



Alamogordo City Commission

NOTICE OF MEETING

Regular Meeting Agenda

March 14, 2017 - 6:30 PM
City Hall, City Commission Chambers
1376 E. Ninth St.

Richard Boss Mayor
Al Hernandez Mayor Pro-Tem, District 5
Jason Baldwin District 1
Nadia Sikes District 2
Susan Payne District 3
Jenny Turnbull District 4
Erica Martin District 6

Maggie Paluch Acting City Manager
Lauren Truitt City Attorney
Rachel Hughs City Clerk

MISSION STATEMENT as Adopted by the City Commission on March 24, 1995.

The City of Alamogordo is a Municipal Corporation that exists solely for the purpose of providing the best possible services to our customers, the citizens of Alamogordo. We are committed to providing these services with honesty, integrity, compassion, fairness, and a commitment to excellence.

We are committed to the long-term financial stability and responsible growth of the City and all decisions will be driven by our commitment to provide the best services possible in a financially sound and responsible manner given the economic realities facing the City.

In accordance with Section 10-15-1.D, NMSA 1978 (2010 Cumulative Supplement), this agenda has been posted on the bulletin board located in the east/west lobby of the City Hall and in the glass case located outside 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 575-439-4205.

CALL TO ORDER & ROLL CALL

Announce the presence of a Quorum.

INVOCATION & PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

PUBLIC COMMENT

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

CITY MANAGER'S REPORT

REMARKS AND INQUIRIES BY THE CITY COMMISSION

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

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

1. Approve the minutes for the January 31, 2017, February 14, 2017 and February 28, 2017 Regular meetings. *(Rachel Hughs, City Clerk)*
2. Consider, and act upon, a bid award of IFB No. 2017-06 Sodium Hypochlorite, to DPC Industries in the amount of \$128,000.00, for the purchase of Sodium Hypochlorite used by the Water Maintenance Department, and Waste Water Treatment Plant. *(Brian Cesar, Public Works Director)*
3. Consider, and act upon, Resolution No. 2017-06 donating Five (5) older MSA, SCBA air packs, Nine (9) air cylinders, 10 Scott SCBA air packs, and 22 low pressure air cylinders to Otero County. *(Jim LeClair, Acting Fire Chief)* **(Roll Call Required)**
4. Consider, and act upon, Resolution No. 2017-07 re-adopting the Community Development Block Grant Consolidated Plan. *(Cynde Sagenkahn, Grants Compliance Officer)* **(Roll Call vote required)**

ITEMS REMOVED FROM CONSENT AGENDA

UNFINISHED BUSINESS

NEW BUSINESS

5. Consider and act upon Resolution 2017-08 and the Local Government Planning Fund Application regarding the Metropolitan Redevelopment Area. *(Charlie Deans with CommunityByDesign)* **(Roll Call Required)**
6. Consider and act upon, the kitchen options for the Family Entertainment Center (Basin Lanes). *(Edward Balderrama, Project Manager)*
7. Consider, and act upon, request by Leo Comallie to waive or partially waive the lien placed on 1204 Desert Dawn Drive for past due sewer and water charges. *(Lauren Truitt, City Attorney)*

EXECUTIVE SESSION (Roll Call Vote Required)

8. Adjourn into Executive Session in compliance with Section 10-15-1(H), NMSA 1978, to discuss Threatened and Pending Litigation: (Ortega v. City of Alamogordo) and Medieros Condemnation. **(Roll Call Vote required)**

ADJOURNMENT

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 03/14/2017

Report Date: 3/8/2017

Report No: 1.

Submitted By: Rachel Hughs

Subject: Approve the minutes for the January 31, 2017, February 14, 2017 and February 28, 2017 Regular meetings. *(Rachel Hughs, City Clerk)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve the Minutes.

Background: This is required by the Open Meetings Act.

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 P.M., COMMISSION CHAMBERS
JANUARY 31, 2017**

**RICHARD BOSS, MAYOR
JASON BALDWIN, COMMISSIONER
NADIA SIKES, COMMISSIONER
JENNY TURNBULL, COMMISSIONER
SUSAN PAYNE, COMMISSIONER**

**AL HERNANDEZ, MAYOR PRO-TEM
ERICA MARTIN, COMMISSIONER
MAGGIE PALUCH, ACTING CITY MANAGER
CANON STEVENS, INTERIM CITY ATTORNEY
RACHEL HUGHS, CITY CLERK**

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

Mayor Boss called the meeting to order at 6:30 p.m. Roll Call was taken by the Deputy City Clerk. City Clerk Rachel Hughs was absent. Deputy Clerk Barraza announced there was a quorum present. Invocation was given by Pastor Zach Bechtold and the Pledge of Allegiance was led by Mayor Pro-Tem Hernandez.

Mayor Boss recognized and welcomed special guests in the audience of the Otero County Commission.

APPROVAL OF AGENDA

Deputy Clerk Barraza asked Item Number 10 be withdrawn on behalf of Housing Authority Manager Huff.

Mayor Pro-Tem Hernandez moved to approve the agenda as amended.
Commissioner Baldwin seconded the motion. Motion carried with a vote of 7-0-0.

PRESENTATIONS

1. Presentation of Deep Borehole Drilling Project. (*Kenneth Fillman, CEO TerranearPMC, LLC*)

CEO Kenneth Fillman spoke on behalf of TerranearPMC. He gave a brief background of TerranearPMC. He said Otero County is one of four sites being considered for this Deep Borehole Project by the Department of Energy (DOE). The competitors are Quay County, New Mexico, Pecos County, Texas and Haackon County, North Dakota. He said the research they want to do here is to drill a borehole approximately 5 kilometers deep and do a variety of geological, geophysical, and geochemical tests to determine what the subsurface looks like and determine whether such a geological formation would be suitable for disposal of radioactive waste. He said this is not a radioactive disposal site, there is a commitment that there is not going to be waste at this site. The purpose is to evaluate the feasibility of disposal at such a site. The first step is to drill a very small diameter borehole to demonstrate a couple of things. The ability to drill a straight borehole of that depth, which he believes has to be 100 feet off center maximum at the bottom, and developing and testing characterization methods. He said they may be developing new tests and methods as they go through this process. The team will be collecting a huge amount of data. They have to organize this data so the people at Sandia National Lab have enough format where they can analyze and visualize the data and know what to do with it. The second step of the project, if the first step looks promising, would be to drill a larger borehole to test the emplacement of dummy waste canisters, to see; if the waste canisters can be emplaced in the hole, what type of surface facilities would be needed, what type of safety protocols would be required and what type of ceiling mechanisms would be required to fill the hole. They have an environmental protection plan for this site that will address error issues; what they will do with disposal drill cuttings, how they handle ground water. They are doing a NEPA Environmental assessment. The water resources they need for the site come from existing permitted

wells on the property. As they drill, they expect to hit water from anywhere from 100 to 300 feet and they will case this off. He said the Department of Energy is working into an agreement with the Otero County that will prohibit disposal or storage of waste at the site, and is willing to enter into an agreement with the State of New Mexico to prohibit waste at this site. He said over a year and half ago, they began an outreach program, which would continue during the project to give updates to the public. They have a commitment from the Department of Energy to pay for an independent advisor who will be on site providing review and reporting back to the County Commission. There are substantial benefits to the County. There will 3 to 4 million dollars in sub-contracting relating to the set up of this site. Workers will be provided with housing and food on the site. There will be sub-contracting opportunities for things such as; building roads, power, water, sewage disposal, maintenance requirements, security, and cooks. There are also several research opportunities. They have all the New Mexico Universities on their team. They will be providing internship and scholarship opportunities for both High School and College students. He introduced Katie Roberts as their Public Outreach Liaison and Peter Graham as their Program Manager and Senior Geologist. Their team is New Mexico based, mostly from Los Alamos and Albuquerque. He stated the DOE did not pick this site, but rather they picked this site. The Geology is more suitable here.

Commissioner Payne wanted to know how long this project would last. CEO Kenneth Fillman gave a timeline for the different phases of the project, and said they are looking at a minimum of 14 months. Commissioner Payne said that this could potentially be well over 2 years, CEO Kenneth Fillman said yes. Commissioner Payne said they are drilling the holes just to test the technology and not necessarily for a place to put waste, CEO Kenneth Fillman said not at all. They will be running multiple tests at a given levels of the well to determine which test works to gives them data that they want. There would be much more requirements if this was to be a waste disposal site. He included they are doing a NEPA Environmental Assessment for this project. If they were any thought of doing disposal, this would be an Environmental Impact State, which is a whole greater level of effort than an Environmental Assessment. Currently the DOE is looking at four different technologies for disposal waste. Deep borehole is only one, and it is further behind on the research curve than the other ones. This is a long ways from being accepted as a technology that they are committed to.

Mayor Pro-Tem Hernandez asked if they are going to case the hole. Program Manager/Senior Geologist Peter Graham answered yes, the borehole will be cased in 3 principal zones all the way down to the basement rock. Mayor Pro-Tem Hernandez asked what type of casing this will be. Program Manager/Senior Geologist Graham said there will be a very detailed engineering specification developed for casing the borehole, but they anticipate using standard oil field casing types. Mayor Pro-Tem Hernandez asked once the project is completed, who will own it. CEO Fillman answered there are basically 3 options; the first is DOE has the rights to take over the lease, if they want to continue research, the second is if the Universities wish to maintain this as a research property, they can take title to the lease, the third is they close it, plug it, clean it out and go away. Mayor Pro-Tem Hernandez asked if there is money set aside for any future maintenance of the area, CEO Fillman said yes this is already included in their contract.

Mayor Boss asked why these select areas that are remote and sparsely populated. These are large areas and they will have to haul equipment a long way. He asked why Alamogordo would be on their map. CEO Fillman said the DOE established a number of criteria. They did not want it near any oil and gas exploration, any mineral exploration or near any faulting. Mayor Boss said his point was the logistics of it. If they went to a larger area with the same geological structure, it would be a lot easier to hire people and equipment would come easier and there would be more contractors available. He asked if he knew why North and South Dakota turned the project down. CEO Fillman stated South Dakota now has the support of the Governor and the County Council. Mayor Boss asked if there are any others. CEO Fillman said the Quay County Council and the Governor of Texas have come out in support of the Quay County site. Mayor Boss asked if there are some that have turned it down. CEO Fillman said there was a site in Alabama. He wanted to talk about the site in North Dakota and said the DOE had made some mistakes with that site and so did their contractor. He said discussion of this project, here in Otero County, began a year and a half ago, where in North Dakota, none of this was

done. He stated the DOE made a sudden announcement that they were doing this project in North Dakota. Honestly, there is an issue of distrust with Government and this announcement just set it over the edge in North Dakota. He said getting back to the question of why it is in a remote area. They did not want to have a project that was going to be disruptive to people. He reiterated that they selected this site. Mayor Boss discussed the possibility of seismic activity fracturing the casing for the water. Program Manager/Senior Geologist Peter Graham said the risk of encountering fractures at great depth that would have potential to communicate principally with water at much shallower depth is exactly why they have to do this type of research. This is a risk that needs to be identified if they were going to use this site for disposal in the future.

Mayor Boss said he wanted to make a personal statement, this is him personally and not the Commission.

He stated "He spent many hours researching why the Department of Energy is pursuing this technology for disposal of high level nuclear waste. This Country spent billions of dollars to develop a storage facility in Yucca Mountain, Nevada. Americans were told that this investment would be a long term solution to the critical problem of high level waste, nuclear waste disposal. From about 2002 until 2008, the U.S. had invested 9 billion dollars in the Yucca Mountain Project. Close to one half billion dollars of that amount was spent on a special chamber drilling tool. That special designed equipment is parked in one of the tunnels of Yucca Mountain. During the 2008 Presidential Campaign, President Obama promised to abandon the Yucca Mountain Project to enlist the support of Senator Harry Reid in the 2008 Primary Campaign and he honored that pledge, he defunded that project when he became President. Harry Reid and others were against nuclear waste in the Nevada desert. This is the classic "Not in my Back Yard". In 2010, with the support and request of Senator Reid, then President Barack Obama signed an executive order to stop development of Yucca Mountain as a high level nuclear waste depository. The program was simply defunded with the whisk of a pen. President Obama directed the DOE to come up with an alternative site or method for disposal of high level radioactive waste. In October of 2011, a workshop was held in Albuquerque. The workshop attendees were scientists from Sandia National Lab and other facilities and Universities in our Country. The workshop, I believe, solidified the deep borehole concept for disposal of high level nuclear waste. As a result of that workshop and other discussions, we are here tonight, hearing why we should support a deep borehole in our backyard. The estimated cost of this project is 35 million dollars. I don't believe Otero County would receive that much of an economic benefit. Our part will be minimal. I could not find an estimated total cost of the overall deep borehole disposal method, but I am sure it is a very large number. Currently, high level radioactive waste from nuclear power utility plants is stored on-site, in pools of water contained in a heavy fortified steel and concrete cast. The high level radioactive waste and government waste creation, remains at their respective research labs. The waste is piling up at an ever increasing rate. There have been cases where waste has leaked into our environment. The Department of Energy said that even if deep borehole disposal becomes a reality, it will still want to construct the traditional geologic repository to replace something like Yucca Mountain. I am not a nuclear scientist or geologist, I am merely a retired accountant and home builder, and however, I have seen our Government in action over many years. I have seen the power of the pen in the President's hand. An executive order can override almost any directive or agreement entered into by our Government. We have seen the use of the pen by our recently passed President, and we are seeing it now by our current President. Quite frankly, I would have very little confidence that an agreement signed by the DOE guaranteeing that the disposal of test borehole would never receive high level of nuclear waste. My thoughts regarding this matter are much like Senator Reid's and others. I don't want to Google Alamogordo, New Mexico on my computer and read "Home of the first test borehole or high level nuclear waste". I do believe the hole would eventually be used for waste disposal, in spite of the promises and agreements. I don't want to pick up the Alamogordo Daily News and read the headline article, like what happened in our WIPP site in Carlsbad, NM, about an accident in handling the waste, or an accident from the source of the waste to the disposal site. In conclusion, I personally do not support the proposed Deep Borehole subsurface research project in Otero County. I believe a better option would be for our current President Trump, to pull out his pen, reactivate Yucca Mountain storage facility. Instead of the pen, a novel approach would be to Congress as deemed by our

Constitution, this is a disposal infrastructure that already exists, Yucca Mountain is. Many billions of tax dollars would be saved, the savings could be utilized to reduce our debt, build new roads, repair dams and bridges, support our Veteran's in war. I believe New Mexico has contributed its share of support to nuclear programs. We provided a site for transuranic waste at WIPP in Carlsbad. We have provided a place for Sandia Labs to develop and research nuclear technologies. We provided a site for the first test of the Atomic bomb in 1945. We've done our share".

CEO Fillman said he respects the Mayor's position and understands it. What they are talking about is a research project.

Mayor Boss said this was his personal thoughts. He said if the Commission would desire more comment or would like to make a decision to support the project, they could certainly talk about it at a later date.

2. Presentation by property owners Ken Driscoll, Marilyn Kite, and Diana Driscoll concerning the City of Alamogordo Ordinance to charge property owners for access fee for water on vacant properties. (Marilyn Kite, Ken Driscoll, and Diana Driscoll, Property Owners)

Ken Driscoll wanted to voice his concerns about the new policy or procedure of water billing. He said the City activated an account, in which he did not request, for an empty lot that has not had service in over twenty years. He said prior to this ordinance, owners would have to pay an impact fee. His argument about this Ordinance is he has already paid for the availability of the water and sewer by paying his impact fee. Mayor Boss said this is not a new policy or Ordinance, this was passed years ago. We are simply trying to catch up with what is provided in the Ordinance. Mr. Driscoll asked the Commission a few questions about the Ordinance, and Acting City Manager Paluch said we could certainly answer any questions he may have, through a public records request. She said this is under Presentations and this is his time to express his concerns. He wanted a breakdown of what each base charge for water and sewer, pays for in the operating budget. He said the City should not activate services in his name without permission. He wanted to know what the \$25 connection fee pays for. He said he would like the Commission to address his concerns at a public meeting sometime in the future.

Diana Driscoll said she is completely against the City's policy to activate any accounts in her name against her wishes. She believes if she should have to pay this bill, it is only fair that everyone should have to pay their share. There should be no special consideration or favoring of Developers and Contractors. She said if one receives a grace period then all should receive a grace period. She hoped that the money generated from these fees are applied to the betterment of the water system and not used for frivolous expenditures.

Marilyn Kite commented on the City's policy to re-activate accounts in the property owner's name and proceed to charge them a utility base rate charge on vacant homes or lots even if utilities have not been used there for years. She said this is done without the owner's consent. She said some citizens have been paying this base rate charge for over 10 years, where others just started paying last year. If charges are not paid by the owner, a lien will be filed on the property. She quoted Mayor Pro-Tem Hernandez, from the October 20, 2016 Commission Meeting, as to saying "he would like to see the Commission look at this policy, because he felt that they were using this as a revenue generator."

PUBLIC COMMENT

Patty Galea commented on the following:

Ms. Galea read a letter that she previously sent to the Commission and thought it was important, the view she is expressing be included into the record. "Mayor Boss, Commissioners: Baldwin, Sikes, Payne, Turnbull, Hernandez and Martin. After the first presentation of the increase in fees, I made a few comments to Mayor Boss. I've intended to send you my thoughts however, I procrastinated a bit. I read today some less than friendly comments about this topic arising again this week. I pondered enough and I am sending you a different view than what you will probably hear on Tuesday evening. I

too listened intently to those individuals who are adamant about the damage these costs will inflict on them personally, and on their businesses. I understand their concerns and to each of them they are very, very real. My comments are based on a value we teach our young women at church. The program is centered on several values; integrity, good words, virtue, knowledge, faith, Devine nature, individual worth, and choice and accountability. My favorite value is choice and accountability. Why? Because at age 12, the girls are all about choosing good over evil. By 18, they realize that not all choices are as clear cut as good or bad. They suddenly are making choices between good, better and best. Nothing is clear cut, but the one certainty is when you make a choice you must be accountable for your actions. As I listened that night to each individual who spoke, some things began to nudge at me. One person was concerned with apartments, which are very fluid in changeover, especially with Military. As she spoke, it occurred to me that I rented at Las Ventanas for two years. They have had even shorter turnover, since they house the International students who frequently lived above me, for short terms and they are here for training. I had no water bill while I lived there. I am sure that my rent included a fair share, but as a business, the management arranged something so they were not getting assessed these fees at occupancy changeover. Both apartment complexes made choices; one to encompass the billing and the other to have the tenant to pay the water bill. With each choice comes accountability. One apartment has no fees and the other finds them to be a great problem. I fully recognize there are people in this community who own multiple properties and count on occupancy for income. I find it difficult to believe the person renting multiple properties does not have an account used strictly for repairs or incidental charges. I can't believe that an individual would spend all income and not have sufficient funds for those incidental charges. Again, choice and accountability. Choose to spend everything, but you must be accountable for the stress when the incidental charges arise, if that is the case. In our family, as our children were being raised there were times when one child would not want to do something the family was committed for. Our kids were taught they were part of a family and sometimes what the family wanted or needed would override what one individual would feel was important. I know that each of you are responsible for the needs of the people in each of your districts. I also recognize you have a city-wide responsibility for balancing the budget and making decisions which are best for all. I hope that if the fee is a necessary assessment for the good of the City, some of the people who are adamantly negative about it will be able to recognize their part of the community family. I wish you all well and hope you are able to make your own choice and accountability the best that you can chose. I thank you for your service and I thank you for your time tonight."

