

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 P.M., VIRTUAL MEETING
June 9, 2020**

**RICHARD BOSS, MAYOR
SHARON McDONALD, COMMISSIONER
JOSH RARDIN, COMMISSIONER
DUSTY WRIGHT, COMMISSIONER
SUSAN PAYNE, COMMISSIONER**

**NADIA SIKES, MAYOR PRO-TEM
JASON BALDWIN, COMMISSIONER
BRIAN CESAR, CITY MANAGER
PETRIA BENGOCHEA, 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 Manager Cesar was absent. City Clerk Hughs announced there was a quorum present. Invocation was given by Commissioner McDonald and the Pledge of Allegiance was led by Commissioner Payne.

APPROVAL OF AGENDA

City Attorney Bengoechea said there was a presentation that was inadvertently left off, it will be made by the Superintendent Marie Sauter from White Sands National Park, so the agenda will need to be approved as amended.

Commissioner Baldwin made the motion to approve the agenda as amended.
Commissioner Payne seconded the motion. Motion carried with a vote of 6-0-0.

PRESENTATIONS

Commissioner Wright joined the meeting at 6:35 pm.

White Sands National Park Superintendent Marie Sauter commented on the following:

She spoke about the plan for reopening the National Park Pandemic planning and what that means to the surrounding communities. She said she closed the Park down on March 22nd. She said most of the visitors are coming from out of State as well as out of the country. Slowly the National Park service has been increasing access in services in a phased approach across all the 419 units across the system, they are all in different stages of reopening and some have not opened at all, such as White Sands National Park. She stated every park manager has the discretion to make a localized decision that is based on our local conditions, county, state, and regional conditions in consultation with public health officials. She said her number one priority with regards to the pandemic is to protect our employees as well as volunteers, our partners and our community in this situation and by doing that we can do our job safely and provide a safe, as possible visit for the public. She said they are planning on phase reopening, starting off with reopening the park areas including outdoor spaces such as the dunes and landscapes with limited services. People will be able to picnic, play on dunes, some hiking, and the gift shop will be open. She said they are asking the public to partner with them in adopting social distancing practices when visiting the park and following the CDC guidance to reduce the spread of COVID-19. She stated they do not have a set date to reopen. She said the National Parks units in New Mexico have been observing in the last couple of weeks, most of the visitation anywhere from two-thirds to 70 percent to National Parks in the state of New Mexico are coming from out-of-state. There are many that are coming from Texas and Colorado. She invited Chief Ranger Aaron Summerlin and Chief of Interpretation Kelly Carroll to tonight's meeting. She stated she was concerned about Alamogordo and the Tularosa Basin. She asked if the City was prepared for an influx of out-of-state visitors, are the hotels and restaurants able to handle the visitors. She said Gerald Champion needs to be alerted that they would have an influx of out of state visitors in the National White Sands Park. She asked the City to partner with her.

Mayor Pro-Tem Sikes asked her if they have the new signs yet. Ms. Sauter asked her to come by to see the new signs on the Highway.

Mayor Boss asked her what the international travel percentage is as compared to within the United States. She said she does not know but she is confident when the international travel is open is lifted, they will have high international travel.

Commissioner Baldwin said in his communication with the citizens of Alamogordo; we are ready, so bring it, I am sure hotels and restaurants are following procedures to make things safe. She said one of her main concerns is they do not know where the visitors will come from, so they are doing their best to keep their staff safe, they are still going to follow the CDC guidance.

Mr. Summerlin said during the summer months it ranges from 60 to 80, 000 visitors a month. The majority are coming from out-of-state. He stated depending on the time of the year the percentage of international ranges from five percent to 40 percent of their visitation. In the wintertime they get a whole lot of international visitors, about every other car is an international visitor.

Mayor Boss said they can work together on this and knows they can handle it.

PUBLIC COMMENT

None.

