

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:00 P.M., VIRTUAL MEETING
December 15, 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 6:00 p.m. Roll Call was taken by the City Clerk. Mayor Boss and Commissioner Wright were absent. City Clerk Hughs announced there was a quorum present. Invocation was given City Clerk Hughs and the Pledge of Allegiance was led by Commissioner Payne.

APPROVAL OF AGENDA

Commissioner Baldwin moved to approve the agenda.
Commissioner Rardin seconded the motion.
The motion carried with a vote of 5-0-0.

PUBLIC COMMENT

None.

CITY MANAGER'S REPORT

City Manager Cesar made the following remarks:

1. City Manager Cesar noted that the Public Library had once again opened up curbside service.
2. City Manager Cesar stated that the Public Schools had a number of desks they made available to be issued out to the public due to the high number of students having to learn from home at this time. They issued out more than 250 desks. When the School system transferred ownership from Oregon School to the City, which was pre-Covid times, there were a number of desks which had been left in the school. The Schools had reached out and asked if the City would be willing to give those desks back to them, which we did. Approximately 60 of those desks were given to students in need. There were still some desks left at the Oregon School, which the Schools would probably be reaching out one more time and asking for. We would make those desks available to the students as well.
3. City Manager Cesar noted that this was the last Commission Meeting for 2020, and therefore he wished to extend holiday wishes to the Commission and staff.

Police Chief Denton said back in October the Alamogordo Police Department went through an accreditation process which required them to meet over 220 professional standards. He had received a letter this past Monday and he wished to go over the highlights of the letter. The letter stated that the Alamogordo Police Department had been awarded the New Mexico Law Enforcement Professional's Accreditation by unanimous vote of the New Mexico Law Enforcement Professional Standards Council on December 9, 2020. This Council was made up of active municipal and county law enforcement professionals throughout the State, and the Council served as an independent body whose purpose was to advance law enforcement professionalism through accreditation. The Alamogordo Police Department had met all the requirements of over 220 professional standards during a rigorous review

by a team of assessors in October of this year, all thanks to the hardworking men and women of the Alamogordo Police Department.

Police Chief Denton said this accreditation was for three years, at which time they would go through the process again. The review included a static display at the Fairgrounds, review of the Evidence Room, and ride-alongs with the guys on the street. This accreditation would save a good chunk on our insurance premiums. Out of over 200 agencies in the State of New Mexico, there were only 20 that were certified. Mayor Pro-Tem Sikes said she knew she spoke on behalf of the Commission in congratulating and thanking the entire Alamogordo Police Department.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Commissioner Payne made the following comments:

She felt the need to highlight the Police Department's recent accreditation because there was a time when that did not exist. The Police Department's response times had greatly increased, and the Department was very busy these days. This was a well-deserved accreditation, and congratulations to the Department.

Mayor Pro-Tem Sikes made the following comments:

She noted that on December 22nd at 1:30 p.m., there would be a Zoom meeting at which Deborah Osborne would be presenting the capital outlay information to the Southern New Mexico Economic Development Group and the Legislators from this area.

Mayor Pro-Tem Sikes also noted that on Friday, December 18th, Josh Sides from the Civic Center had put together and would be presenting a virtual Christmas tree lighting event. This event was scheduled for 6:00 p.m. and would be publicized on the City's Facebook page.

CONSENT AGENDA

1. Approve the minutes for the December 1, 2020 Regular meeting. *(Rachel Hughs, City Clerk)*
2. Approve Resolution No. 2021-01 determining reasonable notice of meetings of the Alamogordo City Commission (Open Meetings Act). *(Rachel Hughs, City Clerk)* (Roll Call Vote Required)
3. Approve the City Commission Regular Meeting Schedule for Calendar Year 2021. *(Rachel Hughs, City Clerk)*
4. Consider, and act upon, Case Z-2020-0001(A) for adoption and final publication of Ordinance 1620 amending the zoning map to change the zoning of property 2706 Stapp Ave. from MH2- Manufactured Housing Park to MH1- Manufactured Housing Subdivision. *(Stella Rael, City Planner)* (Roll Call Vote Required)
5. Consider, and act upon, Case Z-2020-0002(A) for adoption and final publication of Ordinance 1621 amending the zoning map to change the zoning of a subdivided section of property located at 1007 Eddy Dr. from M2- Industrial to C3-Business. *(Stella Rael, City Planner)* (Roll Call Vote Required)
6. Consider, and act upon, the State Grants-in-Aid award from the New Mexico State Library for local library support. *(Sharon Rowe, Library Manager)*
7. Consider, and act upon, Resolution 2020-44 relating to a rate increase of 1.12% effective January 1, 2021 for residential solid waste collection through Southwest Disposal. *(Mark Threadgill, Customer Service Manager)* (Roll Call Vote Required)

8. Consider, and act upon, Resolution 2020-45 requesting approval of the Resident Employee Occupancy Policy. (*Marissa Ruiz, Housing Authority Manager*) (Roll Call Vote Required)

9. Consider, and act upon, the grant award from the Paso del Norte Community Foundation to provide meals in Paso del Norte's New Mexico service area, which includes Otero County. (*Magdalena Morales, ASC Manager*)

10. Consider, and act upon, the award of RFP 2020-002 Management Services for Microsoft Active Directory Domain, Microsoft Exchange and Related Products to the high score qualified proposal, Bootheel IT Services. (*Evelyn Huff, Finance Director*)

Commissioner Baldwin moved to approve items 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10 of the consent calendar.

Commissioner Rardin seconded the motion.

A Roll Call vote was taken, and the motion carried with a vote of 5-0-0.

NEW BUSINESS

11. Consider, and act upon, Case Z-2020-0003(A) for first publication of Ordinance 1623 amending the zoning map to change the zoning of property located at 407 New York Ave. from R-3 Two Family Dwelling to R-4 Multiple Family Dwelling. (*Stella Rael, City Planner*) (Roll Call Vote Required)

City Planner Rael gave a PowerPoint presentation. She pointed out that the New Mexico School for the Visually Impaired needed more space to accommodate some of their residents, and therefore, she had suggested they change their zoning from R-3 Two Family Dwelling to R-R Multiple Family Dwelling in order that they could have more than just two apartments.

Commissioner Baldwin moved to approve.

Commissioner Payne seconded the motion.

A Roll Call vote was taken, and the motion carried with a vote of 5-0-0.

12. Consider, and act upon, Case Z-2020-0004(A) for first publication of Ordinance 1624 amending the zoning map to change the zoning of property located at 411 New York Ave. from C-3 Business to R-4 Multiple Family Dwelling. (*Stella Rael, City Planner*) (Roll Call Vote Required)

City Planner Rael gave a PowerPoint presentation. She explained that her reasoning for suggesting this amendment to zoning was to be consistent with the proper development of the City for the future. Years back this was taken in front of the Commission and rezoned to C-3, and in her research, she could find that the only reasoning for it was in order for the zoning to match the zoning of the building that the New Mexico School for the Visually Impaired owned right behind it on White Sands Blvd. It was not the proper zoning for this area since it was surrounded by residential zoning. It was also not the proper zoning to house multiple families. She was trying to fix something that was done years back which did not meet the City's Comprehensive Plan.

Commissioner Baldwin moved to approve.

Commissioner Rardin seconded the motion.

A Roll Call vote was taken, and the motion carried with a vote of 5-0-0.

13. Consider, and act upon, Case V-2020-0003(A), property owners are requesting a Variance allowing a five foot (5') rear setback to the property located at 407 New York Ave. (*Stella Rael, City Planner*)

City Planner Rael gave a PowerPoint presentation. She stated that when she was doing her research on this item, she found that at the time this was rezoned and prior to the construction of the facility on the property at 411 New York Avenue, there was a variance approved by the City Commission at that time to allow a 5 foot rear setback to accommodate their facility. Once again, she was trying to be consistent and make everything work for the School and for the City.

Mayor Pro-Tem Sikes thanked City Planner Rael and the Planning & Zoning Commission for her work in trying to fix some of these situations and to make everything consistent throughout the City.

Commissioner Baldwin moved to approve.

Commissioner Rardin seconded the motion.

The motion carried with a vote of 5-0-0.

14. Consider, and act upon, Ordinance 1622 for first publication amending Chapter 7 of the Alamogordo Code of Ordinances regarding Animals at Large. (*Richard Denton, Chief of Police*) (Roll Call Vote Required)

Police Chief Denton said this amended the existing Animals At-Large Ordinance, and it pertained to how animals be tethered, and also to providing adequate shelter in the hot and cold months and making sure that the animals had access to adequate water. Animal Control Manager Martinez said the reason they wished to add to the current Ordinance was due to the fact that over the past year they had received 2,887 calls for service. Of those calls, 126 were for welfare checks on these types of issues where an animal got tangled up around a tree, a pole, or a porch, and there wasn't adequate water for them to gain access to. So, this Ordinance would allow for temporary tethering as long as an owner had the proper equipment to do so in a proper manner where the animal was not going to get tangled and unable to reach adequate water while the owner was away. They added language which ensured the animal could still have an adequate length of yard to run while tethered, and with adequate water. They also had added what type of chaining material could be used to properly tether a dog, and also what types of harnesses could be used. Staff felt they needed to make the language on tethering a little bit stronger. They were not looking for ways to do away with tethering, but just that it be done in a temporary way and meet standards to where an animal could not hurt themselves or possibly even hang themselves if they got caught over a fence. There had been instances in the past where that had actually happened.

Commissioner Rardin moved to approve.

Commissioner Payne seconded the motion.

A Roll Call vote was taken, and the motion carried with a vote of 5-0-0.

Mayor Pro-Tem Sikes asked if this Ordinance would be complaint-driven. Animal Control Manager Martinez said yes, but also, they'd had instances where staff was out on other calls, and they would observe an animal in a neighbor's yard that was wrapped around a tree or whatever. They wanted to amend the Ordinance to not only add a little more teeth to it, but also to educate animal owners so they would be able to have their animals out on a tether with the proper equipment. Mayor Pro-Tem Sikes thanked him and said she knew there were a lot of people out there who would appreciate that this was being done.

ADJOURNMENT

Commissioner Baldwin moved to adjourn at 6:40 p.m.

Commissioner McDonald seconded the motion.

The motion carried with a vote of 5-0-0.




City Clerk Rachel Hughs


Mayor Richard Boss

(Prepared by Teresa Gutierrez, Deputy Clerk)

Approved at the Regular Meeting held on January 12, 2021.