

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:00 P.M., VIRTUAL MEETING
December 1, 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. City Clerk Hughs announced there was a quorum present. Invocation was given by Commissioner Payne and the Pledge of Allegiance was led by Commissioner Baldwin.

APPROVAL OF AGENDA

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

PUBLIC COMMENT

None.

CITY MANAGER'S REPORT

City Manager Cesar made the following remarks:

1. He said they were notified that the ICIP (Infrastructure Capital Improvement Plan) requests would be accepted from the Counties and Municipalities. He said they need to have everything by the 10th.
2. He said the GRT (Gross Receipts Tax) report was sent out earlier today. The bottom line from that report is the City is down around \$670,000 from this time last year.
3. He said he sent out information about two weeks ago about a PRC (Public Regulation Commission) meeting concerning the Scenic Extension. He said he was under the impression that this was going to be the meeting that they would bless the Scenic Extension, but he was incorrect about that. He said the City has the Scenic Extension and the 8th Street closure, and that hearing was to take those two filings and put them into one. They voted on this and it was passed, and this started the 60-day public comment. The actual hearing for the PRC to decide on the project will come around mid-January.

Commissioner Payne asked if the City is starting to get money for online sales. Assistant City Manager Hernandez said the City gets approximately \$29,000 a month. She also said the City will be getting about \$60,000 a month for a year.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Commissioner Rardin made the following comments:

He said the City of Roswell passed a Resolution to open their City back up and he would like for staff to reach out to them to see how they did it.

City Attorney Bengoechea said she looked into it and the City of Roswell is just going to eat their fines. She also suggested having a future Executive Session for litigation the Commission is willing to take where their words cannot be used against them later in a court case.

City Manager Cesar said resolution was not opening up their entire City of Roswell, it was just opening up their City Offices.

Commissioner Payne made the following comments:

She said she does not disagree with Commissioner Rardin. She also said she is not as concerned to opening up City offices as she is opening up City businesses. She said the Resolution makes a statement, but they really need to focus on opening businesses back up in a legal and constructive way. The City does not have authority to tell the businesses to open back up.

Mayor Boss said they have already been down this road. The City has already spent around \$44,000 for a legal opinion to see if the City has any authority to open businesses back up.

Commissioner Rardin said if enough of the Counties and Municipalities do it, the Governor cannot retaliate against the entire State.

City Manager Cesar clarified if the Commission wants to have the Roswell item on Executive Session on the next meeting or not. Commissioner Rardin said if it is just to open City Hall up, then it is just a wasted effort. City Attorney Bengoechea said if they were to do what Roswell did, it would be for every City facility and that would be a whole different legal analysis for her versus small business.

Commissioner Rardin said they are kept in the dark. Normally when there is a natural disaster there is always information and there has not been any information other than the State saying that they are going to shut them down. Mayor Pro-Tem Sikes said that is not true, the Governor has been putting out directives almost on a daily basis. She said with 76 new cases today and 2 new deaths in Otero County, she does not think it is time to start talking about opening up anything in her opinion.

Commissioner Rardin asked if staff could email the Commission the Roswell resolution so they could read it and see if it has any type of merit to it. City Manager Cesar said they would get that email sent out and clarified that there will be no executive session for the next meeting.

CONSENT AGENDA

1. Approve the minutes for the November 17, 2020 Regular meeting. *(Rachel Hughs, City Clerk)*
2. Consider, and act upon, Aging and Long-term Services Department (ALTSD) State-wide emergency grant funding to be used solely for Senior Centers. *(Magdalena Morales, ASC Manager)*
3. Consider, and act upon, Resolution 2020-43 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 December 1, 2020 *(Evelyn Huff, Finance Director)* **(Roll Call Vote Required)**

Commissioner Rardin moved to approve item 1, 2, 3 of the consent calendar.

Commissioner Wright seconded the motion.

Roll Call vote was taken.

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

Commissioner Payne moved to adjourn at 6:19 p.m.

Commissioner Rardin seconded the motion.

Motion carried with a vote of 7-0-0

ADJOURNMENT




Mayor Richard Boss


City Clerk Rachel Hughs

(Prepared by Eric Barraza, Deputy Clerk)

Approved at the Regular Meeting held on December 15, 2020.