CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 P.M., COMMISSION CHAMBERS
January 9, 2018

RICHARD BOSS, MAYOR
JASON BALDWIN, COMMISSIONER
NADIA SIKES, COMMISSIONER
JENNY TURNBULL, COMMISSIONER
SUSAN PAYNE, COMMISSIONER
AL HERNANDEZ, MAYOR PRO-TEM
MAGGIE PALUCH, CITY MANAGER
PETRIA SCHREIBER, CITY ATTORNEY
RACHEL HUGHS, CITY CLERK

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

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

APPROVAL OF AGENDA

Mayor Pro-Tem Hernandez moved to approve the agenda.
Commissioner Baldwin seconded the motion. Motion carried with a vote of 5-0-0.

PUBLIC COMMENT

Bashar Nassar commented on the following:
Mr. Nassar spoke on Item 11, the Gross Receipts Investment Program (GRIP). He talked about Gerald Champion Regional Medical Center and the projects they have accomplished over the past three years. He spoke of the importance and need of these projects. He also said there are a lot of projects in the works right now.

Mayor Boss advised Mr. Nassar that there is a three minute time limit for public comment, but he thinks that this Commission would really love to hear this as a presentation. He advised Mr. Nassar to see City Clerk Hughs and this would allow him much more time to present this.

Mr. Nassar said they are putting together their strategic plan for the next five years and are in the process of putting together some documents and data so the Hospital can apply for the GRIP program. He said on behalf of Gerald Champion and their strong employees and physicians, they urging the Commission to really consider to not restricting the ability to go back and file for prior projects and at least allow them to apply for what they have incurred in expenses over the past three years.

CITY MANAGER'S REPORT

City Manager Paluch made the following remarks:
1. She said destruction for 508 Maryland is scheduled for January 22, 2018 and possibly on January 23, 2018. She wanted to let the public know to stay away of this address on those dates.
2. She said on February 5th there will be a Public Meeting for anyone in the public to give input on the draft Comprehensive Plan. The Meeting will be at the Civic Center at 6:00 pm until 8:00 pm.
3. She said staff had a new website design kickoff meeting. She said at that meeting they discussed new photos, must-haves, and basic design elements. She said we are going to have separate department header pages. She said there will be four; one for the Police Department, one for the Fire Department, one for the Library and one for the Zoo. Those department headers are going to look completely different than the City of Alamogordo's website. The Police Department, for example will be

able to add specific buttons that pertain to them; whatever the police department sees as being a benefit to their department.
4. She said on January 20, 2018, the White Sands Beautification Committee is having their first clean up day. The volunteer cleanup will be on White Sands Boulevard and it is encompassing the areas of First Street up to Tenth Street. All volunteers are welcome and the meet up time is at 9:30 a.m. at the McDonald's parking lot. The Keep Alamogordo Beautiful program is supplying the gloves, the trash bags and the trash picker uppers. She said we are looking for volunteers in the community that have weed whackers to take down some of the weeds in the area.
5. She said the Golf Course ponds were lined a couple of years ago, but unfortunately due to the esthetic design around the ponds to make them fit within the golf course was not funded at that time. She said it is now funded, so the bid for design for ponds one through three has been published. The opening date is January 18th at 2:00 p.m. Hopefully, the Commission will be able to see the award on their January 30th meeting.
6. She said staff is extremely busy gathering data for the FY 19 Budget. She said currently all the departments are projecting their budgets throughout the end of this year, and next year as well, to determine what funding is needed. The initial budget entry will be completed on January 19th. The budget process is very extensive, it takes about 6 months to complete before the Commission actually gets to approve the budget in May. She announced the Commission is going to see a new Capital Equipment Replacement Program. She said that will help staff budget adequately for Capital needs in the future.
7. She acknowledged our Law Enforcement for Law Enforcement Appreciation Day. She thanked all of our Police Officers for their hard work and their dedication to our community. She gave the public a few stats about the Department in the first two quarters of our fiscal year. She said in the last six months the Police Department responded to 7,274 calls for service that included writing 2,519 traffic citations, 431 non-traffic citations, 2,019 arrests, 50 DWI arrests and 597 warrants served. She said these numbers are huge, especially right now because we are short staffed.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

None.

CONSENT AGENDA

1. Approve the minutes for the December 19, 2017 Regular meeting. *(Rachel Hughs, City Clerk)*

2. Approve the statements related to the Executive Session held on December 19, 2017. *(Rachel Hughs, City Clerk)*

3. Approve Resolution No. 2018-01determining reasonable notice of meetings of the Alamogordo City Commission (Open Meetings Act). *(Rachel Hughs, City Clerk)* (Roll Call Vote Required)

4. Approve the Annual Reports from City Boards, Commissions and Committees for Calendar Year 2017. *(Rachel Hughs, City Clerk)*

5. Consider and act upon, final publication of Ordinance No. 1547 an ordinance repealing Appendix B (Employee Manual) of the City of Alamogordo Code of Ordinances, and replacing it with a new Employee Manual. *(Katie Josselyn, Human Resources Director and Maggie Paluch, City Manager)* (Roll Call Vote Required)

6. Consider and act upon, final publication of Ordinance No. 1552, creating a Separate Violation for Failure to Comply with Municipal Court Orders. *(Petria Schreiber, City Attorney)* (Roll Call Vote Required)

7. Consider and act upon, final publication of Ordinance No. 1557 and agreement approving a local economic development project for secured financial assistance proposed by Precheck, Inc. *(Petria Schreiber, City Attorney)* (Roll Call Vote Required)

8. Approve application for a grant from the Department of Homeland Security/Assistance to Firefighter's Grant Program (AFG) related for the purchase of a Class A apparatus, Personal Protective Equipment (PPE), and Self Contained Breathing Apparatus (SCBA). ***(Jim LeClair, Fire Chief)***

9. Approve the Resident Parking Only, Mobility Disabled Resident Parking Only, and Commercial Mobility Disabled Parking Only sign locations for the purpose of determining continuance of each location. ***(Eric Barraza, Deputy City Clerk)***

Commissioner Baldwin asked to remove Item # 4 and 7 from the Consent Calendar.

Mayor Pro-Tem Hernandez moved to approve items 1,2,3,5,6,8,9 of the consent calendar.
Commissioner Baldwin seconded the motion.
Roll call vote was taken.
Motion carried with a vote of 5-0-0.

ITEMS REMOVED FROM CONSENT AGENDA

4. Approve the Annual Reports from City Boards, Commissions and Committees for Calendar Year 2017. ***(Rachel Hughs, City Clerk)***

Commissioner Baldwin said he wanted to remove this item to make a few comments. He said there are 11 or 12 different Committees that citizens fill the seats on those committees. He said altogether there are probably 50 or 60 people that take time out of their days to do the work for the City before it even comes to us. He said those Boards are also overseen by staff members, Department Heads and other people within the City. They do a tremendous amount of work. It certainly makes our jobs, as Commissioners, a lot easier and there are a lot of people out there that really care. He said as these reports hit us right here on our consent agenda, he just wanted to say thanks to all the people involved on these committees, it is a tremendous amount of work.

Mayor Boss said the reason it was put on the consent agenda was not to avoid recognizing the people, but within the next few meetings we are going to have each committee and board making individual presentations to the Commission, so we are going to hear those reports.

City Manager Paluch said yes, just like last year the Committees will come before the Commission and they will talk about what they did over the past year. You will get to see either a power point presentation or them, just speak about their achievements. Mayor Boss thanked Commissioner Baldwin for recognizing them.

Commissioner Baldwin moved to approve.
Mayor Pro-Tem Hernandez seconded the motion.
Motion carried with a vote of 5-0-0.

7. Consider and act upon, final publication of Ordinance No. 1557 and agreement approving a local economic development project for secured financial assistance proposed by Precheck, Inc. ***(Petria Schreiber, City Attorney)*** **(Roll Call Vote Required)**

City Attorney Schreiber asked to pull this item because there will be one change to the Project Participation Agreement. She said under section 2(D), entitled Documentation of Completion of Construction Phases, the last line just says deconstruction schedule attached as attachment B. She said there is no attachment B, there never was one. She said we are fine but that last sentence just needs to be stricken from this Project Participation Agreement. If the Commission would like to consider and act on it, it would need to be with that line stricken.

Mayor Boss asked City Attorney Schreiber to repeat which line needs to be stricken. She explained where to find the line that needs to be stricken. She said Mr. Mark Roper is in attendance and said that she has spoken with Mr. David Matthews who is the Attorney for the New Mexico Economic Development Department and we are all on board with this being stricken and going through as is.

Mayor Pro-Tem Hernandez moved to approve as amended.
Commissioner Turnbull seconded the motion.
Roll call vote was taken.
Motion carried with a vote of 5-0-0.

NEW BUSINESS

10. Consider and act upon, first publication of Ordinance No.1560 and agreement approving a Local Economic Development Project for Secured Financial Assistance proposed by Drought Adaptation Industries, LLC. *(Petria Schreiber, City Attorney)* Roll Call Vote Required

City Planner Williams spoke on Drought Adaptation Industries and their LEDA application. He said their focus is on agriculture improvement and combating drought. He said initially they are looking at six to ten employees the first year, but by the third year a total of 14 employees. He said if numbers prove as they anticipate that may go up significantly. He said the LEDA panel for the City met and unanimously recommend this for approval. He said their project is incredibly strong from the tenants of what LEDA is about in the manufacturing phase, exportation out of New Mexico. Not to mention the economic impact response we received from the New Mexico Economic Development Department was very favorable as well. He said their business plan is well put together and ultimately the security provided is the building itself. They were able to purchase it at an unimproved status and with all the improvements it will almost meet the entirety of the funding they are requesting. He said the security is pretty solid.

Mayor Boss commented that he had the opportunity to meet with Mr. Bell. He said he was invited out there several months ago and was able to spend some time out there. He was also given a copy of the business plan and was able to review it. He said he was very impressed with what they are doing.

Commissioner Baldwin moved to approve.
Mayor Pro-Tem Hernandez seconded the motion.
Roll call vote was taken.
Motion carried with a vote of 5-0-0.

11. Consider and act upon, first publication of Ordinance No. 1561 to amend Sections 2-15-040 and 2-15-050 of the Alamogordo Code of Ordinances Regarding the Gross Receipts Investment Program. *(Petria Schreiber, City Attorney)* Roll Call Vote Required

City Attorney Schreiber said Paralegal Williams will present this to the Commission.

Paralegal Williams said these amendments are in response to some questions that came up when they had the GRIP application from Malhotra Foods for the Subway project. She said the first one is in 2-15-40, we are adding in section 1 where it says the expansion or rehabilitation of an existing structure, this she thinks clarifies the intent of this which is adding jobs by expanding or rehabilitating an existing a building as the gentleman from Subway did. She said in the next section we added two paragraphs. She said this was in response to some questions that Commissioner Baldwin had as far as the timing of the application from Subway. She said in conversation with our Finance Department the way that these projects run we have to keep track of the gross receipts taxes that they are paying on construction. If a project is large, it could potentially wipe out the entire budget that they have of $100,000 and then they have nothing left. She said her suggestion was if the application is thought to be over $10,000 returned to the business owner, they would need to get it approved before they commence the project. That way we can set up an account and the money goes into that account to be paid to them and it doesn't impact our $100,000 budget. If it is less than $10,000 we've got the wiggle room to make that work and it just makes it a little bit easier for there to be multiple projects moving at the same time. Because of the fact that there is only $100,000 there, we don't want to have a huge project come in and just take it all first thing in the new year and then we have nothing left for anyone else.

Mayor Boss asked if we have not utilized the GRIP program. He said he cannot recall in the two years that he has been here that this has been used.

Paralegal Williams said Albertsons was one and she thought their return was about $75,000. She said her records show that there have only been six or seven of these projects. Mayor Boss said in the last couple of years he cannot recall one. Paralegal Williams said the intent, as is with the LEDA projects, is to make these things better known so that people can use them and with that process in mind we don't want to run out of budgeted funds and have to say to somebody we are sorry, we can't help you.

Commissioner Baldwin moved to approve.
Commissioner Turnbull seconded the motion.
Roll call vote was taken.
Motion carried with a vote of 5-0-0.

12. Consider and act upon, Resolution No. 2018-04 authorizing execution of a Gross Receipts Investment Program ("GRIP") Agreement between the City of Alamogordo and Malhotra Foods, Inc. *(Petria Schreiber, City Attorney)* Roll Call Vote Required

Paralegal Williams said this is the agreement that was brought in November. She said they have confirmed that all of the compensating taxes and everything were paid. She said there was some question to that because he bought a lot of equipment from out of state. She said his reimbursement on the City's portion of the gross receipts is $3,425.21.

Mayor Pro-Tem Hernandez asked if we have relayed this to them. Paralegal Williams answered yes.

Mayor Pro-Tem Hernandez moved to approve.
Commissioner Sikes seconded the motion.
Roll call vote was taken.
Motion carried with a vote of 5-0-0.

13. Appointments to Boards and Committees. *(Richard Boss, Mayor)*
Mayor Boss read the openings and appointed Jose Rodriguez to the Mayor's Committee on Aging. No one was opposed.

Mayor Pro-Tem Hernandez made the following comments:
He said today was filing day for three seats that we have come open. He said he appreciates everybody who has stepped up and put their name in the hat. He said good luck and welcome to this thankless job that we have.

Commissioner Baldwin said if any of you are sitting in the audience today; do not think this is a regular length meeting.

Commissioner Turnbull moved to adjourn at 7:03 p.m.
Mayor Pro-Tem Hernandez seconded the motion.
Motion carried with a vote of 5-0-0.

ADJOURNMENT

Mayor Richard Boss

ATTEST:

City Clerk Rachel Hughs

(Prepared by Eric Barraza, Deputy Clerk)
Approved at the Regular Meeting held on January 30, 2018.