CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 P.M., VIRTUAL MEETING
June 8, 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 BENGOECHEA, 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 Clerk Hughs announced there was a quorum present. The Invocation was given by Commissioner McDonald, and the Pledge of Allegiance was led by Commissioner Rardin.

APPROVAL OF AGENDA

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

PRESENTATIONS

1. Proclamation for Post Traumatic Stress Disorder Awareness Month. *(Richard Boss, Mayor)*

Mayor Boss said as Mayor he had the distinct honor and privilege of recognizing organizations, events, individuals, and groups that deserved special recognition. He did so on behalf of himself, the City Commission, staff, and our entire community. Tonight, he was recognizing those citizens who suffered from Post Traumatic Stress Disorder (PTSD). He made this special recognition by Proclamation from the City of Alamogordo Executive Offices.

CITY MANAGER'S REPORT

City Manager Cesar made the following comments:

1. City Manager Cesar congratulated Special Events Manager Josh Sides on receiving notification that for FY 2022, Keep Alamogordo Beautiful would be receiving $47,784.35. This was the highest amount to be awarded in the State of New Mexico. For comparison purposes, in FY 2021, the program received a little over $39,000, in FY 2020 it received a little over $13,000, and the same amount was awarded in FY 2019. This was good news for Alamogordo.

2. City Manager Cesar said the City had a number of major projects which were finally moving forward. The bid opening for the Scenic Drive Extension Project was scheduled for tomorrow at 2:00 p.m. Assuming no issue with the bids, that item would be before the Commission at the next Regular Meeting for their approval. The Bonito Lake Dam Improvements bid opening was scheduled for July 15th, and the re-bid for the Landfill Closure project was scheduled for July 22nd.

3. City Manager Cesar announced that the next Commission Regular Meeting would be back in the Chambers on June 22nd. Facility Maintenance and MIS staff were finishing up some of the upgrades in the Chambers. The upgrades would not be totally complete due to some of the public seating which still needed to be bought out of storage and placed back in the Chambers.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Mayor Pro-Tem Sikes made the following comments:
She thanked Mayor Boss for presenting the PTSD Proclamation. She congratulated Special Events Manager Sides.

Mayor Boss made the following comments:
He said today he and his great granddaughter visited the Zoo and shared that he was so impressed with the many improvements at the Zoo, and he encouraged everyone to visit. The employees there were doing a fantastic job.

CONSENT AGENDA (Roll Call Vote Required for an Ordinance or Resolution)

All matters listed under the Consent Agenda are considered to be routine by the City Commission and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

2. Approve the minutes for the May 25, 2021 Regular meeting. *(Rachel Hughs, City Clerk)*

4. Consider, and act upon, Resolution 2021-22 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 8, 2021. *(Evelyn Huff, Finance Director)* (Roll Call Vote Required)

Commissioner Rardin removed item 3 from the Consent Agenda.

Mayor Pro-Tem Sikes moved to approve items 2 and 4.
Commissioner Wright seconded the motion.
Roll Call Vote was taken.
Motion carried with a vote of 7-0-0.

ITEMS REMOVED FROM CONSENT AGENDA

3. Consider, and act upon, Resolution No. 2021-21 removing uncollectible and unsecured Utility, Library, Public Housing Authority, returned checks and other miscellaneous accounts from the City's accounts receivable. *(Sue Ashe, Accounting Manager)* (Roll Call Vote Required)

Commissioner Rardin wished to address this item because his name was on one of the lists. He said that address happened to be a customer's house and the bill was supposed to be billed to the customer, but somehow got billed to him. He needed to check with staff to see how they wanted to handle it. It was from 2017 and obviously he could not go back and bill the customer for it. It should have been billed to the customer, so he did not know how staff wanted to handle it. They could pull it off the list and he would hash it out with staff, or if they left it on, he would just abstain from voting. It was for $1,500 and he had arranged it to where staff was supposed to bill the customer, but they billed him instead and that was why his name was on the list.

Finance Director Huff said this was the annual write-off list which was brought to the Commission annually. The item Commissioner Rardin was referring to was on the miscellaneous receivables list and was for a bill dated 2/28/2017 for an address on Ocotillo Road for a one-inch service line. They looked to see if they had the backup in the office, but it was not there because it was archived somewhere. They had not searched for the archived box but could if they needed to.

Mayor Pro-Tem Sikes asked for the total of the write-offs. Finance Director Huff said $63,077.60.

Mayor Pro-Tem Sikes said regarding Commissioner Rardin's situation, it had been four years, this was for a customer of his, and so she felt it should be written off. Mayor Boss agreed. Commissioner Rardin said he had given the information about this customer to staff, and it was not like they did not know how to find him. He did not remember ever receiving a bill for it.

Mayor Boss moved to approve.
Commissioner Wright seconded the motion.
Commissioner Rardin abstained from voting.
Roll Call Vote was taken.
Motion carried with a vote of 6-0-1.

NEW BUSINESS

5. Consider, and act upon, award of a Well and Pump Services On-Call Agreement to Statewide Drilling, Inc. *(Bob Johnson, Engineering Manager)*

Engineering Manager Johnson said the City maintained an On-Call Agreement for well and pump services in support of existing water wells, monitoring wells, and various pumps throughout the City's infrastructure. The City issued Requests For Proposals (RFP) No. 2021-03 advertised on April 11th. Two proposals were received on May 11, 2021, and Statewide Drilling provided the highest scored proposal.

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

6. Consider, and act upon, proposed additional AFRC staffing to expand traditional programming in youth and pool areas. *(Heather Casebolt, AFRC Manager)*

Recreation Facility Manager Heather Casebolt said as things opened back up, she needed to add additional staff so they could expand more on their traditional recreational programming. Recreation Facility Manager Casebolt gave a PowerPoint presentation.

Commissioner Rardin said his daughter was attending Camp Cottonwood, and he knew they were understaffed. Recreation Facility Manager Casebolt said in 2018 she had approximately 28 to 32 staff members and right now, not including herself, she had eight. They were operating at about one-fourth of what they were two summers ago.

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

7. Consider, and act upon, a Letter of Intent with SynerGen Solar, LLC to lease 35.62 acres of land. *(Laurie Anderson, Otero County Economic Development Council)*

Laurie Anderson of Otero County Economic Development Council stated she was representing SynerGen Solar, LLC who wished to lease 35.62 acres of land, which was the old landfill. This company was a battery storage facility which provided solar systems for commercial, industrial, non-profit organizations, and to the community in general. Alamogordo had been a target for several solar companies coming in and wanting to lease land. What made SynerGen Solar stand out was that they had been very successful in building solar gardens and solar systems on old landfills. In order for them to get into the program, they had to submit an interconnection application which would allow them to reserve capacity on the solar grid. Since the Legislative Session, limited capacity was 200 megahertz, and it was filling up quickly. Part of the due diligence on their end was they had to identify sites for their project. The site they had identified was on the south end of the old landfill. SynerGen needed a letter of intent from the City in order for them to submit their application. Once they were accepted into the program, they would need to start their due diligence which included a feasibility study and environmental testing. They already knew how to build their solar projects onto landfills. All these costs came onto the company themselves. This whole process ran anywhere from nine to twelve months, and currently they were waiting for the PRC to set regulations. In order for them to continue the process, they needed a letter of intent from the City stating that the City was willing to engage in a Lease Agreement.

Commissioner Rardin asked where the boundaries of this project were. City Manager Cesar said it was almost directly east of the new desalinization facility. Commissioner Rardin asked how they would gain access. City Manager Cesar said they would gain access off First Street. Assuming their application was approved by the State, they were granted so many credits and then there would have to be negotiations between the City and the company, and then ultimately approval by the City Commission for that Lease Agreement. Commissioner Rardin asked if this was actually at the old landfill, or on the segment that was not used. City Manager Cesar said this segment was used and there were some old cells underneath.

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

8. Consider, and act upon, Ordinance 1631 Case Z-2021-0002(A) for first publication for a map amendment to change the zoning designation of the property with the legal description of Collins Tracts, Tract 16, Replat A from R-1 Single Family Dwelling to MH-1 Manufactured Housing Subdivision. *(Stella Rael, City Planner)* (Roll Call Vote Required)

City Planner Rael said the applicant was Michael Garcia, son, and personal representative for the estate of Natividad and Cecelia Garcia was present to answer any questions. She shared the zoning map to show the area. The applicant's request was for a map amendment to change the zoning of the property from R-1 Single Family Dwelling to MH-1 Manufactured Housing Subdivision. There was no address because it was addressed wrong many years ago. To the east of the lot was an alley and not a dedicated road. There were no letters or phone calls of opposition, and the Planning & Zoning Commission had approved it at their meeting of May 6, 2021.

Commissioner Rardin asked how large the property was. City Planner Rael said it was one lot. She did not have the dimensions, but it was probably not more than 6,000 square feet. Mr. Garcia said the lot was 65' by 110'. Commissioner Rardin asked if he was planning to put just one mobile home on it. Mr. Garcia said yes. Mayor Boss clarified that area was a mixture of mobile homes and single-family dwellings. City Planner Rael said that was correct.

Commissioner Baldwin moved to approve.
Commissioner Wright seconded the motion.
Roll Call Vote was taken.
Motion carried with a vote of 7-0-0.

9. Consider, and act upon, Ordinance 1632 Amending Section 18-02-0808 of the Code of Ordinances of the City of Alamogordo, New Mexico Increasing the Salary of the Temporary Municipal Judge. *(Petria Bengoechea, City Attorney)* (Roll Call Vote Required)

City Attorney Bengoechea stated that there was an error on the agenda in that it should note that this Ordinance was before the Commission for approval of first publication. It changed the salary for the Temporary Municipal Judge from $75.00 per day to $125.00 per day. Judge Lee had asked her to bring this item forward as the salary had not been updated in over 20 years. Sometimes a Temporary Judge would come in and only work the mornings, and other times they would come in on Wednesdays and work a full eight to nine hours. It was budget neutral and would be absorbed within the Court's budget.

Commissioner Wright moved to approve.
Commissioner Baldwin seconded the motion.
Roll Call Vote was taken.
Motion carried with a vote of 7-0-0.

10. Consider, and act upon, Resolution 2021-23 authorizing the release of certain liens that fall outside the statute of limitations. *(Petria Bengoechea, City Attorney)* (Roll Call Vote Required)

City Attorney Bengoechea said again there was an error on the agenda backup. On the fiscal impact there was an extra digit in there, so it was just over $21,000 in liens. These were all past the four-year Statute of Limitations. Her office had been working hard at collecting liens, and the Finance Director was able to get her some numbers today. In FY 2019 they collected just under $40,000 in liens, in FY 2020 they collected just over $43,000 in liens, and so far, this year they had collected just under $50,000 in liens. They had done just about everything they could to collect on the liens, but the foreclosure moratoriums had made it difficult for them to foreclose. So, since they were past the Statute of Limitations, staff was requesting to release them at a total of $21,014.95.

Commissioner Rardin moved to approve.
Mayor Pro-Tem Sikes 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 reappointed Mr. Bob Flotte to his ninth term on the Alamogordo Promotion Board.

Commissioner Rardin moved to adjourn at 7:22 p.m.
Commissioner Wright seconded the motion.
Motion carried with a vote of 7-0-0.

ADJOURNMENT

Richard Boss

Mayor Richard Boss

ATTEST:

Rachel Hughs

City Clerk Rachel Hughs

(Prepared by Teresa Gutierrez, Deputy Clerk)
Approved at the Regular Meeting held on June 22, 2021.