

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 P.M., COMMISSION CHAMBERS
June 25, 2019**

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

**JASON BALDWIN, MAYOR PRO-TEM
DUSTY WRIGHT, COMMISSIONER
BRIAN CESAR, INTERIM 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 6:29 p.m. Roll Call was taken by the City Clerk. City Attorney Schreiber was absent. City Clerk Hughs announced there was a quorum present. Invocation was given by Pastor Forney and the Pledge of Allegiance was led by Mayor Pro-Tem Baldwin.

Mayor Boss acknowledged the presence of Mr. Quintana, Consultant with the Council of Governments.

APPROVAL OF AGENDA

Commissioner Hernandez moved to approve the agenda.

Mayor Pro-Tem Baldwin seconded the motion. Motion carried with a vote of 7-0-0.

PUBLIC COMMENT

Cam Wilde commented on the following:

He said since 2016, Alamogordo MainStreet has received grants and facilitated funding totaling over \$143,000. He said they received over \$373,000 Market Value Services from the Economic Development Department and New Mexico MainStreet, since 2014. They have also logged over 3000 hours of volunteer service and hosted 27 downtown events, workshops and presentations. He said they reported over \$609,000 in private investment on building improvements, since 2016. He also said they support the new business Picacho Peak moving into 902 New York.

CITY MANAGER'S REPORT

None.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

None.

CONSENT AGENDA

1. Approve the minutes for the June 11, 2019 Regular meeting. *(Rachel Hughs, City Clerk)*
2. Approve the statements related to the Executive Closed Session held on June 11, 2019. *(Rachel Hughs, City Clerk)*
3. Consider, and act upon, final publication of Ordinance 1593 amending the Delayed Repeal of Municipal Infrastructure Gross Receipts Tax Ordinance 1452 related to Economic Development. *(Brian Cesar, Interim City Manager)* (Roll Call Vote Required)
4. Consider, and act upon, Resolution 2019-22 a question to the voters at the November 5, 2019 Local Election of extending the imposition of the municipal infrastructure gross receipts tax

dedicated for economic development purposes. (*Brian Cesar, Interim City Manager*) (Roll Call Vote Required)

5. Consider, and act upon, final publication of Ordinance 1594 for implementing 1/8th of the Hold Harmless Tax. (*Stephanie Hernandez, Finance Director*) (Roll Call Vote Required)

6. Consider, and act upon, approval of an MOU to the FY2017-FY2020 contract with the Alamogordo Public Safety Officers Association (APSOA). (*Katie Josselyn, Human Resources Director*) (Roll Call Vote Required)

7. Consider, and act upon, approval of an MOU to the FY2017-FY2020 contract with the American Federation of State, County, and Municipal Employees, Local 3818 (AFSCME). (*Katie Josselyn, Human Resources Director*) (Roll Call Vote Required)

8. Consider, and act upon, Resolution 2019-30 requesting written approval from the Local Government Division of the Department of Finance and Administration, State of NM for the revised budget numbers computed as of June 25, 2019. (*Evelyn Huff, Budget Analyst*) (Roll Call Vote Required)

Commissioner Rardin asked to pull item #5 from the Consent Calendar and Commissioner Hernandez asked to pull item #6 from the Consent Calendar.

Commissioner Hernandez moved to approve item 1,2,3,4,7,8 of the consent calendar.

Commissioner Rardin seconded the motion.

Roll call vote was taken.

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

ITEMS REMOVED FROM CONSENT AGENDA

5. Consider, and act upon, final publication of Ordinance 1594 for implementing 1/8th of the Hold Harmless Tax. (*Stephanie Hernandez, Finance Director*) (Roll Call Vote Required)

Commissioner Rardin said he pulled this item so that he could vote no.

Mayor Pro-Tem Baldwin moved to approve.

Commissioner Payne seconded the motion.

Roll call vote was taken.

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

6. Consider, and act upon, approval of an MOU to the FY2017-FY2020 contract with the Alamogordo Public Safety Officers Association (APSOA). (*Katie Josselyn, Human Resources Director*) (Roll Call Vote Required)

Human Resources (HR) Director Josselyn said this Memorandum of Understanding (MOU) is for the Police and Fire Union. She said the City is extending an increase, which was approved by the Commission, for all City staff in the FY 20 budget.

Commissioner Hernandez asked HR Director Josselyn if this came to negotiations with the Union, she said no it did not. He said the reason he pulled this off is because some wives of Police Officers came to the Commission to say that they are not taking care of their Officers. He said here they are giving them a dollar without them asking for it. He asked, if possible, that City staff send this group of wives a letter and let them know how this works, as far as, raises and monetary amounts go. He said it is a requirement, the Commission cannot just say here is \$0.50, \$1.00 or \$2.00. It has to be negotiated;

this was approved by the Commission outside of their Union. He said the Commission was chastised a couple of meetings ago for this and their Union did not come to the table.

Commissioner Hernandez moved to approve.

Commissioner Rardin seconded the motion.

Roll call vote was taken.

