

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:00 P.M., VIRTUAL MEETING
March 9, 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 6:00 p.m. Roll Call was taken by the Deputy Clerk. Deputy Clerk Gutierrez 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 Payne moved to approve the agenda.
Commissioner Baldwin seconded the motion.
Motion carried with a vote of 7-0-0.

PRESENTATIONS

1. Presentation on Otero County Economic Development Council quarterly report. (*Laurie Anderson, Interim Executive Director*)

OCEDC Interim Director Laurie Anderson gave a presentation (included in agenda packet backup).

Commissioner Baldwin said he appreciated all the new analytics she had included in her presentation. He wondered with the Covid shutdown whether they had seen a slow down in economic development related traffic, or did it just shift with how they communicated with her office? Ms. Anderson felt it had shifted. Many of these businesses were looking for places to move because they had discovered people could work from home. Therefore, it was not necessarily that they needed the infrastructure of a facility that held 30 offices. Because of that, they were wanting to move out of places like the urban areas where they had riots and finding other areas to put their offices. Economic development did not necessarily stop but was put on pause primarily because of the election. The challenge they faced right now was that New Mexico was closed, so if any business were looking to move, she would try to reroute that to show that they now had the time to find them the right location and to build the building they wanted prior to getting their employees back to work.

PUBLIC COMMENT

Deputy Clerk Gutierrez read the following public comment for Elise Haley:

"Bridge over arroyo to access hospital from University addition. I realize budgeting is a problem always, and especially now. People living on such as Princeton, Westminster, Harvard, and such have a difficult time accessing the hospital in emergency situations. Ambulances usually have to go west to Pecan, north to Fairgrounds Rd., east to back entrance of the hospital. This will become more difficult when the new junior high will start construction and open for students. Another route used some is east on 25th, south on Cornell, east on Indian Wells, then north on Scenic. This puts the ambulance going through a dangerous intersection at the entrance of the Neighborhood Walmart. It also is round about, adding travel time. A bridge over the arroyo in the vicinity of 25th and Cornell will help. Current routes add precious minutes to the transport. Minutes that could be critical. I know this was brought up years ago

and was shot down. I have a personal history with the reasons for that. People who stopped it are no longer part of the situation. I am an example. I had to be transported some time back and the ambulance had to take me round about. The bridge could be designated for emergency only. Elise Haley Citizen"

CITY MANAGER'S REPORT

City Manager Cesar made the following comments:

1. City Manager Cesar said this Sunday was once again daylight savings time, so this would be our last meeting scheduled for 6:00 p.m. The next meeting will be at 6:30 p.m.
2. Last week staff members had participated in the Public Hearing before the Hearing Officer of the PRC. There were a number of residents from Alamogordo that spoke in favor of it, and none that spoke against it. Next the Hearing Officer would make his recommendation to the PRC Board in approximately two weeks, and thereafter we would receive an answer in writing. Obviously at this point we were not moving forward with the bidding process or acquiring right-of-way until, hopefully, we got the approval from the PRC.
3. Last Wednesday we met with the Regional Commander for the Corps of Engineer South Ditch project. The contractor was now roughly one year away from completing the south channel. There was only one more utility line that needed to be relocated. That project was moving forward ahead of schedule.
4. This Thursday our engineer, the contractor, and various City staff members would be meeting with a different section of the Corps of Engineers up at Bonito Lake to have what should be the second to last meeting. All the debris, as approved by FEMA, had been removed. The contractor was now commencing demobilization and removal of his equipment out of the area. That did not necessarily mean that we would be looking at this summer to reopen the campground. On tonight's agenda was the second reading of the NMFA loan, which was the loan we were able to secure to make the needed improvements for the intake tower, as well as the deficiencies on the dam facing and the spillway that the New Mexico Dam Safety Bureau had identified for multiple years. Once it went out to bid, that would be a 14 to 16-month project. Obviously, the lake would need to still be drained to perform that work. Once that neared completion, staff would be looking at bringing forward a phased plan on how we would like to see the campground area reopened and funding would be part of that issue.

Mayor Boss asked if there was any projection as to how long it would take the lake to come back up to a reasonably full level? City Manager Cesar said if we let the flow go into the lake today, it would be overtopping the spillway within probably a week and a half to two weeks. It would depend on the time of year as flows were typically slower in the middle of summer and the middle of winter, but higher around the spring.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Commissioner Rardin made the following comments:

Commissioner Rardin said we were on the one-year anniversary of the two-week flatten the curve. He felt we should have staff look at putting a plan together to start having our meetings in person again. He felt we should have never stopped having them in person. The State Legislature was able to convene in person, and we had been doing them over Zoom. Tonight, was a classic example with Ms. Anderson's presentation where she was cutting in and out. He would like to start having the meetings down at City Hall like we used to. Mayor Boss agreed and thought it was a great idea. Not just in this meeting, but in prior meetings as well, participants would mute out and then they were gone. Commissioner Rardin said he would like to look at possibly reopening starting the second meeting in April, which would give us a month and a half to figure out how to do it and meet all the State guidelines

too. Maybe we should contact the State because you could see in their legislative meetings they were meeting in person and not social distancing, and that was what we needed to be able to do.

Mayor Pro-Tem Sikes made the following comments:

Mayor Pro-Tem Sikes said she had a recent conversation with a constituent who resided in Commissioner Baldwin's district. The lady had a severe leak under her house, and she had asked the lady if she was aware of the City's feature "Aqua Hawk". She had heard a lot of compliments about that program which allowed a resident to set their thresholds regarding their water usage. If they wound up using more water than they had set the thresholds for, they were alerted by text, phone, or email. The woman asked her why that feature was not required of every water customer in Alamogordo. She felt everybody should be told about it when they signed up for water and be required to get in the program because leaks could be extremely inconvenient. She felt maybe we could talk to the water utilities staff about that, and have it become something we could go forward with and just continue hammering the information out to people because it was such a good feature. Commissioner Payne said she had found out that this was not required if you were getting water service but was required if you were getting a leak abatement. She felt it would behoove everybody to sign up for it because it was a great feature.

Commissioner Payne made the following comments:

Commissioner Payne said she sat in on a meeting for the Housing Authority with HUD, and it was very informative. Hopefully, we were going to start getting a report every month from Housing.

Commissioner Payne said she wanted to address what Commissioner Rardin said. She didn't disagree that it was time to get back to business. She did not know that it should be incumbent upon staff to figure this out because she did not know if there was a way to figure it out. There were a lot of Commissioners and staff and she did not know if it would be feasible. By asking staff to solely figure this out might be putting them in a sticky position because we would be asking staff members who might not be comfortable right now. At some point everybody was going to have to get comfortable because eventually we were going to open. Her personal feeling was to encourage everyone to write our Legislators and the Governor's office to make Santa Fe aware that we were here and that we did not like being closed down. It had been a year, and this was getting really, really old. We were a border city and with all the states around us opening and with this color-coded system, she just wasn't seeing a light at the end of the tunnel. It just was not fair. Our cases were very low, and she was fed up. The schools were opening in April and she hoped we saw something different in the future, but all she was seeing right now was hypocrisy. She knew there were people who watched our meetings and hoped that we would have insight on how to get our City back open. She knew that because she got those kinds of comments all the time. People needed to contact the Governor's office and be proactive in getting our voices heard because that was the only way we would get our City back open. This was positively ridiculous, she was tired of it, and she did fear for our businesses. She saw nothing but hypocrisy in Santa Fe, and quite frankly, she felt it was shameful.

Mayor Pro-Tem Sikes said she appreciated the idea that staff look into a way that we could potentially open up, but she would also appreciate it if staff could look into continuing the Zoom meetings until Otero County and the State have reached the right color level. She would not attend a meeting if we chose to open prior to reaching the threshold we needed in order to be safe. Also, last Thursday our zip code of 88310 had the highest number of cases in the County. The numbers were staying steady which was why Otero County had been pushing the testing sites and the added testing ability. The Department of Health was not saying that our numbers were getting better, and we were one of the red counties continuously and Dona Ana County had just gone back to red. She would appreciate continuing Zoom meetings until we were at the point where everybody else felt safe.

Commissioner Baldwin made the following comments:

Commissioner Baldwin said a couple months ago he had asked the Commission to support a letter to our representatives asking them to look at the Health Order and the authority given a sitting Governor

under the Health Order. Our City Attorney had done some research and put a letter together knowing that probably nothing was going to get done until next year. He had done a little extra research and found a couple of Bills, namely Senate Bill 74 and House Bill 159. They basically were to look at what the authorities were, how long they could be extended, what happened when they reached a certain timeframe, and who needed to be the authoritative figure from that point to extend it even further. That task he had asked of our Commission was seen to by our Senators and Representatives.

Commissioner Rardin said he was at a function a few months back and had talked to Senator Griggs and Senator Burt. He had asked them how they were able to be in session, and they told him that governing bodies were exempt from the Health Order. So, we had not had to do our meetings by Zoom this whole time. There were ways around the criteria for meetings with no more than five people. We just had to brainstorm and figure out how to do it, whether we spaced apart or used plexiglass. It was just time to say that enough was enough. Otero County had been doing their meetings in person the whole time, as had Roswell.

Commissioner McDonald made the following comments:

Commissioner McDonald said she had talked to a couple of constituents and they wanted to move on some things in their area to improve. Tonight, she was going to ask the Commission to authorize the City staff to engage in discussing using the guide of the MOU between the Historical Society and the City for the goal of the possible purchase and restoration of the old Dudley School building on the corner of Maryland Avenue and 6th Street. Hopefully, we could regain some of the time we have lost and see what could be done with that.

Commissioner McDonald said the baseball field between 5th Street and 7th Street at Florida Avenue had sat vacant for many years. She would like to ask the City Commission to allow the staff to inquire of Gerald Champion Regional Medical Center (GCRMC) whether they would be interested in allowing the City to purchase that property and reuse it as a park area.

City Manager Cesar said right now the City did not have an MOU with the Historical Society. Therefore, he was assuming Commissioner McDonald was asking for the City to reach out to the Historical Society to come to an agreement which would come before the Commission concerning the Dudley School and purchase of the property and rehabilitation of the building. Commissioner McDonald said yes.

City Manager Cesar said we could reach out to GCRMC to see if they were interested in selling the old baseball field property and what that price tag may be. This was typically something we brought before the Commission during budgetary process, so was that an acceptable timeframe? It would not include just purchasing the property, but also utility line extensions and a possible pavilion or playground. Commissioner McDonald said that was acceptable.

City Attorney Bengoechea said to keep in mind that our real property discussions preliminarily started in Executive Sessions, and then they could be brought back as action items as well.

Commissioner Rardin remembered that at the time GCRMC went through bankruptcy a few years ago, the City had been in negotiations to purchase the property then. So, purchasing this property had been talked about in the past.

City Manager Cesar said regarding the phased plan to go back to in person meetings, one Commissioner was saying definitely in person, and another Commissioner was saying definitely Zoom. Therefore, he really needed to know how many Commissioners wanted to meet in person versus how many did not want to until the State reached the proper color. Commissioner Baldwin said because this was regarding our procedures on getting consensus without it being an actual agenda item, he would ask the Clerk to schedule this item on our next agenda. That way they could have this discussion because the decision to meet by Zoom was not a Commission decision but was a decision by the City Manager and the Clerk. City Manager Cesar confirmed that it would be an item on the next agenda.

Commissioner Payne clarified that she agreed with Commissioner Rardin, but also, we may have employees who did not feel comfortable with it. She did not want to sound like we should just go against the Public Health Order because we needed to be mindful of the fact that we could be fined if we were not careful, and we were talking about taxpayer dollars.

CONSENT AGENDA

2. Approve the minutes for the February 23, 2021 Regular meeting. *(Rachel Hughs, City Clerk)*
3. Approve the statements related to the Executive Closed Session held on February 23, 2021. *(Rachel Hughs, City Clerk)*
4. Consider, and act upon, final publication and adoption of Ordinance 1626 authorizing the execution and delivery of a loan and subsidy agreement for the amount of \$2,151,300.00 between the City of Alamogordo and New Mexico Finance Authority. *(Evelyn Huff, Finance Director)* (Roll Call Vote Required)
5. Consider, and act upon, Resolution 2021-07 to apply for the New Mexico Department of Tourism's Clean and Beautiful Grant for FY 22. This will provide funding for the Keep Alamogordo Beautiful program. *(Joshua Sides, Keep Alamogordo Beautiful Program Coordinator)* (Roll Call Vote Required)
6. Consider, and act upon, acceptance of grant agreement from NMDOT, Aviation Division, to Alamogordo-White Sands Regional Airport in the amount of \$88,000.00 to purchase a tractor and attachments. *(Jim Talbert, Airport Manager)*
7. Consider, and act upon, Resolution 2021-08 to apply for the UPS Community & Recovery Tree Planting Grant through Keep America Beautiful. This will provide additional funding for the Keep Alamogordo Beautiful program. *(Joshua Sides, Keep Alamogordo Beautiful Program Coordinator)* (Roll Call Vote Required)

Commissioner Rardin moved to approve items 2, 3, 4, 5, 6, and 7 of the Consent Calendar.
Commissioner Baldwin seconded the motion.
Roll Call Vote was taken.
Motion carried with a vote of 7-0-0.

NEW BUSINESS

8. Consider, and act upon, the proposed phase of the Alamogordo Family Recreation Center opening and personnel changes. *(Heather Casebolt, AFRC Manager)*

AFRC Manager Casebolt said she had already met with the City Manager, the Assistant City Manager, the Community Services Director, and the Finance Director and they had given her their approval to present this proposed opening plan to the Commission.

AFRC Manager Casebolt gave a PowerPoint presentation (included in agenda packet backup).

Commissioner Rardin moved to approve.

Commissioner McDonald said she had a question regarding the water conditions and the pool. If a person had Covid even though they had tested negative, and they got in the pool water, was it a concern? AFRC Manager Casebolt said the kind of chemicals they used in the pool were basically so strong that they killed most of everything. The pool maintenance staff and Aquatics Director were not concerned and felt the chemicals could handle just about anything, including Covid in the water.

**Commissioner Wright seconded the motion.
Motion carried with a vote of 7-0-0.**

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

Mayor Boss read the openings and reappointed Christopher Orwoll to the Alamogordo Promotion Board for his third term; Shirley Dakin to the Mayor's Committee on Aging for her second term; Raymond Nejeles to the Planning & Zoning Commission for his second term; and Xochitl Valenzuela to the Senior Volunteer Programs Advisory Council for her second term. No one was opposed.

ADJOURNMENT

**Commissioner Rardin moved to adjourn at 7:08 p.m.
Commissioner McDonald seconded the motion.
Motion carried with a vote of 7-0-0**



ATTEST:


City Clerk Rachel Hughs


Mayor Richard Boss

(Prepared by Teresa Gutierrez, Deputy Clerk)
Approved at the Regular Meeting held on March 23, 2021.