

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 P.M., COMMISSION CHAMBERS
July 9, 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 6:30 p.m. Roll Call was taken by the City Clerk. City Clerk Hughs announced there was a quorum present. Invocation was given by Reverend Dwight Harp and the Pledge of Allegiance was led by Commissioner Rardin.

APPROVAL OF AGENDA

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

PRESENTATIONS

1. Airport Advisory Board Annual Presentation for FY19 (*Manny Gonzales, Jr., Vice Chairman*)

Mr. Gonzales gave some information on the Airport Advisory Board. He spoke on aviation activity at the Airport. He said there are about 100 aircraft based at the Airport and their aircraft hangar capacity is at nearly 100 percent. This Airport is an important resource for the use of the air tanker firefighting operation. The Airport has also been host to the United States Army Helicopter's traffic. In April, the Airport partnered with the local emergency planning committee to host and operate a simulated emergency exercise. This exercise validated emergency response times and effective solutions to an Airport catastrophic event. He also mentioned the Airport hosted the second Aerospace Expo in September of 2018. He stated the Board has joined the effort in preparing careful plans to understand the requirements for eligibility with the federal aviation administration's part 139 designation. He said this designation is an essential piece of the fact pattern to the eventual prospect of regional jet service at the airport.

Mayor Boss thanked Mr. Gonzales and the other members of the Board for their service on the Board.

2. Alamogordo Promotion Board Annual Presentation for FY19. (*Michelle Brideaux, Communications & Marketing Administrator*)

Communications and Marketing Administrator Brideaux showed a PowerPoint presentation. She explained that the Promotion Board oversees fund 16, which is 40 percent of the Lodger's tax that the City brings in, and how they utilize that money to advertise Alamogordo for tourism outside of a 50-mile radius. She said last year they got nearly \$40,000 in advertising through the Co-op grant. She said they did six ads in the New Mexico Magazine this year. She said it was a great opportunity to highlight some local attractions and some of these agencies actually gave financially, towards the Co-op grant match money. She encouraged everyone to go by and visit the Visitor's Center. (See Blue Book for PowerPoint)

Mayor Boss thanked the members of the Promotion's Board. Mayor Pro-Tem Baldwin asked her what Sunny 505 is on the PowerPoint. Communications and Marketing Administrator Brideaux said Sunny 505 is the Ad agency that they work with, Sunny 505 helps them come up with a strategic plan and helps them to know how to get the most bang for the buck.

PUBLIC COMMENT

Mayor Boss thanked Mr. Downer for the contribution he made to Habitat for Humanity on behalf of Mayor Boss.

Gene Downer commented on the following:

He reminded the Commission of the billions of dollars politicians are receiving in taxes related to minerals. He thought it is very important for everybody to look at every possible grant that may be available to the City. He encouraged the trash be cleaned up entering the City. He gave a pats on the back to various City departments and certain businesses. He complimented Community Services Director Ortega on the landscaping done to the entrance to the Civic Center.

Joe Lewandowski commented on the following:

He spoke on "The Right Thing to Do", a book about segregation in this area. He said it is available at the museum and encouraged everyone to read the book.

CITY MANAGER'S REPORT

Interim City Manager Cesar made the following remarks:

1. He said there will be a special meeting on July 29, 2019 for approval of the year end numbers for the FY 19 Budget year. This will allow Finance two days to finalize and upload the FY 20 to the Department of Finance and Administration (DFA).
2. He said there will be a workshop on August 6, 2019 at 6:30 p.m. for the Airport Advisory Board on regional jet service.
3. He stated the Senior Volunteer Program has received notice that the RSVP program is eligible for a permanent increase in their federal grant. He said it will raise it from \$42,914 to \$50,414 each year. These monies are slated for volunteer, recruitment and retention.
3. He stated the next coffee with a cop is on Monday, July 16, 2019 from 10:00 a.m. to 12:00 p.m. at Patron's Hall located at 1106 North New York Avenue.
4. He said the Recreation Center had a successful free swim day on July 4, 2019. He said their youth program "Camp Cottonwood" has been thriving this summer. He said the Recreation Center brought back the summer volleyball camp for the week of June 24th through the 28th, 2019.
5. He stated the Legal department has sent out notices to every property owner that had an outstanding lien on their property in Alamogordo. Since these notices have gone out, the legal department has fielded numerous inquiries and a number of them had made arrangements to pay their outstanding liens.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Commissioner Rardin made the following comments:

He asked about the leak in front of AutoZone. Interim City Manager Cesar said they would get that information out to the Commission shortly. Commissioner Rardin asked when the Family Fun Center is going to get the video games. He said the money that was approved in 2017, there was \$700,000 that was set for video games. Interim City Manager Cesar said he would get an update from Mr. Chun. He acknowledged that Senator Griggs' mother passed away.

Mayor Boss made the following comments:

He said the Big Give is where Airman from Holloman come into the community and do projects on their own time. He said he has seen firsthand where they have come in and done a \$150,000 remodel on a building for \$50,000. He said they are estimating that they are about to go over the \$2 million dollar mark in the Big Give this year as a result of the work that they do. He said we need to appreciate that because it is work that would not have been done, the City did not have the funding to do it. He stated these airman work till midnight, in addition to their regular work. He encouraged everyone to thank an Airman anytime there is an opportunity.

CONSENT AGENDA

3. Approve the minutes for the June 25, 2019 Regular meeting. (*Rachel Hughs, City Clerk*)

4. Consider, and act upon, final publication of Ordinance 1595 amending section 2-15-080 and 2-15-090 of Chapter 2 of the Alamogordo Code of Ordinances regarding the Gross Receipts Investment Program. (*Petria Schreiber, City Attorney*) (Roll Call Vote Required)

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

Commissioner Rardin seconded the motion.

Roll call vote was taken.

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

NEW BUSINESS

5. Water bill dispute for property located at 123 N. Florida Ave and requesting excessive water bill to be waived in the amount of \$414. (*Casey Summerfield, Property Owner*)

Interim City Manager Cesar stated there is a typo in the property address, it should be 1123 N. Florida Avenue.

Ms. Summerfield explained inconsistencies in water consumption at the residence. She said that a leak does not fix itself and it is only her and her 5-month baby at home. According to a bill that she received in June says that she has used 62,260 gallons of water. She stated her average bill is \$90 a month. She is willing to pay \$90 today and another \$90 when she gets paid, but the extra amount she is not willing to pay because she has no proof of where that water is. She does not understand why there is a high water bill and asked for help.

Mayor Boss asked her if she has had a plumber do any searching in the yard. He also asked if there is any green grass in her yard. She said there is a little patch of green on the side of the house that has always been green and everything else is dead.

Commissioner Rardin asked her if she lives in the two-story house on the corner next to Alamotero Surveys. She said yes, she is across from the Worship Center. Commissioner Rardin explained that on Google Earth it shows there are some plants in the yard but there is no indication of a leak. Commissioner Payne said there is a little section of green.

Customer Service Manager Threadgill said in this account, the day it was initiated they received a call from the customer to go out and do a turnoff because of a leak at the property in 2018. He said in November of 2018, they sent out a courtesy notice for continuous consumption. He stated in this case, there was a buildup of water consumption. He said it looked like there was a background usage of about 2 to 3 cubic feet per hour that peaked about May 14th. He said the continuous consumption continued but it just reduced itself. There were short periods of stoppage for about seven days. On June 16th continuous consumption stopped and has not restarted since then.

Mayor Boss asked if they are sure about the integrity of the meter. Customer Service Manager Threadgill said yes, that was checked on June 7th.

Customer Service Manager Threadgill said when he last spoke to the customer, she mentioned that she was going to have a plumber go out and look at it. He advised her at that time, if she was looking for a leak, she would not find anything because there was no longer any continuous consumption. He said during the period of usage there appeared to be background usage, constant consumption. He said at first it got lower, then it stopped, recontinued and then it stopped for the last few weeks. Where that water went, he does not know. He said once it passes through the meter that is the last they can account for the water. He advised the renter that he could offer her a three-month payment plan. He

said he is not convinced there is a water leak in a traditional sense only because it stopped and started and then stopped again on its own without any outside intervention.

Mayor Boss asked if someone could be tapping into the water. Customer Service Manager Threadgill said that is possible but the fact is that it is continuous for 24 hours a day. He said there is not a process for abating that for a leak abatement because nothing was repaired. He said a requirement for a leak abatement is that something is repaired.

Mayor Boss asked if there is anyway the meter could be recording that and water not passing through it. Customer Service Manager Threadgill said no, there is no device in the meter that makes it stand on its own.

Commissioner Rardin asked Customer Service Manager Threadgill what is LE10 on the hourly consumption sheets. He said it is code for continuous consumption. Commissioner Rardin asked what LE10-RS10 is. He said it is a reset during a software upgrade, which they send out upgrades about quarterly. Commissioner Rardin said it is weird because it is a short timeframe where the huge amount of consumption is. Customer Service Manager Threadgill said he has been through every possible contingency with the customer. Commissioner Rardin asked if the little black triangle continues to spin on the meter. Customer Service Manager Threadgill said yes, everything adds up. Commissioner Rardin asked what happens when they turn everything off. Customer Service Manager Threadgill said he does not know if they have checked that.

Commissioner Payne said even \$95 is too much, it should be around \$60. It sounds like this has been going on for a while. Customer Service Manager Threadgill said a \$90 bill is not all that in frequent in Alamogordo. Commissioner Payne said it is not if you are watering your lawn. She gave an example at Love Inc., where they found a leak and they paid over \$100 water bills for many months. After they fixed the leak the bill went down. She said it was not a huge leak, but a crack in the pipe. She said she is suspect where the little patch of green grass is. She said that is a lot of money for someone who is not there all day and only has a 5-month old.

Mayor Boss said if there is a patch of green in the yard there is water somewhere. Commissioner Payne said the leak at Love Inc. never registered as continuous consumption. Customer Service Manager Threadgill said it is not always a leak, it can be the sprinkler system or something. It is water passing through the meter.

Mayor Boss asked Customer Service Manager Threadgill if he had ever seen anything like this, where they weren't using this much water and there was this much water being charged. He answered he has had many customers come in and say that they did not use this much water. He said something is going on, the meters can't spin by themselves.

Commissioner Hernandez said his concern is the amount of the water bill. He said his average bill is about \$65 a month and it is for he and his wife and his yard is fairly green. He said what really strikes him is if you have a leak it is usually pretty steady. He said the consumption here starts and stops, it is not normal especially during the times.

Mayor Boss mentioned that his bill usually runs about \$25 a month, and when his granddaughter lived with them the bill was no more than \$35 a month. Customer Service Manager Threadgill said the average bill for water and sewer is about \$64 a month. He said you are looking around \$49.50 without the trash. He said these are averages based on 10,000 residential accounts.

Commissioner Rardin asked what side is the meter on. Ms. Summerfield answered it is on 12th street side. Commissioner Rardin said there is a house being built right behind this house. He asked if that had anything to do with this. Commissioner Payne said no because her bill has been too high for too long.

Commissioner Rardin said he has been around construction for a long time and when there is a leak it is fairly consistent. He asked Ms. Summerfield if there is a restroom on the side of the house where the yard is green. She explained the layout of the house. Commissioner Rardin said even if a toilet is leaking, 60,000 gallons is a lot of water.

Commissioner Payne asked Customer Service Manager Threadgill if he had gone back and looked at the bills from the previous tenants. He answered no. Ms. Summerfield said the people that lived there before paid a little over \$100 per month and there were 7 of them.

Mayor Boss suggested to put a brand new water meter and suspend the account. Not do anything with the \$414 for now and go another couple of months and see if they continue to have these problems. He said it sounds like she has a leak. He asked if that would be feasible. He also said to pick a period of 2-months, 3-months or whatever. He said they would not turn off Ms. Summerfield's water because of non-payment and then they would look at it again at that point. He asked the Commission if that sounds reasonable. Customer Service Manager Threadgill said they can do that but for the last two weeks there has been nothing going on. Mayor Boss said let's go two months and let's put a brand new meter.

Commissioner Hernandez said that is fine as long as she pays for the normal consumption to keep it current. Mayor Boss said just the \$414 is in suspension. Customer Service Manager Threadgill mentioned that there is over \$800 due on the account right now.

Mayor Boss said they can figure out what the normal bill had been for months and she can pay that portion of it, but any of the excess if Customer Service Manager Threadgill could come up with some formula where they suspend that for now, put a brand new meter on it and look again at it in two months.

Commissioner Payne asked Commissioner Wright if he had any thoughts. Commissioner Wright asked Ms. Summerfield if she had not had a plumber come out and look. She answered no. Mayor Boss said that is a good point. He said that is something that she is going to need to do.

Commissioner Wright said the inconsistency with the consumption is odd. He said usually if there is a leak, it is continuous and noticeable. He said if the Commission is willing to help, he would be willing to personally help find a leak. He said there has got to be something dripping or something for it to be that high for that long period of time. Mayor Boss asked Commissioner Wright what he would be willing to do. He answered that he would be willing to go and put a test and check.

