

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 P.M., COMMISSION CHAMBERS
December 4, 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 City Clerk. City Clerk Hughs announced there was a quorum present. Invocation was given by Commissioner Payne and the Pledge of Allegiance was led by Mayor Pro-Tem Baldwin.

APPROVAL OF AGENDA

City Attorney Schreiber pulled item 2.

Commissioner Hernandez moved to amend the agenda.

Commissioner Rardin seconded the motion. Motion carried with a vote of 7-0-0.

PRESENTATIONS

1. Presentation on "Just Serve" a free service to the community that brings volunteers and people in need together. (*Patricia Galea, Just Serve Coordinator*)

Ms. Galea talked about the "Just Serve" initiative, it brings people in a need of service and people wanting to serve together. She explained some of the challenges and the community service guidelines. She explained how to register for "Just Serve". (See Blue Book for Power Point Presentation)

2. Presentation update for Otero County Economic Development Council. (*Laurie Anderson, Business Development Director*)

Item removed and will be presented at the next Commission meeting.

PUBLIC COMMENT

None.

CITY MANAGER'S REPORT

City Manager Paluch made the following remarks:

1. She talked about the Grand Opening of Kid's Zone. She also mentioned the City will be doing another Pop-Up City Hall event in the future. She stated the City has put in a request to PNM to install an additional transformer which is needed for lighting at the Park. She thanked all staff who participated in the event.

2. She announced the City has received a 50% up-front payment totaling almost \$3.9 million from the Department of Homeland Security and Emergency Management for the Bonito Lake Restoration. Once the City expends that initial 50% payment, they can then start reimbursing for the final 50% funding. She said they can now award the bid alternate item to the contractor to remove an additional 334

thousand cubic yards of material from the lake. The Commission should see this item at the first meeting in January for approval.

3. She said the Senior Center served approximately 550 Seniors and guests for the Thanksgiving Dinner. The local Military served the food, carried trays, washed dishes and assisted in the clean-up. The staff will be serving a Christmas Dinner on December 14th, and the Military will also be assisting. She gave a shout out to our local Military members.

4. She said the Air Force Academy Parachute Jump team is going to be at the local Airport doing jumps from December 15 - 21, 2018. On Monday December 17, 2018, the Academy Cadets will be available for questions to any local students that are interested in attending the Air Force Academy.

5. She thanked Senior Center Volunteer Ms. McQuail for helping the City Clerk's Office with the Business License renewals and said we appreciate the Senior Volunteers.

6. She announced the Annual Christmas Tree lighting will be Friday December 6, 2018 at 6:00 p.m. She said the first 300 people that attend will receive free hot cocoa, a cookie and green chile stew. She thanked the Hitch-N-Post, Albertsons for their contributions. She said kids can bring a letter to Santa, along with a self-addressed stamped envelope to be mailed at the event. They will also be lighting three other trees, which represent the Police, the Fire and the Military here in our community.

Mayor Boss recognized and welcomed the President of the Alamogordo Public Schools Board, Mr. Tim Wolfe.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Mayor Boss made the following comments:

He said he has been working on putting together an evaluation package for the Commission to evaluate the City Manager. He said he also started working on an actual evaluation sheet. He is hoping to send this out before the end of the year, so that maybe the first or second meeting in January they can go into Executive Session and do that evaluation. He wants the Commission's comments on this evaluation package.

CONSENT AGENDA

3. Approve the minutes for the November 20, 2018 Regular meeting. *(Rachel Hughs, City Clerk)*

4. Approve the statements related to the Executive Session held on November 20, 2018. *(Rachel Hughs, City Clerk)*

5. Consider, and act upon, Ordinance 1581 for final publication to Opt-in to the Local Election Act. *(Rachel Hughs, City Clerk)* (Roll Call Vote Required)

6. Consider, and act upon, leak abatement request for Chelsea Goepfert, 1512 Utah Ave., in the amount of \$6,385.12. *(Mark Threadgill, Customer Service Manager)*

Commissioner Rardin asked to remove Item #5 from the Consent Calendar. City Attorney Schreiber said she needs to make a change to Item #5 before the vote.

Commissioner Hernandez moved to approve items 3, 4, 6 of the consent calendar.

Mayor Pro-Tem Baldwin seconded the motion.

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

ITEMS REMOVED FROM CONSENT AGENDA

5. Consider, and act upon, Ordinance 1581 for final publication to Opt-in to the Local Election Act. *(Rachel Hughs, City Clerk)* (Roll Call Vote Required)

City Attorney Schreiber said she needed to make a change to strike the word Commissioners and replace it with Elected Officials on the second page of the document. She said they need to make sure that they are encompassing the Municipal Judge in here as well.

Mayor Pro-Tem Baldwin moved to approve with the amendment.

Commissioner Payne seconded the motion.

Roll call vote was taken.

Motion carried with a vote of 5-2-0. Commissioners Rardin and Hernandez voted nay.

UNFINISHED BUSINESS

7. Consider, and act upon, Resolution No. 2018-37 donating one (1) 1996 Pierce/International 4900 Navistar 2-Door Fire Truck to Otero County. (*Jim LeClair, Fire Chief*) (Roll Call Vote Required)

Fire Chief LeClair said this was brought before the Commission at the August 14, 2018 meeting. He said he was asked to bring this item back with timelines in regard to when this apparatus would be put into service by the County. He said both the County and City agreed that within 30 days after the repairs it would go into service or within 90 days of receipt of the apparatus. He said they also agreed that the apparatus would stay in service for five years, if not it would come back to the City.

Commissioner Hernandez moved to approve.

Commissioner Rardin seconded the motion.

Roll call vote was taken.

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

NEW BUSINESS

8. Consider, and act upon, Change Order No. 10, RFQ No. 2013-05, to CDM Smith, Inc. related to the engineering and design services for the 1-MGD Brackish Water Treatment Facility project, in an amount not to exceed \$20,250.00, including NMGR. (*Bob Johnson, Engineering Manager*)

Engineering Manager Johnson said the item is a change order request by the Water Operations staff to bring in the Senior R.O. Process Design Engineering team during some of the testing phases of the Desal project. He said there are roughly four different phases of testing involved in this project. He explained the four phases.

Mayor Boss asked if they were going to wait until spring to do the final test. Engineering Manager Johnson said that is what they are looking at. He said they are in discussions now on possibly accelerating that process. He said that is the final phase which is the start of acceptance testing. That is when they will run the systems in fully automatic mode, in its full process and in its full capability.

Commissioner Rardin moved to approve.

Mayor Pro-Tem Baldwin seconded the motion.

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

Commissioner Sikes asked if they have a date as to when the Desal Plant will be completed. She was asking because the sitting Governor gave them over \$4 million to complete the Desal Plant. Commissioner Sikes was hoping that before the Governor leaves office that they would be able to get the Governor here, thank her and have her see the Grand Opening of what that \$4 million did. Engineering Manager Johnson said it's hard to take a guess at this point because they have so many moving parts and pieces to this project and they've had a number of issues come up. He said his best guess is the later half of January or possibly February before this thing is fully operational.

Mayor Boss and Commissioner Sikes agreed that even if the Plant is not fully operational, they would like to bring the Governor down to see the Plant. Commissioner Sikes said she thinks being the first and only desal plant in the State of New Mexico, it would be a big deal to have the Governor and the newly elected Governor here. Mayor Boss recommended inviting some other people that were instrumental in the project as well.

9. Consider, and act upon, Change Order No. 4, Public Works Bid No. 2017-009, to Smithco Construction, Inc. related to the Bonito Lake Restoration project, in an amount not to exceed \$211,000.00, including NMGRT. (Bob Johnson, Engineering Manager)

Engineering Manager Johnson explained the change order request is at the suggestion and recommendation of Mr. Rob Richardson of Bohannon Huston, the lead Engineer on this project. The bid documents had a force account work allowance built into the bid schedule of \$150,000, to cover strictly weather-related events. There were three events this year with the last one being towards the end of October. They anticipate that the cost of repairs to the lake as a result of that event will exceed the current estimate, and the lead Engineer has suggested increasing that by an additional \$200,000 plus tax.

Mayor Boss said he was surprised there wasn't more allowance built-in. He said it wasn't built into the bid, but it seems like we would have had something in there for that knowing that they were going to pump that lake out and they were going to get the monsoon season. Engineering Manager Johnson stated the \$150,000 was a best-case scenario, conservative estimate. The first event occurred in February where they saw 5-inches of rain within less than 5 days. He said the Engineer is from that area. There were 2 other events in July and October.

Commissioner Rardin asked how much longer this project will be going on for. Engineering Manager Johnson answered about two years. Commissioner Rardin asked if \$200,000 is going to be enough or if he would have to come back before the Commission to ask for more money. Engineering Manager Johnson said he hopes not. He said as City Manager Paluch indicated that this past Thursday they had another infusion of funding to remove the bid alternate quantities, which will likely extend the performance period some more. He said as of early last week, the contractor's removed 50,000 cubic yards of debris, which is roughly one-fifth of the base bid quantity. It is all vertical removal, you cannot put heavy equipment on top of the lake bed, it will sink.

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

10. Consider, and act upon, approving the Memorandum of Understanding (MOU) between the United States Border Patrol (USBP) and the Alamogordo Police Department (APD). The MOU is an update where APD allows for USBP frequency sharing access for land mobile radio interoperability. The previous MOU on file has expired and both APD and USBP wish to renew it. (Brian Peete, Chief of Police)

Chief Peete said this MOU is to allow the U.S. Border Patrol to our frequencies in case of any event.

**Commissioner Payne moved to approve.
Commissioner Rardin seconded the motion.
Motion carried with a vote of 7-0-0.**

11. Consider, and act upon, receiving the FY 2019 New Mexico Fire Protection Grant award of \$99,450.00 to be used for Self-Contained Breathing Apparatus. (Jim LeClair, Fire Chief)

Fire Chief LeClair said on August 14, 2018, he came to the Commission requesting to go after this competitive grant. He announced they were successful in the grant award, and he is asking permission

to receive the grant.

Mayor Boss moved to approve.

Commissioner Rardin seconded the motion.

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

ADJOURNMENT

Commissioner Rardin moved to adjourn at 7:33 p.m.

Commissioner Payne seconded the motion.

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




City Clerk Rachel Hughes


Mayor Richard Boss

(Prepared by Eric Barraza, Deputy Clerk)

Approved at the Regular Meeting held on December 18, 2018.