

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 P.M., COMMISSION CHAMBERS
April 24, 2018**

**RICHARD BOSS, MAYOR
AL HERNANDEZ, COMMISSIONER
NADIA SIKES, COMMISSIONER
JOSH RARDIN, COMMISSIONER
SUSAN PAYNE, COMMISSIONER**

**JASON BALDWIN, MAYOR PRO-TEM
DUSTY WRIGHT, COMMISSIONER
MAGGIE PALUCH, CITY MANAGER
PETRIA SCHREIBER, CITY ATTORNEY
RACHEL HUGHS, CITY CLERK**

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

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

APPROVAL OF AGENDA

Assistant City Manager Cesar asked Items 10 and 15 to be pulled from the agenda and to come back to the Commission at a later date.

Commissioner Hernandez moved to amend the agenda.

Mayor Pro-Tem Baldwin seconded the motion. Motion carried with a vote of 6-0-0.

PRESENTATIONS

1. National Thank a Firefighter Day Proclamation.

Mayor Boss asked for Fire Chief LeClair to join him at the podium. He recognized, by Proclamation, the City of Alamogordo Fire Department and proclaimed May 4, 2018 as Thank a Firefighter Day.

PUBLIC COMMENT

None.

CITY MANAGER'S REPORT

City Manager Paluch made the following remarks:

1. She commented on the Green Water Storage Tank Project. She gave an update on some of the work that has been completed and what is still in the process. She said this is a yearlong project, but they are moving a lot quicker than expected.
2. She said the notice to proceed for the 2017 Street Maintenance Program is tentatively scheduled for May 14, 2018.
3. She said the Recreation Center locker rooms are almost completed. The entire inside of the locker rooms was painted white and completely gutted.
4. She said the zoo walking path is complete, so now our citizens can walk all the way through the zoo without having any tripping hazards or any worries about ADA compliance.
5. She said the Washington basketball court is 90 percent done with the design. She said advertising and bidding is expected to go out in approximately the next 30 days.
6. She said staff has reviewed preliminary plans from Downtown Venture Corporation on the enhancements for the inside of the Family Fun Center property. She said we have informed the contractor that he can move forward with construction, drawings including MEP. The plans will be submitted to the Planning and Zoning Department and go through the regular permitting process along with the Internal Technical Review Committee.

7. She reminded everyone about the Managed Growth Workshop on May 1, 2018 at 6:30 p.m. at Fire Station No. 5 on South Florida. She said since the new year, staff has been working on a managed growth plan that details the necessary infrastructure and services needed for the expected growth that the City of Alamogordo is looking forward to in the future. The workshop is open to the public.
8. She said staff received the asbestos report on the Sahara Apartments yesterday and unfortunately the report did not come back favorable. She said the lab indicated that there was asbestos in merely every area of the buildings. She said what this means is that a certified company is going to have to come in to dispose of the asbestos and demolish the building per EPA standards. She said we cannot just go in and abate the asbestos and then have City staff come back in, or hire a contractor, to demolish the building. She said we believe that we'll have to probably hire a certified company that will demolish the buildings, that has the ability to maintain the asbestos during the demolition process. The next step is staff is going to obtain quotes for such type companies and we'll get a cost analysis and bring that back to the Commission and the public. She wanted to make sure that the public is aware that we are moving on this project, unfortunately today we don't have good news, but we will continue to move forward.
9. She said as requested by the Commission with regards to the land swap with the School Department. She said letters were mailed to all the residents within a 250-foot radius of the intersection of Alaska and 13th Street, and 13th Street and Florida, to inform the residents of the potential plan to close the Street permanently. She said to date the City has not received any opposition from residents in the area. She said staff plans to wait several weeks to see if people contact the City with feedback. She said the traffic counters were placed today at 10 a.m. and will run for the next 14 days to count the traffic on 13th Street. Once the data is collected and we wait for a period of time to see if we have any opposition from any of the residents in that location, we'll bring this topic back to the Commission in a future meeting.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Commissioner Sikes made the following comments:

She asked City Manager Paluch to explain the process regarding the Sahara Apartments. City Manager Paluch said right now we are going to wait and get the quote. We don't know what the cost will be to demolish the building, at this time. She said, as City Attorney Schreiber has spoke about in previous meetings, what would happen is that we would lien the property for the total amount that it will cost the City to demolish those buildings. She said we do not have the cost right now. She said the owner would be held responsible, if they cannot pay that, which may happen, the City would then move forward with foreclosure proceedings on that property. She said we are far away from that, at this point.

Commissioner Sikes said based on what City Manager Paluch has told the Commission with regards to the asbestos, are they fenced off enough to make sure that nobody goes in there. City Manager Paluch said the buildings themselves, right now, are not fenced off. There are "No Trespassing Signs" throughout and we have boarded all the windows and the doors. She said she spoke with the Police Chief and he is aware that there are sometimes vagrants, that try and break into the buildings. She said the Police Department is going to be doing more patrols around the area to ensure that, hopefully, we can dissuade that.

Commissioner Hernandez made the following comments:

He asked if it would be possible to go and clean that property around the apartments. City Manager Paluch said she thinks that the City could clean up the aesthetics of around the property. She said there are multiple liens on the property from weed abatement that the City had been doing. She said she would speak with Assistant City Manager Cesar and the Public Works Department and see what we can do as far as the aesthetics are concerned in the meantime.

City Attorney Schreiber made the following comments:

She said the reason we have not fenced it yet is because there is a stray cat population. She said before anything happens with the buildings and they are demolished we make sure that there are no animals

inside that could get hurt. She said that is something that we are working with Animal Control on. She said they have trapped about 10 cats so far.

City Manager Paluch made the following comments:

She said we want to encourage the public to please stay away from the buildings. She asked if anyone sees someone going in there, to please call the Police Department, so that they can respond.

Commissioner Rardin made the following comments:

He asked if they could burn the building down. He said he does not know the rules with asbestos, but there used to be two building there at one time and the other one had burnt down. City Manager Paluch said the asbestos is the issue. Commissioner Rardin said asbestos doesn't really burn. Mayor Boss said asbestos doesn't burn, but it will be put into the air with the smoke. Commissioner Rardin said he didn't know, and thought it was a cheaper alternative. City Attorney Schreiber said both New Mexico Environmental Department (NMED) and COD will not allow us to do that once we have the finding of asbestos in there.

CONSENT AGENDA

2. Approve the minutes for the April 10, 2018 Regular meeting. *(Rachel Hughs, City Clerk)*
3. Consider, and act upon, final publication of Ordinance 1563 amending Chapter 12 of the Alamogordo Code of Ordinances regarding the Alamogordo Fire Department. *(Petria Schreiber, City Attorney)* (Roll Call Vote Required)
4. Consider, and act upon, award IFB 2018-02 Miscellaneous Foods, Dairy Products & Items for the Alamogordo Senior Center Program to multiple vendors in the amount not exceed \$177,419.52. *(Veronica Ortega, Community Services Director)*
5. Consider, and act upon, Resolution 2018-15 approving the Housing Authority Smoke Free Policy. *(Evelyn Huff, Housing Authority Manager)* (Roll Call Vote Required)
6. Consider, and act upon, Resolution 2018-17 approving the Housing Authority's Admissions and Continued Occupancy Policy. *(Evelyn Huff, Housing Authority Manager)* (Roll Call Vote Required)
7. Consider, and act upon, Resolution 2018-18 approving the Housing Authority's Five-Year Capital Fund Plan, HUD Form 50075.2. *(Evelyn Huff, Housing Authority Manager)* (Roll Call Vote Required)
8. Approve the Lodger's Tax Expenditures for Tourism & Travel. *(Michelle Brideaux, Communications & Marketing Administrator)*
9. Consider, and act upon, Resolution No. 2018-23 supporting the New Mexico Department of Tourism Cooperative Marketing grant application for the Alamogordo Promotions Board. *(Michelle Brideaux, Communications & Marketing Administrator)*

Commissioner Hernandez asked to remove Item 6 from the Consent Calendar.

Commissioner Rardin asked to remove Item 3 from the Consent Calendar.

Commissioner Hernandez moved to approve items 2, 4, 5, 7, 8, 9 of the consent calendar. Commissioner Rardin seconded the motion.

Roll call vote was taken.

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

ITEMS REMOVED FROM CONSENT AGENDA

3. Consider, and act upon, final publication of Ordinance 1563 amending Chapter 12 of the Alamogordo Code of Ordinances regarding the Alamogordo Fire Department. (*Petria Schreiber, City Attorney*) (Roll Call Vote Required)

Fire Chief LeClair said they are bringing this back to the Commission, in regards to the update of Chapter 12 of the City Ordinance. He said basically they have moved anything that has to do with the Fire Department into Chapter 12 and they are also looking at the penalty assessments with regards to fire inspections and re-inspections.

Commissioner Rardin said they might want to add a provision for an appeal process, where citizens can come before the Commission.

Fire Chief LeClair said we have adopted International Fire Code 2003 edition. He said the appeals process is already built in to that code.

Commissioner Rardin asked if that was part of this Ordinance.

City Attorney Schreiber said it is not part of this Ordinance, but we have codified it in our book of Ordinances. She said she would find the exact number where it is codified.

Commissioner Rardin said he was thinking when they get into the fourth and fifth re-inspection, they are getting up to five hundred dollars. He said if that does get abused, they have recourse to appeal that process.

City Attorney Schreiber said to Commissioner Rardin that it is Ordinance 8-3-80 International Property Maintenance Code adopted. She said we have adopted that already. She said she could reference that in the Ordinance.

Commissioner Rardin asked if it was in the property maintenance code.

Fire Chief LeClair said we are talking about International Fire Code.

Commissioner Rardin moved to approve.

Commissioner Wright seconded the motion.

Roll call vote was taken.

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

6. Consider, and act upon, Resolution 2018-17 approving the Housing Authority's Admissions and Continued Occupancy Policy. (*Evelyn Huff, Housing Authority Manager*) (Roll Call Vote Required)

Housing Authority Manager Huff said the Admissions and Continued Occupancy Policy (ACOP) is the main policy document that drives Housing Authority policy. She said Federal Law is developed and then from there it is a guideline and each Housing Authority develops their own ACOP that builds on the federal law that is passed. She said they have not a full review of the ACOP for quite a while. She said they have hired the Nelrod Company to develop a new ACOP and to make sure they were in compliance with all of the changes that have gone on including; the Violence against Women's Act and changes that had been enacted towards rank calculations and other items.

Commissioner Hernandez said the reason he pulled this off Consent is because it is quite a lengthy item. He said he did not have time to read it. He apologized to the citizens and the Commission and said he could not support it because he did not have time to completely read it.

Commissioner Rardin asked if this was time sensitive.

Housing Authority Manager Huff said there is not a deadline on it. She said they would like to have it in place as soon as they can. She said it kind of goes hand in hand with their Smoke Free Policy that was approved on the Consent Agenda. She said they were hoping that the ACOP and the new dwelling lease would be approved tonight so they could develop a schedule to have new lease assigned along with the new Smoke Free Policy signed. She said the smoke free policy has to be in place and signed by August 1, 2018 for every tenant. She said they do have some leeway.

Commissioner Rardin said it is a pretty lengthy document. Mayor Boss asked Commissioner Rardin if he wanted to table it. Commissioner Rardin asked Housing Authority Manager Huff if they could table it until the next meeting. She said it is fine, they are not up against any deadline.

Commissioner Hernandez said because they had a third party do it, that he does not have too much problem with it. He said he does not have any problems either way.

Commissioner Rardin asked Mayor Boss if he had time to read it all. He answered that he did not read the entire document. He said that it was pretty broiler plate.

Housing Authority Manager Huff explained some of the big changes.

Mayor Boss told Commissioner Rardin if he was uncomfortable with it, he could motion to table. Housing Authority Manager Huff said it does not change our Grievance Policy.

Commissioner Sikes asked if at this point, what is our Occupancy rate. Housing Authority Manager Huff said they are 97 percent occupied. Commissioner Sikes asked if this figure consisted of the ones that are available to be rented. Housing Authority Manager Huff said that is total. She said she has 221 units, so 97 percent are occupied. Commissioner Sikes asked if Housing Authority Manager Huff thought that even though we have to abide by the federal smoke free policy, will it affect the occupancy rate. Housing Authority Manager Huff said in some cases it will.

Commissioner Sikes said she understood it to say that you cannot smoke within 25 feet of a property, so there are places. Housing Authority Manager Huff said our properties/buildings are too close together, so there is nowhere on the property that is not within 25 feet of a building. She said there are some very small six by six spaces, but none of them are big enough to designate as a smoking area, because to be designated as a smoking area it has to be fully ADA compliant. She said we do not have an area that is 25 feet away from a building that we can make fully ADA compliant.

Mayor Boss said we can't make exceptions, can we. He asked what's the consequences if we don't enact this as far as the federal funding. Housing Authority Manager Huff said if we do not enact the smoke free policy then we don't get the federal money. She said if we fought that fight for a long time, they would put us in receivership and HUD would come down and run the Housing Authority.

Mayor Boss said we sympathize with the people that are smokers, but the bottom line is it is kind of a no brainer. Housing Authority Manager Huff said it is not a first offense eviction, there is a process as in the smoke free policy, there is a several step process including letters, meetings, notices and trying to work with them to get to a situation to where we can come to some sort of agreement. She said unfortunately, for some people the agreement is going to be to move out.

Commissioner Hernandez asked if the document follows federal law. Housing Authority Manager Huff answered yes. Commissioner Hernandez asked if there were any interpretations. Housing Authority Manager Huff said there is nothing in it that goes against the CFRs. She said the CFRs give the guidelines, they don't necessarily give deadlines, timeframes, or things like that in most cases. She said that is what the ACOP develops, is the process to follow those and gives you the timeframes.

Commissioner Hernandez said the biggest concern he has is public housing is public housing and you are almost better off going and renting at the Ritz, then public housing. He said he does not like that we have gone to that, but if it is federal law than it is federal law.

Mayor Boss said he thinks where we are at, since it is federal law, if we are going to get the funding on it, we are going to have to approve this. He said we are making a decision that if we delay it, we are going to have to make a decision sooner or later. He asked if they want to get rid of public housing in Alamogordo. He said it sounds to him that is what they would do if they did not have this funding, is that correct.

Housing Authority Manager Huff said yes, if it got to a situation where HUD does not feel that you were following, they would start following their policy where either they would sell it off or come into receivership and they would run things.

Mayor Boss said there are things we don't like, because they would be infringement on people's right because they can't smoke. He said but do we want to continue the program.

Commissioner Hernandez said absolutely. He said he wants to make sure that it does not take away from people that actually needed it, to an extent where they couldn't get into it.

Mayor Pro-Tem Baldwin said it is his understanding that we currently operate under NACOB. He said this is an update to it. He said he appreciates the concerns, but this is one of those areas where it is not like we did not have a policy. He said 95 percent of it was basically the same as it was before, with the exception of the few changes. He said under those circumstances he is willing to move forward tonight and vote for it.

Commissioner Hernandez moved to approve.

Commissioner Sikes seconded the motion.

Roll call vote was taken.

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

NEW BUSINESS

10. Discussion on F-4 Static Display Location. (Armando Quinones, Airborne Memorial Representative, Brian Cesar, Assistant City Manager and Jim Talbert, Airport Manager)

Item Removed.

11. Consider, and act upon, approval of change order 6 for \$6,741.61, including NMGRT, to White Sands Construction Company related to the Family Recreation Center Locker Room Renovations. (Nancy Beshaler, Project Manager)

Project Manager Beshaler said this is the final change order for the project as we are wrapping it up. She said they swapped out the door that goes from the hallway out to the pool. It was a rotating door and we changed it to a regular metal industrial door. She said this change order is adding a wireless handicap button to open one of the doors automatically. She said that was not included in the design and staff thought that would be a good addition to the project.

Mayor Pro-Tem Baldwin asked if the door and the handicap button was the change. Project Manager Beshaler said the door was included, the change is the handicap opener with wireless and we have a stand on the outside to mount the button. Mayor Pro-Tem Baldwin asked if that was \$6,000. Project Manager Beshaler answered it is.

Commissioner Hernandez asked if that included the operator. Project Manager Beshaler answered it is everything. Commissioner Hernandez said so that includes the operator on top. Project Manager

Beshaler said right. Commissioner Hernandez and Commissioner Rardin said that's where the money is at.

Mayor Pro-Tem Baldwin said they had a couple at the Golf Course, they barely work, but \$6,000.

Commissioner Hernandez said he actually just quoted one and it was about \$8,000 for double doors, and all it is, is just one extra arm.

Commissioner Hernandez moved to approve.

Mayor Pro-Tem Baldwin seconded the motion.

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

12. Discussion and possible direction to staff on scheduling a joint meeting with the Otero County Commission. (Maggie Paluch, City Manager)

City Manager Paluch said Commissioner Rardin has expressed some interest in meeting with the Otero County Commission about some various items. She announced all the items up for possible discussion. She said what staff is looking for tonight is to see if the City Commission would like staff to schedule a meeting with the County Commissioners, and then specifically because these topics are so broad, specific items within these topics that the City Commission would like to discuss with the County Commissioners so that staff could prepare for such a meeting.

Mayor Pro-Tem Baldwin said he only has a couple of concerns. He thought it would be good to do this twice a year. He said and at least have a State of the City in reference to the County conversation. He said then the County could have a State of the County in reference to the City of Alamogordo conversation. He said the other thing that came to mind was our push to clean up White Sands. He was not sure if they are fully aware of our MainStreet program and our White Sands Beautification Committee and the progress they have been making and the positions they are in, maybe have some people that oversee these programs make short presentations at this joint meeting. He said he understands that it is going to be difficult for us to actually discuss something and vote on something jointly with the County, but it would be a good idea for us to lay it out there and say we have flooding issues that we don't regularly meet with the County on, especially on the north side of town. He said at least we go over some overview topics.

Commissioner Rardin said that was mainly his intent was to sit down, not so much to vote on any issues, but discuss what they are working on and what we are working on and figure out how we can work together because we are essentially Otero County. He said we are the County Seat of Otero County. He said the flooding on the north end of town, he had some ideas on that when he was in office prior, but we need to get the County on board with us because it involves us and them. He said Peace App, he does not know if they will ever come to an agreement on that. He said as far as blight goes, he knows the County is working on some Ordinances that will allow them to push for clean-up. He said the Judicial complex is a big one. He said it needs to be discuss, we should work with them to keep that facility somewhere in the vicinity of where it is now. He said if they move it to the out skirts of town like they originally had planned, then the core of our City starts to die. He said we as City Commissioners need to look at that pretty closely and keeping it downtown. He said the hold harmless tax is another one and he does not know if there's a whole lot that the City Commission can do, but there are some issues with it that he wants to discuss with the County. He said they passed it right after the Legislature gave us the opportunity to do that and then if the City needs to pass it, then we will look like the bad guys when we raise taxes another potential three-eighths of a percent. He said just a few of the things that he would want to discuss with them.

Commissioner Sikes said from conversations that she has had with people in the County and reading various posts and articles, she believes there is a lot of misinformation out there. She said she likes the idea of bringing them up to speed on the some of the things the City is doing. She said there seems to be a lot of confusion about what the Desal Plant. She said it keeps being mistaken, they think that it is

already built and that we are hoarding water. She thinks animal control could be an issue that is overlapping. She said we could be talking to them about maybe combining efforts and having one big Animal Control facility that serves the County better than the two that are doing right now. She said we are also in a campaign season. She said she just gets the idea that if we were to press a meeting right now, even though the election isn't until November that we might not get a lot of positive response. She said they'll be like let's wait until the new Commission gets elected before we really do anything substantial. She really thinks these are issues that need to be talked about.

Commissioner Hernandez said he agreed with Mayor Pro-Tem Baldwin on the two meetings a year for part it and then limit it to three or four items per meeting, so that we are not there all night and so that we also accomplish something. He said if we need to add another meeting that is fine. He said the election will be decided in June. He said either way the County Commission that is sitting is responsible for what is going on between now and then, so if we can get a meeting setup between now and then, that's fine, if not he understands because that has always been an issue.

Mayor Boss recommended that the meeting not be held in May, because there are two City Commission meetings, four budget workshops and the planned growth meeting. He said we are going to have seven-night time meetings. He said it would be better to delay it another month.

Commissioner Hernandez said by that time we will know what the outcome of the election is. He asked if there needs to be a motion.

City Manager Paluch said if the Commission accepts this, she would suggest not until the end of June, if not, the beginning of the fiscal year because staff will be working on the budget until July 1, 2018. She said you are right to wait until after the Primaries, but she would say the end of June, beginning of July is what she can propose to the County.

Mayor Boss asked if there needs to be a motion or is this just discussion. City Manager Paluch said just discussion.

13. Consider, and act upon, Ordinance 1567 for first publication incorporating the New Mexico Uniform Traffic Ordinance into the Alamogordo Code of Ordinances. (Petria Schreiber, City Attorney)

City Attorney Schreiber said this Uniform Traffic Ordinance is something the City has already enacted in that it is already law in the City. She said State law requires that it's available for citizens. She said citizens need to understand when they are charged with a crime, what the elements in the crime are and what the penalties are. She said by putting our code of ordinances in multiple places for citizens, it is a lot easier for the citizens to find those and to understand what our uniform traffic Ordinances say. She said this will not change any laws on the books today, it just moves it into our book of Ordinances.

Commissioner Hernandez moved to approve.

Mayor Pro-Tem Baldwin seconded the motion.

Roll Call Vote was taken

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

14. Consider, and act upon, Resolution 2018-21 approving a GRIP agreement between the City of Alamogordo and Solid Cap Properties for the remodeling of the location for Melrose Family Fashions. (Petria Schreiber, City Attorney)

City Attorney Schreiber said this is the GRIP Agreement for Melrose Family Fashions. She said we have estimated this to be approximately \$5,000, and you can see that we have an amount budgeted of over \$98,000. She said again, this will be based on the receipts that we get, money that was paid locally and all the contracting that was done. She said this was based on a GRT calculation that the City collects.

Commissioner Hernandez said the amount budgeted originally was \$100,000. He asked if \$98,000 is what we have left. City Attorney Schreiber said she believes that is accurate. She said she knows that they have approved several of these, but it does take time because we must have their receipts and packets come through and verified. She said our Finance Department does a great job making sure that it is all legitimate and that it has all been paid and correct.

Commissioner Hernandez recommended that we change to amount budgeted \$100,000 and amount left or whatever. He said that way we kind of have a running total and so it's correct in the language.

Commissioner Hernandez moved to approve.

Commissioner Rardin seconded the motion.

Roll Call Vote was taken

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

15. Consider, and act upon, first publication of Ordinance 1569 updating Chapter 13 of the Alamogordo Code of Ordinances to comply with Federal requirements. (*Nancy Beshaler, Project Manager*)

Item Removed.

moved to approve.

seconded the motion.

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

16. Consider, and act upon, first publication of Ordinance Number 1568 to amend the official zoning map of the City of Alamogordo and rezoning the property commonly known as 481 Michel Street with legal description of Fambrough Subdivision 2, Replat B, Lot 1-B, Case # Z-2018-0001 (A) from MH-2 Manufactured Housing Park District to R-4 Multiple Family Dwelling District (*City Planner, Darron Williams*).

Planning and Zoning Administrator Rael explained the rezoning request. She said the application was filed on February 20, 2018 and a legal notice was published on March 11, 2018. She said three letters were mailed by certified return receipt to all property owners of record within 200 feet from the property excluding public right of way of the property for which the zoning is sought. She said as of today there has been one letter returned undeliverable and no phone calls or letters of protest have been received. She said this case was actually taken in front of our Planning and Zoning Board on April 5, 2018 and our Board recommended approval with a vote of three to zero. She said the location is near Ben Archer Clinic. She said it is surrounded by different types of zoning. She said at this point, staff is recommending approval.

Commissioner Hernandez said several years ago, we passed where it was allowed to keep, he did not remember, if it was livestock or just horses. He asked if that changed. Planning and Zoning Administrator Rael said it was for the horses, no that is totally different. Commissioner Hernandez asked if it allowed them to still keep that. Planning and Zoning Administrator Rael answered yes.

Commissioner Rardin asked what they are planning on doing there. Ms. Fambrough said their plan is on the west side of the part to develop rental houses. She said the game plan is, hopefully, in two years the left side which is vacant right now will have houses, and the right side the lots will stay the same but exchange mobile homes for houses.

Mayor Boss asked how many houses she thinks they will have. Ms. Fambrough said on the left side, she believes they were looking at 25 to 26 houses, and on the right side they have 19 mobile home lots. She said on the far east side, which is undeveloped, she does not plan on putting houses there.

Commissioner Hernandez asked what the lot sizes of the mobile homes are. Ms. Fambrough answered 50 by 100. Commissioner Hernandez said that is basically the same issue they had in his neighborhood, where most lots are 50 by 150. He said every time somebody is going to build a house, they had to come back to us. He said we need to make sure that is not the case here. He asked Planning and Zoning Administrator Rael if that is part of this. She answered they have not got to that point yet. She said they might have to work on doing a summary plat to readjust the lot size. She said at this point, in our R-4 Zoning district you have to meet the same lot size requirements as R-1, which is 6,000 square feet, so we are probably going to have to work on some adjustments, but we are not at that point yet. She said the first step is rezoning it to be able to do it.

Commissioner Hernandez said the reason he wants to make sure is because once they re-zone it, then that takes the mobile homes out, right. Planning and Zoning Administrator Real answered yes. Commissioner Hernandez said his concern is that he does not want the Fambrough's to go home and say ok we got this done and then they come back, and we tell them that their 19 lots just turned into 15 lots and then they are upset with us. He said he wants to make sure that everyone understands what the Commission is up against here and that we are all talking the same language and we are all on the same page. He said he understands that is a separate meeting, but as long as everybody understands tonight that this is where it is going to be.

Ms. Fambrough asked Commissioner Hernandez if he is saying that if she re-zones the property and that goes through tonight, then her mobile homes have to be moved immediately. He said no. Ms. Fambrough said she does not have a problem, when they get to that part, restructuring those lot sizes.

Commissioner Hernandez said as long as you understand what all the rules are, that is what he wants to make sure before the Commission approves this. He said he does not know exactly what the rule is as far as how long she has to move them out or if it is as she moves them out that it gets zoned back or whatever. He said he does not want Ms. Fambrough to be upset with us, a year from now, when she is getting ready to do something that she is not ready for.

Commissioner Rardin asked Planning and Zoning Administrator Real if what Commissioner Hernandez is talking about is in the subdivider's Ordinance. She answered yes. He said he remembered that they had some 50-foot wide lots and they needed to be 60.

Commissioner Rardin moved to approve.

Commissioner Hernandez seconded the motion.

Roll Call vote was taken.

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

17. Consider, and act upon, Resolution 2018-22 affirming support for the White Sands National Park Establishment Act. (Maggie Paluch, City Manager)

Commissioner Payne joined the meeting via cell phone at 7:31 pm.

Commissioner Payne said she received a lot of phone calls about this item. She said personally she does not think the City should not be writing a letter of support for this. She said this went before the County, and the County objects to it and this is really a County issue. She said the best thing the City can do is nothing at all. She said she does not support this at all. She said she is not comfortable with this and she wanted to make sure that this went on the record.

Commissioner Sikes said she does not believe that is true, it is a City issue. She said we are looking at economic development, we are looking at changing the status of White Sands National Monument to a National Park. She said all research has shown and Ms. Parker's presentation last meeting very plainly told us that all research has shown that any time a designation changes from a National Monument to a National Park that the average number of people who visit the newly designated location, it is usually

upward of 13,000. She said we are looking at wanting to increase economic development in Alamogordo, Otero County and the entire State. She said it is really important that we do everything we can to accommodate that increase. She said this has been going on for a number of years, this is not political, this is purely economic development. She said every call she has received and every conversation she has had since this has been on the agenda is that we have to do this, we have to make sure that economic development is addressed. She said she wants to make sure that people know they are doing this for the right reason, we are not buying into any conspiracy theories. She said we are not looking at possibly making this a UNESCO location, even though Carlsbad Caverns became a UNESCO years ago, and all it did was increase economic development for the town.

Mayor Boss said he was concerned about the Worlds Heritage List. He said he got a copy of the actual Bill that the Senator is going to present. He said this cannot be done without Otero County and Dona Ana County supporting it. He said right now the way it stands it would be much easier for that designation to be made, if we make this a park instead of a monument, is that correct.

Ms. Parker, from Senator Heinrich's Office, said that is correct, the bill does state that it is requirement by law, if this passes, that Otero and Dona Ana Counties would have to concur in the nomination before the Secretary of Interior could propose a nomination to the UN for inclusion of White Sands National Monument on the World's Heritage List. She said currently, that is basically the practice because it is so competitive, and many communities would like to see a designation because of the tourism that it brings. She said there basically needs to be unanimous support within the community, but that is not a requirement by law at this time. She said that would be new in this bill.

Mayor Pro-Tem Baldwin asked if anyone knows what the County's issues were on this. He said they actually have not voted on it yet. Commissioner Sikes said they did vote on it. Mayor Boss said they voted not to support it, he believes.

Commissioner Sikes asked Mr. Clarke, in the audience, if the County outlined their issues. He said no they did not. Mr. Clarke approached the podium and introduced himself. He said he has attended all the Commission meetings in regard to this and it seems the argument is ideology against economic development and somehow the people that have the opinion that the UN is going to come in and take this over and dictate to the county what is going to happen there. He said what has happened at Carlsbad, this is contrary to what is going to happen if does eventually becomes a UNESCO site. He said you have one right next to us, in the next county, and it has not been detrimental at all to their economy. He said in fact it raises going to a Park status is estimated that between seven and twenty eight percent of all the monuments that have converted to parks within this Country. He said it is nothing but a positive development that would happen to get that Park status and eventually if you want to go down the UNESCO road it would bring a lot more International visitors.

Mayor Boss said that would not be the choice of the citizens of Alamogordo, that would be the choice Otero County and Dona Ana County. He said that was my point.

Mayor Pro-Tem Baldwin said he was the Chamber Director for Cloudcroft from 2002 to 2010. He said White Sands took one of the biggest hits, visitor wise in a considerable amount of time. He said the increase in percentage over the years was not going up at the rate that it normally would, so there was a time where they were only getting about 310,000 to 320,000 people going out there a year. He said we all know right now it is close to a half of million people if not more. He said the big change was federal funding and the promotion of the Park from 2002 to 2010. He said we were in one of the worst recessions, we were in the start of two separate wars under one umbrella so to speak. He said the money just wasn't there to promote the Park, Internationally and within the States and so we saw a pretty big dip. He said there is some kind of concern about a political agenda going on here, he thinks there is probably a concern about big Government coming in and doing something to the park at a later date because of this new classification, and merely a couple of other reasons that he just does not see. He said we go from being the park with 140 to 150 to this classification where we would be only one of sixty, which is better odds as far as getting people to come here especially Internationally. He said that is his experience with

Promotion and White Sands and its designation and its importance to our area. He said his only and major concern was the airspace and that was addressed at the last presentation. He said as long as that's the case, he does not see why we wouldn't support something that would go in lines with what are goals are, our comprehensive plan is, and our mission statement is for the City of Alamogordo

Mayor Boss said it is his understanding that the military really support this because what it is doing is there are some boundaries out there that were kind of undefined and there were arbitrary rules and what this does is defines those lines. He said also it gives the military better access in some areas that they had before. He asked if he was correct in saying this.

Ms. Parker said that is correct and we also do have a very specific and very clear language in the bill text about the protection of the jurisdiction of the Department of Defense over the restricted airspace, which overlies the Monument.

Commissioner Rardin said he is not real sure of who actually owns, and actually the federal government does not own it, but they have the authority to manage it. He asked by switching to this classification from a monument to a park, what kind of authority does that give the federal government over the monument. He asked if that would be exactly the same that we have now.

Mayor Boss said it is his understanding that it is the same we have now. Ms. Parker said that is correct, there is no change. She said the only change is management by different parts of the Federal government, but in terms of overall Federal government jurisdiction there is no change. She said the park status doesn't change any claim to ownership or anything like that.

Commissioner Rardin said as far as the land swap, he doesn't have a problem with that. He said when you all start mentioning UN, and maybe it is me just not understanding it, he does not quite understand while they would even be involved in it.

Ms. Parker said there is no involvement of the UN in this bill or any of the changes that this bill would bring about. She said one of the thoughts that came up, at the County, was that a National Park status, even though it is completely independent of status on the World's Heritage list, that might make it more likely for the United States because it is a more prestigious designation as a Park, but the US might take a closer look at nominating White Sands as a National Park. She said they are two totally separate Processes and in order to address the concerns that were expressed by the Otero County Commission early on. That is actually why we have addressed that in the bill directly to put that in the control of the Counties whether a nomination would occur, but becoming a park has nothing to do with the criteria for nomination or is not in any way part of that process.

Commissioner Rardin said you may have answered this in the last meeting, but as far as the amount of visitors per year going from a Monument to a Park. He asked how many additional visitors we are talking about.

Ms. Parker said on average, the best study that is out there right now, has shown that there is an average of 13,000 new visitors per year. She said that study was done by the federal reserve looking at eight new designations through the year 2000. She said since then there have been three National Monuments to Park conversions and she has been talking with Community leaders out there to see what they have experienced. She said in some cases their visitation took a little while to go up and in other cases, certainly in recent years things have certainly improved as the economy has improved, but what they have noticed in addition to kind of more people they have actually seen a lot more traffic, more people in restaurants. She said they are at capacity in some places near Pinnacles National Park in California that hadn't been before they became a Park. She said they are actually widening some of the roads to make room for more vehicles coming in. She said in other cases up in Colorado, for example, they saw increases in overnight stays by a couple of thousand on average per year with and after the designation. She said White Sands right now, she thinks Mayor Pro-Tem Baldwin that mentioned that White Sands had 555,000 visitors in 2016. She said the numbers for 2017 should actually come out by the end of the

month. She said we would expect a certain percentage of that increase as well. She said there is a natural increase in attention and if the region is smart about sharing information about other attractions at the park after it's designated they can maximize that as well.

Mayor Boss said when you get the park designation versus a Monument it is more attractive Internationally. He said you get more foreigners that come into the United States and they actually go to Parks then they'll go to Monuments. He asked if that is correct.

Ms. Parker said yes, that seems to be a very clear observation by all the communities that she has talked to. She said there are a lot of folks Internationally that will plan their trips around National Parks. She said there is also quite a bit more inclusion on various travel publications of National Parks, the Monuments. She said if you do a google search certain things come up, some top 10 lists for example, include all kind of National Park service units and others really stick just to National Parks, so to be on that rather smaller list is very helpful.

Commissioner Rardin said on this particular deal, it has been attempted several times in the past, is that correct. Ms. Parker said no the bill has never been introduced, the discussion has been ongoing for a number of years, but there hasn't been, frankly in some cases, the bandwidth to move that forward. She said there were some discussions when Senator Bingaman was Senator. She said that happened not too long before he retired and so nothing was moved forward. She said there was mainly discussions with the military on that, with all of the success of Commanders that came in, but the bill wasn't purely developed the way it is today. She said so now we have the complete draft with all of the updated land exchange, parcels and also a lot more language covering everybody's input.

Commissioner Payne asked how this letter would help, does it help, and does it make a difference. Ms. Parker said in many ways it does help. She said she thinks it is important. This idea started with a conversation locally and it is important that in Washington when Senator Heinrich brings this forward and talks to his colleagues about it, that the voices of the local community be heard in that. She said that is where this Resolution would be very helpful to the Senator. She said this started with Senator Griggs. She said he also looked at the potential economic opportunity here. She said they worked on it based on that conversation. She said being able to share the interest of the community and the new designation and taking advantage of that is very important to us.

Commissioner Payne said her concern is that the County did not support this, and she is not suggesting to we sign a letter of non-support. She is suggesting, this is just her personal perspective, that they do nothing at all. She just does not feel like we should be going against something that is really a County issue. She said she understands it is a City issue, but she just thinks from her perspective to do nothing at all is a better alternative.

Commissioner Sikes thanked Ms. Parker for answering all the questions, but she feels like they should have asked her to do her presentation from the last meeting. She said there were a few things in her presentation that really kicked her interest and thought were really important for example the gate fees aren't going to change. If the gate fees change it will not be a result of the new designation. She said secondly, the archaeological, the paleontological, the entomological protections that change in the designation will give the park a really important, because in the last few years there have been a lot of discoveries made out at White Sands National Monument as it stands now. She said to protect the things that they are discovering is so important. She said in the past 10 to 15 years, 60 different moth species have been found out there that occurred no place else on the planet and to be able to offer better protections for those types of things, not only to Alamogordo, Otero County, New Mexico but the planet. She thinks it is very important that we look at things like that also.

Ms. Parker said there is already, once the Park service becomes aware of a resource, a new species, or what have you, they take actions to study that more and provide appropriate protections. She said what is really important here is that we are changing the purpose statement. She said the Management differences between Parks and monuments are the same except for the Airshed, as we talked about last

time, although this bill makes sure there is no change in the airshed management. She said we are also doing, in addition to what Commissioner Sikes is mentioning, is actually providing that legal recognition of the vast variety of resources that are frankly Nationally significant in the many cases globally significant in the monument that are not currently recognized in law.

City Manager Paluch mentioned that Commissioner Payne can vote this evening because she has called in.

Mayor Pro-Tem Baldwin moved to approve.

Commissioner Hernandez seconded the motion.

Roll Call vote was taken.

Motion carried with a vote of 5-2-0.

Commissioners Rardin and Payne voted nay.

Commissioner Payne left the meeting at 7:56 pm.

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

Mayor Boss read the openings and appointed Carol Smith to the Mayor's Committee on Aging. No one was opposed.

Commissioner Sikes said she neglected to speak up during Commissioner Comments. She gave a report on the Southern New Mexico Economic Development District Council Governments meeting.

Commissioner Rardin moved to adjourn at 8:02 p.m.

Commissioner Wright seconded the motion.

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

ADJOURNMENT



ATTEST:


City Clerk Rachel Hughes


Mayor Richard Boss

(Prepared by Eric Barraza, Deputy Clerk)

Approved at the Regular Meeting held on May 8, 2018.