



Alamogordo City Commission

NOTICE OF MEETING

Regular Meeting Agenda

October 24, 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. Swearing-In of Alamogordo Police Department Certified Officers Travis Jones, Adam Lem, Obed Marte, Jesus Diaz and Non-Certified Officers Christopher Padilla, Dylan Sullivan, Nathaniel Darby, and Tobey Kerlin. (David Overstreet, Municipal Judge)

2. Domestic Violence Awareness Month Proclamation. (*Susan L. Payne, Mayor*)

PUBLIC COMMENT

Residents must sign up with the City Clerk to address the City Commission. The standard allotted time is 3 minutes, but the Mayor reserves the right to change depending on the number of public comments.

CITY MANAGER'S REPORT

REMARKS AND INQUIRIES BY THE CITY COMMISSION

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

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

3. Approve the minutes for the Regular Commission meeting on October 10, 2023. (*Rachel Hughs, City Clerk*)
4. Approve the statements related to the Executive Closed Sessions held on October 10, 2023. (*Rachel Hughs, City Clerk*)

ITEMS REMOVED FROM CONSENT AGENDA

NEW BUSINESS

5. Consider, and act upon, Resolution 2023-50 requesting written approval from the Local Government Division of the Department of Finance and Administration, State of NM for the revised budget numbers computed as of October 24, 2023. (*Evelyn Huff, Finance Director*) **(Roll Call Vote Required)**
6. Information for joint collaboration with Alamogordo Public Schools to encourage youth participation in voting. (*Stephanie Hernandez, Acting City Manager and Anna Alday, APS District Coordinator*)
7. Consider, and act upon, reauthorizing the LEDA grant to Learn New Mexico for Ink Well Building. (*Stepahnie Hernandez, Acting City Manager and Michelle Perry, CEO-Learn New Mexico*) **(Roll Call Vote Required)**
8. Consider, and act upon, Resolution 2023-45 declaring the building or structure, or the premises located at 1401 Mountain View, to be ruined, damaged, and dilapidated to be a menace to the public comfort, health, peace, or safety, and ordering its abatement. (*Paul Bennett, Facility Maintenance Manager, and Richard Adler, Fire Chief*) **(Roll Call Vote Required)**

EXECUTIVE SESSION (Roll Call Vote Required)

9. Adjourn into Executive Closed Session in compliance with 10-15-1(h) 8, NMSA (as amended) to discuss Real Property - Fairgrounds Parking Lot appraisal and a potential sale. **(Roll Call Vote Required)**

ADJOURNMENT

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 10/24/2023

Report Date: 10/04/2023

Report No: 1.

Submitted By: David Kunihiro

Subject: Swearing-In of Alamogordo Police Department Certified Officers Travis Jones, Adam Lem, Obed Marte, Jesus Diaz and Non-Certified Officers Christopher Padilla, Dylan Sullivan, Nathaniel Darby, and Tobey Kerlin. (*David Overstreet, Municipal Judge*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background:

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 10/24/2023

Report Date: 10/12/2023

Report No: 2.

Submitted By:

Subject: Domestic Violence Awareness Month Proclamation. (*Susan L. Payne, Mayor*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background:

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 10/24/2023

Report Date: 10/17/2023

Report No: 3.

Submitted By: Rachel Hughs

Subject: Approve the minutes for the Regular Commission meeting on October 10, 2023. *(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
October 10, 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. Commissioner Paul joined the meeting by phone at 8:12 PM; just before Adjournment to Executive Closed Session. The invocation was given by Elder LaTonya Boyce, and the Pledge of Allegiance was led by Commissioner Burnett.

APPROVAL OF AGENDA

Item 11 was pulled off the agenda by Mayor Payne on behalf of Code Enforcement Manager Sides.

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

PRESENTATIONS

1. Presentation on asking the city to support the efforts to help New Mexico obtain coverage under the Radiation Exposure Compensation Act. (Mary White, Steering Committee Member)

Ms. White said the Tularosa Basin Downwinder's Consortium has been working to include New Mexico in RECA, the Radiation Exposure Compensation Act. She said there are 19 total cancers covered under RECA. RECA would also provide early detection help. The Trinity Bomb was packed with thirteen pounds of weapons-grade plutonium, but only three pounds fissioned. The rest went up forty thousand feet in the air and rained across New Mexico for days. We were double dosed in terms of radiation exposure. Within one hundred and fifty miles, there were five hundred thousand people. Within fifty miles were one hundred and ten ranches, farms, or camps and twenty-one towns. The historical record often says it was inhabited, but it was not. That was wartime. We are not here to blame anyone; that generation is largely gone now. We want to make sure that this never happens to a new generation. In acknowledging what happened, the facts are already out there. It does not cause people to be deterred from living here or tourism. We are seeing it enhances tourism. To be included in RECA means an economic benefit to New Mexico in that it saves lives. It helps people get back on their productive feet quickly as opposed to having to sell their homes to make ends meet and get cancer treatment. It has an impact in terms of commerce and is politically expedient. An extension was passed unanimously in the US Senate, two-thirds in the House, and the President signed it. Ms. White said we ask that you consider making a resolution or proclamation to support our efforts.

2. Presentation on the current affordable housing crisis and how current zoning and setbacks are outdated. (Kevin Jewell, French Brothers Home President)

Mr. Jewell said their average sales price in Alamogordo is around \$365,000 for a new home. At that price point, it becomes very unaffordable for people in the City. The question becomes, what do we do about it? What are the steps we can take? In Alamogordo, we typically average 33 starts per year. That is sustainable and rhythmic for Alamogordo. Over the last eighteen months, we have seen a drop of about fifty percent in starts, a lot of which is due to affordability issues. There is labor cost, land cost, and zoning requirements in city ordinance that put us in a position to increase costs. He said they visited with City Planner Rael, and they knew that staff was working on redoing ordinances now. Interest rates are hovering at about seven and a half percent. The Base's housing is full. The Base is a large part of our economic driving force in Alamogordo. The VH for Holloman service members went down. The affordability of the homes is going higher, sales costs are going higher, and the buying power of one of the largest buyers in Alamogordo has gone down. We partnered with Future Real Estate, who helped us look at the data from the MLS. The price point of what we want to get homes into is around \$250,000. The information from MLS says that within the last two years, Alamogordo has closed two hundred and twenty-seven homes in the price range between \$225,000 and \$275,000. Most of that is the resale market because we cannot build new homes at that price point. That is just a statement of fact. Labor and material costs have gone up. No one locked in an interest rate at a lower price point wants to sell their home right now. The resale market in Alamogordo is dwindling. Our absorption rate, which is how many months of inventory we have on hand, is about three. The national average for a healthy market is usually around six. Six to seven months is what you are shorting for. We really have to try to remove \$115,000 from our sales price. We are confident we can do that with some changes to the ordinances. He said he wanted to be clear it is not the only thing; it is a step in the direction we need to take to provide housing at that price point. The National Association of Homebuilders data shows that for every ten new homes, you can see the local revenue tax side that comes in. We feel we can realize thirty additional closings from the product we want to bring into what we already do. The tax revenue coming into the City from that side is around \$1,000,000. That is just from the lands from the homebuilding side, not taking into account the construction that would have to go on for the development of the land or jobs created. The way we want to adopt the ordinances is not just for one community; it is across the entire City. That way, we can have the same opportunities for multiple land developers and builders so everybody can benefit and provide affordable housing. Building homes in Alamogordo is roughly eight percent more expensive than Las Cruces. The price point difference for the same homes is around \$20,000 to \$30,000. That is a big price difference for a city 50 minutes away.

Mr. Jewell said they are recommending we adopt the zoning requirements of Las Cruces for their R-1 and R-2. It is tried and true, and it works. It is the recommendations from the state level of zoning sizes. When we make those changes, the difference in the land development side between Alamogordo and Las Cruces is about \$11,000. He mentioned other municipal codes he wanted to look at involving the International Residential Code, or IRC. We are ready to start construction on the new developments in January, and we feel that we can provide housing at the end of 2024 with our timeline. The longer we delay it, the longer we can without being able to have new homes in the affordable price range.

PUBLIC COMMENT

None.

CITY MANAGER'S REPORT

Acting City Manager Hernandez made the following remarks:

None.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

None.

CONSENT AGENDA

3. Approve the minutes for the Regular Commission meeting on September 26, 2023. (Rachel Hughs, City Clerk)

4. Consider, and act upon, Ordinance 1681, Z-2023-0005(A) for adoption and final publication, a map amendment to change the current zoning of the property with the legal description of S: 8 T: 16 R: 10 TR IN N1/2SE1/4 from R-1 Single-Family Dwelling District, to R-4 Multi-Family Dwelling District. (Sean McGranaghan, Assistant City Planner) (Roll Call Vote Required)

5. Consider, and act upon, Ordinance 1682 for adoption and final publication amending Chapter 26, Article 03, Sections 010 Definitions, 030 Unlawful growth or accumulation on lots, and 040 Unlawful growth or accumulation on tracts. (Josh Sides, Code Enforcement Manager) (Roll Call Vote Required)

6. Consider, and act upon, granting a Permanent Easement for Facilities/Equipment on a tract of land located on West Twelfth Street for the Mescalero Apache Telephone 12th Street ReGen Site. (Nancy Beshaler, Public Works Director)

7. Consider, and act upon, grant funding from the North Central New Mexico Economic Development District (NCNMEDD) Non-Metro Area Agency on Aging (Non-Metro AAA) for the American Rescue Plan Sub-Award. The total amount budgeted is \$73,637.12. (Magdalena Morales, ASC Manager, and Veronica Ortega, Community Services Director)

8. Consider, and act upon, correcting the number Resolution 2023-33 to Resolution 2023-41 to the past agenda item "Encourage citizens to contact Governor Lujan-Grisham and request pre-trial detention reform be placed on the agenda for the upcoming 30-day session". There was already a resolution with that number. (Stephanie Hernandez, Acting City Manager)

Mayor Pro-Tem Wright moved to approve the Consent Agenda.

Commissioner Melton seconded the motion.

Roll Call Vote was taken.

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

PUBLIC HEARINGS

9. Consider, and act upon, all evidence for and against the removal of approved Resolution 2023-20, due to the written objection by the property owner. The Commission will determine if the resolution should be enforced or rescinded. Resolution 2023-20 was to declare 308 N. White Sands Blvd. to be so ruined, damaged, and dilapidated that it is a menace to the public comfort, health, peace, or safety and ordering its abatement. (Roll Call Vote Required)

City Clerk Hughs swore in property owner Christopher Douglass, Code Enforcement Manager Sides, and Facility Manager Paul Bennett.

Mr. Douglass said he came to the meeting on June 13, 2023. He said he thought we came to an agreement that he would have six months as long as he made progress, and he has made substantial progress on the building. He has had several major setbacks. Within two weeks of the hearing, his father passed, and he had a hard time dealing with that. He put a tremendous amount of effort into putting a roof on. He has purchased large quantities of materials to complete the reconstruction of the back of the building, which seems to be the major hurdle. He said he was dumbfounded when he got a call from a gentleman saying his building got condemned at the last meeting. He said he felt he put a lot of effort physically, financially, and emotionally into getting this done. It was extremely upsetting because he was doing what he said he would, and then it turned around, and the Commission changed its mind. He said he felt he was being pushed by big government and was just one guy who had to do the work himself. He wanted to retain the building his father left to him. His father did not care about the building but cared about the contents. I care about the building and have tried to improve it. He did not want to be forced into selling it for pennies on the dollar. He has gotten compliments from local businesses about the improvements made to the building. Looking at the given timeline, it was very difficult to complete, especially being connected to the building next to it. They have connected their roofing material to mine. Until that building comes down, he cannot complete that side of the building either. He said he talked to a contractor about rebuilding the back corner, and the contractor assured him the building was not going to come down anytime soon. He said he needs time and feels pushed. He said he has had his tools stolen, and almost weekly, someone tries to break in, and he has to repair it. That will not change until something is done with the structure next door. He ran people out of there who were squatting and had to call the police on Friday night because one of the neighbors down there called him and said people were congregating behind the building. He went down there and confirmed it, then called the police. He said he borrowed equipment to work on the roof, which was stolen, and then he had to replace it. The biggest problems we have are homelessness and drug use. He witnessed drug deals. He said he wanted to turn it into a commercial venture where he could get income, but the best use for the building would probably be drug rehab or a homeless shelter. That is what we need. He said he would complete what he started but wants the time to do it.

Mr. Douglass showed pictures of the building where he said he repaired the crack and the wall and had painted over graffiti. He said he wanted to get a mural done. He said he had to brace the roof to rebuild the corner. Building materials are incredibly expensive, but he continues to acquire materials as best he can, and it will get done. The timeframe is unrealistic. The door has to be replaced down the road. He said he could not see getting a renter in there until the burned-out structure next door was gone. He said there are four inches between the burned-out structure and his building. He said he replaced the majority of the roofing and was working on that. When they were redoing the parking lot next door, they damaged some of the cinder blocks on his building. He said he addressed that with the contractor, but the contractor just acknowledged that it happened. The tree next door fell and took out the electrical to his building. He has to use a borrowed generator anytime he needs to operate electrical equipment. The people who manage the dispensary are kind and have allowed him to run an electrical cord over there a couple of times. He said he is in the process of billing the property next door for taking out the electrical. The estimate he got was \$2,500 to reconnect electricity. The tree hit that corner of the building and did some damage, but most of the damage was from drainage. He said there was a thirty-day lag between it being mailed and it being posted.