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

Mayor Pro-Tem Baldwin said the City negotiated a four-year contract with APSOA and AFSCME. He asked HR Director Josselyn if for the fifth year they could open it back up for negotiations. She said they went into a four-year contract with both in 2016, and both those contracts expire in June of 2020. She said both contracts included the opportunity for an economic re-opener in April of 2019. Mayor Pro-Tem Baldwin said so this is kind of that re-opener. She confirmed yes. He then asked her if there is a reason the Commission wasn't contacted by the Union for this. She said they were contacted by AFSCME in which they went through the process with them. She said they had not heard from APSOA, so she extended the information to them, through email, and told them the City was wanting to offer the same thing to them as they were offering to all the other employees. She said that facilitated this MOU that was brought forward today.

Commissioner Payne said she agreed with Commissioner Hernandez. She said on that point about that person coming forward, certainly our meetings are open and everybody have the right, as citizens, to voice their opinions and she has the right to disagree with them and she did disagree with his statements that day. She appreciates Commissioner Hernandez's comments.

Commissioner Hernandez said he completely supports all the Departments, but there is a process they have to follow. He said it was the second time that this has happened where they had the wives address the Commission, when they have a Union.

PUBLIC HREAINGS

9. Consider, and act upon, Application No. 1125631 a Small Brewer 2nd Off-Site Location Liquor License at 902 New York Ave., Alamogordo, NM 88310 to Picacho Peak Brewing Co. (Rachel Hughs, City Clerk)

Commissioner Rardin moved to approve.

Commissioner Hernandez seconded the motion.

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

Commissioner Sikes asked Mr. Mendoza when they will be open. He explained the process and said they would like to be opened in about 30 to 45 days.

NEW BUSINESS

10. Consider, and act upon, Resolution 2019-29 authorizing the City Attorney to foreclose on Municipal liens. (Brian Cesar, Interim City Manager) (Roll Call Vote Required)

Mayor Pro-Tem Baldwin said they usually get a list of the foreclosed liens. Interim City Manager said what they are looking at doing is sending out notification to every active lien they have on the books. He said there is approximately 450 outstanding liens. He said a lot of them are for water/sewer bills or weed abatements. He said they have about \$250,000 of outstanding liens. Mayor Pro-Tem Baldwin asked if they could see the list. Interim City Manager Cesar said he could send that out to the Commission in the morning. Mayor Pro-Tem Baldwin said it is always interesting to see who is on there and there have been times that they have pointed out they know some of the property owners. He said sometimes they have the ability to talk to them privately. He said sometimes it helps. Interim City Manager Cesar said in this process, they are not going straight to the Court and filing foreclosure paperwork. He said notices will be sent out to everyone on the list and giving them a timeframe to

dispute the lien or come in and speak to staff. He said once that timeframe has past then they will file the paperwork with the Courts.

Commissioner Hernandez said he was in a situation where he had to call Interim City Manager Cesar. He said he had a neighbor move out of a rental house and she left her dogs there. He said the dogs became squatters in the house. The house was previously refurbished prior to them moving in and the dogs completely destroyed the house. He said part of the process is that it has to come before the Commission and then back and forth situations. He said he does have a concern, but he thinks they can manage it and if they need to bring it back and change it, they can. He said he thinks will speed up the process a little bit. He said he does not want to see the Commission go and foreclose on a property for \$250 for a first offender versus somebody that continues or properties that are a disgrace to the neighborhoods. He stated he completely supports this. He said the only problem he sees is that they could potentially end up with several properties.

Commissioner Rardin asked Interim City Manager Cesar if they will bring back the ones that staff has to start the foreclosure process on. Interim City Manager answered, if they pass this tonight, they will be authorizing the Legal department to go ahead and do it. He said if someone is disputing the lien and staff cannot resolve that with them, the citizen has every right to come before the Commission to plead their case. Commissioner Rardin said he thinks if staff gets to the point where they may have to start the foreclosure process on, if they could email the Commission to let them know. Interim City Manager Cesar said yes. He said he could ask the Legal department to send that listing out on a quarterly or monthly basis.

Mayor Boss said \$250,000 seems like a bunch of money for Alamogordo. Interim City Manager Cesar said this is years' worth of liens. Commissioner Sikes said she would like to see the dates on those liens.

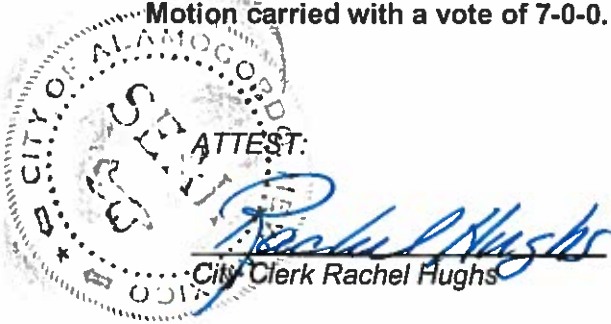
Mayor Pro-Tem Baldwin moved to approve.
Commissioner Wright seconded the motion.
Roll call vote was taken.
Motion carried with a vote of 7-0-0.

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

Mayor Boss read the openings and appointed William Dennis to the Alamogordo Public Library Board and Cynthia Stevenson to the Senior Volunteer Programs Advisory Council. No one was opposed.

ADJOURNMENT

Commissioner Rardin moved to adjourn at 6:57 p.m.
Commissioner Payne seconded the motion.
Motion carried with a vote of 7-0-0.



Mayor Richard Boss

(Prepared by Eric Barraza, Deputy Clerk)
Approved at the Regular Meeting held on July 9, 2019.