Alamogordo City Commission

NOTICE OF MEETING

Regular Meeting Agenda

September 12, 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 .... City Manager
Petria Schreiber ....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 a 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

PRESENTATIONS

1. Presentation by US Army Corps of Engineers related to funding and design options for the McKinley Channel Flood Control Project. *(James L. Booth, Lieutenant Colonel)*

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.

2. Approve the minutes for the August 21, 2017 Special meeting and the August 22, 2017 Regular meeting. *(Rachel Hughs, City Clerk)*

3. Consider, and act upon, approval of an MOU to the FY2017-FY2020 contract with American Federation of State, County, and Municipal Employees (AFSCME) Local 3818. *(Katie Josselyn, Human Resources Director)*

4. Consider, and act upon, approval of an MOU to the FY2017-FY2020 contract with the Alamogordo Public Safety Officers Association (APSOA). *(Katie Josselyn, Human Resources Director)*

5. Consider, and act upon, approval of a letter of support to urge the Army Corps of Engineers to continue to fund the McKinley Channel Flood Control Project. *(Maggie Paluch, City Manager)*

ITEMS REMOVED FROM CONSENT AGENDA

PUBLIC HEARINGS

6. Consider, and act upon, Application No. 1052714 to grant a Restaurant Beer and Wine Liquor License on the Premises Consumption only to Rachel's located at 902 N. New York Ave., White Sands Blvd., Alamogordo, NM. *(Rachel Hughs, City Clerk)*

UNFINISHED BUSINESS

7. Consider and act upon supporting the New Mexico Aviation Aerospace STEM Expo 2017. *(Bill Shuert, President of NMAAA)*

8. Consider, and act upon, the Kids Kingdom Re-build Proposals, *(Veronica Ortega, Community Services)*

9. Consider and act upon Ordinance No. 1544 amending sections 28-03-005, 28-03-100, and 28-03-085 of the Alamogordo Code of Ordinances regarding water and sewer service. *(Petria Schreiber, City Attorney)*

NEW BUSINESS

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

EXECUTIVE SESSION (Roll Call Vote Required)

11. Adjourn into Executive Session in compliance with Section 10-15-1(H), NMSA 1978 (as amended), to discuss Threatened or Pending Litigation; American Federation of State, County and Municipal Employees, AFL-CIO, Local 3818, on behalf of Anthony Backy. **(Roll Call Required)**

ADJOURNMENT

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 09/12/2017 **Report Date:** 09/07/2017 **Report No:** 1.

Submitted By: Nancy Beshaler

Subject: Presentation by US Army Corps of Engineers related to funding and design options for the McKinley Channel Flood Control Project. *(James L. Booth, Lieutenant Colonel)*

Fiscal Impact:
Amount Budgeted:
Fund:

Additional Fiscal Impact:

Recommendation:

Background: The US Army Corps of Engineers and the city have partnered on the Local Flood Protection Project since the original Project Cooperation Agreement was executed in 1999. The project has been constructed in phases as funding has been made available. The South Channel was constructed between 2002 and 2011, and then work began on the McKinley Channel. As a result of the way funding authorizations changed over the years, the construction phases became reduced in size. McKinley Channel has been constructed through Phase 7, which concrete-lined the channel up to First Street. The remainder of the McKinley Channel work extends from First Street up to the McKinley Channel Sediment Basin.
The cost of the project has increased significantly, requiring additional federal and local funds in order to complete the final phase. The presentation will provide information about the likelihood of future funding for the project, and the courses of action the US Army Corps of Engineers is considering.

ALAMOGORDO CITY COMMISSION
BRIEFING PRESENTATION

James L. Booth
Lieutenant Colonel, U.S. Army
Commander and District Engineer
Albuquerque District

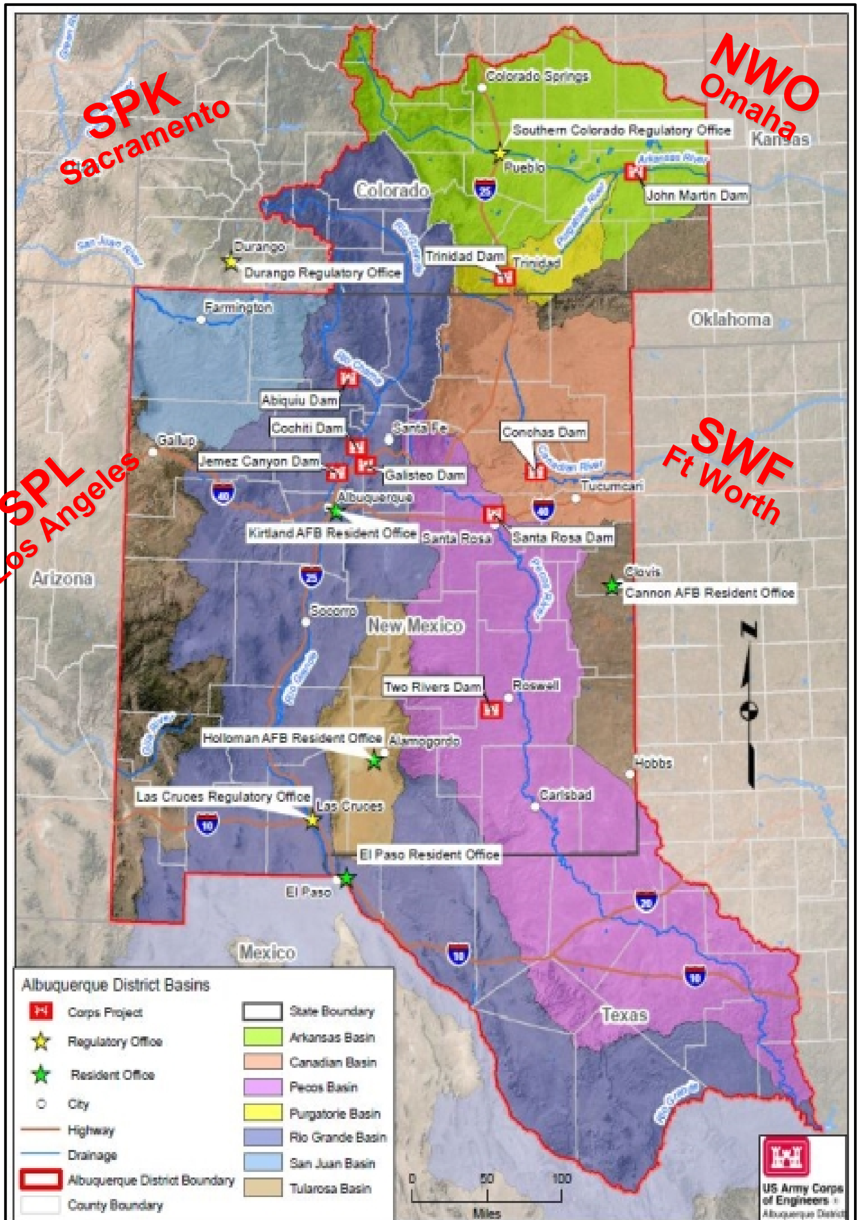
September 2017

"The views, opinions and findings contained in this report are those of the authors(s) and should not be construed as an official Department of the Army position, policy or decision, unless so designated by other official documentation."

US Army Corps of Engineers.

U.S.ARMY

Albuquerque District



- Primarily serving 3 States (NM, CO, TX)
- 6 Senators; 10 Congressional Districts
- FY18 Estimated Contract Obligations - $301M
- 366 MIL and CIV employees
- 3 Regulatory Field Offices
- Operate and maintain 9 dams and 4 USACE and 8 state campgrounds with 6.7 million visitor hours annually
- Support 3 major Air Force installations, Army Reserve
- 4 Construction Resident Offices
- Partner with 23 federally recognized tribes

US Army Corps of Engineers

U.S.ARMY

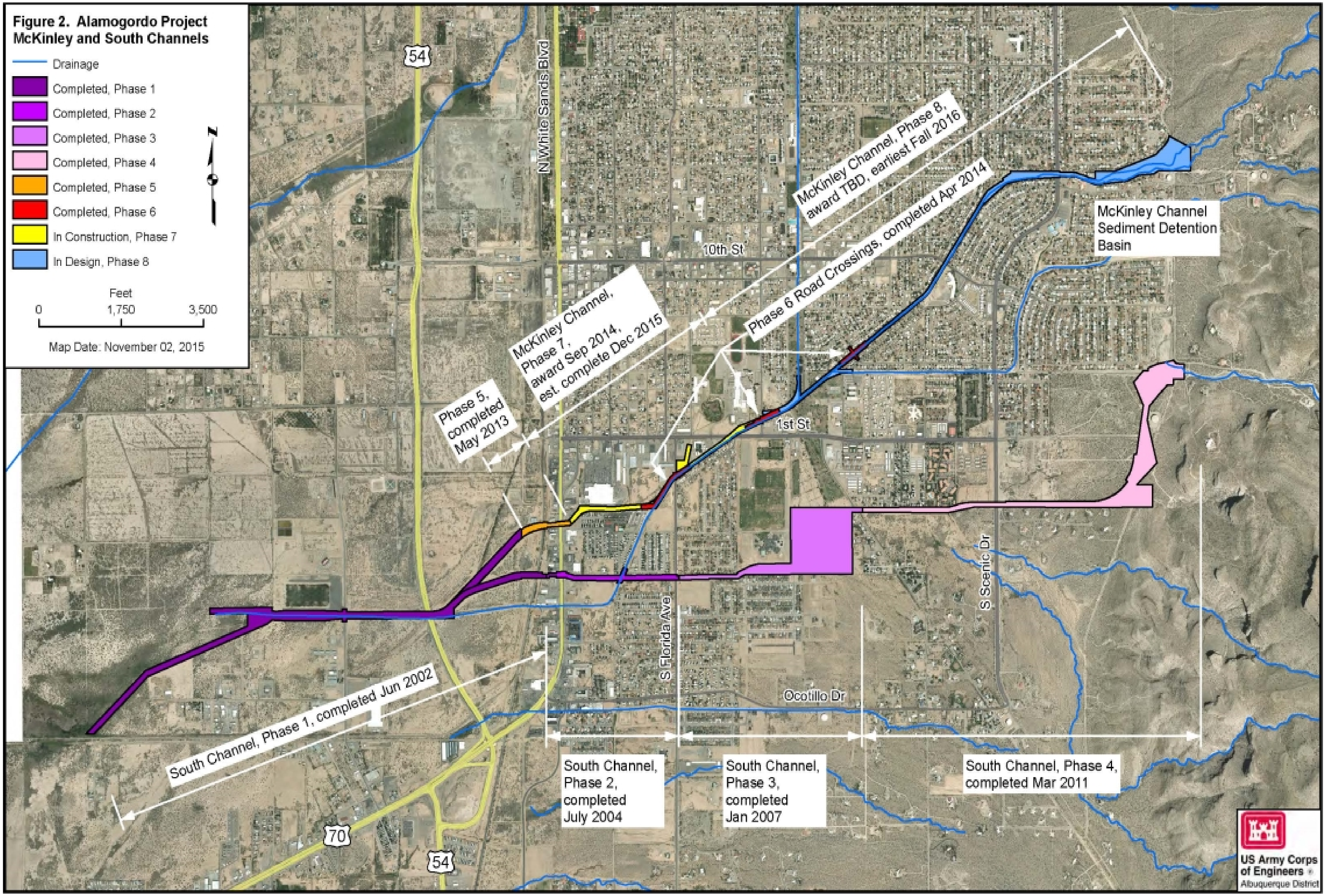
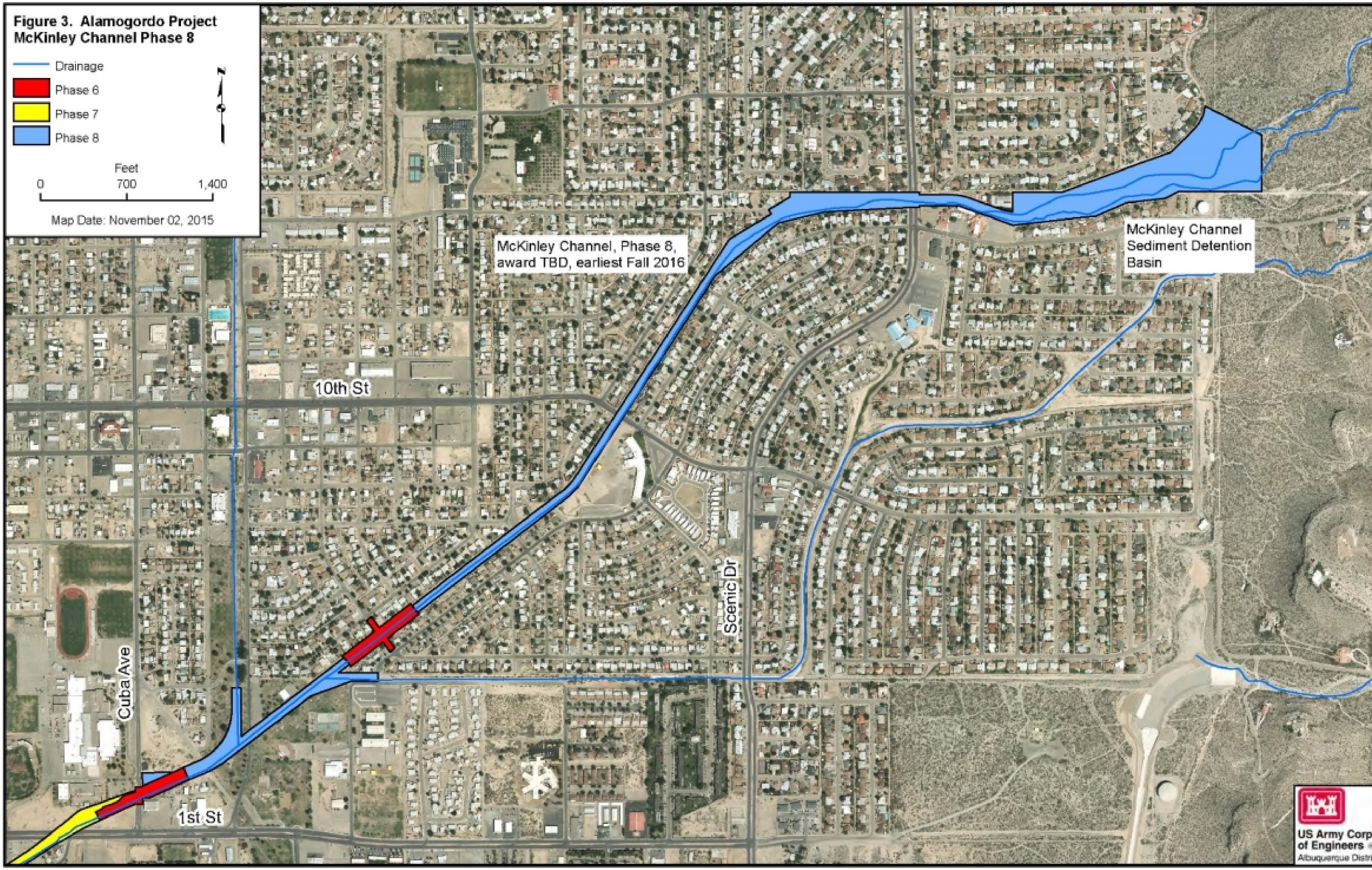


Figure 2. Alamogordo Project
McKinley and South Channels
Drainage
Completed, Phase 1
Completed, Phase 2
Completed, Phase 3
Completed, Phase 4
Completed, Phase 5
Completed, Phase 6
In Construction, Phase 7
In Design, Phase 8
Feet
0 1,750 3,500
Map Date: November 02, 2015
N
54
N White Sands Blvd
10th St
1st St
S Florida Ave
S Scenic Dr
Ocotillo Dr
70
54
McKinley Channel, Phase 8, award TBD, earliest Fall 2016
Phase 6 Road Crossings, completed Apr 2014
McKinley Channel Sediment Detention Basin
McKinley Channel, Phase 7, award Sep 2014, est. complete Dec 2015
Phase 5, completed May 2013
South Channel, Phase 1, completed Jun 2002
South Channel, Phase 2, completed July 2004
South Channel, Phase 3, completed Jan 2007
South Channel, Phase 4, completed Mar 2011
US Army Corps of Engineers
Albuquerque District



McKinley Basin and Channel

Phase VIII Current Design Estimate is $27.6 Million

US Army Corps of Engineers

U.S. ARMY

Benefit to Cost Ratio (must compete against other projects in the U.S.)

1998 2:1 2016 0.74:1

Benefits don't rise as much as costs

Increased costs due to construction period (2000 to date) with several phases, ROW, design changes, repair of existing channel

Trapezoidal Channel

Rectangular Channel with Splitter Walls

Different level of effort in construction of trapezoidal (above)) versus rectangular channel (left)

COURSE OF ACTION 5 - REDESIGN

McKinley Channel

COURSES OF ACTION

1. Request Funds in FY18 Award Current Design
2. Build Sediment Basin to Channel with current funds available
3. Build as much channel from First Street upstream
4. City provides additional funds to build Phase VIII
5. Redesign current Phase VIII – current action being taken
6. Reduce protection level below 100% event

US Army Corps of Engineers.

U.S.ARMY

QUESTIONS

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 09/12/2017 **Report Date:** 09/05/2017 **Report No:** 2.

Submitted By: Rachel Hughs

Subject: Approve the minutes for the August 21, 2017 Special meeting and the August 22, 2017 Regular meeting. *(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
SPECIAL MEETING WORKSHOP ON FAMILY FUN CENTER MINUTES
6:30 P.M. FIRE STATION 5
August 21, 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, CITY MANAGER
PETRIA SCHREIBER, CITY ATTORNEY
RACHEL HUGHS, CITY CLERK

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

Mayor Boss called the meeting to order at 6:29 p.m. Roll Call was taken by the City Clerk. Commissioner Martin was as absent. Clerk Hughs announced there was a quorum present.

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.

WORKSHOP

1. Family Fun Center workshop. ***(City Manager Paluch, City Attorney Schreiber, City Planner Williams)***

City Manager Paluch announced this is a workshop for the Commission. She announced that there is an item on tomorrow's agenda for action. She showed a Power Point presentation. She spoke on the history of Basin Lanes. She gave the timeline of all the events that took place up until this point. Over the past three months, we have spent at least 50 percent of our time solely working on the family fun center. I've been working on this since I started as the Acting City Manager. She said over the last year we have negotiated with American Family Entertainment, we have developed multiple options for management, we designed the interior by selecting furniture, fixtures and extras, legal research for funding sources and the three of us, also toured the Starmax facility in Deming NM. (See Power Point in Blue Book).

City Attorney Schreiber spoke on the current status of Basin Lanes. She said White Sands Construction should be completed around Christmas Eve. This is a design build by White Sands Construction.

She said we met with the staff of the StarMax on July 18, 2017 and what we learned from them is the first year or two years of the Family Entertainment Center will be the most profitable for us. It is important for us to capture that profit and to keep it for future repairs or reinvestment. We need to ensure a third party accountant and a third party bank account. There is a need for City oversight by having a City employee act as a liason, a quality control person between the City and whoever comes into to operate it.

She discussed recent discovered things that the building is currently missing. These things include: no dedicated equipment maintenance room, no air conditioning for the maintenance area/bowling machines, no phone system, no wiring for phone system, an inadequate CCTV system, no security system included, party and break rooms have no furniture, no desks, no computers, no chairs, no Point of Sale system included, no employee break room, no employee locker space, inadequate bowler locker space, no safe for short term money storage, nowhere to count the money, no computer system included, no servers/server “cool” room, no storage space for food, beverages, spare parts, or anything else, no audio/visual system included, no PA system in case of emergencies, no specialty lighting for bowling events/nighttime bowling, no beer delivery system, and in inadequate patio for what the building is.

City Attorney Schreiber presented the details of the proposal for Alamogordo Management (AMG City Attorney Schreiber said other AMG concerns are: there is an outstanding judgment to Luna County from Starmax with interest, debt over $92,000 and nothing has been paid. Also identified is an IRS debt of $100,000 that was being serviced at $100 a month. She said another interesting point is they told us this project is overbuilt and is unlikely to make any money. We asked them why they would want to do this, and they replied that they think they can break even, so there is a concern with them telling us this.) (See Blue Book for Proposal)

City Attorney Schreiber presented the details for our second option with Downtown Venture Corporation (DTVC) (See Blue Book for Proposal). She said the tenant can terminate within first seven years, but they would have to give us 6 months notice and the City would have a similar provision if this wasn’t working out. Any fixtures that they purchase will become property of fun center. Mr. Chun repeatedly talked about a cohesive vision for this project. Signage was very important to them, to put signs on White Sands, Highway 70 and all around the area so that everyone is aware, that is coming to this town, we have this amazing fun center please come join us.

She then showed a comparison of the proposals for Alamogordo Management Group and Downtown Venture Corporation.

City Planner Williams spoke on four options including pros and cons.

He said as far as the City do nothing and wait to sell building. Because the way the bond was issued, there is no problem repaying it. It will be paid back regardless. It would give us time to reconsider options, to potentially go out and advertise. We still have to do some investment to improve some of the shortfalls of the building to include a security system and some other things, just to make sure it stays in good shape. The only pro that we could come up with is literally it takes the pressure off. I don’t know if that is necessary the best answer.

He said if the City had to operate this, either from an oversight position or straight out operate the whole thing, the city would retain all the expense, all the liability, but would have full control of the operation. If the City chose this route, the city would have hire and train now. The City would retain all the profit, therefore, the investment would be paid back quickly. He said Starmax or Luna County has offered to help train. The pros of this are: the City holds all the cards, we have potential for significant revenue and any revenue can go right back in capital investment and fixing design shortfalls. The cons are: the City ends up paying for everything, the City does the investment in initial labor, assumes the cost to open the doors, the City retains 100 percent liability and whether it is successful or a failure, it is all on the City, what we don’t want is a Starmax 2.0.

He said in AMG’s proposal they would start off as a managing consultant to the process. The pros are: we would be having someone come in and be able to manage or at least get started, and they have a recommendation from White Sands Construction. The con is: it still becomes an expensive option and based on unpredictable past performance from AMG, there would be concerns.

He discussed the Downtown Venture Corp proposal. He said it was impressive from introduction forward. It was all focused on whole environment and experience. It was all about turning it into a destination. The other thing that was clear was the intent to invest beyond the bowling alley and an entertainment center. The Pros are: they were very eager to discuss a lease to own, Downtown Venture Corp is a company that does this for a living, and upgrades from a good attraction to a premier attraction. The con is that this option, is the most costly.

He gave the Staff's recommendations, in order of preference:

Option 4 accept proposal from Downtown Ventures.
Option 1 do nothing until we can regroup and tackle.
Option 2 If push comes to shove, I think we have enough research invested for the City to run.
Option 3 accept proposal from AMG.

City Manager Paluch spoke on how they can pay for this. What we are proposing to the Commission is to use funds from Fund 105, which is the economic development fund. She read Statute 5-10-3. She said both City Attorney Schreiber and herself have spoke with Randy VanVleck, NMML Counsel, who agrees that Fund 105 can be used for the Family Fun Center. What would happen is we would enter into a LEDA agreement with Downtown Venture Group, and we would supply them the necessary money needed for the government capital. They would in turn, agree to certain stipulations in that contract, those stipulations have not been developed yet until the Commission told us this is the direction they would want to go. This has been done in other communities in similar service industries projects across the state. Our Economic Development Plan does allow for this as well. We also spoke with Juan Torres, Director of Finance Development Programs for the State of New Mexico, and he did not see an issue with using LEDA funds. Additionally, Finance Director Hall spoke with Chris Muirhead, our bond Counsel, and Eric Kerrigan who agreed that using Funds from 105 for this would be legal. Fund 105 is the local option gross receipts tax (1/8 of 1 percent). It can be used for Infrastructure/Improvement, Economic Development (Job Creator) and Retail (in certain situations only). However, we do not qualify to use it for retail. The Family Fun Center is a service that we are providing to the community. The fund itself generates approximately $800,000 per year. The Current balance is approximately $7.2 million dollars, and to date the interest that we have accrued is approximately $506,000. The proposal is to use interest to fund operating capital loan. That is the fortune of this proposal from Downtown Venture Group that would be repaid to the City. The 1.5 million from fund 105, this money would be used for all the additional things that we do inside the building. This money would not be repaid, but everything that goes into that building belongs to the City of Alamogordo.

Mayor Boss asked if the 1.5 million included the deficiencies in design. City Manager Paluch said yes, that is what the intent of the 1.5 million. City Attorney Schreiber said it is important to know that there would be a not to exceed number. We are going to be very clear that there will be no additional. City Manager Paluch explained the City Planner handed out a cost estimate/cost breakdown as well as copies of the power point presentation for the Commission to take home. (See Blue Book for handouts)

Commissioner Payne asked if the half a million dollars would be paid back to the City. City Manager Paluch answered yes. Commissioner Payne said that is from the interest that would replace that interest and the 1.5 million is from Fund 105 and it will not be paid back. City Manager Paluch said we get to keep all of it and then there are stipulations in that LEDA agreement. They would have to have so many employees, they would have to submit all of their financials, and there are different stipulations that they would be required to do.

Mayor Pro-Tem Hernandez asked if they would have this handout for tomorrow's meeting. He said we have already spent 5.9 million dollars. He said he has concerns on the LEDA. We are supplying the money to provide the jobs, so what is he supplying. According to LEDA he has to have a substantial investment, at this point he has no investment; it is 100 percent City investment. If that is the case then it does not qualify for LEDA. He wanted to know if we had contacted Otero County Economic Development Council (OCEDC). He said he is not ready to support this tomorrow night, but I want to make sure we put our best foot forward especially if we are going to spend another million and a half of people's money. They trusted us when they gave us this money to begin with, it is just sitting there again. We could use it for a lot of different things, but I want to make sure that we are on the up and up and that we are doing the best thing. I believe that we stepped in this too fast. Now we are going to say that we are doing the same thing that Luna County did, we should have done a little more research then. That was the direction that we were taking then, as a Commission, we were trying to get the best project for the money. At that point, we knew that 5.9 million dollars was not going to be enough to build this project. He does support this project and does think that the City needs to move forward, but cannot spend a million and a half dollars without actually looking at all this information. I need some time to look at this.

City Attorney Schreiber said Mr. Chun currently has four projects of this type going right now, he needs a commitment by the City by August 31st or he will not be able to move forward. The reason for that is he would drop one of those projects to take ours on.

City Manager Paluch wanted to point out the negotiations with Mr. Chun are not over. Like Mayor Pro-Tem Hernandez said earlier, he has is not putting into it and at this moment, it is all the City. The three of us have had a lot of conversations about what we need to require and go back to the negotiating table. Negotiations are still open with Mr. Chun up until the 31st of August.

Mayor Pro-Tem Hernandez said according to 5-10-10 of LEDA, it clearly states that you must put in a substantial amount and at this point I don't see that he qualifies and that concerns me. It is a slap on the wrist from the authorities, but it is a slap on the wrist that I don't want to take on my side.

City Attorney Schreiber said that was an oversight on my side, but there will be a capital investment from Mr. Chun. It will take that to get this off the ground from him, but we don't have that figure. We really have not gone that deep in, we really wanted to get the Commission's thoughts on where we go from here. We have these available options we need to know which one to dig in on. I feel we have enough to move forward on any of these options. City Manager Paluch said at this point we needed to come to the Commission, because there was so much more that needed to put into that capital investment and I didn't feel that we could continue down that path thinking that there is that 1.5 million we needed to put into it and not get something back from the Commission. At that point, we needed to see if this is even a possibility, and if is not a possibility and that is what is decided tomorrow evening, then staff will move forward with coming up with an idea that does not include putting additional capital into the building.

Mayor Pro-Tem Hernandez said he thought this is the best option but they do not have all of the information. I cannot make a decision without having all the information. I would really hate for you to come back to me next month and say this didn't work out. We have already spent 5.9 million and now we are asking to spend one million and a half.

Commissioner Baldwin said he shares the same concerns with the LEDA funds, and with the initial investment. The $500,000 that we would have to pay back would be a portion of his initial investment. This would be added into LEDA's description or requirements as far as initial investments. My mind was put a little at ease when you explained that it is $500,000 that he would be repaying himself. He had a concern with option 3, if for some reason we had to take it over we would be essentially growing the City's employees by 10 percent. That would be a tough pill to swallow, when there are so many people needed in so many other areas. These recurring costs are too much to even think about for the city hiring 30 to 40 employees, not when we have so many other issues.

Mayor Boss said historically City Governments, State Governments and Federal Governments have difficulty operating things that private enterprise does.

Commissioner Baldwin spoke of his experience with G&L Golf and the success they had. He spoke of the environment at Desert Lakes Golf Course and said it's the whole package, they have created. He said one of his biggest concerns is LEDA money. We as a Commission have talked about LEDA funding since I've been on the Commission. We have always been told no, and then all of a sudden, pretty much anything we want to do with LEDA funds is available. I would like to offer some caution moving forward. If we are clear to use LEDA funds and we decide to go down that road. I would like to see more control of how much money we can spend of LEDA funds annually, so this does not become a go to fund to get anything we want for the City. I would like to see some kind of maximum cap unless we have some kind of super majority agreeing to it. There is 7.2 million dollars in LEDA funds right now. We had approved and are committed to an advertising project that was not really in there as well. We have committed funds of roughly $500,000 to come out of there.

City Manager Paluch said she spoke with Mike Espirtitu, CEO of OCEDC, and she asked him if he had a firm number that he needed. If you recall the Commission did not take a vote when he did his presentation. He will need to come back with a firm number. I do not know if it is the full $500,000 or not, he did not communicate that to me when we spoke. That money is not set aside at this point. Commissioner Baldwin asked we are thinking it is eventually going to be committed. City Manager Paluch answered yes, if the Commission votes on it.

Commissioner Payne asked how much money goes into that fund each year. City Manager Paluch said it is approximately $800,000 a year. Commissioner Payne asked when the last time we used LEDA funds for anything was.

Finance Director Hall explained what the City does with LEDA funds. She said it is for the contracts we have out there, if the companies meet the requirements of the contract, for example, they are able to maintain a certain amount of jobs, there is a job audit that is completed and there is a calculation that is done, then they could potentially earn incentives. We have paid out incentives to companies. I want to say it has been about $50,000 to $70,000 over the course of the past couple of years.

City Manager Paluch said that we also need to remember that there is another project on the horizon with the Steel Pellet Mill. We met with the Representatives from that company and they are interested in money from that fund as well.

Commissioner Payne said just to be clear, potentially by the end of this Fiscal Year, we could make up half of that 1.5 million. City Manager Paluch said yes, close to. She liked that Downtown Venture Corp was actually going to pay the City to lease. I am a little concerned with AMG, because they said they would give us the profit, but then they say they think they can break even. Commissioner Baldwin said the idea is, they think they can make money off the management.

City Manager Paluch said she liked the fact that Downtown Venture Group is investing in this community. They are saying that they want to be here for a long time. She was distressed when she heard AMG say this business will not succeed. Downtown Venture Corp came for two full days, toured around, ate our food, they have lots of ideas. They want to open some restaurants. Mayor Boss said it sounds like they have successful history behind them, where you can not say that about the others. City Attorney Schreiber said there is a passion, to see the passion that we have for the community be reflected on someone else who wants to come in and make the community better.

Commissioner Payne asked if he is considering other businesses as well. City Manager Paluch said yes, he had a lot of different ideas and different ways he wanted to invest in the Community. He talked about Mesa Village and running cross promotions with Allen Peters. He has a vision for Alamogordo that goes beyond just this building. City Planner Williams said in his two days of research, he stopped at the bowling alley in Las Cruces. He spent an evening at the Starmax facility looking at it, knowing that there is a construction connection with theirs and ours. He went above and beyond, figuring out what exactly it is that he is looking at. Literally overnight produced the proposals with that much preparation and yet he walked in with enthusiasm and excitement that was quite contagious.

Commissioner Payne said we didn’t really vote to build the family fun center, we voted to award the contract to build the family fun center. We said 5.8 million and I think we stayed within that.

Mayor Pro-Tem Hernandez said he needs time to take this in, for instance, one of the proposals that Mr. Chun is that he would take care of the building. I take care of lots of buildings, and when a lessee is responsible for taking care of a building, that is what they are going to do, not take care of the building. When they have an expensive cost, they are just going to let it go, let it go and let it go. He said this proposal looks great, but I don't know that I can just sign here. I need time to go over it.

Mayor Boss told Mayor Pro-Tem Hernandez that Mr. Chun is potentially willing to buy this building. He is saying I am going to build this thing and I am going to buy it, he's going to want to take care of it. Mayor Pro-Tem Hernandez said he is saying that you have till the 31st or I am out of here. I need time to go over it and make sure that staff does not come back to us and say that it is not working. City Manager Paluch suggested having a Special Meeting at another time to give everyone time to digest the information.

Mayor Pro-Tem Hernandez said they need at least four Commissioners and I don't see four Commissioners saying no we are not going to do this, unless something comes up. I have all the information as far as LEDA funds are concerned. I just need the rest of those numbers. I don't have a problem with this and I don't see that any other Commissioner has problems with that.

Commissioner Baldwin said time is a big issue with me. Commissioner Payne reminded everyone that this meeting was supposed to happen last week. Commissioner Baldwin said I don't mind having a meeting tomorrow night and discussing this openly in public, so the public will know if we need another week to make a decision.

City Manager Paluch said she will be out of the office, but there are more than enough Commissioners to make a decision next week.

Commissioner Sikes said she is a real skeptic. There have been people come before us who love our community and want to invest in our community and they are very enthusiastic and excited and we have been burned a few times. So, I go into this very skeptically. She asked where Mr. Chun is from. City Manager Paluch said he is from Los Angeles and his company did put in an original proposal with Stardust Lanes. Commissioner Sikes said the Commission feels like we have dragged our feet on this. When you look at the fact that we are spending 5.6 million dollars and when you look at that timeframe, there was not a lot of time that elapsed between the initial voting on the proposal and all of the RFPs going out. She is really interested in what the public has to say. She agreed with Mayor Pro-Tem Hernandez that she feels that they are backed up against the wall when someone tells us that they have three other projects to work on and they need to know about this one so that they can drop one of their other ones. This is something that is extremely important to our community. This is something that we need to take our time with. I think we were made out to sound like bad guys before when we took our time. I think that the elephant in the room is the fact that things are still missing. How does that happen, where were the checks and balances along the way. I know that hindsight is 20/20 and we don't know how to build bowling alleys and we should have hired a bowling alley consultant to build this. If we are going to take 1.5 million dollars out of public funds, then we are going to take our time and make a decision that is good for everybody. She would like to see a presentation from Mr. Chun. She would like to see his real dedication to the community. She understands that if he plans on buying it, then he's probably going to take care of it, but Mayor Pro-Tem Hernandez has a valid point. Most people who own it from the very beginning do not take care of it very well. We need to have something in place that we are watching what they are doing and where we have the authority and ability to go in and make sure that it is being taken care of.

Mayor Boss said every thing you said are valid concerns, but one thing that you can not leave out of the equation is that time is of the essence. We are at a point in construction that somebody needs to be here to do this. It will get to a point where we have sheetrock on the walls, then we can't get into the walls.

City Manager Paluch said one of things that we would like to follow up on is having a Liaison between the City and the operators. They would be a quality control person. It would be a really good idea for the Commission to get behind, and that is where maybe some of those maintenance concerns could be fixed.

Commissioner Turnbull asked if Downtown Venture Corp has a plan or an idea set for some of the building shortfalls.

City Planner Williams said the Capital investments start up estimates were left with a contingency. The added numbers are the integrated audio/visual system, those are things that I picked up on Mr. Chun's visit. The numbers that Mr. Chun is proposing are not unrealistic, they are pretty close to what he is proposing. He continued to explain the handouts, and his initial estimates with other proposals

Commissioner Turnbull asked if Downtown Ventures talked about how they would fix things that needed to be fixed. City Planner Williams answered yes. He explained some of the ideas in the layout that Mr. Chun was thinking of doing. He was already looking at answering some of those questions. He is already working with an Architect to give us some proposals, if we chose to move forward with him. City Manager Paluch said there are 16 taps in this bar. That is a lot of space for kegs in the back. City Attorney Schreiber said what he was looking at too, was making this kitchen work, and to add more concrete to the patio to make it bigger and more usable and making it a better experience for people. It is really a function of what we have in there.

Mayor Pro-Tem Hernandez said he expected to come in and hear a number of two million dollars, and I didn't have a problem with that because that is what we have to do. Again, there are a lot of unanswered questions and with that he can't support it. He needs to know everything is covered, so that we are not back here again. He said a lot of things can happen when you open those doors.

City Attorney Schreiber said it would be my intent to work closely with all of our available Counsel that make sure that all the agreements in place, are protecting the City the best, we must do it correctly. We will only have one shot at those LEDA funds. Mayor Pro-Tem Hernandez said Mr. VanVleck has no dog in this game.

Commissioner Baldwin said City Planner Williams is one of the things that we have not had up until this point. If City Planner Williams was not here, we would probably have fifty more questions. I believe the City is moving in the right direction in trying to pay great attention to all the details. City Manager Paluch said the three of us have been spending an enormous amount of our time on this.

Commissioner Payne said we have got to make some forward progress in the City. She said there will be a contract that says he is obligated to pay back that half a million dollars. Obviously, there is not going to be contractual agreements in place to build other businesses in the City, but I would take him at his word. She said they have to do something regardless, because it is really going to halt the building process if we do not decide on this. Mayor Boss said it will not halt the construction, but it will be more costly to us later. She said there are some decisions that we do need to make regardless. For the record, she said she would have never known of a point of sale system.

City Manager Paluch said one example of decisions that have the Management team has to make is the beer tap system. There is more than one way to install a beer tap system. She said having someone on board that can determine where they want to run those taps. To run those taps you will have to drill through the wall, but also into the freezer. City Planner Williams said this latest proposal from Downtown Ventures is a week old. The numbers are not as pristine or as accurate as we are going to get if that is the path that we choose to go. Mayor Boss asked City Planner Williams if he estimated high. He answered yes, conservative. From our prospective, the piece that we are hoping to walk away with is at least a path to start walking down to come back with something that is more finalized.

City Manager Paluch said we don't know what the public comment is going to be tomorrow. If the Commission would like to have another Special Meeting the following Tuesday, I think that is very possible and that does not mess with the timeframe. That gives us the opportunity to gather a few more numbers and answer some more questions.

Commissioner Baldwin said option 4, is the way he would like to go. He said this is a really hot topic. This had to go through the election process and it was discussed at length. One of the things I enjoyed the most about the Commissioners that were elected is they talked about a vision for Alamogordo, they talked about a quality of life, they talked about bringing things into Alamogordo that had a positive effect. I always supported this project with the exception of writing lessee or contractor down there. Without it being run by the City those are the two demands I really had, as long as we do not go that direction we'll be doing ok. He said they are seeing things happen in the City, that we have not seen happen in a long time. We are spending money on advertising. I see us making decisions on quality of life, and we are putting a lot of money back into our Parks. It falls in line with the vision of OCEDC, the chamber and the vision of what people prefer to see in Alamogordo. At times we are very reactionary; this is one of the things we have done in a very long time that is proactive. I hate the fact that we are going to have to spend more money, it's not what any of us intended to do. He is very excited for this to happen, and he really wants this to be an amazing thing for Alamogordo.

Commissioner Payne said people are taking about it out in the Military community, and if they are talking about there, they are certainly talking about it here in town. She asked if they agreed to option 4, if there would be a provision to terminate the contract if he did not stick to the guidelines. City Attorney Schreiber said there will be several ways, we always have the option to terminate the lease, which would be in there. With a Project Participation Agreement with LEDA funds there are also ways that we can corral things back.

Mayor Pro-Tem Hernandez said even with that, you look at AMG he has outstanding debt. I am not disagreeing with you, there are options out there, but our chances of collecting are 50/50. He said I was prepared to spend two million, as long as we have all the answers. I need to make sure that we are complete in this. He said I do not have a problem with allowing your guys to go into an agreement with Mr. Chun, based on all the things come back the way they are supposed to, then at that point we vote yes or no.

City Manager Paluch said they will reach out to Mr. Chun tomorrow and try and get some answers. I don't know if we'll have all the answers by tomorrow, but you may want to take all of next week anyway. We will certainly keep moving forward with getting information. Mayor Pro-Tem Hernandez said we are about 4 months out on construction. I would like to know what the business plan is. The next question is going to be when they are going to open. If we can get the rest of the funds to White Sands Construction, I would like to know when they could complete the rest of the shortage areas. He said originally they said December, January, or February for opening. He supports this, but would like to see a set plan.

City Planner Williams said one of the things that we have to keep in mind is; even if we complete the building Christmas Eve, there is a time that you have to train employees or finish the fit and that is going to take about 120 days.

Mayor Boss asked City Planner Williams if training wouldn't take place while we were entering into an agreement. The training could start so they could be ready sooner rather than later. City Manager Paluch said it takes a while when you hire. They cannot train in an unfinished building. They do not have a POS system and until this POS system is installed then they can not train on how they are going to serve, where they are going to serve, how they are going to order things. Mayor Pro-Tem Hernandez said that does not take three months. City Manager Paluch said no, Mr. Chun did say that he already has a Manager lined up for this facility and he/she would be out here on-site next month. He gives more conservative answers, then trying to rush something.

Commissioner Payne asked how long Mr. Chun has been doing this. City Attorney Schreiber answered for five years. His first project X Lanes was built in an industrial building, much like a jail, it is two blocks off of Skid Row. Everyone said that should not have been profitable or successful, but it actually has become a destination for downtown Los Angeles.

Commissioner Sikes asked if that was all his money. City Attorney Schreiber said he is in a Corporation. Commissioner Sikes said it is not a similar agreement of what we are going into. City Manager Paluch answered no. Mayor Boss asked if Mr. Chun had won an award. City Manager Paluch said he won an award for X Lanes itself. City Attorney Schreiber said I want to say it was for one of the top bowling facilities in the Country. Commissioner Baldwin said he gives back a lot, and he does a lot of fundraisers for good causes. Mayor Pro-Tem Hernandez said some of those awards is just a matter of putting an application in. Mayor Boss said it is still an award. Mayor Pro-Tem Hernandez said I understand that, but it is what it is. Commissioner Baldwin said he is young, relatively successful. His X Lanes is part of another Corporation. He is the guy that runs everything and he is very active in the community.

ADJOURNMENT

Mayor Pro-Tem Hernandez moved to adjourn at 8:09 p.m.
Commissioner Turnbull 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 Clerk)
Approved at the Regular Meeting held on September 12, 2017.

CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 P.M., COMMISSION CHAMBERS
August 22, 2017

RICHARD BOSS, MAYOR	**AL HERNANDEZ, MAYOR PRO-TEM**
JASON BALDWIN, COMMISSIONER	**ERICA MARTIN, COMMISSIONER**
NADIA SIKES, COMMISSIONER	**MAGGIE PALUCH, CITY MANAGER**
JENNY TURNBULL, COMMISSIONER	**PETRIA SCHREIBER, CITY ATTORNEY**
SUSAN PAYNE, COMMISSIONER	**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 Dustin Wilhite and the Pledge of Allegiance was led by Mayor Pro-Tem Hernandez.

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.

Mayor Boss commented on the following:
He said this summer, he and several City staff, had the opportunity to travel to Washington D.C during National Police week in honor of our fallen Officer Clint Corvinus and others that died in the line of duty. He said it was a very sad time, but also it was an exciting time. Many emotions were felt during the ceremonies.

PRESENTATIONS

1. Proclamation to memorialize Officer Clint Corvinus and all fallen Police Officers. *(Richard Boss, Mayor)*

Mayor Boss presented Chief of Police Syling a Proclamation to memorialize the Anniversary of the loss of Officer Clint Corvinus and Officer Bruce Richard, and to further pay tribute to those Otero County Police Officers who also gave their lives in the line of duty. (Please see Blue Book for Proclamation)

2. Proclamation for National Thank a Police Officer Day. *(Richard Boss, Mayor)*

Mayor Boss presented Chief of Police Syling a Proclamation for National Thank a Police Officer Day. He proclaimed September 16, 2017 as “Thank a Police Officer Day.” (Please see Blue Book for Proclamation)

PUBLIC COMMENT

Rocky Galassini commented on the following:
On behalf of the Otero County Law Enforcement Committee, she thanked all Police Officers. She read the end of watch for the 10 fallen police officers from Otero County. She invited the public to join them at Alameda Park from 12:00 p.m. to 6:00 p.m. on September 16, 2017.

CITY MANAGER’S REPORT

City Manager Maggie Paluch made the following remarks:
1. She gave an update of the Family Fun Center workshop held on Monday August 21, 2017. Staff reviewed 4 options for management including; negotiated management contract with Downtown Venture Corporation, accept a proposal from Alamogordo Management Group, do nothing and let the

building sit until a plan can be developed and the option of the City running the facility. Tonight the discussion continues, and the Commission may choose to vote to direct staff to choose a specific option.
2. She said in regards to Snake Tank Well 5, the startup and testing of the various components began on August 14, 2017. This will be an ongoing process through the end of the month. Unfortunately, a substantial completion inspection was scheduled for August 17, 2017, but the contractor had not progressed far enough along for the City to take acceptance. This has been rescheduled for the next 10 days.
3. She said the Bonito Lake bid opening date has been postponed from August 24, 2017 to September 7, 2017 at 2:00 p.m. in the Commission Chambers. This was based on questions received during the question and answer period, and other required engineering changes.
4. She said Golf Course pond 11 had to hold off construction, yet again. It has been raining quite significantly. We do not have a remobilization date at this point.
5. She said on August 18, 2017, her and the mayor met with representatives from the US Army Corps of Engineers, including district Commander Lieutenant Colonel James Booth. They discussed the McKinley Channel phase 8 project. Unfortunately, the cost estimate at 95 percent design is projected to be over budget by 10 million dollars. That is 7 million dollars in Federal funds, and 3 million in non-federal funding. The Army Corp of Engineers indicated that the funding may be discontinued for this project. The plan moving forward is to have options presented to the Commission from the representatives of the Army Corps of Engineers at a Commission meeting in September. City staff and Commissioners are encouraged to contact their local Representatives to gain support for more funding, so the project can be completed. She said there is a significant area of our community surrounding the ditch that will not be protected against a 100 year flood event. A letter has already been drafted by staff to go to our Representatives. The Commission will see that letter and it will need to be approved, before the Mayor signs it.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Commissioner Sikes made the following comments:
She announced she and the Mayor attended the 60th Annual New Mexico Municipal League (NMML) meeting in Clovis. Over 300 people from around the State attend these meetings. She said Mayor Boss and the NMML voting members reviewed and voted on 33 Resolutions that affect Municipalities. She wanted to let everyone know that the taxpayers' dollars that go into these meetings are not wasted. We come back with some valuable information.

CONSENT AGENDA

3. Approve the minutes for the August 9, 2017 Regular meeting. *(Rachel Hughs, City Clerk)*

4. Approve the statements related to the Executive Session held on August 9, 2017. *(Rachel Hughs, City Clerk)*

5. Approve the final publication of Ordinance No. 1541 amending the official zoning map of the City of Alamogordo to rezone the property with the legal description 1179 SW1/4NW1/4 located at 801 US Hwy 70 West, from R1, Single Family Dwelling District and C3 Business District to MH2, Manufactured Housing Park District. Case Z-2017-0004(A) 801 US Hwy 70 West *(Darron Williams, City Planner)* **(Roll Call Required)**

6. Approve the final publication of Ordinance No. 1539 amending Section 201030, The City of Alamogordo Code of Ordinances Regarding Planning and Zoning Administrative Fees. *(Darron Williams, City Planner)* **(Roll Call Required)**

7. Approve the bid award of IFB 201708 Janitorial Services, to Kleen Tech, in the amount of $32,814.72 including NMGRT. *(Barbara Pyeatt, Chief Procurement Officer)*

Mayor Pro-Tem Hernandez moved to approve items 3, 4, 5, 6, 7 of the consent calendar.
Commissioner Baldwin seconded the motion.
Roll call was taken for items No. 5 & 6
Motion carried with a vote of 7-0-0.

OLD BUSINESS

8. Consider, and act Upon amending the Kids Kingdom Re-Build Proposal. *(Veronica Ortega, Community Services Director)*

Community Services Director Ortega presented the options for the Kid's Kingdom rebuild. She gave a handout to the Commission (See Blue Book for handout). She said in revisiting the original worksheet, she found an error of $224,077. This means the zoo parking lot and the new dog park had to be removed from the original award. Those figures have been corrected and are reflected on options A through C. She said bids for the Recreation Center locker room project came in at 31 percent over the architect's estimate, leaving a shortage of $133,678. The project team requests an additional 25 percent of the funds needed to cover unforeseen conditions. She briefly went over what projects would be included, reduced or eliminated in each of the options. She said staff is recommending option 2A, for the fact that the natatorium bond was dedicated to the Recreation Center Building. Staff is recommending the shortfall come from the natatorium bond funding to ensure these funds go back to the Alamogordo Family Recreation Center. She said by selecting this option, the playground will go back to the $519,200, with some Community Services projects either reduced or eliminated. She requested that any funds left on any of the projects be used towards replacing items that were reduced or eliminated.

Commissioner Payne asked where the security cameras will be installed. Community Services Director Ortega said they were to be used throughout the parks.

Commissioner Baldwin felt that he muddied the waters when he came back to the Commission and asked that the entire insurance amount be spent on playground equipment. He said his numbers were not adding up either, and it could be the $167,000 that was found. A part of their proposal was that all of the original option 2 would leave a fund balance of $192.000. I thought if we spent all the insurance money on playground equipment, the $275,000 on infrastructure could partially be taken up by $192,000, which would leave a balance of $50,000. He said he leans toward option 2C, because that gives more playground equipment. Mayor Boss asked if staff was recommending option 2A. Community Services Director Ortega confirmed their recommendation. Commissioner Baldwin pointed out that option 2A does not include the full amount of the insurance money being spent on playground equipment.

Commissioner Payne asked what the $247,000 would be spent on. Community Services Director Ortega said it is for shade structures, seated railing, etc. Commissioner Payne asked if it was all going in that location. Community Services Director Ortega said yes. Commissioner Payne said she is actually comfortable with that, because we did lose some that.

Commissioner Baldwin asked Community Services Director Ortega what the total value of Kids Kingdom was. She said it was $750,000 and the insurance recovery was $448,484. Commissioner Baldwin said my mindset there was, if the total value was $778,000 and we are putting $448,000 back in, and we would be supplying the additional amount, but to split the $448,000 into playground equipment and infrastructure.

Mayor Pro-Tem Hernandez asked if it was a lot of playground equipment. He said he agrees with Commissioner Baldwin, but I'd rather have a playground that is completely usable.

Mayor Boss asked Community Services Director Ortega if it would handle the same amount of kids that the old park did. She answered yes. We could add interactive toys for all ages. We could add chess or checker tables. There are different things that we could add.

Commissioner Baldwin said originally on the option two, there was $192,000 left over for other ideas for projects to be considered. Where is that $192,000. Community Services Director Ortega said we are short by $224,000. From the original proposal we would have had to cut the zoo parking lot and the new dog park.

Commissioner Sikes asked Community Services Director Ortega if we are still doing the zoo perimeter fence, and if we are going to wall off that area and wait to pave it. She said yes the plan is to pave that, and if there is quality of life funding left on other projects, we are looking to do the zoo parking lot. Commissioner Sikes asked if we are going to alter the security perimeter from the plans that we approved. Community Services Director Ortega said no that is just for the fence. Commissioner Sikes said I believe that we need to come up with the funding for the security cameras. She said $28,000 seems like a lot of money for security cameras, but to protect the property of the tax payers, I think that security cameras are important. Maybe we could use economic development funds and put in cameras.

Commissioner Payne said she would really like to see those security cameras. Commissioner Baldwin said basically what you see in front of you is a menu of options.

City Manager Paluch asked Community Services Director Ortega for clarification, that those security cameras are for the outdoor parks and not for buildings. She said correct.

Community Services Director Ortega said one of the options you could do is eliminate one of the playground shade structures, which would be equivalent close to $28,000. She said there is a contingency built in; maybe there would be enough to cover that.

Commissioner Martin asked Community Services Director Ortega how much it is per camera. She said out of all the parks, she feels the Skate Park needs a camera.

Mayor Pro-Tem Hernandez asked if these cameras take pictures. Community Services Director Ortega said yes, these cameras will scream at you, letting you know that you are in a restricted area. She answered Commissioner Martin’s question stating it is $28,000 for 4 camera systems and laptops.

City Manager Paluch said if the Commission would like the security cameras they can do away with the shade structures. We did build in a 25 percent contingency to the locker room renovation, there might be some money left over. A normal contingency for the City is around 10 percent.

Community Services Director Ortega said the small Griggs shade structure was $18,242. If we did away with this along with the contingency that is left on option a, then we could get the security cameras.

Paul Sanchez commented on the following:
He was concerned the public did not have the opportunity to review the new information handed out. He was also concerned that security cameras could not be included in the project package. He said he would support Commissioner Baldwin’s concept of more playground equipment for the children to play on, with particular emphases on special needs equipment. He would like to see an additional bathroom be installed at the zoo, but understands this cannot be afforded. He suggested the possibility of putting a port a potty there on a regular basis.

City Attorney Schreiber said if the Commission would like to table this item, to allow the public to look at these options and come back and redo the numbers including the security cameras that is an available option. Mayor Boss said it would be nice if we could think about it and move things around the puzzle, then come back and compare notes.

City Manager Paluch asked Mayor Boss if he would like a document different than what was provided, or is this document sufficient.

Commissioner Baldwin said I believe this document is sufficient. He said the Mayor was talking about looking to moving around some of the money. I am comfortable moving forward and letting staff find the $28,000 in maybe the shade structures. These are all great projects that were brought to us about a month ago. It is not like we are cutting something that is 100 percent expected. My concern would be as Mr. Sanchez stated that the public has not had a chance to see this. It is different then what was presented in the worksheet the public has been seeing the last three or four days.

Commissioner Payne said she is fine with tabling it and giving the public a chance to take a look at it.

Commissioner Baldwin made the motion to table Old Business Item 8, Consider, and act Upon amending the Kids Kingdom Re-Build Proposal until our next meeting.

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

NEW BUSINESS

9. Consider, and act upon, Change Order No. 2, Public Works Bid No. 2017-001, to Smithco Construction, Inc. related to the 1MGD Brackish Water Treatment Facility project, in an amount not to exceed $148,032.06, including tax. *(Bob Johnson, Engineering Manager)*

Engineering Manager Johnson spoke on Change Order No. 2. He said this change order is in 3 parts. The three portions consist of: Deletion of three pumps from the project scope that were inadvertently left in the project design, and during the middle review process at the beginning of the project it was discovered these items were still in there and they did not need to be which resulted in a net decrease of $6,017.02. The estimated quantity of Bid Item 4 of buried solid waste was 16,000 tons in the original bid documents. During the excavation removal and disposal of the buried solid waste, the contractor encountered a large pocket of it, in the northwest corner of what will be the evaporation pond. The engineer was immediately notified. They evaluated it and determined that we would be exceeding our 16,000 tons estimated quantity. The engineer notified the city as well as the funding agency oversight NMED Construction Programs Bureau. We have it within our contract documents to exceed estimated quantities by up 25 percent. The funding agency oversight approved us to proceed versus shutting the project down. I have gone back and looked at the various soil reports and the bores done by Terracon. There were roughly 13 different bores done in and around what is now the evaporation pond area. The area that this pocket of buried solid waste found was in between about five of these bores. The existing bore results around this pocket indicate very little, if any, buried solid waste. Most of the solid waste within this area, through the bore and testing process was located further south. The 18,500 new estimated total includes what has been excavated to date and includes 400 tons what might be estimated to be found when the contractor installs the raw and finished water line that will parallel LaVelle Road. This is kind of a fail-safe quantity, if we do not exceed that quantity, we will reduce it down to actual. Within the change order, the 24 inch layer of four to eight inch rock underneath the evaporation pond berms and access road is a net increase of $43,083.74. As the contractor was excavating the additional solid waste, it was seemingly bottomless. They had excavated so deep and they could not find a bottom to this buried solid waste. We believe because it was on the fringe of the old landfill. The engineer got with city staff and the funding agency and we came up with the consensus to stop removing this, because it is so deep that we will never disturb it. The engineering fix was to install two feet thick layer of compacted four to eight inch rock, in twelve inch lifts at 95 percent density, and then on top of that approximately 10 feet of compacted earth, also compacted to 95 percent density so that there is no chance of anything shifting or coming up.

Commissioner Baldwin asked if it is within budget and will it keep us within time line. Engineering Manager Johnson said yes.

Commissioner Baldwin moved to approve.
Commissioner Martin seconded the motion.
Motion carried with a vote of 7-0-0.

10. Consider, and act upon, for the Approval to purchase a new Class-A Apparatus (pumper) to replace an existing Apparatus that has surpassed its life service. With this Approval Fire Staff will move forward with the purchase utilizing the Approved budgeted monies from two sources; Fund 011, CER Equipment Replacement for a total of $400,000.00, and Fund 033 CER Equipment Replacement for a total of $127,695.00. *(Jim LeClair, Fire Chief)*

Fire Chief LeClair showed a presentation of why this apparatus is needed, and asked for approval to purchase a new Class-A pumper apparatus to replace an existing apparatus that has surpassed its life service. He said one of the largest obstacles for the Fire Department is dealing with its aging fleet that has surpassed its life. According to the NFPA 1901 standards for First-Line and Reserve Fire Apparatus; fire departments should seriously consider the value or risk to the fire fighters of keeping fire apparatus older than 15 years in front-line service. He showed several apparatus, in inventory, that has surpassed that replacement criterion. The apparatus that they are looking to replace is 23 years old. (see Blue Book of Power Point)

Mayor Boss asked if this is replaced, then the oldest truck in inventory would be 16 years old. Fire Chief Leclair said yes. He said they would like to keep the 1994 engine in inventory and try to have it refurbished at a later date, and keep it as a reserve engine.

Mayor Pro-Tem Hernandez asked if the $400,000 was budgeted. Fire Chief LeClair answered yes.

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

11. Consider, and act upon, an agreement for Assignment of Airport Lease from Gregory Hock to Alex Clements Jr. for Area E8-B. *(Petria, Schreiber, City Attorney)*

City Attorney Schreiber said this is a routine assignment of a lease. This was passed by the Airport Advisory Board at their meeting in July 2017, and they recommended approval. Essentially, this is just someone transferring a hangar to someone else.

Mayor Pro-Tem Hernandez asked for confirmation that this is just a transfer of a lease. City Attorney Schreiber confirmed that it is.

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

12. Consider, and act upon the Airport Improvement FAA Grant. *(Jim Talbert, Airport Manager)*

Airport Manager Talbert said we are trying to get FAA end of Fiscal Year money. We are looking to put a shoulder on the remaining length of the runway. We put a shoulder on the 2200 foot extension as an experiment. It has worked extremely well as far as erosion control, weed control and maintaining the three inch clearance required by FAR 139 from the top of the runway to the surface right next to it. We asked the FAA for this money about a year and a half ago, and we have been discussing it for that point. This needs to be in to the FAA by the September 15, 2017. We are running up against the end of the Federal Fiscal year. The cost to the City is $26,961 providing that's the total cost of the operation. This is a 90 percent FAA, 5 percent State and 5 percent City grant. The cost to the City will be spread out over a considerable amount of time. The benefits to the City is does meet the 139 specifications for the shoulder of the runway. Normally those requirements for 139 are not eligible for a grant, we did a discussion and described it a little bit differently and the FAA has said they would give us a grant for that.

Mayor Boss said it is kind of a no brainer, a half a million dollars for the $27,000. He asked if when the material is put down is it oiled as well. Airport Manager Talbert said if we put diesel oil on it, then we will have asphalt, but then there are other problems with putting diesel oil on it so we have not done that.

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

13. Consider, and act upon, the award of Public Works Bid No. 2017-014 to General Hydronics Utilities LLC, related to Street Maintenance Program FY2016 – Phase II in an amount not to exceed $342,436.68 including NMGRT. *(Edward Balderrama, Project Manager)*

Project Manager Balderrama said the work on this project will be on Harvard, Baylor and Tulane Avenue, from 25th Street north to the end of the loops. The project will include replacing water lines, all the water services, and installing some new fire hydrants in the area. If this project is approved, the area from Cornell to Pecan, 23rd to just north of 25th Street will all have new infrastructure. The sewer has already been replaced, all of utilities have been replaced and all of the pavement would have gone through the cycle of our street maintenance program.

Mayor Boss said the engineer missed this estimate by $90,000. Project Manager Balderrama said that was correct. We have been getting some good numbers on our water utility projects, but it is hard because we only got one bid on this project, to try and compare anything to.

Mayor Pro-Tem Hernandez asked why there was only one bidder. Project Manager Balderrama said he had no idea. I don't know if it is too small of a project for an out of town contractor to come into town to bid on it or just the group that is here are just too competitive here in Alamogordo.

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

14. Consider and act upon the Family Fun Center operating proposal for management. *(Maggie Paluch, City Manager)*

City Manager Paluch said they had discussed this at length yesterday evening. There were four options: To do nothing, to go with a proposal from Alamogordo Management Group, accept a proposal from Downtown Venture Corp, or the City to run the Family Fun Center. She said Mayor Pro-Tem Hernandez had asked if we had reached out to OCDEC and Mike Espiritu. She said they reached out to Mike Espiritu and he is in agreement with using the money for this purpose as long as we have enough money in fund 105 to fund the other economic development projects that we have underway, which we do.

City Planner Williams said he spoke to Mr. Chun from Downtown Venture Corp. One of his concerns was the business plan. He is only standing by for a letter of intent, and he would have an in detail business plan ready within 30 days from the date of receipt of this letter. City Planner Williams said if Mr. Chun were awarded the process, it would be roughly 60 days to open, after the building is completed.

City Attorney Schreiber said she gave incorrect information in last's meeting at the Family Fun Center workshop about the telephone wiring system. She said the building is wired, but we currently do not have any phones. She spoke with Mark Roper about LEDA funds. She said he is on board with us about using LEDA funds. We do need to bring our local LEDA Ordinance up to compliance with the State Statute. She said many of the Commissioners wanted to make sure that we are on solid legal ground, so I am attempting to hire an outside Counsel to prepare a written legal opinion to the Commission regarding LEDA to protect this Commission. Before we move forward and put this project participation agreement, we will make sure we are on the most solid ground we can be on.

Mayor Boss said Randy Van Vleck, the New Mexico Municipal League Attorney, opinion is that it is permissible. City Attorney Schreiber said he was actually the Attorney on one of the first LEDA projects. She said I have called him and have more calls into him to see if I could get him to put that opinion in writing for the Commission. IF not, we'll seek an outside Attorney to put that in writing for us. Mayor Boss asked about Juan Torres, the Director of Finance Development Programs, he also had the opinion that we were ok, right. City Attorney Schreiber said yes, I had a conversation with him. He was absolutely on board and said that would be the best way for us to go.

City Manager Paluch said staff was working on all four options. We are looking for a narrowed focus of which option you want staff to concentrate on and possibly a letter of intent to Downtown Venture Corp saying that we are moving down the path of negotiations with them. Nothing is written in stone, you are not agreeing to a participation agreement. We are doing our due diligence. We just want more of a narrowed focus.

Mayor Pro-Tem Hernandez said he would like written opinions and not phone opinions, because in a phone opinion they can say that is not really what you asked me. I want to make sure the written questions and written answers come back to us, so that we are covered. It is worth spending a little bit of money on it, if we have to, to keep us straight. He was also concerned with the interest on the $500,000 loan. He said we are not a bank. I want to make sure that everything is clear and we are not setting a precedent on this. Loaning money has not been our business; I don't really want to get into that. If we do that, I would like some clarifications of the interest rate, the payback, the structure.

City Manager Paluch clarified that any contract with Downtown Ventures Corp would come before the Commission before it was signed. The Commission is the final say and approval.

Mayor Pro-Tem Hernandez said I know things happen and short notices occur, but he does not want to see that contract five minutes before we come into a meeting. I would like to see it a least a day in advance. City Manager Paluch said understood.

Mayor Pro-Tem Hernandez said he would suggest that the Commission proceed with item number 4. If most or not all of the questions that were asked would be answered, I would not have a problem with it. He asked City Manager Paluch if she was looking for a motion or are you looking for a consensus. City Manager Paluch said we would like to send a letter of intent, saying that we are beginning negotiations with them. If we are going to put something in writing like that, I would prefer to have a motion. She said I think that the motion needs to be open ended. We are just beginning the negotiations and any contract that is going to go with this company is going to come before the Commission before it is ratified.

Commissioner Sikes said she got the impression that we were going to make a motion to actually work with Mr. Chun, so will this suffice. Commission Sikes asked if he will be happy that he has a letter of intent, and he will allow us the time to do all the negotiations and not back us into a corner. City Manager Paluch said yes, his proposal does not come off the table as long as we have that letter of intent. Mayor Boss said you will start your due diligence procedures at the same time. City Manager Paluch said yes, we already have and we will continue.

Josh Rardin commented on the following:
He said getting an Operator should have been done when the City broke ground, this way the contractor would have had some direction on how this operator wanted it to go. This Company who

wants to enter into a contract with you is giving you an ultimatum. He said this should have been advertised nationwide. He cautioned the Commission on their selection. As far as the LEDA funds, it didn't sound like your Operator was putting any of his money into this deal. You are going to pull a million and a half from LEDA and $506,000 of interest off the bond and that was going to be the initial investment, so you are lending the guy $506,000 as his initial investment, but it is taxpayer's money. The last time the City funded an operation similar to this was the Cookie Factory. He said I think to this day the City still owes 1.7 million dollars on that. He wants the Commission to be cautious on this deal.

Mayor Boss asked the City Manager Paluch if we had a motion to direct staff to proceed with negotiations with Jay Chun Downtown Venture Corp and issue a letter of intent and note that anything will go before the Commission as far as approval of any contracts, will this work. She answered exactly.

Commissioner Payne said we have actually been working with this company for a long time, or this company has been interested. She asked why they should trust us. We have been dragging our feet on this for quite a while, and this company is coming back to us for a third time to work with us. They probably just want some reassurances.

Mayor Boss entertained a motion to direct staff to proceed with negotiations with Jay Chun, Downtown Venture Corporation and issue a letter of intent. Any contract will be approved by this Commission.

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

15. Consider and act upon first publication of Ordinance 1542, an ordinance adding new sections to Chapter 3 establish a moratorium on new, off-premise billboard advertising within City limits. *(Darron Williams, City Planner)* **(Roll Call Required)**

City Planner Williams said this is the first draft of our billboard moratorium. Essentially we are proposing an off-premise billboard moratorium or advertising that is off premise of the business itself. We are proposing that this go into immediate effect, so that any new negotiations or signs that are not yet put up are affected. Any leases that are signed prior to our effective date, would fall into the grandfather clause which is five years and can be extended with a petition annually through the Commission for cause up to a maximum of 10 years. This way we are not negatively impacting any more than necessary, signs that are already up or signs that are about to go up, based on signed leases. The square footage is proposed at 300 feet or greater, and any sign that is 15 feet or greater in height.

Commissioner Sikes said based on what we have put together here, we won't necessarily see any changes in how or billboards look in Alamogordo right now. She asked if we have any plans in the future to make some changes. Over the course of the past couple of weeks, I have received nothing, when it comes to phone calls, text messages and emails, but positive input about an Ordinance or Resolution to get rid some of the existing billboards. We have an inordinate amount of huge billboards. There were also messages about electronic signs. There are couple companies that have these billboards up that are just advertising for their billboards. She said this is the beginning; understand that we are not going to see any changes.

Matt Yoder commented on the following:
He said Lamar Advertising was a little dismayed at grandfathering out existing billboards. Lamar became a part of this community in servicing local businesses in 2001. Since that time they have not received any complaints. All of their billboards are on federally funded highways in the area, including the City limits. There are both Federal and State statutes that provide for just compensation to the owners of those billboards. You are going to have to deal with paying for the revenue that is lost to that sign owner and property owner. Lamar has not erected any new structures recently. He wanted for the

Commission to carefully examine statutes that exist in both Federal and State level about what is going to be required by the City financially to get rid of signs. He wanted to caution and encourage the Commission to do the research on this. We definitely want to voice our opposition to the idea that existing billboards can be taken down.

Mayor Boss asked the City Attorney if they had considered this. She advised they table this Ordinance. At some point, I would be comfortable if we wanted to look at this and take out the not exceeding maximum of 10 years part, so we do not tell them that they can only do this for 10 years, so they would have to come back for permission. I apologize that we do not have this researched for you tonight. I think that we should table this to make sure that we are in the clear of this. I can certainly a render a legal opinion to the City to make sure that we are in compliance with all State, local and Federal laws.

Mayor Pro-Tem Hernandez said he researched the State right of way laws. I do agree with the Ordinance. Back when the benches first came out, there was a bunch of them that were broken, dilapidated, I questioned that. I want to make sure that we are covered. There are some concerns with the State right of way that we may have to watch out for. Because of how White Sands Boulevard is built, it is in the State right of way.

Tom Palmer commented on the following:
Mr. Palmer passed out a package to the Commission containing: Federal and State Statutes and a Supreme Court Case on taking down billboard. As far as Lindmark Outdoor Media, we are in support of a billboard Ordinance. Having too many billboards makes the industry look bad. All of our big stack billboards are currently occupied by businesses in this community. On taking things down, there is a big problem with on premise signage. If you take a look at the on premise signage, they are probably bigger than ours. We have actually only added one structure to the City since 2005. We provide a service to your community. (see Blue Book for copies of these documents)

Josh Rardin commented on the following:
He said he was glad they were tabling this item. This Ordinance seems like it is not business friendly. Some time ago, Commissioner Rentschler brought forward a sign Ordinance. It was a very heated Ordinance and was very cumbersome and very difficult to try and enforce. I don't see how the City can govern what private property owners can do with their property.

Mayor Boss entertained a motion to table this Item.

Commissioner Turnbull moved to table this item.
Commissioner Martin seconded the motion.
Motion carried with a vote of 7-0-0.

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

Mayor Boss read the openings and appointed Susan Hopkins to the Senior Volunteer Programs Advisory Council and Martha Trujillo, David Gonzalez and Camdon Wilde to the White Sands Beautification Board. No one was opposed.

Commissioner Sikes announced on August 28, 2017 there is going to be the first White Sands Beautification Committee meeting here in the Chambers at 6:00 p.m. She encouraged everyone to attend.

Mayor Pro-Tem Hernandez moved to adjourn at 8:19 p.m.
Commissioner Turnbull seconded the motion.
Motion carried with a vote of 7-0-0.

ADJOURNMENT

Mayor Richard Boss

ATTEST:

City Clerk Rachel Hughs

(Prepared by Eric Barraza, Deputy Clerk)
Approved at the Regular Meeting held on September 12, 2017.

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 09/12/2017 **Report Date:** 09/05/2017 **Report No:** 3.

Submitted By: Katie Josselyn

Subject: Consider, and act upon, approval of an MOU to the FY2017-FY2020 contract with American Federation of State, County, and Municipal Employees (AFSCME) Local 3818. *(Katie Josselyn, Human Resources Director)*

Fiscal Impact:
Amount Budgeted:
Fund:

Additional Fiscal Impact:

Recommendation: Approve the MOU as presented.

Background: City staff believes we should honor all who have served in the armed forces, especially since Alamogordo is a military community. Therefore, we have included the Veteran's Day holiday to the list of holiday's observed by the City. We are extending this benefit to City employee's represented by the AFSCME Union.

MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ALAMOGORDO, NEW MEXICO AND THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES, LOCAL 3818

This Memorandum of Understanding (the "Agreement") memorializes the agreement between the City of Alamogordo ("City") and the American Federation of State, County, and Municipal Employees ("AFSCME"). The purpose of this Agreement is to memorialize the agreement between the City and AFSCME regarding the addition of the Veteran's Day holiday to the list of authorized paid holidays in the Collective Bargaining Agreement which expires on June 30, 2020 (the "Original CBA").

1. For the duration of this Memorandum, except as otherwise modified by this Memorandum, the terms and conditions of the Original CBA shall remain in full force and effect until a successor Agreement is ratified by both parties. During the term of this Memorandum, the parties agree to bargain in good faith with the intent of reaching a full collective bargaining agreement.

2. The parties agree that **SECTION 26. HOLIDAY PAY,** is amended to read as follows:

B. Authorized Holidays. The following days shall be observed as paid holidays:

New Year's Day	Christmas Day
Martin Luther King Jr. Day	Presidents Day
Thanksgiving Day	Thanksgiving Friday ~~(Veterans Day)~~
Memorial Day	Independence Day
Labor Day	Veteran's Day

6. Each party has had a reasonable opportunity to read this entire Agreement, to discuss its contents and meaning with a representative of their choosing, and that the terms of this Agreement are understood and voluntarily accepted.

7. Provided both parties ratify this Memorandum no later than August 25, 2017, the term of this Memorandum shall become effective on the first day of the first full pay period commencing after September 26, 2017, and shall remain in full force and effect until a successor Agreement is ratified by both Parties.

CITY OF ALAMOGORDO
NEW MEXICO

____
Margaret D. Paluch, City Manager

AMERICAN FEDERATION OF STATE,
COUNTY AND MUNICIPLA EMPLOYEES

____
Richard Havlish, President Local 3818

____
Joel Villarreal, Council 18 Representative

ATTEST:

____
Raquel Hughs, City Clerk

APPROVED AS TO FORM:

____
Petria B. Schreiber, City Attorney

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 09/12/2017 **Report Date:** 09/05/2017 **Report No:** 4.

Submitted By: Katie Josselyn

Subject: Consider, and act upon, approval of an MOU to the FY2017-FY2020 contract with the Alamogordo Public Safety Officers Association (APSOA). *(Katie Josselyn, Human Resources Director)*

Fiscal Impact: $7,400 for specialty pay; all other modifications will vary based on eligibility
Amount Budgeted: $0.00
Fund: 011-4104420

Additional Fiscal Impact: None

Recommendation: Approve the MOU as presented.

Background: City staff believes we should honor all who have served in the armed forces, especially since Alamogordo is a military community. Therefore, we have included the Veteran's Day holiday to the list of holiday's observed by the City. We are extending this benefit to City employee's represented by the APSOA Union.

We have also taken this opportunity to update a couple of other sections of the contract.

1. Due to the reinstatement of the SWAT and K-9 programs in the Police Department, these two assignments have been added to the specialty pay section of the contract.

2. The non-service period measurement to determine eligibility for the recruitment incentive payment provided for in the contract for a reinstated City Police Officer was amended to read, from the individual's application date to the date the individual is actually reinstated to City employment. In practice, this date is more practical.

3. The Uniform/Equipment Allowance section will now include members serving a probationary period after being promoted to a higher, union eligible position. New Officers serving their initial twelve (12) month probationary period remain ineligible for the allowance.

4. New members of the Association who successfully complete their intitial probationary period shall be permitted to test for physical fitness pay within thirty (30) days of said completion.

The probationary period for Police Officers or Firefighters promoting to a respective higher police or fire position shall be changed in the Personnel Manual from twelve (12) months to six (6) months. This is in line with other City employees. A twelve (12) month initial probationary period will continue to be required for a newly hired police officer or firefighter.

MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ALAMOGORDO, NEW MEXICO AND THE ALAMOGORDO PUBLIC SAFETY OFFICERS ASSOCIATION

This Memorandum of Understanding (the "Agreement") memorializes the agreement between the City of Alamogordo ("City") and the Alamogordo Public Safety Officers Association ("APSOA"). The purpose of this Agreement is to memorialize the agreement between the City and APSOA regarding the adjustment of the probationary period for promotions, and the amendment of several sections of the Collective Bargaining Agreement which expires on June 30, 2020 (the "Original CBA").

1. For the duration of this Memorandum, except as otherwise modified by this Memorandum, the terms and conditions of the Original CBA shall remain in full force and effect until a successor Agreement is ratified by both parties. During the term of this Memorandum, the parties agree to bargain in good faith with the intent of reaching a full collective bargaining agreement.

2. The parties agree that **SECTION 27. FINANCIAL PACKAGE,** is amended to read as follows:

C. Specialty Pay. Effective the first day of the first pay period following ratification and execution of this agreement by both parties, Police Officers assigned to the specialty positions of detective, detective sergeant, training officer, narcotics agent, narcotics sergeant, field training officer (FTO), ~~SWAT officer~~ SWAT/CNT members, training sergeant, community relations officer, K-9 officer, and school resource officer shall be advanced two steps during the period of such assignment. No police officer, regardless of rank and regardless of the number of specialty assignments shall be advanced more than two steps. The additional compensation shall be paid only during the period of such assignment. Police Officers receiving the Specialty Pay will be returned to their regular rate of pay based on their classification when the reassignment as a specialist is ended.

F. Incentive Payments. In an effort to attract certified police officers and to retain its experienced officers, the parties agree that those eligible public safety officers will be provided monetary incentives by the City as set forth herein:

1. **Recruitment Incentive Payment**. Any police officer hired after the ratification and approval of the Memorandum of Understanding dated August 17, 2012, who holds a current and valid certification as a police officer by the State of New Mexico and who was previously certified and employed full-time as a certified police officer for at least one year by a law enforcement agency located within the State of New Mexico; upon initial employment with the City, subject to the conditions contained herein, shall be eligible for a Recruitment Incentive of three thousand six hundred dollars ($3,600). To qualify for the Recruitment Incentive, the new hire must commit, in writing, to remain employed with the Alamogordo Police Department in the capacity of a Police Officer for a period of thirty-six (36) months. No individual shall be eligible to receive the incentive if the individual was previously employed as a Police Officer with the City of Alamogordo unless at least 365 days have lapsed from the last date of employment with the City, as measured on the date on which the ~~individual submits an application for employment to the City~~ individual's employment with the City is reinstated. The incentive will be paid as soon as possible, but not later than thirty (30) calendar days after the eligible new hire successfully and fully completes his/her new employee orientation; is cleared for employment and completes and signs the above referenced written commitment. Should the employee's City employment as a Police Officer end during this commitment period, he/she will owe the City a pro rata share of the payment for the remaining portion of this commitment period. Such repayment amount will be calculated by dividing the total amount of the payment by the entire commitment period (expressed in months). The repayment amount will be this result multiplied by the remaining full months of the service agreement.

G. Uniform/Equipment Allowance.

1. All ~~non-probationary~~ members of the Association shall receive an allowance of $150.00 (less applicable federal and state income taxes) annually for the reimbursement of the purchase of duty equipment. The annual allowance will be paid to eligible employees on the first full pay period following ratification of this agreement, and on the second full pay period in July annually thereafter.
2. Police Officers and Police Sergeants assigned to the Detective Division of the Police Department shall receive an allowance of $200 (less applicable federal and state income taxes) upon their initial assignment to Detective, and an allowance of $150 (less applicable federal and state income taxes) annually for the reimbursement of the purchase of plain-clothes in lieu of issued uniforms. All such clothing shall be subject to approval by the Police Chief. The Department shall continue to issue plain-clothes officers one uniform annually.
3. The $200 allowance to Detectives shall be provided only to those Officers initially assigned to Detective after the ratification of this agreement.
4. No member shall receive more than $150 annually for this allowance, with the exception of the one-time, $200 initial allowance to Detectives.

3. The parties agree that **SECTION 28. PHYSICAL FITNESS PAY,** is amended to read as follows:

All employees covered by the agreement will be eligible for a physical fitness incentive based on base pay. The amount of the hourly incentive will be as specified in the charts outlined below. However, the maximum incentive amount is 4% of hourly base pay. The hourly incentive will become effective the first pay period after July 1, 2016, or the first full pay period after the physical fitness test is passed if the member passes the test after the beginning of the fiscal year. This incentive expires on the last pay period of the fiscal year. The physical fitness testing is voluntary and the incentive will not be given to employees who do not satisfactorily complete the agreed upon standards.

The City will conduct a minimum of one physical fitness test during the first quarter of each calendar year. Nothing herein prevents additional make up tests being done at the discretion of the Department Chief at any time during the year for any covered employees.

Any member of the Association who loses their physical fitness incentive pay as a result of a work-related injury shall be permitted to test within thirty (30) days of receiving the appropriate release from their attending physician. Any new member of the Association who successfully completes their initial probationary period shall be permitted to test within thirty (30) days of said completion. Provided the member satisfactorily completes the required standards, the member shall begin receiving the incentive the first full pay period after successfully passing the test. Exceptions as to the time limit may be allowed upon mutual agreement between the Association and the Department Chief.

Prior to testing, each member of the bargaining unit wishing to participate must provide a medical release authorizing participation in the physical fitness test. This medical release will be at the expense of the member and the medical release must have been acquired within the previous twelve (12) months from the test date. If a member experiences an event since they last received a medical release that could affect their ability to safely perform the test, a new medical release will be required.

The physical fitness test is on a two-tiered, pass-or-fail system and minimum standards are as follows:

The method for testing and each evolution will be agreed upon in writing between Department Chief and APSOA President prior to testing. The Physical Fitness testing standards will no longer include age and gender factors. Other requirement standards for this incentive are still under negotiation with the Association. See addendum for an example of the proposed elements. The Police Physical Fitness test will be developed by mutual agreement of the Police Chief and Association, and shall include 6-8 testing stations. Should an agreed upon test not be accomplished prior to January 1, 2017, the testing standard shall revert back to the testing elements previously provided for in this agreement.

The Physical Fitness testing standards for Firefighters and Fire Lieutenants shall be equivalent to the current Modified CPAT, subject to future changes as standards or needs require. The Modified CPAT must be completed successfully in seven (7) minutes to be eligible for a Tier 1 rate of two (2) percent Physical Fitness Pay incentive, and in six (6) minutes for a Tier 2 rate of four (4) percent Physical Fitness Pay incentive.

Compensation for Physical Fitness shall be as follows:

Tier 1: Two (2) percent increase of current hourly base rate.

Tier 2: Four (4) percent increase of current hourly base rate.

4. The parties agree that **SECTION 24. HOLIDAY PAY,** is amended to read as follows:

A. The following days shall be observed as holidays for employees who work shift work:

New Year's Day – January 1st
Martin Luther King, Jr. Day – 3rd Monday in January
President's Day – 3rd Monday in February
Memorial Day – Last Monday in May
Independence Day – July 4th
Labor Day – 1st Monday in September
Veteran's Day – November 11th
Thanksgiving – 4th Thursday in November
Day After Thanksgiving ~~– (in lieu of Veterans' Day)~~
Christmas – December 25th

For employees assigned to work business hours, such as Station Officer, Public Relations, Administrative, and Detective Sergeants, SROs, Detectives, and NEU Officers, the same holiday schedule used by other City employees will apply.

For employees assigned to work shifts (Days, Swings, Nights) such as Patrol Officers, Patrol Sergeants, and Fire service personnel, for purposes of determining holiday pay, the observed holiday as listed above will be deemed to start at 0700 hours on the day of the observed holiday and end twenty-four (24) hours later at 0700 hours.

5. The probationary period for a police officer or firefighter promoting to a respective higher police or fire position shall commence a six (6) month probationary period. This amends Section 4.090 Introductory Period of the City of Alamogordo Personnel Manual which previously required a twelve (12) month probationary period. New hire police and fire members will continue to serve a twelve (12) month probationary period. This amendment will be retroactive to any promoted police officer or firefighter currently on probation.

6. Each party has had a reasonable opportunity to read this entire Agreement, to discuss its contents and meaning with a representative of their choosing, and that the terms of this Agreement are understood and voluntarily accepted.

7. Provided both parties ratify this Memorandum no later than August 25, 2017, the term of this Memorandum shall become effective on the first day of the first full pay period commencing after September 26, 2017, and shall remain in full force and effect until a successor Agreement is ratified by both Parties.

CITY OF ALAMOGORDO NEW MEXICO	**ALAMOGORDO PUBLIC SAFETY OFFICERS ASSOCIATION**
________________________ Margaret D. Paluch, City Manager	________________________ Eliza Fernandez, APSOA President
	________________________ David Griffith, NMCPSO
ATTEST:	**APPROVED AS TO FORM:**
________________________ Raquel Hughs, City Clerk	________________________ Petria B. Schreiber, City Attorney

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 09/12/2017 **Report Date:** 09/06/2017 **Report No:** 5.

Submitted By: Maggie Paluch

Subject: Consider, and act upon, approval of a letter of support to urge the Army Corps of Engineers to continue to fund the McKinley Channel Flood Control Project. *(Maggie Paluch, City Manager)*

Fiscal Impact:
Amount Budgeted:
Fund:

Additional Fiscal Impact: None.

Recommendation:

Background: Staff is recommending approval of the attached draft letter to urge the Army Corps of Engineers to continue to fund the McKinley Channel Flood Control Project. The letter would be sent to congressional leaders at both the State and Federal level.

Date

Senator:

The Honorable (full name)
(Room Number) (Name) Senate Office Building
United States Senate
Washington, D.C. 20510

House Representative:

The Honorable (full name)
(Room Number) (Name) House Office Building
United States House of Representatives
Washington, D.C. 20515

Re: Alamogordo Local Flood Control Project

Dear Representative/Senator _______________:

On behalf of the City Commission and the residents of the City of Alamogordo, I urge you to support an increase in funding for the Alamogordo Flood Control projects' McKinley Channel that is overseen by the Army Corps of Engineers'.

At a meeting on August 18, 2017, the City was informed of the Army Corps of Engineers' possible intent to discontinue funding the remaining portion of the Alamogordo Flood Control project's McKinley Channel. An additional $10M, ($7M federal and $3M non-federal), is required for completion of McKinley Channel for protection against a 100-year flood event. Both the Federal Government and the City have invested approximately $70M in the Alamogordo Flood Control Project. The City's cost share match of $2.395M has been programmed into the FY 18 budget. We are committed to supporting completion of the Flood Control project. The City of Alamogordo has a long and satisfying relationship with the Army Corps of Engineers and request that they stay committed to the completion of the McKinley Channel.

Currently, this community's Flood Insurance Rate Maps identify a very large portion of the city in the Special Flood Hazard Area (SFHA). With completion of the South Channel portion of the Flood Control project and the subsequent Letter of Map Revision (LOMR), almost 400 parcels were removed from the flood zone. FEMA does not accept LOMR requests for a project until the entire project is complete. Therefore, if the McKinley Channel is not completed upstream to the sediment basin, the opportunity to remove hundreds of properties from the SFHA will be lost. This is a huge impact and a life safety issue for the citizens of Alamogordo if the project is not completed when we are so close, after decades of investment.

We are asking for your assistance in urging the Army Corps of Engineers to continue to honor its commitment to fund the completion of this critical project. Thank you for your consideration and please feel free to contact me if you would like to discuss this issue further.

Sincerely,

Richard Boss
Mayor, City of Alamogordo
1376 East Ninth Street
Alamogordo, New Mexico, 88310
(575) 439-4203

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 09/12/2017 **Report Date:** 09/07/2017 **Report No:** 6.

Submitted By: Rachel Hughs

Subject: Consider, and act upon, Application No. 1052714 to grant a Restaurant Beer and Wine Liquor License on the Premises Consumption only to Rachel's located at 902 N. New York Ave., White Sands Blvd., Alamogordo, NM. *(Rachel Hughs, City Clerk)*

Fiscal Impact:
Amount Budgeted:
Fund:

Additional Fiscal Impact:

Recommendation:

Approve the Restaurant Beer and Wine Liquor License on the Premises Consumption Only, Application No. 1052714, Rachel's located at 902 N. New York Ave., White Sands Blvd., Alamogordo, NM.

Background: The Alcohol and Gaming Division of the NM Regulation and Licensing Department has given this application preliminary approval. In accordance with Section 60-6B-4 NMSA of the Liquor Control Act, the Division must refer the application to the Governing Body for approval or disapproval. This public hearing is for the purpose of considering the application. A Notice of Public Hearing was published in the Alamogordo Daily News on Sunday, July 30, 2017 and August 20 , 2017. These publications meet the State regulations of publishing a notice twice prior to the hearing.

Susana Martinez
Governor

Robert "Mike" Unthank
Superintendent

Alex Sanchez
Deputy Superintendent

Claudia Armijo
Deputy General Counsel

Mary Kay Root
Director

New Mexico Regulation and Licensing Department
ALCOHOL AND GAMING DIVISION

P.O. Box 25101 • Santa Fe, New Mexico 87504-5101
(505) 476-4875 • Fax (505) 476-4595 • www.rld.state.nm.us/alcoholandgaming

July 18, 2017

Certified Mail No.: 9171 9690 0935 0079 1720 18

RECEIVED
JUL 24 2017
CITY CLERK

City of Alamogordo
Rachel Hughs, City Clerk
1376 East Ninth Street
Alamogordo, NM 88310

Re: Lic. No. /Appl. No.: **Application No. 1052714**
Name of Applicant: Rachel Farus
Doing Business As: Rachel's
Proposed Location: 902 N. New York Ave., Alamogordo, NM 88310

Greetings:

The Director of the Alcohol and Gaming Division has reviewed the referenced Application and granted **Preliminary Approval.** It is being forwarded to you for Local Option District approval or disapproval of the Liquor License Application.

While the law states that "within forty-five (45) days after receipt of a Notice from the Alcohol and Gaming Division, the governing body shall hold a Public Hearing in the question of whether the department should approve the proposed issuance or transfer", we recognize the potential for conflict between the requirement for publication of 30 day notice and the 45 day hearing requirement. Should the Local Governing Body be unable to meet one of these requirements, please send a Request for Waiver/Extension by email to the assigned AGD Hearing Officer listed on page 2.

Notice of the Public Hearing required by the Liquor Control Act **shall be given by the governing body by publishing a notice** of the date, time, and place of the hearing **twice during the 30 days prior to the hearing** in a newspaper of general circulation within the territorial limits of the governing body. **The first notice must be published at least thirty (30) days before the hearing. Both publications must occur before a hearing can be conducted.** The notice shall include:

(A) Name and address of the Applicant/Licensee;
(B) The action proposed to be taken by the Alcohol & Gaming Division;
(C) The location of the licensed premises.

In addition, if the Local Option District has a website, **the Notice shall also be published on the website.**

The governing body is required to send notice by certified mail to the Applicant of the date, time, and place of the Public Hearing. The governing body may designate a Hearing Officer to conduct the hearing. **A record shall be made** of the hearing.

THE APPLICANT IS SEEKING A RESTAURANT BEER AND WINE LIQUOR LICENSE ON PREMISES CONSUMPTION ONLY.

Alcohol and Gaming Division
(505) 476-4875

Boards and Commissions Division
(505) 476-4600

Construction Industries Division
(505) 476-4700

Financial Institutions Division
(505) 476-4885

Manufactured Housing Division
(505) 476-4770

Securities Division
(505) 476-4580

Administrative Services Division
(505) 476-4800

Within thirty (30) days after the Public Hearing, the governing body shall notify the Alcohol and Gaming Division of their decision to approve or disapprove the issuance or transfer of the license by signing the enclosed original Page 1 of the Application. The original Page 1 of the Application must be returned together with the notices of publication. **If the Governing Body fails to either approve or disapprove the issuance or transfer of the license within thirty days after the Public Hearing, the Director may issue the license.**

If the Governing Body disapproves the issuance or transfer of the license, it shall notify the Alcohol and Gaming Division within thirty (30) days setting forth the reasons for the disapproval. A copy of the Minutes of the Public Hearing shall be submitted to the Alcohol and Gaming Division with the Notice of Disapproval (*Page 1 of the Application, noting disapproval*).

Respectfully,

Beverly Kennedy, Hearing Officer
New Mexico Regulation & Licensing Dept. | Alcohol & Gaming Division
Phone: (505) 476-4804 Fax: (505) 476-4595
Email: beverly.kennedy@state.nm.us

Enclosures:

1. Original Page 1 of the Application (*must be signed and returned w/notices of publication*)
2. Copy of Page 2 of the Application
3. Copy of Zoning Statement

RECEIVED
JUN 14 2017
ALCOHOL & GAMING DIVISION

AGD USE ONLY: Payment| Application Fee $ 200 Received on: 6-15-17 Receipt No. 1965862

License Fee $ ________ Received on: ________ Receipt No. ________

Application # 1052714 Local Option District: City of Alamogordo

RESTAURANT LIQUOR LICENSE APPLICATION

$200.00 Application Fee, non-refundable.

Check appropriate boxes: **Application is for:** ■ New Restaurant Liquor License

Applicant is: ■ Individual ☐ Limited Liability Company ☐ Corporation ☐ Partnership (General/Limited)

NAME OF APPLICANT (company or individual) **ADDRESS** (including city, state, zip) **TELEPHONE NUMBER**

Rachel Farus, 902 N. New York Ave., Alamogordo, NM 88310, (575) 202-2739

D/B/A Name to be used: Rachel's **Business Phone #:** (575)488-7111

Email Address (required): rachelfarus@gmail.com

Physical location where license is to be used: (Include street number / highway number / state road, city and county, state, and zip code)
902 N. New York Ave., Alamogordo, NM 88310

Mailing Address: 902 N. New York Ave., Alamogordo, NM 88310

Agent/Contact Person: Rachel Farus **Phone#:** (575)202-2739 **Email:** rachelfarus@gmail.com

Are alcoholic beverages currently being dispensed at the proposed location? ■ Yes ■ No If Yes, License # / Type: ________

I, (print name) Rachel Farus, as (title) Owner
being first duly sworn upon oath deposes and says: that he/she is the applicant or is authorized by the applicant to make this application; that he/she has read the same; knows the contents therein contained are true. Applicant(s) agree(s) that if any statements or representations herein are found to be false, the Director may refuse to issue or renew the license or may cause the license to be revoked at any time.

You must sign and date this form before a Notary Public.

Signature of Applicant: Rachel Farus Date: 6-9-17

NOTARY PUBLIC USE ONLY: (State of New Mexico, County of Otero
SUBSCRIBED AND SWORN TO before me this 9th day of June, 20 17
By: Rachel Farus Notary Public: Kimberly K Wing
My Commission Expires: 4/9/19

OFFICIAL SEAL
KIMBERLY K WING
NOTARY PUBLIC
STATE OF NEW MEXICO
Com. Expires 4/9/19

FOR LOCAL OPTION DISTRICT USE ONLY: Local Governing Body of: ________ City, County, Village

Public Hearing held on ________, 20____. Check one: ☐ Approved ☐ Disapproved

Signature and Title of City/County Official: ________

FOR ALCOHOL AND GAMING DIVISION USE ONLY: ☐ Approved ☐ Disapproved

Signed by Director: ________ Date: ________

PREMISES LOCATION, OWNERSHIP, AND DESCRIPTION

NMSA §60-6B-10

1. The land and building which is proposed to be the licensed premises is: (check one)

☐ Owned by Applicant, copy of deed/document attached ■ Leased by Applicant, copy of lease/document attached

☐ Other (provide details): ______

2. If the land and building are not owned by Applicant, indicate the following:

A. Owner(s): Heather Carter

B. Date and Term of Lease: April 1, 2017 - April 1, 2018

3. Premises location is Zoned (*example C-1, see Zoning Statement*): C-3,

■ **Zoning Statement attached**, which must be obtained from the Local Government, listing the proposed location by address, Type of Zone, state whether alcoholic beverages are allowed at proposed location, and if applicable, whether packaged sales, patio service and/or manufacturing is allowable. If there is no zoning in the proposed location, attach Statement from the local government, indicating there is no zoning.

4. Distance* from nearest Church: (*Property line of church to closest point of licensed premises—shortest distance*)

Name of Church: *Immaculate Conception Catholic Church* Miles/feet: *528 feet*

Address/location of Church: *705 Delaware Avenue*

5. Distance* from nearest School: (*Property line of school to closest point of licensed premises—shortest distance*)

Name of School *Academy Del Sol High School* Miles/feet *2112 feet*

Address/location of School: *1200 South Florida Avenue*

6. Distance from military installation *(*Property line of military installation to closest point of licensed premises-shortest distance.*)

Name of Military Installation, circle one: Kirtland Air Force Base (Albuquerque), White Sands Missile Range (Las Cruces), Holloman Air Force Base (Alamogordo), Cannon Air Force Base (Clovis)

Miles: 9.8

7. Attach Detailed Floor Plan, must include the Total Square Footage of premises; List nearest cross street; Show which direction is North; Show each level (floor) where alcoholic beverages will be sold or consumed, exterior walls, doors, and interior walls; Patio Area with type of barrier used; Highlight Bonded Areas. The floor plan should be no larger than 8½ x 11 inches and **must be labeled** with designated areas highlighted, which will reflect the proposed Licensed Premises.

8. Type of Operation: ☐ Hotel ☐ Lounge ☐ Package Grocery ■ Restaurant ☐ Racetrack

☐ Small Brewer ☐ Craft Distiller ☐ Winery ☐ Wholesaler

☐ Other (specify): ______

***NOTE:** If the distance is beyond 300 feet, but less than 400 feet, a Registered Engineer or Licensed Surveyor must complete a Survey Certificate showing the exact distance.

CD-007-2017

May 26, 2017

Rachel Farus
902 New York Ave.
Alamogordo, NM 88310

RE: **902 New York Avenue**
Legal Description Alamo Blocks, Block 15, Lot 2
Map Code 01N-4-055-094-128-205 & PC 01-01204

Ms. Farus,

At your request, we have researched our records and determined the zoning classification of that certain real property, which has the street address **902 New York Avenue** within the corporate boundaries of the City of Alamogordo, New Mexico. This is written, in accordance with the provisions of Section 2-01-030(j) and Section 29-01-010 of the Code of Ordinances of the City of Alamogordo, New Mexico, to provide a Certificate of Zoning Classification regarding the Property.

The property at **902 New York Avenue** is within the **C3, Business District** as per the City of Alamogordo Zoning Map, which does not prohibit the sale of beer and wine. Alamogordo Municipal Code Chapter 29, Zoning, allows restaurants and commercial business within this district.

Please contact me if you need more information. Note that for a full understanding of what is permitted or prohibited by the Alamogordo Code of Ordinances please refer to the Code in its entirety. The City's website at http://ci.alamogordo.nm.us provides access to the entire Municipal Code. On the City's Home page click on GOVERNMENT – COA Code of Ordinances – Chapter 29 Zoning.

Sincerely,

Stella Rael

Stella Rael CZO
Planning & Zoning Administrator
City of Alamogordo
1376 E Ninth St.
Alamogordo, NM 88310-5938
(575) 439-4208; Fax: (575)439-4343
srael@ci.alamogordo.nm.us

City of Alamogordo

August 16, 2017

VIA CERTIFIED MAIL

Rachel Farus
902 N. New York Ave.
Alamogordo, Nm 88310

Re: Application 1052714 a Restaurant Beer and Wine Liquor License on the Premises Consumption Only to Rachel's located at 902 N. New York Ave., Alamogordo, NM.

Ms. Farus,

The City of Alamogordo will hold a Public Hearing on the question of whether or not the Alcohol and Gaming Division of the State of New Mexico should grant **Application 1052714 a Restaurant Beer and Wine Liquor License on the Premises Consumption Only to Rachel's located at 902 N. New York Ave., Alamogordo, NM.**

The Public Hearing will be on September 12, 2017 at 6:30 pm at the Commission Chambers located at City Hall, 1376 E. Ninth Street in Alamogordo, New Mexico, 88310.

If you have any questions, please contact me at (575) 439-4205.

Sincerely,

Rachel Hughs

Rachel Hughs,
City Clerk

U.S. Postal Service™
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(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com®

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7006 3450 0001 8876 6069

Postage	$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 5.31

Postmark Here

Sent To Rachel Farus
Street, Apt. No.; or PO Box No. 902 N. New York Ave
City, State, ZIP+4 Alamogordo, NM 88310

PS Form 3800, August 2006 See Reverse for Instructions

Alamogordo Daily News alamogordonews.com Sunday, July 30, 2017

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Alamogordo City Commission will hold a PUBLIC HEARING on **Tuesday, September 12, 2017 at 6:30 p.m.** in the Commission Chambers of the Alamogordo City Hall located at 1376 E. Ninth Street, Alamogordo, New Mexico, on the question of whether or not the Alcohol and Gaming Division of the State of New Mexico should grant **Application 1052714** a **Restaurant Beer and Wine Liquor License on the Premises Consumption Only to Rachel's located at 902 N. New York Ave., Alamogordo, NM.**

Inquiries regarding this Public Hearing should be directed to the City Clerk's Office at City Hall.

Date: 7/27/2017
City of Alamogordo, New Mexico
By: Rachel Hughs, City Clerk

Legal # 1202659
Run Dates: 7/30 & 8/20/2017

Alamogordo Daily News alamogordonews.com Sunday, August 20, 2017

Legal Notices 152

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Alamogordo City Commission will hold a PUBLIC HEARING on **Tuesday, September 12, 2017 at 6:30 p.m.** in the Commission Chambers of the Alamogordo City Hall located at 1376 E. Ninth Street, Alamogordo, New Mexico, on the question of whether or not the Alcohol and Gaming Division of the State of New Mexico should grant **Application 1052714** a **Restaurant Beer and Wine Liquor License on the Premises Consumption Only to Rachel's located at 902 N. New York Ave., Alamogordo, NM.**

Inquiries regarding this Public Hearing should be directed to the City Clerk's Office at City Hall.

Date: 7/27/2017
City of Alamogordo, New Mexico
By: Rachel Hughs, City Clerk

Legal # 1202659
Run Dates: 7/30 & 8/20/2017

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 09/12/2017 **Report Date:** 09/06/2017 **Report No:** 7.

Submitted By: Rachel Hughs

Subject: Consider and act upon supporting the New Mexico Aviation Aerospace STEM Expo 2017. *(Bill Shuert, President of NMAAA)*

Fiscal Impact: $10,000
Amount Budgeted: $0.00
Fund: 020-0006-454.57-93 Special Events

Additional Fiscal Impact:

Recommendation:

Background: The NMAAA would like to request financial support from the City in support of the New Mexico Aviation Aerospace STEM Expo 2017. The Expo will be held at the White Sands Regional Airport on October 5, 2017 from 9 a.m. to 3 p.m.

No action was taken at the Regular Commission meeting on April 11, 2017 when Mr. Shuert gave the presentation on this event. Please see attachment for the April 11, 2017 approved minutes portion of the Item.

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AUG 30 2017
CITY CLERK

City of Alamogordo City Commission Meeting

AGENDA REQUEST FORM

Date: 8/30/17

Date of Meeting: 12 SEPT 17

Name: New Mexico Aviation AeroSpace Association

Address: Bill Shuert
71 JOEMAE Rd
Edgewood NM **ZIP** 87015

Phone Number: 505 414-5548

E-Mail Address: billshuert360@gmail.com

Item requested will be for: (Please check one)

[ ] Information only [X] 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

New Mexico Aviation AeroSpace STEM Expo
will present slide presentation
This is to Re-Request Tabled motion during
March Council Meeting.

Signature: [signature]

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

Revised 2/8/2017

9. Consider, and act upon, the approval of Resolution No. 2017-10 requesting written approval from the Local Government Division of the Department of Finance & Administration, State of New Mexico for the revised budget figures computed as of March 28, 2017. *(Kathy Gilsdorf, Budget Analyst)* **(Roll Call Required)**

10. Consider and act upon Resolution No. 2017-11 for a grant application with EBSCO Solar for the installation of solar panels at the Alamogordo Public Library. *(Sharon Rowe, Library Manager)* **(Roll Call Required)**

Mayor Pro-Tem Hernandez asked to remove Item # 10 from the Consent Calendar.

Mayor Pro-Tem Hernandez moved to approve items 4, 5, 6, 7, 8, and 9 of the consent calendar.
Commissioner Turnbull seconded the motion.
Roll call was taken for items No 5, 7, 8, 9.
Motion carried with a vote of 7-0-0.

ITEMS REMOVED FROM CONSENT AGENDA

10. Consider and act upon Resolution No. 2017-11 for a grant application with EBSCO Solar for the installation of solar panels at the Alamogordo Public Library. *(Sharon Rowe, Library Manager)* **(Roll Call Required)**

Mayor Pro-Tem Hernandez asked Library Manager Rowe where the solar panels will be placed. She answered they would be placed on the south facing slope of the roof. Mayor Pro-Tem Hernandez asked when the last time the roof was redone. She thought it was redone in either 2011 or 2012. Mayor Pro-Tem Hernandez asked if they would be making penetrations through the roof or how will they mount the panels. Library Manager Rowe said the panels will be placed on a Unirac Roof Rack System. It is almost identical to what is on the roof of City Hall.

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.

NEW BUSINESS

11. Consider and act upon supporting the New Mexico Aviation Aerospace STEM Expo 2017. *(Bill Shuert, President of NMAAA)*

President of the New Mexico Aviation Aerospace Association (NMAAA) Bill Shuert spoke on the STEM Expo. He said the NMAAA is a 501 non-profit organization formed in 2012. Their mission is to promote and retain aviation and aerospace companies to New Mexico, and also foster relationships and work corroboratively with state, federal and local entities to try and keep these businesses growing within our state. He said we work with education partners throughout the State to try and build a workforce to sustain the industry and deal with the generation of baby boomers retiring. The STEM Expo is a vital part, we are trying to encourage Mid School and High School kids to come out and get a taste of what aviation and aerospace is about. He said last year's event was a huge success. It was the first year in Alamogordo and they had 2,400 plus students in attendance. This is the single largest STEM aviation program in the United States. They had National Press and AOP magazine, which has 450,000 members that get the email everyday. Last year's event had 82 exhibits and 28 aircraft. He said Congressman Steve Pearce attended last year's event and is a supporter of the event. He said most importantly they had a lot of students that were very motivated and excited about being there. This year's STEM Expo will be October 12, 2017 at the White Sands Regional Airport. He said so far they have 144 Mid School and High School to invite. This is pretty much the whole southern half of the State plus a few schools in El Paso. We also have numerous schools in Albuquerque and four of Reservations interested in coming down here. We are going to tag on a different program this year and have a robotic STEM competition the following day. If they have a robotics team we are going to try and have them stay the night here in Alamogordo. We are going to try and pay 100 percent transportation for these students. We are working with the Chamber of Commerce to build a bigger program to get more economic impact to Alamogordo. He said they are projecting a $35,000 cost for this year's event. This is all done on donations and contributions. We are looking to ask the City of Alamogordo for $10,000 to help us put this event on and help promote Alamogordo. (See Blue Book for PowerPoint)

Vice Chairman of the Airport Advisory Board, Manny Gonzales said we believe this project, not only promotes the White Sands Regional Airport and causing economic impact for the community, but also provides a significant education opportunity. Regardless of our sense of the perception or reality about the reputation of Alamogordo Public Schools, we have received a clear signal from the Air Force community about their expectations, and their expectations are high. They expect us to provide the highest education platform that we can for their dependants, our students. As a Military community we understand that their culture often involves deployment, family separation, and transfers from one duty station to the next. They have a special sensitivity about schools that under perform and over perform. This science, technology, engineering and math event is one of the ways that we can demonstrate our commitment to a unique and powerful education initiative in this community.

NMAAA President, Bill Shuert said he is a 34 year Air Force Retiree and knows what it takes in these communities. He said it's tough to move your families and come into a small, but great town. The 1,800 kids from the Alamogordo Public Schools are more motivated than the Albuquerque Public School kids that came to our event. We received these comments back from the Aviators and Scientists that came down. This year we want to make it the biggest, best event that we can. We need your help and support.

Mayor Boss said he supports this project 100 percent. If we have one of our kids come out of school as an Aircraft Maintainer, I would think it was worth it. He was concerned with the City flips the entire bill. He said we have some time to look at this and try to include the Public Schools and the County to contribute to this program. He wanted to delay a decision until we have had an opportunity to see if these other entities would be willing to do so. He said we are certainly not saying that we are not going to give some funds to the project. We are under a tight budget, and everyone knows what is going on in Santa Fe and we do not know what to expect this year. We have to be very careful and we also have our events to run in the City.

Mayor Pro-Tem Hernandez asked if we could use some Lodger's Tax money. Acting City Manager Paluch stated this would come from Fund 20; this is the other portion of the Lodgers tax. This is not Fund 16 for the promotions for 60 miles outside of the City. This is in the Civic Center's budget. Mayor Pro-Tem Hernandez was supportive of this. He said if we can get some help from some other entities that would be great, but if not, I would be in support of this 100%. Mayor Boss said we can talk to the County and try to convince them, this would be beneficial to them and their kids. Mayor Boss reiterated this is certainly not saying no. Last year we did not have any time, we had to make a quick decision, this year we have time.

No Action was taken.

12. Consider and act upon Ordinance No. 1536 creating a law prohibiting Public Affray. ***(Lauren Truitt, City Attorney)*** **(Roll Call Required)**

City Attorney Truitt said this would create a Municipal Ordinance penalizing Public Affray. She introduced Assistant City Attorney Petria Schrieiber who is also the Prosecutor for Municipal Court. Assistant City Attorney Schreiber said our City Criminal Code is adopted from the State Ordinances. She said unfortunately our Municipal Code does not have a Public Affray Ordinance. This has come to my attention from several officers. This behavior is already criminalized by State Statute, so we are not adding a law, we are simply it is bringing it into City Ordinance as well.

Acting City Manager Paluch asked Assistant City Attorney Schreiber to detail what Public Affray is, why it is good to have it and how we are citing it currently. Assistant City Attorney Schreiber said Public Affray is two or more persons voluntarily or by agreement engaging in any fight using any blows or violence towards each other in an angry or quarrelsome manner in any public place to the disturbance of others. She said there has been some question about the people sword fighting in the park. She said it is not being cited now, it is

NMAAA

NEW MEXICO AVIATION AEROSPACE ASSOCIATION

New Mexico Aviation Aerospace Association

Bill Shuert
President

The New Mexico Aviation Aerospace STEM Expo
October 5, 2017
9 a.m. – 3 p.m.
White Sands Regional Airport
Alamogordo, New Mexico
USA

The New Mexico Aviation Aerospace Association is a 501 (c) 6 Non-profit organization which was established in 2012

Our mission:

- Promote, retain and attract aviation and aerospace companies to New Mexico

- Foster relationships and work corroboratively with local and state leaders to establish sound policy which promotes growth, economic impact and sustainment of industry in New Mexico

- Work with our educational partners to ensure a New Mexico has and is preparing a workforce skilled in aviation and aerospace disciplines

Why the Aviation Aerospace STEM Expo?

The NMAAA recognizes the potential New Mexico has to support and foster aviation/aerospace endeavors in the future

We also are aware of lost opportunities in which companies didn't come here due to a lack of an educated and trained work force

Future demands for pilots, maintenance and logistics personnel alone are estimated to be 1.2 million personnel over the next 10 years

New Mexico has unlimited potential to fill not only these jobs but bring them and their companies here

We need our next generation to be interested, informed and prepared through education!


.S. AIR FORCE ACADEM
Lt Col Lisa Mase
BERRENDO BULL DOGS
BERRENDO Bulldogs


AIR FORCE


NO SMOKING


NO SMOKING


5706
TIGERS

The STEM Expo

October 5th, 9 a.m. to 3 p.m. on the White Sands Regional Airport, in Alamogordo, New Mexico. We will have multiple hangars for exhibits and the up to 54 parking spots on the ramp for aircraft

Attendees: we have invited 164 Mid and High schools (public, private and charter) from across the state 2,200 + signed up already!

Students will experience not only 60 plus exhibits in the hangars and 45 plus aircraft on the ramp while having direct contact with pilots, engineers, scientist, military members and many more experts. We want students to have the opportunity to get the real facts about career paths in aviation and aerospace

On site we will also have technical schools, colleges and military recruiters to also provide guidance on these career paths.

We will offer a $5.00 lunch special

Community Support Needed

The NMAAA set a goal to raise $35,000-$40,000 to cover transportation and logistics. This is based on pervious years participation and transportation estimates based on location and cost averaging from transportation companies

Our fund raising has been in the form of soliciting donations through several different avenues

- Exhibit/Booth donations $500
- Sponsorship requests -- Industry partners, local business, Individual
- Go Fund Me campaign -- individual determined amount

- To date; we have commitments of $19,750.00

- NMAAA is requesting the City of Alamogordo/Promotion Board Special Event Funds at the amount of $10,000

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 09/12/2017 **Report Date:** 09/05/2017 **Report No:** 8.

Submitted By: Jan Wafful

Subject: Consider, and act upon, the Kids Kingdom Re-build Proposals, *(Veronica Ortega, Community Services)*

Fiscal Impact: $0.00 (Determined by Option)
Amount Budgeted: $0.00
Fund: 119

Additional Fiscal Impact:

Recommendation: Approve one of three recommended expenditure plans for the Kids Kingdom Play Area.

Background: The following recommended expenditure plans are presented to the City Commission. Please choose the most desired recommendation and approve. The 2A, 2B and 2C Options are attached for your review.

Agenda Item 8 (Kid's Kingdom rebuild) options

Option 2A

Bond Fund :	$ 2,014,639.00
Insurance:	$ 448,484.00
Total:	$ 2,463,123.00

Playground Equp:	$ 225,000.00
Site Improvements	$ 247,000.00
Total:	$ 472,000.00
10% Contingency	$ 47,200.00
Final total:	$ 519,200.00

Remaining Balance: **$ 1,943,923.00**

Zoo Fence	$ 132,000.00	
Zoo Path	$ 100,000.00	
AFRC Retaining wall	$ 58,000.00	
Washington Bball Court	$ 180,000.00	
AFRC Gym - HVAC/ceiling	$ 350,000.00	
~~Security Cameras~~	~~$ 28,000.00~~	
Security lighting	$ 65,000.00	
Zoo aviary netting	$ 25,000.00	
AFRC Amenities	$ 100,000.00	reduced
Parks Amenities	$ 100,000.00	reduced
Playground shade	$ 450,000.00	
Picnic pavilions	$ 199,700.00	reduced
~~Zoo Parking lot~~	~~$ 175,000.00~~	
~~New Dog Park~~	~~$ 65,000.00~~	
AFRC Locker room shortage	$ 167,000.00	

Total	$ 1,926,700.00
Balance available	$ 1,943,923.00
Remaining	$ 17,223.00

Option 2B

Bond Fund :	$ 2,014,639.00
Insurance:	$ 448,484.00
Total:	$ 2,463,123.00

Playground Equp:	$ 448,484.00
Site Improvements	$ 247,000.00
Total:	$ 695,484.00
10% Contingency	$ 69,548.00
Final total:	$ 765,032.00

Remaining Balance: **$ 1,698,091.00**

Zoo Fence	$ 132,000.00	
Zoo Path	$ 100,000.00	
AFRC Retaining wall	$ 58,000.00	
Washington Bball Court	$ 180,000.00	
AFRC Gym - HVAC/ceiling	$ 350,000.00	
~~Security Cameras~~	~~$ 28,000.00~~	
Security lighting	$ 65,000.00	
Zoo aviary netting	$ 25,000.00	
AFRC Amenities	$ 100,000.00	reduced
Parks Amenities	$ 100,000.00	reduced
Playground shade	$ 388,350.00	reduced
Picnic pavilions	$ 199,700.00	reduced
~~Zoo Parking lot~~	~~$ 175,000.00~~	
~~New Dog Park~~	~~$ 65,000.00~~	

Total:	$ 1,698,050.00
Balance available:	$ 1,698,091.00
~~Remaining~~	$ 41.00

Option 2C

Bond Fund :	$ 2,014,639.00
Insurance:	$ 448,484.00
Total:	$ 2,463,123.00

Playground Equp:	$ 448,484.00
Site Improvements	$ 247,000.00
Total:	$ 695,484.00
10% Contingency	$ 69,548.00
Final total:	$ 765,032.00

Remaining Balance: **$ 1,698,091.00**

Zoo Fence	$ 132,000.00	
Zoo Path	$ 100,000.00	
AFRC Retaining wall	$ 58,000.00	
Washington Bball Court	$ 180,000.00	
AFRC Gym - HVAC/ceiling	$ 350,000.00	
~~Security Cameras~~	~~$ 28,000.00~~	
Security lighting	$ 65,000.00	
Zoo aviary netting	$ 25,000.00	
AFRC Amenities	$ 100,000.00	reduced
Parks Amenities	$ 73,300.00	reduced
Playground shade	$ 221,390.00	reduced
Picnic pavilions	$ 226,400.00	reduced
~~Zoo Parking lot~~	~~$ 175,000.00~~	
~~New Dog Park~~	~~$ 65,000.00~~	
AFRC Locker room shortage	$ 167,000.00	

Total:	$ 1,698,090.00
Balance available:	$ 1,698,091.00
Remaining	$ 1.00

Original Option 2	
Original Option 2	$ 2,014,639.00
Insurance:	$ 448,484.00
Total:	$ 2,463,123.00

Playground Equp:	$ 225,000.00
Site Improvements	$ 247,000.00
Total:	$ 472,000.00
10% Contingency	$ 47,200.00
Final total:	$ 519,200.00

Remaining Balance: **$ 1,943,923.00**

Zoo Fence	$ 132,000.00
Zoo Path	$ 100,000.00
AFRC Retaining wall	$ 58,000.00
Washington Bball Court	$ 180,000.00
AFRC Gym - HVAC/ceiling	$ 350,000.00
Security Cameras	$ 28,000.00
Security lighting	$ 65,000.00
Zoo aviary netting	$ 25,000.00
AFRC Amenities	$ 150,000.00
Parks Amenities	$ 130,000.00
Playground shade	$ 450,000.00
Picnic pavilions	$ 260,000.00
Zoo Parking lot	$ 175,000.00
New Dog Park	$ 65,000.00

Total	$ 2,168,000.00
Balance available	$ 1,943,923.00
	$ (224,077.00)

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 09/12/2017 **Report Date:** 09/07/2017 **Report No:** 9.

Submitted By: Dorothy Murphy

Subject: Consider and act upon Ordinance No. 1544 amending sections 28-03-005, 28-03-100, and 28-03-085 of the Alamogordo Code of Ordinances regarding water and sewer service. *(Petria Schreiber, City Attorney)*

Fiscal Impact:
Amount Budgeted:
Fund:

Additional Fiscal Impact:

Recommendation: Approve Ordinance No. 1544 for first publication.

Background: Under direction of the City Manager, staff met with concerned citizens regarding the proposed amendments regarding the base rates. After discussion with these citizens and staff, these are the revisions that were agreed upon.

ORDINANCE NO. 1544

AMENDING SECTIONS 28-03-005, 28-03-100, AND 28-03-085 OF THE ALAMOGORDO CODE OF ORDINANCES REGARDING WATER AND SEWER SERVICE

WHEREAS, the City of Alamogordo owns and operates the municipal water and wastewater utility systems; and

WHEREAS, the City Commission of the City of Alamogordo is charged with adopting ordinances, regulations and fees to insure the continuing operation, maintenance, repair and expansion of the municipal utility systems; and

WHEREAS, the City Commission of the City of Alamogordo finds that certain Sections of Chapter 28 of the Alamogordo Code of Ordinances should be amended to address concerns of municipal utility customers; now

BE IT THEREFORE ORDAINED by the City Commission of the City of Alamogordo, New Mexico that Sections 28-03-005, 28-03-100, and 28-03-085 of Chapter 28 of the *Code of Ordinances* be amended to read as follows:

SECTION ONE:

28-03-005 - Availability of water and sewer service

(a) Every property within the municipal boundaries shall be deemed to have water and sewer utility service available if service lines exist from the city water and sewer mains to the property and such properties shall be subject to customer charges and capital improvement charges as set by city commission for the respective services.

(1) New lots within subdivisions (as that term is defined in Chapter 22 of the city Code of Ordinances) which have never been sold or otherwise transferred and which remain the property of the original developer shall be exempt from the customer charge and capital improvement charges for a period of ~~three (3)~~ five (5) years from the date of acceptance of the subdivision by the city.

(2) Vacant subdivision lots owned by the original developer as of the date of the passage of this ordinance (28-03-05) shall be exempt from customer charges and capital improvement charges for a period of ~~two (2)~~ five (5) years.

(3)An application for water meter submitted by any person(s) for lots exempted through this article shall void any and all exemptions and the property owner shall immediately be responsible for all customer charges, capital improvement charges and consumption charges approved by the city commission.

(4) The original developer of subdivisions covered by this ordinance may petition the City Commission for an extension of the exemption period within three (3) months of the termination of an exemption. Any additional time approved by the City Commission shall not exceed three (3) years. No additional exemption shall be granted after the expiration of the original or any extended time period(s).

(b) Lot(s)/parcel(s) of land served by the municipal utility and not part of a subdivision as defined in chapter 22 of the city Code of Ordinances on which no structure of any sort exists, or has existed, shall be exempt from the customer charge and capital improvement charges provided the property owner pays all city costs associated with removal of the meter, riser, meter can, etc., and capping of the service line.

(1) It is incumbent on the property owner to provide proof to the City that the lot/parcel is eligible for the exemption in this section.

SECTION TWO:

28-03-100. - Deposit.

(a) The following deposits shall be paid by the applicant for water and sewer service at the time of application for service, for the purpose of a guarantee of payment of accounts and damages to service connections or meters:

~~(1) Residential accounts billed to owner ..... $ 70.00~~

(2) Residential accounts billed to renters 140.00

a. Residential accounts billed to renters after receipt of owner's notarized release form 210.00

(3) Commercial/business accounts deposit 150.00

(4) Hydrant meter deposit 815.00

~~(5) Accounts outside city billed to owner ..... 70.00~~

(6) Accounts outside city billed to renters 140.00

a. Accounts outside city billed to renters after receipt of owner's notarized release form 210.00

~~(b) If the homeowner has established satisfactory credit under rules and regulations established by the city treasurer, the deposit shall be applied to the homeowner's account.~~ The renter's deposit will be held until the account is ~~finaled~~ terminated ~~out~~.

(c) If the customer has established satisfactory credit under the rules and regulations established by the Finance Director, the deposit plus final bill charges will be transferred to a new location at the customer's request.

SECTION THREE:

28-03-085. - Ancillary charges for nonroutine services.

The following ancillary charges are intended to defray costs of special, non-routine services provided to users of the city water system:

(1) Late fee per customer if payment for water, sewer or residential garbage collection fees, or any combined billing is more than ten (10) calendar days past due $10.00

(2) Service calls (Monday—Friday, 8:00 a.m.—4:30 p.m.) 32.00

Service calls during all other times 64.00

(3) New application or transfer of service 25.00

(a) Property owners who submit Statement of Property Ownership form(s) shall not be charged a transfer fee for the properties listed on the form unless terminated for non-payment.

(4) Meter installation varies based on actual cost which includes parts mark-up.

(5) Administrative connection charge (connection charge) will be charged according to the cost of the particular situation.

(6) Administrative fee for all liens filed 200.00

(7) Processing fee (active delinquent accounts) 31.00

(8) Disconnection fee current water and sewer base rate multiplied by twenty-four (24) as adjusted for meter size.

(9) Cut off/turn on fee 32.00

(10) Monthly rental fee for hydrant meters – to be billed monthly so long as the hydrant meter is in the possession of the customer … $50.00

DONE this _________ day of ________________, 2017.

CITY OF ALAMOGORDO, NEW MEXICO
a New Mexico municipal corporation

By:___________________________________
Richard A. Boss, Mayor

ATTEST:

____
Rachel Hughs, City Clerk

APPROVED AS TO FORM:

____
Petria Schreiber, City Attorney

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 09/12/2017 **Report Date:** 09/07/2017 **Report No:** 10.

Submitted By: April Jones

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

Fiscal Impact:
Amount Budgeted:
Fund:

Additional Fiscal Impact:

Recommendation: Appoint to the Cemetery Board/Mayor's Committee on Aging/White Sands Beautification Committee

Background:

Airport Zoning Board. Three (3) vacancies. Staff Liaison - Cheryl Otero-Baker *(Opening due to the expired term of Darron Williams and the resignation of Frank Nelson and Paul Vigneault.)* No nominations received.

Alamogordo Disability Council. Three (3) vacancies. Staff Liaison - ****No Staff Liaison appointed to this Council**** *(Openings due to the resignation of Viviane Ackall, and expired terms of Lori Adam and Rita Martinez)* No nominations received.

Alamogordo Promotion Board. One (1) vacancy- tourism related. Staff Liaison - Jan Wafful (Opening due to Kathleen Beall's resignation) No nominations received.

Cemetery Board One (1) vacancy. Staff Liaison - Jan Wafful (Opening due to Robert Ortega's term expiring.)
Robert Ortega - If appointed, this will be his 12th term.

Community Development Advisory Committee. Six (6) vacancies. Staff Liaison - Cynde Sagenkahn *(Opening due to the expired term of Bruce Knee, Melanie Hall, and Gloria Vaughn; and the resignation of Eddie Kemp and Arthur Alterson)* No nominations received.

Housing Authority Advisory Board. One (1) vacancy. Staff Liaison - Evelyn Huff *(Opening due to the expiring term of Kandace Daugherty)* No nominations received.

Mayors Committee on Aging. Three (3) vacancy. Staff Liaison – Britney Courtier

(Openings due to the resignation of Dawn Lewis)
Allan W. Kuchinsky - If appointed, this will be his first term.

Senior Volunteer Programs Advisory Council. Two (2) vacancies. Staff Liaison - Julie Baker *(Openings due to the resignations of Jennifer Euler, Laura L Blackmon, and William Whitley)*
No nominations received.

White Sands Beautification Board Two (2) vacancies . Staff Liaison - Darron Williams
The following individuals are interested in being appointed to the board:
Mark A. Praught, if appointed this will be his first term.
Michelle Gill, if appointed this will be her first term.

CEMETERY BOARD

RECEIVED
AUG 3 0 2017
CITY CLERK

City of Alamogordo

APPLICATION TO SERVE ON A CITY BOARD/COMMITTEE

Name: Robert Ortega

Home Phone: 575-288-1124 Work Phone: 575-434-5253

Cell Phone: 575-430-0530 Fax No: 575-434-5259

e-mail address: R.S.D. Ortega@gmail.com RobertOrtega@qwest office.net

Physical Address: 2777 Coventry St Las Cruces N.M. 88011

Is the above address within City limits? Yes ____ No X

Mailing Address: Same

Present Employer: Alamogordo / Hamilton F.H. Job Title: Director

Board/Committee you wish to serve on:

First choice: Cemetery

Second choice: None

Are you related to anyone who is presently employed by the City of Alamogordo:
Yes ____ No X If so, what is their relation to you? ____

Are you related to any Elected Official of the City of Alamogordo?
Yes ____ No X If so, what is their relation to you? ____

Experience and education relating to the Board/Committee: On Board for over 20 years

Please indicate your interest in serving on a City Board/ Committee: Make the cemetery better.

Please return completed application to:

City Clerk's Office
1376 E. Ninth Street
Alamogordo, NM 88310
PHONE: (505)439-4205
FAX: (505)439-4396

MAYOR'S COMMITTEE
ON
AGING

In city Limits

RECEIVED
AUG 21 2017
CITY CLERK

City of Alamogordo
APPLICATION TO SERVE ON A CITY BOARD/COMMITTEE

Name: Allan W. Kuchinsky

Home Phone: N/A Work Phone: N/A

Cell Phone: 575-551-6474 Fax No: NA

e-mail address: kuchinsky@yahoo.com

Physical Address: 500 Sunnyside Ave

Is the above address within City limits? Yes ✓ No ____

Mailing Address: 500 Sunnyside Ave Alamogordo N.M. 88310

Present Employer: Retired Job Title: ____

Board/Committee you wish to serve on:

First choice: MCOA

Second choice: ____

Are you related to anyone who is presently employed by the City of Alamogordo:

Yes ____ No ✓ If so, what is their relation to you? ____

Are you related to any Elected Official of the City of Alamogordo?

Yes ____ No ✓ If so, what is their relation to you? ____

Experience and education relating to the Board/Committee: 20 yrs in the USAF living in many cities been in Alamo since Aug. 1977 I worked in Housing maint. at Holloman & I worked in the plumbing shop & was the supervor the last two years

Please indicate your interest in serving on a City Board/ Committee: I have seen many things come and go good & bad and the good should still be hear I have been State Commander of the VFW and I have been to most of the town's in N.M. and seen a lot of thing that would be good for Alamo.

Please return completed application to: City Clerk's Office
1376 E. Ninth Street
Alamogordo, NM 88310
PHONE: (575)439-4205
FAX: (575)439-4396

WHITE SANDS BEAUTIFICATION COMMITTEE

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AUG 29 2017
CITY CLERK

City of Alamogordo
APPLICATION TO SERVE ON A CITY BOARD/COMMITTEE

Name: Mark A. Praught

Home Phone: 575 434-1092 Work Phone: n/a

Cell Phone: 305 393-0591 Fax No: n/a

e-mail address: mapraught@cs.com

Physical Address: 28 Claraboya Loop, Alamogordo, NM 88310

Is the above address within City limits? Yes ____ No X

Mailing Address: Same as physical address

Present Employer: Retired; formerly AT&T-US Army Job Title: n/a

Board/Committee you wish to serve on:

First choice: White Sands Beautification Committee

Second choice: none

Are you related to anyone who is presently employed by the City of Alamogordo:

Yes ____ No X If so, what is their relation to you? ____

Are you related to any Elected Official of the City of Alamogordo?

Yes ____ No X If so, what is their relation to you? ____

Experience and education relating to the Board/Committee: B.S. in Professional Management, Nova-Southeastern University 1996; US Special Operations Command, J2 Intelligence & J3 Operations Directorates 1997-2002, MacDill AFB, FL; Graduate-US Army Special Forces Operations & Intelligence Course,1992

Please indicate your interest in serving on a City Board/ Committee: I have asked by a city commissioner to participate in increasing Alamogordo's revitalization activities. Because, I wrote a paper for the recent focus group last month on Alamogordo's qualities and future opportunities, and some of the ways the city & HAFB could benefit by better exposures.

Please return completed application to:

City Clerk's Office
1376 E. Ninth Street
Alamogordo, NM 88310
PHONE: (505)439-4205
FAX: (505)439-4396

Mark A. Praught

Master Sgt. US Army (retired)

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SEP 07 2017
CITY CLERK

City of Alamogordo
APPLICATION TO SERVE ON A CITY BOARD/COMMITTEE

Name: Michelle Gill

Home Phone: 575-437-9398 Work Phone: 575-437-6120

Cell Phone: 575-437-9398 Fax No: ______

e-mail address: michellegill31173@gmail (work email - mtd@alamogordo.com)

Physical Address: 3017 Los Robles

Is the above address within City limits? Yes ✓ No ______

Mailing Address: 3017 Los Robles

Present Employer: Alamogordo Chamber of Commerce Job Title: Membership Director

Board/Committee you wish to serve on:

First choice: White Sands Beautification Project

Second choice: ______

Are you related to anyone who is presently employed by the City of Alamogordo:

Yes ______ No ✓ If so, what is their relation to you? ______

Are you related to any Elected Official of the City of Alamogordo?

Yes ______ No ✓ If so, what is their relation to you? ______

Experience and education relating to the Board/Committee: As the Membership Director at The Alamogordo Chamber of Commerce, I work cohesively with the community members to amplify the Quality of Life. My work experience is helping enchance bussiness in Otero County.

Please indicate your interest in serving on a City Board/ Committee: I am a lifetime resident of Alamogordo and I want to make a difference in our community. I would like to make this a place to stay not just some place you drive through. I am passionate about the community I call home. I feel that this is great start and I would like to make a difference.

Please return completed application to:

City Clerk's Office
1376 E. Ninth Street
Alamogordo, NM 88310
PHONE: (505)439-4205
FAX: (505)439-4396

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 09/12/2017 **Report Date:** 09/07/2017 **Report No:** 11.

Submitted By: Dorothy Murphy

Subject: Adjourn into Executive Session in compliance with Section 10-15-1(H), NMSA 1978 (as amended), to discuss Threatened or Pending Litigation; American Federation of State, County and Municipal Employees, AFL-CIO, Local 3818, on behalf of Anthony Backy. **(Roll Call Required)**

Fiscal Impact:
Amount Budgeted:
Fund:

Additional Fiscal Impact:

Recommendation:

Background: