ❖ Welcoming Signage Ordered ~ Library Customer Service Strategic Plan
- ❖ League of Women Voters ~ Southern NM Libraries Panel Discussion (Library Mgr.)
“Trends in Public Libraries” (Las Cruces); Saturday, Aug 12th
- ❖ ADA monitoring for Website; working on HTML code for the last phase of corrections.
- ❖ Beginning Quality Assurance Training ~ Circulation Staff (Customer Experience Improvements)
- ❖ APL ~ Partnering with Arts & Cultural District Jumpstart Task Force; Next Mtg TBA
- ❖ Library Technician Position re-opened 7-28-23; Additional Technology Classes/Instruction for Patrons
- ❖ Final HVAC Unit ~ Not to be installed until October 2023; Current Unit Incurred recent expensive repairs.
- ❖ Pursuing Creation of Teen Area ~ Furniture/Painting/Shifting Collections: Weeding Phase Occurring Now
- ❖ Book Club ~ First Full Week of Month – 1:00 pm-3:00 pm (Wed & Sat)
- ❖ Preschool/Kinder Story Times ~ Tues & Wed 10:30 am – 11:30 am.
- ❖ School Age Story Time ~ Thur 10:30 am – 11:30 am.
- ❖ Builders Club ~ 1st Saturday 1:00-3:00 pm
- ❖ Teen Cafe (finishing grades 6 through 12) ~ Wed 3:00 pm – 4:00 pm
- ❖ Planning Programs for Tweens & Lap-Sit Storytimes ~ New Youth Library Clerk Duties
- ❖ 1-on-1 Computer Classes weekly for Adults Tues/Thurs 3 – 4pm & Wed 11- 12 pm.
- ❖ Teen Dungeons & Dragons ~ 2 Evenings Weekly Tues (3:30) & Thur (4:30)

Popular Service: Notary Public Service ~ 37 notarizations for July ‘23

Promoting: Graphic Novel Collection

For this week,

- ❖ 1,773 entered the library, checking out 2,503 items. 203 holds were placed, and 111 were picked up (this could be curbside or inside.) 29 new borrowers were added during the week.

Senior Center

- ❖ The Home Services Supervisor attended a radio show with Exciter Media, a new advertising vendor for the Senior Center.

- ❖ Ice cream sandwiches were distributed to consumers during our monthly ice cream event through September.
- ❖ Haircuts by Erica with Styles to Smiles were available to consumers for a \$10 donation on Wednesday and Thursday.
- ❖ The SVP Specialist completed care plans for FGP students.
- ❖ The SVP Specialist held an in-service training for volunteers that Tender Care Social Worker Tina Jacquez presented. The topic was “Growth Mindset.”
- ❖ The SVP Specialist gave the ASC Manager a refresher on processing volunteer timesheets/payroll before his last workday on July 27th. The ASC Manager will oversee SVP duties until a new person is hired.
- ❖ The SVP Specialist wrote a procedures handbook for his replacement and the ASC Manager to use once he leaves.
- ❖ The SVP Specialist submitted FGP and SCP progress reports and Federal Financial Reports to AmeriCorps Seniors.
- ❖ The SVP Specialist out-processed with Tina in Human Resources.
- ❖ A Cloudcroft field trip departed from the Senior Center on July 20th with 24 consumers and two staff on board. Attendees enjoyed lunch at the Lodge, shopping on Burrow Street, and a visit to the Old Apple Barn.
- ❖ A kite decorating activity was provided to consumers on July 21st. Participants were given kites to decorate and take home. This activity was suggested by one of our Fitness consumers.
- ❖ The AARP driver safety course was held in our classrooms on July 24th.

Senior Center Meals Served

Congregate

Monday (7/17/2023) – 152

Tuesday (7/18/2023) – 135

Wednesday (7/19/2023) – 158

Thursday (7/20/2023) – 152

Friday (7/21/2023) – 213

Home Delivery

Monday (7/17/2023) – 138

Tuesday (7/18/2023) – 134

Wednesday (7/19/2023) – 136

Thursday (7/20/2023) – 135

Friday (7/21/2023) – 136

Grand total: 1,489

Zoo

- ❖ The big give worked on painting, staining, and new bird structures of the bird of prey.
- ❖ The new education coordinator started researching new information for updating the materials in the education center.

- ❖ Started removing trees from the aviary. This project is going to replace trees that are damaging the net and installing a new water system for the grass.
- ❖ Working on installing components for the new freezer.
- ❖ Cleaned the hoof stock shelters and mowed exhibits.
- ❖ Mowed the primate exhibits.
- ❖ Set the clinic for the otters to be moved for the window replacement.

Zoo Attendance (877)

Paid Admission

Adults	172
Children	327
Seniors	37
Military	61
50% Adults	2
50% Children	5
50% Seniors	0
Group Adults	3
Group Child	10
Group Senior	0
Total	617

Annual Pass Holder/Non-Paying

Adults	76
Children	74
Seniors	4
Children U/5	104
City Emp.	2
Total	260

City Clerk (Rachel Hughs, City Clerk)

- ❖ The City Clerk attended the Alamogordo Police Department Inspection of Public Records meeting to go over the Act pertaining to Law Enforcement Records and HB 232 and help answer questions.
- ❖ Training continues for the Admin Assistant.
- ❖ The NMML 66th Annual Conference will be held in Farmington this year. The dates are Wednesday, August 30th - Friday, September 1st.
- ❖ The City Clerk will be out of the office Monday, July 31st, and Tuesday, August 1st.

Stats	July 21-27
Request for Public Records received	0
Request for Public Records completed	2

PERSONNEL

Current staff levels are at 71%.

PUBLIC RELATIONS

3 water quality concerns.

High pressure was reported at 2422 Tres Lagos. High pressure was caused by a plumber who had misadjusted the customer's private PRV (Pressure Reducing Valve).

Low pressure was reported at 2579 Oakmont Drive. Operators compared pressure and flow at the meter against pressure and flow at the house. The pressures were similar, but the flow was significantly lower at the customer's hose bib, which indicates a clogged line in the customer's plumbing.

Low pressure and flow reported at 1106 La Bajada Drive. Operators compared pressure and flow at the meter against pressure and flow at the house. The pressures were similar, but the flow was significantly lower at the customer's hose bib, which indicates a clogged line in the customer's plumbing.

4 sewer concerns.

Sewer call 1200 Filipino, odor issue, staff jetted main.

Sewer call 1900 Ridgecrest, plugged sewer main as per request by Utility Maintenance for General Hydronics Utilities to replace 15' section of sewer main 8" as part of the ongoing SMP.

Sewer call 1401 16th St., customer experiencing issues with backups. Staff could not determine if service tied in West or South of address. Jetted both directions to ensure no blockage on the city side.

WEEKLY OPERATION HIGHLIGHTS

Engineering

- PW1606 - Scenic Extension - PNM/Neil Stone - Stone Electric - UPRR finalized and approved the crossing. PSA issued and coordinated with streets to remove the barricades to open the roadway on August 2, 2023.
- FD2201 - Fire Station 6 Addition - Design By Studio D. Architects/Abel - Bid & Construction Phase - Final contractor inquiries were due July 28.
- PW2001 - (Ridgecrest) Smp 2021 - La Luz Dirt & Paving, Subs - General Hydronics Utilities, General Hydronics Concrete/Smith Engineering - 90% on main install.
- EN2013 - CDBG ADA 2020 - Prime - General Hydronics Concrete/ Smith Engineering - 35% complete.
- EN2201 - APD Reroof & HVAC - CD General Contractors/Desert Peak Architect - Roof work 50% complete. HVAC 100% complete.
- ZO2301 - Zoo Improvements - CES- White Sands Construction Inc. - Received bonds from White Sands Construction, performance o begin late August.
- GC2301 - Golf Course Irrigation - CES- Mountain West Golfscapes Inc. - Material en route, expect update in Oct/Nov.
- EN2305 - New York Smp - CES- Smith Engineering, Design Phase Service - Design 60% complete
- CM2303 - Dudley School - CES- 5 Contractors - All work ongoing.
- LI2301 - Library HVAC - Mountain Air Heating & Cooling - Est. 24 weeks out for 40t RTU.
- PK2303 - Zoo Irrigation Design - Morrow Reardon Wilkinson Miller - Design only, parks - Erik Marion monitors and processing invoices.
- EN1904 - 10th St, Hubbard bridge repairs - Bohannon Huston - Design only, Public Works - Nancy Beshaler is monitoring. Engineering is processing invoices.
- EN2002 - Dry Canyon Evaluation, Improvements - CES- Bohannon Huston - 95% design complete, awaiting PNM for pole relocation issue.
- UC2202 - 54-70 Waterline Replacement - Smith Engineering - 90% design, water modeling efforts completed by Eddie Livingston, awaiting a final decision for zone realignment.
- EN2202 - Desert Lakes Rd Drainage - Smith Engineering - Design complete, hold for construction funding.
- EN2203 - Well Trans Line (Parallel Pipeline) Phase 1 - Smith Engineering - Design complete, hold for construction funding, completing construction application with CWSRF.
- EN2007 - Well Trans Line (Parallel Pipeline) Phase 2 - Smith Engineering - Design complete, hold for construction funding.
- CE2301 - Monte Vista Cemetary Fencing - completed perimeter fence, awaiting Eric Marion for entrance concept.

Solid Waste

Landfill Operations

- 137 trucks were scaled this week.
- 1191.46 tons of Municipal Solid Waste (MSW) was received and processed per permit requirements.
- 8 loads of asbestos waste were received.
- 53.38 tons of asbestos waste was processed per permit requirements.

Sewer call at 1301 Fillmore Ave., odor concern in an apartment complex. Several apartments are not being rented out and may have dried-out p-traps venting back into atmosphere. Waste stream is free flowing with not odors coming from manholes in area.

7 solid waste concerns.

SAFETY PERFORMANCE

1 reportable injury this week.

Aaron Foster received minor abrasions on the arm, stomach, and leg that did not require medical attention while removing mineral buildup from a chemical feed line.

Anthony Ocanna completed drug-free workplace safety training

James Berger, Jerry Baczik, and Joshua Lee attended OSHA Safety for Wastewater class in Cloudcroft.

Water Production conducted a tailgate safety meeting with Willis Gerhart and new employee Davondre Pistilli on safely cleaning out sodium hypochlorite chemical tanks.

- 1 load of sludge was received.
- 11.35 tons of sludge was processed per permit requirements.
- 198000 gallons of water was applied for dust control per permit requirements.
- 842.0 gallons of diesel was used to operate all heavy equipment.
- Oil disposal is back on track, with others removing all oil from landfills.
- The Caterpillar compactor was reassembled. Staff are still experiencing issues, the mechanic is investigating.
- Began repairing the tipping floor where the previous fire took place.
- Measured depth to and collected leachate samples and began leachate removal per compliance with landfill permit.
- Landfill staff experienced another fire on 7/26/2023. Fire was quickly contained but remains active in a subsurface state.

Transfer Station Operations

- 631 vehicles were scaled this week.
- 142.91 tons of Municipal Solid Waste (MSW) was received and processed.
- 15.0 open top roll-off dumpster containers were transported to the landfill.
- Completed the installation of the passenger window on backhoe # 131.
- Welded support beam across the back of container 40-4.
- Repaired latches and ratchet mechanism on container 40-3 .

Utilities Administration

- Spoke with Carizozo Mayor Dean who requested an update on the status of Bonito Lake and the ability to draw water. I explained that the City is awaiting the finalized hydraulic analysis as required by the Dam Safety Bureau prior to being permitted to draw water. We are also working with Department of Defense on a plan to introduce water into the pipeline and begin flushing once permitted.
- Inactivated the RO plant, RO clear well, and Snake Tank well field from with NMED in preparation of introducing water from Bonito Lake Reservoir.
- Continued working on digitizing the historical data from Bonito Lake.

Utility Maintenance

- 3 water main breaks were repaired at 506 Virginia Ave, 1209 Ohio Ave., and 903 Eddey Drive.
- 7 leak in cans were investigated and repaired at 508 Kingston, 4020 Wood Loop, 3416 Robert H. Bradley, 2244 Nevada, 909 Delaware, 524 S. Canyon Road, and 201 Ascot Parade.
- 49 line locates.
- 9 excavations were backfilled at 1803 Park, 1113 Puerto Rico, 2413 Tres Lagos, 601 Lovers Lane, 500 Virginia, 1104 Puerto Rico, 901 Cauthen, 506 Virginia, and 409 Delaware Ave.
- Assisted with 11 water turn on/off's.
- Replaced 13 curbstops/risers

Wastewater Reclamation

- The average seven-day influent sewage flow is 2.3 million gallons per day (MGD).
- The average seven-day reclaimed water usage is 2.1 million gallons per day (MGD). All reclaimed water is treated to Class-A standards per discharge permit 220 (DP220) requirements.

- 45.00 tons of Biosolids (sludge) were processed, and land applied per discharge permit 806 (DP806) requirements. Replaced tubing on the North chlorine (CL2) tank
- Received delivery of Hypo 07-25-2023
- Manually operated Griggs pond valve to regulate pond level. A new valve assembly is on order.
- Scum removal in basins 1,2 and 3.
- Ordered parts to remove spin cleans from La Velle and Hooser booster pump stations.
- Removed mower deck from Cub Cadet mower to repair spindles and adjust brackets for height and levelness. Parts are on order.
- Continued to disassemble RST Drum.
- Jackhammered out sewer manhole collar, replaced ring/lid with 2" riser, and set rebar for inspection at 506 Webster.
- Cleaned all basin probes, total suspended solids (TSS) (9), dissolved oxygen (DO) (9), mixed liquor suspended solids (MLSS) (9)
- Triweekly influent and effluent biochemical oxygen demand (BOD), Alkalinity, total Kjeldahl nitrogen (TKN), anhydrous ammonia (NH3), total suspended solids (TSS), pH, nitrate (NO3), total dissolved solids (TDS), total residual chlorine (TRC), and ph samples were collected for analysis.
- Weekly total dissolved solids (TDS), total solids (TS), and fecal coliform samples were collected from the digester for analysis.
- Staff collected 2 COVID samples for the New Mexico Department of Health.

Water Production

- The average seven-day water usage is 6.4 million gallons per day (MGD).
- The Bonito Lake Reservoir is currently at 7381.0 ft elevation or full and running over the spillway.
- Reservoir storage at La Luz is approximately 81.6 million gallons (MG). This is 43.6% of usable storage capacity. I recommend the City Manager to consider first-stage rationing immediately as water levels are low. First-stage rationing begins at 50% of the total storage capacity.
- Prather Wells and Booster Pump Station are operational again and in-service after IDESAA resolved communication issues at water facilities on the south side of town.
- Transferred 200 gallons of sodium hypochlorite from La Luz Water Treatment plant to Prather GST (Ground Storage Tank).
- Received deliveries of sodium hypochlorite at La Luz Water Treatment Plant and Alamo Water Treatment Plant and scheduled another delivery for next week.
- Cleared mineral blockage from the sodium hypochlorite injection line at La Luz Water Treatment Plant.
- Inspected and repaired 3 fire hydrants.
- Installed a new CL17sc chlorine analyzer at Alamo Water Treatment Plant and set the local span for proper reporting to SCADA.
- Installed a refurbished CL17 chlorine analyzer at Green GST (Ground Storage Tank), set the local span for proper reporting to SCADA, and replaced the sample lines from the GST and well line to the analyzer.
- Cleaned the north sodium hypochlorite tank at La Luz Water Treatment Plant - the south tank was cleaned last week.
- Worked with Cummins to troubleshoot the mechanical and electrical issues occurring with the La Luz emergency generator.

- Well 6 shutdown unexpectedly on Tuesday. PNM inspected power up to the meter and reported no problems. COA Facility Maintenance's investigation revealed two 500 amp blown fuses. Statewide Drilling will inspect the well's motor this afternoon.
- Collected 10 bacteriological samples per Revised Total Coliform Rule (RTCR).
- Conducted routine comparison analysis on all chlorine analyzers (4) at both surface plants.
- Cleaned and verified all NTU (Nephelometric Turbidity Unit) analyzers (6) at both surface plants.
- Cleaned and calibrated three MP6 handheld analyzers used for water quality testing.

WEEK AHEAD

- Replace wheel on 40-3 container at the waste transfer station
- Continue leachate removal at the landfill.
- Work on RST drum when time permits, belt press will remain down
- Prepare Hooser and La Velle booster pump stations for removal of spin clean.
- Pour manhole collars at Webster and Crescent.
- Troubleshoot and repair Well 6.
- Replace flow meter on well line at Green GST.
- Receive sodium hypochlorite at treatment plants.
- Work with Cummins to repair La Luz Emergency Generator.
- Order Kupferle sample stations once project money is available.
- Finalize the contract for the purchase and installation of Lower Alamo Booster Pump Station's emergency generator once project money is available.
- Continue working on digitizing all historical Bonito files.
- Prepare Foothills and Lower Heights Ground Storage Tank (GST) rehab RFP once project money is available.

Other-ACM Calendar

**July 24, 2023 -
July 30, 2023**

July 2023							August 2023						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
						1			1	2	3	4	5
2	3	4	5	6	7	8	6	7	8	9	10	11	12
9	10	11	12	13	14	15	13	14	15	16	17	18	19
16	17	18	19	20	21	22	20	21	22	23	24	25	26
23	24	25	26	27	28	29	27	28	29	30	31		
30	31												

Monday, July 24

- ☐ 12:00am Kim Torres Off →
- ☐ 12:00am Ronnie O Off →
- ☐ 7:30am - 5:30pm Block- No Meetings: Work w/ finance on cash balances
- ☐ 9:00am - 10:00am Alamogordo Utility Ordinance Review (Microsoft Teams Meeting) - Bryan Mantz
- ☐ 5:00pm - 8:00pm VBS-Joseph

Tuesday, July 25

- ☐ ← Kim Torres Off
- ☐ ← 12:00am Ronnie O Off
- ☐ 8:30am - 10:30am FAA @airport (Airport)
- ☐ 3:00pm - 3:30pm No Meetings 2:55-3:15 p/u Vincent ☹
- ☐ 5:00pm - 8:00pm VBS-Joseph
- ☐ 6:30pm - 9:00pm Commission Meeting (Comm Chambers) - Cheryl OteroBaker ☹

Wednesday, July 26

- ☐ ← Kim Torres Off →
- ☐ 1:30pm - 2:30pm FW: Alamogordo Pavement Study - report review
- ☐ 3:00pm - 3:30pm No Meetings 2:55-3:15 p/u Vincent ☹
- ☐ 5:00pm - 8:00pm VBS-Joseph

Thursday, July 27

- ☐ ← Kim Torres Off →
- ☐ 9:00am - 10:30am IPRA Update Meeting (Room-APD Conference Room) - Audra Smith
- ☐ 11:00am - 12:00pm Dr Appointment
- ☐ 1:30pm - 2:00pm Meeting With GB/Baxter
- ☐ 2:30pm - 3:00pm Stella Rael rqst - update A-CM on Patriot Pointe Apts (A-CM office) - Stephanie Hernandez
- ☐ 3:00pm - 3:30pm No Meetings 2:55-3:15 p/u Vincent ☹
- ☐ 6:00pm - 7:30pm Monthly Cohort Check In (<https://nmsu.zoom.us/j/97647405018>) ☹

Friday, July 28

- ☐ ← 12:00am Kim Torres Off
- ☐ 11:00am - 12:00pm Officer Winrow Retirement at PD
- ☐ 3:00pm - 5:00pm Sen Burt Meeting (CM office)
- ☐ 6:30pm - 7:30pm Special Meeting (Commission Chambers)

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 8/8/2023

Report Date: 08/03/2023

Report No: 5.

Submitted By: Stephanie Hernandez

Subject: Consider, and act upon, the adoption and final publication of Ordinance 1680 to approve a Local Economic Development Project for Secured Assistance Proposed by Learn New Mexico. (*Michelle Perry, CEO Learn New Mexico LLC*) **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact: Funding would come from Fund 105.

Current Balance \$6,589,411

Recommendation: Approve the ordinance.

Background:

The commission approved the ordinance for first publication during the regular commission meeting of July 11, 2023.

ORDINANCE NO. 1680

**AN ORDINANCE APPROVING A LOCAL ECONOMIC DEVELOPMENT PROJECT
FOR SECURED FINANCIAL ASSISTANCE
PROPOSED BY LEARN NEW MEXICO, LLC**

WHEREAS, the City Commission of the City of Alamogordo, New Mexico acknowledges local government has an important role in economic development and should provide leadership whenever it has the opportunity.

WHEREAS, the City Commission of the City of Alamogordo, New Mexico recognize that Chapter 02 article 14 sets the standards for economic development in Alamogordo New Mexico.

BE IT THEREFORE ORDAINED by the City Commission of the City of Alamogordo, New Mexico approve the following:

Pursuant to the City of Alamogordo Economic Development Plan, Ordinance No. 983 and NMSA 1978 Section 5-10-1, et seq. (Local Economic Development Act, the "Act"), the proposed economic development project of Learn New Mexico, LLC ("the Company") is approved for the purposes set forth in NMSA 1978 Section 5-10-1, et seq., and the City of Alamogordo is authorized to enter into a Project Participation Agreement ("the Agreement") with the Company as required by Section 10 of the Act, and in substantially the same form as attached hereto, the terms of which are incorporated herein. The City Commission finds as follows:

1. The Company is an entity as defined in NMSA 1978, Section 5-10-3(G);
2. Under the Agreement, the Company will provide a substantive contribution for the proposed project as described in NMSA 1978 Section 5-10-10(B)

3. The Agreement complies with the requirements of the Act and Ordinance No. 983;
4. The benefit of the proposed project to the City of Alamogordo is repayment of the financial assistance through the creation of jobs and other benefits arising from employment and economic activity under the project which exceeds the cost to the City of providing to the Company the assistance specified in the agreement, and,
5. The Agreement complies with the requirement of Section 10 of the Act

BE IT FURTHER ORDAINED, that the Mayor of the City of Alamogordo, New Mexico is authorized and directed to do all things necessary to implement this ordinance that is lawfully adopted.

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



Alamogordo Innovation Center

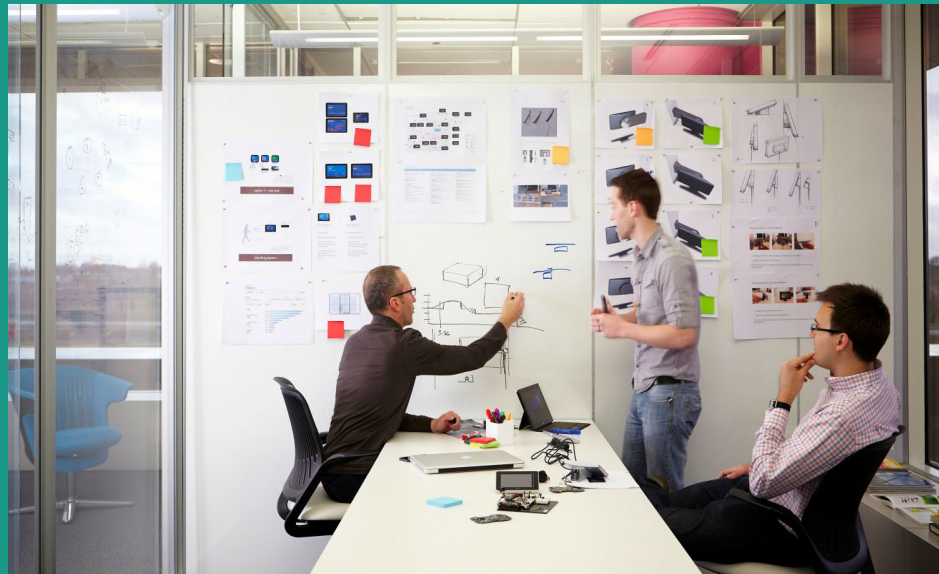
A Rural Economic Stimulus Solution

Local Economic Development Act Funds Request

GOALS

- ➔ **Promote Entrepreneurship and Small Business**
- ➔ **Provide flexible leasing options for prime space**
- ➔ **Collaborate with local small businesses**
- ➔ **Promote and train high-need workforce skills**
- ➔ **Grow Alamogordo's economy**

Purpose 1: Innovation Center



Purpose 2: Co-Working Space



Purpose 3: Shared Commercial Kitchen



Examples

- Work 141 -Las Cruces, NM
- Working Capitol -El Paso, TX
- FatPipe ABQ -Albuquerque, NM
- projectY -Los Alamos, NM
- Turtleback Coworking -Truth or Consequences, NM
- AZ CoWork -Scottsdale, AZ
- The Enclave -Colorado Springs, CO

—

Market Analysis

“Would you or do you know of someone who would use the following services?”

1. Temporary or periodic use of office space:

62% Yes 22% Maybe 16% No

1. Commercial kitchen/refrigeration/receiving/storage i.e. for a food truck or caterer:

61% Yes 19% Maybe 19% No

2. Reception services/fixed address and phone number/receiving mail and freight:

34% Yes 51% Maybe 14% No

1. Training/venue/meeting space for companies with technology resources:

78% Yes 19% Maybe 2% No

1. Entrepreneurial and networking hub:

73% Yes 19% Maybe 8% No



Potential Revenue



Product	Customers	Yearly Revenue
Co-Working Work Spot (Hot Desk+):	10 members/year	\$29,400
Co-Working Work Desk (Semi-Private+)	5 members/year	\$20,700
Full Work Space Plan (shared Private Office+)	10 members/year	\$107,400
Kitchen Space Rental	10 members	\$10,000
Large Conference Room Rental	20	\$18,000
Storefront Rental Space	1	\$10,000

Economic Impact Repayment Schedule



LEDA funds request: \$1,300,000

**2025:
\$260,000**

**2026:
\$260,000**

**2027:
\$260,000**

**2028:
\$260,000**

**2029:
\$260,000**

Total Economic Impact: \$3,573,000

**Job Skills Training/Creation:
\$3,456,000**

Free Networking Events Value: \$117,000

Potential Location

3200 North White Sands Blvd





City of ALAMOGORDO

CITY OF ALAMOGORDO ANALYSIS

The City of Alamogordo Received the LEDA application on April 27th, 2023.

From April through July, the City thoroughly reviewed the application, continued dialog with the CEO, visited the site, and did a walk-through.

THE CITY'S FINDINGS:

- ❖ The Alamogordo Innovation Center is a business that the City of Alamogordo does not have. Innovation centers have a proven success rate in cities throughout New Mexico. Post-Covid, they have become increasingly important in training the future workforce and developing the current workforce.
 - Collaboration with Learn Imrsv makes it the only Alamogordo company that creates and delivers job training via 360 immersive virtual reality.
- ❖ The Alamogordo Innovation Center requests 1,388,700. Qualifying expenses are \$1,000,000, which includes the purchasing of the Land & Building and permanent renovations.
- ❖ There is a lot of community support for the business, including participants requesting the services provided and community leaders including:
 - Senator Ron Griggs (Letter of recommendation attached in the packet)
 - Dr. Ken Van Winkle, Associate Vice Chancellor-NMSU (Letter of recommendation attached in the packet)
 - New Mexico Workforce Connections (Letter of recommendation attached in the packet)
 - Center of Commerce (Letter of recommendation attached in the packet)
- ❖ The current CEO and business are local, with strong ties to the community, reducing the risk of the company leaving the state.
- ❖ As a small business, the company has not shown a loss on its financial statements and has been fiscally sound. In addition, the CEO has notable accomplishments, including:
 - School district curriculum restructuring with 6,000 students and 15 schools.
 - Secured and managed multi-million dollar funds and programs at the federal level.
 - Resume is attached in the packet.
- ❖ The investment is protected by using the building as “collateral.” The City will file a mortgage through the count.
 - Should the company default, the building could be used as City Facility, similar to the civic center and Dudley School, providing an additional service to the community. Highlights of the building include 2 industrial kitchens and Large rentable spaces.

- ❖ An analysis of payback is below. We believe that after year 4 years, the cost recovery will estimate to 1,121,100, covering the initial investment. The City would still do a 5-year term.

Learn New Mexico, LLC

Alamogordo Innovation Center

Date: 06/30/2023

LEDA Funds Request	Year 0
Current Amount Requesting	\$1,388,700
Previous Request- (Amount not recovered)	\$0
Less Amount received from the State	\$0
Total Leda Funds Requested	\$1,388,700

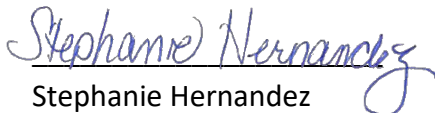
Expenses:	Request	Allowed
Land & Building	\$600,000	\$600,000
Remodel & Renovations (permanent fixtures)	\$400,000	\$400,000
Total Expenses	\$1,000,000	\$1,000,000

		2025	2026	2027	2028	2029
Cost Recovery: Job Creation	YEAR	1	2	3	4	5
Project Manager					\$100,000	
Innovation Center Director			\$78,000			
Administrative Assistant				\$58,500		
Instructional Educator		\$42,200				
24 Newly Trained Employees annually @ \$15.00/Hr. (120 New Workers		\$187,200	\$187,200	\$187,200	\$187,200	\$187,200
Cost Recovery: Services						
Free Services to the Community		\$23,400	\$23,400	\$23,400	\$23,400	\$23,400
Total Costs Recovery Per Year		\$252,800	\$288,600	\$269,100	\$310,600	\$210,600
Totals	YEAR	1	2	3	4	5
Cumulative Cost Recovery		\$252,800	\$541,400	\$810,500	\$1,121,100	\$1,331,700

Does Job Creation cover leda funds requested **Yes**

- ❖ The business qualifies per City Ordinance 02-14-40 as Follows
 - **02-14-040 (a) Economic Development Goals**
 - ✓ (1) To diversify the local economy by the creation of additional jobs in existing business and the development of new business.
 - ✓ (5) To encourage cooperation between the public and private sectors as they assist in the creation of new jobs.

- ✓ (7) To help develop within the community's resources the best possible vocational and other skill training to prepare the local populace to enter the work force.
- **02-14-040 (b) Types of businesses that meet the community's goals.**
 - ✓ (1) Industry that meets all environmental standards both state and federal.
 - ✓ (2) Industry that does not use large amount of water in its production processes. Exceptions may be made in instances where the water is mostly reprocessed rather than discharged.
 - ✓ (3) Industries that pay a wage that will help improve the local per capita income.
 - ✓ (5) Qualifying office/service industries (such as telemarketing or data processing) that provide jobs attractive to high unemployment groups including second incomes for families.
 - ✓ (6) Industry that will help diversify the local labor market and lessen the reliance on federal government employment.
- **02-14-040 (c) Qualifying Entity.**
 - ✓ (3) A business, including a restaurant or lodging establishment, in which all or part of the activities of the business involves the supplying of services to the general public or to governmental agencies or to a specific industry or customer, but, other than as provided in paragraph (5) or (9) of this subsection, not including businesses primarily engaged in the sale of goods or commodities at retail;


Stephanie Hernandez
Acting City Manager

07/05/2023

Date



New Mexico State Senate
State Capitol
Santa Fe

COMMITTEES:

MEMBER:
• Judiciary
• Public Affairs

SENATOR RON GRIGGS

R-Doña Ana, Eddy & Otero-34

2704 Birdie Loop
Alamogordo, NM 88310

Home: (575) 439-1331
Cell: (575) 430-2597
E-mail: ron.griggs@nmlegis.gov

April 25, 2023

Mayor Susan Payne
Alamogordo City Commissioners

Ms. Michelle Perry is starting a new business venture here in Alamogordo and is applying for economic development funds to help get this business off the ground. Her business will be called the Alamogordo Innovation Center and will provide multiple opportunities for our community. I recommend that the City carefully review her application for assistance and help her as you are able.

Ms. Perry's approach is patterned on other successful endeavors across the state and region. I believe she will be able to duplicate those successes here in Alamogordo. I also believe this type of operation will facilitate other economic activity in Alamogordo and Otero County.

Again, I ask for your support of the Alamogordo Innovation Center. Thank you.

Very truly yours,

A handwritten signature in cursive script, reading "Ron Griggs".

Ron Griggs
NM State Senator

April 27, 2023

To Whom it May Concern:

Please accept this correspondence as support for Michelle Perry's request for Local Economic Development Act (LEDA) funds to help stand-up the Alamogordo Innovation Center. This venture will benefit community businesses, private citizens, visitors, and make use of space otherwise vacant.

The Alamogordo Innovation Center would support leasing for meeting space, restaurant kitchen space, mail, freight and reception services for businesses, a technology hub for training and awareness, small and large conference areas, remote and co-working space, and a meeting facility. As there are properties in Alamogordo that are unoccupied, I see this as an opportunity to use space in a positive way and enhance the potential for economic development.

I also know Michelle Perry and her entrepreneurial spirit and drive. She is a creative thinker and does not delve into projects without completing her research and feasibility work. I support this project and encourage the City of Alamogordo to grant Michelle Perry Local Economic Development Act funds.

Sincerely,



Ken Van Winkle

Associate Vice Chancellor

New Mexico State University

New Mexico Workforce Connection

A Proud Partner of the American Job Center Network

LEDA Applications Manager
City Manager's Office
1376 E. 9th Street
Alamogordo, NM 88310

Dear City of Alamogordo LEDA Applications Manager,

The WIOA staff for the Title I Adult/DW program in the Otero County area are pleased to be writing a letter in support of the proposal for the Alamogordo Innovation Center being submitted to the City of Alamogordo Program by Michelle Perry CEO Learn New Mexico & learn imrsv. We strongly support this application for funding and the focus on economic and workforce development for the Alamogordo area. The concept that Michelle has put forth will do much to serve the varying needs of local employers, entrepreneurs, job seekers, and others in the community. As fellow workforce development professionals we see how the Alamogordo Innovation Center will benefit many of the people we assist on a daily basis.

Workforce Innovation and Opportunity Act (WIOA) is designed to help job seekers access employment, education, training, and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy. Through our experiences with Michelle as a WIOA on the job training employer, and also what we have seen her accomplish through her companies we believe that she will make the most of any funding granted to her for this endeavor. We also admire the initiatives set forth by the City of Alamogordo to fund projects that greatly benefit the community and its residents, and believe that funding the Alamogordo Innovation Center will increase the opportunities available in many area of workforce and professional development.

Sincerely,



Mike Hopkin
WIOA Adult/Dislocated Worker
Coordinator-Eastern Region
New Mexico Workforce Connections
901 Alaska Ave.
Alamogordo, NM 88310



1301 North White Sands Boulevard
Alamogordo, New Mexico 88310

Phone: 575.437.6120
Fax: 575.437.6334

To whom it may concern,

I am writing to express my support for the proposed Alamogordo Innovation Center. As a community member, this shared workspace will provide a much-needed solution to one of the biggest challenges facing individuals working from home or running their businesses in our rural area.

The Alamogordo Innovation Center will offer a collaborative and professional workspace tailored to the unique needs of entrepreneurs and businesses looking to establish a presence or expand their operations in the area. The center will provide resources such as private office space, meeting rooms, dedicated desk space, mail services, and reception services, which are essential to ensuring the success of businesses and entrepreneurs in our community.

In particular, the availability of private office space and meeting rooms will greatly assist community organizations and local businesses needing a professional setting for meetings, presentations, and workshops. In addition, the Alamogordo Innovation Center will help foster a sense of community and collaboration among local entrepreneurs and business leaders.

Furthermore, the mail and reception services offered at the shared workspace will provide convenience and professionalism currently uncommon in our rural community. Tenants will be able to receive mail and packages at the center and be greeted professionally by reception services to ensure visitors are directed to the appropriate individual or team.

In conclusion, I strongly support the establishment of the Alamogordo Innovation Center and believe it will provide a valuable resource to entrepreneurs and businesses in our community. Thank you for your attention to this matter.

Sincerely,

Michelle Gill
Interim Executive Director
Alamogordo Center of Commerce
575-437-6120

Local Economic Development Act (LEDA)
Application

Submitted to: The City of Alamogordo



Submitted by: Learn New Mexico, LLC
April 2023

Checklist

I have read the information page, and my business qualifies as a: (check all that apply)	☐ Industry for the manufacturing, processing, or assembling of agricultural or manufactured products ☐ Commercial business for storing, warehousing, distributing, or selling productions of agriculture, mining, or industry ☒ A business (including restaurants or lodging) in which all or part includes the supplying of services to the general public ☐ An Indian nation, tribe, pueblo, or tribal corporation ☐ Telecommunications sales making most of its sales outside New Mexico ☐ Farmer's market ☐ A Developer of a metropolitan redevelopment project Cultural facility. ☐ Cultural facility ☐ None of the above apply (<i>you do not qualify for LEDA funding</i>)
Have you applied for State LEDA?	☐ Yes ☒ No
If yes, what is the status?	Click or tap here to enter text.
Who is your contact at the state?	

May The City contact this individual?

☐ Yes ☐ No

Please provide the contact information.

Click or tap here to enter text.

Click or tap here to enter text.

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Applicant Information

- a) Owner: Michelle Perry, mailing address: 229 Grosvenor Ct. Alamogordo, NM 88310, michelle@learnimrsv.com, 575-937-5991
- b) Legal Business Name: Learn New Mexico, LLC
- c) Business Location: 1301 N. White Sands Blvd. Alamogordo, NM 88310
- d) 575-937-5991
- e) michelle@learnimrsv.com
- f) FEIN: 85-3716305
- g) NM Tax ID: 03-536626-00-5
- h) Current Alamogordo City Business License Number: 22-00024482
- i) Type of Business: LLC

History and Background Information

- a) Learn New Mexico, LLC has been a registered business in Alamogordo, NM since 2021. Our company is an educational consulting agency which specializes in modernizing learning for life-long pursuit of learning and development. We have served small businesses, non-profit organizations, educational institutions, and town governments in our short two years of existence. We currently have 3 employees and have on average 5 contracts running at one time. We provide services in training and development, professional learning, leadership training, and strategic planning. In addition, we provide access to hundreds of online courses for certificate programs in high demand job sectors. Our website: www.learnnewmexico.com
- b) Our combined experience in leadership and training at Learn New Mexico is over 50 years, which enables our company to attend to multiple and expansive endeavors in helping our clients meet their learning goals. Click here for our resumes: [TEAM RESUMES](#).
- c) Our owners have not ever filed for bankruptcy
- d) Our owners and company have never defaulted on a loan.
- e) Our company does not have a governing board.

Project Request Amount

- a) Our proposed request is to build and develop ***The Alamogordo Innovation Center***. The goals of the Innovation Center are:
- i) Promote entrepreneurship and small businesses in Alamogordo and Otero County
 - ii) Provide flexible leasing options for prime space
 - iii) Collaborate with local small businesses and organizations for strong economic growth and development
 - iv) Promote and train high demand job sectors workforce skills
 - v) Grow Alamogordo's economy

When an entrepreneur has a great idea for a business, they need money to invest in the infrastructure to create a successful business. Normally, that would involve 1) renting a space, 2) purchasing technology, and 3) hiring a staff to build that framework. The high cost of those three things is one of the biggest challenges to innovation and one of the main barriers to a business gaining traction toward a consistent revenue stream. We want to create a facility that functions as a reliable and efficient structure for small businesses which would support them until their traction allowed them to invest in those things themselves. This would include but not be limited to:

- leasing for meeting space
- restaurant/commercial kitchen space (to include storing, refrigeration and preparation)
- mail, freight receipt for clients
- designated email/phone for reception services
- technology hub for training and awareness
- small and large conference areas
- remote and co-working space
- venue facility

In general, the Alamogordo Innovation Center would serve as an 1) innovation center, 2) a co-working space, and 3) a shared/commercial kitchen.

The amount requested is \$1,388,700.00

b) Timeline

Activity	Begin Date	End Date	Operational Date	Cost
Acquire Property for the Innovation Center (First Choice: 3200 N White Sands Blvd Alamogordo, NM 88310 - Retail Property for Sale on CommercialExchange.com)	July 1, 2023	January 1, 2024	May 1, 2024	\$600,000
Remodel and repurpose Interior and Exterior	January 1, 2024	April 1, 2024	May 1, 2024	\$400,000
Hire a Project Manager	July 1, 2023	May 1, 2024	July 1, 2023	\$100,000
Market and contract leasee and training projects (to include costs associated with marketing and development)	April 1, 2024	April 1, 2025	April 1, 2025	\$10,000
Hire and sustain Staffing positions: Innovation Center Director, Administrative Assistant, and an instructional educator	May 1, 2024	May 1, 2025	May 1, 2025	\$178,700
Facility and administrative indirect costs for one year of operation (utilities, internet, phone service, web site, etc.)	May 1, 2024	May 1, 2025	May 1, 2025	\$100,000
Total				\$1,388,700

c) **Payback Period:** May 1, 2025 - May 1, 2029

d) Infrastructure Needs and Scope of Work:

Activity	Cost	Beneficial Purpose
Purchase Property	\$600,000 (reduced from asking price)	Repurpose a building which has sat vacant for an extended time - reduce environmental footprint as opposed to new construction - property is located in a high traffic location with excellent parking
Remodel and Repurpose Property	\$400,000	Restock industrial grade kitchen equipment for restaurant use/rental Remodel space for co-working and leasing options for businesses and venues (i.e. Center of Commerce and other businesses) Purchase movable and flexible seating options and technology for conferencing and presentations Repair/maintain/monitor facility costs such as utilities and HVAC

Detailed Information

a) The Alamogordo Innovation Center concept is showcased among multiple examples within our own state and in bordering states. Here are some examples of similar concepts:

- i) [Workspace 141 -Las Cruces, NM](#)
- ii) [Working Capitol -El Paso, TX](#)
- iii) [FatPipe ABQ -Albuquerque, NM](#)
- iv) [projectY -Los Alamos, NM](#)
- v) [Turtleback Coworking -Truth or Consequences, NM](#)
- vi) [AZ CoWork -Scottsdale, AZ](#)
- vii) [The Enclave -Colorado Springs, CO](#)

The Alamogordo Innovation Center will provide support for small businesses and entrepreneurs who will continue to grow Alamogordo's economic base. Local entrepreneurs will be supported and will thrive by having meaningful and relevant services that a new business otherwise couldn't afford. Local business owners will also be able to collaborate with other small business owners in order to succeed in this everchanging modern world, thus creating a compounded positive impact in our community. Alamogordo entrepreneurs can contribute to the greater good and create a better world for future generations with new leaders. In general, the Alamogordo Innovation Center would serve as an 1 1) innovation center, 2) a co-working space, and 3) a shared commercial kitchen.

1) Innovation Center

An innovation center is a specialized facility designed to foster innovation, creativity, and collaboration among entrepreneurs, startups, and established companies. Here are some benefits of an innovation center:

- Access to resources and expertise: Innovation centers provide access to various resources, such as funding, mentorship, and industry experts, that can help entrepreneurs and startups grow and succeed.
- Collaboration and networking: Innovation centers bring together entrepreneurs, startups, and established companies from different industries, fostering collaboration and networking opportunities.
- Accelerated growth: Innovation centers can help startups and entrepreneurs accelerate their growth by providing them with the resources and support they need to scale their businesses.

- Access to cutting-edge technology: Innovation centers often have state-of-the-art facilities and equipment, giving startups and entrepreneurs access to cutting-edge technology that they may not be able to afford on their own.
- Research and development: Innovation centers can provide a space for research and development, allowing companies to innovate and create new products and services.
- Talent acquisition: Innovation centers can attract top talent, providing startups and entrepreneurs with access to a diverse pool of skilled professionals.
- Brand building: Innovation centers can help companies build their brand and reputation by providing them with exposure to investors, industry leaders, and other key stakeholders.

2) Co-Working Space

A co-working space is a shared office space where individuals or businesses can work together in a communal setting. Here are some benefits of a co-working space:

- Cost-effective: A co-working space is an affordable option for individuals or small businesses who may not be able to afford a traditional office space.
- Networking opportunities: Co-working spaces bring together people from various backgrounds and industries, creating a diverse community where members can collaborate and share ideas.
- Flexibility: Co-working spaces offer flexible working hours, allowing members to work on their own schedules, which is especially useful for freelancers or those who work remotely.
- Increased productivity: Co-working spaces offer a professional and productive environment that can help members stay focused and motivated.
- Access to amenities: Most co-working spaces offer a range of amenities such as high-speed internet, meeting rooms, printers, and coffee bars, which saves members time and money.
- Work-life balance: Co-working spaces often have a community-oriented culture that fosters work-life balance and wellbeing, offering wellness programs, social events, and other activities.
- Reduced isolation: Co-working spaces can provide a sense of community and reduce isolation for those who work from home or are self-employed.

3) Shared Commercial Kitchen

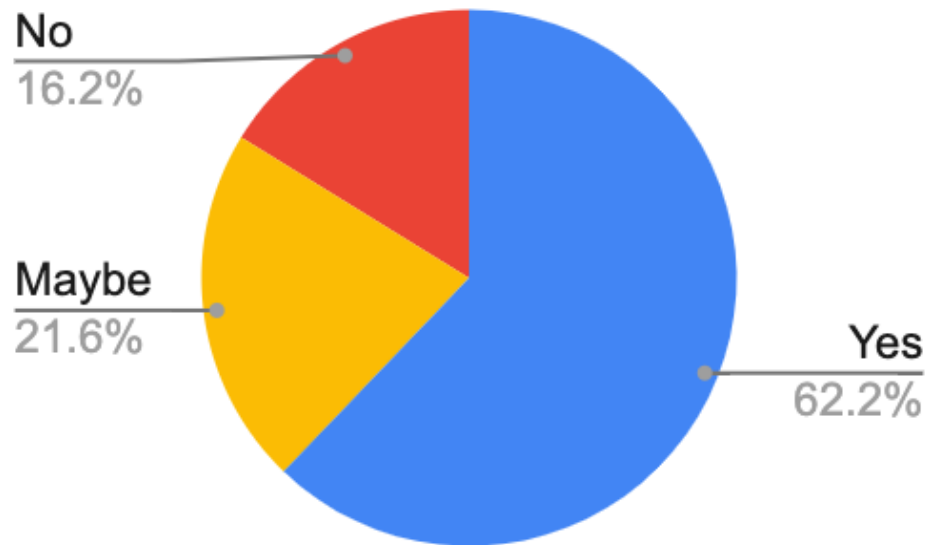
A shared commercial kitchen is a space where individuals or groups can prepare and share food together. Here are some benefits of a shared commercial kitchen:

- Cost-effective: A shared community kitchen is a cost-effective option for individuals or groups who may not have access to their own kitchen or cannot afford to rent a commercial kitchen.
- Promotes community building: Shared community kitchens bring people together, fostering a sense of community and social interaction.
- Promotes healthy eating: Shared community kitchens can encourage healthy eating habits by providing a space for individuals to prepare and share nutritious meals.
- Reduces food waste: Shared community kitchens can help reduce food waste by allowing individuals to share ingredients and collaborate on meal planning.
- Access to equipment: Shared community kitchens often have commercial-grade equipment that individuals may not have access to in their own homes, such as large ovens, stovetops, and refrigerators.
- Offers a space for cooking classes and workshops: Shared community kitchens can offer a space for cooking classes and workshops, allowing individuals to learn new cooking skills and techniques.
- Supports local food systems: Shared community kitchens can support local food systems by providing a space for community members to prepare food from locally grown or produced ingredients.

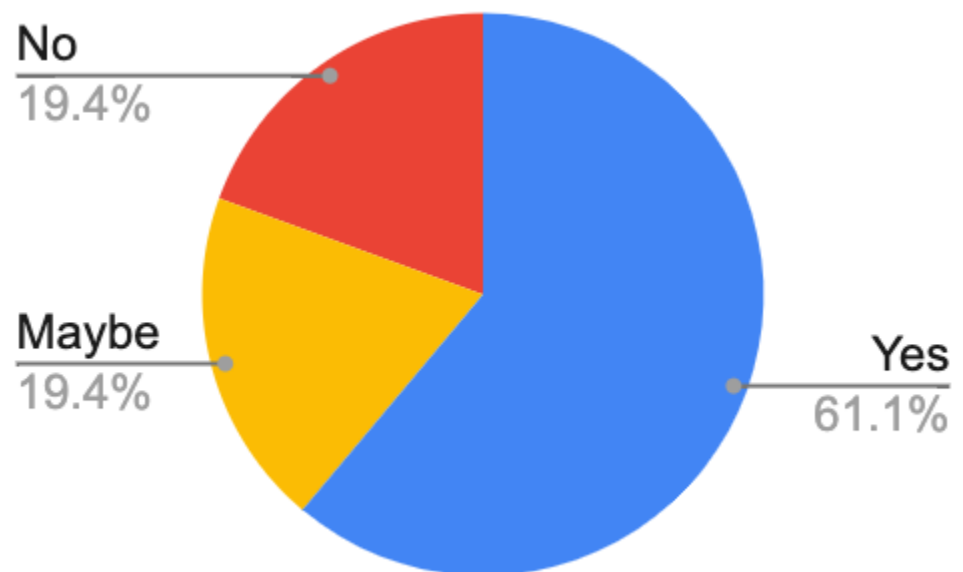
b) **Market Analysis:** A survey was provided via “Coffee and Connections” networking event and on social media:

- i) 37 Responses to the following market survey questions with stem “**Would you or do you know of someone who would use the following services?**”:

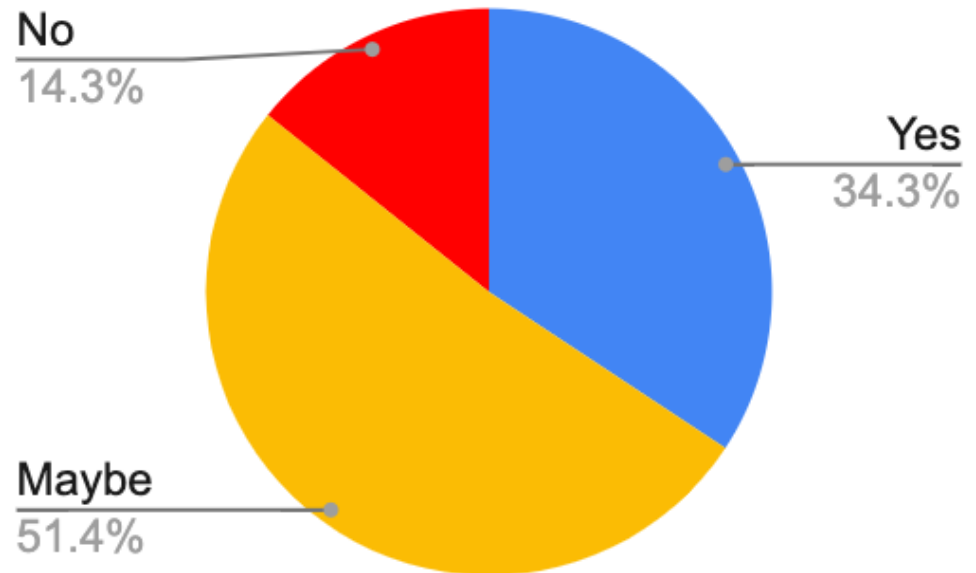
1) Temporary or periodic use of office space



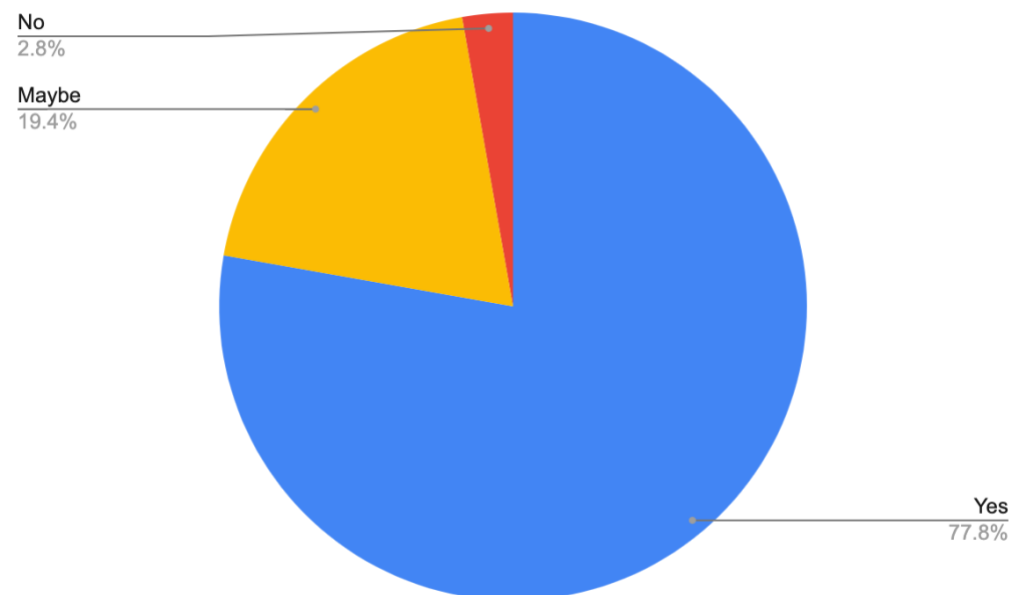
2) Commercial kitchen/refrigeration/receiving/storage i.e. for a food truck or caterer



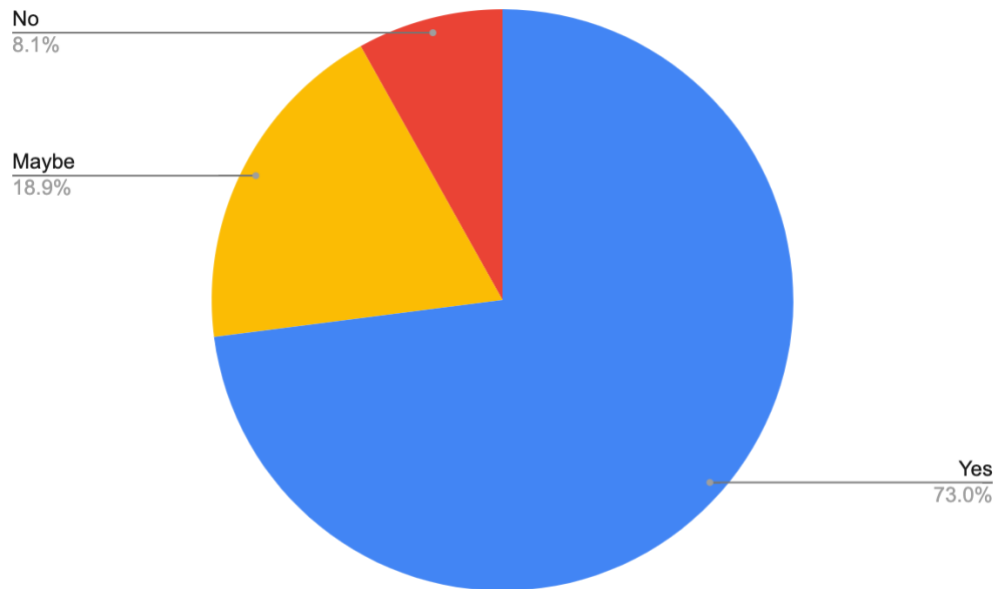
3) Reception services/fixed address and phone number/receiving mail and freight



4) Training/venue/meeting space for companies with technology resources



5) Entrepreneurial and networking hub



6) Comments from surveys:

- Training in technology work-related sectors
- Youth services for next step planning
- Training on State laws affecting small businesses
- State-of-the-art tools and equipment, the latest design technology, and the resources to test and produce new products, and training on how to use the technology
- Partner with local high schools: educators and students support innovations for local arts in the community
- Venue is much needed
- Community service i.e. AA, NA, counseling services, child development. Diabetes/HIV/ HEPC Support groups
- Much needed
- Hybrid meeting space
- Study areas and/or tutoring areas
- Multimedia studio space for production of Ad/profesional media
- The tech resources sound great
- Space for youth clubs to meet
- The venue space would need to be significant to truly meet the needs of our community. This would be nice if this was located near a hotel to drive more conf. traffic.

- Reading spaces, young adult spaces, Alamogordo is the main focus but La Luz is in need of growing the community. Workforce areas needed ect. Mechanics, writing/phone skills, farming and self sustainability. Child Care center with flexible hours, adult playground, napping/meditation room.
- Perhaps an area that could be used for childcare while parents are in training. Love the name!

c) Operational Plan:

i) Amenities:

1) Virtual Office

- Conference rooms (2 hours per month)
- Free, unlimited coffee/drinking water
- Mail & parcel service
- Comfort Amenities
- Networking events
- Member listing on our website
- Lounge access (twice per month, 9am – 5pm)
- Reception service

2) Co-Working Workspot

- Conference room (4 hours per month)
- Free, unlimited coffee/drinking water
- Mail & parcel service
- Comfort Amenities
- Networking events
- Member listing on our website
- 24/7 entry with app

3) Co-Working Work Desk

- Conference rooms (6 hours per month)
- Desk signage
- Storage unit with lockable drawer
- Free, unlimited coffee/drinking water
- Mail & parcel service
- Free, unlimited coffee/drinking water
- Comfort Amenities
- Networking events
- Member listing on our website
- 24/7 entry with app

4) Work Space Plan

- Office Space
- Conference room access (8 hours per month)

- Exterior signage
 - Free, unlimited coffee/drinking water
 - Mail & parcel service
 - Comfort Amenities
 - Networking events
 - Member listing on our website
 - 24/7 entry with app
- 5) Small Conference Room Rental
- seats up to 20 with chairs/tables/communication technology
- 6) Large Conference Room Rental
- seats up to 50 with chairs/tables/communication technology
- 7) After-hours Venue Rental
- Use of facility after business hours
- 8) Restaurant Kitchen Rental
- Use of kitchen space and appliances
- 9) Restaurant Kitchen Space Rental
- Hourly use of kitchen space and appliances

Amenity	Cost	Estimated Client Number/ year	Estimated Revenue Generated/ year	Overhead Costs: \$264,319*	Annual Profit
Virtual Office	\$500 mo + \$500 deposit	10	\$60,000	\$58,500	\$1500
Co-Working Workspot	\$245/mo	10	\$29,400	\$27,795	\$1605
Co-Working Work Desk	\$345/mo + \$345 deposit	5	\$20,700	\$19,570	\$1130
Work Space Plan	\$895/mo + \$895 deposit	10	\$107,400	\$101,538	\$5862
Small Conference Room Rental	\$125/hour + cleaning fee	20 @ 6 hours	\$15,000	\$14,181	\$819
Large	\$150/hour	20 @ 6	\$18,000	\$17,018	\$982

Conference Room Rental	+ cleaning fee	hours			
After-hours Venue Rental	\$200/hour + cleaning fee	5 @ 2 hours	\$2000	\$1,891	\$109
Restaurant Kitchen Rental	\$100/day + cleaning fee	5 @ 10 days	\$5000	\$4,727	\$273
Kitchen Space Rental	\$50/hour + cleaning fee	10 @ 20 hours	\$10,000	\$9,454	\$546
Business/ Storefront Rental Space	\$10,200/ year + \$850 deposit	1	\$10,200	\$9,645	\$555
total			\$277,700	\$264,319	\$13,381

(\$36,264 in utilities (\$4/sqft) + \$178,700 in personnel + \$35,000 in maintenance + \$14,355 misc such as taxes and insurance*)

d) Marketing Strategy:

- i) Target Audience: Freelancers, entrepreneurs, small businesses owners, large business owners, remote workers, training and development organizations, non-profits, etc.
- ii) Competition: Other local Innovation Centers/Co-Working spaces do not exist in Alamogordo. The closest one to our location is in Las Cruces, NM. Venues such as the Tea Shed and the Willie Estrada Center are also competitors. We can improve upon Alamogordo's competition as no such spaces offer co-working and technology-hub training centers.
- iii) Unique Selling Proposition: Amenities unlike any found in Alamogordo, flexible pricing, exceptional customer service tailored to local business needs and promotion of entrepreneurship.
- iv) Branding Strategy: The brand of the Alamogordo Innovation Center will reflect our unique selling propositions and resonate with our target audience. A logo and tagline will be created to align with our brand values and messaging.
- v) Content Marketing Strategy: Learn New Mexico delivers valuable content through social media outlets, email marketing, radio and other advertising such as flyers and participation in community events. This same effort will

be applied to the Alamogordo Innovation Center, which will include: website, blog posts, social media posts, videos, and podcasts.

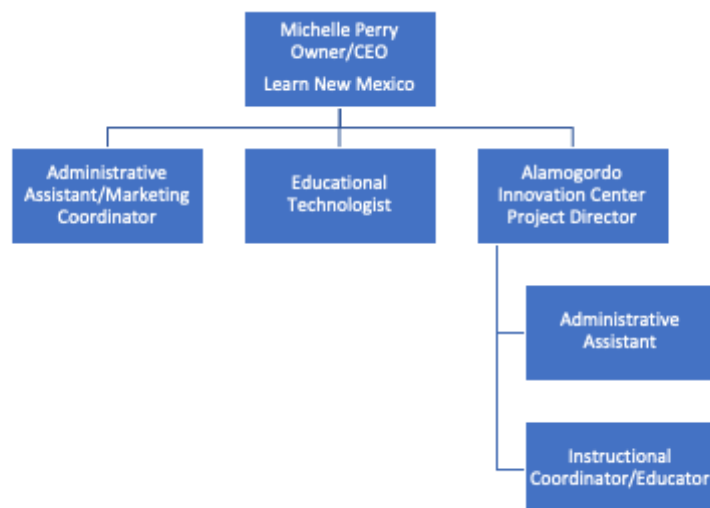
- vi) Develop Partnerships: Local businesses and organizations will be identified that could benefit from the Innovation Center. This could include startups, incubators, accelerators, and networking groups. Special rates or other incentives to partner with the Innovation Center can be arranged. Two such promising partnerships which exist today are: Alamogordo Center of Commerce and the New Mexico Workforce Connection (see letters of support).
- vii) Host Events: The Alamogordo Innovation Center will host networking events, workshops, and seminars that will help establish the Innovation Center as a hub for innovation and collaboration.
- viii) Offer Referral Incentives: Existing Customers/Clients of the Innovation Center will be encouraged to refer their friends and colleagues to the Innovation Center by providing discounts, free services, and other incentives.

e) **Organizational Chart** (current and proposed):

1) Current Organization Chart:



2) Proposed Organizational Chart:



Company Financial Information

- a) Three years of tax documents: Please see tax returns attached
- b) Cash flow, income, and expense projections for payback period

DATE	Income	Amount	Expense	Amount	Payback Period	Economic Impact
July 1, 2023	Learn New Mexico	\$30,000	Directing/ Organizing Project	\$30,000	0	
July 1, 2023	LEDA	\$600,000	Building Purchase	\$600,000	0	0
July 1, 2023	LEDA	\$100,00	Project Manager	\$100,000	0	0
January 1, 2024	LEDA	\$400,000	Remodel	\$400,000	0	\$400,000
April 1, 2024	LEDA	\$10,000	Marketing	\$10,000	0	0
May 1, 2024	LEDA	\$178,700	AIC Job Creation	\$178,700	0	\$178,700
May 1, 2024	LEDA	\$100,000	Facility and Administrative Indirect Costs	\$100,000	0	0
May 1, 2025	Rental Space Business	\$10,200	Rental Space Job Creation	\$169,680	0	\$169,680
May 1, 2025	Jobs from AIC + lessee at AIC + remodel				Year 1	\$748,380
May 1, 2026	Jobs from AIC + lessee at AIC				Year 2	\$348,380
May 1, 2027	Jobs from AIC + lessee at AIC				Year 3	\$348,380
May 1, 2028	Jobs from AIC + lessee at AIC				Year 4	\$348,380
May 1, 2029	Jobs from AIC + lessee at AIC				Year 5	\$348,380

- c) Schedule of Funding commitments:
 - i) Learn New Mexico will commit funds to the wages and resources necessary in acquiring LEDA funds and maintaining LEDA funding requirements and reporting.
- d) Collateral: Alamogordo Innovation Center: [3200 N White Sands Blvd Alamogordo, NM 88310 - Retail Property for Sale on CommercialExchange.com](#)
 - i) A New Appraisal will be ordered on May 1, 2024

Payback and Job Creation

a) Number and types of jobs created with wages

i)

Learn New Mexico Jobs created with Alamogordo Innovation Center					
Title	Hours /wk	Pay	Benefits 30%	Per Year Total	5 Year Total
Director	40	\$60,000/yr	\$18,000	\$78,000	\$390,000
Admin	40	\$45,000/yr	\$13,500	\$58,500	\$292,500
Educator	40	\$25.00/hr		\$42,200	\$211,000
total				\$178,700	\$893,500
Business Storefront/Rental Space created with Alamogordo Innovation Center					
Title	FTE	Pay	Benefits 30%	Per Year Total	5 Year Total
Director/ owner	1	\$60,000/yr	\$18,000/yr	\$78,000	\$390,000
Support	3	\$15.00/hr	\$28,080/yr	\$121,680	\$608,400
total				\$199,680	\$998,400
total				\$378,380	\$1,891,900

- ii) As of 2019, there were 2.1 million people in NM and 334,945 were employed by small businesses ([US SBA](#)). If Alamogordo is 1.5% of New Mexico's population at 31,962 people, then, there are approximately 500 people in Alamogordo who are employed by a small business. If half of those are in need of the services from The Alamogordo Innovation Center, we can predict to serve 250 small business employees/entrepreneurs in one year. If half of those, who we can serve, are in need of rental space, we can predict to rent/lease space to 125 people per year. In addition, we could potentially use the innovation space to train at least half of the small

business employees in our community: 250 people per year. The estimated revenue from the Operational Plan on page 14 of this document is an under-estimate of this potential. In addition, workforce labor skills development for employed people of Alamogordo will also be provided at the Innovation Center which also indicates additional economic impact.

- iii) As of April 2023, there are 64 restaurants in the Alamogordo area and 29 food vendors in the Alamogordo area.
- iv) Learn New Mexico has provided over 100 people courses/exams for Food Manager Certifications for local food-related businesses and will increase course offerings in the Alamogordo Innovation Center.
- b) **Direct Benefits Year 1:**
 - i) \$400,000 for remodel of local building space
 - ii) \$378,380 in new jobs
- c) **Quantifiable Indirect/Induced Benefits impact ratio:** For purposes of this application, 1.4 is the induced economic impact ratio. A typical induced economic impact ratio for a business is around 1.5 to 2.5, meaning that for every dollar of output or income generated by the business, an additional \$0.50 to \$1.50 is generated through the induced impact of the business's spending. This additional economic activity can be seen in increased local spending on goods and services, job creation, and other indirect benefits to the local economy. Use of an induced economic impact ratio is a widely used economic concept
- d) **Total First Year Economic Impact: \$748,380**
- e) **Years 2-5 Economic Impact (@ 1.4% * \$1,891,900 salaries* 4 years):**
\$2,648,660
 - i) Contributing Factors to Economic Impact Quantifiable Indirect/Induced impact ratio (1.4%):
 - 1) Develop the best possible vocational and skill training within the community's resources to prepare the local populace to enter the workforce
 - 2) Increase in the tax base
 - 3) Increase in GRT
 - 4) Provide a gap or service that is not available in Alamogordo
- f) **Full economic impact with investment:**

LEDA Investment in the Alamogordo Innovation Center	5 year Economic Impact (with 1.4% Quantifiable Indirect/Induced impact ratio)	Return on Investment (with 1.4% Quantifiable Indirect/Induced impact ratio)
\$1,388,700	\$3,397,040	\$2,008,340

MICHELLE Y PERRY

Learn New Mexico, LLC



📍 Alamogordo, NM

☎ 5759375991

✉ michelle@learnnewmexico.com

🌐 www.learnnewmexico.com

🌐 learnimrsv.com

SUMMARY

Visionary leader bringing over 26 years of experience in public education to improve student outcomes and effective instruction.

- **Diversified background in all levels of education.** Experience with PK-college instructional design.
- **Offers innovative solutions to instructional challenges** and needs determined by Data Driven Design.
- **Expert in transforming strategic plans into action.** Specializing in strategic action planning and backwards planning design.
- **Motivator and instructional Coach** having served as a teacher and administrator for 26 years
- Specialize in Immersive Virtual Reality as an Educational Technology Tool

CORE COMPETENCIES

- Multiple Instructional Designs
- Financial Operations/Budget
- Program Development
- Project Management
- Mentoring and Leadership

PROFESSIONAL EXPERIENCE

2022 -
present

Owner/Operator

[learn imrsv](#)

Immersive and interactive Virtual Reality Educational Experiences

2020 -
present

Owner/Operator

[Learn New Mexico, LLC](#)

- Educational Consulting
- Grant Management and Development
- Program Management and Development

2019 - 2021

Associate Vice President of Extended Programs

[New Mexico State University Alamogordo](#)

- Outreach to community and marketing
- Grants Management and Advisement
- Director of Continuing Education

2019 - 2020

Educator Development Consultant for Perry Consulting

[Cooperative Education Services - CES](#)

- Created Curriculum Modules for the Mentorship Instruction

2019 - 2019

Educator Development Consultant for Perry Consulting

[Eastern New Mexico University Ruidoso](#)

- Developing and implementing an Educator Development initiative
- Creating and delivering credited course work in a blended learning environment by addressing needs from multiple regional school districts
- Providing support to the Vice President and President to implement a professional development model for new and alternative licensed public school teachers

2015 - 2018

Director of Educational Services

[Alamogordo Public Schools](#)

- Director of Elementary Schools and Director of Curriculum and Instruction
 - supervised principals
 - implemented district-wide curriculum and assessment
 - provided Professional Development
 - Title funds Director
 - District Testing Coordinator
 - Other Grant Funds Coordinator
- Director of Secondary Education
 - supervise principals
 - implement and monitor all secondary education programs/curriculum
 - provide Professional Development
 - Supervise multiple grant funding projects including Carl Perkins
 - organizes Dual Credit Agreements
 - Supervises Truancy Liaison
 - Monitor academic achievement/graduation rates
 - Serve on Otero County Juvenile Justice Board

2014 - 2015

High School Assistant Principal

[Alamogordo Public Schools](#)

- Primarily Responsible for Freshman Academy

- Transition / Change Management
- Continuous Improvement
- Strategic Partnership Relations
- Educational Technology
- Innovative Global Teaching
- Rural/Poverty Communities
- Team Building & Training
- Dual Language Program

EDUCATION AND CERTIFICATIONS

Master of Arts Education Management and Development – New Mexico State University

Bachelor of Science – Elementary and Special Education - New Mexico State University

PhD - currently a candidate in C and I with an emphasis on Learning Technologies (2nd year)

NM PED Special Education PK-12 License

NM PED Elementary Education K-8 License

NM PED Administration License

PHILOSOPHY OF EDUCATION

Successful Instruction is dependent upon the classroom teacher; what is taught and how it is taught. Learning is dependent on the quality/depth of the content and delivery method used to impart the content. The world is becoming increasingly smaller and two very evident needs are prevailing in the world of education: language and digital citizenship. We must strive to integrate multi-lingualism and educational technology into all methods of instructional delivery. The role of the teacher as a facilitator of learning is not only beneficial for today's student, but necessary. Human-centered instructional design allows us to ensure students are asking and answering their own thought provoking and authentic questions.

- Primary responsible for Freshman Academy
- Supervised Teachers with NM Teach Teacher Evaluation
- Implemented School Policy and District Board Policy
- Student Discipline
- Provided Professional Development
- Additional job duty: On-boarded PARCC as District Testing Coordinator

2013 - 2014

College Instructor

Eastern New Mexico University Ruidoso

- Taught Early Childhood Course, Introduction to Education, and Assisted with English Course Instruction

2008 - 2014

Principal

Ruidoso Municipal School District

- Principal of Nob Hill Early Childhood Center and Sierra Vista Primary
- District Student Assistance Team Coordinator
- Title 1 Coordinator
- Expulsion Hearing Authority

2006 - 2008

Reading First District Grant Coordinator

Ruidoso Municipal School District

- Implemented NMPED Reading First Grant Grades K-5

1996 - 2006

Middle School Teacher

Ruidoso Municipal School District

- Taught Special Education, Gifted Education, English Language Arts, History
- Coached Volleyball
- Sponsored Student Council and Knowledge Bowl
- Site Leader for SPED programs

1995 - 1996

High School Special Education Teacher

Las Cruces Public Schools

- Taught Special Education (C-Level English)

EDUCATION

2020 - present

Doctoral Candidate in Curriculum and Instruction

New Mexico State University

Area of Concentration: Learning Technologies

2001 - 2004

Masters of Arts Education Management and Development

New Mexico State University, Las Cruces

4.0 GPA

1991 - 1995

Bachelors of Science in Elementary/Special Education

New Mexico State University, Las Cruces

Crimson Scholar 3.75 GPA

CURRICULUM AND ASSESSMENT

Familiar and knowledgeable with following Programs/Curriculum/Assessment:

- Common Core State Standards
- Next Generation Science Standards
- PARCC/Pearson Access Next
- McGraw Hill Connect Ed
- McGraw Hill curriculum resources Social Studies, and Elementary ELA
- ATI Galileo

- Discovery Education
- I Station
- DIBLES
- First in Math
- Read 180
- Cengage math, college curriculum, digital platform
- SIOP
- Madeline Hunter
- Paul Bambrick Santoyo
- Robert Marzano
- Doug Reeves
- Becky Bailey - Conscious Discipline
- Odyssey Ware
- College Board (AP and Pre AP)
- Pearson Success Net
- Math Investigations - University of Chicago
- KPALS - Vanderbilt University
- PBIS - University of Oregon
- Jeff Sprague
- NWEA
- ACT/SAT
- NM Graduation Requirements
- College and Career Readiness Standards
- ISTE standards
- NM State ESSA Plan
- Canvas
- Nearpod
- Peardeck
- Blackboard
- Google
- Voicethread
- Warp VR
- Engage VR
- E Learning Brothers Platforms

SKILLS

10 Curriculum and Instruction Currently a PhD candidate in C and I with an emphasis on Learning Technologies	10 Technology Use of digital media platforms and tools to communicate and teach
10 Organization Ability to organize and develop complex projects and create an outcome	10 Communication Strong verbal and written communication skills

SPECIAL INTERESTS

- Served on Eastern New Mexico University Ruidoso College Board as an elected official 2008-2013
- Served on HEAL Domestic Violence Shelter Board 2006-2008
- Member of ASCD, National Educator Association
- Member of Otero County Juvenile Justice Board
- Member of Coordinating Council of Desert Light Film Festival
- Master Gardener
- Member of Otero County Health Council
- Member of COPE Domestic Violence Shelter Board
- Member of Otero County Extension Advisory Committee
- Nearpod Certified Educator
- Voicethread Certified Educator
- Leader for 100% Otero (in coordination with Anna, Age Eight Institute)
- Completed Aggie I-Corp 2021
- Guest Speaker at 2022 Society for Human Resources Management Conference Albuquerque, NM

AWARDS AND RECOGNITIONS

School on the Rise 2007

A Mountain Award Nominee 2019

NISOD Award Winner 2020

PORTFOLIO

Grant Development and Management, Consulting, Curriculum Development, Professional Development



Federal Grant Acquisition



CES Consulting Project



Certified Voicethread Educator



Nearpod Certified Educator



CHINS Consulting Project



Led and Developed NMSU-A ...



NMSU-A Consulting Project



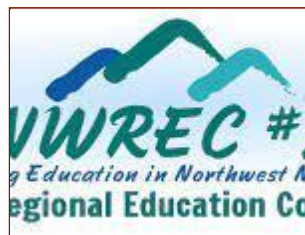
Strategic Planner for 100% N...



Consulting Services for Arrow...



Professional Development C...



Northwest Regional Educatio...



Otero County DWI Preventio...

PUBLICATIONS

Cifuentes, L., & Perry, M. (Nov. 2021). Design and development of an educational design and learning technologies wisdom community. *Proceedings of the International Association for Educational Communications and Technology annual conference*, Chicago, IL.



ALISA MYERS

EDUCATIONAL TECHNOLOGIST

PERSONAL PROFILE

I have over 35 years experience as a Database Programmer/Analyst, Project Manager, and Computer Support Technician. I am an ardent supporter of learning and believe that helping others to learn is a calling.

CONTACT DETAILS

Mobile: 575-491-7893
alisa@learnimrsv.com
www.learnimrsv.com
1301 N. White Sands Blvd.
Alamogordo, NM 88310

SKILLS AND ABILITIES

- Database Management
- Computer Programming
- Project Management
- Strong communication and organizational skills
- Curriculum Design
- Instruction

ACADEMIC PROFILE

University of New Mexico

BS in Mathematics/Computer Science
Class of 1987
CITI Certified Human Subjects Research
Google Certified Educator
Certified Serv Safe Instructor/Proctor

EMPLOYMENT HISTORY

Educational Technologist

Learn New Mexico | 2022 - Present

I work closely with upper management to make sure that the scope, direction, and budget of each project is on schedule and in line with the proposals. I assist in the development and delivery of technology based curriculum.

Systems Analyst/Database Programmer

Property Info Corp | 2003 - 2020

Designed and implemented an SQL database to house and update public records information for one of the nations largest metropolitan areas. Performed regular updates and delivered data and metrics to internal and external clients.

Project Manager/Systems Support

Moore Data Management | 1988 - 2002

Provided both hardware and software support for numerous MLS and Public Records systems. Served as a Project Manager for the installation of database systems. As the point person for every aspect of an installation, my duties included: coordination of database design, programming, data conversion, communications, hardware, and training.



SARAH FRENCH

Administrative/Marketing Coordinator

I am a marketing and communications coordinator who specializes in digital marketing and web design. I have gathered numerous contacts over the years and strive to meet client needs.

CONTACT

✉ sarah@learnimrsv.com

☎ 575-495-1117

📍 Alamogordo, NM

🌐 learnnewmexico.com

REFERENCE

Michelle Perry

CEO, Learn New Mexico/Learn Imrsv
1-575-937-5991
michelle@learnnewmexico.com

RELEVANT EXPERIENCE

Administrative/Marketing Coordinator

Learn New Mexico/learn imrsv Aug 2022 - present

- Maintain the companies websites
- Create marketing material to keep our colleagues up to date on all developments
- Attend all community/business meetings on behalf of the company
- Maintain all the companies social media accounts

Human Resources/Public Relations Coordinator

Children in Need of Services | 2021 - 2022

- Attended all community/business meetings on behalf of the company
- Maintained all the companies social media accounts
- Onboarding/training of all new employees

The Color Bar

Cosmetologist | 2018 - 2021

- Attended to all of my clients hair needs
- Maintained the salons social media/marketing

EDUCATION/CIVIC DUTIES

Digital Marketing Certified

2023

Star Ambassador with the Alamogordo Center of Commerce

COMMUNITY SUPPORT (15 points)

Please describe the potential quality of life improvement for residents in areas that are in close and direct proximity to the project.*

As of 2019, there were 2.1 million people in NM and 334,945 were employed by small businesses (US SBA). If Alamogordo is 1.5% of New Mexico's population at 31,962 people, then, there are approximately 500 people in Alamogordo who are employed by a small business. If half of those are in need of the services from The Alamogordo Innovation Center, we can predict to serve 250 small business employees/entrepreneurs in one year. If half of those, who we can serve, are in need of rental space, we can predict to rent/lease space to 125 people per year. In addition, we could potentially use the innovation space to train at least half of the small business employees in our community: 250 people per year. In addition, workforce labor skills development for employed people of Alamogordo will also be provided at the Innovation Center which also indicates additional economic impact.

As of April 2023, there are 64 restaurants in the Alamogordo area and 29 food vendors in the Alamogordo area.

Learn New Mexico has provided over 100 people courses/exams for Food Manager Certifications for local food-related businesses and will increase course offerings in the Alamogordo Innovation Center.

Direct Benefits Year 1:

- i) \$400,000 for remodel of local building space
- ii) \$378,380 in new jobs

Quantifiable Indirect/Induced Benefits impact ratio: For purposes of this application, 1.4 is the induced economic impact ratio. A typical induced economic impact ratio for a business is around 1.5 to 2.5, meaning that for every dollar of output or income generated by the business, an additional \$0.50 to \$1.50 is generated through the induced impact of the business's spending. This additional economic activity can be seen in increased local spending on goods and services, job creation, and other indirect benefits to the local economy. Use of an induced economic impact ratio is a widely used economic concept

Total First Year Economic Impact: \$748,380

Years 2-5 Economic Impact (@ 1.4% * \$1,891,900 salaries* 4 years):
\$2,648,660

Contributing Factors to Economic Impact Quantifiable Indirect/Induced impact ratio (1.4%):

- 1) Develop the best possible vocational and skill training within the community's resources to prepare the local populace to enter the workforce
- 2) Increase in the tax base
- 3) Increase in GRT
- 4) Provide a gap or service that is not available in Alamogordo

Please describe the sustainable environmental impact of the enterprise development project related to energy efficiency, water conservation, waste reduction, LEED certification, or other sustainability goals.*

By repurposing an existing building, the construction footprint is limited to only remodeling. Large-scale construction for a \$9000 square foot building for the purposes listed above would have an environmental impact. The following are examples of costly impacts of new construction in our area:

Energy Consumption: Costly energy requirements for construction activities, including machinery operation, equipment usage, and temporary power needs. Costly fuel types (e.g., diesel, gasoline, electricity) and their associated greenhouse gas emissions.

Water Usage: Costly water consumption during construction, including site preparation, concrete mixing, dust suppression, and worker facilities, including potential water pollution risks. Repurposing an abounded building provide opportunities for water conservation as opposed to new construction.

Material Selection: Costly materials used, such as concrete, steel, glass, insulation, and finishes. Consider the environmental impact of material extraction, manufacturing, transportation, and disposal. Remodeling the proposed property provides opportunities for using recycled content or sustainable materials.

Waste Generation: Large generated waste during construction, including packaging materials, excess construction materials, and demolition debris. Waste management strategies will be

used for remodeling, such as recycling, reusing materials, and proper disposal to minimize environmental impact.

Air Pollution: Elevated emissions from construction machinery, such as excavators, bulldozers, and generators. Potential pollutants like particulate matter, nitrogen oxides (NO_x), sulfur oxides (SO_x), and volatile organic compounds (VOCs). A remodeling effort will provide an opportunity for emission control measures and select equipment that meets environmental standards.

Noise Pollution: Annoying noise levels generated during construction negatively impacts nearby communities and wildlife. A remodeling effort will minimize noise pollution, such as using quieter machinery, scheduling construction activities during appropriate hours, and implementing sound barriers.

Transportation: Costly transportation impact associated with material deliveries, equipment movement, and worker commuting. Remodeling will decrease the distance traveled, fuel consumption, and associated emissions.

Ecosystems and Habitat: Negative potential impact of construction activities on local ecosystems, habitats, and protected areas. Remodeling vs. building will minimize disturbance, protect vegetation, and mitigate impacts on wildlife and biodiversity.

Social Impact: Construction and job creation will be a major goal of the Alamogordo Innovation Center. The AIC will

support and provide proper job skills training, engage the business community and entrepreneurs, and foster positive relationships with regional area.

Please describe how the project contributes to revitalizing a community, including adaptive reuse, redevelopment of vacant facilities, infill development and projects that address blight.*

The Alamogordo Innovation Center (AIC) is planned to be located at an abandoned commercial building that used to serve as a large local restaurant 5 + years ago. The intention to adapt and redevelopment this vacant property has been market-tested and approved by the local community for the purposes of offering an innovation center/co-working space/commercial kitchen leasing. The realtor is engaged in conversation with our company currently and is ready to negotiate pricing. A systematic discovery inspection has been conducted by licenses contractors. The costs to renovate are reasonable and viable.

Will the enterprise development project participate in any apprenticeship or training programs?*

Currently, the parent company and applicant, Learn New Mexico, is the sole provider for our area for Serv Safe Food Manager Certification. The company will seek and secure partnerships with other industry professionals to provide relevant and meaningful job training such as construction, electrical, and plumbing contractors. In addition, Learn Imrsv is a company which creates and delivers job training, such as soft skills training, via 360 Immersive Virtual Reality. This company will partner with Learn New Mexico and operate, deliver content, and train within the facility.

JUSTICE, EQUITY, DIVERSITY AND INCLUSION (JEDI) (5 points)

Points will be awarded to enterprise development projects that expand resources for disadvantaged, marginalized or otherwise underserved populations. (Select all the apply.)*

- Minority-owned business
- Female-owned business
- Veteran-owned business
- Individual with disabilities owned business
- Clearly defined diverse and inclusive hiring process
- Social equity statement or equity principle statement
- None

Minority-owned business Female-owned business Veteran-owned business Individual with disabilities owned business Clearly defined diverse and inclusive hiring process Social equity statement or equity principle statement None

Enter any additional information on the applicant's JEDI practices.*

Alamogordo Innovation Center Social Equity Mission Statement:

We, at the Alamogordo Innovation Center, are committed to creating a collaborative space that values and embraces the unique backgrounds, perspectives, and experiences of our members. Our aim is to break down barriers and provide opportunities for individuals from diverse communities to thrive, connect, and succeed.

Key Principles:

Inclusivity: We strive to create an environment where individuals from all walks of life feel welcome, respected, and valued. We celebrate diversity in all its forms, including but not limited to race, ethnicity, gender, sexual orientation, age, disability, socioeconomic background, and cultural heritage.

Accessibility: We are dedicated to ensuring that our co-working space is physically and economically accessible to all. We work towards removing physical barriers and provide accommodations to meet the needs of individuals with disabilities. We also offer flexible membership options and actively seek to provide affordable opportunities for individuals and entrepreneurs from underserved communities.

Collaboration and Support: We foster a culture of collaboration, cooperation, and mutual support among our members. We encourage networking, knowledge-sharing, and resource exchange, recognizing that diverse perspectives and experiences enrich our community and contribute to individual and collective success.

Community Engagement: We actively engage with and contribute to the broader community. We seek partnerships with local organizations and initiatives that promote social equity, support entrepreneurship, and provide resources to marginalized communities. We believe in giving back and strive to create a positive social impact beyond our co-working space.

Education and Empowerment: We are committed to providing educational opportunities, workshops, and mentorship programs that empower individuals to enhance their skills, knowledge, and professional growth. We believe in providing equal access to resources and support that enable members to achieve their goals and aspirations.

Advocacy: We advocate for social equity, inclusivity, and diversity within our industry and the wider community. We actively support initiatives and policies that promote fairness, equity, and equal opportunities for all individuals, both within and outside of our co-working space.

Alamogordo Innovation Center
Economic Impact

Economic Impact	Associated Monetization	5 year Projection
Acquisition of Building	\$600,000	Increased value of building: \$1 million.
Remodel of Building	\$400,000	
Cost Savings: Co-working spaces often provide flexible membership options, allowing individuals and businesses to avoid the high costs associated with traditional office spaces. This can lead to significant cost savings, particularly for startups, freelancers, and small businesses, enabling them to allocate resources more efficiently.	Co-Working Space Annual profit: \$13,381	\$66,905
Job Creation: Co-working spaces can contribute to job creation by providing a supportive environment for entrepreneurs and startups. By offering affordable office infrastructure and fostering collaboration, co-working spaces can help new businesses thrive, leading to the creation of jobs within the local economy.	AIC Jobs annually: \$178,700	\$893,500
Entrepreneurship and Innovation: Co-working spaces often promote an entrepreneurial culture and provide opportunities for networking, knowledge sharing, and collaboration. This environment can foster innovation and creativity, potentially leading to the development of new businesses, products, and services. These entrepreneurial activities can have a positive impact on economic growth and competitiveness.	2 Free Networking Events per month 1 Free evening event per month <u>Estimated Costs:</u> Venue: \$150/hr (2 hours each event) Catering: \$100 each event Presenter: \$250 each event Total: \$1950/month for three events OR \$23,400/year	\$117,000
Skills Development: Co-working spaces often offer educational and networking events, workshops, and training	12 Servsafe Food Manager Training Per Year Profit:	\$11,000

Alamogordo Innovation Center
Economic Impact

programs. These opportunities can enhance the skills and knowledge of individuals using the space, enabling them to improve their professional abilities, which can, in turn, contribute to economic development and productivity.	\$2200 12 Other Job-Skills Training Per Year Profit: \$2200 24 newly trained employees @ \$15/hour: \$691,200	\$11,000 \$3,456,000
Attraction of Talent: Co-working spaces can serve as a magnet for skilled professionals, freelancers, and entrepreneurs. By offering an attractive work environment and access to a vibrant community, co-working spaces can help attract talent to a particular area, potentially leading to a more dynamic and competitive local labor market.	Venue & Rental Space Per Year Profit: \$2465	\$12,325
Economic Multiplier Effect: The economic impact of a co-working space can extend beyond its immediate boundaries. When individuals and businesses thrive in a co-working space, they can generate positive spillover effects in the broader economy. This can include increased consumer spending, business partnerships, investment opportunities, and knowledge sharing, all of which can contribute to economic growth and development.	1.4%	\$14,000

PROJECT PARTICIPATION AGREEMENT

This Project Participation Agreement (“Agreement”) is entered into on _____, 2023 by and between the **CITY OF ALAMOGORDO**, a New Mexico Municipal Corporation (the “City”), and **Learn New Mexico, LLC**. (the “Qualifying Entity”).

Recitals.

- A. .The purpose of this Agreement is to allow the Qualifying Entity to expand the scope of its operations. Completion of the Project as hereinafter described pursuant to the terms and conditions hereof is in the best interests of the City and the health, safety, and welfare of the residents and the taxpayers of the City of Alamogordo, and is in accord with the public purposes and provisions of applicable state and local laws.
- B. By Ordinance No. 983, adopted August 13, 1996, the City has adopted an ordinance pursuant to the statutory authority conferred upon municipalities to allow public support of economic projects to foster, promote and enhance local economic development efforts (N.M. Stat. Ann. Section 5-10-1 through Section 5-10-13-1978). The ordinance was adopted as part of the City’s Economic Development Plan.
- C. By Ordinance No. 1373, adopted June 8, 2010 (“Approval Date”), the City has adopted an Ordinance which establishes that the qualifying Entity meets the requirements of the Local Economic Development Act and that the Qualifying Entity has provided information pertaining to its intent to purchase and renovate 3200 North White Sands Blvd, Alamogordo, NM, 88310.
- D. As provided in the Economic Development Plan Ordinance, the City considered an application from the Qualifying Entity, which proposed that the City provide up to \$1,000,000 of City funds (the “LEDA Funds”) to go toward the Qualifying Entity’s acquisition of facility and renovation in the City of Alamogordo (the “Project”) which will result in a minimum of 120 Trained employees, four (4) full-time new Jobs at \$20/Hr., one (1) full-time position at \$15/Hr., and 36 free networking events for the community by December 2028.
- E. Expansion of the Qualifying Entity’s business operations will provide additional jobs and substantially improve the economic conditions in Otero County in accordance with the purposes and goals of the City’s Economic Development Plan.
- F. As a condition precedent to its receipt of public assistance in the form of the Project Loan, the Qualifying Entity is required to execute this Project Participation Agreement.

NOW THEREOF, the Parties Agree as follows:

- 1. **Authority.** The Local Economic Development Act authorizes the City’s execution of this Agreement, NMSA 1978 §5-10-1 through §5-10-13 (2007) (LEDA), Ordinance No. 983, which established the Alamogordo Economic Development Strategic Plan that promotes economic development projects in the City of Alamogordo; and Ordinance No. 1373, which approved the Project. Qualifying Entity’s execution and performance of this Agreement constitutes a valid and binding obligation of the Qualifying Entity if the Qualifying Entity proceeds with the Project. The Qualifying Entity has full power and authority to execute, deliver and perform, as applicable, this Project Agreement, to make the obligations hereunder, execute and deliver the Promissory Note, and grant the City the security as described hereinafter.
- 2. **Definitions.** For all purposes of this Agreement, except as otherwise expressly provided or

unless the context clearly requires otherwise, the following terms have the meanings assigned to them:

- a. ***“Economic Development Incentive”*** means the financial assistance provided to the Qualifying Entity by the City of Alamogordo through the Local Economic Development Act.
- b. ***“Eligible Project Costs”*** means the costs and expenditures directly related to the purchase and renovations of 3200 North White Sands Blvd, Alamogordo, NM 88310. Examples of eligible costs include purchasing the building, engineering a new roof or a roof repair, and any roof replacement or repair construction.
- c. ***“Facility”*** shall mean the building and land located at 3200 N White Sands Blvd, Alamogordo, NM 88310.
- d. ***“Training Credit”*** is a performance measurement figure. Training credit is equal to documented training of Alamogordo Current or potential workforce.
- e. ***“Training Period”*** means every twelve (12) months from January 1 through December 31, during which the Qualified Entity is obligated for payback.
- f. ***“New Job”*** shall mean 2,080 hours of paid employment over 365 days.
- g. ***“Job Period”*** means every twelve (12) months from January 1 through December 31, during which the Qualified Entity is obligated to create and maintain New Jobs.
- h. ***“Networking Event”*** means a free event for all business owners or potential business owners to receive information or expand their business network.

3. **Qualifying Entity’s Obligations.** The Qualifying Entity acknowledges that a material inducement for City to accept the Qualifying Entity’s proposal and enter into this Project Agreement was the Qualifying Entity’s representation that it would, within the term of this Project Agreement, expand its services, thereby creating training for the current and new workforce, creating new jobs, and create free community service events, to permit City to recapture its investment in total during the term of this Project Agreement based on the value of each New Job created and maintained. Therefore, in furtherance of that representation, the Qualifying Entity agrees explicitly and covenants that the following performance measures shall be met:

- a. **Facility.** The Qualifying Entity will establish Alamogordo Innovation Center at 3200 North White Sands Blvd in Alamogordo, NM 88310 (the “Facility”).
- b. **Renovations.** The Qualifying Entity acknowledges that only permanent modifications to 3200 North White Sand Blvd qualify for LEDA funds. The Qualifying Entity shall diligently pursue such purchase and construction to completion. If the Qualifying Entity cannot obtain the necessary permits or fails to commence the purchase and repair or replacement to the roof within one- {year of the Approval Date, this Agreement shall terminate and be of no further effect.
- c. **Local Preferences.** The Qualifying Entity shall use its best efforts to contract with local contractors to install the utility infrastructure so the City can receive gross receipts tax revenue from the performance of installation services. During the term of this Agreement, the Qualifying Entity shall make available to the City upon request records verifying the use of local contractors and the making of local purchases. For purposes of this Agreement, a local contractor is a contractor meeting the requirements of section 2-13-180 of the Alamogordo City Code.
- d. **Job Creation/Credit.** The Qualifying Entity will employ at least four full-time new Jobs at \$20/Hr., one full-time position at \$15/Hr. At the facility by December 31, 2028. “Job” means a permanent, full-time employment position (at least 32 hours per week)

offering the employee the full range of benefits offered to other full-time employees of the Qualifying Entity. While failure to meet certain Minimum Job Numbers may result in a Performance Clawback, as provided in Section 8 below, the Qualifying Entity's failure to meet the Job Target will constitute a breach of this Agreement.

- e. **Training Credit.** The Qualifying Entity will train 24 new individuals for employment by outside agencies annually. During year 1 (2024), the number of individuals may be prorated depending on the renovation schedule. While failure to meet certain Minimum Training Numbers may result in a Performance Clawback, as provided in Section 8 below, the Qualifying Entity's failure to meet the Job Target will constitute a breach of this Agreement.
- f. **Community Services.** The Qualifying Entity will engage the community by providing at least 3 networking events monthly or 36 annually. These will be free to all companies and individuals within Alamogordo. While failure to meet community service events will need to be documented, every attempt to do 3 a month or 36 annually will be made.
- g. **Schedule.** A preliminary Project schedule is as follows, but failure to meet these milestones *will not* constitute a breach of this Agreement.

May 2024	Acquire Facility and Initiate improvements.
Summer 2024	Open Innovation Center for operations.

- h. **Sustainability.** Although the Qualifying Entity intends to have a long-term presence in the City of Alamogordo for the contractual obligations of this Agreement, the Qualifying Entity covenants to continue operating the Project until December 31, 2028.

4. **The City Obligations**

- a. The City agrees to provide \$1,000,000 of upfront Economic Development Incentives to the Qualifying Entity to purchase 3200 North White Sands Blvd, Alamogordo, NM 88310, to help offset the cost of repair, interior and exterior renovations including (but not limited to) plumbing, electrical, and roof. The City will disburse the City Contribution only in the manner described in this Agreement. For purposes of this Agreement, LEDA Eligible Expenditures shall mean expenditures including, but not limited to, building and infrastructure, including permanently installed and situated physical assets, and the design, labor, and permitting required to put them in place. Examples include foundation, drainage improvements, electrical wiring, architecture fees, insulation, landscaping, and equipment rentals.
- b. This Agreement Shall not be construed as a commitment, issue, or obligation of any specific funds other than those received by the City from its Municipal Infrastructure Gross Receipts Tax.
- c. The functions and duties assumed by the City include only those described in this Agreement, and the City is not obligated to act except in accordance with the terms and conditions of this Agreement. The Qualifying Entity acknowledges that the City does not warrant any equipment, materials, or services purchased with the funds. The Qualifying Entity shall be obligated hereunder even if the equipment, materials, or services are defective or fail to conform to the warranties extended by the supplier. The obligations of the Qualifying Entity shall not be affected by any dispute the Qualifying Entity may have with any manufacturer, distributor, contractor, or supplier. The Qualifying Entity will not assert any claim or defense which it may have against any manufacturer, distributor, supplier, or contractor against the City. The City is under no duty to supervise or inspect the installation or construction contemplated by this Agreement. Any inspection or examination by the City is for the sole purpose of protecting the City's security and preserving the City's

rights under this Agreement. No default of the Qualifying Entity will be waived by any inspection by the City. In no event will any inspection by the City be a representation that the installation or construction is free from defective materials or workmanship

5. **Disbursement of Economic Development Incentive.** The City agrees to disburse funds to purchase the building no sooner than 7 days after the final passing of Ordinance 1670. The disbursements may be to the realtor/title company or New Mexico Learn LLC upon proper documentation. If payment is made to the Qualifying Entity, it agrees to provide proof of building purchase within 30 days. Upon closing, the City will file a mortgage on the property. The City agrees to disburse the remainder of the funds upon written request from New Mexico LLC, with an explicit intention of use of funds. All expenses incurred for renovation will be submitted quarterly.
6. **Review.** The City will review the expense received to ensure the charges submitted are LEDA-eligible. The City shall keep account of all eligible expenses incurred through the end of the contract period.
7. **Security/Collateral.**
 - a. To secure the qualifying Entity's obligation and liabilities under the Promissory Note, the City Shall retain a mortgage on the property at 3200 North White Sands Blvd, Alamogordo, NM 88310. The Qualifying Entity agrees to convey to the City a mortgage on the facility, which shall be duly recorded at the Otero County Clerk's Office to protect the City's interests in the event of default. This mortgage shall not terminate until Qualifying Entity's obligations hereunder have been achieved in full. Qualifying Entity may request City to release the mortgage upon satisfying this obligation. Upon such request, City will deliver the satisfaction of the mortgage to the Qualifying Entity within ten (10) business days of receipt by the City of the Qualifying Entity's written request.
8. **Clawbacks.** Notwithstanding any other provision of this Agreement, the Clawback Penalties outlined in this section (together with forfeiture of the security instrument provided to secure the Qualifying Entity's Clawback obligations) shall be one of any remedy available in Law to the City for breach of this Agreement available upon the Qualifying Entity's breach of this Agreement. The Qualifying Entity's financial obligation to repay LEDA funds due to Clawbacks shall not exceed the amount of the LEDA funds received by the Qualifying Entity.
 - a. **Facility Closure Clawback.** If the Qualifying Entity ceases operations in the City on or before December 31, 2028, the Qualifying Entity will repay to the City all LEDA Funds that the Qualifying Entity received from the City as of that date, less credits. The City shall have the right to execute reimbursement from the security to recover those funds, but only thirty (30) days following the written demand for payment to the Qualifying Entity if the Qualifying Entity hasn't repaid the requested LEDA Funds by that date. For purposes of this Agreement, a failure to produce the product for a period of 90 days or more or failure to occupy the facility shall be considered a cessation of operations.
 - b. **Performance Clawback.** The Qualifying Entity intends to create services to the general public in training the current and future workforce and to create specific jobs within the Alamogordo Innovation Center as described in 3(d), 3(e), and 3(f). If the Qualifying Entity does not meet or exceed the criteria set for, then the Qualifying Entity shall be required to pay a Clawback Penalty according to the schedule below.

Determination Date	Amount Clawback
December 31, 2024	\$1,000,000
December 31, 2025	\$747,200
December 31, 2026	\$458,600
December 31, 2027	\$189,500
December 31, 2028	\$ -

For the purposes of this section: The “Clawback Penalty” is a penalty that the Qualifying Entity will be required to pay the City upon the Qualifying Entity’s failure to meet the requirements on the applicable Determination Date if the Qualifying Entity does not otherwise reach such Minimum targets during the Cure Period. The Clawback Penalty shall equal the amount received less credit for jobs, training, and community service events.

“Cure Period” is the period of 180 days after each Determination Date, during which the Qualifying Entity shall have the opportunity to cure any shortfalls in meeting the Minimum targets. If the Qualifying Entity fails to reach the Minimum Job Number during the Cure Period, the Qualifying Entity shall pay the City a Clawback Penalty determined in accordance with the table set forth above. The sum of any clawback penalties shall not exceed the amount of any LEDA funds dispersed to the Qualifying Entity.

c. **Job Audit.** The Qualifying Entity shall submit annual reports in the form of an affidavit signed by an officer of the Qualifying Entity. Wage & hours worked documentation for new employees, documented training with employment verification from trainees, and documentation of community service events. The Qualifying Entity will provide all of such reports to the City. The City may request a copy of the Qualifying Entity’s quarterly employment reports at any time while this Agreement is in effect, and the Qualifying Entity agrees to provide such documents. The Qualifying Entity acknowledges that this annual reporting will be relied upon by the City to ascertain if the Qualifying Entity complies with this Agreement’s provisions and all subsequent ancillary agreements.

9. **Fees.** Each party shall bear its own costs and expenses in connection with the negotiation, execution, and delivery of this Agreement or any amendment or enforcement of this Agreement.

10. **Annual Performance Review.** To ensure the prudent use of the taxpayer’s funds and as required by the LEDA statute and ordinance, the Project will be subject to an annual performance review conducted by City staff beginning on December 31, 2023, and every year after that until this Agreement terminates. The review will evaluate whether the Project meets the requirements outlined in this Agreement and any subsequent agreements or amendments and shall be made available to the City. At this time, the Qualifying Entity may report any difficulties it has experienced under the terms of this Agreement or the LEDA program and may request any assistance it deems necessary. The City may request the Qualifying Entity to provide data and information to assess the broader economic impact of the Project, but the Qualifying Entity shall not be required to divulge information or documents it considers confidential or proprietary.

If the requirements are not being met, the City may terminate this assistance to the Project by passing a resolution that terminates this Agreement and specifying the disposition of all obligations of the Project. In addition, in accordance with LEDA, the City may enact an ordinance revoking the LEDA Ordinance and terminating any further payments for any or all Projects thereunder. If the City terminates the LEDA Ordinance or this Agreement while the Qualifying Entity complies with the terms and requirements of this Agreement, the City will not have a right to clawback any of the payments already made to the Qualifying Entity.

7. **Termination.** This Agreement shall terminate at the close of business on January 31, 2029, or when otherwise terminated by resolution.
10. **Request for early release of security.** After meeting the LEDA obligation, if the Qualifying Entity achieves and sustains the Minimum targets for 180 consecutive days (6 months) before January 31, 2029, the Qualifying Entity may request that the security be released. Said request shall be made in writing and accompanied by documentation. A request for security release may not be submitted before December 31, 2027. If a request for early security release is granted, this Agreement's reporting and annual performance review requirements remain in full effect through the stated termination date.
11. **Liability.** No party shall be responsible for liability incurred due to the other party's acts or omissions. Nothing herein shall operate or be deemed to alter or expand any liabilities or obligations under the applicable provisions of the New Mexico Tort Claims Act (NMSA 1978 §§ 41-4-1, et seq.) or to waive any immunities, limitations, or required procedures thereunder. Nothing in this Agreement constitutes a waiver of any party's right to seek judicial relief.
12. **Amendments.** This Agreement shall not be altered, changed, or amended except by an instrument in writing executed by all of the Parties hereto.
13. **Governing Law.** The laws of the State of New Mexico shall govern this Agreement.
14. **Miscellaneous.** This Agreement binds and inures to the benefit of the City and the Qualifying Entity and their respective successors and permitted assigns. This Agreement may be executed in any number of counterparts, each of which is an original and all of which constitute one instrument.
15. **Notice.** All notices or other written communications, including requests for disbursement, that are required or permitted to be given pursuant to this Agreement must be in writing and delivered personally, by a recognized courier service, by a recognized overnight delivery service, by fax, by electronic mail, or by registered or certified mail, postage prepaid, to the parties at the addresses shown below. If notice is mailed, it will be deemed received on the earlier of actual receipt or the third business day following the date of mailing. If a notice is hand-delivered or sent by overnight delivery service, it will be deemed received upon actual delivery. If any written notice is sent by facsimile or electronic mail, it will be deemed received upon printed or written confirmation of the transmission. A party may change its notice address by written notice to the other party to this Agreement.

The initial notice addresses for the parties are as follows:

If to the City:

City of Alamogordo
Office of the City Manager
1376 E Ninth St
Alamogordo, NM 88310

If to the Qualifying Entity:

Learn New Mexico
Attn: Michelle Perry, CEO
229 Grosvenor Ct.
Alamogordo, NM 88310
Tel: (575) 937-5991

Signatures on next Page

IN WITNESS WHEREOF, the Parties hereto have entered into this Agreement as of this _____ day of _____, 2019.

CITY OF ALAMOGORDO, NEW MEXICO
a New Mexico municipal corporation

By: _____
Stephanie HErnandez, Acting City Manager

Learn New Mexico, LLC

By: _____
Michelle Perry

ATTEST:

Rachel Hughs, City Clerk

APPROVED AS TO FORM:

Ashley Smith, City Attorney

**ALL FUNDS SUMMARY
BUDGET 2022-2023**

1/12TH REQ RSRV
1,761,851
1/12TH REQ RSRV
0
Fund Reserve Policy
468,745
Bal. Remaining
5,994,911

FY23 BUDGET - RESOLUTION 2023-28 (#13) JUNE 27, 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	23,949,868	1,046,208	13,187,955	(12,141,747)	21,142,211	8,225,507	2,230,596	5,994,911
12	INTERNAL SERVICE FUND	24,496	323,689	5,712,863	0	5,712,863	6,059,463	1,585		\$1,585
15	CORRECTIONS-JAIL	68,129	57,435	0	0	0	81,000	44,564		\$44,564
16	LODGER'S TAX-PROMOTIONAL FUND	555,375	222,325	0	1,753	(1,753)	626,702	149,245		\$149,245
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	417,829	0	69,520	(69,520)	620,650	326,740		\$326,740
21	D.A.R.E. DONATIONS FUND	23,702	1,142	0	0	0	9,846	14,998		\$14,998
24	GRANT CAPITAL IMPROVEMENT	0	3,865,134	49,500	0	49,500	3,621,202	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	566,381	6,927,930	0	6,927,930	7,500,445	7,318		\$7,318
33	FIRE PROTECTION	907,446	765,788	0	0	0	1,583,271	89,963		\$89,963
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	63,090	91,267		\$91,267
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	2,338,272	0	3,722,863	(3,722,863)	41,030	2,349,830	252,119	\$2,097,711
44	TRANSPORTATION FUND	5,822	1,237,478	4,700,457	264,025	4,436,432	5,639,958	39,774		\$39,774
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	2,357,209	0	1,945,315	(1,945,315)	1,441,299	3,679,395	268,391	\$3,411,004
50	PROPERTY ACQUISITION	85,009	0	0	0	0	0	85,009		\$85,009
53	GENERAL OBLIGATION	930,035	1,202,007	0	0	0	1,144,195	987,847	557,029	\$430,818
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	586,607	0	293,000	(293,000)	10,258	1,595,302		\$1,595,302
63	COMMUNITY DEVELOPMENT	0	0	489,892	28,910	460,982	458,651	2,331		\$2,331
69	1994 GROSS RECEIPTS	3,345,432	2,346,212	0	3,073,033	(3,073,033)	41,030	2,577,581	553,051	\$2,024,530
71	ALAMO SENIOR CENTER	430	918,260	926,366	0	926,366	1,833,448	11,608		\$11,608
74	ALAMO SENIOR CENTER GIFT	138,296	13,282	0	0	0	36,045	115,533		\$115,533
75	SENIOR VOLUNTEER PROGRAM	7,313	117,504	10,000	0	10,000	126,000	8,817		\$8,817
81	WATER/SEWER OPERATING	15,099,374	13,790,080	2,142,063	2,389,294	(247,231)	18,200,653	10,441,570	1,463,850	\$8,977,720
82	98 JT WATER/SEWER BOND P&I	1,119,487	13,473	1,846,380	0	1,846,380	1,846,378	1,132,962		\$1,132,962
86	SOLID WASTE COLLECTION SYS.	771,643	2,456,481	0	152,769	(152,769)	2,371,012	704,343	178,583	\$525,760
88	BONITO CAMPGROUND	398,101	3,003	150,000	0	150,000	152,000	399,104		\$399,104
89	ESGRT .0625%	2,282,812	577,920	0	764,146	(764,146)	1,191,288	905,298		\$905,298

**ALL FUNDS SUMMARY
BUDGET 2022-2023**

1/12TH REQ RSRV
1,761,851
1/12TH REQ RSRV
0
Fund Reserve Policy
468,745
Bal. Remaining
5,994,911

FY23 BUDGET - RESOLUTION 2023-28 (#13) JUNE 27, 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	1,755,800	900,647	0	900,647	2,713,169	6,739		\$6,739
91	AIRPORT	42,900	4,155,713	543,488	33,052	510,436	4,690,961	18,088		\$18,088
94	OTERO GREENTREE REG LANDFILL	3,655,124	1,263,067	0	4,276	(4,276)	3,120,245	1,793,670		\$1,793,670
96	SELF-INSURED FUND	547,004	84,177	0	276,600	(276,600)	72,373	282,208		\$282,208
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	1,220,821	0	0	0	208,620	6,589,411		\$6,589,411
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	4,780,739	0	4,091,083	(4,091,083)	3,753,329	11,493,942	534,452	\$10,959,490
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	3,952,892	0	0	0	7,850,785	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	78,530,948	30,337,594	30,337,594	0	107,427,776	59,267,106	6,124,952	53,142,154

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 8/8/2023

Report Date: 08/01/2023

Report No: 6.

Submitted By: Deborah Osborne

Subject: Consider, and act upon, approval of Resolution No. 2023-38 authorizing and approving submission of completed application for financial assistance and project approval to the New Mexico Finance Authority. (*Debbie Osborne, Grant Coordinator*) **(Roll Call Vote Required)**

Fiscal Impact: \$8,227,368

Amount Budgeted: \$0.00

Fund: 081

Additional Fiscal Impact: Loan repayment projected amount of \$8,227,368.

Recommendation: Approve Resolution No. 2023-38.

Background: In July, 2022, the City submitted an application to the New Mexico Environment Department to qualify for a Drinking Water State Revolving Fund loan for the construction of approximately 6.5 miles of 24-inch raw water line from Snake Tank Well 5, located approximately 10 miles north of Tularosa, NM, to serve as a dedicated pipeline to the 1-MGD Brackish Water Treatment facility, located in Alamogordo, NM. The City requested funding in the amount of \$12,000,000. The subsidy amount of the funding is 75%, \$691,320 will be grant subsidized, \$3,081,312 will be a mandatory disadvantaged assistance subsidy, and the projected repayable amount will be \$8,227,368. The interested rate is 0%.

RESOLUTION NO. 2023-38

AUTHORIZING AND APPROVING SUBMISSION OF A COMPLETED APPLICATION FOR FINANCIAL ASSISTANCE AND PROJECT APPROVAL TO THE NEW MEXICO FINANCE AUTHORITY

WHEREAS, the City of Alamogordo, New Mexico (“Borrower”) is a qualified entity under the Drinking Water State Revolving Loan Act, Sections 6-21A-1 et seq., NMSA 1978 (“Act”), and the Alamogordo City Commission (Governing Body”) is authorized to borrow funds and/or issue bonds for financing of public projects for benefit of the Borrower and the public; and

WHEREAS, the New Mexico Finance Authority (“Authority”) has instituted a program for financing of projects from the Drinking Water State Revolving Loan Fund created under the Act, and has developed an application procedure whereby the Governing Body may submit an application (“Application”) for financial assistance from the Authority for drinking water projects; and

WHEREAS, the Governing Body intends to undertake acquisition, construction and improvement of Well Transmission Line – Phase 1 the (“Project”) for the benefit of the Borrower and its citizens (or members as applicable); and

WHEREAS, the application prescribed by the Authority has been completed and submitted to the Governing Body and this resolution approving submission of the completed Application to the Authority for its consideration and review is required as part of the Application.

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

Section 1. That all action (not consistent with the provision hereof) heretofore taken by the Governing Body and the officers and employees thereof directed toward the Application and the Project, be hereby ratified, approved, and confirmed.

Section 2. That the completed Application submitted to the Governing Body be hereby approved and confirmed.

Section 3. That the officers and employees of the Governing Body are hereby directed and requested to submit the completed Application to the Authority for its review and are further authorized to take such other action as may be requested by the Authority in its consideration and review of the Application and to further proceed with arrangements for financing the Project.

Section 4. All acts and resolutions in conflict with this resolution are hereby rescinded, annulled, and repealed.

Section 5. This resolution shall take effect immediately upon its adoption.

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

GOVERNING BODY OF THE CITY OF
ALAMOGORDO, NEW MEXICO
a New Mexico Municipal Corporation

By _____
Susan L. Payne, Mayor

(Seal)

ATTEST:

Rachel Hugh, City Clerk

APPROVED AS TO FORM:

Ashley Smith, City Attorney

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 8/8/2023

Report Date: 08/01/2023

Report No: 7.

Submitted By: Deborah Osborne

Subject: Consider, and act upon, acceptance of a capital outlay reauthorization agreement to Alamogordo Fire Department from the Department of Finance in the amount of \$485,100.00. (*Debbie Osborne, Grant Coordinator*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact: No additional fiscal impact.

Recommendation: Accept reauthorization from the Department of Finance.

Background: The Alamogordo Fire Department was awarded a capital outlay grant in FY2022 to renovate Fire Station No. 7. After considering the amount of construction necessary and the condition of the existing building, it was decided that the City should request the funding to be reauthorized to renovate an area at the Oregon School building. The area will house fire department administrative offices and an emergency operations center, including a gymnasium. The reauthorization request was approved at the 2023 Legislative Session. (*Debbie Osborne, Grant Coordinator*)

**STATE OF NEW MEXICO
DEPARTMENT OF FINANCE AND ADMINISTRATION
FUND 89200 CAPITAL APPROPRIATION PROJECT**

THIS AGREEMENT is made and entered into by the Department of Finance and Administration, State of New Mexico, acting through the Local Government Division, Bataan Memorial Building, Room 202, Santa Fe New Mexico, 87501 hereinafter called the “Department” or abbreviation such as “DFA/LGD”, and **City of Alamogordo**, hereinafter called the “Grantee”. This Agreement shall be effective as of the date it is executed by the Department.

RECITALS

WHEREAS, in the Laws of 2023, Chapter 203, Section 164, the Legislature made an appropriation to the Department, funds from which the Department is making available to the Grantee pursuant to this Agreement; and

WHEREAS, the Department is granting to Grantee, and the Grantee is accepting the grant of, funds from this appropriation, in accordance with the terms and conditions of this Agreement; and

WHEREAS, pursuant to Sections 9-6-5 and 9-6-5.1 NMSA 1978, the Secretary of the Department of Finance and Administration has the power and the authority to (i) maintain long-range estimates and plans for capital projects and develop standards for measuring the need for, and utility of, proposed projects; (ii) contract for, receive and utilize any grants or other financial assistance made available by the United States government or by any other source, public or private; (iii) provide planning and funding assistance to units of local government, council of government organizations, Indian tribal governments situated within New Mexico, and to nonprofit entities having for their purpose local, regional or community betterment; (iv) incident to any such programs, may enter into contracts and agreements with such units of local government, council of government organizations, Indian tribal governments, nonprofit entities and the federal government; and (v) delegate such authority to the Local Government Division as being necessary and appropriate to such delegation;

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants and obligations contained herein, the parties hereby mutually agree as follows:

ARTICLE I. PROJECT DESCRIPTION, AMOUNT OF GRANT AND REVERSION DATE

A. The project that is the subject of this Agreement is described as follows:

23-H4162 \$485,100.00

APPROPRIATION REVERSION DATE: 30-JUN-2025

Laws of 2023, Chapter 203, Section 164, Four Hundred Eighty Five Thousand One Hundred Dollars and Zero cents (\$485,100.00), to The unexpended balance of the appropriation to the local government division in Subsection 259 of Section 29 of Chapter 138 of Laws 2021 to plan, design, construct, renovate, purchase, furnish and equip fire station number seven in Alamogordo in Otero county shall not be expended for the original purpose but is changed to plan, design, renovate, purchase, furnish and equip a facility to house fire

department administrative offices and an emergency operations center, including a gymnasium, in Alamogordo in Otero county.

The Grantee's total reimbursements shall not exceed Four Hundred Eighty Five Thousand One Hundred Dollars and Zero cents \$485,100.00 (the "Appropriation Amount") minus the allocation for Art in Public Places ("AIPP amount")⁴³, if applicable, Zero Dollars and Zero Cents (\$0.00), which equals Four Hundred Eighty Five Thousand One Hundred Dollars and Zero cents (\$485,100.00) (the "Adjusted Appropriation Amount").

In the event of a conflict among the Appropriation Amount, the Reversion Date, as defined herein and/or the purpose of the Project, as set forth in this Agreement, and the corresponding appropriation language in the laws cited above in this Article I(A), the language of the laws cited herein shall control.

This project is referred to throughout the remainder of this Agreement as the "Project"; the information contained in Article I(A) is referred to collectively throughout the remainder of this Agreement as the "Project Description." [OPTIONAL LANGUAGE: "Optional Attachment A sets forth additional or more stringent requirements and conditions, which are incorporated by this reference as if set forth fully herein. If Optional Attachment A imposes more stringent requirements than any requirement set forth in this Agreement, the more stringent requirements of Attachment A shall prevail, in the event of irreconcilable conflict.] The Grantee shall reference the Project's number in all correspondence with and submissions to the Department concerning the Project, including, but not limited to, Requests for Payment and reports.

ARTICLE II. LIMITATION ON DEPARTMENT'S OBLIGATION TO MAKE GRANT DISBURSEMENT TO GRANTEE

A. Upon the Effective Date of this Agreement, for permissible purposes within the scope of the Project Description, the Grantee shall only be reimbursed monies for which the Department has issued and the Grantee has received a Notice of Department's Obligation to Reimburse⁴⁴ Grantee (hereinafter referred to as "Notice of Obligation"). This Grant Agreement and the disbursement of any and all amounts of the above referenced Adjusted Appropriation Amount are expressly conditioned upon the following:

- (i) Irrespective of any Notice of Obligation, the Grantee's expenditures shall be made on or before the Reversion Date and, if applicable, an Early Termination Date (i.e., the goods have been delivered and accepted or the title to the goods has been transferred to the Grantee and/or the services have been rendered for the Grantee); and
- (ii) The total amount received by the Grantee shall not exceed the lesser of: (a) the Adjusted Appropriation Amount identified in Article I(A) herein or (b) the total of all amounts stated in the Notice(s) of Obligation evidencing that the Department has received and accepted the Grantee's Third Party Obligation(s), as defined in subparagraph iii of this Article II(A); and
- (iii) The Grantee's expenditures were made pursuant to the State Procurement Code and execution of binding written obligations or purchase orders with third party contractors or vendors for the provision of

⁴³ The AIPP amount is "an amount of money equal to one percent or two hundred thousand dollars (\$200,000), whichever is less, of the amount of money appropriated for new construction or any major renovation exceeding one hundred thousand dollars (\$100,000)." Section 13-4A-4 NMSA 1978.

⁴⁴ "Reimburse" as used throughout this Agreement includes Department payments to the Grantee for invoices received, but not yet paid, by the Grantee from a third party contractor or vendor, if the invoices comply with the provisions of this Agreement and are a valid liability of the Grantee.

services, including professional services, or the purchase of tangible personal property and real property for the Project, hereinafter referred to as “Third Party Obligations”; and

(iv) The Grantee’s submittal of timely Requests for Payment in accordance with the procedures set forth in Article IX of this Agreement; and

(v) In the event that capital assets acquired with Project funds are to be sold, leased, or licensed to or operated by a private entity, the sale, lease, license, or operating agreement:

- a. must be approved by the applicable oversight entity (if any) in accordance with law; or
- b. if no oversight entity is required to approve the transaction, the Department must approve the transaction as complying with law.

Prior to the sale, lease, license, or operating agreement being approved pursuant to Articles II(A)(v)(a) and II(A)(v)(b) herein, the Department may, in its sole and absolute discretion and unless inconsistent with State Board of Finance imposed conditions, reimburse the Grantee for necessary expenditures incurred to develop the Project sufficiently to make the sale, lease, license, or operating agreement commercially feasible, such as plan and design expenditures; and

(vi) The Grantee’s submission of documentation of all Third Party Obligations and amendments thereto (including terminations) to the Department and the Department’s issuance and the Grantee’s receiving of a Notice of Obligation for a particular amount in accordance with the terms of this Agreement shall be governed by the following:

- a. The Grantee shall submit to the Department one copy of all Third Party Obligations and amendments thereto (including terminations) as soon as possible after execution by the Third Party **but prior to execution by the Grantee.**
- b. Grantee acknowledges and agrees that if it chooses to enter into a Third Party Obligation prior to receiving a Notice of Obligation that covers the expenditure, it is solely responsible for such obligations.
- c. The Department may, in its sole and absolute discretion, issue to Grantee a Notice of Obligation for the particular amount of that Third Party Obligation that only obligates the Department to reimburse Grantee’s expenditures made on or before the Reversion Date or an Early Termination Date. The current Notice of Obligation form is attached to this Agreement as Exhibit 2.
- d. The date the Department signs the Notice of Obligation is the date that the Department’s Notice of Obligation is effective. After that date, the Grantee is authorized to budget the particular amount set forth in the Notice of Obligation, execute the Third Party Obligation and request the Third Party to begin work. Payment for any work performed or goods received prior to the effective date of the Notice of Obligation is wholly and solely the obligation of the Grantee.

B. The Grantee shall implement, in all respects, the Project. The Grantee shall provide all necessary qualified personnel, material, and facilities to implement the Project. The Grantee shall finance its share (if any) of the costs of the Project, including all Project overruns.

C. Project funds shall not be used for purposes other than those specified in the Project Description.

D. Unless specifically allowed by law, Project funds cannot be used to reimburse Grantee for indirect Project costs.

ARTICLE III. NOTICE PROVISIONS AND GRANTEE AND DEPARTMENT DESIGNATED REPRESENTATIVES

Whenever written notices, including written decisions, are to be given or received, related to this Agreement, the following provisions shall apply.

The Grantee designates the person(s) listed below, or their successor, as their official representative(s) concerning all matters related to this Agreement:

Grantee: City of Alamogordo
Name: Susan Payne
Title: Mayor
Address: 1376 East Nith Street Alamogordo NM 88310
Email: spayne@ci.alamogordo.nm.us
Telephone: 575-214-0024

The Grantee designates the person(s) listed below, or their successor, as their Fiscal Officer or Fiscal Agent concerning all matters related to this Agreement:

Grantee: City of Alamogordo
Name: Debbie Osborne
Title: Grant Coordinator
Address: 1376 E. 9th St. Alamogordo NM 88310
Email: dosborne@ci.alamogordo.nm.us
Telephone: 575-439-4257

The Department designates the persons listed below, or their successors, as the Points of Contact for matters related to this Agreement.

Department: DFA/Local Government Division
Name: Maureen Ayers
Title: Program Manager
Address: Bataan Memorial Bldg. Rm 202, Santa Fe, NM 87501
Email: maureen.ayers@dfa.nm.gov
Telephone: 505-470-0977

The Grantee and the Department agree that either party shall send all notices, including written decisions, related to this Agreement to the above named persons by email or regular mail. In the case of mailings, notices shall be deemed to have been given and received upon the date of the receiving party's actual receipt or five calendar days after mailing, whichever shall first occur. In the case of email transmissions, the notice shall be deemed to have been given and received on the date reflected on the delivery receipt of email.

ARTICLE IV. REVERSION DATE, TERM, DEADLINE TO EXPEND FUNDS

A. As referenced in Article I(A), the applicable law establishes a date by which Project funds must be expended by Grantee, which is referred to throughout the remainder of this Agreement as the “Reversion Date.” Upon being duly executed by both parties, this Agreement shall be effective as of the date of execution by the Department. It shall terminate on **June 30, 2025**, the Reversion Date unless Terminated Before Reversion Date (“Early Termination”) pursuant to Article V herein.

B. The Project’s funds must be expended on or before the Reversion Date and, if applicable, Early Termination Date of this Agreement. For purposes of this Agreement, it is not sufficient for the Grantee to encumber the Project funds on its books on or before the Project’s Reversion Date or Early Termination Date. Funds are expended and an expenditure has occurred as of the date that a particular quantity of goods are delivered to and received by the Grantee or title to the goods is transferred to the Grantee and/or as of the date particular services are rendered for the Grantee. Funds are **not** expended and an expenditure has **not** occurred as of the date they are encumbered by the Grantee pursuant to a contract or purchase order with a third party.

ARTICLE V. EARLY TERMINATION

A. Early Termination Before Reversion Date Due to Completion of the Project or Complete Expenditure of the Adjusted Appropriation or Violation of this Agreement

Early Termination includes:

- (i) Termination due to completion of the Project before the Reversion Date; or
- (ii) Termination due to complete expenditure of the Adjusted Appropriation Amount before the Reversion Date; or
- (iii) Termination for violation of the terms of this Agreement; or
- (iv) Termination for suspected mishandling of public funds, including but not limited to, fraud, waste, abuse, and conflicts of interest.

Either the Department or the Grantee may early terminate this Agreement prior to the Reversion Date by providing the other party with a minimum of fifteen (15) days’ advance, written notice of early termination. Grantee hereby waives any rights to assert an impairment of contract claim against the Department or the State of New Mexico in the event of Early Termination of this Agreement by the Department pursuant to Article V(A).

B. Early Termination Before Reversion Date Due to Non-appropriation

The terms of this Agreement are expressly made contingent upon sufficient appropriations and authorization being made by the Legislature of New Mexico for the performance of this Agreement. Throughout this Agreement the term “non-appropriate” or “non-appropriation” includes the following actions by the New Mexico Legislature: deauthorization, reauthorization or revocation of a prior authorization. The Legislature may choose to non-appropriate the Appropriation referred to in Article I and, if that occurs, the Department shall early terminate this Agreement for non-appropriation by giving the Grantee written notice of such termination, and such termination shall be effective as of the effective date of the law making the non-appropriation. The Department’s decision as to whether sufficient appropriations or authorizations are available shall be accepted by the Grantee and shall be final. Grantee hereby waives any rights to assert an impairment of contract claim against the Department or the State of New Mexico in the event of Early Termination of this Agreement by the Department pursuant to Article V(B).

C. Limitation on Department's Obligation to Make Grant Disbursements to Grantee in the Event of Early Termination

In the event of Early Termination of this Agreement by either party, the Department's sole and absolute obligation to reimburse the Grantee is expressly conditioned upon the limitations set forth Article II.

ARTICLE VI. SUSPENSION OF NEW OR FURTHER OBLIGATIONS

A. The Department may choose, in its sole and absolute discretion, to provide written notice to the Grantee to suspend entering into new and further obligations. Upon the receipt of such written notice by the Grantee:

- (i) The Grantee shall immediately suspend entering into new or further written obligations with third parties; and
- (ii) The Department will suspend the issuance of any new or further Notice of Obligation under this Agreement; and
- (iii) The Department may direct the Grantee to implement a corrective action plan in accordance with Article VI(D) herein.

B. In the event of Suspension of this Agreement, the Department's sole and absolute obligation to reimburse the Grantee is expressly conditioned upon the limitations set forth in Article II herein.

C. A suspension of new or further obligations under this Agreement shall remain in effect unless or until the date the Grantee receives written notice given by the Department informing the Grantee that the Suspension has been lifted or that the Agreement has been Early Terminated in accordance with Article V herein. If the Suspension is lifted, the Department will consider further requests for Notice of Obligation.

D. Corrective Action Plan in the Event of Suspension

In the event that the Department chooses, in its sole and absolute discretion to direct the Grantee to suspend entering into new or further written obligations with third parties pursuant to Article VI(A), the Department may, but is not obligated to, require the Grantee to develop and implement a written corrective action plan to remedy the grounds for the Suspension. Such corrective action plan must be approved by the Department and be signed by the Grantee. Failure to sign a corrective action plan or meet the terms and deadlines set forth in the signed corrective action plan, is hereby deemed a violation of the terms of this Agreement for purposes of Early Termination, Article V(A)(iii). The corrective action plan is in addition to, and not in lieu of, any other equitable or legal remedy, including but not limited to Early Termination.

ARTICLE VII. AMENDMENT

This Agreement shall not be altered, changed, or amended except by instrument in writing duly executed by both the parties hereto.

ARTICLE VIII. REPORTS

A. Database Reporting

The Grantee shall report quarterly Project activity by entering such Project information as the Department and the Department of Finance and Administration may require, such information entered directly into a database maintained by the Department of Finance and Administration (Budget & Formulation Management System). Additionally, the Grantee shall certify on the Request for Payment form (Exhibit 1) that updates have been maintained and are current in the database. The Grantee hereby acknowledges that failure to perform and/or certify updates into the database will delay or

potentially jeopardize the reimbursement of funds. The Department shall give Grantee a minimum of thirty (30) days' advance written notice of any changes to the information the Grantee is required to report.

Quarterly reports shall be due on the last day of the month that is 30 days prior to the end of the quarter following execution of this Agreement by the Department and ending during the quarter of the submission of the final request for reimbursement for the Project, or the following quarter.

B. Requests for Additional Information/Project Inspection

During the term of this Agreement and during the period of time during which the Grantee must maintain records pursuant to Article VIII, the Department may:

- (i) request such additional information regarding the Project as it deems necessary; and
- (ii) conduct, at reasonable times and upon reasonable notice, onsite inspections of the Project.

Grantee shall respond to such requests for additional information within a reasonable period of time, as established by the Department.

ARTICLE IX. REQUEST FOR PAYMENT PROCEDURES AND DEADLINES

A. The Grantee shall request payment by submitting a Request for Payment, in the form attached hereto as Exhibit 1. Payment requests are subject to the following procedures:

- (i) The Grantee must submit a Request for Payment; and
- (ii) Each Request for Payment must contain proof of payment by the Grantee or liabilities incurred by the Grantee showing that the expenditures are valid or are liabilities incurred by the Grantee in the form of actual unpaid invoices received by the Grantee for services rendered by a third party or items of tangible personal property received by the Grantee for the implementation of the Project; provided, however, that the Grantee may be reimbursed for unpaid liabilities only if the Department, in its sole and absolute discretion, agrees to do so and in accordance with any special conditions imposed by the Department.
- (iii) In cases where the Grantee is submitting a Request for Payment to the Department based upon invoices received, but not yet paid, by the Grantee from a third party contractor or vendor, if the invoices comply with the provisions of this Agreement and are a valid liability of the Grantee, the Grantee shall make payment to those contractors or vendors within five (5) business days from the date of receiving reimbursement from the Department or such shorter period of time as the Department may prescribe in writing. The Grantee is required to certify to the Department proof of payment to the third party contractor or vendor within ten (10) business days from the date of receiving reimbursement from the Department.

B. The Grantee must obligate 5% of the Adjusted Appropriation Amount within six months of acceptance of the grant agreement and must have expended no less than 85% of the Adjusted Appropriation Amount six months prior to the reversion date.

C. Deadlines

Requests for Payments shall be submitted by Grantee to the Department on the earlier of:

- (i) Immediately as they are received by the Grantee but at a minimum thirty (30) days from when the expenditure was incurred or liability of the Grantee was approved as evidenced by an unpaid invoice received by the Grantee from a third party contractor or vendor; or
- (ii) Twenty (20) days from date of Early Termination; or

- (iii) Twenty (20) days from the Reversion Date.

D. The Grantee's failure to abide by the requirements set forth in Article II and Article IX herein will result in the denial of its Request for Payment or will delay the processing of Requests for Payment. The Department has the right to reject a payment request for the Project unless and until it is satisfied that the expenditures in the Request for Payment are for permissible purposes within the meaning of the Project Description and that the expenditures and the Grantee are otherwise in compliance with this Agreement, including but not limited to, compliance with the reporting requirements and the requirements set forth in Article II herein to provide Third Party Obligations and the Deadlines set forth in Article IX herein. The Department's ability to reject any Request for Payment is in addition to, and not in lieu of, any other legal or equitable remedy available to the Department due to Grantee's violation of this Agreement.

ARTICLE X. PROJECT CONDITIONS AND RESTRICTIONS; REPRESENTATIONS AND WARRANTIES

- A. The following general conditions and restrictions are applicable to the Project:
 - (i) The Project's funds must be spent in accordance with all applicable state laws, regulations, policies, and guidelines, including, but not limited to, the State Procurement Code (or local procurement ordinance, where applicable).
 - (ii) The Project must be implemented in accordance with the New Mexico Public Works Minimum Wage Act, Section 13-4-10 through 13-4-17 NMSA 1978, as applicable. Every contract or project in excess of sixty thousand dollars (\$60,000) that the Grantee is a party to for construction, alteration, demolition or repair or any combination of these, including painting and decorating, of public buildings, public works or public roads and that requires or involves the employment of mechanics, laborers or both shall contain a provision stating the minimum wages and fringe benefits to be paid to various classes of laborers and mechanics, shall be based upon the wages and benefits that will be determined by the New Mexico Department of Workforce Solutions to be prevailing for the corresponding classes of laborers and mechanics employed on contract work of a similar nature in the locality. Further, every contract or project shall contain a stipulation that the contractor, subcontractor, employer or a person acting as a contractor shall pay all mechanics and laborers employed on the site of the project, unconditionally and not less often than once a week and without subsequent unlawful deduction or rebate on any account, the full amounts accrued at time of payment computed at wage rates and fringe benefit rates not less than those determined pursuant to Section 13-4-11 (B) NMSA 1978 to be the prevailing wage rates and prevailing fringe benefit rates issued for the project.
 - (iii) The Project may only benefit private entities in accordance with applicable law, including, but not limited to, Article IX, Section 14 of the Constitution of the State of New Mexico, the "Anti-Donation Clause."
 - (iv) The Grantee shall not for a period of 10 years from the date of this agreement convert any property acquired, built, renovated, repaired, designed or developed with the Project's funds to uses other than those specified in the Project Description without the Department's and the Board of Finance's express, advance, written approval, which may include a requirement to reimburse the State for the cost of the project, transfer proceeds from the disposition of property to the State, or otherwise provide consideration to the State.
 - (v) The Grantee shall comply with all federal and state laws, rules and regulations pertaining to equal employment opportunity. In accordance with all such laws, rules and regulations the

Grantee agrees to assure that no person shall, on the grounds of race, color, national origin, sex, sexual preference, age or handicap, be excluded from employment with Grantee, be excluded from participation in the Project, be denied benefits or otherwise be subject to discrimination under, any activity performed under this Agreement. If Grantee is found to be not in compliance with these requirements during the life of this Agreement, Grantee agrees to take appropriate steps to correct any deficiencies. The Grantee's failure to implement such appropriate steps within a reasonable time constitutes grounds for terminating this Agreement.

- B. The Grantee hereby represents and warrants the following:
- (i) The Grantee has the legal authority to receive and expend the Project's funds.
 - (ii) This Agreement has been duly authorized by the Grantee, the person executing this Agreement has authority to do so, and, once executed by the Grantee, this Agreement shall constitute a binding obligation of the Grantee, enforceable according to its terms.
 - (iii) This Agreement and the Grantee's obligations hereunder do not conflict with any law or ordinance or resolution applicable to the Grantee, the Grantee's charter (if applicable), or any judgment or decree to which the Grantee is subject.
 - (iv) The Grantee has independently confirmed that the Project Description, including, but not limited to, the amount and Reversion Date, is consistent with the underlying appropriation in law.
 - (v) The Grantee's governing body has duly adopted or passed as an official act a resolution, motion, or similar action authorizing the person identified as the official representative of the Grantee to sign the Agreement and to sign Requests for Payment.
 - (vi) The Grantee shall abide by New Mexico laws regarding conflicts of interest, governmental conduct and whistleblower protection. The Grantee specifically agrees that no officer or employee of the local jurisdiction or its designees or agents, no member of the governing body, and no other public official of the locality who exercises any function or responsibility with respect to this Grant, during their tenure or for one year thereafter, shall have any interest, direct or indirect, in any contract or subcontract, or the proceeds thereof, for work to be performed or goods to be received, pursuant to this Grant. Further, Grantee shall require all of its contractors to incorporate in all subcontracts the language set forth in this paragraph prohibiting conflicts of interest.
 - (vii) No funds have been paid or will be paid, by or on behalf of the Grantee, to any person for influencing or attempting to influence an officer or employee of this or any agency or body in connection with the awarding of any Third Party Obligation and that the Grantee shall require certifying language prohibiting lobbying to be included in the award documents for all subawards, including subcontracts, loans and cooperative agreements. All subrecipients shall be required to certify accordingly.

ARTICLE XI. STRICT ACCOUNTABILITY OF RECEIPTS AND DISBURSEMENTS; PROJECT RECORDS

A. The Grantee shall be strictly accountable for receipts and disbursements relating to the Project's funds. The Grantee shall follow generally accepted accounting principles, and, if feasible, maintain a separate bank account or fund with a separate organizational code, for the funds to assure separate budgeting and accounting of the funds.

B. For a period of six (6) years following the Project's completion, the Grantee shall maintain all Project related records, including, but not limited to, all financial records, requests for proposals, invitations to bid, selection and award criteria, contracts and subcontracts, advertisements, minutes of pertinent meetings, as well as records sufficient to fully account for the amount and disposition of the total funds from all sources budgeted for the Project, the purpose for which such funds were used, and such other records as the Department shall prescribe.

C. The Grantee shall make all Project records available to the Department, the Department of Finance and Administration, and the New Mexico State Auditor upon request. With respect to the funds that are the subject of this Agreement, if the State Auditor or the Department of Finance and Administration finds that any or all of these funds were improperly expended, the Grantee may be required to reimburse to the State of New Mexico, to the originating fund, any and all amounts found to be improperly expended.

ARTICLE XII. IMPROPERLY REIMBURSED FUNDS

If the Department determines that part or all of the Appropriation Amount was improperly reimbursed to Grantee, including but not limited to, Project funds reimbursed to Grantee based upon fraud, mismanagement, misrepresentation, misuse, violation of law by the Grantee, or violation of this Agreement, the Grantee shall return such funds to the Department for disposition in accordance with law.

ARTICLE XIII. LIABILITY

Neither party shall be responsible for liability incurred as a result of the other party's acts or omissions in connection with this Agreement. Any liability incurred in connection with this Agreement is subject to immunities and limitations of the New Mexico Tort Claims Act.

ARTICLE XIV. SCOPE OF AGREEMENT

This Agreement constitutes the entire and exclusive agreement between the Grantee and Department concerning the subject matter hereof. The Agreement supersedes any and all prior or contemporaneous agreements, understandings, discussions, communications, and representations, written or verbal.

ARTICLE XV. REQUIRED NON-APPROPRIATIONS CLAUSE IN CONTRACTS FUNDED IN WHOLE OR PART BY FUNDS MADE AVAILABLE UNDER THIS AGREEMENT

The Grantee acknowledges, warrants, and agrees that Grantee shall include a “non-appropriations” clause in all contracts between it and other parties that are (i) funded in whole or part by funds made available under this Agreement and (ii) entered into after the effective date of this Agreement that states:

“The terms of this Agreement are contingent upon sufficient appropriations and authorization being made by the Legislature of New Mexico for the performance of this Agreement. If sufficient appropriations and authorization are not made by the Legislature, the **City of Alamogordo** may immediately terminate this Agreement by giving Contractor written notice of such termination. The **City of Alamogordo’s** decision as to whether sufficient appropriations are available shall be accepted by the Contractor and shall be final. Contractor hereby waives any rights to assert an impairment of contract claim against the **City of Alamogordo** or the Department of Finance and Administration, Local Government Division (DFA/LGD) or the State of New

Mexico in the event of immediate or Early Termination of this Agreement by the **City of Alamogordo** or the Department”

ARTICLE XVI. REQUIRED TERMINATION CLAUSE IN CONTRACTS FUNDED IN WHOLE OR PART BY FUNDS MADE AVAILABLE UNDER THIS AGREEMENT

Grantee acknowledges, warrants, and agrees that Grantee shall include the following termination clause in all contracts that are (i) funded in whole or part by funds made available under this Agreement and (ii) entered into after the effective date of this Agreement:

“This contract is funded in whole or in part by funds made available under a DFA/LGD Grant Agreement. Should the DFA/LGD early terminate the grant agreement, the **City of Alamogordo** may early terminate this contract by providing Contractor written notice of such termination. In the event of termination pursuant to this paragraph, the **City of Alamogordo** only liability shall be to pay Contractor for acceptable goods delivered and services rendered before the termination date.”

Grantee hereby waives any rights to assert an impairment of contract claim against the Department or the State of New Mexico in the event of Early Termination of this Agreement by the Department.

ARTICLE XVII. COMPLIANCE WITH UNIFORM FUNDING CRITERIA.

A. Throughout the term of this Agreement, Grantee shall:

1. submit all reports of annual audits and agreed upon procedures required by Section 12-6-3(A)-(B) NMSA 1978 by the due dates established in 2.2.2 NMAC, reports of which must be a public record pursuant to Section 12-6-5(A) NMSA 1978 within forty-five days of delivery to the State Auditor;
2. have a duly adopted budget for the current fiscal year approved by its budgetary oversight agency (if any);
3. timely submit all required financial reports to its budgetary oversight agency (if any); and
4. have adequate accounting methods and procedures to expend grant funds in accordance with applicable law and account for and safeguard grant funds and assets acquired by grant funds.

B. In the event Grantee fails to comply with the requirements of Paragraph A of this Article XVII, the Department may take one or more of the following actions:

1. suspend new or further obligations pursuant to Article VI(A) of this Agreement;
2. require the Grantee to develop and implement a written corrective action plan pursuant to Article VI(D) of this Agreement to remedy the non-compliance;
3. impose special grant conditions to address the non-compliance by giving the Grantee notice of such special conditions in accordance with Article III of this Agreement; the special conditions shall be binding and effective on the date that notice is deemed to have been given pursuant to Article III; or
4. terminate this Agreement pursuant to Article V(A) of this Agreement.

ARTICLE XVIII. [OPTIONAL IF THE APPROPRIATION IS FUNDED BY SEVERANCE TAX BONDS OR GENERAL OBLIGATION BONDS] SEVERANCE TAX BOND AND GENERAL OBLIGATION BOND PROJECT CLAUSES

A. Grantee acknowledges and agrees that the underlying appropriation for the Project is a severance tax bond or general obligation bond appropriation, and that the associated bond proceeds are administered by the New Mexico State Board of Finance (SBOF), an entity separate and distinct from the Department. Grantee acknowledges and agrees that (i) it is Grantee's sole and absolute responsibility to determine through SBOF staff what (if any) conditions are currently imposed on the Project; (ii) the Department's failure to inform Grantee of a SBOF imposed condition does not affect the validity or enforceability of the condition; (iii) the SBOF may in the future impose further or different conditions upon the Project; (iv) all SBOF conditions are effective without amendment of this Agreement; (v) all applicable SBOF conditions must be satisfied before the SBOF will release to the Department funds subject to the condition(s); and (vi) the Department's obligation to reimburse Grantee from the Project is contingent upon the then current SBOF conditions being satisfied.

B. Grantee acknowledges and agrees that the SBOF may in its sole and absolute discretion remove a project's assigned bond proceeds if the project doesn't proceed sufficiently. Entities must comply with the requirement to encumber five percent (5%) of Project funds within six months of bond issuance as certified by the grantee in the Bond Questionnaire and Certification documents submitted to the SBOF. Failure to comply may result in the bond proceeds reassignment to a new ready project. If this should occur this grant agreement will be suspended until the entity has demonstrated readiness as determined by the SBOF and the Department.

C. Grantee acknowledges and agrees that this Agreement is subject to the SBOF's Bond Project Disbursements rule, NMAC 2.61.6, as may be amended or re-codified. The rule provides definitions and interpretations of grant language for the purpose of determining whether a particular activity is allowable under the authorizing language of the agreement.

[THIS SPACE LEFT BLANK INTENTIONALLY]

IN WITNESS WHEREOF, the parties have duly executed this Agreement as of the date of execution by the Department.

GRANTEE

Signature of Official with Authority to Bind Grantee

City of Alamogordo
Entity Name

By: _____
Susan Payne, Mayor
(Type or Print Name)

Its: _____
(Type or Print Title)

Date

**DEPARTMENT OF FINANCE AND ADMINISTRATION
LOCAL GOVERNMENT DIVISION**

By:

Its: Division Director

Date

**STATE OF NEW MEXICO
CAPITAL GRANT PROJECT
Request for Payment Form
Exhibit 1**

I. Grantee Information

(Make sure information is complete & accurate)

- A. Grantee: _____
- B. Address: _____
(Complete Mailing, including Suite, if applicable)

City, State, Zip
- C. Contact Name/Phone #: _____
- D. Grant No: _____
- E. Project Title: _____
- F. Grant Expiration Date: _____

II. Payment Computation

- A. Payment Request No. _____
- B. Grant Amount: _____
- C. AIPP Amount (If Applicable): _____
- D. Funds Requested to Date: _____
- E. Amount Requested this Payment: _____
- F. Reversion Amount (If Applicable): _____
- G. Grant Balance: _____
- H. ☐ GF ☐ GOB ☐ STB (attach wire if first draw)
- I. ☐ Final Request for Payment (if Applicable)

III. Fiscal Year : _____

(The State of NM Fiscal Year is July 1, 20XX through June 30, 20XX of the following year)

- IV. ☐ Reporting Certification:** I hereby certify to the best of my knowledge and belief, that database reporting is up to date; to include the accuracy of expenditures and grant balance, project status, project phase, achievements and milestones; and in compliance with Article VIII of the Capital Outlay Grant Agreement.

- V. ☐ Compliance Certification:** Under penalty of law, I hereby certify to the best of my knowledge and belief, the above information is correct; expenditures are properly documented, and are valid expenditures or actual receipts; and that the grant activity is in full compliance with Article IX, Sec. 14 of the New Mexico Constitution known as the "anti donation" clause.

Grantee Fiscal Officer
or **Fiscal Agent** (if applicable)

Grantee Representative

Printed Name

Date: _____

Printed Name

Date: _____

(State Agency Use Only)

Vendor Code: _____ Fund No.: _____ Loc No.: _____

I certify that the State Agency financial and vendor file information agree with the above submitted information.

Division Fiscal Officer Date

Division Project Manager Date

NOTICE OF OBLIGATION TO REIMBURSE GRANTEE
EXHIBIT 2

Notice of Obligation to Reimburse Grantee # _____

DATE: _____

TO: Department Representative: _____, _____

FROM: Grantee Entity: _____

Grantee Official Representative: _____

SUBJECT: Notice of Obligation to Reimburse Grantee

Grant Number: _____

Grant Termination Date: _____

As the designated representative of the Department for Grant Agreement number _____ entered into between Grantee and the Department, I certify that the Grantee has submitted to the Department the following third party obligation executed, in writing, by the third party's authorized representative:

Vendor or Contractor: _____

Third Party Obligation Amount: _____

Vendor or Contractor: _____

Third Party Obligation Amount: _____

I certify that the State is issuing this Notice of Obligation to Reimburse Grantee for permissible purposes within the scope of the project description, subject to all the terms and conditions of the above referenced Grant Agreement.

Grant Amount (Minus AIPP if applicable): _____

The Amount of this Notice of Obligation: _____

The Total Amount of all Previously Issued Notices of Obligation: _____

The Total Amount of all Notices of Obligation to Date: _____

Note: Contract amounts may exceed the total grant amount, but the invoices paid by the grant will not exceed the grant amount.

Department Rep. Approver: _____

Title: _____

Signature: _____

Date: _____

¹ Administrative and/or Indirect Cost – generally, the legislation authorizing the issuance of bonds prohibits the use of its proceeds for indirect expenses (e.g. penalty fees or damages other than pay for work performed, attorney fees, and administrative fees). Such use of bond proceeds shall not be allowed unless specifically authorized by statute.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 8/8/2023

Report Date: 08/03/2023

Report No: 8.

Submitted By: Rachel Hughs

Subject: Approve Resolution No. 2023-39 authorizing the Mayor to execute the agreement for membership in the Southeastern New Mexico Economic Development District/Council of Governments. (SNMEDD/COG). *(Rachel Hughs, City Clerk)* **(Roll Call Vote Required)**

Fiscal Impact: \$9,121.00
Amount Budgeted: \$9,121
Fund: 011.000.2400.0000.55505.

Additional Fiscal Impact:

Recommendation: Approve Resolution No. 2023-39 and agreement.

Background: The City is currently a member of SNMEDD/COG, and the proposed Resolution will continue the membership for the next fiscal year. The annual membership fee for the coming year is \$9,121. This is a standard resolution required by SNMEDD/COG and approved annually by the City Commission.



Dora Batista
Executive Director

**SOUTHEASTERN NEW MEXICO
ECONOMIC DEVELOPMENT DISTRICT**

COUNCIL OF GOVERNMENTS

1600 SE Main, Suite D
Roswell, NM 88203
Phone: (575) 624-6131
Fax: (575) 624-6134
www.snmedd.com

July 5, 2023

Susan Payne, Mayor
City of Alamogordo
1376 E. Ninth
Alamogordo, NM 88310-5855

RECEIVED

JUL 21 2023

CITY CLERK

Dear Mayor Susan Payne:

With regard to your annual membership in the District for the 2023-2024 fiscal year, we have enclosed the following:

- I. AGREEMENT** – required by the Department of Finance and Administration for disbursement of local funds and which conforms to state regulations. Two copies are enclosed. After the Agreement has been executed, please keep one copy and return one to our office.
- II. RESOLUTION** – upon approval by your council or commission, it is to be signed, attached to and distributed with the attached Agreement.
- III. 2023-2024 ASSESSMENT SCHEDULE AND BUDGET FOR 2023-2024** enclosed for your information.
- IV. WORK PROGRAM FOR STATE APPROPRIATED FUNDS** – enclosed for your information.
- V. INVOICE** – enclosed for billing and bookkeeping purposes. Please return one copy with your check.

The most recent audit and financial statements are available upon request.

As you know, we are in the process of finalizing the SNMEDD/COG budget for the coming year and your prompt attention is greatly appreciated.

If you have any questions or require further information, please feel free to contact me. Thank you for your support and letting us serve you.

Sincerely,

Dora Batista
Executive Director

DB/pm
Enclosures

AGREEMENT

This Agreement, entered into by and between the Southeastern New Mexico Economic Development District/COG (hereinafter known as the "District") and the City of Alamogordo a member of said District (hereinafter known as the "Member") is as follows:

I. The District agrees to provide the following services to the Member upon request and final approval of the District budget:

- A. Undertake studies, collect data and develop regional plans and programs pertaining to such subjects as human and natural resource development, community facilities and the general improvement of living and working environments.
- B. Furnish technical and management assistance in the development of planning activities.
- C. Coordinate local planning with that of other Members of the District and the State.
- D. Assist in community and economic development, transportation and public works projects.
- E. Assist member governments with their legislative activities.
- F. Assist in the preparation of applications for funding under various state, federal and private grant programs. Contracts for administration may be entered into between Member and District if Member requires or desires District to administrate project.
- G. Provide a Comprehensive Economic Development Strategy at the direction of the Board.
- H. Engage in such other activities as are necessary to improve area development and address regional problems.

II. The Member agrees to the following:

- A. To remain an active member of the District.
- B. To make an annual contribution of \$ 9,121.00 to the District as recognition of active membership.

Entered into this _____ day of _____, 2023, at

New Mexico

ATTEST:

Clerk

Mayor/Commission Chairman

ATTEST:

SOUTHEASTERN NEW MEXICO
ECONOMIC DEVELOPMENT DISTRICT/COG

Dora Batista, Secretary

Mike Gallagher, President

RESOLUTION NO. 2023-39

APPROVING THE AGREEMENT BETWEEN THE CITY AND SOUTHEASTERN NEW MEXICO ECONOMIC DEVELOPMENT DISTRICT/COG (SNMEDD)

WHEREAS, the City Commission for the City of Alamogordo, New Mexico, hereinafter referred to as the Municipality, is a member of and desires the services of the Southeastern New Mexico Economic Development District/COG; and,

WHEREAS, in accordance with Article 58, §4-58-1 to §4-58-6 NMSA 1978, an agreement setting forth the terms and conditions of active membership in the Southeastern New Mexico Economic Development District/COG is required; and,

WHEREAS, it is the desire of the Municipality to continue as an active member of the Southeastern New Mexico Economic Development District/COG.

NOW, THEREFORE, BE IT RESOLVED, by the City Commission for the City of Alamogordo, New Mexico that:

1. The Agreement attached to this Resolution expresses the desires and intent of the Municipality.
2. The Agreement attached is hereby ratified and approved and the proper officials of the Municipality are hereby authorized and instructed to affix their signatures thereto.
3. A copy of this Resolution (together with the referenced Agreement) shall be filed with the State of New Mexico Department of Finance and Administration, Local Government Division, and the Southeastern New Mexico Economic Development District/COG, and shall be made a part of the budget documentation of the Municipality.

DONE this _____ day of _____, 2023.

CITY OF ALAMOGORDO, NEW MEXICO
a New Mexico municipal corporation

By: _____
Susan L. Payne, Mayor

ATTEST:

APPROVED AS TO FORM:

Rachel Hughs, City Clerk

Ashley Smith, City Attorney



Dora Batista
Executive Director

**SOUTHEASTERN NEW MEXICO
ECONOMIC DEVELOPMENT DISTRICT
COUNCIL OF GOVERNMENTS**

1600 SE Main, Suite D
Roswell, NM 88203
Phone: (575) 624-6131
Fax: (575) 624-6134
www.snmedd.com

Invoice

Invoice Date: July 5, 2023

Susan Payne, Mayor
City of Alamogordo
1376 E. Ninth
Alamogordo, NM 88310-5855

DESCRIPTION

AMOUNT

FY 2023-2024 MEMBER GOVERNMENT CONTRIBUTION

\$9,121.00

Total Due \$9,121.00

- Please make checks payable to Southeastern New Mexico Economic Development District.

T h a n k Y o u

"Leadership to enhance the region's quality of life, services and jobs"

SOUTHEASTERN NEW MEXICO ECONOMIC DEVELOPMENT DISTRICT/COG

DUES STRUCTURE

MEMBER

2023-2024

Chaves County	\$8,000	
Eddy County	\$8,000	
Lea County	\$8,000	
Lincoln County	\$7,000	
Otero County	\$8,000	
Town of Dexter	\$1,000	
Town of Hagerman	\$1,000	
Town of Lake Arthur	\$1,000	
City of Roswell	\$13,588	
City of Artesia	\$3,450	
City of Carlsbad	\$7,641	
Village of Hope	\$1,000	
Village of Loving	\$1,000	
City of Eunice	\$1,000	
City of Hobbs	\$10,237	
City of Jal	\$1,000	
City of Lovington	\$3,303	
Town of Tatum	\$1,000	
Village of Capitan	\$1,000	
Town of Carrizozo	\$1,000	
Village of Corona	\$1,000	
Village of Ruidoso	\$2,450	
City of Ruidoso Downs	\$1,000	
City of Alamogordo	\$9,121	
Village of Cloudcroft	\$1,000	
Village of Tularosa	\$1,000	
TOTALS:	\$102,790	

SNMEDD APPROVED BUDGET 2023-2024

	Budget
Income	
Contracts And Fees Income	\$5,000.00
DFA-Grant Writing Reimbursement	\$88,014.44
DFA NM Govt. Approp.	\$99,000.00
DFA Grants Mgmt (new)	\$200,000.00
EDA Fed Gov't	\$70,000.00
EDA Disaster Recovery Grant	\$250,000.00
Grant Administration	\$130,000.00
Interest Income	\$100.00
Led-Tech Cap Grant Reimb	\$64,708.59
Legislative Cap Grant (new)	\$175,000.00
Member Dues	\$102,790.00
Reimbursement Income	\$100.00
Unbudgeted Revenue	\$0.00
Total Income	\$1,184,713.03
Expense	
Advertising	\$500.00
Audit	\$16,703.00
Total Communication	\$8,725.00
Contract Services	\$250,000.00
DFA Grants Mgmt (new)	\$200,000.00
Equip Lease/Repair	\$7,500.00
Equip. Purchases	\$4,000.00
Fringe Benefits	\$100,000.00
Legis Tech Cap Grant (new)	\$175,000.00
Payroll Taxes and Expense	\$22,000.00
Program Operations	\$66,514.00
Salary and Wages	\$236,493.55
Travel	\$20,000.00
Unbudgeted Balance	\$77,277.48
Total Expense	\$1,184,713.03

Southeastern New Mexico Economic Development District/ Council of Governments

FY 2023-2024 ANNUAL WORK PLAN

State of New Mexico Grant-In-Aid Program

The following are functions, measures, targets and tasks the Southeastern New Mexico Economic Development District/Council of Governments (SNMEDD/COG) will complete in fulfillment of its obligation to its member governments and the State of New Mexico Department of Finance and Administration-Local Government Division to provide planning, technical assistance and capacity building services to local governments in southeastern New Mexico.

Function 1. Submit reports, budgets and planning outcomes to the Local Government Division.

- Task 1.1 Prior to July 1, 2023 submit a Board approved Annual Work and Operations Budget to the Local Government Division.
- Task 1.2 Submit Quarterly Progress Reports and payment reimbursement invoices to the Local Government Division no later than the 15th day of the month (January, April, July, October) following the close of each quarter. Quarterly reports must be approved by the Board of Directors prior to submittal. The Annual Report will be submitted following the Annual Meeting in January, 2023.
- Task 1.3 Provide professional development training to staff at least once annually.
- Task 1.4 Schedule and include as an agenda item for each quarterly meeting of the Board of Directors a training or information component to benefit local elected officials such as speakers from relevant agencies.
- Task 1.5 Attend regularly scheduled meetings of member governments; special purpose meetings; provide technical assistance, conduct public hearings and assist in whatever capacity we are able.

- Task 1.6 Attend regularly scheduled Board Meetings, conferences, or webinars sponsored by the Southwest Regional Executive Directors Association and the National Association of Development Organizations (NADO), and New Mexico Association of Regional Councils.

Benefit to New Mexico Citizens: Increased timeliness of reporting activities. Increased capacity of regional planning district. Better coordination between regional and state levels.

Function 2. Community Development Block Grant, Economic Development Public Works Assistance, Colonias Infrastructure Fund and other funding assistance programs—Provide local governments with application and general technical assistance.

- Task 2.1 Inform all members of CDBG, EDA, USDA, CIF and other funding program rule changes and Notifications of Funding Assistance (NOFA) including recover act funds.
- Task 2.2 Prepare and complete funding assistance applications for members upon their request including the conducting of public hearings as may be necessary.
- Task 2.3 Provide Grant Administration and Technical Assistance to member governments upon approval of a contractual agreement between the local government and the funding agency.
- Task 2.4 Coordinate presentations to the Community Development Council and Colonias Infrastructure Fund Board by our member governments seeking CDBG or CIF funding.
- Task 2.5 Assist local governments with the seeking of funds for updating comprehensive plans

Benefit to New Mexico Citizens: Better prepared funding assistance applications and presentations. Well implemented and administered project grants.

Function 3. Infrastructure Planning—Coordinate the ICIP process regionally.

- Task 3.1 Sponsor ICIP training session that will be presented to local governments and others by DFA/LGD staff.
- Task 3.2 Assist and provide local governments technical assistance with the development and submittal of the ICIP as needed.
- Task 3.3 Encourage local municipal, county governments and other entities to include operation and maintenance costs in the ICIP.
- Task 3.4 Encourage submission of ICIP to the State
- Task 3.5 Encourage members to develop financing plans for each of their top five ICIP priorities, including a project description, secured sources of funding and, where applicable, utility rate structure and asset management plans.
- Task 3.6 Have staff attend and encourage local government members to attend, the annual New Mexico Infrastructure Finance Conference and other relevant conferences.
- Task 3.7 Conduct regional clearinghouse review, as may be necessary for all applications submitted to funding agencies.

Benefits to New Mexico Citizens: Timely and meaningful local infrastructure planning connected to financing sources.

Function 4. Capital Outlay—Increase quality of project planning, legislative representation and administration.

- Task 4.1 Assist local entities seeking assistance in the preparation and submission of capital outlay request forms through informational workshops and direct application technical assistance.
- Task 4.2 Work with Legislators throughout the region on locally established capital improvement priorities by holding project vetting hearings in each county and allowing municipalities and counties the opportunity to present potential projects to their legislators. Work with reauthorizations when necessary.

- Task 4.3 Assist with testimony or information as might be required during the legislative session.
- Task 4.4 Prepare a preliminary list of projects submitted by local entities and submit list to local legislators.
- Task 4.5 Track capital outlay legislation relevant to community development, infrastructure improvement projects and project planning and programming.
- Task 4.6 Work with local elected officials to complete on-going projects in a timely manner or recommend reauthorization, re-appropriation or reversion of grant funds as may be necessary.

Benefit to New Mexico Citizens: Better and more timely use of taxpayer funds to support local infrastructure projects

Function 5. Rural Support—Build capacity of local governments, rural water associations and other rural organizations.

- Task 5.1 Coordinate a minimum of one training session in planning, budgeting, finance, auditing and/or administration for District Officials and their staffs.
- Task 5.2 Work with rural water associations, community ditches, acequias and other non-members on capital project planning. Assistance may be based on a Board approved fee for service schedule.
- Task 5.3 Engage rural members and non-members requesting assistance in “project prospectus development”, develop, review and vet projects seeking funding sources to meet specific project needs. Assistance may be based on a Board approved fee for service schedule.
- Task 5.4 Offer a training workshop to rural water associations and other non-member organizations in each county on the capital improvement project planning process.
- Task 5.5 Provide opportunities and information for local government staff and/or elected officials to attend capacity building training, workshops

and conferences sponsored by state, regional and national planning and development organizations and funding sources.

Task 5.6 Provide US Census data information and support for the region as the US Census Bureau Affiliate.

Task 5.7 Provide public relations for the SNMEDD and local governments through continuous media dissemination.

Task 5.8 Meet with community elected and appointed officials and key community leaders to increase community capacity building foundation.

Task 5.9 Educate and inform the general public, legislative and congressional law makers about the negative impact of regulatory constraints on local economies.

Function 6. Transportation—Provide local governments with assistance to improve the region's transportation system for the efficient movement of goods, services, and people.

Task 6.1 Compile and maintain a database of transportation-related projects that may be contemplated or that are ready to be implemented for local governments within the region.

Task 6.2 Maintain transportation-related technical information on the website, as available, to assist local governments and others in packaging applications that improve the infrastructure of the region.

Task 6.3 Provide orientations or similar training to newly appointed RPO members representing local governments, preparing them in their roles on the Regional Transportation Policy and Technical Committees.

Task 6.4 Meet with local elected officials, informing them of the transportation-related programs and activities available to them through the Southeastern Regional Planning Organization (SERTPO) and encourage their input in regional transportation planning.

Task 6.5 Maintain and provide the SERTPO regional transportation planning function in concert with the New Mexico Department of Transportation.

Task 6.6 Organize, schedule and host, as necessary, SERTPO Policy Committee and Technical Committee meetings.

Benefit to New Mexico Citizens: Assist in the development of a comprehensive transportation network and infrastructure improvements plan to move people, goods and services efficiently.

Function 7. Provide resources toward the development of new business or business expansions to retain and create jobs.

Task 7.1 Prepare a Comprehensive Economic Development Strategy update for submittal to our local government members and the Economic Development Administration (EDA) under the guidance and rules established by EDA.

Task 7.2 Meet quarterly with the region's five economic development corporation/entities to gather and share information.

Task 7.3 Support the energy industry in the region by attending energy related workshops and meeting quarterly with energy related professionals.

Task 7.4 Support and promote the local agriculture and related value added industries.

Task 7.5 Provide business counseling and training to prospective and existing small business owners through the operation of the Small Business Development Center with Eastern New Mexico University-Roswell.

Benefit to New Mexico Citizens: Develop regional resources to improve and strengthen the existing core for sustainable communities.

Function 8: Provide information; technical assistance and funding opportunities during the COVID 19 pandemic

- Task 8.1 Develop a Regional Economic Recovery Plan funded by EDA Cares Act funds
- Task 8.2 Provide funding opportunities, technical assistance and Stimulus Program information to our Municipalities and Counties
- Task 8.3 Provide funding opportunities, and collaboration with local Main Street Programs; Economic Development Corporations; Chambers Of Commerce for local businesses
- Task 8.4 Work with State and Federal Representatives to bring information; assistance and opportunities to our District that are a result of the COVID pandemic

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 8/8/2023

Report Date: 08/03/2023

Report No: 9.

Submitted By: Rachel Hughs

Subject: Consider, and act upon appointing the Mayor as the Voting Delegate for the New Mexico Municipal League 66th Annual Conference. *(Rachel Hughs, City Clerk)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Appoint the Mayor as the Voting Delegate.

Background:

The Mayor is the only elected official on the Commission attending the annual conference this year.



**MUNICIPAL CLERKS: PLEASE DISTRIBUTE COPIES TO YOUR
ENTIRE GOVERNING BODY**

TO: **MAYORS/GOVERNING BODY MEMBERS**
FROM: A.J. Forte, Executive Director
SUBJECT: **2023 ANNUAL CONFERENCE VOTING DELEGATES**
DATE: July 6, 2023

The 66th Annual Conference of the NM Municipal League will be held August 30th through September 1st in Farmington.

At the Annual Business Meeting on Thursday, August 31st, a President Elect, Vice President, Treasurer and three Directors-at-Large for a 2-Year Term will be elected. Also, the *Annual Statement of Municipal Policy and Annual Resolutions* will be adopted.

Each member municipality in good standing that is registered and attending the Annual Conference shall be entitled to one delegate vote in electing officers, deciding municipal policy and voting upon all other questions at the Annual Business Meeting. A municipality in good standing means that at least one-half of the municipality's current League annual dues must have been paid prior to or at the Conference. The vote of the municipality is cast by the Voting Delegate (or in her/his absence, the Alternate) who is selected by the governing body of the municipality.

The Annual Business Meeting will be conducted in accordance with Robert's Rules of Order Revised, and the Annual Business Meeting Rules and Procedures, which shall govern the actions and deliberations of the League membership assembled in convention. Attached for your information are the *Policy Process Outline and the Annual Business Meeting Rules and Procedures*.

Please place the selection of a Voting Delegate and Alternate on the agenda of your next official governing body meeting. **The Voting Delegate and Alternate must be persons planning to attend the Conference.** Once they are selected, enter the names and titles of the Voting Delegate and Alternate for your municipality and **return this form to the League Office no later than Friday, August 25, 2023.**

This is **not** an official registration form for the Annual Conference for either the Voting Delegate or the Alternate. Delegates must register for the Conference online.

Voting Delegates & Alternates must check in with NMML Staff at the Credential's Desk at the Conference.

Municipality: _____

Voting Delegate: _____ Title: _____

Alternate: _____ Title: _____

Approved By: _____

RETURN BY AUGUST 25, 2023 to:

Jackie Portillo, Support Services Coordinator
NM Municipal League
P.O. Box 846 – Santa Fe, NM 87504
jportillo@nmml.org
Fax: 505-984-1392

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 8/8/2023

Report Date: 08/01/2023

Report No: 10.

Submitted By: Deborah Osborne

Subject: Consider, and act upon, Resolution No. 2023-37, adopting an Infrastructure Capital Improvement Plan (ICIP) and identifying the top five (5) recommended capital outlay projects for Fiscal Years 2025-2029. *(Debbie Osborne, Grant Coordinator)* **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact: No Additional Fiscal Impact

Recommendation: Approve Resolution No. 2023-37

Background: Each year, the City provides our Legislatures with a prioritized list of Capital Improvement Projects for possible Legislative funding. As a result, the Office of the City Manager and staff initiated the annual ICIP process by requesting City departments to submit feasible projects for consideration. A public meeting was held on Monday, July 31, 2023, to receive public input regarding the ICIP list. Staff requests that the City Commission approve the ICIP project list as recommended and that the top five ICIP projects be presented for Legislative Capital Outlay Requests for possible funding.

The five (5) recommended projects for capital outlay applications are:

APD, Procurement of Police Department Vehicles & Equipment, \$500,000.00

Community Services, Bear Enclosure Renovations and Expansion at Alameda Park Zoo, \$400,000.00

Community Services, Construct and Equip Restroom at Alameda Park Zoo, \$350,000.00

Community Services, Library North Patio Renovations, \$125,000.00

Parks & Recreation, Dudley School Playground, \$147,000.00

RESOLUTION NO. 2023-37

**A RESOLUTION ADOPTING THE FISCAL YEAR 2024-2028 INFRASTRUCTURE
CAPITAL IMPROVEMENT PLAN (ICIP) FOR THE CITY OF ALAMOGORDO, OTERO
COUNTY, NEW MEXICO**

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

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

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

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

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

Section 1. The City of Alamogordo has adopted the attached FY2025-2029 Infrastructure Capital Improvement Plan; and,

Section 2. It is intended that the Plan be a working document and that it be the first of many steps towards improving rational, long-range capital planning and budgeting for New Mexico's infrastructure.

Section 3. The City of Alamogordo has identified five (5) projects on the FY2025-2029 Infrastructure Capital Improvement Plan that they recommend for capital outlay applications,

Section 4. This Resolution superseded Resolution No. 2022-34.

PASSED APPROVED AND ADOPTED this _____ of _____ 2023.

CITY OF ALAMOGORDO, NEW MEXICO
A New Mexico Municipal Corporation

Susan L Payne, Mayor

ATTEST:

APPROVED AS TO FORM;

Rachel Hughs, City Clerk

Ashley Smith, City Attorney

Department	Project Title	Category	Fund Sources	Funded to Date	2025	2026	2027	2028	2029	Project Grand Total
Alamogordo Police Department	Procurement of Police Department Vehicles & Equipment	Public Safety Equipment/Bldgs	CAPITAL OUTLAY	\$ 4,629,000.00	\$ 500,000.00	\$ 500,000.00	\$ 500,000.00	\$ 500,000.00	\$ 500,000.00	\$ 7,129,000.00
Community Services	Bear Enclosure Renovations and Expansion at Alameda Park Zoo	Public Park	GRANTS CAPITAL OUTLAY LOCAL FUND	\$ -	\$ 400,000.00	\$ -	\$ -	\$ -	\$ -	\$ 400,000.00
Community Services	Construct and Equip Restroom at Alameda Park Zoo	Public Park	CAPITAL OUTLAY FEDERAL GRANTS STATE GRANTS	\$ -	\$ 350,000.00	\$ -	\$ -	\$ -	\$ -	\$ 350,000.00
Community Services	Library North Patio Renovations	Library	CAPITAL OUTLAY LOCAL FUND	\$ -	\$ 125,000.00	\$ -	\$ -	\$ -	\$ -	\$ 125,000.00
Parks & Recreation	Dudley School Playground	Public Park	CAPITAL OUTLAY FEDERAL GRANTS STATE GRANTS	\$ -	\$ 147,000.00	\$ -	\$ -	\$ -	\$ -	\$ 147,000.00
Administration	Development of Industrial Park	Buildings	CAPITAL OUTLAY OTHER STATE GRANTS NMFA LOAN LOCAL FUNDS	\$ -	\$ 2,000,000.00	\$ 3,000,000.00	\$ 3,000,000.00	\$ 3,000,000.00	\$ 2,000,000.00	\$ 13,000,000.00
Airport	Design Runway 22/04 and Taxiway Lighting	Airports	CAPITAL OUTLAY FEDERAL	\$ -	\$ 300,000.00	\$ -	\$ -	\$ -	\$ -	\$ 300,000.00
Airport	Construct Runway 22/04 and Taxiway Lighting	Airports	CAPITAL OUTLAY FEDERAL	\$ -	\$ -	\$ 2,750,000.00	\$ -	\$ -	\$ -	\$ 2,750,000.00
Airport	Design Rehab and Strengthen Runway 22/04 and Multiple Taxiways	Airports	CAPITAL OUTLAY FEDERAL	\$ -	\$ -	\$ 800,000.00	\$ -	\$ -	\$ -	\$ 800,000.00
Airport	Construct Rehab and Strengthen Runway 22/04 and Multiple Taxiways	Airports	CAPITAL OUTLAY FEDERAL	\$ -	\$ -	\$ -	\$ 2,500,000.00	\$ -	\$ -	\$ 2,500,000.00

Department	Project Title	Category	Fund Sources	Funded to Date	2025	2026	2027	2028	2029	Project Grand Total
Airport	Design Rehab of Heavy Aircraft and General Aviation Parking Ramp	Airports	CAPITAL OUTLAY FEDERAL GRANT	\$ -	\$ -	\$ -	\$ 350,000.00	\$ -	\$ -	\$ 350,000.00
Airport	Construct Rehab of Heavy Aircraft and General Aviation Parking Ramp	Airports	CAPITAL OUTLAY FEDERAL GRANT	\$ -	\$ -	\$ -	\$ -	\$ 1,200,000.00	\$ -	\$ 1,200,000.00
Airport	Design Relocation of Taxiway A Center Line	Airports	CAPITAL OUTLAY FEDERAL	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 500,000.00	\$ 500,000.00
Airport	Airport Master Plan	Airports	CAPITAL OUTLAY FEDERAL GRANT	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 350,000.00	\$ 350,000.00
Alamogordo Fire Department	Purchase of New Aerial Ladder Truck for AFD	Fire	CAPITAL OUTLAY FIRE FUND GRANT LOCAL FUNDS	\$ 300,000.00	\$ 1,200,000.00	\$ -	\$ -	\$ -	\$ -	\$ 1,500,000.00
Alamogordo Fire Department	Construct New Fire Station #2 for District 2	Fire	CAPITAL OUTLAY OTHER STATE GRANTS	\$ -	\$ 60,000.00	\$ 1,500,000.00	\$ -	\$ -	\$ -	\$ 1,560,000.00
Alamogordo Fire Department	Land Purchase & Development for New Fire Facility	Fire	CAPITAL OUTLAY OTHER STATE GRANTS NMFA LOAN LOCAL FUNDS	\$ -	\$ 380,000.00	\$ -	\$ -	\$ -	\$ -	\$ 380,000.00
Alamogordo Police Department	Construct New APD Facility	Public Safety Equipment/Bldgs	CAPITAL OUTLAY STATE GRANTS FEDERAL GRANTS OTHER GRANTS	\$ -	\$ 300,000.00	\$ -	\$ 15,000,000.00	\$ -	\$ -	\$ 15,300,000.00
Alamogordo Police Department	New Tasers and Equipment for Tasers	Public Safety Equipment/Bldgs	CAPITAL OUTLAY OTHER GRANTS	\$ -	\$ 300,000.00	\$ -	\$ -	\$ -	\$ -	\$ 300,000.00
Community Services	Purchase and Equip Vehicle for City Zoo	Public Park	GRANTS CAPITAL OUTLAY LOCAL FUND	\$ -	\$ 85,000.00	\$ -	\$ -	\$ -	\$ -	\$ 85,000.00

Department	Project Title	Category	Fund Sources	Funded to Date	2025	2026	2027	2028	2029	Project Grand Total
Community Services	Plan, Design and Construction of Fleet Parking Lot at Alamo Senior Center	Senior Facilities	STATE GRANTS ALTSD CAPITAL OUTLAY	\$ -	\$ 1,062,830.00	\$ -	\$ -	\$ -	\$ -	\$ 1,062,830.00
Community Services	Repair of Stucco at Alamo Senior Center	Senior Facilities	STATE GRANTS ALTSD CAPITAL OUTLAY	\$ -	\$ 26,761.00	\$ -	\$ -	\$ -	\$ -	\$ 26,761.00
Community Services	New Fleet Vehicle	Senior Facilities	STATE GRANTS ALTSD CAPITAL OUTLAY	\$ -	\$ 79,820.00	\$ -	\$ -	\$ -	\$ -	\$ 79,820.00
Community Services	Plan, Design, Construct, Furnish, Equip an Enclosed Patio for Alamo Senior Center	Senior Facilities	STATE GRANTS ALTSD CAPITAL OUTLAY	\$ -	\$ 250,000.00	\$ -	\$ -	\$ -	\$ -	\$ 250,000.00
Community Services	Senior Center Hot Truck	Senior Facilities		\$ -	\$ 133,333.00	\$ -	\$ -	\$ -	\$ -	\$ 133,333.00
Community Services	Dudley School Building Renovation	Cultural Facilities	CAPITAL OUTLAY FEDERAL GRANTS STATE GRANTS	\$ 116,000.00	\$ 440,000.00	\$ -	\$ -	\$ -	\$ -	\$ 556,000.00
Community Services	Construct New Civic Center	Cultural Facilities	CAPITAL OUTLAY FEDERAL GRANT	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 20,000,000.00	\$ 20,000,000.00
Community Services	Procurement of Special Events Equipment	Cultural Facilities	CAPITAL OUTLAY FEDERAL GRANTS STATE GRANTS	\$ -	\$ 300,000.00	\$ -	\$ -	\$ -	\$ -	\$ 300,000.00
Engineering	Construction of ADA- Compliant Corridors	Other	LOCAL FUNDS CAPITAL OUTLAY CDBG GRANT	\$ -	\$ 300,000.00	\$ -	\$ -	\$ -	\$ -	\$ 300,000.00
Parks & Recreation	Reconstruction of Circulatory Roads for Bonito Lake Park and Camp Ground	Public Park	FEDERAL GRANTS STATE GRANTS CAPITAL OUTLAY	\$ -	\$ 500,000.00	\$ 500,000.00	\$ -	\$ -	\$ -	\$ 1,000,000.00

Department	Project Title	Category	Fund Sources	Funded to Date	2025	2026	2027	2028	2029	Project Grand Total
Parks & Recreation	Replacement of Irrigation Systems at Desert Lakes Golf Course-Phase 2	Public Park	CAPITAL OUTLAY LOCAL FUND	\$ 2,000,000.00	\$ 500,000.00	\$ 500,000.00	\$ -	\$ -	\$ -	\$ 3,000,000.00
Parks & Recreation OR Community Services	Construction of Alamogordo Station	Facility-Other	FEDERAL GRANTS STATE GRANTS CAPITAL OUTLAY	\$ 1,000,000.00	\$ -	\$ -	\$ -	\$ -	\$ 15,000,000.00	\$ 16,000,000.00
Parks & Recreation	Purchase and Install Driving Range Net Extension	Public Park	CAPITAL OUTLAY LOCAL FUND	\$ -	\$ -	\$ -	\$ -	\$ -		\$ 100,000.00
Parks & Recreation	Purchase and Equip Vehicles for Golf Course and City Parks	Public Park	GRANTS CAPITAL OUTLAY LOCAL FUND	\$ -	\$ 150,000.00	\$ -	\$ -	\$ -	\$ -	\$ 120,000.00
Parks & Recreation	Bonito Lake Park Fishing Access and Day Use Re-Opening	Public Park	FEDERAL GRANTS STATE GRANTS CAPITAL OUTLAY	\$ -	\$ 500,000.00	\$ -	\$ -	\$ -	\$ -	\$ 500,000.00
Parks & Recreation	Construction of Natatorium	Recreation Facility	FEDERAL GRANTS STATE GRANTS CAPITAL OUTLAY	\$ -	\$ 10,000,000.00	\$ -	\$ -	\$ -	\$ -	\$ 10,000,000.00
Parks & Recreation	Purchase and Installation of Permanent Rubber Safety Mulch at Playgrounds throughout the City.	Public Park	FEDERAL GRANTS STATE GRANTS CAPITAL OUTLAY	\$ -	\$ 200,000.00	\$ 200,000.00	\$ 200,000.00	\$ 200,000.00	\$ 200,000.00	\$ 1,000,000.00
Parks & Recreation	Renovation of Ponds at Desert Lake Golf Course	Recreation Facility	FEDERAL GRANTS STATE GRANTS CAPITAL OUTLAY	\$ -	\$ 200,000.00	\$ 200,000.00	\$ 200,000.00	\$ -	\$ -	\$ 600,000.00
Parks & Recreation	Plan and Design Community Garden in Alamogordo	Park	FEDERAL GRANTS STATE GRANTS CAPITAL OUTLAY		\$ 250,000.00					\$ 250,000.00

Department	Project Title	Category	Fund Sources	Funded to Date	2025	2026	2027	2028	2029	Project Grand Total
Parks & Recreation	Plan and Design Lake Area in Alamogordo	Park	FEDERAL GRANTS STATE GRANTS CAPITAL OUTLAY							\$ -
Public Works	Hubbard Bridge Re-Construction	Highways/Roads/ Streets/Bridges	DOT GRANT STATE GRANT CAPITAL OUTLAY	\$ 250,000.00	\$ 1,200,000.00	\$ -	\$ -	\$ -	\$ -	\$ 1,450,000.00
Public Works	Bridge Repair Tenth Street and Washington Avenue	Highways/Roads/ Streets/Bridges	DOT GRANT STATE GRANT CAPITAL OUTLAY	\$ 130,000.00	\$ 400,000.00	\$ -	\$ -	\$ -	\$ -	\$ 530,000.00
Public Works	Dry Canyon Arroyo Improvements Phase 1	Highways/Roads/ Streets/Bridges	DOT GRANT STATE GRANT CAPITAL OUTLAY	\$ 185,000.00	\$ 3,000,000.00		\$ -	\$ -	\$ -	\$ 3,185,000.00
Public Works	Dry Canyon Arroyo Improvements Phase 2	Highways/Roads/ Streets/Bridges	DOT GRANT STATE GRANT CAPITAL OUTLAY	\$ 60,000.00	\$ -	\$ 125,000.00	\$ 3,800,000.00		\$ -	\$ 3,985,000.00
Public Works	Dry Canyon Arroyo Improvements Phase 3	Highways/Roads/ Streets/Bridges	DOT GRANT STATE GRANT CAPITAL OUTLAY	\$ 60,000.00	\$ -	\$ 125,000.00	\$ 2,500,000.00	\$ -	\$ -	\$ 2,625,000.00
Utilities	Snake Tank Transmission Line	Water Supply	LOCAL FUNDS LOCAL BOND NMED GRANT CAPITAL OUTLAY NMED LOAN	\$ 1,200,000.00	\$ 4,600,000.00	\$ 4,600,000.00	\$ 4,600,000.00	\$ 4,600,000.00	\$ 4,600,000.00	\$ 24,200,000.00
Utilities	Fresnal Canyon Pipeline Replacement, Diversion 5 to Snow Smith Springs	Water Supply	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	\$ -	\$ 1,500,000.00	\$ -	\$ -	\$ -	\$ -	\$ 1,500,000.00
Utilities	Foothills Water Storage Rehab	Water Supply	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	\$ -	\$ 1,052,300.00	\$ -	\$ -	\$ -	\$ -	\$ 1,052,300.00
Utilities	La Luz Well #4 Replacement	Water Supply	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	\$ -	\$ 1,500,000.00	\$ -	\$ -	\$ -	\$ -	\$ 1,500,000.00

Department	Project Title	Category	Fund Sources	Funded to Date	2025	2026	2027	2028	2029	Project Grand Total
Utilities	Lower Alamo Water Storage Rehab	Water Supply	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	\$ -	\$ 810,600.00	\$ -	\$ -	\$ -	\$ -	\$ 810,600.00
Utilities	Ocotillo Water Storage Rehab	Water Supply	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	\$ -	\$ 1,200,000.00	\$ -	\$ -	\$ -	\$ -	\$ 1,200,000.00
Utilities	Construct Zone 3 Transmission Main	Water Supply	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	\$ -	\$ 5,500,000.00	\$ -	\$ -	\$ -	\$ -	\$ 5,500,000.00
Utilities	Redrill & Equip Well # 4	Water Supply	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	\$ -	\$ 1,500,000.00	\$ -	\$ -	\$ -	\$ -	\$ 1,500,000.00
Utilities	Griggs Field Reclaimed Gst	Wastewater Reclamation	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	\$ -	\$ -	\$ -	\$ -	\$ 1,500,000.00	\$ -	\$ 1,500,000.00
Utilities	10th Street Water Storage Rehab	Water Supply	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	\$ -	\$ 208,600.00	\$ -	\$ -	\$ -	\$ -	\$ 208,600.00
Utilities	Snake Tank Well Equipping	Water Supply	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	\$ -	\$ 2,052,000.00	\$ -	\$ -	\$ -	\$ -	\$ 2,052,000.00
Utilities	Zone 3 Transmission Main	Water Supply	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	\$ -	\$ 5,500,000.00	\$ -	\$ -	\$ -	\$ -	\$ 5,500,000.00

Department	Project Title	Category	Fund Sources	Funded to Date	2025	2026	2027	2028	2029	Project Grand Total
Utilities	Zone 4 Distribution Improvements (Hwy 70 East & West)	Water Supply	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	\$ -	\$ 4,000,000.00	\$ 4,500,000.00	\$ -	\$ -	\$ -	\$ 8,500,000.00
Utilities	Prather Transmission Main Replacement	Water Supply	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	\$ -	\$ -	\$ 4,500,000.00	\$ 4,500,000.00	\$ -	\$ -	\$ 9,000,000.00
Utilities	Spring Collection Can Renovation / Replacement (source water) Alamo Canyon / Gordon Canyon	Water Production	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	\$ -	\$ 1,500,000.00	\$ -	\$ -	\$ -	\$ -	\$ 1,500,000.00
Utilities	Spring Collection Can Renovation / Replacement (source water) Caballero	Water Production	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	\$ -	\$ 600,000.00	\$ -	\$ -	\$ -	\$ -	\$ 600,000.00
Utilities	Wastewater Plant Phase 4	Water Production	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	\$ -	\$ 4,500,000.00	\$ -	\$ -	\$ -	\$ -	\$ 4,500,000.00
Utilities	Elevated Tank Water Pressure Zone 4 for Fireflow	Water Distribution	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	\$ -	\$ -	\$ 5,000,000.00	\$ -	\$ -	\$ -	\$ 5,000,000.00
Utilities	Golf Course Area Gst (3mg Additional Storage)	Water Production	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	\$ -	\$ -	\$ 5,000,000.00	\$ -	\$ -	\$ -	\$ 5,000,000.00
Utilities	Spring Collection Can Renovation / Replacement (source water) Lower Maruche	Water Production	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	\$ -	\$ -	\$ 600,000.00	\$ -	\$ -	\$ -	\$ 600,000.00

Department	Project Title	Category	Fund Sources	Funded to Date	2025	2026	2027	2028	2029	Project Grand Total
Utilities	Spring Collection Can Renovation / Replacement (source water) Lower Springer	Water Production	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	\$ -	\$ -	\$ 150,000.00	\$ -	\$ -	\$ -	\$ 150,000.00
Utilities	Spring Collection Can Renovation / Replacement (source water) Snow Smith	Water Production	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	\$ -	\$ -	\$ 150,000.00	\$ -	\$ -	\$ -	\$ 150,000.00
Utilities	Spring Collection Can Renovation / Replacement (source water) Upper Maruche	Water Production	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	\$ -	\$ -	\$ 300,000.00	\$ -	\$ -	\$ -	\$ 300,000.00
Utilities	University Park Gst	Wastewater Reclamation	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	\$ -	\$ -	\$ 1,500,000.00	\$ -	\$ -	\$ -	\$ 1,500,000.00
Utilities	18th Street Reclaimed Gst	Wastewater Reclamation	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	\$ -	\$ -	\$ -	\$ 1,500,000.00	\$ -	\$ -	\$ 1,500,000.00
Utilities	24" Waterline Extension Scenic & 18th to Indian Wells Road (Carmel section included)	Water Distribution	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	\$ -	\$ -	\$ -	\$ 380,000.00	\$ -	\$ -	\$ 380,000.00
Utilities	Spring Collection Can Renovation / Replacement (source water) Crockett	Water Production	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	\$ -	\$ -	\$ -	\$ 600,000.00	\$ -	\$ -	\$ 600,000.00
Utilities	Upper Ocotillo Storage Tank Installation 3.0 MG	Water Production	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,200,000.00	\$ 3,200,000.00

Department	Project Title	Category	Fund Sources	Funded to Date	2025	2026	2027	2028	2029	Project Grand Total
Utilities	La Luz Surface Water Plant Renovation	Water Production	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 12,000,000.00	\$ 12,000,000.00
Utilities	Alamo Surface Water Plant Renovation	Water Production	LOCAL FUNDS LOCAL BOND NMED GRANT/LOAN CAPITAL OUTLAY	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6,000,000.00	\$ 6,000,000.00
		Grand Total		\$ 5,301,000.00	\$ 58,141,244.00	\$ 33,000,000.00	\$ 36,130,000.00	\$ 7,500,000.00	\$ 61,850,000.00	\$ 201,922,244.00
									Verification	\$ 200,712,244.00

Department	Project Title	2025	2026	2027	2028	2029	Project Grand Total
Alamogordo Police Department	Procurement of Police Department Vehicles & Equipment	\$ 500,000.00	\$ 500,000.00	\$ 500,000.00	\$ 500,000.00	\$ 500,000.00	\$ 7,129,000.00

Alamogordo Police Department has an aging fleet of vehicles and many with excessively high mileage. Safe, reliable vehicles are critical in providing safety to the community. (\$4,629,000 received to date)



1

Department	Project Title	2025	2026	2027	2028	2029	Project Grand Total
Community Services	Bear Enclosure Renovations & Expansion at Alameda Park Zoo	\$ 400,000.00	\$ -	\$ -	\$ -	\$ -	\$ 400,000.00

Plan, design, and construct bear exhibit extension and renovation. Includes construction of footings, gates, roofing, concrete, plumbing, block, wood and removal of debris.



Current bear enclosure – outdated and too small



Current water area – nonfunctioning



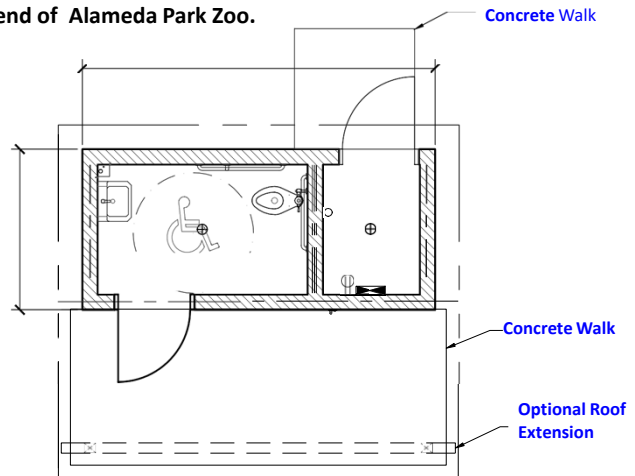
Rusting fencing

2

Department	Project Title	2025	2026	2027	2028	2029	Project Grand Total
Community Services	Construct and Equip Restroom at Alameda Park Zoo	\$ 350,000.00	\$ -	\$ -	\$ -	\$ -	\$ 350,000.00

Plan, design, construct, and equip a new restroom at north end of Alameda Park Zoo.

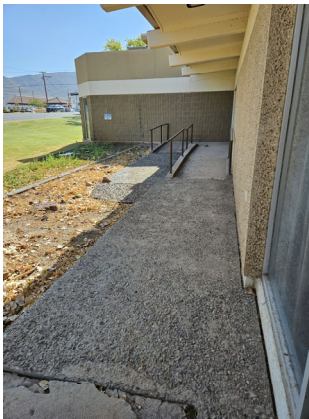
Area for new restroom



3

Community Services	Library North Patio Renovations	\$ 125,000.00	\$ -	\$ -	\$ -	\$ -	\$ 125,000.00
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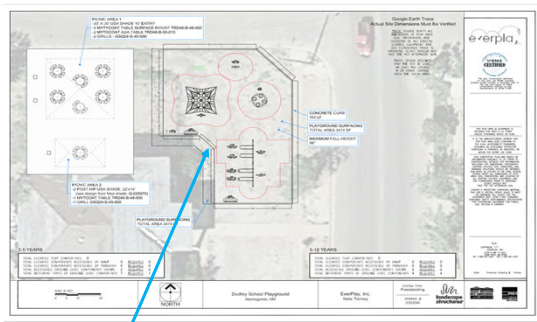
Plan, design and construct renovations to the Alamogordo Public Library North Patio area. Includes removing existing concrete and paving, pouring new concrete, building a screening wall, installing patio furniture and planters, and landscaping.



4

Department	Project Title	2025	2026	2027	2028	2029	Project Grand Total
Parks & Recreation	Dudley School Playground	\$ 147,000.00	\$ -	\$ -	\$ -	\$ -	\$ 147,000.00

Plan, design, and construct a playground at Dudley School in Alamogordo.



Location of playground



Playground equipment

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 8/8/2023

Report Date: 07/28/2023

Report No: 11.

Submitted By: Dylan Aleshire

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

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: One application was received. Staff recommends reappointing Randel Y. Wilson to a 2nd term on the Airport Zoning Board.

Background:

Airport Zoning Board

- Three current vacancies.
- One application by a current member, Randel Y. Wilson, was received due to his upcoming term expiration. If reappointed, this will be his 2nd term.

Mayor's Committee on Aging

- One current vacancy. No applications were received.

Senior Volunteer Programs Advisory Council

- Two current vacancies. No applications were received.

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

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

Print**Application to Serve on a Board/Committee - Submission #6325****Date Submitted: 6/26/2023****City of
ALAMOGORDO****City of Alamogordo Application to Serve on a City
Board/Committee****First Name:***

Randel

Last Name:*

Wilson

Phone Number:*

5754423891

Email Address:*

ryw3@yahoo.com

Physical Address:*

2451 Wyatt Way

City:*

Alamogordo

State:*

NM

Zip Code:*

88310

Is the above address within City Limits?*☒ Yes☐ No**Mailing Address:***

2451 Wyatt Way

City:*

Alamogordo

State:*

NM

Zip Code:*

88310

Present Employer:*

Retired/ Alamogordo High School

Job Title:

Teacher

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

Airport Zoning Board ▼

Are you related to anyone who is presently employed by the City of Alamogordo?*☐ Yes☒ No**Board/Committee you would like to serve on (2nd choice):**

-- Select One -- ▼

If so, what is their relation to you?**Are you related to an Elected Official of the City of Alamogordo?***☐ Yes☒ No**Is so, what is their relation to you?****Experience and education relating to the Board/Committee:***

Previous Term ending 8/2023// Past board member 2006// Graduate Cox School of Business Southern Methodist University//Retired USAA Investment Company [CLU, ChFC] // Bio-Medical Science teacher Alamogordo Public Schools , 2020 to present 2023-2024 / licensed athletic coach NMAA// FAA Licensed Private Pilot SEL // 2020 US Department of Commerce Census Summer employee//Past President Board Member USAA Golden Eagle Club// Honorable Discharge USCG and Reserve//

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

e-mail from City Hall and Dylan Aleshire suggesting I do another term // also as a teacher at AHS I am able to promote careers in the Aviation industry all year long to my classes // Aviation is not taught in high school so I would like to head up a project in the future that would bring the airport into the 21st century // such a gold mine is already in place --- enlist the FAA/ NMSU/ Holloman AFB et.al / I am suggesting an Embrey-Riddle University type of study [airport management to pilot training] it should be intensive and needs to fall under the City and White Sands Regional Airport + the gov who i know would be for it in in big way...the industry would support a serious project and be a job creator// funding would be easy to obtain plus bring much needed upgrades to the airport// at this point the project would not involve bringing scheduled airline operations..

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 8/8/2023

Report Date:

Report No: 12.

Submitted By: Commission

Subject: Adjourn into Executive Closed Session in compliance with 10-15-1(H)(2) NMSA (as amended) to discuss: Limited Personnel Matters (City Manager). **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background: