

**CITY OF ALAMOGORDO, NEW MEXICO  
CITY COMMISSION REGULAR MEETING MINUTES  
7:00 P.M., COMMISSION CHAMBERS  
JANUARY 12, 2016**

**SUSIE GALEA, MAYOR  
JASON BALDWIN, COMMISSIONER  
NADIA SIKES, COMMISSIONER  
JENNY TURNBULL, COMMISSIONER  
AL HERNANDEZ, COMMISSIONER**

**ROBERT RENTSCHLER, MAYOR PRO-TEM  
CLIFF HUDSON, COMMISSIONER  
GEORGE STRAFACE, INTERIM CITY MANAGER  
STEPHEN THIES, CITY ATTORNEY  
NANCY JACOBS, 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 Jacobs announced there was a quorum present. Invocation was given by Pastor Vaden Gilloth and the Pledge of Allegiance was led by Commissioner Hudson.

**APPROVAL OF AGENDA**

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

**PRESENTATIONS**

**1. Presentation of energy saving solutions for the City of Alamogordo for Commission consideration. (Steve Kiziuk, Mountain Vector).**

Mr. Steve Kiziuk gave his Power Point presentation on Operational Cost Reduction through Energy Optimization (see Agenda Book) related to energy conservation.

Mayor Galea asked if the Commission would consider by consensus direction to City Staff to pursue discussion of a feasibility study for Energy Savings Master Plan with Vector.

Commissioner Hernandez suggested City Staff get with the City Manager to see if this is even feasible.

Mayor Pro-Tem Rentschler said he would like the City Manager and staff get together and see if this is a program that would fit us.

Interim City Manager Straface asked Steve Kiziuk to leave his contact information so he can meet with him later in the week.

**2. Presentation of an update on Project Honored Past at the Monte Vista Cemetery. (Rich Merrick, Project Leader)**

Rich Merrick presented an update on this project using a Power Point program (see Agenda Book).

Interim City Manager Straface said he met with Mr. Merrick and has seen the individual contracts he is asking people to commit to. Interim City Manager Straface said he was supportive of it.

**3. Presentation of an overview of New Mexico Water Funds: Wildfire and Water Source Protection. (Laura McCarthy, Director of Conservation for The Nature Conservancy, Brent Racher, Ph.D. President of New Mexico Forest Industry Association, and Scott Lerich, Senior Regional Biologist with the National Wild Turkey Federation).**

Laura McCarthy spoke of the Cerro Grande fire in New Mexico and how Santa Fe has taken steps to identify a restoration plan for the part of the water shed that could be managed in collaboration with the Forest Service.

Brent Racher was the co-presenter with Laura McCarthy. He said they know what to do, to prevent these types of disasters requiring proactive planning.

Scott Lerich spoke on implementing some of this type of work. Mr. Lerich gave an example of what could be done if they collected a dollar a month from each meter, they would raise a hundred fifty-six thousand dollars. They could then take that to the Forest Service; they would provide them another six hundred twenty-four thousand and provided seven hundred eighty thousand dollars a year to do work in the Water Shed.

Interim City Manager Straface asked for direction from the Commission to prepare an ordinance next time that would allow collecting the one dollar.

Mayor Susie Galea asked for an ordinance for the one dollar per costumer for the water fund.

Commissioner Baldwin agreed with reservations to add the one dollar to the ordinance. He encouraged while they are preparing the ordinance, they do as much research as to what the real impact would be to the citizens.

Mayor Pro-Tem Rentschler had reservations about losing control of where the money would be spent. Interim City Manager Straface said that the City would control that.

Mayor Galea gave some history on how the City of Alamogordo used to have nine staff members known as water masters and the water masters would restore the water sheds and clear them, but more than a decade ago the City could no longer afford these nine people.

Scott Lerich said they would contract with the Forest Service, and said they would not have to worry about any of the money being spent anywhere that the City did not want it to be spent.

Commissioner Hernandez had some concerns about future commitment and asked if the City could back out at any time. Scott Lerich said that would be completely up to the City, and suggested that maybe everyone would be more comfortable if there was a sunset period on it.

Commissioner Hernandez wasn't sure how many people could afford the one dollar. His other concern was the City cleans up where the spring is and downward, that spring comes from somewhere; so he wondered what the City could do to get the Forest Service to take care of the rest of it. Scott Lerich said this would be the solution to that; above that spring in the water shed is the landscape they are looking at. Commissioner Hernandez said the County has been fighting with the Forest Service and this is where it was four years ago. Mr. Lerich said as far as he knows the County doesn't sell water to anyone, the City does. Commissioner Hernandez said it's our forest not theirs and it has not been maintained by the Forest Service, but he supported anything that would help the City with its water.

Brent Racher showed a map of priorities for the City of Alamogordo, and how they would implement these areas. Looking at the map, Scott Lerich said he would use the dollar per meter per month as an example but it could be another amount that is comfortable.

Commissioner Hudson asked about the National Environmental Policy Act (NEPA) process, the timeline and any issues associated with that.

Public Works Director Brain Cesar came forward to give background on the NEPA. Mr. Cesar said that the most outstanding issue in previous projects would have been with the Snake Tank Well Field. City owned land and forest service land; to date we have not had any issues with the process. What this grant is doing is getting the clearances and establishing what level of treatment will be done in our

prioritized areas. This would be structured along the same lines as the MOU we have with Holloman Air Force Base (HAFB) a 50/50 cost share on the Bonito line associated with Bonito Lake.

Mayor Pro-Tem Rentschler asked if there was any consideration for full scale logging. Brent Racher said yes, some of the trees that need to come out in the NEPA process are good logs and can be used. Mayor Pro-Tem Rentschler said the biggest problem the forest has is the deadfall that is everywhere, and Mr. Racher said it is part of the long term treatment. Mayor Pro-Tem Rentschler asked about the existing deadfall, and Mr. Racher said if it is sound, it can come out with the treatment. If it is not sound it falls apart with the treatment.

Mayor Pro-Tem Rentschler said that he just wanted to make sure because the Forest Service and some of our mines haven't been trustworthy partners, and he wanted to make sure that if we are spending tax payer's money we know what is going to happen with it. Brent Racher told him, the industry felt as much of that distrust as anybody when working with some of the federal agencies. That is why he is pushing for this local buying and local drive instead of it being federally mandated.

Commissioner Baldwin discussed late fees. He didn't know if we need to be using a late fee instead of assessing another dollar to a utility bill, but if there are any ideas like that from Utility Billing or any funding that is already there coming out of the bill from our customers as opposed to tacking it on, he would be interested in hearing an idea like that.

Interim City Manager Straface's response to Commissioner Baldwin was that the City would take a look at his concern. He also mentioned it is essential to have a predictable stream of dollars, and that is why some form of a rate add-on is important. In long term, he said he thought it was sensible for our water supply.

Commissioner Hernandez asked what the Forest Service requirement was to maintain these lands. Brent Racher said maintenance will probably be developed into an annual work plan that is made part of any agreement through a stewardship authority with the Forest Service on a year by year basis. Commissioner Hernandez's biggest concern was the Forest Service. Scott Lerich added when they enter into a stewardship agreement with the Forest Service it is a maximum of ten years. It can be extended or added to and they don't have to go ten years, but that is the maximum.

Public Works Director Cesar said that for the maintenance of the areas, there would be the Forest Service component, but there would also be the City component. At this time, the city property was too large of an area for city crews to clear.

Mayor Susie Galea said Interim City Manager Straface asked for direction. Interim City Manager Straface said we will bring to you a proposed ordinance at the next meeting.

Scott Lerich addressed some of the concerns. The money the City could provide would be used on City property and would also serve as a match with Forest Service funding to cross the fence and work on adjacent acres. Mayor Galea questioned Mr. Lerich about crossing the fence and working on adjacent acres.

Mr. Lerich said the City had property at the spring heads and the acres right next to the forest service. The City wouldn't have to worry about money being spent two miles from their property, because you could work right there.

## **PUBLIC COMMENT**

### **Gregory Bose made the following comments:**

Mr. Bose told the Commission he is the president of the Otero County Youth Fast Pitch program in Alamogordo. He thanked the City for the years of support for this youth organization, but his concern was the cost of lighting on the fields. He remarked he had spoken with Commissioner Hernandez,

Commissioner Baldwin and Interim City Manager Straface tonight and felt his concerns would be worked out.

## **CITY MANAGER'S REPORT**

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### **Interim City Manager Straface reported on the following:**

- 1) Interim City Manager Straface introduced Maggie Paulch as the new Assistant City Manager.
  - 2) He then said Captain Israel Trujillo would become the acting police chief after the retirement of Police Chief Duncan on February 1, 2016.
  - 3) Interim City Manager Straface remarked he appreciated all candidates running for office.
  - 4) Interim City Manager Straface noted he had spent and will be spending time at Police Department to listen to employees. He was hearing concerns related to the retention of police officers, and he hoped to bring some suggestions to the Commission on how this issue could be dealt with. He said we recognize this as an issue and will be addressing it.
  - 5) He gave an update on the Family Fun Center (FFC), saying he expected to have the new feasibility study by next week, we would relay what had been learned to the architect who would prepare a preliminary design. That preliminary design would hopefully be completed by mid-February for the Commission to review, and then more specific directions would be given to the architect. Interim City Manager Straface hoped to have all this done by the end of March and then have ready to bid by mid-May for the two local contractors – White Sands Construction and Mr. Wilson's. We anticipate that by mid-June there will be a recommendation for the Commission to consider and then move forward with those contracts. That is our timelines, that's how we are moving.
- Mayor Susie Galea asked what funds were being used for the feasibility study and new architectural design. Interim City Manager Straface told her the funds would come from the bond proceeds. He felt the consultant costs of the feasibility study would cost about \$8,500 plus expenses, and the architectural design costs would come from there as well.
- Mayor Susie Galea asked if the feasibility study would be on the next agenda and made public. He couldn't say it would be at the next meeting, but at some point. He proposed having a work session with the Commission before putting it on the agenda.
- 6) Interim City Manager Straface said we have received 45 applications for the City Manager position. He is in the process of reviewing them; there are 20 to 25 that do not meet the qualifications. He does have about 20 that will be looked at in depth. He is working with the Human Resources Department to communicate with the applicants that the process is on pause until after the March 1, 2016 Election; the applicants have been apprised of that.

## **REMARKS AND INQUIRIES BY THE CITY COMMISSION**

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### **Commissioner Hudson made the following comments:**

- 1) Commissioner Hudson reported on the annual SNMEDD/COG meeting he attended last Friday. He said he would have a report to the Commission, Interim City Manager and Staff tomorrow, and remarked there were some funding opportunities available.

### **Mayor Susie Galea made the following comments:**

- 1) Mayor Galea said she had been receiving emailed concerns regarding the unaccompanied minor children immigrant refugees coming to HAFB. She said the Commission had not spoken as a whole on this, but were interested about the community's concerns. She noted this was between the Department of Defense (DOD) and Department of Health and Human Services (DHHS). She hoped the community would continue to support HAFB.
- 2) Ms. Galea told those assembled Martin Luther King, Jr. Day would be on Jan. 18<sup>th</sup> and she had signed a proclamation for that day.
- 3) On Feb. 17<sup>th</sup> she would be in Juarez, Mexico at the invitation of the mayor when Pope Francis would be visiting the city.

## **CONSENT AGENDA**

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4. Approve the Minutes for the December 15, 2015 Regular City Commission Meeting. *(Nancy Jacobs, City Clerk)*
5. Approve the statement related to the Executive Session held on December 15, 2015. *(Nancy Jacobs, City Clerk)*
6. Consider, and act upon, award of Public Works Bid No. 2015-018 to C.D. General Contractors, Inc., related to the Alamogordo Police Department Building Reroof project, in an amount not to exceed \$116,640.00, including tax. *(Brian Cesar, Public Works Director)*
7. Consider, and act upon, Resolution No. 2016-02 re-adopting the Community Development Block Grant Consolidated Plan. *(Ruben Segura, City Planner & Grants Coordinator)* (Roll Call vote required)
8. Consider, and act upon, approval of Change Order No. 3 to RMCI, Inc. in the amount of \$21,011 (excluding NMGR) related to the Water Reclamation Facility Upgrade Phase 2 project. *(Chris Darnell, City Engineer)*
9. Consider, and act upon, the Lodger's Tax Expenditures for Tourism and Travel. *(Veronica Ortega, Community Services Director)*
10. Consider, and act upon, increasing the current City of Alamogordo fee policy for returned checks. *(LeeAnn Nichols, Finance Director)*
11. Consider, and act upon, Resolution No. 2016-03 donating a 3Com 7700 Core Network Switch to NMSU-A Computer Science Department. *(Stephen Thies, City Attorney)* (Roll Call vote required)
12. Consider, and act upon, approval of an application for a grant from the Department of Homeland Security/Assistance to Firefighter's Grant Program (AFG) related to the purchase/replacement of a Class A Apparatus (\$650,000), Communications Equipment, and Personal Protective Equipment. (\$75,000).

Commissioner Hernandez moved to approve items No. 4, 5, 6, 7, 8, 9, 10, 11 and 12 of the consent agenda. Commissioner Baldwin seconded the motion. Roll call was taken for items No. 7 & 11. Motion carried with a vote of 7-0-0 to approve items on the consent agenda.

#### **ITEMS REMOVED FROM CONSENT AGENDA**

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None

#### **NEW BUSINESS**

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13. Consider, and act upon, creating an office for the Small Business Development Center in the vacated Tularosa Basin Historical Society Museum area of the Chamber of Commerce building. *(George Straface, Interim City Manager)*

Interim City Manager Straface gave an overview and asked the Commission to designate this area for SBDC. There was some cost involved but it would not be occupied until that funding was solved, and he saw this as external funding, not City funding. His recommendation was to reserve the space and allow Chamber of Commerce president and CEO, Mike Espiritu to work with people to raise funds and do that planning.

Commissioner Hernandez moved to designate and reserve the vacated space in the Chamber Building for the Small Business Development Center. Commissioner Baldwin seconded the motion.

Interim City Manager Straface said for the record it was not his intent to use any City money to do this; it would be done privately.

Commissioner Hudson asked that if this stipulation changed, would it be brought back before the Commission, and Interim City Manager Straface said yes.

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

#### **14. Appointments to Boards and Committees. (Susie Galea, Mayor)**

Mayor Galea announced the Boards and Committees with current vacancies. Commissioner Hernandez supported Lance Grace being reappointed. Mayor Pro-Tem Rentschler also supported Mr. Grace to be reappointed. Mayor Galea by consensus reappointed Lance Grace to the Airport Advisory Board. There were no objections from the commissioners.

#### **PUBLIC COMMENT**

##### **Joel Villarreal made the following comments:**

Mr. Villarreal introduced himself as a staff representative for AFSCME Local 3818, and voiced the concern that the City did not want to recognize Anthony Backy as the president of the local union because he was no longer a city employee. They are fully appealing the decision of the City, that Tony is not able to represent city workers. He said it should be very clear that their organization has the right to select the leadership they want to select, and the City should respect their decision in choosing their leadership.

Interim City Manager Straface said we need to be very cautious because we are in litigation. He thought any statement now would not be appropriate. He had not been approached with this problem, but said he would be glad to meet with the Union representatives to try and resolve these issues.

##### **Anthony Backy made the following comments:**

Mr. Backy remarked he was still the president of Local 3818. He thanked the city manager and staff for the recent meeting he had with them. He apologized to Commissioner Baldwin and to the Commission for some things he said at a previous meeting and felt his words had been taken out of context. He noted no one had the right or authority to not recognize him as the elected leader of this organization even though he was no longer in the employment of the City of Alamogordo. He said the way that business is being conducted is putting a strain on the way he was able to try and help the people he was elected to help. He said he is not the City's employee anymore, and noted the judge in the unemployment trial ruled in his favor. He apologized again for some miscommunications.

Mayor Galea asked Interim City Manager Straface if he would be able to ensure that the communication protocols would be adhered to based on the appointment of the unions and election of their presidents. Interim City Manager Straface said he did not have the information he needed to answer any questions on this issue. He noted he would review the situation.

Mr. Backy came back to the podium to let Interim City Manager Straface know there are emails to the City Attorney about this.

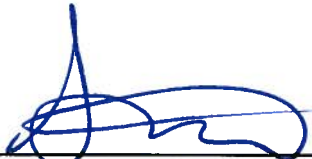
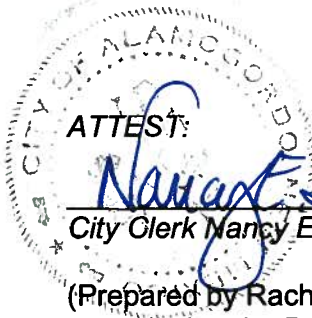
#### **EXECUTIVE SESSION** (Roll Call Vote Required)

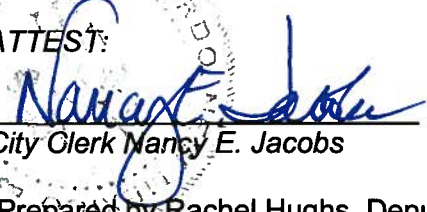
**Adjourn into Executive Session in compliance with Section 10-15-1.H, NMSA 1978 (2010 Cumulative Supplement) to discuss limited personnel matters, and union matters (APSOA negotiations). (Roll Call vote required)**

Mayor Pro-Tem Rentschler moved to adjourn into Executive Session to discuss limited personnel matters, and union matters (APSOA negotiations) discuss at 8:53 p.m. Commissioner Hernandez seconded the motion. Roll call vote was taken. Motion carried with a vote of 7-0-0.

## **ADJOURNMENT**

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Mayor Susie Galea

ATTEST:  
  
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City Clerk Nancy E. Jacobs 1/26/2016

(Prepared by Rachel Hughs, Deputy City Clerk)  
Approved at the Regular Meeting held on January 26, 2016.