Mr. Douglass said he was asking for time. He wants to retain his building and be able to make it into something. The timeline is just overwhelming. He said he has to do this on his own with very little support. He pleaded for time.

Mayor Payne said if she remembered correctly, and she had reviewed the minutes from June 13, 2023 meeting, what happened was Mr. Douglass asked about fencing, and then the Acting City Manager said she was concerned because if we do this, meaning if we give the extension, and you do not show

significant progress, it would be difficult for us to get another warrant to go back through the process. She said that Commissioner Rardin asked if we needed another warrant to go through the process, and City Attorney Smith said to access the building or go onto the property, we would have to. She said that Commissioner Rardin said we already have photos of everything, and our Acting City Manager said but to show he has made improvements in order to get back on the property. Then we decided we would allow you that time. She said that Commissioner Rardin said he was sure that Mr. Douglass would allow us in to show us the property, and then Mr. Douglass said he would be more than happy to do a PowerPoint presentation in ninety days to show what he has done. Then Commissioner McDonald said it is not six months now; it is three months. There was discussion about that, and we said ninety days. Then Commissioner Burnett said ninety days to show progress. She said then Commissioner McDonald asked if we were going to indicate what we needed to be done, and Mayor Pro-Tem Wright said we cannot stipulate exactly what has to be done. She said that she herself said she would like a date. So, we settled on a date. The point is, you said that in ninety days you would come back. She said she understood that Mr. Douglass's father had passed away, but in looking back at the situation, none of us knew that. We have, on the record, that you said in ninety days you would come back and do a presentation. Nobody could get a hold of you. She said she believed that our Code Enforcement Manager was going to show us evidence he did try to get a hold of him. We did not know what was going on, and we did not really have an option. You are saying that the timeline was not realistic, but you agreed to that timeline at that meeting. If it was not realistic, that was the time to say you did not know if you could do it. You said that you could absolutely come back and do a presentation. But you did not, so that is where the confusion came in. Does that make sense?

Mr. Douglass said it is overwhelming, but he has put a lot of effort into this. He said he was sorry he missed the commission meeting but did not understand the difficulty in getting a hold of him. He provided all his information to the Code Enforcement gentleman at their first meeting as soon as he found the paperwork in the window of the building. He said he gave his phone number, email, and home address. He said he had seen a video of the Code Enforcement gentleman putting a card on his door on, he believed September 28, but he never saw the card. He did not know what happened to the card, but that was the attempt to get a hold of me. He said that, yes, he dropped the ball on putting a PowerPoint presentation together on what he has completed, but he has gone back and shown pictures and progress made. He said he hoped the Commission was willing to go back as well.

Facility Maintenance Manager Bennett said he is the Facility Maintenance Manager for the City of Alamogordo, their EE98 and GV98 General Contractor, and the Property Maintenance Inspector. With this structure, he said he believed this situation has been going on since 2016. He said he has been in the structure twice and has not seen any improvement until now with the roof fixed. He said he did not know if it had been covered yet, but rain and all will not do good on that plywood. The main concerns are the southwest and northeast corners. Those are really falling away from the building structure, and unless you go down and do pier drilling with piers underneath, that structure will eventually collapse. To secure it, we need to get down below whatever is happening underneath to solid ground.

Commissioner Rardin asked Facility Maintenance Manager Bennett if he was a structural engineer. He said he was not a structural engineer, which is why he would say you need a contractor that does that type of work. Commissioner Rardin said we really need a structural engineer down there to assess that. You said you have an EE98 and what else? Facility Maintenance Manager Bennett said GV98. Commissioner Rardin asked how many years? He answered for the EE98, about fifteen, and about ten for the GV98.

Mayor Payne said Facility Maintenance Manager Bennett was more than qualified in some areas, even if he was not a structural engineer. Facility Maintenance Manager Bennett said he has been in construction his whole life.

Mayor Payne asked Mr. Douglass who had reached out to him after the meeting where we voted. Mr. Douglass said a gentleman who owns property here that is out of Roswell. He said he did not know his name off the top of his head. Commissioner Burnett said it was the gentleman who came and spoke that night on the other dilapidated building.

Code Enforcement Manager Sides said his job is to not only enforce city ordinance but also International Property Maintenance Code or IPMC. There is a big misconception that you have to be certified to enforce the provisions of the International Property Maintenance Code. Even a certified building official does not take anything with the International Property Maintenance Code. He said he has done extensive research looking into classes on that. IPMC is not anywhere in that certification process. There is nothing that says you have to be certified to enforce the provisions of the International Property Maintenance Code. It is not in the 2024, 2021, or 2018 versions. If you need, I can go back, and we have several. As far as this building is concerned, yes, it is dilapidated. Regarding the structure, he said he went out and looked at it on Friday. The patchwork that has been done is already showing signs of separating. The walls are separating from the mortar on the southwest corner. As far as the roof goes, where that property is zoned, per the ordinance, a licensed contractor has to pull a permit and do that roof. A licensed contractor must do any work on that property because it is commercial. He said he was not taking away from anything Mr. Douglass had done. It just needs to be permitted first and follow the ordinance. It has not been yet. Even though the mortar mix is there, it still shows signs of dilapidation on the northeast corner. From his extensive research of the case files from approximately 2016 to what he took in 2023, that wall has gotten slightly worse over time. The cracks have gotten bigger. As far as IPMC is concerned, it is an unsafe, hazardous, dilapidated structure. IPMC in 2024 dubs it a hazardous structure. He said when he was out taking these pictures, he had a gentleman who works in an automotive shop come over and speak with him. He said the gentleman was concerned that someone had broken into the building, but he explained to the gentleman that he was just taking pictures of the outside as a follow-up. The gentleman said yes, it was being worked on to sell, but he did not know who would buy it because it would fall on them. Even though we have passed this resolution, we will not go tomorrow to tear down this property. Mr. Douglass has two years to fix it. He just needs to follow the proper steps.

Mayor Payne asked Code Enforcement Manager Sides about how he notified Mr. Douglass. He said the International Property Maintenance Code letter, all of them, give you thirty days. At the thirty-day mark, he goes out to get the search warrant signed and typically tries to execute it the next day on the thirty-one-day mark. Mayor Payne said Mr. Douglass was supposed to come back to us in ninety days. Did you notify him at all before that last meeting? Code Enforcement Manager Sides said he did not notify him but attempted to. He said he left that business card on his door but did not make contact with him. Mayor Payne asked if we must notify him within ninety days or if that is a courtesy. Code Enforcement Manager Sides said there is nothing written anywhere that says you have to notify for commission meetings or anything else like that. Mayor Payne said we have on the record that Mr. Douglass said he would come back in ninety days and give a presentation.

Commissioner Melton asked Code Enforcement Manager Sides if he was in uniform when he gave the business card. He answered absolutely. Commissioner Melton said so Mr. Douglass saw it on the video, an Alamogordo official. Code Enforcement Manager Sides said Mr. Douglas saw his bodycam video. Commissioner Melton said so that was the video he was referencing. He said yes. Code Enforcement's policy is that anytime you expect a public contact by going and knocking on a door, you

must activate your body camera, so everything is captured. It is very similar to the Police Department's policy.

Mayor Payne said the biggest thing to highlight is that we are not tearing it down tomorrow, Mr. Douglass still has two years. Two years is a long time. That would be two years from the time we voted on that. Code Enforcement Manager Sides said with the hearing tonight, after the resolution has been passed, they have ten days to commence either demolition or rehabilitation. Because we are at this hearing tonight, he would not consider the ten-day starting until tomorrow to give due process time.

Commissioner Rardin asked Facility Maintenance Manager Bennett about his license numbers, mainly the GV. He did not need the EE98. Mayor Payne asked Commissioner Rardin if he was looking it up. Commissioner Rardin said he was just curious; it is a legitimate question. Facility Maintenance Manager Bennett said his EE98 is 31059. The license number for the City of Alamogordo is 388879. He said he is the qualifying party for the EE98 and GV98 licenses. Commissioner Rardin said so the GV98 is 31059. Acting City Manager Hernandez said we have copies on record in HR. Facility Maintenance Manager Bennett said the 31059 is his EE98. Commissioner Rardin said okay, you are just a qualifying party on the City's license. Facility Maintenance Manager Bennett said he had to give up his, so he could not do any work outside the city. He had to put it on the City's license.

Mayor Payne asked Mr. Douglass if he understood that he still had two years to make those corrections. Really, nothing changes for two years unless you do not show progress. Mayor Payne said she was concerned about what Facility Maintenance Manager Bennett said regarding his work, and it is already becoming an issue. Mayor Payne said she understood the financial part of this, but if we do not do these things, then we have no protection as a City. There is no accountability. If we rescind this, then who is to say it will not take more years down the road? We are literally kicking the can down the road if we do this. We cannot do that. We have to hold people accountable because these things need to be fixed.

Mayor Payne asked Code Enforcement Manager Sides if he knew what was going on with the building next door. Code Enforcement Manager Sides said after the resolution was passed, they, too, have two years to demolish that building. They have been contacting contractors to try to get that demolished, but it is hard for them to find a contractor within their budget. Mayor Payne said so they still have two years. When did we do that? Commissioner Rardin said it was the same night as his, June 13th.

Commissioner Burnett asked Mr. Douglass if he had put a membrane on the roof. Mr. Douglass said he still has to do flashings on that. That is what the big roll of white stuff was. His friend drove it there on a forklift to get it on the roof. Mayor Pro-Tem Wright asked if that was rolled out and installed over the plywood deck. Mr. Douglass said yes. Commissioner Rardin asked if that was a TPO roof. Mr. Douglass said it was a single membrane. Commissioner Rardin asked if it was like a rubber sheet. Mr. Douglass said yes, he was sure it was made out of old tires. It was made by Firestone.

Mayor Payne said she hoped Mr. Douglass understood that after reading these minutes, we did not know and had no choice. You do have two years to correct that.

Mayor Pro-Tem Wright said by condemning this, Mr. Douglass has two years to fix it. Commissioner Rardin said if he tried to sell it, he would have a condemned building. Mayor Pro-Tem Wright asked if there was any stipulation, from now until then, that if he tries to sell it, could that condemnation be rescinded or pulled off? Commissioner Rardin said the other issue is if this goes to court. He was here when Sahara Apartments went to court, which took us nine years. Mayor Payne said she was here

too and remembered. Commissioner Rardin said he was here for the start of it. If it goes to court, and you do not have a structural engineer saying that the building is not structurally sound, then more than likely, he will rule in favor of them, not us. Mayor Pro-Tem Wright asked if we had that outcome on Sahara. Commissioner Rardin said he did not remember who was on staff, but we had Dean Hunt, who was an engineer on our side. Mayor Payne said she felt that part of those nine years was the attorney we had at the time. We finally got it torn down because our former Attorney, Petria Bengochea, finally made that happen.

Mr. Douglass said he was interested in retaining as much of the value of the building as possible. He may have to sell it, but with it being condemned, he would get even less. I guess it is what it is. Mayor Pro-Tem Wright asked Mr. Douglass if he had a tally of what he had invested in it since June, dollar amount-wise. Mayor Payne asked Mr. Douglass if he brought receipts or anything. Mr. Douglass said he did not and does not have any receipts. Some of the stuff he bought second-hand. Mayor Payne said so you want to keep it, but you might sell it. Is that what you are saying? Mr. Douglass said if he could not get anything out of it for the two years it would take for the structure next to it to be demolished. It was becoming a money pit. He has limited resources. Mayor Payne said what happens if we rescind it, and two years down the road, you still own it, and nothing is done? Then what? Mr. Douglass said he has to complete what he started. Mayor Payne said your intention, even if you sell it, is to complete it first. Mr. Douglass said yes. Mayor Payne said you would have two years to do that if we left this in place. Mr. Douglass said things could happen in two years. He has not been able to return to work because he has to complete this before. He said his resources are getting pretty well used up. He would have to replenish them in some way, and that would probably be through employment. He is just trying to be straightforward.

Mayor Payne asked if there was a motion to rescind Resolution 2023-20.

Commissioner Rardin moved to rescind resolution 2023-20.

Commissioner Burnett seconded the motion.

Roll Call Vote was taken.

Motion failed with a vote of 2-4-0. Commissioner Melton, Commissioner McDonald, Mayor Pro-Tem Wright, and Mayor Payne voted nay.

Mayor Payne apologized to Facility Maintenance Manager Bennett regarding the fact that he and his integrity were questioned. Facility Maintenance Manager Bennett said it was not a problem. Mayor Payne said she believed that it was uncalled for.

NEW BUSINESS

10. Consider, and act upon, Ordinance 1683, Z-2023-0006(A) for first publication, a map amendment to change the current zoning of the property at 1111 US Hwy 70 W, from C-3 Business District, to M-1 Light Industrial District (Stella Rael, City Planner) (Roll Call Vote Required)

City Planner Rael said that Alberto Serna, who resides in Chaparral, is the building and property owner. He has given his tenants, Stephanie Ortega and Brandy Flair, owners of the business leasing from him, permission to be here on his behalf. The reason for this request is to allow Ms. Ortega and Ms. Flair the opportunity to run a pet crematory business at this location. Besides the pet crematory, another business that will be run there is grave monuments by Mr. Ortega. Fire and Planning and Zoning have already approved that business registration for that portion, but they must definitely be in an M-1 Light Industrial District for the pet crematory. Staff is recommending approval of this map amendment.

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

11. Consider and act upon Resolution 2023-44, declaring 2001 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)

Item 11 was removed from the agenda under Approval of the Agenda.

12. Discussion on allowing handouts at commission meetings. (Josh Rardin, Commissioner)

Commissioner Rardin said he did not ask for this to be on the agenda but was told it would be there in his name. At the last meeting, a gentleman handed out handouts before the meeting started, and they were removed from us. He said he had asked when that rule became a rule, when the Commission adopted it, and it turned into a heated exchange. He said he just wanted information about when we adopted that rule. We can have a discussion, but this is not an action item. He said his issue at the last meeting was if the gentleman had read the handout to us at the podium during Unscheduled Communications, what is the difference? What is the difference between him giving it to us or reading it to us? We violated his 1st Amendment right. Mayor Payne said no, we did not. Commissioner Rardin said we did. Mayor Payne said the difference is, if he hands something to us, how do we prove he did not hand us a sticky note or subliminal message? How do we prove that? Commissioner Rardin asked what she meant. Mayor Payne said what if he handed out the handouts, and yours had a sticky note on it, or Commissioner Burnett's had a \$100 bill in it? How do you prove that? Commissioner Rardin said you don't. Mayor Payne said exactly. It has to be on the record. She said she called Geno Zamora after the last meeting. He is the person who came in and did the Ethics Training. She said that Mr. Zamora said that the best practice is not to take handouts at a Commission meeting. He instructed her to let them know they can give it to either the City Clerk or City Manager, and they will email it to us. That way, it is on the record. Commissioner Rardin said that all that needed to happen the other night was to give a copy to the Clerk, so she could enter it into the record. Mayor Payne said when you give seven people a handout, how do you prove the handout he gave us is the same one he gave the Clerk? Commissioner Rardin asked what the difference was between the handwritten handouts in our box, like from Mr. Summers? Mayor Payne said our stuff is opened and given to us by the Clerk. Mayor Payne said all mail is opened and given to us by the Clerk, who has stamped it. Acting City Manager Hernandez said that is correct. Commissioner Rardin said if he had handed it to us in the parking lot, what would be the difference? Mayor Payne said we are not in a public meeting. Commissioner Rardin said he was not here to argue, but we violated his rights. Mayor Payne said the attorney she spoke with said we should not be doing that. Everybody can do what they want, but she will not do that. Commissioner Rardin said if that is the case, you need to put it on the agenda, and the Commission needs to approve that rule. Going back to that resolution in 2012 that staff provided, there is absolutely nothing in that resolution that states that rule. Mayor Payne said then you should probably make it an item. Commissioner Rardin said he was not going to make it an item, and he did not really care. Mayor Payne said then there is nothing to discuss, and let's move on. Commissioner Rardin said so we are going to enforce a rule that has never been passed?

13. Discussion with possible action regarding setting up an infill development district, (Josh Rardin, Commissioner)

Commissioner Rardin said he would like to start the discussion with staff. The other day, he drove in Commissioner McDonald's district, and there were many lots already demolished and cleared. The gentleman who was doing the presentation earlier was talking about a forty and fifty foot wide lot. Commissioner Rardin said that in previous years, the Commission had changed something with the zoning in that area specifically. That would be a perfect area to start rehabilitating the vacant lots already there. Once you start, pick one or two streets, then you start building new homes. There was a builder about ten years ago who started something similar to that, but then he dwindled away. El Paso did something very similar to that, and Las Cruces has something similar to that going on right now. We should task staff with looking into how we set it up and go about it. The hospital has a big organization. Now that the sale is completed, some funding may be available for something like this. We could partner with the local builders association or Habitat and figure out how to make it work and revitalize some of those areas. He said that the majority of the bad districts fall within District 5. You could look at going from 10th Street to 1st Street, and from White Sands to Florida or Cuba and focus on that area to start.

Commissioner Burnett said that was a good idea to start looking into. Mayor Payne said she did not have a problem with it. Commissioner Rardin said instead of going down there and condemning it, we can revitalize it. Some need to be torn down, obviously, but some of them do not. Mayor Payne asked Commissioner Rardin if he was talking about the City paying for that. Commissioner Rardin said no. There are a lot of grants out there. Las Cruces is doing a huge one on their old golf course right now. It is more on the commercial side, but they also have residential infield development, where you go into the older neighbors and start revitalizing them. Once you go in and start building new homes on some of these lots or refurbishing some of the fixable older homes, the neighborhoods will start improving. People will start moving in, buying older property, and fixing it or demolishing it. You just have to get the ball rolling. Mayor Payne said, what you are saying is, trying to help some of these contractors find funding for that? Commissioner Rardin said no. The City will go after the grants. They need to do a little research. Mayor Payne said well, what would the grants be for? Commissioner Rardin said to start the process for how this works. He said he knew the gentleman who did the one in El Paso, and he said that is how they started it. There are some grants that can be applied for, and they set up with a nonprofit to run. Habitat would be a good one, or the builder's association, or all of them. Basically, the discussion tonight was just to get the ball rolling. Have them start researching how we set it up, how we do it, and if it is legal for us to go down there and purchase some land to revitalize it or if we have to have the nonprofit purchase it. There are a lot of different ways of doing it.

Commissioner McDonald said she has talked about revitalizing since she has been in the office. She cannot speak for everybody in District 5, but she can speak for this. We have spent a lot of time and effort talking to the people and trying to contact the owners of the property. We have a situation where people do not respond. From what she has heard, it is not profitable to build in District 5. She said she wished that Commissioner Rardin had said something to her about that. It is a great idea, but we have been talking to people, going out to speak to people, asking if they were interested in selling, and have tried to contact people. Sometimes when you are looking at trying to revitalize, you have to have the participation of the people. Every lot that is empty down there is owned. People choose to do what they want with it. She has heard in meetings that some of the land is not worth very much. It is on the books at the County Assessor's Office that the land is worth at least \$5,000. When we go out and talk to people about putting something on that lot, they have to agree with it. Some people are unwilling to accept \$5,000 for that lot because they have had it in the family for a long time. She said she is not saying it is a waste of time for staff to go after information, but they need to find out who is willing before they research it. We cannot just go and take that land.

Commissioner Rardin said when a private individual or nonprofit approaches them, they may have a different mindset than when the City government approaches them. Commissioner McDonald said it

is not the City government that is approaching them. Commissioner Rardin said who was approaching them, you guys as individuals? Commissioner McDonald said we were asking them if they were willing to look at doing some type of revitalization. Specifically, we were looking at the Dudley area since the Center is going up. Commissioner Rardin said the problem we have there also is that those lots are forty feet wide but one hundred and fifty feet deep. This was just a discussion to see if the Commission is even interested in looking at this and getting the ball rolling. The worst-case scenario is that it just does not work, and we keep doing what we are doing. Mayor Payne asked if everyone had heard of an infield development district. Commissioner McDonald said no. Commissioner Rardin said El Paso did one about thirty years ago. Commissioner Melton said he was confused about where the money was exchanged. Who is applying for that grant, and who is receiving the money? Commissioner Rardin said the City would apply for it. He was not sure how El Paso did it. He said this question was on here to have staff start researching how El Paso, Las Cruces, or Roswell started the process. Mayor Payne said our City Planner looks like she has information.

City Planner Rael said she wanted to clarify the definition of an infield development for those who do not know. An infield development is the construction of buildings on vacant or underdeveloped land in places that have been previously developed. For example, a lot on New York Avenue once had a home and has now been torn down for many years. Yes, you can go in there and consider that infield development. She said she understood what Commissioner Rardin said about staff going out there and researching grants, but she did not know if that was possible. These are areas where she could be interested in a lot and go in, purchase it, and then build a home. They are very deep and narrow lots, but we have an ordinance where if those lots existed prior to ordinances, which most of them did because they are back in the '30s and '40s, they do not exactly have to meet those setback requirements. Mayor Payne said she was with Commissioner Melton on this, and anybody can do that. So, we do not have to necessarily declare it an infield development district. She said she remembered learning about infield development districts from her graduate studies. Where she was confused is, why do we need to go after grants? You would go after grants for funding, but then what would we do with the funding? If it is not us that will do it, are we getting funding for a nonprofit to do it? Habitat already does that and gets grants for that. Commissioner Rardin said that is the question. Have staff start researching how other communities have done something similar to this, to start revitalizing it. Down on New York Avenue, the County is looking at moving our courthouse. That is the core of our City. The core of our City will start dying when that courthouse moves. Down in Commissioner McDonald's district is the core, the original portion of our town, and it is dying off. You tear the houses down, and you just have an empty lot. If you drive down those streets, it is every other house. Even over on Michigan and Ohio where those older homes are in Commissioner Burnett's district, almost every other lot is missing a house where we have demolished, like in Panorama. Find a developer or program, maybe Habitat, and build a new home on that lot. As Commissioner Melton mentioned, it is not profitable for the builders to do it. So, the builders will not just jump in there and do it. You have to have organizations such as Habitat or the hospital, which has a foundation being set up that may potentially have some funding where you can go in and do something. Just figure out how to get the ball rolling. The question here tonight is, can we have staff start looking into how other communities have done similar projects? It does not necessarily be down there in that area. It could be in the Walker area as well. Commissioner McDonald said that it was also a flood zone. To even think about building, it will be between \$12,000 and \$18,000 to build it up if there is no foundation. Mayor Payne said when we were in the process of buying our building on Ohio, we found out it was in a flood zone. Commissioner Rardin said those are all questions that can be answered once we figure out how other communities have done it. Get the ball rolling. It may be something we do not want to mess with. Staff could look into it. El Paso did it thirty years ago. Commissioner McDonald asked if that was a result of imminent domain. Commissioner Rardin said no, he did not believe so. Commissioner McDonald said you have people that own those properties there. Do you want to research something, and then you do not know if they want to sell? Commissioner Rardin said some

of them might. He did not know how this would be set up or what was legal with purchasing, but what if you offered them \$10,000 for that and then built a nice home on there? There was a gentleman, around ten or fifteen years ago, on either Maryland or Virginia, who bought three or four lots and built a brand new house out there. They were nice structures. Commissioner McDonald said on Maryland? Commissioner Rardin said Maryland or Virginia, it was one of those. He did about three or four, but it brought property values up because he built a brand-new home there. Commissioner McDonald asked when they did that. Commissioner Rardin said they did that ten or fifteen years ago. Commissioner McDonald said there are no new homes. Commissioner Rardin said yes, there is, and he would get the addresses tomorrow. Commissioner McDonald said she runs those streets, and no new homes are on that street. Commissioner Rardin said he would go down there and get the addresses. It was ten or fifteen years ago, and a small builder was doing them. Mayor Pro-Tem Wright said he thought it was at least one. Commissioner Rardin said it was Ace, and he did three of them. Commissioner McDonald said not ten years ago. There have not been any new buildings in that area in ten years. Commissioner Rardin said it was ten or fifteen years ago. It has been a while. It may help with the affordable housing deal, too, because they are going to be smaller homes. Those lots are only forty feet wide. This was only for discussion to see if you were interested and if staff could look into it and how to set it up. Commissioner McDonald said you would not send out a survey to ask the people. Commissioner Rardin said he did not know how to set it up. Mayor Payne said maybe we could. We need to start with understanding what an infield development district is. She asked Acting City Manager Hernandez if she had heard of that. Acting City Manager Hernandez said she had heard of it but did not understand it enough to make a comment right now. Mayor Payne said she kind of understood it, but her understanding is that it is for areas or neighborhoods that are basically empty. Not spot lots, so to speak. Empty areas they are trying to revitalize. Commissioner Rardin said is that not the goal down there? A lot of those properties were probably grandma and grandad's houses that have been torn down, but the kids have inherited it, and they do not want to let it go. Mayor Payne said she did not have a problem with looking into it. We would not be doing due diligence if we did not at least look at it. Her understanding of the infield development district is that it is literally a district. She said she does not understand why there are all these comments about Commissioner McDonald's district. Commissioner McDonald said she did not know either. Mayor Payne said when she drives through there, she feels and sees history. Her mother-in-law, when she was alive, used to tell me stories about the houses down there. She said she loved driving down in that area and did not understand what the problem was. There is something to be said about older homes that newer homes do not have. Having said that, her understanding of an infield development district is entire neighborhoods that have been abandoned or whatever. She is not suggesting we should not look into it.

Acting City Manager Hernandez said she proposed that she would get a better understanding of the infield and the grants. She would research that, and we could bring it forward to see what we can come up with and if there is any further action. Mayor Payne said we have a new City Manager starting on November 26th. He may have some information and know about this. He is from a bigger city. Acting City Manager Hernandez said November 27th. Mayor Payne asked if everybody was good with staff taking a look at it. Commissioner Rardin said sure.

14. Appointments to Boards and Committees. (Susan Payne, Mayor)

Mayor Payne read the openings and appointed Brandi Ferebee to the Senior Volunteer Programs Advisory Council and Sandra Purrington to the Airport Zoning Board. No one was opposed.

Mayor Payne called Commissioner Paul at his request to join them in open session and go to Executive Closed Session. He joined the meeting by phone at 8:12 pm.