Eugene Downer commented on the following:

Mr. Downer wanted to give a pat on the back to Mayor Boss for his statement. He also wanted to give a pat on the back to "My Mother's Place", a restaurant on White Sands Boulevard, for painting their building. He pointed out the City of Albuquerque passed some policy on abandoned commercial buildings, and stated that no one here has followed up on this policy. He asked the Commission if they choose to make more housing, to not use property designated for a park, but encouraged the Commission to revitalize residential areas of the City for new housing projects. He acknowledged that the City is considering an agreement with Bethel Development for low cost housing. He said it was his understanding that Bethel Development owns their Construction Company. He urged the Commission to use a local Construction Company for such projects. He criticized the City of Alamogordo for not having packets available to inform citizens of Bethel Development's Plan.

CITY MANAGER'S REPORT

Acting City Manager Maggie Paluch made the following remarks:

1. She discussed the topic of NMDOT closing of Highway 82 at Mile Marker 10 for some construction. She said thankfully they have changed their plans and now plan on keeping one lane open during the closure. Dates of construction are scheduled for February 6 through February 10, 2017. If any information changes, we will be able to distribute that information via our website.
2. She said the City has received re-proposals for a complete Comprehensive Plan. The Comprehensive Plan will address several areas including; a review of our current zoning map, transportation, infrastructure, and needs and assessment of required services based on our

population growth. The RFP Committee will look at the 3 proposals and we should expect to see an award of the Comprehensive Plan at the 2nd meeting in February.

3. She said the City received 2 Proposals for the Management Services of Basin Lanes, and hopefully we will see this awarded at the 2nd Commission meeting in February.
4. She said budget season is upon us. Departments have already entered the budget into our financial software, and within the next couple of weeks, Department heads, the Finance Director and the City Manager will meet to discuss their proposals. The Commission will have hearings in May.
5. She thanked Ronnie Ortega, Community Services Director, for holding down the fort while she was out this past week. She is thankful for the wonderful Directors and City staff.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

None.

CONSENT AGENDA

3. Approve the minutes for the January 10, 2017 Regular meeting. *(Rachel Hughs, City Clerk)*
4. Review Resident Parking Only, Mobility Disabled Resident Parking Only, and Commercial Mobility Disabled Parking Only sign locations for the purpose of determining continuance of each location. *(Eric Barraza, Deputy City Clerk)*
6. Consider, and act upon Ordinance 1533 for final publication for a map amendment to the official zoning map of the City of Alamogordo to rezone the property located at 805 Alaska Ave. from- R1 – Single Family Dwelling District to R4 – Multiple Family Dwelling District. Case Z-2016-0005(A) *(Stella Rael, Planning and Zoning Administrator)* Roll Call required
7. Consider, and act upon, the Lodger's Tax Expenditures for Tourism & Travel. *(Jan Wafful, Special Events Coordinator)*
9. Consider, and act upon, release of liens past the four year statute of limitations. *(Lauren Truitt, City Attorney)*
10. Consider, and act upon, Resolution No. 2016-46 requesting approval of a local contribution from the Housing Authority of the City of Alamogordo to Alamogordo Housing, LLC for a proposed low income housing tax credit application *(Evelyn Huff, Housing Authority Manager)* Roll Call Required **(WITHDRAWN)**
11. Consider, and act upon, final publication of Ordinance No. 1534 Repealing Ordinance No. 1495 which approved a local economic development project for secured financial assistance by Orogrande Garnet, LLC *(Lauren Truitt, City Attorney)* Roll Call Required

Mayor Pro-Tem Hernandez asked to remove Item #5 from the Consent Calendar. Commissioner Payne asked to remove Item #8 from the Consent Calendar.

Mayor Pro-Tem Hernandez moved to approve items 3, 4, 6, 7, 9 and 11 of the consent calendar. Commissioner Baldwin seconded the motion.

Roll call was taken for items No. 6 & 11.

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

ITEMS REMOVED FROM CONSENT AGENDA

**5. Consider, and act upon, Resolution No. 2017-02 requesting the approval of the Housing Authority Law Enforcement Officer Occupancy Plan (*Evelyn Huff, Housing Authority Manager*)
Roll Call Required**

Mayor Pro-Tem Hernandez asked about the procedure for picking officers and how many units are occupied by this plan. Housing Authority Manager Huff answered that HUD allows them one unit per development and we can request more than one, but we must be able to justify the request. Officers are asked by the Department if they would be willing to be participants in the program. Recommendations are sent back to them, and if they feel the Officer is going to help the property then they move forward with the leasing. They look at the need of the Officer and the need of the complex. This has been a positive program for the complexes.

Mayor Pro-Tem Hernandez moved to approve.

Commissioner Sikes seconded the motion.

Roll call vote was taken.

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

8. Consider, and act upon, award of IFB 2017-01 to General Hydronics Plumbing, LLC. related to the Family Rec Center Pool Heater Replacement in the amount not to exceed \$31,597.56. (*Larry Garner, Facility Maintenance Manager*)

Public Works Director Brian Cesar said this item would have been brought before the Commission earlier, but because the bubble was not going up this year they extended the period that the pool was open. On the Public Works side, they also wanted to extend it, because they wanted to have their new pool technician see the replacement of these parts. Unfortunately, they have not yet hired for that position, but they need the heater in place before they re-open the pool. Commissioner Payne asked if this is just a necessary replacement and nothing that was planned. Public Works Director Cesar said it was planned when they did the assessment of the pool. This part should have a life span of about 15 years. Mayor Pro-Tem Hernandez asked if this new pool heater is repairable. Public Works Director Cesar answered yes. He stated that the old heater was also repairable, but there was so much damage to it, that it was more economically feasible to buy a new one. He said they were looking at \$20,000 to make repairs to the old heater, which may have extended the life of that heater maybe five or six years.

Mayor Pro-Tem Hernandez moved to approve.

Commissioner Payne seconded the motion.

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

NEW BUSINESS

12. Consider, and act upon, the installation of a signalized intersection located at 10th Street and Scenic Drive. (*Brian Cesar, Public Works Director*)

Public Works Director Cesar said this item was originally brought to the Commission in October 2016. and the time, direction was given by the Commission to bring this item back when the signal was warranted. He was asked to bring this item back to the Commission because of an accident that occurred in this intersection. The price that was given back in October was \$280,000, and now the price is about \$325,000. This light would be similar to the light going up at First and Florida. This will include the ADA improvements that would be required. What this price does not include is any potential property acquisition. They would also need to look at the closing of any businesses during the

installation of the light. At this time staff is asking for direction on this project. Commissioner Sikes asked if we have pulled any accident reports to show the history of this intersection. Public Works Director Cesar answered when the study was performed by HTR, they looked at a three year period from 2007 to 2009. In that time frame there were five accidents in that intersection. In talking with Police Chief Syling, his staff was able to report there were two accidents within the past twelve months.

Commissioner Payne said part of the issue is Heights Elementary School with kids walking home from school. She pointed out that Oregon Elementary will be shutting down and a new school will be built on Height's Elementary playground. This will happen in 2019, and when this increase enrollment happens, the Commission really needs to consider this.

Mayor Pro-Tem Hernandez asked if this is a budgeted item. He said this is a high dollar item and this needs to be budgeted. He said any time something out of the ordinary happens, the Commission looks at throwing money at it. He said there are plenty of intersections that warrant studies. He pointed out the schools used to provide crossing guards and asked of their involvement in all of this. He questioned using the budgeted money (Fund 109) for this signal, when a majority of the streets in Alamogordo are in desperate need of repairs. He said there used to be a program for street repair maintenance, and asked where it is now. Acting City Manager Paluch answered there still is a program and pointed out the budgeted amounts allocated for the Street Maintenance Program. She said when the Street Maintenance Program comes to the Commission annually it is projected for a five year time period. Mayor Pro-Tem Hernandez said he does not disagree with this, but thinks this much money needs to be a budgeted item. Acting City Manager agreed with Mayor Pro-Tem Hernandez, but added that staff receives complaints and concerns and is why this was brought to the Commission to re-address these concerns. She stated copies of the traffic study are available at her office. She said this intersection does warrant a street light at this location further down the road, based on population growth. She said we are not at this point yet, but there are other considerations that we need to think about. Mayor Pro-Tem Hernandez said population growth or changes in traffic flows. He said this is something they need to address with the schools, to see what they are doing for the safety of their kids.

Commissioner Turnbull said she was happy to see this back on the Agenda as the intersection is near her work. She knows what is reported on the traffic reports, but can hear the screeching of the tires and the slamming of the brakes all day long. There are a number of close accidents that are not on the report. She said they need to address this because something has to change. She thinks the schools are going to have to get involved.

Mayor Pro-Tem Hernandez said there are other streets that people are using just to avoid this intersection, and this needs to be addressed as well.

Mayor Boss said there were other options explored. He said possibly one option is a 15 mile per hour zone, by slowing people down would be helpful. Acting City Manager Paluch said she could not think of another school zone with a four way stop that does not have a light.

Commissioner Turnbull said many drivers pull up over the crosswalk and if they could stop before the crosswalk it would make it safer. Commissioner Martin asked if we could price a crosswalk similar to the one located at the College on Scenic. Acting City Manager said the only concern with this type of crosswalk is the lights dim over time. Public Works Director Cesar said this crosswalk was around \$42,000 and the College paid for some of the materials. This does not include the solar panel that powers it, which he thought was an additional \$8,000 or \$9,000. He said they could extend the school zone, which would start 150 feet prior to each sides of the intersection. Recently, they installed a new school zone which cost was about \$12,500 and included 2 lights. He said this school zone would require 3 lights.

Commissioner Payne mentioned her daughters were nearly in accident at this intersection. She asked about a lighted stop sign. Public Works Director stated there is a lighted stop sign at North Florida and Highway 82. Commissioner Payne said part of the problem is with people not familiar with the area. People that travel this area every day know there is a stop sign there.

Mayor Pro-Tem Hernandez said maybe we could post signs that state "Change in Traffic Patterns". He reiterated the schools involvement in this process.

Commissioner Sikes mentioned when Florida and Fairgrounds Road installed a light, this significantly reduced the number of accidents. She also asked about installing signs that state "Do Not Block Crosswalks" and painting the crosswalks. Public Works Director Cesar said the crosswalks have recently been painted. She also suggested putting a speed monitoring system on Scenic.

Commissioner Turnbull wanted to echo Mayor Pro-Tem Hernandez's concern for the schools involvement in this process. She said it would help to have someone from the school up at this intersection.

Commissioner Baldwin wanted to applaud his fellow Commissioners for coming up with alternatives rather than having to pay \$300,000 for a light. He said they should not be as reactionary, but need to explore all of their options available.

Mayor Boss said instead of giving any direction, get a summary of options they have, so they can make a recommendation at a later time.

No motion was made on this item.

Mayor Pro-Tem Hernandez said every Item brought before them is addressed in its full entirety. He does not believe that any Commissioner is cut short, and questions are asked that they feel need to be asked. They may not always agree on every item, but they do their due diligence. They spend all the time necessary to make decisions that they feel are best for the citizens of Alamogordo. Commissioner Baldwin added that going out and getting additional information is always helpful to this process.

Commissioner Baldwin commented on a statement given, earlier in the meeting, which compared the City to a prostitute. He understands the frustration of Citizens with the water billing system and the old Ordinance that is now being enforced. There are a number of good men and women that work for the City and did not need to be raked through the mud. He recognized that comment was born in frustration. As Commissioner's they take it on the chin as often as need be, this is part of what there job is. He believed the comment was directed to the employees of the City of Alamogordo. He said he would not stand for this, and hopes she realized what she did and would apologize to the employees. In reference to this Item on the Agenda, they have all received phone calls and they are taking this issue very seriously and stated staff is looking at the issue. They see some inconsistencies in the billing processes. There were some things that were brought to his attention during the presentation, which he appreciated, though he did not agree with them. He hopes that the City can come to a conclusion that works for everybody. He understands that tensions are running high on this issue.

ADJOURNMENT

Mayor Pro-Tem Hernandez moved to adjourn at 8:44 p.m. Commissioner Turnbull seconded the motion. Motion carried with a vote of 7-0-0.

Mayor Richard Boss

ATTEST:

City Clerk Rachel Hughs

(Prepared by Eric Barraza, Deputy City Clerk)
Approved at the Regular Meeting held on March 14, 2017.

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 P.M., COMMISSION CHAMBERS
February 14, 2017**

**RICHARD BOSS, MAYOR
JASON BALDWIN, COMMISSIONER
NADIA SIKES, COMMISSIONER
JENNY TURNBULL, COMMISSIONER
SUSAN PAYNE, COMMISSIONER**

**AL HERNANDEZ, MAYOR PRO-TEM
ERICA MARTIN, COMMISSIONER
MAGGIE PALUCH, ACTING CITY MANAGER
LAUREN TRUITT, CITY ATTORNEY
RACHEL HUGHS, CITY CLERK**

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

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

APPROVAL OF AGENDA

**Mayor Pro-Tem Hernandez moved to approve the agenda.
Commissioner Baldwin seconded the motion.
Motion carried with a vote of 6-0-0.**

PRESENTATIONS

**1. Presentation of the Quarterly Report for Otero County Economic Development Council (OCEDC).
(Mike Espiritu, President & CEO)**

President and CEO Mike Espiritu presented the quarterly report for Otero County Economic Development. He said they are currently redesigning their website and they've had 6,000 people visit their site this year. Last year, there was over 15,000 people visit their website. He gave a report of the number of people working in our community. He gave an update on a few projects; Project LOCK, Project FAB and Project Crystal. He expressed their interest in moving forward with each of these projects. They just convened a meeting with Civic leaders to discuss the Holloman F-16 transition from Hill Air Force Base. They are trying to make this transition permanent. Otero County day at the State Legislature was a success and look forward to doing it again. Business Development Director of OCEDC, Laurie Anderson received the Ethics Award for going above and beyond her duties in supporting business attraction and expansion efforts. President and CEO Mike Espiritu, received the Linda Kay Jones New Mexico First Award. Mayor Boss congratulated Mike and Laurie on their awards. (See Blue Book for Power Point)

PUBLIC COMMENT

Paul Sanchez commented on the following:

Mr. Sanchez commented that Conduent, formerly Xerox, will be closing down on April 10, 2017. He said he had several sources who have informed him of the shut down. He asked if there are any plans on putting some other business there. He asked about the calendar portion of the City's new app. He said when you go into that portion of the app it directs you to the Chamber of Commerce Master Calendar. He is concerned this is only limited to Chamber members for use, and not available to everyone.

CITY MANAGER'S REPORT

Acting City Manager Maggie Paluch made the following remarks:

1. She updated the First and Florida Realignment Project. The first task is to demolish the old First National Bank building. The marquee from this building has been relocated to the Civic Center. The contractor will be closing South Florida Avenue between First Street and Arapaho Trail on Monday February 20, 2017. This section is expected to be closed for three months.

2. She said the Red Iron from the demolition of the Old Bowling Alley sold for \$14,900. The proceeds from the sale will go into the Economic Development Fund.
3. She updated on the Bonito Lake Restoration Project. The Project Management team had a 50% design review meeting with the Engineer on the 31st of January. The Army Core of Engineers is still reviewing the state of that stage of that particular permit. They have another 60 days to complete their review. The Dam Safety Bureau has issued a permit for the work at the dam and intake structure; however, they will not begin that process until the design is at 100% completion. Subject to the approval of the permit, they are hoping to go out to bid in the summer of 2017. Once it does go out to bid, they are looking at two year time span for this project.
4. She said Basin Lanes is going well. The contractor is working on plumbing and electrical rough-ins. In January, the contractor did request delays for inclement weather, and was approved.
5. She said the Insurance Company has issued a check for the loss of Kids Kingdom. She said New Mexico Municipal League has to review the payout before the check is issued. The City will receive \$448,484.17, and once the re-build process is complete the City will receive \$1515. 83. Now that we have received confirmation of these funds, staff will continue on plans for that area and will present ideas to the Commission in future meetings.
6. She said staff is working on contracting with a company named Tiny Pulse. Tiny Pulse is a cloud based program that measures employee satisfaction.
7. She announced Acting Fire Chief Jim LeClair was able to secure two agreements with Otero County. The first is for testing SCBA cylinders, these are the air packs they use when they go into fires. The City will save money by not having to enter into an agreement with a private company. The second agreement is for the use of the County Fire training facility. Not only will personnel gain more experience, but the city will not have to build an additional facility.
8. She thanked to the Finance department and all of the departments for zero audit findings this year.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

None.

CONSENT AGENDA

2. Consider, and act upon, a request by the Christian Joy Center related to a leak adjustment request for 1502 E Tenth St "B". *(Mark Threadgill, Customer Service Manager)*
3. Consider, and act upon, a request by Tradewinds Mobile Home Park related to a leak adjustment request for 1111 Mescalero St. 10. *(Mark Threadgill, Customer Service Manager)*
4. Consider and act upon, Investment Report for the quarter ending December 31, 2016, in accordance with the City of Alamogordo Investment Ordinance. *(Julianne Hall, Finance Director)*
5. Consider and act upon, DFA Quarterly Report for the period ending December 31, 2016. *(Julianne Hall, Finance Director)*
6. Consider and act upon, the award of IFB 2017-02 Copper Resettlers to Morrison Supply Company in the amount of \$29,416.00 including NMGR. *(Barbara Pyeatt, Chief Procurement Officer)*
7. Consider, and act upon, a bid award of IFB 2017-03 1" Base Course, to R.D. Blankenship Dirt Work, LLC to be utilized by various departments in the amount of \$83,782.40. *(Brian Cesar, Public Works Director)*
8. Consider and act upon release of weed abatement liens placed on the property located at 1705 Dewey Lane. *(Lauren Truitt, City Attorney)*

Mayor Boss asked to remove Item #7 from the Consent Calendar.

**Mayor Pro-Tem Hernandez moved to approve items 2, 3, 4, 5, 6, and 8 of the consent calendar.
Commissioner Baldwin seconded the motion.
Motion carried with a vote of 6-0-0.**

ITEMS REMOVED FROM CONSENT AGENDA

7. Consider, and act upon, a bid award of IFB 2017-03 1" Base Course, to R.D. Blankenship Dirt Work, LLC to be utilized by various departments in the amount of \$83,782.40. (Brian Cesar, Public Works Director)

Public Works Director Cesar said there was an error in the bid tabulation spreadsheet and explained the correction. He said on item number two, Aggregate Technologies the unit price is \$11.50 and the extended total price is \$92,200. For RD Blankenship, the unit price is \$10.45 and the extended total price is \$83,600. There was a typo on line 3, which should have been cost per ton mile for base course deliveries, not hot mix deliveries.

**Mayor Pro-Tem Hernandez moved to approve.
Commissioner Sikes seconded the motion.
Motion carried with a vote of 6-0-0.**

NEW BUSINESS

9. Consider and act upon, Presentation of the 2016 Fiscal Year Audit and Approval. (Julianne Hall, Finance Director)

Finance Director Hall introduced Ben Martinez who is a CPA from RPC/CPAs and Consultants who is our Auditing Firm out of Albuquerque. CPA Martinez re-stated there were no audit findings this year. He commended the Finance Department and everyone in the City for this achievement. He explained the State of New Mexico has a zero threshold, which is a much more thorough process for an audit, and to come out with no findings is a very good achievement. Mayor Boss commented he was a former CPA and has conducted several audits of Governmental entities, banks and hospitals. Over the years, he could not think of one instance where he either issued or was involved in a financial statement with no findings. He commended the Finance Director Hall, the Accounting staff and all the Departments. CPA Martinez went over the timelines for the audit. On January 3, 2017, the Office of the State Auditor released the audit and he is here tonight to present the audit to the Commission. He then went over some of the financial statement highlights. He said the total assets increased by about 10.9 million dollars and there was an increase in cash and investments. Total liabilities had a small increase. The revenue and support had an increase of 2.8 million dollars. There were also increases in Other Income and in Investment earnings. Expenses were down by about \$300,000. There was an overall increase of 14 million dollars. All of the prior year findings were resolved this year. The City made payments of 3.7 million dollars in their debt, and there was no new debt in FY16. CPA Martinez went over some three year trend analysis to show where the City is with their governmental activities. The City received an unmodified opinion from the Auditors, which is the best financial statement opinion anyone can receive. He included there were no audit areas in which the auditors could not obtain sufficient audit evidence. They were able to give opinions on all areas of the audit. There are two other reports with no findings noted; a Report on Internal control over Financial Reporting and a Report on Federal Awards. He concluded with recommendations for Finance staff to continue attending CP training seminars, when vacancy occurs make sure that replacement staff are properly trained, ensure Grant Manuals and Policies are updated. He mentioned the new State Audit rule will be released on March 17, 2017 in which he will consult with the Finance Department. There were no deadlines moved this year, however, if the City does decide to submit a Certified Annual Financial Report (CAFR) it will move that deadline from December 15, 2017 to December 1, 2017. There has been a change to GASBY 34 Reporting Entity framework, which deals with non-major funds, may not be required to be part of the audit. Next year, the GASBY 77 Tax Abatement Set, would entail communication with the County on any Industrial Revenue Bonds. (See Blue Book for Power Point)

**Commissioner Baldwin moved to approve.
Mayor Pro-Tem Hernandez seconded the motion.
Motion carried with a vote of 6-0-0.**

10. Consider, and act upon request from Jesse and Kimberly Lawhorn to waive interest and filing fee for utility lien placed on their property located at 1210 S. Florida Avenue. (Lauren Truitt, City Attorney)

City Attorney Truitt gave some background information on the lien filed on the property located on 1210 S. Florida. She said this lien was filed in October 2014 for unpaid water and sewer charges. The principal amount of this lien is \$402.86. She pointed out Section 3-36-1 of New Mexico State Statutes sets the procedures for filing a lien and sets the statutory interest rate. She said this was a rather routine lien and was appropriately filed in accordance with our Ordinances and State Law. She said the Lawhorns have already paid the past due amount of the bill and are requesting a waiver for the administrative fee, the filing fee and the interest amount. Because all Ordinances and laws were complied with in the filing of this lien, it would be her recommendation that request for waiver is denied.

Kimberly Lawhorn said they are requesting relief from the filing fee, the administrative fee and interest fees of this lien. As a military family, they received orders back in 2011 bound to Texas, in which case they rented this home out and retained all utilities in their name until October 2013. All of their utility bills for all of their properties were sent to them, except for this bill. In January 2014, they transferred their bills back into their names, where they learned of this bill. Upon hearing of this debt, they immediately requested the resolution by speaking with the City Attorney and the Utilities Manager, during the discussion it was discovered the past due bill and the Notice of Lien was sent to the servicing address in September 2014. In this instance, each piece of mail was returned to sender and was not delivered to them. She said there were no other attempts to reach them, although their phone number has not changed in 15 years. They believe the processes for this notification is unfair and unjust. They requested relief from the admin fee of \$200, the filing fee of \$50 and for the interest accrued up to this date.

Commissioner Payne asked the property owners who was responsible for paying the bill. Jesse Lawhorn answered when they left on orders in 2011; utilities were left in their name. In 2013, they switched the utilities to the tenant's name. Commissioner Payne asked if they had changed their address with the City so they would get the bills. Jesse Lawhorn replied they requested the Post Office to forward mail to their address, and they think the forwarding request lapsed. He mentioned that all other bills were received, except for this one and Mayor Boss said possibly because it was certified mail. Commissioner Payne was confused as to who was responsible for paying the bill during 2011 and 2013. Jesse Lawhorn said they were responsible for paying the bill and when the first tenant came in the bill remained in their name. He stated in 2013, a second tenant came in and assumed the bill. Commissioner Payne asked what this past charge is for. Mr. Lawhorn answered the charge is for the final bill on the utilities, prior to the second tenant moving in. The Lawhorns mentioned they utilized Bill Pay, where everything is paid automatically. When the bill was changed over into the tenants name there was no final bill that they knew of. They believed the final bill was already paid.

Mayor Boss asked City Attorney Truitt what the total amount of all fees. She answered the total amount including interest was \$562.79, in which \$109 was the interest accrued since 2014. They have already paid off the past due amount of \$202. Mayor Boss asked what is the difference between what they owe and what they have paid off. Commissioner Payne answered it looks like \$359.93 and City Attorney Truitt agreed.

Mayor Pro-Tem Hernandez asked if these statutes are in place to give them relief. City Attorney Truitt said if she understands him correctly and to correct her if she is wrong, the City of Alamogordo is not a collection agency, the City uses liens as our recovery mechanism. Mayor Pro-Tem Hernandez stated that that as soon as the Lawhorns found out there was money owed they came in and paid it. Ms. Lawhorn replied the very next day. Mayor Pro-Tem Hernandez said there are cases where people just ignore bills and walk away from them, this is not the case here. There was a phone number available, someone could have called. The filing fee of \$50 is out of our pocket. He said he would be willing to waive everything, but the \$50 filing fee. Mayor Boss agreed with Mayor Pro-Tem Hernandez.

Acting City Manager Paluch cautioned the Commission of setting a precedent for future cases. Normally, a case like this is not waived. Mayor Boss asked if they could make an exception, without setting a precedent, as they are a military family. Acting City Manager Paluch said anytime you are making an exception to the rule you are setting a precedent. City Attorney Truitt wanted to clarify the City's policy for notifying owners of past due amounts is to look at what the County Assessor has as the address of record and this is done after a final bill has been attempted to be delivered to the address listed on our records. Mayor Boss said there is no doubt that procedure was followed but this is kind of an unusual circumstance. He said he does not want to set a precedent.

Commissioner Payne stated the bill was high and asked why that was. Jesse Lawhorn said this was not explained to them. They were told this was the final bill and this is what they paid. The Lawhorns did not question what the bill consisted of. Commissioner Payne said she would be curious to know what it consisted of. She said it seems awfully high to her and asked if it consisted of more than one month.

Mayor Pro-Tem Hernandez said he understands the issue of the precedence, but you set precedence both ways. He stated this issue meets what he would consider his requirements.

Commissioner Baldwin said he has been outspoken about setting precedence. He said as the Commission they often go against staff recommendation, but it makes it difficult for staff to do their job, especially when procedures are done properly. He cautioned in waiving the interest amount since this is set by statute. He would be more inclined to deny the request, but from what he hearing he rather take off the \$200 admin fee and charge for the Interest and filing fee.

Mayor Pro-Tem Hernandez mentioned a prior case where they allowed a property owner to make payments and she scammed them. He said if we are worried about setting precedence, it has already been done. He said there will be many cases of hardships. Staff makes recommendations based on laws and Ordinances, but if this process of waiving fees is not allowed, then it would not have been brought before them. Mayor Boss said staff has done their job in this matter.

Commissioner Martin recused herself from this Item for a business relationship with the Lawhorns.

Commissioner Sikes said staff has done their job on this matter and the Lawhorns have provided a justifiable reason for not paying and stated the City should be a little more business friendly. The City of Alamogordo should make more of attempt to contact owners if we receive a registered letter back.

Commissioner Sikes motioned to charge the \$50 filing fee and waive the Administrative fee and interest accrued.

Mayor Pro-Tem Hernandez seconded the motion.

Commissioners Baldwin and Payne voted nay.

Motion carried with a vote of 3-2-1.

11. Consider, and act upon, Resolution 2016-046 requesting approval of a local contribution (\$400,000) from the Housing Authority of the City of Alamogordo to Alamogordo Housing, LLC for a proposed low income housing tax credit application (*Evelyn Huff, Housing Authority Manager*) Roll Call Required

Item 11 was removed by City Attorney Truitt. She said this local contribution is not authorized by HUD rules.

12. Consider, and act upon, the award of Public Works Bid No. 2017-004 to GWC Construction Inc. related to City Hall Flooring (EN1703) in an amount not to exceed \$97,694.31 including NMGR (Bid \$90,457.69 + NMGR \$7,236.62). (*Edward Balderrama, Project Manager*)

Project Manager Edward Balderama said there were five bids on this contract. He said GWC Construction, a contractor out of Lovington, was the lowest bidder. He said this project is to replace the existing carpet in City Hall.

Acting City Manager Paluch clarified the carpet is original to the building when City Hall was built in the 1990s. There are portions of the carpet in the building where it's worn down to the sub-floor. Mayor Boss said if you walk through the building you will see the carpet needs to be replaced.

Mayor Pro-Tem Hernandez asked of the life expectancy of the carpet. Project Manager Balderama stated the carpet has a lifetime warranty, but we expect about a 20 year warranty. The new carpet will be a carpet tile so as the carpet becomes worn they will replace the tiles necessary and not need to replace the entire carpet. Mayor Pro-Tem Hernandez wanted to make sure the RFP submittals were comparable. Project Manager Balderama said what was specified was a Mohawk product; there was one request for a substitution, which did not meet our minimum specification. Mayor Boss said the highest bid came in at \$229,500.

Mayor Pro-Tem Hernandez moved to approve.

Commissioner Martin seconded the motion.

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

13. Consider, and act upon, the award of Public Works Bid No. 2017-003 to General Hydronics Concrete, LLC, related to the Abbott Ditch Improvements project, in an amount not to exceed \$1,289,914.70, including NMGR. (Nancy Beshaler, Project Manager)

Project Manager Beshaler said the Abbott Ditch Project is going to concrete line the Abbott Channel between Bellamah Avenue and Cornell Drive. She said there were four responsive bidders and General Hydronics was the lowest bidder.

Mayor Pro-Tem Hernandez moved to approve.

Commissioner Baldwin seconded the motion.

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

14. Consider, and act upon, the award of Public Works Bid No. 2017-002 to File Construction, LLC, related to the Reclaimed Water Line Looping Phase 2 project, in an amount not to exceed \$207,889.20, including NMGR. (Nancy Beshaler, Project Manager)

Project Manager Beshaler said this is the final Reclaimed Water Line project that will loop the whole system in the City. This will install about 3,500 feet of 10 inch reclaimed water line from 11th Street and tie in at Alameda Park. There were five responsive bidders and File Construction was the lowest bidder. File Construction also did Phase 1 of this project.

Mayor Pro-Tem Hernandez asked Project Manager Beshaler where File Construction is based. She answered Albuquerque. He asked if this bid is within the five percent, she said this bid does not get the local preference, because it is Environment Department money. Mayor Pro-Tem Hernandez said he wanted to make sure because he rather give preference to local bidders.

Mayor Pro-Tem Hernandez moved to approve.

Commissioner Martin seconded the motion.

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

Mike Espiritu made the following comments:

President and CEO Mike Espiritu wanted to comment on questions asked by Paul Sanchez. He said when they contacted Conduent, formerly Xerox, they were happy to be in Alamogordo. He said their facility contract expires on September of this year. He said this is a substantial amount of jobs and they will find out and get the Commission an answer. The other question asked was if you need to be a member of the Chamber of Commerce to add events to their Master Calendar, the answer is no. He said the Chamber Master is a community calendar. He said there are so many events going on in Alamogordo they are trying avoid conflicts with scheduling of these events.

Paul Sanchez made the following comments:

He said he was encouraged to hear from Mr. Espiritu of the full community calendar. He said several employees of Xerox have informed him they will be out of a job on April 11, 2017.

ADJOURNMENT

Mayor Pro-Tem Hernandez moved to adjourn at 7:58 p.m.

Commissioner Martin seconded the motion.

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

Mayor Richard Boss

ATTEST:

City Clerk Rachel Hughs

(Prepared by Eric Barraza, Deputy City Clerk)

Approved at the Regular Meeting held on March 14, 2017.

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 P.M., COMMISSION CHAMBERS
February 28, 2017**

**RICHARD BOSS, MAYOR
JASON BALDWIN, COMMISSIONER
NADIA SIKES, COMMISSIONER
JENNY TURNBULL, COMMISSIONER
SUSAN PAYNE, COMMISSIONER**

**AL HERNANDEZ, MAYOR PRO-TEM
ERICA MARTIN, COMMISSIONER
MAGGIE PALUCH, ACTING CITY MANAGER
LAUREN TRUITT, CITY ATTORNEY
RACHEL HUGHS, CITY CLERK**

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

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

APPROVAL OF AGENDA

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

PRESENTATIONS

1. Presentation on the Airport Improvement Program. (*Lance Grace, Airport Advisory Board Member*)

Airport Advisory Board Chairman Lance Grace spoke on the completion of the 2200 feet runway extension. He said the purpose of the extension is for our next generation of air tankers. He said a requirement for the air tanker base to remain in Alamogordo is close proximity to the suppressant of the fires up in the mountains. He said over the last 5 years, the Federal Government FAA has spent approximately seven million dollars, the State Of New Mexico has spent \$800,000 and the City of Alamogordo has spent \$430,000. The Airport is worth somewhere in the vicinity of 50-75 million dollars. The Economic Impact from the Airport is 140 jobs which accounts for about 14 million dollars. The increased runway length has also accounted for more jets coming in and out of the Airport. He said fuel sales are up because these jets are able to hold more fuel due to the increased runway length. The runway is being used more by the three military bases around here. He said they are averaging about 4 Black Hawk helicopters a week at the Airport. He introduced Vice-Chair Manny Gonzales, Jeff Rabon, Rob Hicks, Erich Wuerschling as the Airport Advisory Board. He also introduced Engineering Consultant Tim Archibeque from Armstrong Consultants.

Airport Manager Jim Talbert spoke on some of the improvements done at the Airport which include: putting up a new sign, new carpeting throughout the terminal, new chairs, led precision guidance lighting, new windsock, chain link fence, and a new drainage system. He said the LED lights save a lot of electricity and also saves on maintenance. He said Armstrong Consultants has given them estimates of what it would cost to repair various items. He said the first item is pavement reconstruction for two (2) hardstands. This is for a 40 foot by 50 foot concrete parking path for airplanes. This is to put the airplanes somewhere where it is not blacktop. He said in the summer, blacktop gets hot, heavy and begins to sink. These hardstands will cost about \$113,000. The next item is pavement maintenance and crack seal. He said this has to be done, because water will get under the pavement. This will cost about \$161,000 to crack seal. He reiterated these are engineering estimates and not bid estimates. The next project is to do the Parallel taxiway. This is still in fair condition and does not need to be done right away. The next project is to go over the runway. He said the runway is in remarkably good condition for its. They included this in the FAA money as part of the five year plan, so it's a good

possibility it will occur as FAA money. The next project is reconstructing the apron. The east end was done in about 2004; the west end needs to be done soon. He explained that crack sealing the whole place is the first need and would like to get this done prior to rainy season. He said there are many types of Grants available and the one he is pushing for is a 90/10 Grant, which means the State will contribute 90 percent and the City will contribute 10 percent. He explained this 10 percent match is already in the budget. He said there is a possibility the State will have about \$300,000 for this Grant in late summer. Chairman Grace talked about the timing of this Grant money being awarded. He said late summers here in Alamogordo it rains, so this is why the crack sealing will need to happen first. If we decide not to crack seal it may prove to be more costly at a later time. He said this is not something we can wait on. This will hold us over until we can get the possible money from the State and the FAA. Airport Manager Talbert said they are trying to impress upon the FAA that they need to do what they agreed to do. He said letters have been sent to the FAA to try and bring up their priority to get this done fast. He said because we are such a big tanker base, it is very important we make a push for the Airport as a fire prevention safety issue.

Commissioner Baldwin asked Airport Manager Talbert about the handouts given to the Commission if they are to be looked at as a total cost of construction or individually. Airport Manager Talbert answered it is individually. Commissioner Baldwin asked about the 10 percent that was saved. Airport Manager Talbert answered he has the 10 percent match in his budget if the State gives us the \$300,000 for the Grant. This would give us money for the two identified most important projects. Commissioner Baldwin said the rest of the projects are not funded and asked how much the City would be investing. Airport manager Talbert said we are probably looking at another \$100,000. (See Blue Book for Power Point and handouts).

2. Presentation on Metropolitan Redevelopment Area. (Cam Wilde, Executive Director of Alamogordo MainStreet)

Executive Director of Alamogordo MainStreet, Cam Wilde spoke on the Metropolitan Redevelopment Act (MRA) process for the Alamogordo MainStreet program. The MRA comes from New Mexico State Statute to empower Cities to revitalize and redevelop areas that are deteriorated, blighted or underutilized in order to stimulate economic development. This is a plan or tool that opens doors to other sources of funding and also serves as a practical tool as well. The plan does not dictate anything. We are not obligated to follow the plan. This plan costs \$50,000 to develop, however, with a simple designation report we get it for nothing. This report designates Alamogordo as a need for this plan. We apply for a Grant and the City receives \$50,000. This will need to be put out for bid in which the going rate for these plans is \$50,000. He stated the Alamogordo MainStreet was recently fully accredited. He said they could have applied for the grant before, but now this adds to the creditability and reliability to actually making something like this happen. He said Charlie Deans the Urban Planning Specialists for New Mexico MainStreet is working on that designation report. Some boiler plate Resolutions will be sent to the Acting City Manager on the seventh of March. He said Mr. Deans will be back on the 14th of March to try and pass two Resolutions. The first Resolution being the acceptance of the report, and the other is to move forward with the Grant. He said there is a no match requirement for this Grant.

Acting City Manager Paluch gave more information on this program. She said the City is the Fiscal agent for this Grant. She said MainStreet is here to ask permission of the Commission to apply for the Grant. Essentially we are a pass through agency. She said MainStreet will be the main group working with the contractor in developing the plan, but the money will be awarded to the City of Alamogordo.

Commissioner Sikes asked Executive Director Wilde to introduce the Board members. Executive Director Wilde introduced Claudia Powell, Carrie Mack, Claudia Loya, Penny Espiritu, Sharon Jones, Dr. Marquardt and Laurie Anderson. Commissioner Sikes congratulated MainStreet on getting accredited within a short period of time.

Commissioner Baldwin said this is one of the more exciting projects and said speed and tenacity is usually not synonymous with Alamogordo projects. He thanked MainStreet for all the hard work. (See Blue Book for Power Point)

PUBLIC COMMENT

None.

CITY MANAGER'S REPORT

Acting City Manager Maggie Paluch made the following remarks:

1. She said there have been some issues with the congestion of traffic on Arapaho Avenue. She advised people to not turn left off of Arapaho onto First Street. There is a sign indicating no left turns. This is for the safety of the citizens at this intersection. The Police Department has written and will continue to write citations to citizens turning left onto First Street.
2. She spoke on Sahara Apartments and said this case will be going to court in May. She said a full time Abatement Officer has been approved for the Code Enforcement Department. The majority of work this Officer will be handling is weed abatement and trash abatement. As soon as this person is hired, he or she will be sent over to Sahara Apartments to clean up the area.
3. She announced the check for Kids Kingdom arrived today. She said staff has a meeting on Thursday with ExerPlay, a playground equipment manufacturer. ExerPlay is on the CES bid list, which means the City of Alamogordo will not have to go out to bid. The City is looking at designs which are low in maintenance, and a design that includes a splash park, picnic area and playground equipment. The splash park would use recycled water. We should be able to see some prices in a couple of weeks after the meeting with ExerPlay. She said all of the insurance money will be used for the playground and will not be spent on anything else.
4. She said the Rec Center had a very busy winter. There were approximately 400 children signed up for Biddy Basketball this season. The Rec Center will be conducting a survey to better improve this program for next year. The Rec Center recently purchased movie projection equipment, which was used for Fourth Fridays. She said the City can use this equipment for other events, other than just Fourth Fridays.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

None.

CONSENT AGENDA

3. Approve the minutes for the January 31, 2017 and February 14, 2017 Regular meetings. (*Rachel Hughs, City Clerk*)
4. Annual Reports from City Boards, Commissions and Committees for Calendar Year 2016. (*Rachel Hughs, City Clerk*)

Mayor Boss asked to withdraw item 3.

Mayor Pro-Tem Hernandez moved to approve item 4 of the consent calendar.

Commissioner Martin seconded the motion.

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

ITEMS REMOVED FROM CONSENT AGENDA

None.

NEW BUSINESS

5. Appointments to Boards and Committees. (*Richard Boss, Mayor*)

Commissioner Sikes commented there are a number of Boards and they hold a number of meetings throughout the year, but rarely does the Commission get to talk to these Boards. She wants to set aside some time in future meetings to hear from the Boards and Committees. She said by holding them accountable then maybe the Boards will feel like they are actually doing something and being appreciated by the City. Maybe we'll get more people to volunteer to be part of these Boards.

Acting City Manager Paluch said we will be doing the annual Town Report this year and within this report, the Boards and Committees reports will be included. The Citizens will be able to see what the Boards do on a daily or monthly basis.

Mayor boss asked if we ever advertise in any way, other than at the Commission Meetings, the openings in the Boards. Acting City manager Paluch answered it is on our website. Commissioner Sikes added the Boards solicit potential members.

Mayor Boss read the vacancies and openings for the Boards and Committees. He appointed Andrew Gomolock to the Planning and Zoning Board. No one was opposed. He also appointed Daron J. Williams to the White Sands Beautification Committee. No one was opposed

Mayor Pro-Tem Hernandez asked if we give them anything as far as expectations of what the Boards do. Commissioner Sikes said they do. Mayor Pro-Tem Hernandez mentioned that he heard one Board in particular, are sometimes abusive to staff and would like to make sure that rules are followed and they do what they are supposed to. He said most Boards do, but on this Board sometimes things get heated up. He wanted to make sure they all have the rules and regulations and what are expected of them.

Acting City Manager agreed with Mayor Pro-Tem Hernandez and asked City Clerk Hughs to maybe put the rules and regulations in with their appointment letters, instead of relying on the Boards to give them this information.

ADJOURNMENT

Mayor Pro-Tem Hernandez moved to adjourn at 7:19 p.m.

Commissioner Turnbull seconded the motion.

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

Mayor Richard Boss

ATTEST:

Deputy City Clerk Rachel Hughs

(Prepared by Eric Barraza, Deputy City Clerk)

Approved at the Regular Meeting held on March 14, 2017.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 03/14/2017

Report Date: 3/7/2017

Report No: 2.

Submitted By: Brian Cesar

Subject: Consider, and act upon, a bid award of IFB No. 2017-06 Sodium Hypochlorite, to DPC Industries in the amount of \$128,000.00, for the purchase of Sodium Hypochlorite used by the Water Maintenance Department, and Waste Water Treatment Plant. *(Brian Cesar, Public Works Director)*

Fiscal Impact: N/A

Amount Budgeted: \$48,803.99

Fund: 081-5703-461-3295 & 081-5603-461-3295

Additional Fiscal Impact:

Recommendation: Award IFB No. 2017-06, to DPC Industries, Inc. in the amount of \$128,000.00

Background: IFB No. 2017-06 Sodium Hypochlorite was advertised February 12, 2017, and opened February 28, 2017 at 2:00 p.m.. There was one responsive bid received. DPC Industries, Inc. This bid is to be awarded to low bidder meeting specifications.

This is an estimated quantity, multi-term contract commencing March 27, 2017 through March 26, 2018 for the first term. The contract may be extended for three additional one-year terms. Quantity is determined on an estimated annual maximum usage.

The purchase of Sodium Hypochlorite will be utilized by Water Maintenance department. It is required for compliance with drinking water permit used to disinfect water. Waste Water Maintenance uses Sodium Hypochlorite for disinfecting.

Anticipated need for the product will not exceed \$48,000 for the remainder of Fiscal Year 17.

Bid tabulation attached.

BID TABULATION
Sodium Hypochlorite
CITY OF ALAMOGORDO IFB BID NO. 2017-06
February 28th, 2017 2:00 PM

ITEM NO.	Estimated Quantity In Gallons	DESCRIPTION	DPC Industries Inc.	
			Unit Price	Total Price
1	100,000	SODIUM HYPOCHLORITE- 12.5%	\$1.28	\$128,000.00
TOTAL				\$128,000.00

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 03/14/2017

Report Date: 3/3/2017

Report No: 3.

Submitted By: Jim LeClair

Subject: Consider, and act upon, Resolution No. 2017-06 donating Five (5) older MSA, SCBA air packs, Nine (9) air cylinders, 10 Scott SCBA air packs, and 22 low pressure air cylinders to Otero County. (*Jim LeClair, Acting Fire Chief*) **(Roll Call Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Recommend approval to donate equipment to Otero County.

Background:

The Alamogordo Fire Department replaced the Low Pressure MSA M-7 Fire Hawk air packs with high pressure MSA M-7 Fire Hawk air packs several years ago. This equipment is no longer compatible with our current equipment that is in service. The equipment consist of five (5) MSA, SCBA air packs, nine (9) low pressure air cylinders, 10 Scott SCBA air packs, and 22 low pressure air cylinders. Otero County is requesting this equipment to supplement their volunteer departments, ensuring a ready response while serving the citizens of Otero County during emergency situations. Section 13-6-1, NMSA 1978, allows the governing body of the City to dispose of surplus property by donation to another government entity.

RESOLUTION NO. 2017-06

A RESOLUTION AUTHORIZING DISPOSAL OF SURPLUS CITY PROPERTY

WHEREAS, the City of Alamogordo, New Mexico, is the owner of a certain five (5) older MSA, SCBA air packs, nine (9) air cylinders, ten (10) Scott SCBA air pack, and twenty-two (22) low pressure air cylinders which are no longer needed for public use, and;

WHEREAS, the City finds that the current resale value of said equipment is less than \$500 and the equipment is worn-out, unusable or obsolete to the extent that the item is no longer economical or safe for continued use by the City, and;

WHEREAS, the City is desirous of disposing said air packs and air cylinders as surplus property, and;

WHEREAS, the City desires to donate the five (5) older MSA, SCBA air packs, none (9) air cylinders, ten (10) Scott SCBA air pack, and twenty-two (22) low pressure air cylinders to Otero County.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Alamogordo, New Mexico, as follows:

1. The five (5) older MSA, SCBA air packs, nine (9) air cylinders, ten (10) Scott SCBA air pack, and twenty-two (22) low pressure air cylinders, are hereby declared surplus.
2. The City Manager is hereby authorized to dispose of the surplus five (5) older MSA, SCBA air packs, nine (9) air cylinders, ten (10) Scott SCBA air pack, and twenty-two (22) low pressure air cylinders by donation to Otero County.
3. This Resolution shall take effect immediately upon adoption.

DONE this 14th day of March, 2017.

CITY OF ALAMOGORDO, NEW MEXICO
A New Mexico municipal corporation

By: _____
Richard A. Boss, Mayor

ATTEST:

APPROVED AS TO FORM:

Rachel Hughs, City Clerk

Lauren E. A. Truitt, City Attorney

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 03/14/2017

Report Date: 3/7/2017

Report No: 4.

Submitted By: Cynde Sagenkahn

Subject: Consider, and act upon, Resolution No. 2017-07 re-adopting the Community Development Block Grant Consolidated Plan. (*Cynde Sagenkahn, Grants Compliance Officer*) **(Roll Call vote required)**

Fiscal Impact: N/A

Amount Budgeted: \$0.00

Fund: N/A

Additional Fiscal Impact:

Recommendation: The Community Development Department recommends approval of the Resolution to demonstrate compliance with the Housing and Community Development Act, as required by CDBG applicants/grantees.

Background: The CDBG Grant Program set forth by the United States Department of Housing and Urban Development (HUD) and administered through the New Mexico Department of Finance and Administration - Local Government Division requires that applicants/recipients adopt an annual resolution certifying adherence to the Housing and Community Development Act through a series of proposed resolutions. The City of Alamogordo through the past number of years adopts these resolutions collectively through the annual adoption the CDBG Consolidated plan resolution.

The City of Alamogordo, through this resolution, adopts the CDBG Consolidated plan for compliance:

- City of Alamogordo Citizen Participation Plan (reaffirmation);
- City of Alamogordo Section 3 Plan (reaffirmation);
- City of Alamogordo Residential Anti-Displacement and Relocation Assistance Plan and Certification (reaffirmation);
- City of Alamogordo Fair Housing (reaffirmation);
- And the New Mexico State Procurement Code; and,
- City of Alamogordo Ordinance 1163 (adopted 12/10/2002).

RESOLUTION NO. 2017-07

**A RESOLUTION RE-AUTHORIZING THE COMMUNITY DEVELOPMENT BLOCK GRANT
CONSOLIDATED PROGRAM PLAN.**

WHEREAS, the US Department of Housing and Urban Development (HUD) offers a competitive state administered grant program entitled Community Development Block Grant (CDBG) to provide communities with resources to address HUD national objectives in order to: benefit principally low and moderate income families, aid in the prevention of slums or blight, and meet the urgent community development needs where an existing condition poses a threat to the health and welfare of the community and other financial resources are not available, and;

WHEREAS, the Housing and Community Development Act require municipalities or other entities that apply for and accept Community Development Block Grant Funds must adopt certain mandated federal policies, and,

WHEREAS, the Housing and Community Development Act requires CDBG applicants to certify that they have adopted and are complying with: the New Mexico State Procurement Code, an up-to-date Citizen Participation Plan, Section 3 Plan, Residential Anti-Displacement and Relocation Assistance Plan and Certification, and a Fair Housing Plan and Ordinance 1163, and;

WHEREAS, the City of Alamogordo wishes to comply with all the requirements set forth by the United States Department of Housing and Urban Development and the State of New Mexico, and to otherwise show commitment to the policies which govern the CDBG program;

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

Section 1. That the aforementioned plans, attached, are hereby re- adopted, incorporated into all forthcoming CDBG Programs; and,

Section 2. That Ordinance 1163 be incorporated as part to these plans; and,

Section 3. That it certifies that it will comply with the New Mexico State Procurement Code.

PASSED APPROVED AND ADOPTED this _____ day of _____, 2017.

CITY OF ALAMOGORDO, NEW MEXICO

A New Mexico Municipal Corporation

Richard Boss, Mayor

ATTEST:

Rachel Hughs, City Clerk

APPROVED AS TO FORM:

Lauren Truitt, City Attorney

CONSOLIDATED COMMUNITY DEVELOPMENT
BLOCK GRANT (CDBG)
PROGRAM PLAN

CITY OF ALAMOGORDO

Citizen Participation Plan
Section 3 Plan
Residential Anti-Displacement and Relocation Plan
Fair Housing Plan,
and to include by Reference:
Fair Housing Ordinance Chapter 11 Section 05-280
Affirmative Action Plan (as part of the Personnel Manual - Part 17)

Adopted: November 14, 1995
Amended: January 9, 1996
Amended: October 22, 2002
Amended: June 26, 2007
Re-adopted: July 8, 2008
Re-adopted: July 14, 2009
Re-adopted: December 21, 2010
Re-adopted: May 22, 2012
Re-adopted: August 26, 2013
Re-adopted: January 12, 2016
Re-adopted: March 14, 2017

CITY OF ALAMOGORDO CITIZEN PARTICIPATION PLAN

In accordance with the 1987 revisions to the Housing and Community Development Act and in an effort to further encourage citizen participation, the City of Alamogordo has prepared this plan to set up guidelines that promote citizen involvement in the planning, implementation, and assessment of the Community Development Block Grant (CDBG) program. These guidelines are to be followed when any CDBG funding allocation is applied for and/ or awarded. The CDBG program provides funds to counties/ cities on a competitive basis. The funds must be used for projects that benefit low and moderate income persons and aid in the elimination or prevention of slum and blight. The regulations give ultimate responsibility for the design and implementation of the program to local elected officials and also require that citizens be given an opportunity to serve in key advisory roles to these elected officials.

The City of Alamogordo adopts and circulates an Open Meetings Resolution each year, which provides citizens with reasonable notice of the City's upcoming meetings, actions and functions.

OBJECTIVE I:

The City of Alamogordo will provide for and encourage citizen participation within its area of jurisdiction, with particular emphasis on participation by persons of low and moderate income. This objective will be met by:

1. Efforts will be made to involve citizens in all stages of any CDBG program. These will include but are not limited to the development of the application, program implementation, assessment of program performance and any other program areas. There will be two general components for Citizen Participation: 1) through citizen public hearings and, 2) individual citizen efforts in the form of comments or inquiries submitted directly to the CDBG Program Coordinator, who can be reached by phone at 439-4257 or in person at City Hall.
2. As it is the goal of the City of Alamogordo to make every effort to obtain representation from all interested persons, members of minority groups, all income levels, the elderly and the handicapped, an extensive outreach program will be initiated. All forms of media readily available will be notified of any upcoming public meetings (i.e., newspaper, radio stations, etc) in an effort to reach the maximum amount of citizens possible. The City newsletter will be utilized to advertise public meetings and to share vital information for the public participation process. An outreach file for citizen participation will be maintained for each program designating the specifics of each outreach effort.

OBJECTIVE II:

The City of Alamogordo will provide citizens with reasonable and timely access to local meetings, information and records relating to the proposed and actual use of CDBG funds. This objective will be accomplished by:

1. At least two initial pre-application hearings will be conducted for each application process. In order to meet New Mexico CDBG program requirements, the "Public Notice" will be published in the local newspaper in the Non-Legal Section, **no less than ten (10) days prior** to the actual meeting. All pertinent information of each meeting will be included in the public announcement, such as: date, time, location, and topics to be considered.
2. A public file containing program documentation will be available for review at City Hall during normal business hours. Included will be copies of the pre-application and application, environmental review record, the Citizen Participation Plan, and the annual performance report. Other applicable program documents will also be available for citizen review, consistent with state and local regulations and statutes regarding personal privacy and obligations of confidentiality. To review, contact the CDBG Program Coordinator, who can be reached by phone at (575) 439-4257.

OBJECTIVE III:

The City of Alamogordo will provide technical assistance to groups and representatives of low and moderate income persons that request assistance in developing proposals by:

1. Providing, upon request, such assistance as is necessary to develop proposals, define policy, and organize for the implementation of the program. Technical Assistance may be provided in the form of staff or local expert presentation, informational handouts, or research of a specific issue.

OBJECTIVE IV:

The City of Alamogordo will provide a minimum of two public hearings to obtain citizen participation and respond to proposals and questions at all stages of the Community Development Block Grant Program by:

1. At least two initial pre-application hearings will be conducted for each application process. The hearings will provide an opportunity for citizens to identify community development needs, to propose projects and to assist in the development of an overall CDBG strategy for their community. Program orientation information will be provided at the first public hearing. City staff

will make presentations covering the following: the total amount of CDBG funds available for award on a competitive basis, the range of program eligible activities, previously funded projects in the community, the planning process, the schedule of meetings and hearings, the role of citizens as they relate to the program, and a summary of other pertinent program requirements such as environmental policies, fair housing provisions, and contracting procedures.

1. For any CDBG program, a close-out public hearing will be conducted to discuss all aspects of program performance.

OBJECTIVE V:

The City of Alamogordo will provide responses to written complaints and grievances within fifteen (15) working days after receipt of such complaints. The following are the grievance guidelines:

At any time throughout program implementation, any written complaints may be submitted to the CDBG Program Coordinator at 1376 E. Ninth Street Alamogordo, NM 88310 for processing or pursuing through appropriate channels. Complaints will be responded to in writing. If the citizen remains dissatisfied, the complainant will be instructed to submit the complaint in writing to the State of New Mexico, Local Government Division, Bataan Memorial Building, Suite 201, Santa Fe, NM 87503 for investigation of the complaint. Program staff will be available during normal business hours to respond to citizen inquiries.

OBJECTIVE VI:

The City of Alamogordo will identify how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of residents can be reasonably expected to participate by:

1. Ensuring that all outreach efforts such as: notices of public hearings, press releases, flyers, etc. are distributed and/or published in a bilingual method for the benefit of citizens living within the CDBG “target area.”
2. The City of Alamogordo will provide bilingual summaries of basic program information and requirements at all public meetings, or will ensure that a bilingual staff member is present at all CDBG public hearings.
3. The City of Alamogordo will ensure that all CDBG programs maintain records/ rosters of all public hearing attendees and proceedings to verify compliance with this objective.

CITY OF ALAMOGORDO SECTION 3 PLAN

The City of Alamogordo is committed to complying with Section 3 of the Housing and Urban Development Act of 1968 with respect to the City's receipt of any funding from the Community Development Block Grant (CDBG) Program. This Act encourages the use of small, local businesses and the hiring of low income residents of the community, and

The City of Alamogordo will appoint key personnel to administer CDBG project(s), to act as a Section 3 Coordinator, to advise and assist staff on Section 3, to officially serve as focal point on Section 3 complaints, and as the on-site monitor of prime contractors and sub-contractors to ensure the implementation and enforcement of their Section 3 plans. Documentation of City of Alamogordo efforts will be retained on file in the appropriate office for monitoring by the State.

In regards to the following headings, the City of Alamogordo shall:

1. Hiring:

- (a) advertise all city vacancies; with the potential exception of contract employees
- (b) list all public city job opportunities with the State Employment Office
- (c) maintain records of city hiring in accordance with the State Record Retention Act

2. Contracting:

- (a) bidders may request to be listed in the City's Purchasing database; by fee
- (b) these vendors will be contacted to solicit bids or quotes whenever the City requires supplies, services, or construction
- (c) preference will be given to local businesses, except in a case where Federal funding is involved in a project

3. Training:

maintain a list of all training programs operated by the City and its agencies and will direct them to give preference to city residents. The City will also direct all CDBG sponsored training to provide preference to city residents.

4. CDBG Contracts:

All CDBG bid packages and contracts shall include the following Section 3 language:

- (a) The work to be performed under this contract is on a project assisted under a program providing direct federal financial assistance from the Department of Housing and Urban Development and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u. Section 3 requires that to the greatest extent feasible opportunities for training and employment be given to lower

income residents of the project area and contracts for work in connection with the project be awarded to business concerns which are located in, or owned in substantial part by persons residing in the area of the project.

(b) The parties to this contract will comply with the provisions of said Section 3 and the regulations issued pursuant thereto by the Secretary of Housing and Urban Development set forth in 24 CFR, and all applicable rules and orders of the Department issued thereunder prior to the execution of this contract. The parties to this contract certify and agree that they are under no contractual or other disability which would prevent them from complying with these requirements.

(c) The Contractor will send to each labor organization or representative of workers with which he has a collective bargaining agreement or other contract or understanding, if any, a notice advising said labor organization or workers' representative of his commitments under this Section 3 clause and shall post copies of the notice in conspicuous places available to employees and applicants for employment or training.

(d) The contractor will include this Section 3 clause in every subcontract for work in connection with the project and will, at the direction of the applicant for, or recipient of, federal financial assistance, take appropriate action pursuant to the subcontract upon a finding that the subcontractor is in violation of regulations issued by the Secretary of Housing and Urban Development, 24 CFR 135. The contractor will not subcontract with any subcontractor where it has notice or knowledge that the latter has been found in violation of regulations under 24 CFR 135, and will not subcontract unless the subcontractor has first provided it with the requirements of these regulations.

(c) Compliance with the provisions of Section 3, the regulations set forth in 24 CFR 135, and all applicable rules and orders of the Department, issued thereunder prior to the execution of the contract, shall be a condition of the federal financial assistance provided to the project, binding upon the applicant or recipient for such assistance, its successors and assigns. Failure to fulfill these requirements shall subject the applicant or recipient, its contractors or subcontractors, its successors and assigns to those sanctions specified by the grant or loan agreement or contract through which federal assistance is provided, and to such sanctions as are specified by 24 CFR Part 135.

The City of Alamogordo will maintain all necessary reports and will ensure that all contractors and subcontractors submit required reports.

LOWER INCOME CLARIFICATION

A family who resides in the City of Alamogordo and whose income does not exceed the income limit for the size of family as per the Section 8 Income Limit Table for Otero County (see attached,) is considered by the State to be a lower income family. Information contained in our Section 3 Plan reflects the status of the City employees regarding lower income considerations

based on their salary paid by the City. (Revised June 2007, provided by Department of Finance Administration/ Local Government Division based on Department of Housing and Urban Development threshold definitions.)

AFFIRMATIVE ACTION PLAN

The City compiles and maintains affirmative action data, and has measures in place to prevent illegal discrimination. The City addresses this in its hiring policies and procedures, in the personnel manual, and Equal Employment Opportunity and anti-Harassment policies. The City reports to the State Department of Labor by EEO4 report, annually or as required. Please see the Personnel Manual, revised June 2004, for more information.

Section 3 Plan

Otero County Income Limits

Income Eligibility Limits by Household Size

Household Size	Extremely Low Income	Very Low Income	Low Income
1 Person	\$11,770	\$16,950	\$27,100
2 Persons	\$15,930	\$19,400	\$31,000
3 Persons	\$20,090	\$21,800	\$34,850
4 Persons	\$24,200	\$24,200	\$38,700
5 Persons	\$26,150	\$26,150	\$41,800
6 Persons	\$28,100	\$28,100	\$44,900
7 Persons	\$30,050	\$30,050	\$48,000
8 Persons	\$31,950	\$31,950	\$51,100

Otero County Median \$46,500

Income

**CITY OF ALAMOGORDO
RESIDENTIAL ANTI-DISPLACEMENT AND
RELOCATION ASSISTANCE PLAN AND CERTIFICATION**

Section 104(d) of the Housing and Community Development Act of 1974, as amended;

Section 509 of the Housing and Community Development Act of 1987 (Public Law 100-242, approved February 5, 1988) amended Section 104 of the Housing and Community Development Act of 1974 (the Act) by adding a new subsection (d).

The new subsection 104(d) of the Act provides that a grant under section 106 (CDBG Programs) may be made only if the grantee certifies that it is following a “residential anti-displacement and relocation plan.”

Local government recipients under that State CDBG Program must make this certification to the State. The requirement applies only to those recipients of CDBG funds from grants awarded to the State by HUD after October 1, 1988.

The foregoing plan represents the effort of the City of Alamogordo to comply with the requirements of Section 104(d) of the act, with respect to its receipt of all or any Community Development Block Grants (CDBG), for the City of Alamogordo, and is certified herewith:

The City of Alamogordo herewith certifies that it will replace all occupied and vacant occupiable low/ moderate-income dwelling units demolished or converted to a use other than as low/ moderate-income housing, as a direct result of the development and/or construction of any CDBG project which is assisted with funds provided under the Housing and Community Development Act of 1974, as amended, as described in 24 CFR 570.496a(b).

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the City of Alamogordo will make public and submit to the Local Government Division of the Department of Finance and Administration the following information in writing:

1. A description of the proposed activity;
2. The location on a map and the approximate number of units, described by size (number of bedrooms) that will be demolished or converted;
3. A time schedule for commencement and completion of the demolition or conversion;

4. The location on a map and approximate number of dwelling units described by size (number of bedrooms) that will be provided as replacement dwelling units;
5. The source(s) of funding and a time schedule for the provision of replacement units; and
6. The basis for concluding that each replacement unit will remain a low/moderate-income dwelling unit for ten (10) years from the date of initial occupancy.

The City of Alamogordo will provide relocation assistance, as described in 570.496-a to each low/moderate-income household displaced by the demolition of housing or by the conversion of low/moderate-income dwelling to another use as a direct result of the development and construction of CDBG projects.

To the extent which the City of Alamogordo participates in Federal Assistance Programs wherein the following anti-displacement strategies can be applied, and consistent with the goals and objectives of activities assisted under the Act, the City of Alamogordo will take the following steps to minimize the displacement of persons from their homes (this listing not all inclusive):

DISPLACEMENT STRATEGY

Steps to Minimize or Prevent Displacement:

1. Plan, organize, and stage the rehabilitation of assisted housing to allow tenants to remain during and after rehabilitation so as to provide the greatest convenience, safety, and economically sound rehabilitation effort possible.
2. Assist in identifying and locating temporary relocation facilities in order to house families whose displacement will be of short duration, so that they can move back to their neighborhood after rehabilitation or new construction.
3. Evaluate housing codes and rehabilitation standards in reinvestment areas to prevent placing of undue financial burdens on long-established owners or on tenants of multi-family buildings.
4. Counsel and advise homeowners and renters to understand the range of assistance that may be available to meet and protect their housing rates and interests.
5. In cooperation with neighborhood organizations, continuously review neighborhood development trends, identify displacement problems, and identify individuals facing displacement who need assistance.

Actions to Assist Displaced Persons to Remain in Their Present Neighborhoods:

1. Provide lower-income housing in the neighborhood through HUD housing programs; purchase units as-is; rehabilitate vacant units; or construct housing units.
2. Give priority in assisted housing units in the neighborhood to area residents facing displacement.
3. Target Section 8 existing programs and certificates to households being displaced, and recruit area landlords to participate in the program.
4. Provide counseling and referral services to assist displaced persons in finding alternate households in the neighborhood.
5. Work with area landlords and real estate brokers to locate vacancies for households facing displacement.

Actions to Otherwise Mitigate Adverse Effects of Displacement:

1. Use of public funds, such as CDBG, to pay moving costs and provide relocation payments or, to the extent permissible by local or state law, require private developers to provide compensation to persons displaced by development activities.
2. Give displaced persons priority in obtaining subsidized housing.
3. Provide counseling and referral services to assist displaced persons in locating elsewhere in the community.

It shall be the policy of the City of Alamogordo that all persons displaced by CDBG activity shall be relocated into housing that is:

- (a) decent, safe and sanitary;
- (b) adequate in size to accommodate the occupants;
- (c) functionally equivalent; and
- (d) in an area not subject to adverse environmental conditions.

FAIR HOUSING PLAN

The City of Alamogordo has prepared this Fair Housing Plan to meet the Community Development Block Grants funds certification requirement to further fair housing as established in the Housing and Community Development act of 1974, as amended, and prohibit discrimination as specified in the Civil Rights Act of 1968 (commonly known as the Federal Fair Housing Act) and the Fair Housing Amendments Act of 1988. The city is committed to complying with our national policy that prohibits discrimination in the sale, rental, leasing and financing of housing or land to be used for the construction of housing or in the provision of brokerage services, on the basis of race, color, religion, sex, disability, familial status or national origin.

The forgoing plan represents the efforts of the City of Alamogordo to comply with the requirements the fair housing policy by:

OBJECTIVE 1:

The City of Alamogordo will inform individuals living, working, doing business in or traveling through this city to know that: discrimination in the sale, rental, leasing, and financing of housing or land to be used for construction of housing, or in the provision of brokerage services on the basis of race, color, religion, sex, handicap, familial status or national origin is prohibited by Title VIII of the Fair Housing Act Amendments of 1988.

1. Efforts will be made to make copies of this plan to distribute to the real estate community, banks, developers, community organizations and local media.
2. The city will make every effort to post copies of this plan in the Community Development Department and at the Customer Service Help Desks.

OBJECTIVE 2:

The City of Alamogordo will implement programs, within the constraints of its resources, to ensure equal opportunity in housing for all persons regardless of race, color, religion, sex, handicap, familial status or national origin.

1. The City will adopt policies in their Public Housing Authority Program or any public housing related grant program that will be consistent with the fair housing policy.

OBJECTIVE 3:

The City of Alamogordo, within available resources, will assist all persons who feel they have been discriminated against in housing issues on the basis of race, color, religion, sex, handicap, familial status or national origin to seek equality under existing federal and state laws to file a complaint with the New Mexico Attorney General's Office or the U.S. Department of Housing and Urban Development.

1. The City will provide the contact information of the New Mexico Attorney General's Office or the U.S. Department of Housing and Urban Development for a person to make contact, if requested.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 03/14/2017

Report Date: 3/10/2017

Report No: 5.

Submitted By: Rachel Hughs

Subject: Consider and act upon Resolution 2017-08 and the Local Government Planning Fund Application regarding the Metropolitan Redevelopment Area. (*Charlie Deans with CommunityByDesign*) (**Roll Call Required**)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background: Mr. Deans will speak on Resolution 2017-08 and the Local Government Planning Application regarding the Metropolitan Redevelopment Area.

Alamogordo Metropolitan Redevelopment Area Designation Report

A New Mexico MainStreet Community



Prepared for:

City of Alamogordo
and
Alamogordo MainStreet

Technical Assistance provided by:

CommunityByDesign
NM MainStreet Urban Planning
Revitalization Specialist

March, 2017 Draft

Funding for this report is provided from NM MainStreet/Economic Development Department through its State Legislative appropriation.

INTRODUCTION

The New Mexico Metropolitan Redevelopment Code (3-60A-1 to 3-60A-48 NMSA 1978) provides cities in New Mexico with the powers to correct conditions in areas or neighborhoods within municipalities which “substantially inflict or arrest the sound and orderly development” within the city. These powers can help reverse an area’s decline and stagnation; however, the City may only use these powers within a designated Metropolitan Redevelopment Area (MRA).

The City of Alamogordo is located in south central New Mexico on the eastern edge of the Tularosa Basin. It lies within the Rio Grande rift and in the northernmost part of the Chihuahuan Desert, accessible via U.S. Highways 54, 70, and 82. It is bordered on the east by the Sacramento Mountains and to the west by White Sands National Monument.

The city’s economy was historically dependent on the rail line, timbering and tourism. Today Alamogordo is home to 31,198 residents and has a primarily service and retail economy, driven by tourism, the nearby Holloman Air Force Base and a concentration of military retirees.

Declining population, lower median incomes and numerous vacant and underutilized properties within the city center are indicators of the slow economic decline of the City as a whole and the need to reverse physical and economic conditions that are unfavorable to the social and economic well-being of the residents of the City.

One tool to help Alamogordo actively work to improve the economic and physical conditions in the city center is the designation of a Metropolitan Redevelopment Area (MRA). The proposed MRA, which includes the intersection of White Sands Boulevard and E 10th Street and surrounding areas, is one of the prime areas in the City that can be used to achieve the goals of diversifying the local economy, pursuing tourism development opportunities and encouraging the growth of the small business sector.

The Alamogordo Comprehensive Plan 2000 includes policies which support the designation of a MRA to improve economic and physical conditions in the Village. These include encouraging redevelopment of vacant and abandoned properties and diversifying the local economic base.

This report demonstrates the existing conditions within Alamogordo’s city center meet the criteria for the “blighted” area designation as defined by the Metropolitan Redevelopment Code (3- 60A-8). Physical conditions of the city center and economic conditions expressed by business activity and the demographics of the population all point to the need for Alamogordo to pursue alleviating the conditions of blight and implement revitalization efforts.

A BRIEF HISTORY OF ALAMOGORDO

Source: South Eastern New Mexico Economic Development District <http://snmedd.com/city-of-alamogordo-history/>

The Eddy brothers established Alamogordo in 1898 as a base for their El Paso and Northeastern Railroad. Alamogordo’s economy revolved around the railroad, and expanded with logging, tourism and

a tuberculosis sanitarium. The Eddy's planned community layout was visionary and innovative; utilizing a grid system like in the east, but the model offset the main avenues from the central street to slow traffic. Water was carried into town through acequias (ditches) from two canyons—La Luz and Alamo, still an integral part of today's water supply. Trees planted along the acequia banks provided shade. Early photos depict a lush green oasis. There was an anti-alcohol sentiment an anomaly for a railroad town. Only one location was allowed to dispense alcohol. Businesses were encouraged to establish policies against employees gambling and drinking. The city was founded in 1898 as an economic speculation by the El Paso and Northeastern Railroad Company. A railroad line was to be constructed through the Tularosa Basin as extension of the Chicago, Rock Island, & El Paso Railroad's line, which terminated in Santa Rosa. There was a small spring located in the vicinity of Alamogordo that the railroad developers presumed would be capable of providing enough sufficiently "sweet" (i.e., not containing an overabundance of dissolved minerals) water to work in the steam engines then in use. The town boomed from 1898 through 1905. However, several downfalls occurred from 1905 until 1912. The railroad company was sold and its offices relocated to El Paso. Timber cutting in the nearby Sacramento Mountains was federally restricted. The sanitarium burned and the Baptist College closed. The founding fathers faced a juncture at which the town could have easily shriveled up like so many other railroad boomtowns. As New Mexico attained statehood, Alamogordo's business community regrouped, initiated incorporation of the town and established a formal government. The community's attitude that Alamogordo was here to stay prevailed. Young Alamogordo was able to rebound.





The economy of Alamogordo today is largely dependent on Holloman Air Force Base (HAFB). Alamogordo Bombing and Gunnery Range was opened in 1942 and is known today as Holloman Air Force Base. Alamogordo experienced a large growth spurt in the 1950s due in large part to the military. HAFB is the home of the F-117A Stealth Fighters, the German Air Force in the United States and the High Speed Test Track. White Sands Missile Range, the world's second largest overland testing range is nearby.

MRA DESIGNATION

A visual and economic survey of the City found the City center exhibits physical and economic conditions that are unfavorable to the social and economic well-being of the residents of the community. Within the proposed MRA boundary there are a significant number of structures which are vacant or underutilized. Evidence of neglect of these structures in the area is recurrent. Economically, the City as a whole has improved in its wages over the past 15 years, but the area of the MRA has steadily declined in businesses and employment, placing it below the City and the state average.

The New Mexico Metropolitan Redevelopment Code (3-60A-1 to 3-60A-48 NMSA 1978) provides cities in New Mexico with the powers to correct conditions in areas or neighborhoods within municipalities which "substantially inflict or arrest the sound and orderly development" within the city. These powers can help reverse an area's decline and stagnation; however, the City may only use these powers within a designated Metropolitan Redevelopment Area.

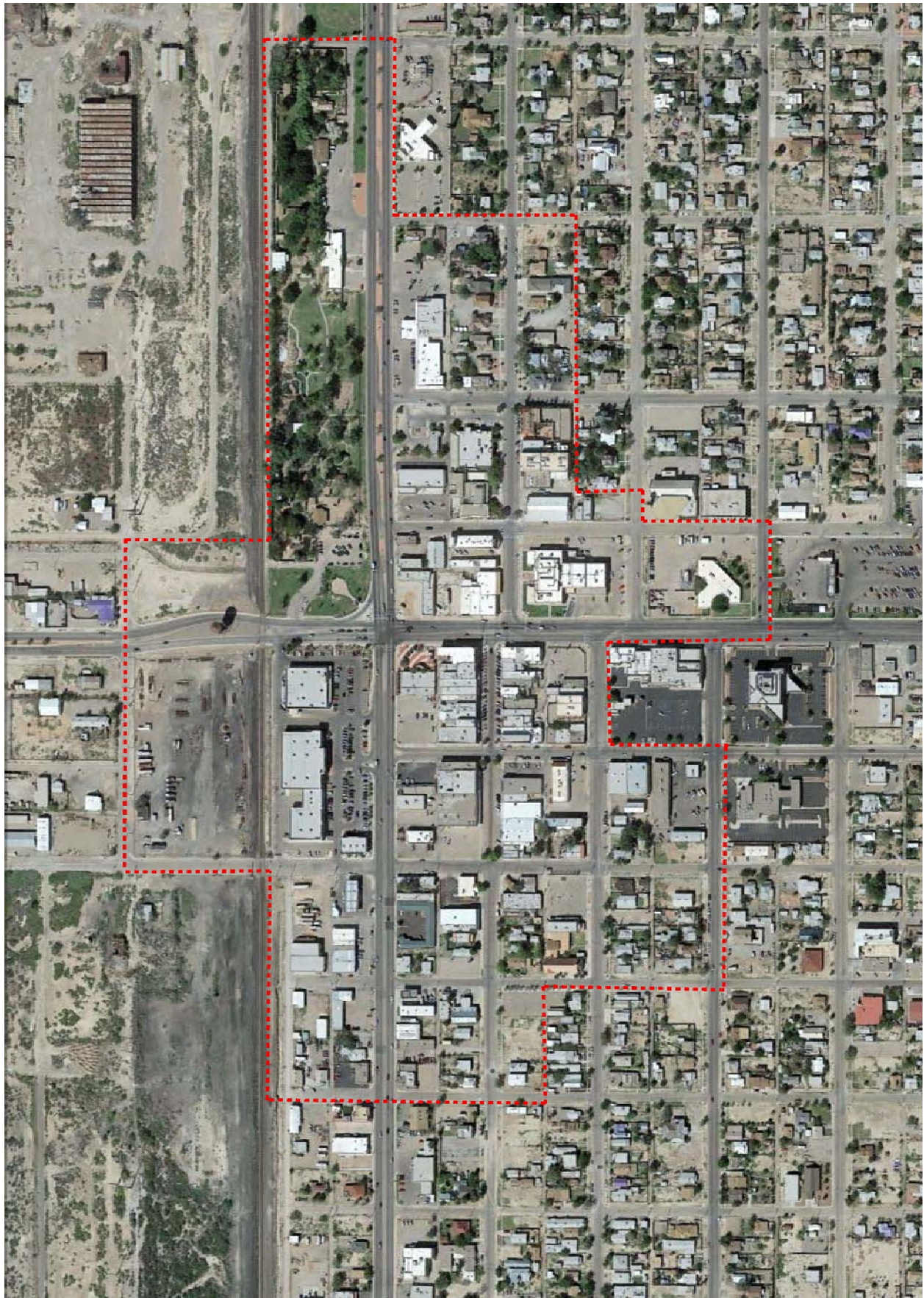
Designation of an MRA is based on findings of "blight" conditions, as defined in the Metropolitan Redevelopment Code (3-60S-8). The criteria set by the Code for a "blighted" area include physical conditions and economic conditions. As defined in the Code, "Blighted area" means an area within the area of operation that, because of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size,

adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, improper subdivision or lack of adequate housing facilities in the area or obsolete or impractical planning and platting or an area where a significant number of commercial or mercantile businesses have closed or significantly reduced their operations due to the economic losses or loss of profit due to operating in the area, low levels of commercial or industrial activity or redevelopment or any combination of such factors, substantially impairs or arrests the sound growth and economic health and well-being of a municipality or locale within a municipality or an area that retards the provisions of housing accommodations or constitutes an economic or social burden and is a menace to the public health, safety, morals or welfare in its present condition and use.

MRA PLAN BOUNDARY

The boundary of the Alamogordo Metropolitan Redevelopment Area is irregularly shaped and centers on White Sands Boulevard, East 10th Street and the surrounding areas:

- From White Sands Boulevard and 14th Street go south to 13th Street, then east to the Alley between New York Avenue and Michigan Avenue.
- South along this alley to 11th Street, including the corner lot at the northwest corner of 11th and Michigan.
- East on 11th Street to Indiana Ave, then south one block to 10th Street, then west on 10th to Delaware where the boundary turns south for one block.
- Continue east on 9th to Maryland Ave, then south two blocks to 7th Street. East on 7th to the alley between Delaware and New York Avenues.
- South along this alleyway to 6th Street, then turn west to Railroad Avenue.
- North along Railroad Avenue to 8th Street, then west on 8th to Eddy Drive. Continue north on Eddy Drive two blocks to 11th Avenue.
- Go west along the 11th Street alignment to Railroad Avenue, where the boundary turns north to 14th Street.
- Travel east on 14th to the point of origin at White Sands Boulevard and 14th Street.



EXISTING PHYSICAL CONDITIONS ASSESSMENT

The following sections identify the physical and the economic conditions of the area that warrant designation of this area as a Metropolitan Redevelopment Area (MRA).

Building Conditions

The built environment of the city core shows signs of its former prosperity as a major stop by the Railroad and US Highway 54/White Sands Blvd. The City remains a local and regional commercial center with a mix of commercial, institutional and residential structures. However, there are many deteriorating structures located throughout the area. Most are vacant and many of the occupied buildings are in need of maintenance and repairs.

The commercial structures, predominantly located along US Highway 54/White Sands Blvd and 10th Street, are important reminders of Alamogordo's history. The City has many typical railroad influenced buildings dating from the beginning of the 20th century and other structures dating to the heyday from the 1920's through the 1960's.

Buildings range from good condition to deteriorating and dilapidated. Some of these structures are occupied, while others are vacant and in some cases, threatened by "demolition by neglect







Vacant and Underutilized Properties

Many commercial businesses and community facilities inside the MRA boundary have closed or significantly reduced their operations. This has resulted in number of vacant and underutilized commercial and institutional properties that are neglected or used for storage. In addition to the deteriorating structures, the vacant and underutilized properties contribute to the declining appearance of the City.





Pedestrian Environment

Downtown has areas which lack adequate pedestrian facilities for the safe mobility of its residents and visitors. The unsafe and defective condition of the pedestrian environment substantially impairs the economic health of businesses and contributes to the declined appearance of the area.

While much of downtown has had recent pedestrian improvements, there remain discontinuous curbs and sidewalks in some areas. Some places have no pedestrian accommodation or have sidewalks or curb-cuts which end abruptly, creating hazards for users.





EXISTING DEMOGRAPHIC & ECONOMIC CONDITIONS ASSESSMENT

Introduction

The following sections identify the economic conditions that warrant designation of this area as a Metropolitan Redevelopment Area (MRA). Demographic and economic conditions data and analysis is based on the U.S. Census Bureau's 2011-2015 American Community Survey estimates. Available data was used to evaluate the demographic and economic conditions. For the purposes of this report, demographic and economic data is derived from the census designated "Alamogordo city, New Mexico."

Between 2000 and 2015 population shrank in the City of Alamogordo from 35,582 to 31,198 individuals, while New Mexico's population grew at a rate of 1.25% annually. However, estimates by the U.S. Census Bureau suggest Alamogordo is slowly gaining population, growing from a 2010 low of 30,415 individuals living in the city.

Median income and poverty rates are worse in Alamogordo than they are compared to the state-wide average. The American Community Survey Five Year Estimates, 2011-2015, project that in New Mexico overall, 29.4% of all residents under 18 live at or below poverty. In Alamogordo that percentage is higher – 35.0% of the population under 18 lives at or below poverty. Median household income in Alamogordo is lower than in New Mexico overall, \$42,517, compared to \$44,963

Demographics

The total population of Alamogordo in 2015 was 31,198 people according to U.S. Census Bureau estimates. The population of the city dropped 12% between 2000 and 2015. Over the same period, New Mexico's population grew at an annual rate of 1.25%.

Population		
	Alamogordo	New Mexico
Total Population	31,198	2,084,117
Male	49.2%	49.5%
Female	50.8%	50.5%
18 years and over	77.3%	75.7%
65+ years old	17.0%	14.7%
0-9 years old	14.8%	13.4%
Median age	36.9	37.0
Hispanic or Latino	33.9%	47.4%
Source: U.S. Census Bureau, American Community Survey 2011-2015		

The median age of residents is 36.9, about the same as the state median age of 37.0. The percentage of Alamogordo's population under 18 years old is estimated to be 22.7%, below the statewide population of 24.3%. Notable is the number of those 65 years and older, 17.0% vs. 14.7% for New Mexico.

Education

Education of population over 25		
	Alamogordo	New Mexico
Population 25 years of age or older		
No HS Diploma or Equivalent	11.2%	15.8%
High School Diploma or Equivalent	30.9%	26.4%
Some College or Associate's Degree	40.3%	31.4%
Bachelor's Degree or Higher	17.6%	26.3%
Source: U.S. Census Bureau, American Community Survey 2011-2015		

While High School completion rates are higher in Alamogordo than in the state overall, the percentage of the population over 25 with higher education degrees is considerably less, 17.6% compared to 26.3% statewide. More of Alamogordo's residents have sought higher education, 40.3% of the population has some college or Associates degree, compared to 31.4% of the population state-wide.

Housing

About 87% of all housing units in Alamogordo are occupied. In total, there are 1,840 homes in the county left unoccupied out of 14,268 homes. Most (70.6%) of these homes are single unit detached homes, 15.2% or 2,168 are mobile homes. In New Mexico overall, 84.0% of all housing units are occupied.

Homes are, on average, older. Over half, 56.7%, of all homes in Alamogordo were estimated to have been built before 1980. Only 2.5% of homes have been constructed since 2010.

The majority of occupied homes are owner occupied, 58.3%. The median value of owner occupied homes in Alamogordo is just \$ 109,200 – slightly over two thirds of the median value seen across the state.

Income

Median household income in Alamogordo is lower than in New Mexico overall, \$42,517, compared to \$44,963. Per capita income trails the statewide average, \$22,795 vs. \$24,012.

Income Distribution: Alamogordo vs. New Mexico (2011-2015)		
	Alamogordo	New Mexico
Median Household Income	\$ 42,517	\$ 44,963
<\$15,000	16.4%	16.4%
\$15,000-\$24,999	14.0%	12.8%
\$25,000-\$34,999	10.0%	11.2%
\$35,000-\$49,999	17.3%	14.1%
\$50,000-\$99,000	30.8%	28.2%
\$100,000 and more	11.5%	17.5%
Source: U.S. Census Bureau, American Community Survey, 2011-2015		

Poverty rates in Alamogordo in 2015 are approximately the same as we see in New Mexico overall. Of Alamogordo's population, 20.5% lives at or below the poverty line, compared to 21.0% state-wide. Demographically, poverty among those under 18 is a larger problem in Alamogordo than in the rest of the state. In New Mexico overall, 29.4% of all residents under 18 live at or below poverty. In Alamogordo that percentage is higher – 35.0% of the population under 18 lives at or below poverty.

Economy

Employment

Composition of Work Force: Per the American Community Survey 2011-2015 estimate, the working age population of Alamogordo residents (i.e. persons 16 years and older) was estimated at 24,750 with 58% of those in the labor force. 4.1% of these are in the armed forces. The civilian labor force was estimated to have a 10.4% unemployment rate in 2015 compared to 9.2% for New Mexico as a whole. Sales and office occupations comprise 29.8% of city occupations; management, business, science and arts occupations are 26.6%; and service occupations are 25.9%.

Holloman Air Force Base, located approximately 3 miles (4.8 km) west of the city limits, is the largest employer of Alamogordo residents.

Employment by Industrial Sector:

Alamogordo Industry		
Civilian Employed Population 16 Years And Over	Alamo- gordo	New Mexico
Agriculture, forestry, fishing and hunting, and mining	1.9%	4.5%
Construction	7.2%	6.8%
Manufacturing	0.8%	4.7%
Wholesale trade	1.1%	2.2%
Retail trade	14.5%	11.3%
Transportation and warehousing, and utilities	2.6%	4.5%
Information	1.0%	1.6%
Finance and insurance, and real estate and rental and leasing	4.3%	4.5%
Professional, scientific, and management, and administrative and waste management services	7.4%	11.2%
Educational services, and health care and social assistance	24.3%	25.1%
Arts, entertainment, and recreation, and accommodation and food services	11.8%	11.1%
Other services, except public administration	3.8%	4.8%
Public administration	19.3%	7.7%
Source: U.S. Census Bureau, American Community Survey, 2011-2015		

The largest sectors of employment in Alamogordo are educational services, and health care and social assistance (24.3% of employees); public administration (19.3%); retail trade (14.5% of employees); and arts, entertainment, and recreation, and accommodation and food services (14.5% of employees).

CONCLUSION

This report demonstrates the existing conditions within Alamogordo's city center meet the criteria for "blighted" area designation as defined by the Metropolitan Redevelopment Code (3- 60A-8). The conditions described in this report detail a combination of factors which "...substantially impairs or arrests the sound growth and economic health and well-being of a municipality or locale within a municipality or an area that retards the provisions of housing accommodations or constitutes an economic or social burden and is a menace to the public health, safety, morals or welfare in its present condition and use;"

The designation of the Alamogordo Metropolitan Redevelopment Area will assist the community in achieving the following goals:

- Elimination of detrimental public health and welfare conditions.
- Conservation, improvement and expansion of commercial building stock.
- Expansion of commercial activity.
- Improvement and expansion of available housing.
- Improvement and expansion of the pedestrian environment.
- Improvement of economic conditions through coordinated public and private investments.

With the powers made available to municipalities by the NM Metropolitan Redevelopment Code, the City of Alamogordo will be working with the private sector to create opportunities for new housing, assist in preserving existing businesses in the area, expand the business community and implement public improvements and investments in the village center.

RESOLUTION NO. 2017-08

METROPOLITAN REDEVELOPMENT AREA DESIGNATION: MAKING CERTAIN FINDINGS AND DETERMINATIONS PURSUANT TO THE METROPOLITAN REDEVELOPMENT CODE, AND DESIGNATING THE CITY OF ALAMOGORDO METROPOLITAN REDEVELOPMENT AREA.

WHEREAS, Section 3-60A-8 NMSA 1978 of the Metropolitan Redevelopment Code (Sections 3-60A-1 through 3-60A-48 NMSA 1978) states: “A municipality shall not prepare a metropolitan redevelopment plan for an area unless the governing body by resolution determines the area to be a blighted area and designates the area as appropriate for a metropolitan redevelopment plan.”, and

WHEREAS, the City of Alamogordo (“City”) and New Mexico MainStreet, and their employees, have for some time engaged in a study of blighted areas within the city center area, and have submitted their findings and recommendations concerning the area detailed in the Designation Report, a copy of which is attached hereto as Exhibit A; and

WHEREAS, pursuant to Section 30-60A-8 NMSA 1978 of the Metropolitan Redevelopment Code, the City Commission caused to be published in the Alamogordo Daily News, a newspaper of general circulation, a notice containing a general description of the proposed City of Alamogordo Metropolitan Redevelopment Area and the date, time and place where the City Commission will hold a public meeting to consider the adoption of this resolution; and

WHEREAS, the boundaries of the City of Alamogordo Metropolitan Redevelopment Area are delineated on Exhibit B; and

WHEREAS, the City Commission has considered the findings and determinations of the Designation Report and all comments made at the public meeting concerning the conditions that exist in the proposed Metropolitan Redevelopment Area.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY that:

1. The City Commission finds and determines that in the city downtown area there are deteriorated structures, sites and other declining improvements, unsafe conditions, and low levels of commercial activity that substantially impair and arrest the sound growth and economic well being of the area and the City.
2. The City Commission finds and determines that this area would benefit from a metropolitan redevelopment project or projects, that the designation of a metropolitan redevelopment area is appropriate in the interests of public health, safety, and welfare,

and it hereby designates the City of Alamogordo Metropolitan Redevelopment Area.

3. The City Commission designates the boundaries of the City of Alamogordo Metropolitan Redevelopment Area to be as delineated on Exhibit B.
4. If any section paragraph, sentence, clause, word or phrase of this resolution is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this resolution. The City Commission hereby declares that it would have passed this resolution and each section, paragraph, sentence, word or phrase thereof irrespective of any provisions being declared unconstitutional or otherwise invalid.

PASSED, APPROVED AND ADOPTED, this 14 day of March, 2017.

Mayor

ATTEST:

City Clerk

Exhibit A: MRA Designation Report
Exhibit B: MRA Boundary

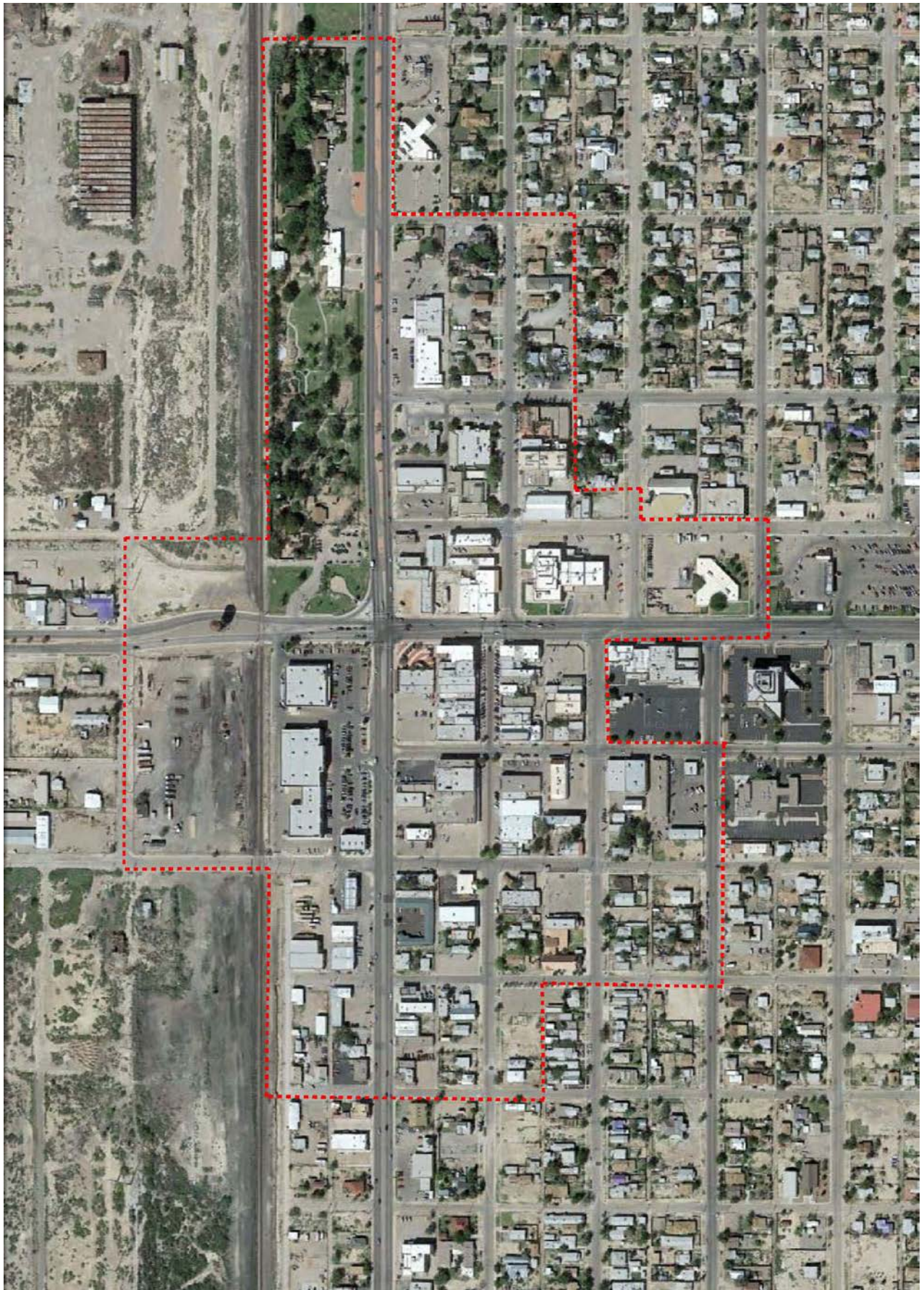


Exhibit B
Alamogordo MRA Boundary



NEW MEXICO FINANCE AUTHORITY

NMFA Use Only:

App. #:	-PP
FA assigned:	
Legislative Authorization	

LOCAL GOVERNMENT PLANNING FUND APPLICATION

I. GENERAL INFORMATION

A. APPLICANT /ENTITY

Application Date:

Applicant/Entity:					
Address:					
County		Census Tract:			
Federal Employer Identification Number (EIN) as issued by the IRS:					
Legislative District:	Senate:		House:		
Phone:		Fax:		Email Address:	
Individual Completing Application:					
Address:					
Phone:		Fax:		Email Address:	

B. CONSULTING PROFESSIONALS (Legal Counsel, Architect, Engineer, Planner etc.), if available:

Firm:				
Contact:				
Address:				
Phone:		Fax:		Email Address:

C. PRIMARY CONTACT PERSON:

Name:					
Contact:					
Address:					
Phone:		Fax:		Email Address:	

D. Organizational Readiness-to-proceed (Municipalities & Counties Skip to II)

1. Are you formally organized? Yes ☐ No ☐

2. Do you have formally adopted by-laws? Yes ☐ No ☐

If yes, please provide a copy.

3. Are you incorporated? Yes ☐ No ☐

If yes, please provide a copy of your Articles of Incorporation.

4. Do you have regular board meetings? Yes ☐ No ☐

If yes, please identify when and how often.

5. Do you keep formalized records of your Board meetings? Yes ☐ No ☐

6. Do you have written Board rules and regulations? Yes ☐ No ☐

If yes, please provide a copy.

II. PROJECT SUMMARY

A. Project Description. Complete the following information, use additional paper if necessary. Include any additional documents that may be useful in reviewing this project, i.e. architectural designs, feasibility studies, business plan, etc.

1. Type of Project

- ☐ Preliminary Engineering Report (PER)
- ☐ Environmental Information Document
- ☐ MRA Plan (NM Metropolitan Redevelopment Code Act)
- ☐ Water Conservation Plan
- ☐ Comprehensive Plan

- ☐ Infrastructure Plan for project identified on the ICIP
- ☐ Economic Development Feasibility Study
- ☐ Asset Management Plan
- ☐ Water Master Plan
- ☐ Wastewater Master Plan
- ☐ Energy Audit

2. Please include a detailed description of the scope of the proposed plan to be funded. Attach additional pages as needed.

B. Sources of Funding

NMFA Planning Funds Requested _____

Non-NMFA Funds (specify source & terms) _____

III. Water & Wastewater System Rates & Information (if applicable)

A. 1. List the current residential water or wastewater;

	Wastewater Rate per 6000 Gallons	Water Rate per 6,000 Gallons	Last Adjusted
Residential			
Commercial			

2. Is the water system metered? Yes ☐ No ☐

If yes, what percentage? _____

3. Is the wastewater system metered? Yes ☐ No ☐

If yes, what percentage? _____

4. How many connections? _____

5. How many certified operators? _____

IV. READINESS TO PROCEED ITEMS

A. The following items must accompany this application in order for this application to be considered complete:

- ☐ Map of service area, including census tract information
- ☐ 3 years of most recently completed fiscal year audit reports or unaudited financials
- ☐ Current unaudited financials
- ☐ Current fiscal year budget
- ☐ NMFA Application Resolution
- ☐ By-laws (if applicable)

- ☐ Articles of incorporation (if applicable)
- ☐ Board rules and regulations (if applicable)
- ☐ Open Meetings Act Resolution
- ☐ Documentation that each non-NMFA project funding source has been approved, or is in the process of being approved (if applicable)
- ☐ Joint Powers Agreement (if applicable)
- ☐ Administrative Order (if applicable)

Please Note: All water and wastewater planning documents must conform to Rural Utilities Services (RUS) Guidelines which is available from NMFA upon request. The scope and writer of any economic development feasibility study must be approved in advance by the Economic Development Department. A copy of any final report must be submitted to and accepted by the NMFA prior to disbursement of NMFA funds. NMFA may consult with the Departments of Environment, Economic Development or Finance & Administration in determining acceptability of any report.

V. CERTIFICATION

I certify that:

We have the authority to request and incur the debt described in this application and, upon award, will enter into a contract for the repayment of any NMFA loans and/or bonds.

We will comply with all applicable state and federal regulations and requirements.

To the best of my knowledge all information contained in this application is valid and accurate and the submission of this application has been authorized by the governing body of the undersigned jurisdiction.

Signature:

Title:

(highest elected official)

Jurisdiction:

Print Name:

Date:

Signature:

Date:

Finance Officer/Director:

RESOLUTION NO. _____

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

WHEREAS, _____ (the "Governmental Unit") is a duly organized [name of type of entity] created and formed pursuant to [name of act, and citation to act, authorizing creation of, or creating, the Governmental Unit] and is a qualified entity under the New Mexico Finance Authority Act, Sections 6-21-1 through 6-21-31, NMSA 1978 ("Act"); and

WHEREAS, the New Mexico Finance Authority ("Finance Authority") is authorized pursuant to the Act, particularly Section 6-21-6.4 of the Act, to make grants from the local government planning fund (the "Fund") to qualified entities to evaluate and estimate the costs of implementing feasible alternatives for meeting water and wastewater public project needs or to develop water conservation plans, long-term master plans or economic development plans; and

WHEREAS, pursuant to the Act the Finance Authority has developed an application procedure whereby the Governing Body may submit an application ("Application") to the Finance Authority for planning grant financial assistance from the Fund; and

WHEREAS, the _____ of the Governmental Unit (the "Governing Body") desires to submit an Application for financial assistance from the Fund for a Planning Document, as defined in the Rules Governing the Local Government Planning Fund currently in effect and as specifically identified below, for the benefit of the Governmental Unit; and

WHEREAS, the Governing Body intends to submit the Planning Document to ~~evaluate and estimate the costs of implementing feasible alternatives for meeting water and wastewater public project needs~~ ~~[develop a water conservation plan]~~ ~~[develop a long term master plan]~~ ~~[develop an economic development plan]~~ of _____ ("Project") for the benefit of the Governmental Unit and its citizens; and

WHEREAS, the application prescribed by the Finance Authority to finance the Planning Document [in whole/in part] with financial assistance from the Fund has been completed, submitted to, and reviewed by the Governing Body, and this Resolution approving submission of the completed Application to the Finance Authority for its consideration and review is required as part of the Application.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY:

Section 1. That all lawful actions previously taken by the Governing Body and the Governmental Unit and their respective officers and employees in connection with the Application and the Project are hereby ratified, approved and confirmed.

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

Section 3. That the officers and employees of the Governmental Unit are hereby directed and requested to submit the completed Application to the Finance Authority, and are further authorized to take such other action as may be requested by the Finance Authority in connection with the Application and to proceed with arrangements for financing the Project.

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

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

PASSES APPROVED AND ADOPTED this _____ day of _____, 20____.

By _____
Authorized Officer

(Seal)

ATTEST:

Authorized Officer

MainStreet Downtown Master/MRA Plan Requirements

Required Downtown Master Plan Outline

A District Master Plan defines a community's vision for the core commercial area and identifies priority catalytic projects to revitalize that area, determined through a dynamic community participation process. Also called a Downtown Revitalization Plan, a Metropolitan Redevelopment Area Plan, or a Downtown Strategic Plan, the Master/MRA Plan examines existing conditions and assets, analysis of the core district economic market, develops a physical land use plan with livability/design guidelines, designs specific redevelopment sites and projects, and identifies sustainable implementation strategies and specific funding sources for each priority project for the district's future physical improvements, economic uses, and regulations. When adopted by the Town Council, the District Master/MRA Plan becomes a living document that guides district revitalization and public and private sector investment for several years.

Scope of Planning Services to be Performed

The following tasks are identified as the Scope of Work that the planning consultant team will be requested to perform in preparing the District Master/MRA Plan.

A. Existing Conditions/Asset Inventory

An inventory and mapping of existing conditions will be performed that will include, but not be limited to, existing land use, zoning, public land ownership, transportation networks and traffic volumes within the district boundary and related neighborhoods. An asset inventory will also be completed determining the significant cultural and historic features and buildings, opportunity sites for redevelopment, and major regional attractions.

Prepare an overview of the history and settlement of the community and identify key historical or cultural events or populations that can serve as contributing to a place-based identity for the district.

A map of opportunity sites and potential revitalization projects will be developed for the district area summarizing the results of the inventory.

B. Market Analysis

Market research will be conducted that will include the following information:

- Overview of existing downtown, municipal and regional commercial and housing market conditions,
- Overview of demographics of city and regional markets including skill base, education and disposable income,
- Recent history of downtown services and retail including types of businesses, numbers in each area, turnover rates,
- Competitive related markets and nodes in same segments,
- Trends driving the current market,
- Regional influences impacting the district,
- Potential opportunities in repositioning the downtown market including underserved Markets,
- Assess where there may be gaps that could be filled by new businesses and what types of skills residents may have to contribute.
- Interviews with commercial realtors will be conducted to identify residential and business types that are under-supplied in the district,

- Determination of the types of housing projects (ownership vs. rental, single family vs. multifamily, size of units) will be made that best meet the market needs for the area,
- Assess the feasibility for uses such as retail, office, housing, hotel and cultural (such as museums, arts and entertainment) uses,
- Economic positioning of downtown in relation to the development of the entire community including business recruitment and retention,
- Tourism, especially heritage tourism, including the positioning of the district as an Arts and Cultural District.

C. District Vision and Master Plan

Through the community participation process, create a vision for the district that reflects its historical context and present opportunities and assets to serve as an aspiration for the community's future. This process will result in the preparation of a Metropolitan Redevelopment Area (MRA) Plan as per New Mexico Redevelopment Code statutes.

Develop a District Master Plan for the area that:

- Allocates new and future land uses and revitalization projects in the downtown based on the community input and market study that will create a sustainable downtown based on the *MainStreet 4 Point Approach*®. A sustainable downtown is more than “green buildings”; it encompasses the adaptive reuse of existing buildings, conserves energy, water and cultural resources, reduces greenhouse gas emissions, promotes economic development and vitality, and celebrates the cultures and traditions of the community.
- Integrates the preservation and conservation of existing historic buildings and cultural properties into the planning and design of district projects and identify the potential for dedicating new nominations of historic buildings, cultural properties, state and/or national historic registered districts. Contact and coordinate with NM Historic Preservation Division (HPD) staff for information related to historic buildings and districts.
- Evaluates transportation/transit, traffic, and pedestrian issues related to the proposed improvements in the area creating a walkable pedestrian-friendly environment through pedestrian enhancements and traffic calming measures. Contact and coordinate with NM Department of Transportation (NMDOT) District Engineer Office and the NMDOT Planning/CSS Division staff for existing information and proposed projects in the town.
- Determines vacant, underutilized and/or available land and buildings within the plan area that could be redeveloped and recommends adaptive reuses of existing buildings or new development on vacant land.
- Review the City Zoning Code and recommend changes to the Code that will provide incentives and foster implementation of the plan.

Identifies priority catalytic projects that will stimulate revitalization efforts and attract private sector reinvestment into the downtown. Projects should include increasing the town's job creation, economic redevelopment, livability, walkability, placemaking, and serve to support and enhance its authentic and unique sense of place.

Develop Downtown Livability/Design guidelines that consider the following character-defining elements:

- Gateways and Entries
- Plazas, Parks and Public Spaces
- Streets, Historic Roads and Scenic Byways, Pathways and Connections
- Public Art
- Street Furniture, Pedestrian Amenities

- Building Setback/Massing/Scale
- Building Height
- State and/or National Historic registry status
- Parking and Driveways
- Porches, Portales and Awnings
- Signage
- Materials/Color
- Architectural Features
- Lighting
- Security

D. Implementation Strategies/Priorities

A prioritized and phased Implementation Plan will be developed consisting of revitalization projects and strategies that the MainStreet board and the Town can follow for the successful implementation of the Plan and the long term sustainability of the district. Priority catalytic projects will range from small projects that can be implemented through partnerships with the Town and the community's MainStreet board using local volunteers and staff, to larger projects that may require Capital Outlay, Legislative and/or Federal funding. Project priorities will be determined through a community-based prioritization process. Projects will have specific funding sources identified to do each project.

E. Funding Sources

The consultant will identify funding sources applicable to the district and community to implement the plan including but not limited to a BID, CDBG, TIF, TIDD, LEDA, Lodgers Tax, Quality of Life Tax, and other state and federal sources of funding. The narrative will be based on an evaluation of the municipality's financial capacity and the best financial tool(s) to accomplish priority projects within the District Master/MRA Plan. The contractor shall make assessment of the district and determination and findings required for the City to adopt a Metropolitan Redevelopment Area MRA with the District Master Plan. *(The Tax Increment Development (TID) financing tool associated with the MRA, may be adopted separately from the MRA if the municipality determines it is not needed at the current time for district revitalization).*

F. Community Participation Process

The consultant will prepare the Plan through an intensive community process that will include at a minimum the following steps:

- Organize and conduct regular meetings with a Steering Committee regarding the Master Plan.
- Conduct and facilitate a two-day public design workshop that utilizes a dynamic planning process, e.g., a *charrette*, to solicit and record the communities input on their ideas of revitalization projects and programs to include in the outcome of the Plan. Use this opportunity to solicit volunteers who may want to be involved in the local MainStreet organization on a task force to implement the District Plan's projects.
- Prepare a draft District Master Plan/MRA Plan, and present that Plan to the Steering Committee and participants from the public workshop. Provide an opportunity for review and provide comment of the draft Plan to New Mexico MainStreet, NM Historic Preservation Division and NMDOT staff prior to any official action.
- Present the Final Plan to the Steering Committee, participants from the public workshop, and Town officials.

- Revise the final Plan as required by NM MainStreet, other state and local agencies, and the Town after their review of the final Plan. The final District Master Plan/MRA Plan will be adopted by the Town Council as per the State's Redevelopment Code statute.
- Deliver 25 final color hardcopy Plans to the community, and all digital text and mapping files in MS Word and ESRI ArcView formats. And 2 copies of the Plan in the same formats to New Mexico MainStreet.

7/1/15



AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 03/14/2017

Report Date: 3/8/2017

Report No: 6.

Submitted By: Edward Balderrama

Subject: Consider and act upon, the kitchen options for the Family Entertainment Center (Basin Lanes).
(*Edward Balderrama, Project Manager*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Provide direction to staff on how to proceed with the kitchen design, pub style as originally proposed, or a revised design for a full service kitchen.

Background: The original design of the kitchen was to serve pub style food, (burgers, pizza, sandwiches, wings, etc.). It was requested that the kitchen be revised to a full service kitchen. The contractor was issued a change order, Change Order No. 3, in the amount of \$4,117.77 for the kitchen redesign. It is unknown at this time what the cost impact would be to construct a full service kitchen.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 03/14/2017

Report Date: 3/8/2017

Report No: 7.

Submitted By: Lauren Truitt

Subject: Consider, and act upon, request by Leo Comallie to waive or partially waive the lien placed on 1204 Desert Dawn Drive for past due sewer and water charges. (*Lauren Truitt, City Attorney*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Staff would recommend to deny the request.

Background: On February 15, 2015 a Utility lien was placed on 1204 Desert Dawn Drive for unpaid water and sewer charges. Notice was sent to the owner of record, William D. Pappas on November 26, 2014. The letter was returned to Utility Billing marked "Unable to Forward". The property was sold through foreclosure to Leo Comallie by Special Master's Deed dated February 2, 2017. The total amount due on the lien is \$638.40. This amount includes \$50 filing fee, \$119.95 interest, and \$200 Admin Fee.

Mr. Comallie states in his request that the City Attorney recommended he ask the commission for a waiver or partial waiver of the lien. Mr. Comallie spoke with the Paralegal and wanted staff to waive charges. The Paralegal told him staff does not have the authority to waive any lien charges.

Mr. Comallie did not express any undue hardship on his part. Staff recommends that the request to waive the lien be denied.

NOTICE OF LIEN

NOTICE IS HEREBY GIVEN that the City of Alamogordo, New Mexico ("City"), by and through its Clerk, claims a lien upon the below-described property.

1. The lien is established under City ordinances codified as §§28-02-120 and 28-03-060, *Code of Ordinances of the City of Alamogordo, New Mexico* and under §§3-23-6 and 3-26-2 NMSA 1978 (As Amended).
2. The purpose of the lien is to recover unpaid charges for water, sewer services provided by the City.
3. The name of the owner and the property against which the lien is **William D. Pappas**, whose address is 1 204 Desert Dawn Dr., Alamogordo, NM 88310.
4. The property against which the lien is established is described as follows:
Desert Gardens Partial Replat Block 1, Lot 37 of the City of Alamogordo, County of Otero, State of New Mexico having the street address of 1204 Desert Dawn Dr., Alamogordo, NM 88310.
5. The Principal amount of the lien is \$468.55.
6. The lien is established for services provided during the period from 8/16/2012 to 10/8/2014 (account #41155-7632).
7. The principal amount of the lien shall bear interest at the rate of twelve (12%) percent per year from the date of filing of the Notice of Lien unless otherwise provided by law.

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

By: *Renee L. Cantin*
RENEE L. CANTIN, CITY CLERK

STATE OF NEW MEXICO)
) ss.
OTERO COUNTY)

The foregoing Notice of Lien was acknowledged before me this 28th day of January 2015, by Renee L. Cantin, City Clerk of the City of Alamogordo, New Mexico, a New Mexico municipal corporation, on behalf of said corporation:

My commission expires: Nov 5, 2015

Dorothy Murphy
Notary Public

APPROVED AS TO FORM:

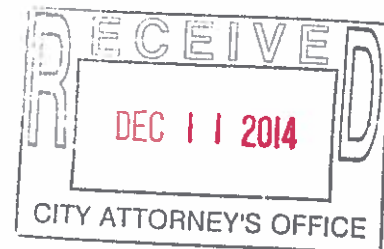
Stephen P. Thies
Stephen P. Thies, City Attorney

APPROVED AS TO AMOUNT:

Sue Ashe
Sue Ashe, Accounting Project Analyst

1432

To: Stephen Thies, City Attorney
From: Stephanie Reyes, Utility Billing Collections Clerk *SR*
Date: December 10, 2014
Thru: Armando Ortega, Customer Service Manager *A*
Re: Delinquent account; 1204 Desert Dawn Dr



PLEASE PLACE A LIEN AGAINST THE PROPERTY LISTED BELOW:

PROPERTY OWNER INFORMATION

William D Pappas
 1204 Desert Dawn Dr
 Alamogordo, NM 88310

PROPERTY ADDRESS

1204 Desert Dawn Dr

LEGAL DESCRIPTION

Subd: DESERT GARDENS PARTIAL REPLAT BLK 1 Lot: LT 37

OWNER OCCUPIED HOME WHEN DEBT WAS INCURRED

Account Name: Billy & Rachel Pappas
 Account Number: 41155-7632
 Start Date: 8/16/2012 Term Date: 10/8/2014

BREAKDOWN OF CHARGES

TIME PERIOD

Bill:	10/15/12	Service:	08/16/12	to	09/21/12	\$ 102.26
Bill:	11/12/12	Service:	09/22/12	to	10/22/12	\$ 59.16
Late Charge:	11/13/12					\$ 10.00
Payment:	12/03/12					\$ (100.00)
Bill:	12/10/12	Service:	10/23/12	to	11/20/12	\$ 60.52
Late Charge:	12/11/12					\$ 10.00
Late Charge:	01/08/13					\$ 10.00
Bill:	01/14/13	Service:	11/21/12	to	12/21/12	\$ 63.25
Payment:	01/16/13					\$ (65.00)
Payment:	01/18/13					\$ (86.94)
Bill:	02/11/13	Service:	12/22/12	to	01/23/13	\$ 61.59
Late Charge:	02/12/13					\$ 10.00
Payment:	02/21/13					\$ (73.25)

BREAKDOWN OF CHARGES

Continued

TIME PERIOD

Bill:	03/11/13	Service:	01/24/13	to	02/22/13	\$ 55.28
Late Charge:	03/12/13					\$ 10.00
Late Charge:	04/09/13					\$ 10.00
Bill:	04/15/13	Service:	02/23/13	to	03/22/13	\$ 56.70
Payment:	04/16/13					\$ (61.59)
Bill:	05/13/13	Service:	03/23/13	to	04/19/13	\$ 89.50
Payment:	05/13/13					\$ (107.00)
Late Charge:	05/14/13					\$ 10.00
Bill:	06/10/13	Service:	04/20/13	to	05/17/13	\$ 55.53
Payment:	06/11/13					\$ (70.00)
Late Charge:	06/11/13					\$ 10.00
Late Charge:	07/09/13					\$ 10.00
Payment:	07/12/13					\$ (64.48)
Bill:	07/15/13	Service:	05/18/13	to	06/18/13	\$ 56.95
Bill:	08/12/13	Service:	06/19/13	to	07/18/13	\$ 115.54
Late Charge:	08/13/13					\$ 10.00
Payment:	08/21/13					\$ (120.00)
Payment:	09/04/13					\$ (75.00)
Bill:	09/10/13	Service:	07/19/13	to	08/19/13	\$ 55.53
Late Charge:	09/10/13					\$ 10.00
Payment:	09/25/13					\$ (63.02)
Late Charge:	10/08/13					\$ 10.00
Bill:	10/14/13	Service:	08/20/13	to	09/17/13	\$ 56.95
Payment:	10/22/13					\$ (65.53)
Bill:	11/11/13	Service:	09/18/13	to	10/17/13	\$ 58.37
Late Charge:	11/12/13					\$ 10.00
Payment:	11/19/13					\$ (66.95)
Bill:	12/10/13	Service:	10/18/13	to	11/15/13	\$ 58.37
Late Charge:	12/10/13					\$ 10.00
Payment:	12/19/13					\$ (70.00)
Late Charge:	01/08/14					\$ 10.00
Bill:	01/13/14	Service:	11/16/13	to	12/17/13	\$ 58.37
Payment:	02/03/14					\$ (100.00)
Bill:	02/10/14	Service:	12/18/13	to	01/17/14	\$ 90.92

BREAKDOWN OF CHARGES

Continued

TIME PERIOD

Late Charge:	02/11/14				\$ 10.00
Payment:	03/06/14				\$ (35.11)
Bill:	03/10/14	Service:	01/18/14	to 02/18/14	\$ 56.95
Late Charge:	03/11/14				\$ 10.00
Payment:	03/28/14				\$ (131.92)
Late Charge:	04/08/14				\$ 10.00
Bill:	04/14/14	Service:	02/19/14	to 03/18/14	\$ 88.08
Payment:	05/07/14				\$ (35.95)
Bill:	05/12/14	Service:	03/19/14	to 04/17/14	\$ 55.53
Late Charge:	05/13/14				\$ 10.00
Payment:	06/05/14				\$ (130.00)
Bill:	06/10/14	Service:	04/18/14	to 05/15/14	\$ 88.19
Late Charge:	06/10/14				\$ 10.00
Payment:	06/17/14				\$ (33.61)
Late Charge:	07/09/14				\$ 10.00
Bill:	07/14/14	Service:	05/16/14	to 06/16/14	\$ 57.21
Payment:	07/22/14				\$ (98.19)
Bill:	08/11/14	Service:	06/17/14	to 07/18/14	\$ 57.21
Late Charge:	08/12/14				\$ 10.00
Payment:	08/27/14				\$ (67.21)
Late Charge:	09/09/14				\$ 10.00
Bill:	09/16/14	Service:	07/19/14	to 08/26/14	\$ 63.06
Final Bill:	10/09/14	Service:	08/27/14	to 10/08/14	\$ 138.28

Subtotal	\$ 268.55
Admin Fee	\$ 200.00
Total	\$ 468.55



City of Alamogordo



November 26, 2014

William D Pappas
1204 Desert Dawn
Alamogordo, NM 88310

RE: *Name on Account: Billy & Rachel Pappas*
Account Address: 1204 Desert Dawn
Account Number: 41155 - 7632

Dear Property Owner:

On 10/8/2014 water service was terminated at 1204 Desert Dawn. Our records indicate that you still owe the final bill on this account. The total amount due is \$268.55. Please remit payment to the Utility Billing Department within ten (10) days from the date of this letter.

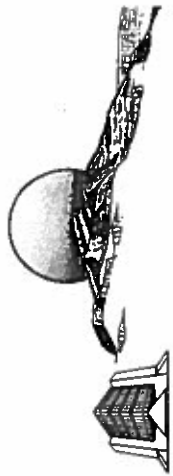
The City desires to give you every opportunity to make payment. However, if you do not comply with this request within the allocated time, this account will be turned over to the City Attorney's Office and a lien will be filed against your property for the amount owed plus \$200.00 administration fee.

Please contact me at (575) 439-4372 or (575) 439-4260 as soon as possible to discuss this matter.

Sincerely,

Stephanie Reyes
Utility Billing Collections Clerk

Certified mail, return receipt requested
7014 1200 0000 1434 3077



City of Alamogordo

1376 E. NINTH STREET
ALAMOGORDO, NEW MEXICO 88310-5938
Utility Billing Collections Dept



7014 1200 0000 1434 3077

Hasler

11/26/2014

US POSTAGE



ZIP 88310
011D11633948

\$06.48

FIRST-CLASS MAIL

DEC 01 2014

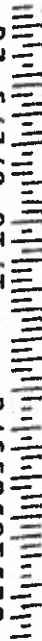
William D Pappas
1204 Desert Dawn
Alamogordo, NM 88310

799 DFE 100981410011/26/14
PAPPAS
RETURN TO SENDER

MOVED LEFT NO ADDRESS
UNABLE TO FORWARD
RETURN TO SENDER

8C: 8831058556 1710-07275-26-41

8831005855
8831055556 00



Owner Information

Owner Name PAPPAS, WILLIAM D
Mailing Address1 1204 DESERT DAWN
Mailing Address2
City ALAMOGORDO
State NM
Zip 88310
Owner ID C017615
Owner Number 75773
Account Number R019086

Property Description

Property Address 1204 DESERT DAWN DR
 Subd: DESERT GARDENS
 PARTIAL REPLAT BLK 1
Legal Descript Lot: LT 37
Neighborhood A5B
Account Number R019086
Previous ID 01-10255

Deeds

Description
BK 439 PG 567-PROP MGMT
BK 541 PG 909-US HOMES
BK 552 PG 817-WILSON
BK 559 PG 187-CDR
BK 573 PG 07-TAYLOR
BK 647 PG 613-4-SPEC MASTERS
BK 651 PG 659-SOUTHWEST
BK 653 PG 808-9-VA
BK 660 PG 486-CHESSER
BK 860 PG 615-HERELL
BK 860 PG 613-AGREEMENT
BK 982 PG 335-PAPPAS

Parcel Summary

Land Value \$11,875.00
Impr Value \$74,667.00
Full Value \$86,542.00
Taxable Value \$28,847.33

Total Full Value

Taxable
 Total Exemptions \$0.00
 Net Taxable Value \$28,847.00

Taxes

Bill # 11039151
Year 11
Original Amount \$671.83
Total Due \$335.91

Mobile Summary

Prop Value \$0.00
Mobile Taxable \$0.00

Exemptions

ExemptionType	Amount
---------------	--------

Land Segments

SegNo	Description	Size	TaxYear
0	S-Family Res Lot	62 x 100	2014

Residential Buildings

Build No	Description	Year Built	Stories	Gross Living Area	Baths	Beds	Construction	Roof Cover	Heating	Cooling	Quality	TotalRooms
1	Single Family Residence	1984	1	1252	2.00	3	Wood Frame	GABLE SHINGLE	FORCED CIRCULATION	Evaporative Cooling	Average Quality	5.00

Other Improvements

Item No	Description	Length	Width	Area Units	Impr Value
---------	-------------	--------	-------	------------	------------

Commercial Buildings

Build No	Description	Year Built	Stories	Gross Area	Class	Quality	Story Height	HVAC	Extr Walls	DBA	Tax year
----------	-------------	------------	---------	------------	-------	---------	--------------	------	------------	-----	----------

Mobile Homes

Licence Plate	Serial No	Make	Year Built	Length	Width	Area	Size
---------------	-----------	------	------------	--------	-------	------	------

Photograph:



Sketch:



Maps:





RECEIVED
MAR 06 2017
CITY CLERK

City of Alamogordo City Commission Meeting

AGENDA REQUEST FORM

Date: Mar 03, 2017

Date of Meeting:

March 14, 2017

Name:

LEO COMALLIE

Address:

P.O. 1030

LA LUZ N.M. ZIP 88337

Phone Number:

575-437-7575

E-Mail Address:

COMWAY@Q.COM

Item requested will be for: (Please check one)

☐ Information only

☐ Action Item

☒ Discussion/Action ?

☐ Public Hearing

☐ Report

☐ Other: _____

Brief description of topic to be discussed:

Please attach one original of any documents pertaining to the topic -

We do not allow handouts at the meeting

The City attorney recommended I ask the commission for a waiver or partial waiver regarding the attached City utility lien. The property has been abandoned for over three years and has used no utilities. I would like to restore the property to better than its current value which would improve the area's other home owners value, tax base, and restore the cities utilities revenue, for which the city has received none for the past three years.

Signature: Leo B. Comallie

Please return to:

Rachel Hughs, City Clerk
City of Alamogordo
1376 E. 9th Street
Alamogordo, NM 88310

Phone: (575) 439-4205

Fax: (575) 439-4396

E-mail: rhughs@ci.alamogordo.nm.us

CITY OF ALAMOGORDO
UTILITY LIEN PAYOFF

Prepared By: DMURPHY
Address: 1204 Desert Dawn
Lien#: 1432
Acct#: 41155-7632

Date: 3/1/2017
Lien filed: 2/11/2015
Name: Pappas

Interest: 12% 0.000328767 per day

2/11/2015	\$	468.55	\$119.85	778
	\$	468.55		

\$	468.55	Lien amt
\$	50.00	filing fees
\$	119.85	interest
\$	638.40	total due

PAYOFF GOOD THROUGH: 3/31/2017

City Commission

PLEASE MAKE CHECK PAYABLE TO "CITY OF ALAMOGORDO"

City Attorney's Office
CITY OF ALAMOGORDO
1376 E. Ninth Street
Alamogordo, NM 88310

3/1/2017

OTERO COUNTY ASSESSOR'S OFFICE

Property Profile

Active

Account: R019086
 Mill Levy 24.275000
 Estimated Tax: \$728.56

Tax Year: 2017
 Version: 02/16/2017
 Parcel: 01N4056093162068

Account Type: P
 Area ID: 01_R
 Previous ID: 01-10255

Owners Name and Mailing Address

COMALLIE, LEO B & DOROTHY
 PO BOX 1030
 LA LUZ, NM 88337-1030

Property Location

Situs: 1204 DESERT DAWN DR
 City, State, Zip: ALAMOGORDO, NM 88310
 Neighborhood: A5B

Legal Description

Subd: DESERT GARDENS PARTIAL REPLAT BLK 1 Lot: 37

Assessment Information

2016 Tax Year	Full Value	Assessed Value	Gross Sq Ft	Acres	Taxable
Land:	12,355	4,118	6200.000		
Improvements:	77,681	25,894	1252.000		
Exemptions:		0			
Total:	90,036	30,012			30,012

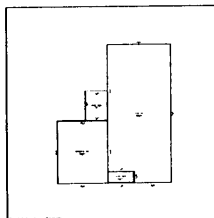
2015 Tax Year	Full Value	Assessed Value	Gross Sq Ft	Acres	Taxable
Land:	12,355	4,118	6200.000		
Improvements:	77,681	25,894	1252.000		
Exemptions:					
Total:	90,036	30,012			30,012

Public Remarks

Photograph



Building Sketch



Book - Page	Reception #	Grantor	Grantee	Date
	201700823	SPECIAL MASTER	COMALLIE, LEO & DOROTHY	02/02/2017
B: 0439 P: 0567	04390567			
B: 0541 P: 0909	05410909			
B: 0552 P: 0817	05520817			
B: 0559 P: 0187	05590187			
B: 0573 P: 0007	05730007			
B: 0647 P: 0613	06470613			
B: 0651 P: 0659	06510659			
B: 0653 P: 0808	06530808			
B: 0660 P: 0486	06600486			
B: 0860 P: 0615	08600615			
B: 0860 P: 0613	08600613			
B: 0982 P: 0335	09820335			

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 03/14/2017

Report Date: 3/10/2017

Report No: 8.

Submitted By: Rachel Hughs

Subject: Adjourn into Executive Session in compliance with Section 10-15-1(H), NMSA 1978, to discuss Threatened and Pending Litigation: (Ortega v. City of Alamogordo) and Medieros Condemnation. **(Roll Call Vote required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background: