



Alamogordo City Commission

NOTICE OF MEETING

Regular Meeting Agenda

May 14, 2024 - 6:30 PM

Donald E. Carroll City Commission Chambers
City Hall, 1376 E. Ninth Street

Susan L. Payne Mayor
Sharon McDonald Mayor Pro-Tem, District 5
Nick Paul District 1
Stephen Burnett District 2
Warren Robinson District 3
Josh Rardin District 4
Mark Tapley District 6

Rick Holden 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 east bulletin board located in the south of the City Hall and in the glass case located outside 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

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.

1. Approve the minutes for the Regular Commission meeting on April 23, 2024. *(Rachel Hughs, City Clerk)*
2. Consider, and act upon, Resolution 2024-25 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 May 14, 2024. *(Evelyn Huff, Finance Director)* **(Roll Call Vote Required)**
3. Approve Resolution 2024-26 designating the City Clerk as the Custodian of Records and the method of destruction of City records as witnessed shredding. *(Rachel Hughs, City Clerk)* **(Roll Call Vote Required)**
4. Consider, and act upon, Resolution No. 2024-28 requesting approval to salvage the P-2V aircraft at the Alamogordo-White Sands Regional Airport gate. *(Troy Orr, Airport Manager and Veronica Ortega, Community Services Director)* **(Roll call vote required)**
5. Consider, and act upon, an amendment to the grant funding from the Non-Metro Area Agency on Aging FY24 contract, to revise the original contract amount from \$510,892.63 to \$470,892.63. *(Magdalena Morales, ASC Manager and Veronica Ortega, Community Services Director)*
6. Consider, and act upon, a funds appropriation of \$55,575.00 through the Capital Outlay Bureau with the Aging & Long-Term Services Department for the purchase of a new Senior Center vehicle. *(Magdalena Morales, ASC Manager and Veronica Ortega, Community Services Director)*
7. Consider, and act upon, a one-time grant of \$1,500 from the Non-Metro Area Agency on Aging to promote Senior Center socialization activities, including the purchase of small equipment/electronics. *(Magdalena Morales, ASC Manager and Veronica Ortega, Community Services Director)*
8. Consider, and act upon, the award of RFP 2024-100 On Call Pavement Patching to Mesa Verde Enterprise Inc. *(David Nunnelley, Acting Public Works Director)*
9. Consider, and act upon, an amendment to the grant funding from the New Mexico Aging and Long-Term Services Department for the Senior Companion Program (SCP) and Foster Grandparent Program (FGP) FY24 contracts, to revise the original SCP contract amount from \$69,782.50 to \$57,782.50 and the original FGP contract amount from \$69,525.00 to \$27,725.00. *(Magdalena Morales, ASC Manager and Veronica Ortega, Community Services Director)*
10. Consider, and act upon, awarding IFB No. 2024-03 to multiple vendors, in the amount not to exceed \$140,125.60 related to Herbicide and Fertilizer, for multiple departments. *(Evelyn Huff, Finance Director)*

ITEMS REMOVED FROM CONSENT AGENDA

NEW BUSINESS

11. Consider, and act upon, Ordinance 1696 Case Z-2024-0001(A) for first publication of a map amendment to rezone properties located at 181 & 243 Hamilton Ridge Road, 3100, 3150, 3180, 3190, 3192, & 3194 Hamilton Road, Reynolds Subdivision Replat G, Lot G, and Pruiett Subdivision Replat A, Lot 4A from R-1 Single Family Dwelling to RE-Residential Estates. The property owners request the zone change to comply with the current ordinance for keeping livestock. *(Stella Rael, City Planner)* **(Roll Call Vote Required)**
12. Consider, and act upon Ordinance 1697 Case Z-2024-0002(A) for first publication of a map

amendment to rezone Somerset Subdivision Phase 1 from R-2 Townhouse Dwelling District to Planned Unit Development District (PUD). (*Stella Rael, City Planner*) **(Roll Call Vote Required)**

13. Consider, and act upon, Ordinance 1698, for first publication to amend Chapter 4, Article 4-06-060 of the Code of Ordinances concerning Fees and Conditions at the Alamogordo-White Sands Regional Airport. (*Troy Orr, Airport Manager*) **(Roll Call Vote Required)**

14. Consider, and act upon, Ordinance 1699 for first publication, repealing Article 09-02 Cemetery Board and Article 02-04-120 through 02-04-180 Mayor's Youth Advisory Council of the Alamogordo Code of Ordinances. (*Stephanie Hernandez, Assistant City Manager*) **(Roll Call Vote Required)**

15. Consider, and act upon, Resolution 2024-27, dissolving the Alamogordo Disability Council, Community Development Advisory Committee, and the Mayor's Committee on Long-Term Aging. (*Stephanie Hernandez, Assistant City Manager*) **(Roll Call Vote Required)**

16. Discussion and possible action relating to fire suppression system requirements at 900 S. White Sands Blvd, formerly National Furniture Liquidators. (*Jerry Ramirez, Fire Chief*)

17. Discussion and provide directions to staff regarding 3751 Mesa Village Drive, Alamogordo NM 88310 (Rocket City Family Fun Center). (*Rick Holden, City Manager and Stephanie Hernandez, Assistant City Manager*)

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

ADJOURNMENT

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 5/14/2024

Report Date: 04/26/2024

Report No: 1.

Submitted By: Rachel Hughs

Subject: Approve the minutes for the Regular Commission meeting on April 23, 2024. *(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
April 23, 2024**

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

**MARK TAPLEY, COMMISSIONER
WARREN ROBINSON, COMMISSIONER
RICK HOLDEN, 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. The Invocation was given by Mayor Payne and the Pledge of Allegiance was led by Commissioner Burnett.

APPROVAL OF AGENDA

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

PRESENTATIONS

1. Donate Life Proclamation. (Susan Payne, Mayor)

Mayor Payne pulled the item because no one was present to receive the proclamation.

2. 100% Otero Update on the PIT Count. (Peg Crim, Co-Founder)

Jen Gruger said there was a Housing Symposium and Community Conversation on March 21st. The objectives were to bring the community together for a conversation about housing, access to housing, and homelessness. During the first half of the day, various speakers spoke about creating housing opportunities. The resounding message at the end was to keep meeting and having these conversations. We are excited that Assistant City Manager Hernandez will give us more information about what the City is doing in these areas. The SNMEDD Council and Purdue University are having a two-day summit in Roswell on May 22nd and 23rd. This will be on a bigger scale, with more counties, including Otero, to look at housing. We are hopeful the City can have a presence there.

Nadia Sikes said her part here is to try to improve things for the unsheltered, the unhoused, and the homeless. I have been doing a mobile outreach program since October in partnership with the New Mexico Health Department and Counseling Center. We follow up on rumors and information about homeless camps in and around Alamogordo. The contract does not permit us to give tents, tarps, or sleeping bags, but we try to provide resources and engage with them. We give out snacks, hygiene kits, women's products, and backpacks. In winter, we gave out socks, hand warmers, and hats. People welcome us. I try to find out what they need, and to date, not one person has told me we need a shelter in Alamogordo. They like that Runner's Refuge was a temporary shelter, but nobody ever says we need a brick-and-mortar shelter. People are mostly looking to feel safe; they need simple things like an area to clean up or do their laundry. I always hear from people about their stuff being stolen; if you don't have much, it can be traumatic. The contract ends at the end of June, and I would like to return

and tell you the results. The majority of the people are from here, have quit high school, and experienced childhood trauma and dysfunctional families.

Peg Crim said she did not have the final numbers for the PIT Count from the State.

PUBLIC COMMENT

Gary Trinkle signed up to speak under Item 10.

CITY MANAGER'S REPORT

City Manager Holden made the following remarks:

1. Staff is working on some of the issues with housing concerning 100 % Otero. The housing ordinance is still functional and does not disqualify us from federal funding or opportunities. We are looking at some attainable housing and working with developers.
2. During the last commission meeting, there were some concerns about speeding. The Police Department does a tremendous job. Between March 29th and April 9th, about eleven days, there were twenty-three crashes, two hundred and thirty traffic stops, seventy-nine citations issued, and six hundred and sixty-eight calls for service. From April 10th to April 21st, there were twenty-one crashes. Four hundred and ninety-seven traffic stops, two hundred and twenty-eight citations issued. Our Police Department is all over town at all hours. Since the last meeting, officers have gone out and looked at parked vehicles at Incredible Court, and six citations were issued. If they do not comply with citations, they will be towed. Code Enforcement has gone out and dealt with issues there, too. It is good that people let us know what is going on. If you feel we are not making headway, please let my Office or the Police Chief know so we can take proactive steps. We took the last meeting seriously and have done impactful things, like looking at grants to get more police overtime. We continue to look for opportunities to enhance law enforcement efforts.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Commissioner Rardin made the following comments:

When we have tennis tournaments, Oregon Avenue is almost impassible with cars on both sides. A constituent there asked if we could take the northern end of the Oregon School's old playground and turn it into a parking lot. It does not have to be anything fancy; just pull the fence down and place a gravel parking lot for overflow. Could we look into getting a cost for that? City Manager Holden said he would visit with Parks staff and Financing to explore options.

Mayor Payne made the following comments:

I am on the PSAP Board and know the number of calls they get. It's incredible. The issue isn't that they are not doing enough. I want to discuss it because the Commission is not allowed to speak about it unless it is in an open meeting. So collectively, maybe we can come up with a solution. The calls and complaints have increased. Speaking for myself, I think they are doing enough, but I hope the City and Commission can come up with a solution because it is getting worse.

CONSENT AGENDA

3. Approve the minutes for the Regular Commission meeting on April 9, 2024. (Rachel Hughes, City Clerk)

4. Consider, and act upon, accepting the \$166,446.74 award from the State of New Mexico Department of Cultural Affairs accepting and signing the attached 2022 General Obligation

Bond Project Agreement for the Alamogordo Public Library. (Kim Underwood, Library Manager and Veronica Ortega, Community Services Director)

5. Consider, and act upon, Resolution 2024-23 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 April 23, 2024. (Evelyn Huff, Finance Director) (Roll Call Vote Required)

6. Consider and act upon an emergency funds appropriation of \$129,123.00 through the Capital Outlay Bureau with the Aging & Long-Term Services Department (ALTSD) for the purchase of a new Senior Center passenger bus (Magdalena Morales, ASC Manager / Veronica Ortega, Community Services Director).

7. Consider, and act upon, HUD Form 50077-CR Civil Rights Certification. (Evelyn Huff, Finance Director)

8. Consider, and act upon, Resolution No. 2024-24, adopting an Infrastructure Capital Improvement Plan (ICIP) and identifying six (6) recommended capital outlay projects for Fiscal Years 2026-2030. (Magdalena Morales, ASC Manager / Veronica Ortega, Community Services Director) (Roll Call Vote Required)

Commissioner Robinson moved to approve the Consent Agenda.

Commissioner Mayor Pro-Tem McDonald the motion.

Roll Call Vote was taken.

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

NEW BUSINESS

9. Consider, and act upon, the Parks & Recreation Master Plan. (Jackie Fishman, AICP, Principal, Consensus Planning, Inc., Belinda Bass, Parks & Recreation Director, and Veronica Ortega, Community Services Director)

Jackie Fishman said she was a Principal at Consensus Planning, a consulting firm based in downtown Albuquerque. In addition to our staff working on this, we had sub-consultants from Smith Engineering Company and Formative Architecture.

Jackie Fishman proceeded with the presentation and gave a timeline of the creation of the master plan, their methodologies and analyses, results of the Community Survey, recommendations for improvements, cost estimates, and funding resources. None of the restroom facilities in the various community facilities meet ADA accessibility standards as determined by our project architects. A program should be undertaken to improve restroom accessibility.

Mayor Payne asked about the surveyed areas. Ms. Fishman said your parks are mostly central to the City. You have subdivisions that are not close to any parks. Mayor Payne said only two hundred and twenty-six people took the survey. That makes it hard to tell the priorities in a city of thirty-one thousand.

Commissioner Robinson asked what surprised her the most about the study. Ms. Fishman said Alamogordo has nice facilities and some of everything. That was surprising because other communities around New Mexico lack those facilities. I work in small and large communities all over the State, and Alamogordo does a nice job.

Commissioner Rardin asked if the new restroom at the Balloon Park is ADA compliant. Ms. Fishman said maybe if it was a brand-new facility. Commissioner Rardin said it was built about a year and a half ago, so it would have to be ADA-compliant. Ms. Fishman said all the other ones are not, and they are really all the same. The architects on the team went into great detail about where the restrooms fall short for accessibility. Commissioner Rardin said that it is ever-changing. The ADA rules could change in the middle of a project. We have had problems in the past with keeping up with that. It is concerning. Ms. Fishman said accessibility to the parks is a concern. A lot of the playground equipment and picnic tables are not wheelchair accessible. Commissioner Robinson asked if there were grants or incentives to improve ADA-compliant restrooms or park areas. Ms. Fishman said she was unsure about ADA specifically, but the document includes funding resources. I do not know if the New Mexico Outdoor Recreation Division may support that. I recently worked with the City of Clovis on their master plan, and most of their Outdoor Recreation grant was based on accessibility and ADA. Assistant City Manager Hernandez said we used to have ADA and grants on our ICIP listing, but we had to remove it because it was never formalized or shovel ready. Now that we have something in writing approved by the Commission, we now have opportunities for ICIP and other grant funding. This will help in a lot of areas to seek additional funding from the State, which is pushing for outdoor recreation right now. Mayor Payne said a lot of these grants have to be shovel-ready and cannot just be ideas. It has to be something where if they fund you, you are ready to start building. We have not really had that plan until now. Assistant City Manager Hernandez said we took some of the elements from the master plan, although not approved, up to Representative Gabe Vaquez's office. We knew we wanted to move forward on Inclusion Park at the Rec Center. This is our plan to say yes, we have something ready to go.

Commissioner Robinson moved to approve.

Mayor Pro-Tem McDonald seconded the motion.

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

**10. Discussion and provide staff with direction on recent theft and speeding issues.
(Commissioner Rardin)**

Gary Trinkle said the burglaries are getting out of hand and are being carried out by drug addicts who chose that lifestyle. I have rental houses in town and lost tenants because of break-ins. I have been broken into twice. Something has to give. I heard about how the Police Department is understaffed. You have to figure out a way to get more law enforcement here, whether raising taxes, gross receipts, or whatever needs to be done. You ought to be able to feel safe in town. These guys are riding bicycles and breaking into homes and businesses in broad daylight. I do not know if they are being let loose in the courts or what is happening, but they are getting away with it. Houses are being broken into daily, and it is ridiculous. Regarding speeding and the recent accidents, you are not expecting a car to be doing sixty-five in a thirty-five. That is why people are getting t-boned, and accidents are getting worse. I am willing to pay my share if you raise property taxes; at least, I will not have to worry about getting robbed. It is only a matter of time before they break into the wrong house, and someone gets hurt. Mayor Payne said we raised taxes last summer to do that. Mr. Trinkle said to raise them again. Mayor Payne said it is not that easy, but I believe it is working. Mr. Trinkle said the way to get more people is to pay them more. Do something. City Manager Holden said Mr. Trinkle had previously met with Commissioner Rardin and me. We talked about a lot of the issues mentioned, and I subsequently spent time with Chief Kunihiro about them. The awareness is appreciated.

Commissioner Rardin said the building community has been hit really hard. I have been hit twice at my shop. Some people have been hit about ten to twelve times. We are talking thousands of dollars. It is frustrating because, as business owners, our insurance costs have escalated year after year. Every time we make a claim, those costs are increased even more. The purpose of this being on the agenda is to start talking about it and see what we can do to help the Police Department. Can we tighten up ordinances, or as a home rule, can we do things beyond what the State allows us to do? I

would like staff to brainstorm. I heard a rumor that we only have two police officers at night. How many do we have? Chief Kunihiro said normally, four and a sergeant. Commissioner Rardin asked about the lieutenants. Chief Kunihiro said they go home at nine or eleven, depending on the shift.

Commissioner Rardin said he mentioned speeding at the last meeting and agreed with Mr. Trinkle. A lot of out-of-towners come in, thinking they are out on the interstate. Maybe citations will slow them down. City Manager Holden said Chief Kunihiro and I discussed this. There are grant-funded overtime programs available that we could utilize to increase patrols for speeding. I have already approved one to allow a grant to come into play so we can step up enforcement. We have to be sure that people know they need to report these incidents and issues, so we have a good record of it. If somebody believes officers are not following up, we need to call the Chief or myself directly to follow up. We need dates, times, and incidents so the Chief and Deputy Chief can follow up to determine if these calls are coming in and who is getting them. We are not intentionally overlooking any of those things. We need you to call. If you don't call, the police don't have a way to respond. Commissioner Rardin said the first time he was hit, he reported it to the Police Department, and the officer did not even come out. I was told to get online and report it there. That looks bad to constituents when an officer does not want to take the time to come out. Chief Kunihiro said regarding the suggestion to file it online, the direction to officers is that it is an option we can offer, but if they want an officer to respond, we will. If you or your constituents say we refuse to respond, please let me or a supervisor know so we can handle the situation. Some people cannot file an online report, and others do not want to do it. Based on the priority of calls to take a report, we will show up. For consideration, in 2023, we took thirty-five thousand calls for service. That averages to about three thousand incidents a month. A call can range from a couple of minutes to two to three officers on a call for up to seven hours. There are so many variables. It seems that burglaries are increasing, and more people are wandering the streets at night. I pulled some quick data and was surprised. From January to the present date in 2023, compared to January to the present date in 2024, our burglaries and breaking-and-entering are up twenty-five percent. Auto burglaries are down thirty-five percent, and vehicle theft is down twenty-six percent. Mayor Payne said so they went from cars to buildings. Chief Kunihiro said it seems that way. We have a lot of vacant buildings around town on which we take calls. We take all crime seriously but may not always have the resources to put an officer directly in an area for an entire shift. I share the concerns about how people are driving in town, and since the last meeting, we did some directed patrol towards White Sands, First Street, Tenth Street, and Indian Wells, where many crashes happen. We doubled our traffic stops and nearly tripled our issued citations. In that timeframe, we did not decrease the number of crashes, but we will have to show consistency in enforcement for an impact. Mayor Payne said she was surprised there were twenty-one crashes in ten days. That's an average of two a day. Commissioner Rardin said a lot of that is distracted driving. Chief Kunihiro said distracted and impaired driving.

Commissioner Rardin said with budget hearings coming up, could we look at adding more Police Service Aides? They are not certified officers, but they can handle the smaller stuff. Is that what they are being utilized for? Chief Kunihiro said we currently have four spots, which I think is plenty. We just have vacancies because three have transferred to a police officer position. We are in the process of looking at four to five applicants and filling three spots. That is probably why you do not see them as much. Commissioner Rardin said that when we created them, the purpose was to alleviate the small workloads that were not as important. Things that have happened in the last five years make you think this is Albuquerque. Chief Kunihiro said we are not unique compared to other parts of the country, but when it is happening here, well, we have always said it does not happen in our little town. Mayor Payne said my biggest concern is the break-ins because there are more and more. People need to call when break-ins happen. If they don't call, there is no record. If you do not get the result you are looking for, go higher up or call your Commissioner. Commissioner Rardin said the hard part is how random it is. Officers cannot spend thirty days out there watching. I catch them on cameras but cannot tell who they are. Commissioner Burnett said there was a guy in his truck out on Florida with cars driving by. They do not care if they are seen. I have had things stolen out of the front yard. Commissioner Rardin said

we installed ring cameras. Chief Kunihiro said we get footage from ring cameras and share it with law enforcement agencies and resources. Sometimes, people just do not know who they are, or the picture is not good enough. It is frustrating. We charged a group of juveniles doing burglaries off 18th Street. Last night, we had burglaries and a stolen vehicle off the 1st Street area. We recovered the stolen vehicle and put two juveniles in jail as a result, but the investigation is ongoing. Some things fall into place, but unfortunately, we cannot solve every crime.

Commissioner Rardin asked if there was anything we could do to tighten up the ordinances. Juveniles are kind of a slap on the wrist, but is there anything we can do where the punishment starts to fit the crime? Chief Kunihiro said we do not have much say in the actual punishment. Commissioner Rardin asked if we could increase penalties or fines or something similar to what we did before when we went after the parents of the juveniles. Chief Kunihiro said burglaries are felonious crimes at the Magistrate and District Court levels. That is not dealing with the municipality. We have been trying to do what we can with the solicitation and park closure ordinances to at least redirect this. I would encourage people to continue to report issues or concerns about how investigations are handled and go up the chain of command. Mayor Payne said there has to be something we can do. Commissioner Burnett said legislative-wise, that's State level. Depending on what they decide, that is what we get to do. Right now, it's just not very good. Mayor Payne said we have State Representatives and Senators to make those changes. We have already tightened three ordinances regarding juveniles, and it took us several months to come up with that and ensure we could legally do it. We need to focus our attention on the State Representatives and Senators and advocate at that level.

Commissioner Rardin asked if juveniles committed the majority of these crimes. Chief Kunihiro said it was a mix. With the District, there are catch-and-release things where someone not deemed dangerous is released. This means we may arrest someone for serious felony charges tonight, and tomorrow, they will be out walking the streets and doing it again. We struggle with detaining both juveniles and adults, but yes, there are lots of juveniles out wandering around. I attribute that to the fact that they do not fear consequences from the criminal justice system. Mayor Payne said our system is broken. I used to always think it was parents not taking care of their kids, but it is more complex than that. Still, that is not an excuse. They need to be held accountable because if not, they just become criminal adults. Chief Kunihiro said that besides traffic law violations, Municipal Court does not have jurisdiction over juveniles. Delinquent acts go to the District Court and JPO.

Mayor Payne said the only viable solution heard tonight is what City Manager Holden mentioned, which is potential overtime and getting more officers on the street at night. I think we can all agree that five officers on the street is not enough. Commissioner Rardin asked how many officers were on staff at the Sheriff's Office at night. Chief Kunihiro said he was not sure. Commissioner Rardin asked if we could work into a Memorandum of Understanding with them for coverage at night until we get a handle on this. What about the State Police at night? Chief Kunihiro said he had asked the State Police to assist with traffic enforcement. The local captain said they had other obligations, but they fully intend to assist us with traffic enforcement soon. Commissioner Rardin said they have been doing those blitzes, but once that is over, maybe they can give us a hand. Commissioner Paul asked what the staffing levels for the Alamogordo Police Department were. Chief Kunihiro said we have forty-seven sworn officers. We have been doing good hiring them, but a lot of them are in the Academy. So, we technically have thirty-nine certified officers who can do the work now. Six are in the Academy, and a couple washed out. Commissioner Paul asked what the maximum number was. Chief Kunihiro said the fifty-six was budgeted this fiscal year. That is every sworn law enforcement officer from the bottom to the top. Commissioner Paul asked if the hiring has been consistent. The bonuses we pushed seemed to help, but is that still the case? Chief Kunihiro said it shot up quickly, and we have done three tests this year, but the turnout was not very good. Commissioner Paul asked if many officers were leaving. Chief Kunihiro said we had four resign since we implemented the pay increase and hiring incentives. However, we have more in the pipeline, which gets us to forty-nine quickly. Commissioner Rardin asked if the Police Service Aide positions could be filled. Chief Kunihiro said we

have applicants. It is still pretty intensive, but they do not have all the testing the Academy requires. Commissioner Rardin asked what powers they had. Chief Kunihiro said they could cite only certain things like parking violations. They cannot detain someone. If they saw you committing a traffic violation, they should not turn their lights on and pull you over. They do assist with traffic crashes, which is a huge help. Commissioner Rardin asked, as far as authorizing the budget for overtime, if any of the officers are up for that. Chief Kunihiro said not always. Officers value time off, so if they work twelve-hour shifts, they do not always want to come in on the only two days off this week for overtime. The State is doing things with grant funding to incentivize that and pay double time. Sometimes, money talks. We have overtime offered all the time, and people do not sign up for it. Commissioner Rardin asked if that was time and a half. Chief Kunihiro said yes, sir. They would average \$42 to \$45 an hour with time and a half.

Assistant City Manager Hernandez said we are still working on things in the background after the death of Officer Ferguson. The Governor called a special session for July 18th where they will talk about public safety issues. I have not had a chance to discuss that with City Manager Holder or Chief Kunihiro yet, but you need to keep that in the background. There are statutory issues causing communities to be unsafe and unsafe for our officers. We will keep an eye on that, and if we come up with anything, I will forward it to you.

ADJOURNMENT

Commissioner Rardin moved to adjourn at 7:57 p.m.
Mayor Pro-Tem McDonald seconded the motion.
Motion carried with a vote of 7-0-0.

Mayor Susan L. Payne

ATTEST:

City Clerk Rachel Hughs

(Prepared by Dylan Aleshire, Deputy City Clerk)
Approved at the Regular Meeting held on May 14, 2024.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 5/14/2024

Report Date: 05/07/2024

Report No: 2.

Submitted By: Evelyn Huff

Subject: Consider, and act upon, Resolution 2024-25 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 May 14, 2024. *(Evelyn Huff, Finance Director)* **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

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

Revenues - \$179,446 Increase

Expenditures - \$185,446 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 2024-25 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. 2024-25

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 May 14, 2024, 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 May 14, 2024, 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 14th. day of May 2024.

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
1,775,276
1/12TH REQ RSRV
0
Fund Reserve Policy
468,745
Bal. Remaining

5,257,541

FY24 BUDGET - RESOLUTION 2024-25 (#12) MAY 14, 2024

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	25,086,245	311,577	12,016,921	(11,705,344)	21,303,306	7,501,562	2,244,021	5,257,541
12	INTERNAL SERVICE FUND	10,000	241,739	5,160,056	0	5,160,056	5,411,692	103		\$103
15	CORRECTIONS-JAIL	90,675	54,734	0	0	0	143,240	2,169		\$2,169
16	LODGER'S TAX-PROMOTIONAL FUND	353,179	2,067	0	0	0	219,750	135,496		\$135,496
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	598,393	114,674		\$114,674
21	D.A.R.E. DONATIONS FUND	21,005	2,195	0	0	0	19,092	4,108		\$4,108
24	GRANT CAPITAL IMPROVEMENT	0	8,736,670	1,579,500	0	1,579,500	9,803,535	512,635		\$512,635
27	MUNICIPAL COURT OPERATIONS	5,000	13,000	506,784	0	506,784	524,732	52		\$52
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	696,909	6,673,223	0	6,673,223	7,380,389	3,518		\$3,518
33	FIRE PROTECTION	1,113,851	1,210,702	0	0	0	2,243,241	81,312		\$81,312
35	HIDTA GRANT FUND	780	12,400	0	0	0	12,400	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	2,476,789	0	4,056,487	(4,056,487)	43,067	2,249,760	252,119	\$1,997,641
44	TRANSPORTATION FUND	22,581	1,289,106	5,113,144	361,436	4,751,708	5,975,798	87,597		\$87,597
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	2,484,214	0	896,490	(896,490)	842,363	5,293,193	268,391	\$5,024,802
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	619,633	0	260,000	(260,000)	10,767	2,220,906		\$2,220,906
63	COMMUNITY DEVELOPMENT	2,500	0	462,723	30,105	432,618	432,712	2,406		\$2,406
69	1994 GROSS RECEIPTS	4,040,006	2,469,660	0	2,426,640	(2,426,640)	43,067	4,039,959	553,051	\$3,486,908
71	ALAMO SENIOR CENTER	14,430	867,688	796,021	0	796,021	1,671,191	6,948		\$6,948
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	2,802	0	2,802	151,932	284		\$284
81	WATER/SEWER OPERATING	16,271,347	11,262,553	658,461	3,795,718	(3,137,257)	14,873,424	9,523,219	1,463,850	\$8,059,369
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	2,771,383	801,247	178,583	\$622,664
88	BONITO CAMPGROUND	395,878	4,138	150,000	0	150,000	174,456	375,560		\$375,560
89	ESGRT .0625%	1,800,843	631,401	0	278,683	(278,683)	1,154,655	998,906		\$998,906
90	GOLF COURSE	0	1,715,450	281,082	0	281,082	1,995,026	1,506		\$1,506

ALL FUNDS SUMMARY
BUDGET 2023-2024

1/12TH REQ RSRV
1,775,276
1/12TH REQ RSRV
0
Fund Reserve Policy
468,745
Bal. Remaining

5,257,541

FY24 BUDGET - RESOLUTION 2024-25 (#12) MAY 14, 2024

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
91	AIRPORT	20,000	735,112	216,500	45,736	170,764	921,064	4,812		\$4,812
94	OTERO GREENTREE REG LANDFILL	3,444,133	1,878,240	0	5,000	(5,000)	2,642,103	2,675,270		\$2,675,270
96	SELF-INSURED FUND	581,219	140,317	0	276,600	(276,600)	206,121	238,815		\$238,815
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	1,311,024	0	0	0	1,238,455	6,893,933		\$6,893,933
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	5,046,196	0	3,140,527	(3,140,527)	4,834,999	12,710,843	534,452	\$12,176,391
114	SIDEWALKS REVOLVING LOANS	146,446	1,722	0	148,168	(148,168)	0	0		\$0
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	73,933,595	28,024,693	28,024,693	0	103,221,100	63,664,114	6,138,377	57,525,737

ALL FUNDS SUMMARY

BUDGET 2023-2024

1/12TH REQ RSRV
1,775,276
1/12TH REQ RSRV
0
Fund Reserve Policy
468,745
Bal. Remaining
5,257,541

FY24 BUDGET - RESOLUTION 2024-25 (#12) MAY 14, 2024

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	25,086,245	311,577	12,016,921	(11,705,344)	21,303,306	7,501,562	2,244,021	5,257,541
	Total Revised Fund 11	15,423,967	25,086,245	311,577	12,016,921	(11,705,344)	21,303,306	7,501,562	2,244,021	5,257,541
12	INTERNAL SERVICE FUND	10,000	241,739	5,160,056	0	5,160,056	5,411,692	103		103
	Total Revised Fund 12	10,000	241,739	5,160,056	0	5,160,056	5,411,692	103		103
15	CORRECTIONS-JAIL	90,675	54,734	0	0	0	143,240	2,169		2,169
	Total Revised Fund 15	90,675	54,734	0	0	0	143,240	2,169		2,169
16	LODGER'S TAX-PROMOTIONAL FUND	353,179	2,067	0	0	0	219,750	135,496		135,496
	Total Revised Fund 16	353,179	2,067	0	0	0	219,750	135,496		135,496
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	598,393	114,674		114,674
	Total Revised Fund 20	536,427	80,898	183,295	87,553	95,742	598,393	114,674		114,674
21	D.A.R.E. DONATIONS FUND	21,005	2,195	0	0	0	13,092	10,108		10,108
	Revision #1-Additional Officers DARE Training					0	6,000	(6,000)		(6,000)
	Total Revised Fund 21	21,005	2,195	0	0	0	19,092	4,108		4,108
24	GRANT CAPITAL IMPROVEMENT	0	8,736,670	1,579,500	0	1,579,500	9,803,535	512,635		512,635
	Total Revised Fund 24	0	8,736,670	1,579,500	0	1,579,500	9,803,535	512,635		512,635
27	MUNICIPAL COURT OPERATIONS	5,000	13,000	506,784	0	506,784	524,732	52		52
	Total Revised Fund 27	5,000	13,000	506,784	0	506,784	524,732	52		52
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	526,192	6,673,223	0	6,673,223	7,209,672	3,518		3,518
	Revision #3-Library Donations		4,270			0	4,270	0		0
	Revision #4-Library GO Bond Grant Award		166,447			0	166,447	0		0
	Total Revised Fund 32	13,775	696,909	6,673,223	0	6,673,223	7,380,389	3,518		3,518
33	FIRE PROTECTION	1,113,851	1,203,473	0	0	0	2,236,012	81,312		81,312
	Revision #2-State Fire Allotment Additional Funding		7,229			0	7,229	0		0
	Total Revised Fund 33	1,113,851	1,210,702	0	0	0	2,243,241	81,312	0	81,312
35	HIDTA GRANT FUND	780	12,400	0	0	0	12,400	780		780
	Total Revised Fund 35	780	12,400	0	0	0	12,400	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	57,316	109,796		109,796
	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	2,476,789	0	4,056,487	(4,056,487)	43,067	2,249,760	252,119	1,997,641
	Total Revised Fund 42	3,872,525	2,476,789	0	4,056,487	(4,056,487)	43,067	2,249,760	252,119	1,997,641
44	TRANSPORTATION FUND	22,581	1,289,106	5,113,144	361,436	4,751,708	5,975,798	87,597		87,597
	Total Revised Fund 44	22,581	1,289,106	5,113,144	361,436	4,751,708	5,975,798	87,597		87,597
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	2,484,214	0	896,490	(896,490)	842,363	5,293,193	268,391	5,024,802
	Total Revised Fund 49	4,547,832	2,484,214	0	896,490	(896,490)	842,363	5,293,193	268,391	5,024,802
50	PROPERTY ACQUISITION	85,010	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	619,633	0	260,000	(260,000)	10,767	2,220,906		2,220,906
	Total Revised Fund 61	1,872,040	619,633	0	260,000	(260,000)	10,767	2,220,906		2,220,906
63	COMMUNITY DEVELOPMENT	2,500	0	462,723	30,105	432,618	432,712	2,406		2,406
	Total Revised Fund 63	2,500	0	462,723	30,105	432,618	432,712	2,406		2,406
69	1994 GROSS RECEIPTS	4,040,006	2,469,660	0	2,426,640	(2,426,640)	43,067	4,039,959	553,051	3,486,908
	Total Revised Fund 69	4,040,006	2,469,660	0	2,426,640	(2,426,640)	43,067	4,039,959	553,051	3,486,908
71	ALAMO SENIOR CENTER	14,430	866,188	796,021	0	796,021	1,669,691	6,948		6,948
	Revision #5-State Special Events Grant		1,500			0	1,500	0		0
	Total Revised Fund 71	14,430	867,688	796,021	0	796,021	1,671,191	6,948		6,948
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	2,802	0	2,802	151,932	284		284
	Total Revised Fund 75	10,107	139,307	2,802	0	2,802	151,932	284		284
81	WATER/SEWER OPERATING	16,271,347	11,262,553	658,461	3,795,718	(3,137,257)	14,873,424	9,523,219	1,463,850	8,059,369
	Total Revised Fund 81	16,271,347	11,262,553	658,461	3,795,718	(3,137,257)	14,873,424	9,523,219	1,463,850	8,059,369
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	2,771,383	801,247	178,583	622,664
	Total Revised Fund 86	996,061	2,495,198	240,000	158,629	81,371	2,771,383	801,247	178,583	622,664
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	631,401	0	278,683	(278,683)	1,154,655	998,906		998,906
	Total Revised Fund 89	1,800,843	631,401	0	278,683	(278,683)	1,154,655	998,906	0	998,906
90	GOLF COURSE	0	1,715,450	281,082	0	281,082	1,995,026	1,506		1,506
	Total Revised Fund 90	0	1,715,450	281,082	0	281,082	1,995,026	1,506	0	1,506

91	AIRPORT	20,000	735,112	216,500	45,736	170,764	921,064	4,812	0	4,812
	Total Revised Fund 91	20,000	735,112	216,500	45,736	170,764	921,064	4,812	0	4,812
94	OTERO GREENTREE REG LANDFILL	3,444,133	1,878,240	0	5,000	(5,000)	2,642,103	2,675,270		2,675,270
	Total Revised Fund 94	3,444,133	1,878,240	0	5,000	(5,000)	2,642,103	2,675,270	0	2,675,270
96	SELF-INSURED FUND	581,219	140,317	0	276,600	(276,600)	206,121	238,815		238,815
	Total Revised Fund 96	581,219	140,317	0	276,600	(276,600)	206,121	238,815	0	238,815
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	1,311,024	0	0	0	1,238,455	6,893,933		6,893,933
	Total Revised Fund 105	6,821,364	1,311,024	0	0	0	1,238,455	6,893,933		6,893,933
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	5,046,196	0	3,140,527	(3,140,527)	4,834,999	12,710,843	534,452	12,176,391
	Total Revised Fund 109	15,640,173	5,046,196	0	3,140,527	(3,140,527)	4,834,999	12,710,843	534,452	12,176,391
114	SIDEWALKS REVOLVING LOANS	146,446	1,722	0	148,168	(148,168)	0	0		0
	Total Revised Fund 114	146,446	1,722	0	148,168	(148,168)	0	0	0	0
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	202,238	1,762		1,762
	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	73,933,595	28,024,693	28,024,693	0	103,221,100	63,664,114	6,138,377	57,525,737

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 provide funding to provide additional D.A.R.E. Program training for additional officers.						
21	D.A.R.E. DONATIONS FUND					
		Expenditures				
1629		021.400.2400.0000.56005	Other-Travel	6,000	6,000	12,000
			Total Expenditures	6,000	6,000	12,000

REVISION #2						
This budget revision is to account for additional funding received for the 2nd Bi-Annual Fire Protection Fund Allotment/Distribution from the State Fire Marshal's office.						
33	FIRE PROTECTION FUND					
		Revenues				
1933		033.400.4204.0000.40705.	Grants-State Fire Allotment	895,465	7,229	902,694
			Total Revenue	895,465	7,229	902,694
		Expenditures				
1933		033.400.4204.0000.53505.	Maintenance-Fleet Parts	186,509	7,229	193,738
			Total Expenditures	186,509	7,229	193,738

REVISION #3						
This budget revision is to account for Library Donations for FY23-24.						
32	COMMUNITY SERVICES FUND					
		Revenues				
2254	LI1701.DONA.LOCL.	032.300.7101.0000.40601.	Misc. Revenue-Donations	10,270	4,270	14,540
			Total Revenue	10,270	4,270	14,540
		Expenditures				
2254	LI1701.SUPP.DEMA.	032.300.7101.0000.53035.	Supplies-Designated Materials	22,731	4,270	27,001
			Total Expenditures	22,731	4,270	27,001

REVISION #4						
This budget revision is to account for the 2022 State of New Mexico General Obligation Bond Grant Award to the Alamogordo Library.						
32	COMMUNITY SERVICES FUND					
		Revenues				
2217	LI2401.GRNT.STTE.	032.300.7101.0000.40702.	Grants-State	0	166,447	166,447
			Total Revenue	0	166,447	166,447
		Expenditures				
2217	LI2401.SUPP.BOOK.	032.300.7101.0000.53026.	Supplies-Book/Periodical/Audio	189,404	141,447	330,851
2217	LI2401.MISC.COMP.	032.300.7101.0000.56008.	Other-Computer Hardware	1,844	25,000	26,844
			Total Expenditures	191,248	166,447	357,695

REVISION #5						
This budget revision is to account for a one-time State Special Events Grant (KIKI Funds) to promote senior center facilities. Grant expires June 30, 2024.						
32	COMMUNITY SERVICES FUND					
		Revenues				
98	SCKIK.GRNT.STTE.	071.000.0000.0000.40702.	Grants-State	0	1,500	1,500
			Total Revenue	0	1,500	1,500
		Expenditures				
98	SCKIK.MISC.SPEC.STTE	071.300.8020.0000.56015.	Other-Special Events	0	1,500	1,500
			Total Expenditures	0	1,500	1,500

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 5/14/2024

Report Date: 05/02/2024

Report No: 3.

Submitted By: Rachel Hughs

Subject: Approve Resolution 2024-26 designating the City Clerk as the Custodian of Records and the method of destruction of City records as witnessed shredding. *(Rachel Hughs, City Clerk)* **(Roll Call Vote Required)**

Fiscal Impact: \$3,255

Amount Budgeted: \$5,500.00

Fund: 011.100.2001.0000.53002. SUPPLIES-RECORDS

Additional Fiscal Impact:

Recommendation: Approve the Resolution.

Background:

The destruction of obsolete records is necessary for efficient record maintenance by the City of Alamogordo.

The number of boxes to be destroyed is 465.

The list with 12 boxes for 2016-2021 is from finance that was given to archives in 2023.

The process to get approval to proceed with destruction of records for the City of Alamogordo is to submit the list to the City Attorney to make sure there are no open legal cases that should be kept. City Attorney Smith confirmed the attached lists are good for destruction.

RESOLUTION NO. 2024-26

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

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

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

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

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

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

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

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2024.

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

SEAL

ATTEST:

Rachel Hughs, City Clerk

Susan L. Payne, Mayor

APPROVED AS TO FORM:

Ashley Smith, City Attorney

SMALL SERVICES AGREEMENT
(\$0.00 - \$20,000)

THIS AGREEMENT is between Sun City Shredding Consultant/Contractor”) and the **City of Alamogordo**, a New Mexico municipal corporation (“City).

WHEREAS THE CITY AND THE CONSULTANT/CONTRACTOR DO MUTUALLY AGREE THAT:

1. Scope of Work. The Consultant/Contractor shall provide services as shown in Exhibit “A” (the “Work”), see Exhibit “A”. The methods and manner Consultant/Contractor uses to accomplish that work are not specified by the City. All work product produced in performance of this agreement are the property of the City and shall be turned over to the City upon request. Nothing produced, in whole or in part, by the Consultant/Contractor under this agreement shall be the subject of an application for copyright or other claim of ownership by or on behalf of the Consultant/Contractor. Consultant/Contractor shall perform the Work in the manner as are customarily performed by one providing such Work in other, same, or similar businesses. Contact person within the City for the purpose of this agreement is: *Rachel Hughs, 1376 E. Ninth Street, Alamogordo, NM 88310, 575 439-4100*

2. Compensation. The City shall pay the Consultant/Contractor for said services \$ 3,255 as shown in Exhibit “A,” exclusive of NMGRT (See Exhibit “A”). Said payment to be made by the City upon receipt and certification of an itemized invoice submitted on the Consultant/Contractor’s usual billing form to the City of Alamogordo’s Finance Department. Payment is due within 30 days of receipt of invoice. The Consultant/Contractor, upon final payment of the amounts due under this Agreement, releases the City, its officers and employees, from all liabilities and obligations arising from or under this agreement, including but not limited to all damages, losses, costs, liability, and expenses, including but not limited to attorneys’ fees and costs of litigation that the Consultant/Contractor may incur.

This agreement is subject to state and local purchasing laws and thresholds. If threshold has been met before any work begins, this contract will be null and void.

3. Term. The term of this agreement shall be for two (2) months from the date entered below. The agreement may be terminated by either party upon a seven (7) day written notice.

4. Time of Commencement and Completion. The Work shall be commenced immediately within and completed within 30 days unless otherwise agreed to by the parties.

5. Status of Consultant/Contractor. The Consultant/Contractor and its agents and employees are independent contractors performing professional services for the City and are not employees of the City of Alamogordo. The Consultant/Contractor and its agents and employees shall not accrue leave, retirement, insurance, bonding, use of City vehicles, or any other benefits afforded to employees of the City as a result of this agreement. The Consultant/Contractor acknowledges that all sums received hereunder are reportable by the Consultant/Contractor for tax purposes, including without limitation, self-employment and business income tax. The

Consultant/Contractor agrees not to purport to bind the City unless the Consultant/Contractor has express written authority to do so, and then only within the strict limits of that authority. The Consultant/Contractor will be responsible for compliance with all applicable laws, rules and regulations involving, but not limited to, employment, labor hours of work, working conditions, payment of wages, payment of taxes, such as unemployment, social security and other payroll taxes including other applicable contributions from such persons when required by law.

6. Indemnification. The Consultant/Contractor shall defend, indemnify and hold harmless the City from all actions, proceeding, claims, demands, costs, damages, attorneys' fees and all other liabilities and expenses of any kind from any source which may arise out of the performance of this agreement, caused by the negligent act or failure to act of the Consultant/Contractor, its officers, employees, servants, subcontractors or agents, resulting in injury or damage to persons or property during the time when the Consultant/Contractor or any officer, agent, employee, servant or subcontractor thereof has or is performing services pursuant to this agreement.

7. Immunity. The parties acknowledge and agree that nothing in the solicitation or this agreement shall be construed as a modification, compromise or waiver by the City of any rights or defenses of any immunities provided by Federal law or the laws of the State of New Mexico to the City or any of its officers and employees, which they may have had, now have or will have with respect to all matters arising out of this agreement. Any liability incurred in connection with this Agreement is subject to the immunities and limitation of the New Mexico Tort Claims Act.

8. Equal Opportunity Compliance. In accordance with all such laws of the State of New Mexico, the Consultant/Contractor assures that no person in the United States shall, on the grounds of race, religion, color, national origin, ancestry, sex, age, physical or mental handicap, or serious medical condition, spousal affiliation, sexual orientation or gender identity, be excluded from employment with or participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity performed under this agreement. If the Consultant/Contractor is found not to be in compliance with these requirements during the life of this agreement, Consultant/Contractor agrees to take appropriate steps to correct these deficiencies.

9. Confidentiality. Any confidential information provided to or developed by the Consultant/Contractor in the performance of this agreement shall be kept confidential and shall not be made available to any individual or organization by the Consultant/Contractor without the prior written approval of the City.

10. Conflict of Interest. The Consultant/Contractor warrants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance or services required under the Agreement. The Consultant/Contractor certifies that the requirements of the Governmental Conduct Act, Sections 10-16-1 through 10-16-18, NMSA 1978, regarding contracting with a public officer, state employee or former state employee have been followed.

11. Miscellaneous Provisions.

- a.** This agreement shall be governed by the laws of the State of New Mexico as to interpretation and performance.
- b.** This agreement may be amended only in writing signed by both parties.
- c.** This agreement may not be assigned in whole or in part without written consent of the City.

IN WITNESS WHEREOF, the City and the Consultant/Contractor have executed this Agreement as of the dates indicated below.

CONSULTANT/CONTRACTOR

Date: _____

By: _____
Tyler Cope, Sun City Shredding

NM Taxpayer Identification Number: _____

Federal Taxpayer Identification Number: _____

CITY OF ALAMOGORDO, NEW MEXICO
a New Mexico municipal corporation

Date: _____

By: _____
Stephanie Hernandez, Assistant City Manager

ATTEST:

Rachel Hughs, City Clerk

APPROVED AS TO FORM:

Ashley Smith, City Attorney



STORAGE AND SERVICES AGREEMENT

RECORDS MANAGEMENT

April 22, 2024

Rachel Hughs

Company: City of Alamogordo

Email: rhughs@ci.alamogordo.nm.us

Phone: 575 439-4100 OPT 6

465 boxes @ \$7 per box = \$3255

Destruction Procedures: Per department's instruction, lockable shred bins are placed on site; based on department's pre-determined schedule, bonded company security drivers pick up the shred bins. An empty and locked bin is left in its place. The full bins are then transported in our secured vehicles, with a signed work order, to company; the items are then shredded in company's high security facility by company representatives; a certificate of destruction is incorporated into monthly invoice; shredded material is baled and inventoried; upon accumulation of approximately 40,000 lbs., shredded and baled material is transported to various paper mills for recycling.

Tyler Cope
Sun City Shredding
915-542-1111

CITY OF ALAMOGORDO, NEW MEXICO

Office of the City Clerk
 1376 E. Ninth Street, Alamogordo, NM 88310
 (575) 439-4100 (575) 439-4396 fax

2016-2021

NOTIFICATION OF RECORDS DESTRUCTION

The following records have been identified as eligible for destruction according to the Records Retention and Disposition Schedule:

DEPT. WHERE RECORD ORIGINATED	DESCRIPTION OF RECORD	YEAR OF RECORD	ITEM # AUTHORIZING DESTRUCTION	Archive Box Number	DESTROY DATE
Finance – Accounts Payable	Accounts Payable Invoices: Walmart (July2009 – June2012)	2012	18.03.001	2016-198	
Finance Fixed Assets	Fixed Assets YE Reports, Batches, Depreciation (July2011 – June2013)	2013	18.03.011	2017-173	
Finance – Fixed Assets	Fixed Assets YE Reports, Batches, Depreciation	2013- 2015	18.03.011	2019-226	
Finance – Accounts Payable	Accounts Payable Invoices Walmart	2013- 2016	18.03.001	2020-080	
Finance – Budget	Budget Operating - Budget Work Papers - Budget Adjustments	2016	18.03.004	2020-081	
Finance – Accounting	General Finance Records Adjusting Journal Entries	2016	18.03.013	2020-082	
Finance - Budget	Budget Operating Budget Work Papers	2017	18.03.004	2021-356	
Finance – Accounting Tech	Records Related to Accounting Process & Control Unclaimed Property	2017	18.03.042	2021-357	
Finance – Accounting Tech	Records Related to Accounting Process & Control - Lodgers Tax - Franchise Fee - Landfill reports - GRT - MVD - Gas - Postage Allocation	2017	18.03.022	2021-358	
Finance – Fixed Assets	Fixed Assets - YE Reports - Batches	2017	18.03.011	2021-359	

CITY OF ALAMOGORDO, NEW MEXICO

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2022 – 2nd Destruction List

NOTIFICATION OF RECORDS DESTRUCTION

The following records have been identified as eligible for destruction according to the Records Retention and Disposition Schedule:

DEPT. WHERE RECORD ORIGINATED	DESCRIPTION OF RECORD	YEAR OF RECORD	ITEM # AUTHORIZIN G DESTRUCTIO N	Archive Box Number	DESTROY DATE
Finance – Payroll	Payroll Files – Benefit and Payroll Corrections for 2014	2014	18.03.018	2022-123	
Finance – Payroll	Payroll Files – Misc. Files	2014	18.03.018	2022-124	
Finance – Payroll	Payroll Files – PERA Payments & Liability Hand Checks	2015	18.03.018	2022-125	
Finance – Payroll	Payroll Files – PERA & Retiree Health Reports	2015	18.03.018	2022-126	
Finance – Payroll	Payroll Files – Misc. Files & Worker's Comp. Claims	2014	18.03.018 18.04.030	2022-127	
Finance – Payroll	Payroll Files – PERA Paperwork & Retiree Health	2014	18.03.018	2022-128	
Finance – Payroll	Payroll Files – Paycheck Stubs 0 2/02/15 – 8/30/15	2015	18.03.018	2022-129	
Finance – Payroll	Payroll Files – Misc. Payroll Files	2013	18.03.018	2022-130	
Finance – Payroll	Payroll Files – Misc. Payroll Files	2015	18.03.018	2022-131	
Finance – Payroll	Payroll Files – Liability Hand Checks & PERA Payments – January – December	2014	18.03.018	2022-132	
Finance – Payroll	Payroll Files – Paycheck Stubs – 8/31/2015 – 4/10/2016	2015-2016	18.03.018	2022-133	
Finance – Payroll	Payroll Files – Payroll Checklist	2012	18.03.018	2022-134	
Finance – Payroll	Payroll Files – SUI & PERA	2012	18.03.018	2022-135	
Finance – Payroll	Payroll Files – PTO Conversions, Probationary PTO Approval, Donated Leave, Comp Time Payout, Approved Carry Over Leave, Commissioner Compensation, Payroll Corrections, W/C Payments & SUI Report, Benefits Corrections, Unemployment Insurance – January 2016 – December 2016	2016	18.03.018	2022-136	
Finance – Payroll	Payroll Files – Payroll Hand Checks – January 2016 – December 2016	2016	18.03.018	2022-137	
Finance – Payroll	Payroll Files – Employee Time Sheets – 6/19/2017 – 11/5/2017	2017	18.03.018	2022-138	
Finance – Payroll	Payroll Files – Direct Deposit, Taxable Tips, Payroll Checklists, Retiree Health – January 2016 – December 2016	2016	18.03.018	2022-139	
Finance – Payroll	Payroll Files – Misc. Payroll Files – 2013 & 2014	2013-2014	18.03.018	2022-140	
Finance – Payroll	Payroll Files – Comp Payout, Direct Deposit, Payroll Corrections 2013	2013	18.03.018	2022-141	
Human Resources	Hiring & Recruitment – January 2018 – December 2018 – J-L	2018	18.04.017	2022-142	
Human Resources	Hiring & Recruitment – January 2018 – November 2018 – F-I	2018	18.04.017	2022-143	
Human Resources	Hiring & Recruitment – January 2018 – December 2018 – D-E	2018	18.04.017	2022-144	

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2022 – 2nd Destruction List

NOTIFICATION OF RECORDS DESTRUCTION

The following records have been identified as eligible for destruction according to the Records Retention and Disposition Schedule:

Human Resources	Hiring & Recruitment – January 2018 – December 2018 – P	2018	18.04.017	2022-145	
Human Resources	Hiring & Recruitment – January 2018 – November 2018 – W-Z	2018	18.04.017	2022-146	
Human Resources	Hiring & Recruitment – October 2017 – October 2018 – A-B	2017-2018	18.04.017	2022-147	
Human Resources	Hiring & Recruitment – January 2018 – December 2018- U	2018	18.04.017	2022-148	
Human Resources	Hiring & Recruitment – January 2018 – December 2018 – C	2018	18.04.017	2022-149	
Human Resources	EEO & Affirmative Action – Affirmative Action Surveys 2010-2011	2010-2011	18.04.012	2022-150	
Human Resources	EEO & Affirmative Action – Affirmative Action Surveys 2009	2009	18.04.012	2022-151	
Human Resources	Hiring & Recruitment – January 2018 – December 2018 – R-S	2018	18.04.017	2022-152	
Human Resources	Hiring & Recruitment – 2018 – APD Police Chief Recruitment	2018	18.04.017	2022-153	
Human Resources	Background Investigations Not Hired – January 2017 – December 2018 - APD Personal History Statements Not Hired	2017-2018	18.04.002	2022-154	
Human Resources	Hiring & Recruitment – APD Certified & Trainee Officer Recruitment – 2018	2018	18.04.017	2022-155	
City Clerk	General – Contracts & Agreements Non-Record Material	1979-2017	18.03.008 18.01.001	2022-156	
City Clerk	General – Contracts & Agreements Non-Record Material	1966-2016	18.03.008 18.01.001	2022-157	
Finance – Payroll	Payroll Files – W-4 Forms Terminated Employees – 4/30/1996 – 12/06/2013	1996-2013	18.03.018	2022-158	
Finance – Payroll	Payroll Files Retirement Records-PERA Correspondence (Staff Level)	2016	18.03.018 18.04.023 18.01.014	2022-159	
Finance – Payroll	Payroll Files Correspondence	2016	18.03.018 18.01.014	2022-160	
City Clerk	Public (IPRA) Records Files – January – December 2020 – 20-001 to 20-181	2020	18.01.039	2022-161	
City Clerk	Public (IPRA) Records Files – January - December 2020 – 20-182-20-352	2020	18.01.039	2022-162	
Public Works	Utility Maint. Files – Other Records – Daily Water Levels 2006-2009	2006-2009	18.13.012	2022-163	
Public Works	Utility Maint. Files – Other Records – Daily Water Levels 2003-2005	2003-2005	18.13.012	2022-164	
Public Works	Utility Maint. Fiels – Other Records – WWTP Quarterly Reports – 1993-2011	1993-2011	18.13.012	2022-165	
Public Works	Purchasing – Severn Trent Water/Wastewater RFPs – 2001, 2006, 2012 & CH2MHILL Water/Wastewater RFP – 2012 Contract & Agreement – Severn Trent O & M Contracts 2002-2010	2001-2010	18.03.021 18.03.008	2022-166	

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2022 – 2nd Destruction List

NOTIFICATION OF RECORDS DESTRUCTION

The following records have been identified as eligible for destruction according to the Records Retention and Disposition Schedule:

Public Works	Payroll Files – Payroll Exception Reports 12/21/2015 to 6/04/2017	2015-2017	18.03.018	2022-167	
Public Works	Payroll Files – Payroll Exception Forms 2018	2018	18.03.018	2022-168	
Public Works	Transportation Trip Permits – Public Works Travel Records – 2015-2018 Payroll Files – Payroll Exception Reports - 2017	2015-2018	18.01.046 18.03.018	2022-169	
Finance – Customer Service	Utility Customer Service Files – Water Applications (Final Status) – January 2018 – July 2018 – Numeric, Hydrant, Kiosk & A-G	2018	18.13.009	2022-170	
Finance – Customer Service	Utility Customer Service Files – Water Applications (Final Status) January 2018 – July 2018 – H-M	2018	18.13.009	2022-171	
Finance – Customer Service	Utility Customer Service Files – Water Applications (Final Status) – January 2018 – July 2018 – N-Z	2018	18.13.009	2022-172	
Finance- Accounting	Accounts Payable Invoices: Vermeer - Walmart	2017-2018	18.03.001	2022-173	
Finance- Accounting	Accounts Payable Invoices: Alamo Distributing – American Outdoor	2017-2018	18.03.001	2022-174	
Finance- Accounting	Accounts Payable Invoices: Lowe's – Lynn Peavey	2017-2018	18.03.001	2022-175	
Finance- Accounting	Accounts Payable Invoices: American Red Cross – Basin Air	2017-2018	18.03.001	2022-176	
Finance- Accounting	Accounts Payable Invoices: Chaparral Sand – Core & Main	2017-2018	18.03.001	2022-177	
Finance- Accounting	Accounts Payable Invoices: Cortez Gas – Ewing irrigation	2017-2018	18.03.001	2022-178	
Finance- Accounting	Accounts Payable Processed Invoices for RSVP	2018	18.03.001	2022-179	
Finance- Accounting	Accounts Payable Credit Card Receipts FY18	2018	18.03.002	2022-180	
Finance – Accounts Payable	Accounts Payable - Inventory of Voucher Payment - Warrant Registers	2018	18.03.001	2022-181	
Finance- Accounting	General finance Records Adjusting Journal Entries (FY19)	2018	18.03.013	2022-182	
Finance – Accounts Payable	Accounts Payable Invoices: CDW Gov. – Certified Folder	2018	18.03.001	2022-183	
Finance – Accounting Tech	Records Related to Accounting process/controls - Bank wires - Lodger's Tax - Franchise Fees - GRT - Bank Loan Wire	2018	18.03.022	2022-184	
Finance – Accounting	Accounts Payable Invoices: Misc "F" – Gov. Connection	2018	18.03.001	2022-185	
Finance – Accounting	Accounts Payable Invoices: NM Municipal League – Plant Nutrient	2018	18.03.001	2022-186	
Finance – Accounting	Accounts Payable Invoices: Misc "A" – Alamo Crystal Center	2018	18.03.001	2022-187	
Finance –	Accounts Payable	2018	18.03.001	2022-188	

