



Alamogordo City Commission

NOTICE OF MEETING

Regular Meeting Agenda

September 24, 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 September 10, 2024. *(Rachel Hughs, City Clerk)*
2. Consider, and act upon, the award of Public Works Bid No. 2024-008, Street Maintenance Program FY2021 (Phase 1) Project No. UC2401, to La Luz Dirt & Paving LLC, related to the Alamogordo Street Maintenance Program FY2021 (Phase 1) project for an amount not to exceed \$4,226,205.87, including NMGR. *(Justen Boyle, Project Manager)*
3. Consider, and act upon, Resolution 2024-62 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 September 24, 2024. *(Evelyn Huff, Finance Director)* **(Roll Call Vote Required)**
4. Consider, and act upon, adoption and final publication of amended Ordinance 1705, approving a loan from the New Mexico Finance Authority regarding the Yearout Contract and EPC project. *(Evelyn Huff, Finance Director and Chris Muirhead)* **(Roll Call Vote Required)**

ITEMS REMOVED FROM CONSENT AGENDA

NEW BUSINESS

5. Consider, and act upon, Ordinance 1707 Case Z-2024-0005(A) for first publication of a map amendment to rezone 1701 Cuba Ave. from R-1 Single Family Dwelling District to R-3 Two Family Dwelling District. *(Stella Rael, City Planner)* **(Roll Call Vote Required)**
6. Consider, and act upon, Resolution 2024-63, declaring 1620 N. White Sands Blvd. to be so ruined, damaged, and dilapidated that it is a menace to public comfort, health, peace, or safety and ordering its abatement. *(Josh Sides, Code Enforcement Manager)* **(Roll Call Vote Required)**
7. Appointments to Boards and Committees. *(Susan L. Payne, Mayor)*

EXECUTIVE SESSION (Roll Call Vote Required)

8. Adjourn into Executive Closed Session in compliance with 10-15-1(H)(7) NMSA (as amended) to discuss Pending Litigation: Downtown Ventures. *(Ashley Smith, City Attorney)*

ADJOURNMENT

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 9/24/2024

Report Date: 09/11/2024

Report No: 1.

Submitted By: Rachel Hughs

Subject: Approve the minutes for the Regular Commission meeting on September 10, 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 DRAFT MINUTES
6:30 PM, DONALD E. CARROLL COMMISSION CHAMBERS
September 10, 2024**

**SUSAN PAYNE, MAYOR
SHARON MCDONALD, MAYOR PRO-TEM
NICHOLAS PAUL, COMMISSIONER
STEPHEN BURNETT, COMMISSIONER
WARREN ROBINSON, COMMISSIONER**

**JOSHUA RARDIN, COMMISSIONER
MARK TAPLEY, COMMISSIONER
RICK HOLDEN, CITY MANAGER
ASHLEY SMITH, CITY ATTORNEY
RACHEL HUGHS, CITY CLERK**

CALL TO ORDER & ROLL CALL

Mayor Payne called the meeting to order at 6:29 PM. Roll Call was taken by the Deputy City Clerk. Deputy City Clerk Aleshire announced there was a quorum present.

INVOCATION & PLEDGE OF ALLEGIANCE

The Invocation was given by Pastor James Forney of the Corinth Baptist Church, and the Pledge of Allegiance was led by Mayor Pro-Tem McDonald.

APPROVAL OF AGENDA

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

PRESENTATIONS

1. Constitution Week Proclamation. (*Susan L. Payne, Mayor*)

Mayor Payne proclaimed the week of September 17th through the 23rd as Constitution Week and urged all citizens to study the Constitution and reflect on the privilege of being an American with all the rights and responsibilities that privilege involves. She presented the proclamation to Cathe Prather and Suzan Garrison of the White Sands Chapter of the Daughters of the American Revolution.

PUBLIC COMMENT

None.

CITY MANAGER'S REPORT

None.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

None.

CONSENT AGENDA

2. Approve the minutes for the Regular Commission meeting on August 27, 2024. (*Rachel Hughs, City Clerk*)

3. Consider, and act upon, Resolution No. 2024-60 approving the submission of an application to the New Mexico Finance Authority Water Trust Board for project approval and financial assistance in the amount of \$3,035,050, with a \$455,258 City match, for the replacement of a reclaimed water pivot transmission pipeline. (*Debbie Osborne, Grant Coordinator*) (Roll Call Vote Required)

4. Consider, and act upon, Resolution No. 2024-61 approving the submission of an application to the New Mexico Finance Authority Water Trust Board for project approval and financial assistance in the amount of \$3,083,455, with a \$462,520 City match, for the replacement of a waterline in the Granada Hills area, Alamogordo, NM. (*Debbie Osborne, Grant Coordinator*) (Roll Call Vote Required)

5. Consider, an act upon, amended publication of Ordinance 1705, approving a loan from the New Mexico Finance Authority regarding the Yearout Contract and EPC project. (*Evelyn Huff, Finance Director and*

Chris Muirhead) (Roll Call Vote Required)

**Commissioner Robinson moved to approve.
Commissioner Tapley seconded the motion.
Motion Passed with a vote of 7 - 0 - 0.**

ITEMS REMOVED FROM CONSENT AGENDA

None.

NEW BUSINESS

6. Presentations and Discussions: Understanding Transparency & Ethics Obligations for the City of Alamogordo. Effective Governance for the City of Alamogordo. (Geno Zamora, Ortiz & Zamora Law Firm)

Mr. Zamora gave his first presentation, Understanding Transparency & Ethics Obligations for the City of Alamogordo. Topics covered in this presentation were the New Mexico Open Meetings Act (OMA), § 10-15-1, et seq., the New Mexico Inspection of Public Records (IPRA), § 14-2-1, et seq, the New Mexico Governmental Conduct Act, § 10-16-1, et seq., and the City Commission Code of Conduct Ordinance 2-02-060.

Open Meetings Act (OMA) - Public Comment Period

Mr. Zamora said he recommended Public Comment at the top of the agenda. Some governing bodies put it at the bottom of the agenda as the last item, and that will open you to complaints that people can not stay until nine o'clock to get to the end. Sometimes, it is good to have people's perspectives at the beginning of the meeting because you will be voting on agenda items later. That way, they get to have their input prior to your vote. Commissioner Rardin said years ago we limited twenty-one minutes to it at the beginning of the meeting. We also allowed people to speak at the end if we went over twenty-one minutes. Is that good? Mr. Zamora said that was a good creative idea and understood the basis for it, but you would run into trouble when people start making complaints, whether to the City or Attorney's General's Office, that two individuals were treated differently. Commissioner Rardin asked if that would still be the case even if the agenda was published that way. Mr. Zamora said there is nothing in the statute that says you cannot do that, but I think it opens you up to the argument that someone was treated differently than another member of the public.

Mayor Payne said on our Public Comment sign-up sheet, the public can list what agenda item they want to speak on. I usually wait until that agenda item, then call them up to speak. Is that okay, or should we just do Public Comment at the beginning? Mr. Zamora said that can become a slippery slope. I think it is good to say this is your one opportunity to speak, and you can tell us what item you are speaking towards, but I would keep it in one. Mayor Payne asked if we should just have everyone speak at the beginning and not wait until the specific item. Mr. Zamora said unless the item requires public comment, like ordinance input. I think you have some that do require public input, like ordinances or sometimes appeals for things like land use. For things that, in your ordinance, do require public comment, you are going to put public comment on the agenda item in that agenda item. Mayor Payne asked if you would do that in resolution. Mr. Zamora said a resolution would not do it, and a normal action item like a contract would not do it, but maybe on the second reading of the adoption of an ordinance or the appeal of a zoning decision. Those may require it. I have seen other cities with ordinances that require public input on those items, and I would list it at the agenda item. Commissioner Rardin said that lately when people sign up for a specific item, it has been on a resolution condemning someone's property. The property owner will come in and want to speak on the item. Currently, the resolutions are being put on the Consent Agenda instead of New Business. If the person who owns the property comes in and signs up to speak on it, is that the same? I feel they should have the opportunity to address the Commission on that item. Mr. Zamora said the Chair has the discretion to take a party's input on an agenda item. When we are talking about the broader Public Comment, I would keep that in Public Comment. The Chair, here being the Mayor or Mayor Pro-Tem, has the opportunity and discretion to ask if the property owner was here to tell us. That is actually the board asking for input, not putting it up for general Public Comment. Commissioner Rardin said let's say they put up a resolution to condemn a property I own. I would want to come and discuss it. As an elected official, I feel any member of the public has the right to come up and address that issue. If an individual had a resolution done, they had an appeal process with the Commission. They would come forward and sign up to speak on the appeal. Mr. Zamora said that is fine and proper meeting management,

but I don't want to get overly technical when we are talking about the defined Public Comment, period. On individual agenda items, as a governing body, you are going to have the opportunity to ask the property owner or particular staff questions. Commissioner Rardin said so the property owner wouldn't need to sign up if we asked them to come up. Mr. Zamora said they do not, but if they want to guarantee they can make a particular statement, they should sign up for Public Comment.

Open Meetings Act (OMA) - Virtual Meetings

Mr. Zamora said regarding the Open Meetings Act and virtual meetings, everyone is supposed to be attending in person. Unusually, you can attend by phone or video, especially if an Open Meetings Act resolution gets passed every year. If you attend remotely, we sort of default back to Covid rules, meaning you have to be identifiable when you speak, and all votes must be by roll call vote. If the audio or video is interrupted, the Chair should suspend the discussion until it is operational again. I cannot tell you to which degree you continue the meeting if you cannot bring the member back. Mayor Payne said that is not really what we do. One of our Commissioners works out of town, and there have been times when he has been on the phone. We lost him, and then we continued the discussion. Are you saying that is a no? Mr. Zamora said this is not a statute, but best practice on the Covid rules of remote attendance from the Attorney General's Office regarding open meetings and attendance. In which they say that if the audio or video is interrupted, the Chair should suspend the discussion until it is operational again. Mayor Payne asked what if we could not get the Commissioner back. Commissioner Burnett said last time he was in Ruidoso and the phone calls kept dropping. Mayor Payne said she was trying to figure out at what point the meeting should continue if he does not have reception. Mr. Zamora said you will know it when you see it, but at some point in time you take a break to try to establish a connection. Then you would need to say on the record that we are unable to connect and that we are going to proceed. Direct the Clerk to note the time that the Commissioner exited the meeting. Mayor Payne asked if we needed to set up a policy or something similar where we made an attempt to get him back, but couldn't, and then we stated it and could continue. Mr. Zamora said correct. Commissioner Robinson said we just need to document it. Mr. Zamora said yes, just document it, and it will all be on the record. Commissioner Rardin said the night that happened, the Clerk noted that we lost Commissioner Burnett, and we continued with the meeting. Once we got him back, she stated he was back in. It happened around four to five times. The phone just kept dropping calls.

Prohibited Political Activities (§ 10-16-3.1)

Mr. Zamora said the biggest place to trip up on is prohibited political activities. No use of government property for non-authorized purposes. You cannot use a public works truck and put your personal campaign sign on it, and you cannot drive it up and down Mainstreet. Mayor Payne said we should not have any campaign or political signs on city property at all, right? Mr. Zamora said it depends. Most likely not. However, if this is a voting location, and signs are allowed outside one hundred feet on Election Day, that may be permissible. You should have ordinances or resolutions that address this specifically. Mayor Payne said what if someone set up a campaign sign in a truck and set the truck on White Sands Boulevard somewhere, like the Zoo? Would asking them to remove that be appropriate? Mr. Zamora said in a government entity up north, a candidate for the legislature, in a partisan campaign, bought the trailer portion of a tractor-trailer with their name on it and to vote for them and parked it on governmental property. I believe the Attorney General's Office intervened and demanded it to be removed. City Attorney Smith said we do have a City ordinance that talks about temporary signs and political campaign signs. It says it is not allowed on public property. Mr. Zamora said the ordinance is going to preside on that, and it is pretty clear. Let's say someone has a bumper sticker and comes here to check with the Clerk's Office in preparation for an election. They are here temporarily, but it will get to intent at some point in time. If something is parked there for three weeks at a time, it will look less and less unintentional. Commissioner Rardin asked what if the vehicle was moved every day. A lot of us use a magnetic sign that goes on the side of a truck. What if you park your truck in the parking lot and move it three or four hours later? Mr. Zamora said there are a lot of what-ifs. It depends. If it is an intentional violation, like moving from lot to lot and trying to make sure every city employee sees it, we are going to have issues. If I have a magnetic sign and I am only here for a meeting and then getting out, that may not be problematic. If you have things that are removable, and you are going to be here for a while, probably remove it so nobody can complain about whether or not it is valid.

Prohibited Bidding if Participated in Preparation of Bid (§ 10-16-13)

Commissioner Rardin said he was in the construction business. If we bid on a project awarded to a firm that was

CES, technically, we won't vote on it, but how do we disclose that conflict? Mr. Zamora said he did not know if he had an answer. When I was a city attorney, I had counselors come to me, disclose something like that, and ask what they should do. You should have a disclosure on record of which company you are working with so that people are aware. You can also say that I am just letting you know that this company is gaining this, and I am either not participating in the vote if it came to that, or making a disclosure that this does not personally affect me, and I am not taking action towards it. There is not an all-out prohibition, there is just a more detailed process. Work with your City Attorney on that. Commissioner Rardin said staff typically handles CES stuff, and it does not come before the Commission. We never see it. I want to avoid conflict, if there is one, there. Mr. Zamora said that may be a bigger broader discussion on CES contracts. If they are over \$60,000, there should be some information coming to the Commission. It is something to think about, but I won't get too deeply into it. Commissioner Rardin said it is just to avoid the appearance of anything going on and to try to keep it above board. Mayor Payne said you should also be allowed to make a living. Commissioner Rardin said you do, but it is a fine line. Mr. Zamora said that is why there is not an all-out prohibition, especially in smaller communities. There is a more detailed process to make sure anything isn't undue, and to document that there is no undue influence.

Mr. Zamora gave his second presentation, Effective Governance for the City of Alamogordo. Topics covered in this presentation were about the roles of the form of government, the Commission, the Mayor, the City Manager, and it also included effective leadership techniques and productive norms.

ADJOURNMENT

Commissioner Rardin moved to adjourn at 8:31 PM.

Mayor Pro-Tem McDonald seconded the motion.

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

ATTEST:

Mayor Susan Payne

City Clerk Rachel Hughs

(Prepared by Dylan Aleshire, Deputy Clerk)

Approved at the Regular Meeting held on September 24, 2024.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 9/24/2024

Report Date: 09/12/2024

Report No: 2.

Submitted By: Justen Boyle

Subject: Consider, and act upon, the award of Public Works Bid No. 2024-008, Street Maintenance Program FY2021 (Phase 1) Project No. UC2401, to La Luz Dirt & Paving LLC, related to the Alamogordo Street Maintenance Program FY2021 (Phase 1) project for an amount not to exceed \$4,226,205.87, including NMGRT. (*Justen Boyle, Project Manager*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve the Award

Background: Street Maintenance Program FY2021 (PHASE 1) consists of installing new water lines, valves, water connections, new water services, and fire hydrants, the removal and replacement of concrete sidewalk, curb/gutter, the construction of a new accessible ADA driveway apron, earthwork, asphalt milling, asphalt paving, asphalt paving patchwork, traffic control, and appurtenances



September 12, 2024

Justen Boyle, Project Manager
City of Alamogordo
1376 E. Ninth Street
Alamogordo, New Mexico 88310
(j Boyle@ci.alamogordo.nm.us)

Re: **Public Works Bid No. 2024-008 | UC2401**
Street Maintenance Program FY2021 (Phase 1)
SEC# 823102-03

Dear Mr. Boyle:

Bids were opened for the above referenced project on Wednesday, September 11, 2024, at 2:00 PM mountain standard time. A single bid was submitted and received by La Luz Dirt & Paving, LLC. The bid amount is summarized on the attached bid tabulation sheet. The lowest, responsive bid was submitted by La Luz Dirt & Paving, LLC of Alamogordo, New Mexico in the amount of \$3,906,371.69 plus gross receipts tax.

La Luz Dirt & Paving, LLC is a registered Contractor in the State of New Mexico with active classifications GS08, GA98, GF01, GF02, GF03, GF04, GF05, GF07, GF08, GF09, GB98 and operating under License Number 392908. The bid submitted by La Luz Dirt & Paving, LLC listed the subcontractors that will work on the project. Each is licensed in the State of New Mexico with the appropriate classification to perform their nature of work. The Surety for the five percent (5%) Bid Bond included in the bid submitted by La Luz Dirt & Paving, LLC is Old Republic Surety Company.

The basis of award for this project is the lowest, complete, and responsive bid submitted by a qualified licensed Contractor in the State of New Mexico. Therefore, after reviewing the submitted bids, Smith Engineering Company recommends the contract be awarded to La Luz Dirt & Paving, LLC of Alamogordo, New Mexico in the amount of \$3,906,371.69 plus gross receipts tax. Award of this Contract is contingent upon approval of this recommendation by the City of Alamogordo Commission and the availability of construction funding.

Please feel free to contact us with any questions or comments. I can be reached at 575-523-2395 or via email: rustyp@smithengineering.pro.

Mr. Justen Boyle, PM
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September 11, 2024

Sincerely,
Smith Engineering Company

A handwritten signature in black ink that reads "Rusty Payne". The signature is stylized with a large, looped "R" and a cursive "Payne".

Rusty Payne, PE
Project Engineer

cc: Dan Wininger, Alamogordo Engineering Manager (dwininger@ci.alamogordo.nm.us)

Attach: Bid Tabulation

BID TABULATION
CITY OF ALAMOGORDO - STREET MAINTENANCE PROGRAM FY2021 PHASE 1
PUBLIC WORKS BID NO. 2024-008 | UC2401
SEPTEMBER 11, 2024 at 2:00 PM MST

ITEM NO.	ITEM DESCRIPTION	UNIT	ESTIMATED QUANTITY	ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COSTS (EOPC)		LA LUZ DIRT & PAVING, LLC	
				UNIT COST	ITEM COST	LICENSE NO. 392908	
						UNIT COST	ITEM COST
1	CLEARING AND GRUBBING; CIP	LS	1	\$5,500.00	\$5,500.00	\$2,500.00	\$2,500.00
2	UNCLASSIFIED EXCAVATION; CIP	CY	100	\$22.00	\$2,200.00	\$35.00	\$3,500.00
3	REMOVAL & DISPOSAL OF STRUCTURES & OBSTRUCTIONS; CIP	LS	1	\$55,000.00	\$55,000.00	\$5,000.00	\$5,000.00
4	12" SUBGRADE PREPARATION; CIP	SY	4,550	\$3.30	\$15,015.00	\$6.00	\$27,300.00
5	PROCESSING, PLACING, AND COMPACTING EXISTING PAVEMENT; CIP	SY	20,810	\$11.00	\$228,910.00	\$2.75	\$57,227.50
6	8" BASE COURSE; CIP	SY	4,550	\$13.20	\$60,060.00	\$13.05	\$59,377.50
7	PRIME COAT MATERIAL; CIP	SY	21,750	\$1.10	\$23,925.00	\$1.00	\$21,750.00
8	HMA SP-IV 3" THICK; CIP	SY	21,750	\$33.00	\$717,750.00	\$26.50	\$576,375.00
9	REMOVAL OF SURFACING; CIP	SY	21,750	\$4.40	\$95,700.00	\$3.68	\$80,040.00
10	TACTILE WARNING SURFACE; CIP	SF	290	\$22.00	\$6,380.00	\$42.00	\$12,180.00
11	CONCRETE PAVEMENT 4"; CIP	SY	1,110	\$55.00	\$61,050.00	\$123.43	\$137,007.30
12	CONCRETE PAVEMENT 6"; CIP	SY	1,150	\$99.00	\$113,850.00	\$179.00	\$205,850.00
13	24" CURB AND GUTTER (ALL TYPES); CIP	LF	3,640	\$22.00	\$80,080.00	\$57.76	\$210,246.40
14	FURNISH & PROVIDE MUTCD PLAN; CIP	LS	1	\$73,700.00	\$73,700.00	\$67,200.00	\$67,200.00
15	MOBILIZATION; CIP	LS	1	\$331,100.00	\$331,100.00	\$350,000.00	\$350,000.00
16	ADJUST EXISTING MANHOLE TO FINAL GRADE; CIP	EA	4	\$1,650.00	\$6,600.00	\$2,200.93	\$8,803.72
17	NEW FIRE HYDRANT; CIP	EA	13	\$6,600.00	\$85,800.00	\$8,556.62	\$111,236.06
18	ABANDON EXISTING FIRE HYDRANT; CIP	EA	10	\$1,100.00	\$11,000.00	\$1,565.98	\$15,659.80
19	ABANDON EXISTING WATER VALVE; CIP	EA	29	\$550.00	\$15,950.00	\$289.38	\$8,392.02
20	3/4" WATER SERVICE REPLACEMENT; CIP	EA	33	\$1,980.00	\$65,340.00	\$3,583.85	\$118,267.05
21	2" WATER SERVICE REPLACEMENT; CIP	EA	3	\$3,850.00	\$11,550.00	\$11,688.47	\$35,065.41
22	4" WATER SERVICE REPLACEMENT; CIP	EA	1	\$5,500.00	\$5,500.00	\$6,247.11	\$6,247.11
23	3/4" WATER METER; CIP	EA	1	\$1,650.00	\$1,650.00	\$1,093.98	\$1,093.98
24	2" WATER METER; CIP	EA	1	\$8,250.00	\$8,250.00	\$6,222.93	\$6,222.93
25	4" WATER METER; CIP	EA	1	\$8,800.00	\$8,800.00	\$29,418.01	\$29,418.01
26	4" PVC WATERLINE (DR-18); CIP	LF	80	\$33.00	\$2,640.00	\$159.20	\$12,736.00
27	6" PVC WATERLINE (DR-18); CIP	LF	360	\$49.50	\$17,820.00	\$65.37	\$23,533.20
28	8" PVC WATERLINE (DR-18); CIP	LF	380	\$60.50	\$22,990.00	\$77.70	\$29,526.00
29	10" PVC WATERLINE (DR-18); CIP	LF	20	\$330.00	\$6,600.00	\$140.65	\$2,813.00
30	12" PVC WATERLINE (DR-18); CIP	LF	20	\$330.00	\$6,600.00	\$273.67	\$5,473.40
31	14" PVC WATERLINE (DR-18); CIP	LF	5,590	\$187.00	\$1,045,330.00	\$180.66	\$1,009,889.40
32	ADJUST EXISTING MONITORING WELL TO FINAL GRADE; CIP	EA	1	\$1,100.00	\$1,100.00	\$5,000.00	\$5,000.00
33	DRY LATERAL WATERLINE CONNECTION; CIP	EA	15	\$3,300.00	\$49,500.00	\$4,563.10	\$68,446.50
34	GATE VALVE-6" w/ VALVE BOX; CIP	EA	13	\$1,870.00	\$24,310.00	\$2,559.22	\$33,269.86
35	GATE VALVE-8" w/ VALVE BOX; CIP	EA	12	\$2,750.00	\$33,000.00	\$3,490.07	\$41,880.84
36	GATE VALVE-10" w/ VALVE BOX; CIP	EA	1	\$3,850.00	\$3,850.00	\$5,003.47	\$5,003.47
37	GATE VALVE-12" w/ VALVE BOX; CIP	EA	2	\$4,950.00	\$9,900.00	\$5,533.12	\$11,066.24
38	GATE VALVE-14" w/ VALVE BOX; CIP	EA	27	\$6,600.00	\$178,200.00	\$13,655.44	\$368,696.88
39	CONCRETE ENCASEMENT; CIP	LF	100	\$220.00	\$22,000.00	\$82.36	\$8,236.00
40	FLOWABLE FILL; CIP	CY	95	\$330.00	\$31,350.00	\$228.98	\$21,753.10
41	CUT AND CAP WATERLINE; CIP	EA	33	\$550.00	\$18,150.00	\$1,081.27	\$35,681.91
42	REMOVE & RESET EXISTING SINGLE POLE STREET SIGN; CIP	EA	10	\$165.00	\$1,650.00	\$800.00	\$8,000.00
43	HOT THERMOPLASTIC PAVEMENT MARKINGS 4"; CIP	LF	9,490	\$2.20	\$20,878.00	\$1.73	\$16,417.70
44	HOT THERMOPLASTIC PAVEMENT MARKINGS 24"; CIP	LF	480	\$11.00	\$5,280.00	\$48.83	\$23,438.40
45	PROJECT SIGN; CIP	EA	2	\$2,000.00	\$4,000.00	\$850.00	\$1,700.00
46	CONSTRUCTION STAKING & SURVEYING BY THE CONTRACTOR (incl. POST CONSTRUCTION SURVEY); CIP	LS	1	\$92,400.00	\$92,400.00	\$17,850.00	\$17,850.00
BID SUBTOTAL:				\$3,688,208.00		\$3,906,371.69	
NMGRT (8.1875%):				\$301,972.03		\$319,834.18	
BID TOTAL:				\$3,990,180.03		\$4,226,205.87	

Bid discrepancy corrected in Bid Tabulation.

ON PURPOSES ONLY: LOCAL, RESIDENT [NATIVE AMERICAN RESIDENT], & RESIDENT VETERANS [NATIVE AMERICAN RESIDENT VETERANS] PREFERENCE	
*** THE COMBINATION OF PREFERENCES IS LIMITED TO 10% ***	
LOCAL BUSINESS PREFERENCE SUBMITTED (10% PREFERENCE FOR EVALUATION ONLY):	YES
NEW MEXICO RESIDENT BUSINESS OR NATIVE AMERICAN RESIDENT BUSINESS CERTIFICATE SUBMITTED (8% PREFERENCE FOR EVALUATION ONLY):	YES
NEW MEXICO RESIDENT VETERANS OR NATIVE AMERICAN RESIDENT VETERANS CERTIFICATED SUBMITTED (10% PREFERENCE FOR EVALUATION ONLY):	NO
PREFERENCE AMOUNT (EVALUATION ONLY):	\$390,637.17
BID EVALUATION TOTAL (EXCLUDING NMGR):	\$3,515,734.52
LA LUZ DIRT & PAVING, LLC	
LICENSE NO. 392908	

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 9/24/2024

Report Date: 09/17/2024

Report No: 3.

Submitted By: Evelyn Huff

Subject: Consider, and act upon, Resolution 2024-62 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 September 24, 2024. *(Evelyn Huff, Finance Director)* **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact: Beginning Cash Balances - \$94,846,611

Revenues - \$3,806,825 Increase

Expenditures - \$7,933,874 Increase

Transfers In - \$1,750,000 Increase

Transfers Out - \$1,750,000 Increase

Recommendation: Approve the Resolution Request

Background: The City Commission adopted the FY 2024-2025 budget on July 30, 2024. Resolution 2024-62 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.

**ALL FUNDS SUMMARY
BUDGET 2024-2025**

1/12TH REQ RSRV
2,065,462
1/12TH REQ RSRV
0
Fund Reserve Policy
468,745
Bal. Remaining
5,439,005

FUND NO.	FY 2024-2025 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	14,882,070	28,357,124	1,814,175	12,294,607	(10,480,432)	24,785,549	7,973,213	2,534,208	5,439,005
12	INTERNAL SERVICE FUND	228,757	207,787	5,210,900	0	5,210,900	5,629,252	18,192		\$18,192
15	CORRECTIONS-JAIL	52,819	42,000	70,000	0	70,000	114,000	50,819		\$50,819
16	LODGER'S TAX-PROMOTIONAL FUND	161,757	3,998	120,000	2,491	117,509	255,069	28,195		\$28,195
17	POLICE COURT BOND	8,638	0	0	0	0	0	8,638		\$8,638
19	COURT AUTOMATION FUND	10,289	13,500	0	0	0	14,650	9,139		\$9,139
20	LODGER'S TAX-CITY	196,063	80,929	442,000	100,569	341,431	567,227	51,196		\$51,196
21	D.A.R.E. DONATIONS FUND	19,848	2,378	0	0	0	19,788	2,438		\$2,438
24	GRANT CAPITAL IMPROVEMENT	364,738	9,180,675	1,988,415	0	1,988,415	10,283,642	1,250,186		\$1,250,186
27	MUNICIPAL COURT OPERATIONS	100	8,000	467,000	0	467,000	473,825	1,275		\$1,275
28	POLICE CONTINGENCY	70,514	1,257	0	0	0	10,000	61,771		\$61,771
31	CEMETERY-PERPETUAL CARE	895,842	30,654	0	40,000	(40,000)	0	886,496		\$886,496
32	COMMUNITY SERVICES	6,775	694,507	5,974,140	0	5,974,140	6,673,667	1,755		\$1,755
33	FIRE PROTECTION	1,746,026	936,883	0	0	0	2,544,949	137,960		\$137,960
35	HIDTA GRANT FUND	2,433	0	0	0	0	0	2,433		\$2,433
36	LAW ENFORCEMENT FUND	39,979	159,500	0	0	0	199,479	0		\$0
37	STATE HIGHWAY FUND	131,707	26,516	0	0	0	20,225	137,998		\$137,998
38	TRAFFIC SAFETY FUND	80,357	16,124	0	0	0	15,000	81,481		\$81,481
39	STATE JUDICIAL	9,336	34,000	0	0	0	34,000	9,336		\$9,336
42	1984 GROSS RECEIPTS TAX	3,700,226	2,386,432	0	4,975,740	(4,975,740)	40,794	1,070,124	252,119	\$818,005
44	TRANSPORTATION FUND	100,000	1,214,855	5,011,749	390,177	4,621,572	5,844,498	91,929		\$91,929
48	NEW MEXICO C.D.B.G.	786,249	32,825	113,305	0	113,305	113,351	819,028		\$819,028
49	1986 GROSS RECEIPTS TAX	5,954,277	2,413,006	0	3,830,829	(3,830,829)	985,096	3,551,358	268,391	\$3,282,967
50	PROPERTY ACQUISITION	85,010	0	0	0	0	0	85,010		\$85,010
53	GENERAL OBLIGATION	1,040,442	1,225,613	0	0	0	1,220,245	1,045,810	557,029	\$488,781
54	REVERSE OSMOSIS PROJECT RSV	20,950	0	9,430	0	9,430	9,430	20,950		\$20,950
56	99 GRT FLOOD CONTROL BOND PROJ	0	0	264,793	0	264,793	264,793	0		\$0
59	REVENUE BOND P & I FUND	17,899	0	2,356,842	0	2,356,842	2,356,842	17,899		\$17,899
61	MUNICIPAL INFRASTRUCTURE .0625%	2,420,364	615,132	0	600,275	(600,275)	10,199	2,425,022		\$2,425,022
63	COMMUNITY DEVELOPMENT	2,500	0	451,930	32,400	419,530	419,035	2,995		\$2,995
69	1994 GROSS RECEIPTS	5,257,345	2,393,173	0	1,868,017	(1,868,017)	40,794	5,741,707	553,051	\$5,188,656
71	ALAMO SENIOR CENTER	7,430	824,516	970,500	0	970,500	1,800,587	1,859		\$1,859
74	ALAMO SENIOR CENTER GIFT	141,577	9,084	0	4,500	(4,500)	27,857	118,304		\$118,304
75	RETIRED & SENIOR VOL. PROGRAM	0	144,307	34,000	0	34,000	178,226	81		\$81
81	WATER/SEWER OPERATING	15,780,798	15,422,494	2,464,315	3,980,025	(1,515,710)	19,805,568	9,882,014	1,463,850	\$8,418,164
82	98 JT WATER/SEWER BOND P&I	44,934	930	1,867,717	0	1,867,717	1,867,717	45,864		\$45,864
86	SOLID WASTE COLLECTION SYS.	1,299,061	2,576,603	240,000	64,278	175,722	3,040,524	1,010,862	178,583	\$832,279
88	BONITO CAMPGROUND	403,939	8,003	142,394	0	142,394	312,500	241,836		\$241,836
89	ESGRT .0625%	2,269,616	614,478	0	640,000	(640,000)	732,425	1,511,669		\$1,511,669

**ALL FUNDS SUMMARY
BUDGET 2024-2025**

1/12TH REQ RSRV
2,065,462
1/12TH REQ RSRV
0
Fund Reserve Policy
468,745
Bal. Remaining

5,439,005

FUND NO.	FY 2024-2025 FUND DESCRIPTION	UNAUDITED BEGINNING CASH BALANCE	ESTIMATED REVENUES	TRANSFERS IN	TRANSFERS OUT	NET CASH TRANSFERS	BUDGETED EXPENDITURES	ESTIMATED ENDING CASH BALANCE	LOCAL RESERVE REQUIREMENTS UNAVAILABLE FOR BUDGETING	ADJUSTED ENDING CASH BALANCE
90	GOLF COURSE	2,000	1,729,350	508,080	0	508,080	2,235,751	3,679		\$3,679
91	AIRPORT	61,945	2,151,321	192,347	0	192,347	2,360,823	44,790		\$44,790
94	OTERO GREENTREE REG LANDFILL	3,563,355	1,457,768	0	0	0	2,787,043	2,234,080		\$2,234,080
96	SELF-INSURED FUND	250,280	60,512	0	0	0	105,031	205,761		\$205,761
98	PAYROLL CLEARING	237,137	0	0	0	0	0	237,137		\$237,137
104	UTILITY DEPOSITS	638,031	0	0	0	0	0	638,031		\$638,031
105	ECONOMIC DEVELOPMENT	7,118,206	1,307,163	0	880	(880)	100,124	8,324,365		\$8,324,365
107	SELF INSURED/LIABILITY	957,054	15,527	0	0	0	535,000	437,581		\$437,581
109	2004 GRT CAPITAL OUTLAY	17,796,726	4,972,032	0	1,889,244	(1,889,244)	8,504,187	12,375,327	534,452	\$11,840,875
114	SIDEWALKS REVOLVING LOANS	948	0	0	0	0	0	948		\$948
115	CORP ESCROW ACCOUNT RESERVE	1,000	0	0	0	0	0	1,000		\$1,000
119	2012 GRT REF/IMP REVBD	123,446	3,691	0	0	0	113,306	13,831		\$13,831
121	2015 GO BONDS-FUN CENTER	94,336	2,091	0	0	0	0	96,427		\$96,427
122	2015 GO BONDS-STREETS	182,786	4,053	0	0	0	0	186,839		\$186,839
124	AMERICAN RESCUE PLAN ACT	5,535,524	159,951	0	0	0	5,249,406	446,069		\$446,069
125	CANNABIS GRT	43,175	269,040	0	0	0	269,040	43,175		\$43,175
901	HOUSING LOW RENT OPERATING	0	0	0	0	0	0	0		\$0
903	HOUSING HOMEOWNERSHIP OPER	0	0	0	0	0	0	0		\$0
904	HOUSING CAPITAL FUND PROJECTS	0	0	0	0	0	0	0		\$0
TOTALS FY2025		94,846,611	81,809,782	30,714,032	30,714,032	0	112,970,514	63,685,879	6,341,683	57,344,197

ALL FUNDS SUMMARY

BUDGET 2024-2025

1/12TH REQ RSRV
2,065,462
1/12TH REQ RSRV
0
Fund Reserve Policy
468,745
Bal. Remaining

5,439,005

FY25 BUDGET - RESOLUTION 2024-62 (#3) September 24, 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	14,882,070	24,556,142	64,175	12,294,607	(12,230,432)	20,199,240	7,008,540	2,534,208	4,474,332
	#2025-3-1240 Energy Upgrade		3,800,982	1,750,000		1,750,000	4,586,309	964,673		964,673
	Total Revised Fund 11	14,882,070	28,357,124	1,814,175	12,294,607	(10,480,432)	24,785,549	7,973,213	2,534,208	5,439,005
12	INTERNAL SERVICE FUND	228,757	207,787	5,210,900	0	5,210,900	5,629,252	18,192		18,192
	Total Revised Fund 12	228,757	207,787	5,210,900	0	5,210,900	5,629,252	18,192		18,192
15	CORRECTIONS-JAIL	52,819	42,000	70,000	0	70,000	114,000	50,819		50,819
	Total Revised Fund 15	52,819	42,000	70,000	0	70,000	114,000	50,819		50,819
16	LODGER'S TAX-PROMOTIONAL FUND	161,757	3,998	120,000	2,491	117,509	255,069	28,195		28,195
	Total Revised Fund 16	161,757	3,998	120,000	2,491	117,509	255,069	28,195		28,195
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	10,289	13,500	0	0	0	14,650	9,139		9,139
	Total Revised Fund 19	10,289	13,500	0	0	0	14,650	9,139		9,139
20	LODGER'S TAX-CITY	196,063	80,929	442,000	100,569	341,431	567,227	51,196		51,196
	Total Revised Fund 20	196,063	80,929	442,000	100,569	341,431	567,227	51,196		51,196
21	D.A.R.E. DONATIONS FUND	19,848	2,378	0	0	0	19,788	2,438		2,438
	Total Revised Fund 21	19,848	2,378	0	0	0	19,788	2,438		2,438
24	GRANT CAPITAL IMPROVEMENT	364,738	9,180,675	1,988,415	0	1,988,415	10,283,642	1,250,186		1,250,186
	Total Revised Fund 24	364,738	9,180,675	1,988,415	0	1,988,415	10,283,642	1,250,186		1,250,186
27	MUNICIPAL COURT OPERATIONS	100	8,000	467,000	0	467,000	473,825	1,275		1,275
	Total Revised Fund 27	100	8,000	467,000	0	467,000	473,825	1,275		1,275
28	POLICE CONTINGENCY	70,514	1,257	0	0	0	10,000	61,771		61,771
	Total Revised Fund 28	70,514	1,257	0	0	0	10,000	61,771		61,771
31	CEMETERY-PERPETUAL CARE	895,842	30,654	0	40,000	(40,000)	0	886,496		886,496
	Total Revised Fund 31	895,842	30,654	0	40,000	(40,000)	0	886,496		886,496
32	COMMUNITY SERVICES	6,775	694,507	5,974,140	0	5,974,140	6,673,667	1,755		1,755
	Total Revised Fund 32	6,775	694,507	5,974,140	0	5,974,140	6,673,667	1,755		1,755
33	FIRE PROTECTION	1,746,026	936,883	0	0	0	2,544,949	137,960		137,960
	Total Revised Fund 33	1,746,026	936,883	0	0	0	2,544,949	137,960	0	137,960
35	HIDTA GRANT FUND	2,433	0	0	0	0	0	2,433		2,433
	Total Revised Fund 35	2,433	0	0	0	0	0	2,433		2,433
36	LAW ENFORCEMENT FUND	39,979	159,500	0	0	0	199,479	0		0
	Total Revised Fund 36	39,979	159,500	0	0	0	199,479	0		0
37	STATE HIGHWAY FUND	131,707	26,516	0	0	0	20,225	137,998		137,998
	Total Revised Fund 37	131,707	26,516	0	0	0	20,225	137,998		137,998
38	TRAFFIC SAFETY FUND	80,357	16,124	0	0	0	15,000	81,481		81,481
	Total Revised Fund 38	80,357	16,124	0	0	0	15,000	81,481		81,481
39	STATE JUDICIAL	9,336	34,000	0	0	0	34,000	9,336		9,336
	Total Revised Fund 39	9,336	34,000	0	0	0	34,000	9,336		9,336
42	1984 GROSS RECEIPTS TAX	3,700,226	2,386,432	0	4,975,740	(4,975,740)	40,794	1,070,124	252,119	818,005
	Total Revised Fund 42	3,700,226	2,386,432	0	4,975,740	(4,975,740)	40,794	1,070,124	252,119	818,005
44	TRANSPORTATION FUND	100,000	1,214,855	5,011,749	390,177	4,621,572	5,844,498	91,929		91,929
	Total Revised Fund 44	100,000	1,214,855	5,011,749	390,177	4,621,572	5,844,498	91,929		91,929
48	NEW MEXICO C.D.B.G.	786,249	32,825	113,305	0	113,305	113,351	819,028		819,028
	Total Revised Fund 48	786,249	32,825	113,305	0	113,305	113,351	819,028		819,028
49	1986 GROSS RECEIPTS TAX	5,954,277	2,413,006	0	2,080,829	(2,080,829)	985,096	5,301,358	268,391	5,032,967
	#2025-3-1240 Energy Upgrade				1,750,000	(1,750,000)		(1,750,000)		(1,750,000)

	Total Revised Fund 49	5,954,277	2,413,006	0	3,830,829	(3,830,829)	985,096	3,551,358	268,391	3,282,967
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	1,040,442	1,225,613			0	1,220,245	1,045,810	557,029	488,781
	Total Revised Fund 53	1,040,442	1,225,613	0	0	0	1,220,245	1,045,810	557,029	488,781
54	REVERSE OSMOSIS PROJECT RSV	20,950	0	9,430	0	9,430	9,430	20,950		20,950
	Total Revised Fund 54	20,950	0	9,430	0	9,430	9,430	20,950		20,950
56	99 GRT FLOOD CONTROL BOND PROJ	0	0	264,793	0	264,793	264,793	0		0
	Total Revised Fund 56	0	0	264,793	0	264,793	264,793	0		0
59	REVENUE BOND P & I FUND	17,899	0	2,356,842		2,356,842	2,356,842	17,899		17,899
	Total Revised Fund 59	17,899	0	2,356,842	0	2,356,842	2,356,842	17,899		17,899
61	MUNICIPAL INFRASTRUCTURE .0625%	2,420,364	615,132	0	600,275	(600,275)	10,199	2,425,022		2,425,022
	Total Revised Fund 61	2,420,364	615,132	0	600,275	(600,275)	10,199	2,425,022		2,425,022
63	COMMUNITY DEVELOPMENT	2,500	0	451,930	32,400	419,530	419,035	2,995		2,995
	Total Revised Fund 63	2,500	0	451,930	32,400	419,530	419,035	2,995		2,995
69	1994 GROSS RECEIPTS	5,257,345	2,393,173	0	1,868,017	(1,868,017)	40,794	5,741,707	553,051	5,188,656
	Total Revised Fund 69	5,257,345	2,393,173	0	1,868,017	(1,868,017)	40,794	5,741,707	553,051	5,188,656
71	ALAMO SENIOR CENTER	7,430	824,516	970,500	0	970,500	1,800,587	1,859		1,859
	Total Revised Fund 71	7,430	824,516	970,500	0	970,500	1,800,587	1,859		1,859
74	ALAMO SENIOR CENTER GIFT	141,577	9,084	0	4,500	(4,500)	27,857	118,304		118,304
	Total Revised Fund 74	141,577	9,084	0	4,500	(4,500)	27,857	118,304		118,304
75	RETIRED & SENIOR VOL. PROGRAM	0	144,307	34,000	0	34,000	178,226	81		81
	Total Revised Fund 75	0	144,307	34,000	0	34,000	178,226	81		81
81	WATER/SEWER OPERATING	15,780,798	15,416,651	2,464,315	3,980,025	(1,515,710)	18,177,203	11,504,536	1,463,850	10,040,686
	#2025-2-1944 Oregon Main Grid Replacement						1,439,500	(1,439,500)		(1,439,500)
	#2025-2-1946 Main Grid Replacement Design						182,700	(182,700)		(182,700)
	#2025-2-2165 Purchasing Dock Repairs		5,843				6,165	(322)		(322)
	Total Revised Fund 81	15,780,798	15,422,494	2,464,315	3,980,025	(1,515,710)	19,805,568	9,882,014	1,463,850	8,418,164
82	98 JT WATER/SEWER BOND P&I	44,934	930	1,867,717		1,867,717	1,867,717	45,864	0	45,864
	Total Revised Fund 82	44,934	930	1,867,717	0	1,867,717	1,867,717	45,864	0	45,864
86	SOLID WASTE COLLECTION SYS.	1,299,061	2,576,603	240,000	64,278	175,722	3,040,524	1,010,862	178,583	832,279
	Total Revised Fund 86	1,299,061	2,576,603	240,000	64,278	175,722	3,040,524	1,010,862	178,583	832,279
88	BONITO CAMPGROUND	403,939	8,003	142,394	0	142,394	312,500	241,836		241,836
	Total Revised Fund 88	403,939	8,003	142,394	0	142,394	312,500	241,836	0	241,836
89	ESGRT .0625%	2,269,616	614,478	0	640,000	(640,000)	732,425	1,511,669		1,511,669
	Total Revised Fund 89	2,269,616	614,478	0	640,000	(640,000)	732,425	1,511,669	0	1,511,669
90	GOLF COURSE	2,000	1,729,350	508,080	0	508,080	2,235,751	3,679		3,679
	Total Revised Fund 90	2,000	1,729,350	508,080	0	508,080	2,235,751	3,679	0	3,679
91	AIRPORT	61,945	2,151,321	192,347	0	192,347	2,360,823	44,790	0	44,790
	Total Revised Fund 91	61,945	2,151,321	192,347	0	192,347	2,360,823	44,790	0	44,790
94	OTERO GREENTREE REG LANDFILL	3,563,355	1,457,768	0	0	0	2,787,043	2,234,080		2,234,080
	Total Revised Fund 94	3,563,355	1,457,768	0	0	0	2,787,043	2,234,080	0	2,234,080
96	SELF-INSURED FUND	250,280	60,512	0	0	0	105,031	205,761		205,761
	Total Revised Fund 96	250,280	60,512	0	0	0	105,031	205,761	0	205,761
98	PAYROLL CLEARING	237,137	0			0		237,137		237,137
	Total Revised Fund 98	237,137	0	0	0	0	0	237,137	0	237,137
104	UTILITY DEPOSITS	638,031	0			0		638,031		638,031
	Total Revised Fund 104	638,031	0	0	0	0	0	638,031	0	638,031
105	ECONOMIC DEVELOPMENT	7,118,206	1,307,163	0	880	(880)	100,124	8,324,365		8,324,365
	Total Revised Fund 105	7,118,206	1,307,163	0	880	(880)	100,124	8,324,365		8,324,365
107	SELF INSURED/LIABILITY	957,054	15,527			0	535,000	437,581		437,581
	Total Revised Fund 107	957,054	15,527	0	0	0	535,000	437,581	0	437,581
109	2004 GRT CAPITAL OUTLAY	17,796,726	4,972,032	0	1,889,244	(1,889,244)	6,784,987	14,094,527	534,452	13,560,075
	#2025-1-2816 Great Blocks						100,000	(100,000)		(100,000)
	#2025-2-1944 Oregon Main Grid Replacement						1,436,500	(1,436,500)		(1,436,500)
	#2025-2-1946 Main Grid Replacement Design						182,700	(182,700)		(182,700)
	Total Revised Fund 109	17,796,726	4,972,032	0	1,889,244	(1,889,244)	8,504,187	12,375,327	534,452	11,840,875

114	SIDEWALKS REVOLVING LOANS	948	0			0	0	948		948
	Total Revised Fund 114	948	0	0	0	0	0	948	0	948
115	CORP ESCROW ACCOUNT RESERVE	1,000	0			0		1,000		1,000
	Total Revised Fund 114	1,000	0	0	0	0	0	1,000	0	1,000
119	2012 GRT REF/IMP REVBD	123,446	3,691	0	0	0	113,306	13,831		13,831
	Total Revised Fund 119	123,446	3,691	0	0	0	113,306	13,831		13,831
121	2015 GO BONDS-FUN CENTER	94,336	2,091			0	0	96,427		96,427
	Total Revised Fund 121	94,336	2,091	0	0	0	0	96,427		96,427
122	2015 GO BONDS-STREETS	182,786	4,053			0	0	186,839		186,839
	Total Revised Fund 122	182,786	4,053	0	0	0	0	186,839		186,839
124	AMERICAN RESCUE PLAN ACT	5,535,524	159,951	0	0	0	5,249,406	446,069		446,069
	Total Revised Fund 124	5,535,524	159,951	0	0	0	5,249,406	446,069		446,069
125	CANNABIS GRT	43,175	269,040	0	0	0	269,040	43,175		43,175
	Total Revised Fund 125	43,175	269,040	0	0	0	269,040	43,175		43,175
901	HOUSING LOW RENT OPERATING	0	0			0	0	0		0
	Total Revised Fund 901	0	0	0	0	0	0	0	0	0
903	HOUSING HOMEOWNERSHIP OPER	0	0			0	0	0		0
	Total Revised Fund 903	0	0	0	0	0	0	0	0	0
904	HOUSING CAPITAL FUND PROJECTS	0	0			0	0	0		0
	Total Revised Fund 904	0	0	0	0	0	0	0		0
TOTALS FY2025										
		94,846,611	81,809,782	30,714,032	30,714,032	0	112,970,514	63,685,879	6,341,683	57,344,197

BUDGET AMENDMENT JOURNAL ENTRY PROOF

CLERK: evelyn.huff

YEAR	PER	JNL	SRC	ACCOUNT	JNL	DESC	REF 1	REF 2	REF 3	ACCOUNT	DESC	T	OB	DEBIT	CREDIT
	EFF	DATE								LINE	DESC				
2025	1	2816													
BUA	109.500.9003.0000.54523.										SERVICES-ENGINEERING	5		100,000.00	
	07/31/2024	GreatBlock GrBloc									T Great Blocks Bid & Constructio				
		Funds for bid and construction phase for the Great Blocks project.													
		[2024-07-31 09:42:32 kimberly.wofford]:													
														.00	.00
BUA	109.000.0000.0000.30301.										APPROPRIATIONS				100,000.00
	07/31/2024	GreatBlock GrBloc													
BUA	109.000.0000.0000.30302.										BUDGET FUND BAL - UNRESERVED			100,000.00	
	07/31/2024	GreatBlock GrBloc													
											SYSTEM GENERATED ENTRIES TOTAL			100,000.00	100,000.00
											JOURNAL 2025/01/2816 TOTAL			100,000.00	100,000.00

BUDGET AMENDMENT JOURNAL ENTRY PROOF

CLERK: evelyn.huff

YEAR	PER	JNL	SRC	ACCOUNT	EFF DATE	JNL DESC	REF 1	REF 2	REF 3	ACCOUNT DESC LINE DESC	T	OB	DEBIT	CREDIT
2025	2	1944												
BUA	109.500.9003.0000.57018.				08/23/2024	SMPP2	jpb			CAPITAL-STREET Oregon SMP	5		1,161,500.00	
										Requesting for new funding for Oregon (Street Maintenance Program) Phase 2 and Phase 3 Completing SMP FY21 from 10th Street and south of 10th Street				
BUA	081.600.9303.0000.57035.				08/23/2024	SMPP2	jpb			CAPITAL-WATER LINE IMPROVEMENT Oregon SMP	5		1,113,500.00	
BUA	081.600.9303.0000.57035.				08/23/2024	SMPP2	jpb			CAPITAL-WATER LINE IMPROVEMENT Oregon SMP	5		326,000.00	
BUA	109.500.9003.0000.57018.				08/23/2024	SMPP2	jpb			CAPITAL-STREET Oregon SMP	5		275,000.00	
													.00	.00
BUA	081.000.0000.0000.30301.				08/23/2024	SMPP2	jpb			APPROPRIATIONS				1,439,500.00
BUA	109.000.0000.0000.30301.				08/23/2024	SMPP2	jpb			APPROPRIATIONS				1,436,500.00
BUA	081.000.0000.0000.30302.				08/23/2024	SMPP2	jpb			BUDGET FUND BAL - UNRESERVED			1,439,500.00	
BUA	109.000.0000.0000.30302.				08/23/2024	SMPP2	jpb			BUDGET FUND BAL - UNRESERVED			1,436,500.00	
										SYSTEM GENERATED ENTRIES TOTAL			2,876,000.00	2,876,000.00
										JOURNAL 2025/02/1944 TOTAL			2,876,000.00	2,876,000.00

BUDGET AMENDMENT JOURNAL ENTRY PROOF

CLERK: evelyn.huff

YEAR	PER	JNL	SRC	ACCOUNT	EFF DATE	JNL DESC	REF 1	REF 2	REF 3	ACCOUNT DESC LINE DESC	T	OB	DEBIT	CREDIT
2025	2	1946												
BUA	109.500.9003.0000.54523.				08/23/2024	SMP22				SERVICES-ENGINEERING Design for SMP FY22	5		182,700.00	
										Requesting funding for the Design of SMP FY 2022 Streets include Hubbard Drive, Cauthen Lane, 19th Street, Alaska Ave, and Hawaii Ave.				
BUA	081.600.9303.0000.54523.				08/23/2024	SMP22				SERVICES-ENGINEERING Design for SMP FY22	5		182,700.00	
													.00	.00
BUA	081.000.0000.0000.30301.				08/23/2024	SMP22				APPROPRIATIONS				182,700.00
BUA	109.000.0000.0000.30301.				08/23/2024	SMP22				APPROPRIATIONS				182,700.00
BUA	081.000.0000.0000.30302.				08/23/2024	SMP22				BUDGET FUND BAL - UNRESERVED			182,700.00	
BUA	109.000.0000.0000.30302.				08/23/2024	SMP22				BUDGET FUND BAL - UNRESERVED			182,700.00	
										SYSTEM GENERATED ENTRIES TOTAL			365,400.00	365,400.00
										JOURNAL 2025/02/1946 TOTAL			365,400.00	365,400.00

BUDGET AMENDMENT JOURNAL ENTRY PROOF

CLERK: evelyn.huff

YEAR	PER	JNL	SRC	ACCOUNT	EFF DATE	JNL DESC	REF 1	REF 2	REF 3	ACCOUNT LINE DESC	T	OB	DEBIT	CREDIT
2025	2	2165												
BUA	081.600.1602.0000.40612.									MISC REVENUE-REIMBURSEMENTS	5			5,843.00
	08/27/2024 Repairs	Dock								T Fedex reimb for dock repairs				
	[2024-08-27 13:55:47	barbara.pyeatt]:												
	Repairs to warehouse dock damaged by Fedex Truck.									Fedex reimbursing \$5842.36				
BUA	081.600.1602.0000.54520.									SERVICES-CONTRACT	5		6,165.00	
	08/27/2024 Repairs	Dock								T Fedex reimb for dock repairs				
													.00	.00
BUA	081.000.0000.0000.30301.									APPROPRIATIONS				6,165.00
	08/27/2024 Repairs	Dock												
BUA	081.000.0000.0000.30303.									ESTIMATED REVENUE			5,843.00	
	08/27/2024 Repairs	Dock												
BUA	081.000.0000.0000.30302.									BUDGET FUND BAL - UNRESERVED			322.00	
	08/27/2024 Repairs	Dock												
										SYSTEM GENERATED ENTRIES TOTAL			6,165.00	6,165.00
										JOURNAL 2025/02/2165 TOTAL			6,165.00	6,165.00

BUDGET AMENDMENT JOURNAL ENTRY PROOF

CLERK: evelyn.huff

YEAR	PER	JNL	SRC	ACCOUNT	EFF DATE	JNL DESC	REF 1	REF 2	REF 3	ACCOUNT LINE	DESC	T	OB	DEBIT	CREDIT
2025	3	1240													
BUA	011.000.2400.0000.57006.				09/17/2024	Yearout	EAH68				CAPITAL-BUILDING IMPROVEMENT	5		4,586,309.00	
					[2024-09-17	09:35:45	evelyn.huff]:				Construction Funds				
Revising the budget to add the expense and revenue associated with Yearout Energy Audit upgrades.															
BUA	011.000.0000.0000.49049.				09/17/2024	Yearout	EAH68				TRAN FR (49) '86 GRT	5			1,750,000.00
											Construction Funds				
BUA	011.000.0000.0000.40701.				09/17/2024	Yearout	EAH68				GRANTS-FEDERAL	5			712,550.00
											Construction Funds				
BUA	011.000.0000.0000.40701.				09/17/2024	Yearout	EAH68				GRANTS-FEDERAL	5			76,060.00
											Construction Funds				
BUA	011.000.0000.0000.40702.				09/17/2024	Yearout	EAH68				GRANTS-STATE	5			3,012,372.00
											Construction Funds				
BUA	049.000.0000.0000.59011.				09/17/2024	Yearout	EAH68				TRAN TO (11) GENERAL OP	5		1,750,000.00	
											Construction Funds				
														.00	.00
BUA	011.000.0000.0000.30301.				09/17/2024	Yearout	EAH68				APPROPRIATIONS				4,586,309.00
BUA	049.000.0000.0000.30301.				09/17/2024	Yearout	EAH68				APPROPRIATIONS				1,750,000.00
BUA	011.000.0000.0000.30303.				09/17/2024	Yearout	EAH68				ESTIMATED REVENUE			5,550,982.00	
BUA	011.000.0000.0000.30302.				09/17/2024	Yearout	EAH68				BUDGET FUND BAL - UNRESERVED				964,673.00
BUA	049.000.0000.0000.30302.				09/17/2024	Yearout	EAH68				BUDGET FUND BAL - UNRESERVED			1,750,000.00	
SYSTEM GENERATED ENTRIES TOTAL														7,300,982.00	7,300,982.00
JOURNAL 2025/03/1240 TOTAL														7,300,982.00	7,300,982.00

RESOLUTION NO. 2024-62

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 2024-2025.

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 preliminary budget on June 17, 2024, for fiscal year 2024-2025; and

WHEREAS, the City of Alamogordo, New Mexico, has tabulated on the following pages the additional resources and expenditures for fiscal year 2024-2025.

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 2024-2025 be and hereby is revised as of September 24, 2024, to reflect a more true and accurate projection of the actual revenues and expenditures for fiscal year 2024-2025 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 September 24, as a more true and accurate projection of the actual revenues and expenditures for fiscal year 2024-2025.

PASSED, APPROVED AND ADOPTED by the Governing Body of the City of Alamogordo, New Mexico, at a Regular Meeting held this 24th day of September 2024.

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

By: _____
Susan L. Payne, Mayor

ATTEST:

Rachel Hughes, City Clerk

APPROVED AS TO FORM:

Ashley N. Smith, City Attorney

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 9/24/2024

Report Date: 09/17/2024

Report No: 4.

Submitted By:

Subject: Consider, an act upon, adoption and final publication of amended Ordinance 1705, approving a loan from the New Mexico Finance Authority regarding the Yearout Contract and EPC project. *(Evelyn Huff, Finance Director and Chris Muirhead)* **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background: We are amending Ordinance 1705, which was originally approved in August, to correct the percentage of gross receipts tax pledged. The original document said a quarter percent when we only need to pledge an eighth percent. This will align our ordinance with the loan documents approved by NMFA.

CITY OF ALAMOGORDO, NEW MEXICO
ORDINANCE NO. _____

AMENDING ORDINANCE NO. 1705, ADOPTED AUGUST 13, 2024 (“ORDINANCE 1705”), WHICH, AMONG OTHER RELATED ACTIONS, AUTHORIZED THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT AND INTERCEPT AGREEMENT BY AND BETWEEN THE CITY OF ALAMOGORDO, NEW MEXICO (THE “GOVERNMENTAL UNIT”) AND THE NEW MEXICO FINANCE AUTHORITY (THE “FINANCE AUTHORITY”) AND PROVIDED FOR THE PAYMENT OF THE LOAN FROM THE REVENUES OF THE 1/4 OF ONE PERCENT (0.25%) INCREMENT OF MUNICIPAL GROSS RECEIPTS TAX IMPOSED ON ALL PERSONS ENGAGING IN BUSINESS IN THE CITY PURSUANT TO SECTION 7-19D-9 NMSA 1978 AND CITY ORDINANCE NO. 620-81 (“MUNICIPAL GROSS RECEIPTS TAX”), TO CORRECT THE PLEDGE OF MUNICIPAL GROSS RECEIPTS TAX REVENUES TO 1/8 OF ONE PERCENT (0.125%) CONSISTENT WITH THE LOAN AGREEMENT AND ORDINANCE NO. 1594, ADOPTED ON MAY 13, 2020; AND REPEALING ACTIONS INCONSISTENT WITH SUCH AMENDMENT.

WHEREAS, the Governmental Unit is a legally and regularly created, established, organized and existing municipality under the general laws of the State; and

WHEREAS, the Governing Body adopted Ordinance No. 1705 on August 13, 2024, by which it: authorized the execution and delivery of a Loan Agreement and Intercept Agreement by and between the Governmental Unit and the Finance Authority, evidencing a special, limited obligation of the Governmental Unit to pay a principal amount of not to exceed \$4,000,000, together with interest thereon, for the purpose of (1) acquiring, constructing and improving energy efficiency projects associated with Governmental Unit facilities, (2) funding a loan agreement reserve account, and (3) paying costs of issuance of the Loan; approved the delegation of authority to make certain determinations regarding the Loan pursuant to the Supplemental Public Securities Act; provided for the payment of the Loan from the revenues of the 1/4 of one percent (0.25%) increment of Municipal Gross Receipts Tax; provided for the distributions of the revenues of the Municipal Gross Receipts Tax from the State Taxation And Revenue Department to be redirected to the Finance Authority or its assigns pursuant to the Intercept Agreement for the payment of principal and interest due on the Loan Agreement; ratifying actions heretofore taken; repealed all action inconsistent with this ordinance; and authorized the taking of other actions in connection with the execution and delivery of the Loan Agreement and the Intercept Agreement; and

WHEREAS, the pledge of the revenues of 1/4 of one percent (0.25%) increment of Municipal Gross Receipts Tax to payment of amounts due under the Loan Agreement is inconsistent with the Finance Authority’s approval of the Loan and the City’s intention to pledge the gross receipts tax revenues imposed pursuant to Governmental Unit Ordinance No. 1601, adopted May 13, 2020, by which the Governmental Unit imposed on any person engaging in business within the City of Alamogordo a gross receipts tax increment equal to 1/8 of one percent (.125%); and

WHEREAS, the Governing Body has therefore determined to amend Ordinance 1705 to correct such inconsistency and pledge the revenues from the Governmental Unit's Municipal Gross Receipts Tax increment of 1/8 of one percent (0.125%) to payment of amounts due under the Loan Agreement; and

WHEREAS, Ordinance No. 1705 provides that it prior to the date of the initial delivery of the Loan Agreement to the Finance Authority, the provisions of Ordinance No. 1705 may be supplemented or amended by ordinance or resolution of the Governing Body with respect to any changes which are not inconsistent with the substantive provisions of Ordinance No. 1705; and

WHEREAS, the correction to the pledge of revenues is not inconsistent with the substantive provisions of Ordinance No. 1705.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ALAMOGORDO THAT:

Section 1. Definitions. Unless otherwise defined herein, capitalized terms have the same meaning as defined in Ordinance No. 1705.

Section 2. Amendment to Section 1 of Ordinance No. 1705. The definition of "Pledged Revenues" in Section 1 of Ordinance No. 1705, is hereby deleted in its entirety and replaced to read as follows:

"Pledged Revenues" means the revenues derived from (i) the one-eighth of one percent (0.125%) increment of municipal gross receipts tax imposed on all persons engaging in business in the City by City Ordinance No. 1601, adopted May 13, 2020, with an effective date of January 1, 2021, which tax equals, subject to the exemptions specified in Section 7-19D-11 NMSA 1978, one-eighth of one percent (0.125%) of the gross receipts of all persons engaging in business in the City for the month in which the tax is distributed to the City and (ii) the distribution to the City made pursuant to Section 7-1-6.46 NMSA 1978, as that distribution relates to the one-eighth of one percent (0.125%) increment of municipal gross receipts tax imposed on all persons engaging in business in the City by Ordinance No. 1601, which revenues are reduced pursuant to the deductions under Sections 7-9-92 and 7-9-93 NMSA 1978; provided that the City intends that Section 3-31-6(C) NMSA 1978 applies expressly to the amount of revenues pledged pursuant to this Ordinance (the City is not pledging and the term "Pledged Revenues" does not include the state-shared gross receipts tax or any other local option gross receipts tax income received by the City).

Section 3. Amendment of Ordinance. Prior to the date of the initial delivery of the Loan Agreement to the Finance Authority, the provisions of this Ordinance may be supplemented or

amended by ordinance or resolution of the Governing Body with respect to any changes which are not inconsistent with the substantive provisions of this Ordinance. This Ordinance may be amended by ordinance of the Governing Body without receipt by the Governmental Unit of any additional consideration, but only with the prior written consent of the Finance Authority.

Section 4. Ordinance Irrepealable. After the Loan Agreement and Intercept Agreement have been executed and delivered, this Ordinance shall be and remain irrepealable until all obligations due under the Loan Agreement shall be fully paid, canceled and discharged, as provided therein.

Section 5. Severability Clause. If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

Section 6. Repealer Clause. All bylaws, orders, resolutions and ordinances, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any bylaw, order, resolution or ordinance, or part thereof, heretofore repealed.

Section 7. Effective Date. Upon due adoption of this Ordinance, it shall be recorded in the book of the Governmental Unit kept for that purpose, authenticated by the signatures of the Mayor and the City Clerk of the Governmental Unit, and the title and general summary of the subject matter contained in this Ordinance (set out in Section 8, below) shall be published in a newspaper which maintains an office and is of general circulation in the Governmental Unit, or posted in accordance with law, and such Ordinance shall be in full force and effect thereafter, in accordance with law.

Section 8. General Summary for Publication. Pursuant to the general laws of the State, the title and a general summary of the subject matter contained in this Ordinance shall be published in substantially the following form:

(Form of Summary of Ordinance for Publication)

City of Alamogordo, New Mexico
Notice of Adoption of Ordinance

Notice is hereby given of the title and of a general summary of the subject matter contained in Ordinance No. _____ duly adopted and approved by the City Commission of the City of Alamogordo, New Mexico, on September _____, 2024. A complete copy of the Ordinance is available for public inspection during the normal and regular business hours of the City Clerk, 1376 East Ninth Street, Alamogordo, New Mexico.

The title of the Ordinance is:

CITY OF ALAMOGORDO, NEW MEXICO
ORDINANCE NO. _____

AMENDING ORDINANCE NO. 1705, ADOPTED AUGUST 13, 2024 (“ORDINANCE 1705”), WHICH, AMONG OTHER RELATED ACTIONS, AUTHORIZED THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT AND INTERCEPT AGREEMENT BY AND BETWEEN THE CITY OF ALAMOGORDO, NEW MEXICO (THE “GOVERNMENTAL UNIT”) AND THE NEW MEXICO FINANCE AUTHORITY (THE “FINANCE AUTHORITY”) AND PROVIDED FOR THE PAYMENT OF THE LOAN FROM THE REVENUES OF THE 1/4 OF ONE PERCENT (0.25%) INCREMENT OF MUNICIPAL GROSS RECEIPTS TAX IMPOSED ON ALL PERSONS ENGAGING IN BUSINESS IN THE CITY PURSUANT TO SECTION 7-19D-9 NMSA 1978 AND CITY ORDINANCE NO. 620-81 (“MUNICIPAL GROSS RECEIPTS TAX”), TO CORRECT THE PLEDGE OF MUNICIPAL GROSS RECEIPTS TAX REVENUES TO 1/8 OF ONE PERCENT (0.125%) CONSISTENT WITH THE LOAN AGREEMENT AND ORDINANCE NO. 1594, ADOPTED ON MAY 13, 2020; AND REPEALING ACTIONS INCONSISTENT WITH SUCH AMENDMENT.

A summary of the subject matter of the Ordinance is contained in its title. This notice constitutes compliance with Section 6-14-6, NMSA 1978.

(End of Form of Summary for Publication)

PASSED, APPROVED AND ADOPTED THIS _____ DAY OF SEPTEMBER, 2024.

CITY OF ALAMOGORDO, NEW MEXICO

ATTEST:

Mayor

City Clerk

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 9/24/2024

Report Date: 09/16/2024

Report No: 5.

Submitted By: Stella Rael

Subject: Consider, and act upon, Ordinance 1707 Case Z-2024-0005(A) for first publication of a map amendment to rezone 1701 Cuba Ave. from R-1 Single Family Dwelling District to R-3 Two Family Dwelling District. (*Stella Rael, City Planner*) (**Roll Call Vote Required**)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact: None

Recommendation: Approve for first publication

Background: Property owners are requesting that the city amend the zoning map to change the zoning of the property known as 1701 Cuba Ave. from R-1 Single Family Dwelling District to R-3 Two Family Dwelling District.

