

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 P.M., VIRTUAL MEETING
March 23, 2021**

**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 Deputy Clerk. Deputy Clerk Gutierrez 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

Commissioner Baldwin moved to approve the agenda.
Commissioner Wright seconded the motion.
Motion carried with a vote of 7-0-0.

PRESENTATIONS

1. Presentation by Jennifer Toncray for help to proceed in efforts to locate and fix water leak. (*Jennifer Toncray, Citizen*)

Ms. Toncray said she had three questions before she started the presentation. She asked the salary and pay of Mark Threadgill. Commissioner Baldwin said in a presentation it was not a question-and-answer session, and any questions like that could be directed to the City Clerk or City Manager. Ms. Toncray said her questions pertained to her presentation and it would be helpful if she knew whether he received bonuses for increasing revenue intake. Mayor Boss said to please just direct the presentation to the Commission. Ms. Toncray said her last question was whether the employees of the City were drug tested, the managers and the employees? Could she get those questions answered from the City's personnel department? Commissioner Payne said she needed to do a public records request. Some of those were personnel matters and she may not get all those answers.

Ms. Toncray said her father had water with the City for more than 60 years, and her grandfather before that. She had had water for more than 20 years. The customer service she had received from Armando was good and helpful, and she found the contrast between him and Mark very troubling. She did not know the details why Armando was not with the City anymore except what she had heard through the community and the newspaper, and it seemed he was only trying to help people although maybe not in a properly described manner. She found Mark had a sense of bullying her, was unhelpful at times, and was very aggressive in the way he did his job. He was vengeful and there were dishonest things he did. She felt he had tried to harm her.

Commissioner Payne asked if she had a presentation or something she would like to share about her water service? Ms. Toncray said she was talking about the dirty tricks that were pulled on her by Mark. He ran up her water bill initially when the leak began, and he even told her he had done that because people did not pay their bills. That put a hardship on her from the beginning in trying to get this water situation squared around. She was disabled and that was not helpful with what he did to run the water bill up on her. Then she found out about another account that was opened, and monies which were supposed to be applied to paying down her account to get her water turned back on, were going into the other account. The first time she knew about it was on March 4, 2021. So, there were monies that had been misappropriated going into that other account. She had asked several times prior to that time to see if she could get the water turned

back on so she could identify where the leak was and start working on getting it fixed. She and City Manager Cesar had talked, and they had an agreement on what was going to be happening. Then when he had his procedure and while he was gone, Mark had decided to lock her water, so she was without water. One of her animals had gone without water and had died. She had continuously paid on this bill every month. The first plumber was canceled in September because when he arrived to try and find the leak, the water was locked, and he could not do anything with it. Starting on March 1st of this year, she tried to find out the status of her account. Prior to that she had tried to find out and she knew the numbers were wrong. Now the numbers were still wrong because of the monies going into that other account. She felt that close to \$400 should be going back into her original account to help her get that cleared up so she could get the water back on. The second plumber had to be canceled as well, so that was twice she had plumbers lined up trying to get the water leak identified so she could fix it. Her yard line was over two football field lengths away from her house. Other dirty tricks pulled on her that caused distress included Mark accusing her of parking her car over the meter, causing it to not read properly. She was disabled and was not going to be parking her car over two football field lengths away from her house. Ever since she started looking at her options, she was told that it would cost her almost \$1,700 if she tried to disconnect, plus almost \$2,000 in water. So, she had chosen to try and find the water leak and continue. But now that this other account had been created, she would like to see if that second account could be discharged because there was no reason for that initial account to be closed because it was being paid on. She would like to have the other account closed and those monies be applied to her initial account. At this point she had no services because she had no water and had never had sewage or trash services. Ms. Toncray said the paperwork in her backup included a graph that showed the initial problem, and it showed a large peak on December 30th. That was when she had first found out about the problem and a possible leak. On a Wednesday, the cashier had told her they did not know what it was and that it would take about two days to find out. She had expected to be notified on Friday but was not notified for over three weeks later.

Assistant City Manager Hernandez said her presentation had been 10 minutes. Ms. Toncray asked if she could go through the forms? Mayor Boss said everyone had copies of her forms. Assistant City Manager Hernandez said all the forms which were provided to the City Clerk's office were included in the packet and the Commission was able to see them all and review them. Mayor Boss said they could review them and have the necessary conversations with management, and they could get back to her. Ms. Toncray asked who would be getting back to her and when because this was a very expensive job she was looking at and it was going to take all her money to get it done. Assistant City Manager Hernandez said she would be contacting her tomorrow.

CITY MANAGER'S REPORT

City Manager Cesar made the following comments:

1. City Manager Cesar said that Officer Ray Brown had been promoted to the position of Sergeant last week, and he wished to offer him congratulations.
2. City Manager Cesar said Fire Chief Jim Leclair was retiring at the end of April, and Richard Adler from Holloman AFB had been selected to replace him. Mr. Adler would be starting with the City on April 5th, so there would be a period of overlap between him and Chief Leclair.
3. City Manager Cesar said normally we paid for the fireworks display out of Fund 20 which was partially funded by the lodger's tax. That was one of the cuts for this fiscal year which was cut out of the budget. He had spoken with Mr. Powell from the Space Hall, and we would be funding the fireworks display out of a different fund for this year. For next fiscal year that display would be funded out of a different fund, but hopefully after that it could be put back into the proper fund. In addition to that, they found that we did not have an agreement with the Space Hall since probably the early 2000's so we would be needing to also put that together.
4. City Manager Cesar said as a reminder to Commissioner Rardin, Commissioner McDonald, and Commissioner Payne, today the proxy forms went out for the annual Otero County Solid Waste

Authority meeting which would be held this Thursday at 2:00 pm. He requested they each fill out the proxy form and email it through.

5. City Manager Cesar said he had received the final decision from the PRC regarding the Scenic Extension. It had been approved, so Engineering was moving forward with getting the plans finalized, and Engineering and Legal were working together to get the remaining documents signed. Hopefully in the very near future the project would be bid.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Commissioner Rardin made the following comments:

Commissioner Rardin said at the intersection of White Sands Blvd. and Indian Wells where the construction was going on, he had already seen three or four accidents and the project had only been going on for two weeks. He was wondering if City Manager Cesar could reach out to the contractor to see if they could redevelop their traffic plan a little bit. Currently it was a mess. This was a year long project, we were only two weeks in, and he had literally seen four accidents, and that was just the ones he had seen. City Manager Cesar said he had already reached out to them as there were issues with sign placement and the congestion at White Sands and Indian Wells, which had been communicated to DOT. Some of the signage was blocking line of sight and some signs had already been adjusted. They also were looking at the traffic control plan, which was dictated by NMDOT to see what, if anything, could be modified. According to the way it was bid and the traffic control plan, which was placed in the project, a lot of the medians had already been removed which would make it more difficult to change traffic patterns without the contractor going in and filling in some of the median areas or laying some temporary pavement to help divert traffic. The contractor did state they would be looking at it. Commissioner Rardin said this was a year long project, and during busy traffic times it was not unusual to sit through three to five light cycles before you could get through the intersection.

CONSENT AGENDA

2. Approve the minutes for the March 9, 2021 Regular meeting. (Rachel Hughs, City Clerk)

3. Approve the 2021-2022 Law Enforcement Protection Funds Application in the amount of \$55,200. (Richard Denton, Chief of Police)

4. Consider, and act upon, acceptance of grant agreement from NMDOT to Alamogordo-White Sands Regional Airport in the amount of \$94,000.00 to construct a tractor shed. (Jim Talbert, Airport Manager)

5. Consider, and act upon Ordinance 1625, for adoption and final publication, authorizing the Repeal of Ordinance 1439 Housing Authority Advisory Board and Creating Resident Advisory Board. (Marissa Ruiz, Housing Authority Manager and Evelyn Huff, Finance Director) (Roll Call Vote Required)

6. Consider, and act upon, Resolution 2021-09 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 March 23, 2021 (Evelyn Huff, Finance Director) (Roll Call Vote Required)

Commissioner Payne moved to approve items 2, 3, 4, 5, and 6 of the Consent Calendar.

Commissioner Wright seconded the motion.

Roll Call Vote was taken.

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

NEW BUSINESS

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

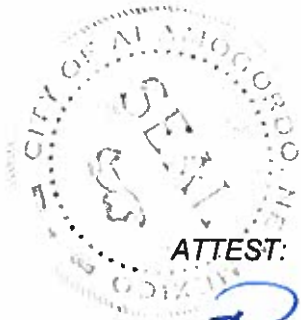
Mayor Boss read the openings and reappointed Barbara Jo Telles to the Mayor's Committee on Aging for her third term. No one was opposed.

EXECUTIVE SESSION (Roll Call Vote Required)

8. Adjourn into Executive Session in compliance with 10151(h)(7)(8), NMSA (as amended) to discuss Threatened or Pending litigation Western Baking Corporation LEDA and to discuss Real Property 7th and Alaska.

ADJOURNMENT

Commissioner Payne moved to adjourn into Executive Closed Session at 6:58 p.m.
Mayor Pro-Tem Sikes seconded the motion.
Roll Call Vote was taken.
Motion carried with a vote of 7-0-0



ATTEST:


City Clerk Rachel Hughes


Mayor Richard Boss

(Prepared by Teresa Gutierrez, Deputy Clerk)
Approved at the Regular Meeting held on April 13, 2021.