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2022 – 2nd Destruction List

NOTIFICATION OF RECORDS DESTRUCTION

The following records have been identified as eligible for destruction according to the Records Retention and Disposition Schedule:

Accounts Payable	Invoices: Graham Kyle - Johnstone				
Finance – Accounting	General finance Records Adjusting Journal Entries (Nov17-Frb18, FY19)	2018	18.03.013	2022-189	
Finance – Fixed Assets	Fixed Assets - YE Reports - Batches - Depreciation	2018	18.03.011	2022-190	
Finance – Accounting	Accounts Receivable - Bank Statements - WF Operational - WF Short Term - WF Flood Control - FNB Payroll & CDGB (FY18) - FNB Operating Mar2018-Jun2018	2018	18.03.002	2022-191	
Finance – Accounting	General finance Records Adjusting Journal Entries (Jul17-Oct18, FY19)	2018	18.03.013	2022-192	
Finance – Accounting	Accounts Receivable FNB General Operating Bank Statement	2018	18.03.002	2022-193	
Finance – Accounting	Accounts Payable Invoices: Smotherman – Taped Edition	2018	18.03.001	2022-194	
Finance – Accounting	Accounts Receivable - Bank Statements - PHA	2018	18.03.002	2022-195	
Finance – Accounting	Accounts Receivable Cash Postings (Oct1st-Nov16th, 2017, FY2018)	2018	18.03.002	2022-196	
Finance – Budget	Budget Operating Budget Work Papers	2018	18.03.004	2022-197	
Finance – Accounting	Accounts Payable Invoices: Alamo Distributing – Ark Animal	2018	18.03.001	2022-198	
Finance – Accounting	Accounts Payable Invoices: Talbert Jim – UniFirst	2018	18.03.001	2022-199	
Finance – Accounting	Accounts Payable Invoices: Sirchie Ginger Print Lab – “T” Misc	2018	18.03.001	2022-200	
Finance – Accounting	Accounts Payable Invoices: RSVP, Misc Vendor 10, Handcheck, Authorization Invoice, Check Request	2018	18.03.001	2022-201	
Finance – Accounting	Accounts Payable Invoices: TDS - UniFirst	2018	18.03.001	2022-202	
Finance – Accounting	General finance Records Adjusting Journal Entries (Mar18-Jun18, FY18)	2018	18.03.013	2022-203	
Finance – Accounting	Accounts Payable Invoices: PNM	2018	18.03.001	2022-204	
Finance – Accounting	Accounts Payable Invoices: UniFirst – Verizon	2018	18.03.001	2022-205	
Finance – Accounting	Accounts Payable Invoices: Basin Pipe – CDM Smith	2018	18.03.001	2022-206	
Finance – Accounting	Accounts Payable Invoices: Watts – 54 Towing	2018	18.03.001	2022-207	
Finance – Accounting	Accounts Receivable Cash Posting June 2018	2018	18.03.002	2022-208	
Finance – Budget	Budget Operating Budget Work Papers	2018	18.03.004	2022-209	
Finance –	Accounts Payable	2018	18.03.001	2022-210	

CITY OF ALAMOGORDO, NEW MEXICO

Office of the City Clerk
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2023

NOTIFICATION OF RECORDS DESTRUCTION

The following records have been identified as eligible for destruction according to the Records Retention and Disposition Schedule:

DEPT. WHERE RECORD ORIGINATED	DESCRIPTION OF RECORD	YEAR OF RECORD	ITEM # AUTHORIZING DESTRUCTION	Archive Box Number	DESTROY DATE
Legal	Legal Case Files: Municipal Court Case Files (A-H)	2012	1.15.3.401 18.02.001	2023-1	
Legal	Legal Case Files: Municipal Court Case Files (J-O)	2012	1.15.3.401 18.02.001	2023-2	
Legal	Legal Case Files: Municipal Court Case Files (P-Z)	2012	1.15.3.401 18.02.001	2023-3	
Legal	Legal Case Files Municipal Court Case Files	2007-2012	1.15.3.401(1) 18.02.001	2023-5 2023-4	
Legal	Legal Case Files Municipal Court	2011-2012	1.15.3.401(1) 18.02.001	2023-6 2023-5	
Legal	Legal Case Files District Court Appeals	2009-2012	1.15.3.401(1) 18.02.001	2023-07 2023-6	
Senior Center	Donations – Reconciliations & Balance May 2018 – April 2019 **Eligible for Destruction in 2023**	2018-2019	1.21.2.306 1.21.2.331 18.03.009 18.03.002	2024-52 2023-7	
Senior Center	Donations – Reconciliations & Balance Nov 2018 – Jun 2019 **Eligible for Destruction in 2023**	2018-2019	1.21.2.306 1.21.2.331 18.03.009 18.03.002	2024-55 2023-8	
City Clerk	Business License & Business Registration Business Regulations 2017 A – N **Destroy in 2023**	2017	1.21.2.653 18.06.002	BUS-R (48) 2023-9	
City Clerk	Business License & Business Registration Business Regulations 2017 O – Z **Destroy in 2023**	2017	1.21.2.653 18.06.002	BUS-R (49) 2023-10	
Finance	Payroll Register, Year End Report PAYROLL REGISTER: (1967)	1967	1.15.5.404(1) 18-03-019	PR 2-1 2023-11	2027 2023
City Clerk	Business License & Business Registration Business Registrations A-Z	2019	18.06.002	2023-12	
City Clerk	Liquor Licenses/Business License & Business Registration Liquor Licenses and Special Licenses	2019	18.06.012 18.06.002	2023-13	
Finance/Payroll	Paycheck Stubs: 4/28/2018-12/16/2018	2018	18.03.018	2023-14	
Finance – Payroll	Payroll Files - Paycheck Stubs – 8/28/2017 – 4/22/2018	2017-2018	18.03.018	2023-15	
Finance – Payroll	Payroll Files – Paycheck Stubs – 4/8/2019 – 7/28/2019	2019	18.03.018	2023-16	
Finance – Payroll	Payroll Files – Paycheck Stubs – 12/17/2018 –	2018-2019	18.03.019	2023-17	

CITY OF ALAMOGORDO, NEW MEXICO

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2023

NOTIFICATION OF RECORDS DESTRUCTION

The following records have been identified as eligible for destruction according to the Records Retention and Disposition Schedule:

	4/7/2019				
Finance – Payroll	Payroll Files – Employee Time Sheets – 4/23/2018 – 10/7/2018	2018	18.03.018	2023-018	
Finance – Payroll	Payroll Files – Employee Time Sheets – 11/6/2017 – 4/22/2018	2017-2018	18.03.018	2023-019	
Finance – Customer Service	Accounts Receivable – Cash Post Listing Deposit Disposition Forms – September 2018 to September 2018	2018	18.03.002	2023-020	
Finance – Customer Service	Accounts Receivable – Cash Post Listing & Deposit Disposition Forms – July 2018	2018	18.03.002	2023-021	
Finance – Customer Service	Accounts Receivable – Cashier's Deposit Books – July 2017 – June 2018	2017-2018	18.03.002	2023-022	
Finance – Customer Service	Accounts Receivable – Cash Post Listing & Deposit Disposition Forms – October 2018	2018	18.03.002	2023-023	
Finance – Customer Service	Accounts Receivable – Cash Post Listing & Deposit Disposition Forms – December 2018	2018	18.03.002	2023-024	
Finance – Customer Service	Accounts Receivable – Cash Post Listing & Deposit Disposition Forms – November 2018	2018	18.03.002	2023-025	
Finance – Customer Service	Accounts Receivable – Cash Post Listing & Deposit Disposition Forms – August 2018	2018	18.03.002	2023-026	
Finance – Customer Service	Accounts Receivable – Water Stubs August 1, 2018 – August 15, 2018	2018	18.03.002	2023-027	
Finance – Customer Service	Accounts Receivable – Water Stubs – August 16, 2018 – August 31, 2018	2018	18.03.002	2023-028	
Finance – Customer Service	Accounts Receivable – Water Stubs – July 16, 2018 – July 31, 2018	2018	18.03.002	2023-029	
Finance – Customer Service	Accounts Receivable – Water Stubs – July 1, 2018 – July 15, 2018	2018	18.03.002	2023-030	
Finance – Customer Service	Accounts Receivable – Water Stubs December 16, 2018 – December 31, 2018	2018	18.03.002	2023-031	
Finance – Customer Service	Accounts Receivable – Water Stubs – December 1, 2018 – December 15, 2018	2018	18.03.002	2023-032	
Finance – Customer Service	Accounts Receivable – Water Stubs – October 1, 2018 – October 15, 2018	2018	18.03.002	2023-033	
Finance – Customer Service	Accounts Receivable – Water Stubs – September 1, 2018 – September 15, 2018	2018	18.03.002	2023-034	
Finance – Customer Service	Accounts Receivable – Water Stubs – September 16, 2018 – September 30, 2018	2018	18.03.002	2023-035	
Finance – Customer Service	Accounts Receivable – Water Stubs – November 16, 2018 – November 30, 2018	2018	18.03.002	2023-036	
Finance – Customer Service	Accounts Receivable – Water Stubs – November 1, 2018 – November 15, 2018	2018	18.03.002	2023-037	
Finance – Customer Service	Accounts Receivable – Water Stubs – October 16, 2018 – October 31, 2018	2018	18.03.002	2023-038	
Finance – Customer Service	Accounts Receivable – Cashier's Yellow Receipts – Aug. 2018 – Oct. 2018	2018	18.03.002	2023-039	
Finance – Customer Service	Accounts Receivable – Cashier's Yellow Receipts – May 2018 – July 2018	2018	18.03.002	2023-040	
Finance – Customer Service	Utility Service Files – Water Applications – July 11, 2018 – December 31, 2018 – A-E	2018	18.13.013	2023-041	
Finance –	Utility Service Files – Water Applications – July	2018	18.13.013	2023-042	

CITY OF ALAMOGORDO, NEW MEXICO

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2023

NOTIFICATION OF RECORDS DESTRUCTION

The following records have been identified as eligible for destruction according to the Records Retention and Disposition Schedule:

Customer Service	11, 2018 – December 31, 2018 – F-L				
Finance – Customer Service	Utility Service Files – Water Applications – July 11, 2018 – December 31, 2018 – M-Z	2018	18.13.013	2023-043	
Public Works	Payroll Files – Payroll Exception Forms 2019	2019	18.03.018	2023-044	
HR	Hiring & Recruitment – Recruitment Files - Accounting Technician to Beverage Server	2019	18.04.017	2023-045	
HR	Hiring & Recruitment – Recruitment Files - Inventory Administrator to Network Administrator	2019	18.04.017	2023-046	
HR	Hiring & Recruitment – Recruitment Files – Wastewater Plant Laborer – Zoo Maintenance Tech.	2019	18.04.017	2023-047	
HR	Hiring & Recruitment – Recruitment Files – Facility Maint. HVAC Tech. – Home Services Supervisor	2019	18.04.017	2023-048	
HR	Hiring & Recruitment – Recruitment Files – APD Dispatcher (Certified & Trainee)	2019	18.04.017	2023-049	
HR	Hiring & Recruitment – Recruitment Files – Seasonal Lifeguard - Utility Maint. Tech.	2019	18.04.017	2023-050	
HR	Hiring & Recruitment – Recruitment Files – City Manager	2019	18.04.017	2023-051	
HR	Hiring & Recruitment – Recruitment Files – Cemetery Laborer – Computer Specialist	2019	18.04.017	2023-052	
HR	Hiring & Recruitment – Recruitment Files – APD Police Chief/Certified Police Officer	2019	18.04.017	2023-053	
HR	Hiring & Recruitment – Recruitment Files – APD Admin. Assistant – Police Officer Trainee	2019	18.04.017	2023-054	
HR	Hiring & Recruitment – Recruitment Files – Customer Service Rep. – Exec. Assistant (CS)	2019	18.04.017	2023-055	
HR	Hiring & Recruitment – Recruitment Files – Parks Laborer – Recreation Facility Manager	2019	18.04.017	2023-056	
HR	Hiring & Recruitment – Recruitment Files – Animal Control	2019	18.04.017	2023-057	
HR	Hiring & Recruitment – Recruitment Files – Housing Authority	2019	18.04.017	2023-058	
City Clerk	Contracts & Agreements – Expired Contracts	1976-2016	18.03.008	2023-059	
City Clerk	General (Non-record Material)	2020-2021	18.01.001	2023-060	
Senior Center- Meals on Wheels (MOW)	General logs, Volunteer files, Donations, Reconciliations & Balance	2016-2019	18.04.029 18.03.009	2023-061	
Senior Center- Meals on Wheels (MOW)	General logs, Volunteer files, Donations, Reconciliations & Balance (April 2016-May 2016)	2016	18.04.029 18.03.009	2023-062	
Senior Center- Meals on Wheels (MOW)	General logs, Volunteer files, Donations, Reconciliation & Balance (August-September 2019)	2019	18.04.029 18.03.009	2023-063	
Senior Center- Meals on Wheels (MOW)	General Logs (Jan 2016-Dec 2017)	2016-2017	18.01.028	2023-064	
Senior Center- Meals on Wheels (MOW)	General Logs	2014-2015	18.01.028	2023-065	

CITY OF ALAMOGORDO, NEW MEXICO

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2023

NOTIFICATION OF RECORDS DESTRUCTION

The following records have been identified as eligible for destruction according to the Records Retention and Disposition Schedule:

Senior Center- Meals on Wheels (MOW)	General logs, Volunteer files, Donations, Reconciliation & Balance (Nov-Dec 2019)	2019	18.04.029 18.03.009	2023-066	
Senior Center- Meals on Wheels (MOW)	General logs, Volunteer files, Reconciliation & Balance, Donations (Apr-May 2019)	2019	18.04.029 18.03.009	2023-067	
Senior Center – Information Tech/ASC	Data Backup Files – Consumer Attendance Records (July 2020-June 2021)	2020-2021	18.05.001	2023-068	
Senior Center – Information Tech/ASC	Data Backup Files – Consumer Attendance Records (April 2014-Mar 2020)	2014-2020	18.05.001	2023-069	
Senior Center – Information Tech/ASC	Data Backup Files – Consumer Attendance Records (Mar 2019-June 2020)	2019-2020	18.05.001	2023-070	
Senior Center – Information Tech/ASC	Data Backup Files – Consumer Attendance Records (July 2021-June 2022)	2021-2022	18.05.001	2023-071	
Senior Center – Information Tech/ASC	Data Backup Files – Consumer Attendance Records (July 2014-December 2019)	2014-2019	18.05.001	2023-072	
Finance – Accounting	Accounts Payable Invoices: Farmer Brother's Coffee – Hayduk King Advertising	2018-2019	18.03.001	2023-073	
Finance – Accounting	Accounts Payable Invoices: Verizon – Walmart	2018-2019	18.03.001	2023-074	
Finance – Accounting	Accounts Payable Invoices: Walmart – 54 Towing	2018-2019	18.03.001	2023-075	
Finance – Accounting	Accounts Payable Invoices: Motor Supply – NM Gas Company	2018-2019	18.03.001	2023-076	
Finance – Accounting	Accounts Receivable Cash Posting (April – May)	2019	18.03.002	2023-077	
Finance – Accounting	Accounts Receivable Cash Posting (Oct-Nov)	2019	18.03.002	2023-078	
Finance – Accounting	Accounts Payable Invoices: Armstrong Consultants – Brady Industries of TX	2018-2019	18.03.001	2023-079	
Finance – Accounting	Accounts Payable Invoices: PNM	2018-2019	18.03.001	2023-080	
Finance – Accounting	Accounts Payable Invoices: NM Judicial Education – Plant Nutrient Solutions	2018-2019	18.03.001	2023-081	
Finance – Accounting	Accounts Payable Invoices: A Misc – Alamo Crystal Center	2018-2019	18.03.001	2023-082	
Finance – Accounting	Accounts Receivable Cash Posting (July-August)	2019	18.03.002	2023-083	
Finance – Accounting	General Finance Records Adjusting Journal Entries (FY19)	2019	18.03.013	2023-084	
Finance – Accounting	Accounts Receivable Bank Reconciliations - FNB General Operating (Jul-Dec18)	2019	18.03.002	2023-085	
Finance – Accounting	Accounts Payable RSVP Vendors (FY19)	2019	18.03.001	2023-086	

CITY OF ALAMOGORDO, NEW MEXICO

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2023

NOTIFICATION OF RECORDS DESTRUCTION

The following records have been identified as eligible for destruction according to the Records Retention and Disposition Schedule:

Finance – Accounting	Accounts Payable Invoices: Unifirst – Verizon	2019	18.03.001	2023-087	
Finance – Accounting	Accounts Payable Invoices: Rocky Mountain Supply – Simpson Norton	2019	18.03.001	2023-088	
Finance – Accounting	Accounts Payable Invoices: Bramble Thomas – Century Link	2019	18.03.001	2023-089	
Finance – Accounting	Accounts Payable Invoices: Heisinger, Michael – “L” Misc	2019	18.03.001	2023-090	
Finance – Budget	Budget Operating Budget Work Papers	2019	18.03.004	2023-091	
Finance – Accounting	Accounts Receivable Cash Postings Nov 16 – Dec31	2019	18.03.002	2023-092	
Finance – Accounting Tech	General Finance Records - PHA Check Run FY19 - PHA Bank Rec 92 (Jul18-Sept18)	2019	18.03.013	2023-093	
Finance – Accounting	Accounts Receivable - Bank Statements - FNB General Operating/Payroll (FY18 and FY19)	2019	18.03.002	2023-094	
Finance – Accounting Tech	Reports – General - Lodger Tax Fees FY19 - Franchise Fees FY19 - Landfill Reports FY19 - Lodgers Tax Reports FY19	2019	18.01.042	2023-095	
Finance – Accounting	Accounts Payable Invoices: City of Alamogordo – Custom Overhead Doors	2019	18.03.001	2023-096	
Finance – Accounting	Accounts Payable Invoices: Century Link – COA Parks & Recs Sponsorship	2019	18.03.001	2023-097	
Finance – Accounting	Accounts Payable Invoices: RSVP Vendors (Feb2019-June2019)	2019	18.03.001	2023-098	
Finance – Accounting	Accounts Receivable Cash Postings Nov2018 – Dec2018 (FY19)	2019	18.03.002	2023-099	
Finance – Accounting	General Finance Records Adjusting Journal Entry FY19	2019	18.03.013	2023-100	
Finance – Accounting	Accounts Receivable - Bank Statements - FNB General Operating (Jan19-Jun19) - Payroll (FY19)	2019	18.03.002	2023-101	
Finance – Accounting	Accounts Receivable - FNB General Operating (Jul19-Nov19) - CDBG - FNB Payroll - WF Operating - WF Investment - WF Escrow	2019	18.03.002	2023-102	
Finance – Accounting	Accounts Receivable Cash Postings Jan1st-Feb15th (FY19)	2019	18.03.002	2023-103	
Finance – Accounting	Accounts Receivable Cash Postings Feb16th-Mar29th (FY19)	2019	18.03.002	2023-104	
Finance – Budget	Budget Operating	2019	18.03.004	2023-105	

CITY OF ALAMOGORDO, NEW MEXICO

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2023

NOTIFICATION OF RECORDS DESTRUCTION

The following records have been identified as eligible for destruction according to the Records Retention and Disposition Schedule:

	Budget Work Papers				
Finance – Accounting	Accounts Payable Invoices: Pool Pro – Rio Grande Pump & Supp	2019	18.03.001	2023-106	
Finance – Utility Billing	Utility Service Files - Misc charge posting: Application fee, Water penalty, after hour charge reverse, transfer payment posting - MAR reversal and adjustment reports	2019	18.03.013	2023-107	
Finance – Utility Billing	Utility Service Files - Utility billing write off - Cancel/rebills - Changed/combined locations - Register exchanges	2019	18.03.013	2023-108	
Finance – Utility Billing	Utility Service Files - Leak Adjustment Loc: 100-11999	2019	18.03.013	2023-109	
Finance – Budget	Budget Operating - Preliminary Budget Worksheets - Budget adjustments - Comparative budget	2019	18.03.004	2023-110	
Finance – Accounting	Accounts Payable Invoices: Lowes Grocery – Motor Supply	2019	18.03.001	2023-111	
Public Works/Facility Maintenance	Payroll - Time Sheets Work Orders - Maintenance & Repair	2014-2015	18.03.018 18.01.029	2023-112	
Public Works/Facility Maintenance	Payroll - Time Sheets Work Orders - Maintenance & Repair	2018-2019	18.03.018 18.01.029	2023-113	
Public Works/Facility Maintenance	Work Orders - Maintenance & Repair Payroll - Overtime	2016-2017	18.01.029 18.03.018	2023-114	
Public Works/Facility Maintenance	Work Orders- Maintenance & Repair Payroll - Overtime	2017-2018	18.01.029 18.03.018	2023-115	
Public Works/Facility Maintenance	Work Orders- Maintenance & Repair Payroll - Overtime	2015-2016	18.01.029 18.03.018	2023-116	
Public Works/Facility Maintenance	Work Orders – Maintenance & Repair Payroll – Overtime	2013-2014	18.01.029 18.03.018	2023-117	
Public Works/Facility Maintenance	Work Orders – Maintenance & Repair Payroll – Overtime	2018	18.01.029 18.03.018	2023-118	
Public Works/Facility Maintenance	Work Orders - January-June 2009 - July-December 2018	2009 2018	18.01.029	2023-119	
Public Works/Facility Maintenance	Work Orders – Maintenance & Repair (July 2009 - June 2010)	2009-2010	18.01.029	2023-120	
Public Works/Facility Maintenance	Work Orders – Maintenance & Repair Payroll – Timesheets (June 2016 – June 2017)	2016-2017	18.01.029 18.03.018	2023-121	
Public Works/Facility	Work Orders – Maintenance & Repair Payroll – Overtime	2014-2015	18.01.029 18.03.018	2023-122	

CITY OF ALAMOGORDO, NEW MEXICO

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2023

NOTIFICATION OF RECORDS DESTRUCTION

The following records have been identified as eligible for destruction according to the Records Retention and Disposition Schedule:

Maintenance	(July 2014 - June 2015)				
Public Works/Facility Maintenance	Payroll - Timesheets (July 2011 - June 2012)	2011-2012	18.03.018	2023-123	
Public Works/Facility Maintenance	Work Orders – Maintenance & Repair Payroll – Timesheets (July 2013 - June 2014)	2013-2014	18.01.029 18.03.018	2023-124	
Public Works/Facility Maintenance	Work Orders – Maintenance & Repair (July 2019 - June 2020)	2019-2020	18.01.029	2023-125	
Senior Center - Meals on Wheels (MOW)	Donations, General Logs, Volunteers, Calendars & Schedules (May-December 2019)	2019	18.03.009 18.01.028 18.01.008	2023-126	
Senior Center – Meals on Wheels (MOW)	Donations, General Logs, Calendars & Schedules (June 2019-June 2020)	2019-2020	18.03.009 18.01.028 18.01.008	2023-127	
Senior Center – Information Tech (ASC)	Data Backup – Attendance Records (July 2020-June 2021)	2020-2021	18.05.001	2023-128	
Senior Center – Information Tech (ASC)	Data Backup – Deceased Consumer Records (January 2021-December 2022)	2021-2022	18.05.001	2023-129	
Senior Center – Information Tech (ASC)	Data Backup – Consumer Records (March 2014-June 2019)	2014-2019	18.05.001	2023-130	
Senior Center – Information Tech (ASC)	Data Backup – Consumer Records (November 2020-March 2021)	2020-2021	18.05.001	2023-131	
Senior Center – Meals on Wheels (MOW)	General Logs, Calendars & Schedules, Volunteers, Route Sheets (July-August 2021)	2021	18.01.028 18.01.008	2023-132	
Senior Center – Meals on Wheels (MOW)	General Logs, Calendars & Schedules, Volunteers, Route Sheets (February-March 2020)	2020	18.01.028 18.01.008	2023-133	
Senior Center – Meals on Wheels (MOW)	General Logs, Donations, Calendars & Schedules (April-May 2020)	2020	18.03.009 18.01.028 18.01.008	2023-134	
Senior Center – Information Tech (ASC)	Data Backup – Consumer Records (October 2014-November 2019)	2014-2019	18.05.001	2023-135	
Senior Center – Information Tech (ASC)	Data Backup – Consumer Records (May 2014-February 2019)	2014-2019	18.05.001	2023-136	
Senior Center – Information Tech (ASC)	Data Backup – Consumer Records (August 2014-March 2019)	2014-2019	18.05.001	2023-137	
Senior Center – Information Tech (ASC)	Data Backup – Consumer Attendance Records (January-June 2020)	2020	18.05.001	2023-138	
Senior Center – Information Tech (ASC)	Data Backup – Consumer Records (March 2014-December 2019)	2014-2019	18.05.001	2023-139	
Senior Center –	Data Backup – Consumer Records	2015-2019	18.05.001	2023-140	

CITY OF ALAMOGORDO, NEW MEXICO

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2023

NOTIFICATION OF RECORDS DESTRUCTION

The following records have been identified as eligible for destruction according to the Records Retention and Disposition Schedule:

Information Tech (ASC)	(June 2015-February 2019)				
Senior Center – Information Tech (ASC)	Data Backup – Consumer Records (October 2014-October 2019)	2014-2019	18.05.001	2023-141	
Senior Center – Information Tech (ASC)	Data Backup – Consumer Records (July 2016-January 2019)	2016-2019	18.05.001	2023-142	
Senior Center – Information Tech (ASC)	Data Backup – Consumer Records (July 2014-May 2019)	2014-2019	18.05.001	2023-143	
Senior Center – Information Tech (ASC)	Data Backup – Deceased Consumer Records (January-December 2020)	2020	18.05.001	2023-144	
Senior Center (ASC)	Donations, General Logs, Volunteer Schedules	2020	18.01.028 18.03.009 18.04.029	2023-145	
Finance – Accounts Payable	Processed Invoices (July 2017-June 2018)	2017-2018	18.03.001	2023-146	
Finance – Utility Billing	Cut-off Listings (July 2018-June 2019)	2018-2019	18.13.014	2023-147	
Finance – Accounting	Accounts Receivable – Cash Postings (May 2019 – June 2019)	2019	18.03.002	2023-148	
Finance – Utility Billing	Utility Service Files – Leak Adjustment Location	2019	18.13.013	2023-149	
Finance – Accounting	Accounts Payable Alamo Crystal Clear Water & Ice (July 2020 – June 2021)	2020-2021	18.03.001	2023-150	
Finance – Utility Billing	Meter Readings Service Orders (July 2018-June 2019)	2018-2019	18.13.005	2023-151	
Finance – Utility Billing	Meter Readings Manual Readings Turn Off (July 2019 – June 2020)	2019-2020	18.13.055	2023-152	
Senior Center – Information Tech (ASC)	Data backup- Fitness Center Logs (July 2020-June 2022)	2020-2022	18.05.001	2023-153	
Senior Center – Information Tech (ASC)	Data Backup – Deceased Consumer Records	2023	18.05.001	2023-154	
Senior Center – Information Tech (ASC)	Data Backup – Work Order Logs Key Checkout Logs Lost and Found Log Craft/Game Logs (July 2022-June 2023)	2022-2023	18.05.001	2023-155	
Senior Center – Information Tech (ASC)	Data Backup – Work Order Logs Daily Transmittal Sheets Craft/Game Logs (July 2020 – June 2022)	2020-2022	18.05.011	2023-156	
Senior Center –	Data Backup – Consumer Attendance Records	2020	18.05.001	2023-157	

CITY OF ALAMOGORDO, NEW MEXICO

Office of the City Clerk
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2023

NOTIFICATION OF RECORDS DESTRUCTION

The following records have been identified as eligible for destruction according to the Records Retention and Disposition Schedule:

Information Tech (ASC)					
Senior Center – Information Tech (ASC)	Data Backup – Fitness Center Consumer Attendance Records (July 2022-June 2023)	2022-2023	18.05.011	2023-158	
Finance – Accounts Payable	Accounts Payable – MSC Industries – NM Magazine (July 2017-June 2018)	2017-2018	18.03.001	2023-159	
Finance – Accounts Payable	Accounts Payable – Wal-Mart (July 2016-June 2017; July 2007-June 2008)	2007-2008 2016-2017	18.03.001	2023-160	
Finance – Utility Billing	Utility Service Files – Leak Adjustments = Location 12000-50000	2018	18.13.013	2023-161	
Finance – Accounting	Accounts Receivable – Cash Postings (July 1 st -August 15 th 2018)	2018	18.03.002	2023-162	
Finance – Accounting	Accounts Payable – Processed invoices from Johnson, Dustin to Lock Shop (July 2017-June 2018)	2017-2018	18.03.001	2023-163	
Finance – Utility Billing	Meter Reading - Service Orders - Radio Read - Final ETR - Replacement - Recheck Base Rate Turn ON/Off (July 2018-June 2019)	2018-2019	18.13.005	2023-164	
Finance – Accounting	Accounts Receivable - FNB Operating Bank Reconciling January-June 2017 - FNB Payroll Acct - WF General Operating - WF Sweep July 2016-August 2016 - FNB PY Statements (July 2016-June 2017)	2016-2017	18.03.002	2023-165	
Finance – Utility Billing	Meter Readings – Service Orders – Manual (July-December 2018)	2018	18.13.005	2023-166	
Finance – Accounting	Accounts Payable - L&F Distributors – Lowe's Companies (July 2018-June 2019)	2018-2019	18.03.001	2023-167	
Public Works – Facility Maintenance	Payroll Files – Maintenance & Repair Time Sheets (June 2012-June 2013) Work Orders (January-June 2008)	2008 2012-2013	18.03.018 18.01.029	2023-168	
Public Works – Facility Maintenance	Payroll Files – Maintenance & Repair Timesheets Work Orders (July 2008-June 2009)	2008-2009	18.01.029 18.03.018	2023-169	
Public Works – Facility Maintenance	Payroll Files – Maintenance & Repair Time Sheets Work Orders (July 2003-June 2004)	2003-2004	18.01.029 18.03.018	2023-170	
Public Works – Facility Maintenance	Purchasing Requisitions (July 2010-June 2011)	2010-2011	18.03.021	2023-171	
Public Works –	Payroll Files – Maintenance & Repair	2003	18.01.029	2023-172	

CITY OF ALAMOGORDO, NEW MEXICO

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2023

NOTIFICATION OF RECORDS DESTRUCTION

The following records have been identified as eligible for destruction according to the Records Retention and Disposition Schedule:

Facility Maintenance	Time Sheets Work Orders (July 2003-December 2003)		18.03.018		
Public Works – Facility Maintenance	Maintenance & Repair – Work Orders (July 2011 – June 2012)	2011-2012	18.01.029	2023-173	
Public Works – Facility Maintenance	Payroll Files – Maintenance & Repair Work Orders Time Sheets (July 2015-June 2016)	2015-2016	18.01.029 18.03.018	2023-174	
Public Works-Facility Maintenance	Maintenance & Repair – Work Orders (December 1999-June 2001)	1999-2001	18.01.029	2023-175	
Public Works – Facility Maintenance	Payroll Files – Maintenance & Repair Timesheets Work Orders (June 2013-June 2014; January 2008-October 2013; July 2006-June 2007)	2006-2007 2008-2013 2013-2014	18.01.029 18.03.018	2023-176	
Public Works – Facility Maintenance	Payroll Files – Timesheets (July 2011-June 2012)	2011-2012	18.03.018	2023-177	
Public Works – Facility Maintenance	Maintenance & Repair – Work Orders (July-December 2010)	2010	18.01.029	2023-178	
Public Works – Facility Maintenance	Payroll Files – Maintenance & Repair Timesheets Work Orders (July 2004-June 2005)	2004-2005	18.01.029 18.03.018	2023-179	
Public Works – Facility Maintenance	Payroll Files – Timesheets (July 2007-June 2008)	2007-2008	18.03.018	2023-180	
Public Works – Facility Maintenance	Maintenance & Repair – Work Orders (July 2004-June 2005)	2004-2005	18.01.029	2023-181	
Public Works – Facility Maintenance	Payroll Files – Maintenance & Repair Timesheets Work Orders (July 2005-June 2006)	2005-2006	18.01.029 18.03.018	2023-182	
Public Works – Facility Maintenance	Payroll Files – Maintenance & Repair Payroll Work Orders (July 2006-June 2007)	2006-2007	18.01.029 18.03.018	2023-183	
Public Works – Facility Maintenance	Payroll Files – Maintenance & Repair Timesheets Work Orders (July 2010-June 2011)	2010-2011	18.01.029 18.03.018	2023-184	
Public Works – Facility Maintenance	Maintenance & Repair – Work Orders (July 2012-June 2013)	2012-2013	18.01.029	2023-185	
Public Works – Facility Maintenance	Maintenance & Repair – Work Orders (July 2001-June 2002)	2001-2002	18.01.029	2023-186	
Public Works –	Payroll Files – Maintenance & Repair	2002-2003	18.01.029	2023-187	

CITY OF ALAMOGORDO, NEW MEXICO

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2023

NOTIFICATION OF RECORDS DESTRUCTION

The following records have been identified as eligible for destruction according to the Records Retention and Disposition Schedule:

Facility Maintenance	- Timesheets - Work Orders (July 2002-June 2003)		18.03.018		
Public Works – Facility Maintenance	Payroll Files – Maintenance & Repair - Timesheets (July 2009-June 2010) - Work Orders (July-December 2009)	2009-2010	18.01.029 18.03.018	2023-188	
Public Works – Facility Maintenance	Payroll Files – Daily & Weekly Time Log (July-June 2002-2003; 2003-2004, 2015-2016)	2002-2003 2003-2004 2015-2016	18.03.018	2023-189	
Public Works – Facility Maintenance	Maintenance & Repair (July 2011-June 2012)	2011-2012	18.01.029	2023-190	
Public Works – Facility Maintenance	Payroll Files – Maintenance & Repair - Timesheets - Work Orders (July 2001-June 2002)	2001-2002	18.01.029 18.03.018	2023-191	
Public Works – Facility Maintenance	Maintenance & Repair – Work Orders (July 2006-June 2007)	2006-2007	18.01.029	2023-192	
Public Works – Facility Maintenance	Maintenance & Repair – Work Orders (July 2008-May 2009)	2008-2009	18.01.029	2023-193	
Public Works – Facility Maintenance	Maintenance & Repair – Issue Tickets/Work Orders (July-June 2002-2003; 2003-2004; 2005-2009; 2015-2016)	2002-2003 2003-2004 2005-2009 2015-2016	18.01.029	2023-194	
Public Works – Facility Maintenance	Maintenance & Repair – Work Orders (Oct 2002-June 2003)	2002-2003	18.01.029	2023-195	
Public Works – Facility Maintenance	Purchasing - Requisitions (July-June 1993-1999)	1993-1999	18.03.02	2023-196	
Public Works – Facility Maintenance	Maintenance & Repair – Work Orders (July 2005-June 2006)	2005-2006	18.01.029	2023-197	
Public Works – Facility Maintenance	Maintenance & Repair – Work Orders (January-June 2011)	2011	18.01.029	2023-198	
Public Works – Facility Maintenance	Maintenance & Repair – Work Orders (July- December 2007; January-June 2010)	2007 2010	18.01.029	2023-199	
Public Works – Facility Maintenance	Maintenance & Repair – Work Orders (July 2007-June 2008)	2007-2008	18.01.029	2023-200	
Public Works – Facility Maintenance	Payroll Files – Maintenance & Repair - Timesheets - Work Orders (July 2012-June 2013)	2012-2013	18.01.029 18.03.018	2023-210	
Public Works – Facility Maintenance	Payroll Files – Maintenance & Repair - Timesheets	2018-2019	18.01.029 18.03.018	2023-202	

CITY OF ALAMOGORDO, NEW MEXICO

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2023

NOTIFICATION OF RECORDS DESTRUCTION

The following records have been identified as eligible for destruction according to the Records Retention and Disposition Schedule:

Maintenance	- Work Orders (July 2018-June 2019)				
City Clerk	Insurance Policies – Correspondence – Special Event Permits – Expired Lease & Grant Agreements – Expired Agreements/Contracts	1984-2019	18.01.022 18.01.001 18.01.013 18.01.025 18.03.014 18.01.008 18.07.026	2023-203	
Finance	Accounts Payable Misc – Motor Supply (July 2017-June 2016)	2017-2016	18.03.001	2023-204	
Finance – Utility Billing	Utility Service Files - Penalty Fee Waiver - Modified Base Rate - Manager/Customer Account Adjustments - Applications – Budget Billing - Low-Flow Toilet - Kiosk - New Meter - Budget Billing Agreements - Vouchers - Payment plans (July 2018-June 2019)	2018-2019	18.13.013	2023-205	
Finance – Utility Billing	Utility Service Files - State of property ownership forms - Bank Draft Authorizations - Waiver of Owner Responsibility Forms - Base Rate Forms - Notice of Corrections (July 2018-June 2019)	2018-2019	18.13.013	2023-206	
Finance – Utility Billing	Meter Readings – Service Orders Final (July 2018-April 2019)	2018-2019	18.13.005	2023-207	
Finance – Utility Billing	Work Orders - Cut-off Service Orders (July- December 2018) - Meter Readings	2018	18.13.005	2023-208	
Finance – Accounts Payable	Accounts Payable - Pool Pro – Rio Grande (July 2017-June 2018)	2017-2018	18.03.001	2023-209	
Finance – Utility Billing	Meter Readings - Service Orders - Cut-Offs (Jan 2019-June 2019) - Lock Meter - Returned Payments - Meter Installation	2018-2019	18.13.005	2023-210	
Finance – Utility Billing	Meter Readings - Service Orders – Manual (January 2019-June 2019)	2019	18.13.005	2023-211	
Finance – Utility Billing	Utility Service Files - Miscellaneous Charge Posting - Transfer of Service (July 2018-June 2019)	2018-2019	18.13.013	2023-212	

CITY OF ALAMOGORDO, NEW MEXICO

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2023**NOTIFICATION OF RECORDS DESTRUCTION**

The following records have been identified as eligible for destruction according to the Records Retention and Disposition Schedule:

Finance – Budget	Budget Operating – Preliminary Budget Worksheets (July 2018-June 2019)	2018-2019	18.03.004	2023-213	
Finance – Budget	Budget Operating – Budget Work Papers (July 2017-June 2018)	2017-2018	18.03.004	2023-214	
Finance – Accounting	Accounts Payable - Miscellaneous Vendor 10 (FY19) (July 2018-June 2019)	2018-2019	18.03.001	2023-215	
					215 Boxes

CITY OF ALAMOGORDO, NEW MEXICO

Office of the City Clerk
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2024

NOTIFICATION OF RECORDS DESTRUCTION

The following records have been identified as eligible for destruction according to the Records Retention and Disposition Schedule:

DEPT. WHERE RECORD ORIGINATED	DESCRIPTION OF RECORD	YEAR OF RECORD	ITEM # AUTHORIZIN G DESTRUCTIO N	Archive Box Number	DESTROY DATE
Legal	Legal Case Files Municipal Court Cases A-F	2013	1.15.3.401(1) 18.02.001	2024-1	
Legal	Legal Case Files Municipal Court Cases G-Ma	2013	1.15.3.401(1) 18.02.001	2024-2	
Legal	Legal Case Files Municipal Court Cases Mc-S	2013	1.15.3.401(1) 18.02.001	2024-3	
Legal	Legal Case Files Municipal Court Cases T-Z	2013	1.15.3.401(1) 18.02.001	2024-4	
Legal	Legal Case Files District Court Closed Cases	2011-2013	1.21.2.636 18.02.001	2024-5	
City Clerk	Business License & Business Registration Business Regulations 2018 **Destroy in 2024**	2018	1.21.2.653 18.06.002	BUS-R (58) 2024-6	
Finance/Payroll	Paycheck Stubs: 7/29/2019-3/22/2020	2019-2020	18.03.018	2024-07	
City Clerk	Business License & Business Registrations Business Registrations A-Z	2020	18.06.002	2024-08	
Legal	Legal Case Files District Court Closed Cases	2008-2013	18.02.001	2024-09	
Finance – Payroll	Payroll Files – Employee Time Sheets 10/21/2019 – 3/8/2020	2019-2020	18.03.018	2024-010	
Finance – Payroll	Payroll Files – Employer’s Quarterly Federal Tax Return File (Form 941) – 2009-2013	2009-2013	18.03.010	2024-011	
Finance – Payroll	Payroll Files – Employee Time Sheets – 5/6/2019 – 10/20/2019	2019	18.03.018	2024-012	
Finance – Customer Service	Accounts Receivable – Cash Post Listing, Deposit Disposition Forms – January 2019	2019	18.03.002	2024-013	
Finance – Customer Service	Accounts Receivable – Cash Post Listing, Deposit Disposition Forms, & Department Deposit Log – February 2019	2019	18.03.002	2024-014	
Finance – Customer Service	Accounts Receivable – Cashier’s Yellow Receipts – October 2018 – February 2019	2018-2019	18.03.002	2024-015	

CITY OF ALAMOGORDO, NEW MEXICO

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2024

NOTIFICATION OF RECORDS DESTRUCTION

The following records have been identified as eligible for destruction according to the Records Retention and Disposition Schedule:

Finance – Customer Service	Accounts Receivable – Water Stubs – January 16, 2019 – January 31, 2019	2019	18.03.002	2024-016	
Finance – Customer Service	Accounts Receivable – Water Stubs – January 1, 2019 – January 15, 2019	2019	18.03.002	2024-017	
Finance – Customer Service	Accounts Receivable – Water Stubs – March 1, 2019 – March 15, 2019	2019	18.03.002	2024-018	
Finance – Customer Service	Accounts Receivable – Water Stubs – March 16, 2019 – March 31, 2019	2019	18.03.002	2024-019	
Finance – Customer Service	Accounts Receivable – Water Stubs – February 16, 2019 – February 28, 2019	2019	18.03.002	2024-020	
Finance – Customer Service	Accounts Receivable – Water Stubs – February 1, 2019 – February 15, 2019	2019	18.03.002	2024-021	
Finance – Payroll	Payroll Files – Employee Time Sheets – 12/31/2018 – 5/5/2019	2018-2019	18.03.018	2024-022	
Finance – Customer Service	Accounts Receivable – Cash Post Listing, Deposit Disposition Forms & Department Deposit Log – September 2019	2019	18.03.002	2024-023	
Finance – Customer Service	Accounts Receivable – Cash Post Listing, Deposit Disposition Forms & Department Deposit Log – October 2019	2019	18.03.002	2024-024	
Finance – Customer Service	Accounts Receivable – Cash Post Listing, Deposit Disposition Forms & Department Deposit Log – July 2019	2019	18.03.002	2024-025	
Finance – Customer Service	Accounts Receivable – Cash Post Listing, Deposit Disposition Forms & Department Deposit Log – November 2019	2019	18.03.002	2024-026	
Finance – Customer Service	Accounts Receivable – Cash Post Listing, Deposit Disposition Forms & Department Deposit Log – November 2019	2019	18.03.002	2024-027	
Finance – Customer Service	Accounts Receivable – Cash Post Listing, Deposit Disposition Forms & Department Deposit Log – June 2019	2019	18.03.002	2024-028	
Finance – Customer Service	Accounts Receivable – Cash Post Listing, Deposit Disposition Forms & Department Deposit Log – April 2019	2019	18.03.002	2024-029	
Finance – Customer Service	Accounts Receivable – Cashier Deposit Books (Jul1, 2018 – June 30, 2019) Cashier Receipt Books (May 18, 2015 – Jan. 30, 2019) Receipt 130801-13100 – May 18, 2015 – June 30, 2019	2015-2019	18.03.002	2024-030	
Finance – Customer Service	Accounts Receivable – Cash Post Listing, Deposit Disposition Forms & Department Deposit Log – March 2019	2019	18.03.002	2024-031	
Finance – Customer Service	Accounts Receivable – Cash Post Listing, Deposit Disposition Forms & Department Deposit Log – May 2019	2019	18.03.002	2024-032	
Finance – Customer Service	Accounts Receivable – Water Stubs – September 1, 2019 – September 15, 2019	2019	18.03.002	2024-033	
Finance – Customer Service	Accounts Receivable – Water Stubs – September 16, 2019 – September 30, 2019	2019	18.03.002	2024-034	
Finance – Customer Service	Accounts Receivable – Water Stubs – August 1, 2019 – August 15, 2019	2019	18.03.002	2024-035	
Finance – Customer Service	Accounts Receivable – Water Stubs – August 16, 2019 – August 31, 2019	2019	18.03.002	2024-036	

CITY OF ALAMOGORDO, NEW MEXICO

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2024

NOTIFICATION OF RECORDS DESTRUCTION

The following records have been identified as eligible for destruction according to the Records Retention and Disposition Schedule:

Finance – Customer Service	Accounts Receivable – Water Stubs – October 1, 2019 – October 15, 2019	2019	18.03.002	2024-036	
Finance – Customer Service	Accounts Receivable – Water Stubs – October 16, 2019 – October 31, 2019	2019	18.03.002	2024-038	
Finance – Customer Service	Accounts Receivable – Water Stubs – May 1, 2019 – May 15, 2019	2019	18.03.002	2024-039	
Finance – Customer Service	Accounts Receivable – Water Stubs – May 16, 2019 – May 31, 2019	2019	18.03.002	2024-040	
Finance – Customer Service	Accounts Receivable – Water Stubs – June 1, 2019 – June 15, 2019	2019	18.03.002	2024-041	
Finance – Customer Service	Accounts Receivable – Water Stubs – June 16, 2019 – June 30, 2019	2019	18.03.002	2024-042	
Finance – Customer Service	Accounts Receivable – Water Stubs – July 1, 2019 – July 15, 2019	2019	18.03.002	2024-043	
Finance – Customer Service	Accounts Receivable – Water Stubs – July 16, 2019 – July 31, 2019	2019	18.03.002	2024-044	
Finance – Customer Service	Accounts Receivable – Water Stubs – November 1, 2019 – November 15, 2019	2019	18.03.002	2024-045	
Finance – Customer Service	Accounts Receivable – Water Stubs – November 16, 2019 to November 31, 2019	2019	18.03.002	2024-046	
Finance – Customer Service	Accounts Receivable – Water Stubs – April 1, 2019 – April 15, 2019	2019	18.03.002	2024-047	
Finance – Customer Service	Accounts Receivable – Water Stubs – April 16, 2019 – April 30, 2019	2019	18.03.002	2024-048	
Finance – Customer Service	Accounts Receivable – Cash Post Listing, Deposit Disposition Forms & Department Deposit Log – December 2019	2019	18.03.002	2024-049	
Finance – Customer Service	Accounts Receivable – Water Stubs – December 1, 2019 – December 15, 2019	2019	18.03.002	2024-050	
Finance – Customer Service	Accounts Receivable – Water Stubs – December 16, 2019 – December 31, 2019	2019	18.03.002	2024-051	
Finance – Customer Service	Utility Service Files – Water Applications – July 2019 – December 2019 – A-G	2019	18.13.013	2024-052	
Finance – Customer Service	Utility Service Files – Water Applications – July 2019 – December 2019 – H-L	2019	18.13.013	2024-053	
Finance – Customer Service	Utility Service Files – Water Applications – July 2019 – December 2019 – M-Z	2019	18.13.013	2024-054	
Finance – Customer Service	Utility Service Files – Water Applications – January 2019 – June 2019 – A-E	2019	18.13.013	2024-055	
Finance – Customer Service	Utility Service Files – Water Applications – January 2019 – June 2019 – F-L	2019	18.13.013	2024-056	
Finance – Customer Service	Utility Service Files – Water Applications – January 2019 – June 2019 – M-Z	2019	18.13.013	2024-057	
Public Works Maintenance & Repair	Weeds & Drainage – Work Orders July 2019 – December 2020	2019-2020	18.01.29	2024-058	
Finance – Accounting	Accounts Payable Invoices: “D” Misc – “F” Misc	2018-2019	18.03.001	2024-059	
Finance – Accounting	Accounts Payable Invoices: Q-Misc to Roy’s Welding	2019-2020	18.03.001	2024-060	
Finance –	Accounts Payable	2019-2020	18.03.001	2024-061	

CITY OF ALAMOGORDO, NEW MEXICO

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2024

NOTIFICATION OF RECORDS DESTRUCTION

The following records have been identified as eligible for destruction according to the Records Retention and Disposition Schedule:

Accounting	Invoices: A-Misc to Alamogordo Chamber of Commerce				
Finance – Accounting	Accounts Payable Invoices: Motor Supply – NM Firefighters Assc.	2019-2020	18.03.001	2024-062	
Finance – Accounting	Accounts Payable Misc Vendor 10 Check Run	2019-2020	18.03.001	2024-063	
Finance – Accounting	Accounts Payable Invoices: Staples Credit Plan – Torres, Kim	2019-2020	18.03.001	2024-064	
Finance – Budgeting	Budget Operating - Preliminary Budget Works - Comparative Budget	2019-2020	18.03.004	2024-065	
Finance – Accounting	Accounts receivable Bank reconciliations - FNB General Operating - Dec 2019 – Jun 2020	2019-2020	18.03.002	2024-066	
Finance – Accounting	Accounts Payable Invoices: PNM – Public Safety Psych SE	2019-2020	18.03.001	2024-067	
Finance – Accounting	Accounts Payable Invoices: RSVP/FGP/SCP 01/03/2020-06/26/2020	2019-2020	18.03.001	2024-068	
Finance – Accounting	General Finance Records Ledgers – Cash Postings FY20 (June)	2020	18.03.013	2024-069	
Finance – Accounting	Accounts Payable Invoices: NM Gas – Otero County Clerk	2020	18.03.001	2024-070	
Finance – Accounting	Accounts Receivable Cash Postings (feb15-Mar31)	2020	18.03.002	2024-071	
Finance – Accounting	Accounts Receivable Cash Postings (April-May)	2020	18.03.002	2024-072	
Finance – Accounting	Accounts Payable Invoices: Century Link – COA Startup cash	2020	18.03.001	2024-073	
Finance – Accounting	Accounts Payable Invoices: OCDC - PNM	2020	18.03.001	2024-074	
Finance – Fixed Assets	Fixed Assets - YE Reports - Batches - Depreciation	2020	18.03.011	2024-075	
Finance – Accounting	Accounts Payable Invoices: Misc “D” – Ewing Irrigation	2020	18.03.001	2024-076	
Finance – Accounting	Accounts Payable Invoices: Misc Vendor 10 Check Run (7/5/19 – 12/26/19)	2020	18.03.001	2024-077	
Finance – Accounting	General Finance Records Adjusting Journal Entries	2020	18.03.013	2024-078	
Finance – Accounting	Accounts Payable Invoices: Misc “K” – Lock Shop	2020	18.03.001	2024-079	
Finance – Accounting	Accounts Payable Invoices: TransUnion Risk Alternative – UniFirst	2020	18.03.001	2024-080	
Finance – Accounting	Accounts Payable Invoices: COA Water Bill – CVE Machine and Welding	2020	18.03.001	2024-081	
Finance – Accounting	Accounts Payable Invoices: Lowe’s Companies – Morsco Supply	2020	18.03.001	2024-082	
Finance –	General Finance Records	2020	18.03.013	2024-083	

CITY OF ALAMOGORDO, NEW MEXICO

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2024

NOTIFICATION OF RECORDS DESTRUCTION

The following records have been identified as eligible for destruction according to the Records Retention and Disposition Schedule:

Accounting	Adjusting Journal Entries (April-June, FY2020)				
Finance – Accounting	General Finance Records Adjusting Journal Entries (Oct-Dec 2020, FY21)	2020	18.03.013	2024-084	
Finance – Accounting	Accounts Payable Invoices: “F” Misc – Hach Company	2020	18.03.001	2024-085	
Finance – Accounting	Accounts Payable Invoices: “B” Misc – Bramble, Thomas	2020	18.03.001	2024-086	
Finance – Accounting	Accounts Payable Invoices: Brideax Michelle – Century Link	2020	18.03.001	2024-087	
Finance – Accounting	Accounts Payable Invoices: UniFirst – Verizon Wireless	2020	18.03.001	2024-088	
Finance – Accounting	Accounts Payable Invoices: RSVP/FGP/SCP 7/5/19-12/20/19	2020	18.03.001	2024-089	
Finance – Accounting	Accounts Payable Invoices: Hall Enviro Analysis Lab – Justice Systems	2020	18.03.001	2024-090	
Finance – Accounting	Accounts Payable Invoices: Alamogordo Main Street – AW/AZ Wastewater Ind.	2020	18.03.001	2024-091	
Finance – Utility Billing	Utility Service Files - Adjustment Posting - Changed/Combined Locations - Register Exchange - Deposit Transfer/Refund Listings - Transfer Balance Postings - Billed Deposits	2020	18.03.013	2024-092	
Finance – Utility Billing	Meter Reading Manual Reading (Oct19-Jan20)	2020	18.03.005	2024-093	
Finance – Utility Billing	Utility Service Files Leak Adjustment 10001-50000 (Jan19-Dec19)	2020	18.03.013	2024-094	
Finance – Utility Billing	Meter Reading - Turn On - Base Rate Turn on/off	2020	18.03.005	2024-095	
Finance – Utility Billing	Meter Reading - ETR Replacement - Radio Read Maintenance	2020	18.03.005	2024-096	
Finance – Utility Billing	Utility Service Files - Request: modified base rate removal, customer/manager adjustment - Applications: new meter kiosk, low flow toilet rebate, budget drilling - Forms: penalty fee waiver, owner waiver of responsibility, statement of property ownership, bank draft authorization, base rate - Budget Billing Agreement: new meter charge sheet, military order/vacation status	2020	18.03.013	2024-097	
Finance – Accounting	Accounts Receivable Cash Postings Credit Card Receipts Nov2018 – Jun2020, FY19 and FY20	2020	18.03.002	2024-098	
Finance – Accounting	General Finance Records Adjusting Journal Entry FY20	2020	18.03.013	2024-099	

CITY OF ALAMOGORDO, NEW MEXICO

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2024

NOTIFICATION OF RECORDS DESTRUCTION

The following records have been identified as eligible for destruction according to the Records Retention and Disposition Schedule:

Public Works - Facility Maintenance	Maintenance & Repair – Work Orders (July 2020 - June 2021)	2020-2021	18.01.029	2024-100	
Public Works – Facility Maintenance	Maintenance & Repair – Work Orders Payroll – Timesheets (July 2020 – June 2021)	2020-2021	18.01.029 18.03.018	2024-101	
Senior Center – Meals on Wheels (MOW)	Donations, General Logs, Volunteer Schedules	2021	18.01.001 18.01.008 18.01.009	2024-102	
Senior Center – Meals on Wheels (MOW)	Donations, General Logs, Volunteer Schedules	2021	18.01.001 18.01.008 18.01.009	2024-103	
Senior Center – Meals on Wheels (MOW)	Donations, General Logs, Volunteer Schedules	2020-2021	18.01.001 18.01.008 18.01.009	2024-104	
Finance – Utility Billing	Meter Readings Manual (July-October 2021) Cut-Off (Nov 2021)	2021	18.13.005	2024-105	
Finance – Accounting	Accounts Receivable – Cash Posting (June 2021 – FY21)	2021	18.03.002	2024-106	
Finance – Accounting	Accounts Receivable – Cash Posting (August 2020 – FY21)	2020	18.03.002	2024-107	
Finance – Utility Billing	Meter Readings Stealth Project Manual Read	2021	18.13.005	2024-108	
Senior Center – Information Tech (ASC)	Data Backup – Consumer Attendance Records (July 2022-June 2023)	2022-2023	18.05.001	2024-109	
Finance – Accounting	Accounts Receivable – Cash Postings (ending Feb 14, 2020) (January-February 2020)	2020	18.03.002	2024-110	
Finance – Budget	Budget Operating - Preliminary Budget Worksheets - Comparative Budget (July 2019-June 2020)	2019-2020	18.03.004	2024-111	
Finance – Accounting	Accounts Receivable - Bank Reconciliations - FNB General Operating (July-November 2019) - CNBG - FNB Payroll - WF Operating - WF Investment (July 2019) - WF Escrow	2019-2020	18.03.002	2024-112	
Finance – Customer Service	Accounts Receivable – Water Stubs FY22 (July 1-15, 2021)	2021	18.03.002	2024-113	
Finance – Accounting	Accounts Payable – S. Misc – SSA Solar of NM2 LLC (July 2019-June 2020)	2019-2020	18.03.001	2024-114	
Finance – Budget	Budget Operating - Preliminary Budget Worksheets - Comparative Budget (July 2019-June 2020)	2019-2020	18.03.004	2024-115	
Finance – Accounting	Accounts Payable – S. Misc -Sirchie Finger – Print Laboratories (July 2020-June 2021)	2020-2021	18.03.001	2024-116	

CITY OF ALAMOGORDO, NEW MEXICO

Office of the City Clerk
 1376 E. Ninth Street, Alamogordo, NM 88310
 (575)439-4100 (575) 439-4396 fax

2024

NOTIFICATION OF RECORDS DESTRUCTION

The following records have been identified as eligible for destruction according to the Records Retention and Disposition Schedule:

Human Resources – Hiring & Recruitment	APD Recruitment Files 2020 - Animal Control Officer – Dispatcher	2020	18.04.017	2024-117	
Finance – Utility Billing	Meter Readings - Lockmeter - Emergency Turn Off - Utility maintenance Radio Read - Trouble Report - Returned Payment Turn Off - Leak Test - High Audit - Turn Offs - Manuals (Oct – Nov 2020) (July 2020-June 2021)	2020-2021	18.13.005	2024-118	
Finance – Utility Billing	Meter Reading – Finals (July 2019 – June 2020)	2019-2020	18.13.005	2024-119	
Finance – Customer Service	Accounts Receivable – Water Stubs FY22 (Oct 1-15 2021)	2021	18.03.002	2024-120	
Finance – Utility Billing	Utility Service Files – Adjustment Posting (July 2018-June 2019)	2018-2019	18.13.013	2024-121	
Finance – Utility Billing	Utility Service Files - Reverse/Transfer Payment Postings - Write Off Listings – Mar/UB - MAR Reversal and Adjustment Reports - Cancel/Rebill Billing Registers - Payment Vouchers - Payment Plans - Bank Draft Notice of Corrections (July 2019-June 2020)	2019-2020	18.13.013	2024-122	
Finance – Utility Billing	Utility Turnoff Notice & Delinquent Report – Cutoff Listings (July 2019-March 2020)	2019-2020	18.13.014	2024-123	
Finance – Accounting	Accounts Payable - Verizon Wireless – W.W. - Grainger Inc (July 2019-June 2020)	2019-2020	18.03.001	2024-124	
Public Works – Facility Maintenance	Purchasing – Requisitions & Signed Contracts (2017-2020)	2017-2020	18.03.021	2024-125	
Public Works – Facility Maintenance	Accounts Payable (July-June 2002-2003; 2003-2004; 2004-2005; 2009-2010; 2012-2013; 2015-2016; 2018-2019; 2019-2020)	2002-2020	18.03.001	2024-126	
Public Works – Facility Maintenance	Payroll Files – Maintenance & Repair Timesheets Work Orders (July 2019-June 2020)	2019-2020	18.01.029 18.03.018	2024-127	
Public Works – Facility Maintenance	Purchasing – Requisitions (July-June 2011-2016; 2017-2020)	2011-2020	18.03.021	2024-128	
Public Works – Facility Maintenance	Accounts Payable Invoices for Unifirst, Verizon, other local stores (January 2002-September 2020)	2002-2020	18.03.001	2024-129	

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2024

NOTIFICATION OF RECORDS DESTRUCTION

The following records have been identified as eligible for destruction according to the Records Retention and Disposition Schedule:

Public Works; Facility Maintenance	Payroll Files – Daily Time Logs (July 2001-June 2002; July 2004-June 2005; July 2006-June 2007; July 2009-June 2010; July 2018-June 2019; July 2019-June 2020)	2001-2020	18.03.018	2024-130	
Finance – Utility Billing	Meter Readings Cut-off (July 2019-December 2019) Returned Payment Emergency Turn-off UM Radio Read Meter Replacement (July 2019-June 2020)	2019-2020	18.13.005	2024-131	
Finance – Utility Billing	Utility Service Files Misc Charge Postings Transfer Service Fee After Hours Service Call Water Penalty Application Fee (July 2019-June 2020)	2019-2020	18.13.013	2024-132	
Finance – Utility Billing	Utility Service Files Leak Adj Locs 100-4000 (Jan-Dec 2020)	2020	18.13.013	2024-133	
Finance – Utility Billing	Meter Readings - Manual Readings (Jan-Feb 2020) - Cut-Off (Jan-Mar 2020) - Leak Test - Remove Meter (July 2019-June 2020)	2019-2020	18.13.005	2024-134	
Finance – Budget	Budget – Operating – Budget Work Papers - Budget Work Papers	2019-2020	18.03.004	2024-135	
Finance	General Finance Records - Adjusting Journals (July-September 2020)	2020	18.03.013	2024-136	
Finance – Accounting	General Finance Records - Adjusting Journal Entries (FY20) (January-March 2020)	2020	18.03.013	2024-137	
Finance – Accounting	Accounts Payable - Wagner Rents & Equipment - 54 Towing Corp (July 2019-June 2020)	2019-2020	18.03.001	2024-138	
Human Resources – Hiring & Recruitment	Recruitment Files 2020 (C-E) - Central Receiving Attendant – Dispatcher/Clerk (Utilities)	2020	18.04.017	2024-139	
Human Resources – Hiring & Recruitment	Recruitment Files 2020 (U-Z) - UM laborer – Zookeeper	2020	18.04.017	2024-140	
Human Resources – Hiring & Recruitment	Recruitment Files 2020 (A-B) - Account- Budget Analyst	2020	18.04.017	2024-141	
Human Resources – Hiring & Recruitment	Recruitment Files 2020 (L-R) - Library Page – Rec Aide PT	2020	18.04.017	2024-142	
Human Resources	Recruitment Files 2020 (F-L)	2020	18.04.017	2024-143	

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2024

NOTIFICATION OF RECORDS DESTRUCTION

The following records have been identified as eligible for destruction according to the Records Retention and Disposition Schedule:

– Hiring & Recruitment	- FM HVAC Tech – Library Page				
Human Resources – Hiring & Recruitment	AFD Recruitment Files 2020 - AFD Admin Asst - Firefighter	2020	18.04.017	2024-144	
Human Resources – Hiring & Recruitment	Recruitment Files 2020 3 - Recreations Asst – UM Laborer	2020	18.04.017	2024-145	
City Clerk	Permits, Short-Term - Commercial Solicitation (2016-2020) - Noise (2019-2020) - Power Wash (2019) - Special Dispenser (2019)	2016-2020	18.06.023	2024-146	
City Clerk	Insurance Policies - PDFs on Local Network (2009-2013)	2009-2013	18.01.022	N/A	
City Clerk	Contract and Agreement - PDFs on Local Network - Hewlitt Packard Annual Service Agreements (2016, 2018, 2019)	2016 2018 2019	18.03.008	N/A	
City Clerk	Correspondence (Staff Level) 2018-2022 Correspondence (Elected/Exec Lvl) 2021 Contracts & Agreements 1997- 2021 And PDFs of these files on Local Network	1997-2021	18.01.013 18.01.014 18.03.008	2024-147	
City Clerk	Logs (General) (2019-2020) Transportation & Trip Permits (2017-2019)	2017-2020	18.01.028 18.01.046	2024-148	
Community Services/Airport	Miscellaneous Documents - Staff-level Correspondence - Retired/Replaced Equipment & Supplies - Administrative Files (January 1970-June 2005)	1970-2005	18.01.002 18.01.014 18.01.016	2024-149	
Community Services/Airport	Pre-2000 Documents - Expired Leases - Misc Completed Project Documents - Misc Completed FAA Inspection Reports (January 1985-December 1999)	1985-1999	18.01.025 18.01.036 18.17.002	2024-150	
					150 Boxes

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 5/14/2024

Report Date: 04/29/2024

Report No: 4.

Submitted By: Troy Orr

Subject: Consider, and act upon, Resolution No. 2024-28 requesting approval to salvage the P-2V aircraft at the Alamogordo-White Sands Regional Airport gate. (*Troy Orr, Airport Manager* and *Veronica Ortega, Community Services Director*) **(Roll call vote required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background: Neptune Aviation Services donated a P-2V tanker aircraft to the City of Alamogordo in 2018. The aircraft is not airworthy, and was intended to be used as a static "gate guard" airplane. However, the aircraft has been left to the elements, and is in very bad shape. Panels have fallen off, exposing the cockpit to rain and dust, and birds have nested all over the aircraft. Rather than spend the money on repairs and maintenance, my request is to simply salvage the aircraft.

P2V AIRCRAFT GIFT AND WAIVER OF LIABILITY AGREEMENT

THIS AGREEMENT is dated as of the 15th day of April 2024, by and between White Sands Regional Airport, 3500 Airport Rd, Alamogordo, NM 88310 (hereinafter referred to as "ALM Airport") and Neptune Aviation Services, Inc at 4301 Corporate Way, Missoula, MT 59808 (hereinafter referred to as "Neptune").

GIFT OF AIRCRAFT

Neptune hereby agrees to gift ALM Airport, Lockheed P2V-5F, Serial 128382; Registration N203EV.

WAIVER OF LIABILITY

THE AIRCRAFT IS GIFTED AS INOPERATABLE AND IS BEING GIFTED "AS IS". ALM AIRPORT WAIVES ALL WARRANTIES, GUARANTIES, OR REPRESENTATIONS OF ANY KIND OR NATURE, EITHER EXPRESS OR IMPLIED, ARISING BY LAW OR OTHERWISE, WITH RESPECT TO THE AIRCRAFT OR PARTS. THIS IS INCLUDING, WITHOUT LIMITATION, ANY REPRESENTATION WITH RESPECT TO THE AIRWORTHINESS OR CONDITION OF THE AIRCRAFT OR PARTS, ANY OBLIGATION OR LIABILITY IN TORT, NEGLIGENCE OR WITH RESPECT TO FITNESS FOR A PARTICULAR PURPOSE, MERCHANTABILITY, LOSS OF USE OR PROFITS, OR CONSEQUENTIAL DAMAGES AND ANY IMPLIED WARRANTY ARISING FROM COURSE OF PERFORMANCE, COURSE OF DEALING OR USAGE OF TRADE, SALE, GIFT OR AIRCRAFT OR PARTS.

This Agreement is a Montana State Contract and shall be construed and interpreted in accordance with Law of State of Montana and County of Missoula.

IN WITNESS WHEREOF, this Agreement has been executed by Neptune and ALM Airport as of the date first above written.

Neptune Aviation Services, Inc

By: 

Name: Nicholas J. Lynn

Title: V.P. of Operations

White Sands Regional Airport

By: 

Name: Troy Orr

Title: Airport Manager



AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 5/14/2024

Report Date: 05/01/2024

Report No: 5.

Submitted By: Britney Ybarra

Subject: Consider, and act upon, an amendment to the grant funding from the Non-Metro Area Agency on Aging FY24 contract, to revise the original contract amount from \$510,892.63 to \$470,892.63. (*Magdalena Morales, ASC Manager and Veronica Ortega, Community Services Director*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

The aggregate amount of \$470,892.63 is to be derived from the following sources when performance units are met:

III-B (Transportation): Contract amount: \$33,624.43

III-C1 (Congregate Meals): Contract amount: \$61,714.03

III-C2 (Homebound Meals): Contract amount: \$28,405.27

NMGAA-State / HB-2: Contract amount: \$347,148.90

Recommendation: Approve the amendment for Contract No. 2023-24-64012.

Background: The State reverted funds as they felt we were not meeting units of service and that we were not on track to expend the budget to meet a zero balance by the end of the fiscal year.

The amendment to the grant funding from the Non-Metro Area Agency on Aging FY24 contract, to revise the original contract amount from \$510,892.63 to \$470,892.63, thereby **decreasing** the total dollar amount by \$40,000

**North Central New Mexico Economic Development District
Non-Metro Area Agency on Aging**

**TITLE III FEDERAL AND STATE SUB-AWARD
AMENDMENT # 1**

This Amendment is made and entered into this 1st day of April 2024, by and between the North Central New Mexico Economic Development District (NCNMEDD) Non-Metro Area Agency on Aging (Non-Metro AAA), hereinafter referred to as the "Agency" and the **City of Alamogordo**, hereinafter referred to as the "Subrecipient Contractor".

1. Purpose of Amendment. The purpose of the Amendment is to revise the original contract amount from **\$510,892.63** to **\$470,892.63** thereby **decreasing** the total dollar amount by **\$40,000.00**.
2. Changes to Contract. The following changes are amendments to the contract:
 - A. Scope of Services, E. Payment for Services is amended to read: For the services determined by the Agency to be satisfactorily provided by Subrecipient Contractor hereunder, the Agency shall pay the Subrecipient Contractor, during the term, an aggregate amount, including gross receipts tax, not to exceed **\$470,892.63**. Said aggregate amount is to be derived from the following sources:
 1. \$33,624.43 from Title III-B of the OAA [Assistance Listing Number 93.044];
 2. \$61,714.03 from Title III-C1 of the OAA [Assistance Listing Number: 93.045];
 3. \$28,405.27 from Title III-C2 of the OAA [Assistance Listing Number: 93.045];
 4. \$0.00 from Title III-D of the OAA [Assistance Listing Number: 93.043];
 5. \$0.00 from Title III-E of the OAA [Assistance Listing Number: 93.052]; and
 6. \$347,148.90 from the NMGAA-State/HB-2
3. All other clauses in the original Agreement will remain unchanged and together with this Agreement constitute the entire Agreement between the Subrecipient Contractor and NCNMEDD, Non-Metro AAA.
4. For the faithful performance of the terms of this agreement, the parties affix their signatures and bind themselves effective April 1, 2024.

City of Alamogordo
Legal Name of Subrecipient Contractor

NCNMEDD Non-Metro Area Agency on Aging
Name of Area Agency on Aging

Signature

Signature

Printed/Typed Name of Signatory

Monica Abeita, Executive Director
Printed/Typed Name of Signatory

Date

April 1, 2024
Date

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 5/14/2024

Report Date: 05/01/2024

Report No: 6.

Submitted By: Britney Ybarra

Subject: Consider, and act upon, a funds appropriation of \$55,575.00 through the Capital Outlay Bureau with the Aging & Long-Term Services Department for the purchase of a new Senior Center vehicle. *(Magdalena Morales, ASC Manager and Veronica Ortega, Community Services Director)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

The total amount budgeted is \$55,575.00

Recommendation: Approve the funds appropriation.

Background: The Senior Center's aging fleet is not road-worthy for long-distance trips. The new vehicle will be used for staff out-of-town travel and routine errands.

**STATE OF NEW MEXICO
AGING AND LONG-TERM SERVICES DEPARTMENT
FUND 89200 CAPITAL APPROPRIATION PROJECT**

THIS AGREEMENT is made and entered into as of this ____ day of _____, 20__, by and between the Aging and Long-Term Services Department, hereinafter called the “Department” or abbreviation such as “ALTSD”, and City of Alamogordo, hereinafter called the “Grantee”. This Agreement shall be effective as of the date it is executed by the Department.

RECITALS

WHEREAS, in the Laws of 2023, Chapter 199, Section 23, Paragraph 33, the Legislature made an appropriation to the Department, funds from which the Department is making available to the Grantee pursuant to this Agreement; and

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

WHEREAS, State Agency on Aging (28-4-1 to 28-4-9 NMSA 1978): successor agency, Aging and Long-Term Services Department (9-23-1 to 9-23-12 NMSA 1978) may enter into grants and contracts as appropriated by law.

AGREEMENT

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

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

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

A23H-2036 \$55,575.00 APPROPRIATION REVERSION DATE: 30-JUN-2025

Laws of 2023, Chapter 199, Section 23, Paragraph 33, \$55,575.00, to purchase and equip vehicles for the Alamogordo senior center in Alamogordo in Otero county.

The Grantee’s total reimbursements shall not exceed Fifty- Five thousand Five hundred and Seventy-five dollars \$55,575.00 minus the allocation for Art in Public Places \$0.00 , if applicable, which equals \$55,575.00.

¹ The AIPP amount is “an amount of money equal to one percent or two hundred thousand dollars (\$200,000), whichever is less, of the amount of money appropriated for new construction or any major renovation exceeding one hundred thousand dollars (\$100,000).” Section 13-4A-4 NMSA 1978.

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

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

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

A. Upon the Effective Date of this Agreement, for permissible purposes within the scope of the Project Description, the Grantee shall only be reimbursed monies for which the Department has issued, and the Grantee has received a Notice of Department’s Obligation to Reimburse² Grantee (hereinafter referred to as “Notice of Obligation”). This Grant Agreement and the disbursement of any and all amounts of the above referenced Adjusted Appropriation Amount are expressly conditioned upon the following:

- (i) Irrespective of any Notice of Obligation, the Grantee’s expenditures shall be made on or before the Reversion Date and, if applicable, an Early Termination Date (i.e., the goods have been delivered and accepted or the title to the goods has been transferred to the Grantee and/or the services have been rendered for the Grantee); and
- (ii) The total amount received by the Grantee shall not exceed the lesser of: (a) the Adjusted Appropriation Amount identified in Article I(A) herein or (b) the total of all amounts stated in the Notice(s) of Obligation evidencing that the Department has received and accepted the Grantee’s Third-Party Obligation(s), as defined in subparagraph iii of this Article II(A); and
- (iii) The Grantee’s expenditures were made pursuant to the State Procurement Code and execution of binding written obligations or purchase orders with third party contractors or vendors for the provision of services, including professional services, or the purchase of tangible personal property and real property for the Project, hereinafter referred to as “Third Party Obligations”; and
- (iv) The Grantee’s submittal of timely Requests for Payment in accordance with the procedures set forth in Article IX of this Agreement; and
- (v) In the event that capital assets acquired with Project funds are to be sold, leased, or licensed to or operated by a private entity, the sale, lease, license, or operating agreement:
 - a. must be approved by the applicable oversight entity (if any) in accordance with law; or
 - b. if no oversight entity is required to approve the transaction, the Department must approve the transaction as complying with law.

Prior to the sale, lease, license, or operating agreement being approved pursuant to Articles II(A)(v)(a) and II(A)(v)(b) herein, the Department may, in its sole and absolute discretion and unless inconsistent with State Board of Finance imposed conditions, reimburse the Grantee for necessary expenditures

² “Reimburse” as used throughout this Agreement includes Department payments to the Grantee for invoices received, but not yet paid, by the Grantee from a third party contractor or vendor, if the invoices comply with the provisions of this Agreement and are a valid liability of the Grantee.

incurred to develop the Project sufficiently to make the sale, lease, license, or operating agreement commercially feasible, such as plan and design expenditures; and

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

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

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

D. Unless specifically allowed by law, Project funds cannot be used to reimburse Grantee for indirect Project costs. **ARTICLE III. NOTICE PROVISIONS AND GRANTEE AND DEPARTMENT DESIGNATED REPRESENTATIVES**

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

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

Grantee: City of Alamogordo
Name: Magdalena Morales
Title: Senior Project Manager
Address: 2501 Puerto Rico Ave, Alamogordo, NM 88310
Email: mmorales@ci.alamogordo.nm.us

Telephone: 575-437-4150

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

Grantee: City of Alamogordo
Name: Barbra Pyeatt
Title: Chief Procurement Officer
Address: 2600 N. Florida Ave, Alamogordo, NM 88310
Email: bpyeatt@ci.alamogordo.nm.us
Telephone: 575-439-4116

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

Department: Aging and Long-Term Services Department
Name: Sarah Jacobs
Title: Deputy Cabinet Secretary
Address: 2550 Cerrillos Road, Santa Fe, NM 87505
Email: sarah.jacobs@altsd.nm.gov
Telephone: 505-303-8684

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

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

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

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

ARTICLE V. EARLY TERMINATION

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

Early Termination includes:

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

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

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

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

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

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

ARTICLE VI. SUSPENSION OF NEW OR FURTHER OBLIGATIONS

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

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

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

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

D. Corrective Action Plan in the Event of Suspension

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

ARTICLE VII. AMENDMENT

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

ARTICLE VIII. REPORTS

A. Database Reporting

The Grantee shall report quarterly Project activity by entering such Project information as the Department and the Department of Finance and Administration may require, such information entered directly into a database maintained by the Department of Finance and Administration (Budget & Formulation Management System). Additionally, the Grantee shall certify on the Request for Payment form (Exhibit 1) that updates have been maintained and are current in the database. The Grantee hereby acknowledges that failure to perform and/or certify updates into the database will delay or potentially jeopardize the reimbursement of funds. The Department shall give Grantee a minimum of thirty (30) days' advance written notice of any changes to the information the Grantee is required to report.

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

B. Requests for Additional Information/Project Inspection

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

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

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

ARTICLE IX. REQUEST FOR PAYMENT PROCEDURES AND DEADLINES

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

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

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

C. **Deadlines**

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

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

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

ARTICLE X. PROJECT CONDITIONS AND RESTRICTIONS; REPRESENTATIONS AND WARRANTIES

- A. The following general conditions and restrictions are applicable to the Project:
- (i) The Project's funds must be spent in accordance with all applicable state laws, regulations, policies, and guidelines, including, but not limited to, the State Procurement Code (or local procurement ordinance, where applicable).
 - (ii) The Project must be implemented in accordance with the New Mexico Public Works Minimum Wage Act, Section 13-4-10 through 13-4-17 NMSA 1978, as applicable. Every contract or project in excess of sixty thousand dollars (\$60,000) that the Grantee is a party to for construction, alteration, demolition or repair or any combination of these, including painting and decorating, of public buildings, public works or public roads and that requires or involves the employment of mechanics, laborers or both shall contain a provision stating the minimum wages and fringe benefits to be paid to various classes of laborers and mechanics, shall be based upon the wages and benefits that will be determined by the New Mexico Department of Workforce Solutions to be prevailing for the corresponding classes of laborers and mechanics employed on contract work of a similar nature in the locality. Further, every contract or project shall contain a stipulation that the contractor, subcontractor, employer or a person acting as a contractor shall pay all mechanics and laborers employed on the site of the project, unconditionally and not less often than once a week and without subsequent unlawful deduction or rebate on any account, the full amounts accrued at time of payment computed at wage rates and fringe benefit rates not less than those determined pursuant to Section 13-4-11 (B) NMSA 1978 to be the prevailing wage rates and prevailing fringe benefit rates issued for the project.
 - (iii) The Project may only benefit private entities in accordance with applicable law, including, but not limited to, Article IX, Section 14 of the Constitution of the State of New Mexico, the "Anti-Donation Clause."
 - (iv) The Grantee shall not for a period of 10 years from the date of this agreement convert any property acquired, built, renovated, repaired, designed or developed with the Project's funds to uses other than those specified in the Project Description without the Department's and the Board of Finance's express, advance, written approval, which may include a requirement to reimburse the State for the cost of the project, transfer proceeds from the disposition of property to the State, or otherwise provide consideration to the State.
 - (v) The Grantee shall comply with all federal and state laws, rules and regulations pertaining to equal employment opportunity. In accordance with all such laws, rules and regulations the Grantee agrees to assure that no person shall, on the grounds of race, color, national origin, sex, sexual preference, age or handicap, be excluded from employment with Grantee, be excluded from participation in the Project, be denied benefits or otherwise be subject to discrimination under, any activity performed under this Agreement. If Grantee is found to be not in compliance with these requirements during the life of this Agreement, Grantee agrees to take appropriate steps to correct any deficiencies. The Grantee's failure to implement such appropriate steps within a reasonable time constitutes grounds for terminating this Agreement.
- B. The Grantee hereby represents and warrants the following:
- (i) The Grantee has the legal authority to receive and expend the Project's funds.

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

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

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

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

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

ARTICLE XII. IMPROPERLY REIMBURSED FUNDS

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

ARTICLE XIII. LIABILITY

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

ARTICLE XIV. SCOPE OF AGREEMENT

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

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

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

"The terms of this Agreement are contingent upon sufficient appropriations and authorization being made by the Legislature of New Mexico for the performance of this Agreement. If sufficient appropriations and authorization are not made by the Legislature, the City of Alamogordo may immediately terminate this Agreement by giving Contractor written notice of such termination. The City of Alamogordo decision as to whether sufficient appropriations are available shall be accepted by the Contractor and shall be final. Contractor hereby waives any rights to assert an impairment of contract claim against the City of Alamogordo or the Aging and Long-Term Services Department or the State of New Mexico in the event of immediate or Early Termination of this Agreement by the City of Alamogordo or the Department."

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

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

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

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

ARTICLE XVII. COMPLIANCE WITH UNIFORM FUNDING CRITERIA.

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

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

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

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

ARTICLE XVIII. SEVERANCE TAX BOND AND GENERAL OBLIGATION BOND PROJECT CLAUSES

A. Grantee acknowledges and agrees that the underlying appropriation for the Project is a severance tax bond or general obligation bond appropriation, and that the associated bond proceeds are administered by the New Mexico State Board of Finance (SBOF), an entity separate and distinct from the Department. Grantee acknowledges and agrees that (i) it is Grantee's sole and absolute responsibility to determine through SBOF staff what (if any) conditions are currently imposed on the Project; (ii) the Department's failure to inform Grantee of a SBOF imposed condition does not affect the validity or enforceability of the condition; (iii) the SBOF may in the future impose further or different conditions upon the Project; (iv) all SBOF conditions are

effective without amendment of this Agreement; (v) all applicable SBOF conditions must be satisfied before the SBOF will release to the Department funds subject to the condition(s); and (vi) the Department's obligation to reimburse Grantee from the Project is contingent upon the then current SBOF conditions being satisfied.

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

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

[THIS SPACE LEFT BLANK INTENTIONALLY]

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

GRANTEE

Signature of Official with Authority to Bind Grantee

Entity Name

By: _____
(Type or Print Name)

Its: _____
(Type or Print Title)

Date

AGING AND LONG-TERM SERVICES DEPARTMENT

By:

Its: Cabinet Secretary or Designee

Date

MONTHLY REPORT ☐ PROJECT TITLE: _____ PAY REQUEST NO. _____
(Due on the last day of the month)

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NOTICE OF OBLIGATION TO REIMBURSE GRANTEE
EXHIBIT 2

Notice of Obligation to Reimburse Grantee #____

DATE: _____

TO: Department Representative: _____

FROM: Grantee: _____

Grantee Official Representative: _____

SUBJECT: Notice of Obligation to Reimburse Grantee

Grant Number: _____

Grant Termination Date: _____

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

Vendor or Contractor: _____

Third Party Obligation Amount: _____

Vendor or Contractor: _____

Third Party Obligation Amount: _____

Vendor or Contractor: _____

Third Party Obligation Amount: _____

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

Grant Amount (Minus AIPP if applicable): _____

The Amount of this Notice of Obligation: _____

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

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

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

Department Rep. Approver: _____

Title: _____

Signature: _____

Date: _____

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

OPTIONAL ATTACHMENT A
SPECIAL CONDITIONS

The capital outlay oversight requires grantees' accounting methods and procedures, including their internal control framework, to be scrutinized, so as to safeguard State capital outlay appropriations and assets acquired with such appropriations.

This Capital Outlay Special Grant Condition(s) **Attachment A** is necessary pursuant to Executive Order 2013-006 (2.A.2.a-c, if applicable), due to the Grantees' material weaknesses, significant deficiencies, or findings that raised concerns as to the ability to expend grant funds in accordance with applicable law in the organization's FY2022 audit. The Special Conditions identified below apply to the authorized agent, City of Alamogordo.

Procurement - All purchases or contracts the Grantee enters that shall use funding from the Department capital appropriations grant must be approved by the Department prior to the initiation of implementing purchasing documents. The Grantee shall receive such prior approval via official correspondence from the Department, which may be through letter or email. The Grantee shall submit the following to the Department in pursuit of prior approval: purchasing policies and procedures, CFO certification, documentation of management and program approval, policies and procedures governing purchasing and contracting, a copy of the current procurement and contracting policies, and documentation regarding informing staff responsible for purchasing and contracting on such policies and procedures.

Budget - Provide documentation of approval of your current budget from DFA Local Government or other authoritative agency. Provide policies and procedures on who is responsible for and how annual budgets (expenditures and revenue) are established, monitored and adjusted. Provide a corrective action plan on how budget issues identified in your audit will be/have been addressed. Also include documentation on how staff responsible for budgeting is informed on budget policies and procedures.

Capital Assets - Provide a complete list of inventory including inventory control numbers and current location. Provide policies and procedures on capital assets and inventory and specify how the proposed purchased items will be included, tagged, and tracked in capital asset inventory. Also include documentation on how staff responsible for capital assets is informed on capital asset policies and procedures.

Travel and Per Diem - Provide policies and procedures on travel and per diem. Also include how staff who travel and those responsible for travel reimbursement are informed on travel and per diem policies and procedures.

Timely Audits – Provide policies and procedures on annual audits. Provide documentation on how and who is responsible for insuring that annual audits are completed timely. Also include documentation on how staff responsible for the annual audit is informed on audit policies and procedures.

Cash Management – policies and procedures on cash management of federal funds. Provide procedures used to draw and disburse federal funds. Provide procedures to reconcile draw amounts, deposits and disbursements; and to prepare federal cash reporting documents to ensure compliance with federal regulations.

The <Grantee> was required to and has provided sufficient documentation regarding **No Special Condition(s)**, as referenced in the City of Alamogordo' 2022 Audit file. Therefore, the criteria to enter into this agreement have been met.

SCOPE OF WORK

PROJECT DESCRIPTION FORM

SCOPE OF WORK (SOW)

(Please email this completed form to ALTSD in MS Word format)

1. **Name of Grantee/ Fiscal Agent:** City of Alamogordo/Alamo Senior Center
2. **Project Title:** Senior Center Vehicle
3. **Grant Agreement Number:** A23H2036

4. Background Narrative:

This project came about because all of our vehicles are old, have high mileage and are becoming mechanically unreliable. A new and reliable vehicle is needed for general purpose duty at the Alamo Senior Center, in the City of Alamogordo, Otero County, NM. Acquisition of said vehicle shall allow conduct of routine work without risk of mechanical break-down, including running errands, attending in-town and out-of-town meetings, delivering hot meals to clients in our Home-Delivered Meals program, and other tasks related to the daily operation of a Senior Center.

5. Work Plan:

Actual tasks to be accomplished include acquisition of price quotes from reliable automobile dealerships, selection of model and options, purchase of vehicle, delivery of vehicle, and payment for the vehicle. These tasks shall be conducted by Robert Williams, the City of Alamogordo's Fleet Maintenance Manager, and by our Senior Center Manager, Magdalena Morales.

6. Budget Detail:

Project Cost Activities <i>(These are only examples. Insert activities specific to the proposed project.)</i>	Other Funds	State Funds
Architect/Engineer	0	0
Construction	0	0
Renovation	0	0
Improvements for Code Compliance	0	0
Equipment *NOTE: Equipment purchased with capital appropriations must be valued at \$10,000.00 or more.	0	0
Meals Equipment *NOTE: Equipment purchased with capital appropriations must be valued at \$10,000.00 or more.	0	0
Vehicle Purchase	0	\$55,575
Other Costs (specify)	0	0
AIPP (if applicable)	0	0
Totals	0	\$55,575.00

7. Performance Measures:

Actual tasks to be accomplished include: 1) selection of make, model and options for a vehicle. This will be measured by collecting information from staff to determine traits needed to best meet our vehicular needs. 2) Acquisition of price quotes from reliable automobile dealerships. This shall be measured by phoning our buyer and requesting a price quote, then having said quote returned to us. 3) Purchase of vehicle, which shall be measured by actually communicating our order to the sales staff at the selected dealership. 4) Delivery of vehicle, which shall be measured by the vehicle being physically delivered to our premises by staff from the selected dealership. 5) Payment for the vehicle. This shall be measured by writing a check for the total purchase amount including delivery charges, if any, to the selected dealership.

8. Results Expected:

Acquisition of this vehicle shall directly benefit all members of our Senior Center, and indirectly all residents of the City of Alamogordo. Objectives to be met include: including running routine errands, attending in-town and out-of-town meetings, delivering hot meals to clients in our Home-Delivered Meals program, and other tasks related to the daily operation of a Senior Center, all without risk of break-down due to advanced vehicular age, high mileage or worn mechanical condition.

9.

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Time/ Milestones: Upon full execution of the Grant Agreement the following tasks will commence to meet the time frame/milestones.
(These are only examples. Insert milestones specific to the proposed project.)

RFP/Quotes Secured	Month 1-2
Bid Closing	Month 3-4
Bid Award to Contractor/Vendor	Month 5-6
<u>Choose the appropriate project-type from below:</u>	<u>Type the number of months appropriate to the project-type:</u>
Meals Equipment – Purchase and Install	n/a
Equipment - Purchase and Install	n/a
Construction	n/a
Renovation	n/a
Code Compliance projects	n/a
Vehicles – Purchase and Equip	Month 7-9
Project Completion & Review	Month 10-12
Submit Exhibit 1 – Monthly / Final Report Form & Request for Payment according to contractual requirements as set forth in Articles VIII & IX of the Grant Agreement	Months 1-12

10. Responsible Staff *(include Project Manager and Fiscal Contact):*

Name: Magdalena Morales
Title: Senior Center Manager
Address: 2501 Puerto Rico Ave., Alamogordo, NM 88310
Email: mmorales@ci.alamogordo.nm.us
Phone: 575-437-4150

Name: Barbara Pyeatt
Title: Chief Procurement Officer
Address: 2600 N. Florida Avenue, Alamogordo, NM 88310
Email: bpyeatt@ci.alamogordo.nm.us
Phone: (575) 439-4116

NOTICE: The Grant Application, if approved for funding by the Aging and Long Term Services Department (ALTSD) and any attachments to the Grant Application are incorporated by reference into the scope of work. In the event of a conflict between any of the documents that are part of the Agreement, the ALTSD Cabinet Secretary, at the sole discretion of ALTSD, shall resolve that conflict.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 5/14/2024

Report Date: 05/01/2024

Report No: 7.

Submitted By: Britney Ybarra

Subject: Consider, and act upon, a one-time grant of \$1,500 from the Non-Metro Area Agency on Aging to promote Senior Center socialization activities, including the purchase of small equipment/electronics.
(Magdalena Morales, ASC Manager and Veronica Ortega, Community Services Director)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Original contract amount: \$1,500.00

Recommendation: Approve the grant funding.

Background: The State government is providing a special project grant of \$1,500 to all providers to promote senior independence and socialization. The grant is to be used by the end of the fiscal year.

**North Central New Mexico Economic Development District
Non-Metro Area Agency on Aging**

**GRANT AGREEMENT
SPECIAL PROJECTS**

This grant agreement is made by and between North Central New Mexico Economic Development District (NCNMEDD) Non-Metro Area Agency on Aging (Non-Metro AAA), hereinafter referred to as the “Agency” and **City of Alamogordo**, hereinafter referred to as the “Subrecipient Contractor”.

North Central New Mexico Economic Development District (NCNMEDD) received grant awards (#24-624-4000-0120-01, #24-624-4000-0111-01, and #24-624-4000-0121-01) from the Aging and Long-Term Services Department for the administration of the Area Agency on Aging in Planning and Service Area 2, 3, and 4 of New Mexico.

A subaward of **\$1,500.00** from these grants is made to Subrecipient Contractor for expenses associated with combating isolation and providing social interaction and engagement activity opportunities for senior centers. This award is intended for:

- a. Developing and implementing new senior center activities designed to attract older adults into centers.
- b. Encouraging older adult independence and continued participation at senior centers by supporting current center activities.
- c. Small equipment/electronic purchases and/or repairs to support senior centers and activities for older adult participants.

Financial documentation shall be provided to support expenses. Final billing must be received by **June 30, 2024**.

For the faithful performance of the terms of this agreement, the parties affix their signatures and bind themselves effective **April 1, 2024**.

City of Alamogordo
Legal Name of Subrecipient Contractor

Signature

Printed/Typed Name of Signatory

Date

NCNMEDD Non-Metro Area Agency on Aging
Name of Area Agency on Aging


Signature

Monica Abeita, Executive Director
Printed/Typed Name of Signatory

April 1, 2024
Date

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 5/14/2024

Report Date: 05/06/2024

Report No: 8.

Submitted By: Barbara Pyeatt

Subject: Consider, and act upon, the award of RFP 2024-100 On Call Pavement Patching to Mesa Verde Enterprise Inc. (*David Nunnelley, Acting Public Works Director*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve the award and authorize staff to proceed with the service agreement.

Background: RFP 2024-001's scope of work is to provide on-call services for pavement patching on streets throughout the City of Alamogordo. RFP was advertised on December 10, 2023. Proposals were due at the Purchasing Department on February 7th, 2024, at 3:00PM. Three proposals were received. After review, one was deemed non-responsive. Mesa Verde Enterprise and Alamo Earthwork were both deemed responsive.

Proposals for RFP are available for review at the Purchasing Department

**CITY OF ALAMOGORDO
COMPOSITE SCORE SHEET
RFP 2024-001 On-Call Pavement Patching
2/7/2024 15:00**

Factor	Available Points per Vendor	5 Committee Members	Mesa Verde Enterprises	Alamo Earthworks Paving
1	125	Firm and personnel's experience in providing similar information and services relative to the requirements described in Attachment #1	122	101
2	100	Firm's capacity and capability to provide the information and services in a timely manner	92	63
3	50	Firms past performance on similar project assignments. As part of their response, firms must provide a list of four references with names and phone numbers	50	36
4	50	Firm should describe their approach to providing and managing the anticipated services	49	40
5	50	The key personnel who will be assigned to the project should be identified and summarize their experience.	45	50
6	125	Pricing	79	125
7	Based on Percentages	Preferences: Resident Veterans, NM Business and Local Business	44	0
		Accumulated Score	481	415

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 5/14/2024

Report Date: 05/06/2024

Report No: 9.

Submitted By: Julia Reynolds

Subject: Consider, and act upon, an amendment to the grant funding from the New Mexico Aging and Long-Term Services Department for the Senior Companion Program (SCP) and Foster Grandparent Program (FGP) FY24 contracts, to revise the original SCP contract amount from \$69,782.50 to \$57,782.50 and the original FGP contract amount from \$69,525.00 to \$27,725.00. (*Magdalena Morales, ASC Manager and Veronica Ortega, Community Services Director*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Fund: 075.000.0000.0000.40715 / SCCP24.GRNT.STTE Senior Companion Program grant revised budget amount is \$57,782.50.

Fund:075.000.0000.0000.40716 / SCFG24.GRNT.STTE Foster Grandparent Program grant revised budget amount is \$27,725.00.

Recommendation: Approve the amendment to revise the budget amount of the SCP and FGP grants for FY24.

Background: New Mexico Aging and Long-Term Services Department has reverted funds as they felt we were not meeting the units of services for Senior Companion Program and Foster Grandparent Programs, and we were not on track to expend the budget to meet a zero balance by the end of the fiscal year.

The purpose of the amendment is to revise the original SCP contract amount from \$69,782.50 to \$57,782.50, thereby **decreasing** the total dollar amount by \$12,000.00; and the original FGP contract amount from \$69,525.00 to \$27,725.00, thereby **decreasing** the total dollar amount by \$41,800.00

Contract No. 24-624-4000-0014-02

STATE OF NEW MEXICO
AGING & LONG-TERM SERVICES DEPARTMENT
INTERGOVERNMENTAL AGREEMENT AMENDMENT No. 02

THIS AGREEMENT is made and entered into by and between the State of New Mexico, **Aging and Long-Term Services Department**, hereinafter referred to as the “Department,” and **City of Alamogordo**, hereinafter referred to as the “Contractor,” and is effective as of the date set forth below upon which it is executed by the Department and collectively as the “Parties.”

IT IS MUTUALLY AGREED BETWEEN THE PARTIES THAT THE FOLLOWING PROVISIONS OF THE ABOVE-REFERENCED CONTRACT ARE AMENDED AS FOLLOWS:

Scope of Work.

1. The Scope of Work has been revised as follows, the Foster Grandparents Program (FGP): Increase service hours by 522 for a new total of 3,654 hours and Senior Companion Program (SCP): Increase service hours by 1,044 hours for a new total of 6,264 hours, per **Attachment 1**.

2. **Compensation.**

A. Under this Agreement, the Agency shall pay to the Contractor in full payment for services rendered **an increase** in compensation in the amount of **\$18,200.00 per Attachment 2**, including gross receipts tax.

The total amount payable to the Contractor under Agreement # 24-624-4000-0014 and all Amendments to this Agreement, including gross receipts tax and expenses, shall not exceed \$85,507.50. This amount is a maximum and not a guarantee that the work assigned to be performed by Contractor under this Agreement shall equal the amount stated herein. The parties do not intend for the Contractor to continue to provide services without compensation when the total compensation amount is reached. Contractor is responsible for notifying the Agency when the services provided under this Agreement reach the total compensation amount. In no event will the Contractor be paid for services provided in excess of the total compensation amount without this Agreement being amended in writing prior to those services in excess of the total compensation amount being provided.

All other articles of this contract remain the same.

EXECUTED AND AGREED TO by signatures below.

DocuSigned by:
By: Jen Paul Schroer Date: 4/16/2024
Jen Paul Schroer, Cabinet Secretary
Aging and Long-Term Services Department

DocuSigned by:
By: Anastasia Martin Date: 4/16/2024
Anastasia Martin, General Counsel- Certifying legal sufficiency
Aging & Long-Term Services Department

DocuSigned by:
By: Latishia Ortiz Date: 4/16/2024
Latishia Ortiz, Chief Financial Officer
Aging and Long-Term Services Department

DocuSigned by:
By: Rick Holden Date: 4/16/2024
Rick Holden
City Manager

**ATTACHMENT 1
SCOPE OF WORK
ALTSD Contract # 24-624-4000-0014-02
City of Alamogordo**

4. SERVICE PROVISION

- i. **Foster Grandparent Program (FGP):** Recruit and place a minimum of 3 VSY's in schools, childcare centers, and other congregate settings for children or as allowable by AmeriCorps Seniors in Otero County, to provide a minimum of 3,654 hours of service during the contract period.

The goals of FGP are to:

Enable persons aged 55 and older with low incomes to remain physically and mentally active and to enhance their self-esteem through continued participation in community services.

Enable children with either exceptional or special needs to achieve improved physical, mental, emotional, and/or social development.

- ii. **Senior Companion Program (SCP):** Recruit and place a minimum of 5 VSYs in the homes of frail and disabled elders or as allowable by AmeriCorps Seniors in Otero County, to provide a minimum of 6,264 hours of service during the contract period.

The goals of SCP are to:

Enable persons aged 55 and older with low incomes to remain physically and mentally active and to enhance their self-esteem through continued participation in community services.

Enable older adults with health and functional limitations to remain as independent as possible in their own homes.

ATTACHMENT 2
BUDGET
Contract # 24-624-4000-0014-02
CITY OF ALAMOGORDO

Volunteer Programs

The Contractor shall provide the Services identified below as required by the Department based on the assessed need of the community and individuals receiving Services under this Contract. The amount payable under this Contract shall be made on a fixed rate for the provision of the identified Services

The contract amendment is to provide funding for FY24 as follows:

<u>PROGRAM</u>	<u>AMOUNT</u>
Foster Grandparent Program	\$27,725.00
<u>Senior Companion Program</u>	<u>\$57,782.50</u>

FY24 Total	\$85,507.50
-------------------	--------------------

**Services will be provided to ALTSD-approved participants every month of the contract year in:
Otero County**

The total amount payable under this Contract shall not exceed \$85,507.50.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 5/14/2024

Report Date: 05/06/2024

Report No: 10.

Submitted By: Cynthia Quairolì

Subject: Consider, and act upon, awarding IFB No. 2024-03 to multiple vendors, in the amount not to exceed \$140,125.60 related to Herbicide and Fertilizer, for multiple departments. (*Evelyn Huff, Finance Director*)

Fiscal Impact: \$140,125.60

Amount Budgeted: \$140,125.60

Fund: Various Funds

Additional Fiscal Impact:

Recommendation: Award Justin Seed and Company one (1) item for estimated total \$10,617.60. Award Heritage Landscape Supply Group five (5) items for estimated total \$100,520.00. Award Helena four (4) items for estimated total \$28,988.00.

Bid amount estimated total \$140,125.60.

Background: IFB 2024-03 was advertised March 31, 2024 and opened April 12, 2024. The IFB was sent out to prospective bidders with four(4) responsive bids received. This IFB is awarded on an "item by item" basis to the low bidder meeting specifications and requirements. Award will be fixed price, estimated quantity for a twelve (12) month period commencing May 15, 2024 through May 14, 2025. Fiscal impact will be no more than budget. Total estimated bid of \$140,125.60 is based on maximum bid quantities. Orders are placed as items are needed, and will not exceed amount budgeted.

Herbicide and Fertilizer
CITY OF ALAMOGORDO IFB NO. 2024-03
April 12, 2024

ITEM NO.	APPROX. QTY OF Packages	Package Size	DESCRIPTION	Justin Seed And Company		Heritage Landscape Supply Group		Helena		Ewing	
				Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	80	4-5lb.	Herbicide Serema 51% WDG Heribicide	NB		\$136.95x5 \$684.75	\$54,780.00	\$860.00	\$68,800.00	\$239.0625 x5 \$956.25	\$76,500.00
2	160	2-2.5 gal	Herbicide Roundup Pro Concentrate, or Equal	NB		\$91.35	\$14,616.00	\$120.00	\$19,200.00	\$73.2143x2 \$146.43	\$23,428.80
3	300	2-2.5 gal	Roundup Pro Concentrate, or equal	NB		\$74.72	\$22,416.00	\$72.50	21,750.00,	\$54.00 X2 \$108	\$32,400.00
4	24	50lb. Bags	Grass Bermuda Coated Liquid Herbicide	\$249.40	\$5,985.60	NB		\$182.00	\$4,368.00	\$243.75	\$5,850.00
5	90	2-2.5 gal	Pendulum Aqua Cap, or equal	NB		\$176.63	\$5,985.60	\$240.00	\$21,600.00	\$135.7143 X 2 \$271.43	\$24,428.70
6	60	2-2.5 gal	Heribicide Activator Smoke (Hae) or equal	NB		\$45.38	\$2,722.80	\$205.00	\$12,300.00	\$78.5714 X2 \$157.1428	\$9,428.40
7	10	Ton	Fertilizer Ammonium Sulfate	\$917.20	\$9,172.00	\$735.60	\$7,356.00	\$650.00	\$6,500.00	\$728.67	\$7,286.70
8	12	Ton	Starter Fertilizer 6-20-20 4S	\$986.80	\$11,841.60	NB		\$735.00	\$8,820.00	Doesn't Meet Spec.	
9	14	Ton	Fertilizer 16-8-8	\$758.40	\$10,617.60	\$760.80	\$10,651.20	\$975.00	\$13,650.00	\$791.91	\$11,086.74
10	10	Ton	20-0-0 .435% Prodiamine	NB		NB		\$930.00	\$9,300.00	Doesn't Meet Spec.	
TOTAL BASE BID					\$10,617.60		\$100,520.00		\$28,988.00		

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 5/14/2024

Report Date: 05/06/2024

Report No: 11.

Submitted By: Stella Rael

Subject: Consider, and act upon, Ordinance 1696 Case Z-2024-0001(A) for first publication of a map amendment to rezone properties located at 181 & 243 Hamilton Ridge Road, 3100, 3150, 3180, 3190, 3192, & 3194 Hamilton Road, Reynolds Subdivision Replat G, Lot G, and Pruiett Subdivision Replat A, Lot 4A from R-1 Single Family Dwelling to RE-Residential Estates. The property owners request the zone change to comply with the current ordinance for keeping livestock. (*Stella Rael, City Planner*) **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact: None

Recommendation: Approve for first publication

Background: Consider, and act upon Ordinance 1696 Case Z-2024-0001(A) for first publication of a map amendment to rezone properties located at 181 & 243 Hamilton Ridge Road, 3100, 3150, 3180, 3190, 3192, & 3194 Hamilton Road, Reynolds Subdivision Replat G, Lot G, and Pruiett Subdivision Replat A, Lot 4A from R-1 Single Family Dwelling to RE-Residential Estates. The property owners request the zone change to comply with the current ordinance for keeping livestock.



City of Alamogordo

City Commission



Z-2024-0001(A)

Stella Rael, City Planner
May 14, 2024

Map Amendment Request Case: Z-2024-0001(A)

Request:

The property owners are requesting a map amendment to change the zoning from R-1 Single Family Dwelling District to RE-Residential Estates District.

Applicants:

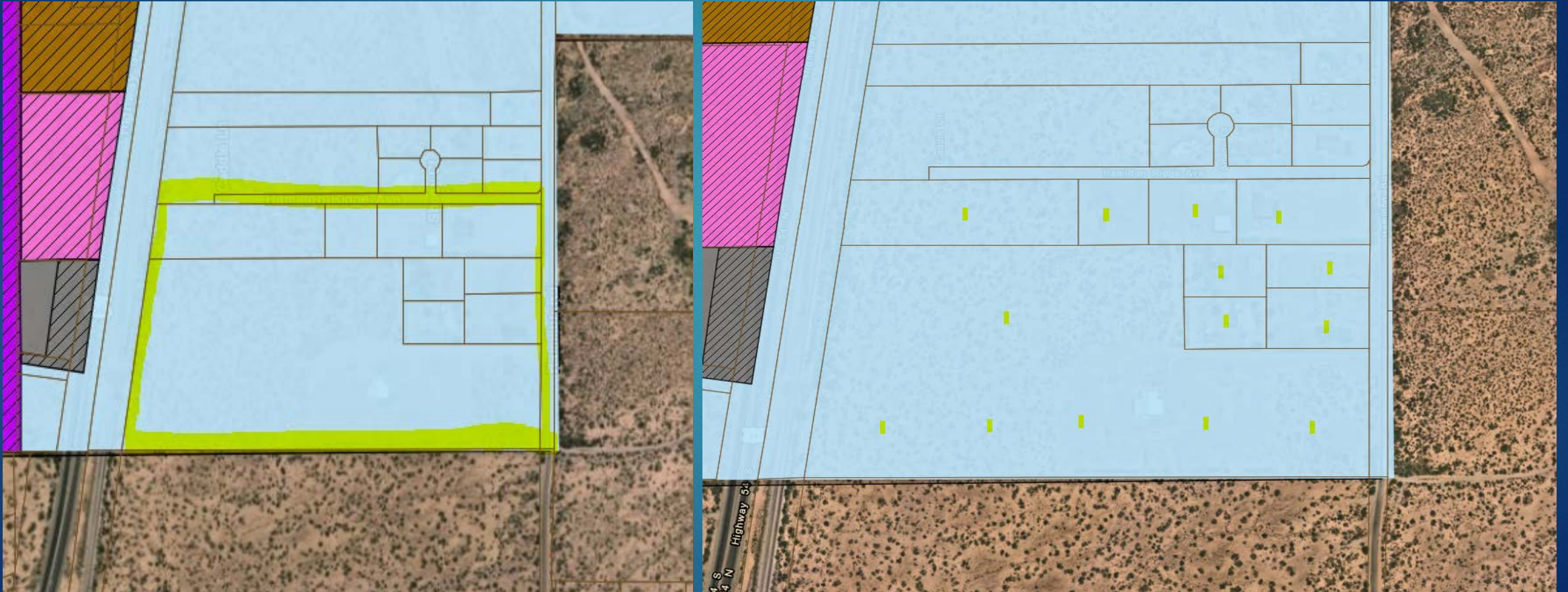
Marcos Doporto (Applicant/Representative)

181 Hamilton Ridge Rd.

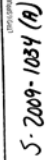
Alamogordo, NM 88310

ZONING MAP

3



4



5



REYNOLDS SUBDIVISION REPLAT F

6

REPLAT F
REYNOLDS SUBDIVISION
ALAMOGORDO, OTERO COUNTY, NEW MEXICO

DEDICATION
STATE OF NEW MEXICO) SS
COUNTY OF OTERO) SS

KNOW ALL MEN BY THESE PRESENTS THAT ABRAHAM D. MOORE AND JULIETT A. MOORE ARE THE RECORD OWNERS AND PROPRIETORS OF LOT 2, REYNOLDS SUBDIVISION, ALAMOGORDO, OTERO COUNTY, NEW MEXICO.

BY THE TERMS OF THIS PLAT SAID OWNERS AND PROPRIETORS DO HEREBY CAUSE SAID LOTS TO BE REPLATTED AS SHOWN HEREON. THIS PLAT WAS PREPARED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER THEREOF.

ABRAHAM D. MOORE
ABRAHAM D. MOORE

JULIETT A. MOORE
JULIETT A. MOORE

ACKNOWLEDGMENT
STATE OF NEW MEXICO) SS
COUNTY OF OTERO) SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 10TH DAY OF April, 2018, BY ABRAHAM D. MOORE AND JULIETT A. MOORE, HUSBAND AND WIFE, AS JOINT TENANTS.

MY COMMISSION EXPIRES MAY 7, 2021

Dennis E. Ruhl
DENNIS E. Ruhl

NOTARIAL BY CITY OF ALAMOGORDO
THIS SUBDIVISION PLAT OF "REPLAT F, REYNOLDS SUBDIVISION", ALAMOGORDO, OTERO COUNTY, NEW MEXICO IS ON THIS 12TH DAY OF April, 2018, SUBMITTED AND APPROVED.

Sierra Blanca Land Surveys
ASSISTANT CITY MANAGER

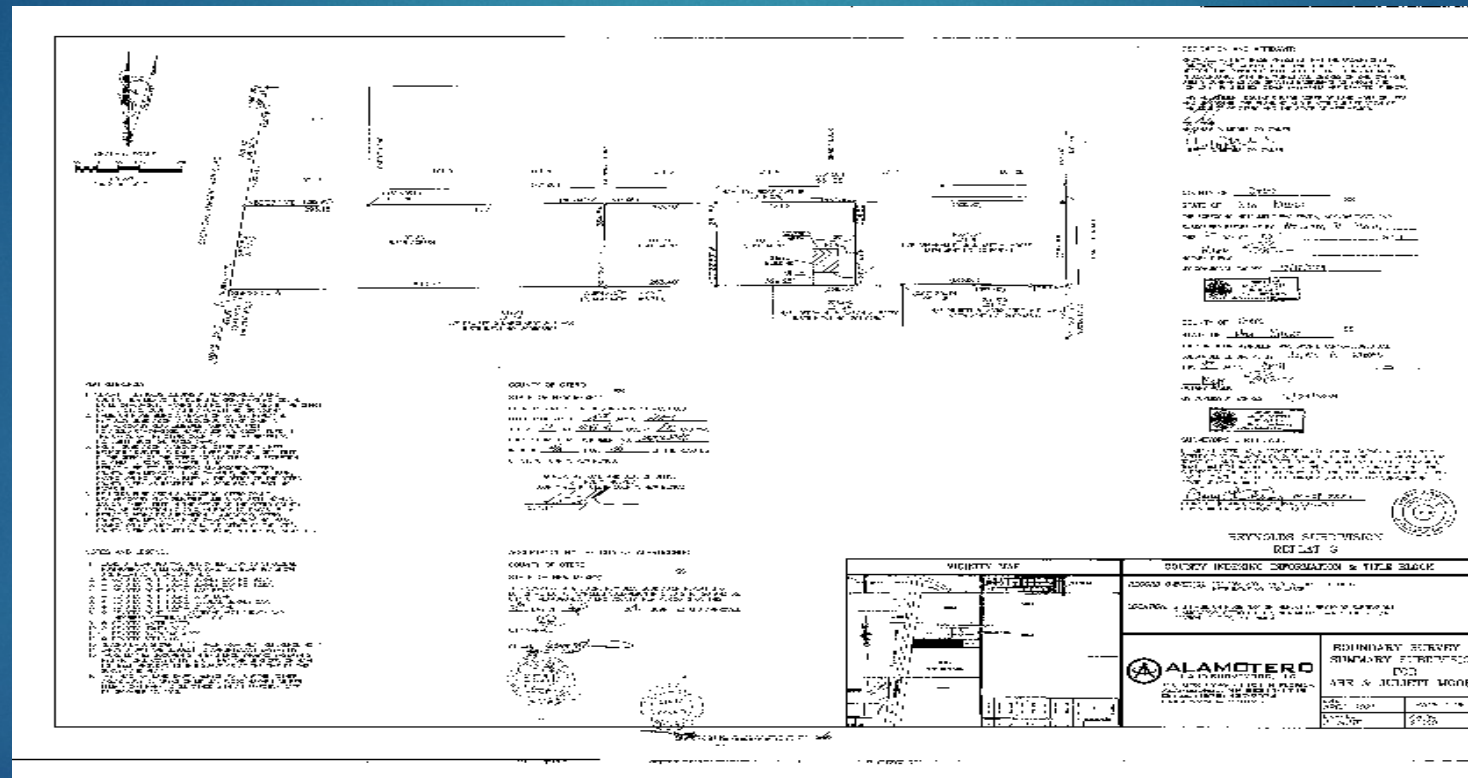
Sierra Blanca Land Surveys
CITY CLERK

CERTIFICATE
I, DENNIS E. Ruhl, NEW MEXICO PROFESSIONAL SURVEYOR NUMBER 20544, HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL GROUND SURVEY PERFORMED BY ME OR UNDER MY SUPERVISION, THAT I AM RESPONSIBLE FOR THE SURVEY, THAT THIS IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THIS PLAT AND THE FIELD SURVEY UPON WHICH IT IS BASED MEET THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO.

Dennis E. Ruhl
DENNIS E. Ruhl, NMPS # 20544

DRAWN BY DER	DATE 04/06/18	SIERRA BLANCA LAND SURVEYS P.O. BOX 575 229 HAILSTORM ROAD CAPITAN, NM 88316 (575) 937-5996 NMPLS # 20544
SCALE 1"=200'	SHEET 1 of 1	
JOB NUMBER 17-214		

7



Z-2024-0001(A)

8

Findings of Fact

- ▶1. The properties are located within the Reynolds Subdivision Replats F & G and the Pruiett Subdivision Replats A & B, consisting of ten separately owned parcels. The request is to change the zoning of the ten parcels from R-1 Single Family Dwelling District to RE-Residential Estates to comply with the current keeping of animal's ordinance.
- ▶2. Public Notice was placed in the Alamogordo Daily News.
- ▶2. Five(5) letters were mailed by certified/returned receipt mail to all property owners of record within two hundred (200) feet from the property excluding public right-of-way, of the properties for which the rezoning is sought.
- ▶5. As of May 4, 2024, there have been two letters of support from property owners on the opposite side of Hamilton Ridge Rd. and one letter of opposition from the opposite side of Hamilton Ridge Rd.

Z-2024-0001(A)

9

- ▶ Staff recommends approval since this request will not be materially detrimental to surrounding property owners or the public

Stella Rael

From: Vicki Smith <vickismith355@gmail.com>
Sent: Monday, April 8, 2024 11:55 AM
To: Stella Rael
Subject: Response to notification

You don't often get email from vickismith355@gmail.com. [Learn why this is important](#)

Dear board members,

In response to your registered letter I signed for on the 1st of April.

We oppose the rezoning of R-1 Single family dwelling to RE residential estates for address on Hamilton Ridge Road. Addresses being 243, Abe Moore and 181, Marco DePorto, along with Abe Moore property near the rail road.

I don't believe we received proper notice on time for commission to vote. First attempt was the 29th of March, I was able to pick up and sign for the registered letter on the 1st of April.

In accordance to the ordinance, less than 1 acre, and less than 5 acres livestock prohibited. Marco DePorto who owns two horses, has 1.6 acres includes barn home. Unknown acreage at the end of the road registered to Abe Moore. Property need s to be surveyed to ensure 5 acres.

All properties 3100, 3150, 3180, 3186, 3188, 3190, 3192, and 3194 Hamilton Road show in otero county tax assessment as being commercial properties not single dwelling homes.

My concerns is property value decreases due to live stock in the city limits.

The dirt the livestock will kick up, and the stench that will blow straight to my house, and the increase in flies.

Submitted,
Thomas and Vicki Smith

Email WARNING: This email may have originated external to the City of Alamogordo email system. Review the email sender address and NOT just the email username. Do not click on links or open attachments unless you are sure the content is Safe. If unsure, send an email to the BITS helpdesk for analysis.

Stella Rael

From: GERALD R MATHERLY <gmatherly@msn.com>
Sent: Friday, April 19, 2024 5:30 PM
To: Stella Rael
Subject: Re-Zoning of Hamilton Ridge rd

 You don't often get email from gmatherly@msn.com. [Learn why this is important](#)

My name Gerald Matherly and Cheryl Matherly at 298 Hamilton Ridge rd. We are in support of the re-zoning. Thank you Gerald Matherly

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Stella Rael

From: Josiah Solberg <josiah1122@gmail.com>
Sent: Friday, April 19, 2024 5:20 PM
To: Stella Rael
Subject: Rezoning Hamilton Ridge

You don't often get email from josiah1122@gmail.com. [Learn why this is important](#)

Hello,
My name is Josiah Solberg.
I own 3037 Shady Ct.
I am for rezoning Hamilton Ridge.
Also, I would like my property rezoned, as I am on the north side of Hamilton Ridge.

Thank you very much!

Josiah Solberg
813-997-0024

Email WARNING: This email may have originated external to the City of Alamogordo email system. Review the email sender address and NOT just the email username. Do not click on links or open attachments unless you are sure the content is Safe. If unsure, send an email to the BITS helpdesk for analysis.

ORDINANCE No. 1696

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ALAMOGORDO, CHANGING THE CLASSIFICATION OF CERTAIN PROPERTIES FROM THEIR PRESENT DESIGNATION AND ZONING DISTRICT OF R-1-SINGLE FAMILY DWELLING DISTRICT TO RE-RESIDENTIAL DISTRICT, WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF ALAMOGORDO, OTERO COUNTY, NEW MEXICO.

WHEREAS, the owners of certain real properties commonly known and legally described below (herein after referred to as "the Properties") located within the corporate boundaries of the City of Alamogordo, New Mexico, (hereinafter referred to as "the City"); and

181 Hamilton Ridge Road

243 Hamilton Ridge Road

3100 Hamilton Road

3150 Hamilton Road

3180 Hamilton Road

3186 Hamilton Road

3188 Hamilton Road

3190 Hamilton Road

3192 Hamilton Road

3194 Hamilton Road

WHEREAS, an application has been filed under Case No. **Z-2024-0001(A)** to change the zoning of the Properties, and

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

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

Reynolds Subdivision Replat G Lot 1G

Reynolds Subdivision Replat G Lot 2G

Reynolds Subdivision Replat G Lot 3G

Reynolds Subdivision Replat F Lot 1F

Pruiett Subdivision Replat A Lot 2A

Pruiett Subdivision Replat A Lot 3A

Pruiett Subdivision Replat A Lot 4A

Pruiett Subdivision Replat A Lot 5A

Pruiett Subdivision Replat B Lot 1A-B

Pruiett Subdivision Replat B Lot 2-B

Pruiett Subdivision Replat B Lot 3-B

Pruiett Subdivision Replat B Lot 4-B

Pruiett Subdivision Replat B Lot 5-B

Are hereby changed from R-1 Single Family Dwelling District to RE-Residential Estates, and the official zoning map and comprehensive plan of the City are hereby amended to reflect this change.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2024

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

By: _____
Susan L. Payne, Mayor

ATTEST:

Rachel Hughs, City Clerk

APPROVED AS TO FORM:

Ashley Smith, City Attorney

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 5/14/2024

Report Date: 05/06/2024

Report No: 12.

Submitted By: Stella Rael

Subject: Consider, and act upon Ordinance 1697 Case Z-2024-0002(A) for first publication of a map amendment to rezone Somerset Subdivision Phase 1 from R-2 Townhouse Dwelling District to Planned Unit Development District (PUD). (*Stella Rael, City Planner*) **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact: None

Recommendation: Approve for first publication

Background: Somerset LLC is requesting that the city amend the zoning map to change the zoning of the property known as Somerset Subdivision Phase 1 from Townhouse Dwelling District to Planned Unit Development (PUD) District. The developer intends to create smaller lots within this area of the subdivision.



City of Alamogordo

City Commission



Z-2024-0002(A)

Stella Rael, City Planner
May 14, 2024

Map Amendment Request Case: Z-2024-0002(A)

Request:

The developer requests a map amendment to change the zoning from R-2 Townhouse Dwelling District to a Planned Unit Development Dwelling District (PUD). The developer intends to create smaller lots within Phase 1 of the Somerset Subdivision to construct single-family dwellings.

Applicants:

Somerset LLC

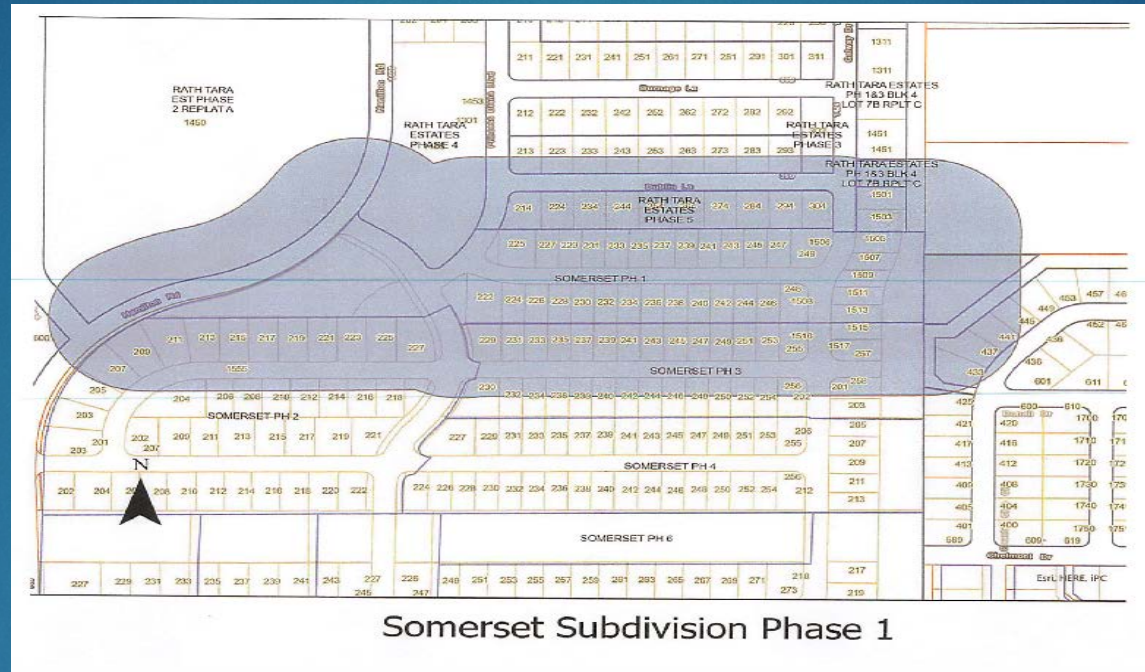
1010 Zuni Drive

Alamogordo, NM 88310

SOMERSET SUBDIVISION SITE MAP

3



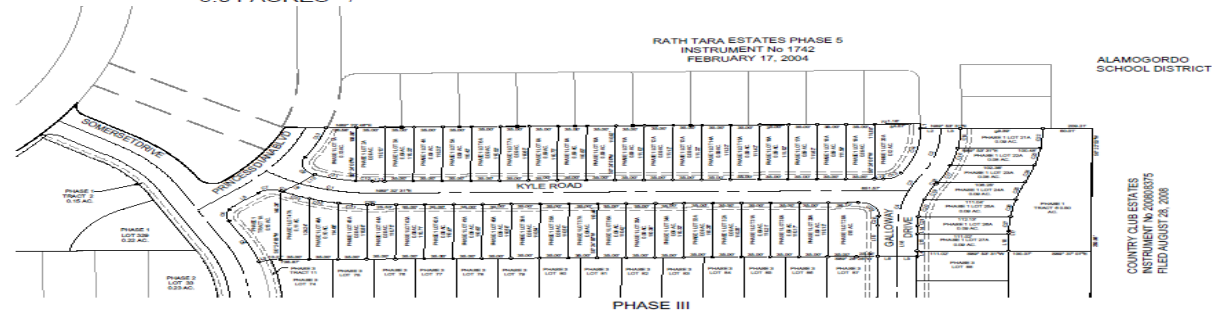


SOMERSET SUBDIVISION PHASE 1 PROTEST AREA

SOMERSET SUBDIVISION PHASE 1

5

SOMERSET SUBDIVISION PHASE 1 REPLAT NO. 1
BEGINNING A REPLAT OF SOMERSET SUBDIVISION
FILED ON NOVEMBER 21, 2022 INSTRUMENT # 2022112736
LOCATED IN WEST 1/2 SECTION 31, TOWNSHIP 16 SOUTH,
RANGE 10 EAST, NMPM, ALAMOGORDO,
OTERO COUNTY, NEW MEXICO
6.04 ACRES +/-



LEGEND

- SET 1/2" IRON ROD W/ 1" PLASTIC CAP MARKED "SMA 75 2104"
- FOUND CONCRETE NAIL
- FOUND 1/2" IRON ROD W/ 1" PLASTIC CAP MARKED 111010
- FOUND 1/2" IRON ROD
- MEASURED BEARINGS AND DISTANCES EQUAL RECORD UNLESS OTHERWISE NOTED.
- NOTE: EXISTING TRACTS WITHIN THE BOUNDARY OF THE SOMERSET SUBDIVISION WILL BE VACATED BY THE FILING OF THIS PLAT.
- PROPERTY LINE
- CENTERLINE OF ROAD
- UTILITY EASEMENT LINE
- EDGE OF ROAD
- ADJACENT PARCEL
- PHASE LINE
- 5' UTILITY EASEMENT (TYPICAL ON ALL LOTS)

Line #	Direction	Length
L1	N0°44'07"W	9.99'
L2	N89°27'35"E	24.00'
L3	N89°27'35"E	24.00'
L4	S0°24'00"W	10.38'
L5	S89°56'13"W	24.00'
L6	S89°56'13"W	24.00'
L7	S73°19'42"W	14.91'
L8	S40°06'27"W	30.46'
L9	N61°07'11"E	26.22'
L10	N47°14'11"E	26.13'
L11	N89°32'31"E	620.96'
L12	N89°32'31"E	620.96'
L13	N0°24'00"W	16.74'
L14	S0°24'00"W	35.00'
L15	S0°24'00"W	35.00'
L16	N0°24'00"W	62.71'
L17	N0°36'10"E	5.83'
L18	S0°24'00"W	35.00'
L19	S0°24'00"W	62.90'

Curve #	ARC Length	Radius	Delta Angle	Chord Direction	Chord Length
C1	50.23'	300.00'	36°12'23"	S71°11'53"E	91.42'
C2	106.32'	200.33'	30°07'27"	N14°31'39"E	104.12'
C3	28.54'	200.00'	8°10'38"	N26°30'03"E	28.52'
C4	75.38'	200.00'	21°00'48"	N18°04'22"E	72.94'
C5	67.02'	324.00'	10°04'48"	S21°14'12"E	66.54'
C6	23.82'	25.00'	54°39'36"	S0°33'58"W	22.93'
C7	29.79'	25.00'	68°08'09"	S80°27'07"W	28.01'
C8	1.88'	25.00'	4°14'11"	N83°21'49"W	1.85'
C9	42.00'	25.00'	96°15'50"	S18°56'25"E	37.23'
C10	68.37'	310.00'	10°47'17"	S23°47'52"W	68.28'
C11	51.33'	173.75'	16°58'34"	S78°27'00"E	51.14'
C12	26.32'	173.75'	6°41'37"	S88°11'34"E	26.30'
C13	26.33'	25.00'	68°03'01"	N80°31'01"E	24.26'
C14	86.00'	163.85'	33°13'10"	N14°15'59"E	93.68'
C15	40.37'	224.33'	10°18'40"	N4°37'15"E	40.32'
C16	36.19'	224.33'	9°14'38"	N14°03'54"E	36.16'
C17	38.37'	224.33'	9°47'58"	N23°55'12"E	38.32'
C18	3.01'	224.33'	0°46'11"	N26°12'17"E	3.01'
C19	25.12'	176.00'	8°10'38"	N26°30'03"E	25.10'
C20	35.99'	176.00'	11°43'01"	N12°10'57"E	35.93'

Curve #	ARC Length	Radius	Delta Angle	Chord Direction	Chord Length
C21	18.00'	174.00'	5°55'20"	N07°21'45"E	18.15'
C22	40.18'	300.00'	7°40'02"	N44°14'16"E	40.12'
C23	35.78'	300.00'	6°49'40"	N11°29'07"E	35.73'
C24	26.54'	300.00'	7°02'11"	N18°26'28"E	26.51'
C25	35.72'	300.00'	7°00'48"	S17°23'42"W	35.70'
C26	35.63'	300.00'	6°48'11"	S10°30'08"W	35.61'
C27	29.67'	300.00'	5°39'59"	S4°16'00"W	29.66'



**SOUDER, MILLER
& ASSOCIATES**

3500 Sedona Hills Parkway
Las Cruces, NM 88011
Phone (575) 647-0799
Toll Free (800) 647-0799

SOMERSET SUBDIVISION
PHASE 1 REPLAT NO. 1

SUBMITTED BY :
SOMERSET, LLC
ALAMOGORDO, NEW MEXICO

PROJECT NUMBER
9330393
DATE
FEBRUARY 2024

CREATED BY
CHECKED BY
DATE

TB
DCC
02/01/2024

5 OF 2

Z-2024-0002(A)

6

Findings of Fact

- ▶ 1. The property is located within the Somerset Subdivision
- ▶ 2. The request is to change the zoning of the area within Phase 1 of Somerset Subdivision from R-2 Townhouse Dwelling District to a Planned Unit Development Dwelling District to allow smaller lots for the construction of single-family dwellings.
- ▶ 3. The application was filed on March 18, 2024
- ▶ 4. The legal notice was published in the Alamogordo Daily News
- ▶ 5. Twenty-two (22) letters were mailed by certified/returned receipt mail to all property owners of record within two hundred (200) feet from the property, excluding public right-of-way, of the property for which the rezoning is sought.
- ▶ 6. As of May 6, 2024, there have been no letters returned undeliverable, and I have not received any letters of opposition.
- ▶ 7. Two phone calls were received requesting further information.

Z-2024-0002(A)

7

- ▶ Staff recommends approval since this request will not be materially detrimental to surrounding property owners or the public

DEDICATION

STATE OF NEW MEXICO))SS
COUNTY OF OTERO)

KNOW ALL MEN BY THESE PRESENTS THAT SOMERSET, LLC. IS THE OWNER AND PROPRIETOR OF A TRACT OF LAND IN THE WEST 1/2 OF SECTION 31, TOWNSHIP 16 SOUTH, RANGE 10 EAST, NEW MEXICO PRINCIPAL MERIDIAN, ALAMOGORDO, OTERO COUNTY, NEW MEXICO.

SAID OWNER DOES HEREBY IN ACCORDANCE WITH HIS FREE WILL AND DESIRE CAUSE THE ABOVE DESCRIBED LAND TO BE RESUBIVIDED AND BE REPLATTED, TO BE DESIGNATED AS SOMERSET SUBDIVISION, ALAMOGORDO, OTERO COUNTY, NEW MEXICO, AS SHOWN ON THE FORE GOING FINAL PLAT.

IN WITNESS WHEREOF THE OWNERS HAVE SET THEIR HAND AND SEAL ON THIS _____ DAY OF _____, 2024

SOMERSET, LLC. _____

CORPORATE ACKNOWLEDGEMENT

STATE OF NEW MEXICO))SS
COUNTY OF OTERO)

ON THIS _____ DAY OF _____, 2024 BEFORE ME PERSONALLY APPEARED JIM FRENCH OWNER, ON BEHALF OF SAID OWNER, KNOWN TO ME BY THE SAID PERSON WHO EXECUTED THE FOREGOING INSTRUMENT, AND THE ACKNOWLEDGED THAT THE EXECUTED SAID INSTRUMENT AS THEIR ACT AND DEED.

WITNESS MY HAND AND SEAL ON THIS DAY AND YEAR LAST WRITTEN ABOVE

NOTARY PUBLIC

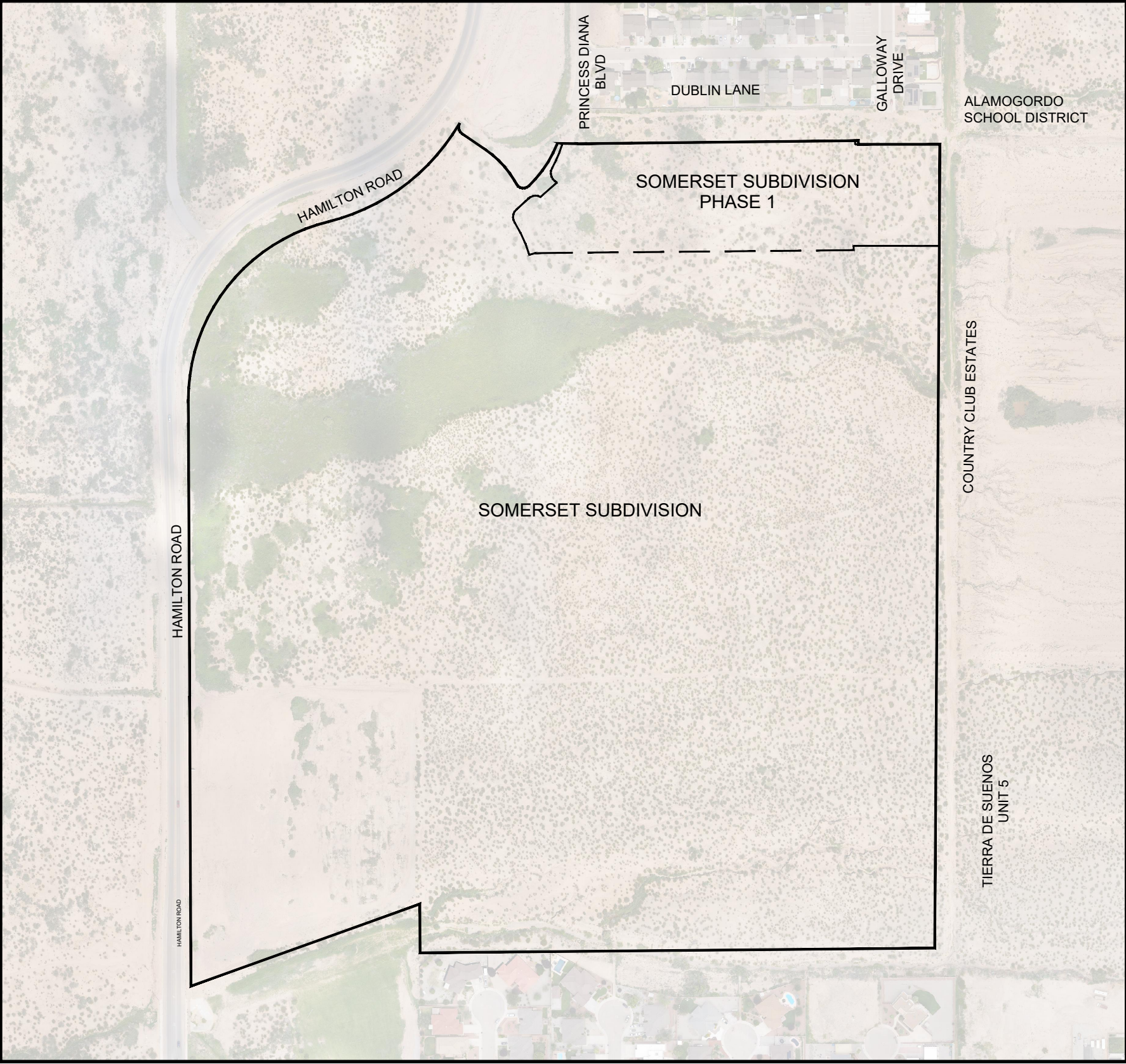
MY COMMISSION EXPIRES

APPROVAL OF THE ALAMOGORDO PLANNING AND ZONING COMMISSION

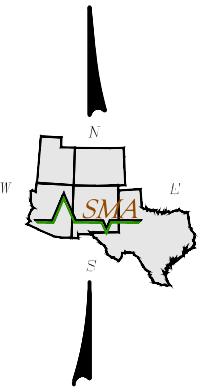
STATE OF NEW MEXICO))SS
COUNTY OF OTERO)

THIS FINAL PLAT OF SOMERSET SUBDIVISION, ALAMOGORDO, OTERO COUNTY, NEW MEXICO WAS ON _____ THIS DAY OF _____ 2024, SUBMITTED TO THE CITY COMMISSION OF THE CITY OF ALAMOGORDO, NEW MEXICO, AND WAS APPROVED BY A MAJORITY OF THE MEMBERS.

SOMERSET SUBDIVISION PHASE 1 REPLAT NO. 1
BEGINING A REPLAT OF SOMERSET SUBDIVISION
FILED ON NOVEMBER 21,2022 INSTRUMENT # 2022112736
LOCATED IN WEST 1/2 SECTION 31, TOWNSHIP 16 SOUTH,
RANGE 10 EAST, NMPM, ALAMOGORDO,
OTERO COUNTY, NEW MEXICO
6.04 ACRES +/-



VICINITY MAP
SCALE: 1" = 300'



THIS FINAL PLAT OF SOMERSET SUBDIVISION, ALAMOGORDO, OTERO COUNTY, NEW MEXICO WAS ON _____ THIS DAY OF _____ 2024, SUBMITTED TO THE CITY COMMISSION OF THE CITY OF ALAMOGORDO, NEW MEXICO, AND WAS APPROVED BY A MAJORITY OF THE MEMBERS.

MAYOR ATTEST _____
CITY CLERK

ACKNOWLEDGEMENT OF STREET EXTENSIONS

THE EXTENSION OF PRINCESS DIANA BOULEVARD AS SHOWN HEREON IS ACKNOWLEDGE BY THE CITY OF ALAMOGORDO _____ THIS DAY OF _____ 2024.

MAYOR ATTEST _____
CITY CLERK

THE EXTENSION OF GALLOWAY DRIVE AS SHOWN HEREON IS ACKNOWLEDGE BY THE CITY OF ALAMOGORDO _____ THIS DAY OF _____ 2024.

MAYOR ATTEST _____
CITY CLERK

AFFIDAVIT

STATE OF NEW MEXICO))SS
COUNTY OF OTERO)

THE SUBDIVISION DOES LIE WITHIN THE PLATTING JURISDICTION OF THE CITY OF ALAMOGORDO, NEW MEXICO

SURVEYOR

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____ 2024.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

STATE OF NEW MEXICO))SS
COUNTY OF OTERO)

RECORDED IS THE OFFICE OF THE COUNTY CLERK AND EX-OFFICIO RECORDER OF OTERO COUNTY, NEW MEXICO, AT _____ O"CLOCK __M. THIS _____ DAY _____ 2024.

COUNTY CLERK BY _____

RECEPTION NO. _____ BOOK _____ PAGE _____

SURVEYOR'S CERTIFICATE

I, DARRYL D. COSTER DO HEREBY CERTIFY THAT THIS SUBDIVISION PLAT AND THE ACTUAL SURVEY ON THE GROUND UPON WHICH IT IS BASED WERE PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION; THAT I AM RESPONSIBLE FOR THIS SURVEY; THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO; AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATE OF SURVEY DARRYL D. COSTER



SOUDER, MILLER
& ASSOCIATES

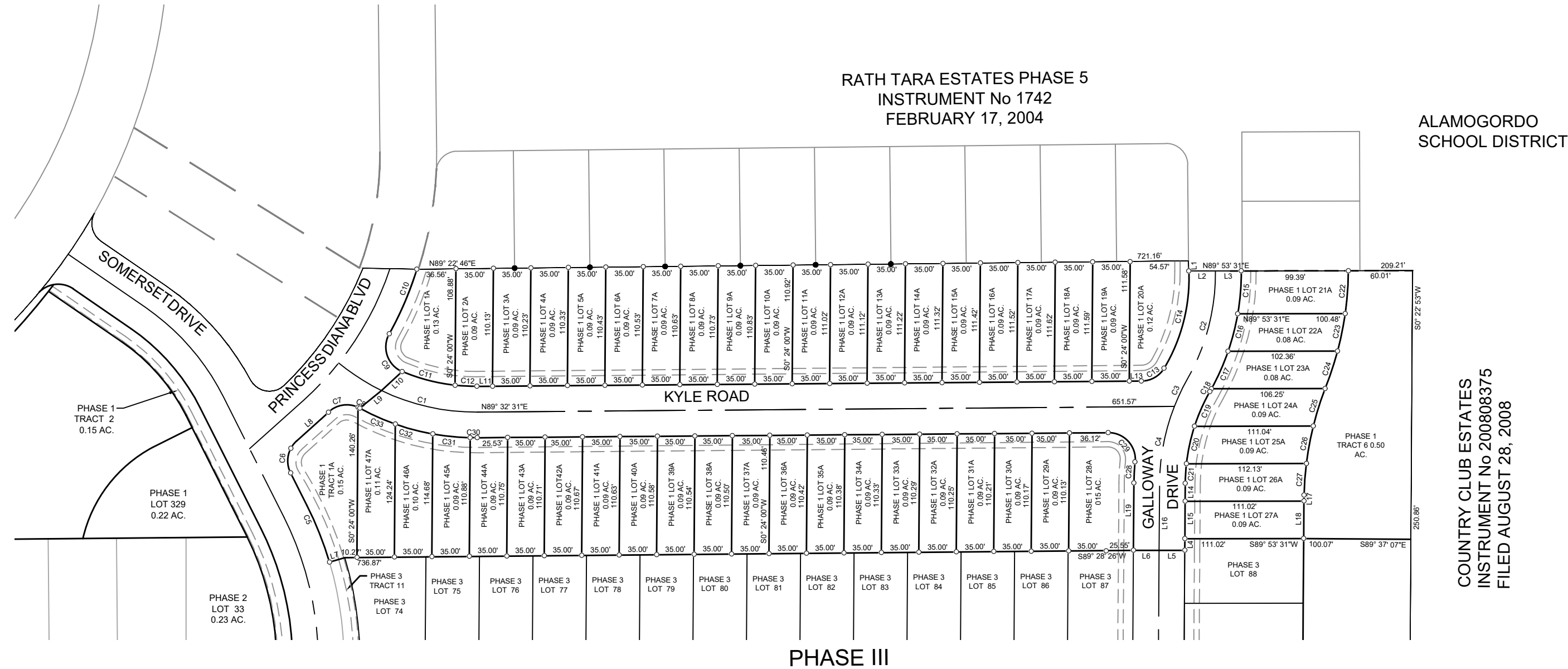
3500 Sedona Hills Parkway
Las Cruces, NM 88011
Phone (575) 647-0799
Toll Free (800) 647-0799

SOMERSET SUBDIVISION
PHASE 1 REPLAT NO. 1

SUBMITTED BY :
SOMERSET, LLC
ALAMOGORDO, NEW MEXICO

PROJECT NUMBER		DATE	
9330393		FEBRUARY 2024	
DRAWN BY	TB	1	OF
CHKD BY	DCC		
DATE	02-01-2024		2

SOMERSET SUBDIVISION PHASE 1 REPLAT NO.1
BEGINING A REPLAT OF SOMERSET SUBDIVISION
FILED ON NOVEMBER 21,2022 INSTRUMENT # 2022112736
LOCATED IN WEST 1/2 SECTION 31, TOWNSHIP 16 SOUTH,
RANGE 10 EAST, NMPM, ALAMOGORDO,
OTERO COUNTY, NEW MEXICO
6.04 ACRES +/-



LEGEND

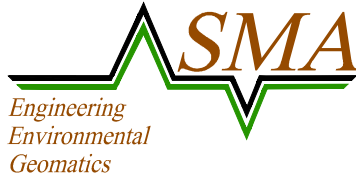
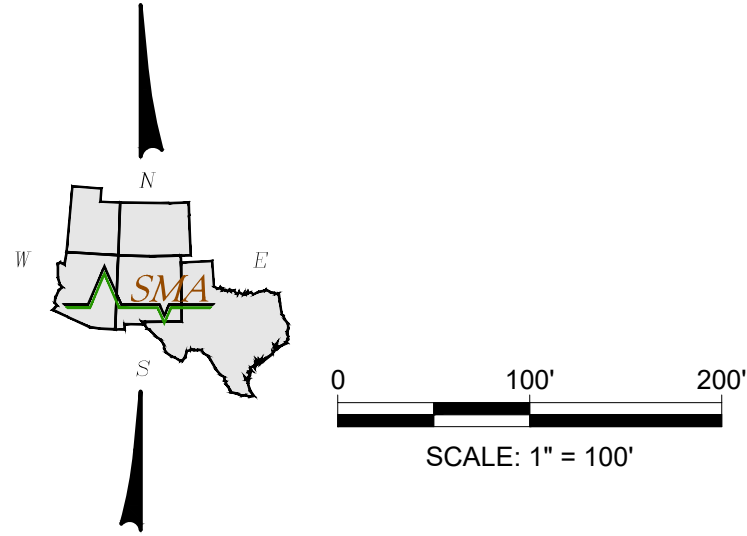
- SET 1/2" IRON ROD W/ 1" PLASTIC CAP
MARKED "SMA PS 21204"
- FOUND CONCRETE NAIL
 - FOUND 1/2 IRON ROD W/ 1" PLASTIC
CAP MARKED 111010
- FOUND 1/2 IRON ROD
- MEASURED BEARINGS AND DISTANCES
EQUAL RECORD UNLESS OTHERWISE
NOTED.
- NOTE: EXISTING TRACTS WITHIN THE
BOUNDARY OF THE SOMERSET
SUBDIVISION WILL BE VACATED BY THE
FILING OF THIS PLAT.

- = PROPERTY LINE
— = CENTERLINE OF ROAD
- - - - - = UTILITY EASEMENT LINE
— = EDGE OF ROAD
— = ADJACENT PARCEL
- - - - - = PHASE LINE
= 5' UTILITY EASEMENT
(TYPICAL ON ALL LOTS)

Parcel Line Table		
Line #	Direction	Length
L1	N0°44'07"W	9.59'
L2	N89°53'31"E	25.00'
L3	N89°27'55"E	24.00'
L4	S0°24'00"W	10.39'
L5	S89°56'13"W	24.00'
L6	S89°56'13"W	24.00'
L7	S73°19'42"W	14.91'
L8	S48°06'32"W	30.66'
L9	N51°07'11"E	26.22'
L10	N47°14'11"E	26.13'
L11	N89°32'31"E	620.95'
L13	N89°32'31"E	620.95'
L14	N0°24'00"E	16.74'
L15	S0°24'00"W	35.00'
L16	N0°24'00"E	62.71'
L17	N0°56'10"E	5.43'
L18	S0°24'00"W	35.00'
L19	S0°24'00"W	62.90'

Curve Table					
Curve #	Arc Length	Radius	Delta Angle	Chord Direction	Chord Length
C1	92.23'	200.00'	26°25'23"	S77°18'53"E	91.42'
C2	105.32'	200.33'	30°07'27"	N14°31'39"E	104.12'
C3	28.54'	200.00'	8°10'38"	N25°30'03"E	28.52'
C4	73.35'	200.00'	21°00'45"	N10°54'22"E	72.94'
C5	57.02'	324.09'	10°04'48"	S21°41'26"E	56.94'
C6	23.82'	25.00'	54°35'36"	S0°33'58"W	22.93'
C7	29.73'	25.00'	68°08'09"	S80°27'07"W	28.01'
C8	1.85'	25.00'	4°14'11"	N63°21'43"W	1.85'
C9	42.00'	25.00'	96°15'50"	S18°56'25"E	37.23'
C10	58.37'	310.00'	10°47'17"	S23°47'52"W	58.28'
C11	51.33'	173.75'	16°55'34"	S75°27'00"E	51.14'
C12	20.32'	173.75'	6°41'57"	S87°15'45"E	20.30'
C13	25.33'	25.00'	58°03'01"	N60°31'01"E	24.26'
C14	95.00'	163.85'	33°13'10"	N14°15'59"E	93.68'
C15	40.37'	224.33'	10°18'40"	N4°37'15"E	40.32'
C16	36.19'	224.33'	9°14'38"	N14°23'54"E	36.15'
C17	38.37'	224.33'	9°47'58"	N23°55'12"E	38.32'
C18	3.01'	224.33'	0°46'11"	N29°12'17"E	3.01'
C19	25.12'	176.00'	8°10'38"	N25°30'03"E	25.10'
C20	35.99'	176.00'	11°43'01"	N12°10'57"E	35.93'

Curve Table					
Curve #	Arc Length	Radius	Delta Angle	Chord Direction	Chord Length
C21	18.20'	176.00'	5°55'26"	N3°21'43"E	18.19'
C22	40.15'	300.00'	7°40'02"	N4°14'16"E	40.12'
C23	35.75'	300.00'	6°49'40"	N11°29'07"E	35.73'
C24	36.94'	300.00'	7°03'17"	N18°25'35"E	36.91'
C25	36.72'	300.00'	7°00'48"	S17°23'42"W	36.70'
C26	35.63'	300.00'	6°48'17"	S10°30'08"W	35.61'
C27	29.67'	300.00'	5°39'58"	S4°16'00"W	29.66'



SOUDER, MILLER
& ASSOCIATES

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Toll Free (800) 647-0799

SOMERSET SUBDIVISION
PHASE 1 REPLAT NO. 1

SUBMITTED BY :
SOMERSET, LLC
ALAMOGORDO, NEW MEXICO

PROJECT NUMBER		DATE	
9330393		FEBRUARY 2024	
DRAWN BY	TB	2	
CHKD BY	DCC		OF
DATE	02-01-2024		2

ORDINANCE No. 1697

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ALAMOGORDO, CHANGING THE CLASSIFICATION OF A CERTAIN PROPERTY COMMONLY KNOWN AS SOMERSET SUBDIVISION PHASE 1 FROM THEIR PRESENT DESIGNATION AND ZONING DISTRICT OF R-2-TOWNHOUSE DWELLING DISTRICT TO PUD-PLANNED UNIT DEVELOPMENT DISTRICT, WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF ALAMOGORDO, OTERO COUNTY, NEW MEXICO.

WHEREAS, Somerset LLC (hereinafter referred to as "the Owners") is the owner of certain real property commonly known as Somerset Subdivision Phase 1 and legally described below (herein after referred to as "the Property") located within the corporate boundaries of the City of Alamogordo, New Mexico, (hereinafter referred to as "the City"); and

SOMERSET SUBDIVISION PHASE 1

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

Z-2024-0002(A) to change the zoning of the Property, and

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

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

Somerset Subdivision Phase 1

Is hereby changed from R-2 Townhouse Dwelling District to PUD, Planned Unit Development District; and the official zoning map and comprehensive plan of the City are hereby amended to reflect this change.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2024

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

By: _____
Susan L. Payne, Mayor

ATTEST:

Rachel Hughs, City Clerk

APPROVED AS TO FORM:

Ashley Smith, City Attorney

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 5/14/2024

Report Date: 05/01/2024

Report No: 13.

Submitted By: Troy Orr

Subject: Consider, and act upon, Ordinance 1698, for first publication to amend Chapter 4, Article 4-06-060 of the Code of Ordinances concerning Fees and Conditions at the Alamogordo-White Sands Regional Airport. (*Troy Orr, Airport Manager*) **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background: The current Code of Ordinances does not authorize the Airport Manager to set prices for fees. This means that any time prices must be adjusted to meet inflation or new development, the City Commission must vote to approve new rates and fees. In addition, lease rates and fees have historically been the responsibility of the Airport Manager, despite not having clear authority within the Code of Ordinances.

As Airport Manager, I am proposing that we remove all published rates and fees from the Code of Ordinances, and instead publish a separate "Rates & Fees" document that the City Commission can approve as required to meet economic changes. This allows the city to codify all rates and fees in one place, instead of spreading them across multiple documents.

ORDINANCE NO. 1661
AN ORDINANCE AMENDING CHAPTER 4, ARTICLE 4-06-060
AIRCRAFT AND AIRPORT OF THE ALAMOGORDO CODE OF
ORDINANCES CONCERNING FEES AND CONDITIONS

WHEREAS, the City Commission of the City of Alamogordo, New Mexico, acknowledges that the Alamogordo-White Sands Regional Airport provides valuable services to the citizens of Alamogordo; and,

WHEREAS, the City Commission of the City of Alamogordo, New Mexico, acknowledges that streamlining the current process would be favorable to managing rates and fees at Alamogordo-White Sands Regional Airport; and,

WHEREAS, the City Commission of the City of Alamogordo, New Mexico recognizes the need to establish a Rates & Fees document; and,

WHEREAS, the City Commission of the City of Alamogordo, New Mexico, considers it necessary to amend sections of Chapter 4 of the Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Alamogordo, New Mexico, that Chapter 4, Article 4-06-060 of the Code of Ordinances be amended to read as follows:

CHAPTER 4 AIRCRAFT AND AIRPORT

4-06-060. Fees and conditions.

- (a) *Fees*: All aircraft parked at the airport shall pay parking fees as follows, except where parking and tiedown spaces are specifically provided for in the lease or operating agreement:
- (b) *Monthly rates*: All monthly parking fees are payable in advance on the first of each **month**.
~~at the following rates:~~
 - ~~(1) Single engine aircraft, twenty dollars (\$20.00).~~
 - ~~(2) Twin engine aircraft, twenty-five dollars (\$25.00).~~
 - ~~(3) Aircraft over twelve thousand five hundred (12,500) pounds, thirty dollars (\$30.00).~~
 - ~~(4) Tiedowns provided by lease to commercial operators, ten dollars (\$10.00).~~
- (c) *Transient or overnight rates*: These fees shall be collected by the fixed base operators, who shall be authorized to retain one-third (1/3) of all the overnight or transient fees collected to cover administrative costs and shall remit the balance to the airport manager monthly at the following rates. These fees may be waived by the airport manager with the purchase of fuel from an authorized vendor.

- ~~(1) Single engine aircraft, three dollars (\$3.00) per night.~~
- ~~(2) Light twin engine aircraft, five dollars (\$5.00) per night.~~
- ~~(3) Cabin class multi-engine (under twelve thousand five hundred (12,500) pounds), seven dollars (\$7.00) per night.~~
- ~~(4) Cabin and larger (over twelve thousand five hundred (12,500) pounds), ten dollars (\$10.00) per night.~~
- (d) *Airport users' fees:* Commercial operators not covered by lease or agreement, shall pay the following airport users fees for landing at the **airport**.
 - ~~(1) Aircraft under twelve thousand five hundred (12,500) pounds, three dollars and fifty cents (\$3.50) per day.~~
 - ~~(2) Aircraft over twelve thousand five hundred (12,500) pounds, twenty cents (\$0.20) per thousand pounds per landing.~~
- (e) Landing weight used in providing the basis for the computation of such landing fees shall be the maximum certificated gross landing weight of the airplane involved in accordance with the certification thereof.
- (f) *Parking permit required:* Each owner or operator of an aircraft parking said aircraft at the Alamogordo-White Sands Regional Airport on a permanent basis or desiring to reserve a space for parking shall obtain and execute a parking permit and be subject to all the terms and conditions thereof.
- (g) *Delinquent parking and tiedown fees:* If an aircraft is parked at the airport for more than thirty (30) days and the fees have not been paid, the airport manager shall give written notice to the person obtaining the parking permit at the last written address provided to the manager. If the fees remain unpaid for a period of fifteen (15) days after written notice is sent, the manager may arrange for removal of the aircraft from the airport premises, at the expense of the permit holder and without liability to the city for any damage which may result from the removal.
- (h) Any parties entering a commercial permit with the city or any other type of permission to provide commercial services at the airport shall pay a minimum of two (2) percent of the gross revenue received from operation of the commercial activities to the city in a fashion and timeline mirroring the requirements for gross receipt payments to the state.
- (i) In order to offset the time needed to review a new application and the cost of producing copies of the materials for review, the applicant for an initial commercial permit shall pay an application **fee** of two hundred fifty dollars (\$250.00).
- (j) Applications for additional terms or extensions of existing commercial permit agreements that do not involve services substantially different from those approved in the permit to which the additional term or extension is applicable originally applied for, shall pay a processing **fee** of ten dollars (\$10.00).
- ~~(k) The fees referenced in paragraphs (d), (e) and (f) above shall take effect for any application filed after July 1, 2006.~~

(k) The fees referenced in paragraphs (b), (c), (d), and (i) are detailed on the Rates & Fees document.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2024.

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

ALM Rates & Fees Sheet

Type	Amount
Aeronautical Lease	
One-time processing fee	\$ 250.00
Lease rate, sf/month	\$ 0.125
Lease rate, sf/year	\$ 1.50
Non-aeronautical Land or Facility Lease	
One-time processing fee	\$ 250.00
Approved on case-by-case basis, sf/month	\$ 0.30
Land Lease	
One-time processing fee	\$ 250.00
Unimproved Land, sf/year	\$ 0.15
Commercial Lease	
One-time processing fee	\$ 250.00
Commercial lease extension fee	\$ 10.00
Gross receipts, per dollar	\$ 0.02
Parking Apron rented by an FBO, sf/year	\$ 0.10
Parking apron rented by an SASO, sf/year	\$ 0.10
Municipal Hangar Lease*	
One-time processing fee	\$ 250.00
Lease rate, sf/month	\$ 0.125
Lease rate, sf/year	\$ 1.50
Fuel Flowage	
FBO Flowage Rate, per dollar wholesale	\$ 0.04
Non-FBO Flowage, per dollar wholesale	\$ 0.10
Landing Fees	
Aircraft (less than 12,000 lbs)	\$ 3.50
Aircraft (greater than 12,000 lbs), per 1000 lbs	\$ 0.30
Aircraft Parking, Monthly Rates	
Single engine aircraft	\$ 20.00
Light twin engine aircraft, per night	\$ 25.00
Aircraft greater than 12,000 lbs	\$ 30.00
Tiedowns	\$ 10.00
Aircraft Parking, Overnight Rates	
Single engine aircraft, per night	\$ 3.00
Light twin engine aircraft, per night	\$ 5.00
Cabin-class multiple-engine aircraft (less than 12,000 lbs), per night	\$ 7.00
Cabin-class multiple-engine aircraft (greater than 12,000 lbs), per night	\$ 10.00
Tiedowns	\$ 10.00
Vehicle Parking +	
FBO/SASO/Non-aeronautical	\$ -
Public Parking Short Term	\$ -
Public Parking Long Term	\$ -
Key Card	
First-time issue	NO CHARGE
Replacement card	\$ 15.00

*ALM does not currently lease hangar space.

+ALM does not currently offer short- or long-term vehicle parking.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 5/14/2024

Report Date: 05/07/2024

Report No: 14.

Submitted By: Stephanie Hernandez

Subject: Consider, and act upon, Ordinance 1699 for first publication, repealing Article 09-02 Cemetery Board and Article 02-04-120 through 02-04-180 Mayor's Youth Advisory Council of the Alamogordo Code of Ordinances. (*Stephanie Hernandez, Assistant City Manager*) **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve for first publication.

Background:

ORDINANCE NO. 1699**AN ORDINANCE REPEALING ARTICLE 9-02 CEMETARY BOARD AND ARTICLE 02-04-120 THROUGH 02-04-180 MAYOR'S YOUTH ADVISORY COUNCIL OF THE ALAMOGORDO CODE OF ORDINANCES**

WHEREAS, the City Commission at the March 26, 2024, regular meeting, requested that staff present information regarding the dissolution of inactive boards and committees.

WHEREAS, Ordinance 496 established the Cemetery board in 1973; however, it has been inactive since 2018 and was suspended in an open meeting by the city commission on March 8, 2022.

WHEREAS, Ordinance 1339 established the Mayor's Youth Advisory Council in 2008; however, the council has been in active since 2012.

WHEREAS the City Commission affirm that the open meetings provide every citizen with the opportunity to engage in dialogue with the city commission for matters of concern and consideration by the governing body.

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Alamogordo, New Mexico that Article 9-02 Cemetery Board and Article 02-04-120 through 02-04-180 Mayor's Youth Advisory Council of the Code of Ordinances be repealed in their entirety.

~~ARTICLE 9-02. CEMETERY BOARD~~**~~9-02-010. Created.~~**

~~There is hereby created an organization within and for the city which shall be known as the "cemetery board."~~

~~9-02-020. Purpose.~~

~~The purpose of the cemetery board shall be to make recommendations to the city commission regarding the operation, maintenance and capital improvements of the cemetery owned and operated by the city.~~

~~9-02-030. Membership.~~

~~The cemetery board shall consist of three (3) members plus the city manager or his appointed representative as an ex-officio member.~~

~~9-02-040. Appointment and terms.~~

~~The members of the cemetery board, with the exception of the ex-officio member, shall be appointed by the mayor with the advice and approval of a majority of the remaining members of the city commission, and shall serve for a term of two (2) years after their appointment.~~

9-02-050. Organization and meetings.

- (a) — ~~The cemetery board shall elect from its membership a chairman and a secretary and shall hold regular meetings at such times as it may determine, and shall file a copy of all minutes of such meetings with the city clerk for presentation to the city commission.~~
- (b) — ~~All meetings of the cemetery board shall be held at city hall or such other public building as may be designated.~~
- (c) — ~~A majority of all the members of the cemetery board shall constitute a quorum for the transacting of business. A motion shall carry upon the affirmative vote of the majority of the members present at any meeting.~~

9-02-060. Removal.

~~The mayor, with approval of a majority of the remaining members of the city commission may remove any member of the cemetery board by affirmative vote of four (4) members for any reason whatsoever.~~

ARTICLE 2-04. - BOARDS, COMMISSIONS AND COMMITTEES

2-04-120. Mayor's Youth Advisory Council created.

~~There is hereby created an organization within and for the city, which shall be known as the "Mayor's Youth Advisory Council."~~

2-04-130. Mayor's Youth Advisory Council—Duties and responsibilities.

~~The youth advisory council shall have no executive or administrative powers or authority except as herein provided, and sections 2-04-120—2-04-180 shall not be construed as depriving city elected or appointed officials of any power they may have under the laws of the state or the charter of the city. The youth advisory council shall be advisory and is created for the purpose of providing a youthful viewpoint of community affairs. The powers, duties and functions of the council shall be as follows:~~

- (1) — ~~Make recommendations and advise the city commission concerning solutions to specific problems involving the youth activities of the community.~~
- (2) — ~~Assist in planning and implementing social, educational, cultural and recreational activities for youth.~~
- (3) — ~~Inform and educate other youth of issues facing the city and opportunities for youth involvement in city and community affairs.~~
- (4) — ~~To instill a feeling of positive self worth and esteem, to teach teamwork and respect for the rights and property of others, to promote community pride and to eliminate violence and other negative influences among our future community leaders.~~
- (5) — ~~To provide an opportunity for the youth of the city to acquire a greater knowledge of and appreciation for the American political system through active participation in the local government.~~
- (6) — ~~To allow the youth of the city to make a difference through their participation and contributions to city government and in service to the people of the city.~~

~~2-04-140. Mayor's Youth Advisory Council—Membership.~~

- ~~(a) — The mayor's youth advisory council shall consist of members selected by the city commission, who shall be residents of the city or shall be a high school or middle school student enrolled in the Alamogordo Public School District or actively home-schooled, participating at the equivalent level of a ninth grade through twelfth grade level and have demonstrated an interest in local community issues and government. Candidates must not have attained the age of eighteen (18) years at the time of appointment.~~
- ~~(b) — To be eligible to serve on the youth advisory council, students must complete an application for membership.~~
- ~~(c) — Along with the application, potential youth would commit to attend regular meetings as well as attend a portion of the city commission meeting at least one (1) time every quarter, and participate in council community service projects and activities.~~
- ~~(d) — Applicants must have a teacher or parent recommendation.~~
- ~~(e) — The youth leadership will consist of seven (7) members and be recommended by the general youth members and adult advisors. The official seven (7) youth leadership representatives shall be appointed by the mayor.~~
- ~~(f) — Council members shall serve without pay.~~
- ~~(g) — The mayor, a representative of the department of public safety and community members will serve on the council as adult advisors and the city clerk will serve as the staff liaison for the council. The city clerk shall keep and maintain membership records used in connection with the youth advisory council.~~

~~2-04-150. Mayor's Youth Advisory Council—Appointment and terms.~~

~~Youth advisory council members shall be appointed for one year terms and can be extended if so desired until graduation.~~

~~2-04-160. Mayor's Youth Advisory Council—Organization and meetings.~~

~~At the first meeting of the council in September of each year, the youth advisory council shall elect from among its members a chairperson, a vice chairperson, and a secretary to serve for a one-year term. The chairperson or vice chairperson, in the event of the absence of the chairperson, shall conduct the meeting. The secretary shall be responsible for taking minutes of the meetings.~~

~~2-04-170. Mayor's Youth Advisory Council—Advisory capacity.~~

~~The youth advisory council shall be an advisory committee to the city commission and shall make recommendations and reports to the city commission regarding issues of concern to youth in the community. Final determination for all matters pertaining to recommendations from the youth advisory committee shall remain the responsibility of the city commission.~~

~~2-04-180. Mayor's Youth Advisory Council—Removal.~~

~~The governing body of the city may remove any member of the mayor's youth advisory council by affirmative vote of four (4) members of the governing body upon the grounds of malfeasance or nonfeasance in office, or for any reason whatsoever upon the affirmative vote of all the members of the governing body.~~

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2024.

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

many effective decisions can be made. They are slowly but surely solving many of the housing problems there. It was inspiring. Mayor Payne said it was inspiring, but the Village of Ruidoso is in a private-public partnership and bringing in modular homes for rent for people with income. Those homes are not available to people without jobs or with low incomes, so a certain income requirement must be met. They were renting them out for \$1,200 a month. Is that affordable housing? It may meet some needs, but not all of them.

CONSENT AGENDA

2. Approve the minutes for the Regular Commission meeting on March 12, 2024. (Rachel Hughs, City Clerk)

3. Consider, and act upon, Resolution 2024-20 establishing a six-month moratorium on new off-premise billboards for the City of Alamogordo. (Rick Holden, City Manager). (Roll Call Vote Required)

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

Commissioner Robinson seconded the motion.

Roll Call Vote was taken.

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

NEW BUSINESS

4. Consider, and act upon, approval of the Annual Reports from City Boards and Committees for Fiscal Year 2024. (Rachel Hughs, City Clerk and Stephanie Hernandez, Assistant City Manager)

Deputy City Clerk Aleshire said the staff liaisons for each board and committee were present tonight and they would present their annual written reports.

Executive Assistant Tony Gonzalez said he was the staff liaison for the Airport Advisory Board and Airport Zoning Board. The Airport Zoning Board has not met in some time, at least for the last two years, yet we need to keep that Board. The Airport Advisory Board meets on the first Thursday of every month. The Airport Advisory Board makes recommendations and advice about the airport's daily operations. The given report details what went on in the year.

City Planner Stella Rael said she was the staff liaison for the Alamogordo Disability Council. This Council was created by resolution in 1988. Its purpose is to advise regarding the review of city projects and ADA compliance. It consists of five members with a term of two years. No more than two members may live outside City limits. Currently, there are three members. I became the liaison in 2022, and there were four members at that time. We had a meeting in May 2022, but there were no meetings in June, July, or August due to a lack of participation. There have been no meetings since May 2022, so I have no activities for this annual report. Mayor Payne said she remembered that everybody wanted the Alamogordo Disability Council previously. There was a lot of discussion. I guess they found that they did not have as much authority as they thought, and that is why there is a lack of participation. Do we have to keep this? City Manager Holden said he did not think we do. Mayor Payne said if we are not doing anything and no one is participating, I do not think this is necessary. Commissioner Rardin said we could have staff look at these boards and committees and, within the next couple of meetings, tell us if we have to have them or not. If we do not have to have them, we can suspend or disband them. City Manager Holden said we could do that. We could give the Commission a list. Advisory committees may sometimes not understand that they are in an advisory capacity. They do not establish hours, budgets, or any of those things. At the staff level, we need to do some training

and share that with them; we need to help those boards and committees because we value their time and effort. We want to maximize the opportunities for those committees so the Commission can make decisions based on their advice. The biggest advisory committee of all is City staff. We have well-trained, qualified people. Mayor Payne said her biggest concern is that boards and committees need to understand they are advisory.

Librarian Missy Garcia said she was the staff liaison for the Alamogordo Public Library Board. The Board has seven members, met seven times within the last eight months, and the included report lists topics we hit.

Executive Assistant Sven Sears said he was the staff liaison for the Cemetery Board and Parks and Recreation Advisory Board. The Cemetery Board has been suspended for a few years, and I have nothing to report on that other than it is to have three members. The Parks and Recreation Advisory Board advises the Commission and Parks and Recreation Department on matters related to parks and open spaces within the city. It has five members appointed by the Mayor, and two additional members appointed by Alamogordo Public Schools. We are full and have been so since March 2023.

Grants Coordinator Debbie Osborne said she was the staff liaison for the Community Development Advisory Committee. The Committee was originally formed to identify funding needs for the City and to provide citizen participation in the CDBG grant program. The Committee was to help determine funding request priorities, attend public hearings to discuss funding needs and assist in door-to-door surveys to determine neighborhood income and funding eligibility. There are supposed to be seven members on the committee. The last meeting was held in 2013. When we were applying for our current CDBG grant, I called the Department of Finance Administration and the Southern New Mexico Economic Development to see if this committee was necessary. They said we were the only applicant with this committee, and they do not mandate it. However, they do mandate public hearings, which we have. There is really no need for the Committee anymore. City Manager Holden said he wholeheartedly agrees. There are sufficient public hearings to receive input. Both staff and the Commission have a role in helping determine and pick those projects. I do not think we need this committee. Mayor Payne said she agreed.

Administrative Assistant Britney Ybarra said she was the staff liaison for the Mayor's Committee on Aging. The Committee meets once a month, and members typically work on larger items that would require the City Commission's approval. The last thing they were working on was a senior respite at the Senior Center, which is really not feasible. My recommendation would be to disband the Committee. Mayor Payne said that one could be added to the disband list.

Mayor Payne said next is the Mayor's Youth Advisory Board. This is not an active board, and there is nothing to report with that. Deputy City Clerk Aleshire said that was correct. Commissioner Rardin said he remembered the last time a group became active at the high school, which is why we kept this, but I guess they never did. Mayor Payne said that never panned out. Add it to the list of things to review. City Manager Holden said we will review these from a staff perspective and give you a list of recommendations.

Senior Volunteer Program Specialist Renee Reynolds said she was the staff liaison for the Senior Volunteer Programs Advisory Council. Grants for senior companions and foster grandparents mandate the Council. We meet quarterly and have a full board with eight members, plus one of the foster grandparents is a liaison between them.

Commissioner Burnett moved to approve.

Mayor Pro-Tem McDonald seconded the motion.

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

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 5/14/2024

Report Date: 05/07/2024

Report No: 15.

Submitted By: Stephanie Hernandez

Subject: Consider, and act upon, Resolution 2024-27, dissolving the Alamogordo Disability Council, Community Development Advisory Committee, and the Mayor's Committee on Long-Term Aging. (*Stephanie Hernandez, Assistant City Manager*) **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve the resolution.

Background:

many effective decisions can be made. They are slowly but surely solving many of the housing problems there. It was inspiring. Mayor Payne said it was inspiring, but the Village of Ruidoso is in a private-public partnership and bringing in modular homes for rent for people with income. Those homes are not available to people without jobs or with low incomes, so a certain income requirement must be met. They were renting them out for \$1,200 a month. Is that affordable housing? It may meet some needs, but not all of them.

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

Commissioner Robinson seconded the motion.

Roll Call Vote was taken.

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

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Commissioner Burnett moved to approve.

Mayor Pro-Tem McDonald seconded the motion.

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

RESOLUTION NO. 2024-27

**A RESOLUTION DISSOLVING THE ALAMOGORDO DISABILITY COUNCIL, THE
COMMUNITY DEVELOPMENT ADVISORY COMMITTEE, AND THE MAYOR'S
COMMITTEE ON LONG-TERM AGING**

WHEREAS the City Commission at the March 26, 2024, regular meeting, requested that staff present information regarding the dissolution of inactive boards and committees.

WHEREAS The Alamogordo Disability Council was created by Resolution 1988-23 and has not met since 2013.

WHEREAS The Community Development Advisory Committee has no official record of creation.

WHEREAS The Community Development Advisory Committee has not met since May of 2022, and the Department of Finance Administration and the Southern New Mexico Economic Development confirm that the committee is not necessary for funding or project requests.

WHEREAS the Mayor's Committee on Aging lacks an official record of creation but is believed to have existed in 1973, and though it meets regularly, the scope of topics are more extensive, requiring commission approval.

WHEREAS the City Commission affirms that the open meetings provide every citizen with the opportunity to engage in dialogue with the City Commission for matters of concern and consideration by the governing body.

BE IT RESOLVED, THEREFORE, THAT the Alamogordo Disability Council, the Community Development Advisory Committee, and the Mayor's Committee on Long-Term Aging shall be dissolved.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2024.

CITY OF ALAMOGORDO, NEW MEXICO
a New Mexico municipal corporation

By: _____
Susan L. Payne, Mayor

ATTEST:

Rachel Hughs, City Clerk

APPROVED AS TO FORM:

Ashley Smith, City Attorney

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 5/14/2024

Report Date: 05/07/2024

Report No: 16.

Submitted By: Jerry Ramirez

Subject: Discussion and possible action relating to fire suppression system requirements at 900 S. White Sands Blvd, formally National Furniture Liquidators. *(Jerry Ramirez, Fire Chief)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background:



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



04/18/2024

Regarding the property at 900 S. White Sands Blvd., Alamogordo, NM 88310

The following is a history/occupancy record of the above-mentioned property.

This structure was constructed in 1972 using the 1964 Uniform Building Code. The original use of the structure was Haas Motor Co. They operated a motor vehicle sales and repair service. Per 1964 UBC, the structure would have been a split occupancy, with the sales/showroom floor being a Group F1 or F2 occupancy- (Storage garage where no repair work is done or wholesale and retail stores). The area used for sales in the structure at this time was less than 5000 square feet (it was approximately 4900, including the sales offices). The remainder of the structure, including accessory garages, would have been a Group E4 occupancy-Repair Garages. There is no "Mercantile" occupancy listed in any of the 10 occupancy groups available in 1964 UBC. Hass Motor Co. ceased doing business at this property in the early 1990's.

In 1993, the property was reopened as Jacob's Sunglasses. They occupied the structure from 1993 through 1995. In 1994, J.M. Hayes had a business registration for 1 year. In 1995, DSD Sales also had a business registration.

From 1995-1996, Condor Co. was in operation in the structure.

In 1996-1997, Ryan Tire Company was in operation in the structure. The occupancy classification for this would have been a split occupancy. Storage Group S-1 Moderate-hazard. Group M Mercantile Retail or Wholesale stores.

In 1998-2002, Artworld Expo 2000 was in operation in the structure. The occupancy classification for this would be an Assembly Group A-3.

From 2003-2010, Furniture Mart was in operation in the structure.

In 2007, Smart Recycling was in operation in the structure. The occupancy classification for this type of business would be a Group B Business.

From 2011-2022, National Furniture Liquidators was in operation in the structure. The State New Mexico was in IFC 2003 in 2011. The fire protection systems requirements for this type of structure would have required the entire structure to be sprinkled (IFC 2002, Section 903.2.6 Group M). IFC 2003 was adopted in New Mexico in 2011.

From 1972 through 2022, this structure has housed 10 different businesses with different occupancy classifications.

In 2024, Furniture Depot/Mattress Depot has applied for a business registration to operate in the structure. The Alamogordo Fire Department is requiring a sprinkler system to be installed throughout the structure per IFC 2021, Section 903.2.7.2 Group M upholstered furniture or mattresses. An automatic

sprinkler system shall be provided throughout a Group M fire area where the area used for the display and sale of upholstered furniture or mattresses exceeds 5,000 square feet.

This determination is based on the following conditions: The structure is not being used for what it was initially constructed for. It has changed occupancy many times over the last 40 years. A new business is applying to operate in the structure. The highly flammable nature of modern upholstered furniture and mattresses. The size of the structure is well over 5,000 square feet. The safety of persons working or doing business in the structure regarding the existing fire safety features. The operational capabilities of the Alamogordo Fire Department as it is currently staffed and the anticipated staffing in the near future.

Furniture Depot/Mattress Depot would be allowed to operate in the structure as it currently sits, but only as long as they use less than 5,000 square feet of the structure. (This square footage also corresponds with the structures originally intended use as retail sales or wholesale in 1972).

On October 24th, 2019, National Furniture Liquidators, who operated in the structure at the time, had a fire in the storage area on the property. This fire used all the available resources of the Alamogordo Fire Department on shift that day, off duty AFD personnel who came in to help, and Otero County Volunteer Fire Departments, who responded for mutual aid. There were no injuries to fire personnel or civilians either working there or conducting business there. This fire caused \$250,000 in property loss and damage and \$500,000 in product loss. The building this fire occurred in was an accessory to the actual store and would fall under Section 903.2.9.4 Group S-1 upholstered furniture and mattresses. An automatic sprinkler system shall be provided throughout a Group S-1 fire area where the area used for the storage of upholstered furniture or mattresses exceeds 2,500 Square Feet. If the structure would have been protected using this IFC code, these dollar figures could have been drastically reduced.

On June 18th, 2007, a small trash fire on a loading dock spread to the storage area and sales area of the Sofa Super Store in Charleston, SC, killing 9 firefighters during their suppression efforts. The fire at National Furniture Liquidators in Alamogordo was very similar to the Sofa Super Store fire in Charleston with the exception of the loss of life. They both started outside of the structure and spread to the storage structure. Neither building had sprinkler systems installed. NIST (National Institute of Standards and Technology) made recommendations from the study of the Charleston fire. These recommendations included "that all model codes required sprinkler systems and that state and local authorities adopt and aggressively enforce this provision: a) for all new commercial retail furniture stores regardless of size to be fully sprinkled, b) for existing retail furniture stores with any single display area of greater than 2,000 square feet be fully sprinkled. NIST does not write code, they only make recommendations. Computer modeling of the fire in Charleston also found that if the building would have been sprinkled, the fire would probably have been stopped before it entered the showroom area.

In closing, the Alamogordo Fire Department, using IEBC 2021, Section 101.4.2 Buildings previously occupied: The legal occupancy of any building existing on the date of adoption of this code shall be permitted to continue without change, **except** as is specifically covered in this code, **International Fire Code**, or the International Property Maintenance Code, **or as is deemed necessary by the code official for the general safety and welfare of the occupants and the public**, and the requirements of Section 903.2.7.2 of the 2021 International Fire Code and the 2021 International Building Code, are requiring the structure over 5,000 square feet to have a sprinkler system installed. The Alamogordo Fire Department has the safety and welfare of all persons living in, working in or conducting business in the City of Alamogordo as our top priority.



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



This letter was prepared by LT John Stroope, AFD. Certifications include: Fire Inspector 1 and 2, Plans Examiner, and Fire Investigator.



Alamogordo Fire Department

Station: **1**
Shifts Or Platoon: **Shift 1**

Location: National Furniture Liquidators 900 S White Sands BLVD S Alamogordo NM 88310	Incident Type: 111 - Building fire
Lat/Long: N 32° 52' 2.77" W 105° 58' 50.58"	FDID: 35007 Incident #: 2019-2970061 Exposure ID: 43777252 Exposure #: 0 Incident Date: 10/24/2019
Zone: South End - District 5 Location Type: 1 - Street address	

Report Completed by:	Stroope, John	ID: FD 10	Date: 11/02/2019
Report Reviewed by:	Stroope, John	ID: FD 10	Date: 11/02/2019
Report Printed by:	Stroope, John V	ID: FD 10	Date: 4/18/2024 Time: 10:29

Structure Type: Enclosed building	Property Use: 500 - Mercantile, business, other
Automatic Extinguishment System Present: ☐	Detectors Present: ☐ Cause of Ignition: Cause under investigation
Aid Given or Received: None	Primary action taken: 11 - Extinguishment by fire service personnel
Additional actions: 12 - Salvage & overhaul, 86 - Investigate	
Losses Property: \$250,000.00 Contents: \$500,000.00 Total: \$750,000.00	Pre-Incident Values Property: \$250,000.00 Contents: \$500,000.00 Total: \$750,000.00
Civilian Injuries: 0	Fire Service Injuries: 0
Civilian Fatalities: 0	Fire Service Fatalities: 0
Total Casualties: 0	Total Fire Service Casualties: 0
Total # of apparatus on call: 5	Total # of personnel on call: 14

Neighboring Agencies
Agency Name: Alamo West (35013)
Agency ID: 35013
Agency Type: Fire

NARRATIVE (1)
Narrative Title: n/a Narrative Author: Stroope, John Narrative Date: 11/02/2019 19:43:34 Narrative Apparatus ID: n/a Narrative: 10/24/2019 at 1314, the Alamogordo Fire Department was dispatched to the above address for a structure fire. All fire units were called to respond and a city volunteer page was also called. Rescue 1 was first on scene at 1318. The address was confirmed, and a size up was done, with fire showing thru the roof of the east end of the building and the building 25% involved. The structure was clear of all public, and all employees were accounted for. Utilities were called for at 1320. Engine 5, Engine 6, and FD1,2 arrived on scene at 1320. Command was established by FD1. Rescue 1 started suppression and exposure protection operations with 2- 1 3/4" cross lays at 1321. Engine 5 established a water supply from hydrant #5341 with a 5" LDH to Engine 6. Engine 6 set up next to Rescue 1 for suppression operations, and water supply for Rescue 1. 2- 1 3/4" cross lays and 1- 1 3/4" bumper line were pulled from Engine 6 to assist Rescue 1 with suppression and exposure protection. At 1330, American Medical Response set up a medical rehab station for the fire ground. Suppression activities continued from outside the structure and from limited interior positions, until 1559. During this time, all firefighters and volunteer firefighters rotated in and out of medical rehab, and were all cleared for duty, with no injuries noted. Engine 5 was cleared and returned to service at 1447. The Alamogordo Fire Investigator arrived on scene at 1508. At 1559, a City of Alamogordo backhoe and operator arrived on scene and started removing the bay doors to the structure and removing debris from inside the bays. The fire was called out by Incident Command at 1630. Salvage and overhaul operations started at this time and continued until 1915 when Incident Command was terminated, and all fire units cleared and returned to service. The scene was turned over to the Alamogordo Fire Investigator for all further operations. All investigation reports and findings will be available thru the Alamogordo Fire Investigator. No further action required.

APPARATUS			
Unit	CH 1	Unit	R1
Type:	Chief officer car	Type:	Rescue unit
Use:	Other	Use:	Suppression
Response Mode:	Lights and Sirens	Response Mode:	Lights and Sirens
# of People	2	# of People	2
Alarm	10 /24/2019 13:14:00	Alarm	10 /24/2019 13:14:00
Dispatched	10 /24/2019 13:14:00	Dispatched	10 /24/2019 13:14:00
Enroute	10 /24/2019 13:14:00	Enroute	10 /24/2019 13:14:00
Arrived	10 /24/2019 13:20:00	Arrived	10 /24/2019 13:20:00
Cancelled	-- / -- / -- -- : -- : --	Cancelled	-- / -- / -- -- : -- : --
Cleared Scene	10 /24/2019 19:11:00	Cleared Scene	10 /24/2019 19:15:00
In Quarters	-- / -- / -- -- : -- : --	In Quarters	-- / -- / -- -- : -- : --
In Service	10 /24/2019 19:11:00	In Service	10 /24/2019 19:15:00
Unit	E6	Unit	E5
Type:	Engine	Type:	Engine
Use:	Suppression	Use:	Suppression
Response Mode:	Lights and Sirens	Response Mode:	Lights and Sirens
# of People	2	# of People	2
Alarm	10 /24/2019 13:14:00	Alarm	10 /24/2019 13:14:00
Dispatched	10 /24/2019 13:14:00	Dispatched	10 /24/2019 13:14:00
Enroute	10 /24/2019 13:14:00	Enroute	10 /24/2019 13:14:00
Arrived	10 /24/2019 13:20:00	Arrived	10 /24/2019 13:20:00
Cancelled	-- / -- / -- -- : -- : --	Cancelled	-- / -- / -- -- : -- : --
Cleared Scene	10 /24/2019 19:15:00	Cleared Scene	10 /24/2019 14:47:00
In Quarters	-- / -- / -- -- : -- : --	In Quarters	-- / -- / -- -- : -- : --
In Service	10 /24/2019 19:15:00	In Service	10 /24/2019 14:47:00
Unit	U1		
Type:	Support apparatus, other		
Use:	Other		
Response Mode:	No Lights or Sirens		
# of People	1		
Alarm	10 /24/2019 15:08:00		
Dispatched	10 /24/2019 15:08:00		
Enroute	10 /24/2019 15:08:00		
Arrived	10 /24/2019 15:08:00		
Cancelled	-- / -- / -- -- : -- : --		
Cleared Scene	10 /24/2019 19:20:00		
In Quarters	-- / -- / -- -- : -- : --		
In Service	10 /24/2019 19:20:00		
Number Of People not on apparatus: 5			

FIRE			
Acres Burned	None or Less Than One	Acres Burn From Wildland Form	False
Material			
Furniture , Beds, mattresses , Furnishings, other			
Storage Use			
Bulk storage or warehousing , Bulk storage or warehousing , Bulk storage or warehousing			
Area Of Fire Origin	Outside area, other	Heat Source	Undetermined
Item First Ignited	Rubbish, trash, waste	Fire Is Confined To Object Of Origin	
Type Of Material	Cardboard	Cause Of Ignition	Cause under investigation
Factor Contributing To Ignition	Undetermined		
Human Factors Contributing	None		

STRUCTURE FIRE			
Structure Type	Enclosed building	Building Status	In normal use
# Of Stories At Above Grade	1	# Of Stories Below Grade	0
Square Feet	6400	Length	
Width		Floor Of Origin	1
Fire Spread	Confined to building of origin		
Minor Damage	0	Significant Damage	0
Heavy Damage	1	Extreme Damage	0

ARSON			
Agency Name	Agency Address	Agency Phone	
AFD Fire Investigation	619 Texas Ave. Alamogordo NM 88310		
Their Case	Their ORI	Their FID	Their FDID
2019-2970061			

CUSTOM FIELDS FORM	
Did you use a fire hydrant?	Yes

PERSONNEL ON CALL			
Name	Personnel Rank	Role(s)	Apparatus
Bass, Tyler	Firefighter		E6
Chesbro, Charles	Volunteer Fire Fighter		Other
Coyazo, Michael	Firefighter		Other
Esquero, Fabian	Volunteer Fire Fighter		Other
Fernandez, Shalom B	Volunteer Fire Fighter		Other
Harrison, Tyler	Firefighter		E5
LeClair, Jim	Chief		CH 1
Martinez, Eric	Firefighter		E6
Ramirez, Jerry	Deputy Chief of Operations		CH 1
Rodriguez, Jacob	Firefighter		R1
Ross, Jubel	Firefighter		E5
Skaggs, Will	Firefighter		U1
Stroope, John	Lieutenant		R1
Welchel, Cody			Other

Member Making Report (Lieutenant John Stroope): _____

Incident Reviewer (Lieutenant John Stroope): _____

Part I—Administrative

CHAPTER 1 SCOPE AND ADMINISTRATION

User note:

About this chapter: Chapter 1 establishes the limits of applicability of the code and describes how the code is to be applied and enforced. Chapter 1 is in two parts: Part 1—General Provisions (Sections 101–102) and Part 2—Administrative Provisions (Sections 103–114). Section 102 identifies which buildings and structures come under its purview and references other I-Codes as applicable.

This code is intended to be adopted as a legally enforceable document, and it cannot be effective without adequate provisions for its administration and enforcement. The provisions of Chapter 1 establish the authority and duties of the code official appointed by the authority having jurisdiction and also establish the rights and privileges of the design professional, contractor and property owner.

Code development reminder: Code change proposals to this chapter will be considered by the Administrative Code Development Committee during the 2022 (Group B) Code Development Cycle.

Portions of this chapter were extensively reorganized for the 2021 edition. For clarity, the relocation marginal markings have not been included. For complete information, see the relocations table in the preface information of this code.

PART 1—GENERAL PROVISIONS

SECTION 101 SCOPE AND GENERAL REQUIREMENTS

[A] **101.1 Title.** These regulations shall be known as the *Fire Code* of [NAME OF JURISDICTION], hereinafter referred to as “this code.”

[A] **101.2 Scope.** This code establishes regulations affecting or relating to structures, processes, premises and safeguards regarding all of the following:

1. The hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices.
2. Conditions hazardous to life, property or public welfare in the occupancy of structures or premises.
3. Fire hazards in the structure or on the premises from occupancy or operation.
4. Matters related to the construction, extension, repair, alteration or removal of fire protection systems.
5. Conditions affecting the safety of fire fighters and emergency responders during emergency operations.

[A] **101.2.1 Appendices.** Provisions in the appendices shall not apply unless specifically adopted.

[A] **101.3 Purpose.** The purpose of this code is to establish the minimum requirements consistent with nationally recognized good practice for providing a reasonable level of life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises, and to provide a reasonable level of safety to fire fighters and emergency responders during emergency operations.

[A] **101.4 Severability.** If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be

unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

[A] **101.5 Validity.** In the event any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions hereof, which are determined to be legal; and it shall be presumed that this code would have been adopted without such illegal or invalid parts or provisions.

SECTION 102 APPLICABILITY

[A] **102.1 Construction and design provisions.** The construction and design provisions of this code shall apply to:

1. Structures, facilities and conditions arising after the adoption of this code.
2. Existing structures, facilities and conditions not legally in existence at the time of adoption of this code.
3. Existing structures, facilities and conditions where required in Chapter 11.
4. Existing structures, facilities and conditions that, in the opinion of the *fire code official*, constitute a distinct hazard to life or property.

[A] **102.2 Administrative, operational and maintenance provisions.** The administrative, operational and maintenance provisions of this code shall apply to:

1. Conditions and operations arising after the adoption of this code.
2. Existing conditions and operations.

[A] **102.3 Change of use or occupancy.** A change of occupancy shall not be made unless the use or occupancy is made

SCOPE AND ADMINISTRATION

to comply with the requirements of this code and the *International Existing Building Code*.

Exception: Where *approved* by the *fire code official*, a change of occupancy shall be permitted without complying with the requirements of this code and the *International Existing Building Code*, provided that the new or proposed use or occupancy is less hazardous, based on life and fire risk, than the existing use or occupancy.

[A] 102.4 Application of building code. The design and construction of new structures shall comply with the *International Building Code*, and any alterations, additions, changes in use or changes in structures required by this code, which are within the scope of the *International Building Code*, shall be made in accordance therewith.

[A] 102.5 Application of residential code. Where structures are designed and constructed in accordance with the *International Residential Code*, the provisions of this code shall apply as follows:

1. Construction and design provisions of this code pertaining to the exterior of the structure shall apply including, but not limited to, premises identification, fire apparatus access and water supplies. Where interior or exterior systems or devices are installed, construction permits required by Section 105.6 shall apply.
2. Administrative, operational and maintenance provisions of this code shall apply.

[A] 102.6 Historic buildings. The provisions of this code relating to the construction, alteration, repair, enlargement, restoration, relocation or moving of buildings or structures shall not be mandatory for existing buildings or structures identified and classified by the state or local jurisdiction as historic buildings where such buildings or structures do not constitute a distinct hazard to life or property. Fire protection in designated historic buildings shall be provided with an *approved* fire protection plan as required in Section 1103.1.1.

[A] 102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 80, and such codes and standards shall be considered to be part of the requirements of this code to the prescribed extent of each such reference and as further regulated by Sections 102.7.1 and 102.7.2.

[A] 102.7.1 Conflicts. Where conflicts occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

[A] 102.7.2 Provisions in referenced codes and standards. Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, shall take precedence over the provisions in the referenced code or standard.

[A] 102.8 Subjects not regulated by this code. Where applicable standards or requirements are not set forth in this code, or are contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compli-

ance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards, as *approved*, shall be deemed as prima facie evidence of compliance with the intent of this code. Nothing herein shall derogate from the authority of the *fire code official* to determine compliance with codes or standards for those activities or installations within the *fire code official's* jurisdiction or responsibility.

[A] 102.9 Matters not provided for. Requirements that are essential for the public safety of an existing or proposed activity, building or structure, or for the safety of the occupants thereof, that are not specifically provided for by this code, shall be determined by the *fire code official*.

[A] 102.10 Conflicting provisions. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in a specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

[A] 102.11 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

[A] 102.12 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

PART 2—ADMINISTRATION AND ENFORCEMENT

SECTION 103 CODE COMPLIANCE AGENCY

[A] 103.1 Creation of agency. The [INSERT NAME OF DEPARTMENT] is hereby created and the official in charge thereof shall be known as the *fire code official*. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

[A] 103.2 Appointment. The *fire code official* shall be appointed by the chief appointing authority of the jurisdiction.

[A] 103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the *fire code official* shall have the authority to appoint a deputy *fire code official*, other related technical officers, inspectors and other employees. Such employees shall have powers as delegated by the *fire code official*.

SECTION 104 DUTIES AND POWERS OF THE FIRE CODE OFFICIAL

[A] 104.1 General. The *fire code official* is hereby authorized to enforce the provisions of this code. The *fire code official* shall have the authority to render interpretations of this code and to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions. Such interpretations, policies, procedures, rules and regula-

tions shall be in compliance with the intent and purpose of this code. Such policies, procedures, rules and regulations shall not have the effect of waiving requirements specifically provided for in this code.

[A] 104.2 Applications and permits. The *fire code official* is authorized to receive applications, review *construction documents* and issue permits for construction regulated by this code, issue permits for operations regulated by this code, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

[A] 104.3 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or where the *fire code official* has reasonable cause to believe that there exists in a building or on any premises any conditions or violations of this code that make the building or premises unsafe, dangerous or hazardous, the *fire code official* shall have the authority to enter the building or premises at all reasonable times to inspect or to perform the duties imposed on the *fire code official* by this code. If such building or premises is occupied, the *fire code official* shall present credentials to the occupant and request entry. If such building or premises is unoccupied, the *fire code official* shall first make a reasonable effort to locate the *owner*, the *owner's* authorized agent or other person having charge or control of the building or premises and request entry. If entry is refused, the *fire code official* has recourse to every remedy provided by law to secure entry.

[A] 104.3.1 Warrant. Where the *fire code official* has first obtained a proper inspection warrant or other remedy provided by law to secure entry, an *owner*, the *owner's* authorized agent or occupant or person having charge, care or control of the building or premises shall not fail or neglect, after proper request is made as herein provided, to permit entry therein by the *fire code official* for the purpose of inspection and examination pursuant to this code.

[A] 104.4 Identification. The *fire code official* shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

[A] 104.5 Notices and orders. The *fire code official* is authorized to issue such notices or orders as are required to affect compliance with this code in accordance with Sections 112.1 and 112.2.

[A] 104.6 Official records. The *fire code official* shall keep official records as required by Sections 104.6.1 through 104.6.4. Such official records shall be retained for not less than 5 years or for as long as the structure or activity to which such records relate remains in existence, unless otherwise provided by other regulations.

[A] 104.6.1 Approvals. A record of approvals shall be maintained by the *fire code official* and shall be available for public inspection during business hours in accordance with applicable laws.

[A] 104.6.2 Inspections. The *fire code official* shall keep a record of each inspection made, including notices and orders issued, showing the findings and disposition of each.

104.6.3 Fire records. The fire department shall keep a record of fires occurring within its jurisdiction and of facts concerning the same, including statistics as to the extent of such fires and the damage caused thereby, together with other information as required by the *fire code official*.

[A] 104.6.4 Administrative. Application for modification, alternative methods or materials and the final decision of the *fire code official* shall be in writing and shall be officially recorded in the permanent records of the *fire code official*.

[A] 104.7 Liability. The *fire code official*, member of the board of appeals, officer or employee charged with the enforcement of this code, while acting for the jurisdiction, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered civilly or criminally liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties.

[A] 104.7.1 Legal defense. Any suit or criminal complaint instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representatives of the jurisdiction until the final termination of the proceedings. The *fire code official* or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any officer of the department of fire prevention, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

[A] 104.8 Approved materials and equipment. Materials, equipment and devices *approved* by the *fire code official* shall be constructed and installed in accordance with such approval.

[A] 104.8.1 Material and equipment reuse. Materials, equipment and devices shall not be reused or reinstalled unless such elements have been reconditioned, tested and placed in good and proper working condition and *approved*.

[A] 104.8.2 Technical assistance. To determine the acceptability of technologies, processes, products, facilities, materials and uses attending the design, operation or use of a building or premises subject to inspection by the *fire code official*, the *fire code official* is authorized to require the *owner* or *owner's* authorized agent to provide, without charge to the jurisdiction, a technical opinion and report. The opinion and report shall be prepared by a qualified engineer, specialist, laboratory or fire safety specialty organization acceptable to the *fire code official* and shall analyze the fire safety properties of the design, operation or use of the building or premises and the facilities and appurtenances situated thereon, to recommend necessary changes. The *fire code official* is authorized to

require design submittals to be prepared by, and bear the stamp of, a *registered design professional*.

[A] 104.9 Modifications. Where there are practical difficulties involved in carrying out the provisions of this code, the *fire code official* shall have the authority to grant modifications for individual cases, provided that the *fire code official* shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the files of the department of fire prevention.

[A] 104.10 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material, design or method of construction shall be *approved* where the *fire code official* finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, *fire resistance*, durability and safety. Where the alternative material, design or method of construction is not *approved*, the *fire code official* shall respond in writing, stating the reasons why the alternative was not *approved*.

[A] 104.10.1 Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from *approved* sources.

[A] 104.10.2 Tests. Where there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the *fire code official* shall have the authority to require tests as evidence of compliance to be made without expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the *fire code official* shall approve the testing procedures. Tests shall be performed by an *approved* agency. Reports of such tests shall be retained by the *fire code official* for the period required for retention of public records.

104.11 Fire investigations. The *fire code official*, the fire department or other responsible authority shall have the authority to investigate the cause, origin and circumstances of any fire, explosion or other hazardous condition. Information that could be related to trade secrets or processes shall not be made part of the public record, except as directed by a court of law.

104.11.1 Assistance from other agencies. Police and other enforcement agencies shall have authority to render necessary assistance in the investigation of fires when requested to do so.

104.12 Authority at fires and other emergencies. The *fire chief* or officer of the fire department in charge at the scene of a fire or other emergency involving the protection of life or property, or any part thereof, shall have the authority to direct such operation as necessary to extinguish or control any fire, perform any rescue operation, investigate the existence of suspected or reported fires, gas leaks or other hazardous conditions or situations, or take any other action necessary in the reasonable performance of duty. In the exercise of such power, the *fire chief* is authorized to prohibit any person, vehicle, vessel or thing from approaching the scene, and is authorized to remove, or cause to be removed or kept away from the scene, any vehicle, vessel or thing that could impede or interfere with the operations of the fire department and, in the judgment of the *fire chief*, any person not actually and usefully employed in the extinguishing of such fire or in the preservation of property in the vicinity thereof.

104.12.1 Barricades. The *fire chief* or officer of the fire department in charge at the scene of an emergency is authorized to place ropes, guards, barricades or other obstructions across any street, alley, place or private property in the vicinity of such operation so as to prevent accidents or interference with the lawful efforts of the fire department to manage and control the situation and to handle fire apparatus.

104.12.2 Obstructing operations. Persons shall not obstruct the operations of the fire department in connection with extinguishment or control of any fire, or actions relative to other emergencies, or disobey any lawful command of the *fire chief* or officer of the fire department in charge of the emergency, or any part thereof, or any lawful order of a police officer assisting the fire department.

104.12.3 Systems and devices. Persons shall not render a system or device inoperative during an emergency unless by direction of the *fire chief* or fire department official in charge of the incident.

SECTION 105 PERMITS

[A] 105.1 General. Permits shall be in accordance with Sections 105.1.1 through 105.6.24.

[A] 105.1.1 Permits required. A property owner or owner's authorized agent who intends to conduct an operation or business, or install or modify systems and equipment that are regulated by this code, or to cause any such work to be performed, shall first make application to the *fire code official* and obtain the required permit.

105.1.2 Types of permits. There shall be two types of permits as follows:

1. Operational permit. An operational permit allows the applicant to conduct an operation or a business for which a permit is required by Section 105.5 for either:
 - 1.1. A prescribed period.
 - 1.2. Until renewed or revoked.

formance of Archaic
Assemblies RESOURCE A-2
tion RESOURCE A-3
and Design
..... RESOURCE A-6
..... RESOURCE A-13
..... RESOURCE A-15
of Contents RESOURCE A-15
..... RESOURCE A-134
..... INDEX-1

PART 1—SCOPE AND APPLICATION

SECTION 101 SCOPE AND GENERAL REQUIREMENTS

[A] **101.1 Title.** These regulations shall be known as the *Existing Building Code* of [NAME OF JURISDICTION], herein after referred to as “this code.”

[A] **101.2 Scope.** The provisions of this code shall apply to the *repair, alteration, change of occupancy, addition* to and relocation of *existing buildings*.

Exception: Detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means of egress, and their accessory structures not more than three stories above grade plane in height, shall comply with this code or the *International Residential Code*.

101.2.1 Application of fire code. Where work regulated by this code is also regulated by the construction requirements for *existing buildings* in Chapter 11 of the *International Fire Code*, such work shall comply with applicable requirements in both codes.

[A] **101.3 Purpose.** The intent of this code is to provide flexibility to permit the use of alternative approaches to achieve compliance with minimum requirements to provide a reasonable level of safety, health, property protection and general welfare insofar as they are affected by the *repair, alteration, change of occupancy, addition* and relocation of *existing buildings*.

[A] **101.4 Applicability.** This code shall apply to the *repair, alteration, change of occupancy, addition* and relocation of *existing buildings*, regardless of occupancy, subject to the criteria of Sections 101.4.1 and 101.4.2.

[A] **101.4.1 Buildings not previously occupied.** A building or portion of a building that has not been previously occupied or used for its intended purpose, in accordance with the laws in existence at the time of its completion, shall be permitted to comply with the provisions of the laws in existence at the time of its original permit unless such permit has expired. Subsequent permits shall comply with the *International Building Code* or *International Residential Code*, as applicable, for new construction.

[A] **101.4.2 Buildings previously occupied.** The legal occupancy of any building existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the *International Fire Code*, or the *International Property Maintenance Code*, or as is deemed necessary by the code official for the general safety and welfare of the occupants and the public.

[A] **101.5 Safeguards during construction.** Construction work covered in this code, including any related demolition, shall comply with the requirements of Chapter 15.

[A] **101.6 Appendices.** The code official is authorized to require retrofit of buildings, structures or individual structural members in accordance with the appendices of this code if such appendices have been individually adopted.

[A] **101.7 Correction of violations of other codes.** Repairs or alterations mandated by any property, housing or fire safety maintenance code, or mandated by any licensing rule or ordinance adopted pursuant to law, shall conform only to the requirements of that code, rule or ordinance, and shall not be required to conform to this code unless the code requiring such *repair* or *alteration* so provides.

SECTION 102 APPLICABILITY

[A] **102.1 General.** Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

[A] **102.2 Other laws.** The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

[A] **102.3 Application of references.** References to chapter or section numbers or to provisions not specifically identified by number shall be construed to refer to such chapter, section or provision of this code.

[A] **102.4 Referenced codes and standards.** The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each

1964 EDITION

SECTIONS 3801-3802

CHAPTER 38—FIRE-EXTINGUISHING SYSTEMS

Sec. 3801. Standard automatic fire-extinguishing systems shall be installed as specified in this Chapter in the following places:

1. In every story, basement or cellar of a building when the floor area exceeds fifteen hundred square feet (1500 sq. ft.) and there is not provided at least twenty square feet (20 sq. ft.) of opening entirely above grade in each fifty lineal feet (50 lin. ft.) or fraction thereof of exterior wall in the story or basement or cellar on at least one side of the building. Openings shall have a minimum dimension of not less than thirty inches (30").

When openings in a story, basement, or cellar are provided on only one side and the opposite wall of such story, basement, or cellar is more than seventy-five feet (75') from such openings, the story, basement, or cellar shall be provided with an approved automatic fire-extinguishing system or openings as specified above shall be provided on at least two sides of the exterior walls of the story, basement, or cellar.

If any portion of a basement or cellar is located more than seventy-five feet (75') from openings required in this Section, the basement or cellar shall be provided with an approved automatic fire-extinguishing system.

2. In cellars in Groups A, B and C Occupancies and in all usable space below a cellar or basement.

3. In the following locations in Group A Occupancies and Divisions 1 and 2, Group B Occupancies having a stage or enclosed platform:

A. In all dressing room sections, workshops, and storerooms.

B. Where there is a stage; under the gridiron, stage floor, tie and fly galleries, and in all places back of the proscenium wall.

C. Over enclosed platforms having an area of more than one thousand square feet (1000 sq. ft.) and over any usable space under such platforms.

4. In any enclosed occupied space in Groups B, C, and D Occupancies below or over a stairway, except where the entire construction is as required for Type I or II buildings, and in all portions of basements or cellars used for storage or maintenance work rooms.

5. In Divisions 1 and 2, Group E Occupancies having an area of more than fifteen hundred square feet (1500 sq. ft.); in Division 3, Group E Occupancies having an area of more than three thousand square feet (3000 sq. ft.); and in Division 4, Group E Occupancies more than one story in height.

Sec. 3802. Required automatic fire-extinguishing systems shall comply in all respects with the regulations set forth in U.B.C. Standard No. 38-1-64 or No. 38-2-64.

Automatic

Fire-

Extinguishing

Systems:

Where

Required

Detailed

Requirements

353



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



03/13/2023

IFC/ IBC 2021 Compliance

All new businesses, change of address, change of ownership, remodel, or change of occupancy in the City of Alamogordo are required to submit to the City of Alamogordo for approval and a permit. Any of the above-mentioned operations will require the structure to come into compliance with the current IFC/IBC 2021 Codes, which are adopted by the State of New Mexico and the City of Alamogordo. Any change of occupancy or remodel must be submitted to the City of Alamogordo and the State of New Mexico CID for approval.

Regarding the business formerly known as "National Furniture Liquidators", 900 S. White Sands Blvd, Alamogordo, NM 88310, the Alamogordo Fire Department has noticed a new business sign, and signs of construction being undertaken on the structure. The City of Alamogordo Planning and Zoning Department has no knowledge of any work, or any new business planning to occupy the structure at 900 S. White Sands Blvd. A call was placed to CID by the Alamogordo Fire Department, and no plans had been submitted through the State of New Mexico.

Per the 2021 IFC and IBC Codes, the following criteria will have to be met for the operation of a furniture store in the City of Alamogordo:

IBC 2021-

A furniture store shall be classified as a Group M/S1 occupancy.

Section 903.2.7.2 Group M Upholstered Furniture or Mattresses. An automatic sprinkler system shall be provided throughout a Group M fire area where the area used for the display and sale of upholstered furniture or mattresses exceeds 5000 square feet.

Section 903.2.9.4 Group S1 Upholstered Furniture and Mattresses. An automatic sprinkler system shall be provided throughout a Group S1 fire area where the area used for the storage of upholstered furniture or mattresses exceeds 2500 square feet.

Section 907.2.15 High-Piled Combustible Storage Areas. An automatic smoke detection system shall be installed throughout high-piled combustible storage areas where required by Section 3206.5 of the International Fire Code.

IFC 2021-

Section 903.2.7.2 Group M Upholstered Furniture or Mattresses. An automatic sprinkler system shall be provided throughout a Group M fire area where the area used for the display and sale of upholstered furniture or mattresses exceeds 5000 square feet.

Section 903.2.9.4 Group S1 Upholstered Furniture and Mattresses. An automatic sprinkler system shall be provided throughout a Group S1 fire area where the area used for the storage of upholstered furniture or mattresses exceeds 2500 square feet.

Section 903.3.1.1 NFPA 13 Sprinkler Systems. Where the provisions of this code require that a building or portion thereof be equipped throughout with an automatic sprinkler system in accordance with this section, sprinklers shall be installed throughout in accordance with NFPA 13.

Section 907.2.10 Group S. Exception: Manual fire alarm boxes are not required where the building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1, and the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

See the attached photo for an approximation of the square footage of the structure.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 5/14/2024

Report Date: 05/08/2024

Report No: 17.

Submitted By: Stephanie Hernandez

Subject: Discussion and provide directions to staff regarding 3751 Mesa Village Drive, Alamogordo NM 88310 (Rocket City Family Fun Center). (*Rick Holden, City Manager and Stephanie Hernandez, Assistant City Manager*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Provide direction to Staff.

Background:

Rocket City Family Fun Center

3751 Mesa Village Drive
Alamogordo, Otero County, NM 88310

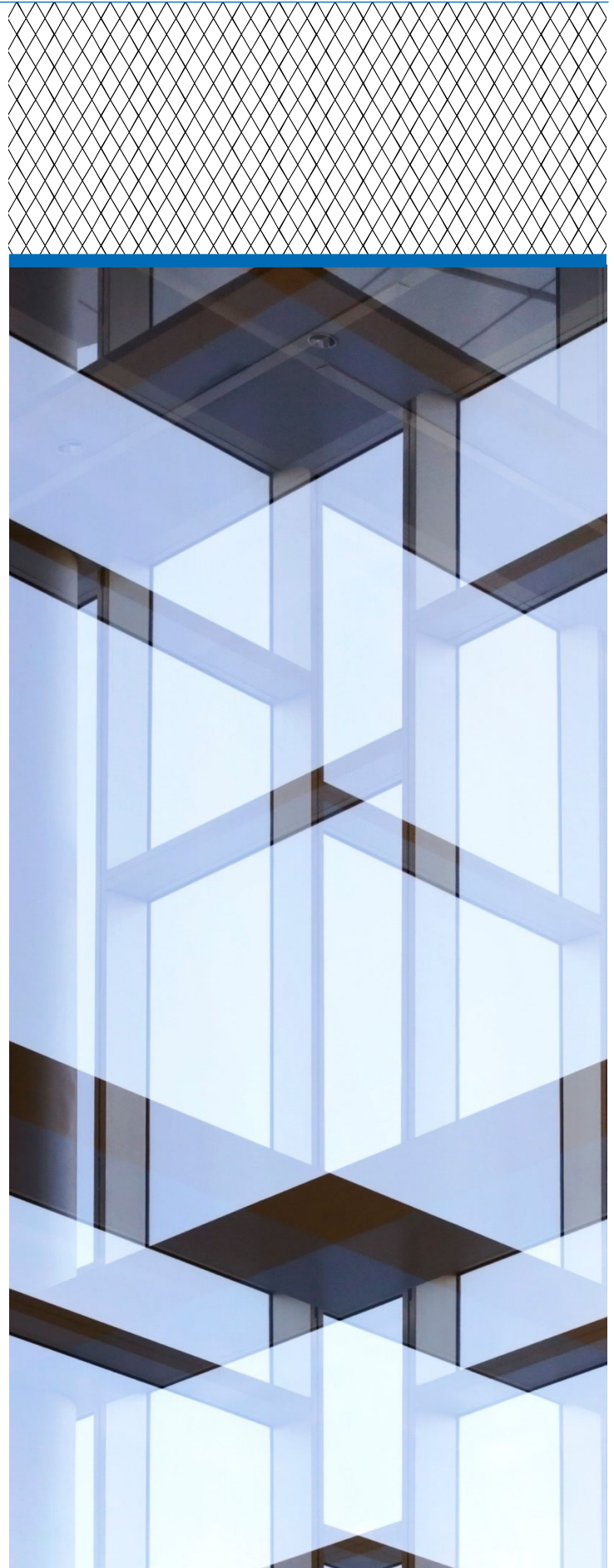
Newmark Job No.: 24-0203291-1

Appraisal Report Prepared For:

Veronica Ortega
Community Services Director
City of Alamogordo
1376 East Ninth Street
Alamogordo, NM 88310

Prepared By:

Newmark Valuation & Advisory
2555 East Camelback Road, Suite 600
Phoenix, AZ 85016



NEWMARK VALUATION & ADVISORY

April 23, 2024

Veronica Ortega
Community Services Director
City of Alamogordo
1376 East Ninth Street
Alamogordo, NM 88310

RE: Appraisal of an owner-occupied Retail property known as Rocket City Family Fun Center located at 3751 Mesa Village Drive, Alamogordo, Otero County, NM 88310, prepared by Newmark Valuation & Advisory, LLC (herein "Firm" or "Newmark")

Newmark Job No.: 24-0203291-1

Dear Ms. Ortega:

The subject property is a 35,610 square foot owner occupied retail bowling alley property known as Rocket City Family Fun Center located in Alamogordo. The improvements are in good condition, are of average quality but have good tenant appeal. The site encompasses approximately 2.939 acres (128,001 square feet) and is located along the south side of Mesa Village Dr, east of Red Arroyo Dr. The building is 100% occupied by the owner. The subject property has a 24 lane bowling alley as the main feature, but also includes an arcade/gaming floor, laser tag, a full kitchen, and a full bar.

The subject property is currently owned by the City of Alamogordo. Previously the property was occupied by a single tenant on a long term lease. However, in 2023 the tenant failed to perform and was evicted by the City of Alamogordo. As such, the property is now vacant.

Key Value Considerations

Strengths

1. The subject property is located in a growing area of Almogordo adjacent to a movie theatre.
2. Property is in good condition.

Risk Factors

1. General economic uncertainty.
2. Highly specialized retail property

National Trends and Uncertainties

- 1. Federal Reserve and bond market interest rate increases and associated effects on cost of capital and investment rates along with credit tightening resulted in 2023 transaction volumes some 51% less than 2022 according to Real Capital Analytics and CRE activity remains depressed.
- 2. Investors are still concerned about a possible recession but the easing of inflation, continued consumer spending, and solid job growth have continued to keep the economy growing.
- 3. There have been early signs of increased CRE activity stemming from moderation in interest rates (and expectations of cuts later this year), adjustments by buyers and sellers to the economic environment, and an easing of credit restrictions but distress in the CRE market, particularly in the office sector, remains a concern.

Based on the analysis contained in the following report, the opinion of value for the subject is:

Value Conclusions			
Appraisal Premise	Interest Appraised	Date of Value	Value Conclusion
Market Value "As Is"	Fee Simple	4/9/2024	\$5,520,000
Compiled by Newmark			

Extraordinary Assumptions

An extraordinary assumption is defined in USPAP as an assignment-specific assumption as of the effective date regarding uncertain information used in an analysis which, if found to be false, could alter the appraiser’s opinions or conclusions. The value conclusions are subject to the following extraordinary assumptions that may affect the assignment results.

- 1. None

Hypothetical Conditions

A hypothetical condition is defined in USPAP as a condition, directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results, but is used for the purpose of analysis. The value conclusions are based on the following hypothetical conditions that may affect the assignment results.

- 1. None

The appraisal was developed based on, and this report has been prepared in conformance with the Client’s appraisal requirements, the guidelines and recommendations set forth in the Uniform Standards of Professional Appraisal Practice (USPAP), the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute,

April 23, 2024
VERONICA ORTEGA

Title XI of the Financial Institution Reform, Recovery and Enforcement Act (FIRREA) of 1989, and the Interagency Appraisal and Evaluation Guidelines (December 2, 2010).

Certification

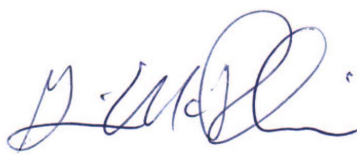
We certify that, to the best of our knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are our personal, impartial and unbiased professional analyses, opinions, and conclusions.
3. We have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
4. We have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
5. Our engagement in this assignment was not contingent upon developing or reporting predetermined results.
6. Our compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
7. This appraisal assignment was not based upon a requested minimum valuation, a specific valuation, or the approval of a loan.
8. Our analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice, as well as the requirements of the State of New Mexico.
9. The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.
10. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
11. As of the date of this report, Gavin J. McPhie, MAI has completed the continuing education program for Designated Members of the Appraisal Institute.
12. As of the date of this report, Ryan Melzer has completed the Standards and Ethics Education Requirements for Candidates of the Appraisal Institute.
13. Ryan Melzer made a personal inspection of the property that is the subject of this report. Gavin J. McPhie, MAI has not personally inspected the subject.
14. No one provided significant real property appraisal assistance to the person(s) signing this certification.
15. The Firm operates as an independent economic entity. Although employees of other service lines or affiliates of the Firm may be contacted as a part of our routine market research investigations, absolute client confidentiality and privacy were maintained at all times with regard to this assignment without conflict of interest.
16. Within this report, "Newmark", "Newmark Valuation & Advisory", "Newmark, Inc.", and similar forms of reference refer only to the appraiser(s) who have signed this certification and any persons noted above as having provided significant real property appraisal assistance to the persons signing this report.

17. Ryan Melzer has not performed any services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding the agreement to perform this assignment. Gavin J. McPhie, MAI has not performed any services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding the agreement to perform this assignment.



Ryan Melzer
Executive Vice President
General Certified Appraiser
New Mexico # 03599-G
Telephone: 602.952.3881
Email: Ryan.Melzer@nmrk.com



Gavin J. McPhie, MAI
Senior Managing Director
Certified General Appraiser
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Email: Gavin.McPhie@nmrk.com

Table of Contents

Appraisal Transmittal and Certification

Certification
Table of Contents
Subject Maps
Subject Photographs

Executive Summary 11

Introduction..... 13

Economic Analysis 16

National Trends and Uncertainties 16
Area Analysis 17
Market Area Analysis 23
Retail Market Analysis..... 28

Land and Site Analysis 34

Zoning and Legal Restrictions 38

Improvements Analysis..... 40

Real Estate Taxes..... 43

Highest and Best Use 44

Appraisal Methodology 46

Sales Comparison Approach..... 47

Sales Comparison Approach Conclusion
..... 51

Income Capitalization Approach 53

Market Rent Analysis 53
Operating Expense Analysis 57
Direct Capitalization 57
Direct Capitalization Summary 61

Reconciliation of Value 63

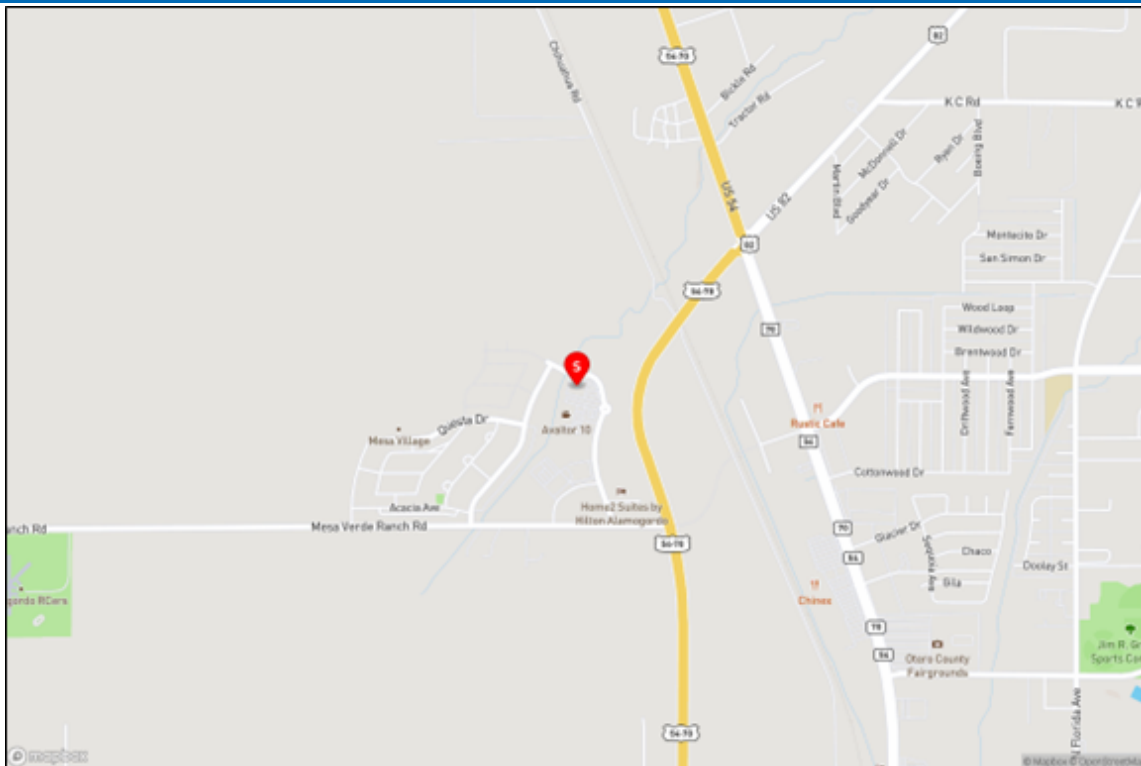
Assumptions and Limiting Conditions .. 66

Addenda

- A. Glossary of Terms
- B. Engagement Letter
- C. Comparable Data
 - Improved Sales
 - Lease Comparables
- D. Appraiser Qualifications and Licenses



Aerial Photo



Location Map



Looking northwest at the subject property



Looking southeast at the subject property



Looking northwest at the subject property



Looking southwest at the subject property



Laser tag area



Bowling lanes



Bowling lanes



Seating area



Arcade area



Kitchen



Employee breakroom



Parking lot

Executive Summary

Rocket City Family Fun Center

Property Type:	Retail-Free-standing
Street Address:	3751 Mesa Village Drive
City, State & Zip:	Alamogordo, Otero County, NM 88310
Gross Building Area (SF):	35,610
Net Rentable Area (SF):	35,610
Year Built (Renovated):	2017
Land Area:	3.416 acres; 148,801 SF
Zoning:	C-3
Highest and Best Use - As Vacant:	A Retail Use
Highest and Best Use - As Improved:	Retail Use

Analysis Details

Valuation Date:	April 9, 2024
Market Value "As Is"	April 9, 2024
Inspection Date and Date of Photos:	April 22, 2024
Report Date:	Appraisal Report
Report Type:	City of Alamogordo
Client:	Internal business decisions and no other use is permitted.
Intended Use:	Bank Five Nine, The U.S. Small Business Administration and CDC Capital and no other user is permitted by any other party for any other purpose.
Intended User:	Market Value "As Is"
Appraisal Premise:	The intended use and user of our report are specifically identified in our report as agreed upon in our contract for services and/or reliance language found in the report. No other use or user of the report is permitted by any other party for any other purpose. Dissemination of this report by any party to non-client, non-intended users does not extend reliance to any other party and Newmark will not be responsible for unauthorized use of the report, its conclusions or contents used partially or in its entirety.
Intended Use and User:	Fee Simple
Interest Appraised:	12 Months (12 Months)
Exposure Time (Marketing Period) Estimate:	

Compiled by Newmark

Valuation Summary

Sales Comparison Approach		\$/SF	\$ Total
Number of Sales			6
Range of Sale Dates			Jul-21 to Oct-23
Adjusted Range of Comparables (\$/SF)			\$132.14 to \$176.34
Indicated Sales Comparison Approach Value	As Is	\$155.01	\$5,520,000
Income Capitalization Approach - Direct Capitalization Method		\$/SF	\$ Total
Capitalization Rate Indicators and Conclusion		Indication	
Comparable Retail Sales Range		7.00% - 9.25%	
Investor Surveys		7.20% - 8.00%	
Market Participants		7.50% - 8.00%	
Band of Investment		8.00%	
Concluded Going-In Capitalization Rate		8.00%	
Stabilized Income Estimate			
Potential Gross Income		\$12.00	\$427,320
Stabilized % Vacancy & Collection Loss		0.00%	\$0
Effective Gross Income		\$12.00	\$427,320
Operating Expenses		\$0.00	\$0
Operating Expense Ratio			0.0%
Net Operating Income		\$12.00	\$427,320
Capitalization Rate			8.00%
Indicated Income Capitalization Approach Value	As Is	\$149.96	\$5,340,000

Market Value Conclusions	As Is	\$155.01	\$5,520,000
Exposure / Marketing Time			
Concluded Exposure Time		12 Months or Less	
Concluded Marketing Time		12 Months or Less	

Compiled by Newmark

Extraordinary Assumptions and Hypothetical Conditions

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- 1. None

A hypothetical condition is defined in USPAP as a condition, directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results, but is used for the purpose of analysis. The value conclusions are based on the following hypothetical conditions that may affect the assignment results.

- 1. None

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Introduction

OWNERSHIP HISTORY

The current owner is City of Alamogordo. The following summarizes a three-year history of ownership, the current listing status, and pending transactions for the subject property (as applicable).

Ownership History

To the best of our knowledge, no sale or transfer of ownership has taken place within the three-year period prior to the effective date of the appraisal.

Listing Status:	Not Listed For Sale
Current or Pending Contract:	None Reported
Sales in the Previous Three Years:	None

Compiled by Newmark

To the best of our knowledge, no sale or transfer of ownership has taken place within a three-year period prior to the effective date of the appraisal.

INTENDED USE AND USER

The intended use and user of our report are specifically identified in our report as agreed upon in our contract for services and/or reliance language found in the report. No other use or user of the report is permitted by any other party for any other purpose. Dissemination of this report by any party to non-client, non-intended users does not extend reliance to any other party and Newmark will not be responsible for unauthorized use of the report, its conclusions or contents used partially or in its entirety.

- The intended use of the appraisal is for internal business decisions and no other use is permitted.
- The client is City of Alamogordo.
- The intended user is the City of Alamogordo and no other user is permitted by any other party for any other purpose.

DEFINITION OF VALUE

Market value is defined as:

“The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- Buyer and seller are typically motivated;
- Both parties are well informed or well advised, and acting in what they consider their own best interests;
- A reasonable time is allowed for exposure in the open market;
- Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
- The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.”

(Source: Code of Federal Regulations, Title 12, Chapter I, § 34.42[h]; also Interagency Appraisal and Evaluation Guidelines, Federal Register, 75 FR 77449, December 10, 2010, page 77472)

APPRAISAL REPORT

This appraisal is presented in the form of an appraisal report, which is intended to comply with the reporting requirements set forth under Standards Rule 2-2(a) of USPAP. This report incorporates sufficient information regarding the data, reasoning and analysis that were used to develop the opinion of value in accordance with the intended use and user.

PURPOSE OF THE APPRAISAL & INTEREST APPRAISED

The primary purpose of the appraisal is to develop an opinion of the Market Value "As Is" of the Fee Simple interest in the property. The client also requested the Insurable Value. (Please see Glossary of Terms for definition(s) of interest(s) appraised)

Purpose of the Appraisal		
Appraisal Premise	Interest Appraised	Date of Value
Market Value "As Is"	Fee Simple	4/9/2024
<i>Compiled by Newmark</i>		

SCOPE OF WORK

Extent to Which the Property is Identified

- Physical characteristics
- Legal characteristics
- Economic characteristics

Extent to Which the Property is Inspected

Newmark inspected the subject property on April 9, 2024 as per the defined scope of work. Ryan Melzer made a personal inspection of the property that is the subject of this report. Gavin J. McPhie, MAI has not personally inspected the subject.

Type and Extent of the Data Researched

- Exposure and marketing time;
- Neighborhood and land use trends;
- Demographic trends;
- Market trends relative to the subject property type;
- Physical characteristics of the site and applicable improvements;
- Flood zone status;
- Zoning requirements and compliance;
- Real estate tax data;
- Relevant applicable comparable data; and
- Investment rates

Type and Extent of Analysis Applied

We analyzed the property and market data gathered through the use of appropriate, relevant, and accepted market-derived methods and procedures. Further, we employed the appropriate and relevant approaches to value, and correlated and reconciled the results into an estimate of market value, as demonstrated within the appraisal report. The applied scope of work is appropriate and sufficient to produce credible assignment results for the intended use of this report.

Economic Analysis

NATIONAL TRENDS AND UNCERTAINTIES

Interest rates rose into 2023 peaking at levels last seen in 2007. A combination of high interest rates, wide expectation of a recession, and credit tightening all contributed to a dramatic decline in commercial real estate (CRE) activity during the year. Real Capital Analytics (RCA) reported that CRE transaction volume fell 51% over 2022. 2023 CRE transaction volume ended the year below even that of pre-pandemic levels. While a recession was widely expected throughout much of 2023, the easing of inflation, continued consumer spending, and solid job growth all kept the economy growing. Investors expect the Federal Reserve to begin cutting interest rates around the middle of the year. However, the Fed has indicated that it is not ready to start cutting until employment and inflation signals are in better balance against the target inflation rate.

In an effort to curtail inflation, the Federal Reserve embarked on an aggressive strategy. In spite of three major bank failures, the Fed raised rates very quickly through July 2023 to a range of 5.25% to 5.50% for the Federal Funds Rate – which was the highest since June 2006. The Fed's outlook now calls for three 25 basis point rate cuts in 2024. Analysts expect the rate cuts to begin in May or June. But the Fed's statement on January 31, 2024 stated that it will not be appropriate to reduce rates until inflation is moving to 2%.

Credit tightening, which included wider credit spreads and lower loan-to-value ratios, arose due to uncertain economic outlooks, deterioration in real estate collateral values, and concerns about bank liquidity. Along with the rapid rise in interest rates, capitalization rates rose quickly while bid-ask spreads widened. While these trends have moderated, they have not disappeared and remain major drivers to CRE market conditions. However, investors are adjusting to the new reality through modifications to their investment strategies while the bid-ask spread is narrowing. This is yielding very early signs of increases in transaction volume for 2024. At the same time, though, RCA notes that distress climbed throughout 2023 and office continues to lead the distress – accounting for 41% of the total value of distressed assets.

It will take time for the trends of 2023 to reverse. Opportunities are beginning to appear as interest rates have declined slightly from the peak in 2023 and debt market conditions have improved. Investors still anticipate capitalization rate increases in 2024 and prices to decline – particularly in hard hit sectors such as CBD office. We have considered, and will address, these issues throughout this appraisal and report including in our determinations of overall capitalization rates, discount rates, market rent assumptions, market conditions adjustments, and growth of rents and expenses where applicable.

AREA ANALYSIS



Area Map

The subject is located within Alamogordo and Otero County, New Mexico. It is part of the Las Cruces metro area (Las Cruces MSA).

Moody's Analytics' Economy.com provides the following economic summary for the Las Cruces MSA as of July 2023.

Moody's Analytics Précis® Metro Indicators: Las Cruces MSA												
2017	2018	2019	2020	2021	2022	INDICATORS	2023	2024	2025	2026	2027	2028
7.0	7.1	7.1	6.9	7.3	7.4	Gross metro product (C12\$ bil)	7.6	7.7	7.9	8.1	8.3	8.5
-0.1	1.6	0.4	-3.7	5.6	2.4	% change	2.6	0.8	2.2	2.7	2.4	2.2
71.4	73.0	74.1	70.9	72.9	75.9	Total employment (ths)	77.9	78.4	78.8	79.0	79.2	79.3
-0.6	2.3	1.6	-4.4	2.8	4.1	% change	2.7	0.6	0.5	0.3	0.2	0.2
6.7	5.7	5.8	7.8	6.9	4.4	Unemployment rate (%)	4.3	4.9	5.1	5.0	5.0	5.0
2.5	3.0	6.4	10.2	9.1	2.3	Personal income growth (%)	6.7	4.8	4.2	4.5	4.4	4.3
38.7	40.4	43.0	45.6	45.2	45.7	Median household income (\$ ths)	48.2	49.8	51.4	53.2	55.0	56.8
217.1	218.3	218.9	220.0	221.6	221.0	Population (ths)	221.5	222.5	223.2	223.9	224.4	224.8
0.8	0.6	0.3	0.5	0.7	-0.3	% change	0.2	0.4	0.3	0.3	0.3	0.2
0.6	0.3	-0.4	0.4	1.4	-0.6	Net migration (ths)	0.2	0.3	0.1	0.1	0.0	-0.1
803	843	876	1,033	1,239	1,079	Single-family permits (#)	661	652	752	784	785	765
323	122	102	76	99	26	Multifamily permits (#)	34	63	60	53	45	41
164	172	179	188	215	256	FHFA house price (1995Q1=100)	273	270	272	281	293	306

Source: Moody's Analytics Précis® US Metro

Moody's summarizes the area's economic performance in recent months as follows:

Recent Performance

Las Cruces MSA continues to grow but is displaying more hallmarks of an economy that is approaching equilibrium. Nonfarm payroll growth has spent most of this year outperforming the West, and strong seasonally adjusted local employment provided an additional boost in July. Healthcare and construction have grown steadily since the start of the year, while leisure/hospitality is also performing well. The jobless rate has held steady this year despite a growing labor force, supporting household employment growth. Las Cruces MSA's single-family house prices are rising at a below-average clip, but that largely reflects a less severe price correction last year leaving little room for a rebound.

Market Comparison

The following table illustrates key economic indicators and a comparison of the Las Cruces MSA to the regional grouping as a whole. As indicated, Las Cruces is projected to outperform the National Region Metros in two of eight performance categories shown over the next five years.

Comparison of Key Economic Indicators - Las Cruces MSA Metro to National Region										
Indicator	Las Cruces MSA			Annual Growth		National			Annual Growth	
	2017	2022	2027	2017 - 2022	2022 - 2027	2017	2022	2027	2017 - 2022	2022 - 2027
Gross metro product (C12\$ bil)	7.0	7.4	8.3	1.2%	2.1%	18,077	19,965	22,356	2.0%	2.3%
Total employment (ths)	71.4	75.9	79.2	1.2%	0.9%	146,606	152,045	157,507	0.7%	0.7%
Unemployment rate (%)	6.7%	4.4%	5.0%			4.4%	3.7%	4.1%		
Personal income growth (%)	2.5%	2.3%	4.4%			4.6%	2.3%	4.6%		
Population (ths)	217.1	221.0	224.4	0.4%	0.3%	325,122	332,391	339,637	0.4%	0.4%
Single-family permits (#)	803	1,079	785	6.1%	-6.2%	848,500	1,019,048	1,319,656	3.7%	5.3%
Multifamily permits (#)	323	26	45	-39.6%	11.8%	356,167	547,574	448,038	9.0%	-3.9%
FHFA house price (1995Q1=100)	164	256	293	9.3%	2.8%	N/A	N/A	N/A	N/A	N/A
Las Cruces MSA outperforming National Region Metros										
Las Cruces MSA underperforming National Region Metros										

Source: Moody's Analytics Précis® US Metro; Compiled by Newmark

Employment Sectors and Trends

Employment data by occupation and business/industry sectors provides an indication of the amount of diversification and stability in the local economy. Job sector composition also gives an indication of the predominant drivers of current and future demand for supporting commercial real estate sectors. The following tables display employment data by occupation sector and by business/industry sector for the area and region.

Current Employment by Occupation Sector																
Occupation Sector	1-Mile Radius		3-Miles Radius		5-Miles Radius		88310		Alamogordo City		Otero County		Micropolitan Statistical Area		New Mexico	
White Collar	194	62.6%	2,823	57.8%	7,017	58.9%	8,739	59.1%	7,384	58.5%	12,846	54.3%	12,846	54.3%	537,326	60.3%
Administrative Support	20	6.5%	454	9.3%	1,430	12.0%	1,823	12.3%	1,582	12.5%	2,938	12.4%	2,938	12.4%	86,670	9.7%
Management/Business/Financial	49	15.8%	559	11.5%	1,922	16.1%	2,416	16.3%	2,148	17.0%	3,161	13.4%	3,161	13.4%	144,149	16.2%
Professional	106	34.2%	1,397	28.6%	2,413	20.3%	3,108	21.0%	2,455	19.4%	4,502	19.0%	4,502	19.0%	238,011	26.7%
Sales and Sales Related	19	6.1%	413	8.5%	1,252	10.5%	1,392	9.4%	1,199	9.5%	2,245	9.5%	2,245	9.5%	68,496	7.7%
Services	58	18.7%	1,041	21.3%	2,517	21.1%	2,952	20.0%	2,651	21.0%	5,101	21.6%	5,101	21.6%	167,620	18.8%
Blue Collar	58	18.7%	1,017	20.8%	2,383	20.0%	3,087	20.9%	2,590	20.5%	5,721	24.2%	5,721	24.2%	186,147	20.9%
Construction/Extraction	16	5.2%	333	6.8%	736	6.2%	903	6.1%	714	5.7%	1,825	7.7%	1,825	7.7%	56,849	6.4%
Farming/Fishing/Forestry	0	0.0%	18	0.4%	53	0.4%	88	0.6%	79	0.6%	102	0.4%	102	0.4%	6,734	0.8%
Installation/Maintenance/Repair	29	9.4%	308	6.3%	659	5.5%	809	5.5%	636	5.0%	1,484	6.3%	1,484	6.3%	27,195	3.1%
Production	8	2.6%	147	3.0%	262	2.2%	369	2.5%	332	2.6%	719	3.0%	719	3.0%	31,480	3.5%
Transportation/Material Moving	5	1.6%	211	4.3%	673	5.6%	918	6.2%	829	6.6%	1,591	6.7%	1,591	6.7%	63,889	7.2%
Total Employees (16+ Occupation Base)	310	100.0%	4,881	100.0%	11,916	100.0%	14,778	100.0%	12,625	100.0%	23,668	100.0%	23,668	100.0%	891,093	100.0%
Source: ESRI; Compiled by Newmark																

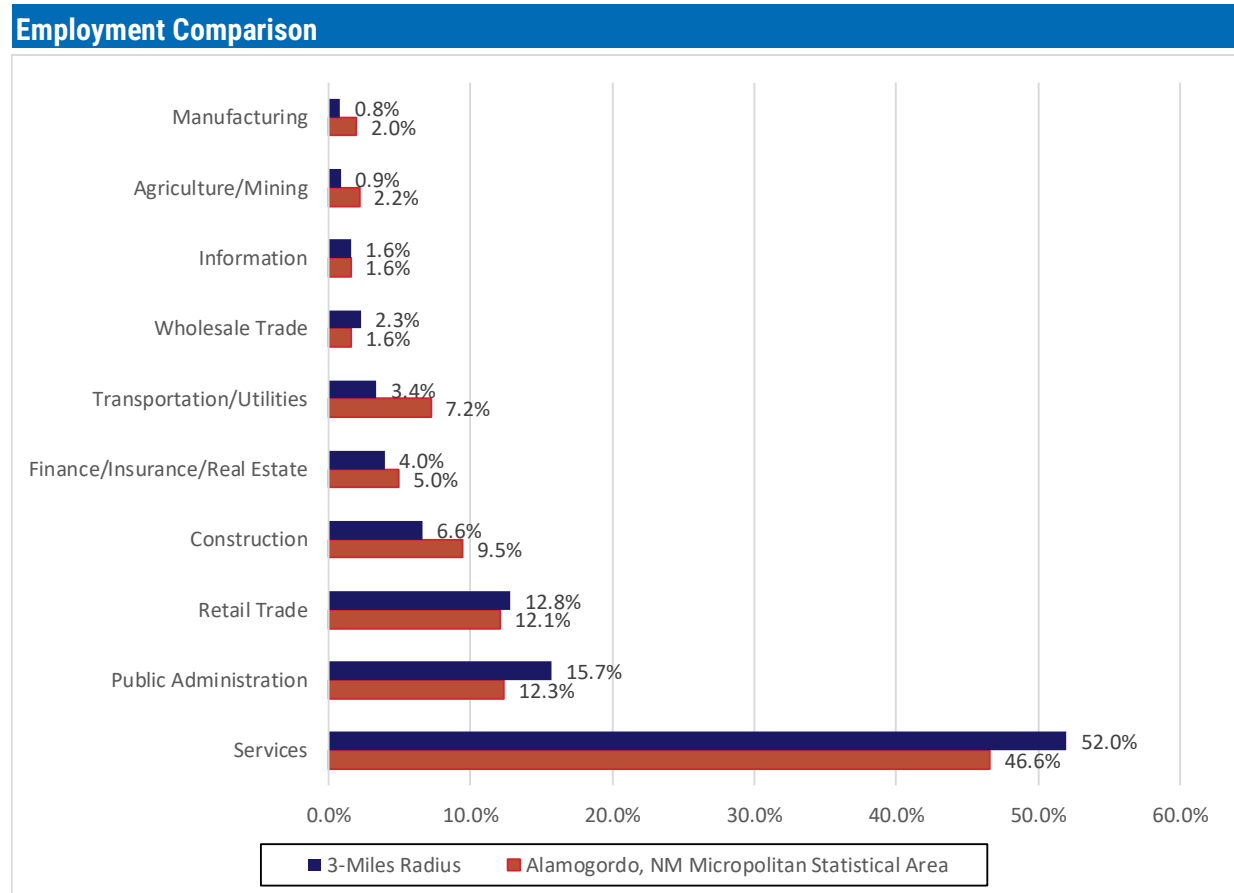
Source: ESRI; Compiled by Newmark

Current Employment by Industry Sector																
	Alamogordo, NM															
Industry Sector	1-Mile Radius		3-Miles Radius		5-Miles Radius		88310	Alamogordo City		Otero County		Micropolitan Statistical Area		New Mexico		
Agriculture/Mining	3	1.0%	42	0.9%	243	2.0%	349	2.4%	318	2.5%	516	2.2%	516	2.2%	33,886	3.8%
Construction	11	3.5%	323	6.6%	760	6.4%	1,052	7.1%	890	7.0%	2,242	9.5%	2,242	9.5%	65,129	7.3%
Manufacturing	2	0.6%	41	0.8%	117	1.0%	169	1.1%	130	1.0%	472	2.0%	472	2.0%	34,570	3.9%
Wholesale Trade	6	1.9%	111	2.3%	309	2.6%	304	2.1%	271	2.1%	379	1.6%	379	1.6%	13,443	1.5%
Retail Trade	13	4.2%	624	12.8%	1,442	12.1%	1,909	12.9%	1,654	13.1%	2,853	12.1%	2,853	12.1%	86,682	9.7%
Transportation/Utilities	9	2.9%	166	3.4%	564	4.7%	866	5.9%	642	5.1%	1,708	7.2%	1,708	7.2%	51,995	5.8%
Information	3	1.0%	78	1.6%	286	2.4%	289	2.0%	270	2.1%	378	1.6%	378	1.6%	10,584	1.2%
Finance/Insurance/Real Estate	11	3.5%	194	4.0%	597	5.0%	659	4.5%	574	4.5%	1,175	5.0%	1,175	5.0%	41,863	4.7%
Services	185	59.7%	2,537	52.0%	5,951	49.9%	7,131	48.3%	6,155	48.8%	11,024	46.6%	11,024	46.6%	476,432	53.5%
Public Administration	69	22.3%	765	15.7%	1,646	13.8%	2,050	13.9%	1,721	13.6%	2,921	12.3%	2,921	12.3%	76,509	8.6%
Total Employees (16+ Occupation Base)	310	100.6%	4,881	100.0%	11,916	100.0%	14,778	100.0%	12,625	100.0%	23,668	100.0%	23,668	100.0%	891,093	100.0%

Source: ESRI. Compiled by Newmark

Source: ESRI; Compiled by Newmark

Comparing the industry sectors for the local market area (3-Miles Radius) to Alamogordo, NM Micropolitan Statistical Area indicates the local market area is somewhat more heavily weighted toward the Services, Public Administration, Retail Trade, Wholesale Trade, and Information sectors. By contrast, the industry employment totals for Alamogordo, NM Micropolitan Statistical Area indicate somewhat higher proportions within the Transportation/Utilities, Construction, Agriculture/Mining, Manufacturing, and Finance/Insurance/Real Estate sectors. The following graphic further illustrates this comparison.

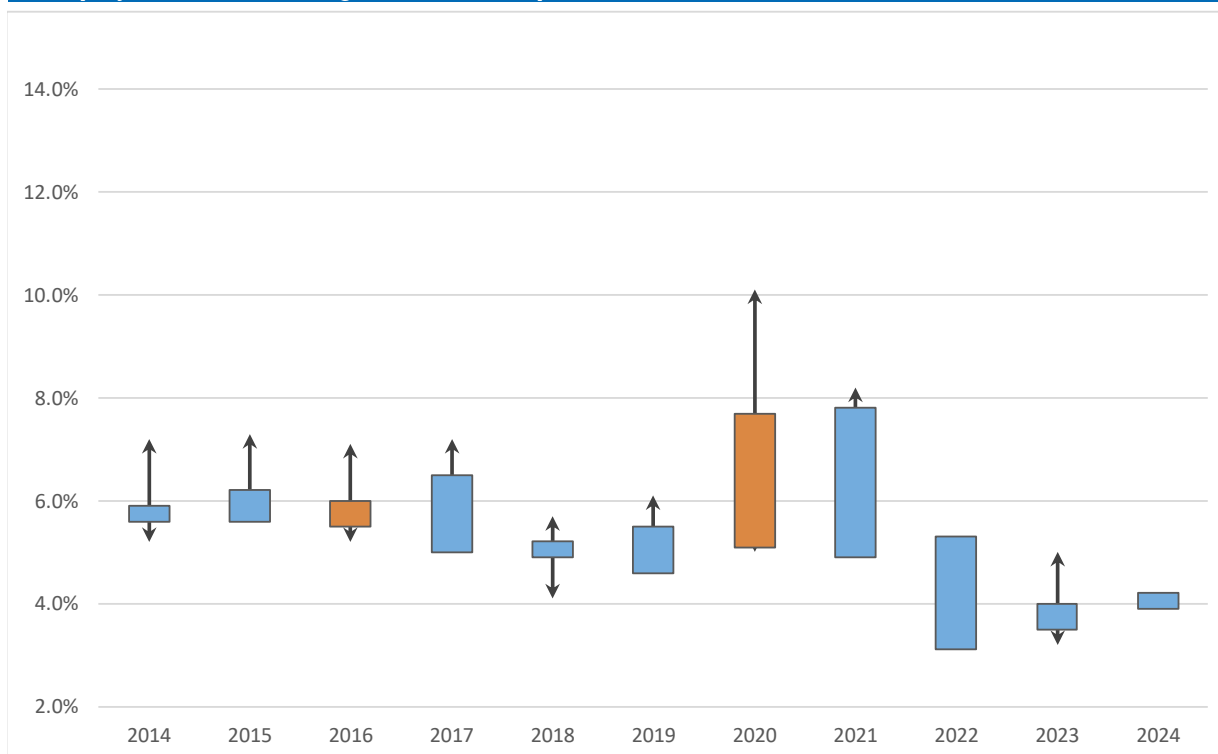


Source: ESRI; Compiled by Newmark

Unemployment

The following table displays the historical unemployment data for the area derived from the US Department of Commerce, Bureau of Labor Statistics. The most recent reported unemployment rate for the Alamogordo, NM Micropolitan Statistical Area is 3.90% (February 2024).

Unemployment Rate: Alamogordo, NM Micropolitan Statistical Area



Bars represent beginning to end range of unemployment rates in each year
Orange bars denote increasing unemployment from beginning to end of year
Blue bars are declining unemployment from beginning to end of year
Arrows are extent of unemployment rates over the year

Compiled by Newmark

Major Employers

The following table lists a number of major employers with the Las Cruces MSA as reported by Moody's. While not all-encompassing, this list provides further indication of the types of economic sectors that are drivers for the area.

Selected Major Employers: Las Cruces MSA

Rank	Employer	Employees
1	White Sands Missile Range	4,999
2	New Mexico State University	4,999
3	Memorial Medical Center	4,999
4	Walmart Inc.	4,999
5	Coordinated Care Corp.	500-999
6	Dona Ana Community College	500-999
7	Mountain View Regional Medical Center	500-999
8	Sunland Park Racetrack and Casino	500-999
9	Peak Behavioral Health Services	500-999
10	Physical Science Lab	500-999
11	Addus Health Care	500-999
12	Keystone Consolidated Industries	500-999
13	Quintana Learning Center	500-999
14	NASA White Sands Test Facility	250-499
15	Laborers Local	250-499
16	Alberston's Grocery Store	250-499
17	Allstate	250-499
18	American Refrigeration Supplies	250-499
19	Federal Correction Institution	250-499
20	FXI	250-499

Source: Moody's Analytics Précis® US Metro

Analysis

Further economic analysis from Moody's is detailed as follows:

University

The growing student population at New Mexico State University will support state government employment in the near term. With more than a quarter of workers employed directly by the public sector, Las Cruces MSA is among the most government-reliant metro areas thanks to NMSU. Helped by a surge in freshmen, the overall headcount in Las Cruces MSA increased noticeably last winter while other campuses experienced a decline in students. The recent success owes mainly to investment in higher education, tuition-free college programs, and scholarships. The pickup in enrollment will boost employment at NMSU as services are expanded to meet the needs of a slightly larger student population. However, enrollment additions are unlikely in the medium term. In-state students account for the majority of NMSU's student body, and the state's shrinking college-age population will make it challenging for the school to attract more students. This, in turn, will hold back employment gains in the public sector in the coming years.

Healthcare

Net hiring in healthcare will remain ahead of that in the state in the near term, helped by Las Cruces MSA's growing population. Nearly one-quarter of Las Cruces MSA's jobs are in healthcare, a higher share than 90% of metro areas nationally. The pace of population additions in Las Cruces MSA will best the state average over the coming years, thanks to robust retiree immigration. Retirees are attracted to the metro area's low costs, warm weather, and strong healthcare infrastructure. In the long run, solid growth in the senior population will boost job additions in healthcare.

Demographics

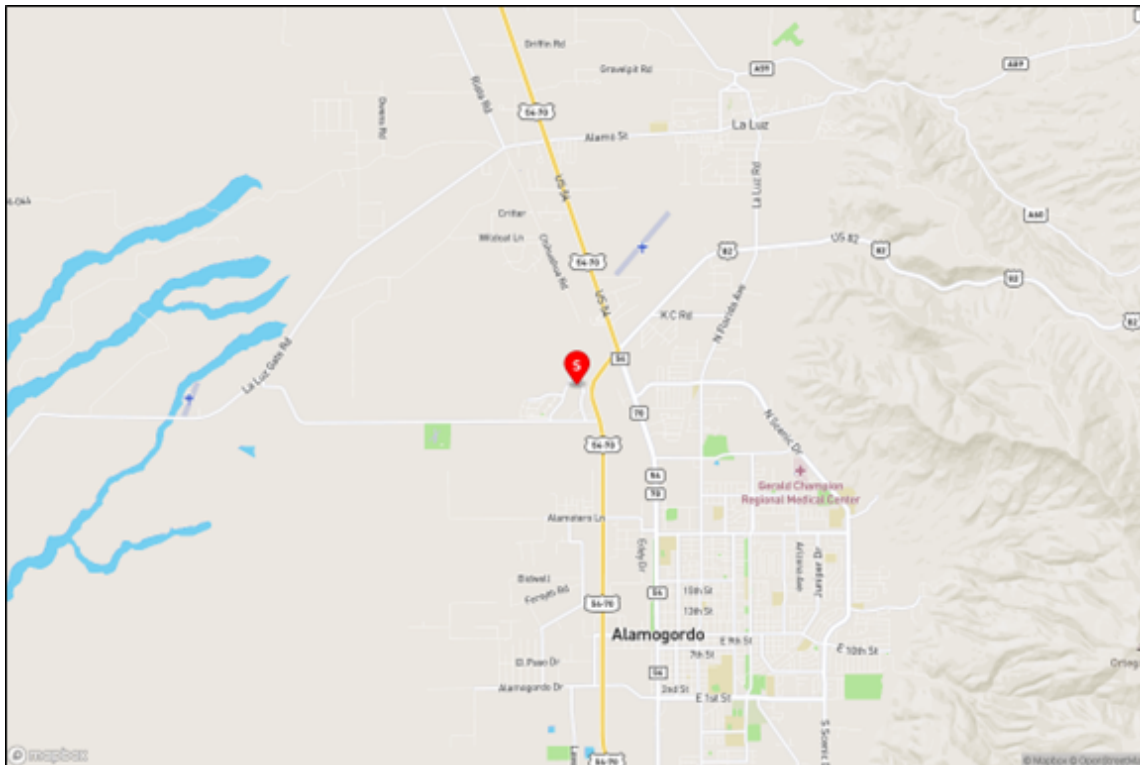
Continued population growth will support Las Cruces MSA's economy in the near term, but weakness in the working-age cohort will be a problem. Above-average growth in the number of retirees will bolster Las Cruces MSA's economy by creating demand for industries reliant on local spending, such as healthcare, retail, personal services and leisure/hospitality. But a relatively unskilled workforce, dearth of high-paying jobs, and lack of attractive avenues of employment will make it difficult for the metro area to attract investment and retain young adults. The share of employment in high-paying tech and finance is already well below that of the nation, while educational attainment is subpar despite a large university presence. These dynamics will put a ceiling on growth in spending and make it more difficult to fill jobs.

Conclusion

Positive Attributes	Negative Attributes
– University and federal defense facility add significant stability to the outlook. – Trade with Mexico, proximity to transportation connections in El Paso. – Younger-than-average population.	– Overreliance on the public sector. – Relatively low per capita income. – Exceptionally high poverty rate. – Low rate of business formation.

Las Cruces MSA' economy will grow moderately in the near term. Increasing enrollment at NMSU will support the public sector, while healthcare will remain a pivotal driver. Longer term, a relatively uneducated workforce along with a dearth of high-wage opportunities will make Las Cruces MSA a below-average performer.

MARKET AREA ANALYSIS



Neighborhood Map

Boundaries

The subject is located in the Central section of Alamogordo, Otero County, New Mexico. This area is part of the Southern NM submarket as defined by Costar and is generally delineated as follows:

North	1 st Street
South	Wright Avenue
East	Hamilton Road
West	State Highway 54

City of Alamogordo

Alamogordo is a city in the Tularosa Basin of the Chihuahuan Desert, it is bordered on the east by the Sacramento Mountains and to the west by Holloman Air Force Base. The population was 30,403 as of the 2010 census. The city was incorporated in 1912. Tourism became an important economic factor with the creation of White Sands National Monument in 1933, which is still one of the biggest attractions of the city today. During the 1950–60s, Alamogordo was an unofficial center for research on pilot safety and the developing United States space program.

Alamogordo is a charter city with a council-manager form of government. City government provides a large number of recreational and leisure facilities for its citizens, including a large park

in the center of the city, many smaller parks scattered through the city, a golf course, Alameda Park Zoo, a network of walking paths, Alamogordo Public Library, and a senior citizens' center. Gerald Champion Regional Medical Center is a nonprofit shared military/civilian facility that is also the hospital for Holloman.

Surrounding Area of Influence Trends

Description

The subject's surrounding area is viewed as suburban. The entire Alamogordo area is considered to be the neighborhood.

Fundamental Real Estate Cycle

The surrounding area is considered to be within the mid expansion of its real estate cycle.

Access

Primary Access

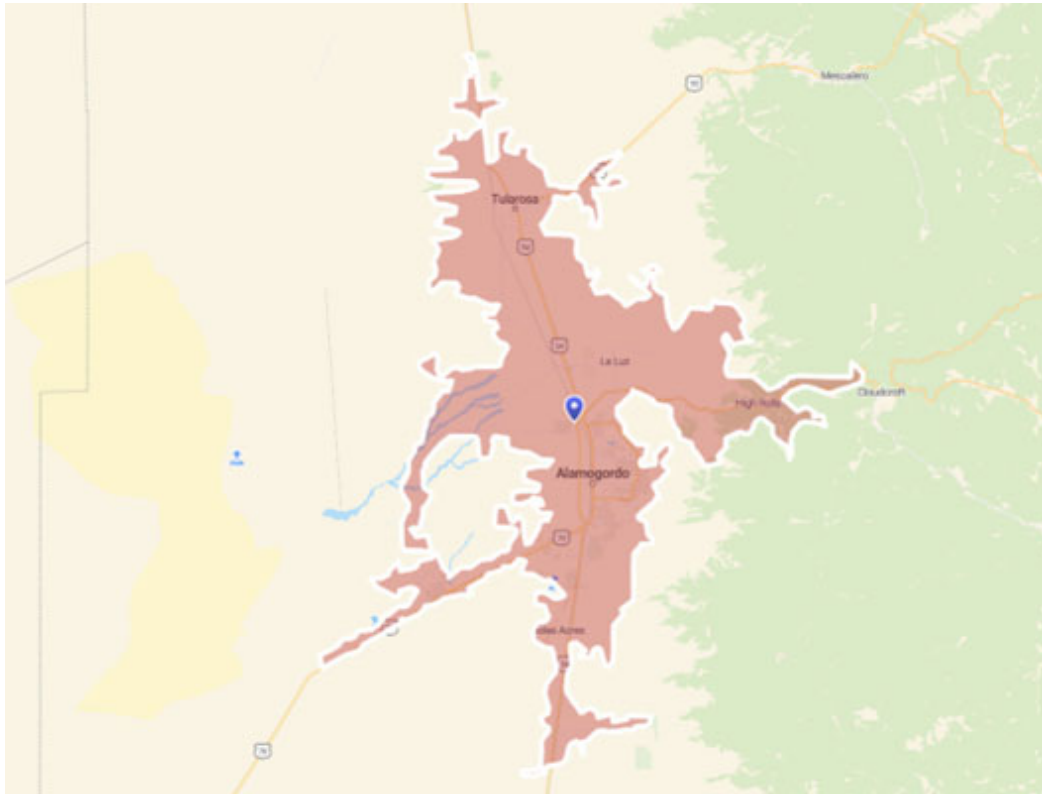
Primary highway access to the area is via US Route 54, which connects with US Route 70.

Transportation

Public transportation is provided by Z Trans, which provides access to New Mexico State University, Holloman Air Force Base, shopping, and medical facilities. Overall, the primary mode of transportation in the area is the automobile.

Distance from Key Locations

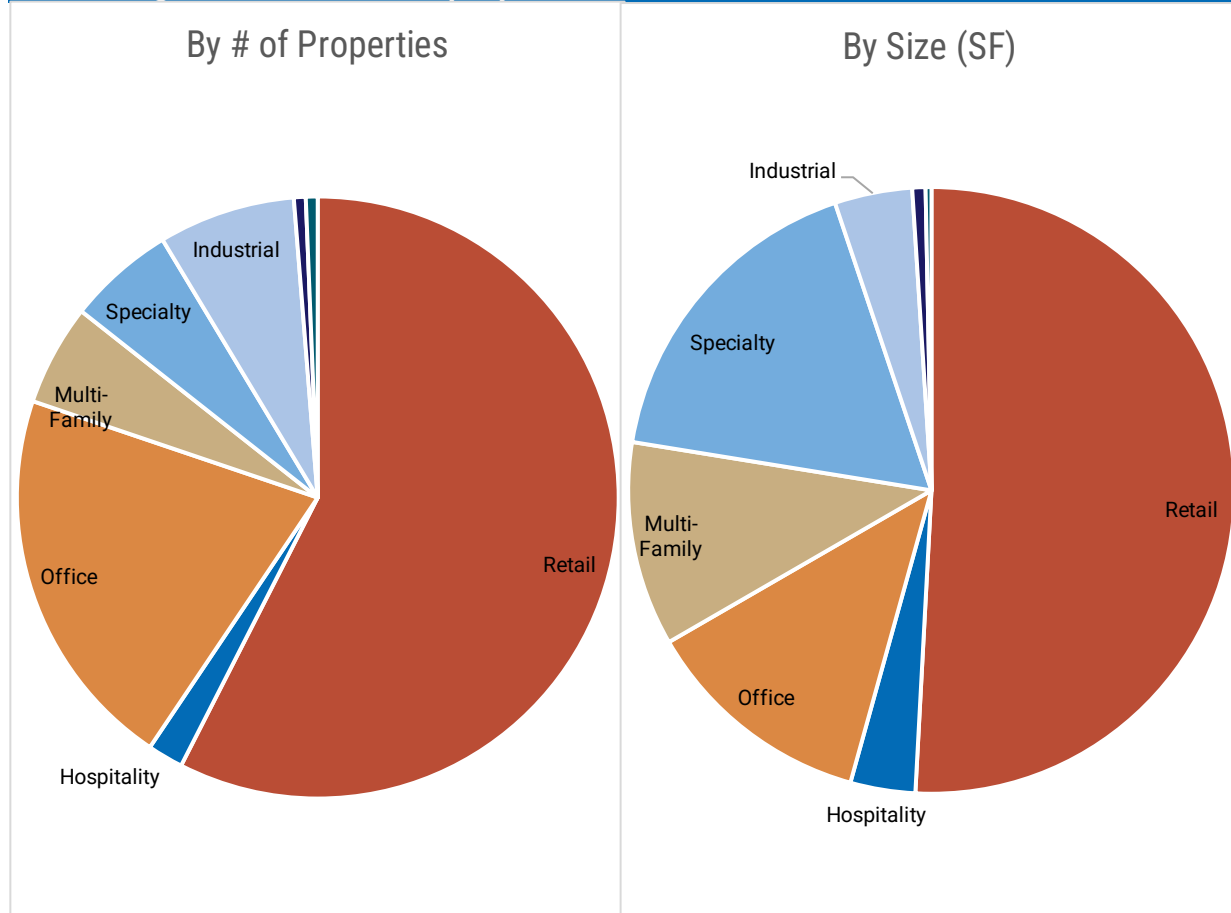
The Alamogordo White Sands Regional Airport is located four miles southwest of the subject, a 10 minutes' drive. The nearest international airport is located in El Paso, Texas about one-and-a-half hours' drive south. The following illustrates the 60-minute drive time from the subject.



Drive Time Map

Land Use

The following was developed from Costar data for the major property types in the surrounding 3.5 mile radius around the subject.

Surrounding Area Commercial Property Characteristics

Source: Costar; Compiled by Newmark

Demographics

A demographic summary for the defined area is illustrated as follows:

Demographic Analysis								
	1-Mile Radius	3-Miles Radius	5-Miles Radius	88310	Alamogordo City	Otero County	Alamogordo, NM Micropolitan Statistical Area	New Mexico
Population								
2010 Total Population	861	13,500	29,900	35,982	30,741	63,797	63,797	2,059,179
2023 Total Population	869	13,563	30,820	37,082	31,604	69,081	69,081	2,127,919
2028 Total Population	895	13,868	31,369	37,600	31,986	69,853	69,853	2,152,238
Projected Annual Growth %	0.6%	0.4%	0.4%	0.3%	0.2%	0.2%	0.2%	0.2%
Households								
2010 Total Households	322	5,633	12,756	15,207	12,956	24,464	24,464	791,395
2023 Total Households	366	6,017	13,647	16,303	13,833	26,785	26,785	843,513
2028 Total Households	383	6,236	14,083	16,763	14,195	27,465	27,465	867,400
Projected Annual Growth %	0.9%	0.7%	0.6%	0.6%	0.5%	0.5%	0.5%	0.6%
Income								
2023 Median Household Income	\$75,092	\$53,315	\$53,310	\$54,657	\$53,653	\$52,574	\$52,574	\$56,548
2023 Average Household Income	\$82,416	\$68,992	\$72,038	\$74,703	\$73,320	\$72,001	\$72,001	\$85,800
2023 Per Capita Income	\$35,826	\$30,761	\$31,758	\$32,870	\$32,124	\$28,305	\$28,305	\$34,102
Housing								
2023 Owner Occupied Housing Units	64.6%	60.4%	58.1%	56.4%	55.4%	55.1%	55.1%	61.0%
2023 Renter Occupied Housing Units	26.7%	28.1%	31.2%	32.6%	34.1%	26.4%	26.4%	27.3%
2023 Median Home Value	\$229,032	\$139,216	\$147,561	\$152,168	\$145,099	\$152,855	\$152,855	\$227,711
Median Year Structure Built	1996	1975	1976	1980	1978	1983	1983	1983
Miscellaneous Data Items								
2023 Average Household Size	2.33	2.23	2.23	2.24	2.24	2.44	2.44	2.47
2023 Median Age	43.0	41.0	41.6	41.0	39.8	37.9	37.9	38.8

Source: ESRI; Compiled by Newmark

- As shown above, the current population within a 3-mile drive distance of the subject is 13,868, and the average household size is 2.23. Population in the area has grown since the 2010 census, and this trend is projected to continue over the next five years. Compared to the Las Cruces MSA overall, the population within a 3-mile drive distance is projected to grow at a similar rate.
- Median household income is \$53,315 within a 3-mile drive distance of the subject, which is less than the median household income for the Las Cruces MSA. Residents within a 3-mile drive distance have a lower level of educational attainment than those of the Las Cruces MSA, while median owner-occupied home values are comparatively lower.

RETAIL MARKET ANALYSIS

Classification

The subject is in the Otero County submarket of the Southern New Mexico market. The property is considered a Free-standing Retail Building in this market.

Demographic Analysis

Population and Household Formation

Demographic Growth Rate Analysis								
	1-Mile Radius	3-Miles Radius	5-Miles Radius	88310	Alamogordo City	Otero County	NM Micropolitan Statistical Area	New Mexico
Population								
2010 Total Population	861	13,500	29,900	35,982	30,741	63,797	63,797	2,059,179
2023 Total Population	869	13,563	30,820	37,082	31,604	69,081	69,081	2,127,919
2028 Total Population	895	13,868	31,369	37,600	31,986	69,853	69,853	2,152,238
Annual Growth - Past Period	0.1%	0.0%	0.2%	0.2%	0.2%	0.6%	0.6%	0.3%
Annual Growth - Future Period	0.6%	0.4%	0.4%	0.3%	0.2%	0.2%	0.2%	0.2%
Households								
2010 Total Households	322	5,633	12,756	15,207	12,956	24,464	24,464	791,395
2023 Total Households	366	6,017	13,647	16,303	13,833	26,785	26,785	843,513
2028 Total Households	383	6,236	14,083	16,763	14,195	27,465	27,465	867,400
Annual Growth - Past Period	1.0%	0.5%	0.5%	0.5%	0.5%	0.7%	0.7%	0.5%
Annual Growth - Future Period	0.9%	0.7%	0.6%	0.6%	0.5%	0.5%	0.5%	0.6%

Source: ESRI; Compiled by Newmark

Income Distributions

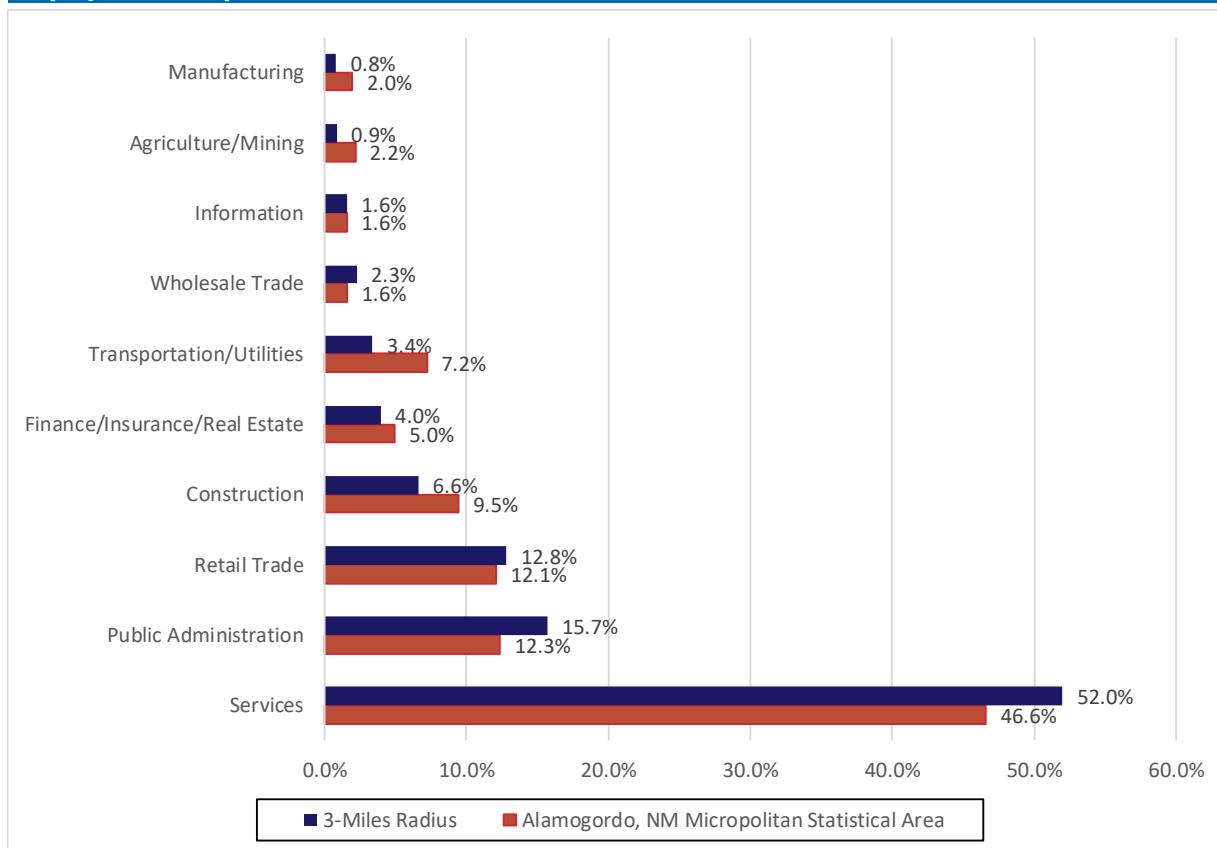
Household Income Analysis								
	1-Mile Radius	3-Miles Radius	5-Miles Radius	88310	Alamogordo City	Otero County	Alamogordo, NM Micropolitan Statistical Area	New Mexico
2023								
Household Income <\$15,000	39 10.6%	769 12.8%	1,695 12.4%	1,814 11.1%	1,562 11.3%	3,510 13.1%	3,510 13.1%	112,637 13.4%
Household Income \$15,000-\$24,999	49 13.4%	743 12.3%	1,388 10.2%	1,532 9.4%	1,275 9.2%	2,537 9.5%	2,537 9.5%	76,695 9.1%
Household Income \$25,000-\$34,999	14 3.8%	465 7.7%	1,195 8.8%	1,444 8.9%	1,268 9.2%	2,431 9.1%	2,431 9.1%	74,719 8.9%
Household Income \$35,000-\$49,999	29 7.9%	821 13.6%	2,044 15.0%	2,558 15.7%	2,258 16.3%	4,112 15.4%	4,112 15.4%	108,534 12.9%
Household Income \$50,000-\$74,999	52 14.2%	1,119 18.6%	2,650 19.4%	3,118 19.1%	2,672 19.3%	5,324 19.9%	5,324 19.9%	143,421 17.0%
Household Income \$75,000-\$99,999	87 23.7%	966 16.1%	1,889 13.8%	2,258 13.9%	1,847 13.4%	3,484 13.0%	3,484 13.0%	95,604 11.3%
Household Income \$100,000-\$149,999	61 16.6%	802 13.3%	1,760 12.9%	2,117 13.0%	1,766 12.8%	3,223 12.0%	3,223 12.0%	124,534 14.8%
Household Income \$150,000-\$199,999	25 6.8%	209 3.5%	660 4.8%	1,009 6.2%	833 6.0%	1,391 5.2%	1,391 5.2%	53,600 6.4%
Household Income \$200,000+	11 3.0%	123 2.0%	367 2.7%	453 2.8%	352 2.5%	773 2.9%	773 2.9%	53,731 6.4%
Median Household Income	\$75,092	\$53,315	\$53,310	\$54,657	\$53,653	\$52,574	\$52,574	\$56,548
Average Household Income	\$82,416	\$68,992	\$72,038	\$74,703	\$73,320	\$72,001	\$72,001	\$85,800
Per Capita Income	\$35,826	\$30,761	\$31,758	\$32,870	\$32,124	\$28,305	\$28,305	\$34,102

Source: ESRI; Compiled by Newmark

Employment

The following graph was presented previously but is also given below given its relevance to Retail demand. Comparing the industry sectors for the local market area (3-Miles Radius) to Alamogordo, NM Micropolitan Statistical Area indicates the local market area is somewhat more heavily weighted toward the Services, Public Administration, Retail Trade, Wholesale Trade, and Information sectors. The following graphic further illustrates this comparison.

Employment Comparison

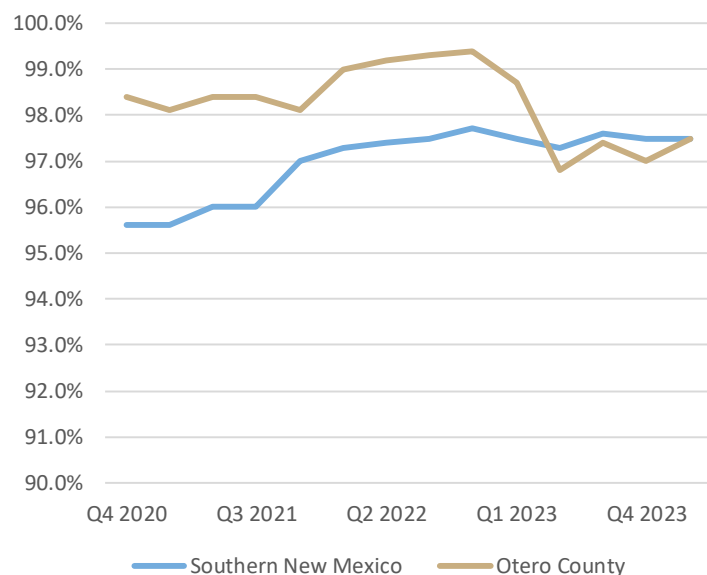


Source: ESRI; Compiled by Newmark

Retail Market Overview

The following discussion outlines overall market performance in the surrounding Retail market using Costar market metric data. Presented first are market statistics of the Southern New Mexico area and the subject Otero County submarket overall. The analysis is then further refined to focus on demand for the subject and the properties considered to be primary competition.

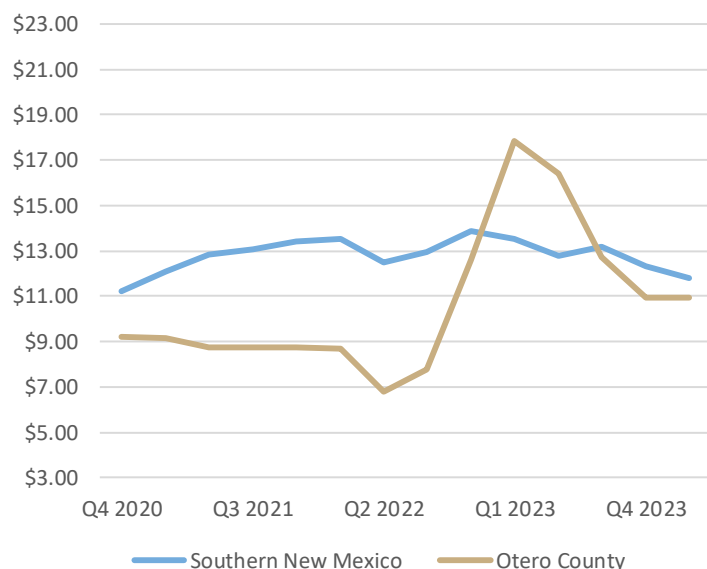
Occupancy Rate



Source: Costar; Compiled by Newmark Valuation & Advisory

Period	Southern New	
	Mexico	Otero County
Q4 2020	95.6%	98.4%
Q1 2021	95.6%	98.1%
Q2 2021	96.0%	98.4%
Q3 2021	96.0%	98.4%
Q4 2021	97.0%	98.1%
Q1 2022	97.3%	99.0%
Q2 2022	97.4%	99.2%
Q3 2022	97.5%	99.3%
Q4 2022	97.7%	99.4%
Q1 2023	97.5%	98.7%
Q2 2023	97.3%	96.8%
Q3 2023	97.6%	97.4%
Q4 2023	97.5%	97.0%
Q1 2024	97.5%	97.5%

Asking Rent Per SF



Source: Costar; Compiled by Newmark Valuation & Advisory

Period	Southern New	
	Mexico	Otero County
Q4 2020	\$11.25	\$9.20
Q1 2021	\$12.09	\$9.18
Q2 2021	\$12.84	\$8.76
Q3 2021	\$13.07	\$8.76
Q4 2021	\$13.43	\$8.76
Q1 2022	\$13.51	\$8.67
Q2 2022	\$12.47	\$6.77
Q3 2022	\$12.96	\$7.78
Q4 2022	\$13.88	\$12.63
Q1 2023	\$13.52	\$17.82
Q2 2023	\$12.80	\$16.43
Q3 2023	\$13.20	\$12.75
Q4 2023	\$12.30	\$10.96
Q1 2024	\$11.82	\$10.96

Retail Market Statistics**Trailing Four Quarters Ended Q1 2024**

Market / Submarket	Inventory (SF)	Completions (SF)	Vacancy (%)	Net Absorption (SF)	NNN Rent Overall / SF
Southern New Mexico	25,063,008	31,927	2.50%	8,723	\$11.82
Otero County	3,293,974	950	2.50%	-38,731	\$10.96

Source: Costar; Compiled by Newmark Valuation & Advisory

- The average vacancy rate for the subject submarket is similar to that of the overall market area.
- The average rental rate for the submarket is lower than the overall Southern New Mexico market. The subject Otero County submarket is considered a lower tier submarket as compared to the other submarkets in the overall Southern New Mexico area.
- Absorption for the last 12 months was flat for the overall market area and at the submarket level.

Market and Submarket Trends**Retail Market Trends**

	Southern New Mexico				Otero County			
	Inventory (SF)	Completions (SF)	Vacancy %	NNN Rent Overall / SF	Inventory (SF)	Completions (SF)	Vacancy %	NNN Rent Overall / SF
Q1 2022	24,938,295	40,255	2.7%	\$13.51	3,273,413	0	1.0%	\$8.67
Q2 2022	24,949,806	11,511	2.6%	\$12.47	3,273,413	0	0.8%	\$6.77
Q3 2022	24,976,658	26,852	2.5%	\$12.96	3,276,754	3,341	0.7%	\$7.78
Q4 2022	24,982,288	5,630	2.3%	\$13.88	3,282,384	5,630	0.6%	\$12.63
Q1 2023	25,031,081	48,793	2.5%	\$13.52	3,293,024	10,640	1.3%	\$17.82
Q2 2023	25,036,081	5,000	2.7%	\$12.80	3,293,024	0	3.2%	\$16.43
Q3 2023	25,037,031	950	2.4%	\$13.20	3,293,974	950	2.6%	\$12.75
Q4 2023	25,062,058	25,027	2.5%	\$12.30	3,293,974	0	3.0%	\$10.96
Q1 2024	25,063,008	950	2.5%	\$11.82	3,293,974	0	2.5%	\$10.96

* Forecast

Source: Costar; Compiled by Newmark Valuation & Advisory

- The overall market area and submarket have been stable with respect to occupancy over the past year.
- Over the past several years, effective rental rates have fluctuated.

Supply & Demand

Construction Versus Absorption

Construction/Absorption Change									
Market / Submarket	Prior Calendar Years History								
	Prior Calendar Year History			Prior Three Year History			Prior Five Year History		
	SF Built	SF Absorbed	Const. / Abs. Ratio	SF Built	SF Absorbed	Const. / Abs. Ratio	SF Built	SF Absorbed	Const. / Abs. Ratio
Southern New Mexico	79,770	43,769	1.8	243,029	704,619	0.3	438,431	571,770	0.8
Otero County	11,590	-68,517	-0.2	20,561	-26,855	-0.8	44,267	-13,820	-3.2

Source: Costar; Compiled by Newmark Valuation & Advisory

- Absorption in the Otero County submarket is outpacing construction.

Trends and Projections

Subject and Market Historical and Forecast Trends

Market Vacancy Rate Indicators						
	Current	Most Recent Full Year	Trailing 3-Year	Trailing 5-Year	Trailing 10-Year	
Costar						
Southern New Mexico	2.50%	2.50%	3.00%	3.60%	4.20%	
Otero County	2.50%	3.00%	1.90%	1.50%	5.90%	
Subject	0.00%					
Concluded Subject Vacancy Rate	0.00%					

Source: Costar, Newmark Valuation & Advisory

Market Conclusion

Positive Attributes

- The area retail market and the subject submarket are at stabilized levels.
- The long term projection is for stabilized trends as economic trends continue to improve.

Negative Attributes

- Tertiary location.

Conclusion

Occupancy Conclusions

Costar

Southern New Mexico	97.50%
Otero County	97.50%
Subject Property's Current Occupancy	100.00%
Subject Property's Stabilized Occupancy	100.00%

Source: Costar, Newmark Valuation & Advisory

- The subject is an owner-occupied property. Investors generally exclude vacancy loss from their analyses of owner-occupied properties. The capitalization rate data is developed in this manner as well – vacancy loss is not deducted prior to development of the capitalization rate. For consistency, therefore, we have projected 0% vacancy.

Alamogordo Bowling Alley Market Analysis

The subject property is the only bowling alley in Alamogordo. The nearest bowling alleys are located in Lac Cruces, more than one hour drive away and are not considered to be direct competitors to the subject property.

Land and Site Analysis

Land Description

Total Land Area	3.4160 Acres; 148,801 SF
Usable Land Area	3.4160 Acres; 148,801 SF
Excess Land Area	None
Surplus Land Area	None
Source of Land Area	Public Records
Location	The south side of Mesa Village Dr, east of Red Arroyo Dr.

Site Characteristics

Primary Street Frontage	Mesa Village Dr (714 FF)
Traffic Control at Entry	None
Traffic Flow	Low
Accessibility Rating	Average
Visibility Rating	Average
Shape	Irregular
Corner	No
Topography	Level
Site Vegetation	Minimal
Other Site Characteristics	None Noted
Easement/Encroachments	None Noted
Environmental Issue	None Noted

Flood Zone Analysis

Flood Area Panel Number	35035C0940D
Date	12/17/2010
Zone	Zone X
Description	Area of minimal flood hazard, usually depicted on Flood Insurance Rate Maps as above the 500-year flood level.
Insurance Required?	No

Utilities

Utility Services	Electricity, sewer, water
------------------	---------------------------

Compiled by Newmark

The subject property is located along the south side of Mesa Village Drive. No traffic count data is available.

Land Parcels				
Parcel Summary	Associated APN(s)	Classification	Land Area (SF)	Land Area (Acres)
Site 1	01N4054092181338	Primary Site 1	148,801	3.4160
Total Gross Land Area			148,801	3.4160
Total Usable Land Area			148,801	3.4160

Compiled by Newmark

IMMEDIATE SURROUNDINGS

North	Vacant Land
South	Movie theatre
East	Vacant land
West	Single family residential subdivision (under construction)

INGRESS/EGRESS

Access to the site is considered average. Primary access to the site is provided by two curb cuts along Mesa Village Drive.

EASEMENTS, ENCROACHMENTS AND RESTRICTIONS

We were not provided a current title report to review. Further, we are not aware of any easements, encroachments, or restrictions that would adversely affect value. Our valuation assumes no adverse impacts from easements, encroachments, or restrictions, and further assumes that the subject has clear and marketable title.

ENVIRONMENTAL ISSUES

No environmental issues were observed or reported. Newmark is not qualified to detect the existence of potentially hazardous issues such as soil contaminants, the presence of abandoned underground tanks, or other below-ground sources of potential site contamination. The existence of such substances may affect the value of the property. For this assignment, we have specifically assumed that any hazardous materials that would cause a loss in value do not affect the subject.

CONCLUSION

Overall, the physical characteristics of the site and the availability of utilities result in functional utility suitable for a variety of uses including those permitted by zoning. We are not aware of any other particular restrictions on development.

PARCEL MAP



FLOOD MAP

National Flood Hazard Layer FIRMette



SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

Legend

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE)
Zone A, X, APF
- With BFE or Depth Zone AE, AO, AH, VE, AR
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee. See Notes, Zone X
- Area with Flood Risk due to Levee Zone D

OTHER AREAS

- NO SCREEN Area of Minimal Flood Hazard Zone X
- Effective LOMRs
- Area of Undetermined Flood Hazard Zone D

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

Cross Sections with 1% Annual Chance

- Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

OTHER FEATURES

- Digital Data Available
- No Digital Data Available
- Unmapped

MAP PANELS

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 4/9/2024 at 12:17 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Zoning and Legal Restrictions

Zoning Summary	
Category	Description
Zoning Jurisdiction	City of Alamogordo
Zoning Designation	C-3
Description	Business
Legally Conforming?	Yes
Zoning Change Likely?	Unlikely
Permitted Uses	Moderate intensity retail
Other	None noted

Compiled by Newmark

CONCLUSION

The subject property does conform with the local zoning. We are not experts in the interpretation of zoning ordinances. A qualified land use/zoning expert should be engaged if there are any zoning concerns or if a formal determination of compliance with zoning is required.

The map displays the Mesa Verde Ranch area, with a yellow arrow pointing to a specific parcel labeled "Subject". The map includes a legend for zoning districts: R-1 Single-Family Dwelling (light blue), R-2 Townhouse Dwelling (yellow), R-3 Two-Family Dwelling (orange), R-4 Multiple-Family Dwelling (green), RE Residential Estates (dark blue), MH-1 Manufactured Housing Subdivision (light grey), MH-2 Manufactured Housing Park (dark grey), C-1 Neighborhood Business (light orange), C-3 Business (brown), M-1 Light Industrial (pink), and M-2 Industrial (purple). The map also shows major roads like Charlie T. Lee MNR, Mesa Verde Ranch Rd, and Las Palomas Rd.

Improvements Analysis

Improvements Description	
Component Structures	
Improvements (Structures)	Primary Use
General Improvement Type	Retail
Use Description	Free-standing
No. Buildings	1
GBA (SF)	35,610
Rentable SF	35,610
% Occupied	0.00%
Construction Status	Existing, Stabilized Operations
Construction Class	C
Quality	Good
Current Condition	Good
Age/Life Depreciation Analysis	
Year Built	2017
Actual Age (Yrs.)	7
Economic Life (Yrs.)	45
Effective Age (Yrs.)	20
Remaining Economic Life (Yrs.)	25
Percent Depreciation	44.44%
Floor Area Analysis	
Number of Stories	1
Est. Ground Floor Area (GBA)	35,610
Attributed Site Area (SF)	148,801
Site Coverage	23.9%
Land to Building Ratio	4.18:1
Parking Type	4.72:1,000 SF
Total Parking Spaces	168
Parking Ratio Per 1,000 SF NRA	4.72
Construction Details	
Foundation	Free-standing Concrete
Basement	None
Structural Frame/Construction Summary	Block/Stucco
Exterior Walls	Block/Stucco
Windows	Tempered Glass
Roof	Flat, built-up
Interior Finish	
Floors	Vinyl, carpet, tile, polished concrete
Walls	Textured and painted sheetrock
Ceilings	Acoustic drop ceilings
Lighting	Adequate

Engineering & Mechanical	Free-standing
HVAC	Roof mounted
Electrical	Assumed adequate
Plumbing	Assumed adequate
Rest Rooms	Four
Fire Sprinklers	Yes
Improvement Features and Amenities	Free-standing
Property Amenities	Full kitchen, bar, large event center areas.

Compiled by Newmark

The subject is a Class B retail-free-standing development known as Rocket City Family Fun Center, located at 3751 Mesa Village Drive, Alamogordo, NM 88310.

PROPERTY CONDITION

Functional Utility

Based on our inspection and consideration of its current and/or future use, there do not appear to be any significant items of functional obsolescence.

Deferred Maintenance

Our observation of the property indicated no significant items of deferred maintenance. Overall condition was considered average.

ADA Compliance

Based on our observation as well as any information provided, no ADA compliance issues were noted. However, the client is advised to obtain review by a qualified professional versed in ADA compliance as we do not have expertise.

Environmental Assessment

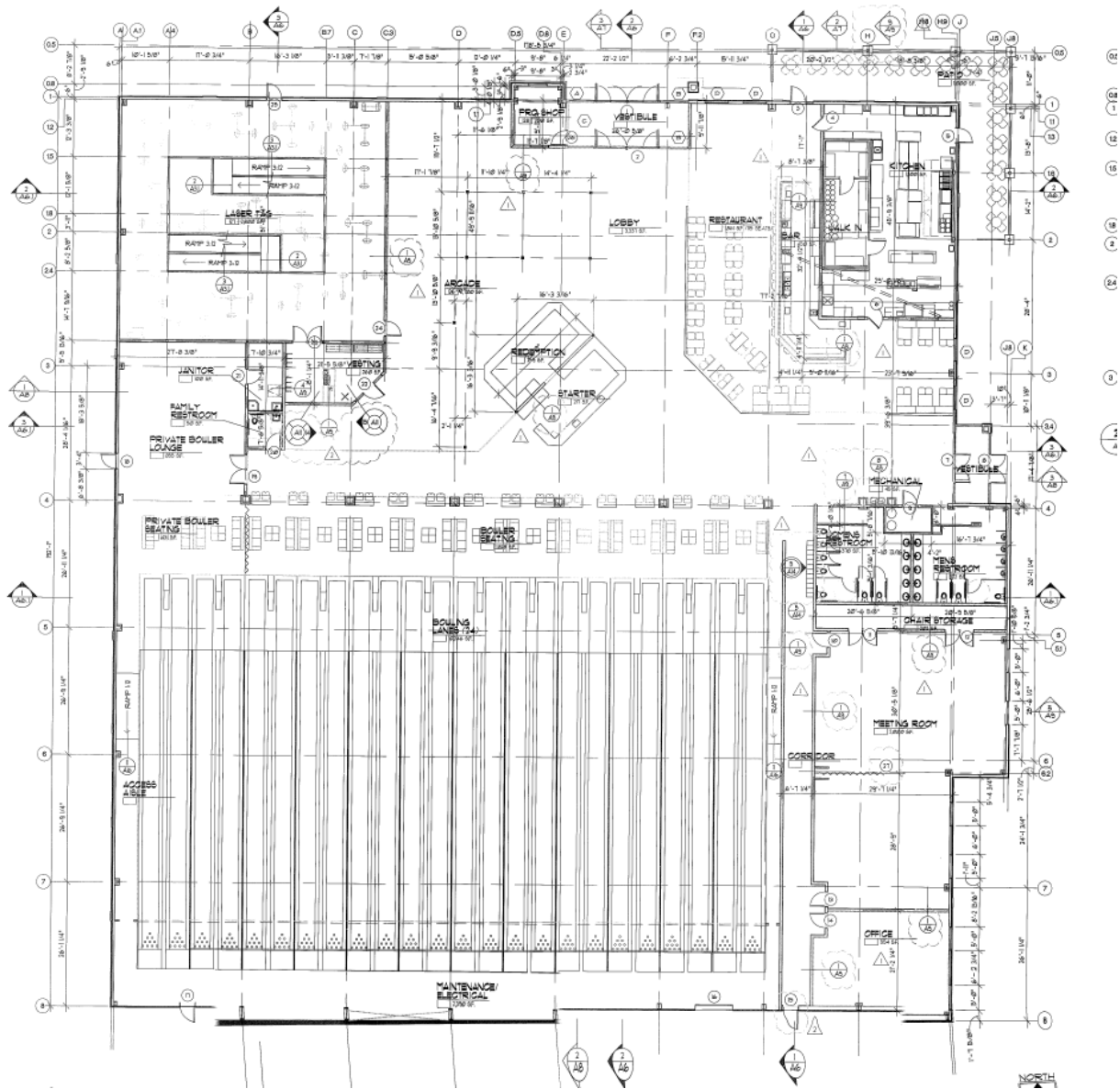
We were not provided a Phase I Environmental Assessment. We did not observe any potentially hazardous materials such as lead paint, asbestos, urea formaldehyde foam insulation, or other potentially hazardous construction materials on or in the improvements. However, it is noted that we did not search for such materials and are not qualified to detect such materials. The existence of said hazardous materials (if any) may have an effect on the value of the property. Therefore, for the purpose of this appraisal, we have specifically assumed that the property is not affected by any hazardous materials that may be present on or in the improvements. We strongly recommend that a qualified environmental engineering firm be retained by the Client prior to making a business decision.

Personal Property

No Tangible Personal Property (FF&E) is valued as part of the fee simple interest.

BUILDING IMPROVEMENTS SUMMARY

The improvements are of good quality construction and are in good condition.



CONCLUSION

- The improvements are considered to be functional for the existing use.
- Overall, the quality, condition, and functional utility of the improvements are rated as good for their age and location.

Real Estate Taxes

Taxes and Assessments										
Tax Year 2023		Assessor's Market Value			Assessed Value			Millage Rates	Taxes and Assessments	
Tax ID	Land	Improvements	Total	Assessment Ratio	Land	Improvements	Total	Land & Improvements	Ad Valorem Taxes	Total
01N4054092181338	\$372,000	\$3,766,773	\$4,138,773	33.3%	\$123,988	\$1,255,465	\$1,379,453	0.00000	\$0	\$0
	\$372,000	\$3,766,773	\$4,138,773	33.3%	\$123,988	\$1,255,465	\$1,379,453	0.00000	\$0	\$0

Compiled by Newmark

In New Mexico, taxable value is calculated by dividing the total assessed land and improvement values by a factor of three. The taxable value is then multiplied by the tax rate for the subject's specific tax code area to calculate the amount of taxes owed for that year. The itemized additional charges are inclusive of the total tax levy rate shown in the table. The table below represents the 2022 Tax Bill for the subject tax parcel. Tax Bills are mailed on the 1st of November. The first half of the tax bill is due between November 10th and December 10th of the respective year. The second half of the tax bill is due between April 10th and May 10th of the following year. Taxable value is typically reassessed every two years or upon sale; however, New Mexico is a non-disclosure state. Properties are not reassessed upon sale.

SUBJECT TAX CONCLUSION

Ad Valorem Tax Analysis		
	Subject History	Conclusion
	2023	
Total Assessed Value	\$1,379,453	\$1,379,453
Total Assessed Value/SF	\$38.74	\$38.74
Tax Rate	0.00000%	0.00000%
Ad Valorem Taxes	\$0	\$0
Direct Assessments	\$0	\$0
Actual / Pro Forma Taxes	\$0	\$0
Reported Tax Delinquencies	None	None
Tax Exemptions or Abatements	None	None

Compiled by Newmark

The subject property is owned by the City of Alamogordo and is exempt from property taxes.

Highest and Best Use

AS VACANT

Legally Permissible

The site is zoned C-3 which allows for moderate intensity retail. Based on available data and analysis, no other legal restrictions such as easements or deed covenants are present which would impair the utility of the site. Given that surrounding properties have similar zoning and the future land use plan is focused on similar uses as well, it is unlikely that there would be a change of zoning classification. Further information and analysis about the legal restrictions to the subject property is included in the Site Analysis and Zoning and Legal Restrictions sections of this report.

Physically Possible

The subject site contains 148,801 square feet (3.416 acres), has favorable topography, adequate access, and all necessary utilities to support the range of legally permissible uses. No significant physical limitations were noted. The size of the site is typical for the categories of uses allowed under zoning. In total, the site is physically capable of supporting the legally permissible uses.

Financially Feasible

Of the legally permissible and physically possible uses, only frontage-oriented retail uses appear most probable based on observation of surrounding properties as well as the location. This use is more fully analyzed for their financial feasibility.

Maximally Productive

The test of maximum productivity is to determine the actual use of the property that results in the highest land value and/or the highest return to the land. It is important to consider the risk of potential uses as a use that may generate the highest returns in cash could also be the riskiest and thus not as likely for a developer to consider. In this case, the maximally productive use is a retail development. The associated risk is typical and market conditions appear to be supportive.

Highest and Best Use Conclusion – As Vacant

The highest and best use of the subject as though vacant is the development of a retail use.

AS IMPROVED

Legally Permissible

The existing retail improvements appear to be legally conforming with zoning.

Physically Possible

The current improvements conform to the physical characteristics of the site. Therefore, continued retail use of the property is reasonably probable and appropriate.

Financially Feasible

Financial feasibility tends to imply the presence of an income stream. The subject, though, is a typically owner-occupied property and the real estate itself is not expected to generate an income stream. Financial feasibility for such a property is not demonstrated through income methods but through market sales activity. As demonstrated in the sales comparison approach section of this report, there is ongoing sales activity for properties like the subject. Therefore, as the market clearly recognizes a need for properties like the subject, the continued use of the improvements in this manner is feasible. Since the concluded value as though improved exceeds the value of the underlying land, it follows that removal of the improvements for redevelopment or substantial conversion to an alternative use is not indicated.

Maximally Productive

The existing retail improvements are legally permissible, physically possible, and financially feasible. The concluded value as though improved exceeds the value of the underlying land and removal of the improvements for redevelopment or substantial conversion to an alternative use is not indicated based on current neighborhood trends. Given no alternatives, the maximally productive use of the property is consistent with the existing retail development.

Highest and Best Use – As Improved

Therefore, the highest and best use of the subject as improved is the existing retail property use. Market and economic conditions are supportive of this continued use. The most likely buyer would be an owner-user.

Appraisal Methodology

COST APPROACH

The cost approach is based on the proposition that the informed purchaser would pay no more for the subject than the cost to produce a substitute property with equivalent utility. This approach is particularly applicable when the property being appraised involves relatively new improvements that represent the highest and best use of the land, or when it is improved with relatively unique or specialized improvements for which there exist few sales or leases of comparable properties.

SALES COMPARISON APPROACH

The sales comparison approach utilizes sales of comparable properties, adjusted for differences, to indicate a value for the subject. Valuation is typically accomplished using physical units of comparison such as price per square foot, price per unit, price per floor, etc., or economic units of comparison such as gross rent multiplier. Adjustments are applied to the property units of comparison derived from the comparable sale. The unit of comparison chosen for the subject is then used to yield a total value.

INCOME CAPITALIZATION APPROACH

The income capitalization approach reflects the subject’s income-producing capabilities. This approach is based on the assumption that value is created by the expectation of benefits to be derived in the future. Specifically estimated is the amount an investor would be willing to pay to receive an income stream plus reversion value from a property over a period of time. The two common valuation techniques associated with the income capitalization approach are direct capitalization and the discounted cash flow (DCF) analysis.

Application of Approaches to Value	
Approach	Comments
Cost Approach	The Cost Approach is not applicable and is not utilized in this appraisal.
Sales Comparison Approach	The Sales Comparison Approach is applicable and is utilized in this appraisal.
Income Capitalization Approach	The Income Capitalization Approach is applicable and is utilized in this appraisal.

Compiled by Newmark

The cost approach was not utilized in this appraisal as market participants considering properties like the subject do not give consideration to the cost approach. In addition, the age and condition of the improvements makes depreciation highly speculative. The exclusion of this approach is not considered to impact the reliability of the appraisal.

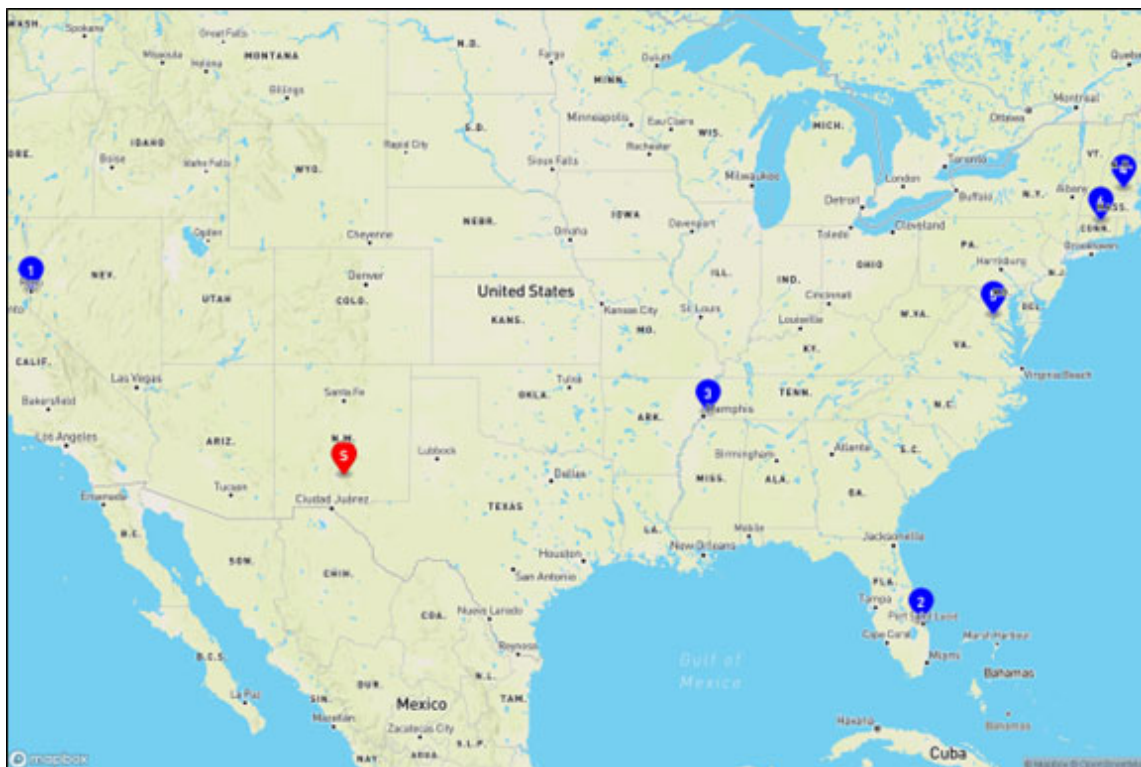
Sales Comparison Approach

The sales comparison approach value is derived by analyzing closed sales, listings, or pending sales of properties that are similar to the subject. The sales comparison approach includes the following steps.

- Research and verify information on properties in the competitive market that are similar to the subject and that have recently sold, are listed for sale, or are under contract.
- Select the most relevant units of comparison in the market and develop a comparative analysis.
- Examine and quantify via adjustments differences between the comparable sales and the subject property using all appropriate elements of comparison.
- Reconcile the various value indications to a value bracket and then a single value indication.

The unit of comparison applied in this sales comparison analysis is price per square foot as it mirrors the primary comparison method used by market participants.

The subject property represents a unique property type for which sales are infrequent. No local sales data for bowling alley properties were available. National sales were used.



Comparable Map

Comparable Sales Summary							
	Subject	Sale 1	Sale 2	Sale 3	Sale 4	Sale 5	Sale 6
							
Property Name	Rocket City Family Fun Center	High Sierra Lanes	Superplay	Bowlero Bartlett	Merrimack Ten Pin	Bowl America Woodbridge	Spare Time - Bowling Alley
Address	3751 Mesa Village Drive	3390 S Virginia St	1600 NW Courtyard Cir	6276 Stage Rd	698 Daniel Webster Hwy	13409 Occoquan Rd	350 Talcottville Road
City, State	Alamogordo, NM	Reno, NV	Port Saint Lucie, FL	Bartlett, TN	Merrimack, NH	Woodbridge, VA	Vernon, CT
Land Size	3.42 Acres	1.67 Acres	7.94 Acres	3.63 Acres	5.34 Acres	2.90 Acres	7.03 Acres
Rentable Area (SF)	35,610 SF	24,289 SF	65,188 SF	42,148 SF	30,830 SF	29,946 SF	41,069 SF
Year Built (Renovated)	1958/2018	1958 (1965)	2006	1975	2003	1991	1963
Construction	Masonry	Masonry	Masonry	Masonry	Masonry	Masonry	Masonry
Condition	Good	Good	Good	Average	Good	Good	Average
3 Mile Population	13,868	95,490	56,386	72,626	22,823	70,117	46,181
Med HH Income - 3 miles	\$53,315	\$58,040	\$66,897	\$61,135	\$106,262	\$90,480	\$84,883
Interest Conveyed	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Leased Fee
Transaction Status	-	Listing	Closed	Closed	Closed	Closed	Closed
Transaction Date	-	Current	Oct-23	May-23	Jan-23	Dec-22	Jul-21
Price	-	\$5,000,000	\$9,425,000	\$6,970,000	\$3,000,000	\$5,184,800	\$7,986,111
Operating Status at Sale	-	Stabilized Operations	Stabilized Operations	Stabilized Operations	Stabilized Operations	Stabilized Operations	Stabilized Operations
Price per SF	-	\$205.85	\$144.58	\$165.37	\$97.31	\$173.14	\$194.46

ANALYSIS OF IMPROVED COMPARABLE DATA

Comparable One

Sale Comparable One represents the February 2024 listing of a 24,289 square foot free-standing property located at 3390 S Virginia St, Reno, Nevada. This family entertainment center features 24 lanes of bowling, 15 gambling machines, arcade, full-service snack bar, pro shop, and embroidery shop. Gross sales in 2023 were approximately \$1,600,000.

A downward adjustment was applied for property rights due to the potential business component included as part the listing. A downward adjustment was applied for conditions of sale due to the inferior status as a listing that could sell for a lower price than advertised as a result of buyer negotiation.

We have applied a downward adjustment to this comparable for location due to the location in a neighborhood with higher household income. A downward adjustment was warranted for size due to the higher demand and profitability PSF for a smaller facility. This comparable required an upward adjustment for effective age/condition due to its inferior effective age and condition. We have applied an upward adjustment for features/amenities due to this property's inferior food and beverage operation. A downward adjustment was applied for economic characteristics due to the gaming (gambling) machines on site that generate additional revenue. Net downward property adjustments were indicated. Combining transaction and property adjustments, results in a price per SF indication of \$167.21.

Comparable Two

Sale Comparable Two represents the October 2023 sale of a 65,188 square foot free-standing property located at 1600 NW Courtyard Cir, Port Saint Lucie, Florida. Superplay USA is a 64,410 NRSF bowling and entertainment center located on NW Courtyard Circle in Port St. Lucie, Florida.

The center features 48 bowling lanes, arcade, pro shop, sports bar, outdoor batting cages, mini-golf, laser tag and event room.

No transaction adjustments were warranted.

We have applied a downward adjustment to this comparable for location due to the location in a neighborhood with higher household income. An upward adjustment was warranted for size due to the lower demand and profitability PSF for a larger facility. This comparable required a downward effective age/condition adjustment due to its superior effective age and condition. We have applied an upward adjustment for features/amenities due to this property's inferior food and beverage operation. Net downward property adjustments were indicated. Combining transaction and property adjustments, results in a price per SF indication of \$137.35.

Comparable Three

Sale Comparable Three represents the May 2023 sale of a 42,148 square foot specialty/theme property located at 6276 Stage Rd, Bartlett, Tennessee. On May 16th 2023, an average condition, single-story bowling alley property sold for \$6,970,000, \$165.37/sf. The property is a 42,148 Square foot class B retail building that is a bowling alley located in Bartlett Tennessee.

A downward adjustment for market conditions (time) is applicable due to reduced demand as a result of higher interest rates and higher capitalization rates since the date of this sale.

We have applied a downward adjustment to this comparable for location due to the location in a neighborhood with higher household income. An upward adjustment was warranted for size due to the lower demand and profitability PSF for a larger facility. This comparable required an upward adjustment for effective age/condition due to its inferior effective age and condition. We have applied an upward adjustment for features/amenities due to this property's inferior food and beverage operation. Net upward property adjustments were indicated. Combining transaction and property adjustments, results in a price per SF indication of \$173.24.

Comparable Four

Sale Comparable Four represents the January 2023 sale of a 30,830 square foot free-standing property located at 698 Daniel Webster Hwy, Merrimack, New Hampshire. On January 4th 2023, Crystal Grover sold Edgar Florian 698 Daniel Webster Highway for \$3,000,000, \$97.31/sf. 698 Daniel Webster Highway is a 30,830 Square foot class B retail building that is a bowling alley located in Merrimack, NH 03054.

A downward adjustment for market conditions (time) is applicable due to reduced demand as a result of higher interest rates and higher capitalization rates since the date of this sale.

We have applied an upward adjustment to this comparable for location due to the very low surrounding population, despite higher incomes. This comparable required an upward adjustment for effective age/condition due to its inferior effective age and condition. We have applied an upward adjustment for features/amenities due to this property's inferior food and beverage operation. Net upward property adjustments were indicated. Combining transaction and property adjustments, results in a price per SF indication of \$132.14.

Comparable Five

Sale Comparable Five represents the December 2022 sale of a 29,946 square foot free-standing property located at 13409 Occoquan Rd, Woodbridge, Virginia. Bowl America Incorporated sold this retail building in southern Woodbridge. The building contains 29,946 square feet and that is supported by a 2.90-acre site. It was constructed in 1991 and includes both concrete and metal components. Although this property has a commercial setting, most of the surrounding uses consist of older hotels, retail buildings, and storage yards.

A downward adjustment for market conditions (time) is applicable due to reduced demand as a result of higher interest rates and higher capitalization rates since the date of this sale.

We have applied a downward adjustment to this comparable for location due to the location in a neighborhood with higher household income partly offset by lower population. This comparable required an upward adjustment for effective age/condition due to its inferior effective age and condition. We have applied an upward adjustment for features/amenities due to this property's inferior food and beverage operation. Net upward property adjustments were indicated. Combining transaction and property adjustments, results in a price per SF indication of \$176.34.

Comparable Six

Sale Comparable Six represents the July 2021 sale of a 41,069 square foot other property located at 350 Talcottville Road, Vernon, Connecticut. The comparable represents a 41,069 square foot Class C retail bowling alley center, situated on a 7.03-acre site. The property is located along Talcottville Road in Vernon, CT. The building was completed construction in 1963 and is zoned Planne. Spare Time is the tenant at the time of sale. The property was purchased by MJG-MAR Realty LLC, and the seller was Garden Palace LLC. The property was sold on July 16, 2021 for a consideration of \$7,986,111 or \$194.46 per SF. The property features bowling alleys, full-service restaurant and arcade.

No transaction adjustments were warranted.

We have applied a downward adjustment to this comparable for location due to the location in a neighborhood with higher household income partly offset by lower population. This comparable required an upward adjustment for effective age/condition due to its inferior effective age and

condition. Net downward property adjustments were indicated. Combining transaction and property adjustments, results in a price per SF indication of \$175.01.

Summary of Adjustments / Adjustment Grid

Based on our comparative analysis, the following table summarizes the adjustments warranted to each comparable.

Comparable Sales Adjustment Grid							
	Subject	Sale 1	Sale 2	Sale 3	Sale 4	Sale 5	Sale 6
Property Name	Rocket City Family Fun Center	High Sierra Lanes	Superplay	Bowlero Bartlett	Merrimack Ten Pin	Bowl America Woodbridge	Spare Time - Bowling Alley
Address	3751 Mesa Village Drive	3390 S Virginia St	1600 NW Courtyard Cir	6276 Stage Rd	698 Daniel Webster Hwy	13409 Occoquan Rd	350 Talcottville Road
City	Alamogordo, NM	Reno, NV	Port Saint Lucie, FL	Bartlett, TN	Merrimack, NH	Woodbridge, VA	Vernon, CT
Land Size	3.42 Acres	1.67 Acres	7.94 Acres	3.63 Acres	5.34 Acres	2.90 Acres	7.03 Acres
Size (Rentable Area)	35,610 SF	24,289 SF	65,188 SF	42,148 SF	30,830 SF	29,946 SF	41,069 SF
Year Built (Renovated)	1958/2018	1958 (1965)	2006	1975	2003	1991	1963
3 Mile Population	13,868	95,490	56,386	72,626	22,823	70,117	46,181
Med HH Income - 3 miles	\$53,315	\$58,040	\$66,897	\$61,135	\$106,262	\$90,480	\$84,883
Transaction Type	--	Listing	Closed	Closed	Closed	Closed	Closed
Transaction Date	--	Current	Oct-23	May-23	Jan-23	Dec-22	Jul-21
Actual Sale Price	--	\$5,000,000	\$9,425,000	\$6,970,000	\$3,000,000	\$5,184,800	\$7,986,111
Price per SF	--	\$205.85	\$144.58	\$165.37	\$97.31	\$173.14	\$194.46
Transaction Adjustments							
Property Rights		-10%	0%	0%	0%	0%	0%
Financing		0%	0%	0%	0%	0%	0%
Conditions of Sale		-5%	0%	0%	0%	0%	0%
Market Conditions (Time)	4/9/2024	0%	0%	-3%	-3%	-3%	0%
Subtotal (adjustments are multiplied)		-14.5%	0%	-3.0%	-3.0%	-3.0%	0%
Transaction Adjusted Price per SF		\$176.01	\$144.58	\$160.41	\$94.39	\$167.94	\$194.46
Property Adjustments							
Location		-10%	-15%	-15%	10%	-20%	-25%
Size		-5%	5%	3%	0%	0%	0%
Effective Age/Condition		10%	-5%	10%	20%	15%	15%
Parking		0%	0%	0%	0%	0%	0%
Features/Amenities		10%	10%	10%	10%	10%	0%
Quality		0%	0%	0%	0%	0%	0%
Economic Characteristics		-10%	0%	0%	0%	0%	0%
Other		0%	0%	0%	0%	0%	0%
Subtotal (adjustments are summed)		-5%	-5%	8%	40%	5%	-10%
Gross Adjustment		60%	35%	41%	43%	48%	40%
Overall Adjustment		-18.78%	-5.0%	4.76%	35.8%	1.85%	-10.0%
Indicated Price per SF		\$167.21	\$137.35	\$173.24	\$132.14	\$176.34	\$175.01

Compiled by Newmark

SALES COMPARISON APPROACH CONCLUSION

- Prior to adjustments, the sales reflect a range of \$97.31 to \$205.85 per SF.
- After adjustment, the range is narrowed to \$132.14 to \$176.34 per SF, with an average of \$160.22 per SF.
- To arrive at an indication of value, primary emphasis is placed on Comparables 2, 3 and 4, as the most recent closed transactions.

Based on the preceding analysis, the value indication by the sales comparison approach is as follows:

Sales Comparison Approach Conclusion

Reconciliation of Price per SF Indication		Value Indication
Adjusted Value Range - Low		\$132.14
Adjusted Value Range - High		\$176.34
Reconciled As Stabilized Value - Price per SF	Effective Date: 4/9/2024	\$155.00
Subject Rentable Area (SF)		35,610
Reconciled As Stabilized Value - Price per SF Analysis		\$5,519,550
Reconciled As Stabilized Value - Sales Comparison Approach	Effective Date: 4/9/2024	\$5,519,550

Value Indications

As Is		Value Indication
Reconciled As Stabilized Value	Effective Date: 4/9/2024	\$5,519,550
Deferred Maintenance		\$0
Capital Expenditures		\$0
As Is Value	Effective Date: 4/9/2024	\$5,519,550
Rounded		\$5,520,000

Compiled by Newmark

Income Capitalization Approach

The income capitalization approach reflects the subject's income-producing capabilities. This approach is based on the assumption that value is created by the expectation of benefits to be derived in the future. Specifically estimated is the amount an investor would be willing to pay to receive an income stream plus reversion value from a property over a period of time. The two common valuation techniques associated with the income capitalization approach are direct capitalization and the discounted cash flow (DCF) analysis.

The direct capitalization method is normally more appropriate for properties with relatively stable operating histories and expectations. The DCF analysis is more appropriate for investment properties with multiple or long-term leases, particularly leases with cancellation clauses or renewal options, and especially in volatile markets.

In this analysis, we utilized only direct capitalization because investors and market participants typically rely more on this method.

CURRENT OCCUPANT

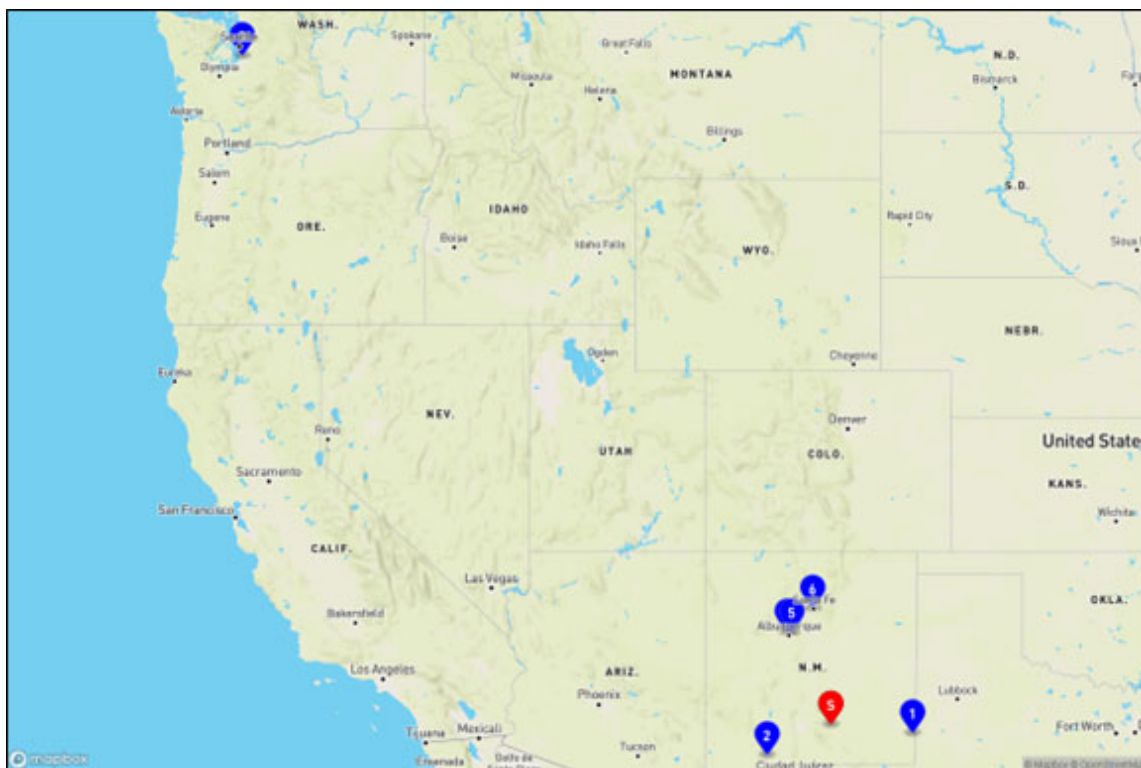
The subject property is currently occupied by the owner.

MARKET RENT ANALYSIS

In estimating market rent for the subject property, we considered data and opinions from the following:

- actual recent leases from comparable buildings; and
- opinions of market rent derived from our interviews of leasing brokers.

One similar lease comparable for a bowling alley was discovered. The balance of the lease data is for large retail suites.



Comparable Map

No.	Name	Address
Subject	Rocket City Family Fun Center	3751 Mesa Village Drive, Alamogordo, NM 88310
1	Planet Fitness	2108 North Turner Street, Hobbs, NM
2	Crunch Fitness	320 Wyatt Drive, Las Cruces, NM
3	Kent Bowl	1234 Central Ave N, Kent, WA
4	Ladera Shopping Center	3301 Coors Blvd NW, Albuquerque, NM
5	Daskalos Center	5307-5343 Menaul Blvd NE, Albuquerque, NM
6	AutoZone - Santa Fe	2710 Cerrillos Rd, Santa Fe, NM

Compiled by Newmark

Analysis of Comparable Leases

Comparable Leases Summary							
Large Retail Space	Subject	Lease 1	Lease 2	Lease 3	Lease 4	Lease 5	Lease 6
							
Property Name	Rocket City Family Fun Center	Planet Fitness	Crunch Fitness	Kent Bowl	Ladera Shopping Center	Daskalos Center	AutoZone - Santa Fe
Address	3751 Mesa Village Drive	2108 North Turner Street	320 Wyatt Drive	1234 Central Ave N	3301 Coors Blvd NW	5307-5343 Menaul Blvd NE	2710 Cerrillos Rd
City, State	Alamogordo, NM	Hobbs, NM	Las Cruces, NM	Kent, WA	Albuquerque, NM	Albuquerque, NM	Santa Fe, NM
Submarket	West Mesa	Valuation Retail	Valuation Retail	Seattle Metro	West Mesa	Northeast Heights	Santa Fe Metro
Rentable Area (SF)	35,610 SF	17,600 SF	65,000 SF	27,516 SF	133,183 SF	87,980 SF	18,010 SF
Year Built (Renovated)	2017	2016	1983	1958	1982 (2005)	1958	1986
Number of Stories	1	1	1	1	1	1	1
Exterior	Block/Stucco	Tilt-up Concrete	Concrete	Brick	Stucco	Brick	Block
Condition	Good	Average	Average	Average	Good	Average	Average
Investment Grade	Class B	Class B	Class A	Class B	Class B	Class B	Class B
Rental Survey Information							
Survey Date		Jun-21	Dec-20	Feb-24	Feb-24	Feb-24	Feb-24
Occupancy at Survey	0%	100%	71%	100%	0%	0%	0%
Lease Details							
Lease Status		Signed Lease	Signed Lease	Signed Lease	0.00	Signed Lease	Letter of Intent
Lease Date		May-16	Jun-18	Jan-22	Jan-24	Mar-24	Jul-24
Term (Mos.)		120	120	240	122	240	240
Lease Size (SF)		17,600	41,000	27,396	43,900	25,417	18,010
Tenant Name		Planet Fitness	Crunch	Kent Bowl	Thrift Stores, Inc.	Animal Humane	AutoZone
Full Building Lease		Yes	No	No	No	No	Yes
Suite/Space Number		0	0	0	0	0	0
Rates and Measures							
Base Rental Rate		\$14.00	\$13.00	\$13.96	\$9.00	\$9.00	\$12.77
Effective Rental Rate		\$14.00	\$13.00	\$13.96	\$9.00	\$9.00	\$12.77
Lease Reimbursement Method		Triple Net	Triple Net	Triple Net	Triple Net	Triple Net	Triple Net

Compiled by Newmark

Comparable Leases Summary						
No.	Property Name	Lease Date	Leased SF	Base Rent/SF	Reimbursement	MLA Category
1	Planet Fitness					
Lease Summary						
	Planet Fitness	May-2016	17,600	\$14.00	Triple Net	Large Retail
2	Crunch Fitness					
Lease Summary						
	Crunch	Jun-2018	41,000	\$13.00	Triple Net	Large Retail
3	Kent Bowl					
Lease Summary						
	Kent Bowl	Jan-2022	27,396	\$13.96	Triple Net	Large Retail
4	Ladera Shopping Center					
Lease Summary						
	Thrift Stores, Inc.	Jan-2024	43,900	\$9.00	Triple Net	Large Retail
5	Daskalos Center					
Lease Summary						
	Association of New	Mar-2024	25,417	\$9.00	Triple Net	Large Retail
6	AutoZone - Santa Fe					
Lease Summary						
	AutoZone	Jul-2024	18,010	\$12.77	Triple Net	Large Retail
Indicated Rent by Space Type		Unadjusted Range		Average		Newmark Estimate
Large Retail Space:		\$9.00	\$14.00	\$11.96	\$12.00	

Compiled by Newmark

Supplemental Rental Data – Family Entertainment Venues

The following table features current rental rates for family entertainment venues in the Phoenix metropolitan area. These properties are located in locations with strong demand and are newer

in age. These properties lack the highly profitable food and alcoholic beverage component of the subject that generates 55% of the total revenue, an offsetting factor.

Current Lease Rates - Family Entertainment Venues			
	Rentable Area (SF)	Current Contract Rent	
		Total	\$ PSF
Mountainside Fitness	33,695	\$606,510	\$18.00
Escape Room	19,750	\$260,700	\$13.20
9190: Ace Pickleball	36,200	\$543,000	\$15.00
9009: Kids That Rip	45,182	\$513,945	\$11.38
9119: Octane Raceways	45,086	\$626,245	\$13.89
9139: Mavrix	45,500	\$568,750	\$12.50
9189: Slick City	50,000	\$600,000	\$12.00

Compiled by Newmark

Overall, the data is supportive of the primary rental rate indication of \$12.00 PSF.

MARKET RENT CONCLUSION

Base Rent Conclusions

After analysis, the overall range adjusted range and concluded market base rent for the subject is as follows:

Base Rent Conclusions						
MLA Category	Adjusted Comparable Leases			Recent Lease Range	Market Participants	Newmark Estimate
	Low	High	Average			
Large Retail Space:	\$9.00	\$16.38	\$12.72	NA	\$10.00 - \$15.00	\$12.00

Compiled by Newmark

Market Rent Conclusions

Based on the preceding analysis, the following is the concluded market lease terms for the subject:

Concluded Market Lease Terms							
MLA Category	Rentable SF	Market Rent	Measure	Rent Escalations	Reimbursement Method	Term (Mos.)	Mos. Free
Large Retail Space:	35,610	\$12.00	\$/SF/Year	10% every 5 Yrs	NNN	120	0

Compiled by Newmark

GROSS INCOME ESTIMATE

Potential Gross Rent

Figures presented below reflect the 12-month period following the effective date of the appraisal.

- For the direct capitalization analysis, potential gross rent is based on market rent.

Potential Base Rent		
Subject	\$/SF	Total
Newmark Projection	\$12.00	\$427,320

Compiled by Newmark

Expense Recoveries

The subject will most likely be leased on a triple net basis. Operating expenses would be directly paid by the tenant; therefore, no reimbursement income would be due to the owner.

Other Income

No other income is projected in this analysis.

Vacancy & Collection Loss Allowance

- For single tenant, triple net properties, investors do not allocate for vacancy or credit losses in their analyses. The capitalization rate data presented later is also developed on the same basis.
- For consistency, we have not projected a vacancy allowance.

OPERATING EXPENSE ANALYSIS

The subject would most likely be leased on a triple net lease basis with the tenant responsible for all operating expenses except for repairs to the roof and structure, which are capital type items and are typically ignored by investors. Therefore, no operating expenses are projected for the subject. Further, investors in triple net leased properties do not typically consider expenses – they simply consider the rent income as though it was net income. For consistency, we are following the same path.

NET OPERATING INCOME

Net Operating Income			
Source	% of EGI	\$/SF	Total
Subject			
Newmark Projection	100.0%	\$12.00	\$427,320

Compiled by Newmark

DIRECT CAPITALIZATION

In an effort to tame a rapidly escalating rate of inflation this year, the U.S. Fed has implemented its most aggressive actions since 2005 with plans to continue to increase rates. The impacts to both the residential and commercial real estate markets have been material as borrowing costs have increased significantly. It is expected that “rescue equity” will be needed to replace the

capital shortfalls as values decline and cost of debt rises. Further, negative leverage is occurring as mortgage rates trend above capitalization rates which is unsustainable. Transactions have slowed, deals have stalled and there has been a lack of current data points which has reduced clarity with respect to price discovery and valuations. The majority of investors surveyed by PwC expect capitalization rates to increase over the next six months.

Comparable Sales

Comparable Retail Sales Summary							
No.	Property Location	Yr. Built	Sale Date	Rentable Area	Occ. %	Price per SF	OAR
Secondary Cap Rate Sales							
7	3200A Kyle Crossing, Kyle, TX	2014	Jan-2023	70,000	100%	\$264	8.00%
8	15755 East Arapahoe Road, Centennial, CO	2011	Nov-2022	50,000	100%	\$275	7.00%
9	2945 South Dirksen Parkway, Springfield, IL	1987	Oct-2022	28,885	100%	\$90	8.36%
10	1935 Cinema Drive, Rock Hill, SC	2000	Dec-2021	55,016	100%	\$197	9.25%
11	5100 Belt Line Road, Dallas, TX	2020	May-2021	57,991	100%	\$220	7.00%
12	6110 N 59th Ave, Glendale, AZ	1963	Feb-2017	34,900	100%	\$45	9.00%
13	5610 Brecksville Rd, Independence, OH	1958/2015	Jun-2016	40,690	100%	\$38	7.50%
Average (Mean) Cap Rate:							8.02%

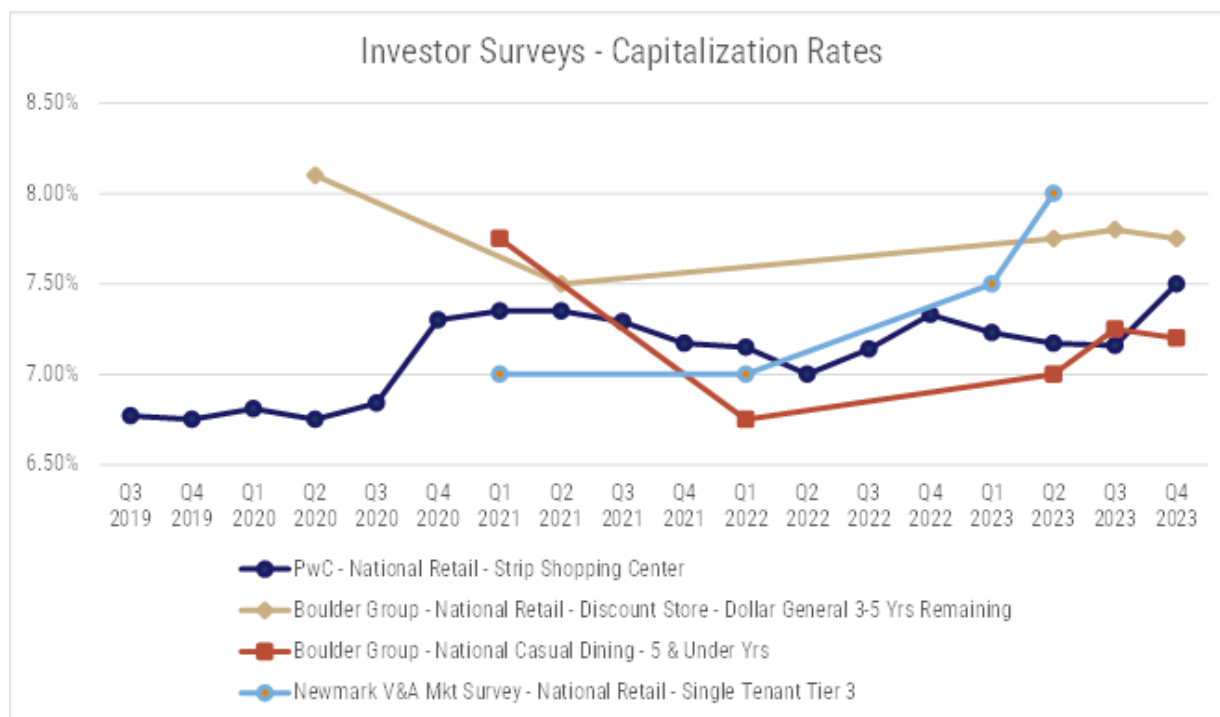
Compiled by Newmark

- No capitalization rates were derived from the primary sales. Secondary sales consist primarily of sales of movie theaters and fitness centers. Comparables 12 and 13 represent older sales of bowling alley centers.
- Based on this information, a capitalization rate within a range of 7.00% to 9.25% could be expected for the subject.

Investor Surveys and Trends

Investor Surveys - Capitalization Rates				
Source	Period	Low	High	Average
PwC - National Retail - Strip Shopping Center	Q4 2023	5.25%	10.00%	7.50%
Boulder Group - National Retail - Discount Store - Dollar General 3-5 Y	Q4 2023	N/A	N/A	7.75%
Boulder Group - National Casual Dining - 5 & Under Yrs	Q4 2023	N/A	N/A	7.20%
Newmark V&A Mkt Survey - National Retail - Single Tenant Tier 3	Q2 2023	N/A	N/A	8.00%

Compiled by Newmark



- The most current national survey data from PwC indicates that going-in capitalization rates range from 5.25% to 10.00% and average 7.50%.
- Other sources show average capitalization rates from 7.20% to 8.00%.
- The rate appropriate to the subject is considered to be above the average noting the uncertain tenant demand.

Market Participants

- Market participants indicated that single tenant, triple net properties have recently been selling for between 5.50% to 7.00% throughout New Mexico.
- Noting the tertiary location and lack of long-term lease in-place, a rate above the indicated range is indicated for the subject.
- Based on these responses, a capitalization rate within a range of 7.50% to 8.00% is indicated for the subject.

Band of Investment

Band of Investment					
Mortgage/Equity Assumptions					
Loan to Value Ratio	60%				
Interest Rate	7.00%				
Amortization (Years)	30				
Mortgage Constant	0.0798				
Equity Ratio	40%				
Equity Dividend Rate	8.00%				
Weighted Average Of Mortgage/Equity Requirements					
Mortgage Requirement	60%	x	7.98%	=	4.79%
Equity Requirement	40%	x	8.00%	=	3.20%
Indicated Capitalization Rate (Rounded)					8.00%

Compiled by Newmark

- The equity dividend rate is based on prior testing and extraction as well as alternative investments.

Capitalization Rate Conclusion

Investors expect, and the data is showing, that capitalization rates are increasing. We have also heard of specific transaction examples including repricing of deals and simply offers at lower levels owing to the increased cost of capital – not to mention other economic factors such as recession, supply chain, COVID-19, and global crises, etc.

It is important to acknowledge that there is a dearth of transactions in the marketplace making it more difficult to determine the impact on cap rates. Brokers and capital markets professionals are reporting significant disconnects between buyers and sellers – as much as 30% - and this is reducing the transaction activity. In addition, various investor surveys and aggregate reporting data may not necessarily reflect investor attitudes today since data could be 2-3 months old or more. We have given significant reliance to our interviews with market participants. We have also taken the following into consideration in the selection of our concluded capitalization rate.

- Investors have become selective, cautious, and tentative as cost of capital has increased.
- Volatility in the market has led to the disconnect between buyers and sellers thus reducing transaction volume – both in number of sales and overall price volume.
- Although the number of transactions has dropped precipitously, market participants are saying that price discovery is demonstrating that values are trending lower.
- Negative leverage is present in the market and this cannot be sustained which is putting downward pressure on values.

- Brokers report re-trades are occurring at lower pricing and higher indicated capitalization rates.

Key Value Considerations

Strengths

1. The subject property is located in a growing area of Almogordo adjacent to a movie theatre.
2. Property is in good condition.

Risk Factors

1. General economic uncertainty.
2. Highly specialized retail property

National Trends and Uncertainties

1. Federal Reserve and bond market interest rate increases and associated effects on cost of capital and investment rates along with credit tightening resulted in 2023 transaction volumes some 51% less than 2022 according to Real Capital Analytics and CRE activity remains depressed.
2. Investors are still concerned about a possible recession but the easing of inflation, continued consumer spending, and solid job growth have continued to keep the economy growing.
3. There have been early signs of increased CRE activity stemming from moderation in interest rates (and expectations of cuts later this year), adjustments by buyers and sellers to the economic environment, and an easing of credit restrictions but distress in the CRE market, particularly in the office sector, remains a concern.

We have relied primarily on sales data and broker comments to derive the capitalization rate for the subject.

Capitalization Rate Conclusion

Source	Indication
Comparable Retail Sales Range	7.00% - 9.25%
Market Participants	7.50% - 8.00%
Band of Investment	8.00%
Concluded Going-In Capitalization Rate	8.00%

Compiled by Newmark

Direct Capitalization Summary

Net operating income is divided by the capitalization rate to derive the stabilized value of the subject. Valuation of the subject by direct capitalization is shown in the table immediately following.

Income Capitalization Approach			
Summary of Stabilized Net Operating Income			
Item Description	% of Income	\$ / SF	Total \$
Retail Income		35,610 SF	
Potential Base Rent		\$12.00	\$427,320
Expense Recoveries		\$0.00	\$0
Total Tenant Revenue		\$12.00	\$427,320
Potential Gross Income		\$12.00	\$427,320
Vacancy Allowance	0.00%	\$0.00	\$0
Effective Gross Income		\$12.00	\$427,320
Operating Expenses		35,610 SF	
Total Operating Expenses	0.00%	\$0.00	\$0
Net Operating Income		\$12.00	\$427,320
Direct Capitalization Method			
Value Indication		\$ / SF	Total \$
Stabilized Net Operating Income		\$12.00	\$427,320
Overall Capitalization Rate			8.00%
As Stabilized Value	Effective Date: 4/9/2024		\$5,341,500
Rounded		\$149.96	\$5,340,000

Valuation Matrix	
OAR	Value
7.50%	\$5,697,600
7.75%	\$5,513,806
8.00%	\$5,341,500
8.25%	\$5,179,636
8.50%	\$5,027,294

As Is			
As Stabilized Value as of Current Date	Effective Date: 4/9/2024		\$5,341,500
Deferred Maintenance			\$0
Near Term Capital Expenses			\$0
As Is Value	Effective Date: 4/9/2024		\$5,341,500
Rounded		\$149.96	\$5,340,000

Compiled by Newmark

Reconciliation of Value

The values indicated by our analyses are as follows:

Market Value Indications	
Market Value Premise As of Date:	As Is April 9, 2024
Cost Approach:	Not Used
Sales Comparison Approach:	\$5,520,000
Income Capitalization Approach:	\$5,340,000
Market Value Conclusion	\$5,520,000

Compiled by Newmark

Cost Approach

The Cost Approach has best applicability for properties with new or nearly new improvements. It is a summation approach in that the underlying land value is added to the depreciated replacement cost for the indicated value. In this case, the cost approach was not utilized due to the age of the improvements which results in significant depreciation thereby reducing the reliability of this approach. More significantly, however, market participants considering properties like the subject do not give consideration to the cost approach.

Sales Comparison Approach

The Sales Comparison Approach is focused on comparing the subject to sale and other market transactions with the aim to develop an indication of value that is founded on the theory of substitution. Basically, the intention is to determine value through considering the prices of properties which would be a substitute property to the subject. The subject property is an owner-occupied property that has secondary appeal as a leased investment. Therefore, the sales comparison approach takes on added significance. As the sales comparison approach specifically utilizes sales data from properties acquired for owner-occupancy as well, this approach is given primary weight in this appraisal.

Income Capitalization Approach

The subject property is an owner occupied retail property. The income approach was developed on the basis of leasing at market rent. Only direct capitalization was developed in accordance with typical investor analyses. Market rent was well established by reasonably similar lease data. Capitalization rates were developed from a number of sources including supplemental sales of net leased properties with similar tenant profiles. In total, the income capitalization approach is

considered to be reliable but, as an owner-occupied property, the income capitalization approach is less applicable than would be typical. This approach is given less weight than the other approaches for that reason.

FINAL VALUE CONCLUSIONS

Value Conclusions			
Appraisal Premise	Interest Appraised	Date of Value	Value Conclusion
Market Value "As Is"	Fee Simple	4/9/2024	\$5,520,000

Compiled by Newmark

Extraordinary Assumptions and Hypothetical Conditions

An extraordinary assumption is defined in USPAP as an assignment-specific assumption as of the effective date regarding uncertain information used in an analysis which, if found to be false, could alter the appraiser's opinions or conclusions. The value conclusions are subject to the following extraordinary assumptions that may affect the assignment results.

1. None

A hypothetical condition is defined in USPAP as a condition, directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results, but is used for the purpose of analysis. The value conclusions are based on the following hypothetical conditions that may affect the assignment results.

1. None

Compiled by Newmark

EXPOSURE TIME

Exposure time is the estimated length of time the subject property would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal. It is a retrospective estimate based on an analysis of past events assuming a competitive and open market.

The following is national investor survey data which is one source for the underlying data to this conclusion.

Investor Surveys - Marketing Times				
Source	Period	Low	High	Average
PwC - National Retail - Strip Shopping Center	Q4 2023	1.0	15.0	7.2
Newmark V&A Mkt Survey - National Retail - Single Tenant Tier 3	Q1 2023	N/A	N/A	6.0

Compiled by Newmark

Recent sales transaction data for similar properties, supply and demand characteristics for the local retail market, and the opinions of local market participants were reviewed and analyzed. Based on this data and analysis, it is our opinion that the probable exposure time for the subject at the concluded market value stated previously is 12 months.

MARKETING TIME

Marketing time is an opinion of the amount of time it might take to sell a real or personal property interest at the concluded market value level during the period immediately after the effective date of an appraisal. Marketing time differs from exposure time, which is always presumed to precede the effective date of an appraisal. As no significant changes in market conditions are foreseen in the near term, it is our opinion that a reasonable marketing period for the subject is likely to be the same as the exposure time. Accordingly, we estimate the subject's marketing period at 12 months.

Assumptions and Limiting Conditions

The Appraisal contained in this Report (herein “Report”) is subject to the following assumptions and limiting conditions:

1. Unless otherwise stated in this report, title to the property which is the subject of this report (herein “Property”) is assumed to be good and marketable and free and clear of all liens and encumbrances and that there are no recorded or unrecorded matters or exceptions to title that would adversely affect marketability or value. No responsibility is assumed for the legal description, zoning, condition of title or any matters which are legal in nature or otherwise require expertise other than that of a professional real estate appraiser. This report shall not constitute a survey of the Property.
2. Unless otherwise stated in this report, it is assumed: that the improvements on the Property are structurally sound, seismically safe and code conforming; that all building systems (mechanical/electrical, HVAC, elevator, plumbing, etc.) are in good working order with no major deferred maintenance or repair required; that the roof and exterior are in good condition and free from intrusion by the elements; that the Property and improvements conform to all applicable local, state, and federal laws, codes, ordinances and regulations including environmental laws and regulations. No responsibility is assumed for soil or subsoil conditions or engineering or structural matters. The Property is appraised assuming that all required licenses, certificates of occupancy, consents, or other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimates contained in this report is based, unless otherwise stated. The physical condition of the Property reflected in this report is solely based on a visual inspection as typically conducted by a professional appraiser not someone with engineering expertise. Responsible ownership and competent property management are assumed.
3. Unless otherwise stated in this report, this report did not take into consideration the existence of asbestos, PCB transformers or other toxic, hazardous, or contaminated substances or underground storage tanks, or the cost of encapsulation, removal or remediation thereof. Real estate appraisers are not qualified to detect such substances. The presence of substances such as asbestos, urea formaldehyde foam insulation, contaminated groundwater or other potentially hazardous materials and substances may adversely affect the value of the Property. Unless otherwise stated in this report, the opinion of value is predicated on the assumption that there is no such material or substances at, on or in the Property.

4. All statements of fact contained in this report as a basis of the analyses, opinions, and conclusions herein are true and correct to the best of the appraiser's actual knowledge and belief. The appraiser is entitled to and relies upon the accuracy of information and material furnished by the owner of the Property or owner's representatives and on information and data provided by sources upon which members of the appraisal profession typically rely and that are deemed to be reliable by such members. Such information and data obtained from third party sources are assumed to be reliable and have not been independently verified. No warranty is made as to the accuracy of any of such information and data. Any material error in any of the said information or data could have a substantial impact on the conclusions of this Report. The appraiser reserves the right to amend conclusions reported if made aware of any such error.
5. The opinion of value stated in this report is only as of the date of value stated in this report. An appraisal is inherently subjective and the conclusions stated apply only as of said date of value, and no representation is made as to the effect of subsequent events. This report speaks only as of the date hereof.
6. Any projected cash flows included in the analysis are forecasts of estimated future operating characteristics and are predicated on the information and assumptions contained within this report. Any projections of income, expenses and economic conditions utilized in this report are not predictions of the future. Rather, they are estimates of market expectations of future income and expenses. The achievement of any financial projections will be affected by fluctuating economic conditions and is dependent upon other future occurrences that cannot be assured. Actual results may vary from the projections considered herein. There is no warranty or assurances that these forecasts will occur. Projections may be affected by circumstances beyond anyone's knowledge or control. Any income and expense estimates contained in this report are used only for the purpose of estimating value and do not constitute predictions of future operating results.
7. The analyses contained in this report may necessarily incorporate numerous estimates and assumptions regarding Property performance, general and local business and economic conditions, the absence of material changes in the competitive environment and other matters. Some estimates or assumptions, however, inevitably will not materialize, and unanticipated events and circumstances may occur; therefore, actual results achieved during the period covered by the analysis will vary from estimates, and the variations may be material.
8. All prospective value opinions presented in this report are estimates and forecasts which are prospective in nature and are subject to considerable risk and uncertainty. In addition to the contingencies noted in the preceding paragraphs, several events may occur that could substantially alter the outcome of the estimates such as, but not limited to changes

in the economy, interest rates, capitalization rates, behavior of consumers, investors and lenders, fire and other physical destruction, changes in title or conveyances of easements and deed restrictions, etc. In making prospective estimates and forecasts, it is assumed that conditions reasonably foreseeable at the present time are consistent or similar with the future.

9. The allocations of value for land and improvements must not be used in conjunction with any other appraisal and are invalid if so used. This report shall be considered only in its entirety. No part of this report shall be utilized separately or out of context.
10. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser, or any reference to the Appraisal Institute) shall be disseminated through advertising media, public relations media, news media or any other means of communication (including without limitation prospectuses, private offering memoranda and other offering material provided to prospective investors) without the prior written consent of the Firm. Possession of this report, or a copy hereof, does not carry with it the right of publication.
11. Client and any other Intended User identified herein should consider this report and the opinion of value contained herein as only one factor together with its own independent considerations and underwriting guidelines in making any decision or investment or taking any action regarding the Property. Client agrees that Firm shall not be responsible in any way for any decision of Client or any Intended User related to the Property or for the advice or services provided by any other advisors or contractors. The use of this report and the appraisal contained herein by anyone other than an Intended User identified herein, or for a use other than the Intended Use identified herein, is strictly prohibited. No party other than an Intended User identified herein may rely on this report and the appraisal contained herein.
12. Unless otherwise stated in the agreement to prepare this report, the appraiser shall not be required to participate in or prepare for or attend any judicial, arbitration, or administrative proceedings.
13. The Americans with Disabilities Act (ADA) became effective January 26, 1992. No survey or analysis of the Property has been made in connection with this report to determine whether the physical aspects of the improvements meet the ADA accessibility guidelines. No expertise in ADA issues is claimed, and the report renders no opinion regarding the Property's compliance with ADA regulations. Inasmuch as compliance matches each owner's financial ability with the cost to cure the non-conforming physical characteristics of a property, a specific study of both the owner's financial ability and the cost to cure any deficiencies would be needed for the Department of Justice to determine compliance.

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14. Acceptance and/or use of this report constitutes full acceptance of these Assumptions and Limiting Conditions and any others contained in this report, including any Extraordinary Assumptions and Hypothetical Conditions, and is subject to the terms and conditions contained in the agreement to prepare this report and full acceptance of any limitation of liability or claims contained therein.

Addendum A

Glossary of Terms

ADDENDA

The following definitions are derived from The Dictionary of Real Estate Appraisal, 7th ed. (Chicago: Appraisal Institute, 2022).

- ◆ **Absorption Period:** The actual or expected period required from the time a property, group of properties, or commodity is initially offered for lease, purchase, or use by its eventual users until all portions have been sold or stabilized occupancy has been achieved.
- ◆ **Absorption Rate:** 1) Broadly, the rate at which vacant space in a property or group of properties for sale or lease has been or is expected to be successfully sold or leased over a specified period of time. 2) In subdivision analysis, the rate of sales of lots or units in a subdivision.
- ◆ **Ad Valorem Tax:** A tax levied in proportion to the value of the thing(s) being taxed. Exclusive of exemptions, use-value assessment provisions, and the like, the property tax is an ad valorem tax. (IAAO)
- ◆ **As Is Market Value:** The estimate of the market value of real property in its current physical condition, use, and zoning as of the appraisal date. (Interagency Appraisal and Evaluation Guidelines) Note that the use of the “as is” phrase is specific to appraisal regulations pursuant to FIRREA applying to appraisals prepared for regulated lenders in the United States. The concept of an “as is” value is not included in the Standards of Valuation Practice of the Appraisal Institute, Uniform Standards of Professional Appraisal Practice, or International Valuation Standards.
- ◆ **Assessed Value:** The value of a property according to the tax rolls in ad valorem taxation; may be higher or lower than market value, or based on an assessment ratio that is a percentage of market value.
- ◆ **Cash Equivalency Analysis:** An analytical process in which the sale price of a transaction with atypical financing or financing with unusual conditions or incentives is converted into a price equivalent or consistent with what a cash buyer would pay with all other factors the same.
- ◆ **Cash-Equivalent Price:** The sale price of a property that is equivalent to what a cash buyer would pay.
- ◆ **Contract Rent:** The actual rental income specified in a lease.
- ◆ **Disposition Value:** The most probable price that a specified interest in property should bring under the following conditions: 1) Consummation of a sale within a specified time, which is shorter than the typical exposure time for such a property in that market. 2) The property is subjected to market conditions prevailing as of the date of valuation. 3) Both the buyer and seller are acting prudently and knowledgeably. 4) The seller is under compulsion to sell. 5) The buyer is typically motivated. 6) Both parties are acting in what they consider to be their best interests. 7) An adequate marketing effort will be made during the exposure time. 8) Payment will be made in cash in US dollars (or the local currency) or in terms of financial arrangements comparable thereto. 9) The price represents the normal consideration for the property sold, unaffected by special or creative financing or sales concessions granted by anyone associated with the sale. This definition can also be modified to provide for valuation with specified financing terms.
- ◆ **Economic Life:** The period over which improvements to real estate contribute to property value.
- ◆ **Effective Gross Income (EGI):** The anticipated income from all operations of the real estate after an allowance is made for vacancy and collection losses and an addition is made for any other income.
- ◆ **Effective Rent:** Total base rent, or minimum rent stipulated in a lease, over the specified lease term minus rent concessions; the rent that is effectively paid by a tenant net of financial concessions provided by a landlord.
- ◆ **Excess Land:** Land that is not needed to serve or support the existing use. The highest and best use of the excess land may or may not be the same as the highest and best use of the improved parcel. Excess land has the potential to be sold separately and is valued separately. See also *surplus land*.
- ◆ **Excess Rent:** The amount by which contract rent exceeds market rent at the time of the appraisal; created by a lease favorable to the landlord (lessor) and may reflect unusual management, unknowledgeable or unusually motivated parties, a lease execution in an earlier, stronger rental market, or an agreement of the parties.

- ◆ **Exposure Time:** 1) The time a property remains on the market. 2) An opinion, based on supporting market data, of the length of time that the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal. (USPAP, 2020-2021 ed.)
- ◆ **Extraordinary Assumption:** An assignment-specific assumption as of the effective date regarding uncertain information used in an analysis which, if found to be false, could alter the appraiser's opinions or conclusions. Comment: Uncertain information might include physical, legal, or economic characteristics of the subject property, or conditions external to the property, such as market conditions or trends, or about the integrity of data used in an analysis. (USPAP, 2020-2021 ed.)
- ◆ **Fee Simple Estate:** Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.
- ◆ **Floor Area Ratio (FAR):** The relationship between the above-ground floor area of a building, as described by the zoning or building code, and the area of the plot on which it stands; in planning and zoning, often expressed as a decimal, e.g., a ratio of 2.0 indicates that the permissible floor area of a building is twice the total land area.
- ◆ **Frictional Vacancy:** The amount of vacant space needed in a market for its orderly operation. Frictional vacancy allows for move-ins and move-outs.
- ◆ **Full Service (Gross) Lease:** See *gross lease*.
- ◆ **General Vacancy:** A method of calculating any remaining vacancy and collection loss considerations when using discounted cash flow (DCF) analysis, where turnover vacancy has been used as part of the income estimate. The combined effects of turnover vacancy and general vacancy relate to total vacancy and collection loss.
- ◆ **Going-Concern Premise:** One of the premises under which the total assets of a business can be valued; the assumption that a company is expected to continue operating well into the future (usually indefinitely).
- ◆ **Going-Concern Value:** An outdated label for the market value of all the tangible and intangible assets of an established and operating business with an indefinite life, as if sold in aggregate; more accurately termed the market value of the going concern or market value of the total assets of the business. See also *Market Value of the Going Concern* and *Market Value of the Total Assets of the Business (MVTAB)*.
- ◆ **Going-In Capitalization Rate (R_o):** The overall capitalization rate obtained by dividing a property's net operating income for the first year after purchase by the present value of the property.
- ◆ **Gross Building Area (GBA):** 1) Total floor area of a building, excluding unenclosed areas, measured from the exterior of the walls of the above grade area. This includes mezzanines and basements if and when typically included in the market area of the type of property involved. 2) Gross leasable area plus all common areas. 3) For residential space, the total area of all floor levels measured from the exterior of the walls and including the superstructure and substructure basement; typically does not include garage space.
- ◆ **Gross Lease:** A lease in which the landlord receives stipulated rent and is obligated to pay all of the property's operating and fixed expenses; also called full-service lease.
- ◆ **Hypothetical Condition:** 1) A condition that is presumed to be true when it is known to be false. (Appraisal Institute: The Standards of Valuation Practice [SVP]) 2) A condition, directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results, but is used for the purpose of analysis. Comment: Hypothetical conditions are contrary to known facts about physical, legal, or economic characteristics of the subject property; or about conditions external to the property, such as market conditions or trends; or about the integrity of data used in an analysis. (USPAP, 2020-2021 ed.)
- ◆ **Intended Use:** 1) The valuer's intent as to how the report will be used. (SVP) 2) The use(s) of an appraiser's reported appraisal or appraisal review assignment results, as identified by the appraiser based on communication with the client at the time of the assignment. (USPAP, 2020-2021 ed.)

ADDENDA

- ◆ **Intended Users:** 1) The party or parties the valuer intends will use the report. (SVP) 2) The client and any other party as identified, by name or type, as users of the appraisal or appraisal review report by the appraiser, based on communication with the client at the time of the assignment. (USPAP, 2020-2021 ed.)
- ◆ **Investment Value:** 1) The value of a property to a particular investor or class of investors based on the investor's specific requirements. Investment value may be different from market value because it depends on a set of investment criteria that are not necessarily typical of the market. 2) The value of an asset to the owner or a prospective owner given individual investment or operational objectives (may also be known as worth). (International Valuation Standards [IVS])
- ◆ **Land-to-Building Ratio:** The proportion of land area to gross building area; one of the factors determining comparability of properties. See also *floor area ratio*.
- ◆ **Lease:** A contract in which the rights to use and occupy land, space, or structures are transferred by the owner to another for a specified period of time in return for a specified rent.
- ◆ **Leased Fee Interest:** The ownership interest held by the lessor, which includes the right to receive the contract rent specified in the lease plus the reversionary right when the lease expires.
- ◆ **Leasehold Estate:** The right held by the lessee to use and occupy real estate for a stated term and under the conditions specified in the lease.
- ◆ **Lessee:** One who has the right to occupancy and use of the property of another for a period of time according to a lease agreement.
- ◆ **Lessor:** One who conveys the rights of occupancy and use to others under a lease agreement.
- ◆ **Liquidation Value:** The most probable price that a specified interest in property should bring under the following conditions: 1) Consummation of a sale within a short time period. 2) The property is subjected to market conditions prevailing as of the date of valuation. 3) Both the buyer and seller are acting prudently and knowledgeably. 4) The seller is under extreme compulsion to sell. 5) The buyer is typically motivated. 6) Both parties are acting in what they consider to be their best interests. 7) A normal marketing effort is not possible due to the brief exposure time. 8) Payment will be made in cash in US dollars (or the local currency) or in terms of financial arrangements comparable thereto. 9) The price represents the normal consideration for the property sold, unaffected by special or creative financing or sales concessions granted by anyone associated with the sale. This definition can also be modified to provide for valuation with specified financing terms.
- ◆ **Market Rent:** The most probable rent that a property should bring in a competitive and open market under all conditions requisite to a fair lease transaction, the lessee and lessor each acting prudently and knowledgeably, and assuming the rent is not affected by undue stimulus. Implicit in this definition is the execution of a lease as of a specified date under conditions whereby • Lessee and lessor are typically motivated; • Both parties are well informed or well advised, and acting in what they consider their best interests; • Payment is made in terms of cash or in terms of financial arrangements comparable thereto; and • The rent reflects specified terms and conditions typically found in that market, such as permitted uses, use restrictions, expense obligations, duration, concessions, rental adjustments and revaluations, renewal and purchase options, frequency of payments (annual, monthly, etc.), and tenant improvements (TIs).
- ◆ **Market Value:** A type of value that is the major focus of most real property appraisal assignments. Both economic and legal definitions of market value have been developed and refined.¹
- ◆ **Market Value of the Going Concern:** The market value of an established and operating business including the real property, personal property, financial assets, and the intangible assets of the business.
- ◆ **Market Value of the Total Assets of the Business (MVTAB):** The market value of all of the tangible and intangible assets of a business as if sold in aggregate as a going concern.
- ◆ **Modified Gross Lease:** A lease in which the landlord receives stipulated rent and is obligated to pay some, but not all, of the property's operating and fixed expenses. Since assignment of expenses varies among modified

¹ The actual definition of value used for this appraisal is contained within the body of the report.

ADDENDA

gross leases, expense responsibility must always be specified. In some markets, a modified gross lease may be called a double net lease, net net lease, partial net lease, or semi-gross lease. See also *net lease*.

- ◆ **Net Lease:** A lease in which the landlord passes on all expenses to the tenant. See also *gross lease*; *modified gross lease*.
- ◆ **Net Net Net Lease:** An alternative term for a type of net lease. In some markets, a net net net lease is defined as a lease in which the tenant assumes all expenses (fixed and variable) of operating a property except that the landlord is responsible for structural maintenance, building reserves, and management; also called *NNN lease*, *triple net lease*, or *fully net lease*.
- ◆ **Net Operating Income (NOI or I_o):** The actual or anticipated net income that remains after all operating expenses are deducted from effective gross income but before mortgage debt service and book depreciation are deducted. Note: This definition mirrors the convention used in corporate finance and business valuation for EBITDA (earnings before interest, taxes, depreciation, and amortization).
- ◆ **Occupancy Rate:** 1) The relationship or ratio between the potential income from the currently rented units in a property and the income that would be received if all the units were occupied. 2) The ratio of occupied space to total rentable space in a building.
- ◆ **Operating Expenses:** The periodic expenditures necessary to maintain the real estate and continue production of the effective gross income, assuming prudent and competition management.
- ◆ **Overage Rent:** The percentage rent paid over and above the guaranteed minimum rent or base rent; calculated as a percentage of sales in excess of a specified breakpoint sales volume.
- ◆ **Percentage Rent:** Rental income received in accordance with the terms of a percentage lease; typically derived from retail store and restaurant tenants and based on a certain percentage of their gross sales.
- ◆ **Prospective Opinion of Value:** A value opinion effective as of a specified future date. The term does not define a type of value. Instead, it identifies a value opinion as being effective at some specific future date. An opinion of value as of a prospective date is frequently sought in connection with projects that are proposed, under construction, or under conversion to a new use, or those that have not yet achieved sellout or a stabilized level of long-term occupancy.
- ◆ **Rentable Area:** For office or retail buildings, the tenant's pro rata portion of the entire office floor, excluding elements of the building that penetrate through the floor to the areas below. The rentable area of a floor is computed by measuring to the inside finished surface of the dominant portion of the permanent building walls, excluding any major vertical penetrations of the floor. Alternatively, the amount of space on which the rent is based; calculated according to local practice.
- ◆ **Retrospective Value Opinion:** A value opinion effective as of a specified historical date. The term retrospective does not define a type of value. Instead, it identifies a value opinion as being effective at some specific prior date. Value as of a historical date is frequently sought in connection with property tax appeals, damage models, lease renegotiation, deficiency judgments, estate tax, and condemnation. Inclusion of the type of value with this term is appropriate, e.g., "retrospective market value opinion."
- ◆ **Shell Rent:** The typical rent paid for retail, office, or industrial tenant space based on minimal "shell" interior finishes (called vanilla finish or white wall finish in some areas). Usually the landlord delivers the main building shell space or some minimum level of interior build-out, and the tenant completes the interior finish, which can include wall, ceiling, and floor finishes, mechanical systems, interior electricity, and plumbing. Typically these are long-term leases with tenants paying all or most property expenses.
- ◆ **Surplus Land:** Land that is not currently needed to support the existing use but cannot be separated from the property and sold off for another use. Surplus land does not have an independent highest and best use and may or may not contribute value to the improved parcel. See also *excess land*.
- ◆ **Turnover Vacancy:** A method of calculating vacancy allowance that is estimated or considered as part of the potential income estimate when using discounted cash flow (DCF) analysis. As units or suites turn over and are available for re-leasing, the periodic vacancy time frame (vacancy window) to release the space is considered.

ADDENDA

- ◆ **Usable Area:** 1) For office buildings, the actual occupiable area of a floor or an office space; computed by measuring from the finished surface of the office side of corridor and other permanent walls, to the center of partitions that separate the office from adjoining usable areas, and to the inside finished surface of the dominant portion of the permanent outer building walls. Sometimes called net building area or net floor area. See also floor area. 2) The area that is actually used by the tenants measured from the inside of the exterior walls to the inside of walls separating the space from hallways and common areas.
- ◆ **Usable Site Area:** The area of a site that can legally and physically accommodate buildings or significant site improvements. The usable site area equals the total site area less certain obstructions, such as flood hazard areas, required natural buffers, cemeteries, archeologically restricted areas, ecologically restricted areas, areas within certain restrictive easements, and other obstructions. The net site area or usable site area should be more precisely defined in each appraisal because the significance of improvements or the obstruction depends on the specific assignment.
- ◆ **Use Value:** The value of a property based on a specific use, which may or may not be the property's highest and best use. If the specified use is the property's highest and best use, use value will be equivalent to market value. If the specified use is not the property's highest and best use, use value will be equivalent to the property's market value based on the hypothetical condition that the only possible use is the specified use.
- ◆ **Value In Use:** 1. The amount determined by discounting the future cash flows (including the ultimate proceeds of disposal) expected to be derived from the use of an asset at an appropriate rate that allows for the risk of the activities concerned. (FASB Accounting Standards Codification, Master Glossary) 2. Formerly used in valuation practice as a synonym for contributory value or use value. See also *use value*.

Addendum B

Engagement Letter

NEWMARK VALUATION & ADVISORY

March 26, 2024

Veronica Ortega
Community Services Director
CITY OF ALAMOGORDO
1376 East Ninth Street
Alamogordo, NM 88310

Phone: 575-439-4100
Email: vortega@ci.alamogordo.nm.us

Re: Appraisal of the property described as:
Rocket City Family Fun Center, located at 3751 Mesa Village Drive, Alamogordo, NM 88310.
("Property")

Dear Ms. Ortega:

Newmark Valuation & Advisory, LLC ("**Firm**") agrees to provide City of Alamogordo ("**Client**") an appraisal of the above-referenced Property in accordance with, and subject to, the terms and conditions set forth below and in the attached Schedules (collectively, "**Agreement**").

APPRAISAL FEE:	\$4,500.00 (inclusive of expenses).
ADDITIONAL HOURLY FEES:	None
RETAINER:	\$4,500.00 with the return of this letter signed by the Client.
REPORT DELIVERABLES:	The appraisal, draft and/or final, shall be delivered in electronic format (typically, pdf). One original hard copy of the final appraisal will be provided to Client upon request.
COMMENCEMENT AND DELIVERY DATE:	Delivery is as follows: Final appraisal report: three (3) weeks The appraisal process will commence upon receipt by the Firm of (i) this Agreement, signed by Client, (ii) the retainer, and (iii) information and materials identified in Schedule "B." The appraisal process will conclude

NEWMARK

2555 E Camelback Road, Suite 600 | Phoenix, AZ 85016
PHONE: 602.952.3800 | WEB: www.nmrk.com

ADDENDA

Veronica Ortega
CITY OF ALAMOGORDO
March 26, 2024
PAGE 2 OF 11

	upon delivery of the final appraisal report, unless terminated sooner by the Firm or Client or as provided herein.
REPORT TYPE:	Appraisal Report
VALUATION PREMISE:	As Is
INTEREST IN THE PROPERTY APPRAISED:	Fee Simple Estate
DATE(S) OF VALUE:	Current as of: the Date of Inspection
INTENDED USER(S):	Intended users of the appraisal include only City of Alamogordo (" Intended User(s) "), and no other party is permitted to use or rely on the appraisal. The identification of Intended User(s) of the appraisal is to determine the type and extent of research, analysis and reporting appropriate for the assignment. Designation of a party other than Client as an Intended User is not intended to confer upon such party any rights under this Agreement.
INTENDED USE:	The intended use of the appraisal is solely for internal business decisions (" Intended Use ") and no other use.
RELIANCE LANGUAGE:	None
GUIDELINES:	The analyses, opinions and conclusions are to be developed based on, and the appraisal will be prepared in conformance with the Uniform Standards of Professional Appraisal Practice (USPAP) as published by the Appraisal Foundation.
SCOPE OF WORK:	The appraiser will use and properly apply all applicable and appropriate approaches to value sufficient to produce credible assignment results. The scope of the analysis will be appropriate for the appraisal problem.
APPRAISAL REPORT SIGNATORY:	Ryan Melzer
ASSUMPTIONS/ LIMITING CONDITIONS:	The appraisal will be subject to Firm's standard Assumptions and Limiting Conditions, which will be incorporated into the appraisal report. In addition, the appraisal may be subject to, and the appraisal report may contain, Extraordinary Assumptions and Hypothetical Conditions.
ACCEPTANCE:	This shall constitute a binding agreement only if countersigned by the Client, or by an officer, director or other representative of Client who, by

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Rocket City Family Fun Center

ADDENDA

Veronica Ortega
CITY OF ALAMOGORDO
March 26, 2024
PAGE 3 OF 11

signing and accepting this Agreement, represents and warrants that he/she is authorized by Client to do so.

PAYMENT:

Client will be invoiced the appraisal fee (and any expenses) which will be due upon execution of this agreement.

Payment of the fee is not contingent upon any predetermined value or on an action or event resulting from the analysis, opinions, conclusions or use of the appraisal.

CHANGES TO THE AGREEMENT:

Any significant changes to the assignment as outlined in this Agreement, such as the identity of the Client, Intended User, or Intended Use, will require the preparation and execution of a new agreement.

CANCELLATION OF ASSIGNMENT:

Client may cancel this Agreement at any time prior to the Firm's delivery of the appraisal upon written notification to the Firm. Client shall pay Firm for all work completed on the assignment prior to Firm's receipt of such written cancellation notice, unless otherwise agreed upon by Firm and Client in writing. The Firm may withdraw without penalty or liability from the assignment(s) contemplated by the Agreement before completion or reporting if the Firm determines, in the Firm's sole discretion, that incomplete information was provided to the Firm prior to the engagement, that Client or other parties have not or cannot provide documentation or information necessary to the Firm's analysis or reporting, that conditions of the Property render the original scope of work inappropriate, that a conflict of interest has arisen, or that Client has not complied with its payment obligations under this Agreement. The Firm shall notify Client of such withdrawal in writing.

NO THIRD-PARTY BENEFICIARIES:

Nothing in the Agreement shall create a contractual relationship or any legal duty between Firm or Client and any third party, nor any cause of action, right, or claim in favor of any third party and against Firm or Client. In addition, this Agreement is not intended to, and shall not be construed to, render any person or entity a third-party beneficiary of this Agreement. Client acknowledges and agrees that the appraisal report shall reflect the foregoing. In addition, the appraisal report shall state that no party other than an Intended User identified in the Agreement is entitled to rely upon the appraisal.

This Agreement may be rescinded by the Firm unless signed and returned to the undersigned within 10 days from the date hereof.

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ADDENDA

Veronica Ortega
CITY OF ALAMOGORDO
March 26, 2024
PAGE 4 OF 11

If this Agreement correctly sets forth the Client’s understanding of the services to be rendered, and if the terms are satisfactory, please execute and return the Agreement together with any required retainer.

Respectfully,



Ryan Melzer
Executive Vice President
Certified General Real Estate Appraiser
License No. 03599-G
ryan.melzer@nmrk.com
602.952.3881
480.257.0639

Agreed:
CITY OF ALAMOGORDO

SIGNATURE:



Rick Holden (Apr 2, 2024 16:06 MDT)

PRINT NAME:

Rick Holden

TITLE:

City Manager

DATE:

02/04/24

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Rocket City Family Fun Center

Addendum C

Comparable Data

ADDENDA

Retail Sale Comparable 1

High Sierra Lanes

Location Information

Location	3390 S Virginia St Reno, NV
Market	NV - Reno/Sparks
Submarket	Park Lane
County	Washoe
APN	020-201-64



Physical Property Summary

Property Type	Retail (Free-standing)
Gross Building Area	24,289 SF
Rentable Area	24,289 SF
Land Acres	0.00 Acres
Land SF	0 SF
Land to Building Ratio	0.00
No. of Buildings	1
No. of Stories	1
Year Built (Renovated)	1958 (1965)
Construction	Masonry
Condition	Good
Parking	Surface Lot
Investment Class	Class B
Elevators	

Financial Data

Occupancy	0.0%
Property Operations Status	Stabilized Operations

Financial Indicators

NOI	N/A
Derived Cap Rate	N/A
Reported Cap Rate	N/A

Sale Data

Transaction Type	Listing
Listing Date	January 0, 1900
Marketing Time	N/A
Grantor	Rudy & Sherry Moreno
Grantee	0
Document No.	0
Listing Price	\$0
Financing Terms	
Price Adjustments For:	
Financing	\$0
Conditions of Sale	\$0
Other	\$0
Adjusted Price	\$5,000,000
Price Per SF	\$205.85

Comments

This family entertainment center features 24 lanes of bowling, 15 gambling machines, arcade, full-service snack bar, pro shop, and embroidery shop. Gross sales in 2023 were approximately \$1,600,000.

ADDENDA

Retail Sale Comparable 2

Superplay

Location Information

Location	1600 NW Courtyard Cir Port Saint Lucie, FL
Market	FL - Palm Beach
Submarket	West Palm Beach
County	St. Lucie
APN	33-26-700-0002-0003



Physical Property Summary

Property Type	Retail (Free-standing)
Gross Building Area	65,188 SF
Rentable Area	65,188 SF
Land Acres	7.94 Acres
Land SF	345,866 SF
Land to Building Ratio	5.31
No. of Buildings	1
No. of Stories	1
Year Built (Renovated)	2006
Construction	Masonry
Condition	Good
Parking	Surface Lot
Investment Class	Class B
Elevators	

Financial Data

Occupancy	0.0%
Property Operations Status	Stabilized Operations

Financial Indicators

NOI	N/A
Derived Cap Rate	N/A
Reported Cap Rate	N/A

Sale Data

Transaction Type	Closed
Date	October 18, 2023
Marketing Time	N/A
Grantor	Superplay Development Group LLC
Grantee	Bowlero Port St Lucie LLC
Document No.	4966769
Price	\$9,425,000
Financing Terms	Cash to Seller
Price Adjustments For:	
Financing	\$0
Conditions of Sale	\$0
Other	\$0
Adjusted Price	\$9,425,000
Price Per SF	\$144.58

Comments

Superplay USA is a 64,410 NRSF bowling and entertainment center located on NW Courtyard Circle in Port St. Lucie, Florida. The center features 48 bowling lanes, arcade, pro shop, sports bar, outdoor batting cages, mini-golf, laser tag and event room.

ADDENDA

Retail Sale Comparable 3

Bowlero Bartlett

Location Information

Location	6276 Stage Rd Bartlett, TN
Market	TN - Memphis
Submarket	Memphis Metro
County	Shelby
APN	B0157 00949 & B0157 00950



Physical Property Summary

Property Type	Retail (Specialty/Theme)
Gross Building Area	42,148 SF
Rentable Area	42,148 SF
Land Acres	3.63 Acres
Land SF	158,023 SF
Land to Building Ratio	0.00
No. of Buildings	1
No. of Stories	1
Year Built (Renovated)	1975
Construction	Masonry
Condition	Average
Parking	Surface Lot
Investment Class	Class B
Elevators	

Financial Data

Occupancy	0.0%
Property Operations Status	Stabilized Operations

Financial Indicators

NOI	N/A
Derived Cap Rate	N/A
Reported Cap Rate	N/A

Sale Data

Transaction Type	Closed
Date	May 16, 2023
Marketing Time	N/A
Grantor	Bartlett Lanes, LLC
Grantee	Bowlero Bartlett, LLC
Document No.	23042369
Price	\$6,970,000
Financing Terms	Cash to Seller
Price Adjustments For:	
Financing	\$0
Conditions of Sale	\$0
Other	\$0
Adjusted Price	\$6,970,000
Price Per SF	\$165.37

Comments

On May 16th 2023, an average condition, single-story bowling alley property sold for \$6,970,000, \$165.37/sf. The property is a 42,148 Square foot class B retail building that is a bowling alley located in Bartlett Tennessee.

ADDENDA

Retail Sale Comparable 4

Merrimack Ten Pin

Location Information

Location	698 Daniel Webster Hwy Merrimack, NH
Market	NH - New Hampshire
Submarket	Manchester
County	Hillsborough
APN	7E-22



Physical Property Summary

Property Type	Retail (Free-standing)
Gross Building Area	30,830 SF
Rentable Area	30,830 SF
Land Acres	5.34 Acres
Land SF	232,436 SF
Land to Building Ratio	7.54
No. of Buildings	1
No. of Stories	1
Year Built (Renovated)	2003
Construction	Masonry
Condition	Good
Parking	Surface Lot
Investment Class	Class B
Elevators	

Financial Data

Occupancy	0.0%
Property Operations Status	Stabilized Operations

Financial Indicators

NOI	N/A
Derived Cap Rate	N/A
Reported Cap Rate	N/A

Sale Data

Transaction Type	Closed
Date	January 4, 2023
Marketing Time	N/A
Grantor	Gold Charm Properties Llc
Grantee	Florian Rty Merrimack Llc
Document No.	289
Price	\$3,000,000
Financing Terms	Cash to Seller
Price Adjustments For:	
Financing	\$0
Conditions of Sale	\$0
Other	\$0
Adjusted Price	\$3,000,000
Price Per SF	\$97.31

Comments

On January 4th 2023, Crystal Grover sold Edgar Florian 698 Daniel Webster Highway for \$3,000,000, \$97.31/sf. 698 Daniel Webster Highway is a 30,830 Square foot class B retail building that is a bowling alley located in Merrimack, NH 03054.

ADDENDA

Retail Sale Comparable 5

Bowl America Woodbridge

Location Information

Location	13409 Occoquan Rd Woodbridge, VA
Market	VA - Richmond
Submarket	Southwest
County	Prince William
APN	8392-96-4939



Physical Property Summary

Property Type	Retail (Free-standing)
Gross Building Area	29,946 SF
Rentable Area	29,946 SF
Land Acres	2.90 Acres
Land SF	126,324 SF
Land to Building Ratio	4.22
No. of Buildings	1
No. of Stories	1
Year Built (Renovated)	1991
Construction	Masonry
Condition	Good
Parking	Surface Lot
Investment Class	Class B
Elevators	

Financial Data

Occupancy	0.0%
Property Operations Status	Stabilized Operations

Financial Indicators

NOI	N/A
Derived Cap Rate	N/A
Reported Cap Rate	N/A

Sale Data

Transaction Type	Closed
Date	December 30, 2022
Marketing Time	N/A
Grantor	Bowl America Incorporated
Grantee	Cnli Amf I Lp
Document No.	2023-01090000941
Price	\$5,184,800
Financing Terms	Cash to Seller
Price Adjustments For:	
Financing	\$0
Conditions of Sale	\$0
Other	\$0
Adjusted Price	\$5,184,800
Price Per SF	\$173.14

Comments

Bowl America Incorporated sold this retail building in southern Woodbridge. The building contains 29,946 square feet and that is supported by a 2.90-acre site. It was constructed in 1991 and includes both concrete and metal components. Although this property has a commercial setting, most of the surrounding uses consist of older hotels, retail buildings, and storage yards.

ADDENDA

Retail Sale Comparable 6

Spare Time - Bowling Alley

Location Information

Location	350 Talcottville Road Vernon, CT
Market	Valuation Properties
Submarket	Valuation Retail
County	Capitol Planning Region
APN	VERN-000009-000015H-000026B



Physical Property Summary

Property Type	Retail (Other)
Gross Building Area	41,069 SF
Rentable Area	41,069 SF
Land Acres	7.03 Acres
Land SF	306,227 SF
Land to Building Ratio	7.46
No. of Buildings	1
No. of Stories	1
Year Built (Renovated)	1963
Construction	Masonry
Condition	Average
Parking	Surface
Investment Class	Class C
Elevators	

Financial Data

Occupancy	100.0%
Property Operations Status	Stabilized Operations

Financial Indicators

NOI	N/A
Derived Cap Rate	N/A
Reported Cap Rate	N/A

Sale Data

Transaction Type	Closed
Date	July 16, 2021
Marketing Time	N/A
Grantor	Corley Fam Realty
Grantee	Scr Rc Fndg 4 LLC
Document No.	2736-0191
Price	\$7,986,111
Financing Terms	Cash to Seller - Buyer Obtained Financing
Price Adjustments For:	
Financing	\$0
Conditions of Sale	\$0
Other	\$0
Adjusted Price	\$7,986,111
Price Per SF	\$194.46

Comments

The comparable represents a 41,069 square foot Class C retail bowling alley center, situated on a 7.03-acre site. The property is located along Talcottville Road in Vernon, CT. The building was completed construction in 1963 and is zoned Planne. Spare Time is the tenant at the time of sale. The property was purchased by MJG-MAR Realty LLC, and the seller was Garden Palace LLC. The property was sold on July 16, 2021 for a consideration of \$7,986,111 or \$194.46 per SF. The property features bowling alleys, full-service restaurant and arcade.

Lease Comparables

ADDENDA

Retail Rental Survey Comparable 1

Planet Fitness

Location Information

Location	2108 North Turner Street Hobbs, NM
Market	Valuation Properties
Submarket	Valuation Retail
County	Lea
APN	4000767170001



Physical Property Summary

Property Type	Retail (Free-standing)
Gross Building Area	17,600 SF
Rentable Area	17,600 SF
No. of Stories	1
Max Ceiling Height (Feet)	N/A
Year Built (Renovated)	2016
Construction	0
Condition	Average
Parking	Open Asphalt
Investment Class	Class B
Elevators	0

Lease Availability Details

Survey Date	Jun-2021
Overall Occupancy at Survey	100.0%
Leasing Agent	0
Company	0

Lease Summary

Start Date - Term	Tenant Name	Lease Status: Lease Size (SF)	Base Rent/SF	Reimb.	Rent Steps	Free Rent & TI Allowance
5/1/16 - 120 Mos.	Planet Fitness	Signed Lease: 17,600	\$14.00	Triple Net	10% Every, 5 Years	No Free Rent; No TI

Lease Comments: Planet Fitness has signed a lease for 17,600 SF of space with Mdj Properties Llc for \$ 14.00 PSF/Yr for 120 months on a triple net reimbursement method. Rent for the property shall be increased 10% every five year.

Comments

The comparable is a class B, retail building. Situated on a 1.7 acre-site. The improvements were built in the year 2016. Planet Fitness has signed a lease for 17,600 SF of space with Mdj Properties Llc for \$14.00 PSF/Yr for 120 months on a triple net reimbursement method. Rent for the property shall be increased 10% every five year..

ADDENDA

Retail Rental Survey Comparable 2

Crunch Fitness

Location Information

Location	320 Wyatt Drive Las Cruces, NM
Market	Valuation Properties
Submarket	Valuation Retail
County	Doña Ana
APN	02-07436



Physical Property Summary

Property Type	Retail (Outlet)
Gross Building Area	65,000 SF
Rentable Area	65,000 SF
No. of Stories	1
Max Ceiling Height (Feet)	16
Year Built (Renovated)	1983
Construction	Masonry
Condition	Average
Parking	Surface
Investment Class	Class A
Elevators	0

Lease Availability Details

Survey Date	Dec-2020
Overall Occupancy at Survey	71.30%
Leasing Agent	Leasing Agent
Company	Undisclosed

Lease Summary

Start Date - Term	Tenant Name	Lease Status: Lease Size (SF)	Base Rent/SF	Reimb.	Rent Steps	Free Rent & TI Allowance
6/3/18 - 120 Mos.	Crunch	Signed Lease: 41,000	\$13.00	Triple Net	Annual	No Free Rent; No TI

Comments

This comparable represents a 41,000 SF lease signed by Crunch at located at 320 Wyatt Drive in Las Cruces, Texas. The improvements were constructed in 1983. The rent was \$13.00 per square foot, and the lease commenced in June of 2018. The initial lease term is for 10 years with annual escalations. The lease also includes 2, 5-year options. The property was considered to be in average condition at the time of our research.

ADDENDA

Retail Rental Survey Comparable 3

Kent Bowl

Location Information

Location	1234 Central Ave N
	Kent, WA
Market	WA - Seattle
Submarket	Seattle Metro
County	King
APN	1822059177



Physical Property Summary

Property Type	Retail (Free-standing)
Gross Building Area	27,516 SF
Rentable Area	27,516 SF
No. of Stories	1
Max Ceiling Height (Feet)	N/A
Year Built (Renovated)	1958
Construction	Masonry
Condition	Average
Parking	Surface Lot
Investment Class	Class B
Elevators	0

Lease Availability Details

Survey Date	Feb-2024
Overall Occupancy at Survey	100.00%
Leasing Agent	Colliers
Company	Colliers

Lease Summary

Start Date - Term	Tenant Name	Lease Status: Lease Size (SF)	Base Rent/SF	Reimb.	Rent Steps	Free Rent & TI Allowance
1/20/22 - 240 Mos.	Kent Bowl	Signed Lease: 27,396	\$13.96	Triple Net	1.80% annual increa:	No Free Rent; No TI

Comments

ADDENDA

Retail Rental Survey Comparable 4

Ladera Shopping Center

Location Information

Location	3301 Coors Blvd NW Albuquerque, NM
Market	NM - Albuquerque
Submarket	West Mesa
County	Bernalillo
APN	101106020509530802,



Physical Property Summary

Property Type	Retail (Neighborhood)
Gross Building Area	133,183 SF
Rentable Area	133,183 SF
No. of Stories	1
Max Ceiling Height (Feet)	N/A
Year Built (Renovated)	1982 (2005)
Construction	Wood frame
Condition	Good
Parking	Surface Lot
Investment Class	Class B
Elevators	0

Lease Availability Details

Survey Date	Feb-2024
Overall Occupancy at Survey	0.00%
Leasing Agent	0
Company	0.0%

Lease Summary

Start Date - Term	Tenant Name	Lease Status: Lease Size (SF)	Base Rent/SF	Reimb.	Rent Steps	Free Rent & TI Allowance
1/1/24 - 122 Mos.	Thrift Stores, Inc.	0: 43,900	\$9.00	Triple Net	3% annual increases 2 mos. free; No TI	

Comments

A 43,900 SF space of the building is being leased for retail purposes by Thrift Stores, Inc. for an asking rent of \$9/NNN. Tenant has 60 days of free rent including operating expenses. Thereafter, the Landlord will have 120 months (10 years) in which rent will be paid by the Tenant. Extension: Three five-year options to renew with notice on or before 180 days prior to the expiration of the initial lease term.

ADDENDA

Retail Rental Survey Comparable 5
Daskalos Center

Location Information	
Location	5307-5343 Menaul Blvd NE
	Albuquerque, NM
Market	NM - Albuquerque
Submarket	Northeast Heights
County	Bernalillo
APN	101805909829320203



Physical Property Summary	
Property Type	Retail (Neighborhood)
Gross Building Area	87,980 SF
Rentable Area	87,980 SF
No. of Stories	1
Max Ceiling Height (Feet)	N/A
Year Built (Renovated)	1958
Construction	Masonry
Condition	Average
Parking	Surface Lot
Investment Class	Class B
Elevators	0

Lease Availability Details	
Survey Date	Feb-2024
Overall Occupancy at Survey	0.00%
Leasing Agent	0
Company	0.0%

Lease Summary						
Start Date - Term	Tenant Name	Lease Status: Lease Size (SF)	Base Rent/SF	Reimb.	Rent Steps	Free Rent & TI Allowance
3/1/24 - 120 Mos.	Animal Humane Association of New Mexico	Signed Lease: 25,417	\$9.00	Triple Net	3% annual increases	No Free Rent; No TI

Comments
A 25,417 SF space of the building is being leased for retail purposes by Animal Humane Association of New Mexico for a starting rent of \$9.00/NNN. The commencement date is estimated. The tenant took the space as-is. The space had formerly been occupied by Big Lots.

ADDENDA

Retail Rental Survey Comparable 6

AutoZone - Santa Fe

Location Information

Location	2710 Cerrillos Rd Santa Fe, NM
Market	NM - Santa Fe
Submarket	Santa Fe Metro
County	Santa Fe
APN	018701442



Physical Property Summary

Property Type	Retail (Free-standing)
Gross Building Area	18,010 SF
Rentable Area	18,010 SF
No. of Stories	1
Max Ceiling Height (Feet)	N/A
Year Built (Renovated)	1986
Construction	Masonry
Condition	Average
Parking	Surface Lot
Investment Class	Class B
Elevators	0

Lease Availability Details

Survey Date	Feb-2024
Overall Occupancy at Survey	0.00%
Leasing Agent	0
Company	0.0%

Lease Summary

Start Date - Term	Tenant Name	Lease Status: Lease Size (SF)	Base Rent/SF	Reimb.	Rent Steps	Free Rent & TI Allowance
7/1/24 - 240 Mos.	AutoZone	Letter of Intent: 18,010	\$12.77	Triple Net	0.73% annual increa:	No Free Rent; No TI

Lease Comments: This lease represents a signed LOI. Pursuant to the lease, the tenant estimates spending about \$1,500,000 on tenant improvements at its own cost. The lease will commence the sooner of the tenant opening for business or five months after the tenant takes possession of the space.

Comments

Addendum D

Appraiser Qualifications and Licenses



Ryan W. Melzer

Executive Vice President

t 602-952-3881
m 480-257-0639
ryan.melzer@nrmk.com

YEARS OF EXPERIENCE

20+

AREAS OF SPECIALTY

Industrial
Self Storage
RV Parks

Ryan Melzer joined Newmark Valuation & Advisory in 2017 and currently serves as Executive Vice President in the Phoenix office. Ryan has appraised a broad range of property types, including office, industrial, retail, multifamily, shopping centers, self storage facilities, car dealerships, restaurants, assisted living facilities, religious facilities, schools, vacant land and right-of-way.

In January 2017, Ryan was appointed to the Arizona State Board of Equalization, a quasi-judicial agency that hears appeals of assessed property valuations and classifications for taxing purposes in the state of Arizona.

Prior to joining Newmark, Ryan served for more than 20 years as an appraiser with KS Appraisal, where he gained extensive experience in appraising a wide variety of real estate.

Professional Affiliations

- Arizona State Board of Equalization, January 2017 – present

Licenses and Designations

- Certified general real estate appraiser, Arizona, New Mexico, Nevada
- Licensed real estate sales agent, state of Arizona. 2015 – present

Education

Ryan holds a Bachelor of Science degree in finance from Arizona State University's W.P. Carey School of Business.

THIS IS TO CERTIFY THAT Ryan W. Melzer Real Estate Appraisers Board	
is licensed / registered by the New Mexico Regulation and Licensing Department in accordance with provisions of laws in the State of New Mexico	
License / Registration No. 03599-G	License / Registration Type General Certified Appraiser
Issue Date 1/24/2018	Expiration Date 4/30/2025
The bearer is prohibited by law from using this identification card to give the impression that they are in any way connected with a governmental agency	
Signature of holder:	

Ryan W. Melzer
3529 E Decatur St
Mesa, AZ 85213

 NMRLD NEW MEXICO REGULATION & LICENSING DEPARTMENT	<i>State of New Mexico</i> 
Real Estate Appraisers Board	
HEREBY CERTIFIES THAT	
Ryan W. Melzer	
HAVING GIVEN SATISFACTORY EVIDENCE OF THE COMPLETION OF PROFESSIONAL AND OTHER REQUIREMENTS PRESCRIBED BY LAW IS GRANTED A LICENSE TO PRACTICE IN THE STATE OF NEW MEXICO	
General Certified Appraiser	
License No. 03599-G	Issued 1/24/2018
Expires 4/30/2025	
THIS LICENSE SHOULD BE CONSPICUOUSLY POSTED IN PLACE OF BUSINESS OR AS REQUIRED BY LAW	



Gavin J. McPhie

MAI

*Senior Managing Director
Market Leader – Southwest Region*

t 602-952-3889
gavin.mcphie@nmrk.com

YEARS OF EXPERIENCE

20+

AREAS OF SPECIALTY

Valuation & Advisory

Gavin McPhie MAI, joined Newmark Valuation & Advisory in 2017 and currently serves as a Senior Managing Director and Market Leader for the firm's Southwest region. In this capacity, Gavin is responsible for growing the valuation and advisory businesses of the Phoenix, Las Vegas, Reno and Albuquerque offices through the recruitment and management of best-in-class valuation professionals. He is also responsible for quality control reviews.

Gavin brings to his position 20+ years of valuation and advisory experience. His appraisal experience includes the fee preparation of real estate appraisals, rent analyses and market studies of commercial and multifamily properties. He has completed valuation assignments of several commercial property types, including land, office, office condominiums, retail, industrial, call centers, data centers, private schools, charter schools, restaurants, hotels, resorts and multifamily properties. He has completed assignments in Arizona, California, Colorado, Nevada, New Mexico and Utah as well as international assignments in Grenada and Mexico.

Gavin joined Newmark following 12 years with CBRE's Valuation & Advisory Services Group. Most recently, Gavin was a managing director with Valuation & Advisory Services, responsible for co-managing offices in Phoenix, Tucson, Las Vegas, Reno and Albuquerque. He had advanced to the position of managing director after two years as a vice president with Valuation & Advisory, preceded by three years as a senior appraiser. Gavin began his career as an appraiser in 2001 at PGP Valuation, Inc. (Now Colliers International) in Sacramento, California.

Licenses and Designations

- Designated Member, Appraisal Institute (MAI)
- Certified general real estate appraiser, states of Arizona, California, Colorado, New Mexico, Nevada, Oregon, Utah and Washington

Education

Gavin earned a Bachelor of Science degree from Brigham Young University. He has also completed course work from the Appraisal Institute.

State of New Mexico

REAL ESTATE APPRAISERS BOARD

PO Box 25101

Santa Fe, NM 87505

(505) 476-4622



This is to certify that

Gavin James McPhie #03013-G

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

General Certified Appraiser

This appraiser is eligible to perform in Federally Related Transactions

Issue Date: 07/10/2008

Date Expires: 04/30/2024

THIS LICENSE MUST BE CONSPICUOUSLY POSTED IN PLACE OF BUSINESS

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 5/14/2024

Report Date: 05/07/2024

Report No: 18.

Submitted By: Beau Dylan Aleshire

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

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Six applications were received. Staff recommends two appointments to the Airport Advisory Board, one appointment to the Airport Zoning Board, and one appointment to the Alamogordo Public Library Board.

Background:

Airport Advisory Board

- Two upcoming vacancies due to the expiring terms of Erich Wuerschling and Manuel Gonzales Junior. Applications by Erich Wuerschling, Manuel Gonzales Junior, Alexandria Russo, Mark S. Werner, and Billy Tucker were received.
- If appointed, this would be Alexandria Russo's 1st term.
- If appointed, this would be Mark Werner's 1st term. Mark Werner's first choice, the Parks and Recreation Board, is currently full. The Airport Advisory Board was his second choice.
- If reappointed, this would be Manual Gonzales's 6th term.
- If appointed, this would be Billy Tucker's 1st term. Billy Tucker's first choice, the Airport Zoning Board. The Airport Advisory Board was his second choice.
- If reappointed, this would be Erich Wuerschling's 6th term.

Airport Zoning Board

- Three current vacancies. An application by Billy Tucker was received. If appointed, this would be his 1st term.

Alamogordo Public Library Board

- Two upcoming vacancies due to the expiring terms of Rhonda Alterson and Cynthia Stevenson. An application by Rhonda Alterson was received. If reappointed, this would be her 2nd term.

[Print](#)**Application to Serve on a Board/Committee - Submission #6446****Date Submitted: 8/6/2023**City of
ALAMOGORDO**City of Alamogordo Application to Serve on a City Board/Committee****First Name:***

Alexandria

Last Name:*

Russo

Phone Number:*

575-222-3448

Email Address:*

Alexandriapage.ad@gmail.com

Physical Address:*

308 Palo Duro

City:*

Alamogordo

State:*

Nm

Zip Code:*

88310

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

308 Palo Duro

City:*

Alamogordo

State:*

Nm

Zip Code:*

88310

Present Employer:*

Not currently employed! (Former FAA licensed flight attendant)

Job Title:

I currently stay home with my children & am seeking a productive outlet for my energy and ambition.

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

Airport Advisory Board ▼

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

- ☐ Yes
- ☒ No

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

Alamogordo Disability Council (ADC) ▼

If so, what is their relation to you?**Are you related to an Elected Official of the City of Alamogordo?***

- ☐ Yes
- ☒ No

Is so, what is their relation to you?**Experience and education relating to the Board/Committee:***

Near completed BA at Albright, in English literature (honor roll student & scholarship recipient for all 3 years of my college education until I ran out of funding for my education)

FAA licensed flight attendant

Former Flight Attendant

Former Grievance representative & new hire representative for AFA-CWA labor union (I've worked with labor union president Sarah Nelson, in DC to create legislation that forced Airlines to give 10 hour layovers minimum, to reduce airline crew fatigue and further public safety)

Served in the International Student association at Albright College in Reading, PA

Served on the NIOSH(North Dakota OSHA committee as a representative for Northridge Construction)

Experience working in risk management as a general contractor in the construction industry

Experience in Hospitality Management of 17 hotels

Lived abroad in Guam for 4 years, expanding my world views.

I have been a military spouse for 7 years, and am a mother of 2 young children, offering me a wider perception of the general public

Preserving the Legacy scholarship recipient at Albright College

My minor in college was the history of the minor middle east and I tutored Saudi Arabian students in English(again offering me a widened world view)

I have lived in Michigan, Pennsylvania, Kentucky, Colorado, Illinois, North Dakota, Guam, Hawaii and now New Mexico which gives me a privileged expanded knowledge of other state laws regulations and operations.

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

As a highly ambitious woman, becoming a stay at home mother and wife has made my professional development and growth as a person feel stagnant. I would love to dive back into the professional world, to network and make connections, feel as if I'm making some sort of difference in this world, find purpose and hopefully ultimately find fulfillment as I grow as a person. I always love an opportunity to expand my horizons, experience in life and knowledge. At 29 years old, I feel experienced and mature enough to serve my community but also still have an energetic zeal to life. I'm drawn to the airport committees as former flight crew, and am interested in serving the disabled as my mother was born with an extremely rare birth defect that has left her disabled her entire life, and my brother was mentally ill- diagnosed with schizophrenia before taking his own life due to lack of help for the mentally ill in the state of Texas of which refused to give my brother court required medication- giving me first hand insight to the struggles that our physically and mentally disabled citizens go through. I've endured many hardships in life of which left me with a lot of wisdom and compassion for people. I can honestly say you likely won't find someone as passionate or as driven as me.

City of Alamogordo
APPLICATION TO SERVE ON A
CITY BOARD/COMMITTEE

RECEIVED
MAR 26 2024
CITY CLERK

Name: Mark S. Werner
Home Phone: 4+ Work Phone: _____
Cell Phone: 907 254-6663 Fax No: _____
E-mail address: mwerner1@hotmail.com
Physical Address: 1709 Dewey Lane
Is the above address within City limits? Yes X No _____
Mailing Address: same as above
Present Employer: self Job Title: retired

Board/Committee you wish to serve on:

First choice: Park & Recreation board
Second choice: Airport Advisory board

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

Yes _____ No X If so, what is their relation to you? _____

Are you related to any Elected Official of the City of Alamogordo?

Yes _____ No X If so, what is their relation to you? _____

Experience and education relating to the Board/Committee: aircraft mechanic
licence, pilot licence, Aircraft owner, Delta Airlines Safety
Avid golfer, disk golfer, Hiker.
associate degree from ENMU, 35 yrs w/Delta airlines

Please indicate your interest in serving on a City Board/ Committee: interested
in improving public Parks and airport improvement

Please return completed application to:

City Clerk's Office
1376 E. Ninth Street
Alamogordo, NM 88310
PHONE: (575) 439-4100
FAX: (575) 439-4396



City of
ALAMOGORDO

RECEIVED

APR 10 2024

CITY CLERK

Letter of Interest in Reappointment

Please complete the following indicating your interest in reappointment to a Board or Committee. You may return this letter via email to Deputy City Clerk Dylan Aleshire at daleshire@ci.alamogordo.nm.us, or address it to him and mail it to City Hall at 1376 E. Ninth Street, Alamogordo, NM 88310.

☒

Yes, I am interested in reappointment.

☐

No, I am no longer interested in serving on this Board.

Name of Board or Committee: AIRPORT ADVISORY BOARD

Printed Name: Manuel Gonzales, Jr.

Home Phone: 575-430-7219 Work Phone: 575-443-1760

Cell Phone: 575-430-7219 E-mail address: mgonzalesjr@gmail.com

Physical Address: 5 Briarwood Court, Alamogordo, NM 88310

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

Mailing Address: 5 Briarwood Court, Alamogordo, NM 88310-9536

Present Employer: USA Insurance, Inc. Job Title: Insurance Agent

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

Yes ☐ No ☒ If so, what is their relation to you? _____

Are you related to any Elected Official of the City of Alamogordo?

Yes ☐ No ☒ If so, what is their relation to you? _____

Please indicate your interest in continuing to serve on this Board/Committee:

Alamogordo-Whitesands Regional Airport is a vital economic and life safety asset to this Region. I wish to continue Public Service on this Board.

Manuel Gonzales, Jr.
Signature

April 10th, 2024
Date

[Print](#)

Application to Serve on a Board/Committee - Submission #7007

Date Submitted: 3/15/2024



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

First Name:*

Billy

Last Name:*

Tucker

Phone Number:*

575-430-0407

Email Address:*

billywtucker@gmail.com

Physical Address:*

3202 Thunder Rd

City:*

Alamogordo

State:*

NM

Zip Code:*

88310

Is the above address within City Limits?*

☒ Yes☐ No

Mailing Address:*

3202 Thunder Rd

City:*

Alamogordo

State:*

NM

Zip Code:*

88310

Present Employer:***Job Title:**

New Mexico Home Real Estate

Owner Qualifying Broker

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

Airport Zoning Board

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

Airport Advisory Board



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

☐ Yes☒ No

If so, what is their relation to you?

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

☐ Yes☒ No

Is so, what is their relation to you?

Experience and education relating to the Board/Committee:*

Licensed Pilot;
20 years real estate broker,
25 years education - teaching and administration

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

Life-long interest in aviation, and interested in our local airport.



City of
ALAMOGORDO

RECEIVED

MAY 02 2024

CITY CLERK

**Application To Serve On A
City Board/Committee**

Name: Erich Wuerschling
Phone: 817 832 7071
Email Address: erich@sugarpinesrvpark.com
Physical Address: 508 Chautauqua Canyon Cloudcroft 88317
Is the above address within City limits? Yes ☐ No ☒
Mailing Address: P.O. Box 317 Cloudcroft 88317
Present Employer: NASA Fire Department Job Title: Emergency Manager
Wolf Creek Federal Svcs
Board/Committee you wish to serve on:
First choice: Airport Board
Second choice: _____

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

Yes ☐ No ☒ If so, what is their relation to you? _____

Are you related to any Elected Official of the City of Alamogordo?

Yes ☐ No ☒ If so, what is their relation to you? _____

Experience and education relating to the Board/Committee: 12+ years
experience. Extensive experience in Wildfire and
high interest in maintaining and/or expanding
services for the tanker base @ the airport

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

interested in promoting the availability of
Regional Jet Service to the airport as well

Please return completed application to:

City Clerk's Office
1376 E. Ninth Street
Alamogordo, NM 88310
PHONE: (575) 439-4100
FAX: (575) 439-4396
EMAIL: daleshire@ci.alamogordo.nm.us