CITY MANAGER'S REPORT

Assistant City Manager Hernandez made the following remarks:

1. She said the New Mexico is 49th in the US for responding to the Census. Alamogordo is responding very well at 59 percent.
2. She said the 4th of July fire display will happen, but there will be no tail gating this year in the parking.
3. She said for the 4th of July parade, they are waiting to see if the Governor is going to allow gatherings. They are looking at doing a reversed parade, like a drive through to see the floats.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Mayor Pro-Tem Sikes made the following comments:

She said she still has signs for any districts for Keep Alamogordo Beautiful and asked the Commission to send any nominees to her so she can take a sign over to the person's yard.

Commissioner Baldwin made the following comments:

He said he was reading through their Emergency Order and it said they were going to extend 48 hours past the state's emergency order and not knowing what the Governor is going to do, how is this going to affect their ability to receive federal or state funding if they came out of the emergency order earlier. Second, he said since 2012 when he was elected, the Comprehensive Plan was real important part of what the Commission did and with turnover in City Managers and staff in the last 8 or 9 years, they have only addressed the Comp Plan 3 times. The last time we addressed it was in 2017 and was adopted in 2018, they discussed readdressing it annually. He said he thinks they cannot let the Comprehensive Plan slide past them, and they need to address this pretty quick. It has been 2 ½ years since they have done anything on the Comp Plan and this is the direction outside of the mission statement and their vision for the City of Alamogordo, the Comp Plan is what drives them there so they need to get back to it as soon as possible. Thirdly, he said he wants to speak about the City's plan to bring staff back to work. He received numerous calls on weeds and road projects, ability to get things done in reference to the water department. He said the community is in a position where they are ready to move forward and they are willing to take minimal risks. The City needs be in a position to help our citizens and move forward. He said at the Golf Course is a facility that has been open for six or seven

weeks at 100 percent with 50 percent City staff. The potential damage to the Golf Course without the six or seven employees, will be six months to a year to recoup after the employees come back. He said he sees it in all departments within the City, they need to be ready to react. He said just in his district there has been three or four streets that have had water main breaks, so there has been road closed signs for two months. The time for being cautious is not over, but we need to get things open. He did a survey with 14 Golf Courses in the state on New Mexico and all of them have been operating at 100 percent. It was said they are essential employees and you cannot let a Golf Course go. He has an issue with the Golf Course not operating that way. He stated he would like to see the City Manager's plan for how they are going to bring back City staff and what order in reference to what is best for the community and the citizens.

City Attorney Bengoechea read a message Commissioner Wright sent her as he could not be heard, he echoes Commissioner Baldwin about bringing staff back. Commissioner Baldwin said he referenced the Golf Course because that is what he is most familiar with. He encouraged the Commission to get out to look at the Parks, they are not to the best of their ability.

Mayor Boss said it has been really tuff on staff. They took a severe cut in revenue in the general fund and the general fund is what is paying for a lot of these things. He agreed with everything Commissioner Baldwin said, except he understands why staff has selected to do as they have done.

Mayor Pro-Tem Sikes said she wanted to add the Cemetery when things open, people were heartbroken to see how the cemetery seems to have fallen by the wayside.

Commissioner Baldwin said currently they are operating as best we can under safe protocol at 50 percent, and asked Assistant City Manager Hernandez, but everybody was still getting paid. She said yes. He said so if you have a department that still has the need, it is not like they are saving any money on budget, she said right. He said he just wanted to make that point. We have a department that needs the services of Alamogordo, that department should be operating 100 percent. For example, is the accounting department operating at 100 percent? Assistant City Manager Hernandez said because the state declared the Emergency Order, it is always best we have the Emergency Order, we sent that off to FEMA and the State. It does affect our funding, the more counties and cities that have the Emergency Order gives New Mexico a better chance at getting Federal funding.

City Attorney Bengoechea told Commissioner Baldwin there are some ongoing costs to this pandemic, they just spent about \$1,500 to get thermometers, PPE like masks, gloves, and shields. All of those expenditures are eligible for reimbursement by FEMA if we have a declared an emergency order. She said they are making sure employees are protected and all that time is also eligible for reimbursement.

Assistant City Manager Hernandez said she will talk to Brian about the Comprehensive Plan and take it up with staff. She said the plan to bring staff back has been frustrating. They have been calls about the pool, but it is not practicable to run a pool with expenses and only allow two swimmers. They look at the Orders regularly to see what they can open and change. Recently, Housing was declared essential which should have been open because Housing is important. The problem with the Golf Course from the State, they can open according to the Opening New Mexico guidelines. The maintenance staff is not essential as far as government because they are part of the government. Golf maintenance is not as essential as opposed to Housing maintenance. They make a clear distinction. City government has their hands tied more than private businesses because funding comes from the State. She said as soon as we will bring staff back and will share with you the plans with you when Brian gets back. Commissioner Baldwin asked Assistant City Manager Hernandez why every other Golf Course is operating at 100 percent then and how is she was interpreting it differently than every other Municipality and County Golf Course. She said they are not personally interpreting it, they talked with people at the State. The Golf Course is private, and the maintenance crew is government. She has sent that question to the State a couple of times and is waiting for another response. Golfing is a quality of life issue, and all the services are important, and she will follow up on it. He said they called Municipal Golf Course and they are operating at 100 percent. He stated his intent was to give Assistant City Manager

Hernandez the questions and address them at later date. She said we want to bring staff back. He said let's be bold, let's bring them back then. Commissioner Rardin said he agreed.

City Attorney Bengoechea said if they want to bring a resolution next meeting to direct the City to open at 100 percent and take anything the Governor wants to do to us, they are the legislative body. If they want to do that, there is a consequence. They have a very tight budget right now, so if something happens to the City, they would have to identify funding sources. She said her suggestion is if they want to discuss that, it may be something they put to executive session because it would be threatened litigation, they could potentially be litigated against.

Commissioner Baldwin said the reason he has not brought these subjects is because staff is really the City Manager's job and Commission should not dictate what the City Manager should do with their employees. He has received numerous calls and realizes this is an employee issue and we are policy and direction as a Commission, but he wanted his experience with it known.

Commissioner Payne made the following comments:

She said she gets calls on street signs, she understands they cannot put them up right now, but can they find out if they are in. Street signs are a huge issue and in her district, you cannot read them, so she is getting complaints. City Attorney Bengoechea said they are ordered in a phased system because they couldn't take it all at once, so as soon as they get the order, they put another one in. The public works crew is working at 50 percent unless there is a water break, they get called in at 100 percent. Commissioner Payne said she is patient and as long as they are working on it.

Commissioner Payne gave kudos to the Fire Department and Police Department to have to deal with the fires, especially when there is a loss of life.

Commissioner Rardin made the following comments:

He said he agrees with Commissioners Baldwin, Payne, and Wright. He said he has received calls from citizens that have received letters from the City for weeds. Then you drive down White Sands Blvd and the City has weeds that are two feet high. He considers Weeds, Drainage, Streets, Water, and Wastewater Departments essential, because you cannot get by and live without water, wastewater, and roads. All those people should be working, we are paying them.

Commissioner McDonald made the following comments:

She said there is a contest for the 2020 Census with monetary gifts and asked the Commission to encourage people in their district to participate because it affects every area of the City. They are looking to have 75 percent participation in the City. She asked Fire Chief LeClair and Police Chief Denton if there is anything they want to say in regards to what is going on in the City that they would want to see happen as far as funding is concerned, they would like to show case that to show the people that the money that is coming in to the community is a benefit. She said in District 5 they are looking into a clean-up.

CONSENT AGENDA

- 1. Approve the minutes for the May 26, 2020 Regular meeting. (Rachel Hughs, City Clerk)**
- 2. Consider, and act upon, final publication of adoption of Ordinance 1614, Adopting International Fire Code 2015, and amending certain sections of Chapter 12 -"Fire Prevention and Protection. (Jim LeClair, Fire Chief) (Roll Call Vote Required)**
- 3. Consider, and act upon, final publication of adoption of Ordinance 1616, an ordinance amending 02-03-440 through 02-03-560 of the Alamogordo Code of Ordinances regarding labor relations. (Kim Torres, Acting Human Resources Director) (Roll Call Vote Required)**
- 4. Consider, and act upon, the COVID-19 CARES Federal Sub-Award to be used for any**

disaster relief activities for older individuals under the Older Americans Act. (Magdalena Morales, ASC Manager)

5. Consider, and act upon, the contract between the City of Alamogordo Police Department and the City of Alamogordo Public School System, for the School Resource Officer positions. (Chief of Police, Richard Denton)

6. Consider, and act upon, Resolution 2020-18 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 9, 2020. (Evelyn Huff, Finance Director) (Roll Call Vote Required)

7. Consider, and act upon, the Investment Report for the quarter ending March 31, 2020, in accordance with the City of Alamogordo Investment Ordinance. (Sue Ashe, Acting Accounting Manager)

8. Consider, and act upon, appointment/reaffirmation of Policy Committee Member and Technical Committee Member to the Southeast Regional Transportation Planning Organization (SERPTO). (Rachel Hughs, City Clerk)

Mayor Pro-Tem Sikes moved to approve item 1,2,3,4,5,6,7,8 of the consent calendar.

Commissioner Payne seconded the motion.

Roll Call vote was taken.

Motion carried with a vote of 7-0-0

NEW BUSINESS

9. Consider, and act upon, the placement of a new "Resident Parking Only" sign for a home located at 223 Texas Avenue. (Rachel Hughs, City Clerk)

City Clerk Hughs said Mr. Thompson is requesting a second sign at his property, he chose not to attend the meeting because he doesn't know how to do Zoom and didn't want to call in and just me to present it. It is with 500 feet of C.H.I.N.S., right across the street and there is a church within 500 feet of the Holy Temple Church. Our ordinance does not state how many signs can have. His need for it is because of the traffic and congestion due to people being dropped off at C.H.I. N.S. His first sign to Commission on October 14, 2014 and passed with a vote of 7-0 under Consent Agenda with no questions.

Mayor Boss moved to approve.

Commissioner Baldwin seconded the motion.

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

10. Consider, and act, upon first publication of Ordinance 1617, an Ordinance amending 02-15-010 through 02-15-080 of the Alamogordo Code of Ordinances. (Petria Bengoechea, City Attorney) (Roll Call Vote Required)

City Attorney Bengoechea said this is an ordinance that was requested last meeting. It repeals our gross receipts investments program, GRIP ordinance. Essentially if you look at that whereas' s, it just says the Commission recognizes because of the current pandemic the City's budget has been impacted in a negative way, we have already undergone layoffs, suspending freeze, hiring freeze and are currently projecting at least a another 20 percent cut and the City must act to protect the City's budget by repealing this ordinance but continue this program when the City's budget recovers.

Mayor Boss said he thinks the jobs of staff are more important. As soon as we can bring it back, we should do that. He said they should approve this ordinance.

Commissioner Rardin said he is in favor of rescinding the ordinance, but they ought to put a timeline on it. Put it on the agenda in one year from today to see where they are at budget wise, so they do not forget about it. City Attorney Bengoechea stated they cannot amend the repeal of an ordinance. What they have is a law on the books, and they are just taking the law of the books. What Commissioner Rardin is trying to say is, put it on our calendars to present it. Commissioner Rardin said, yes City Manager or City Attorney can put it on their calendar to bring it back in one year.

Mayor Pro-Tem Sikes said why cannot it be part of the budge process for next year, when they are discussing the budget, they can bring it up. Mayor Boss agreed.

Commissioner Rardin moved to approve.

Commissioner McDonald 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 Lorelei Armstrong to the Parks and Recreation Board. No one was opposed.

Mayor Pro-Tem Sikes asked if the Beautification Committee is a committee that we passed an ordinance to create. She said she thought according to the ordinance, each of the Commissioner were to appoint somebody from their district to serve on the committee. She asked if somebody could check on that for her. If that is the case, then the Commissioners can appoint.

Commissioner Baldwin thanked Commissioner McDonald for her work on the Census, he had no idea that she was so involved in the Census. He asked the Commission to support her to get people to respond to the Census.

Commissioner Rardin moved to adjourn at 7:39 p.m.

Commissioner McDonald seconded the motion.

Motion carried with a vote of 7-0-0

ADJOURNMENT



ATTEST:


City Clerk Rachel Hughes


Mayor Richard Boss

(Prepared by Rachel Hughes, City Clerk)
Approved at the Regular Meeting held on June 23, 2020.