EXECUTIVE SESSION

15. Adjourn into Executive Closed Session in compliance with 10-15-1(H)(2) and (7) NMSA (as amended) to discuss: Limited Personnel Matters (City Manager) and Threatened Litigation.

Commissioner McDonald moved to adjourn at 8:13 p.m.

Mayor Pro-Tem Wright seconded the motion.

Roll Call Vote was taken.

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 October 24, 2023.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 10/24/2023

Report Date: 10/12/2023

Report No: 4.

Submitted By: Rachel Hughs

Subject: Approve the statements related to the Executive Closed Sessions held on October 10, 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 October 24, 2023: "The Governing Body of the City of Alamogordo, New Mexico, hereby states that on October 10, 2023, an Executive Closed Session was held and matters discussed in the closed meeting were limited only to: Limited Personnel Matters (City Manager) and Threatened Litigation."

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 10/24/2023

Report Date: 10/16/2023

Report No: 5.

Submitted By: Evelyn Huff

Subject: Consider, and act upon, Resolution 2023-50 requesting written approval from the Local Government Division of the Department of Finance and Administration, State of NM for the revised budget numbers computed as of October 24, 2023. *(Evelyn Huff, Finance Director)* **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact: Beginning Cash Balances - \$92,951,619

Revenues - \$ 651,552 Increase

Expenditures - \$ 1,072,025 Increase

Transfers In - \$ 0 Increase

Transfers Out - \$ 0 Increase

Recommendation: Approve the Resolution Request

Background: The City Commission adopted the FY 2023-2024 budget on July 28, 2023. The Department of Finance & Administration granted approval of the City of Alamogordo's Fiscal Year 2023-2024 Annual Budget on August 15, 2023. Resolution 2023-50 amends the budget to reflect a more true and accurate projection of the actual revenues and expenditures. A summary and explanation of the revisions are attached for your review.

RESOLUTION NO. 2023-50

A RESOLUTION REQUESTING THE DEPARTMENT OF FINANCE AND ADMINISTRATION, STATE OF NEW MEXICO, APPROVE REVISED BUDGET FIGURES FOR CERTAIN LINE ITEMS IN THE CITY'S BUDGET FOR FISCAL YEAR 2023-2024.

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

WHEREAS, the Department of Finance and Administration, State of New Mexico, gave its written final approval to the City of Alamogordo, New Mexico's annual budget on August 15, 2023, for fiscal year 2023-2024; and

WHEREAS, the City of Alamogordo, New Mexico, has tabulated on the following pages the additional resources and expenditures for fiscal year 2023-2024.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ALAMOGORDO, NEW MEXICO, that the City's annual budget for fiscal year 2023-2024 be and hereby is revised as of October 24, 2023, to reflect a more true and accurate projection of the actual revenues and expenditures for fiscal year 2023-2024 as shown on the following pages.

NOW, BE IT FURTHER RESOLVED BY THE GOVERNING BODY OF THE CITY OF ALAMOGORDO, NEW MEXICO, that the Department of Finance and Administration, State of New Mexico, be requested to give its written approval to the revised budget figures computed on October 24, 2023, as a more true and accurate projection of the actual revenues and expenditures for fiscal year 2023-2024.

PASSED, APPROVED AND ADOPTED by the Governing Body of the City of Alamogordo, New Mexico, at a Regular Meeting held this 24th. day of October 2023.

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

By: _____
Susan L. Payne, Mayor

ATTEST:

Rachel Hughs, City Clerk

APPROVED AS TO FORM:

Ashley N. Smith, City Attorney

**ALL FUNDS SUMMARY
BUDGET 2023-2024**

1/12TH REQ RSRV
1,748,273
1/12TH REQ RSRV
0
Fund Reserve Policy
468,745
Bal. Remaining
2,816,340

FY24 BUDGET - RESOLUTION 2023-50 (#4) OCTOBER 24, 2023

FUND NO.	FY 2023-2024 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	15,423,967	22,128,273	311,577	11,851,186	(11,539,609)	20,979,273	5,033,358	2,217,018	2,816,340
12	INTERNAL SERVICE FUND	10,000	241,739	5,092,359	0	5,092,359	5,337,184	6,914		\$6,914
15	CORRECTIONS-JAIL	90,675	54,734	0	0	0	113,240	32,169		\$32,169
16	LODGER'S TAX-PROMOTIONAL FUND	353,179	2,067	0	0	0	213,750	141,496		\$141,496
17	POLICE COURT BOND	8,638	0	0	0	0	0	8,638		\$8,638
19	COURT AUTOMATION FUND	6,033	35,000	37,089	0	37,089	71,709	6,413		\$6,413
20	LODGER'S TAX-CITY	536,427	80,898	183,295	87,553	95,742	566,937	146,130		\$146,130
21	D.A.R.E. DONATIONS FUND	21,005	2,195	0	0	0	13,092	10,108		\$10,108
24	GRANT CAPITAL IMPROVEMENT	0	6,090,665	49,500	0	49,500	5,627,530	512,635		\$512,635
27	MUNICIPAL COURT OPERATIONS	5,000	13,000	506,000	0	506,000	523,517	483		\$483
28	POLICE CONTINGENCY	75,078	650	0	0	0	10,000	65,728		\$65,728
31	CEMETERY-PERPETUAL CARE	860,280	21,642	0	40,000	(40,000)	0	841,922		\$841,922
32	COMMUNITY SERVICES	13,775	498,854	6,622,485	0	6,622,485	7,112,712	22,402		\$22,402
33	FIRE PROTECTION	1,113,851	903,473	0	0	0	1,936,012	81,312		\$81,312
35	HIDTA GRANT FUND	780	0	0	0	0	0	780		\$780
36	LAW ENFORCEMENT FUND	68,724	159,500	0	0	0	228,224	(0)		(\$0)
37	STATE HIGHWAY FUND	115,832	51,280	0	0	0	57,316	109,796		\$109,796
38	TRAFFIC SAFETY FUND	77,507	14,581	0	0	0	10,000	82,088		\$82,088
39	STATE JUDICIAL	2,393	34,000	0	0	0	34,000	2,393		\$2,393
42	1984 GROSS RECEIPTS TAX	3,872,525	2,121,677	0	4,050,682	(4,050,682)	37,016	1,906,504	252,119	\$1,654,385
44	TRANSPORTATION FUND	22,581	1,200,328	5,107,339	361,436	4,745,903	5,967,617	1,195		\$1,195
48	NEW MEXICO C.D.B.G.	0	382,515	1,161,308	0	1,161,308	1,407,044	136,779		\$136,779
49	1986 GROSS RECEIPTS TAX	4,547,832	2,129,102	0	896,490	(896,490)	279,812	5,500,632	268,391	\$5,232,241
50	PROPERTY ACQUISITION	85,010	0	0	0	0	0	85,010		\$85,010
53	GENERAL OBLIGATION	989,996	1,201,162	0	0	0	1,183,245	1,007,913	557,029	\$450,884
54	REVERSE OSMOSIS PROJECT RSV	21,967	0	0	0	0	10,447	11,520		\$11,520
56	99 GRT FLOOD CONTROL BOND PROJ	8	0	269,404	0	269,404	269,404	8		\$8
59	REVENUE BOND P & I FUND	172,412	8,300	2,357,973	0	2,357,973	2,357,973	180,712		\$180,712
61	MUNICIPAL INFRASTRUCTURE .0625%	1,872,040	530,855	0	260,000	(260,000)	9,254	2,133,641		\$2,133,641
63	COMMUNITY DEVELOPMENT	2,500	0	462,723	30,105	432,618	432,074	3,044		\$3,044
69	1994 GROSS RECEIPTS	4,040,006	2,114,548	0	2,401,640	(2,401,640)	37,016	3,715,898	553,051	\$3,162,847
71	ALAMO SENIOR CENTER	14,430	824,220	785,907	0	785,907	1,611,835	12,722		\$12,722
74	ALAMO SENIOR CENTER GIFT	136,021	11,078	0	0	0	26,286	120,813		\$120,813
75	SENIOR VOLUNTEER PROGRAM	10,107	139,307	1,400	0	1,400	150,427	387		\$387
81	WATER/SEWER OPERATING	16,271,347	11,262,553	658,461	2,295,718	(1,637,257)	13,853,385	12,043,258	1,463,850	\$10,579,408
82	98 JT WATER/SEWER BOND P&I	1,149,309	15,226	1,863,751	0	1,863,751	1,863,751	1,164,535		\$1,164,535
86	SOLID WASTE COLLECTION SYS.	996,061	2,495,198	240,000	158,629	81,371	2,770,215	802,415	178,583	\$623,832
88	BONITO CAMPGROUND	395,878	4,138	150,000	0	150,000	174,456	375,560		\$375,560
89	ESGRT .0625%	1,800,843	542,623	0	278,683	(278,683)	1,153,142	911,641		\$911,641

**ALL FUNDS SUMMARY
BUDGET 2023-2024**

1/12TH REQ RSRV
1,748,273
1/12TH REQ RSRV
0
Fund Reserve Policy
468,745
Bal. Remaining
2,816,340

FY24 BUDGET - RESOLUTION 2023-50 (#4) OCTOBER 24, 2023

FUND NO.	FY 2023-2024 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	0	1,715,450	246,082	0	246,082	1,957,734	3,798		\$3,798
91	AIRPORT	20,000	260,112	191,500	45,736	145,764	420,198	5,678		\$5,678
94	OTERO GREENTREE REG LANDFILL	3,444,133	1,418,772	0	5,000	(5,000)	2,635,200	2,222,705		\$2,222,705
96	SELF-INSURED FUND	581,219	140,317	0	276,600	(276,600)	141,121	303,815		\$303,815
98	PAYROLL CLEARING	242,872	0	0	0	0	0	242,872		\$242,872
104	UTILITY DEPOSITS	628,617	0	0	0	0	0	628,617		\$628,617
105	ECONOMIC DEVELOPMENT	6,821,364	1,133,468	0	0	0	43,508	7,911,324		\$7,911,324
107	SELF INSURED/LIABILITY	1,081,582	8,050	0	0	0	535,000	554,632		\$554,632
109	2004 GRT CAPITAL OUTLAY	15,640,173	4,335,972	0	3,258,695	(3,258,695)	4,472,897	12,244,553	534,452	\$11,710,101
114	SIDEWALKS REVOLVING LOANS	146,446	1,722	0	0	0	0	148,168		\$148,168
115	CORP ESCROW ACCOUNT RESERVE	1,000	0	0	0	0	0	1,000		\$1,000
119	2012 GRT REF/IMP REVBD	199,317	3,085	0	0	0	192,557	9,845		\$9,845
121	2015 GO BONDS-FUN CENTER	92,226	1,081	0	0	0	0	93,307		\$93,307
122	2015 GO BONDS-STREETS	178,708	2,095	0	0	0	0	180,803		\$180,803
124	AMERICAN RESCUE PLAN ACT	7,226,672	75,043	0	0	0	7,119,553	182,162		\$182,162
125	CANNABIS GRT	0	204,000	0	0	0	202,238	1,762		\$1,762
901	HOUSING LOW RENT OPERATING	899,290	0	0	0	0	0	899,290	86,881	\$812,409
903	HOUSING HOMEOWNERSHIP OPER	18	0	0	0	0	0	18		\$18
904	HOUSING CAPITAL FUND PROJECTS	563,966	0	0	0	0	0	563,966		\$563,966
TOTALS FY2024		92,951,619	64,614,548	26,298,153	26,298,153	0	94,148,901	63,417,266	6,111,374	57,305,892

ALL FUNDS SUMMARY

BUDGET 2023-2024

1/12TH REQ RSRV
1,748,273
1/12TH REQ RSRV
0
Fund Reserve Policy
468,745
Bal. Remaining
2,816,340

FY24 BUDGET - RESOLUTION 2023-50 (#4) OCTOBER 24, 2023

FUND NO.	FY 2023-2024 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	15,423,967	22,128,273	311,577	11,851,186	(11,539,609)	20,673,112	5,339,519	2,217,018	3,122,501
	Revision #2-Assistant City Attorney Position					0	106,161	(106,161)		(106,161)
	Revision #6-Dispatch Authority PSAP Additional Funding					0	200,000	(200,000)		(200,000)
	Total Revised Fund 11	15,423,967	22,128,273	311,577	11,851,186	(11,539,609)	20,979,273	5,033,358	2,217,018	2,816,340
12	INTERNAL SERVICE FUND	10,000	241,739	5,092,359	0	5,092,359	5,337,184	6,914		6,914
	Total Revised Fund 12	10,000	241,739	5,092,359	0	5,092,359	5,337,184	6,914		6,914
15	CORRECTIONS-JAIL	90,675	54,734	0	0	0	113,240	32,169		32,169
	Total Revised Fund 15	90,675	54,734	0	0	0	113,240	32,169		32,169
16	LODGER'S TAX-PROMOTIONAL FUND	353,179	2,067	0	0	0	213,750	141,496		141,496
	Total Revised Fund 16	353,179	2,067	0	0	0	213,750	141,496		141,496
17	POLICE COURT BOND	8,638	0	0	0	0	0	8,638		8,638
	Total Revised Fund 17	8,638	0	0	0	0	0	8,638		8,638
19	COURT AUTOMATION FUND	6,033	35,000	37,089	0	37,089	71,709	6,413		6,413
	Total Revised Fund 19	6,033	35,000	37,089	0	37,089	71,709	6,413		6,413
20	LODGER'S TAX-CITY	536,427	80,898	183,295	87,553	95,742	566,937	146,130		146,130
	Total Revised Fund 20	536,427	80,898	183,295	87,553	95,742	566,937	146,130		146,130
21	D.A.R.E. DONATIONS FUND	21,005	2,195	0	0	0	13,092	10,108		10,108
	Total Revised Fund 21	21,005	2,195	0	0	0	13,092	10,108		10,108
24	GRANT CAPITAL IMPROVEMENT	0	5,605,565	49,500	0	49,500	5,142,430	512,635		512,635
	Revision #1-AFD Grant Oregon School Fire Facility		485,100			0	485,100	0		0
	Total Revised Fund 24	0	6,090,665	49,500	0	49,500	5,627,530	512,635		512,635
27	MUNICIPAL COURT OPERATIONS	5,000	13,000	506,000	0	506,000	523,517	483		483
	Total Revised Fund 27	5,000	13,000	506,000	0	506,000	523,517	483		483
28	POLICE CONTINGENCY	75,078	650	0	0	0	10,000	65,728		65,728
	Total Revised Fund 28	75,078	650	0	0	0	10,000	65,728		65,728
31	CEMETERY-PERPETUAL CARE	860,280	21,642	0	40,000	(40,000)	0	841,922		841,922
	Total Revised Fund 31	860,280	21,642	0	40,000	(40,000)	0	841,922		841,922
32	COMMUNITY SERVICES	13,775	498,854	6,622,485	0	6,622,485	7,112,712	22,402		22,402
	Total Revised Fund 32	13,775	498,854	6,622,485	0	6,622,485	7,112,712	22,402		22,402
33	FIRE PROTECTION	1,113,851	747,324	0	0	0	1,824,265	36,910		36,910
	Revision #7-State Fire Protection Grant FY24 Funding		156,149			0	111,747	44,402		44,402
	Total Revised Fund 33	1,113,851	903,473	0	0	0	1,936,012	81,312	0	81,312
35	HIDTA GRANT FUND	780	0	0	0	0	0	780		780
	Total Revised Fund 35	780	0	0	0	0	0	780		780
36	LAW ENFORCEMENT FUND	68,724	159,500	0	0	0	228,224	(0)		(0)
	Total Revised Fund 36	68,724	159,500	0	0	0	228,224	(0)		(0)
37	STATE HIGHWAY FUND	115,832	51,280	0	0	0	85,815	81,297		81,297
	Revision #5-Remove Non-Grant Funded Salary & Benefits					0	(28,499)	28,499		28,499
	Total Revised Fund 37	115,832	51,280	0	0	0	57,316	109,796		109,796
38	TRAFFIC SAFETY FUND	77,507	14,581	0	0	0	10,000	82,088		82,088
	Total Revised Fund 38	77,507	14,581	0	0	0	10,000	82,088		82,088

39	STATE JUDICIAL	2,393	34,000	0	0	0	34,000	2,393		2,393
	Total Revised Fund 39	2,393	34,000	0	0	0	34,000	2,393		2,393
42	1984 GROSS RECEIPTS TAX	3,872,525	2,121,677	0	4,050,682	(4,050,682)	37,016	1,906,504	252,119	1,654,385
	Total Revised Fund 42	3,872,525	2,121,677	0	4,050,682	(4,050,682)	37,016	1,906,504	252,119	1,654,385
44	TRANSPORTATION FUND	22,581	1,200,328	5,107,339	361,436	4,745,903	5,967,617	1,195		1,195
	Total Revised Fund 44	22,581	1,200,328	5,107,339	361,436	4,745,903	5,967,617	1,195		1,195
48	NEW MEXICO C.D.B.G.	0	382,515	1,161,308	0	1,161,308	1,407,044	136,779		136,779
	Total Revised Fund 48	0	382,515	1,161,308	0	1,161,308	1,407,044	136,779		136,779
49	1986 GROSS RECEIPTS TAX	4,547,832	2,129,102	0	896,490	(896,490)	279,812	5,500,632	268,391	5,232,241
	Total Revised Fund 49	4,547,832	2,129,102	0	896,490	(896,490)	279,812	5,500,632	268,391	5,232,241
50	PROPERTY ACQUISITION	85,010	0	0	0	0	0	85,010		85,010
	Total Revised Fund 50	85,010	0	0	0	0	0	85,010		85,010
53	GENERAL OBLIGATION	989,996	1,201,162	0	0	0	1,183,245	1,007,913	557,029	450,884
	Total Revised Fund 53	989,996	1,201,162	0	0	0	1,183,245	1,007,913	557,029	450,884
54	REVERSE OSMOSIS PROJECT RSV	21,967	0	0	0	0	10,447	11,520		11,520
	Total Revised Fund 54	21,967	0	0	0	0	10,447	11,520		11,520
56	99 GRT FLOOD CONTROL BOND PROJ	8	0	269,404	0	269,404	269,404	8		8
	Total Revised Fund 56	8	0	269,404	0	269,404	269,404	8		8
59	REVENUE BOND P & I FUND	172,412	8,300	2,357,973	0	2,357,973	2,357,973	180,712		180,712
	Total Revised Fund 59	172,412	8,300	2,357,973	0	2,357,973	2,357,973	180,712		180,712
61	MUNICIPAL INFRASTRUCTURE .0625%	1,872,040	530,855	0	260,000	(260,000)	9,254	2,133,641		2,133,641
	Total Revised Fund 61	1,872,040	530,855	0	260,000	(260,000)	9,254	2,133,641		2,133,641
63	COMMUNITY DEVELOPMENT	2,500	0	462,723	30,105	432,618	432,074	3,044		3,044
	Total Revised Fund 63	2,500	0	462,723	30,105	432,618	432,074	3,044		3,044
69	1994 GROSS RECEIPTS	4,040,006	2,114,548	0	2,401,640	(2,401,640)	37,016	3,715,898	553,051	3,162,847
	Total Revised Fund 69	4,040,006	2,114,548	0	2,401,640	(2,401,640)	37,016	3,715,898	553,051	3,162,847
71	ALAMO SENIOR CENTER	14,430	820,220	785,907	0	785,907	1,611,835	8,722		8,722
	Revision #3-Senior Center Fitness Donations		4,000			0		4,000		4,000
	Total Revised Fund 71	14,430	824,220	785,907	0	785,907	1,611,835	12,722		12,722
74	ALAMO SENIOR CENTER GIFT	136,021	11,078	0	0	0	26,286	120,813		120,813
	Total Revised Fund 74	136,021	11,078	0	0	0	26,286	120,813		120,813
75	SENIOR VOLUNTEER PROGRAM	10,107	139,307	1,400	0	1,400	150,427	387		387
	Total Revised Fund 75	10,107	139,307	1,400	0	1,400	150,427	387		387
81	WATER/SEWER OPERATING	16,271,347	11,262,553	658,461	2,295,718	(1,637,257)	13,853,385	12,043,258	1,463,850	10,579,408
	Total Revised Fund 81	16,271,347	11,262,553	658,461	2,295,718	(1,637,257)	13,853,385	12,043,258	1,463,850	10,579,408
82	98 JT WATER/SEWER BOND P&I	1,149,309	15,226	1,863,751	0	1,863,751	1,863,751	1,164,535	0	1,164,535
	Total Revised Fund 82	1,149,309	15,226	1,863,751	0	1,863,751	1,863,751	1,164,535	0	1,164,535
86	SOLID WASTE COLLECTION SYS.	996,061	2,495,198	240,000	158,629	81,371	2,770,215	802,415	178,583	623,832
	Total Revised Fund 86	996,061	2,495,198	240,000	158,629	81,371	2,770,215	802,415	178,583	623,832
88	BONITO CAMPGROUND	395,878	4,138	150,000	0	150,000	174,456	375,560		375,560
	Total Revised Fund 88	395,878	4,138	150,000	0	150,000	174,456	375,560	0	375,560
89	ESGRT .0625%	1,800,843	542,623	0	278,683	(278,683)	1,153,142	911,641		911,641
	Total Revised Fund 89	1,800,843	542,623	0	278,683	(278,683)	1,153,142	911,641	0	911,641
90	GOLF COURSE	0	1,715,450	246,082	0	246,082	1,957,734	3,798		3,798
	Total Revised Fund 90	0	1,715,450	246,082	0	246,082	1,957,734	3,798	0	3,798
91	AIRPORT	20,000	253,809	191,500	45,736	145,764	418,800	773	0	773
	Revision #4-Airfield Maintenance Grant Carryover		6,303			0	1,398	4,905		4,905
	Total Revised Fund 91	20,000	260,112	191,500	45,736	145,764	420,198	5,678	0	5,678
94	OTERO GREENTREE REG LANDFILL	3,444,133	1,418,772	0	5,000	(5,000)	2,635,200	2,222,705		2,222,705
	Total Revised Fund 94	3,444,133	1,418,772	0	5,000	(5,000)	2,635,200	2,222,705	0	2,222,705
96	SELF-INSURED FUND	581,219	140,317	0	276,600	(276,600)	141,121	303,815		303,815
	Total Revised Fund 96	581,219	140,317	0	276,600	(276,600)	141,121	303,815	0	303,815

98	PAYROLL CLEARING	242,872	0	0	0	0	0	242,872		242,872
	Total Revised Fund 98	242,872	0	0	0	0	0	242,872	0	242,872
104	UTILITY DEPOSITS	628,617	0	0	0	0	0	628,617		628,617
	Total Revised Fund 104	628,617	0	0	0	0	0	628,617	0	628,617
105	ECONOMIC DEVELOPMENT	6,821,364	1,133,468	0	0	0	43,508	7,911,324		7,911,324
	Total Revised Fund 105	6,821,364	1,133,468	0	0	0	43,508	7,911,324		7,911,324
107	SELF INSURED/LIABILITY	1,081,582	8,050	0	0	0	535,000	554,632		554,632
	Total Revised Fund 107	1,081,582	8,050	0	0	0	535,000	554,632	0	554,632
109	2004 GRT CAPITAL OUTLAY	15,640,173	4,335,972	0	3,258,695	(3,258,695)	4,472,897	12,244,553	534,452	11,710,101
	Total Revised Fund 109	15,640,173	4,335,972	0	3,258,695	(3,258,695)	4,472,897	12,244,553	534,452	11,710,101
114	SIDEWALKS REVOLVING LOANS	146,446	1,722	0	0	0	0	148,168		148,168
	Total Revised Fund 114	146,446	1,722	0	0	0	0	148,168	0	148,168
115	CORP ESCROW ACCOUNT RESERVE	1,000	0	0	0	0	0	1,000		1,000
	Total Revised Fund 115	1,000	0	0	0	0	0	1,000	0	1,000
119	2012 GRT REF/IMP REV BOND	199,317	3,085	0	0	0	192,557	9,845		9,845
	Total Revised Fund 119	199,317	3,085	0	0	0	192,557	9,845		9,845
121	2015 GO BONDS-FUN CENTER	92,226	1,081	0	0	0	0	93,307		93,307
	Total Revised Fund 121	92,226	1,081	0	0	0	0	93,307		93,307
122	2015 GO BONDS-STREETS	178,708	2,095	0	0	0	0	180,803		180,803
	Total Revised Fund 122	178,708	2,095	0	0	0	0	180,803		180,803
124	AMERICAN RESCUE PLAN ACT	7,226,672	75,043	0	0	0	7,119,553	182,162		182,162
	Total Revised Fund 124	7,226,672	75,043	0	0	0	7,119,553	182,162		182,162
125	CANNABIS GRT	0	204,000	0	0	0	6,120	197,880		197,880
	Revision #8-Sign-On Bonus Incentives for Police Officers						196,118	(196,118)		(196,118)
	Total Revised Fund 125	0	204,000	0	0	0	202,238	1,762		1,762
901	HOUSING LOW RENT OPERATING	899,290	0	0	0	0	0	899,290	86,881	812,409
	Total Revised Fund 901	899,290	0	0	0	0	0	899,290	86,881	812,409
903	HOUSING HOMEOWNERSHIP OPER	18	0	0	0	0	0	18		18
	Total Revised Fund 903	18	0	0	0	0	0	18	0	18
904	HOUSING CAPITAL FUND PROJECTS	563,966	0	0	0	0	0	563,966		563,966
	Total Revised Fund 904	563,966	0	0	0	0	0	563,966		563,966
TOTALS FY2024		92,951,619	64,614,548	26,298,153	26,298,153	0	94,148,901	63,417,266	6,111,374	57,305,892

FY24 Budget Resolution # 2023-50 (#4) - October 24, 2023

FUND NO. JOURNAL NO.	PROJECT NO.	LINE ITEM NO.	LINE ITEM DESCRIPTION	ORIGINAL BUDGET AMOUNT	INCREASE (DECREASE)	REVISED BUDGET AMOUNT
REVISION #1						
This budget revision is to account for an Alamogordo Fire Department Capital Outlay Grant to renovate Oregon School as a Fire Facility.						
24	GRANT CAPITAL IMPROVEMENT FUND					
Revenues						
571	FD2401.GRNT.STTE	024.000.0000.0000.40702.	Grants-State	5,604,670	485,100	6,089,770
Total Revenues				5,604,670	485,100	6,089,770
Expenditures						
571	FD2401.CAPT.BLDG	024.000.0000.0000.57006.	Capital-Building Improvements	3,933,290	485,100	4,418,390
Total Expenditures				3,933,290	485,100	4,418,390
REVISION #2						
This budget revision is to provide funding for new Assistant City Attorney position.						
11	GENERAL FUND					
Expenditures						
1779		011.100.1501.0000.52002.	Salaries-Operational	77,722	74,661	152,383
1779		011.100.1501.0000.52010.	Benefits-Retirement	27,344	11,872	39,216
1779		011.100.1501.0000.52012.	Benefits-Retiree Health	4,376	1,494	5,870
1779		011.100.1501.0000.52015.	Benefits-FICA	13,869	5,712	19,581
1779		011.100.1501.0000.52025.	Benefits-Group Health	27,524	12,173	39,697
1779		011.100.1501.0000.52030.	Benefits-Worker's Comp	479	239	718
1779		011.100.1501.0000.52031.	Benefits-Worker's Comp Fee	28	10	38
Total Expenditures				151,342	106,161	257,503
REVISION #3						
This budget revision is to account for Senior Center Fitness Donations for FY2024.						
71	SENIOR CENTER FUND					
Revenues						
66		071.000.0000.0000.40635.	Misc. Revenue-Fitness Donations	0	4,000	4,000
Total Revenues				0	4,000	4,000
REVISION #4						
This budget revision is to carryover State Grant Funding and remaining expenditures to FY24 which was left off original carryover list.						
91	AIRPORT FUND					
Revenues						
337	AP2301.GRNT.STTE	091.000.0000.0000.40702.	Grants-State	31,005	6,303	37,308
Total Revenues				31,005	6,303	37,308
Expenditures						
338	AP2301.SUPP.AIRP	091.300.2400.0000.53031.	Supplies-Airport	51,819	1,398	53,217
Total Expenditures				51,819	1,398	53,217
REVISION #5						
This budget revision is to remove Salary & Benefits incorrectly included in FY24 Budget.						
37	STATE HIGHWAY CLEANUP FUND					
Expenditures						
729		037.800.3105.0000.52003.	Salaries-Temp/Part-Time	36,373	(26,190)	10,183
729		037.800.3105.0000.52015.	Benefits-FICA	2,736	(1,886)	850
729		037.800.3105.0000.52030.	Benefits-Worker's Comp	413	(377)	36
729		037.800.3105.0000.52031.	Benefits-Worker's Comp Fee	55	(46)	9
Total Expenditures				39,577	(28,499)	11,078
REVISION #6						
This budget revision is to provide additional funding for the Tularosa Basin Regional Dispatch Authority PSAP agreement.						
11	GENERAL FUND					
Expenditures						
752		011.400.4004.0000.54520.	Services-Contract	0	200,000	200,000
Total Expenditures				0	200,000	200,000
REVISION #7						
This budget revision is to reconcile the Fire Protection Fund Grant award for FY24.						
33	FIRE PROTECTION FUND					
Revenues						
750		033.400.4204.0000.40705.	Grants-State	739,316	156,149	895,465
Total Revenues				739,316	156,149	895,465
Expenditures						
750		033.400.4204.0000.56007	Other-Equipment	154,412	111,747	266,159
Total Expenditures				154,412	111,747	266,159

REVISION #8
This budget revision is budget for sign-on bonus incentives for new police officers.

125	CANNABIS REGULATION ACT				
		<i>Expenditures</i>			
		125.400.4104.0000.52017	Benefits-Incentive	0	187,500
		125.400.4104.0000.52015	Benefits-FICA	0	2,719
		125.400.4104.0000.52030	Benefits-Worker's Comp	0	5,899
			Total Expenditures	0	196,118
					1,723,577

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 10/24/2023

Report Date: 10/19/2023

Report No: 6.

Submitted By: Stephanie Hernandez

Subject: Information for joint collaboration with Alamogordo Public Schools to encourage youth participation in voting. *(Stephanie Hernandez, Acting City Manager and Anna Alday, APS District Coordinator)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background:

 Vote on NOV 7th!

VOTE

★ LET'S DECIDE TOGETHER ★

WHICH EVENT WILL WIN?
AHS STUDENT BODY EVENT ELECTION

2023

1

WINTER
WONDERLAND
AT THE ZOO

JAN 19TH

2

CITY-WIDE
SCAVENGER HUNT

8 AM-5 PM

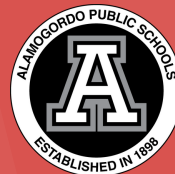
FEB 9TH

3

VALENTINE'S DAY
DANCE

NEW YORK AVE

FEB 10TH



Join us for a schoolwide election event on Nov 7th.

In partnership with the City of Alamogordo, vote on the event you want to attend, and the event with the most votes will be hosted by the City!

Make sure your voice is heard!



City of Alamogordo & Alamogordo Public Schools Collaboration

Stephanie Hernandez, Acting City Manager

Anna Alday, APS District CTE Coordinator





Alamogordo High School Election

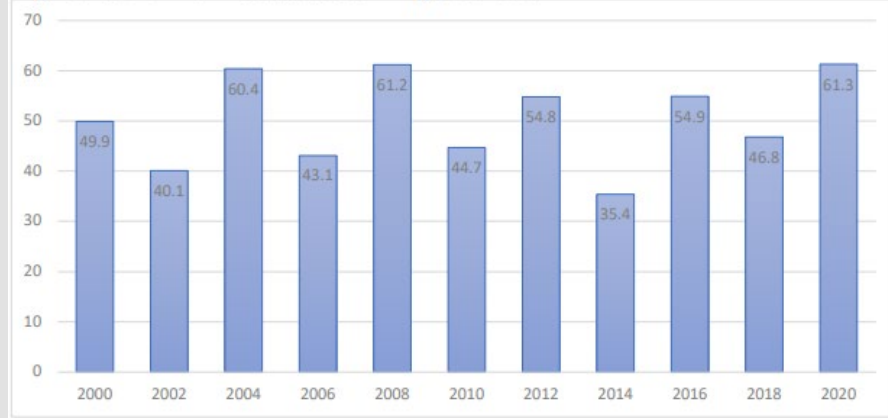
*Voting will occur on November 7, 2023, to coincide with
local and state elections*

Why Collaborate

To encourage students to have their voices heard.

Voter Participation in New Mexico

Figure 1.2. NM Turnout as a % of Eligible Voters



Demographics of the 2020 Election

1. Voters between 18-29: 13%
2. Voters between 30-44: 21%
3. Voters between 45-64: 34%
4. Voters between 65+: 31%

Let's make voting a habit!

Resource: 2020 NEW MEXICO ELECTION ADMINISTRATION, VOTER SECURITY, AND ELECTION REFORM REPORT

<https://www.sos.nm.gov/wp-content/uploads/2022/01/2020-UNM-Voter-Report.pdf>



Collaboration



The idea developed in 2019, but then there was COVID.

The City of Alamogordo (COA) approached Alamogordo Public Schools (APS) with the idea.

Both entities were excited to collaborate on getting students excited about showing up and voting.

After a preliminary discussion, APS met with the high school student council to brainstorm ideas.

The City of Alamogordo (COA) met with Alamogordo Public Schools (APS) a second time to review the event ideas.

As a group, we narrowed it down to three.

Discussed the roles each entity would take on to ensure a successful experience for high school students.

3 Events on the Ballet

High school students will vote and select one of the following.



Winter Wonderland

Date: January 19, 2023

Description: Step into a magical world of frosty enchantment at our Winter Wonderland event! Join us as we transform the zoo into a sparkling winter wonderland filled with twinkling lights, and the season's spirit. Enjoy live holiday music, and food trucks, and savor delicious seasonal treats. It's a joyous celebration of winter that's sure to warm your heart and create cherished memories for all ages.

Scavenger Hunt

Date: February 9, 2023

Description: Get ready for an epic adventure with our City-Wide Scavenger Hunt! Explore our vibrant city like never before as you and your team decipher clues, solve riddles, and embark on a quest to find hidden treasures scattered throughout the urban landscape. Challenge your wits, navigate exciting challenges, and discover the hidden gems that make our city unique. It's a thrilling day of fun, exploration, and competition that will leave you with unforgettable memories and a newfound appreciation for our city's rich history and culture.

Valentine's Day Dance

Date: February 10, 2023

Description: Join us for a night of romance and dancing at our Valentine's Day Dance! This enchanting evening is the perfect way to embrace the spirit of love. Enjoy live music, delicious treats, and a magical atmosphere that will make your heart skip a beat at this family-friendly event. Dress in your finest attire and get ready to dance the night away.

Collaboration

Alamogordo High School

The experience will simulate the true voting experience

The Alamogordo High School will handle the logistics of getting students to vote.

The high school has hung flyers around the school to garner interest. (Attached in the agenda)

Students who vote will get an “I Voted” sticker. Similar to what citizens get at the poles.

The High School will accumulate the votes and announce the winning event

City of Alamogordo

Once the event is announced, the City of Alamogordo Community Affairs team will plan the event.

The goal is to make it a memorable event, that students can be proud of voting for.

Will coordinate with the schools to ensure all protocols for students and student safety are followed



Questions or Comments?

Thank You



AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 10/24/2023

Report Date: 10/19/2023

Report No: 7.

Submitted By: Stephanie Hernandez

Subject: Consider, and act upon, reauthorizing the LEDA grant to Learn New Mexico for Ink Well Building. (*Stepahnie Hernandez, Acting City Manager and Michelle Perry, CEO-Learn New Mexico*) (**Roll Call Vote Required**)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background:

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:

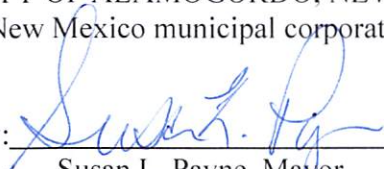
1. The Company is an entity as defined in NMSA 1978, Section 5-10-3(G);
2. Under the Agreement, the Company will provide a substantive contribution for the proposed project as described in NMSA 1978 Section 5-10-10(B)

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 8th day of August, 2023.

CITY OF ALAMOGORDO, NEW MEXICO
a New Mexico municipal corporation

By: 
Susan L. Payne, Mayor

ATTEST:


Rachel Hughes, City Clerk

APPROVED AS TO FORM:


Ashley Smith, City Attorney

First publication approval: 7/11/2023
First publication: 7/16/2023
Final publication approval: 8/8/2023
Final publication: 8/13/2023
Effective date: 8/18/2023

Local Economic Development Act (LEDA)
Application
Amendment

Submitted to: The City of Alamogordo



Submitted by: Learn New Mexico, LLC
October 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? Please provide the contact information.	☐ Yes ☐ No 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 Ink Well 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 (coffee shop).

The amount requested is \$990,600

b) Timeline

Activity	Begin Date	End Date	Operational Date	Cost
Amendment: Acquire Property for the Innovation Center (Second Choice: 314 9th Street)	January 1, 2024	June 1, 2024	June 1, 2024	\$275,700
Amendment: Remodel and repurpose Interior and Exterior	January 1, 2024	June 1, 2024	June 1, 2024	\$714,900
Total				\$990,600

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

d) Infrastructure Needs and Scope of Work:

Activity	Cost	Beneficial Purpose
Purchase Property	\$275,700 (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	\$714,900	Remodel space for co-working and leasing options for businesses and venues

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 Ink Well 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 (coffee shop).

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

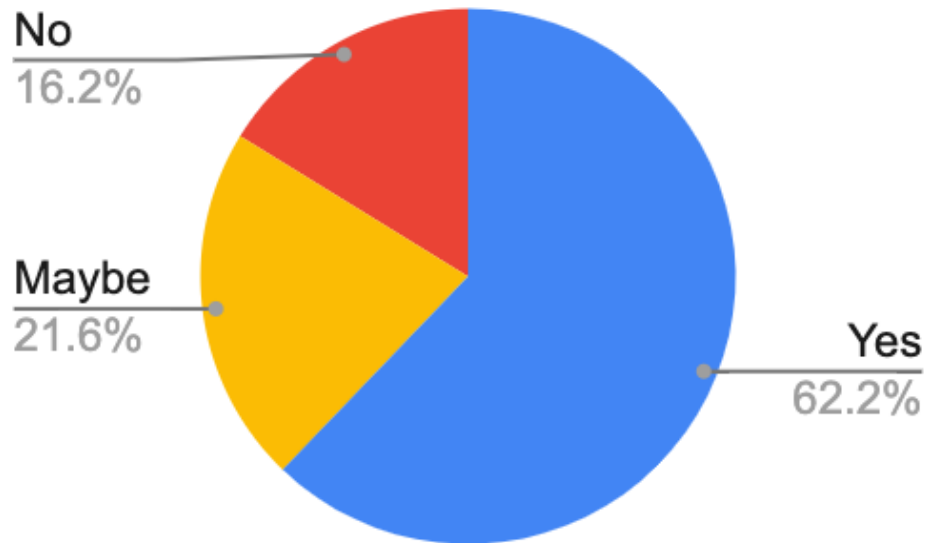
A shared commercial kitchen is a space where individuals or groups can prepare and share food together. Here are some benefits of a shared commercial kitchen:

- 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.
- Provide a space for a coffee shop

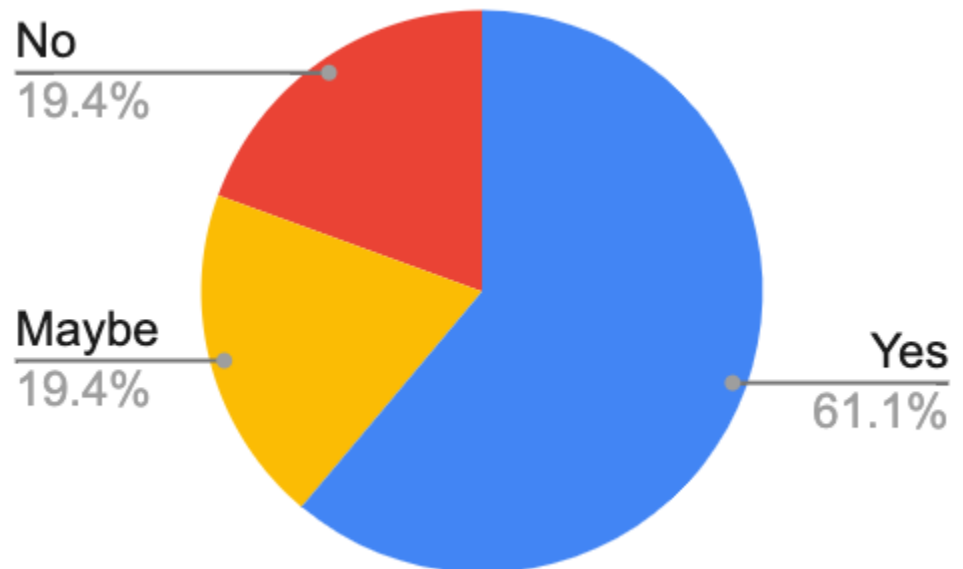
b) **Market Analysis:** A survey was provided via “Coffee and Connections” networking event and on social media:

- 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?**”:

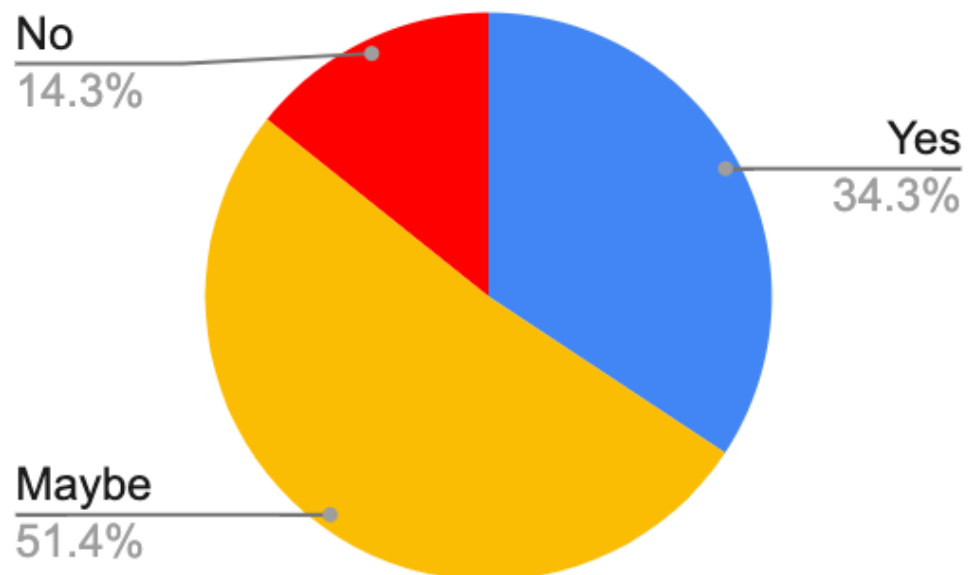
1) Temporary or periodic use of office space



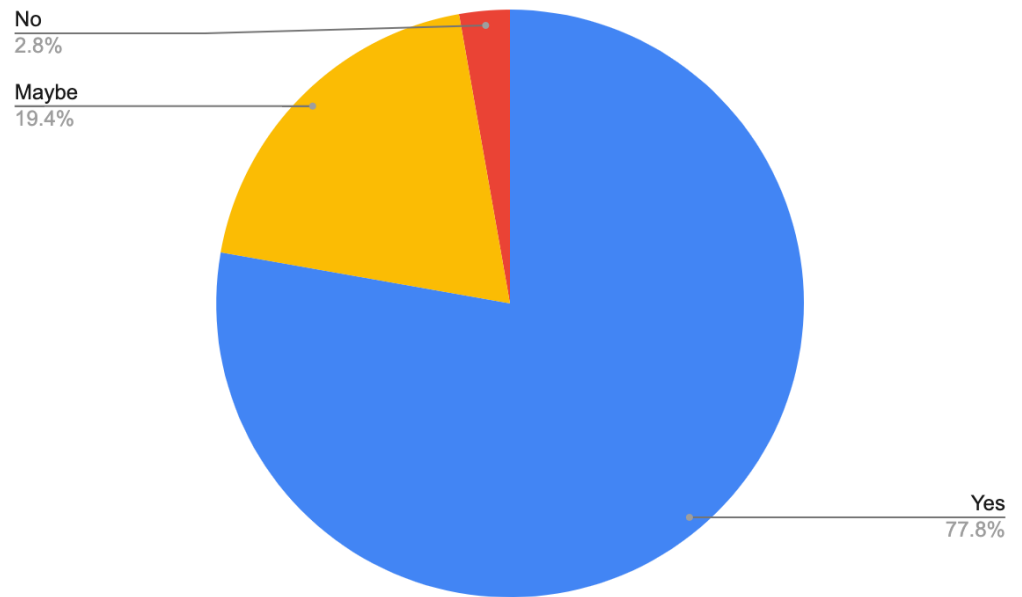
2) Commercial kitchen/refrigeration/receiving/storage i.e. for a food truck or caterer



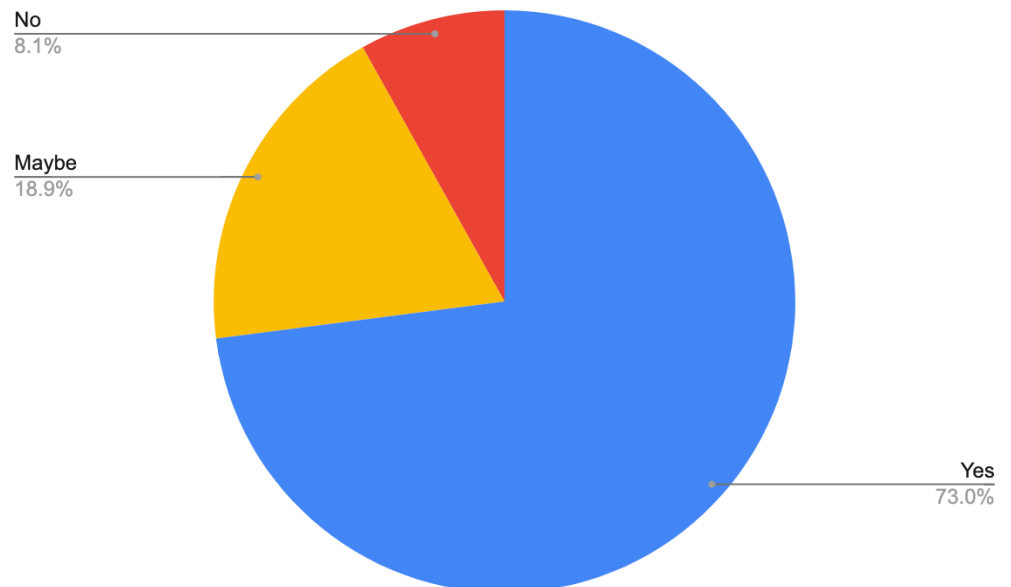
3) Reception services/fixed address and phone number/receiving mail and freight



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 Conference Room Rental	\$150/hour + cleaning fee	20 @ 6 hours	\$18,000	\$17,018	\$982
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:**

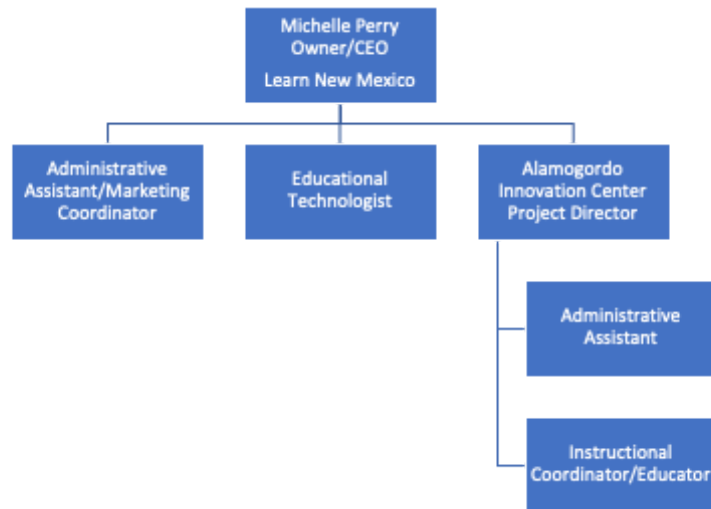
- i) Target Audience: Freelancers, entrepreneurs, small businesses owners, large business owners, remote workers, training and development organizations, non-profits, etc.
- ii) Competition: Other local Innovation Centers/Co-Working spaces do not exist in Alamogordo. The closest one to our location is 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
	Learn New Mexico	\$30,000	Directing/ Organizing Project	\$30,000	0	
	LEDA	\$600,000	Building Purchase	\$275,700	0	0
	LEDA	\$100,00	Project Manager	\$100,000	0	0
	LEDA	\$400,000	Remodel	\$724,300	0	\$724,300
	LEDA	\$10,000	Marketing	\$10,000	0	0
	LEDA	\$178,700	AIC Job Creation	\$178,700	0	\$178,700
	LEDA	\$100,000	Facility and Administrative Indirect Costs	\$100,000	0	0
	Rental Space Business	\$10,200	Rental Space Job Creation	\$169,680	0	\$169,680
June 1, 2025	Jobs from AIC + lessee at AIC + remodel				Year 1	\$748,380
June 1, 2026	Jobs from AIC + lessee at AIC				Year 2	\$348,380
June 1, 2027	Jobs from AIC + lessee at AIC				Year 3	\$348,380
June 1, 2028	Jobs from AIC + lessee at AIC				Year 4	\$348,380
June 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: The Ink Well Innovation Center: 314 9th Street Alamogordo, NM
 - i) A New Appraisal will be ordered on June 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	\$65,000/yr	\$19,500	\$84,500	\$422,500
Admin	40	\$45,000/yr	\$13,500	\$58,500	\$292,500
total				\$143,000	\$715,000
Business Storefront/Rental Space (coffee shop) created with Alamogordo Innovation Center					
Title	FTE	Pay	Benefits 30%	Per Year Total	5 Year Total
Director/ owner	1	\$40,000	\$12,000	\$52,000	\$260,000

- 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) \$724,300 for remodel of local building space
- ii) \$195,000 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) **Years 1-5 Economic Impact (@ 1.6% * \$195,000* 5 years): \$990,600**

- i) Contributing Factors to Economic Impact Quantifiable Indirect/Induced impact ratio (1.6%):
 - 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

e) **Full economic impact with investment:**

LEDA Investment in the Alamogordo Innovation Center	5 year Economic Impact (with 1.6% Quantifiable Indirect/Induced impact ratio)
\$990,600	\$990,600

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 that 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 314 9th Street, 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 \$900,000 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 314 9th Street, 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's 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 the Ink Well Innovation Center at 314 9th Street 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 The Ink Well 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 \$990,000 of upfront Economic Development Incentives to the Qualifying Entity to purchase 314 9th Street, 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 314 9th Street, 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 the Qualifying Entity's obligations hereunder have been achieved in full. The Qualifying Entity may request the City to release the mortgage upon satisfying this obligation. Upon such request, the 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 Ink Well 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	\$990,000
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 claw back 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

DRAFT

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

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 10/24/2023

Report Date: 10/19/2023

Report No: 8.

Submitted By: Josh Sides

Subject: Consider, and act upon, Resolution 2023-45 declaring the building or structure, or the premises located at 1401 Mountain View, to be ruined, damaged, and dilapidated to be a menace to the public comfort, health, peace, or safety, and ordering its abatement. (*Paul Bennett, Facility Maintenance Manager, and Richard Adler, Fire Chief*) **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve and order the abatement of the unsafe conditions within the property.

Background: Code Enforcement was called to this residence at the request of the Alamogordo Police Department regarding the property's conditions. Upon arrival with the Alamogordo Fire Department, it was abundantly clear the residence was unfit for human occupancy. Code Enforcement Officers wore full body suits and self-contained breathing apparatuses to be inside the residence to execute the administrative search warrant.

Structure Unfit for Human Occupancy

1401 Mountain View



IPMC Definition

- **111.1.3 Structure unfit for human occupancy.**

A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

112.1 Imminent danger. ...or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the code official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition, or of demolishing the same.

Timeline

1401 Mountain View

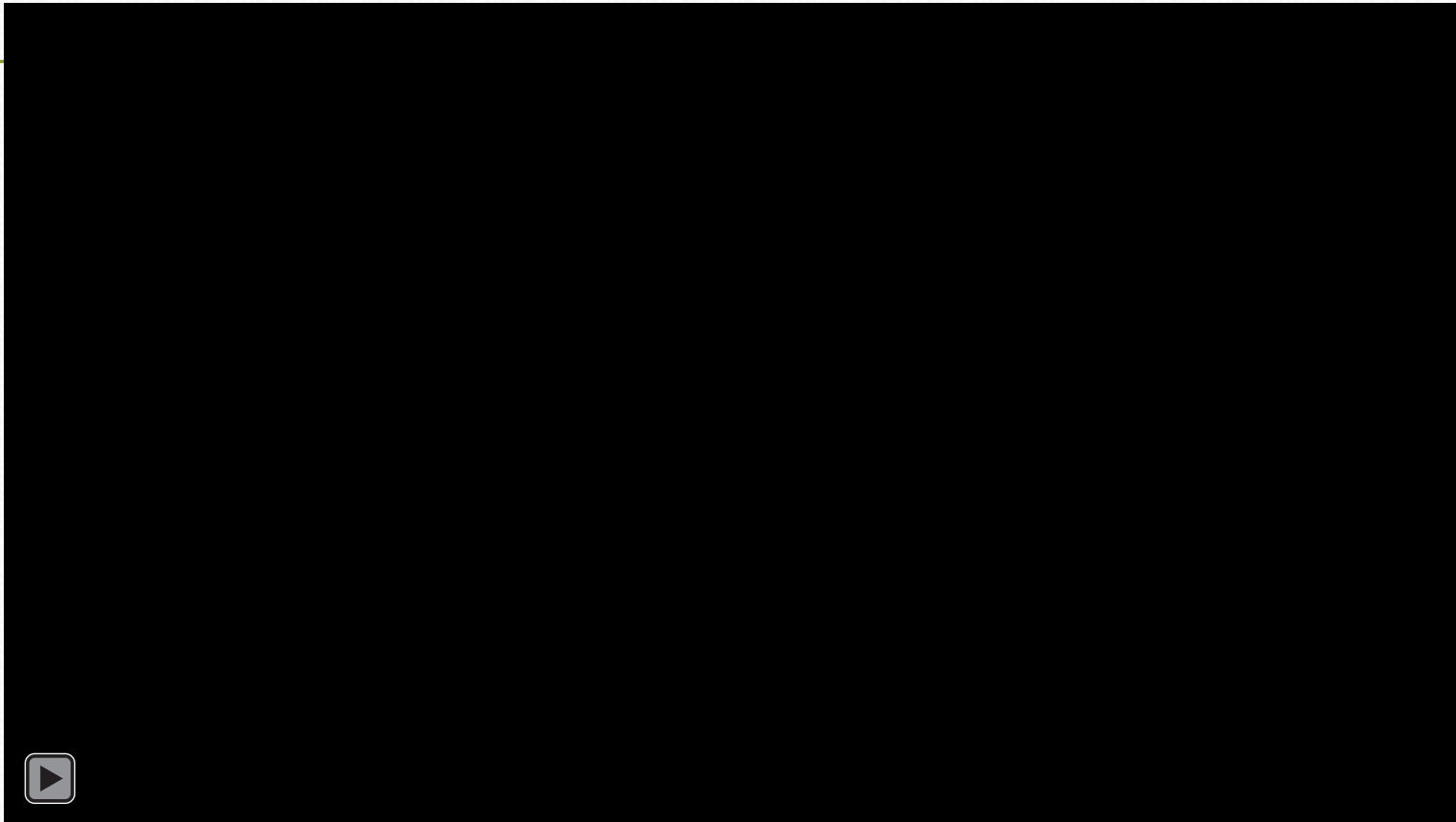
- On 10/19/2023 at approximately 0945 hours, APD Officer Silva was conducting an investigation at the residence. Officer Silva called for Alamogordo Fire Department and Code Enforcement.
- At approximately 0950 hours, I arrived at the property and spoke with Officer Silva. Based on the facts Officer Silva provided me, I applied for and was granted an Administrative Search Warrant by 12th Judicial District Court Judge Jessen.
- At approximately 1035 hours, I executed the search warrant.
- Code Enforcement has two additional cases on this property and has received multiple complaints from neighbors.

International Property Maintenance Code Violations

1401 Mountain View

- **111.1.3 Structure unfit for human occupancy.** A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.
- **305.1 General.** Occupants shall keep the interior of the structure that they occupy or control in a clean and sanitary condition.
- **308.1 Accumulation of rubbish or garbage.** Exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.
- **702.1 General.** A safe, continuous, and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the International Fire Code.

Condition of the Property at 1401 Mountain View



RESOLUTION NO. 2023-45

A RESOLUTION DECLARING THE BUILDING OR STRUCTURE, OR THE PREMISES LOCATED AT 1401 MOUNTAIN VIEW ALAMOGORDO, OTERO COUNTY, NEW MEXICO, TO BE RUINED, DAMAGED, AND DILAPIDATED TO BE A MENACE TO THE PUBLIC COMFORT, HEALTH, PEACE, OR SAFETY, AND ORDERING ITS ABATEMENT

WHEREAS, the governing body of the City of Alamogordo, New Mexico, finds that there is located within the City a certain building, structure, or premises at 1401 Mountain View, as more particularly described on the attached Exhibit 1 (the “Property”); and,

WHEREAS, the governing body does further find that the Code Enforcement Manager has investigated the condition of the Property and has found the same to be so ruined, damaged, and dilapidated, or covered with ruins, rubbish, wreckage, or debris, that it constitutes a menace to the public comfort, health, peace or safety so as to warrant abatement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION:

Section 1. That the findings of said Code Enforcement Manager, in regard to the Property, attached hereto as Exhibit 2, are hereby approved and adopted, and that the Property is found to be ruined, damaged, and dilapidated, so as to constitute a menace to the public comfort, health, peace or safety pursuant to Section 3-18-5, NMSA, 1978.

Section 2. That Ms. Susie Cheung, the record owner of the Property, is hereby ordered to commence removal of the unsafe conditions such as rubbish and garbage that pose a health hazard to the occupants within ten (10) days after service of a copy of this Resolution, or within said ten (10) day period, file written objection to findings herein with the City Clerk of the City of Alamogordo, asking for a hearing before the City Commission.

Section 3. That if there is a failure of compliance with the provision of Section 2 herein, the City of Alamogordo shall proceed to abate said unsafe condition, at the cost and expense of said record, with said cost and expense constituting a lien against the building or structure so abated, and against the Property, as allowed by law.

Section 4. **SEVERABILITY CLAUSE.** If any section, paragraph, sentence, clause, word, or phrase of this resolution is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this resolution. The Commission hereby declares that it would have passed this resolution and each section, paragraph, sentence, clause, word, or phrase thereof, irrespective of any provisions being declared unconstitutional or otherwise invalid.

PASSED, APPROVED AND ADOPTED, this ____ day of October 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

- [Account Search](#)
- [My Reports](#)
- [Help](#)
- [Logout Public](#)

Exhibit "1"

Account: R016516

Location	Owner Information	Assessment History															
Account Number R016516 Situs Address 1401 MOUNTAIN VIEW AVE Previous Parcel ID 01-07085 Parcel Sequence Neighborhood A11 - Mountain View West Tax Area 01_R Parcel Number 01N4056094284376 Legal Summary Subd: MOUNTAIN VIEW #1 Lot: 29 W12.22', 30 Block: 14 Appraiser James Bowman	Owner Name CHEUNG, SUSIE Owner Address 163 EAGLE DR ALAMOGORDO, NM 88310	Actual (2023 - Residential Cap applied) \$99,731 Primary Taxable \$33,244 Tax Area: 01_R Mill Levy: 25.844000 <table><tr><th>Type</th><th>Actual</th><th>Assessed</th><th>Acres</th><th>SQFT</th></tr><tr><td>Residential Land</td><td>\$10,772</td><td>\$3,591</td><td>0.192</td><td></td></tr><tr><td>Residential Improvement</td><td>\$88,959</td><td>\$29,653</td><td></td><td>1713.000</td></tr></table>	Type	Actual	Assessed	Acres	SQFT	Residential Land	\$10,772	\$3,591	0.192		Residential Improvement	\$88,959	\$29,653		1713.000
Type	Actual	Assessed	Acres	SQFT													
Residential Land	\$10,772	\$3,591	0.192														
Residential Improvement	\$88,959	\$29,653		1713.000													
Transfers																	
Sale Date	Sale Price	Doc Description															
		Deed															
		Deed															
		Deed															
		Deed															
		Deed															

Tax History		Images
Tax Year	Taxes	Map Photo Sketch GIS
	2023	\$859.16
	2022	\$840.16

Focusing On: 1401 MOUNTAIN VIEW AVE ALAMOGORDO 88310



Oops! Something went wrong.

This page didn't load Google Maps correctly. See the JavaScript console for technical details.



Case #: 202302034

Case Date: 10/19/23

Address Number: 1401

Street Name: Mountain View

Description: Unfit Structure

Complainant Phone: 575439-4300

Complainant Address: 700 Virginia

Complainant Name: Officer Silva

Reinspection: 11/04/2023

Property Owners : Susie Cheung

Property Owner Phone Number: 5754429573

DOB:

ID #:

Court case number:

Court Date:

Compliance Inspection :

Certified Mail #:

Citation Number:

Status: Draft Resolution

Assigned To: JOSH SIDES

Exhibit "2"

Property

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
01N4056094284376	1401 MOUNTAIN VIEW AVE	Subd: MOUNTAIN VIEW #1 Lot: 29W12.22', 30 Block: 14	CHEUNG, SUSIE	5754429573	

Activities

Date	Activity Type	Description	Employee	Status
10/19/2023	Inspection	On 10/19/2023, I, Code Enforcement Manager Josh Sides, responded to 1401 Mountain View Ave., Alamogordo, Otero County, New Mexico, at the request of Alamogordo Police Department Officer Silva. Upon arrival, I met with Officer Silva. I learned Officer Silva was at the residence conducting an investigation. When he entered the home, he saw an abundance of rubbish and garbage, as well as large amounts of cat feces and a very heavy smell of ammonia. Let it be noted that as I spoke with Officer Silva in the street in front of 1403 Mountain View, I could smell a foul odor coming from 1401 Mountain View. Based on the information provided to me, I drafted, applied for, and was granted an Administrative Search Warrant by 12th Judicial District Court Judge Ellen Jessen. I returned to the property and met with Ms. Takisha Stone, the resident. I informed Ms. Stone I had a search warrant to enter the residence and provided her with a copy. I entered the residence with Code Enforcement Officers Otero, Payan and Facility Maintenance Manager Paul Bennett. I immediately felt my eyes, nose, and throat begin to burn with the amount of ammonia in the residence. I informed everyone to back out of the home and called for the Alamogordo Fire Department to bring us self-contained breathing apparatuses.	JOSH SIDES	Non-Compliance

Once the Alamogordo Fire Department arrived and we dawned the self-contained breathing apparatuses, we re-entered the residence to continue our investigation.

Within the residence were enormous amounts of garbage and rubbish, including household trash, paper towels, toilet paper, and other paper, along with trash bags within every room. There was cat feces and urine in every room. The amount of garbage and rubbish made moving around within the residence from room to room or to exterior doors challenging. As I moved from room to room, I observed approximately 50 cats inside the home.

I called for Animal Control to meet with me at the property. Animal Control Officer Johnson arrived, and I briefed him on the condition of the property and the amount of cats.

After completion of the search warrant, I was able to make contact via phone with Ms. Susie Cheung, the property owner. I informed Ms. Cheung of the state of the property and considered the property unfit for human occupancy. Photographs of the state of the residence were taken and uploaded to iWorQ. I do have body camera footage of the conditions of the residence; however, the file is too large to upload to iWorQ. Copies of the citations Animal Control Officer Johnson issued to Ms. Stone were uploaded to iWorQ.

Please refer to Officer Otero and Officer Payan's supplement reports for further information. You may also refer to APD Officer Silva and ACO Officer Johnson's reports.

A resolution will be brought before the City of Alamogordo Commission to condemn this property on Tuesday, October 24, 2023, at 1830.

Violations

Date	Violation	Description	Notes	Status
10/19/2023	IPMC 111.1.3 Structure unfit for human occupancy	A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.	The residence's interior is filled with rubbish, garbage, cat feces, and urine in almost every room and hallway.	*Open
10/19/2023	IPMC 308.1 - Accumulation of Rubbish or Garbage	Exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.	The residence's interior has rubbish and garbage throughout the rooms, including household trash, plastic, paper towels, toilet paper, and paper.	*Open
10/19/2023	IPMC 702.1 General	A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the International Fire Code.	There is so much rubbish and garbage throughout the residence's interior there is no clear path of travel to a public way.	*Open

Attached Letters

Date	Letter	Description
10/19/2023	IPMC Letter	

Uploaded Files

Date	File Name
10/19/2023	17248711-101_0424.JPG
10/19/2023	17248712-101_0425.JPG
10/19/2023	17248713-101_0426.JPG
10/19/2023	17248714-101_0427.JPG
10/19/2023	17248706-101_0419.JPG
10/19/2023	17248707-101_0420.JPG
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AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 10/24/2023

Report Date: 10/19/2023

Report No: 9.

Submitted By: Petria Bengoechea

Subject: Adjourn into Executive Closed Session in compliance with 10-15-1(h) 8, NMSA (as amended) to discuss Real Property - Fairgrounds Parking Lot appraisal and a potential sale. **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background: