Alamogordo City Commission

NOTICE OF MEETING

Regular Meeting Agenda

May 26, 2015 - 7:00 PM
City Hall, City Commission Chambers
1376 E. Ninth St.

Susie Galea .... Mayor
Robert Rentschler .... Mayor Pro-Tem, District 3
Jason Baldwin .... District 1
Nadia Sikes .... District 2
Jenny Turnbull .... District 4
Al Hernandez .... District 5
Dr. George Straface .... District 6

Jim Stahle .... City Manager
Stephen Thies .... City Attorney
Renee Cantin .... 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 of a Mayor's Commendation to Dr. Cheri Jimeno.** *(Susie Galea, Mayor)*

2. **Presentation related to the African Rue weeds at the Alamogordo-White Sands Regional Airport.** *(Dan Blazer and Robert Rentschler, Mayor Pro-Tem)*

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.

CONSENT AGENDA (Roll Call Vote Required for 5 & 8)

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.

3. **Approve Minutes of the May 4, 5, 6, 7 & 11, 2015 Budget Public Hearings and May 12, 2015 Regular Meeting of the Alamogordo City Commission.** *(Renee Cantin, City Clerk)*

4. **Approve statement related to the Executive Session of May 12, 2015.** *(Renee Cantin, City Clerk)*

5. **Approve the final publication of Ordinance No. 1496 approving a Local Economic Development Project for secured financial assistance proposed by Neptune Aviation. *(Roll call vote required)*** *(Stephen Thies, City Attorney)*

6. **Consider, and act upon, the award of Public Works Bid No. 2015-005 to General Hydronics, Inc. related to Street Maintenance Program FY2014 (EN1402) in an amount not to exceed $1,621,822.74, including NMGRT.** *(Edward Balderrama, Project Manager and Brian Cesar, Public Works Director)*

7. **Approve the award of Public Works Bid No. 2015-008 to San Bar Construction Corp., related to the Thermoplastic Striping project, in an amount not to exceed $135,163.73, including NMGRT.** *(Bob Johnson, Contracts Coordinator and Brian Cesar, Public Works Director)*

8. **Consider and act upon Resolution No. 2015-26 to temporarily suspend Resolution No. 2014-29 concerning Fund Balance Policy relating only to the General Fund for FY 2016. *(Roll call vote required)*** (*Stephen Thies, City Attorney)*

9. **Discussion, and possible action, on request by Meigan Demby related to an abatement of final charges for 1105 Lindberg Ave.** *(Nichole Sierra, Acting Customer Service Manager)*

ITEMS REMOVED FROM CONSENT AGENDA

PUBLIC HEARINGS

10. **Hold Public Hearing, consider, and act upon, Application No. 9468241 to grant a Restaurant Liquor License for Asian Garden located at 1200 N. White Sand Blvd., #109 Alamogordo, NM.** *(Renee Cantin, City Clerk)*

11. **Consider, and act upon, a variance request Case Number V-2015-0002(A) to reduce the width of the building setback line from sixty (60) feet to forty (40) feet with the condition that the property lot be limited to a new single family dwelling on the existing lot located at 215 Delaware Avenue (Chihuahua Addition BLK E LT. 14).** *(Ruben Segura, City Planner)*

UNFINISHED BUSINESS

12. **Consider, and act upon, the first publication of Ordinance No. 1498 to impose at 3/8th of 1 percent Gross Receipts Tax to be dedicated to the General Fund.** *(Stephen Thies, City Attorney)*

A-1 **Discuss, and possibly consider, the consequence of freezing each of the six (6) unfilled positions within the Alamogordo Department of Public Safety, pertaining to the Commission's Budget Directive of a 5% equivalent cut in the FY16 Budget.** *(Susie Galea, Mayor)*

NEW BUSINESS

13. **Consider, and act upon, a request by the Alamogordo Club for Teens to paint a mural at the Skate Park for an Art in the Park project.** *(Matt McNeile, Assistant City Manager)*

14. **Consider, and act upon, Resolution No. 2015-25 setting the Zoo fees for group reservations.** ***(Roll call vote required)*** *(Matt McNeile, Assistant City Manager)*

15. **Consider, and act upon, a License Agreement with Alamogordo Public Schools to temporarily relocate a modular unit to the city owned golf course.** *(Stephen Thies, City Attorney and Matt McNeile, Assistant City Manager)*

16. **Appointments to Boards & Committees.** *(Susie Galea, Mayor)*

PUBLIC COMMENT (Continued if needed)...

CITY MANAGER'S REPORT

REMARKS AND INQUIRIES BY THE CITY COMMISSION

ADJOURNMENT

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 05/26/2015 **Report Date:** 5/20/2015 **Report No:** 1.

Submitted By: Renee Cantin, City Clerk

Subject: Presentation of a Mayor's Commendation to Dr. Cheri Jimeno. *(Susie Galea, Mayor)*

Fiscal Impact:
Amount Budgeted:
Fund:

Recommendation:

Background:

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 05/26/2015 **Report Date:** 5/20/2015 **Report No:** 2.

Submitted By: Robert Rentschler, Mayor Pro-Tem

Subject: Presentation related to the African Rue weeds at the Alamogordo-White Sands Regional Airport. *(Dan Blazer and Robert Rentschler, Mayor Pro-Tem)*

Fiscal Impact:
Amount Budgeted:
Fund:

Recommendation: None

Background: Mayor Pro-Tem Rentschler requested for this presentation to be given.

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 05/26/2015 **Report Date:** 5/20/2015 **Report No:** 1.

Submitted By: Renee Cantin, City Clerk

Subject: Approve Minutes of the May 4, 5, 6, 7 & 11, 2015 Budget Public Hearings and May 12, 2015 Regular Meeting of the Alamogordo City Commission. *(Renee Cantin, City Clerk)*

Fiscal Impact:
Amount Budgeted:
Fund:

Recommendation:

Background: This action is required by the NM Open Meetings Act.

CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
7:00 P.M., COMMISSION CHAMBERS
MAY 12, 2015

SUSIE GALEA, MAYOR — **ROBERT RENTSCHLER, MAYOR PRO-TEM**
JASON BALDWIN, COMMISSIONER — **DR. GEORGE STRAFACE, COMMISSIONER**
NADIA SIKES, COMMISSIONER — **JIM STAHLE, CITY MANAGER**
JENNY TURNBULL, COMMISSIONER — **STEPHEN THIES, CITY ATTORNEY**
AL HERNANDEZ, COMMISSIONER — **RENEE CANTIN, CITY CLERK**

CALL TO ORDER, ROLL CALL, INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Galea called the meeting to order at 7:00 p.m. Roll Call was taken by the City Clerk. Clerk Cantin announced there was a quorum present. Invocation was given by Pastor James Forney and the Pledge of Allegiance was led by Commissioner Sikes.

APPROVAL OF AGENDA

Commissioner Straface moved to approve moving item number 14 to before item number 13. Commissioner Baldwin seconded the motion. Motion carried by a vote of 7-0-0.

Mayor Pro-Tem Rentschler moved to approve adding the Addendum items to the agenda. Commissioner Straface seconded the motion. Motion carried with a vote of 7-0-0.

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

PRESENTATIONS

1. **Presentation of the March 31, 2015 Quarterly Report for Otero County Economic Development Council (OCEDC).** *(Mike Espiritu, President & CEO)*

Mr. Mike Espiritu gave his presentation (Power Point presentation and the Jan.-March 2015 Quarterly Report are in Agenda Book). He showed a graph of website activity and said they would continue to update their website since this is the first source looked at by site consultants. There has been a drop in registered business totals and he didn't know the reason why; he will work on a better way to track this information. Mr. Espiritu updated the commission on the current businesses and the project status of various prospective businesses. He highlighted some areas of the Quarterly Report, and noted how he works throughout the State to promote economic development for Alamogordo. He thanked the City for their partnership with the Chamber.

Mayor Galea thought the City Clerk might be able to provide more detailed information concerning the decline of businesses, such as how many of those businesses are home based. She asked about Project Pole and Mr. Espiritu explained what OCEDC is doing with this project.

Mayor Pro-Tem Rentschler asked for more information on Project Pole and if PNM has offered any help, and Mr. Espiritu explained.

PUBLIC COMMENT

A. Eliza Fernandez commented on the following:

1) Ms. Fernandez felt the Budget Meetings should have been held in the evening so employees and other citizens who work could attend.
2) She felt the realignment of Indian Wells/Washington and the proposed First/Florida were too costly, and the commission had picked the more expensive plans in both cases.
3) Ms. Fernandez noted that in December of 2014, resolutions were made that increased costs paid by the City. There had been $1.8 million in incentives paid out last year to bring businesses to our area, but employees felt under-valued and under-appreciated.
4) As president of APSOA, she addressed the budget discussions concerning the amount paid by the City for employee insurance. If employees have to pay more, it will greatly impact their life styles, but the employees with 100% coverage will not be affected at all. If the 100% employees were responsible for having to pay the 50/50 split, it would be a savings to the City of about $87,000 for a year. She felt all employees should have to pay the 50/50 split.
5) She spoke on freezing positions, and noted the Police Department was short-handed and had been for a long time. To freeze positions in the PD and Fire Department would become a public safety issue. The national average of police officers to citizens was 1 to 1,500; currently Alamogordo has 1 to 7,000 citizens. She asked the commission to consider all these issues when considering the Budget.

CONSENT AGENDA

2. **Approve Minutes of the April 28, 2015 Regular Meeting of the Alamogordo City Commission.** *(Renee Cantin, City Clerk)*

3. **Approve statement related to the Executive Session of April 28, 2015.** *(Renee Cantin, City Clerk)*

4. **Consider, and act upon, a Special Dispenser's Permit application and Temporary Alcoholic Beverage Dispenser's License for Heart of the Desert Winery for an event at the Flickinger Center on May 30th, 2015.** *(Renee Cantin, City Clerk)*

5. **Consider, and act upon, a Special Dispenser's Permit application and Temporary Alcoholic Beverage Dispenser's License for Mister A, dba Jerry's/Kwik Stop for an event at the Elk's Lodge on May 16th, 2015.** *(Renee Cantin, City Clerk)*

6. **Accept the Quarterly Investment Report for the period ending March 31, 2015.** *(LeeAnn Nichols, Finance Director)*

7. **Approve Resolution No. 2015-21 approving the DFA Quarterly Report for the period ending March 31, 2015. [Roll call vote required]** *(LeeAnn Nichols, Finance Director)*

8. **Approve Resolution No. 2015-22 removing uncollectible and unsecured utility, library, housing authority, recreation center and other miscellaneous accounts from the City's accounts receivable. [Roll call vote required]** *(LeeAnn Nichols, Finance Director)*

9. **Approve the Second Amendment to the Memorandum of Agreement (MOA) between the New Mexico Department of Transportation and the City of Alamogordo for federal assistance under the Federal Highway Administration - Recreational Trails Program for the Washington Avenue Trail Project in the amount of $72,023, with a twenty (20) percent local match.** *(Ruben Segura, Grants Coordinator/City Planner and Matt McNeile, Assistant City Manager)*

10. **Approve the award of Public Works Bid No. 2015-002 to General Hydronics, Inc., related to the Well Transmission Line Phase III – Priority 1A, Snake Tank South, and La Luz Gate Road project, in an amount not to exceed $1,215,945.10, including tax.** *(Brian Cesar, Public Works Director)*

11. **Approve the award of Public Works Bid No. 2015-007 to Anderson-Brown, Inc., related to the Replace Filtration Media & Pumps – Alamo Canyon WTP project, in an amount not to exceed $370,594.38, including tax.** *(Brian Cesar, Public Works Director)*

A-1. Consider and act upon, the award of RFP No. 2015-001 Financial Services for the City of Alamogordo to the overall highest rated proposal, Accounting & Consulting Group LLP.

Item # 12 was removed from the consent calendar by Mayor Pro-Tem Rentschler.

Commissioner Hernandez moved to approve items # 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, & A-1 of the consent calendar. Commissioner Baldwin seconded the motion. Roll call was taken for items # 7 & 8. Motion carried with a vote of 7-0-0.

ITEMS REMOVED FROM CONSENT AGENDA

12. **Approve a request related to a leak adjustment by Rex A. James Jr. for 1 Calle De Juana.** *(LeeAnn Nichols, Finance Director)*

Mayor Pro-Tem Rentschler noted the report said the leak was on the city side and asked why the individual was charged. Finance Director Nichols said the leak on the city side created consumption on the customer side. Public Works Director Cesar elaborated that the leak was on the meter riser and so caused the meter to register. The city is responsible for the riser along with the meter.

Mayor Pro-Tem Rentschler moved to approve a request related to a leak adjustment by Rex A. James Jr. for 1 Calle De Juana. Commissioner Turnbull seconded the motion. Motion carried with a vote of 7-0-0.

NEW BUSINESS

14. **Consider, and act upon, Resolution No. 2015-23 approving an update to the Minimum Standards at the White Sands Regional Airport. [Roll call vote required]** *(Matt McNeile, Assistant City Manager)*

Assistant City Manager McNeile told the commission this was an update from a 1988 ordinance, and the Airport Advisory Board has been working to update this ordinance. He introduced Mr. Lance Grace, the Airport Advisory Board Chairman and Mr. Jim Talbert, the Airport Manager as the ones who would explain the updates.

Mr. Grace went through the proposed Minimum Standards and Guidelines for Commercial Services (found in the Agenda Book). He said the wording comes from aircraft owners, the Pilot’s Association pamphlet on minimum standards, commercial aircraft association information, and the FAA Advisory circular. The FAA does not require this but strongly recommends you have some standards. He covered the various updates and noted the fees and charges had been removed from the document. The Board will make a Fees and Charges document and bring it back to the commission next month.

Mr. Jim Talbert, Airport Manager, remarked the important part of this document was the ability to amend it; to make changes and not have to redo the complete document. It is there to protect new and existing businesses with some flexibility.

City Manager Stahle commented that he had met with this group on several occasions, and noted they were very meticulous and caring about the airport. He was glad to have this updated version of standards. The insurance section was a mess and is now much easier to read and understand. He advised the commission to approve the resolution and the Minimum Standards document.

Mayor Pro-Tem Rentschler moved to approve Resolution No. 2015-23 approving an update to the Minimum Standards at the White Sands Regional Airport. Commissioner Baldwin seconded the motion. Roll call vote was taken by the Clerk. Motion carried with a vote of 7-0-0.

UNFINISHED BUSINESS

13. Consider, and act upon, taking action on additional budget requests as discussed in the Budget Hearings/Work Sessions and consider, and act upon, Resolution No. 2015-24 adopting the Fiscal Year 2015-2016 Preliminary Budget. [Roll call vote required] *(LeeAnn Nichols, Finance Director)*

City Manager Stahle commented on issues raised during Public Comment. He said the business incentive program offered by the City is independent of the General Fund. General Fund pays for the normal operations of the city, for example Police and Fire. He pointed out there was not a hiring freeze. The request to the Commission was to consider a target of dollars that could be saved by not filling future positions. He had told his department directors that he would not sign off on filling positions, temporarily, until after the Preliminary Budget was adopted because he wasn't sure of the budgetary decisions to be made. He remarked that setting the target of 5% of employee expenses would require the City to adjust the number of employees on payroll in the General Fund and those other funds affecting the General Fund revenues and expenses. We don't want to have a Reduction in Force (RIF), and the preferred method is to leave vacated positions vacant. There are 30 some-odd positions vacant currently, but we wouldn't have to keep all those vacant. Mr. Stahle remarked the ratio of police officers to citizens wasn't important, because the number of police officers was related more to the amount of crime and not the number of citizens in the community. He added that the City has a tremendous number of different funds that are utilized to pay for our services; some are Enterprise Funds – example Water and Sewer services. Enterprise Funds means we have revenue streams, in this case based on fees for buying water and sewer services from us which pay for that service. There are other funds for economic development that allow us to encourage the creation of well-paying jobs. He told the commissioners they would need to make some important decisions tonight. City Manager Stahle told the audience that the commissioners had been considering the principal issues involved with the adoption of the budget, and it was not an easy task.

Mayor Galea noted there were a number of options to consider tonight. The Preliminary Budget was due to the State by June 1st and the Final Budget would be submitted July 30th. The Final Budget would be considered at the last Commission meeting in June. She referred to the attachments: Attachment A was Revenue & Expense Budget Options; Attachment B was Affordable Care Act & other HR Options (to be found in Agenda Book).

Commissioner Hernandez commented on the five or six police officer applications the City Manager was considering for hire. City Manager Stahle said hiring police officers was very challenging because of the battery of testing they go through. He wished to hold the five applications on his desk until the commission acted on the Preliminary Budget. He remarked on the target for reduction of employee expenses. The City has been deficit spending….. Mayor Galea interrupted to say deficit budgeting….. and the city manager agreed. He said we need to get ourselves in check on this. Commissioner Hernandez recommended the city manager go ahead and hire these five positions since they would be included in the current budget.

Mayor Pro-Tem Rentschler remarked we had done this to ourselves by splitting the Police and Fire Departments; both chiefs had told him it would be budget neutral and it has not been. He also wanted to see these five applicants hired, but wanted the seven other positions given up and rolled back into the budget. He felt we should cut back, felt we had excellent policing, and the City had an excellent history of being number one or two in the state as far as crime is concerned. Mayor Galea disagreed.

Commissioner Straface felt they should wait on the hiring until we see where we stand on the revenue enhancements and expenditures so we have a total picture.

Commissioner Hernandez said his second point was that we have been elected to make these decisions and we receive a lot of information to consider. He spoke to the First/Florida realignment issue. He said we originally wanted to do it the cheapest way but couldn't because of how the bond issue was worded. We make decisions with the information we receive and not based on what we do or don't want.

City Manager Stahle pointed out there were 12 police officer positions currently vacant; it is his intent to fill as many as we can. However, with the loss of Hold Harmless and the deficit we've been facing for many years, we have created a target number of 5% which would be $638,000 less of an expense to the General Fund and associated funds for employee expenses overall. Law Enforcement comprised a significant part of the total budget and he hoped that after the commission approved the tentative budget tonight, we would be able to fill those five positions. If you don't go over the $638,000 we will be able to fill those five positions tomorrow morning. There is another way, and that is to consider raising taxes which would allow us to fill more positions. He reiterated that the final budget would not be adopted until July so if the Commission adopted the Preliminary Budget tonight, it would be applied on July 1st.

Commissioner Sikes asked to clarify that the five positions are for this year's budget, and the city manager told her anything they did today concerning personnel would affect July 1st and on. He said he wouldn't hire today and then face a RIF on July 1st, so would like to fill as many positions as we can, including the five on his desk as well as an additional one for Law Enforcement. Commissioner Sikes agreed it would affect the next fiscal year, but if we have five applications ready to go, and since it is difficult to hire police officers, we should allow the city manager to approve these five. Maybe we can come to a compromise with regard to the number that we curtail. As an elected official, she liked to keep in mind that they had been elected to make difficult decisions, and two of the most difficult are Public Safety and Budget. We shouldn't be looking at anything until Public Safety is squared away.

Mayor Galea wanted the city manager to fill those five positions by tomorrow at the latest. She agreed a compromise was needed concerning the number of Public Safety officers, but she felt the split of the Police and Fire Departments had increased the budget just over $200,000, and had provided much better Public Safety. She noted the Fire Department was short nine positions.

Mayor Pro-Tem Rentschler said he recollected that at the time of the split it was just over $6 million dollars for DPS, and we are now at $8 million for the PD and FD. He felt we didn't need to budget as many as we have, and could add those back in if things lighten up. He made the example of his own business raising prices to the customer in order to give his employees a raise. If his business didn't improve the next year because he might have lost some customers after raising rates, then he might go out of business and his employees would be out of a job. We need to look at this issue seriously.

Commissioner Straface said our city manager has remarked that once we give direction and if we approve the 5% reduction, he will make judgments along with his staff on where we will reduce.

He also said he intended to fill as many police positions as he could within that parameter. City Manager Stahle agreed. Commissioner Straface recommended they move forward with the revenue side and expense side and make those votes and then see where they are. If the 5% reduction is not approved by the commission, then we need to come back and give the city manager direction on the five police positions.

Mayor Galea said we can take these one at time beginning with REVENUE SIDE: 1) (g) FY16 increase in Fees for the Alamogordo Family Recreation Center, Recreational Rentals & Alameda Park Zoo – for a total additional revenue estimate of $28,708.

Commissioner Straface moved to approve an increase of 3/8th of 1 percent of our revenue as permitted under law to generate revenue to meet our expenditures. Mayor Galea seconded the motion.

Commissioner Hernandez asked if this could be brought back at a later time, in case the motion failed. Mayor Galea told him that if it fails, there would be many options. We could hold a special election this fall which would cost $30,000, and if voted down we would have to wait one year. If we wait until the March of 2016 election to propose this and the voters don't approve, we would have to wait another year. Commissioner Hernandez asked if the question failed tonight, could we bring it back to the commission at a later time. Mayor Galea felt we didn't have much time.

City Manager Stahle addressed Commissioner Hernandez question. He said you have some time to act on the creation of a 1/8th, 2/8th, or 3/8th tax in order for it to reflect in the next year's budget. You have to approve a budget, and if you wait until an election in October you will have to make up for adjustments, including a 5% reduction in employee expenses. The answer to your question is you can bring it back. He said the motion was to approve the 3/8th tax and bring it to the commission for whatever resolution is necessary to make it affective as soon as possible. Commissioner Straface commented that we have seen what deficit spending and Hold Harmless have done to us. He felt the two items tonight that would have major impact on reducing that deficit were the 3/8th tax and the 5% reduction in employees. He stated that if we do those two things then we would be in a place to make a more reasonable decision on some of the smaller items. He knew we would generate enough to be able to handle it for seven or eight years.

Commissioner Hernandez wanted to clarify if we were voting on this tonight or for a future agenda, and the mayor told him it would be for a future agenda. Commissioner Hernandez said he was fine with that. She said we could not enact the tax tonight, and she recommended it be coupled with a Public Hearing for that specific item.

Commissioner Baldwin said he had been steadfast against raising taxes or raising the fees for the citizens of Alamogordo. He thought we can do things in the budget so we aren't deficit budgeting, not deficit spending. He would vote to bring it back at a later date so we could hash it out.

Commissioner Sikes agreed with him. For the record, she remarked this commission had the authority to impose a 3/8th percent tax without taking it to a referendum. The State Legislature gave them that authority because of the Hold Harmless provision. She felt that taking it to a referendum would be a mistake and felt people would vote against it. She noted the County had already done this, and we need it to dig ourselves out of the hole.

Mayor Pro-Tem Rentschler said this Hold Harmless raise that we are allowed is to make sure we got the money back as needed. The intent is that it would be implemented over a 15 year period; that would be like a 1/8th now, 1/8th in five years and 1/8th in 10 years. Are we agreeing to bring it back and balance our budget based upon what might happen when we bring it back? He felt we needed to vote solidly one way or another right now.

City Manager Stahle said we don't have the correct documents tonight for you to vote and enact the 3/8th tax. He felt the motion was to prepare the documents and bring it back as soon as possible. He said the calculations we've done and conversations we've had would apply the tax January 1, 2016. The City doesn't begin to see the income from those taxes until two months later. There would only be the March/April/May/June collection in the next fiscal year if you enacted it pretty quick. The amount that had been projected to be collected would be about the equivalent of the 5% reduction in expenses for positions in the General Fund. He also pointed out that if that motion were passed, we would need direction on whether or not you want the tax to go to the General Fund or be divided amongst the funds. Another motion would need to be made after this one is decided.

Mayor Galea remarked that many cities in the state have been deficit budgeting, and Alamogordo has not been seeing healthy growth. She didn't think there were enough ways to cut without affecting the quality of life for our citizens, and she felt the citizens of Alamogordo would be willing to pay the 3/8th tax increase in order to continue the same quality of life they enjoy today.

Mayor Pro-Tem Rentschler said the idea is if we pass this 3/8th tax, we can potentially balance the budget and forget all the other expenses we are considering. He felt this was the easy way out; we are here to make the tough decisions for the citizens of Alamogordo. If we are number two in the state for gross receipts, this isn't the reasonable thing to do. It will have an effect on those looking to come here.

Commissioner Straface clarified his motion did not include that we would not look at the other options individually; we have to consider these other options to meet the deficit we have. City Manager Stahle agreed that the 3/8th tax was not the magic bullet. He said we are one of about a dozen in the state that even the 3/8th tax can't make up for the losses of Hold Harmless, and it would be prudent to continue looking at ways to save money.

Mayor Galea repeated the motion: **Commissioner Straface had made the motion to enact the 3/8th of one percent on gross receipts to be brought before the City Commission at a future meeting. Mayor Galea had seconded the motion.**

Commissioner Hernandez asked if we could do this by consensus and was told we could do it by a motion. Commissioner Turnbull asked if this would include a Public Hearing and the mayor said it would be at the next meeting. Commissioner Straface said he had not included that in his motion. Commissioner Turnbull asked if it could be amended to say this and Commissioner Straface said he would not amend it. City Manager Stahle said anyone can come to your meetings and speak; technically it does not need to be a Public Hearing.

Motion carried with a vote of 5-2-0. Mayor Pro-Tem Rentschler and Commissioner Turnbull voted nay.

Commissioner Straface moved to approve dedicating the 3/8th of one percent tax to the General fund. Mayor Galea seconded the motion. Motion carried with a vote of 4-3-0. Mayor Pro-Tem Rentschler, Commissioner Turnbull, and Commissioner Baldwin voted nay.

Commissioner Turnbull moved to approve an increase in fees for the Alamogordo Family Recreation Center, Recreational Rentals and Alameda Park Zoo for a total additional revenue estimate of $28,708. Commissioner Sikes seconded the motion. Motion carried with a vote of 4-3-0. Commissioner Baldwin, Mayor Galea, and Commissioner Hernandez voted nay.

Commissioner Sikes moved to approve increasing the property tax rate to the maximum allowable municipal rate for operations (from current rate of 7.064 to 7.650), for a total additional revenue estimate of $288,870. Commissioner Straface seconded the motion. Motion denied with a vote of 3-4-0. Commissioner Baldwin, Mayor Pro-Tem Rentschler, Commissioner Turnbull, and Commissioner Hernandez voted nay.

Commissioner Straface moved to approve reducing the City's share of employee health coverage from 60% to 50% over a period of ten years, with FY16 being the first year for 1/10th, or $9,029 (Not all General Fund).

City Manager Stahle commented that the $9,000 was all funds, not just General Fund. It was a rather insignificant number at this point, but he respected the conversation in the past about trying to get a 50/50 balance. He will do more homework in order to show the consequence on the General Fund only.

Commissioner Turnbull didn't like making the employees pay 50% because she thought it would be like lowering their pay. She wanted to see that the contracted employees who are 100% covered begin paying some each year until they meet the 50/50 mark.

Commissioner Straface questioned if those currently contracted could be grandfathered in and any new contracted employee would have to pay the 50%. City Manager Stahle said we are preparing such a policy and it will be brought to you at a future meeting. Commissioner Straface reiterated his motion and told the city manager he expected to see that policy changed and brought before the commission as soon as possible. City Manager Stahle said he understood.

Mayor Pro-Tem Rentschler seconded the motion. Motion carried with a vote of 4-3-0. Commissioner Baldwin, Commissioner Turnbull, and Commissioner Hernandez voted nay.

Mayor Galea moved to approve an increase equivalent to a three percent cost of living increase of $422,599, for all whose health coverage is not covered 100% by the City.

The Mayor went on to say this is a flexible number so department managers do not have to apply it only towards salaries; it could be used toward benefits or equipment. It would not be applicable to those receiving 100% health care coverage.

Commissioner Straface didn't think the term cost of living should be used. Instead, we should say the dollar amount equivalent should not be exceeded by the staff as decisions are made in terms of compensation, fringe benefits or other equipment; a lump sum they can work with. City Manager Stahle said there are a tremendous number of issues associated with that. Clarification needs to be made that it be by department so there's a cap of the equivalent amount spread to all the various departments. He asked if the amount would be no more than 3% to any individual employee, and Commissioner Straface said no. Commissioner Straface said the city manager would make the decisions with his staff about that, and obviously that kind of restraint just talked about would be reasonable, but he didn't think it was the commission's job to dictate the amounts. They would approve the lump sum and ask the city manager to please use it wisely.

Mayor Galea clarified her motion to approve an expense for salary, benefits and equipment not to exceed $422,599. It would exclude staff receiving 100% of their medical coverage.

Mayor Pro-Tem Rentschler asked if this would be an ongoing, yearly expense. Mayor Galea said it would be a raise and would be reoccurring.

Commissioner Turnbull seconded the motion.

Commissioner Sikes asked where the money would come from. Mayor Galea said she wasn't sure, but if the commission enacted a 3/8th%, it could come from there. City Manager Stahle said if you do not approve a 3/8th tax it will mean greater reduction in force and less service. Mayor Galea said it would be a greater reduction in force and less service, but it would be a pay increase for those who remained.

Commissioner Hernandez said it could mean a larger deficit, or both. Mayor Galea remarked that several commissioners had voiced that the staff is our number one asset and have been without a pay increase for some time. Commissioner Hernandez commented if this does pass, it might be the last one for a while. Commissioner Straface expected a report from the city manager on how the money was distributed.

Mayor Pro-Tem Rentschler didn't like that this would tie us into this tax. If we vote for this, it essentially says we will vote for the tax, so he disagreed with it. Mayor Galea asked if a 1% or 2% equivalent would be more reasonable. He said either one of them, but that didn't mean he would vote for them.

Commissioner Straface said we are giving tentative direction to our city manager, and assuming the 3/8th is not acceptable, we would probably come back and revisit this decision.

Commissioner Sikes thought it would be more palatable to vote on this if we continue down the page and look at the 5% reduction in employee expenses first.

Mayor Galea moved to table her motion until after the discussion of the 5% reduction in employee expenses. Commissioner Straface seconded the motion. Motion to table carried with a vote of 7-0-0.

Commissioner Turnbull moved to approve funding the outside agencies (Zia Transportation and OCEDC) at the current level. Commissioner Baldwin seconded the motion. Motion carried with a vote of 7-0-0.

Mayor Galea moved to approve a 5% reduction in employee expenses – General Fund & Subsidies for a total of $638,020, effective July 1, 2015. Commissioner Turnbull seconded the motion. Motion carried with a vote of 7-0-0.

Commissioner Baldwin asked to add another item to the expense side. He remarked that we had discussed the elimination of the Fund Reserve Policy for General Fund Subsidies, and he felt we were going in the opposite direction right now with our decisions. He thought they were increasing expenses and not lowering revenue enough. He said this was a self-imposed fund reserve policy for the General Fund, and it wasn't easy to get this back again, but it was an option. For the next fiscal year it would be $282,285 for 2016 that would potentially increase the $564,570, and upward.

Commissioner Baldwin moved to approve eliminating the Reserve Fund Policy for FY 2016 only ($282,285). Commissioner Straface seconded the motion. Motion carried with a vote of 7-0-0.

Mayor Galea returned to the tabled item and restated her motion to approve an expense equivalent to a 3% Cost of Living increase for salary, benefits and equipment not to exceed $422,599. It would exclude staff receiving 100% of their medical coverage.

Mayor Pro-Tem Rentschler asked if we could find out where we were at this point, as far as reductions and expenses, before considering this motion. Commissioner Sikes said the numbers she had added up came to $920,305 for all they had decided in the last 15 minutes.

Commissioner Straface was of the impression that what we were doing was give preliminary direction to the staff, and they would come back with the dollar implications so we could make adjustments before finalizing the budget. Mayor Galea said that was correct. City Manager Stahle said this will take a little time, and he suggested they give the staff until the next meeting in order to double-check all the numbers.

Mayor Galea asked Commissioner Straface if he wished to see that all staff, including those with the 100% insurance coverage, received a pay increase. He affirmed and stated that he thought you would compress salaries and if you do that you have problems with recruiting. He noted that all staff is valued, regardless of their position. Mayor Galea remarked that 100% medical coverage provided to 24 employees was equivalent to $218,000 per year. Commissioner Straface said he understood the concept that all employees were equal, but there were greater responsibilities for leadership in terms of the impact on our organization by decisions they make. There is some incentive that needs to be there to provide them compensation over and above others.

Commissioner Straface moved to amend the motion by adding that every employee receives a pay increase, under the direction of the City Manager. Commissioner Hernandez seconded the motion. Vote was taken on the amendment. Motion carried by a vote of 6-1-0. Mayor Galea voted nay.

The original motion was to approve an expense equivalent to a 3% Cost of Living increase for salary, benefits and equipment not to exceed $422,599. A Roll Call vote was taken. Motion carried by a vote of 5-2-0. Commissioner Baldwin and Mayor Pro-Tem Rentschler voted nay.

Commissioner Baldwin stated for the record that the $422,000 was only one of the options to be considered by the commissioners; there was 1%-2% $140,866.00, $281,733.00, and he wasn't opposed to some smaller numbers. This is why he voted nay. He believed there was a time and place to go through this for the employees involved in union negotiations. He didn't think this was the time to be adding another half a million dollars to the budget.

Mayor Galea moved to Attachment B which listed a number of Affordable Care Options related to staff. She remarked that she had mistakenly spoken at the budget hearing concerning the cost difference of item #5. If the City were to pay 100% of employee only and 50% of employee/dependents, of salaries $26,000 or less, it would be a savings to the City of $33,000. For those earning $26,000 or more, the City would pay 50% for employee only and the dependant, but it would cost those employees $580.00 for the employee only and an additional $1,709.00 for the family. She would not recommend that option and preferred Option 2 where the City pays 75% employee option/53% dependant for salaries of $26,000 or less. This is a neutral change for employees with dependants; a salary of $26,000 or more the City would pay 60% employee option/55% dependants. It would be an annual impact to the City of $34,555, and a savings to the employee of $871.00 and employee with family a savings of $81.00.

City Manager Stahle pointed out this is the Affordable Care Act (ACA) requirement and not something we have a lot of choice on. You have to take some action to comply with current law

Commissioner Straface moved to approve Option 2 of Attachment (B). Commissioner Turnbull seconded the motion. Motion carried with a vote of 7-0-0.

City Manager Stahle said we need to address item 2 on Attachment B. It deals with changing part-time employees more than 30 hrs./less than 40 hrs. to go to less than 30 hrs. The reason for that is ACA requires us to offer and pay for medical insurance to that group; if they are under 30hrs. we don't have to do that. It is significant in the potential cost if you go the other way.

Commissioner Straface asked how many employees would be affected and was told eight. City Manager Stahle said they all have different hours and we would bring them all down to less than 30 hrs. Commissioner Straface said it would affect the number of hours, their income, and they would not have health insurance. City Manager Stahle said that was all correct. Mayor Pro-Tem Rentschler said they may not have health insurance already, and City Manager Stahle said they may not need it because a spouse may have it already. If we don't do this, we will be required to offer and some would take it. That would be an expense on top of other things; it will save some money, about $15,000 – all funds, if you do this. Commissioner Straface said he had a hard time supporting this. He would like to see current ones grandfathered in and future employees go under this. Mayor Galea said Option B does just that.

Mayor Galea asked Human Resource Manager Josselyn to tell the commission, hypothetically, if all eight positions elected to choose insurance, what the increased cost would be. City Manager Stahle said that would be tough to answer since there were so many options. Mayor Pro-Tem Rentschler said the bottom line is they are still limited to 9.5% of salary, no matter what they take. Human Resource Manager Josselyn said we would have to pay at least 80% of employee only premium to the lowest paid of that group. An employee only policy would cost the City $4,981.00, and with the 60% split for dependants it would be $12,198.00.

Commissioner Turnbull moved to approve Number 2-Option B of Attachment (B). Commissioner Sikes seconded the motion. Motion carried with a vote of 7-0-0.

City Manager Stahle wanted them to consider approving the resolution which would adopt the Preliminary Budget as amended tonight.

Commissioner Baldwin moved to approve Resolution No. 2015-24 adopting the Fiscal Year 2015-2016 Preliminary Budget as amended. Commissioner Turnbull seconded the motion. Roll call vote was taken by the Clerk. Motion carried with a vote of 6-1-0. Commissioner Hernandez voted nay.

15. Appointments to Boards & Committees. *(Susie Galea, Mayor)*

Mayor Galea announced the Boards and Committees with current vacancies. She appointed (Rita) Moyra Robuck to the Parks & Recreation Board.

PUBLIC COMMENT

None.

CITY MANAGER'S REPORT

None.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Mayor Galea commented on the following:
1) The Mayor noted the passing of former Commissioner and Mayor Pro-Tem Ed Cole.

Commissioner Baldwin commented on the following:
1) He said that for the last week and a half we discussed the budget. He wanted the public to know that the budget is not a wreck nor has it ever been. He thanked the City Staff for how they handle all that needs to be done to prepare and finalize the budget. There are many factors this year which caused smaller revenues for the city, and we have been planning and preparing these decisions for a long time. His fellow commissioners agreed.

Mayor Pro-Tem Rentschler commented on the following:
1) He would like to add a presentation to the next agenda concerning the African rue weed that is growing at the airport.
2) Mayor Pro-Tem Rentschler asked how we could better track and account for Code Enforcement calls. He has been receiving calls from a group that he had met with a while back. He would like to see each individual who calls Code Enforcement get a tracking number. Mayor Galea said there is an application for that. City Manager Stahle told them Code Enforcement does track by address, and he will look into this.

Commissioner Straface commented on the following:
1) Commissioner Straface attended the NMSU-A graduation last Friday night and one significant event was that we had the first student from Alamogordo High School receive their Associates Degree through the Dual Credit program, and they will be receiving their High School diploma next week; that's the first of many coming through. That is two years of college paid for and that person will enter NMSU as a Junior.
2) Dr. Straface felt we should recognize Dr. Cheri Jimeno, NMSU-A's President, who has had a tremendous impact on this community and the University. He would like to see this at our next meeting. Mayor Galea said she would work with the City Clerk's office to do this on behalf of the commission.

Mayor Pro-Tem Rentschler commented on the following:
1) Mayor Pro-Tem Rentschler would like to see a public recognition of Alamogordo Law Enforcement at the next meeting. City Manager Stahle noted this week was Law Enforcement Week and there would be a celebration of this on Saturday, but we can do something separate for our Law Enforcement. Mike Espiritu, Chamber President, told the commission (from the audience) that the Chamber would like to help with this.

EXECUTIVE SESSION

- **Limited Personnel Matters (City Manager Annual Evaluation)**

A-2. Acquisition or disposal of water rights - Village of Ruidoso.

Mayor Pro-Tem Rentschler moved to adjourn into Executive Session to consider Limited Personnel Matters (City Manager Annual Evaluation) and Acquisition or disposal of water rights – Village of Ruidoso at 9:16 p.m. Commissioner Turnbull seconded the motion. Roll call vote was taken. Motion carried with a vote of 7-0-0.

ADJOURNMENT

____
Mayor Susie Galea

ATTEST:

____
City Clerk Reneé L. Cantin

(Prepared by Nancy Jacobs, Deputy Clerk)
Approved at the Regular Meeting held on May 26, 2015.

City of Alamogordo
Budget Public Hearings
Sgt. Willie Estrada Memorial Civic Center, 800 E. First St.
May 4, 5, 6, 7, & 11, 2015
Meetings start at 3:30 each day

SUSIE GALEA, MAYOR
JASON BALDWIN, COMMISSIONER
NADIA SIKES, COMMISSIONER
AL HERNANDEZ, COMMISSIONER

ROBERT RENTSCHLER, MAYOR PRO-TEM
DR. GEORGE STRAFACE, COMMISSIONER
JENNY TURNBULL, COMMISSIONER
JIM STAHLE, CITY MANAGER

Monday: May 4, 2015

Mayor Galea called the meeting to order and roll call was taken by the City Clerk. All of the Commissioners were in attendance and City Clerk Cantin announced there was a quorum present.

Others Present: City Manager Stahle, City Clerk Cantin, Finance Director Nichols, Assistant City Manager McNeile, City Attorney Thies, Human Resource Director Josselyn, Public Works Director Cesar, and Fire Chief Ward.

FY16 BUDGET OVERVIEW:

City Manager Stahle began by giving an overview of the FY15 Budget and then asked Finance Director Nichols to give her presentation (*Power Point presentations and handouts will be noted as they become part of the presentations*) *Most parts of the recording are "[inaudible]" from now on. A clear recording begins on Thursday, May 7 and continues through Monday, 5/11/2015.*

Finance Director Nichols reviewed the Power Point (*BUDGET WORKSHOPS FY 2015-2016 PRELIMINARY BUDGET* included with the budget meeting documents). She hoped the Commission could approve the Preliminary Budget at the May 12, 2016 Regular Commission Meeting, reminding them it was due to NM Department of Finance & Administration (DFA) on June 1, 2015. The Final Budget should come before them at the July 28, 2015 Regular Commission Meeting and this Final Budget is due to DFA by July 30, 2015, as per state statute.

Some of the commissioners discussed energy savings and costs. A question was asked about benefits and vacancies, and the Finance Director explained.

The mayor asked about printing expenses and Finance Director Nichols told her she would prepare that information and bring it to tomorrow's meeting.

GRT – Hold Harmless Impact - Accounting Manager Julianne Hall went over the Power Point presentation (*BUDGET WORKSHOPS FY2015-2016 PRELIMINARY BUDGET – GRT & HOLD HARMLESS* and two separate documents titled *HOLD HARMLESS IMPACT SUMMARY* and *5-YEAR OUTLOOK - REVENUES/SOURCES* included with the budget meeting documents).

The meeting was recessed at 4:56 p.m. and reconvened at 5:08 p.m.

PERSONNEL SUMMARY:

Human Resource Director Josselyn went over employee benefit information (*BUDGET WORKSHOPS FY 2015-2016 PRELIMINARY BUDGET – CITY OF ALAMOGORDO PERSONNEL BUDGET FY2016 STAFFING & COMPENSATION OVERVIEW MAY 2015 BUDGET HEARINGS* and separate packet COA FY16 STAFFING BY DEPARTMENT included with the budget meeting documents). She asked for direction related to the Health Insurance Employee Impact.

The meeting was recessed at 6:06 p.m. and will reconvene tomorrow at 3:30 p.m.

Tuesday: May 5, 2015

Mayor Galea called the meeting to order at 3:30 p.m. All Commissioners were present.

GENERAL FUND SUMMARY:

Finance Director Nichols explained the *General Fund* (*TUESDAY, MAY 5* included with the budget meeting documents). Accounting Manager, Julianne Hall spoke on the *5-YEAR PLAN* (found in the same packet). Ms. Hall also reviewed pages 21 and 22 of the preliminary budget book. (*COA VACANCY INFORMATION, FY16 BUDGET REGULAR PART-TIME POSITIONS – 30+ HOURS PER WEEK,COA FY2016 COMMISSION BUDGET HEARINGS MAY 2015 ESTIMATED COST OF 3% COLA, and EMAIL FROM S.THIES – SUBJECT:TAXES WITH ATTACHMENTS* included in today's meeting with the budget meeting documents)

The meeting was recessed at 4:25 p.m. and reconvened at 4:38 p.m.

City Attorney Thies presented the current GRT Ordinances, their dedication and which ones may be used for *General Fund* operations.

Finance Director Nichols directed them to page 459 in their book. The revised page is already in the book.

Commissioner Straface suggested we don't change the dedication of GRT's now because it's hard to determine what the outcome or repercussion might be. The GRT's could be an option to the deficit problem.

Commissioner Turnbull wanted to look at the recreation center fees. Commissioner Sikes asked for a list of all of the vacancies they have right now.

Mayor Pro-Tem Rentschler asked that if the Commission wanted to see a 10% reduction, could City Manager Stahle make it happen. Commissioner Sikes suggested offering an incentive to the departments who could operate with 10% less, including not filling vacant positions.

The meeting was recessed at 5:33 p.m. and will reconvene tomorrow at 3:30 p.m.

Wednesday: May 6, 2015

Mayor Galea called the meeting to order at 3:34 p.m. Commissioner Baldwin was absent. (*WEDNESDAY, MAY 6* handout and *ZTRANS RIDERSHIP* included with the budget meeting documents)

Accounting Manager Julianne Hall agreed to bring back a form that shows the amounts with 1/8th, 2/8th, & 3/8th for the implementation of the GRT.

OUTSIDE AGENCIES:

City Manager Stahle said the funding for outside agencies is at the same level as last year.

Joe Hardin and Peggy O'Neil from Z-Trans spoke to the Commission. Lenora Stevens from the Alamogordo Chamber of Commerce spoke to the Commission. Dr. Terry Marquardt spoke to the commission representing Main Street USA.

ENTERPRISE FUNDS - SUMMARY:GOLF COURSE, AIRPORT, CONVENIENCE CENTER/SOLID WASTE: Finance Director Nichols suggested we move Bonito Lake out of the Enterprise Funds. Mayor Pro-Tem Rentschler said we don't have anything in here for the Family Fun Center.

WATER & SEWER FUND & RATE ANALYSIS:

Mayor Galea had a question about the bonds and refinancing for future projects.

Public Works Director Cesar confirmed that contract services are included in capital.

CAPITAL:

Budget Analyst Kathy Gilsdorf presented this section.

Commissioner Sikes asked to talk about the computer hardware and software.

Mayor Galea suggested a prioritization piece to choose the options we would like to go with.

Commissioner Straface thought we need to direct the city manager to reduce employees by 10%, move the health insurance to 50/50 over 10 years, increase franchise fees by 2%, increase property tax to the max, pay for a 2% COLA, and look at other services if that's not enough.

Commissioner Sikes had a problem with franchise fees.

Mayor Galea asked if anyone had any objections to preparing a planning session with the options. There were no objections.

Commissioner Turnbull talked about the cost of living and how much we pay fire fighters to stay overnight.

Commissioner Hernandez said the city manager has been here a couple of years and should be making sure that the right levels of people are working for us. He asked for a list of employees by years of service.

Recessed the meeting at 5:45 p.m. and will reconvene tomorrow at 3:30 p.m.

Thursday: May 7, 2015

Mayor Galea called the meeting to order at 3:31 p.m. and announced all Commissioners were present.

City Manager Stahle said they would go through a prioritization process today. He passed out a packet of options (*First page is an email from Jim Stahle to Commission with Subject: DEFICIT DOCUMENTS* , and *CPI AND COA COLA INCREASES MAY 7, 2015 and YEARS OF SERVICE REPORT OF CURRENT EMPLOYEES, SORTED BY LONGEST TENURE* included in the budget documents).

Mayor Pro-Tem Rentschler didn't think an increase in taxes was an option at this point. He also said this was a *General Fund* problem and the *Enterprise Fund* employees would be left out of this mix. He felt the DPS split was part of this problem.

City Manager Stahle asked all the commissioners to mark on the Options Planning Chart with colored dots the six items most important for a balanced budget – long term.

Mayor Pro-Tem Rentschler thought they should look at the Golf Course subsidy and raise the golf fees by $2.00. He marked his priorities on the Options Planning Chart.
Mayor Pro-Tem Rentschler left the meeting at 3:42 p.m.

After everyone had placed their colored dots, City Manager Stahle noted that if there were four or more dots on any particular item, the theory is that the majority was interested. He went over the chart and pointed out the ones with four or more dots.

OUTCOME OF THE OPTIONS PLANNING: (those with four or more dots are in bold type)

A. 0 Increase GRT by 1/8th%
B. 0 Increase GRT by 2/8th%
C. 3 Increase GRT by 3/8th%
D. 0 Increase Franchise Fee contacts by 2% - Would require contract changes
E. 0 Increase Franchise Fee contacts by 5% - Would require contract changes
F. 0 GRT dedication change to charge an Operating Administration Fee of 5% on GRT Revenues - Would require an ordinance change.
G. 5 Increase in fees for recreation
H. 2 Eliminate the fund reserve policy
I. 4 Increase property tax to maximum allowed

OTHER OPTIONS EMPLOYEE EXPENSES: (those with four or more dots are in bold type)

A. 0 Reduce subsidy only for community services by 1%
B. 2 Reduce subsidy only for community services by 5%
C. 0 Reduce subsidy only for community services by 10%
D. 5 Reduce Group Health from 60/40 to 50/50
E. 0 Reduction in employee expenses by 1%
F. 5 Reduction in Employee expenses by 5%
G. 2 Reduction in employee expenses by 10%
H. 0 Transfer Fire Fund 11 back to Fund 33
I. 6 Eliminate outside agency funds affected by General Fund

<u>TOP FIVE CHOICES</u>:

- Eliminate outside agency funds affected by *General Fund* **(6)** – *[saves about $140,000]*
- Increase in fees for recreation **(5)** – *[generates about $28,000 next year and $29,000 the following year]*
- Reduce Group Health from 60/40 to 50/50 **(5)** – *[this was discussed because the figure given was for the reduction to happen all at once and the commissioners wanted to see it happen gradually]*
- Reduction in Employee expenses by 5% **(5)** – *[generates $638,000 next year and more for the following year]*
- Increase property tax to maximum allowed **(4)** – *[generates about $290,000]*

<u>REMAINING AREAS WITH DOTS</u>:

- Increase GRT by 3/8th% (3)
- Eliminate the fund reserve policy (2)
- Reduce subsidy only for community services by 5% (2)
- Reduction in employee expenses by 10% (2)

City Manager Stahle said the staff will add all this up and see if it is enough to equal the loss from Hold Harmless and the deficit. It will have to be decided how the *Reduction of Employee Expenses by 5%* will be distributed amongst the departments funded by the *General Fund.* He felt that if we do these top five things, it won't generate sufficient numbers to offset the $1.2 million in deficit for next year. First we will do the math to make sure this is correct.

The commissioners talked about the ordinance passed by Alamogordo voters in 1988 that requires an election before the City of Alamogordo can impose additional or increased taxes. City Attorney Thies noted the NM Attorney General's Office had ruled against this ordinance.

Commissioner Straface thought we need to take care of this now, be responsible and enact the 3/8th tax. He remarked that not everything that is right is popular. Commissioner Turnbull supported the tax only if we took it to the voters. City Manager Stahle asked her what would happen if the voters turn it down. Mayor Galea said no taxes were popular this year and she wasn't hopeful for next year.

Commissioner Baldwin suggested we just eliminate the *Fund Reserve Policy*.

Commissioner Hernandez said he would support the tax as long as we had done the homework to make sure we have cut out as much as possible from the budget; consider the needs, not the wants. He couldn't do this today because it was the easy way out.

Commissioner Turnbull said we need to cut back on *Travel*, and City Manager Stahle said some travel is necessary. He said the budget in front of you has already been cut and he went through some areas needing more money.

Commissioner Hernandez asked them to look at asking employees that if they had to pay for something, such as memberships or publications, would they do so. How necessary are these things? The city manager should make the hard decisions on cutting expenses and the commission would then make the final decisions.

Mayor Galea felt pay increases and COLA increases should be considered, as well as PD and FD personnel costs that are not funded.

Commissioner Straface said it is the city manager's/staff's responsibility to make these decisions. City Manager Stahle said the budget had been figured as to need and not want, but we would still be in deficit spending. You have to act now to stop that. Commissioner Straface said one of the pieces of information they needed was how everyone felt on employee salary increases or compensation. That would add another $400,000 to $500,000 to the $1.2 million. Without the 3/8th tax, we can't get there in five years.

Commissioner Sikes questioned giving raises to the contracted employees receiving 100% payment of benefits.

City Manager Stahle said there are some unknowns such as the $425,000 in the *General Fund* for the PSAP; some of that could be reprogrammed. He was surprised that *Eliminate the Fund Reserve Policy* hadn't received any dots since you already have the mandated 1/12th from the State.

He suggested going over the grand totals on Monday and begin looking at the *Reduction of Employee Expenses by 5%.* He hoped to have their final directions by Tuesday. The final amount they have to consider is about $1,353,000.

Commissioner Sikes wanted to talk about specifics such as charging for library cards since the County doesn't feel it important to help fund the library. She asked about others providing the expenses for events such as Gus Macker or the Pupfish Baseball team and the fields they use.

Commissioner Baldwin mentioned the promotion of Alamogordo to increase our revenues. He voiced that there needs to be more people spending money in this community in order to realize more GRTs. He agreed to make the hard decisions this year and let the voters decide on the tax.

Commissioner Hernandez thought there were still places to be cut in the budget. He said the hospital offers incentives to the employees for cost saving ideas. We should utilize our employees on cost savings.

Mayor Galea felt cutting *Quality of Life* areas wasn't good and would rather support the tax.

Commissioner Hernandez said that as commissioners we make decisions with the information we receive, without going to the voters. He reiterated having the staff cut all they could and then he could better explain to voters why the tax is on the ballot.

Mayor Galea suggested the staff do budget report reviews on a quarterly basis. City Manager Stahle said they look at it all the time, on a daily basis, as well as looking five years ahead. Mayor Galea said we are in the same place we were last year, we have to find new revenue. City Manager Stahle said economic development moves very slowly and isn't an immediate return.

Commissioner Straface suggested each commissioner list one or two ideas for cuts.

Commissioner Turnbull:	1) travel and city profile costs
Mayor Galea:	1) increase in recreation fees/ she is not in favor of cutting travel. Commissioner Turnbull said she didn't mean cutting travel totally, just reduce.
Commissioner Hernandez:	1) wants versus needs: publications, newsletters, magazine subscriptions, memberships. If you would pay for it yourself, we should keep it. 2) Charging more for items at events. 3) Contracts - cost analysis
Commissioner Sikes:	1) Fee increases with the exception of the golf course since it brings people to Alamogordo. 2) update HVAC and lighting throughout city buildings 3) some travel is worth the money 4) fees paid to organizations such as NMML and Council of Governments. 5) using community service personnel to help the City where needed.
Mayor Galea:	1) keep membership in the US Conference of Mayors 2) provide building security 3) provide out of pocket expenses for the PD
Commissioner Baldwin:	1) nothing to add
Commissioner Straface:	1) comfortable with what has been done with this

City Manager Stahle said he would get with Mayor Pro-Tem Rentschler concerning this list.

The next meeting was scheduled for Monday, May 11, 2015, at 3:30 p.m. to review what the staff had figured after this week's meeting.

Mayor Galea recessed the meeting at 5:00 p.m. and will reconvene Monday, May 11th, 2015 at 3:30 p.m.

Monday: May 11, 2015

Mayor Galea called the meeting to order at 3:30 p.m. The Mayor announced Commissioner Baldwin was absent and all other Commissioners were present. **Commissioner Baldwin joined the meeting at 3:34 p.m.**

City Manager Stahle gave an overview. He passed out the following handouts (*PROPOSED AGENDA REPORT FOR THE MAY 12, 2015 CITY COMMISSION MEETING WITH ATTACHMENTS A AND B, PROPOSED FY16 BUDGET AND EFFECT OF REVENUE AND EXPENSE ADJUSTMENTS PROPOSED BY COMMISSION, GENERAL FUND OPERATING EXPENSES FUND 11, TRAINING, TRAVEL & CONFERENCE LISTING, CONTRACT SERVICES LISTING, AND GENERAL FUND OPTIONS TO REDUCE DEFICIT IN NO PARTICULAR ORDER,* included with the budget meeting documents). He said the adjusted amount in the *General Fund* for the current year was $13,305,485.00. The proposed budget was $12,200,410.00 which was a reduction of $1,304,299.00. *Reducing 5% of Employee Expenses* was on top of those other reductions – those are just *General Funds*.

They discussed funding of outside agencies, PSAP, and police department.

<u>ATTACHMENT (B) TO THE AGENDA REPORT - AFFORDABLE CARE ACT (ACA) OPTIONS</u>:

This was discussed by Commissioner Straface, Mayor Galea and the city manager.

Commissioner Straface asked the city manager how he planned to deal with the deficit if all but *Eliminating Outside Agency Funding* were approved. City Manager Stahle told him there would be some uncompleted construction projects this year and some additional vacancy savings. He passed out a handout (Not titled but listing *TRAINING, TRAVEL & CONFERENCES* included in the budget documents), and how much money could be cut from this – approximately $33,800.00. If cut to the bone it would be a savings to the *General Fund* alone of about $61,000.00. These recommendations are pretty much ‘bare bones’ already.

Mayor Galea noticed this does not include the costs for a pay increase, PD equipment, FD employee time, or additional Capital Improvement.

City Manager Stahle reminded the commissioners there were 12 vacancies in the PD and he would not be hiring any of those until, at least, after tomorrow’s City Commission meeting. He said if you don’t leave out *Essential Services*, you can’t make up the difference without a RIF.

Commissioner Sikes asked the maximum number of officers the PD operated with in the past few years. If there is a major difference between the average number of officers and number of vacancies that will happen every year, then perhaps we could leave the vacancies there but not fill them. City Manager Stahle remarked that would be his recommendation. Police Chief Duncan explained the training regimen. City Manager Stahle said he had five applications on his desk that were ready for hire.

City Manager Stahle felt pay raises should be across the board, for all employees. He also reminded the commissioners that Alamogordo was one of ten or twelve municipalities in the state that cannot be made whole even if you do the 3/8th. 3/8th will buy you eight to nine years before you are in the hole again without enough revenues to keep up with the projections.

City Manager Stahle pointed out on *ATTACHMENT A OF THE AGENDA REPORT – EXPENSE SIDE; 1) (d)* that the amount of $9,293 is actually *All Funds*; it would be less for *General Fund*.

Mayor Galea talked about in the future doing away with the 100% benefit coverage for contracted employees; it would be a savings of about $80,000 per year. City Manager Stahle said you could spread that hit over 10 years, for example. Commissioner Sikes asked if the contracts for these employees could be reviewed while their contracts are in effect. City Manager Stahle said the contracts do allow for the discharge of a contracted employee with about a two month notice. Commissioner Sikes thought it was a big expense to the City to fund these contracts, and City Manager Stahle said if we went to a 50/50 split it would be $130,000, not including the commissioners. He felt there were other ways to do what they were describing such as changing the contract benefit amount to match what all other employees pay.

Commissioner Sikes said that if we should enact the 3/8th now, it had been mentioned we would get somewhat of a windfall initially, but after seven or eight years we would start going into the hole again. Would it be possible to enact something immediately that would state we put some of that back in a fund so the money will be there when we need it. City Manager Stahle said yes, though it was a bit of a challenge, and you may not want to when you see what it does, but it can be done.

City Manager Stahle remarked the biggest challenge with GRT is that it is based on the economy so we don't know how much it will be. When it comes to revenues, we are estimating the best we can. If you squirreled away some money, you might want to dip into it at any time.

Commissioner Straface suggested passing the 3/8th tax, plus an enactment of what we've done and a continued review of expenditures possibly with a task force is what we need to do in order to stay out of trouble. City Manager Stahle agreed; we can't overspend now or for the next eight years. In fact, we have to do the opposite and get more realistic in our expenses as well as enact the 3/8th.

Mayor Galea and City Manager Stahle talked about reoccurring revenue for construction and retail. City Manager Stahle said it was dangerous to dedicate a portion of GRT to a particular activity. Construction and/or retail are unpredictable and unknown.

Mayor Pro-Tem Rentschler thought it best to put the tax question on the ballot next year.

Commissioner Hernandez asked the city manager if he had figures on what they had spent outside of last year's approved budget – budget adjustments. He said we did several last year. City Manager Stahle said many might have been other than *General Fund* so they wouldn't be a big concern since there are sufficient reserves for those. The ones from the *General Fund* are either absorbed within a department's budget, or we take them to the commission for approval to adjust the budget. Commissioner Hernandez said they all needed to consider we may have a set budget today, but it can still change because of items that come out of the *General Fund*. City Manager Stahle agreed and noted the *General Fund* contingency was embarrassingly low since we had to make up the deficit, and that's dangerous. Unfortunately, you have to do significant revenue enhancements, significant expenditure reductions, or combinations.

Commissioner Baldwin said it would fall on the city to educate the public as to the importance of the tax. Commissioner Straface noted it was really tough to educate the voters and get the voters out who support it.

Commissioner Sikes felt we need to work at raising our GRTs, and thought it would be a mistake to not fund Zia Trans or OCEDC since they both generate revenues. City Manager Stahle agreed but felt we needed to cut everything we could in order to assure the public that we needed to institute the tax.

Commissioner Baldwin said we have many years to balance the budget, and eliminating the self imposed *Fund Reserve Policy* would get us through this year with a little extra to do some accommodating for not increasing any other fees. Then we would spend the rest of the year doing our best to tackle tax issues, including the education of the public concerning the 3/8th tax. Mayor Galea said we have been saying this since 2013.

Commissioner Sikes said we have a lot of eggs in our GRT basket - $6 million in the Family Fun Center and $1.2 million in the Snake Tank Project. Won't those generate GRTs?

City Manager Stahle explained the percentage of GRTs outside of the city limits. Commissioner Hernandez said we annexed the Bi-Pass in order to collect 100% of the GRTs.

Commissioner Straface felt that doing what Commissioner Baldwin suggested would be a short-term fix, and a year from now we would be in the same place. The 3/8th would be used seven to eight years, and we need this since we can't predict what will happen.

City Manager Stahle said we need to consider what the County will do with the tax. You will have to make a decision on the expenses, revenues or a combination thereof. So far, the direction has been a combination thereof, but even that won't solve the problem. You will have to cut into some core services you have been providing for the citizens for decades over a longer period of time if you create the tax, or a very short period of time if you do not. He advised the commissioners to let the public speak concerning these issues.

The Mayor announced that Mr. Eugene Downer would like to address the Commission.

Commissioner Baldwin left the meeting at 4:31 p.m. He noted to the public that he would listen to the recordings of the rest of the meeting.

Eugene Downer presented his comments on the economy of the city. He felt the Parks budget needed to be increased because it hadn't been in 10 years. He felt they need to hire a professional tree trimming company; the gift shop at the Zoo had very little stock and increasing that stock would generate sales; the 10th street water tank should be painted and lighted; the street lights and parking lot lights on Fairgrounds Rd. by the Griggs Complex come on when you drive by; the big bulbs in the lighting at the sporting complexes need to be better monitored; the First Street access/relief road to Indian Wells is not lighted and needs to be for the sake of the businesses in the area; why some businesses are coming to town; work harder at bringing businesses to town; include dead trees in the weed code; and the commissioners need to be aggressive and assertive.

Mike Espiritu, President/CEO of OCEDC commented on economic development funding. He remarked the $30,000 budgeted to OCEDC by the city is 18% of their budget. There are only 1.5 people funded on his staff, yet they have more projects in the queue than Albuquerque. They pay taxes on their property and work closely with APS & NMSU-A and employers on workforce development. He noted he had been working with one company for 2.5 years and that company was coming in June for a site visit; economic development is not an overnight activity. OCEDC is in the middle of helping to make changes to attract businesses and individuals to New Mexico. Their funding is tied to marketing and they absorb a lot of that expense. Their private partners help, but they are having problems, too. OCEDC was begun in November of 2007 with a budget of about $250,000; they are now down to $175,000 a year. He named some of the other folks and organizations they work with, and that they work with local business retention. He appreciated the support of the City and noted the County has cut their funding over the last two years. OCEDC will continue to work hard and will need the help of the City.

Peggy O'Neil, CEO of Zia Therapy Center addressed the commission. She stated that if the City chose not to fund Z-Trans it would kill transportation in the city, eliminate those jobs, and affect those who depend on the bus to get to work as well as the students who depend on the bus to get to school. She remarked Z-Trans has kept Zia afloat during these times of lower funding. She asked that the commissioners listen to the public concerning this issue. Many riders would be isolated without Z-Trans. She was disappointed that the Commission had chosen the more expensive realignment project with this concern coming up.

Joe Hardin, Director of Z-Trans, added he had been doing this for 13 years and understood how important public transportation was. The handicapped community would be greatly impacted by the loss of public transportation. He said it is the City's transportation system and it is important to the region. He felt that if this system were discontinued, they couldn't get it back.

Anthony Backy addressed the commission and stated he was a taxpayer and an employee of the City. He noted that if the City changed the policy for contracted workers insurance packages to 60/40, there would be a substantial savings. He asked some questions on the insurance options the commission had considered, and Mayor Galea explained. He referenced the audits from 2014 and wondered how our present budgetary situation came about. He questioned the city's reserve fund, and felt all employees should receive 100% insurance coverage. Mr. Backy was in favor of enacting the 3/8th tax, and felt that if cuts were to be made they should be made across the board. At what point do you put the level of services that you provide over the people that provide those services?

Finance Director Nichols explained various funds and how they were used. She said she could show him that. She told him that he could see the approved budget for this year on the City website. Mr. Backy appreciated what some of the commissioners had said during these hearings.

Mayor Galea asked if there were any additional budget requests from the commission.

Commissioner Straface said he would like to see enactment of the 3/8th tax on the agenda for tomorrow's Regular City Commission meeting. The mayor agreed.

The city manager asked that tomorrow night they vote on all of the actions put forth to the staff.

Commissioner Hernandez told the outside agencies to understand we don't want to cut you, it was simply an option to look at. He remarked that the commissioners don't treat any of this lightly. Mayor Galea said the County Commissioners also have opportunities to help with these concerns.

Mayor Galea asked to have a 3% COLA increase added to the agenda tomorrow. Commissioner Sikes asked if that was across the board and if she wanted to put any cap on it. The mayor said no. Commissioner Straface asked her to consider that the negotiators and the city manager decide how those dollars will be distributed, including insurance premiums and compensation. The mayor appreciated what he said and agreed that the increase should be a total dollar amount for the staff to negotiate in their departments. Commissioner Hernandez supported that with the knowledge it affects the budget every year from now on, and depending on whether the 3/8th tax is enacted, it will be a long time before we can do this again.

Commissioner Sikes said we continue to talk about *Outside Agencies*, but until we have our own in-house economic development, she liked to think of OCEDC as our agency and Zia as our transportation. She would like to have the wording changed.

Commissioner Straface thanked the staff for all the preparation and Mayor Galea announced the meeting was adjourned at 5:14 p.m.

Mayor Susie Galea

ATTEST:

City Clerk Reneé L. Cantin
(Prepared by Nancy Jacobs, Deputy Clerk)
Approved at the Regular Meeting held on May 26, 2015.

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 05/26/2015 **Report Date:** 5/20/2015 **Report No:** 2.

Submitted By: Renee Cantin, City Clerk

Subject: Approve statement related to the Executive Session of May 12, 2015. *(Renee Cantin, City Clerk)*

Fiscal Impact:
Amount Budgeted:
Fund:

Recommendation: Approve the following statement and authorize it to be included in the minutes of May 26, 2015: "The Governing Body of the City of Alamogordo, New Mexico, hereby states that on May 12th, 2015 a Closed Executive Session was held during the Regular Meeting and the matters discussed in the closed meeting were limited only to Limited Personnel Matters (City Manager's annual evaluation); and Acquisition or Disposal of water rights (Village of Ruidoso) as added at the beginning of the meeting."

Background: This action is required in accordance with the Open Meetings Act.

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 05/26/2015 **Report Date:** 5/20/2015 **Report No:** 3.

Submitted By: Stephen Thies, City Attorney

Subject: Approve the final publication of Ordinance No. 1496 approving a Local Economic Development Project for secured financial assistance proposed by Neptune Aviation. ***(Roll call vote required)*** *(Stephen Thies, City Attorney)*

Fiscal Impact:
Amount Budgeted:
Fund:

Recommendation: Approve Ordinance for final publication. ***(Roll call vote required)***

Background: At the Regular Meeting of April 28th, 2015, the City Commission approved the Ordinance for first publication. A summary of the Ordinance was published in the Alamogordo Daily News on Sunday, May 3rd, 2015. If approved for final adoption, the summary will be published a second time on Sunday, May 31st, 2015 and will be effective June 5th, 2015.

The following information was provided by Stephen Thies, City Attorney at the time it was brought for first publication: As described in the preceding agenda item, the New Mexico Department of Economic Development has requested the City of Alamogordo to serve as the fiscal agent for an economic development project. The proposed project is intended to assist Neptune in making certain repairs and upgrades to its facility located at the Alamogordo-White Sands Regional Airport to allow Neptune to increase its maintenance activities at the airport. Provided the Commission approves the intergovernmental agreement with the State, the next step in the process is approval of the Project Participation Agreement between the City and Neptune. Beyond the initial processing of the paperwork, the City’s future involvement with the project will consist of conducting employment audits every six months for the next three years.

Staff requests approval of the attached Project Participation Agreement which is accomplished by approving the attached ordinance.

ORDINANCE NO. 1496

APPROVING A LOCAL ECONOMIC DEVELOPMENT PROJECT FOR SECURED FINANCIAL ASSISTANCE PROPOSED BY NEPTUNE AVIATION

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ALAMOGORDO, NEW MEXICO that the following is added to the municipal code:

Pursuant to the City of Alamogordo Economic Development Plan, Ordinance No. 983 and NMSA 1978 Section 5-10-1, et seq. (Local Economic Development Act – "the Act"), the proposed economic development project of Neptune Aviation ("the Company") which is on file with the City Clerk and available for public inspection, is approved for the purposes set forth in NMSA 1978 Section 5-10-1, et seq. and the City of Alamogordo is authorized to enter into a Project Participation Agreement ("The Agreement") with the Company is required by Section 10 of the Act, and in substantially the same form as attached hereto, the terms of which are incorporation herein.

The City Commission finds as follows:

1. The Company is an entity as defined in NMSA 1978, Section 5-10-3G;
2. Under the Agreement, the Company will provide a substantive contribution for the proposed project as described in NMSA 1978, Section 5-10-10B in the form of going concern, a limited tax base, and employment;
3. The Agreement complies with the requirements of the Act and Ordinance No. 983;
4. The benefit of the proposed project to the City of Alamogordo is repayment of the financial assistance through the creation of jobs and other benefits arising from employment and economic activity under the project which

exceeds the cost to the City of providing to the Company the assistance specified in the agreement, and

5. The Agreement complies with the requirements of Section 10 of the Act and is hereby adopted and approved.

BE IT FURTHER ORDAINED, that the Mayor of the City of Alamogordo, New Mexico is authorized and directed to do all things necessary to implement this ordinance that is lawfully adopted.

PASSED, APPROVED AND ADOPTED this _______ day of __________, 2015.

CITY OF ALAMOGORDO, NEW MEXICO
a New Mexico municipal corporation

By:___________________________________
Susie Galea, Mayor

ATTEST:

____
Reneé L. Cantin, City Clerk

APPROVED AS TO FORM:

____
Stephen P. Thies, City Attorney

First publication approval: 04/28/2015
First publication: 05/03/2015
Final publication approval: 05/26/2015
Final publication: 05/31/2015
Effective date: 06/04/2015

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 05/26/2015 **Report Date:** 5/20/2015 **Report No:** 4.

Submitted By: Edward Balderrama,
Project Manager

Subject: Consider, and act upon, the award of Public Works Bid No. 2015-005 to General Hydronics, Inc. related to Street Maintenance Program FY2014 (EN1402) in an amount not to exceed $1,621,822.74, including NMGRT. *(Edward Balderrama, Project Manager and Brian Cesar, Public Works Director)*

Fiscal Impact: Fiscal Impact: $1,621,822.74, including NMGRT Fund Impact

Amount Budgeted: $3,250,000

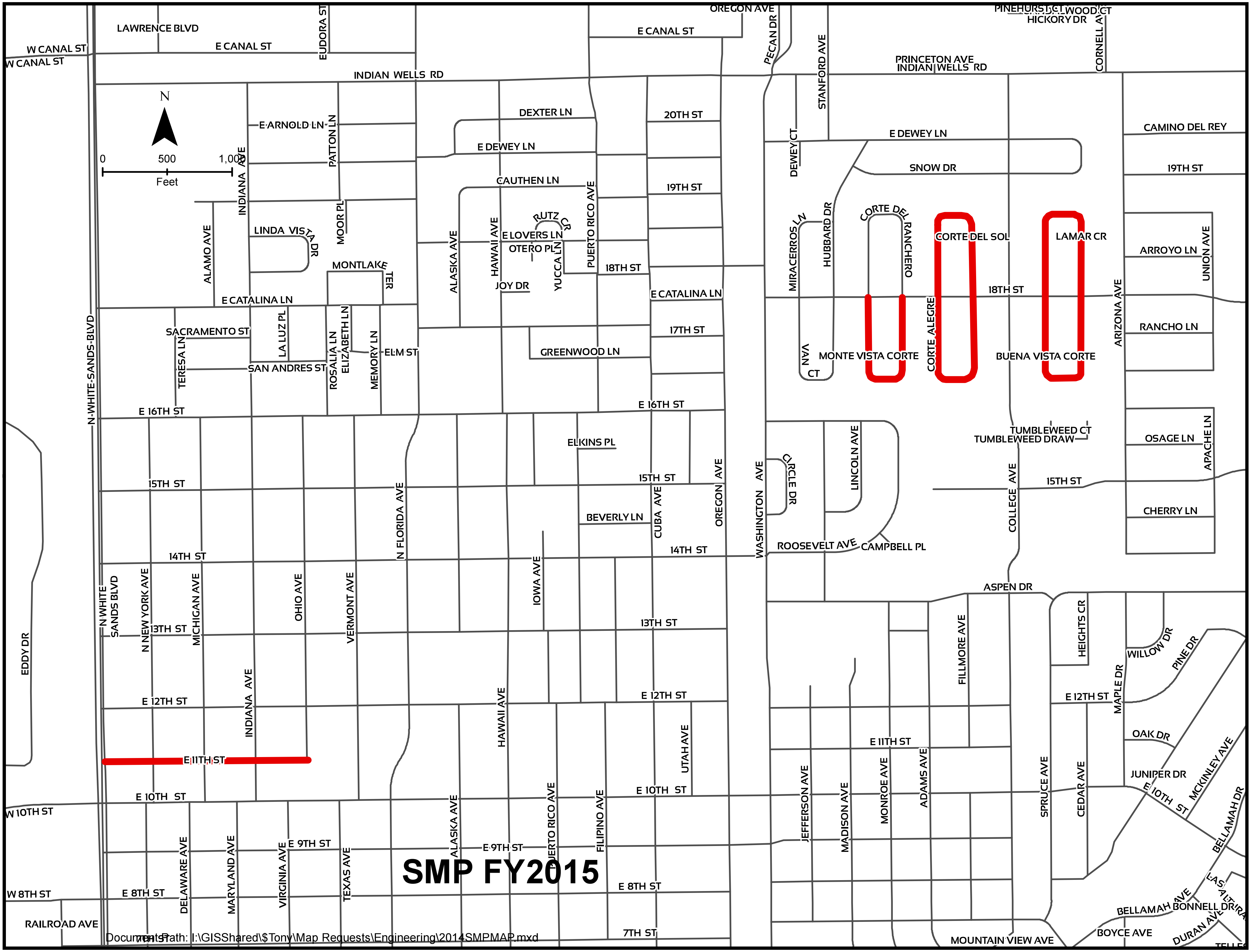
Fund: 81-9303-465.67-70 $1,600,000 available $791,662.26
109-9003-430.65-01 $1,650,000 available $830,160.48

Amount Budgeted:
Fund:

Recommendation: Award, Public Works Bid No. 2015-005 to General Hydronics, Inc. related to Street Maintenance Program FY2014 (EN1402) in an amount not to exceed $1,621,822.74, including NMGRT.

Background: The work will consist of installing 6-inch and 10-inch water line, valves, water connections, new water services and fire hydrants, remove and replace concrete sidewalk, driveway aprons and curb/gutter, construct accessible (ADA) curb ramps, earth work, asphalt milling, asphalt paving, asphalt paving patch work and traffic control and appurtenances, as specified and/or shown on the construction documents, complete, in place, all within the city limits of Alamogordo, New Mexico.
The city received one (1) bids on May 7, 2015. Please see attach Bid Tab.

Street Maintenance Program FY2014 Public Works Bid No. 2015-005 EN1402 May 7, 2015 2:00 pm (MST)						License No. 26970 GA01,GA02,GA03,GF04,GF09,MM98, LP05,LP06,GB98,JPG,MHDMM98	
				Engineer's Opinion of Probable Construction Cost		General Hydronics, Inc.	
BASE BID ITEM NO.	QTY	UNIT	DESCRIPTION	UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT
414120	25,600	SY	2-inch thick HMA cold milling	$ 1.49	$ 38,144.00	$ 1.73	$ 44,288.00
417000	118	SY	Pavement Patch, HMA SP-IV 3-inches thick, 8-inches base course, 8-inches sub-grade preparation	$ 41.57	$ 4,905.26	$ 50.00	$ 5,900.00
423270	25,600	SY	HMA SP-IV 2-inches thick	$ 14.07	$ 360,192.00	$ 10.00	$ 256,000.00
608104	470	SY	4-inch thick concrete	$ 44.00	$ 20,680.00	$ 47.00	$ 22,090.00
608106	60	SY	6-inch thick concrete with reinforcement	$ 84.00	$ 5,040.00	$ 58.00	$ 3,480.00
609424	1,060	LF	Type II curb/gutter	$ 20.31	$ 21,528.60	$ 24.50	$ 25,970.00
609706	105	LF	Mountable/Transition curb/gutter	$ 20.31	$ 2,132.55	$ 24.50	$ 2,572.50
618000	1	LS	Furnish and provide MUTCD	$ 5,555.00	$ 5,555.00	$ 25,000.00	$ 25,000.00
621000	1	LS	Mobilization	$ 104,785.77	$ 104,785.77	$ 42,000.00	$ 42,000.00
663100	15	EA	New fire hydrant	$ 2,400.00	$ 36,000.00	$ 4,000.00	$ 60,000.00
663105	12	EA	Remove and dispose of fire hydrant	$ 650.00	$ 7,800.00	$ 700.00	$ 8,400.00
663726	7,600	LF	6-inch PVC Waterline	$ 26.50	$ 201,400.00	$ 36.00	$ 273,600.00
663772	10	EA	Lateral water line connection	$ 2,500.00	$ 25,000.00	$ 1,200.00	$ 12,000.00
663860	190	EA	3/4-inch service line replacement	$ 1,500.00	$ 285,000.00	$ 1,250.00	$ 237,500.00
663896	10	EA	6-inch Mainline Gate Valves	$ 1,500.00	$ 15,000.00	$ 1,100.00	$ 11,000.00
663933	5	EA	Adjust existing manhole ring/lid and new concrete collar	$ 650.00	$ 3,250.00	$ 650.00	$ 3,250.00
801000	1	LS	Construction staking and surveying	$ 16,230.30	$ 16,230.30	$ 3,000.00	$ 3,000.00
207000	3,220	SY	8-inch sub-grade preparation	$ 6.50	$ 20,930.00	$ 4.45	$ 14,329.00
304180	3,220	SY	8-inch base course	$ 21.00	$ 67,620.00	$ 13.46	$ 43,341.20
414120	4,840	SY	2-inch thick HMA cold milling	$ 1.49	$ 7,211.60	$ 2.40	$ 11,616.00
41700	15	SY	8-inch thick HMA, 4-inch slurry	$ 300.00	$ 4,500.00	$ 134.00	$ 2,010.00
423270	4,840	SY	HMA SP-IV 2-inches thick	$ 14.07	$ 68,098.80	$ 12.45	$ 60,258.00
423270	3,220	SY	HMA SP-IV 3-inches thick	$ 20.10	$ 64,722.00	$ 22.23	$ 71,580.60
608000	155	SF	Tactile warning device	$ 22.00	$ 3,410.00	$ 36.00	$ 5,580.00
608104	80	SY	4-inches thick concrete	$ 44.00	$ 3,520.00	$ 47.00	$ 3,760.00
608106	240	SY	6-inches thick concrete with reinforcement	$ 84.00	$ 20,160.00	$ 58.00	$ 13,920.00
609636	200	LF	Valley gutter	$ 84.00	$ 16,800.00	$ 58.00	$ 11,600.00
609424	400	LF	Type II curb/gutter	$ 20.31	$ 8,124.00	$ 29.50	$ 11,800.00
609706	105	LF	Mountable/Transition curb/gutter	$ 20.31	$ 2,132.55	$ 24.50	$ 2,572.50
618000	1	LS	Furnish and provide MUTCD	$ 4,445.00	$ 4,445.00	$ 21,000.00	$ 21,000.00
621000	1	LS	Mobilization	$ 39,899.70	$ 39,899.70	$ 39,000.00	$ 39,000.00
663100	2	EA	New fire hydrant	$ 2,400.00	$ 4,800.00	$ 4,500.00	$ 9,000.00
663105	2	EA	Remove and dispose of fire hydrant	$ 650.00	$ 1,300.00	$ 700.00	$ 1,400.00
663726	1,620	LF	6-inch PVC Waterline	$ 26.50	$ 42,930.00	$ 36.00	$ 58,320.00
663730	120	LF	10-inch PVC Waterline	$ 37.85	$ 4,542.00	$ 100.00	$ 12,000.00
663772	8	EA	Lateral water line connection	$ 2,500.00	$ 20,000.00	$ 3,500.00	$ 28,000.00
663855	10	EA	Adjust existing water valve box and new concrete collar	$ 650.00	$ 6,500.00	$ 450.00	$ 4,500.00
663896	6	EA	6-inch Mainline Gate Valves	$ 1,500.00	$ 9,000.00	$ 1,100.00	$ 6,600.00
663899	2	EA	10-inch Mainline Gate Valves	$ 3,250.00	$ 6,500.00	$ 2,200.00	$ 4,400.00
663933	6	EA	Adjust existing manhole ring/lid and new concrete collar	$ 650.00	$ 3,900.00	$ 650.00	$ 3,900.00
704700	2600	LF	4-inch wide solid white or yellow, hot, thermoplastic pavement marking, 90 mil thick	$ 2.88	$ 7,488.00	$ 1.80	$ 4,680.00
704764	900	LF	24-inch wide, solid white, preformed pattern marking	$ 5.00	$ 4,500.00	$ 16.90	$ 15,210.00
801000	1	LS	Construction staking and surveying	$ 7,851.08	$ 7,851.08	$ 7,000.00	$ 7,000.00
			SUB-TOTAL		**$ 1,603,528.21**		**$ 1,503,427.80**
			NMGRT (7.875%)		**$ 126,277.85**		**$ 118,394.94**
			BASE BID TOTAL		**$ 1,729,806.06**		**$ 1,621,822.74**


SMP FY2015
N
0
500
1,000
Feet
LAWRENCE BLVD
E CANAL ST
W CANAL ST
EUDORA ST
OREGON AVE
PECAN DR
STANFORD AVE
PINEHURST CT
WOOD CT
HICKORY DR
CORNELL AVE
PRINCETON AVE
INDIAN WELLS RD
E ARNOLD LN
PATTON LN
INDIANA AVE
DEXTER LN
E DEWEY LN
20TH ST
DEWEY CT
CAMINO DEL REY
SNOW DR
19TH ST
CAUTHEN LN
ALAMO AVE
LINDA VISTA DR
MOOR PL
RUTZ CR
E LOVERS LN
OTERO PL
YUCCA LN
PUERTO RICO AVE
HAWAII AVE
ALASKA AVE
MIRACERROS LN
HUBBARD DR
CORTE DEL RANCHERO
CORTE DEL SOL
LAMAR CR
ARROYO LN
UNION AVE
MONTLAKE TER
18TH ST
JOY DR
E CATALINA LN
SACRAMENTO ST
LA LUZ PL
ROSALIA LN
ELIZABETH LN
MEMORY LN
ELM ST
TERESA LN
SAN ANDRES ST
17TH ST
GREENWOOD LN
VAN CT
MONTE VISTA CORTE
CORTE ALEGRE
BUENA VISTA CORTE
ARIZONA AVE
RANCHO LN
N WHITE SANDS BLVD
E 16TH ST
ELKINS PL
TUMBLEWEED CT
TUMBLEWEED DRAW
OSAGE LN
APACHE LN
15TH ST
CIRCLE DR
LINCOLN AVE
COLLEGE AVE
OREGON AVE
WASHINGTON AVE
BEVERLY LN
CUBA AVE
N FLORIDA AVE
CHERRY LN
14TH ST
IOWA AVE
ROOSEVELT AVE
CAMPBELL PL
ASPEN DR
N WHITE SANDS BLVD
N NEW YORK AVE
MICHIGAN AVE
OHIO AVE
VERMONT AVE
13TH ST
HEIGHTS CR
FILLMORE AVE
WILLOW DR
PINE DR
EDDY DR
E 12TH ST
MAPLE DR
E 11TH ST
OAK DR
UTAH AVE
JUNIPER DR
MCKINLEY AVE
E 10TH ST
W 10TH ST
SPRUCE AVE
CEDAR AVE
JEFFERSON AVE
MADISON AVE
MONROE AVE
ADAMS AVE
BELLAMAH DR
DELAWARE AVE
MARYLAND AVE
VIRGINIA AVE
E 9TH ST
TEXAS AVE
FILIPINO AVE
W 8TH ST
E 8TH ST
BELLAMAH AVE
BONNELL DR
ALTA RIO CR
RAILROAD AVE
7TH ST
MOUNTAIN VIEW AVE
BOYCE AVE
DURAN AVE
Document Path: I:\GISShared\$Tony\Map Requests\Engineering\2014SMPMAP.mxd

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 05/26/2015 **Report Date:** 5/20/2015 **Report No:** 5.

Submitted By: Bob Johnson, Contracts Coordinator

Subject: Approve the award of Public Works Bid No. 2015-008 to San Bar Construction Corp., related to the Thermoplastic Striping project, in an amount not to exceed $135,163.73, including NMGRT. *(Bob Johnson, Contracts Coordinator and Brian Cesar, Public Works Director)*

Fiscal Impact: Fiscal Impact: $135,163.73

Amount Available: $173,704.00

Fund: 044-9499-990.65-09 EN1214 $120,000.00
109-9003-430.65-02 EN1214 $ 53,704.00

Amount Budgeted:
Fund:

Recommendation: Approve the award.

Background: The work will consist of the application of long-line thermoplastic striping in various locations throughout the City of Alamogordo.

The project was advertised on April 19, 2015. Bids were opened on May 7, 2015 at 2:00 p.m. with two (2) responsive bidders: San Bar Construction Corp.; and Highway Supply, Inc.

Please refer to the attached bid tabulation.

BID TABULATION
THERMOPLASTIC STRIPING
PUBLIC WORKS BID NO. 2015-008
MAY 7, 2015 2:00 PM
UTILITIES ADMINISTRATION CONFERENCE ROOM

ITEM NO.	QUANTITY	DESCRIPTION	San Bar Construction Corp.	Highway Supply, Inc.
			Total Price	Total Price
Base Bid	1 L/S	Thermoplastic Striping	$102,959.10	$129,184.00
Add. Alt. No. 1	1 L/S	Thermoplastic Striping	$24,096.60	$28,314.00
		NMGRT 7.875%	$8,108.03	$10,173.24
		TOTAL	$135,163.73	$167,671.24

Thermoplastic Striping
Street List

STREET NAME	FROM	TO
Cottonwood	White Sands	Basswood
Cuba	Indian Wells	10th
Cuba	10th	1st
Glacier	White Sands	Sequoia
Lavelle	Corps Ditch	1st
Lavelle	Zuni	Corps Ditch
Pecan	25th	Indian Wells
Puerto Rico	Indian Wells	25th
Robert H. Bradley	White Sands	Sequoia
10th	Paiute	Sunrise
10th	Sunrise	Scenic
10th	Scenic	College
10th	College	Washington
10th	Washington	Cuba
10th	Cuba	Florida
10th	Florida	White Sands
10th	White Sands	Bypass
Washington	Indian Wells	18th
Washington	18th	10th
Wright	Hwy 54/70	Curve
Wright	Curve	Biggs

STREET NAME	FROM	TO
Wright	Biggs	Walker
1ST	Park Entrance	Scenic
1st	Scenic	Canyon
1st	Canyon	Cuba
1st	Cuba	Florida
1st	Florida	Maryland
1st	Maryland	White Sands
1st	White Sands	Bypass
1st	Bypass	Lavelle
Indian Wells	Scenic	Arizona
Indian Wells	Arizona	Oregon
Indian Wells	Oregon	Florida
Indian Wells	Florida	White Sands
Scenic	Indian Wells	18th
Scenic	18th	15th
Scenic	15th	McKinley
Scenic	McKinley	10th
Scenic	10th	1st

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 05/26/2015 **Report Date:** 5/20/2015 **Report No:** 6.

Submitted By: Stephen Thies, City Attorney

Subject: Consider and act upon Resolution No. 2015-26 to temporarily suspend Resolution No. 2014-29 concerning Fund Balance Policy relating only to the General Fund for FY 2016. ***(Roll call vote required)*** (*Stephen Thies, City Attorney)*

Fiscal Impact:
Amount Budgeted:
Fund:

Recommendation: Approve Resolution No. 2015-26

Background: In conjunction with the approval of the preliminary budget at the May 12th meeting, the Commission approved suspending application of Resolution No. 2014-29 for Fiscal Year 2016. That particular resolution adopted a fund reserve policy which phases in an additional budget reserve over a number of years. Since the policy was adopted by resolution, action to suspend needs to accomplish by the same means.

Staff requests approval of the attached resolution.

RESOLUTION NO. 2014-29

A RESOLUTION ESTABLISHING FUND BALANCE POLICY AS REQUIRED BY GOVERNMENTAL ACCOUNTING STANDARDS BOARD (GASB) STATEMENT NO. 54

WHEREAS, the City Commission of the City of Alamogordo is adopting a fund balance policy with the intent of ensuring long-term economic stability of the City, by providing sufficient working capital and a margin of safety to address emergencies and unexpected declines in revenue, without borrowing; and,

WHEREAS, the Governmental Accounting Standards Board (GASB) has adopted new financial reporting standards to provide more clearly defined categories, to make the nature and extent of the constraints placed on a government's fund balance more transparent; and,

NOW, THEREFORE, BE IT RESOLVED that the City Commission of the City of Alamogordo, New Mexico, hereby adopts the following Fund Balance Policy; and

BE IT FURTHER RESOLVED, that the new Fund Balance Policy shall be appended to the City's existing Budget Policies.

PASSED, APPROVED AND ADOPTED this 22nd day of July, 2014

CITY OF ALAMOGORDO, NEW MEXICO
a New Mexico municipal corporation

Susie Galea, Mayor

CITY OF ALAMOGORDO NEW MEXICO SEAL

Renee L. Cantin, City Clerk

APPROVED AS TO FORM:

Stephen P. Thies, City Attorney

FUND BALANCE POLICY

1. BACKGROUND AND PURPOSE

Sound financial management principles require that sufficient funds be retained by the City to provide a stable financial base at all times. Adequate levels of fund balance are essential to protect against reducing service levels because of temporary revenue shortfalls or unanticipated expenditures. Fund balance provides resources during the time it takes to develop and implement a longer term financial solution. Fund balance is also crucial in long-term financial planning and financing as credit markets carefully monitor levels of fund balance to evaluate creditworthiness.

2. OBJECTIVES

The Fund Balance Policy is intended to provide guidelines during the preparation and deliberations of the annual budget, to ensure that sufficient reserves are maintained for unanticipated expenditures or revenue shortfalls and to preserve flexibility throughout the fiscal year, and/or to make adjustments in funding for programs approved in connection with the annual budget. The Fund Balance Policy should be established based upon a long-term perspective recognizing that stated thresholds are considered minimum balances. The objective of establishing and maintaining a Fund Balance Policy is for the City to be in a strong fiscal position that will withstand negative economic trends.

3. COMPONENTS

The following individual items shall constitute Fund Balance:

a. <u>Nonspendable Fund Balance</u> – Amounts that cannot be spent due to form (such as inventories, prepaid items, accounts receivables and other current assets that are consumed in the course of operations that cannot be converted to cash or are not expected to be available to pay current liabilities), and/or amounts that must be maintained legally intact or contractually intact (such as principal of a permanent fund).

b. <u>Restricted Fund Balance</u> – Amounts constrained for a specific purpose by external parties, constitutional provisions, debt covenants, or enabling legislation. (i.e.; DFA General Fund 1/12th Required Reserve).

c. <u>Committed Fund Balance</u> – Amounts that have been designated by City Resolution or City Ordinances. These funds may only be spent for the purpose intended by the Resolution or Ordinance, and can only be uncommitted by the same action taken to commit the funds.

d. <u>Assigned Fund Balance</u> - Amounts of the net resources of governmental funds that the City Commission intends for a specific purpose. Assigned resources do not require formal action of the governing body. The permanent funds net resources would be assigned fund balance as well as any net resources remaining in some special revenue funds, capital project funds and debt service funds. The Assigned fund balances can be constrained for a specific purpose by the City Manager, who has been given the delegated authority to assign amounts, by the City Commission. The amount reported as assigned should not result in a deficit in unassigned fund balance.

e. Unassigned Fund Balance – Amounts not classified as nonspendable, restricted, committed, or assigned. The General Fund is the only fund that would report a positive amount in the unassigned fund balance.

4. POLICY:

The City Commission wishes to meet the fund balance reserves for all funds as described below. The General Fund reserve is planned to be reached within a seven (7) year period.

a. General Fund – A two (2) month operating reserve (Expenditure budget less capital) shall be maintained by the General Fund which includes the 1/12th required reserve by DFA. In addition, the General Fund shall reserve two (2) months operating for all operational funds subsidized by the General Fund.

b. Enterprise Funds – All Enterprise Funds shall reserve an amount equal to two (2) months operating (Expenditure budget less Capital).

c. All Gross Receipts Tax Income Funds shall maintain a reserve of fifty percent (50%) of the annual debt service it pays, for where bond reserve requirements are not already in place.

d. Expenditures shall be charged first to restricted fund balance, second to committed, next to assigned, and last to unassigned, as appropriate for the expenditures and to the fund being expended.

e. If and when the fund balance reserves are used, a plan to replenish the fund balance within twelve months will be presented to the City Commission.

f. The City Manager and Director of Finance shall provide Assigned Fund Balances to the City Commission each year in conjunction with the budget recommendation.

g. Funding Requirements of Unassigned Fund Balance of the General Fund

    i. The unassigned fund balance shall be used first over the fund balance reserves stated in this policy.

    ii. The use of the unassigned fund balance will be for one-time expenditures (such as capital outlay or capital projects or other one-time expenses) and coverage for unforeseen expenditures or revenue shortfalls, and shall be clearly stated in any budget resolutions amending the budget.

    iii. Unassigned fund balance represents the residual fund balance after the nonspendable, restricted, committed and assigned fund balance categories are deducted.

RESOLUTION NO. 2015-26

A RESOLUTION TEMPORARILY SUSPENDING THE FUND BALANCE POLICY ADOPTED BY RESOLUTION 2014-29

WHEREAS, on July 22, 2014 by Resolution No. 2014-29, the City Commission for the City of Alamogordo, New Mexico, adopted a fund balance policy; and

WHEREAS, the City Commission desires to temporarily suspend Resolution 2014-29 as a result of the financial implications of House Bill 641, passed during the 2013 legislative session, which eliminated the so-called hold harmless tax distribution from the state to local governments.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ALAMOGORDO that the City Commission hereby suspends Resolution No. 2014-29 for FY 2016 for only the General Fund. The policy shall continue to apply all other funds specified by Resolution 2014-29.

PASSED, APPROVED AND ADOPTED, at the regular meeting of the City Commission of the City of Alamogordo, New Mexico, held on the 26th day of May, 2015.

CITY OF ALAMOGORDO, NEW MEXICO
a New Mexico municipal corporation

By: ______________________________
Susie Galea, Mayor

ATTEST:

____
Reneé L. Cantin, City Clerk

APPROVED AS TO FORM:

____
Stephen P. Thies, City Attorney

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 05/26/2015 **Report Date:** 5/20/2015 **Report No:** 7.

Submitted By: LeeAnn Nichols, Finance Director

Subject: Discussion, and possible action, on request by Meigan Demby related to an abatement of final charges for 1105 Lindberg Ave. *(Nichole Sierra, Acting Customer Service Manager)*

Fiscal Impact: Fiscal Impact: $ 383.28

Amount Budgeted:

Fund: Water & Sewer (81)

Amount Budgeted:
Fund:

Recommendation: Deny the request for abatement of final charges.

Background: Meigan Demby is disputing the final charges for 1105 Lindberg Ave. Mrs. Demby is stating that she moved out of the premises on February 2, 2014 and that she called to have her service terminated. There was no record on the account requesting the termination. The account remained active until it was terminated for non-payment on June 2, 2014. Staff spoke with Mrs. Demby on July 9, 2014. Mrs. Demby indicated that she would bring in the lease agreement stating as to when she moved out. The agreement was never produced. Our office did not hear from Mrs. Demby until the balance transfer to her current address at 1310 Iowa Ave on April 29, 2015. At this time, Ms.Demby was again given the chance to produce documentation as to when she moved out of 1105 Lindberg Ave. She stated that she could not contact her former Landlord due to lack of a current address or phone number.

Staff offered Mrs. Demby a payment plan in order to payoff her balance since the proper documentation needed to relieve her of the past balance from 1105 Lindberg Ave has not been produced. Mrs. Demby did not accept the payment plan and requested the final charges to be abated. Staff does not have the authority to grant Mrs. Demby’s request for abatement of final charges. This would require Commission approval.

RECEIVED
APR 30 2015
CITY CLERK

City of Alamogordo City Commission Meeting

AGENDA REQUEST FORM

Date: 04/30/15

Date of Meeting: ______________________

Name: Meigan Demby

Address: 1310 Iowa ave

Alamogordo, NM **ZIP** 88310

Phone Number: 480-7407538

E-Mail Address: meigandemby@gmail.com

Item requested will be for: (Please check one)

[✓] Information only [✓] Action Item [✓] Discussion/Action

[✓] Public Hearing [✓] Report [ ] Other: ______________

Brief description of topic to be discussed:
Please attach one original of any documents pertaining to the topic -
We do not allow handouts at the meeting

I moved out of 1105 Lindberg ave 02/02/14 + I called to have water shut off. It wasnt shut off and new tenant used water until July 14' the landlord is unable to be found to get alease. Im requesting the balance taken off. Im a low income mom + really need this fixed. thanks

Signature: Meig Demby

Please return to: Renee Cantin, CMC, City Clerk
City of Alamogordo
1376 E. 9th Street
Alamogordo, NM 88310

Phone: (575) 439-4205 **Fax:** (575) 439-4396 **E-mail:** rcantin@ci.alamogordo.nm.us

UT470I01 **CITY OF ALAMOGORDO, NEW MEXICO** 4/30/15
Account History - Combined Inquiry 12:08:46

Customer ID: 102321 Name: DEMBY, MEIGAN OR HOWARD
Location ID: 15930 Addr: 1310 IOWA AVE
Cycle/route . . . . : 08 20 Amount due . . . . : 561.11
Initiation date . . : 8/08/14 Pending . . . . : 22.57
Termination date . : Customer/location status . : A

Type options, press Enter.
5=Display

Opt	Trn Type	Trn/Due Date	Description Cancel Comment	Trn/Prv Amount	Reference Date/Num	Running Balance
_	BL BILL	4/21/15 5/07/15	CYCLE BILL	100.20 460.91	4/22/15	561.11
_	LC ADJ	4/21/15	LATE CHARGES	10.00	3/25/15 42015	460.91
_	OC PMT	4/09/15	BAKERC 04091501	105.56-	97284	450.91
_	TO TRFB	3/31/15	BALANCE TRANSFER	383.28		556.47

More...

F3=Exit F5=Adjustments F7=Pending F8=Charges F9=Print history
F10=Change view F11=Payments F12=Cancel F24=More keys

UT470I01 **CITY OF ALAMOGORDO, NEW MEXICO** 4/30/15

Account History - Combined Inquiry 12:08:46

Customer ID: 102321 Name: DEMBY, MEIGAN OR HOWARD
Location ID: 15930 Addr: 1310 IOWA AVE
Cycle/route . . . . : 08 20 Amount due . . . . : 561.11
Initiation date . . : 8/08/14 Pending . . . . : 22.57
Termination date . : Customer/location status . : A

Type options, press Enter.
5=Display

Opt	**Trn Type**	**Trn/Due Date**	**Description Cancel Comment**	**Trn/Prv Amount**	**Reference Date/Num**	**Running Balance**
_	BL BILL	3/24/15 4/08/15	CYCLE BILL	98.63 74.56	3/25/15	173.19
_	LC ADJ	3/24/15	LATE CHARGES	10.00	2/26/15 32315	74.56
_	OC PMT	3/11/15	ABBOTTS 03111501	106.12-	87157	64.56
_	OF BILL	2/25/15 3/11/15	OFF CYCLE BILL	95.56 75.12	2/26/15	170.68

More...

F3=Exit **F5=Adjustments** **F7=Pending** **F8=Charges** **F9=Print history**
F10=Change view **F11=Payments** **F12=Cancel** **F24=More keys**

April 30, 2015

1105 Lindberg Ave
Tenant - Howard Demby

Owner - Del Carpenter

Date	Action	Amount		Running Balance
11/12/13	Bill (Billing Period 10/11/13 - 10/29/13)	$ 38.74		$ 38.74
01/23/14	Payment	$ (38.74)		$ -
12/12/13	Bill (Billing Period 10/30/13 - 11/27/13)	$ 67.42		$ 67.42
01/10/14	Late Charge	$ 10.00		$ 77.42
01/14/14	Bill (Billing Period 11/28/13 - 12/27/13)	$ 78.45		$ 155.87
01/23/14	Payment	$ (77.42)		$ 78.45
02/11/14	Bill (Billing Period 12/28/13 - 01/29/14)	$ 68.84		$ 147.29
02/11/14	Late Charge	$ 10.00		$ 157.29
03/11/14	Bill (Billing Period 01/30/14 - 02/27/14)	$ 67.27		$ 224.56
03/11/14	Late Charge	$ 10.00		$ 234.56
04/08/14	Late Charge	$ 10.00		$ 244.56
04/15/14	Bill (Billing Period 02/28/14 - 03/28/14)	$ 71.53		$ 316.09
05/13/14	Bill (Billing Period 03/29/14 - 04/29/14)	$ 78.72		$ 394.81
05/13/14	Late Charge	$ 10.00		$ 404.81
05/22/14	Cut off workorder - $326.09 + $31.00 = $357.09			$ 404.81
06/02/14	Final workorder - Final for non-payment $357.09			$ 404.81
06/03/14	Deposit Refund	$ (140.00)		$ 264.81
06/03/14	Final Bill (Billing Period 04/30/14 - 06/02/14)	$ 118.47		$ 383.28
	NOTE 07/09/14 - Meigan Demby will bring in lease agreement, showing when they moved out. She is Howard's wife. She is currently in labor and will bring in asap.			$ 383.28
07/18/14	Lock meter workorder - Turned off and locked			$ 383.28
08/14/14	Collection letter mailed			$ 383.28
10/15/14	Certified owner tenant lien letter mailed			$ 383.28
11/20/14	Administrative Fee	$ 200.00		$ 583.28

Date	Action	Amount		Running Balance
12/09/14	Sent lien memo to Legal Department			$ 583.28
	02/09/15 - Discovered customer signed up for new service at location 1310 Iowa Ave on 08/08/14, balance was not collected at time of sign up			$ 583.28
02/13/15	Administrative Fee	$ (200.00)		$ 383.28
3/6/2015	10 day Collection/balance transfer letter mailed			$ 383.28
03/31/15	Balance Transfer	$ (383.28)		$ -
03/31/15	Balance transfer letter mailed			$ -

UT220G01 **CITY OF ALAMOGORDO, NEW MEXICO** 7/30/14
A Customer at a Glance **Cust exempt** 11:16:47

Acct #: 99671 22462 **Status:** F **NSF #:** Tax: N Penalty: N
Service Address **Cyc/Rte:** 04 40 **Mailing Address** **Phone:** 623 - 2064454
DEMBY, HOWARD R 1223 COMANCHE TRL **Cash?:** N
1105 LINDBERG AVE **Enote:** N
ALAMOGORDO NM 88310 ALAMOGORDO NM 88310
SS#: **DL#:** **Reinst.:** N **A-pay:** N **Dep.:** N
GR FR I Start: 10/11/13 Term: 6/02/14 **AL/R /I**

More...

Amt due: $383.28 **Pending:** $.00 **Delq amt:** $.00
Last notice: **Cut date:** **Payment plan:** **Budget:**

Bill Date	**Amount**	**Pymt Date**	**Amount**	**Current A/R Code/Desc/Amount**		
6/04/14	$383.28	6/03/14	$140.00	C	CURRENT	$.00
5/14/14	$404.81	1/23/14	$77.42	30	OVER 30	$118.47

More...

135019	7/21/14	PC	LM	WA 000
129000	10/11/13	PC	TO	WA 000

More...

Comment NOTE 7/09/14 PHONE # NOT VALID..7/9/14..SR
NOTE 7/09/14 MEGAN DEMBY WILL BRING IN LEASE AGREEMNT

More...

F3=Exit **F10=Zoom** **F12=Cancel** **F20=Cst/loc functions**

CL- 8/14/14

CertOwnTenLienLetter - Multiple Acts 10/15/14

$200 admin fee added 11/18/14
Debit memo# 30717
2/9/15 - Remove $200 admin fee - cust has active act LOC# 15930
Creditmemo# 20879 - Notified legal not to process lien
3/6/15 - Balance Transfer warning letter -
3/26/15 - Credit memo# 20880 $383.28 3/30/15 - Debit memo $383.28

3/31/15 Transfer to active act 102321-15930

U.S. Postal Serv
CERTIFIED M
(Domestic Mail Only;
For delivery information
OFFI
Postage $
Certified Fee
Return Receipt Fee (Endorsement Required)
Restricted Delivery Fee (Endorsement Required)

Del Carpenter
5357 Morningside
Las Cruces, NM

7014 1200 0000 1434 2612

PS Form 3800, August 2006

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Del Carpenter
5357 Morningside
Las Cruces, NM 88011

OCT 20 2014

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Theresa Carpenter ☐ Agent ☐ Addressee
B. Received by *(Printed Name)* Theresa Carpenter C. Date of Delivery 10/17/14
D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Certified Mail® ☐ Priority Mail Express™
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ Collect on Delivery
4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number *(Transfer from service label)* 7014 1200 0000 1434 2612

PS Form **3811**, July 2013 Domestic Return Receipt

Owner Information

Owner Name CARPENTER, DEL
Mailing Address1 5357 MORNINGSIDE
Mailing Address2
City LAS CRUCES
State NM
Zip 88011
Owner ID C019175
Owner Number 88853
Account Number R021105

Property Description

Property Address 1105 LINDBERG
Legal Descript Subd: AIRPORT REPLAT B BLK 14 Lot: LT 3B
Neighborhood A24
Account Number R021105
Previous ID 01-12571

Deeds

Description
BK 394 PG 541-HALL
BK 525 PG 649-SMALL
BK 699 PG 460-DC
BK 46 PG 30-1-REPLAT
BK 815 PG 967-SPUGNARDI
200708790-CONTR
200901440-SPUGNARDI
201000786-CARPENTER
201201179-CARPENTER
201201180-CARPENTER
201205208-CARPENTER

Parcel Summary

Land Value
$10,773.00
Impr Value
$0.00
Full Value
$10,773.00
Taxable Value
$3,591.00

Total Full Value

Taxable
Total Exemptions
$0.00
Net Taxable Value
$3,591.00

Taxes

Bill #	13008501
Year	13
Original Amount	$113.59
Total Due	$113.59

Mobile Summary

PropValue
$0.00
Mobile Taxable
$0.00

Exemptions

ExemptionType	Amount

Land Segments

SegNo	Description	Size	TaxYear
0	Subdivided Lot	60 x 128	2014

Residential Buildings

Build No	Description	Year Built	Stories	Gross Living Area	Baths	Beds	Construction	Roof Cover	Heating	Cooling	Quality	TotalRooms

Other Improvements

Item No	Description	Length	Width	Area Units	Impr Value

Commercial Buildings

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

Mobile Homes

Licence Plate	Serial No	Make	Year Built	Length	Width	Area	Size

City of Alamogordo

August 14, 2014

Howard Demby
1223 Comanche Trail
Alamogordo , NM 88310

RE: *Service Address: 1105 Lindberg*
Account Number: 99671 - 22462

Dear Howard Demby,

On 6/2/2014 water service was terminated at 1105 Lindberg. Our records indicate that the final bill remains unpaid on this account. The total amount due is $383.28. Please remit payment to the Utility Billing Department within ten (10) days from the date of this letter.

The City desires to give you every opportunity to make payment. However, if you do not comply with this request within the allocated time, this account will be turned over to the City's Collection Agency.

Please contact me at (575) 439-4370 or (575) 439-4260 as soon as possible to discuss this matter.

Sincerely,

Stephanie Reyes
Utility Billing Collections Clerk

Utility Billing Department
1376 E 9th St Alamogordo, NM 88310
Phone (575) 439-4260 Fax (575) 439-4282

City of Alamogordo

October 15, 2014

Del Carpenter
5357 Morningside
Las Cruces, NM 88011

RE: 903 Paradise Ave

Dear Property Owner:

Our records show the total amount of $506.99 is due on the above-referenced property.

The Utility Billing Department sent notices informing your tenants of their past due amount. The city has made every effort to collect from the tenants. However, the tenants has failed to pay the past due amount. Under §3-23-6 NMSA 1978, the property owner is responsible for any debt incurred by them or their tenants.

Tenant:	Fielder, Breezie	Service:	06/07/13 – 09/24/13	$123.71
	Demby, Howard		10/11/13 – 06/02/14	$383.28

The City desires to give you every opportunity to make payment. Please remit payment of $506.99 or make payment arrangements with the Utility Billing Department within ten (10) days from the date of this letter. If you do not comply with this request, the account will be turned over to the City Attorney's Office and a lien will be placed against your property for the amount owed plus $200.00 administration fee.

Please contact me at (575) 439-4370 or (575) 439-4260 as soon as possible to discuss this matter.

Sincerely,

SReyes

Stephanie Reyes
Utility Billing Collections Clerk

Certified mail, return receipt requested
7014 1200 0000 1434 2612

To: Stephen Thies, City Attorney
From: Stephanie Reyes, Utility Billing Collections Clerk SR
Date: December 9, 2014
Thru: Armando Ortega, Customer Service Manager AO
Re: Delinquent account; 1105 Lindberg Ave

PLEASE PLACE A LIEN AGAINST THE PROPERTY LISTED BELOW:

PROPERTY OWNER INFORMATION
Del Carpenter
5357 Morningside
Las Cruces, NM 88011

PROPERTY ADDRESS
1105 Lindberg Ave

LEGAL DESCRIPTION
Subd: AIRPORT REPLAT B BLK 14 Lot: LT 3B

TENANT OCCUPIED HOME WHEN DEBT WAS INCURRED

Account Name: Breezie Fielder
Account Number: 98355-22462
Start Date: 6/7/2013 Term Date: 9/24/2013

BREAKDOWN OF CHARGES

TIME PERIOD

Bill:	07/16/13	Service:	06/07/13	to	06/26/13	$	37.35
Bill:	08/13/13	Service:	06/27/13	to	07/29/13	$	61.75
Late Charge:	08/13/13					$	10.00
Late Charge:	09/10/13					$	10.00
Bill:	09/11/13	Service:	07/30/13	to	08/29/13	$	70.26
Deposit Refund:	09/25/13					$	(140.00)
Final Bill:	09/25/13	Service:	08/30/13	to	09/24/13	$	74.35

Total $ 123.71

BREAKDOWN OF CHARGES
Continued

TENANT OCCUPIED HOME WHEN DEBT WAS INCURRED

Account Name: Howard Demby
Account Number: 99671-22462
Start Date: 10/11/2013 Term Date: 6/2/2014

BREAKDOWN OF CHARGES

TIME PERIOD

Bill:	12/12/13	Service:	10/29/13	to	11/27/13	$ 67.42
Late Charge:	01/10/14					$ 10.00
Bill:	01/14/14	Service:	11/28/13	to	12/27/13	$ 78.45
Payment:	01/23/14					$ (77.42)
Bill:	02/11/14	Service:	12/28/13	to	01/29/14	$ 68.84
Late Charge:	02/11/14					$ 10.00
Bill:	03/11/14	Service:	01/30/14	to	02/27/14	$ 67.27
Late Charge:	03/11/14					$ 10.00
Late Charge:	04/08/14					$ 10.00
Bill:	04/15/14	Service:	02/28/14	to	03/28/14	$ 71.53
Bill:	05/13/14	Service:	03/29/14	to	04/29/14	$ 78.72
Late Charge:	05/13/14					$ 10.00
Deposit Refund:	06/03/14					$ (140.00)
Final Bill:	06/03/14	Service:	04/30/14	to	06/02/14	$ 118.47

Subtotal	$ 383.28
Admin Fee	$ 200.00
Total	$ 583.28

AMOUNT OF LIEN $ 706.99

Owner Information

Owner Name	CARPENTER, DEL
Mailing Address1	5357 MORNINGSIDE
Mailing Address2	
City	LAS CRUCES
State	NM
Zip	88011
Owner ID	C019175
Owner Number	88853
Account Number	R021105

Property Description

Property Address	1105 LINDBERG
Legal Descript	Subd: AIRPORT REPLAT B BLK 14 Lot: LT 3B
Neighborhood	A24
Account Number	R021105
Previous ID	01-12571

Deeds

Description
BK 394 PG 541-HALL
BK 525 PG 649-SMALL
BK 699 PG 460-DC
BK 46 PG 30-1-REPLAT
BK 815 PG 967-SPUGNARDI
200708790-CONTR
200901440-SPUGNARDI
201000786-CARPENTER
201201179-CARPENTER
201201180-CARPENTER
201205208-CARPENTER

Parcel Summary

Land Value
$10,773.00
Impr Value
$0.00
Full Value
$10,773.00
Taxable Value
$3,591.00

Mobile Summary

PropValue
$0.00
Mobile Taxable
$0.00

Exemptions

ExemptionType	Amount

Total Full Value

Taxable

Total Exemptions
$0.00
Net Taxable Value
$3,591.00

Taxes

Bill #	13043902
Year	13
Original Amount	$638.99
Total Due	$638.99

Land Segments

SegNo	Description	Size	TaxYear
0	Subdivided Lot	60 x 128	2014

Residential Buildings

Build No	Description	Year Built	Stories	Gross Living Area	Baths	Beds	Construction	Roof Cover	Heating	Cooling	Quality	TotalRooms

Other Improvements

Item No	Description	Length	Width	Area Units	Impr Value

Commercial Buildings

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

Mobile Homes

Licence Plate	Serial No	Make	Year Built	Length	Width	Area	Size

City of Alamogordo

March 6, 2015

Meigan or Howard Demby
1310 Iowa Ave
Alamogordo, NM 88310

Dear Meigan or Howard Demby,

On 6/2/14 water service was terminated at 1105 Lindberg Ave. Our records indicate that the final bill remains unpaid on this account. The total amount due is $383.28. Please remit payment to the Utility Billing Department within ten (10) days from the date of this letter.

The City desires to give you every opportunity to make payment. However, if you do not comply with this request within the allocated time, this account will be turned over to the City's Collection Agency or transferred to your current account.

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

Sincerely,

SReyes

Stephanie Reyes
Utility Billing Collections Clerk

Utility Billing Department
1376 E 9th St Alamogordo, NM 88310
Phone (575) 439-4260 Fax (575) 439-4282
ci.alamogordo.nm.us

UT470I01 CITY OF ALAMOGORDO, NEW MEXICO 5/14/15
Account History - Combined Inquiry 10:20:45

Customer ID: 102321 Name: DEMBY, MEIGAN OR HOWARD
Location ID: 15930 Addr: 1310 IOWA AVE
Cycle/route . . . . : 08 20 Amount due . . . . : 452.48
Initiation date . . : 8/08/14 Pending . . . . : 31.00
Termination date . : Customer/location status . : A
Type options, press Enter.
5=Display

Opt	Trn Type	Trn/Due Date	Description Cancel Comment		Trn/Prv Amount	Reference Date/Num	Running Balance
_	MA PMT	5/11/15	BAKERC	05111503	100.20-		452.48
_	OC PMT	4/30/15	BAKERC	04301501	8.43-		552.68
_	BL BILL	4/21/15	CYCLE BILL		100.20	4/22/15	561.11
_	LC ADJ	4/21/15	LATE CHARGES		10.00	3/25/15	460.91
_	OC PMT	4/09/15	BAKERC	04091501	105.56-		450.91
_	TO TRFB	3/31/15	BALANCE TRANSFER		383.28		556.47
_	BL BILL	3/24/15	CYCLE BILL		98.63	3/25/15	173.19
_	LC ADJ	3/24/15	LATE CHARGES		10.00	2/26/15	74.56

More...

F3=Exit F5=Adjustments F7=Pending F8=Charges F9=Print history
F10=Change view F11=Payments F12=Cancel F24=More keys

City of Alamogordo

March 31, 2015

Meigan or Howard Demby
1310 Iowa Ave
Alamogordo, NM 88310

RE: *Name on Account: Howard Demby*
Account Address: 1105 Lindberg
Account Number: 99671 - 22462

Dear Customer,

On 6/2/2014 water service was terminated at 1105 Lindberg.

Our records show a final balance of $383.28 remains unpaid. We have since transferred that balance to your current utility account. If payment is not received or arrangements are not made with our office, your utilities could be disconnected. Please give this matter your immediate attention.

If you have any questions, please contact our office at (575) 439-4260.

Respectfully,

SReyes

Stephanie Reyes
Utility Billing Collections Clerk

Utility Billing Department
1376 E 9th St Alamogordo, NM 88310
Phone (575) 439-4260 Fax (575) 439-4282
ci.alamogordo.nm.us

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 05/26/2015 **Report Date:** 5/20/2015 **Report No:** 1.

Submitted By: Renee Cantin, City Clerk

Subject: Hold Public Hearing, consider, and act upon, Application No. 9468241 to grant a Restaurant Liquor License for Asian Garden located at 1200 N. White Sand Blvd., #109 Alamogordo, NM. *(Renee Cantin, City Clerk)*

Fiscal Impact:
Amount Budgeted:
Fund:

Recommendation: Approve the Restaurant Liquor License.

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, May 17, 2015 and Sunday, May 24th, 2015. These publications meet the State regulations of publishing two consecutive weeks prior to the public hearing.

Susana Martinez
GOVERNOR

Robert "Mike" Unthank
SUPERINTENDENT

Tania Maestas
ACTING CHIEF GENERAL COUNSEL

Mary Kay Root
DIRECTOR

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

New Mexico Regulation and Licensing Department
ALCOHOL AND GAMING DIVISION
Toney Anaya Building ▪ 2550 Cerrillos Road ▪ Santa Fe, New Mexico 87505
P.O. Box 25101 ▪ Santa Fe, New Mexico 87505-5101
(505) 476-4875 ▪ Fax (505) 476-4595 ▪ www.rld.state.nm.us/alcoholandgaming

April 27, 2015

Certified Mail No.: 7013 2250 0001 5426 6550

City of Alamogordo
Renee Cantin, Clerk
1376 East Ninth St.
Alamogordo, NM 88310

Re: Lic. No. /Appl. No.: Appl. No. 9468241
Name of Applicant: Paghor Lukeshaw
DBA: Asian Garden
Proposed Location: 1200 N. White Sand Blvd. #109
Alamogordo, NM 88310

ATTENTION: Department or person responsible for conducting or preparing the public hearing for liquor license transfers or issuance of new liquor licenses.

Greetings:

The Director of the Alcohol and Gaming Division has reviewed the referenced Application and granted **Preliminary Approval**; it is being forwarded to you in accordance with Section 60-6B-4 NMSA of the Liquor Control Act.

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. 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 at least once a week for two consecutive weeks in a newspaper of general circulation within the territorial limits of the governing body, **which requires that two weeks of publication must be satisfied 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 and Gaming Division; and **(C)** The location of the licensed premises. 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 LIQUOR LICENSE.

The governing body may disapprove the issuance or transfer of the license if:

1) The proposed location is within an area where the sale of alcoholic beverages is prohibited by the laws of New Mexico. (The governing body may disapprove if the proposed location is within 300 feet of a church or school unless the license has been located at this location prior to 1981 or unless the Applicant/Licensee has obtained a waiver from the Local Option District governing body for the proposed licensed premises).
2) The issuance or transfer would be in violation of a zoning or other ordinance of the governing body. The governing body may disapprove if the proposed location is not properly zoned. Because this office is in receipt of a Zoning Statement from the governing body, this is not a basis for disapproval.
3) The issuance would be detrimental to the public health, safety, or morals of the residents of the Local Option District. Disapproval by the governing body on public health, safety, or morals must be based on and supported by substantial evidence pertaining to the specific prospective transferee or location and a copy of the record must be submitted to the Alcohol and Gaming Division.

Within thirty **(30)** days after the Public Hearing, the governing body **shall** notify the Alcohol and Gaming Division as to whether the local governing body has approved or disapproved the issuance of 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 notice of publication(s). **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 will give Final Approval to the issuance or transfer of 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 page noting disapproval).

Sincerely,

Brenda Mares

Brenda Mares
Hearing Officer
NM Regulation & Licensing Dept.
Alcohol & Gaming Division
Phone: 505-476-4548
Fax: 505-476-4595
Email: brenda.mares2@state.nm.us

Enclosures:

1. Original Page 1 of the Application (must be signed and returned).
2. Copy of Page 2 of the Application, Copy of Zoning Letter, Copy of SID Posting Certificate

Brenda 2-26-15

RECEIVED
NOV 12 2014
CITY CLERK

2/24/15
ENTERED
200
1684103

New Mexico Regulation and Licensing Department • Alcohol and Gaming Division
PO Box 25101 • Santa Fe, New Mexico 87505-5101 • (505) 476-4875 • Fax (505) 476-4595 • www.rld.state.nm.us/alcoholandgaming

Page 1
Rev. 01/14

RESTAURANT LIQUOR LICENSE APPLICATION

Application fee - **$200.00** Fees are non-refundable.

RECEIVED
FEB 24 2015
ALCOHOL & GAMING DIVISION

AGD USE ONLY – APPLICATION # 946824 LOD ____

Application is for: New License [✓] / Change of Stock among existing members only [ ] / Change of Officers (no ownership interest) [ ]

Applicant is: Individual [✓] / Corporation [ ] / Partnership (General or Limited) [ ] / Limited Liability Company [ ]

NAME OF APPLICANT (company or individual) Paghor Luke Shaw

ADDRESS (including city, state, zip) 744 Montwood CT. Alamogordo, NM 88310

TELEPHONE NUMBER OWNER (210) 518 8025 **EMAIL** Karenlukeshaw@gmail.com

D/B/A name to be used: Asian Garden Phone number for licensed premises: 2105188025

Physical location where license is to be used: 1200 N White Sand Blvd #109, Alamogordo, NM 88310
(Include street number / highway number / state road, city and county, state, and zip code)

Mailing address: Same

Are alcoholic beverages currently being dispensed at the proposed location? Yes ____ No ✓ If yes, give license number and type ____

I, (print name) Paghor Luke Shaw, 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 in the presence of a notary public.

Signature of Appplicant Paghor Luke Shaw Date 11.18.14

Notary Public Use Only

SUBSCRIBED AND SWORN TO before me this 18th day of November, 20 14 by Paghor Lukeshaw

Notary Public Rachel Hughes My Commission Expires November 16, 2016

Local Governing Body of: ____ (City or County). Hearing held on ____ 20__

Check one: Approved ____ Disapproved ____ City/County Official ____ (Signature & Title)

Sign Here

For Alcohol and Gaming Division Use Only

Approved ____ Disapproved ____ Director Approval ____ Date ____

RECEIVED
FEB 24 2015
ALCOHOL & GAMING DIVISION

PREMISES LOCATION, OWNERSHIP, AND DESCRIPTION

SS-60-6B-10

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

Owned by Applicant ________ Leased by Applicant (attach copy of deed or lease) X Other (provide details) ________

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

A. Owner(s) Guadalupe Acosta

B. Date and term of lease December 1, 2014 to December 2015 one year

3. Premises location is zoned (example C-1) C3 Business District

If the premises is zoned, attach zoning statement from local government giving location address and type of zone, stating whether alcoholic beverages are allowed at proposed location. If there is no zoning, attach confirmation from local government indicating there is no zoning.

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

Miles/feet .3 mi Name of church First Baptist Church Address/location of church 1100 Michigan Ave Alamogordo

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

Miles/feet .3 mi Name of school Imago Dei Academy Address/location of school 1100 Michigan Ave Alamogordo

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

Miles 11.5 mi 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).

7. Attach, on a separate sheet, the detailed floor plan for each level (floor) where alcoholic beverages will be sold or consumed. Show exterior walls, doors, and interior walls. This will be the licensed premises. The floor plan should be no larger than 8 ½ x 11 inches, and must include the total square footage of premises.

*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.

8. Type of Operation:

Lounge ________ Restaurant ✓ Package Grocery ________ Racetrack ________ Hotel ________ Other (specify) ________

Return this form to the Alcohol and Gaming Division, PO Box 25101, Santa Fe, New Mexico 87505-5101.

City of Alamogordo

Community Development Department □ 1376 E. Ninth Street □ Alamogordo, New Mexico 88310 □ Ph (575)439-4220 FAX (575)439-4343

CD-019-2014

December 8, 2014

New Mexico Regulation and Licensing Department
Alcohol and Gaming Division
PO Box 25101
Santa Fe, NM 87505-5101

RE: Zoning of: **1200 N. White Sands Boulevard**

To Whom It May Concern,

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 **1200 N. White Sands Boulevard is** within the **C3, Business District** as per the City of Alamogordo Zoning Map, which does not prohibit the sale of alcoholic beverages. Alamogordo Municipal Code Chapter 29, Zoning, allows convenience stores, bars and commercial businesses 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

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

ALCOHOL & GAMING DIVISION
2550 CERRILLOS ROAD
SANTA FE, NEW MEXICO 87505

POSTING CERTIFICATE

___ DISPENSER (FULL SERVICE)
_X_ RESTAURANT (BEER/WINE ONLY)
___ CANOPY (DISPENSER-C)
___ OTHER:

___ RETAILER (PACKAGE ONLY)
___ DISPENSER (ON PREMISE ONLY)
___ INTER-LOCAL DISPENSER
___ LOTTERY

LICENSE NUMBER /APPLICATION NUMBER: **APPL. NO. 946824**

___ TRANSFER OF OWNERSHIP & LOCATION
___ TRANSFER OF OWNERSHIP ONLY

___ TRANSFER OF LOCATION ONLY
✓ NEW LICENSE

TRANSFERRED FROM: ___

CURRENT LOCATION: ___

TRANSFERRED TO:/APPLICANT: ___

PROPOSED LOCATION: 1200 N. WHITE SANDS BLVD. #109

PROPOSED BUSINESS NAME ASIAN GARDEN

I CERTIFY THAT I HAVE POSTED THE REQUIRED NOTICE OF LIQUOR LICENSE PURSUANT TO SECTION 60-6B-2, NMSA, AND FURTHER CERTIFY AS FOLLOWS:

1. LOCATION POSTED IS WITHIN CORPORATE LIMITS OF: Alamogordo, NM
2. LOCATION POSTED IS IN UNINCORPORATED LIMITS OF: Alamogordo, NM
3. DISTANCE FROM NEAREST CHURCH IS: 0.2 miles/1,056 FEET
   NAME OF CHURCH IS: FIRST BAPTIST CHURCH
4. DISTANCE FROM NEAREST SCHOOL IS: 0.2 miles/1,056 FEET
   NAME OF SCHOOL IS: IMAGO DEI ACADEMY
5. DISTANCE FROM NEAREST MILITARY INSTALLATION: 8.0 miles
   NAME OF INSTALLATION IS Holloman AFB
6. IF RURAL, DISTANCE FROM NEAREST EXISTING LIQUOR LICENSE IS:
   BY PASSABLE ROAD: N/A BY STRAIGHT AIRLINE: N/A
7. NOTICE POSTED ON:
   ✓ BUILDING
   ___ BUILDING UNDER CONSTRUCTION
   ___ BUILDING BEING REMODELED
   ___ BILLBOARD
   ___ NO BUILDING

DATE POSTED: MARCH 3, 2015

EXPIRATION DATE: MARCH 23, 2015 @24:00

[signature]
APPLICANT'S SIGNATURE
Paghor LukeShane
PRINTED

[signature]
S.I.D. SPECIAL AGENT SIGNATURE
GLENN M. RAY
PRINTED

City of Alamogordo

OFFICE OF THE CITY CLERK
1376 E. NINTH STREET • ALAMOGORDO, NEW MEXICO 88310-5838 • (575) 439-4205 FAX (575) 439-4396

May 13, 2015

VIA CERTIFIED MAIL

Asian Garden
Attn: Paghor Lukeshaw
1200 N. White Sands Blvd.
Alamogordo, NM 88310

Re: **Application No. 9468241 to grant a Restaurant Liquor License for Asian Garden located at 1200 N. White Sand Blvd., #109 Alamogordo, NM**

Dear Mr. Lukeshaw:

The Alcohol and Gaming Division of the State of New Mexico has given your application preliminary approval. The application has been referred to our Governing Body for approval or disapproval.

A Public Hearing on the question of whether or not the proposed License should be granted will be held by the Alamogordo City Commission at its Regular Meeting of Tuesday, May 26th, 2015, at 7:00 p.m. in the Commission Chambers of the Alamogordo City Hall located at 1376 E. Ninth Street. A "Notice of Public Hearing" will be published in the Alamogordo Daily News on Sunday, May 17th, and Sunday, May 24th, 2015.

Under separate cover, you will be receiving our billing for $50, which covers the processing and investigation fees for the City.

Attached is the city application that you will also need to complete for the city license to the City Clerk's office at the address listed above. The $250 fee will need to be included with the application to the City of Alamogordo.

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

Sincerely,

Reneé L. Cantin

Reneé L. Cantin, CMC
City Clerk

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 05/26/2015 **Report Date:** 5/20/2015 **Report No:** 2.

Submitted By: Ruben Segura, City Planner

Subject: Consider, and act upon, a variance request Case Number V-2015-0002(A) to reduce the width of the building setback line from sixty (60) feet to forty (40) feet with the condition that the property lot be limited to a new single family dwelling on the existing lot located at 215 Delaware Avenue (Chihuahua Addition BLK E LT. 14). *(Ruben Segura, City Planner)*

Fiscal Impact:
Amount Budgeted:
Fund:

Recommendation: Staff recommends the approval of V-2015-0002(A) and the Planning and Zoning Commission recommended approval of the requested variance by a vote of 4-0-0, at their May 5, 2015 re-scheduled regular meeting.

Background: Property owner requests a variance to Alamogordo Municipal Code §29-03-210 to reduce the width of the building setback line from sixty (60) feet to forty (40) feet on an existing lot located at 215 Delaware Ave. If approved, applicant/property owner Samuel Reyes will construct a new family dwelling on set lot.

Staff recommendation for approval is based on the following Findings of Fact (please see attached staff report):
1. The property is located at 215 Delaware Ave. and is 4800 SF in an R3 (Two Family Dwelling) zone; more specifically identified as Tax Parcel # 01-03610.
   The request is for a relief of Section 29-03-210 of the City of Alamogordo Municipal Code to reduce the width of the building setback line from sixty feet to forty feet to allow the construction of a new single family dwelling on lot14, Chihuahua Addition, Block E located at 215 Delaware Ave.
2. The application was filed on April 2, 2015.
3. The adjoining property owners were notified on April 13, 2015.
4. Legal notice was published on April 12, 2015.
5. Forty one (41) letters were mailed by first class mail to all property owners of record within two hundred (200) feet, excluding public right-of-way, of the property for which the variance is sought.
6. Three (3) letters were returned undeliverable.
7. Five (5) phone calls were received inquiring further explanation.
8. Phone call and two letters were received from property owners at 211 Delaware Ave. objecting.
9. On May 5, 2015 the Alamogordo Planning and Zoning Commission recommended approval of the

requested variance to the City Commission with the condition that the lot property lot be limited a single family dwelling, with a vote of 4-0-0.

10. City staff contacted the Otero County Assessor's Office after determining a discrepancy in the legal description of 215 Delaware Avenue. County records indicate at this time that the legal description of 215 Delaware Avenue is CHIHUAHUA ADDITION BLK E LT 15. However,
County Assessor's Office is in the process of correcting the legal description to reflect the legal description of 215 Delaware Avenue as CHIHUAHUA ADDITION BLK E LT 14.

City of Alamogordo
New Mexico
Community Development Department
1376 E. Ninth Street
Alamogordo, NM 88310
Phone: (575) 439-4202

Variance Staff Report

Case: V-2015-0002 (A) 215 Delaware Ave.		
Reference Name	215 Delaware Ave.	
Proposed Request	Variance Relief from Section: * §29-03-210 - Lot width and areas— District R-3.	
Existing Site Characteristics	**Existing Zoning**	R3-Two-Family Dwelling
	Existing Use	Vacant Lot
	Site Acreage	4800 SF
Applicant	Samuel Reyes, Property Owner	
PNZ Hearing Date	May 5, 2015	
Location	215 Delaware Ave.	
Tax Parcel Number(s)	01-03545	
Plan Consistency	**Designation**	CHIHUAHUA ADDITION BLK E LT 14
	Consistency with Request	Complies

A. Variance Request

Request: The applicant is requesting a variance from Section 29-03-210 of the City of Alamogordo Municipal Code to reduce the width of the building setback line from sixty (60) feet to forty (40) feet to allow for the construction of a new single family dwelling on the existing lot located at 215 Delaware Ave.

B. Owner/Applicant

Owner(s): Samuel Reyes
1307 Catalina Ave.
Alamogordo, NM 88310

Applicant: Samuel Reyes
1307 Catalina Ave.
Alamogordo, NM 88310

C. Background

Petitioner, Mr. Samuel Reyes, recently purchased property, located at 215 Delaware Ave and is seeking to build a new single family dwelling on set lot. Petitioner, contacted the City's Planning & Zoning Department requesting information on building permits to allow the construction of his family home on the property. The Planning & Zoning Administrator, Stella Rael, informed the petitioner that the lot did not comply with current lot width requirements and would require a variance approval allowing a forty (40) foot width at the building setback line prior to submitting for a building permit. Petitioner requests a variance relief to allow for a forty (40) foot front width of the building setback line.

D. Alamogordo Municipal Code

a. **Section 29-03-210** – Lot width and areas – District R-3.

Every lot shall have a width of at least sixty (60) feet at the building setback line and shall contain an area of not less than six thousand (6,000) square feet or three thousand (3,000) square feet per dwelling unit, whichever amount is greater.

b. **Section 29-01-070** Variances.

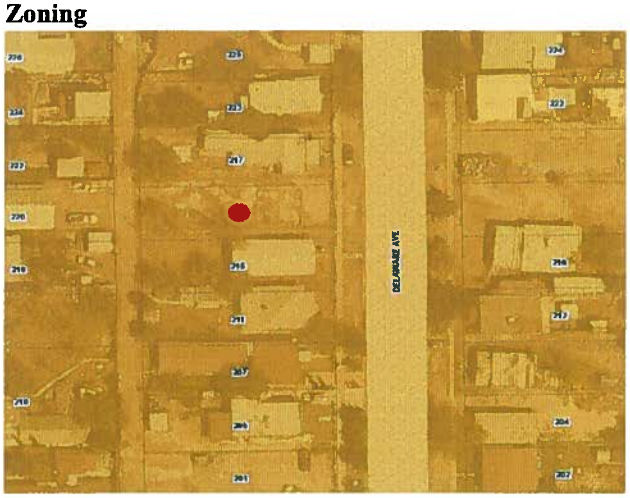
(a). Definition. A variance is a dispensation permitted by the City of Alamogordo of the dimensional regulations of the "Code of Ordinances of the City of Alamogordo, New Mexico," where:

(1) Such action will not be materially detrimental to the public interest; and

(2) Such action will not grant a discriminatory benefit to the land owner and/or harm neighboring properties; and

(3) Such action, owing to conditions peculiar to the property or the neighborhood and not the result of actions or the situation of the applicant, a literal enforcement of the Code of Ordinances of the City of Alamogordo, New Mexico, and not in conflict with any other adopted code, would result in practical difficulties or unnecessary hardship.

Zoning

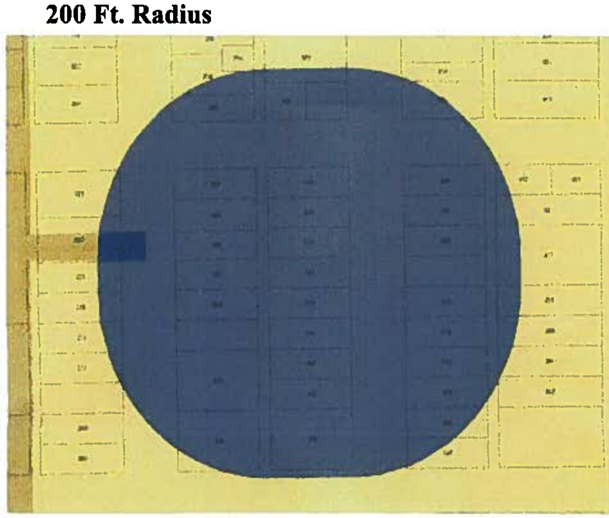


R3 – Two Family Dwelling

Aerial

215 Delaware Ave.

200 Ft. Radius



E. Applicant's Responses to Section -29-01-070 Variance Requirements

1. Construction or other activity authorized be the requested variance will not be materially detrimental to the public interest because: *True*
2. Construction or other activity authorized by the requested variance will not grant a discriminatory benefit to the land owner and/or harm neighboring properties because: *True*
3. This variance request is owing to conditions peculiar to the property or the neighborhood is not the result of actions or the situation of the applicant because: *Lot is located in older part of town and majority of lots are 40-50 feet wide*.
4. Owing to the above conditions peculiar to the property or the neighborhood a literal enforcement of the Code of Ordinance of the City of Alamogordo, New Mexico would result in practical difficulties or unnecessary hardship because: *N/A*
5. Applicant affirms to the best of his knowledge that construction or other activity authorized by the requested variance will not be in conflict with any other adopted code, ordinance, statute, regulation, or other restrictions, including covenants or deed restrictions that may limit the applicants use of the subject property. *Yes*
6. Applicant did not indicate any suggested conditions that the City could require to substantially secure the objective of the regulations while at the same time allowing the City to grant the applicant's requested variance.

F. Staff Analysis

In order to make a staff recommendation on the applicant's variance request, staff analyzed the applicant's responses in the application and the particulars of case number V-2015-0002(A) with Section: 29-03-210.

1. Staff concurs with the applicant's assertion that granting a variance to the existing lot located at 215 Delaware Ave. will not be materially detrimental to the public interest. The Chihuahua subdivision was originally incorporated into the City with lots, ranging from forty (40) to fifty (50) feet wide, which do not meet current lot width requirements in Section 29-03-210.
2. Staff concurs with the applicant's assertion that if a variance is granted to reduce the width of the building setback line from sixty (60) to forty (40) feet wide, does not grant a discriminatory benefit to the land owner and/or harm the neighboring properties since the Chihuahua subdivision is a grandfathered, existing non-conforming subdivision with existing lots ranging from forty (40) to fifty (50) wide.
3. Staff concurs with the applicant that:
    a. the variance request is owing to conditions particular to the property and neighborhood and not the result of the actions or situation of the application, since the Chihuahua subdivision has lots which do not meet the current lot width zoning requirement;
    b. the literal enforcement of the Code of Ordinance of the City of Alamogordo, New Mexico would result in practical difficulties or unnecessary hardship to the property owner given the existing lot sizes in the Chihuahua subdivision; and,
    c. the variance is not in conflict with any other adopted code.

G. Staff Recommendation

Staff recommends the approval of V-2015-0002(A) to allow a forty (40) foot width at the building setback line at 215 Delaware Ave.

H. Findings of Fact

1. The property is located at 215 Delaware Ave. and is 4800 SF in an R3 (Two Family Dwelling) zone; more specifically identified as Tax Parcel # 01-03610.

   The request is for a relief of Section 29-03-210 of the City of Alamogordo Municipal Code to reduce the width of the building setback line from sixty feet to forty feet to allow the construction of a new single family dwelling on lot15, Chihuahua Addition, Block E located at 215 Delaware Ave.

2. The application was filed on April 2, 2015.
3. The adjoining property owners were notified on April 13, 2015.
4. Legal notice was published on April 12, 2015.
5. Forty one (41) letters were mailed by first class mail to all property owners of record within two hundred (200) feet, excluding public right-of-way, of the property for which the variance is sought.
6. Three (3) letters were returned undeliverable.
7. Five (5) phone calls were received inquiring further explanation.
8. Phone call and two letters were received from property owners at 211 Delaware Ave. objecting.
9. On May 5, 2015 the Alamogordo Planning and Zoning Commission recommended approval of the requested variance to the City Commission with the condition that the lot property lot be limited a single family dwelling, with a vote of 5-0-0.
10. City staff contacted the Otero County Assessor's Office after determining a discrepancy in the legal description of 215 Delaware Avenue. County records indicate at this time that the legal description of 215 Delaware Avenue is CHIHUAHUA ADDITION BLK E LT 15. However, County Assessor's Office is in the process of correcting the legal description to reflect the legal description of 215 Delaware Avenue as CHIHUAHUA ADDITION BLK E LT 14.

I. Motions

MOTION TO **APPROVE** THE **VARIANCE** REQUEST:

I move to approve the request for variance at 215 Delaware Ave, Case # V-2015-0002(A): a variance to reduce the width of the building setback line from sixty feet to forty feet to allow the construction of a new single family dwelling on the existing lot.

The testimony presented in this public hearing has shown that the granting of the variance will not be materially detrimental to the public interest; will not grant a discriminatory benefit to the land owner and/or harm neighboring properties; and that such action, owing to conditions peculiar to 215 Delaware Ave.

OR

MOTION TO **DENY** THE **VARIANCE** REQUEST:

I move to deny the request for variance at 215 Delaware Ave., on lot 15, Chihuahua Addition, Block E. Case # V-2015-0002(A): The applicant is requesting a variance from Section 29-03-210 of the City of Alamogordo Municipal Code to reduce the width of the building setback line from sixty feet to forty feet to allow the construction of a new single family dwelling.

Sufficient testimony has **not** be presented in the this public hearing that the requested variance meet the criteria in Section **29-01-070** entitled "Variances" of the City of Alamogordo Municipal Code as:

(Choose one or more appropriate finding(s) and specific items)

1. Such action will be materially detrimental to the public interest;

2. Such action will grant a discriminatory benefit to the land owner and/or harm neighboring properties; and

3. Such action, owing to conditions peculiar to the property or the neighborhood and not the result of actions or the situation of the applicant, a literal enforcement of the Code of Ordinances of the City of Alamogordo, New Mexico, and not in conflict with any other adopted code, would result in practical difficulties or unnecessary hardship.

J. Exhibits

Exhibit 1.	Variance Application
Exhibit 2.	Quitclaim Deed
Exhibit 3.	List of Notified Property Owners
Exhibit 4.	Legal Notice
Exhibit 5.	Costumer Receipt
Exhibit 6.	Letters Received from Respondents

APPLICATION FOR A ZONING VARIANCE

City of Alamogordo
Community Development Department
Application for Zoning Variance
1376 E. 9th St Alamogordo, New Mexico 88310
575.439.4231 Fax: 575.439.4343
RSEGURA@CI.ALAMOGORDO.NM.US
SRAEL@CI.ALAMOGORDO.NM.US

EXHIBIT
1

Case #: V - 2015-0002 (A)

Date Received: ____________

Fee: $150.00

Deposit: $50.00

Receipt #: 94263

~~PF-011-0000-312.11-06~~ 3705

CZ-011-0000-229.04-69

A. Property address (or location if no address): 215 Delaware Ave
Lot 15 CH/H (E)

B. Applicant's name: Samuel Reyes

C. Complete the following table indicating the specific sections of the Zoning Ordinance to which you are seeking variations, what the Zoning Ordinance section requires, and what exception to this regulation you are requesting the City to grant.

Zoning Section	This section requires the following:	I request a variation to allow the following:
R-3	60 ft Yard width	Allow 40 ft yard width

D. Municipal Code Section 29-01-070 defines "variance" as "a dispensation permitted by the City of Alamogordo of the dimensional regulations of the Code of Ordinances" provided the City finds that the proposal meets certain circumstance. Please, explain how your variance request meets the following standards.

1. Construction or other activity authorized by the requested variance will not be materially detrimental to the public interest. True

2 Construction or other activity authorized by the requested variance will not grant a discriminatory benefit to the land owner and/or harm neighboring properties. true

3 This variance request is owing to conditions peculiar to the property or the neighborhood is not the result of actions or the situation of the applicant. This is true because of the following. Lot is located in older part of town and majority of lots are 40 too 50ft wide

4. Owing to the above conditions peculiar to the property or the neighborhood a literal enforcement of the Code of Ordinances of the City of Alamogordo, New Mexico would result in practical difficulties or unnecessary hardship. This is true because of the following. N-A

5. I affirm that to the best of my knowledge that construction or other activity authorized by the requested variance will not be in conflict with any other adopted code, ordinance, statute, regulation, or other restrictions, including covenants or deed restrictions that may limit my use of the subject property. Yes

6. The City, after public notice and hearing, may approve variances and may require conditions as will secure substantially the objectives of the regulations varied. Please indicate conditions, if any, that you can suggest that would allow the City to grant your requested variance while at the same time securing substantially the objectives of the regulations.

I accept that if the amount of the deposit provided for the processing of the application is insufficient to cover costs incurred by the City, I will be responsible for providing any additional amounts arising from this application. A failure to reimburse the City all amounts owed will render the applicant subject to whatever legal steps the City determines are necessary and proper to collect the amount owed.

I certify that all of the above statements and all statements, information, and exhibits that I am submitting in conjunction with this application for relief from the requirements of the Zoning Ordinance are true to the best of my knowledge.

Sam Reyes 4-2-15

Applicant's signature Date

Applicant's signature Date

Applicant's signature Date

EXHIBIT

2

QUITCLAIM DEED

[illegible]

[illegible]

_______________, for consideration paid, quitclaims to

Samie Reyes [illegible] Alamogordo NM

88310

whose address is 1107 [illegible] Ave. Alamogordo NM [illegible]

the following described real estate in Otero Country, New Mexico:

[illegible]

70 x 20

Subject to: Easements, Restrictions, and Reservations of record, if any, and subject to any set of facts which may be revealed by an accurate inspection or survey of the property.

WITNESS Samie Reyes hand ____ and seal 23 this March day of

2015 # ____ ______________ (Seal)

[illegible] 23/March/2015 ______________ (Seal)

STATE OF NEW MEXICO

COUNTY OF OTERO ss.

The foregoing instrument was acknowledged before me this 23 day of March,

20 15 by ______________

6/3/2016

My commission expires

[signature]

20 ____ **Notary Public**

OFFICIAL SEAL
DENISE CHAMBERLAIN
NOTARY PUBLIC
STATE OF NEW MEXICO
Commission Expires: 6/3/2016

REC DATE 4/1/15 REC TIME 12 18 44 PM INSTR# 201502230 CLK
OTERO COUNTY DENISE GUERRA COUNTY CLERK PAGE 1 OF 1

DELGADO & FLORES	211 MARYLAND	ALAMOGORDO	NM		88310	211 MARYLAND AVE
ROMAN, MARGARET	305 3RD ST	ALAMOGORDO	NM		88310	305 3RD ST
WELCH & MAYORGA	210 NEW YORK AVE	ALAMOGORDO	NM		88310	
ESTRADA, IRENE	200 NEW YORK	ALAMOGORDO	NM		88310	224 NEW YORK AVE
ORTEGA & GUTIERREZ	211 DELAWARE	ALAMOGORDO	NM		88310	202 DELAWARE AVE
ESTRADA, ROBERT II	116 VIRGINIA	ALAMOGORDO	NM		88310	203 DELAWARE AVE
CORONA, MARINA A	213 DELAWARE	ALAMOGORDO	NM		88310	213 DELAWARE AVE
TRUELOVE, SHERRY L	222 DELAWARE AVE	ALAMOGORDO	NM	88310-6838		220 DELAWARE AVE
VINCENT, JOSEPH	PO BOX 1037	ALTO	NM		88312	216 DELAWARE A AVE
AVERY, WILLARD L & MARGARET	811 MIAMI	ALAMOGORDO	NM		88310	300 DELAWARE AVE
GALLEGOS, JOE L	1211 WINGATE ROAD	LAS CRUCES	NM	88001-2526		210 DELAWARE AVE
GONZALES & STOGDEN	223 DELAWARE	ALAMOGORDO	NM		88310	223 DELAWARE AVE
HERNANDEZ, MANUEL & DORA	224 DELAWARE	ALAMOGORDO	NM		88310	224 DELAWARE AVE
DAWSEY, JUNIOUS E & IRMOGENE	1707 MOUNTAIN VIEW	ALAMOGORDO	NM		88310	223 NEW YORK AVE
GARCIA, JOSEPH I	2124 STARDUST CT APT 8	ALAMOGORDO	NM	88310-3350		200 DELAWARE AVE
HILL,ERNEST	221 MARYLAND	ALAMOGORDO	NM		88310	221 MARYLAND AV
SWALLOWS, REBECCA	200 OLD MESCALERO ROAD	TULAROSA	NM		88352	207 DELAWARE AVE
ALMENGOR, MARIA GUADALUPE	211 DELAWARE	ALAMOGORDO	NM		88310	211 DELAWARE AVE
GARCIA & MORRISON	205 NEW YORK AVE	ALAMOGORDO	NM		88310	205 NEW YORK AVE
TRUELOVE, SHERRY L	222 DELAWARE AVE	ALAMOGORDO	NM	88310-6838		222 DELAWARE AVE
LOPEZ, AURORA R	213 NEW YORK AVENUE	ALAMOGORDO	NM		88310	213 NEW YORK AVE
KERN FAMILY TRUST	1532 ROOSEVELT AVE	ALAMOGORDO	NM		88310	
MORALES, MARIA VIRGINIA	1512 OHIO AVENUE	ALAMOGORDO	NM		88310	207 MARYLAND AVE
REYES, DAVID G & DEBRA	226 NEW YORK	ALAMOGORDO	NM		88310	226 NEW YORK AVE
BAYER, JOHN A	5825 MACAW AVE	EL PASO	TX		79924	
PFLUGH, RALPH & MONICA	2001 AMBER SKIES #127	ALAMOGORDO	NM		88310	205 MARYLAND AVE
CANDELARIA, ELENA	212 DELAWARE	ALAMOGORDO	NM	88310-6838		
KOVE, MARK JON & MARILYN JEAN	222 NEW YORK	ALAMOGORDO	NM		88310	222 NEW YORK AVE
LERMAYER, RALPH & MEGAN	622 9TH ST	ALAMOGORDO	NM		88310	309 3RD ST
CANDELARIA, ELENA	212 DELAWARE	ALAMOGORDO	NM	88310-6838		212 DELAWARE AVE
ESTRADA, IRENE	200 NEW YORK	ALAMOGORDO	NM		88310	220 NEW YORK AVE
FLORES, ENRIQUE C & CONSUELO	221 NEW YORK AVE	ALAMOGORDO	NM		88310	219 NEW YORK AVE
WILLIAMSON, MARGARITA	11004 CONSTITUTION AVE	ALBUQUERQUE	NM		87112	418 3RD ST
FLORES, ENRIQUE C & CONSUELO	221 NEW YORK AVE	ALAMOGORDO	NM		88310	221 NEW YORK AVE
STOGDEN, FREDERICK H III	1114 URANUS DR	ALAMOGORDO	NM		88310	204 DELAWARE AVE
MONTOYA & LEON	225 NEW YORK AVE APT A	ALAMOGORDO	NM		88310	225 NEW YORK AVE
THOMAS, LEWIS J & KELLY D	402 SUNSET	ALAMOGORDO	NM		88310	217 MARYLAND AVE
GARCIA, LINDA	205 NEW YORK AVE	ALAMOGORDO	NM		88310	
ESTRADA, ROBERT M & IRENE	200 NEW YORK	ALAMOGORDO	NM		88310	200 NEW YORK AVE
CORONA & BEDESEM & DELVILLAR	209 MARYLAND	ALAMOGORDO	NM		88310	209 MARYLAND AVE
HERNANDEZ, OSCAR J	205 DELAWARE AVE	ALAMOGORDO	NM		88310	205 DELAWARE AVE
GUERRERO, MIGUEL JR & GLORIA	1703 ARIZONA AVE	ALAMOGORDO	NM	88310-4703		217 DELAWARE AVE
ROMAN, CANDIDO R & VIOLA S	PO BOX 1573	ALAMOGORDO	NM	88311-1573		218 NEW YORK AVE
WELCH, LOUISE TORRES	210 NEW YORK	ALAMOGORDO	NM		88310	210 NEW YORK AVE
FLORES, ENRIQUE C & CONSUELO	221 NEW YORK AVE	ALAMOGORDO	NM		88310	217 NEW YORK AVE
REYES, DAVID G & DEBRA	226 NEW YORK	ALAMOGORDO	NM		88310	225 DELAWARE AVE
DELGADO, LARRY	829 SHELL AVE	MARTINEZ	CA		94553	215 DELAWARE AVE

EXHIBIT
tabbies
3

Legal # 5686
(Published 4/12/2015)

City Of Alamogordo
Public Hearing Notice

The Alamogordo Planning and Zoning Commission will hear this variance request at their public meeting, beginning at 6:00 PM, Tuesday, May 5, 2015 in City Commission Chambers, City Hall, 1376 E. Ninth Street, Alamogordo, New Mexico.

Case #:
V-2015-0002(A)
Owner/Applicant:
Samuel E. Reyes
Subject Property Address:
215 Delaware Ave.
Current Zone:
R-3 Two-Family Dwelling
Request:
Property owner requests a variance to Alamogordo Municipal Code §29-03-210 to reduce the width of the building setback line from sixty feet to forty feet to allow the construction of a new single family dwelling on the existing lot.

Comments including objections must be submitted in writing or presented orally before the Planning and Zoning Commission to be a part of the case record. Please be specific about the reasons that you think support your position. If written, comments should be submitted to: Alamogordo Community Development Department, 1376 E. 9th Street, Alamogordo, New Mexico and must be received no later than noon on the day before the public hearing (4 May 2015) held by the Planning and Zoning Commission.

Further info, contact Ms. Stella Rael, Planning & Zoning Administrator, 575/439-4208, or by e-mail at srael@ci.alamogordo.nm.us.

tabbies
EXHIBIT
4

EXHIBIT

5

CITY OF ALAMOGORDO, NEW MEXICO
*** CUSTOMER RECEIPT ***
Oper: BAKERC Type: OC Drawer: 1
Date: 4/02/15 01 Receipt no: 94263

Description	Quantity	Amount
PF	PLANNING - FEES	
	1.00	$150.00
ZONING VARIANCE APP		
CZ	ZONING DEPOSIT	
	1.00	$50.00
215 DELAWARE AVE		

ZONING VARAIANCE APP
FOR: SAMUEL REYES
215 DELAWARE AVE
***
DEPOSIT
FOR: 215 DELAWARE AVE

Tender detail	
CA CASH	$200.00
Total tendered	$200.00
Total payment	$200.00

Trans date: 4/02/15 Time: 9:27:25

THANK YOU AND HAVE A NICE DAY

EXHIBIT

6

April 23, 2015

Alamogordo Community Development Department,

I do not agree to a two family dwelling. These property were one family dwelling. I do not agreen to 68 feet, They have been forty feet, so why dois this person wanted a change how long has he live in these area.

So they can build apartment as it is there is no parking around, They park where they ~~fit~~ like parking I do like that,

They have already taking a piece of my property, 213 have a piece & 207 is right on my line.

I am 72 year old and I do not wanted any change.

Thank you

Maria G. Almonzon

April 23, 2015

Alamogordo Community Development Department.

I do not agree to a two family dwelling. These property were one family dwelling. I to not agree to 60 feet, They have been 40 feet so why does this person wanted a change, how long has he live in these area.

So they can build apartment as it is there is no parking around they park where they feel like parking, so The house owner don't know where to park.

I do not wish any change.

I have lost some of my property where they ~~wild~~ build next to me.

Thank you

Mrs. Ortega + Gutierrez

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 05/26/2015 **Report Date:** 5/20/2015 **Report No:** 1.

Submitted By: Stephen Thies, City Attorney

Subject: Consider, and act upon, the first publication of Ordinance No. 1498 to impose at 3/8th of 1 percent Gross Receipts Tax to be dedicated to the General Fund. *(Stephen Thies, City Attorney)*

Fiscal Impact:
Amount Budgeted:
Fund:

Recommendation: Approve Ordinance No. 1498 for first publication.

Background: At the May 12th meeting the City Commission voted to have an ordinance which would impose the full three-eights of one percent (.375%) of the hold harmless gross receipts brought before the Commission for its consideration. Attached is such an ordinance.

The Ordinance is drafted based upon the assumption that the imposition of the tax would not first be submitted to the residents for their approval. As the Commission is aware, the statutory authority to impose the tax does not provide for a referendum on the tax. Nevertheless, the Commission is also aware of the existence of Ordinance No. 736 (subsequently codified as City Code section 2-01-040) which provides that the City Commission cannot increase or impose any new taxes unless the tax is first put to a vote of the electorate. Two different Attorney Generals have issued opinions regarding Ordinance No. 736, both of which concluded the ordinance does not bind the Commission to obtain voter approval of a tax if the enabling legislation does not subject the tax to a referendum. Copies of both opinions are attached.

Notwithstanding these opinions, in the event the Commission did decide to submit the imposition of the tax to the voters, the attached ordinance would need to be amended to include the following language:

The effective date of the municipal hold harmless gross receipts tax shall be either January 1 or July 1, whichever date occurs first after the expiration of three months from the date when the results of the election are certified and the adopted ordinance is delivered or mailed to the Taxation and Revenue Department.

Staff requests approval of Ordinance No. 1494 for publication.

ORDINANCE No. 1498

ADOPTING A MUNICIPAL HOLD HARMLESS GROSS RECEIPTS TAX

BE IT ORDAINED BY THE GOVERNING BODY OF CITY OF ALAMOGORDO

Section 1. Imposition of Tax. There is imposed on any person engaging in business in this municipality for the privilege of engaging in business in this municipality an excise tax equal to three-eights of one percent (.375%) of the gross receipts reported or required to be reported by the person pursuant to the New Mexico Gross Receipts and Compensating Tax Act as it now exists or as it may be amended. The tax imposed under this ordinance is pursuant to the Municipal Local Option Gross Receipts Taxes Act as it now exists or as it may be amended and shall be known as the "municipal hold harmless gross receipts tax."

Section 2. General Provisions. This ordinance hereby adopts by reference all definitions, exemptions and deductions contained in the Gross Receipts and Compensating Tax Act as it now exists or as it may be amended.

Section 3. Specific Exemptions. No municipal hold harmless gross receipts tax shall be imposed on the gross receipts arising from:

A. transporting persons or property for hire by railroad, motor vehicle, air transportation or any other means from one point within the municipality to another point outside the municipality;

B. a business located outside the boundaries of a municipality on land owned by that municipality for which a state gross receipts tax distribution is made pursuant to Subsection C of Section 7-1-6.4 NMSA 1978; or

C. direct broadcast satellite services.

Section 4. Dedication. Revenue from the municipal hold harmless gross receipts tax will be used for the purpose(s) listed below:

The general fund of the municipality.

Section 5. Effective Date. The effective date of the municipal hold harmless gross receipts tax shall be either January 1, or July 1, whichever date occurs first after the expiration of three months from the date this ordinance is adopted.

ADOPTED BY THE GOVERNING BODY OF THE CITY OF ALAMOGORDO

this ______ day of _____________, 2015.

CITY OF ALAMOGORDO, NEW MEXICO
a New Mexico municipal corporation

By:___________________________________
Susie Galea, Mayor

ATTEST:

____
Reneé L. Cantin, City Clerk

APPROVED AS TO FORM:

____
Stephen P. Thies, City Attorney

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 05/26/2015 **Report Date:** 5/22/2015 **Report No:** 2.

Submitted By: Susie Galea, Mayor

Subject: Discuss, and possibly consider, the consequence of freezing each of the six (6) unfilled positions within the Alamogordo Department of Public Safety, pertaining to the Commission's Budget Directive of a 5% equivalent cut in the FY16 Budget. *(Susie Galea, Mayor)*

Fiscal Impact:
Amount Budgeted:
Fund:

Recommendation: Consider a lesser reduction.

Background:

Police Response Calls for Calendar Year 2014

Activity	Number of Calls	Total Time
Disturbance	623	954:04:00
Burglary	70	70:19:00
Burglary in Progress	1	2:10
Breaking and Entering	221	203:19:00
Break\Ent in Prog	82	139:55:00
Drunk Subject	122	104:55:00
Drunk Driver	173	185:15:00
Suspicious Subject	977	733:24:00
Escort	85	101:26:00
Mental Subject Violent	3	6:07
Subject ref to leave	114	120:48:00
Mental subject NonViolen	5	3:54
Larceny	716	486:52:00
Traffic Stop	10088	2828:49:00
Followup	2650	1232:39:00
Pursuit	10	58:36:00
Alarm	1123	439:57:00
Abandoned Call	147	135:15:00
Gas Skip	47	17:19
Court	198	382:54:00
Deliver Paperwork	55	20:29
Attempt to Serve Subpoen	3	3:39
Attempt to Serve Warrant	600	826:11:00
Criminal Damage	660	390:03:00
Request Officer	1464	1006:16:00
Unreasonable Noise	746	376:18:00
Loud Party	41	29:21:00
Runaway	140	133:38:00
Missing Person	35	27:00:00
Extra Patrol	144	41:04:00
Shots Fired	111	151:06:00
Illegally Parked Vehicle	300	75:46:00
Transport Prisoner	90	112:36:00
Agency Assist	492	501:26:00
Accident no injuries	488	578:13:00
Accident with injuries	163	592:35:00
Stalled Vehicle	274	65:01:00
Abandoned Vehicle	131	57:22:00
Auto Burglary	116	84:57:00
Theft of Automobile	59	70:17:00
Shoplifter	309	659:31:00
Electrical fire - police	1	0:00
Malicious Use of Telepho	41	24:14:00
Threats	308	364:45:00
Harrassment	259	181:08:00
Reckless Driver	386	94:18:00
Traffic Hazard	264	107:39:00

Police Response Calls for Calendar Year 2014

Activity	Number of Calls	Total Time
Unattended death	46	393:08:00
Child Abuse/neglect	78	120:54:00
Lost Child	9	14:27
Found Child	9	7:53
Child locked in vehicle	7	2:45
HSD referral	502	114:31:00
Attempt to locate	831	563:48:00
Hit and Run accident	255	182:27:00
Welfare Check	869	616:31:00
Deliver Message	76	22:39
Fight	140	268:12:00
DWI Arrest	5	28:06:00
Juvenile Problems	383	347:50:00
Assist EMS	1311	1000:49:00
Civil Matter	444	315:22:00
Suspicious Vehicle	521	281:20:00
Standby	349	275:34:00
Measurements	38	7:51
Suspicious Activity	304	235:44:00
Traffic Control	34	24:43:00
Lunch	2035	2047:02:00
Animal Call	671	315:44:00
Battery	168	218:43:00
Suicide/Suicidal subject	108	192:22:00
Fatal Accident	1	0:00
Assault	37	53:39:00
FIRE	29	59:37:00
MISCELLANEOUS	360	188:54:00
CRIMINAL SEXUAL PENETRAT	35	133:00:00
CRIMINAL SEXUAL CONTACT	10	34:22:00
Domestic	842	1489:56:00
Water Break/Leak	44	4:42
Fraud/Scam	186	110:44:00
Forgery	16	15:44
Robbery	6	22:53
SUBJECT WITH A GUN	10	50:02:00
Trespassing/Trespass	117	128:09:00
VF-P	15	18:00
Accident on Private Prop	233	110:08:00
Traffic Complaint	72	19:46
Possession of drugs/para	21	11:13
False Alarm Call	1	0:00
Found Items/ Property	193	94:04:00
TRO Violation	40	36:51:00
Flag Down	67	13:06
Busy	5122	3351:55:00
Fireworks complaint	87	19:55
Lost Item/Property	36	8:34

Police Response Calls for Calendar Year 2014

Activity	Number of Calls	Total Time
Embezzlement	13	16:10
Water Complaint	21	4:58
Open Door	115	54:24:00
Fingerprints	28	8:46
Stabbing	3	7:47
Building Check	758	130:09:00
Impact Operation Tree	19	14:06
***** TOTAL *****	**42865**	**28592:49**

Officers retiring or leaving the Department

Officers that told us they will be retiring:

- Lieutenant July 2015
- Officer August 2015
- Sergeant March 2016
- Officer May 2016
- Officer May 2016
- Captain June 2016
- Lieutenant September 2016

An Officer just resigned to go back to California and work in his family's restaurant.

- Officer May 19, 2015

An Officer told us she will be resigning, due to her husband transferring to Washington D.C.

- Officer September 2016

Hiring Process

1. The process begins the date HR sends an email to the applicant advising them the date of the police written exam and the physical training test (they are both on the same day).
2. After they pass both of these tests, the applicant is interviewed by a panel.
3. If approved, the background investigation begins (the average background takes 2 weeks to complete).
4. When the background is completed it is approved/denied by the Lieutenant and Captain. Final approval is the Police Chief.
5. If approved, HR schedules applicant for the polygraph test, psychological evaluation, physical exam, hearing exam and eye exam (up to 1 month to complete).
6. After applicant passes all phases, they are offered employment.
7. Pending on either applicant is a cert by waiver or attends the full law enforcement academy; they attend Pre-Academy Training at the police department training division for approximately 3 months.
8. Applicant attends the Law Enforcement Academy in Santa Fe (16 weeks), Cert-by Waiver (1 week).
9. After the LEA, the police officer attends Post Academy Training at the Alamogordo Police Department Training Division (1 – 2 weeks).
10. The last phase of training is the Field Training Officer program (10 weeks).

The last four officers (full academy hires) that were hired and are now working by themselves, took approximately one (1) year after they began their Pre-Academy Training Program. The last two officers (cert by waiver hires) took approximately 4 – 6 months (depending on the start of the cert by waiver academy) after they began their Pre-Academy Training Program.

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 05/26/2015 **Report Date:** 5/20/2015 **Report No:** 1.

Submitted By: Matt McNeile, Assistant City Manager

Subject: Consider, and act upon, a request by the Alamogordo Club for Teens to paint a mural at the Skate Park for an Art in the Park project. *(Matt McNeile, Assistant City Manager)*

Fiscal Impact:
Amount Budgeted:
Fund:

Recommendation: Approve the request to paint walls adjacent to the skate board park.

Background: Mr. Ingo Hoeppner, Alamogordo Club for Teens is asking permission to paint several walls adjacent to the skate board park. The Alamogordo Club for Teens will organize a group of volunteers to paint artistic designs on the walls. A similar effort was organized several years ago at the old skate board park. Painting the walls with artistic designs may deter vandalism and graffiti at the site.

City of Alamogordo City Commission Meeting

AGENDA REQUEST FORM

Date: 4/30/15

Date of Meeting: May 26th 2015

Name: Alamogordo Club for Teens Ingo Hoeppner

Address: 10 Homestead Trail

Alamogordo NM **ZIP** 88310

Phone Number: 575-551-8186 Work 575-572-2617

E-Mail Address: Ingo88310@gmail.com

Item requested will be for: (Please check one)

[ ] Information only	[ ] Action Item	[X] 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

Christopher White - event coordinator for Art in the Park (June 6th 9AM-9PM) will be asking for the ~~[illegible]~~ city to donate supplies - paint + painting supplies for this event. Estimated cost $1,000.00

Signature: [signature]

Please return to: Renee Cantin, CMC, City Clerk
City of Alamogordo
1376 E. 9th Street
Alamogordo, NM 88310

Phone: (575) 439-4205 Fax: (575) 439-4396 E-mail: rcantin@ci.alamogordo.nm.us

Also, asking for permission from the Commission to paint these areas.

Revised 5/7/2014

May 26th Mtg
Has spoken w/ Matt

ART IN THE PARK 2015

Presented by

the

ALAMOGORDO CLUB FOR TEENS

A.C.T

JUN 6TH

9AM - 9PM

WASHINGTON Park

in ALAMOGORDO NM

FOOD

&

Drinks

FREE

AGES 17

& Under

For Information contact:
Ingo Hoeppner (Event Director) ACT88310@gmail.com or (575) 551-8186
or if you have ideas and like to help please contact:
Christopher White (Event Coordinator) - Xeoinv@gmail.com (423)598-3958

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 04/30/2015

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

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

PRODUCER
USA Insurance
913 Delaware Avenue
Alamogordo, NM 88310
Phone: (575) 439-9999 Fax: (800) 630-9701

CONTACT NAME: Mary Parker
PHONE (A/C, No, Ext): (575)439-9999 FAX (A/C, No): (800)630-9701
E-MAIL ADDRESS: mail@myusainsurance.net

INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A :	Philadelphia Insurance Company	
INSURER B :		
INSURER C :		
INSURER D :		
INSURER E :		
INSURER F :		

INSURED
Alamogordo Club for Teens Inc

1111 10th St
ALAMOGORDO NM 88310-

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY			PHPK1188082	06/09/2014	06/09/2015	EACH OCCURRENCE	$ 1,000,000
	CLAIMS-MADE [X] OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
							MED EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$ 2,000,000
	X POLICY PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$ 2,000,000
	OTHER:							$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO						BODILY INJURY (Per person)	$
	ALL OWNED AUTOS / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS / NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB / OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB / CLAIMS-MADE						AGGREGATE	$
	DED RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N						PER STATUTE / OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	N/A					E.L. EACH ACCIDENT	$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

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

"Art in the Park 2015" @ Washington Park June 5-7, 2015

CERTIFICATE HOLDER
City Of Alamogordo
1376 9th St
Alamogordo, NM 88310

CANCELLATION

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

AUTHORIZED REPRESENTATIVE
Jake Boles /MM

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 05/26/2015 **Report Date:** 5/20/2015 **Report No:** 2.

Submitted By: Matt McNeile, Assistant City Manager

Subject: Consider, and act upon, Resolution No. 2015-25 setting the Zoo fees for group reservations. *(Roll call vote required)* *(Matt McNeile, Assistant City Manager)*

Fiscal Impact: Fiscal Impact: Unknown

Amount Budgeted: N/A

Fund: 032-6306

Amount Budgeted:
Fund:

Recommendation: Approve the resolution. ***(Roll call vote required)***

Background: Groups of 50 participants or more that are affiliated with governmental entities that have a Joint Powers Agreement (JPA) or a Memorandum of Understanding (MOU) with the City of Alamogordo, and the governmental entity shares facilities, resources, equipment, or personnel with the City of Alamogordo, will be admitted to the Alameda Park Zoo at no cost providing they meet the following criteria:

The affiliated group must present a letter of support from their respective governmental entity.

Current affiliated groups include the Alamogordo Public Schools, Holloman Air Force Base, and New Mexico State University – Alamogordo.

The affiliated group must request the free admission day 30 days in advance with the City of Alamogordo.

Each governmental entity is allowed two (2) requests per calendar year.

The affiliated group will provide a benefit to the Alameda Park Zoo by bringing new visitors to the zoo that will be provided with information on programs and services at the zoo such as membership in the Friends of the Zoo, donation programs, private after hours facility rentals, ongoing educational programs, and special event schedules.

All requests for free admission must be submitted in writing to the Zoo Manager.

Groups of 50 participants or more that do not have an affiliation with governmental entities that have a Joint Powers Agreement (JPA) or a Memorandum of Understanding (MOU) with the City of Alamogordo can schedule a day at the zoo and pay .25 cents per person to enter the zoo.

The non affiliated group must request the reduced admission day 30 days in advance with the City of Alamogordo.

Each non affiliated group is allowed two (2) requests per calendar year.

The non affiliated group will provide a benefit to the Alameda Park Zoo by bringing new visitors to the zoo that will be provided with information on programs and services at the zoo such as membership in the Friends of the Zoo, donation programs, private after hours facility rentals, ongoing educational programs, and special event schedules.

All requests for reduced admission must be submitted in writing to the Zoo Manager.

RESOLUTION NO. 2015-25

A RESOLUTION SETTING THE ZOO FEES FOR GROUP RESERVATIONS

WHEREAS, groups of 50 participants or more that are affiliated with governmental entities that have a Joint Powers Agreement (JPA) or a Memorandum of Understanding (MOU) with the City of Alamogordo, and the governmental entity shares facilities, resources, equipment, or personnel with the City of Alamogordo, will be admitted to the Alameda Park Zoo at no cost providing they meet the following criteria:

WHEREAS, the affiliated group must present a letter of support from their respective governmental entity.

WHEREAS, current affiliated groups include the Alamogordo Public Schools, Holloman Air Force Base, and New Mexico State University – Alamogordo.

WHEREAS, each governmental entity is allowed two (2) requests per calendar year.

WHEREAS, the affiliated group will provide a benefit to the Alameda Park Zoo by bringing new visitors to the zoo that will be provided with information on programs and services at the zoo such as membership in the Friends of the Zoo, donation programs, private after hours facility rentals, ongoing educational programs, and special event schedules.

WHEREAS, groups of 50 participants or more that **do not have an affiliation** with governmental entities that have a Joint Powers Agreement (JPA) or a Memorandum of Understanding (MOU) with the City of Alamogordo can schedule a day at the zoo and pay .25 cents per person to enter the zoo.

WHEREAS, each non affiliated group is allowed two (2) requests per calendar year.

WHEREAS, the non affiliated group will provide a benefit to the Alameda Park Zoo by bringing new visitors to the zoo that will be provided with information on programs and services at the zoo such as membership in the Friends of the Zoo, donation programs, private after hours facility rentals, ongoing educational programs, and special event schedules.

BE IT THEREFORE RESOLVED by the City Commission of the City of Alamogordo, New Mexico adopt the Free Group and Reduced Entry Fee Admission policy for the Alameda Park Zoo as of May 26, 2015.

DONE this 26th day of May, 2015.

CITY OF ALAMOGORDO, NEW MEXICO
a New Mexico Municipal Corporation

By: ___________________________________
Susie Galea, Mayor

ATTEST:

____
Reneé L. Cantin, City Clerk

____
Stephen P. Thies, City Attorney

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 05/26/2015 **Report Date:** 5/20/2015 **Report No:** 3.

Submitted By: Matt McNeile, Assistant City Manager

Subject: Consider, and act upon, a License Agreement with Alamogordo Public Schools to temporarily relocate a modular unit to the city owned golf course. *(Stephen Thies, City Attorney and Matt McNeile, Assistant City Manager)*

Fiscal Impact:
Amount Budgeted:
Fund:

Recommendation: Approve license agreement.

Background: The city owned golf course and the high school golf team have a very good working relationship. Use of the golf course by the high school is one of the facilities addressed by the joint use agreement between the city and the school. The school currently has a number of modular classroom structures which after the conclusion of this school year will no longer be used for classrooms. The modular structures will be moved off school property shortly after the end of the current school year. The school is interested in moving one of the structures onto the golf course. The structure would be located southeast of the Hamilton Road parking lot entry. For those unfamiliar with the location, as can be seen on the attached aerial photograph, the driving range is located south of the parking lot. The structure would be placed between the cart path and sidewalk.

Currently plans are being developed to obtain the necessary state permits and allow for the hookup of the necessary utilities. However, due to the school's scheduled removal of the modular units from school property in the very near future, the school has requested that they be allowed to locate the modular unit at the golf course while all the final details are worked out. The attached license agreement would allow for that temporary location. Once final details and terms are reached, a replacement agreement would be presented to the Commission some time in the future.

Staff requests approval of the agreement.

LICENSE AGREEMENT FOR USE OF REAL PROPERTY

This **LICENSE AGREEMENT FOR USE OF REAL PROPERTY** (this “License Agreement” or this “Agreement”) is made and entered into by and between the City of Alamogordo, an incorporated municipality in the State of New Mexico (the "City"), and the Alamogordo Public Schools (“APS”) (individually, the “Party” and collectively, the “Parties”).

RECITALS

WHEREAS, the City is the owner of property located at the southeast corner of Desert Lakes Drive and Hamilton Road known as the Desert Lakes Municipal Golf Course, and by its street address of 2411 South Hamilton Road, which is legally described as Block 4, Desert Sun Estates (the "City Property"); and

WHEREAS, APS desires to install, operate and maintain a 60' x 23' modular classroom structure (the "Modular Structure") on a portion of the City Property, as described in this Agreement and depicted on attached Exhibit B (the "Classroom Site"); and

WHEREAS, the City is willing to grant to APS access to and temporary use of City property, by way of a license agreement for temporary placement of the Modular Structure on the Classroom Site subject to the terms and limitations set forth herein.

NOW, THEREFORE, in consideration of the following mutual covenants and conditions, it is hereby agreed as follows:

1. **Grant of License.** The City hereby grants to APS, its employees, contractors, and subcontractors (collectively “APS and Agents”) responsible for the installation, construction or any related activity as described herein a non-transferable, non-sublicensable license, privilege and permission (“the License”) to access and use the Classroom Site during the term set forth below. The license shall be for the limited purpose of placing the Modular Structure on the Classroom Site while determining the feasibility and necessary requirements to permit its permanent location on the Classroom Site. This License Agreement shall cease and be terminated at such time as the Parties conclude that the permanent location of the Modular Structure on the Classroom Site is not feasible, or sooner if terminated pursuant to paragraph 6 of this License Agreement, or the Parties enter into an agreement allowing for Modular Structure‘s long-term location. APS acknowledges that this License does not create a lease or any other property right for APS. The City retains all of the rights and privileges as the property owner that are not inconsistent with the provisions of this Agreement.

2. **Effective Date/Term.** This agreement will become effective when both parties have signed it. The date this agreement is signed by the second party to sign it (as indicated by the date associated with that party’s signature) will be deemed the date of this agreement. ***If a party signs but fails to date a signature, the date that the other party receives the signing party’s signature will be deemed to be the date that the signing party signed this agreement.*** Unless terminated earlier in accordance with paragraph 6, the term of this Agreement shall commence on the Effective Date and expire on 180 days later (the “Term”).

3. Project Development. During the Term, the Parties mutually agree to pursue good faith discussions and negotiations to draft and execute such agreements as may be necessary to finalize an agreement for the long-term placement of the Modular Structure on the Classroom Site. It is understood that the items to be discussed include, but are not necessary limited to site plan development and permitting, engineering, grading, utility installation or relocation, structure upgrade, improvements and remodeling and site and building appearance. APS shall, at its sole cost and expense, install barriers to prevent access to the Classroom Site during these planning and development discussions. APS agrees to maintain the Classroom Site in good condition at all times keeping it free of trash and other debris. APS understands and agrees that all adjacent golf course facilities shall remain open and fully accessible to the City and the public at all times during the Term.

4. No Representations by City. APS has studied and inspected the Classroom Site and accepts the same "AS IS" without any express or implied warranties of any kind, including any warranties or representations by the City as to its condition or fitness for any use.

5. Right of Entry. The City, its agents, representatives and employees, at all times shall have access to the Classroom Site without notice to permit the performance of their responsibilities in overseeing and maintaining the golf course facilities. The City retains the right to inspect the Classroom Site, and to exercise its rights or duties in order to protect persons, property or the public interest in the premises.

6. Termination. If any party fails to properly fulfill its obligations under this Agreement in a timely manner, or if any party violates any of the provisions of this Agreement, the non-breaching party shall notify the other party in writing of the specific violations of this Agreement. The breaching party shall have fourteen (14) days from receipt of this notice in which to cure any such violation. If the violation cannot be reasonably cured within said 14-day period, and the breaching party has diligently pursued such remedy as shall be reasonably necessary to cure violation, then the parties may agree in writing to an extension of the period in which the violation must be cured. If, however, the breaching party has not cured any such violation as specified in the written notice or any extension within the time provided, then the non-breaching party, at its sole option, shall have the right to terminate this Agreement. This termination shall be made by sending written “Notice of Termination” to the breaching party. This notice of Termination shall be effective for all purposes when deposited in the US Mail, postage prepaid and mailed Certified US Mail, Return Receipt Requested. If APS defaults under this Agreement, upon depositing the Notice of Termination with the US Mail as specified above, the City may assume control and possession of the Classroom Site and APA and Agents shall vacate it immediately and commence the Restorations. The City reserves the right to immediately terminate this Agreement in the event of an emergency or when necessary, in the City’s sole discretion, to protect the public health, welfare or safety.

7. Surrender of Possession/ Restorations. Upon the expiration or termination of this Agreement, APS's right to occupy the Classroom Site and exercise the privileges and rights granted under this Agreement shall cease, and it shall surrender and leave the Classroom Site in good condition, normal wear and tear and casualty not caused by APS. APS shall restore the

Classroom Site to a condition as good or better than existed prior to APS's location of the Modular Structure to the Classroom Site.

8. Miscellaneous Provisions.

i. This Agreement constitutes the entire agreement between the parties relating to the subject matter of this Agreement. Any previous agreement, assertion, statement, understanding, or other commitment before the date of this Agreement, whether written or oral, shall have no force or effect upon the terms and conditions of this Agreement, except as otherwise provided for and acknowledged. Notwithstanding the foregoing sentence, nothing in this Agreement shall be construed or interpreted in such a way as to vacate or amend any certain preexisting underlying agreements by and between the City and APS, all of which certain preexisting underlying agreements are and shall remain fully performable by the parties, subject to their terms and conditions. No agreement, assertion, statement, understanding, or other commitment during the term of this Agreement, or after the term of this Agreement, shall have any legal force or effect upon the terms and conditions of this Agreement unless properly executed in writing by the parties.

ii. This Agreement is made, and shall be construed and interpreted under by the laws of the State of New Mexico, and venue for any suit concerning this Agreement shall rest in Otero County District Court.

	CITY OF ALAMOGORDO, NEW MEXICO
Date: ________________	By: ________________________________ James R. Stahle, City Manager
	ALAMOGORDO BOARD OF EDUCATION
Date: ________________	By: ________________________________ President, Board of Education
ATTEST:	ATTESTED TO BY:
________________________________ Reneé L. Cantin, City Clerk	____________________________ Secretary, Board of Education
APPROVED AS TO FORM	APPROVED AS TO FORM
____________________________ Stephen P. Thies, City Attorney	____________________________ Mary R. Jenke, General Counsel

Alamogordo Public Schools
PO Box 650
Alamogordo, NM 88311-0650

Support Services Division
J. Vance Lee, Executive Director
1211 Hawaii Avenue
Alamogordo, NM 88310

Office: (575) 812-6015
Fax: (575) 812-6019
vance.lee@aps4kids.org

May 14, 2015

City of Alamogordo
ATTN: James Stahle, City Manager
1376 E. Ninth Street
Alamogordo, NM 88310

Dear Mr. Stahle,

Alamogordo Public Schools would like to request the support of the City of Alamogordo Commission to place a facility on the Desert Lakes Golf Course property. This facility will greatly benefit the Alamogordo High School golf team and the Desert Lakes Golf Course management as they are currently utilizing the pro shop storage room as a field house facility. Not only is this extremely inconvenient for the Desert Lakes Golf Course management, it also functions very poorly for the AHS Golf Team.

The District has a modular building that would be suitable to function as a locker room/indoor instruction facility. The building will have restrooms, interior/exterior lighting and a self-contained HVAC system. The renovation to the building will include exterior finishes to resemble the existing clubhouse. The interior will be remodeled to function as a locker room on one side and an indoor golf instruction room on the other. The District will maintain the building to include preventative maintenance, reactive maintenance and utilities.

We are requesting support from the city commission for this project as it will benefit both the Desert Lakes Golf Course management and the Alamogordo High School Golf Team. If approved, utilization of this facility will be managed through the Agreement between the District and City for Recreational Facilities. Your support of this project is greatly appreciated. If you have any questions, please do not hesitate to contact Mrs. Adrianne Salas, Superintendent or myself.

Sincerely,

J. Vance Lee
Executive Director

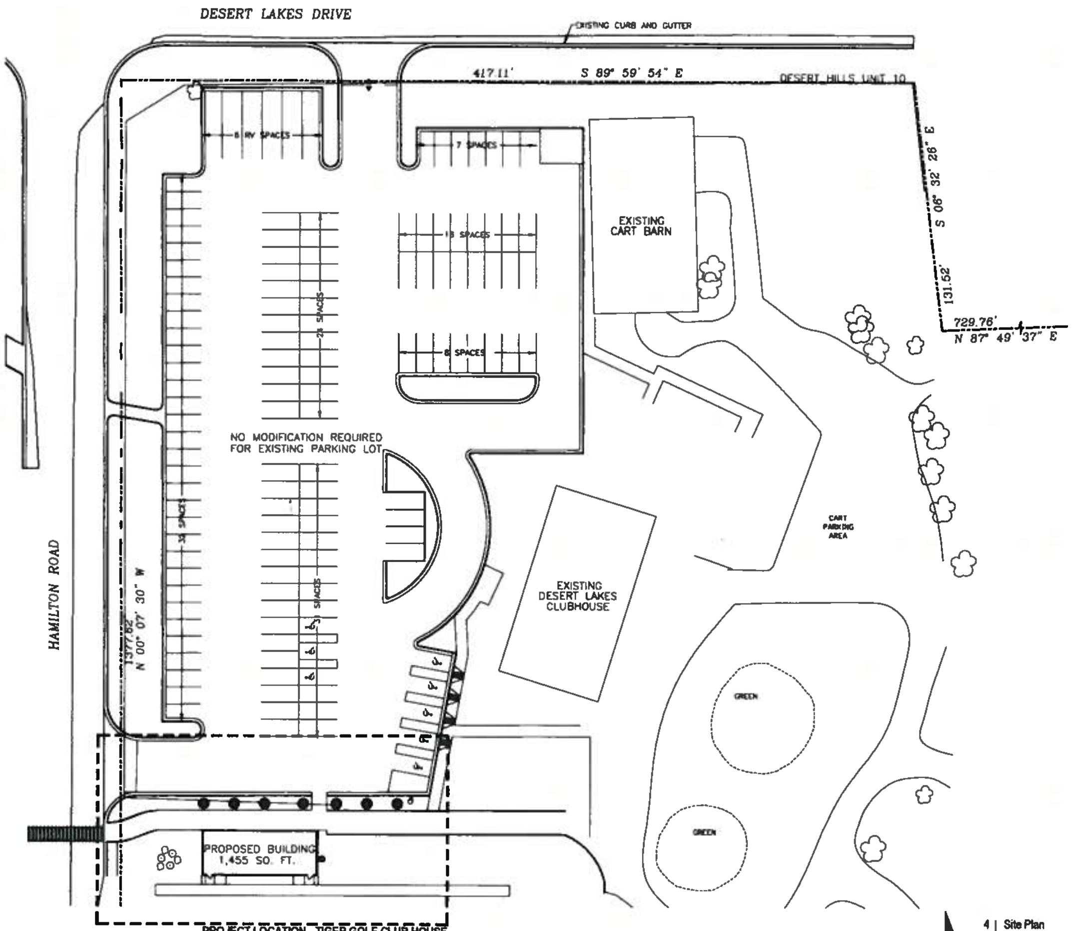
CC: Adrianne Salas, Superintendent of Schools

RECEIVED
MAY 19 2015
OFFICE OF THE
CITY MANAGER


CIELO GRANDE CORTE
CIELO GRANDE
CAMINO DE SUENOS
TIERRA DE SUENOS
CIELO VISTA
DESERT LAKES RD
HAMILTON RD
TRES LAGOS

ALAMOGORDO PUBLIC SCHOOLS & DESERT LAKES GOLF COURSE PRESENT:

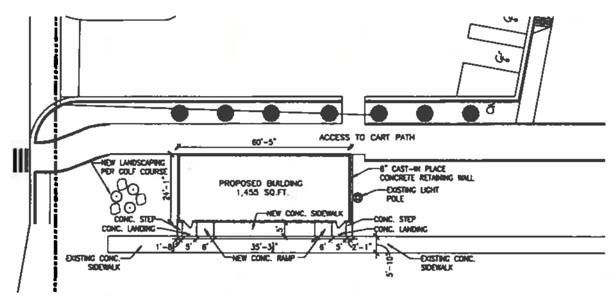
A NEW HOME FOR THE TIGER GOLF TEAM



4 | Site Plan
C1 | 1" = 30'-0"

3 | North West Corner of New Building
C1 | NTS

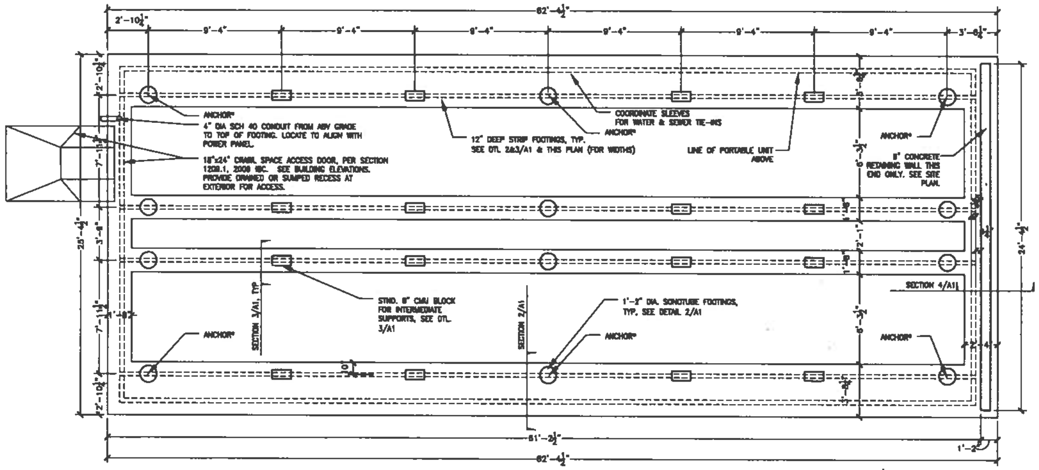
2 | South West Corner of New Building
C1 | NTS



1 | Enlarged Site Plan
C1 | 1" = 20'-0"

SHELLEY M. HUGHES,
ARCHITECT
PO BOX 93
CLOUDCROFT, NM 88317
575.551.1080

DATE:
05.09.15



NOTE: SEE SITE PLAN FOR CONCRETE SIDEWALK, RAMP & STAIR LOCATIONS.

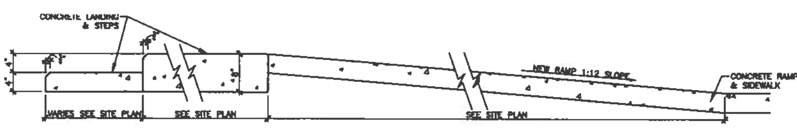
8 | Foundation Plan
A1 | 1/4" = 1'-0"

FOUNDATION NOTES

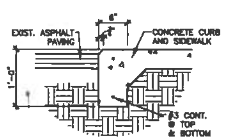
1. ALL DIMENSIONS ARE FROM FACE OF UNIT, PROPERTY LINE, OR KNOWN EXISTING ENTITY AS SHOWN, UNLESS NOTED OTHERWISE, SUCH AS DIMS TO CENTER OF ROUND FOOTINGS.
2. PLACE ALL CONCRETE IN FAVORABLE WEATHER, NOT DURING RAIN OR IN FREEZING WEATHER AND PROTECT UNTIL INITIAL CURE HAS SET AND CONCRETE IS STABLE.
3. ROD OR VIBRATE CONCRETE INTO SONO-TUBE FORMS TO PREVENT VOIDS AND WORK CONCRETE INTO CORNERS.
4. TROWEL TOPS OF EXPOSED CONCRETE FILL AT CMU BLOCK FOUNDATION WALL TO A SMOOTH, LEVEL, AND EVEN CONDITION SUITABLE FOR SETTING 2x4 FRAMING.
5. INSERT WALL ANCHOR BOLTS AFTER PLACEMENT OF GROUT AND ROD IMMEDIATELY AFTER PLACEMENT TO CLOSE VOIDS AND REMOVE AIR FROM AROUND BOLT HOOKS AND ASSURE GOOD SOLID ANCHORAGE OF THE BOLTS.
6. CONCRETE SHALL BE 4,000psi MIN. W/ 3 TO 6 PERCENT AIR CONTENT.
7. ALL FILL MATERIAL SHALL MEET LL<40, PI<15
8. FILL MATERIAL PLACEMENT & COMPACTION REQUIREMENTS:
   FILL LIFT THICKNESS: 10 INCHES OR LESS IN LOOSE THICKNESS
   MIN. COMPACTION REQUIREMENTS (1): 95% OF THE MATERIALS MAXIMUM MODIFIED PROCTOR DRY DENSITY (ASTM D 1557)
   MOISTURE CONTENT: WITHIN 2% OF OPTIMUM MOISTURE CONTENT VALUE AS DETERMINED BY THE MODIFIED PROCTOR TEST AT THE TIME OF PLACEMENT AND COMPACTION.
   (1) IT IS RECOMMENDED THAT ENGINEERED FILL BE TESTED FOR MOISTURE CONTENT AND COMPACTION DURING PLACEMENT. SHOULD THE RESULTS OF THE IN-PLACE DENSITY TESTS INDICATE THE SPECIFIED MOISTURE OR COMPACTION LIMITS HAVE NOT BEEN MET, THE AREA REPRESENTED BY THE TEST SHOULD BE REWORKED.

GENERAL DRAWING NOTES

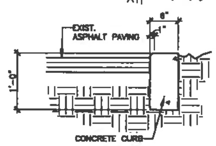
1. ALL DIMENSIONS ARE FROM FACE OF UNIT, PROPERTY LINE, OR KNOWN EXISTNG ENTITY AS SHOWN.
2. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND BRING ANY DISCREPANCIES FOUND, OR CONCERNS NOTED, TO THE ATTENTION OF THE ARCHITECT FOR CLARIFICATION OR RESOLUTION BEFORE PROCEEDING WITH DIMENSION RELATED CONSTRUCTION.
3. EQUIPMENT SUPPLIED BY OTHERS: THE GENERAL CONTRACTOR SHALL PROVIDE ALL BLOCKING, SUPPORT(S), ELECTRICAL, PLUMBING, DATA, AND ANY OTHER COMPONENTS OR SYSTEMS REQUIRED FOR ALL EQUIPMENT, FIXTURES, AND CABINETRY PROVIDED BY OTHERS TO BE INSTALLED AND FUNCTION AS INTENDED
4. WORK PROVIDE BY OTHERS: THE CONTRACTOR SHALL COMMUNICATE AND COORDINATE WITH ALL OTHER WORK CONTRACTORS/SUBCONTRACTORS/UTILITY COMPANIES AND CREWS, AND COORDINATE HIS WORK WITH THEIRS, AND SCHEDULE WORK SO AS TO PREVENT UNNECESSARY DELAYS IN THE WORK OR REWORK BY CONTRACTOR OR OTHERS.
5. DRAWINGS LABLED "PRELIMINARY" OR "NOT FOR CONSTRUCTION" ARE SUBJECT TO CHANGE.
6. DRAWINGS OR DETAILS OR NOTES MARKED "TYPICAL" OR "TYP" APPLY TO ALL SIMILAR CONDITIONS.
7. CONTRACTOR SHALL CONFIRM ALL EXISTING CONSTRUCTION AT EACH SITE AND PERFORM HIS WORK WITHOUT UNPLANNED DISRUPTION OF EXISTING UTILITIES TO OTHER OCCUPIED EXISTING STRUCTURES. ANY EXISTING FACILITIES OR PROPERTY DAMAGED BY CONSTRUCTION PROCESSES SHALL BE RESTORED TO ITS PRE-CONSTRUCTION CONDITION



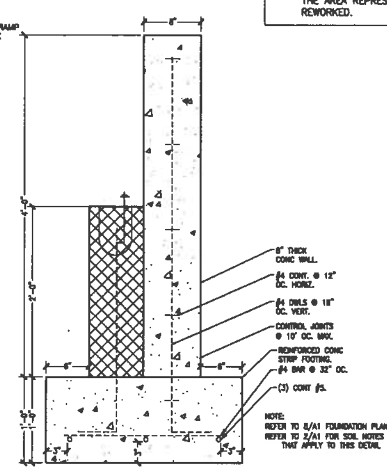
7 | Ramp Detail
A1 | 1" = 1'-0"



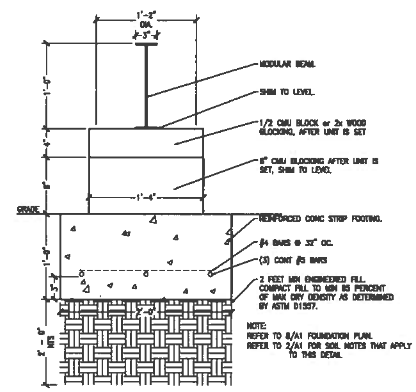
6 | Curb Detail
A1 | 1" = 1'-0"



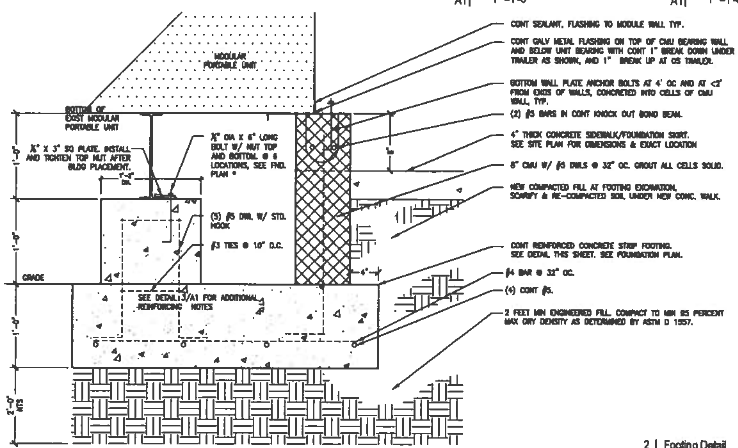
5 | Curb Detail
A1 | 1" = 1'-0"



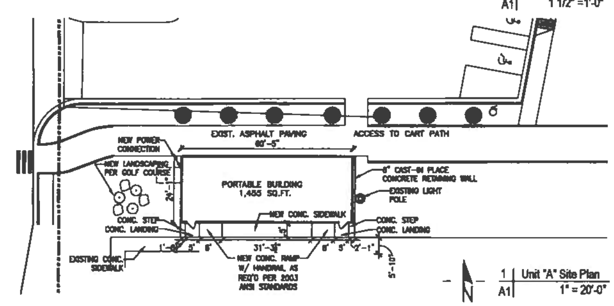
4 | Foundation Detail
A1 | 1 1/2" = 1'-0"



3 | Foundation Detail
A1 | 1 1/2" = 1'-0"



2 | Footing Detail
A1 | 1 1/2" = 1'-0"



1 | Unit "A" Site Plan
A1 | 1" = 20'-0"

Alamogordo Public Schools
RELOCATE PORTABLE BUILDINGS
1211 HAWAII AVENUE
ALAMOGORDO, NEW MEXICO

SHELLEY M. HUGHES,
ARCHITECT
PO BOX 93
CLOUDCROFT, NM 88317
575.551.1080

NOT FOR CONSTRUCTION

revisions:

DATE
05.21.15

SHEET
A1

ALAMOGORDO PUBLIC SCHOOLS
PORTABLES RELOCATION
UNIT A FOUNDATION:

RELOCATION OF 1 UNIT TO
GOLF COURSE SITE FROM YUCCA ELEMENTARY SCHOOL

CODE INFORMATION:

APPLICABLE CODES:
2009 IEBC, 2009 IBC, ICC/ANSI 2003

CONSTRUCTION TYPE:
(PER SECTIONS 903.2.9 & 903.2.9.1; 2009 IBC) NON-SPRINKLED V-B
CATEGORY III (3) (TABLE 1604.5)
"E" OCCUPANCY - EDUCATION NO CHANGE IN OCCUPANCY OR USE OF STRUCTURES. ONLY CHANGE IS LOCATION OF UNIT.

SEISMIC LOCATION: SITE CLASS B
BUILDING HEIGHT </= 25', ONE STORY
SEISMIC BRACING OF SAT NOT REQUIRED PER 3412..6.3.2- COMPLY WITH ASTM 636 & 712

PROJ IS SEISMIC OCCUPANCY "I" AND SITE IS SEISMIC CATEGORY C FOR WHICH NO CONDITIONS EXIST IN 1710.2 pg 383 & 1707.7 NOT SEISMIC INSPECTIONS REQUIRED.

CLIMATE ZONE: 3B (ALAMOGORDO)

ZONE: CITY OF ALAMOGORDO

SPRINKLER SYSTEM REQ'S
(PER SECTION 903.2.1.3)
NO CHANGE IN BLDG SF OR OCCUPANCY
NONE OF THE CONDITIONS EXIST

FIRE EXTINGUISHERS:
REQUIRED: 1 PER 3,000 SF
PROVIDED: NO CHANGE IN EXISTING FE PER OWNER

OCCUPANCY GROUPS: E-EDUCATION
(PER SECT. 304/311.3, 2009 IBC)

ALLOWABLE AREA:
PER TABLE 503
E: EXISTING & NO CHANGE N/A

OCCUPANT LOADS (TABLE 1004.1.1)
EDUCATION
1,792 GSF MODULAR UNIT
OCCUPANCY TYPE AND COUNT DO NOT CHANGE

EXITS REQ'D:
(PER SECTION 1015.1 & 1021 2009-IBC)
NO CHANGE FROM EXISTING TO REMAIN

NUMBER OF EXITS REQUIRED: NO CHANGE N/A

EXITS PROVIDED: EXISTING-NO CHANGE N/A

PLUMBING: EXISTING & NO CHANGE N/A

SHEET LIST:

COVER:
C1 LOCATOR PLAN & CODE DATA

ARCHITECTURAL:
A1 SITE PLAN & FOUNDATION PLAN

ELECTRICAL:
E1 ELECTRICAL DRAWINGS & NOTES

DESIGN TEAM & CONTRACTOR

PRIMARY CONTACT / ARCHITECT:
SHELLEY M. HUGHES, ARCHITECTS PC
500 BURRO AVE. / P.O. BOX 93
CLOUDCROFT, NM 88317
575.551.1080

RBM ENGINEERING / ELECTRICAL ENGINEER:
1065 S. MAIN ST. BLDG-D, STE A
LAS CRUCES, NM 88005
575.647.1554
CONSULTANT TO ARCHITECT

CONTRACTOR - APS
BOBBY LARA
APS EMPLOYEE & CONTRACTOR
1211 HAWAII AVE.
ALAMOGORDO, NM 88310
575.442.0373
GB98 #376106

SCOPE OF WORK:

THIS WORK IS ASSOCIATED WITH THE RELOCATION OF AN EXISTING 24'x60' NOMINAL (1,455 GSF) PORTABLE CLASS ROOM MODULE FROM ONE SITE TO A DIFFERENT SITE. IT WILL BE SET ON NEW CONCRETE BLOCK/CONCRETE FOUNDATION AND CONNECTED TO EXISTING EXTENDED UTILITIES (WATER, SEWER, AND POWER) EXTENDED TO THE NEW FOUNDATION. THE INTERIOR OF THE UNIT WILL NOT BE CHANGED. THIS APPLICATION IS FOR THE FOUNDATION AND ASSOCIATED UTILITY EXTENSIONS ONLY. DESIGN ANALYSIS OF THE PORTABLE BUILDING ITSELF WAS BEYOND THE SCOPE OF ARCHITECTURAL SERVICES.

THE OWNER'S CONTRACTOR IS SOLELY RESPONSIBLE FOR BALANCING THE POWER CIRCUIT LOADS AND ASSURING THAT THE EXISTING SERVICE REMAINS ADEQUATE FOR THE RELOCATED MODULE TO BE CONNECTED. THE OWNER'S CONTRACTOR WILL BE SOLELY RESPONSIBLE FOR ASSURING THAT THE WORK IS INSTALLED IN STRICT COMPLIANCE WITH ALL GOVERNING CODES, STATUTES, AND STANDARDS AND FOR ACQUIRING ALL REQUIRED PERMITS AND INSPECTIONS.

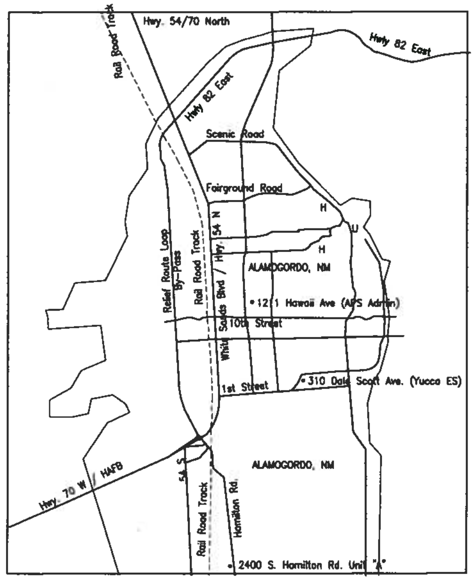
UNIT "A" WILL BE SET WITH IT'S FLOOR LEVEL EIGHT INCHES (8") ABOVE GRADE AND THE CARRIAGE FRAME WILL BE IN A RECESSED "PIT" CREATED BY THE PERIMETER FOUNDATION. ACCESSIBILITY WILL BE PROVIDED BY POURING NEW CONCRETE RAMPS WITH HANDRAILS, STEPS, CURBS AND SIDEWALKS PER 2003 ANSI STANDARDS.

GEOTECHNICAL DATA HAS NOT BEEN MADE AVAILABLE FOR DESIGN CONSIDERATIONS. DESIGN ASSUMPTIONS HAVE BEEN MADE REGARDING THE SUB-SURFACE SOIL CONDITIONS. BUILDING LOADING OR MOISTURE CONTENT IN SOILS COULD CAUSE DIFFERENTIAL SOIL MOVEMENT, THEREFORE, BUILDING MOVEMENT/SETTLEMENT. THE ARCHITECT SHALL BE HELD HARMLESS FOR FUTURE SOIL CONDITIONS. IF DIFFERENTIAL SOIL MOVEMENT OCCURS THE OWNER SHALL CONSULT A LICENSED GEOTECHNICAL ENGINEER FOR RECOMMENDATIONS.

PROJECT OWNER & LOCATIONS:

ALAMOGORDO PUBLIC SCHOOLS
1211 HAWAII AVENUE
ALAMOGORDO, NM 88310

STAGED FROM 310 DALE SCOTT AVE. TO 2400 S. HAMILTON ROAD AS NOTED ON LOCATOR MAP.
ALAMOGORDO,
OTERO COUNTY,
NEW MEXICO



N
1 | Sites Locator Plan
C1 | NTS

Alamogordo Public Schools
RELOCATE PORTABLE BUILDINGS
1211 HAWAII AVENUE
ALAMOGORDO, NEW MEXICO

SHELLEY M. HUGHES,
ARCHITECT
PO BOX 93
CLOUDCROFT, NM 88317
575.551.1080

NOT FOR CONSTRUCTION

revisions:

DATE
05.21.15

SHEET
C1

AGENDA REPORT
CITY OF ALAMOGORDO
CITY COMMISSION

Meeting Date: 05/26/2015 **Report Date:** 5/20/2015 **Report No:** 4.

Submitted By: Renee Cantin, City Clerk

Subject: Appointments to Boards & Committees. *(Susie Galea, Mayor)*

Fiscal Impact:
Amount Budgeted:
Fund:

Recommendation: None.

Background: Airport Zoning Board. Two (2) vacancies. Staff Liaison - Jan Waffful
(Opening due to the resignation of Fran Nelson, Paul Vigneault and Randel Wilson)
No nominations received.

Alamogordo Disability Council. Two (2) vacancies. Staff Liaison - Edward Balderrama (Openings due to the resignation of Bradley Mauger and the passing of Ed Grabman.) No nominations received.

Cemetery Board. One (1) vacancy. Staff Liaison - Jan Wafful (Opening due to the passing away of Mary Eastman and the expiring term of Larry T. Rachel)
No nominations received.

Community Development Advisory Committee. Five (5) vacancies. Staff Liaison - Ruben Segura (Opening due to the expiring term of Bruce Knee, Susan Payne, Tony Alger and Melanie Hall and the resignation of Arthur Alterson.)
No nominations received.

Housing Authority Advisory Board. One (1) vacancy. Staff Liaison - Maggie Paluch
One of the members appointed on December 3rd has not returned his acceptance letter, therefore another person needs to be appointed.
No nominations received.

Parks and Recreation Board. One (1) vacancies. Staff Liaison - Jan Wafful
(Opening due to the resignation of James Broaddus and the expiring term of Lena Wiley) No nominations received.

Senior Volunteer Programs Advisory Council. Three (3) vacancies. Staff Liaison - Maria Roque (Openings due to the resignations of William Whitley and Thomas Rich V.) No nominations received.