



# Alamogordo City Commission

---

## NOTICE OF MEETING

### Regular Meeting Agenda

February 10, 2026 - 6:30 PM  
Donald E. Carroll City Commission Chambers  
City Hall, 1376 E. Ninth Street

Sharon McDonald ..... Mayor  
Joshua Rardin ..... Mayor Pro-Tem, District 4  
Baxter Pattillo ..... District 1  
Stephen Burnett ..... District 2  
Warren Robinson ..... District 3  
Vacant ..... District 5  
Mark Tapley ..... District 6

Stephanie Hernandez ..... Acting City Manager  
Darrell Mori ..... 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

---

#### PRESENTATIONS

---

#### 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 January 27, 2026. *(Rachel Hughes, City Clerk)*
2. Approve the statements related to the Executive Closed Session of the Regular Meeting held on January 27, 2026. *(Rachel Hughes, City Clerk)*
3. Approve the statements related to the Executive Closed Session of the Special Meeting held on February 5, 2026. *(Rachel Hughes, City Clerk)*
4. Consider, and act upon, an amendment to the grant funding from the New Mexico Aging and Long-Term Services Department for the Senior Companion Program (SCP), Care Companion Program (CCP), and Foster Grandparent Program (FGP) FY26 contracts. The purpose of the amendment is to revise the original SCP contract amount from \$49,532.50 to \$31,532.50, thereby **decreasing** the total dollar amount by \$18,000.00; the original CCP contract from \$27,000.00 to \$18,000, thereby **decreasing** the total dollar amount by \$9,000.00; and the original FGP contract amount from \$69,525.00 to \$42,525.00, thereby **decreasing** the total dollar amount by \$27,000.00 *(Magdalena Morales, ASC Manager, Eileen Flint, Community Services Director)*
5. Consider, and act upon, Resolution 2026-06 requesting written approval from the Local Government Division of the Department of Finance and Administration, State of NM for the revised budget numbers computed as of February 10, 2026. *(Evelyn Huff, Finance Director)* **(Roll Call Vote Required)**

#### **ITEMS REMOVED FROM CONSENT AGENDA**

---

#### **NEW BUSINESS**

---

6. Consider, and act upon, the fireworks display, cost, and contract. *(Stephanie Hernandez, Acting City Manager, and Darrell Mori, City Attorney)*
7. Discussion and refresher on executive session confidentiality, open government requirements, and ethics obligations for elected officials. *(Stephanie Hernandez, Acting City Manager)*
8. Consider, and act upon, the use of LEDA funds. *(Stephanie Hernandez, Acting City Manager)*

#### **ADJOURNMENT**

---

# AGENDA REPORT

CITY OF ALAMOGORDO  
CITY COMMISSION

---

**Meeting Date:** 2/10/2026

**Report Date:** 02/02/2026

**Report No:** 1.

**Submitted By:** Beau Dylan Aleshire

---

**Subject:** Approve the minutes for the Regular Commission Meeting on January 27, 2026. *(Rachel Hughs, City Clerk)*

---

**Fiscal Impact:**

Amount Budgeted:

Fund:

Additional Fiscal Impact:

---

**Recommendation:** Approve the minutes.

---

**Background:**

**CITY OF ALAMOGORDO, NEW MEXICO  
CITY COMMISSION REGULAR MEETING DRAFT MINUTES  
6:30 PM, DONALD E. CARROLL COMMISSION CHAMBERS  
January 27, 2026**

**SHARON MCDONALD, MAYOR  
JOSHUA RARDIN, MAYOR PRO-TEM  
BAXTER PATTILLO, COMMISSIONER  
STEPHEN BURNETT, COMMISSIONER  
WARREN ROBINSON, COMMISSIONER**

**VACANT, COMMISSIONER  
MARK TAPLEY, COMMISSIONER  
STEPHANIE HERNANDEZ, ACTING CITY  
MANAGER  
DARRELL MORI, CITY ATTORNEY  
RACHEL HUGHS, CITY CLERK**

**CALL TO ORDER & ROLL CALL**

---

Mayor McDonald called the meeting to order at 6:30 PM. Roll Call was taken by the City Clerk. City Clerk Hughes announced there was a quorum present.

**INVOCATION & PLEDGE OF ALLEGIANCE**

---

The Invocation was given by Pastor Justin Crispin of the Worship Center, and the Pledge of Allegiance was led by Commissioner Robinson.

**APPROVAL OF AGENDA**

---

**Commissioner Robinson moved to approve.  
Commissioner Pattillo seconded the motion.  
Motion Passed with a vote of 6 - 0 - 0.**

**PUBLIC COMMENT**

---

Rudy Contreras said he was concerned about Acting City Manager Hernandez and why the Commission is going in circles to find a candidate for the permanent City Manager. She has been at this for at least the last three years and is more than qualified. Why are we spending taxpayer money to reach out elsewhere? She won't engage in backdoor politics or special interest groups. She will do what is needed for the citizens, which is what a City Manager should do. What is holding the Commission back? What are you looking for in a City Manager? Hopefully, when the time comes, you will look at her qualifications and appoint her to be the City Manager.

Russell Davis said he recently met with Mayor McDonald and Acting City Manager Hernandez and wanted to pass on an idea. Commission meetings are a good chance for more communication. I know the City already does social media, alerts, and press releases, but the meetings are a good chance for everyone, staff and citizens, to get on the same page. Things are being done all the time. I would like to see more informational items on the agenda, not just business items. Like, what is going on with Bonito Lake? What will it look like in a few years?

Courtney McCary-Squyres said today is the two-year anniversary of the Maryland Avenue Public Garden. I would like to extend our gratitude to the City of Alamogordo going into 2026. Partnership with the City was instrumental. Two pieces of legislation are currently in the roundhouse and could help our public food campaign. HB101 is the regional farm to food bank program, and HB114 would expand the Double-Up Food Bucks Program.

Shari Adkisson said she was involved in the attempt to get a Code Blue call for Alamogordo. Snow is something we need to think about. Before the next snowstorm, we need to work something out. I came before the Commission last summer regarding gas at the local home park. People there didn't even have space heaters.

Brenda Barber said her family owns Victoria's on New York Avenue. I would like to thank the City for the renovations. Eight public-use trash cans have been installed on the 800 and 900 blocks as part of the renovation. The cans are overflowing with trash, and they have already become a blight. We have been told that the City does not have a contract to pick up the trash on those two blocks. The trash was picked up in the past, prior to the renovations. The City told us there are two options. Business owners can collect the trash and dispose of it at their expense, or they can contract with a third party to empty the trash cans. Collecting and disposing of trash on public sidewalks is not the responsibility of the business owners; it is the responsibility of the City. If this issue cannot be settled, the trash

cans will be removed, and I fear the trash will be thrown on the street. Let's get those trash cans emptied regularly by the City.

Echo Johnson said they found another building, and I have submitted another LEDA application. I look forward to presenting on our new building and programs.

Kim Great White Owl Murillo said after reading an article regarding the failed searches for City Manager, it is clear that Acting City Manager Hernandez has been repeatedly passed over. I ask the Commission to consider this. From an outward appearance, it appears self-interested, seeking only to maintain power. I urge you to permanently secure Acting City Manager Hernandez with the City.

## **CITY MANAGER'S REPORT**

---

### **Acting City Manager Hernandez made the following remarks:**

1. I know there was concern regarding FEMA determinations. I have at least three staff members studying and interested in getting the certification. Until that happens, we have two consultants we are negotiating with for a seven-day turnaround, so we will no longer have a long wait for FEMA determinations.
2. We are ready to present the subdivision ordinance to the public. It should be available within the next week or two. We will have a public workshop on the subdivision ordinance on February 25th at 5:30 PM.
3. Regarding Code Blue, we received a lot of emails asking the Mayor to declare Code Blue. Unfortunately, the Mayor alone cannot declare Code Blue. That authority has to be bestowed on her by a majority of the Commission by resolution, or if the Commission calls an emergency meeting for a public health issue. That would require a twenty-four-hour notice, but that would allow the Commission as a whole to call a Code Blue. Simply calling the Code Blue alone wouldn't work. We would need to have a bigger discussion about facilities and staffing. Are we going to work with local churches and nonprofits? There is a lot to talk about. I suggest we put an agenda item up to flesh that out, if the Commission is interested in it.
4. We are aware of the issues on South Florida. Public Works was out there today, but I am not sure if all the potholes are complete. South Florida will require a bigger conversation because the asphalt is not good in the area, and rainfall causes havoc. We will have to talk about a long-term solution and possible funding.
5. The Street Department were up at 5 AM every morning to salt the roads. I wanted to shout them out.
6. In 2023, we launched Grow Our Own Workforce, which was to introduce middle and high school kids who were interested in being a public servant and working for the government. It has been successful. I am going to launch a new, yet unnamed, campaign about public education and civic engagement. Every week on social media, we will have a City department highlighting what their role is, and what they do.
7. We will also do monthly updates regarding major projects so everyone knows where we are at.
8. The Engineering Department will bring an in-depth review of their projects quarterly. The Commission will be able to ask questions.
9. I know there have been concerns regarding operational staff levels. We are going to bring items forward regarding concerns. We are ready to talk about why and the rationale. We will put an agenda item, and we encourage the Commission to do the same. As a reminder, per training and instruction, operations and governance should stay separate.
10. We are looking at turning Facebook comments back on. We are working with the Legal Department. We need to find a social media archiving program, because everything that is put on social media will be subject to open records. Even if someone deletes a comment, we will need to provide it.
11. I will be out Thursday and Friday, but I will be working and available if needed.

## **REMARKS AND INQUIRIES BY THE CITY COMMISSION**

---

Mayor McDonald said she had something she needed to read at this time. At the prior meeting, the Commission held an Executive Session to discuss limited personnel matters related to the City Manager recruitment. No action was taken in the Executive Session. Due to changes in the candidate pool, the City is continuing recruitment. Interviews are expected to resume in the first week of February. No action is being taken on this matter tonight.

Mayor McDonald thanked staff for opening up the Recreation Center for the homeless so they could take showers on Sunday because the weather was really bad.

Commissioner Robinson said he wanted to thank City staff for the Martin Luther King Celebration. We had the cooperation of the City, and the march with over two hundred people went very smoothly. The Dudley Center is a

rallying point for speakers, activities, and food for Martin Luther King Day. It was a success that put Alamogordo on the map. Thank you to everyone who was involved and planned it.

Commissioner Burnett said he had asked Assistant City Planner Abbott regarding permits that we weren't issuing to those subdivisions. Do you know where she is with that list? Acting City Manager Hernandez said I know we do not have any that we have not issued permits lately. Are you talking about how many lots per subdivision? Commissioner Burnett said right. Acting City Manager Hernandez said she was not sure because Assistant City Planner Abbott has been out sick, but I will get with her. I know she was working on it. Commissioner Burnett said he only wanted to know about the subdivisions we are having issues with regarding permits. Acting City Manager Hernandez said we will get a list of what is outstanding. Commissioner Rardin said we had asked for those that had been approved or accepted. Commissioner Burnett said yes, the accepted subdivisions that aren't issuing permits now. Commissioner Rardin said yes, any which had been accepted and which are still pending acceptance. We asked a couple of months ago.

Commissioner Rardin said he was directed by City Attorney Mori to bring this up here, but after the last two executive sessions, it appears that what we discussed in there was released to certain people within the community. I just want it on the record that what we discuss in there needs to remain confidential. We put trust in everyone in the room to keep our comments and discussions confidential. City Attorney Mori said as a legal reminder, what is said in the Executive Session is confidential, and that confidence is held by the City Commission. Anything to be released from that would have to come from a decision of the Commission to disclose. Not that it cannot be disclosed, but if it were, it would need to be by a joint decision of the Commission. To follow OMA and City code, remember to keep the confidence of the executive session to keep compliance and the confidence the Commission holds. Mayor McDonald asked if this was based on something that one of the Commission had released. Is that why we are being reminded? Or is this a general reminder? Do you think one of us broke the trust? Commissioner Rardin said he did not state that. I read an article with some information in it that was discussed, and that person was not in the room. When we go back there, I trust you to keep comments confidential. The purpose of that room is for us to speak freely.

Mayor McDonald said she visited Desert Start Elementary School and Yucca Elementary School for the spelling bee. We have some bright students in the City of Alamogordo.

Commissioner Burnett said regarding Brenda Barber's public comment, what have we done with the trash there? Acting City Manager Hernandez said she believed that the trash was picked up by the Collection Center. I am not sure how that happened; it may have been a handshake deal back in the day. Utilities Director Nunnelley pulled his people out of that because we have no documentation. We should not be picking up private trash cans. Those are not City trash cans like the Parks and in our areas. We do not do that for other businesses with trash cans. The trash cans were put in by the MainStreet grant, not the Great Blocks grant. Additionally, we upped MainStreet's contract from \$50,000 to \$72,000 for their work on Downtown. We only have one or maybe two people out at the Collection Center. We are short-staffed there and in Parks. Commissioner Burnett asked if there was a conversation between us and MainStreet about putting the trash cans there. Acting City Manager Hernandez said there was. We told MainStreet we were not going to do them.

Commissioner Tapley asked if there was a timeline for when the canopies at the parks would be completed. Acting City Manager Hernandez said those were under warranty, and we sent them back to the manufacturer. They put us whenever they put us. I reached out to Parks and Recreation Director Bass, who was going to reach out and ensure we have them in the hot season. We will try to get a better timeline. Commissioner Burnett said he asked about those last summer. Acting City Manager Hernandez said we cannot fix them, or it would undo the warranty on them. We have to send them to the manufacturer. We are at their mercy, but we will reach out. Commissioner Tapley said maybe we need to post the number of the company. Commissioner Burnett asked what the warranty was regarding the timeline. Acting City Manager Hernandez said she would have to pull that up to know.

## **CONSENT AGENDA**

---

**1. Approve the minutes for the Regular Commission Meeting on January 13, 2026, and the Special Commission Meeting on January 20, 2026. (Rachel Hughs, City Clerk)**

**2. Approve the statements related to the Executive Closed Session of the Regular Meeting held on January 13, 2026. (Rachel Hughs, City Clerk)**

**3. Approve the statements related to the Executive Closed Session of the Special Meeting held on January 20, 2026. (Rachel Hughs, City Clerk)**

**4. Consider, and act upon, approval of Resolution 2026-04 designating the Administrative Manager as the Custodian of Records for the Alamogordo Police Department and including the method of destruction of records as witnessed shredding by a bonded destruction vendor. (David Kunihiro, Chief of Police) (Roll Call Vote Required)**

**5. Consider, and act upon, Resolution 2026-05 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 January 27, 2026. (Evelyn Huff, Finance Director) (Roll Call Vote Required)**

Commissioner Burnett moved to approve.  
Commissioner Robinson seconded the motion.  
Motion Passed with a vote of 6 - 0 - 0.

#### **ITEMS REMOVED FROM CONSENT AGENDA**

---

None.

#### **NEW BUSINESS**

---

**6. Discussion and direction on implementing a Metropolitan Redevelopment Area (MRA) regarding Sendora Apartments and the surrounding area. (Darrell Mori, City Attorney)**

City Attorney Mori said he was approached by Brenner Campbell, the lead developer for the Sendora Apartments, who had made a request to both the City and County to make the area in the north spot of town a designated MRA, similar to what was done for Patriot Pointe. I let him know that, based off previous Commission comments, the Commission may be open to it, but it was something that needed to be brought forth for the Commission to decide. Do they want to proceed, do the undertaking of the MRA themselves, or do this similar to Patriot Pointe where the County took the lead and gave a resolution? It is Mr. Campbell's desire to get this done speedily. I had County Attorney Nichols present at that conversation, and he said should the City not want to do the undertaking themselves, the County would be willing to be the face of it, similar to what was done with Patriot Pointe. Would the Commission like to do an MRA, and if so, how would they like to proceed?

Commissioner Burnett asked how far along the County was with Patriot Pointe. City Attorney Mori said I know they have had at least one public meeting. It takes time because there needs to be gaps of time between meetings. I do not believe they have had the second meeting.

Commissioner Rardin said if we did this, would it essentially be the same timeline? City Attorney Mori said that it depends on the scope. Last time, some Commissioners wanted it to be a larger operation, more of a typical MRA. If that is the case, that takes a lot more time. Doing a single spot is a shorter time, and that is what the County is doing for Patriot Pointe. As far as Mr. Campbell, I know that time is of the essence for his development. Acting City Manager Hernandez said regarding the speed, Mr. Campbell has the funding in place and is ready to break ground, but you cannot get the benefits of an MRA if you have broken ground.

Commissioner Burnett asked what the timeline would be to get the approval. City Attorney Mori said it would take several months at a minimum for the publication notices. It would be a little faster with the County, which has recently done this before. It would be newer for the City, which has not done one in years. It is possible it could be done by the end of the year, if the City did it. We would just have to work with our attorneys, who spoke to the Commission

earlier about it. They would really help us if the City chose to do this itself.

Mayor McDonald said there are many different avenues and areas we would like to cover. If we are going to do an MRA, it would be more beneficial if ours was thought out and we had the areas identified, as opposed to just going after this one. I understand we want the building to go up, but right now, if we are going to do an MRA, we would like to identify all the properties in this area, or the City we want to have this applied to. I think it will take a while to identify other areas.

Commissioner Pattillo asked what City Attorney Mori's recommendation was. City Attorney Mori said it depends. What is the goal of the Commission? If it is to make a larger area, then specifically for this, we should let the County do this specific spot. They have been gracious in working with us. If the goal is expediency, I feel the stronger court is the County. If time is not of the essence, then the City is a great candidate to come up with a plan. Commissioner Burnett said maybe we let the County do the Sendora Apartments while we take the time to figure out the areas within the City. City Attorney Mori said if the Commission wants to give an MRA for this specific development, then yes, we do almost exactly what happened with Patriot Pointe. They come, we pass a resolution that there is a need for economic growth and development in that area. For speed, it would probably be a smaller area like Patriot Point. Then the County would take and run with that. If you want to do the larger area, we would go through the process of identifying the areas and businesses that the Commission feels need to be redeveloped. That process would be for a more traditional and lengthy MRA, but it would take significant time. Commissioner Robinson said this is an opportunity to bridge difficulties and work with the County. We need long-term planning, and we do not have it. This is a perfect opportunity to figure out where we want to go for the next four or five years. If we work with the County, we could have collaboration and success, which could lead to other successful ventures.

Acting City Manager Hernandez said we are going with a comprehensive plan in which the Commission will be involved. Pre-planning has started. That is the opportunity for the Commission to do a true MRA, which is how you incentivize people to develop in a certain area. That is where feedback from the Commission and the community would be invaluable.

Commissioner Burnett said he recommended we just allow the County to do the Sendora Apartments. Then we can figure out the areas in which we need to incentivize. City Attorney Mori said if that was the general consensus of the Commission, I will get back with the County so we can proceed in that direction. There will shortly be an agenda item to hammer out some details. Commissioner Burnett asked if we are looking at at least six months for Mr. Campbell to get approval. Acting City Manager Hernandez said from the County's side, I do not really know, but I think that is about the same timeline as Patriot Pointe. We will work with County Attorney Nichols and try to get a resolution onto the next Commission meeting.

Commissioner Pattillo asked if there was anything that the County needed from the City for the projects. City Attorney Mori said the main thing is joint jurisdiction. It is within City limits, so the County basically needs the City's blessing. We will present a resolution to name a specific area or plot to be technically termed blighted, and basically saying the area or plot would be in need of economic development. We are agreeing with the County that the area needs that development, and allowing them to create an MRA within the City. That would give them the green light to proceed with their meetings and the creation of the MRA Board. The resolution is the chief thing the County needs from us. Mayor McDonald asked if action was needed at this point. City Attorney Mori said no.

**7. Consider, and act upon, first publication of Ordinance 1721 amending Chapter 23 of the city code of ordinance to rededicate the local economic development tax and fund balance for the construction, operations, and maintenance of a municipal natatorium. (Stephanie Hernandez, Acting City Manager) (Roll Call Vote Required)**

Acting City Manager Hernandez said as we are working towards funding for the Natatorium, we realized our ordinance had not been updated to reflect what the vote was on the actual referendum by the citizens in November 2024. This is updating our ordinance to align with what the citizens voted on. Commissioner Burnett asked if the tax was still in effect. Acting City Manager Hernandez said the tax is still in effect, but it is rededicated to fund the Natatorium, yes sir. Commissioner Burnett asked about the remaining balance. Acting City Manager Hernandez said we have taken the \$4,000,000 already to the pool. We have a remaining balance of around \$1,000,000 in Fund 105. Commissioner Burnett asked if they were also asking for that. Acting City Manager Hernandez said no, we are just

updating the ordinance to what was voted on, which was the \$4,000,000 and the rededication of the tax.

**Commissioner Robinson moved to approve.**

**Commissioner Burnett seconded the motion.**

**Motion Passed with a vote of 6 - 0 - 0.**

**8. Discussion and direction on a vehicle replacement program. (Evelyn Huff, Finance Director and Lacy Baron, Enterprise Fleet Management)**

Finance Director Huff said the vehicles that City employees drive are old. Some are older than the people who drive them, especially in Parks. For several years, we have worked on different ways to replace the vehicles. Former City Manager Holden commented that we needed to go to a leasing program, which he had done with other cities. That led us to Enterprise Fleet Management and Lacy Baron. She is here tonight to give a more in-depth presentation as to what this means. Mrs. Baron has been working with us closely, and we have met multiple times to see what it would bring to the City. Vehicles depreciate at a fast rate and do not bring a great deal of equity to the City. Moving to a leasing program would allow us to rapidly turn over our fleet and get safer, more efficient vehicles. Our policy in the past regarding vehicles was to drive them until the wheels fell off. We need to drive them to a point where it would be beneficial to turn the equity over.

Mrs. Baron gave her presentation regarding the vehicle replacement program.

Commissioner Robinson asked who retained liability in the case of an accident. Mrs. Baron said they operate as if they are your own vehicles. Commissioner Robinson asked if the City still had to cover the insurance. Mrs. Baron said unless they want to transition to ours, yes. Per current conversations, they will be retaining the insurance they have.

Mayor McDonald asked if the maintenance would be on Enterprise Fleet Management or the City. Mrs. Baron said they had options for both. With Fleet Maintenance Manager Williams's staff, they are looking to continue maintaining the vehicles, but with our oversight to help make recommendations. Ultimately, by cutting the cycle down from fourteen years to five years, you really should have minimal maintenance on a vehicle. Vehicles are vehicles, but it shouldn't be much more than standard oil changes, based on the average miles you all are driving.

Commissioner Rardin asked if there was a specific manufacturer we would be getting vehicles from. Mrs. Baron said they were brand agnostic and work with all manufacturers. To us, it is indifferent. Based on our conversations, Fleet Maintenance is certified with Ford products, and so the City wants to stick with Ford.

Commissioner Pattillo asked how the plan worked to replace vehicles on a year-to-year basis and how those are chosen. Mrs. Baron said they target age, mileage, and market conditions. We look at the equity in the vehicle and dial in. We look at what is on paper, but we will also work with Fleet Maintenance to identify which vehicles are more of a target as far as operating. Let's say a vehicle is three years old, and you are spending more on maintenance than a vehicle that is five years old. We would target the three-year-old vehicle to replace instead of the five-year-old vehicle. Ultimately, replacing these vehicles will bring down operational expenses significantly. It will also bring down fuel expenses. It is going to stabilize at the second round of replacements, as you can reinvest, rather than from scratch with the current cradle-to-grave approach.

Mayor McDonald asked if there were limits on mileage or anything else. Mrs. Baron said it was open.

Commissioner Burnett asked if they had other contracts with other municipalities. Mrs. Baron said absolutely. We have over twenty in New Mexico alone, but we operate throughout the United States. Some of your neighbors we work with are the City of Belen, Elephant Butte, and the Town of Silver City.

Commissioner Burnett asked how many we would do right now. Acting City Manager Hernandez said we are upward of seventy, so we are doing a big push of the older ones right now. We are mixing it between different departments and funding sources. We took the ones primarily funded by the General Fund and saw how much that will cost, then we went on to Enterprise Funds and any other funds we were doing. As of right now, a decent chunk of about

seventy. Mrs. Baron said our goal is to deliver to you turnkey-ready. We want to create a roadmap to stabilize this process and be an extra tool of support. Our sister company, Enterprise Rent-a-Car, is something we can leverage and where we are really able to help municipalities with economies of scale. Commissioner Burnett asked what the estimate of the upfront cost would be. Acting City Manager Hernandez said we are going to say here is what we have, and what do you actually need in the department. Finance Director Huff said broken down by different funds, for example, for Utilities, it is \$305,910, which will get them thirteen vehicles. One crane truck is going to cost us around \$150,000. That is with the equity of selling what we already have and replacing it with what we have. The next biggest one is the General Fund, which will get us thirty-three vehicles for \$468,242. For Streets, seven vehicles at \$153,899. The Landfill will be \$3,133 for three vehicles once we trade out the equity of selling what we currently have. Commissioner Burnett asked if the ones for sale would go to auction. Finance Director Huff said yes. Acting City Manager Hernandez said for perspective, when we ordered police cars, we got four for over \$500,000. We are replacing seventy-ish, and the cost is really something the City can absorb. Finance Director Huff said we have been working hard on standardization. We have a lot of one-offs. We want to make it easier. You can come in, are approved for a truck, and have five instead of fifty questions to answer. We want to make things more interchangeable throughout departments as we need them as well.

Commissioner Tapley said a police cruiser has modifications. Are there issues with making modifications? Mrs. Baron said no issues. We work with police chiefs in Silver City and Lovington. We are very familiar with it and can do it. We have a team of aftermarket specialists who would want to sit down and see what aftermarket equipment you want, then we would fit it out based on where the best price is, provide options, and decide what to sell. Commissioner Tapley said assuming normal warranty periods for normal consumers are three or thirty-six, five year sixty, on the powertrain. Is that still good with a commercial fleet? Mrs. Baron said absolutely.

Commissioner Pattillo said if we started this program and stuck with it, what would ownership look like for any vehicles for the City? Would we eventually end up with all leased vehicles? Mrs. Baron said yes.

Commissioner Rardin asked if this covered larger vehicles, too, or just the smaller stuff. Mrs. Baron said anything up to twenty-six thousand GVRW. If you need to do a specific one, we are doing a water tanker and looking at a crane. As long as it falls under twenty-six thousand. Commissioner Burnett said that would be non-CDL. Commissioner Rardin said so that wouldn't be fire trucks or dump trucks. Mrs. Baron said correct. We can also do ATVs, golf carts, and even camper trailers. Finance Director Huff said we are looking for the CDL ones and heavy equipment with Infrastructure-as-a-Service. We would most likely bring something back to the Commission. We are working with them to get the water meter stuff ironed out so we can present that. I am thinking we will come back in the middle of the year with a heavy equipment plan.

Commissioner Burnett asked how many vehicles we currently have that are CDL. Finance Director Huff said she did not know.

Commissioner Pattillo asked which municipality similar to ours has been doing this the longest. Mrs. Baron said the City of Belen has been with us for quite a while. I have their number in the back if you would like to call them as a reference. We have a great partnership with them, and we have helped keep their police fleet refreshed.

Finance Director Huff said if everyone feels positive about moving forward with this program, we can move forward with Mrs. Baron to finalize our list and ensure the aftermarket stuff they have been working on is finalized and done. At that point, we would bring it back as a budget revision.

## **WORK SESSION**

---

### **9. Risk Management and Process Overview. (Clinton Nicley, NMSIF)**

Mr. Nicley gave his presentation regarding the New Mexico Self-Insurer's Fund and what it does.

Commissioner Robinson asked if he gave training on AI and social media law. Mr. Nicley said we absolutely can. Mayor Hall in Rio Rancho does most of the training for the organization. He has a memorable training on what to do and not.

Mayor McDonald said we have new people here, and I already invited you. We just need to get the subject matter together and set up a date. Mr. Nicely said let's do it.

**EXECUTIVE SESSION**

---

**10. Adjourn into Executive Closed Session in compliance with 10-15-1(H)(7)NMSA (as amended) to discuss: Pending Litigation: All Current Litigation. (Clinton Nicley, NMSIF) and in compliance with 10-15-1(H)(2) NMSA (as amended) to discuss: Limited Personnel Matters (City Manager). (Roll Call Vote Required)**

City Attorney Mori said as a reminder, what is said in the Executive Session stays there. When we adjourn to the Executive Session for specific items, we have to stay on point. There cannot be tangents from what has been posted to the public.

**Commissioner Burnett moved to adjourn to Executive Session.  
Commissioner Robinson seconded the motion.  
Motion Passed with a vote of 6 - 0 - 0.**

**ADJOURNMENT**

---

ATTEST:

\_\_\_\_\_  
Mayor Sharon McDonald

\_\_\_\_\_  
City Clerk Rachel Hughs

(Prepared by Dylan Aleshire, Deputy Clerk)  
Approved at the Regular Meeting held on February 10, 2026.

# AGENDA REPORT

CITY OF ALAMOGORDO  
CITY COMMISSION

---

**Meeting Date:** 2/10/2026

**Report Date:** 02/02/2026

**Report No:** 2.

**Submitted By:** Rachel Hughs

---

**Subject:** Approve the statements related to the Executive Closed Session of the Regular Meeting held on January 27, 2026. *(Rachel Hughs, City Clerk)*

---

**Fiscal Impact:**

Amount Budgeted:

Fund:

Additional Fiscal Impact:

---

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

---

**Background:**

Approve the following statements authorizing them to be included in the minutes of February 10, 2026:  
"The Governing Body of the City of Alamogordo, New Mexico, hereby states that on January 27, 2026, an Executive Closed Session was held, and the matters discussed in the closed meeting were limited only to discuss Limited Personnel Matters (City Manager).

# AGENDA REPORT

CITY OF ALAMOGORDO  
CITY COMMISSION

---

**Meeting Date:** 2/10/2026

**Report Date:** 01/30/2026

**Report No:** 3.

**Submitted By:** Rachel Hughs

---

**Subject:** Approve the statements related to the Executive Closed Session of the Special Meeting held on February 5, 2026. *(Rachel Hughs, City Clerk)*

---

**Fiscal Impact:**

Amount Budgeted:

Fund:

Additional Fiscal Impact:

---

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

---

**Background:**

Approve the following statements authorizing them to be included in the minutes of February 10, 2026:  
"The Governing Body of the City of Alamogordo, New Mexico, hereby states that on February 5, 2026, an Executive Closed Session was held, and the matters discussed in the closed meeting were limited only to discuss Limited Personal Matters (Hold City Manager Interviews).

# AGENDA REPORT

## CITY OF ALAMOGORDO

### CITY COMMISSION

---

**Meeting Date:** 2/10/2026

**Report Date:** 02/03/2026

**Report No:** 4.

**Submitted By:** Britney Ybarra

---

**Subject:** Consider, and act upon, an amendment to the grant funding from the New Mexico Aging and Long-Term Services Department for the Senior Companion Program (SCP), Care Companion Program (CCP), and Foster Grandparent Program (FGP) FY26 contracts. The purpose of the amendment is to revise the original SCP contract amount from \$49,532.50 to \$31,532.50, thereby **decreasing** the total dollar amount by \$18,000.00; the original CCP contract from \$27,000.00 to \$18,000, thereby **decreasing** the total dollar amount by \$9,000.00; and the original FGP contract amount from \$69,525.00 to \$42,525.00, thereby **decreasing** the total dollar amount by \$27,000.00 (*Magdalena Morales, ASC Manager, Eileen Flint, Community Services Director*)

---

**Fiscal Impact:**

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Fund: 075.000.0000.0000.40715 / SCCP26.GRNT.STTE Senior Companion Program grant revised budget amount is \$31,532.50

Fund: 075.000.0000.0000.40718 / SCCC26.GRNT.STTE Care Companion Program grant revised budget amount \$18,000.00

Fund: 075.000.0000.0000.40716 / SCFG26.GRNT.STTE Foster Grandparent Program grant revised budget amount \$42,525.00.

---

**Recommendation:** Approve the amendment.

---

**Background:** New Mexico Aging and Long-Term Services Department has reverted funds as these programs are not projected to meet the units of service for the Senior Companion Program, Care Companion Program, and Foster Grandparent Program. As such, the programs would not expend the budget to meet a zero balance by the end of the fiscal year.

The purpose of the amendment is to revise the SCP contract amount from \$49,532.50 to \$31,532.50, thereby decreasing the total by \$18,000.00; the original CCP contract from \$27,000.00 to \$18,000.00, thereby decreasing the total by \$9,000.00; and the original FGP contract amount from \$69,525.00 to \$42,525.00, thereby decreasing the total amount by \$27,000.00.

STATE OF NEW MEXICO

**AGING & LONG-TERM SERVICES DEPARTMENT**  
**INTERGOVERNMENTAL AGREEMENT #26-624-4000-0014 A-1**

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

**PURPOSE OF THE AMENDMENT:**

- **To correct Attachment 1 Scope of Work, Part 5, Subsection d, item i. To reduce number of VSYS, minimum number of hours, and compensation**
- **To correct Attachment 1 Scope of Work, Part 5, Subsection d, item ii. To reduce number of VSYS, minimum number of hours, and compensation**
- **To correct Attachment 1 Scope of Work, Part 5, Subsection d, item iii. To reduce number of VSYS, minimum number of hours, and compensation**
- **To correct Section 2 Compensation, line 4, reference from ‘Attachment 3, Budget’ to ‘Attachment 2, Budget’**

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

**I. Scope of Work.**

**Part 5, Subsection D, item i:**

- i. **Foster Grandparent Program (FGP):** Recruit and place a minimum of 5 VSYS in schools, childcare centers, and other congregate settings for children or as allowable by AmeriCorps Seniors Otero County and to provide a minimum of 5220 hours of service during the contract period.

**Part 5, Subsection D, item ii:**

- ii. **Senior Companion Program (SCP):** Recruit and place a minimum of 4 VSYS in the homes of frail and disabled elders or as allowable by AmeriCorps Seniors in Otero County, and to provide a minimum of 4176 hours of service during the contract period.

**Part 5, Subsection D, item iii:**

- iii. **Care Companion Program (CCP):** Recruit and place a minimum of 2 Volunteer Service Years (VSYs) in assisted living and/or long-term care facilities in Otero County to provide a minimum of 2088 hours of service during the contract period.

**II. Compensation.**

- A. The Department shall pay the Contractor in full payment for services satisfactorily performed based upon deliverables as outlined in the Scope of Work. **The total amount payable to the Contractor under this Agreement, including gross receipts tax and expenses, has been reduced by \$54,000.00 and shall not exceed \$92,057.50, per Attachment 2, Budget. This amount is a maximum and not a guarantee that the work assigned to be performed by the Contractor under this Agreement shall equal the amount stated herein. The Parties do not intend for the Contractor to continue to provide services without compensation when the total compensation amount is reached. Contractor is responsible for notifying the Department when the services provided under this Agreement reach the total compensation amount. In no event will the Contractor be paid for services provided in excess of the total compensation amount without this Agreement being amended in writing prior to those services in excess of the total compensation amount being provided.**

**All other articles of this contract remain the same.**

**EXECUTED AND AGREED TO by signatures below.**

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Emily Kaltenbach, Cabinet Secretary or designee  
Aging and Long-Term Services Department

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Craig Hay, Acting General Counsel or designee - Certifying legal sufficiency  
Aging & Long-Term Services Department

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Amanda Rodriguez, Chief Financial Officer  
Aging and Long-Term Services Department

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Stephanie Hernandez, Acting City Manager  
City of Alamogordo

**ATTACHMENT 2  
BUDGET**

Contract # 26-624-4000-0014  
CITY OF ALAMOGORDO

**Volunteer Programs**

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

The contract amendment is to provide funding for FY26 as follows:

**PROGRAM**

Foster Grandparents Program	\$42,525.00
Senior Companion Program	\$31,532.50
Care Companion Program	\$18,000.00

**FY26 Total** **\$92,057.50**

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

**The total amount payable under this Contract shall not exceed \$92,057.50**

# AGENDA REPORT

CITY OF ALAMOGORDO  
CITY COMMISSION

---

**Meeting Date:** 2/10/2026

**Report Date:** 02/05/2026

**Report No:** 5.

**Submitted By:** Evelyn Huff

---

**Subject:** Consider, and act upon, Resolution 2026-06 requesting written approval from the Local Government Division of the Department of Finance and Administration, State of NM for the revised budget numbers computed as of February 10, 2026. *(Evelyn Huff, Finance Director)* **(Roll Call Vote Required)**

---

**Fiscal Impact:**

Amount Budgeted:

Fund:

Additional Fiscal Impact: Beginning Cash Balances - \$96,403,576

Revenues - \$2,456,626 increase

Expenditures - \$4,748,603 Increase

Transfers In - \$3,989,464 change

Transfers Out - \$3,989,464 change

---

**Recommendation:** Approve the Resolution Request

---

**Background:** The City Commission adopted the FY 2025-2026 budget on July 30, 2025. Resolution 2026-06 amends the budget to reflect a more true and accurate projection of the actual revenues and expenditures. A summary and explanation of the revisions are attached for your review.

**RESOLUTION NO. 2026-06**

**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 2025-2026.**

**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 30, 2025, for fiscal year 2025-2026; and

**WHEREAS**, the City of Alamogordo, New Mexico, has tabulated the additional resources and expenditures for fiscal year 2025-2026.

**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 2025-2026 be and hereby is revised as of February 10, 2026, to reflect a more true and accurate projection of the actual revenues and expenditures for fiscal year 2025-2026.

**NOW, BE IT FURTHER RESOLVED BY THE GOVERNING BODY OF THE CITY OF ALAMOGORDO, NEW MEXICO**, that the Department of Finance and Administration, State of New Mexico, be requested to give its written approval to the revised budget figures computed on February 10, as a more true and accurate projection of the actual revenues and expenditures for fiscal year 2025-2026.

**PASSED, APPROVED AND ADOPTED** by the Governing Body of the City of Alamogordo, New Mexico, at a Regular Meeting held this 10th day of February 2026.

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

By: \_\_\_\_\_  
Sharon McDonald, Mayor

ATTEST:

\_\_\_\_\_  
Rachel Hughs, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Darrell Mori, City Attorney

**ALL FUNDS SUMMARY  
BUDGET 2025-2026**

1/12TH REQ RSRV  
2,010,672  
1/12TH REQ RSRV  
0  
Fund Reserve Policy  
468,745  
Bal. Remaining  
**982,087**

FUND NO.	FY 2025-2026 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	10,793,460	30,769,897	2,678,063	16,651,858	(13,973,795)	24,128,058	3,461,504	2,479,417	982,087
12	INTERNAL SERVICE FUND	306,878	319,738	6,764,179	0	6,764,179	7,300,262	90,533		\$90,533
15	CORRECTIONS-JAIL	53,672	42,000	62,500	0	62,500	157,781	391		\$391
16	LODGER'S TAX-PROMOTIONAL FUND	28,217	0	275,000	0	275,000	302,525	692		\$692
17	POLICE COURT BOND	8,638	0	0	0	0	0	8,638		\$8,638
19	COURT AUTOMATION FUND	39,730	0	0	0	0	0	39,730		\$39,730
20	LODGER'S TAX-CITY	52,739	33,025	484,361	0	484,361	568,892	1,233		\$1,233
21	D.A.R.E. DONATIONS FUND	9,417	1,350	50,000	0	50,000	60,767	(0)		(\$0)
24	GRANT CAPITAL IMPROVEMENT	(0)	8,476,464	2,895,173	0	2,895,173	9,896,201	1,475,436		\$1,475,436
27	MUNICIPAL COURT OPERATIONS	0	8,000	535,000	0	535,000	541,156	1,844		\$1,844
28	POLICE CONTINGENCY	71,295	1,820	0	0	0	10,000	63,115		\$63,115
31	CEMETERY-PERPETUAL CARE	856,809	39,016	0	42,735	(42,735)	0	853,090		\$853,090
32	COMMUNITY SERVICES	3,687	737,879	6,588,407	0	6,588,407	7,326,999	2,974		\$2,974
33	FIRE PROTECTION	2,187,055	1,196,388	0	0	0	3,383,398	45		\$45
35	HIDTA GRANT FUND	0	20,200	0	0	0	20,200	0		\$0
36	LAW ENFORCEMENT FUND	75,399	167,000	0	0	0	242,399	0		\$0
37	STATE HIGHWAY FUND	164,736	33,395	0	0	0	7,920	190,211		\$190,211
38	TRAFFIC SAFETY FUND	96,610	16,628	0	0	0	86,058	27,180		\$27,180
39	STATE JUDICIAL	17,876	20,000	0	0	0	20,000	17,876		\$17,876
42	1984 GROSS RECEIPTS TAX	2,684,010	2,621,431	0	3,156,706	(3,156,706)	44,206	2,104,529	252,119	\$1,852,410
44	TRANSPORTATION FUND	825,277	1,285,797	3,076,336	507,737	2,568,599	4,641,585	38,088		\$38,088
48	NEW MEXICO C.D.B.G.	0	0	0	0	0	0	0		\$0
49	1986 GROSS RECEIPTS TAX	6,684,978	2,700,508	0	4,943,062	(4,943,062)	1,149,699	3,292,725	268,391	\$3,024,334
50	PROPERTY ACQUISITION	85,010	0	0	0	0	0	85,010		\$85,010
53	GENERAL OBLIGATION	1,107,017	1,298,051	0	0	0	1,255,070	1,149,998	557,029	\$592,969
54	REVERSE OSMOSIS PROJECT RSV	20,950	0	9,431	0	9,431	9,431	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	0	0	2,427,668	0	2,427,668	2,427,668	0		\$0
61	MUNICIPAL INFRASTRUCTURE .0625%	2,788,565	702,890	0	1,432,754	(1,432,754)	11,052	2,047,649		\$2,047,649
63	COMMUNITY DEVELOPMENT	2,133	26,863	1,208,140	53,051	1,155,089	1,183,176	909		\$909
69	1994 GROSS RECEIPTS	5,860,986	2,673,776	0	2,083,919	(2,083,919)	44,206	6,406,637	553,051	\$5,853,586
71	ALAMO SENIOR CENTER	2,294	787,258	1,085,915	0	1,085,915	1,873,567	1,900		\$1,900
74	ALAMO SENIOR CENTER GIFT	116,405	10,018	0	0	0	30,269	96,154		\$96,154
75	RETIRED & SENIOR VOL. PROGRAM	6,434	146,057	41,990	0	41,990	190,336	4,145		\$4,145
81	WATER/SEWER OPERATING	17,997,605	45,661,379	3,360,435	3,790,374	(429,939)	54,621,507	8,607,538	3,504,403	\$5,103,135
82	98 JT WATER/SEWER BOND P&I	43,131	0	3,383,045	0	3,383,045	3,383,045	43,131		\$43,131
86	SOLID WASTE COLLECTION SYS.	1,539,752	2,592,809	0	98,694	(98,694)	2,787,352	1,246,515	178,583	\$1,067,932
88	BONITO CAMPGROUND	457,453	11,590	0	0	0	237,827	231,216		\$231,216
89	ESGRT .0625%	2,394,896	700,153	0	1,000,000	(1,000,000)	635,052	1,459,997		\$1,459,997
90	GOLF COURSE	1,478	1,412,025	878,544	0	878,544	2,289,380	2,667		\$2,667

**ALL FUNDS SUMMARY  
BUDGET 2025-2026**

1/12TH REQ RSRV  
2,010,672  
1/12TH REQ RSRV  
0  
Fund Reserve Policy  
468,745  
Bal. Remaining  
**982,087**

FUND NO.	FY 2025-2026 FUND DESCRIPTION	UNAUDITED BEGINNING CASH BALANCE	ESTIMATED REVENUES	TRANSFERS IN	TRANSFERS OUT	NET CASH TRANSFERS	BUDGETED EXPENDITURES	ESTIMATED ENDING CASH BALANCE	LOCAL RESERVE REQUIREMENTS UNAVAILABLE FOR BUDGETING	ADJUSTED ENDING CASH BALANCE
91	AIRPORT	0	1,328,407	240,890	0	240,890	1,186,626	382,671		\$382,671
94	OTERO GREENTREE REG LANDFILL	5,570,829	1,445,016	0	0	0	4,599,842	2,416,003		\$2,416,003
96	SELF-INSURED FUND	228,046	57,075	0	0	0	127,868	157,253		\$157,253
98	PAYROLL CLEARING	244,581	0	0	0	0	0	244,581		\$244,581
104	UTILITY DEPOSITS	721,997	0	0	0	0	0	721,997		\$721,997
105	ECONOMIC DEVELOPMENT	3,994,847	50,000	0	385,000	(385,000)	2,725,000	934,847		\$934,847
107	SELF INSURED/LIABILITY	891,276	22,484	0	0	0	450,000	463,760		\$463,760
109	2004 GRT CAPITAL OUTLAY	19,728,390	5,583,051	0	2,378,050	(2,378,050)	9,416,074	13,517,317	534,452	\$12,982,865
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	36,124	3,401	0	0	0	21,474	18,051		\$18,051
121	2015 GO BONDS-FUN CENTER	97,257	3,029	0	0	0	0	100,286		\$100,286
122	2015 GO BONDS-STREETS	188,457	5,869	0	0	0	0	194,326		\$194,326
124	AMERICAN RESCUE PLAN ACT	2,613,888	165,228	0	0	0	2,206,062	573,054		\$573,054
125	CANNABIS GRT	301,796	290,534	0	500,000	(500,000)	15,637	76,693		\$76,693
126	OPOID FUNDS	0	342,663	814,615	100,545	714,070	0	1,056,733		\$1,056,733
127	QUALITY OF LIFE CAPITAL	4,399,550	1,354,145	0	0	0	4,022,104	1,731,591		\$1,731,591
<b>TOTALS FY2026</b>		<b>96,403,577</b>	<b>115,164,307</b>	<b>37,124,485</b>	<b>37,124,485</b>	<b>0</b>	<b>155,902,524</b>	<b>55,665,360</b>	<b>8,327,445</b>	<b>47,337,915</b>

ALL FUNDS SUMMARY

BUDGET 2025-2026

1/12TH REQ RSRV  
2,010,672  
1/12TH REQ RSRV  
0  
Fund Reserve Policy  
468,745  
Bal. Remaining  
**982,087**

FY26 BUDGET - RESOLUTION 2026-06 (#7) February 10, 2026

FUND NO.	FY 2025-2026 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	10,793,460	29,542,111	2,678,063	15,896,117	(13,218,054)	24,035,425	3,082,092	2,479,417	602,675
	#2026-193 GRT Reprojection		1,189,836			0	15,195	1,174,641		1,174,641
	#2026-317 Vehicle Leases		37,950		755,741	(755,741)	77,438	(795,229)		(795,229)
	<b>Total Revised Fund 11</b>	<b>10,793,460</b>	<b>30,769,897</b>	<b>2,678,063</b>	<b>16,651,858</b>	<b>(13,973,795)</b>	<b>24,128,058</b>	<b>3,461,504</b>	<b>2,479,417</b>	<b>982,087</b>
12	INTERNAL SERVICE FUND	306,878	278,138	6,506,602	0	6,506,602	7,064,085	27,533		27,533
	#2026-317 Vehicle Leases		41,600	257,577		257,577	236,177	63,000		63,000
	<b>Total Revised Fund 12</b>	<b>306,878</b>	<b>319,738</b>	<b>6,764,179</b>	<b>0</b>	<b>6,764,179</b>	<b>7,300,262</b>	<b>90,533</b>		<b>90,533</b>
15	CORRECTIONS-JAIL	53,672	42,000	62,500	0	62,500	157,781	391		391
	<b>Total Revised Fund 15</b>	<b>53,672</b>	<b>42,000</b>	<b>62,500</b>	<b>0</b>	<b>62,500</b>	<b>157,781</b>	<b>391</b>		<b>391</b>
16	LODGER'S TAX-PROMOTIONAL FUND	28,217	0	275,000	0	275,000	302,525	692		692
	<b>Total Revised Fund 16</b>	<b>28,217</b>	<b>0</b>	<b>275,000</b>	<b>0</b>	<b>275,000</b>	<b>302,525</b>	<b>692</b>		<b>692</b>
17	POLICE COURT BOND	8,638				0		8,638		8,638
	<b>Total Revised Fund 17</b>	<b>8,638</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>8,638</b>		<b>8,638</b>
19	COURT AUTOMATION FUND	39,730				0		39,730		39,730
	<b>Total Revised Fund 19</b>	<b>39,730</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>39,730</b>		<b>39,730</b>
20	LODGER'S TAX-CITY	52,739	27,000	479,000	0	479,000	557,506	1,233		1,233
	#2026-317 Vehicle Leases		6,025	5,361		5,361	11,386	0		0
	<b>Total Revised Fund 20</b>	<b>52,739</b>	<b>33,025</b>	<b>484,361</b>	<b>0</b>	<b>484,361</b>	<b>568,892</b>	<b>1,233</b>		<b>1,233</b>
21	D.A.R.E. DONATIONS FUND	9,417	1,350	50,000	0	50,000	60,767	(0)		(0)
	<b>Total Revised Fund 21</b>	<b>9,417</b>	<b>1,350</b>	<b>50,000</b>	<b>0</b>	<b>50,000</b>	<b>60,767</b>	<b>(0)</b>		<b>(0)</b>
24	GRANT CAPITAL IMPROVEMENT	(0)	8,444,024	2,895,173	0	2,895,173	9,863,761	1,475,436		1,475,436
	#2026-2106 LERF Year 4		32,440			0	32,440	0		0
	<b>Total Revised Fund 24</b>	<b>(0)</b>	<b>8,476,464</b>	<b>2,895,173</b>	<b>0</b>	<b>2,895,173</b>	<b>9,896,201</b>	<b>1,475,436</b>		<b>1,475,436</b>
27	MUNICIPAL COURT OPERATIONS	0	8,000	535,000	0	535,000	541,156	1,844		1,844
	<b>Total Revised Fund 27</b>	<b>0</b>	<b>8,000</b>	<b>535,000</b>	<b>0</b>	<b>535,000</b>	<b>541,156</b>	<b>1,844</b>		<b>1,844</b>
28	POLICE CONTINGENCY	71,295	1,820			0	10,000	63,115		63,115
	<b>Total Revised Fund 28</b>	<b>71,295</b>	<b>1,820</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>10,000</b>	<b>63,115</b>		<b>63,115</b>
31	CEMETERY-PERPETUAL CARE	856,809	39,016	0	42,735	(42,735)		853,090		853,090
	<b>Total Revised Fund 31</b>	<b>856,809</b>	<b>39,016</b>	<b>0</b>	<b>42,735</b>	<b>(42,735)</b>	<b>0</b>	<b>853,090</b>		<b>853,090</b>
32	COMMUNITY SERVICES	3,687	695,578	6,238,864	0	6,238,864	6,935,155	2,974		2,974
	#2026-317 Vehicle Leases		42,301	349,543		349,543	391,844	0		0
	<b>Total Revised Fund 32</b>	<b>3,687</b>	<b>737,879</b>	<b>6,588,407</b>	<b>0</b>	<b>6,588,407</b>	<b>7,326,999</b>	<b>2,974</b>		<b>2,974</b>
33	FIRE PROTECTION	2,187,055	1,196,388			0	3,383,398	45		45
	<b>Total Revised Fund 33</b>	<b>2,187,055</b>	<b>1,196,388</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3,383,398</b>	<b>45</b>	<b>0</b>	<b>45</b>

35	HIDTA GRANT FUND	0	14,200			0	14,200	0		0
	#2026-1752 HIDTA Increase		6,000			0	6,000	0		0
	<b>Total Revised Fund 35</b>	<b>0</b>	<b>20,200</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>20,200</b>	<b>0</b>		<b>0</b>
36	LAW ENFORCEMENT FUND	75,399	167,000	0	0	0	242,399	0		0
	<b>Total Revised Fund 36</b>	<b>75,399</b>	<b>167,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>242,399</b>	<b>0</b>		<b>0</b>
37	STATE HIGHWAY FUND	164,736	33,395			0	7,920	190,211		190,211
	<b>Total Revised Fund 37</b>	<b>164,736</b>	<b>33,395</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>7,920</b>	<b>190,211</b>		<b>190,211</b>
38	TRAFFIC SAFETY FUND	96,610	16,628	0	0	0	86,058	27,180		27,180
	<b>Total Revised Fund 38</b>	<b>96,610</b>	<b>16,628</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>86,058</b>	<b>27,180</b>		<b>27,180</b>
39	STATE JUDICIAL	17,876	20,000			0	20,000	17,876		17,876
	<b>Total Revised Fund 39</b>	<b>17,876</b>	<b>20,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>20,000</b>	<b>17,876</b>		<b>17,876</b>
42	1984 GROSS RECEIPTS TAX	2,684,010	2,470,819	0	3,004,550	(3,004,550)	41,217	2,109,062	252,119	1,856,943
	#2026-193 GRT Reprojection		150,612			0	2,989	147,623		147,623
	#2026-317 Vehicle Leases				152,156	(152,156)		(152,156)		(152,156)
	<b>Total Revised Fund 42</b>	<b>2,684,010</b>	<b>2,621,431</b>	<b>0</b>	<b>3,156,706</b>	<b>(3,156,706)</b>	<b>44,206</b>	<b>2,104,529</b>	<b>252,119</b>	<b>1,852,410</b>
44	TRANSPORTATION FUND	825,277	1,236,469	2,924,180	507,737	2,416,443	4,477,007	1,182		1,182
	#2026-193 GRT Reprojection		37,653			0	747	36,906		36,906
	#2026-317 Vehicle Leases		11,675	152,156		152,156	163,831	0		0
	<b>Total Revised Fund 44</b>	<b>825,277</b>	<b>1,285,797</b>	<b>3,076,336</b>	<b>507,737</b>	<b>2,568,599</b>	<b>4,641,585</b>	<b>38,088</b>		<b>38,088</b>
48	NEW MEXICO C.D.B.G.	0				0		0		0
	<b>Total Revised Fund 48</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>		<b>0</b>
49	1986 GROSS RECEIPTS TAX	6,684,978	2,549,896	0	2,943,062	(2,943,062)	1,146,710	5,145,102	268,391	4,876,711
	#2026-2353 Sludge Cell Construction				2,000,000	(2,000,000)		(2,000,000)		(2,000,000)
	#2026-193 GRT Reprojection		150,612			0	2,989	147,623		147,623
	<b>Total Revised Fund 49</b>	<b>6,684,978</b>	<b>2,700,508</b>	<b>0</b>	<b>4,943,062</b>	<b>(4,943,062)</b>	<b>1,149,699</b>	<b>3,292,725</b>	<b>268,391</b>	<b>3,024,334</b>
50	PROPERTY ACQUISITION	85,010	0			0	0	85,010		85,010
	<b>Total Revised Fund 50</b>	<b>85,010</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>85,010</b>		<b>85,010</b>
53	GENERAL OBLIGATION	1,107,017	1,298,051			0	1,255,070	1,149,998	557,029	592,969
	<b>Total Revised Fund 53</b>	<b>1,107,017</b>	<b>1,298,051</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,255,070</b>	<b>1,149,998</b>	<b>557,029</b>	<b>592,969</b>
54	REVERSE OSMOSIS PROJECT RSV	20,950		9,431		9,431	9,431	20,950		20,950
	<b>Total Revised Fund 54</b>	<b>20,950</b>	<b>0</b>	<b>9,431</b>	<b>0</b>	<b>9,431</b>	<b>9,431</b>	<b>20,950</b>		<b>20,950</b>
56	99 GRT FLOOD CONTROL BOND PROJ	0	0	264,793	0	264,793	264,793	0		0
	<b>Total Revised Fund 56</b>	<b>0</b>	<b>0</b>	<b>264,793</b>	<b>0</b>	<b>264,793</b>	<b>264,793</b>	<b>0</b>		<b>0</b>
59	REVENUE BOND P & I FUND	0		2,427,668		2,427,668	2,427,668	0		0
	<b>Total Revised Fund 59</b>	<b>0</b>	<b>0</b>	<b>2,427,668</b>	<b>0</b>	<b>2,427,668</b>	<b>2,427,668</b>	<b>0</b>		<b>0</b>
61	MUNICIPAL INFRASTRUCTURE .0625%	2,788,565	665,057	0	1,351,187	(1,351,187)	10,305	2,092,130		2,092,130
	#2026-193 GRT Reprojection		37,833			0	747	37,086		37,086
	#2026-317 Vehicle Leases				81,567	(81,567)	0	(81,567)		(81,567)
	<b>Total Revised Fund 61</b>	<b>2,788,565</b>	<b>702,890</b>	<b>0</b>	<b>1,432,754</b>	<b>(1,432,754)</b>	<b>11,052</b>	<b>2,047,649</b>		<b>2,047,649</b>
63	COMMUNITY DEVELOPMENT	2,133	0	1,155,573	53,051	1,102,522	1,103,747	908		908
	#2026-317 Vehicle Leases		26,863	52,567		52,567	79,429	1		1
	<b>Total Revised Fund 63</b>	<b>2,133</b>	<b>26,863</b>	<b>1,208,140</b>	<b>53,051</b>	<b>1,155,089</b>	<b>1,183,176</b>	<b>909</b>		<b>909</b>
69	1994 GROSS RECEIPTS	5,860,986	2,523,164	0	2,083,919	(2,083,919)	41,217	6,259,014	553,051	5,705,963
	#2026-193 GRT Reprojection		150,612			0	2,989	147,623		147,623
	<b>Total Revised Fund 69</b>	<b>5,860,986</b>	<b>2,673,776</b>	<b>0</b>	<b>2,083,919</b>	<b>(2,083,919)</b>	<b>44,206</b>	<b>6,406,637</b>	<b>553,051</b>	<b>5,853,586</b>
71	ALAMO SENIOR CENTER	2,294	780,873	997,655	0	997,655	1,778,922	1,900		1,900
	#2026-317 Vehicle Leases		6,385	88,260		88,260	94,645	0		0
	<b>Total Revised Fund 71</b>	<b>2,294</b>	<b>787,258</b>	<b>1,085,915</b>	<b>0</b>	<b>1,085,915</b>	<b>1,873,567</b>	<b>1,900</b>		<b>1,900</b>
74	ALAMO SENIOR CENTER GIFT	116,405	10,018	0	0	0	30,269	96,154		96,154
	<b>Total Revised Fund 74</b>	<b>116,405</b>	<b>10,018</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>30,269</b>	<b>96,154</b>		<b>96,154</b>
75	RETIRED & SENIOR VOL. PROGRAM	6,434	146,057	41,990	0	41,990	190,336	4,145		4,145
	<b>Total Revised Fund 75</b>	<b>6,434</b>	<b>146,057</b>	<b>41,990</b>	<b>0</b>	<b>41,990</b>	<b>190,336</b>	<b>4,145</b>		<b>4,145</b>
81	WATER/SEWER OPERATING	17,997,605	45,577,803	360,435	3,790,374	(3,429,939)	51,111,151	9,034,318	3,504,403	5,529,915
	#2026-2353 Sludge Cell Construction			3,000,000		3,000,000	3,000,000	0		0
	#2026-317 Vehicle Leases		83,576			0	510,356	(426,780)		(426,780)
	<b>Total Revised Fund 81</b>	<b>17,997,605</b>	<b>45,661,379</b>	<b>3,360,435</b>	<b>3,790,374</b>	<b>(429,939)</b>	<b>54,621,507</b>	<b>8,607,538</b>	<b>3,504,403</b>	<b>5,103,135</b>

82	98 JT WATER/SEWER BOND P&I	43,131		3,383,045		3,383,045	3,383,045	43,131		43,131
	<b>Total Revised Fund 82</b>	<b>43,131</b>	<b>0</b>	<b>3,383,045</b>	<b>0</b>	<b>3,383,045</b>	<b>3,383,045</b>	<b>43,131</b>	<b>0</b>	<b>43,131</b>
86	SOLID WASTE COLLECTION SYS.	1,539,752	2,592,809	0	98,694	(98,694)	2,787,352	1,246,515	178,583	1,067,932
	<b>Total Revised Fund 86</b>	<b>1,539,752</b>	<b>2,592,809</b>	<b>0</b>	<b>98,694</b>	<b>(98,694)</b>	<b>2,787,352</b>	<b>1,246,515</b>	<b>178,583</b>	<b>1,067,932</b>
88	BONITO CAMPGROUND	457,453	11,590	0	0	0	237,827	231,216		231,216
	<b>Total Revised Fund 88</b>	<b>457,453</b>	<b>11,590</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>237,827</b>	<b>231,216</b>	<b>0</b>	<b>231,216</b>
89	ESGRT .0625%	2,394,896	662,500	0	0	0	634,305	2,423,091		2,423,091
	#2026-2353 Sludge Cell Construction				1,000,000	(1,000,000)		(1,000,000)		(1,000,000)
	#2026-193 GRT Reprojection		37,653			0	747	36,906		36,906
	<b>Total Revised Fund 89</b>	<b>2,394,896</b>	<b>700,153</b>	<b>0</b>	<b>1,000,000</b>	<b>(1,000,000)</b>	<b>635,052</b>	<b>1,459,997</b>	<b>0</b>	<b>1,459,997</b>
90	GOLF COURSE	1,478	1,411,050	823,544	0	823,544	2,234,114	1,958		1,958
	#2026-317 Vehicle Leases		975	55,000		55,000	55,266	709		709
	<b>Total Revised Fund 90</b>	<b>1,478</b>	<b>1,412,025</b>	<b>878,544</b>	<b>0</b>	<b>878,544</b>	<b>2,289,380</b>	<b>2,667</b>	<b>0</b>	<b>2,667</b>
91	AIRPORT	0	1,326,712	211,890	0	211,890	1,156,011	382,591		382,591
	#2026-317 Vehicle Leases		1,695	29,000		29,000	30,615	80		80
	<b>Total Revised Fund 91</b>	<b>0</b>	<b>1,328,407</b>	<b>240,890</b>	<b>0</b>	<b>240,890</b>	<b>1,186,626</b>	<b>382,671</b>	<b>0</b>	<b>382,671</b>
94	OTERO GREENTREE REG LANDFILL	5,570,829	1,417,216	0	0	0	4,574,542	2,413,503		2,413,503
	#2026-317 Vehicle Leases		27,800			0	25,300	2,500		2,500
	<b>Total Revised Fund 94</b>	<b>5,570,829</b>	<b>1,445,016</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4,599,842</b>	<b>2,416,003</b>	<b>0</b>	<b>2,416,003</b>
96	SELF-INSURED FUND	228,046	57,075			0	127,868	157,253		157,253
	<b>Total Revised Fund 96</b>	<b>228,046</b>	<b>57,075</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>127,868</b>	<b>157,253</b>	<b>0</b>	<b>157,253</b>
98	PAYROLL CLEARING	244,581				0		244,581		244,581
	<b>Total Revised Fund 98</b>	<b>244,581</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>244,581</b>	<b>0</b>	<b>244,581</b>
104	UTILITY DEPOSITS	721,997				0		721,997		721,997
	<b>Total Revised Fund 104</b>	<b>721,997</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>721,997</b>	<b>0</b>	<b>721,997</b>
105	ECONOMIC DEVELOPMENT	3,994,847	50,000		385,000	(385,000)	2,725,000	934,847		934,847
	#2026-1502 Fun Center LEDA					0		0		0
	<b>Total Revised Fund 105</b>	<b>3,994,847</b>	<b>50,000</b>	<b>0</b>	<b>385,000</b>	<b>(385,000)</b>	<b>2,725,000</b>	<b>934,847</b>		<b>934,847</b>
107	SELF INSURED/LIABILITY	891,276	22,484			0	450,000	463,760		463,760
	<b>Total Revised Fund 107</b>	<b>891,276</b>	<b>22,484</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>450,000</b>	<b>463,760</b>	<b>0</b>	<b>463,760</b>
109	2004 GRT CAPITAL OUTLAY	19,728,390	5,281,827	0	2,378,050	(2,378,050)	9,410,096	13,222,071	534,452	12,687,619
	#2026-193 GRT Reprojection		301,224			0	5,978	295,246		295,246
	<b>Total Revised Fund 109</b>	<b>19,728,390</b>	<b>5,583,051</b>	<b>0</b>	<b>2,378,050</b>	<b>(2,378,050)</b>	<b>9,416,074</b>	<b>13,517,317</b>	<b>534,452</b>	<b>12,982,865</b>
114	SIDEWALKS REVOLVING LOANS	948				0		948		948
	<b>Total Revised Fund 114</b>	<b>948</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>948</b>	<b>0</b>	<b>948</b>
115	CORP ESCROW ACCOUNT RESERVE	1,000	0			0		1,000		1,000
	<b>Total Revised Fund 114</b>	<b>1,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,000</b>	<b>0</b>	<b>1,000</b>
119	2012 GRT REF/IMP REVBD	36,124	3,401	0	0	0	21,474	18,051		18,051
	<b>Total Revised Fund 119</b>	<b>36,124</b>	<b>3,401</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>21,474</b>	<b>18,051</b>		<b>18,051</b>
121	2015 GO BONDS-FUN CENTER	97,257	3,029			0		100,286		100,286
	<b>Total Revised Fund 121</b>	<b>97,257</b>	<b>3,029</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>100,286</b>		<b>100,286</b>
122	2015 GO BONDS-STREETS	188,457	5,869					194,326		194,326
	<b>Total Revised Fund 122</b>	<b>188,457</b>	<b>5,869</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>194,326</b>		<b>194,326</b>
124	AMERICAN RESCUE PLAN ACT	2,613,888	165,228	0	0	0	2,206,062	573,054		573,054
	<b>Total Revised Fund 124</b>	<b>2,613,888</b>	<b>165,228</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,206,062</b>	<b>573,054</b>		<b>573,054</b>
125	CANNABIS GRT	301,796	290,534	0	500,000	(500,000)	15,637	76,693		76,693
	<b>Total Revised Fund 125</b>	<b>301,796</b>	<b>290,534</b>	<b>0</b>	<b>500,000</b>	<b>(500,000)</b>	<b>15,637</b>	<b>76,693</b>		<b>76,693</b>
126	OPOID FUNDS	0	342,663	814,615	100,545	714,070		1,056,733		1,056,733
	<b>Total Revised Fund 126</b>	<b>0</b>	<b>342,663</b>	<b>814,615</b>	<b>100,545</b>	<b>714,070</b>	<b>0</b>	<b>1,056,733</b>	<b>0</b>	<b>1,056,733</b>
127	QUALITY OF LIFE CAPITAL	4,399,550	1,278,839			0	4,020,609	1,657,780		1,657,780
	#2026-193 GRT Reprojection		75,306			0	1,495	73,811		73,811
	<b>Total Revised Fund 127</b>	<b>4,399,550</b>	<b>1,354,145</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4,022,104</b>	<b>1,731,591</b>	<b>0</b>	<b>1,731,591</b>
		0	0			0		0		0
		0	0	0	0	0	0	0		0
<b>TOTALS FY2026</b>		<b>96,403,577</b>	<b>115,164,307</b>	<b>37,124,485</b>	<b>37,124,485</b>	<b>0</b>	<b>155,902,524</b>	<b>55,665,360</b>	<b>8,327,445</b>	<b>47,337,915</b>

**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
2026	7	1752	BUA 035.400.4104.0000.40706.	01/26/2026	HIDTA	012626			GRANTS-HIDTA GRANTS-HIDTA	T	5		6,000.00
[2026-01-26 08:48:14 teresa.guiterrez]:													
WE RECEIVED A BUDGET REPROGRAMMING FOR ADDITIONAL HIDTA FUNDS IN THE AMOUNT OF \$6,000.													
BUA	035.400.4104.0000.52004.		01/26/2026	HIDTA	012626				SALARIES-OVERTIME SALARIES-OVERTIME	T	5	6,000.00	
												.00	.00
BUA	035.000.0000.0000.30301.		01/26/2026	HIDTA	012626				APPROPRIATIONS				6,000.00
BUA	035.000.0000.0000.30303.		01/26/2026	HIDTA	012626				ESTIMATED REVENUE			6,000.00	
SYSTEM GENERATED ENTRIES TOTAL												6,000.00	6,000.00
JOURNAL 2026/07/1752 TOTAL												6,000.00	6,000.00



**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	T	OB	DEBIT	CREDIT
2026	7	2353												
BUA	081.600.5603.0000.57004.									CAPITAL-SITE IMPROVEMENT	5		3,000,000.00	
	01/30/2026	SludgeCell	Sludge							T WWTP Sludge Cell Construction				
The project is required to expand and enhance the existing sludge disposal area to meet the requirements outlined in the current discharge 806 permit (DP806). The city must expand the sludge disposal area located southwest of the wastewater reclamation facility. Nitrate loading has deemed most of the current locations unusable. While the city owns the land currently permitted for disposal, a design for clearing, grubbing, berms, signage, and a modified disposal plan is required to ensure stormwater is controlled and monitoring wells are protected.														
BUA	081.000.0000.0000.49049.									TRAN FR (49) '86 GRT	5			2,000,000.00
	01/30/2026	SludgeCell	Sludge							T WWTP Sludge Cell Construction				
BUA	081.000.0000.0000.49089.									TRAN FR (89) ESGRT .0625%	5			1,000,000.00
	01/30/2026	SludgeCell	Sludge							T WWTP Sludge Cell Construction				
BUA	049.000.0000.0000.59081.									TRAN TO (81) WATER/SEWER	5		2,000,000.00	
	01/30/2026	SludgeCell	Sludge							T WWTP Sludge Cell Construction				
BUA	089.000.0000.0000.59081.									TRAN TO (81) WATER/SEWER	5		1,000,000.00	
	01/30/2026	SludgeCell	Sludge							T WWTP Sludge Cell Construction				
													.00	.00
BUA	049.000.0000.0000.30301.									APPROPRIATIONS				2,000,000.00
	01/30/2026	SludgeCell	Sludge											
BUA	081.000.0000.0000.30301.									APPROPRIATIONS				3,000,000.00
	01/30/2026	SludgeCell	Sludge											
BUA	089.000.0000.0000.30301.									APPROPRIATIONS				1,000,000.00
	01/30/2026	SludgeCell	Sludge											
BUA	081.000.0000.0000.30303.									ESTIMATED REVENUE			3,000,000.00	
	01/30/2026	SludgeCell	Sludge											
BUA	049.000.0000.0000.30302.									BUDGET FUND BAL - UNRESERVED			2,000,000.00	
	01/30/2026	SludgeCell	Sludge											
BUA	089.000.0000.0000.30302.									BUDGET FUND BAL - UNRESERVED			1,000,000.00	
	01/30/2026	SludgeCell	Sludge											
SYSTEM GENERATED ENTRIES TOTAL													6,000,000.00	6,000,000.00
JOURNAL 2026/07/2353 TOTAL													6,000,000.00	6,000,000.00

**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
2026	8	193	BUA	011.000.0000.0000.40110.	02/03/2026	GRT	EAH143			TAXES-GROSS RECEIPTS .5000%	GRT Reprojection	5			301,224.00
[2026-02-03 21:05:48 evelyn.huff]:															
Reprojecting GRT based on actuals for FY2025 and FY2026															
BUA	011.000.0000.0000.40113.	02/03/2026	GRT	EAH143						TAXES-GROSS RECEIPTS .1250%	GRT Reprojection	5			150,613.00
BUA	011.000.0000.0000.40113.	02/03/2026	GRT	EAH143						TAXES-GROSS RECEIPTS .1250%	GRT Reprojection	5			1,178,839.00
BUA	011.000.0000.0000.40115.	02/03/2026	GRT	EAH143						TAXES-GROSS RECEIPTS .1250 2nd	GRT Reprojection	5	1,178,839.00		
BUA	011.000.0000.0000.40303.	02/03/2026	GRT	EAH143						STATE SHARED-GROSS RECEIPTS	GRT Reprojection	5			737,999.00
BUA	042.000.0000.0000.40112.	02/03/2026	GRT	EAH143						TAXES-GROSS RECEIPTS .2500%	GRT Reprojection	5			150,612.00
BUA	044.000.0000.0000.40114.	02/03/2026	GRT	EAH143						TAXES-GROSS RECEIPTS .0625%	GRT Reprojection	5			37,653.00
BUA	049.000.0000.0000.40112.	02/03/2026	GRT	EAH143						TAXES-GROSS RECEIPTS .2500%	GRT Reprojection	5			150,612.00
BUA	061.000.0000.0000.40114.	02/03/2026	GRT	EAH143						TAXES-GROSS RECEIPTS .0625%	GRT Reprojection	5			37,833.00
BUA	069.000.0000.0000.40112.	02/03/2026	GRT	EAH143						TAXES-GROSS RECEIPTS .2500%	GRT Reprojection	5			150,612.00
BUA	089.000.0000.0000.40114.	02/03/2026	GRT	EAH143						TAXES-GROSS RECEIPTS .0625%	GRT Reprojection	5			37,653.00
BUA	127.000.0000.0000.40113.	02/03/2026	GRT	EAH143						TAXES-GROSS RECEIPTS .1250%	GRT Reprojection	5			75,306.00
BUA	109.000.0000.0000.40112.	02/03/2026	GRT	EAH143						TAXES-GROSS RECEIPTS .2500%	GRT Reprojection	5			150,612.00
BUA	109.500.9003.0000.40112.	02/03/2026	GRT	EAH143						TAXES-GROSS RECEIPTS .2500%	GRT Reprojection	5			150,612.00
BUA	011.000.2400.0000.55504.	02/03/2026	GRT	EAH143						FEES-GRT ADMIN	GRT Reprojection	5		15,195.00	
BUA	042.000.0000.0000.55504.	02/03/2026	GRT	EAH143						FEES-GRT ADMIN	GRT Reprojection	5		2,989.00	
BUA	044.500.2400.0000.55504.	02/03/2026	GRT	EAH143						FEES-GRT ADMIN	GRT Reprojection	5		747.00	
BUA	049.000.0000.0000.55504.	02/03/2026	GRT	EAH143						FEES-GRT ADMIN	GRT Reprojection	5		2,989.00	
BUA	061.000.0000.0000.55504.	02/03/2026	GRT	EAH143						FEES-GRT ADMIN	GRT Reprojection	5		747.00	
BUA	069.000.0000.0000.55504.	02/03/2026	GRT	EAH143						FEES-GRT ADMIN	GRT Reprojection	5		2,989.00	
BUA	089.000.0000.0000.55504.	02/03/2026	GRT	EAH143						FEES-GRT ADMIN	GRT Reprojection	5		747.00	
BUA	127.000.0000.0000.55504.	02/03/2026	GRT	EAH143						FEES-GRT ADMIN	GRT Reprojection	5		1,495.00	

**BUDGET AMENDMENT JOURNAL ENTRY PROOF**

YEAR	PER	JNL	SRC	ACCOUNT	JNL	DESC	REF 1	REF 2	REF 3	ACCOUNT	DESC	T	OB	DEBIT	CREDIT
			EFF	DATE						LINE	DESC				
BUA	109.000.0000.0000.55504.			02/03/2026	GRT		EAH143			FEES-GRT ADMIN	GRT Reprojection	5		2,989.00	
BUA	109.500.9003.0000.55504.			02/03/2026	GRT		EAH143			FEES-GRT ADMIN	GRT Reprojection	5		2,989.00	
														.00	.00
BUA	011.000.0000.0000.30301.			02/03/2026	GRT		EAH143			APPROPRIATIONS					15,195.00
BUA	042.000.0000.0000.30301.			02/03/2026	GRT		EAH143			APPROPRIATIONS					2,989.00
BUA	044.000.0000.0000.30301.			02/03/2026	GRT		EAH143			APPROPRIATIONS					747.00
BUA	049.000.0000.0000.30301.			02/03/2026	GRT		EAH143			APPROPRIATIONS					2,989.00
BUA	061.000.0000.0000.30301.			02/03/2026	GRT		EAH143			APPROPRIATIONS					747.00
BUA	069.000.0000.0000.30301.			02/03/2026	GRT		EAH143			APPROPRIATIONS					2,989.00
BUA	089.000.0000.0000.30301.			02/03/2026	GRT		EAH143			APPROPRIATIONS					747.00
BUA	109.000.0000.0000.30301.			02/03/2026	GRT		EAH143			APPROPRIATIONS					5,978.00
BUA	127.000.0000.0000.30301.			02/03/2026	GRT		EAH143			APPROPRIATIONS					1,495.00
BUA	011.000.0000.0000.30303.			02/03/2026	GRT		EAH143			ESTIMATED REVENUE			1,189,836.00		
BUA	042.000.0000.0000.30303.			02/03/2026	GRT		EAH143			ESTIMATED REVENUE			150,612.00		
BUA	044.000.0000.0000.30303.			02/03/2026	GRT		EAH143			ESTIMATED REVENUE			37,653.00		
BUA	049.000.0000.0000.30303.			02/03/2026	GRT		EAH143			ESTIMATED REVENUE			150,612.00		
BUA	061.000.0000.0000.30303.			02/03/2026	GRT		EAH143			ESTIMATED REVENUE			37,833.00		
BUA	069.000.0000.0000.30303.			02/03/2026	GRT		EAH143			ESTIMATED REVENUE			150,612.00		
BUA	089.000.0000.0000.30303.			02/03/2026	GRT		EAH143			ESTIMATED REVENUE			37,653.00		
BUA	109.000.0000.0000.30303.			02/03/2026	GRT		EAH143			ESTIMATED REVENUE			301,224.00		
BUA	127.000.0000.0000.30303.			02/03/2026	GRT		EAH143			ESTIMATED REVENUE			75,306.00		
BUA	011.000.0000.0000.30302.			02/03/2026	GRT		EAH143			BUDGET FUND BAL - UNRESERVED					1,174,641.00
BUA	042.000.0000.0000.30302.			02/03/2026	GRT		EAH143			BUDGET FUND BAL - UNRESERVED					147,623.00
BUA	044.000.0000.0000.30302.			02/03/2026	GRT		EAH143			BUDGET FUND BAL - UNRESERVED					36,906.00



**BUDGET AMENDMENT JOURNAL ENTRY PROOF**

YEAR PER	JNL				ACCOUNT DESC	T	OB	DEBIT	CREDIT
SRC ACCOUNT	EFF DATE	JNL DESC	REF 1	REF 2	REF 3	LINE DESC			
BUA 032.300.2400.0000.40615.	02/04/2026	Vehicles	EAH144			Vehicle Leasing Program	5		2,938.00
BUA 032.300.7101.0000.40615.	02/04/2026	Vehicles	EAH144			MISC REVENUE-SALE OF SCRAP	5		438.00
BUA 032.300.6106.0000.40615.	02/04/2026	Vehicles	EAH144			Vehicle Leasing Program	5		22,225.00
BUA 032.300.6306.0000.40615.	02/04/2026	Vehicles	EAH144			MISC REVENUE-SALE OF SCRAP	5		6,675.00
BUA 032.000.0000.0000.49011.	02/04/2026	Vehicles	EAH144			Vehicle Leasing Program	5		349,543.00
BUA 011.000.0000.0000.59032.	02/04/2026	Vehicles	EAH144			TRAN FR (11) GENERAL OP	5	349,543.00	
BUA 071.300.8020.0000.57036.	02/04/2026	Vehicles	EAH144			TRAN TO (32) COMMUNITY SV	5		
BUA 071.000.0000.0000.40615.	02/04/2026	Vehicles	EAH144			Vehicle Leasing Program	5	94,645.00	
BUA 071.000.0000.0000.49011.	02/04/2026	Vehicles	EAH144			MISC REVENUE-SALE OF SCRAP	5		6,385.00
BUA 011.000.0000.0000.59071.	02/04/2026	Vehicles	EAH144			TRAN FR (11) GENERAL OP	5		88,260.00
BUA 090.300.0101.0000.57036.	02/04/2026	Vehicles	EAH144			Vehicle Leasing Program	5		
BUA 090.000.0000.0000.40615.	02/04/2026	Vehicles	EAH144			CAPITAL-VEHICLE LEASE	5	55,266.00	
BUA 090.000.0000.0000.49011.	02/04/2026	Vehicles	EAH144			Vehicle Leasing Program	5		975.00
BUA 011.000.0000.0000.59090.	02/04/2026	Vehicles	EAH144			MISC REVENUE-SALE OF SCRAP	5		55,000.00
BUA 020.800.0407.0000.57036.	02/04/2026	Vehicles	EAH144			TRAN FR (11) GENERAL OP	5		
BUA 020.000.0000.0000.40615.	02/04/2026	Vehicles	EAH144			Vehicle Leasing Program	5	11,386.00	
BUA 020.000.0000.0000.49011.	02/04/2026	Vehicles	EAH144			MISC REVENUE-SALE OF SCRAP	5		6,025.00
BUA 011.000.0000.0000.59020.	02/04/2026	Vehicles	EAH144			TRAN FR (11) GENERAL OP	5		5,361.00
BUA 091.300.2400.0000.57036.	02/04/2026	Vehicles	EAH144			TRAN TO (20) CIVIC CENTER	5	5,361.00	
BUA 091.000.0000.0000.40615.	02/04/2026	Vehicles	EAH144			Vehicle Leasing Program	5		30,615.00
BUA 091.000.0000.0000.49061.	02/04/2026	Vehicles	EAH144			MISC REVENUE-SALE OF SCRAP	5		1,695.00
BUA 061.000.0000.0000.59091.	02/04/2026	Vehicles	EAH144			TRAN FR (61) '91 GRT INF.	5		29,000.00
BUA 044.500.2400.0000.57036.	02/04/2026	Vehicles	EAH144			Vehicle Leasing Program	5	29,000.00	
BUA 044.500.5203.0000.57036.	02/04/2026	Vehicles	EAH144			TRAN TO (91) AIRPORT	5	9,935.00	
	02/04/2026	Vehicles	EAH144			CAPITAL-VEHICLE LEASE	5	153,896.00	
	02/04/2026	Vehicles	EAH144			Vehicle Leasing Program			

**BUDGET AMENDMENT JOURNAL ENTRY PROOF**

YEAR PER	JNL	SRC ACCOUNT	JNL DESC	REF 1	REF 2	REF 3	ACCOUNT DESC	T	OB	DEBIT	CREDIT
EFF DATE							LINE DESC				
BUA 044.000.0000.0000.40615.			02/04/2026 Vehicles	EAH144			MISC REVENUE-SALE OF SCRAP Vehicle Leasing Program	5			11,675.00
BUA 044.000.0000.0000.49042.			02/04/2026 Vehicles	EAH144			TRAN FR (42) '84 GRT Vehicle Leasing Program	5			152,156.00
BUA 042.000.0000.0000.59044.			02/04/2026 Vehicles	EAH144			TRAN TO (44) TRANSPRT Vehicle Leasing Program	5	152,156.00		
BUA 063.600.5005.0000.57036.			02/04/2026 Vehicles	EAH144			CAPITAL-VEHICLE LEASE Vehicle Leasing Program	5	79,429.00		
BUA 063.000.0000.0000.40615.			02/04/2026 Vehicles	EAH144			MISC REVENUE-SALE OF SCRAP Vehicle Leasing Program	5			26,863.00
BUA 063.000.0000.0000.49061.			02/04/2026 Vehicles	EAH144			TRAN FR (61) '91 GRT INF. Vehicle Leasing Program	5			52,567.00
BUA 061.000.0000.0000.59063.			02/04/2026 Vehicles	EAH144			TRAN TO (63) ENGINEERING Vehicle Leasing Program	5	52,567.00		
BUA 011.400.4204.0000.57036.			02/04/2026 Vehicles	EAH144			CAPITAL-VEHICLE LEASE Vehicle Leasing Program	5	37,701.00		
BUA 011.400.4204.0000.40615.			02/04/2026 Vehicles	EAH144			MISC REVENUE-SALE OF SCRAP Vehicle Leasing Program	5			34,350.00
BUA 094.600.0903.0000.57036.			02/04/2026 Vehicles	EAH144			CAPITAL-VEHICLE LEASE Vehicle Leasing Program	5	25,300.00		
BUA 094.000.0000.0000.40615.			02/04/2026 Vehicles	EAH144			MISC REVENUE-SALE OF SCRAP Vehicle Leasing Program	5			27,800.00
										.00	.00
BUA 011.000.0000.0000.30301.			02/04/2026 Vehicles	EAH144			APPROPRIATIONS				833,179.00
BUA 012.000.0000.0000.30301.			02/04/2026 Vehicles	EAH144			APPROPRIATIONS				236,177.00
BUA 020.000.0000.0000.30301.			02/04/2026 Vehicles	EAH144			APPROPRIATIONS				11,386.00
BUA 032.000.0000.0000.30301.			02/04/2026 Vehicles	EAH144			APPROPRIATIONS				391,844.00
BUA 042.000.0000.0000.30301.			02/04/2026 Vehicles	EAH144			APPROPRIATIONS				152,156.00
BUA 044.000.0000.0000.30301.			02/04/2026 Vehicles	EAH144			APPROPRIATIONS				163,831.00
BUA 061.000.0000.0000.30301.			02/04/2026 Vehicles	EAH144			APPROPRIATIONS				81,567.00
BUA 063.000.0000.0000.30301.			02/04/2026 Vehicles	EAH144			APPROPRIATIONS				79,429.00
BUA 071.000.0000.0000.30301.			02/04/2026 Vehicles	EAH144			APPROPRIATIONS				94,645.00
BUA 081.000.0000.0000.30301.			02/04/2026 Vehicles	EAH144			APPROPRIATIONS				510,356.00
BUA 090.000.0000.0000.30301.			02/04/2026 Vehicles	EAH144			APPROPRIATIONS				55,266.00
BUA 091.000.0000.0000.30301.			02/04/2026 Vehicles	EAH144			APPROPRIATIONS				30,615.00

# AGENDA REPORT

CITY OF ALAMOGORDO  
CITY COMMISSION

---

**Meeting Date:** 2/10/2026

**Report Date:**

**Report No:** 6.

**Submitted By:**

---

**Subject:** Consider, and act upon, the fireworks display, cost, and contract. *(Stephanie Hernandez, Acting City Manager, and Darrell Mori, City Attorney)*

---

**Fiscal Impact:**

Amount Budgeted:

Fund:

Additional Fiscal Impact:

---

**Recommendation:**

---

**Background:**

The City of Alamogordo is considering whether to proceed with a July 4, 2026, fireworks display under a proposed contract with Precision Fireworks for \$55,000. The contract is highly unfavorable to the city, requires a 50% deposit upon execution, and includes provisions that may obligate the City to retain partial or full payment if the event is canceled due to weather, force majeure, or City action.

In 2024, the City canceled fireworks as a gesture of solidarity with Ruidoso during the wildfire emergency, as both City and County personnel were actively deployed to support response efforts. In 2025, the City pursued a drone show as an alternative. The drone show was well received by many in the community, though, as with fireworks, some residents did not support the format.

The 2026 decision occurs during a nationally constrained year due to the 250th anniversary, which has significantly limited vendor availability and increased costs. Drone shows are also higher this year, and are even harder to find a vendor.

While fireworks remain a valued tradition for some residents, the proposed cost exceeds the City's entire Special Events budget and requires additional unfunded operational support, including public safety staffing, traffic control, and fire protection. July 4th is historically one of the City's highest call-volume days, requiring full deployment of police and fire personnel, including support from partner agencies.

Community feedback continues to raise concerns regarding the impact on pets and on veterans and others suffering from PTSD. In addition, the City's long-standing local fireworks vendor has passed away, meaning this event will be provided by a new vendor with whom the City has no prior working history.

The staff is not in favor of proceeding with fireworks this year. However, because a decision not to hold fireworks has generated strong opposition from some Commissioners, this item is being brought forward for Commission consideration and direction.

## PRECISION FIREWORKS, LLC.

Owner: Jesse Williams

Po Box 71 Era, TX 76238

EIN: 81-3887472



## PYROTECHNIC DISPLAY AND SERVICES AGREEMENT

THIS PYROTECHNIC DISPLAY AND SERVICES AGREEMENT: (hereinafter referred to as "Agreement"), made and entered into this 17th day of January 2026, by and between:

**Precision Fireworks, LLC.** (hereinafter referred to as "SELLER") and

**City of Alamogordo 1376 East Ninth Street, Alamogordo, NM 88310** (Hereinafter referred to as "Buyer").

### 1. TIME AND PLACE: POSTPONEMENT/CANCELLATION:

SELLER agrees to design, and execute a firework show, otherwise known as a Pyrotechnic Display, at approximately: 9:00-9:30 pm on Saturday the 4th day of July 2026 at the following location: Rain Date – Sunday July 5<sup>th</sup>, 2026

**32°55'5.56"N 105°55'18.33"W Alamogordo, New Mexico 88310**

It is agreed and understood, by and between the parties hereto that the SELLER shall have the sole, exclusive and final determination of the suitability of the weather conditions at the time of the display, and in the event SELLER should determine that the weather conditions are such that a unsafe or hazardous condition may exist, SELLER shall have the exclusive right and option to postpone the starting time of the display and/or delay the display in its entirety, until conditions have improved and are appropriate for the safety of all involved, or until the alternative inclement weather date as set forth hereinabove. As a part of the authority stated hereunder, SELLER reserves the right to prematurely end or place a hold on the continuance of the display if, in the opinion of SELLER, the weather conditions change during the time the display is in progress so as to create unsafe or hazardous situations. In the event of any postponement or delay, BUYER shall be responsible for the actual expenses incurred as a result of additional time and /or expenses related to the postponement or delay, and it is specifically acknowledged that SELLER hereunder shall be in no way held responsible financially or otherwise, for the exercise of any judgement or assertion of any authority hereunder. In the event the display cannot be postponed to an alternate date, SELLER shall have the right to retain, and BUYER agrees to pay SELLER, 50% of the total contract price hereunder for expenses incurred and services rendered. If the display is rescheduled, by agreement of BUYER and SELLER, to the alternate date, as stated hereunder, and BUYER cancels the display, the SELLER has the right to retain, and BUYER agrees to pay SELLER, 100% of the total contract price hereunder agreed for expenses incurred and services rendered. If the display rescheduled on the alternate date, as stated hereunder, is canceled due to FORCE MAJEURE: (paragraph 12.), the SELLER has the right to retain, and BUYER agrees to pay SELLER, 100% of the total contract price hereunder.

### 2. MUSIC: The following indicated (X) provisions(s) shall apply to music and/or soundtracks, which may be a part of the display, contemplated hereunder:

The subject display will have no musical accompaniment soundtrack script with which the pyrotechnic display must be coordinated.

**BUYER** will furnish to  **SELLER** a media approximately 18-20 minutes in duration. This media is to be played (by a sound system contracted by  BUYER,  SELLER) over the speaker system to the spectators.

### 3. INSURANCE:

SELLER agrees to provide a Certificate of Insurance showing SELLER, BUYER, and **City of Alamogordo 1376 East Ninth Street, Alamogordo, NM 88310** to be insured and covered by Five Million Dollars (\$5,000,000.00) liability, combined single limit, for personal injury and property damage. In the event greater liability insurance limits are required, the additional cost is to be paid by BUYER.

#### 4. EQUIPMENT:

SELLER shall be responsible for installing, set up, and removing the equipment and supporting hardware of the pyrotechnic display. BUYER shall provide one Porta restroom, one light tower and sufficient trash receptacles for cleanup after execution of the display.

#### 5. SECURITY/SAFETY:

BUYER is responsible for procuring and managing the following: adequate security personnel, barricades, ropes with flags, etc., to barricade all closed (dangerous) areas to spectators; traffic patrolmen, as necessary; security guards for crowd control and cleanup personnel to remove litter left by spectators or any persons other than SELLER; trash receptacles, as necessary for spectators; "No Parking" signs and directional signs, clearly designated by stakes, rope or fence, in a safe location, as designated by SELLER hereunder, for the proper and safe display of said pyrotechnic program, such space to be clear and free of all persons except those employed or expressly authorized by SELLER and clear of any and all equipment, vehicles, structures, or items of any other kind not authorized or put in place by SELLER; adequate fire protection for the area in which SELLER shall operate the display, and the surrounding spectator areas, or any other areas, as designated by SELLER (or other authority), for which Fire protection might be necessary: areas of sufficient clearance surrounding the display operation area, grandstand or other spectator viewing areas or ground upon which the display shall be operated, or pedestrians or vehicles, and any damage or liability arising out of damage or harm to any person, structure, vehicle, or other property within such areas specified by SELLER shall be complete and sole responsibility of BUYER hereunder; such areas to include but not be limited to public streets specified to be closed, parking areas specified as off-limits or public walkways specified to be closed. BUYER specifically acknowledges and affirms that it understands that the pyrotechnic display contracted for herein can cause substantial, severe and irreparable damage to persons and property, and that SELLER assumes no responsibility whatsoever for any property damage or injury to individuals within the areas specifically designated hereinabove as necessary to immediately surround the operations of the pyrotechnic display, areas from which pedestrian, or vehicle traffic should be restricted, areas which should be closed to access by pedestrians or vehicles, and areas which should be "off limits" and vacated from all persons and property.

#### 6. OPERATIONS OF DISPLAY:

SELLER shall be responsible for all aspects of the setup and operation of the display.

#### 7. PLACEMENT:

BUYER and SELLER shall mutually determine and agree upon the placement and arrangement of fireworks display devices, set pieces, props, spectator viewing areas, and any and all equipment involved with the pyrotechnic display or sound system to ensure the highest degree of show integrity and character, and present the audience the most aesthetic, artistic, and safest program possible. SELLER shall have sole discretion over placement necessitated by applicable federal, state or local safety, fire, or other regulations.

#### 8. LICENSES OR PERMITS:

SELLER shall be responsible for obtaining, for BUYER'S benefit, any city, state, or other licenses or permits required to execute the pyrotechnic display contemplated herein. SELLER shall provide BUYER with any necessary information, proof of insurance in accordance with paragraph 3 above, and other item required by the licensing authorities for issuance of such license or permits

9. COMPENSATION:

Compensation shall be made to the SELLER hereunder as follows: \$27,500.00 at the signing of this Agreement, with the balance \$27,500.00 due on or before the 4th day of July 2026. **The total amount of this contract is \$55,000.00.** If, for any reason other than as addressed hereinabove, BUYER wishes to cancel this Agreement, there will be a cancellation fee in the amount of twenty-five percent (25%) of the total contract price hereunder, to be paid to or retained by SELLER.

If SELLER cancels this Agreement or the pyrotechnic display, for any reason other than: (1) inclement weather, (2) force majeure, or (3) nonperformance by or material breach of the terms of this Agreement by BUYER, all monies paid to SELLER by BUYER to the date of such cancellation will be refunded to BUYER and BUYER will have no further obligation under this Agreement. Any applicable state or local taxes will be payable by the BUYER.

10. ACCOMMODATIONS:

All expenses are included with the purchase price of the Fireworks Display.

11. INDEMNIFICATION:

It is understood that BUYER will indemnify and hold harmless the SELLER hereunder, its agents, employees, and persons and organizations independently contracted by SELLER, from and against all losses, damages, demands, costs, claims, suits, and other related actions or proceedings, of whatever nature or kind resulting from damages to any property and/or from bodily or personal injuries to and /or the death of any persons arising in any way out of the transportation, storage, handling, sale, use or execution of the fireworks furnished under the terms of this Agreement, or arising out of the fireworks products or other products furnished by SELLER under the terms of this Agreement, **to the extent of the negligence or wrongful acts of the BUYER or a person for whom the BUYER is legally or contractually responsible**, or from a source other than one for which insurance coverage has been provided pursuant to paragraph 3 of this Agreement above.

It is understood that SELLER will indemnify and hold harmless the BUYER hereunder, its agents, employees, and persons and organizations independently contracted by BUYER, from and against all losses, damages, demands, costs, claims, suits, and other related actions or proceedings, of whatever nature or kind resulting from damages to any property and/or from bodily or personal injuries to and /or the death of any persons arising in any way out of the transportation, storage, handling, sale, use or execution of the fireworks furnished under the terms of this Agreement, or arising out of the fireworks products or other products furnished by SELLER under the terms of this Agreement, **to the extent of the negligence or wrongful acts of the SELLER or a person for whom the SELLER is legally or contractually responsible**, or from a source other than one for which insurance coverage has been provided pursuant to paragraph 3 of this Agreement above.

12. FORCE MAJEURE:

Subject to the provision of paragraph one (1) hereinabove, any failure or omission of BUYER or SELLER under this Agreement due to an act of GOD, enactment, rule, order of any act of government instrumentality (whether federal, state, or local), or other causes beyond the control of BUYER or SELLER, or force majeure will not constitute a breach or default under this Agreement.

13. CONSTRUCTION/APPLICABLE LAW:

If any term, provision, covenant, or condition of this Agreement is held by any court of competent jurisdiction to be invalid, void or unenforceable, or if any such provision is waived or not enforced by any party hereunder, the remainder to the provisions of this agreement shall remain in full force and effect, and shall in no way be affected, impaired, or invalidated. This Agreement, including any documents incorporated or referred to herein, Constitutes the entire Agreement between the Parties, and this Agreement may not be altered or amended except by written addendum to this Agreement executed by both BUYER and SELLER. It is agreed and understood by and between the parties hereto that this Agreement is subject to, and shall be interpreted under, the laws of the State of New Mexico, and that any aspect of this Agreement shall be controlled by and interpreted under the laws of the State of New Mexico, as they may exist from time to time.

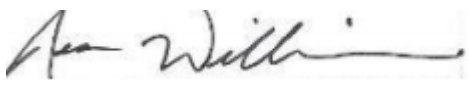
14. ATTORNEY'S FEES:

If any legal action is necessary to enforce the terms and conditions of This Agreement, the prevailing party shall be entitled to recover all costs of suit and reasonable attorney's fees.

15. The BUYER and SELLER have agreed that the general guidelines of the display will consist of 18-20-Minute-High Aerial 1.3G Pyro Musical Fireworks display.

THIS CONTRACT / Agreement is binding only after it has been signed by all parties hereto and returned to SELLER with the required deposit, as set forth hereinabove.

Precision Fireworks, LLC.

By:   
Jesse Williams, Owner/President

Date: 1/17/2026

Company: \_\_\_\_\_

By: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_

Original: Sellers Copy  
Copy: Buyers Copy



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

1/17/2026

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Ryder-Rosacker-McCue & Huston 509 W Koenig St Grand Island 68801	<b>CONTACT NAME:</b> PHONE (A/C No. Ext): 8006584200		<b>FAX (A/C, No):</b>
	<b>E-MAIL ADDRESS:</b> mmiller@ryderinsurance.com		
<b>INSURER(S) AFFORDING COVERAGE</b>			<b>NAIC #</b>
<b>INSURER A :</b> HADRON SPECIALTY INS CO			17534
<b>INSURER B :</b> ACCELERATION NATL INS CO			35742
<b>INSURER C :</b>			
<b>INSURER D :</b>			
<b>INSURER E :</b>			
<b>INSURER F :</b>			

**COVERAGES**

CERTIFICATE NUMBER: 29812866

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y	Y	H0320PK000073-00	12/2/2025	12/2/2026	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
B	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			N0114AU000033-00	12/2/2025	12/2/2026	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			H0320XS000020-00	12/2/2025	12/2/2026	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)**

Regarding the General Liability coverage, Waiver of Subrogation applies to the entities listed below per form CG 24 04 when required by written agreement.

Regarding the General Liability coverage, Blanket Additional Insured applies to the entities listed below per form SCGL 320 when required by written agreement.

Certificate Holder is added as Additional Insured Where Required by Written Contract.

Display Location: 32°55'5.56"N 105°55'18.33"W Alamogordo, New Mexico 88310

Display Date: 7/4/2026

Rain Date: 7/5/2026

**CERTIFICATE HOLDER****CANCELLATION**

City of Alamogordo  
 1376 East Ninth Street  
 Alamogordo NM 88310

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

*Lani Laine*

© 1988-2015 ACORD CORPORATION. All rights reserved.

## Pros of Having Fireworks in Alamogordo

- **Community Tradition & Civic Pride**
  - Fireworks are a longstanding July 4th tradition and remain a highly visible symbol of community celebration.
- **Vendor Responsibility & Insurance**
  - The vendor is responsible for:
    - Fireworks materials, setup, execution, and teardown
    - Required permits and licenses
    - Maintaining \$5 million in liability insurance
  - All placement and safety decisions related to the display rest with the vendor for regulatory compliance.
- **Availability During a Constrained Year**
  - Because 2026 marks the 250<sup>th</sup> anniversary, fireworks vendors are in exceptionally high demand nationwide.
  - Securing a fireworks vendor at all is increasingly difficult this year, making availability itself a benefit.

## Cons of Having Fireworks in Alamogordo

- **High Cost**
  - Total contract cost is **\$55,000**.
  - This amount is higher than the City's entire Special Events budget, requiring a significant budgetary tradeoff.
- **Financial Risk Exposure**
  - If the show cannot be rescheduled due to weather:
    - The vendor may retain 50% of the contract amount.
  - If rescheduled to the rain date and later canceled by the City:
    - 100% of the contract amount is owed, regardless of whether the show occurs.
  - If canceled due to force majeure (acts of God or government orders):
    - The vendor may also retain 100% of the contract amount.
- **Additional City Operational Costs**
  - The City is responsible for providing and funding:
    - Security
    - Barricades and traffic control
    - Fire protection and crowd safety
    - Porta-restroom, light tower, and trash receptacles
  - These costs are not included in the \$55,000 contract.
- **Public Safety Staffing Impact**
  - July 4th historically results in very high call volume.
  - Every available firefighter and police officer is already staffed, including backup support from partner agencies.
  - Adding a fireworks event further strains public safety resources on one of the busiest operational days of the year.
- **Community Impact Concerns**
  - Many residents express concerns regarding the impact of fireworks on:

- Pets and other animals, which often experience distress during fireworks events.
  - Veterans and others suffering from PTSD, for whom fireworks can be triggering and harmful.
- These concerns are consistently raised during community feedback and public discussions.
- **Vendor Familiarity Risk**
  - The City’s long-standing local fireworks vendor has passed away.
  - This contract would be with a new vendor the City has not used.
- **Limited Alternatives**
  - Drone shows are nearly double the cost of fireworks.
  - Fireworks themselves are also more expensive and harder to secure due to national demand tied to the 250th anniversary.
  - Cost and availability significantly limit flexibility in event planning.
- **Weather Dependency**
  - The vendor has final authority to determine whether weather conditions are safe.
  - Weather-related delays or cancellations could result in substantial costs without an event being delivered.

Risk Category	Description	Impact	Likelihood	Notes / Considerations
Financial – Cost	\$55,000 contract exceeds the entire Special Events budget	High	Certain	Requires reallocation or opportunity cost to other events
Financial – Cancellation Exposure	Up to 50–100% cost retained depending on cancellation circumstances	High	Moderate	Weather and force majeure risks are outside City control
Operational – Public Safety Staffing	July 4th already requires full police and fire staffing, including mutual aid	High	Certain	Fireworks further strain limited resources
Operational – Additional City Costs	Security, barricades, traffic control, fire protection, equipment not included in contract	Medium	Certain	Adds indirect costs beyond contract value
Vendor Risk	New vendor; City has no prior performance history with this provider	Medium	Moderate	Local vendor previously used is no longer available
Community Impact – Pets	Noise causes distress and safety issues for pets and animals	Medium	High	Frequently raised public concern
Community Impact – Veterans / PTSD	Fireworks may trigger PTSD symptoms among veterans and others	Medium	High	Consistent feedback from residents
Weather Dependency	Vendor has sole authority to delay or cancel due to safety	Medium	Moderate	Could result in sunk costs without an event
Market Constraints	Limited availability of fireworks and drone shows due to 250th anniversary	Medium	Certain	Reduces flexibility and alternatives
Reputational Risk	Potential criticism regardless of decision (cost vs. tradition vs. community impacts)	Medium	High	Requires clear, transparent communication

# AGENDA REPORT

CITY OF ALAMOGORDO  
CITY COMMISSION

---

**Meeting Date:** 2/10/2026

**Report Date:**

**Report No:** 7.

**Submitted By:**

---

**Subject:** Discussion and refresher on executive session confidentiality, open government requirements, and ethics obligations for elected officials. (*Stephanie Hernandez, Acting City Manager*)

---

**Fiscal Impact:**

Amount Budgeted:

Fund:

Additional Fiscal Impact:

---

**Recommendation:**

---

**Background:**

This item is presented for informational and educational purposes only to provide a brief refresher and discussion regarding executive session confidentiality, open government requirements, and ethics obligations applicable to elected officials.

The City has previously participated in multiple trainings on these topics, including:

- Open Government, Transparency, and Ethics (New Mexico Municipal League, 2023)
- Effective Governance for the City of Alamogordo (2024)
- Understanding Transparency and Ethics Obligations for the City of Alamogordo (2024)

This discussion is intended to be limited in scope and is not an in-depth training. The purpose is to reaffirm shared expectations, promote consistency in practice, and support continued compliance with state law and best governance standards. No action is requested.

Staff anticipates coordinating a more comprehensive training session, potentially with a presenter recommended by the New Mexico Municipal League, in March or April after the new Commissioner is seated.

# Open Government, Transparency, and Ethics

Presented to the Alamogordo City Commission

August 8, 2023

Geno Zamora, Esq.

Through NMSIF Agency Assist Program



## Laws/Practices to Be Reviewed

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

# Open Meetings Act

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

# OMA Important Provisions

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

# OMA - Executive Sessions

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

# OMA

-

## Important Provisions

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

## Recent Issues in OMA

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

## OMA Post- COVID

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

# Open Meetings Act - Best Practices

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

# Open Meetings Act — Best Practices

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

# Inspection of Public Records Act (IPRA)

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

## Newer IPRA Caselaw

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

## Potential Damages

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

# What can we do about the new IPRA cases?

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

# IPRA

-

## Best Practices

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

# New Mexico Governmental Conduct Act (NMGCA)

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

## NMGCA (cont.)

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

## NMGCA (cont.)

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

# NMGCA

—

## Best Practices

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

# City Commission Code of Conduct

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

# City Commission Code of Conduct

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

# City Commission Code of Conduct

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

## City Charter

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

# Topics Covered, Questions, Discussion

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

**Geno Zamora, Esq.**

(505) 986-2900

[geno@ortiz-zamora.com](mailto:geno@ortiz-zamora.com)



**ORTIZ & ZAMORA**

*Attorneys at Law, LLC*

# Effective Governance for the City of Alamogordo

Presented to the Alamogordo City Commission

September 10, 2024

Geno Zamora, Esq.



**ORTIZ & ZAMORA**  
*Attorneys at Law, LLC*

# Overview

- Knowing Roles
  - Form of Government
  - Commission
  - Mayor
  - City Manager
- Effective Leadership
- Productive Norms

# Charter – Form of Government

- Form of Government: Commission-Manager form of government – Art. II
  - Ord. 2-01-010 “as provided for by Sections 3-14-1 through 3-14-9, N.M.S.A. 1953”
- Elected Officers (Art. IV):
  - 6 Commissioners
  - 1 Mayor
  - 1 Municipal Judge
- Art. VII, §§1 and 2
  - Governing Body = Commissioners and Mayor
  - Unless otherwise provided by Charter, “equal voting power, privileges and prerogatives”

# Charter – Governing Body

- “The governing body shall be comprised of six (6) members known as commissioners and one (1) member to be known as mayor.” Art. VII, § 2
- All Commissioners, including the Mayor, except as otherwise provided by this Charter, shall have equal voting power, privileges and prerogatives.” Art. VII, § 1
- NMSA § 3-14-12 power/duties
  - Pass all ordinances and other measures conducive to the welfare of the municipality
    - \*\*Role of boards and commissions, including advisory
  - Perform all acts required for general welfare
  - Create office of manager and all offices necessary
  - Appoint manager and hold responsible for proper and efficient administration
- Meetings (Art. VII, § 5)
  - Regular meetings twice monthly
  - Special meetings called by Mayor or any 2 Commissioners
  - Emergency meetings called by Mayor or any Commissioner

# Charter - Mayor

- Duties and Powers of Mayor (Art. VII, §§ 1 and 2):
  - Preside at meetings and perform such duties as imposed by the Commission
  - Has “all the powers and duties of a Commissioner, including the right to vote upon all questions under consideration”
  - Head of City for ceremonial and military purposes
  - Appoints and may remove members of public boards, commissions and committees, with advice of and subject to approval of a majority of the Commission
  - Leads, guides, and develops short- and long-range plans with the Commission and Manager
  - Presents annual state of the City message
- Mayor Pro-Tem, in the absence of the Mayor performs the duties of the Mayor. Art. VII § 3

# Charter – City Manager

- Appointment (Art. XI, § 1):
  - Shall be appointed based on qualifications for an indefinite term
  - Salary fixed by the Commission
  - Appointment or removal by no fewer than 4 Commissioners or 3 Commissioners and Mayor
- Duties (Art. XI, § 2):
  - Chief executive officer of the City
  - Has a seat, but not a vote, at every Commission meeting
  - Enforce and carry out all Commission ordinances, rules and regulations
  - “Shall employ and discharge employees of the City” (see also Ord. 2-03-080)
  - Prepare and submit an annual budget to the Commission
  - Make recommendations concerning welfare of City
  - Duties relating to civil process

# City Manager and Departments

- Ord. 2-03-025 – Each department is subject to the control and supervision of the city manager
  - Commission approval to add departments
- Ord. 2-03-110 – City manager – administration
  - Shall appoint a director for each department, who serves until removed by the city manager
  - Department director shall manage the department, subject to supervision and control of the city manager
- Ord. 2-03-130 – Office of city attorney created consisting of city attorney, and such officers and employees as may be provided by the city manager
- Ord. 2-03-180 – Office of the city clerk created consisting of the city clerk and such employees as may be provided for by the city manager
- Ord. 2-05-12 – Police Chief shall be appointed by and serve at the pleasure of the city manager
- Other departments separately created by ordinance

# Effective Governing Bodies

## Eight Characteristics of an effective Governing Body

1. Commit to a vision of high expectations for achievement
2. Strong shared beliefs and values about the services provided by the City and work environment
3. Accountability driven – spending less time on operational issues and more time on policies and planning to improve outcomes
4. Collaborative relationship with staff and the community, inform and engage internal and external stakeholders in achieving City goals

# Effective Governing Bodies

5. Data savvy – embrace and monitor data and use to drive continuous improvement (even when data is negative), dispelling rumors and one-time experiences
6. Align and sustain resources, including training and professional development
7. Governing Body leads as a united team with the City Manager and Administrators, each in their respective roles
8. Governing Body members take part in team building, development, and training (sometimes with administrators and staff) to build shared knowledge, values, and commitments for their improvement efforts

\*Adapted from a study of effective school boards

# Effective Governing Bodies

- How can the Governing Body of the City be more effective?
  - Attend local, regional, state, national conferences?
  - Team building and retreats? One to One member meetings?
  - Request more data on City services? Dashboards?
  - Commission meetings out in the community?
  - Strategic planning (3 to 5 yrs)? Facilities master planning?
  - Communication with community and/or internally?

# Norms

What are they?

- Agreed upon expectations of one another
  - Identified need for guidance
  - Areas where policy is unclear

Why do we need them?

- Norms are important for interaction between
  - Governing Body members
  - Governing Body and City Manager/Staff
- Establish baseline civility
- Increase productivity/efficiency
- Focus on mission, not individual needs
- Effective leadership

# Norms

- Board Meetings
  - Respectful treatment of each other in Council meetings
    - Conduct business through the meeting chair
    - Avoid personalizing
    - Minimize interpersonal conflicts in front of the public
  - Governing Body does not evaluate staff in public
  - Establish procedures for creation of and order of agenda
  - How engage community in your meetings?
  - Board speaks with one voice when providing direction or seeking information

# Norms

## Interaction with City Manager and staff

- Reminder: City Manager responsible for all staff
- How and when to communicate with the City Manager?
  - Who and when is appropriate to call?
  - Consider how to respect each other's time and resources
  - What is a reasonable response time?
  - Periodic email updates from City Manager?
- Governing Body is the “eyes and ears”, City Manager, Directors, and staff are “hands and feet”

Topics  
Covered,  
Questions,  
Discussion

- Roles
- Effective Leadership
- Norms

**Geno Zamora, Esq.**  
(505) 986-2900  
[geno@ortiz-zamora.com](mailto:geno@ortiz-zamora.com)



**ORTIZ & ZAMORA**  
*Attorneys at Law, LLC*

# Understanding Transparency and Ethics Obligations for the City of Alamogordo

Presented to the Alamogordo City Commission

September 10, 2024

Geno Zamora, Esq.



**ORTIZ & ZAMORA**

*Attorneys at Law, LLC*

## Laws/Practices to Be Reviewed

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

## OMA Important Provisions

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

# Open Meetings Act - Agendas

- Meeting notices published 72 hours in advance
  - No amendments within 72 hours
  - Publication required on website
- Meeting Notices shall contain an agenda with a list of specific items of business to be discussed or transacted (§10-15-1(F))
  - Agenda order
  - Creation of agenda
- Emergency Meetings
  - AG must be informed of emergency meetings within 10 days after the emergency meeting
  - Must be unforeseen circumstances that will likely result in injury or damage to persons or property or substantial financial loss

# OMA

-

## Important Provisions

- **Minutes (§10-15-1(G)):** The policymaking body shall keep written minutes of all its meetings including:
  - Date, time and place of meeting
  - Names of members in attendance and absent
  - Substance of proposals considered and a record of votes
  - Minutes shall be prepared within 10 days, shall be approved at the next meeting with a quorum and are not official until approved by the policymaking body

# Open Meetings Act – Executive Sessions

- Section 10-15-1(H), permitted for:
  - (1) discussions pertaining to **issuance, suspension, renewal or revocation of a license**
  - (2) **Limited personnel matters of any individual public employee**
  - (3) **deliberations** in connection with an administrative adjudicatory proceeding (when determining rights after a trial-type hearing)
  - (5) **Collective bargaining** strategy and negotiations
  - (6) Reviewing **competitive sealed proposals and negotiations** under the Procurement Code, for proposals over \$2,500
  - (7) **Attorney-client privileged** discussions of pending or threatened litigation
  - (8) Discussions of the acquisition or disposal of **real property or water rights**
- **Executive session must be publicly noticed, state specific statutory provision, and state the subject with reasonable specificity. Section 10-15-1(I)**
- **Final action shall occur in an open meeting**

# Open Meetings Act – Public Comment

- **Public Comment period**
  - Not required by OMA, but highly recommended
    - Allow reasonable amount of time and diverse perspectives (3 minutes or less)
    - Apply time restrictions uniformly, no special treatment, no sharing of time
    - Cannot control criticism
    - Consider an introductory script in agenda
      - Speak respectfully
      - Try to limit to issues within the authority of the Body
      - Personnel matters should be directed to the City Manager
  - Applies to identified period at one point in meeting not every agenda item
    - Unless ordinances require public comment on specific items (such as land use or new ordinances)

## Recent Issues in OMA

- Vague Agenda Items
- Executive Session placeholders
- Discussions during a meeting recess
- Compliance with minutes requirements
- Enforcement of public comment rules
- Properly posted meeting notices
- ATTORNEY GENERAL INQUIRIES
  - Costly – monetarily and public opinion
- **Enforcement and penalties: AG, DA or individual enforcement; penalties include misdemeanor and/or fines, attorneys fees and costs (§10-15-3)**
- **Failure to comply = invalid action (§10-15-3(A))**

# OMA and Virtual Meetings

- Previous virtual meeting guidance only applied during Public Health Emergency
- Meetings should now be in-person with infrequent Body member remote attendance
- If a member is attending remotely:
  - Identify yourself at start of meeting and when you speak
  - 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.

# Open Meetings Act — Best Practices

- **Meeting Notices and Agendas**
  - Publish by 5 pm Friday the week before
  - Include copies of/links to Council packet, minutes, and meeting videos online
  - No additions, only noted deletions, after publishing
- Use specific language in agenda items, including Executive Session
- Post draft meeting minutes online within 10 days, until final minutes are adopted
- NO rolling quorums!

# Inspection of Public Records Act (IPRA)

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

## Newer IPRA Caselaw

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

## Potential Cost to Municipalities

- Money is becoming the driving force behind IPRA litigation
  - \$130,000 paid by the N.M. Secretary of State's Office
  - \$90,334.49 awarded against Doña Ana County.
  - \$397,659.02 awarded against the N.M. Governor's Office
- **Plus you are paying your attorneys too!**
  - Typically, no NMSIF coverage

# What can we do about the new IPRA cases?

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

# IPRA - Best Practices

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

# New Mexico Governmental Conduct Act (GCA)

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

## NMGCA (cont.)

- Prohibited Political activities (§10-16-3.1):
  - No coercion to contribute, vote or participate in political activity
  - No threats to deny promotion or pay increase
  - No requiring employee contribution or event ticket
  - No advising an employee to take part in political activity
  - No use of governmental property for non-authorized purposes

# Official Acts Involving Personal Interest

- Official Acts for personal financial interest prohibited (§10-16-4):
  - Knowing and willful violation is a 4<sup>th</sup> degree felony
  - Public officer or employee is disqualified from engaging in any official act directly affecting their financial interest
- Strict limitations on contracts with Governing Body family members (§10-16-7):
  - Officer must disclose own or family member's substantial interest in a contractor
  - Procurement must be by competitive process
  - Family = spouse, parents, children or siblings

## NMGCA (cont.)

- Other important provisions:
  - No honoraria for speeches/service relating to performance of public duties (up to \$100 and expenses ok) §10-16-4.1
  - Disclosure of outside employment (officials and employees) §10-16-4.2
  - No use of confidential information for private gain §10-16-6
  - Prohibited bidding if participated in preparation of bid §10-16-13

## NMGCA (cont.)

- Enforcement and additional penalties (§ 10-16-14, 17, 18):
  - Enforced by State Ethics Commission
  - May be referred to AG or DA for civil or criminal action
  - Penalties: discipline, dismissal, demotion or suspension
    - Criminal penalties include misdemeanor (unless otherwise specified) and up to \$1,000 fine
      - 4<sup>th</sup> degree felony for official act for financial gain
    - Civil penalties of \$250 per violation up to \$5,000

# Ethics

---

## Best Practices

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

# City Commission Code of Conduct

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

# City Commission Code of Conduct

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

# City Commission Code of Conduct

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

# Topics Covered, Questions, Discussion

- New Mexico Open Meetings Act
- New Mexico Inspection of Public Records Act
- New Mexico Governmental Conduct Act
- City Commission Code of Conduct

**Geno Zamora, Esq.**  
(505) 986-2900  
[geno@ortiz-zamora.com](mailto:geno@ortiz-zamora.com)



**ORTIZ & ZAMORA**  
*Attorneys at Law, LLC*

# AGENDA REPORT

CITY OF ALAMOGORDO  
CITY COMMISSION

---

**Meeting Date:** 2/10/2026

**Report Date:**

**Report No:** 8.

**Submitted By:**

---

**Subject:** Consider, and act upon, the use of LEDA funds. (*Stephanie Hernandez, Acting City Manager*)

---

**Fiscal Impact:**

Amount Budgeted:

Fund:

Additional Fiscal Impact:

---

**Recommendation:**

---

**Background:**

Following the most recent round of LEDA applications, a remaining balance of approximately \$950,000 is available. Because an award was anticipated, no additional applications were accepted at that time. Since then, new requests have been made for the following potential projects: a bistro, a drone-related business, a daycare, a gymnastics facility, and a mental health facility.

Due to the withdrawal of a previous applicant, the request should be placed back into rotation based on the order received, which would position it third in the current request sequence.

My recommendation, as an alternative, the remaining funds could be considered for City-owned facilities, including the potential demolition of the La Placita and Oregon buildings. Additionally, the former hotel property is currently in foreclosure; should the City acquire ownership, funds could be used on that site.