Commissioner Hernandez said he would do the same thing because he has the equipment, but he thinks it would be a conflict because of where they sit.

Commissioner Wright said he would lean towards checking the meter. He asked Ms. Summerfield if she has noticed cables being cut or pinched.

Customer Service Manager Threadgill said there are other ways of checking if that does not occur. He said they could always go back to the odometer reading.

Commissioner Rardin said Ms. Summerfield stated there is a restroom on that side of the house, it could also be if there is a patch of green that sewer line could be leaking. He said that could be the reason for the green grass. He said he noticed that the consumption charges, the base rate, for her sewer did jump from 1043 to about 2240, which adds about \$10 extra a month. He agrees with the Mayor, let's suspend that for a little bit.

Commissioner Payne asked how the bill got to be \$800. Customer Service Manager Threadgill stated April 5 through June 5 was \$504 and then \$321. She asked if there was any notice put on the door for

that. Customer Service Manager Threadgill said there was a notice sent on the June bill for non-payment of the previous bill. Commissioner Payne asked if a \$500 bill doesn't trigger an alarm. Customer Service Manager Threadgill said continuous consumption would send that out, but the bill amount does not trigger anything. Ms. Summerfield said she has never received a notice for continuous consumption.

Mayor Pro-Tem Baldwin said the Commission never likes charging people for water they don't think they consume. He said the first thing that has to happen is, she needs to have a plumber inspect. He said if they find something, then she can have it repaired and a portion of this can be abated. He thought they are all in agreement with moving forward with the Mayor's recommendation; get the plumber and get the Commission some information to help them make a decision.

Mayor Boss suggested for Ms. Summerfield to get with City Clerk Hughs and bring this item back. Interim City Manager Cesar said to bring this back two months after the meter has been changed.

Commissioner Wright said he would like to see proof that a plumber has gone to look at it. Mayor Pro-Tem Baldwin said he knows that is an expense that might be difficult, but it is better than \$800. Mayor Boss said it is something that the Commission would like to see. Commissioner Payne strongly suggested to get the green patch in the yard checked out.

Interim City Manager Cesar suggested Ms. Summerfield check the water softener or Reverse Osmosis system. She stated she does not have one.

Commissioner Hernandez said not to disagree with Commissioner Payne, but where Love Inc. is, it is basically a large leech field, so the water is going to leak down. She said she understands but there was this green patch among all this rock. Commissioner Hernandez said he thinks that the Commission should move forward with this direction and see what they can find. Commissioner Payne said any future votes like this, she will need to recuse herself.

Mayor Pro-Tem asked if this is Commission consensus or do they need to table this item or just not doing anything. Mayor Boss asked City Attorney Schreiber if they take no action or table. City Clerk Hughs said this could be brought to a future meeting under unfinished business.

6. Consider, and act upon, Resolution 2019-31, declaring the City's intent to refund its outstanding Series 2009 Water and Sewer Net System Revenue Bond to achieve debt service savings for the benefit of the City. (Stephanie Hernandez, Finance Director) (Roll Call Vote Required)

Mr. Archuleta said they gave the Commission an update on the City's financial data back in February, when they told the Commission there was a possibility of doing a refinancing on one of their issues. He said they are at that point now, where the 2009 issue is refundable which would allow the City to save about \$369,000 over the life of the issue which translate into a little over \$49,000 per year. He said the City is currently paying about four and a half percent interest on that 2009 issue and with the interest rates we have now they should be able to drop that down to about a 2.09 percent. That is where the savings come in. He said what they have for the Commission tonight is an opportunity to go ahead and do the refinancing and allow them the opportunity to save the City \$369,000. Mr. Archuleta said they also have to take into consideration the present value of the savings of the transaction because they are dealing with present value dollars today versus what they would be in 2029. He said they would be going through the New Mexico Finance Authority, which is one of the main reasons they can actually get low interest rates for this transaction.

Commissioner Rardin said this being a water and sewer bond, they need to start looking for money for the parallel pipeline for the Snake Tank Project. He asked if it would be possible to look at refunding this and borrowing additional money for the payment and their debt service stays the same, but they would actually have additional money to pigeon hole away for that parallel pipeline for the RO system.

Finance Director Hernandez said they were looking at that exact same issue. What this would do is help them with the capacity. She said there would be two separate processes, so they cannot roll this into a new loan. Commissioner Rardin said in the past when they came up, usually around ten years, they would roll them over and refinance and borrow additional money.

Mr. Archuleta said you would be able to do that depending on the amount of money you would need. He said they could run different scenarios for the Commission to give them a better idea.

Interim City Manager Cesar told Commissioner Rardin what he was remembering from the past, as these various bonds were maturing, that is when staff was coming back to Commission to do the Wastewater Treatment Plant, to do big projects associated with the SMP, the intersection realignments and what not. He said these don't mature until around 29.

Commissioner Rardin said if he remembers right, they were at a 10 year mark when they did those, the economy kind of crashed so they were borrowing money at less than a percent or two percent. Interim City Manager Cesar said in the past, it was setup and structured so that they had these maturing every few years. He said the City got away from it during a period of time and other projects were done, so they are not in that same cycle that Commissioner Rardin is remembering. Commissioner Rardin said they need to start looking ahead and figure out what they are going to do. Interim City Manager Cesar said that is part of the reason they came to the Commission with Fund 49. They will be applying to the Water Trust Board and will be exploring every avenue to find monies to complete the process for the parallel pipeline.

Mr. Muirhead explained that tonight's action is just to give the go ahead to file the application and start talking to the Finance Authority and other banks. He explained the process and timeline. He said by adopting this Resolution tonight does not make this binding. If something changes and the Commissions wants to add to it, that is all still on the table. He said this just gets the ball rolling. He said the real dispositive time would be September when they would be back to talk about the bonds, the rates and the numbers. Mayor Boss said if at that time, if any fluctuations happen, they will have solid numbers then. Mr. Muirhead confirmed they would.

Mayor Pro-Tem Baldwin moved to approve.

Commissioner Rardin said he would second the motion, but he had a comment for the Interim City Manager. He asked Interim City Manager Cesar if he could get the Commission the original amount borrowed for the 2009 Water Bond and then look at how much they could re-borrow in this refinance. Interim City Manager Cesar agreed.

Finance Director Hernandez explained where to find the original loan amount in the agenda packet.

Mayor Pro-Tem Baldwin 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 in reference to what Commissioner Rardin was talking about. He said they did do two separate refinancing of the bonds. He said he was aware of it because the Golf Course was the recipient of that, and the Commission earmarked it as you can for those refinances taking out loans for it. He said they call it the quality of life bond. He said a lot of good things can be done with that refinancing and he is for that too.

Commissioner Rardin said it is something to look into. If they are going to save \$40,000 to \$50,000 a year in debt service, they can reborrow the money and put it to good use.

7. Consider, and act upon, a revised agreement with Alamogordo Public Schools (APS) for School Resources Officers. (Brian Peete, Chief of Police)

Chief of Police Peete said they are moving from 4 to 3 SRO's (School Resource Officers). He said APS (Alamogordo Public Schools) agrees to pay for half the Salaries and Benefits for the Officers assigned. He said the reason the drop of costs is substantial is because the tenure of the Officers that are going to be assigned as SROs coming in is much less than the ones who are leaving those posts and they are moving down from 4 to 3 Officers.

Mayor Boss asked if APS is able to cut an Officer because they will closing the campus. Chief of Police Peete answered no, it is due to projected manning shortfalls.

Commissioner Hernandez asked if their SRO's wear bodycams, Chief of Police Peete answered yes. Commissioner Hernandez asked if they know to have them on all the time. Chief of Police Peete said depending on the situation and the policies and procedures, yes sir. Commissioner Hernandez said he has some concerns with situations that he has heard about with staff members especially from the High School. He said he would be concerned with the single Officer having to deal with something without making sure they don't have a backup. He said as long as they follow those policies, he does not have a problem with it.

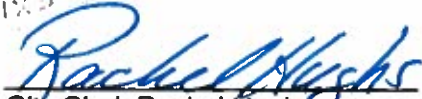
**Mayor Pro-Tem Baldwin moved to approve.
Commissioner Sikes seconded the motion.
Motion carried with a vote of 7-0-0.**

ADJOURNMENT

**Commissioner Payne moved to adjourn at 8:01 p.m.
Commissioner Hernandez seconded the motion.
Motion carried with a vote of 7-0-0.**



ATTEST:


City Clerk Rachel Hughes


Mayor Richard Boss

(Prepared by Eric Barraza, Deputy Clerk)
Approved at the Regular Meeting held on July 23, 2019.