ORDINANCE No. 1707

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ALAMOGORDO, CHANGING THE CLASSIFICATION OF A CERTAIN PROPERTY COMMONLY KNOWN AS 1701 CUBA AVE. FROM THEIR PRESENT DESIGNATION AND ZONING DISTRICT OF R-1 SINGLE FAMILY DWELLING DISTRICT TO R-3 TWO FAMILY DWELLING DISTRICT, WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF ALAMOGORDO, OTERO COUNTY, NEW MEXICO.

WHEREAS, Terrence T. and Kristina S. Maiken (hereinafter referred to as "the Owners") are the owners of certain real property commonly known as 1701 Cuba Ave. 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

1701 CUBA AVE.

WHEREAS, an application has been filed in the Owner's name under Case No. **Z-2024-0005(A)** to change the zoning of the Property, and

WHEREAS, the City Commission, after notice and hearing, finds and determines that the application for 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:

1701 CUBA AVE.

Is hereby changed from R-1 Single Family Dwelling District to R-3 Two Family Dwelling 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



City of Alamogordo

1

City Commission



Z-2024-0005(A)

Stella Rael, City Planner
September 24, 2024

Map Amendment Request Case: Z-2024-0005(A)

Request:

The Property owners request a map amendment to change the zoning of the property know as 1701 Cuba Ave. from R-1 Single Family Dwelling District to R-3 Two Family Dwelling District

Applicants:

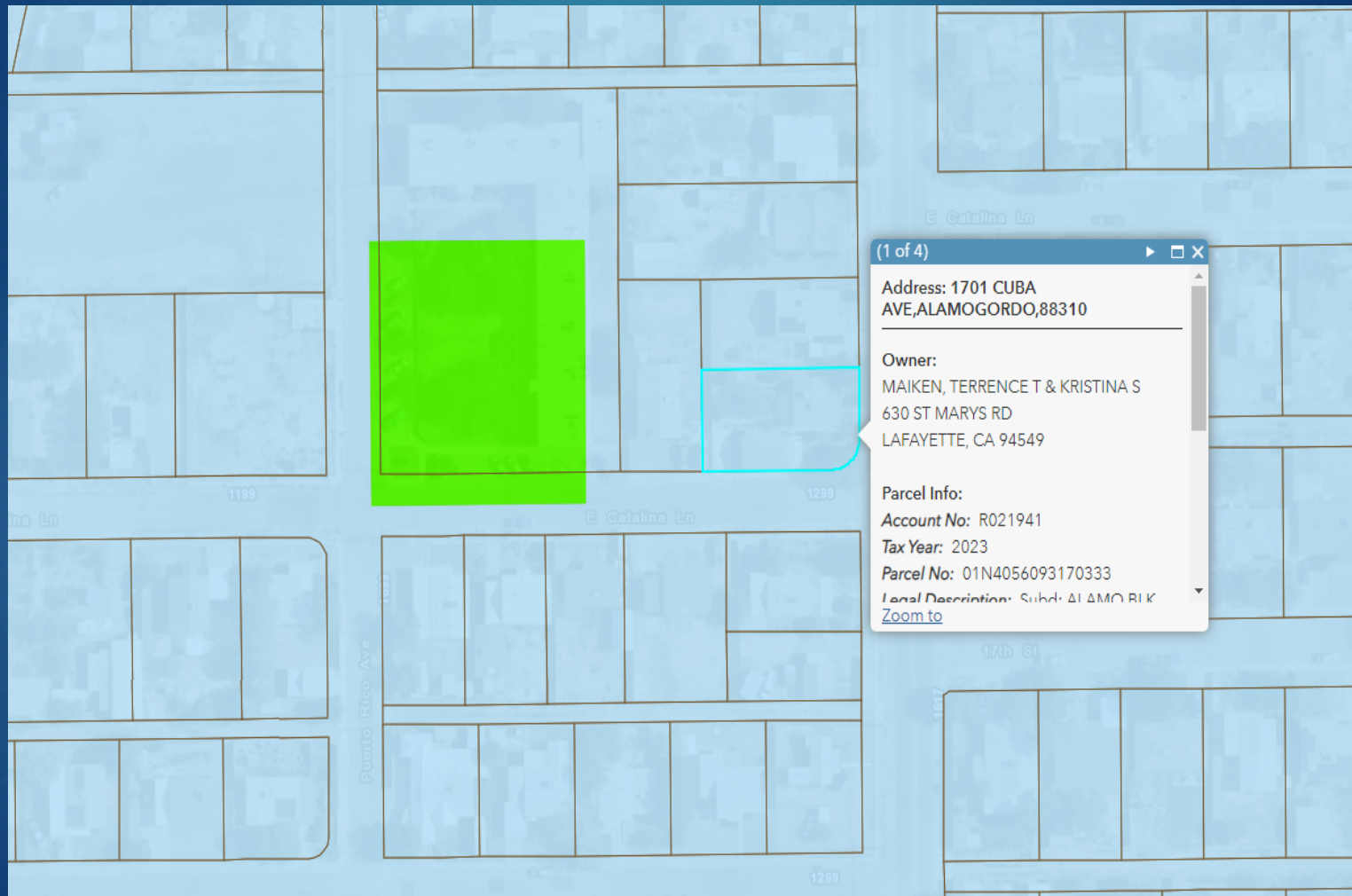
Terrence T. & Kristina S. Maiken

630 Saint Marys Rd.

Lafayette, CA. 94549

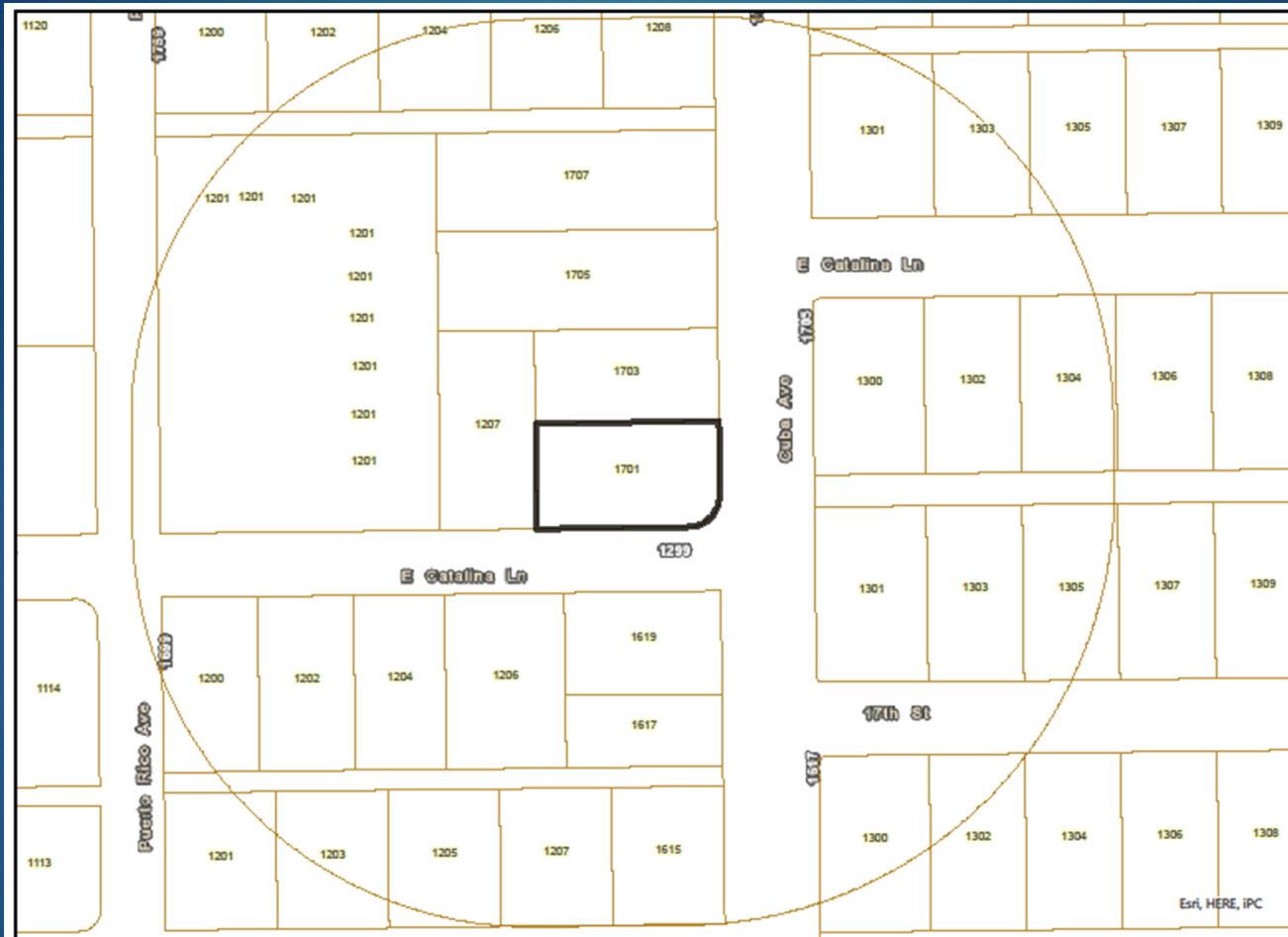
ZONING MAP

3



PROTEST AREA

4



1701 Cuba Ave
Protest Area Map

Z-2024-0005(A)

5

Findings of Fact

- ◆ 1. The property is located at 1701 Cuba Ave.
- ◆ 2. The request is to change the zoning from R-1 Single Family Dwelling District to R-3 Two Family Dwelling District.
- ◆ 3. The application was filed on August 14, 2024
- ◆ 4. The legal notice was published in the Alamogordo Daily News
- ◆ 5. Thirty- four (34) 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 September 16, 2024, there have been two letters returned undeliverable. No letters of opposition have been received.
- ◆ 7. Two phone calls have been received requesting further information.

Z-2024-0005(A)

- ◆ Staff recommends approval since this request will not be materially detrimental to surrounding property owners or the public and will correct the zoning designation for the two existing residential dwellings.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 9/24/2024

Report Date: 09/17/2024

Report No: 6.

Submitted By: Josh Sides

Subject: Consider, and act upon, Resolution 2024-63, declaring 1620 N. White Sands Blvd. to be so ruined, damaged, and dilapidated that it is a menace to public comfort, health, peace, or safety and ordering its abatement. (*Josh Sides, Code Enforcement Manager*) **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve and order its immediate abatement.

Background: Consider, and act upon, Resolution 2024-63, declaring 1620 N. White Sands Blvd. to be so ruined, damaged, and dilapidated that it is a menace to public comfort, health, peace, or safety and ordering its abatement.

RESOLUTION NO. 2024-63

A RESOLUTION DECLARING THE BUILDING OR STRUCTURE, OR THE PREMISES LOCATED AT 1620 NORTH WHITE SANDS BOULEVARD ALAMOGORDO, OTERO COUNTY, NEW MEXICO, TO BE RUINED, DAMAGED, AND DILAPIDATED TO BE A MENACE TO THE PUBLIC COMFORT, HEALTH, PEACE, OR SAFETY, AND ORDERING ITS ABATEMENT

WHEREAS, the governing body of the City of Alamogordo, New Mexico, finds that there is located within the City a certain building, structure, or premises at 1620 North White Sands Boulevard, as more particularly described on the attached Exhibit 1 (the “Property”); and,

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

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

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

Section 2. That Mrs. H J Tinsley & Simpkins, the record owner of the Property, is hereby ordered to commence removal of the building or structure from the Property within ten (10) days after service of a copy of this Resolution, or within said ten (10) day period, file written objection to findings herein with the City Clerk of the City of Alamogordo, asking for a hearing before the City Commission.

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

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

PASSED, APPROVED AND ADOPTED, this ____ day of _____ 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

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



Account: R011474

[<-Prev](#) 26 of 27 Results [Next->](#)

Location	Owner Information	Assessment History																													
Account Number R011474 Situs Address 1620 N WHITE SANDS BLVD Previous Parcel ID 01-01835 Parcel Sequence Neighborhood C31 - Commercial White Sands Tax Area 01_R Parcel Number 01N4055093120361 Legal Summary Subd: ALAMO BLOCKS Lot: 2, 3, 6, 7, 8, 9, 10, 4 E30', 5 E30' Block: 201 Appraiser Other	Owner Name TINSLEY, H J MRS & SIMPKINS Owner Address PO BOX 66 ALAMOGORDO, NM 88311-0066	Actual (2024 - Residential Cap applied)\$375,614 Primary Taxable\$125,204 Tax Area: 01_NR Mill Levy: 33.156000 <table><tr><th>Type</th><th>Actual</th><th>Assessed</th><th>Acres</th><th>Units</th></tr><tr><td>Non-Residential Land</td><td>\$337,320</td><td>\$112,440</td><td>7.625</td><td></td></tr><tr><td>Non-Residential Improvement</td><td>\$20,608</td><td>\$6,869</td><td></td><td>44.000</td></tr></table> Tax Area: 01_R Mill Levy: 25.844000 <table><tr><th>Type</th><th>Actual</th><th>Assessed</th><th>SQFT</th><th>Units</th></tr><tr><td>Residential Improvement</td><td>\$17,686</td><td>\$5,895</td><td>7908.000</td><td>4.000</td></tr></table>					Type	Actual	Assessed	Acres	Units	Non-Residential Land	\$337,320	\$112,440	7.625		Non-Residential Improvement	\$20,608	\$6,869		44.000	Type	Actual	Assessed	SQFT	Units	Residential Improvement	\$17,686	\$5,895	7908.000	4.000
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[Transfers](#)

Sale Date	Sale Price	Doc Description
		Deed

[Tax History](#) (~~Estimated Taxes NOT TO BE USED TO MAKE PAYMENT~~)

Images

- [Map](#)
- [Sketch](#)
- [GIS](#)

Tax Year	Taxes
*2024	\$4,108.16
2023	\$4,103.72

* Estimated





Exhibit "2"

Case #: 202301864
Case Date: 10/06/23
Case Type:
Address Number: 1620
Street Name: White Sands N.
Zoning Category:
Commission District: 0
Description: Dilapidated Structures
Complainant Name:
Complainant Phone:
Complainant Address:
Responsible Party:
Responsible Party Phone Number: 0
DOB:
ID #:
Property Owners :
Property Owner Phone Number: 0
Reinspection: 10/22/2023
Court case number:
Court Date:
Compliance Inspection :
Certified Mail #:
Citation Number:
Status: Draft Resolution
Assigned To: JOSH SIDES

Property

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
01N4055093120361	1620 N WHITE SANDS BLVD	Subd: ALAMO BLOCKS Lot: 2, 3, 6, 7, 8, 9, 10, 4 E30', 5 E30' Block: 201	TINSLEY, H J MRS & SIMPKINS		

Activities

Date	Activity Type	Description	Employee	Status
10/06/2023	Inspection	On 10/06/2023, I, Code Enforcement Manager Josh Sides received a complaint of the smell fo sewage in the 1600 block of Teresa Ln., that	JOSH SIDES	Non-Compliance

was coming from the trailer park at 1620 N. White Sands Blvd., Alamogordo, Otero County, New Mexico.

Upon my arrival I observed the smell of sewage as I exited my unit parked on Teresa Ln. I was able to see over the chain link fencing to see a sewer line, wet dirt, and high vegetation around the sewer line in Tinsley Trailer Park.

I applied for and was granted a 12th Judicial District Court Administrative Search Warrant.

I proceeded to Tinsley Trailer park with Code Enforcement Officers Otero, Chavez, Payan, and Romero. Each officer was tasked with photo documentation of the conditions of the property as I made contact at trailer 12-B with the manager/Owner Ms. Sewell. I informed Ms. Sewell of my search warrant and provided her a copy.

I proceeded to the area I saw the sewer line, wet dirt, and tall vegetation. I observed a very strong odor of sewage emitting from this location.

While walking the property, I observed two white buildings that were dilapidated with the roofs caving in, another two story building that was missing siding and an overall lack of maintenance. I saw there to be several areas where the ground was not smooth with pot holes that would fill with water as well.

Photographs were taken of all conditions.

I will draft a violation letter to provide Ms. Sewell.

10/16/2023	Supplement	On 10/16/2023, I, Code Enforcement Manager Josh Sides drafted a violation letter listing out all of the violations pertaining to the property at 1620 N. White Sands Blvd., Alamogordo, Otero County, New Mexico and how to correct them.	JOSH SIDES	Supplemental Report
I mailed a copy of the letter to the address listed as well as hand delivered a copy to Ms. Sewell.				
05/07/2024	Re-Inspection	On 05/07/2024, I, Code Enforcement Manager Josh Sides, conducted a re-inspection of 1620 N. White Sands. I saw where progress to remove two white buildings has started but not completed. I also saw siding was put on the two story house. None of the other violations have been corrected.	JOSH SIDES	Non-Compliance

Violations

Date	Violation	Description	Notes	Status
10/06/2023	IPMC 506.2 Maintenance.	Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.		*Open
10/06/2023	IPMC 301.3 Vacant Structures and Land.	All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety		*Open
10/06/2023	IPMC 302.3. - Sidewalks and Driveways	Sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.		*Open
10/06/2023	IPMC 302.4. - Weeds	Premises and exterior property shall be maintained free from weeds or plant growth in excess of six inches. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens. Upon failure of the owner or agent having charge of a		*Open

		property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 108.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.	
10/06/2023	IPMC 302.7 - Accessory Structures	Accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.	*Open
10/06/2023	IPMC 302.8. - Motor Vehicles	Except as provided for in other regulations, inoperative or unlicensed motor vehicles shall not be parked, kept or stored on any premises, and vehicles shall not at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth. Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.	*Open
10/06/2023	IPMC 302.9- Defacement of Property	No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti. It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.	*Open
10/06/2023	IPMC 304.1 - General	The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.	*Open
10/06/2023	IPMC 304.1.1 Unsafe Conditions	The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings: 1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength. 2. The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects. 3. Structures or components thereof that have reached their limit state. 4. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or water tight. 5. Structural members that have evidence of deterioration or that are not capable of safely supporting all nominal loads and load effects. 6. Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects. 7. Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects. 8. Roofing or roofing components that have defects that admit	*Open

rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects.

9. Flooring and flooring components with defects that affect serviceability or flooring components that show signs of deterioration or fatigue, are not properly anchored or are incapable of supporting all nominal loads and resisting all load effects.

10. Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.

11. Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.

12. Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including guards and handrails, are not structurally sound, not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.

13. Chimneys, cooling towers, smokestacks and similar appurtenances not structurally sound or not properly anchored, or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.

Exceptions:

1. Where substantiated otherwise by an approved method.
2. Demolition of unsafe conditions shall be permitted where approved by the code official.

10/06/2023	IPMC 304.10. - Stairways, Decks, Porches, and Balconies	Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.	*Open
10/06/2023	IPMC 304.13 Window, skylight and door frames	Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.	*Open
10/06/2023	IPMC 304.2 - Protective Treatment	Exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. Siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. Metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.	*Open
10/06/2023	IPMC 304.6 - Exterior Walls	All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface-coated where required to prevent deterioration.	*Open

10/06/2023	IPMC 304.7 - Roofs and Drainage	The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.	*Open
10/06/2023	IPMC 306.1. - General	The components of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition.	*Open
10/06/2023	IPMC 306.1.1. - Unsafe Conditions	Where any of the following conditions cause the component or system to be beyond its limit state, the component or system shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings: 1. Soils that have been subjected to any of the following conditions: 1.1. Collapse of footing or foundation system. 1.2. Damage to footing, foundation, concrete or other structural element due to soil expansion. 1.3. Adverse effects to the design strength of footing, foundation, concrete or other structural element due to a chemical reaction from the soil. 1.4. Inadequate soil as determined by a geotechnical investigation. 1.5. Where the allowable bearing capacity of the soil is in doubt. 1.6. Adverse effects to the footing, foundation, concrete or other structural element due to the ground water table. 2. Concrete that has been subjected to any of the following conditions: 2.1. Deterioration. 2.2. Ultimate deformation. 2.3. Fractures. 2.4. Fissures. 2.5. Spalling. 2.6. Exposed reinforcement. 2.7. Detached, dislodged or failing connections. 3. Aluminum that has been subjected to any of the following conditions: 3.1. Deterioration. 3.2. Corrosion. 3.3. Elastic deformation. 3.4. Ultimate deformation. 3.5. Stress or strain cracks. 3.6. Joint fatigue. 3.7. Detached, dislodged or failing connections. 4. Masonry that has been subjected to any of the following conditions: 4.1. Deterioration. 4.2. Ultimate deformation. 4.3. Fractures in masonry or mortar joints. 4.4. Fissures in masonry or mortar joints. 4.5. Spalling. 4.6. Exposed reinforcement. 4.7. Detached, dislodged or failing connections. 5. Steel that has been subjected to any of the following conditions: 5.1. Deterioration. 5.2. Elastic deformation. 5.3. Ultimate deformation. 5.4. Metal fatigue. 5.5. Detached, dislodged or failing connections. 6. Wood that has been subjected to any of the following conditions: 6.1. Ultimate deformation.	*Open

- 6.2. Deterioration.
 - 6.3. Damage from insects, rodents and other vermin.
 - 6.4. Fire damage beyond charring.
 - 6.5. Significant splits and checks.
 - 6.6. Horizontal shear cracks.
 - 6.7. Vertical shear cracks.
 - 6.8. Inadequate support.
 - 6.9. Detached, dislodged or failing connections.
 - 6.10. Excessive cutting and notching.
- Exceptions:
- 1. Where substantiated otherwise by an approved method.
 - 2. Demolition of unsafe conditions shall be permitted where approved by the code official.

10/06/2023	IPMC 308.1 - Accumulation of Rubbish or Garbage	Exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.	*Open
10/06/2023	IPMC 308.2 Disposal of Rubbish	Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.	*Open
10/06/2023	IPMC 506.1 General.	Plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.	*Open
10/06/2023	IPMC24 302.2 Grading and drainage.	Premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon. Exception: Approved retention areas and reservoirs.	*Open

Uploaded Files

Date	File Name
09/17/2024	22431399-FILED Search Warrant 1620 White Sands.pdf
09/17/2024	22431400-IPMC LETTER 1620 N White Sands.docx
09/17/2024	22431397-1620 White Sands Rental Agreement.pdf
09/17/2024	22431398-Cert Mail IPMC Letter to 1620 White Sands.pdf

1620 N. White Sands Blvd.
(Tinsley Trailer Park)

Photographs







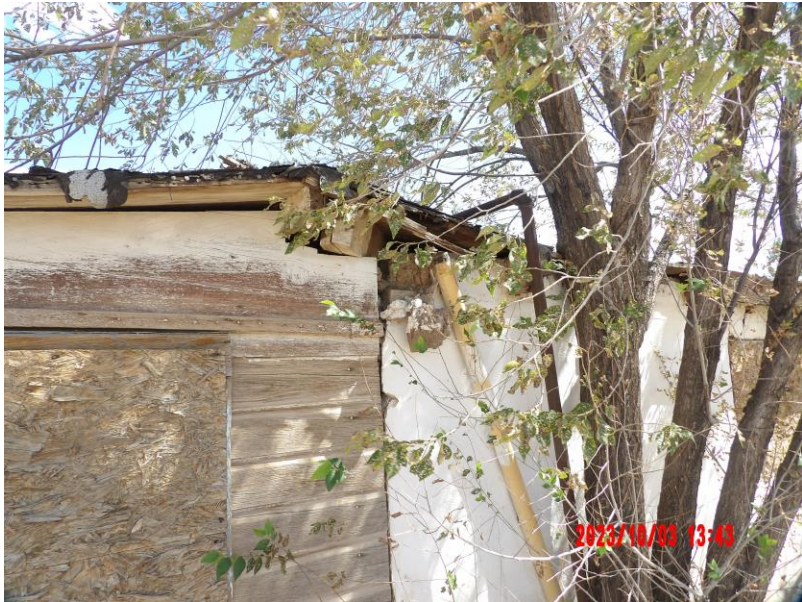




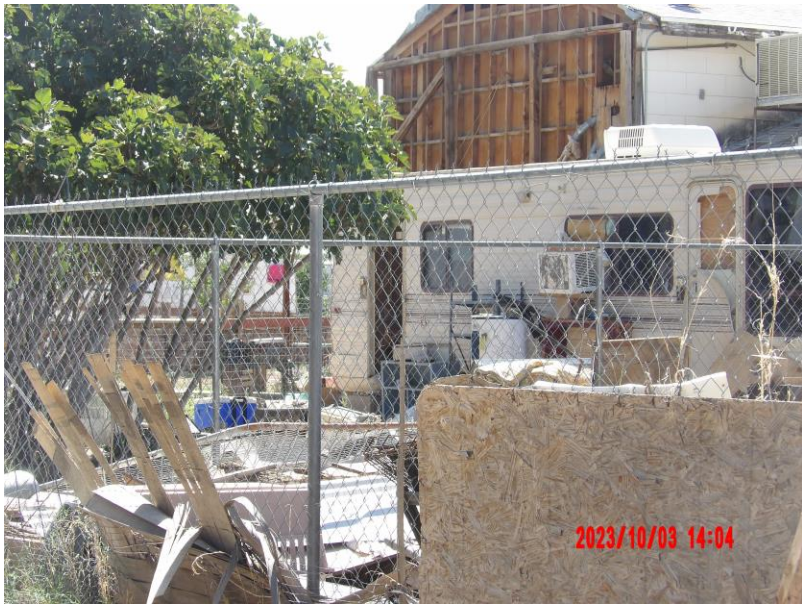






























Dilapidated Structure

1620 N. White Sands



Timeline

1620 N. White Sands Blvd.

- On 10/06/2023, Code Enforcement was made aware of a raw sewage leak at Tinsley Trailer Park and began an investigation. A cesspool was discovered with raw sewage and three structures were identified as dilapidated.
- On 10/06/2023, an Administrative Search Warrant was applied for and granted.
- On 10/16/2023, a violation letter was mailed and hand delivered to one of the owners of the park.
- On 03/12/2024, another raw sewage leak was reported to Code Enforcement and another investigation began resulting in a small cesspool of sewage being discovered.
- On 09/13/2024, another raw sewage leak was reported to Code Enforcement and an investigation began resulting in two large cesspools begin discovered full of sewage.

International Property Maintenance Code Violations

1620 N. White Sands Blvd.

- 20 violations of International Property Maintenance Code

Condition of the Property at 1620 N. White Sands Blvd.



Condition of the Property at 1620 N. White Sands Blvd.



Condition of the Property at 1620 N. White Sands Blvd.



Condition of the Property at 1620 N. White Sands Blvd.



Condition of the Property at 1620 N. White Sands Blvd.



Condition of the Property at 1620 N. White Sands Blvd.



AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 9/24/2024

Report Date: 09/17/2024

Report No: 7.

Submitted By: Beau Dylan Aleshire

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

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: One application was received. Staff recommends one appointment to the Parks and Recreation Board.

Background:

Airport Zoning Board

- Two current vacancies. No applications were received.

Parks and Recreation Board

- One current vacancy. An application by Victoria Gailinas was received. If appointed, this would be her 1st term.

[Print](#)**Application to Serve on a Board/Committee - Submission #7612****Date Submitted: 7/12/2024****City of Alamogordo Application to Serve on a City Board/Committee****First Name:***

Victoria

Last Name:*

Gailinas

Phone Number:*

3155325056

Email Address:*

victoriag@iHeartCorp.com

Physical Address:*

602 S FLORIDA AVE TRLR 1154

City:*

ALAMOGORDO

State:*

NM

Zip Code:*

88310

Is the above address within City Limits?*

- ☒ Yes
☐ No

Mailing Address:*

602 S Florida Ave TRLR #1154

City:*

Alamogordo

State:*

NM

Zip Code:*

88310

Present Employer:*

iHeart Corp

Job Title:

COO

Board/Committee you would like to serve on:*

Parks & Recreation Board 

You can only serve on one Board/Committee at a time. If you want to apply for multiple Boards/Committees, you can by submitting multiple forms. If submitting multiple forms, be sure to let us know which Board/Committee you would prefer.

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:*

30+ years creating and executing, city-wide events

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

Parks and Recreation Board



Victoria Usherwood Gailinas

CONTACT INFORMATION

PHONE/TEXT

315.532.5056

EMAIL

wesmny@gmail.com

SOCIAL MEDIA

<https://www.linkedin.com/in/victoriagailinas/>

Summary of Qualifications

My background is as a thirty-year professional entrepreneur, with a successful business start-up, management and marketing career. I possess a proven track record in capacity-building with both for-profit and non for-profit entities. My experience includes a full scope of related responsibilities, which includes fund development, marketing, project management, process design as well as real estate (acquisition & renovations for commercial and residential). Additionally, I have served as CEO and COO to more than seven, uniquely different business entities. I have strong leadership skills and can manage many departments simultaneously. While interacting at all levels of each entity, I have been responsible for successful strategic planning, creating revenue streams, fund development, and donor development/retention. I am accomplished in donor-centric Customer Relation Management software, website development, and have excellent communication skills. I use an accountability matrix for the operations office metrics (deliverables) in order to continually track progress. I have the unique ability to recruit, develop manage and retain key volunteers through programs that offer continual recognition and praise.

Additional Significant Skills

- Creating Signature fundraising & PR events
- Website development & content creator
- Create press releases and other communications
- Social Media Content Creator
- Expert in branding/marketing
- Proficient Graphic Designer
- Proficient in MS Word/Excel

Employment History

iHeart Corp

2012 – present

FOUNDER, COO, Senior Director of Communications

Executive Director at iHeartOswego – Community Organization

The iHeart Corp is a media, brand marketing and business consulting company. iHeartOswego and iHeartOswego.com are web-based, good-news media and online community calendar serving the greater Oswego County communities. All services are free to the public and are funded through the iHeartCorp.

My specific responsibilities were to create/develop the below:

- Create the business model, organization structure and three streams of revenue. (advertising, marketing programs, website builds), including:
- Build the company policies, procedures, and code of conduct.
- Develop job descriptions, hire employees, train staff, orchestrate weekly company meetings, create team building exercises.
- Create branding graphics and logo for clients and our own companies.
- Create new marketing programs.
- Institute CRM system for client base tracking of sales, resales & email blasts.
- Website design and development for iHeart Corp and iHeartOswego.com.
- Create proposals, create and make presentations to prospective clients., donors.
- Create all press releases, handle all community relations and outreach for our companies.
- Develop, maintain and analyze metrics for social media sites and all advertising, for effectiveness.
- Oversee and direct all volunteers photographers, volunteers, employees, and consultants.



iHeart Corp Client Work

2012 - Present

iHeart Corp clients often hire us to jump start their branding, fundraising or structure. Success in these accomplishments involve a full array of the following responsibilities:

- Create annual giving programs and signature events for nonprofit clients.
- Create regular PR events and manage their social media outlets.
- Create all press releases, handle all client and community relations.
- Review and publish client articles and press releases on iHeartOswego.com
- Develop sustainable marketing programs for the clients to execute.
- Build company policies, procedures, and code of conduct.
- Create a pricing structure for products or services.
- Meet on a regular basis to review goals for their company.
- Design the company website that best suits their marketing efforts
- Create all graphic posters, literature, business cards, letterhead, advertising, logos, etc.
- Ensure all branding consistency.

Contracted Services

Pizza Villa Expansion

2019 - Present

Resource Project Manager

Pizza Villa Expansion in Oswego, N.Y.

Project Management for local business expansion. Worked directly with management to assure a successful expansion through the following initiatives:

- Create a business plan for all aspects of the expansion.
- Identify building locations, submit an offer through RE agency.
- Secure all contractors working with the General Contractor.
- Complete and execute all financial applications.
- Meet with Oswego Community Development, IDA (Industrial Development Agency), WDI (Workforce Development Institute) among others, in order to secure grants and financing.
- Create a new logo and branding.
- Create marketing materials (graphics, mailers, fliers, all advertising)
- Oversee entire project

2016 - 2019

Annual signature events I have created specifically for the each client:

- Maple Weekends at Red Schoolhouse Maple Farm – Fulton, NY

Created in 2016 - 2020

Event created and executed annually specifically for client

The purpose of the annual event is to create awareness regarding the local maple product producers. In addition to their annual Pancake Breakfasts, we created a Maple Cook-off, provided entertainment like strolling musicians, kids crafts, Easter egg hunts, maple tours, Cooking with Maple, "Foodie Experience" demonstrations, etc. The cook-off was offered to local bakers, restaurants, anyone using a commercial kitchen. The event runs annually for two weekends typically in March, before Easter weekend. Contracted position, annually.

- Black and White Masquerade Ball

Created in 2018

Contracted to create and develop Signature Event.

Created for Wellhouse Ministries as their annual signature fundraiser for the Anthony House (Residential Home for the terminally ill) building fund. Dinner, dancing, LIVE auction and entertainment.

Created all aspects of the event and executed. A successful event and repeated every year since.

More upon request, such as: Christmas Parade, Falloween, City Easter Egg Hunt, Bake it to Make it, etc.



Contracted Services cont.

- USOswego

Created in 2015

A Veteran's free entertainment program in Oswego, consisting of two parts.

First, the USOswego Veteran's Day breakfast, free to all active duty and veterans of Oswego County.

Partnering with community businesses, we provide an all-you-can-eat brunch featuring local products like pure maple syrup, etc. all locally sourced.

The second part is a USO-style variety stage show, complete with decade/era commercials, songs and dances of their day. I performed all needed fundraising aspects (letters of appeal, sponsor follow up, program design, program ad sales, poster design and all graphics for the event.

Partnering with a local producer who collaborated on the show style then directed, while I produced the event. All proceeds are donated to (varied) veteran service programs. The program was handed off to a local organization to continue on.

Company GWD

1998 – 2012

CO-FOUNDER, Director of Marketing & Sales

The Company GWD, a website development company that was merged with the iHeart Corp in 2013

- Create the business model, structure and three streams of revenue. (advertising, marketing programs, website builds)
- Build the company policies, procedures, and code of conduct.
- Develop job descriptions, hire employees, train staff, orchestrate weekly company meetings, create team building exercises.
- Create branding graphics and logo for clients and our own companies.
- Create new marketing programs.
- Institute CRM system (Sugar CRM) for client base tracking of sales, resales & email blasts.
- Create proposals, build and make presentations to prospective clients., donors.
- Create all press releases, handle all community relations and outreach for our companies.
- Create (and maintain) all social media sites for our company (starting in 2008).
- Analyze all metrics of social media/print advertising for effectiveness.

Previous Business Ventures/Employment

1974-1998

- 1994 - 1998: Prospects Unlimited, Founder/CEO. Created consultant company as a hyper-local telemarketing business, designed to increase the clients current base of business by 80%
- 1987 - 1994: New York Life Insurance Company, CA: Licensed Life and health Insurance Agent, CFP, Series 6 licensing.
- 1981 - 1984: Realty World Real Estate- Agent for residential and commercial real estate sales
- 1974 - 1984: Pizza Pub Oswego. Worked as employee, Manager in 1976, Bought shop in 1979 and sold business in 1984.

Education and Certifications

- New York Life Insurance, CA.: Certified Series 6 (securities) license 1991
- New York Life Insurance, CA.: Certified Financial Planner course 1990
- New York Life Insurance, CA.: Insurance Products Certification 1987
- Merced College, Merced, CA.: Bachelor's Degree in Business Admin. w/Human Services Minor, 1990
- Dale Carnegie Course, Communications and Human Relations: 1991, CA
- NY State: Real Estate 45 Hours Continuing Education, bi-annually: 1983, 1985
- Real Estate Sales Course, Syracuse, NY: Certification, 1982
- Dale Carnegie Course, Sales: Certification 1981, NY
- NY Real Estate License Course: Completed May 1981



ADDENDUM

Founded 501(c)3 Organizations, Volunteer Positions & Special Appointments

Oswego County Habitat For Humanity

2019 - 2023

Vice President of Oswego County Habitat for Humanity. Chairperson for Marketing, Fund Development and Communications.

- Part of a cohesive team of five experts in their field (The Executive Board of Directors), brought together in order to restructure/resurrect a long standing, county-wide organization.
- Help create affiliate calendar with reports due to Habitat for Humanity International, fund development events for annual tithing (HFH International), operations, building capacity milestones
- Recruit new committee volunteers
- Developing Fundraising events and meeting with collaborators
- Create Affiliate Operations Manual (in progress)
- Help locate and apply for funding (grants) and create fundraisers to bolster the affiliate during initial revitalization
- Help apply for funding for an Executive Director position
- Help locate and acquire property for new home builds/renovations
- Serving as operations' on-point person (answering calls, emails, etc.) and communication on the affiliates behalf
- Exploring HFH International's resources in order to build relationships within HFHI, reaching out to other affiliates to build network resources for our local affiliate

Business Mentoring

2016 - Present

Mentor to Small Business Owners

Weekly instruction and monitoring of new business owners or established owners, instruct on business development and progress metrics.

- Assess current business viability and practices.
- Created the business structure and organizational chart.
- Create job descriptions and title definitions.
- Identify current deficiencies in pricing/service charges, marketing programs, budgets, workload division, company policies, finances, tax collections, etc.
- Instruct owner on course corrections.
- Discuss and agree upon courses of action and delegation of duties.
- Find resources for client.
- Create and maintain branding.
- Create marketing materials (graphics, mailers, fliers, all advertising).
- Create (with the client) a five-year plan that will allow for sustainability and stability of the current business model.

Granite State Sheltie Rescue

2000 - 2017

Member, President, CEO/Executive Director

Breed Specific Rescue Organization

- Created forms for adoption & surrender
- Created volunteer contracts
- Responsible for Foster parenting training
- Created and maintained organizational website
- Active in fostering, transportation and home-checks
- Created/maintained database for donors
- Create/execute annual giving campaigns
- Produce Annual reports and newsletters
- Schedule appearances, fundraisers and PR events
- Create community partnerships
- Recruit, train, oversee and direct all volunteers
- Work with BOD on strategic planning
- Responsible for capacity building



Founded 501(c)3 Organizations, Volunteer Positions & Special Appointments Cont.

2020 - Present

Greater Mexico Chamber of Commerce - Advisor, member

Seek out new businesses in order to help guide them to proper resources for business help and support.

Schedule and perform Ribbon Cuttings for new or expanded businesses, departments, etc. Help with event productions.

2019 - Present

Chairperson of Ambassadors for the Greater Oswego Fulton Chamber of Commerce

Seek out new businesses in order to help guide them to proper resources for business help and support.

Schedule and perform Ribbon Cuttings for new or expanded businesses, departments, etc.

2017 - Present

Representing the NY State Maple Producers Association at the New York State Fair

Perform the "Cooking with Maple" demonstrations on Maple Day at the NYS Fair

2017 - Present

Representing the NY State Maple Producers Association at the New York State Fair

Perform the "Cooking with Maple" demonstrations on Maple Day at the NYS Fair

Founder

Roller Derby Leagues (2-3 teams per league)

2010 - Oz Roller Girls Roller Derby - Oswego, NY

See below for efforts in creation of leagues

Founder

Roller Derby Leagues (2-3 teams per league)

2008 - Monadnock Region Roller Derby - Peterborough, NH

See below for efforts in creation of leagues

Founder

Roller Derby Leagues (2-3 teams per league)

2007 - ManchVegasRoller Girls - Manchester, NH

See below for efforts in creation of leagues

- Created the business model, structure and three streams of revenue. (bouts, sponsorships & merchandising channels)
- Build the League policies, procedures, and code of conduct.
- Write BOD descriptions and position requirements.
- Train skaters in 501(c)3 operations
- Recruit and train skaters, train referee staff, conduct weekly league meetings, create team building exercises.
- Create branding graphics and logo for the league and each team.
- Design posters, bout programs, uniforms and swag items for merchandise sales.
- Produce 6-8 home "bouts" (competitive games) per season, arrange for team accommodations.
- Attend WFTDA (Women's Flat Track Derby Association training).
- Create new marketing programs (flat track roller derby was relatively unknown then).
- Institute CRM system (Sugar CRM) for client base tracking of sales, resales & email blasts.
- Create sponsor programs and gather annual sponsors for the league.
- Create all press releases, handle all community relations and outreach for the leagues.
- Create (and maintain) all social media sites for our company (starting in 2008).
- Design and build website for league with ticket sales portal.
- Analyze all metrics of social media/print advertising for effectiveness.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 9/24/2024

Report Date: 09/17/2024

Report No: 8.

Submitted By:

Subject: Adjourn into Executive Closed Session in compliance with 10-15-1(H)(7) NMSA (as amended) to discuss Pending Litigation: Downtown Ventures. *(Ashley Smith, City Attorney)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background: