

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 P.M., COMMISSION CHAMBERS
February 22, 2022**

**SUSAN PAYNE, MAYOR
SHARON McDONALD, COMMISSIONER
JOSH RARDIN, COMMISSIONER
STEPHEN BURNETT, COMMISSIONER
NICHOLAS PAUL, COMMISSIONER**

**DUSTY WRIGHT, MAYOR PRO-TEM
KARL MELTON, COMMISSIONER
BRIAN CESAR, CITY MANAGER
PETRIA BENGOCHEA, CITY ATTORNEY
RACHEL HUGHS, CITY CLERK**

CALL TO ORDER / ROLL CALL / INVOCATION / PLEDGE OF ALLEGIANCE

Mayor Payne 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. Invocation was given by Pastor Timothy Green and the Pledge of Allegiance was led by Commissioner Wright.

APPROVAL OF AGENDA

Commissioner Wright moved to approve the agenda.
Commissioner Paul seconded the motion.
Motion carried with a vote of 6-0-0.

DISTRICT 3 CITY COMMISSIONER VACANCY INTERVIEWS AND POSSIBLE APPOINTMENT

1. Commissioner District 3 vacancy interviews and possible appointment. *(Rachel Hughs, City Clerk)*

Mr. John Costa III addressed the Commission and recognized the other citizens. He said he is retiring here from the United States Airforce after twenty-six years of service due to the friends he has built. He said it started in 2019, dining at a local restaurant, where he befriended two residents having dinner. He didn't know then, but it would lead him to make New Mexico his retirement residence. He has a wealth of experience in budget managing, leadership positions, and collaborating with individuals to reach a common goal. While most of his experience comes from the United States Air Force, he is a proud dad of two sons, and he was extremely involved in the community as a young adult and throughout his career and duty stations. In Alamogordo specifically, he has been involved with the Zoo Boo annual project, Alamo Big Give, and he looks forward to continuing beautification efforts with the City of Alamogordo and Center of Commerce. Through his neighbors, he has met with Yellow Jackets and felt their knowledge was a wealth in those who have gone before us, not only in service, but as a foundation of our community. It will be his goal to work daily as a leader in a non-partisan role for the benefit of the residents of Alamogordo. He looked forward to continuing to serve with honesty, integrity, compassion, fairness, and a commitment to excellence. He thanked the Commission for the opportunity to be considered for this position and looked forward to working with them and the community as a whole.

Commissioner McDonald thanked him for applying, and wanted to know why he applied, and where are his favorite places to spend time in Alamogordo. Mr. Costa replied that he lives in District 3 and purchased his home coming out of Korea. He specifically looked for a home that required remodeling; his home was built in 1979 and was outdated. From 2019 to 2022 he has remodeled his entire home. His wonderful neighborhood has many retirees that he has become friends with; it is quiet, peaceful, and in the center of town so it's seven minutes from anywhere. He hangs out at local establishments

and mom and pop restaurants where he has dinners throughout the week. His local watering hole is 575.

Commissioner Paul asked about his letter of intent, stating that he wrote he would bring a new set of eyes to Alamogordo. Commissioner Paul stated that Mr. Costa was a fairly new citizen of Alamogordo, and he was curious what he thought the City could gain from the insight of a new set of eyes. Mr. Costa replied that he would bring his experience gained from the other communities throughout his military career. There is a constant where people who have lived in a town for a number of years want to revert back to the way things used to be. In order for a town to succeed and move forward you have to bring in new ideas; sometimes it takes an outsider with fresh set of eyes and new ideas that they have seen throughout moving around the country. From the small town he grew up in Rhode Island, he saw how that town had moved forward by converting old factories into residences. He did not know how Alamogordo looked like 10 years ago, but he knows what it looks like now, and how we can go forward in making things better for the town and community.

Mayor Payne asked about making things better, what would be his focus, where would he be interested in. Mr. Costa replied that for District 3, he wanted to bring standards back. Some of our roads are in decay, and our parks could use some work; that ties into the Senate Bill 212 that just passed, that is money that the State would give for our parks and streets. There are codes that should be enforced where a car that is not readily moveable is a hinderance to the look of the community, emergency services, and we need to get those removed from the streets. Neighbors should be considerate of neighbors and how the neighborhood is looked at. Mayor Payne asked what he knew about the process of Code Enforcement, and Mr. Costa replied that he could not elaborate at this time as he had not done research. He said he was one where he would do his homework for any position; knowledge going forward is important for correct decisions. Mayor Payne asked if he was familiar with the City Budget, and Mr. Costa replied he had only glanced at it.

Mr. Trevor R. Eaton said he was born and raised in Alamogordo, and his family has been here for sixty-two years. His mother's side of the family came from Pecos, Texas, and his father's side came from Globe, Arizona; they landed smack in the middle thanks to Holloman Air Force Base and the opportunities it provided during that era. From that time, his family has been given nothing but opportunity from this community, and they've been in everything from construction to retail. He started his career in construction, and his father made him dig holes until he went to school. He went to New Mexico State University for Finance and Banking. During his stint in school, he was a computer technician, he brings that up because those tech savvy skills follow him wherever he goes. He took a special interest in the 2008 Economic Crisis, that event led him to become very interested in Finance and Banking. He focused on small community banking, there were opportunities to learn how community banks were impacted by the economic crisis and how we grew from that point. He was fortunate to get an entry level position in the commercial lending division of Bank 34 that kickstarted his career; he got a crash course in the rules and regulations of federal lending which is present in all business. He moved on to commercial underwriting and had a focus in commercial real estate. They were venturing out to commercial and industrial lending, that gave him insight into how companies run. Another part of his job was construction finance, budget review, and monitoring. He was in charge of progress payments and going to the sites to check quality of work. He left Bank 34 and went to work for Zuni Electric as the Lead Estimator, it was a change in industries but right in line with his finance degree; in his position he is in charge of project management and contractor view and negotiation. They do a lot of contracts and find themselves having to mark them up and make a lot of changes. These specific things are what he can contribute to the Commission; he doesn't know what they are needing in that position, but he wanted to explain his skillset and interest in serving Alamogordo.

Commissioner Paul asked what his motivation was for being on the City Commission. Mr. Eaton replied that he can't stop thinking about it, he can't stop wanting to be involved. There are many things that can be complained about out of ignorance, so he doesn't want to have that ignorance anymore and help in any capacity he can.

Commissioner McDonald asked what he thought the biggest challenge was for the City of Alamogordo and the Commission at this time, and Mr. Eaton replied, financial challenges. He felt we are having a population shift in this community and wanted to understand how we can best use that shift to better Alamogordo from a financial standpoint.

Mayor Payne asked what his focus would be if he was appointed on the Commission. Mr. Eaton replied that his career is focused on mitigating risk, and he would continue that trend in contracts and budgets. Mayor Payne said that the Commission dealt with that a little bit, but that would be more of an administrative function; our job is to get it after that point to make a clear decision. Mayor Payne said she also started her career out in construction finance in California as well, and she is very familiar with that. She asked if he had already looked at the Alamogordo budget and he replied not in detail.

Mr. Raymond J. Hull said he was a local from Alamogordo, a married family man with two children in the school district. He is interested in service to the community, he has been involved with the Otero County Soccer League for the last ten years, specifically in Alamogordo to serve the children in Spring and Fall. He doesn't have a lot of education experience, he has worked his whole life since he was sixteen years old, he actually dropped out of high school and started working here in Alamogordo. He went back when he was twenty-one and got his GED and did a little bit of college, but at that point he was already pursuing an HVAC career, so he went on to be fully licensed in heating, ventilation and air conditioning and started his own business.

Commission Paul asked what he felt was one of the priorities that the city of Alamogordo is facing. Mr. Hull stated that in our school system, he was seeing the strain that remote learning had on multiple kids in the district. In general, the support system for that is lacking right now for a lot of children, and he wanted to see improvement for remote learning in our school system.

Commissioner McDonald asked why he lived in District 3, and where are his favorite places to spend time. Mr. Hull replied he lived in District 3 because he was fortunate enough, like Mr. Costa, to find a home that needed remodeling in the area. He purchased it and did the remodeling himself. He really enjoyed the area being up on the mountainside, he had always loved the mountains and wanted to live in that area. His favorite places to be in town are the library where he reads a lot, plus he spends a lot of time out in the parks with his kids playing frisbee, golf, and soccer. He also likes trails and being outdoors.

Mayor Payne said that she dropped out of high school as well and went back, so she knew how he felt. She congratulated him for going back. She stated that they didn't have a lot to do in an official capacity with schools but asked what where some areas around town he would focus on. Mr. Hull replied that, like Mayor Payne, he was interested in the quality of life in our community, specifically our children. He served OCYSL and they serve around a thousand kids per year, so he is trying to get things going like restrooms out at Balloon Park and keeping our parks and rec top quality. Mayor Payne asked if he had looked at the City Budget, and Mr. Hull replied that he had not.

Mr. Karl Melton said he was an education professional at an organization called Teaching Strategies. He worked from home here in Alamogordo to support public school districts and teachers in the Southwest who used their curriculum for preschool and kindergarten students. Before that, he worked at the American Academy of Otolaryngology, which is the national trade association of ear, nose, and

throat doctors; in that role, he managed their non-partisan political committee, which meant meeting strict reporting deadlines and securing tens of thousands of accounting records to keep the organization in compliance with government entities. He currently serves on the Alamogordo Public Library Board; in that position he offers support and guidance to library staff so they can carry out their mission of distributing books and other public resources. He tends to keep active at Christ Community Church. As a believer, the Judeo-Christian worldview is central to his philosophy. He went to Liberty University to pursue a Master's in Public Administration and graduated with a 4.0 GPA and high distinction. At Liberty, he studied the Secular Scholarship of Public Administration, mixed with the biblical principles of servant leadership, covenant, and inalienable rights and limited government. His degree specialized in Law and Public Policy, especially as it relates to state and local government. During his studies, he wrote a twenty-seven-page research paper on the economic development of Otero County, and he included the paper in his application packet. During his research, he interviewed key stakeholders such as the former Executive Director of Alamogordo Mainstreet and those conversations helped contribute to the proposed solutions for economic development. As a Commissioner for District 3, he wanted to bring a philosophy of serving his neighbors, city staff, and his fellow Commissioners with humility, cooperation, and ethics. He understood the importance of being a team player and showing respect, the good work the Commission is doing is moving our City forward. He sat in the audience while the Commission refinanced our bond rates, awarded a \$50,000 dollar grant to the Alamogordo Public Library, and delivered \$34,000 dollars to the Alamogordo Senior Center for transportation and home delivered meals. He hoped to contribute to this record of victories and momentum of growth here in Alamogordo. He knew the obligations and responsibilities this Commission faces; the person appointed should not only have the qualifications but has demonstrated a tangible interest in the work of this City. He commends all his fellow applicants for putting their name forth, and felt it was worth pointing out that he was the only applicant who showed up reliably in person to Commission meetings this past year, when he had nothing to gain except to listen to the needs of our community. He humbly asked the Commission if they really wanted to appoint someone who has not shown interest in the Commission before this application process. He understood the process is not meant to be done casually or half-heartedly, the job of a City Commissioner goes far beyond bi-monthly meetings. He hopes that he has displayed both his commitment to fulfilling the job requirements, as well as his qualifications to represent the views of his fellow residents in District 3.

Commissioner McDonald stated that she did read the twenty-seven pages and would like for him to speak again regarding what he felt was the most important aspect of the job, and the challenges that face Alamogordo today. Mr. Melton said that the two most pressing issues are continuing to knock down blighted houses, and then expanding the housing we have here to combat our housing shortage. For the housing shortage, a lot of that can be done through LEDA and our incentive program to get new businesses into Alamogordo, like with Medlin Ramps. The more businesses we have in Alamogordo and the more business friendly we can be, the higher the demand for new housing developments. He thought if we just went down that lane, it would be good for future prosperity.

Commissioner Paul stated that Mr. Melton had submitted that swat analysis for the City of Alamogordo, could he just list off a couple of the strengths, opportunities, weaknesses, and threats. Mr. Melton said that strengths were a high proportion of military service and veterans in town as a lot of businesses seek out those types of employees. We also have a higher-than-average amount of disabled employees, so we are a prime location for businesses that want to hire more disabled people, veterans, or anyone with military service. He said there is also a threat of where we rely on over 50% of our GDP based on Holloman Air Force Base and White Sands Missile Range. If any potential scenarios arise where we lose those bases, that would not be good. An opportunity would be to diversify the economy so that if we could no longer rely on military bases and the associated tax revenue. Medlin Ramps was a great example of bringing in industry that will stay there for the foreseeable future.

Mayor Payne said she also had an MPA and could understand what he was saying, but what would be his main focus for his term. Mr. Melton responded the two issues he mentioned, blight and housing. The Commission is already moving the city in the right direction, so he was looking at ways he could supplement this Commission and he thought that with his education and background in Public Administration and his patient personality he could mesh well with the existing traits already brought to the Commission. Mayor Payne said that was what she was really asking and thanked him.

Mr. James Ryan Squyres stated that like Mr. Costa, he was also an Air Force veteran. Holloman Air Force Base brought him here where he and his wife fell in love with this area. They bought their first house and decided they never wanted to leave. He didn't want to go long into his work history, but he did want to speak about the traits he would bring that would be beneficial to the position itself. He is committed and has been married for eleven years, he understands responsibility with four children. Service, sacrifice, and leadership have always been drilled into him from a young age, growing up he participated in the community with things like Meals on Wheels and serving meals to the homeless. When he came here initially, he found out about Foxhole Homes and was very excited to get plugged in with them. He also serves at the Joy Center across the street as part of the security team there. In terms of the future of this town, he and his wife want to see this area grown and succeed because they have four children and want their futures to be bright; he understood that you need to invest in the city and local community for that. He started a local business on a small farm where they sell every week at the farmers market. His wife makes bouquets throughout the rest of the year and sells that locally. Volunteering is very important to him as a hands-on individual, he also liked to not just generate ideas but be part of the solution itself.

Commissioner McDonald asked where his favorite places to spend time in Alamogordo are and why. Mr. Squyres replied that in terms of District 3 where he lives, he and his wife looked at houses after a year when they felt comfortable with the area. They found their dream home on Juniper Drive and snatched up the opportunity to buy that. In terms of his favorite places to be, it is the Joy Center and the Farmer's Market. He loves to connect with the community, and it is a blast every Saturday morning out there by the Tractor Supply Store, meeting with the other individuals that produce and create, especially regarding recent COVID restrictions and less resulting interactions.

Commissioner Paul asked about his letter of interest, where it mentions creating and providing a better quality of life, he asked Mr. Squyres to expand on that and what it looks like according to his perspective. Mr. Squyres replied that the economy is very important on a national level with inflation rates going so high along with joblessness fluctuating so much. He said he wanted to use the position of the Commission to be business friendly and make the area inviting for businesses; that revenue comes in through taxes and the increase of local wealth improves everything from the local school districts to additional opportunities for things like parks. Homelessness has always been something important to him, so providing more opportunities and volunteer efforts to help people in the area who are homeless or struggling.

Mayor Payne asked what his focus would be on the Commission. Mr. Squyres replied that it would be making the area as inviting as it can be for new businesses to come in, new opportunities, and providing a safety net to helping those that are struggling financially. Mayor Payne asked if he had looked at the City Budget and he replied that he had not. Mayor Payne said the only reason she did not ask Mr. Melton that was because he already gave them a twenty-page paper, so she assumed he had looked at it. Mayor Payne said she had grown up in the different tax base of California, she asked if Mr. Squyres understood how taxes are refunded, and he replied that had not had the opportunity to look into that.

Commissioner Paul moved to appoint John Costa III to fill the vacancy of District 3 City Commissioner.

Mayor Payne asked if there was a second on the motion.

Mayor Payne asked if they did not get a second. City Clerk Hughes clarified that we would move on to the next one because this died of lack of a second motion.

Mayor Payne asked again if there was a second on the motion.

The motion died for lack of a second.

Commissioner Burnett moved to appoint Karl Melton to fill the vacancy.

Commissioner Rardin seconded the motion.

Roll Call Vote was taken.

Motion carried with a vote of 5-1-0. Commissioner Paul voted nay.

City Clerk Hughs administered the oath of office. Commissioner Karl Melton took their seat at the dais next to Commissioner Nick Paul. Mayor Payne thanked the candidates.

PRESENTATIONS

2. Presentation on acquisition and renovation of the Maryland (Dudley) School located at 523 Maryland. (Joe Lewandowski)

Joe Lewandowski spoke about the Maryland Dudley School as being one of the oldest structures in town and stated that its history, family, and people made it important. We started this process before COVID kicked in, but they all hit the same roadblock concerning the impact on budgets. The school itself is one of the oldest structures left in Alamogordo, most of the others were torn down. One of his biggest disappointments when he gives talks about Alamogordo is how fast we tore down history here. The Maryland School was originally founded in the early 1900's for Hispanic and Mexican children to learn English; it wasn't segregation as if they couldn't go to Alamogordo schools, it was really to teach them English so they could progress to the Alamogordo school district. It was later named after Ms. Dudley, the teacher and her daughters who were there. There are a few folks who still remember how strict she was. Today, the Dudley is that dilapidated old building that is about to collapse. He has been through and around the building. He was involved with restoring the Plaza, the restoration of La Luz Pottery, and noted that the Dudley is in better shape than the Plaza was when they started it. You've got that one wall that everyone is concerned about plus the appearance of the whole property itself. The adobe wall is eroding away but the roofline is straight and solid. The foundation is all concrete and rock, this will not fall down. The plan is a partnership with Tularosa Basin Historical Society and the City, similar to what we have with Otero County with the plaza. We would basically work out the details, today is not for approval, it is just basically if we have no problem, we will move forward to the next step with the formal proposal numbers and everything else. The intention is to put the school back to its original state, right now there are all kinds of divider walls that were placed when it was a halfway house. We would rip all that out and put it back to the school classroom that it originally was. One of the rooms would be the family of Maryland Dudley School, where the families would tell their history, their family, and who went there. Next would be history of education in the Basin, the Plaza was limited in space and what they could do there. For a lot of you that don't know Alamogordo, 10th Street used to be lined with these red brick and marble buildings all the way up, like the original Courthouse, the original Library, the High School that sits where the State Police was, the gas pumps at Lowe's were the central school. We had hotels here equal to anything in Santa Fe at one time. The school district here was at one time in the top ten, and not the top ten in New Mexico, but the top ten in the Nation, that is how good we were. Another is the Hispanic culture and history, at a later date we

had black folks and children that went there too, as Alamogordo desegregated and different things occurred. Commissioner McDonald could tell you; she was a student at the Dudley School. There are probably other folks here who had family members who went there. What we would do is set it up as a structure that the City and Historical Society would cooperate in. He said he thought they had proven themselves with the Plaza, they've proven themselves with La Luz Pottery, we know how to make this kind of stuff happen. We got special preparations to renew the Plaza, about \$500,000, that is what went into the building, but most people don't know that we spent \$160,000 of their own money inside that building. With La Luz Pottery they generated a \$100,000 to restore that facility on their own. He is not saying that the City would pay for everything; they would use their process to generate what we can. A lot of it is volunteer work and other things when you look at the budgets there. The intention is that it would be a museum but not open on a regular basis, like the pottery tours where things are talked about what went on. With this place lots of the walls would be on wheels and you could have a seminar there, a family reunion, afterschool programs. They want to reutilize the building as a multi-use to save the historical status while it is a useable building. The north end of the property would be turned into a community park, there are no parks in that part of town. They would fence it off and include picnic tables. The south end is an empty lot and part of that property. It is prime to be really nice facility for the neighborhood. The first budget is about \$500,000, and those numbers are what they have estimated. The City's estimates to redo the Plaza were around \$980,000 but they revamped the specs, redid everything, and estimated it at \$408,000. As our bid that came through the county it came in at \$406,000. Tonight is just simply to see if they are interested, and then they would go forward and bring in more formal types of stuff. The second budget is a hundred and some thousand dollars, that's what is needed to be done in an immediate six-month period if we do acquire the building; go in, make it safe, presentable, clean it up, and all that. That \$100,000 is not on top of that \$500,000, that is included in the \$400,000. A lot of this is volunteer hours. At the Plaza they demolished the whole building before the contractor even touched the building; all the interior walls we did ourselves. He mentioned people that went to school there, and the history of those people. They've had people come into the Dudley display at the museum and find school pictures of their parents and uncles. It doesn't have to be a little museum that collects dust, it can be asset to that neighborhood and that community, that is what they are after. He continued with more historical information regarding segregation and what it was, and where we are today. He also talked about Ms. Dudley herself, and stories of what she did, but noted the stories are building lost and the building needs to be saved. He finished with an overview of what was being asked of the City today.

Commissioner Rardin asked Mr. Lewandowski about \$80,000 regarding a purchase price, is that still a legitimate number. Mr. Lewandowski responded that yes, that number was locked in. We've submitted for three different grants but grant people don't want to give grants if you don't own a piece of property because they don't know if it will ever happen, the same thing happened to Plaza. Once things forward with Plaza, they were able to get money. They had an auction one night and were able to make \$35,000 in one night. They were working on another grant in March.

Commissioner Rardin asked of how big a role the City will be involved, are they just going to be a fiscal agent for this project. Mr. Lewandowski responded that it would go through the City's bid process, the City will purchase the property just like the County did with the Plaza. From there we would still follow, we actually hired our own architect to do the design work, we did go through Otero County's procurement process, but we would assist to make sure that we are getting everything for the dollar they need, what needs to be done to make sure it's right. The relationship afterwards will negotiate what the Historical Society does versus what the City does, what maintenance you want us to do versus you do. He could say that once it is restored back to what it was, it's a cheap building; the biggest dollars regarding operations is the insurance of the building, the rest of it is minimal cost to maintain. The County has never spent a dime on the Plaza since they've been there, we've taken care

of it all the way through. We'd come with a formal plan regarding responsibilities, who does this or that, and what kind of dollar amounts to expect.

Commissioner Rardin asked Mr. Lewandowski if his budget reflects the increase in material costs that we are currently facing. Mr. Lewandowski responded that yeah, these numbers have been all over, such as two by fours going from \$3 to \$13 back to \$6, then up to \$10. He would just bid it when the numbers are down. When they bid the Plaza, they bid as what they wanted to do with the cheap stuff, such as asphalt in the parking lot, but then they had an alternate bid where if they had the money, they would put concrete in. Luckily the bid came in where they hoped, so they were able to say forget the asphalt it will be all concrete. They will do the same thing here with alternates to make sure they stay within the budget. When they did the La Luz Transfer Station, they never went back to ask for another dime, they stayed within their budget, same for La Luz Pottery. They have tricks and ways to keep an eye on it. In Plaza there is twenty chandeliers, the contractor came back at \$500 apiece; they got online, found them for \$300 apiece, and then called the company, told them there were a poor historical society, and got them for \$200 apiece.

Commissioner Rardin asked who would actually own this, and Mr. Lewandowski responded that it would be the City of Alamogordo. Commissioner Rardin clarified that this would be in order for us to be the fiscal agent for any of the grants, and Mr. Lewandowski responded yes.

Commissioner McDonald thanked all the people that came out tonight in support of the Dudley School renovations, she really did appreciate it.

Mr. Lewandowski said he wanted to bring up that many of them had been notified of a class reunion, Zeke Castro provided a book with five hundred names of people that are keeping in touch. He knew where some of his friends were from Sierra, but he didn't hang out with them. He thought that was really unique, that an elementary school would be that serious as to keep an alumni book of this nature.

Commissioner Rardin asked Mr. Lewandowski when the Dudley school shut down, Mr. Lewandowski answered that it was in the sixties. Commissioner McDonald went there for a year or two, then she ended up in Sacramento when it opened up. It was originally for Mexican children to learn English, then when desegregation happened, it became a regular elementary school. When Sacramento was built, Dudley was shut down and the kids were moved over to there. Dudley is fifty years older than Sacramento and Dudley is still standing while Sacramento is long gone.

Mayor Payne said a fun fact that liked to share was that her mother-in-law, who has since passed on, would come back to Alamogordo to visit. Her husband's family was one of the first settlers up in Weed back in the early 1800's, and every time she'd come to Alamogordo, she'd pass by the Plaza pub and she'd tell her husband that her daddy used to stop there and drink after work every night. The point of it is was they'd pass by the Dudley School and she would tell her stories, they were such great memories for her, so that's what she wanted to talk about. Mayor Payne shared with Commissioner McDonald that when she drove through that area of town, all she would feel is history. You can feel it when you drive down those streets, every time her mother-in-law came, she would tell her stories. It is exciting to hear that we can preserve some more history because there is so much there, so many stories, and they are losing them all. Mr. Lewandowski repeated they are losing them all and they need to preserve all that and what went on there.

PUBLIC COMMENT

Jacqueline Stackhouse said she was here on behalf of 808 Third Street. That was a property that her now deceased grandparents purchased. She was hit with Code Enforcement at the end of

last year, and she's done the best she can to try to find contractors to come and tear the house down, but she didn't find a contractor as all of them were taken up by Holloman Airforce Base for the refugees. No contractors wanted to tear it down because they had to haul it off, and they said there was nowhere to put it. That wasn't her property, it belongs to her uncles and sister, so they just have not come into agreeance to sign everything over to her. She is willing to do whatever she needs to do to tear it down, or to get some assistance, but she is on a fixed income and doesn't have money like that. She'd like to save it because she felt her grandparents worked hard to get that, and she wanted to keep it in the family line, but she doesn't have the funds to do it and she'd have to break it down little by little. She is asking for a little bit more time, or if not that, she is willing to make arrangements to make payments, but she would love to keep her grandparents' home. If she can't put another structure up there, she would love to leave it empty knowing that she did what she needed to represent her grandparents.

Mayor Payne said that pertained to Item 14 and apologized.

Daniel Kosek spoke on his behalf only, not the neighbors or anybody else on that street. He recently purchased a house on Divers Cove; it was originally County seventeen years ago and annexed into the City. Seventeen years later it looks the same. He has no City water, no sewer, no fire hydrants, and no streetlights. He has never seen a police response vehicle on the street or street cleaners. Is something going to happen where the city is going to come up to some of their meeting mandates back in 2004 and make some of their promises they told folks there. He wasn't an owner yet but is now, and the city taxes are high up there. Not having those amenities or city services, especially a streetlight or fire hydrant, worries him a lot. At night he won't check the mail unless he has a gun; it is very dark out there with animals and talking to some of the neighbors, Diver's Cove isn't as good as you think it is with some people hanging around that shouldn't be. Since he is paying City taxes, is something going to happen to get them up to City Code. He talked to Dusty and Brian; he is the one that couldn't even cross his street for two minutes on Florida. When you are watching cars go by on Florida at fifty-five miles per hour, and you are only two or three feet away, that is a problem, people could get killed. He didn't inspect the lights by the crosswalk, but he appreciated that, and they are working. He would expect a patrol car out there for the speed limits because it is crazy.

CITY MANAGER'S REPORT

City Manager Cesar made the following remarks:

1. The proposed operational budget will be coming before Commission in the next couple of months. Finance is taking those numbers with the changes they made through the meetings all last week, and will recompile the budget, after which they will know whether or not they will need to take a second or third look to cut back more. Once they get past that point, that is when they start looking at capital requests, equipment requests, and personnel requests. One of the things that they are going to be looking at from a staff level is the draft report in from Municipal Solutions that was looking at salaries, pay structure, benefits, etcetera that we should have, hopefully, the final report by the end of the month. That is one thing they are looking into the proposed budget for next fiscal year, though he mentioned at the last meeting that there are some areas in City where we are critically undermanned, so he may be looking to implement some changes in those areas even before the budgetary process but will bring it before Commission before it is implemented.

2. There will be a presentation at the next commission meeting regarding job postings for the Recreation Center. Back when the State shut everything down, one of the areas that was hard-hit was

the Recreation Center and most of those employee positions were left vacant. You'll see quite a number of postings go out for lifeguards, summer youth staff, etc. Heather Casebolt and possibly other people from the Recreation Center will give a more in-depth presentation on that in the first meeting in March.

3. Senator Heinrich was in town this afternoon, there was thirty minutes of his time allotted for Alamogordo, the County, the Chamber, and the regional jet group. From the City-side, not only the regional jet, but the expansion of the taxi way and issues we've faced over the years in the FAA funding and the approval of the project was discussed with the Senator and his staff. Other projects discussed were the Parallel Pipeline, the well transmission line that's been called a number of different things over the time he has worked for the City. We did express the need for, especially now with Federal and State money flowing, that we the City have at least the first phase and soon the second phase shovel ready to bid.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Commissioner Rardin made the following comments:

He frequented the Kids Kingdom area with his daughter and there is a lot of people that speed through there. He didn't know if they could go in there and put fifteen mile per hour speed limit signs or have officers down there more often, he knew they were short-staffed on officers. City Manager Cesar asked if he was talking about Oregon Avenue and Commissioner Rardin confirmed he was. Commissioner Rardin said that one of these days they are going to have a child hit over there due to how they drive, mainly from 18th to Indian Wells. He was there Sunday afternoon where his daughter was playing soccer with her friends and there were probably five to six cars that flew by there. City Manager Cesar said that the first thing they can do is the signs that flash at you; those signs record the speed and amount of traffic, so we could get those installed down in that area so they have more data to go on and see what traffic is doing down there, to see if it is appropriate to change the speed and if so, what the limits of that change would be.

Mayor Payne made the following comments:

There have been several more accidents on La Velle Road, she didn't know what they could do about it, but that is where she is scared someone is going to get killed. Several of those cars have ended up in somebodies' yard and there could be kids playing out there. She knew that we are trying, but she felt it was worth mentioning because there were two more accidents recently.

Pat O'Conner passed away recently. She worked for Mayor Payne for a few years, but she knew her for longer than that. She is definitely worth mentioning, she was active in the community, had a restaurant at one time, was active with KBBA TV Station, and many other things in the community. She was a dear friend, but really a friend of the community and will be missed.

Commissioner Rardin added on to what Mayor Payne mentioned at La Velle, that the flashing lights put heading northbound isn't flashing anymore and is already broken. He thought it was the first one since there are two of them. Commissioner Wright said he saw Burnis Davis out there this weekend.

CONSENT AGENDA

3. Approve the minutes for the February 8, 2022 Regular meeting. (Rachel Hughs, City Clerk)

4. Approve the statements related to the Executive Closed Session held on February 8, 2022. (Rachel Hughs, City Clerk)

5. Consider, and act upon, adoption and final publication of Ordinance 1645, revising the City of Alamogordo Employee Manual. *(Kim Torres, Human Resources Director)* (Roll Call Vote Required)
6. Consider, and act upon, adoption and final publication of Ordinance 1646 Case Z-2021-0006(A) for a map amendment to change the zoning of the property located at 1215 Michigan Ave. from R-3 Two- Family Dwelling District to C-1 Neighborhood Business. *(Stella Rael, City Planner)* (Roll Call Vote Required)
7. Consider, and act upon, adoption and final publication of Ordinance 1647 Case Z-2021-0005(A) for a map amendment to change the current zoning designation of the property located at 1005 E. Ninth Street from C-3 Business District to MH-2 Manufactured Housing Park District to bring into zoning compliance and continue operating as a Manufactured Housing Park. *(Stella Rael, City Planner)* (Roll Call Vote Required)
8. Consider, and act upon, approval of changes to City Manager's contract. *(Petria Bengoechea, City Attorney)*
9. Consider, and act upon, approval of a request from the Alamo Senior Center to dispose of a fully depreciated Hobart dishwasher by way of auction. *(Magdalena Morales, Alamo Senior Center Manager, Veronica Ortega, Community Services Director)*
10. Consider, and act upon, the award of RFQ 2021-01 Airport Engineering Services, White Sands Regional Airport to Delta Airport Consultants. *(Brian Cesar, City Manager)*
11. Consider, and act upon, award of RFP 2022-003 Re-Bid On Call Bay Door Repair and Maintenance Services to Custom Overhead Doors, Inc. *(Nancy Beshaler, Public Works Director)*

Commissioner Rardin moved to approve the Consent Agenda.

Commissioner McDonald seconded the motion.

Roll Call Vote was taken.

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

NEW BUSINESS

12. Consider, and act, upon Resolution 2022-10, declaring 118 New York Ave. to be so ruined, damaged, and dilapidated that it is a menace to the public comfort, health, peace or safety and ordering its abatement. *(Jim Baker, Code Enforcement Supervisor and Richard Adler, Fire Chief)* (Roll Call Vote Required)

Code Enforcement Manager Baker detailed the timeline concerning notices, abatements, and warrants, then showed pictures and spoke on the dangers and damages of the structure. It would be his recommendation that Commission approves the resolution.

Commissioner Rardin asked Code Enforcement Manager Baker if there had been any response from the property owner. Code Enforcement Manager Baker said they had no response, they've sent three letters total for the IPMC, the dilapidated property, and for weeds with no response. Commissioner Rardin asked if everything had been returned with the certified letters and Code Enforcement Manager Baker replied yes.

Commissioner Rardin asked if the taxes were being paid on it. Code Enforcement Manager Baker said he was not sure; he had looked at it but didn't know.

Mayor Payne said she had gone into this house but refused to go in without a mask, it was really that bad.

Commissioner Rardin asked if they had a ballpark for what it was going to cost to tear this one down. City Manager Cesar answered that based on the age, they have not gone in and had it tested for lead, asbestos, etc., but he is going to assume due to the age of the home that it is going to have asbestos material in it. With the state that it is in, it is not a property that can get a traditional abatement down. It is going to have to be like some other properties they've had recently, they will have to get the company to come in and collapse the entire structure and spray it down as they do it, then haul everything away. On that property, we are probably looking in the neighborhood of twenty-five to thirty.

Commissioner Rardin asked if they are doing this in-house or having somebody do it, and City Manager Cesar said that no, we don't because assuming there is asbestos, it is not something that we the City can take down unless that asbestos has been abated. Commissioner Rardin said that it looked pre-asbestos and asked if it was adobe. City Manager Cesar said there were remnants of sheet rock and joint compound, he did not remember what the material was on the floor, but if it did have the tiles, there is likelihood that the mastic would also contain the asbestos material. Mayor Payne said that you could not see the floor.

Commissioner McDonald moved to approve.

Commissioner Wright seconded the motion.

Roll Call Vote was taken.

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

13. Consider, and act, upon Resolution 2022-11, declaring 700 Delaware Ave. to be so ruined, damaged, and dilapidated that it is a menace to the public comfort, health, peace or safety and ordering its abatement. (Jim Baker, Code Enforcement Supervisor and Richard Adler, Fire Chief) (Roll Call Vote Required)

Code Enforcement Manager Baker detailed the timeline concerning notices, letters, abatements, and warrants. There was a fire in this structure in 2015 which resulted in a fatality. He showed pictures and spoke on the dangers and damages of the structure.

Commissioner Rardin asked Code Enforcement Manager Baker if there had been no contact from the owners. He answered that when they served the search warrant, and individual came up to them and indicated that he was a representative. Later on, he said he was owner, they were working to take a bunch of trash out of the building.

Commissioner Rardin asked if Code Enforcement Manager Baker knew if the taxes were paid. Code Enforcement Manager Baker said he looked at it but couldn't tell. Commissioner McDonald asked if it made a difference if the taxes were being paid, and Commissioner Rardin responded that if we knew it was being paid, then we know someone is paying.

Commissioner Rardin asked if the fatality in there was a vagrant. Code Enforcement Manager Baker said it was the person who lived there but was unsure if it was a homeowner or renter. This happened back in to 2015, there was a fatality to a person and a dog.

Mayor Payne said she believed City Attorney Bengoechea spoke with him. City Attorney Bengoechea said she didn't believe the person she met with was the property owner, she believed there is something go on at this property that is not correct at this point. She is not sure it is legal or that the people who are inside of it have the right to be inside of it. He said he was a representative and made misogynistic comments to her. Commissioner Rardin asked City Attorney Bengoechea if she knew who the registered owner of the house is, and she replied yes, that is who we sent the letters to. He had a printout of the assessor's page but didn't know anything about the letters. When she asked him for his contact information and address so we could communicate with him, he refused it. It wasn't correct, the way that was handled, if anyone was the owner of that they would have said absolutely contact me, I don't want you to take my house. He knew exactly why there we were there but wouldn't give us his contact information.

City Manager Cesar stated that because of what was being done there at the time, and he doesn't disagree that don't necessarily have to have the CID permit, but there was a large twenty-to-thirty-yard container that was in the backyard. He passed that information on to one of the Public Works employees so that they could do some follow-up to see where the material was going and how it was being disposed of. Again, a home of that age, there is a danger of asbestos being in the home, and that's not something we would want at the regional landfill to be disposed of in an incorrect way. The construction landfill out as Mesa Verde would have the same issues. We went to that property at around ten o'clock, the Public Works employee was out there just after 1:15 PM; everything was closed up, boarded up, and the dumpster was gone and has not returned. Commissioner Rardin said it was a little odd that they picked it up that quickly.

Commissioner McDonald moved to approve.

Commissioner Burnette seconded the motion.

Roll Call Vote was taken.

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

14. Consider, and act, upon Resolution 2022-12, declaring 808 3rd Ave. to be so ruined, damaged, and dilapidated that it is a menace to the public comfort, health, peace or safety and ordering its abatement. (*Jim Baker, Code Enforcement Supervisor and Richard Adler, Fire Chief*) (Roll Call Vote Required)

Mayor Payne noted that they had someone speak earlier concerning this line item.

Code Enforcement Manager Baker detailed the timeline concerning warrants and certified letters, they were in communication with the owner that lives in Denver. They were also in contact with Ms. Stackhouse who lives next door, and that is to his understanding where the letters were being mailed to, from which she forwards them to her sister, who is the owner. The owner was trying to get some bids to get the property demolished but they had not heard anything back from her. He showed pictures and spoke on the dangers and damages of the structure.

City Attorney Bengoechea said she wanted to make the Commission aware that she has received two emails on the blight email address specifically complaining about this house. They were very detailed with pictures. She believed Commissioner McDonald sent out some letters to her district this weekend that generated two calls to her office with excitement that this was finally coming down, from people around this home who believe that it is a danger. This was one of the properties that they get the most calls and emails about, who feel for the family but are excited that this is finally being considered to come down.

Commissioner Rardin said he wanted to ask the representative of the residence, in the event that we gave you more time on this, do you have the means of getting it torn down and cleaned up. Ms. Stackhouse said this was a hard topic. When the house got like this, she wasn't here in the state of New Mexico, she had gotten in trouble and had to do probation in North Carolina. That house wasn't in that condition when she was here. For years, she has been battling with her family. Since her grandmother passed away, she has been trying to get them to give her the house. She has a son that lives in Las Cruces who has begged for the house so he can get it torn down. One uncle in Albuquerque keeps insisting that he doesn't give a damn about the house; on Saturday she finally talked to him and said it was unfair that he was being hateful and mean. If he had just signed the deed over to her, she would take care of it to the best of her ability. He finally broke, she has the paperwork at home, and the quick claim deeds sent out to all three of them so they can put this in her name. She had talked to Commissioner McDonald, and she had gotten tired of the structure living right next door to it but knew that her grandparents worked hard for it. She doesn't have the money to tear it down and didn't know the steps to hire somebody to take it down. She explained that if this was something that she couldn't stop, or if the Commission got involved, she was willing to make payments so that she can keep it. She is unfortunately the only one that is fighting for it, even if there are several other family members. She didn't know what else to say or do about it, it was embarrassing. She lived in that house, raised three kids in that house, so if she had to get out there and help tear it down, she is willing to do that, but she doesn't have the means. They had all the bins out at Holloman, and they didn't want to put stuff in the back of their truck, and she couldn't blame them. Once she got the deeds, she could deed the place over to her son in Las Cruces and his crew could come tear it down; it would take time for her to talk to him and for him to see the paperwork. She doesn't know when the family members will get the deeds back to her, but she is praying they get it back to her as quickly as possible. It is a big family issue, and she knows that it needs to come down.

Commissioner Rardin said they have a family member that is willing to do something, so we don't have to step in and spend taxpayer money to do it.

Mayor Payne asked Ms. Stackhouse why, if her son is willing to tear it down, are we waiting for them to deed it over to her, why can't he just come tear it down. Ms. Stackhouse answered because her son is getting a loan to get it rebuilt after being torn down, and by his name not being on the deed as an owner, there is nothing he can do. Once again, it goes back family members being stubborn and not wanting to sign the deed until Sunday night. Her son isn't here so she can't speak for him, but she knows what he has told her in the past. She stated that she didn't want the property as she already has two and would give it to her son. Her son was talking about building a house and renting it out, but she wasn't sure where his mind was on that since he had opened up a trucking business. She would call him tonight and let him know she came forward and met with Commission. She would get back in touch with City Attorney Bengoechea. She tried her best to communicate but when the family makes her mad, she steps away. There is only so much she can do because her name isn't on it.

Mayor Payne said the issue she had was there was no guarantee, even if they allowed this continue, that they are going to sign the deed over to her. It doesn't sound like her uncle has cooperated much or even cares. Ms. Stackhouse said he finally got him to break, because at first, he didn't even want to talk about it, but on Sunday night he called her asking for paperwork. Everything was closed on Monday, so this morning bright and early she was up trying to get the paperwork; she went down to the deed office where Denise helped her fill out the paperwork. Then she talked to someone in Ms. Branch's office this morning, she just needs to notify the family and let them know they are coming. She is not sending the letters first class or next day delivery, she is sending them by regular mail. Mayor Payne asked what guarantee they had he would sign it. Ms. Stackhouse said she really thought he was going to do it because he's never asked or went into details or called her back. Like she told him, he would never hear about this again, he just wanted his name off. She was sure that he is going

to sign the paperwork; she is almost at the point where she would drive to Albuquerque and take him the paperwork to make sure it gets signed. Mayor Payne asked if that is where the owners were at, Albuquerque, and Ms. Stackhouse clarified that he was, the other two, Anita Shells and Charles Smith, they live in Denver. If she has to, she would take off this weekend and get the paperwork done, so she could notify City Attorney Bengoechea about the signatures for the deed. Mayor Payne said she understood but she was trying to look at this practically, lets say if she does get that done, then she'd have to see if her son actually is able to do it. It sounds like to her that this could go on for another year, practically speaking, she has a real concern that if they let this, that we are going to have neighbors complaining because a year from now they will be in the same spot. She appreciated that Ms. Stackhouse wanted to preserve this property, however, what she will say, she lives next door to the property, so she is right there, even you have to admit the building needs to come down. You are talking about a piece of property that, as long as you live next door, that property is always going to be there. If your son decides to rebuild on it, it doesn't sound like he is going to live on it anyway. She gets the emotional attachment, but she has a real hard time with if that is really best for the Commission to let this continue on the hopes that x, y, and z are going to take place.

City Attorney Bengoechea suggested the Commission pass the resolution with the caveat that the City take no action for x number of days, then after x number of days to enforce the resolution. You could give Ms. Stackhouse sixty days, ninety days, she doesn't want to put words in anyone's mouth, so you could do with the understanding that the City will not enforce this as long as you get this done in however many days you all want. Mayor Payne said she liked that and thought that it was fair. Commissioner Burnette asked what the timeline was, if they passed it, for this being torn down. City Attorney Bengoechea responded that if they passed it this evening, the law provides that Ms. Stackhouse has ten days to either abate it herself, or to file an objection with this Commission and have a hearing on the subject. You are going to have a hearing on another piece of property we already talked about next time. Once the hearing happens, assuming she filed that objection, if the Commission enforces the resolution, then she could take it to District Court, but she didn't know what the time line would be as there would be a lot of variables if this happens. If she doesn't object, then in ten days they would have their engineering staff send out Southwest Abatement to look at it, or whomever our new contract is with, to give us a quote on it. As soon as we got that quote, assuming there is no objections, we would hire them to get started right away. She wished she had a more definite answer, but it just depends on the objections.

Commissioner Rardin asked Mrs. Stackhouse if she thought she could get the paperwork that the family needs done within sixty or thirty days. Ms. Stackhouse responded yes sir, she does. Mayor Payne said that was just the paperwork, they need a guarantee. Commissioner Rardin agreed that they needed to see some action, such as when the deed is transferred over to her son, if her son could come by and start demolishing the house to get it hauled off. If we can get the property owner to do it rather than using taxpayer's money, he is all for that. Ms. Stackhouse said she would do her best. Mayor Payne said her other concern is that if her son takes it down, he does it legally with a permit, because that is really a health hazard if he doesn't concerning the asbestos issue. Ms. Stackhouse said she knew the asbestos had been removed when her grandfather was working on the house, the interior on the inside of the house was completely redone; her grandfather said that once he passed away, the house was going to fall to shits, you are talking about a Vietnam war vet. Mayor Payne said it still needs to be permitted before you tear it down. Ms. Stackhouse said she would work on it, even if she had to do it herself; find somebody out here to help her out, she will do the best she can. She wished she had the knowledge, that way she can start pulling those and show effort that something was being done.

Commissioner McDonald asked Ms. Stackhouse if she could get all three owners to agree to sign off to you. Ms. Stackhouse answered that they all agreed on Sunday, that's why she was running around this morning to get the paperwork together.

Commissioner Paul said the question now was sixty days or ninety days. Mayor Payne said no more than sixty. Commissioner Paul asked City Attorney Bengoechea if they had a limited number time, thirty days, to see some type of action, it is possible to then extend it if they saw additional action on Ms. Stackhouse's part. City Attorney Bengoechea said what she would suggest that if they wanted to do that, they should table the item and tell us when you like it to come back, because she doesn't know what that looks like. It can be taken off the table until the first April meeting or whenever they would like. Commissioner Rardin said how about we table it for thirty days and bring it back on the second meeting of March, the fourth Tuesday of March. Ms. Stackhouse said she wouldn't be here in town; she would be in Florida for a convention. She just opened up a shop in the Granada Shopping Center and needs to go take classes to get educated on the products and merchandise that she is bringing to the table for our town. Mayor Payne said that she is personally not comfortable with tabling it, she would rather make a decision and give a concrete timeline or date because she is concerned that if we table this, we are just going to be right back in the same situation.

Ms. Stackhouse asked if the City did go in there, demolish the house and tear it down, would she be able to make payments. City Attorney Bengoechea said her office could set her up on a payment plan, this could cost \$20,000 to \$30,000 dollars, so it'll be several hundred dollars a month. They can't extend it out for a long time. We can make payments but understand they have gone down that road in the past, and if payments are missed, they will foreclose on it as they can't keep restarting payment plans. Ms. Stackhouse asked if they might know the price range monthly, and City Attorney Bengoechea responded she did not know the full cost this evening, it would have to be the full cost of demolition, state law that says there is statutory interest because when they file a lien, liens have interest on them, they cost money to file. It is a lot more than she could give her tonight. Ms. Stackhouse said she is willing to do that if they tear it down, she could make arrangements to pay on it; she is waiting for a lump sum of money to come in, but she doesn't know how much longer that is going to be, it is an open case that they have been working on for two years. Mayor Payne repeated she is not willing to kick the can down the road and Commissioner Rardin agreed. City Manager Cesar said that normally on these properties, what will happen is they will have the lead and asbestos tested, either a city crew will take it down if they can abate the property and there isn't an issue, or they will contract it out to where you've seen buildings collapsed on themselves. Until that testing is done, he couldn't give a number on what it would cost for this particular property. Once that process is completed, the next step from the City Attorney's Office is that a lien is placed on the property, at that point they typically foreclose on the lien, and then the property owner does have the ability to come in and pay off the amount of the lien like City Attorney Bengoechea said. We can't have an indefinite repayment plan for the amount of the lien, but something reasonable could be established. Or the next step could be, as they have done on other properties, if the property owner doesn't come in to pay off the amount of the lien, and they've foreclosed on property, it goes for sale on the courthouse steps. We've had property demolished, cleaned up, we've placed the lien, and immediately it sold. Property owners can make full payment or arrangements.

Commissioner Rardin said if we passed the resolution with ninety days and nothing happens, then we carry on with it. Mayor Payne wanted to shorten it to sixty, Commissioner Rardin responded that given the climate war we are in right now, he knew she would have trouble finding a contractor. City Attorney Bengoechea said, just to be very clear, if we set it for sixty days, then at the expiration of those sixty days, Ms. Stackhouse will be able to come in and file an objection. At that point, those ten days start. It will not be torn down on the sixty-first day. It will take more, and it could still drag out. Commissioner Rardin said it would be until the end of the year before it is torn down at sixty days.

Commissioner McDonald wanted to state that because she had gotten the attention of the owners in this short term, she thought that thirty days should be fine so that would put them on alert and there wouldn't be any backing off. It would be nice to stretch it out sixty or ninety days, but she thought they owed something to the neighborhood. Mayor Payne asked Commissioner McDonald what she would like to see in thirty days, and Commissioner McDonald responded that she would like to see them with a plan on what they are going to do. Commissioner Rardin said that the resolution would pass tonight, the thirty days starts ticking, if something is not done within thirty days then they process forward. Mayor Payne said that is what she is worried about, she doesn't want to set up Ms. Stackhouse for failure. City Manager Cesar said the process would proceed forward, but you really need to define what something substantial is, your substantial may be different than my substantial. Mayor Payne didn't want to do a baby step thing, she wanted to have a plan and decide. She is hearing what Commissioner McDonald is saying, split the difference and have 45 days, but what she would like to see done in that time is the property in Ms. Stackhouse's name, deed it over, that she has hired somebody, or her son has hired somebody to tear it down, and she is ready to do that. She thought that forty-five days is plenty of time to do that. This has been going on for so long that we've got to do something. Ms. Stackhouse said she hadn't been in that house for a year, or in Alamogordo for some time, then the letters started coming. She will do her best that she can and stay in communication with City Attorney Bengoechea because she knows where Ms. Stackhouse is at. Mayor Payne said it is not enough to get it in her name within forty-five days, something has to be done, either the start of demolition or a guarantee they would start on a date. Ms. Stackhouse said that is what she has been trying to do, get her name on the deed, but without her name on the deed she couldn't get help. Mayor Payne said the way she was talking, that should take ten days at the most. Commissioner Rardin said staff could bring a report back in forty-five days of where they are at; pass the resolution tonight, and in forty-five days something is not moving along, we proceed with tearing it down. Mayor Payne asked the Commission if within forty-five days she has to have the property deeded over, a company ready to start tearing it down. City Manager Cesar said at least a contract signed stating it is going to be torn down.

City Attorney Bengoechea stated for the record that forty-five days from today is April 8th. When we make a motion, we should include that date in there, that's the intention of that date.

Mayor Payne moved to approve with the caveat that the potential owner has forty-five days from today, April 8th, to get the property in her name, and get a contract signed to tear the house down.

Commissioner McDonald seconded the motion.

Roll Call Vote was taken.

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

15. Discuss and provide staff direction on the Local Economic Development Act (LEDA) next steps. (Brian Cesar, City Manager)

City Manager Cesar said they had a contractor which has provided the economic development services for Alamogordo, what he is asking for tonight from Commission is to move forward. He has given three different options, not that those are the only options out there. What the City has traditionally done is gone out on RFP; we've had very limited success attracting companies due to the amount of the contract. With option one, the direction you are giving staff is to go back, take the last couple of RFPs the City has put out for this service, revamp those, and bring them to today's standards to attract a company. Option two is to flush this out, bring additional information to Commission as to take this, and bring this in as a city function, the Local Economic Development Tax. Just like we've used the tax money over the years to pay the contractor for the services they provide, it is perfectly

permissible for the city to use up to the same amount of 10%, he is not saying that 10% would be used, but that could be brought in as a city function. The tax could be used for salary benefits, if the Commission was to go down this route, we would be bringing back job descriptions, details of what these positions would do, which would be more than just looking at LEDA. As staff we don't believe that is a full-time job; we would be bringing back to Commission regardless of how they decide or give direction tonight. There are other things that the Commission done away with as staff that we are going to be bringing back, such as the group ordinance, other economic incentives outside of LEDA. From a staff level we would envision that if this came in as a City position, that the person selected for this position would not only do LEDA but other functions. The third, the tax could be allowed to sunset, the City would still collect the tax until such time as it expires. What staff would do is to bring back to Commission what the next steps would be to take the fund balance, and what staff would recommend the proceeds be applied to, and then the steps that the Commission would need to take to allocate those funds to a project or whatever purpose the Commission would put forth to the voters. Tonight, he is just asking what direction the Commission would like staff to go.

Commissioner McDonald said she would like to hear from Brian what direction he is looking for, not just send it to the Commission, but what did he see as viable options. City Manager Cesar recommended either option two or three. The City of Alamogordo, since the Economic Development Tax that was enacted many years ago, has tried option one.

Commissioner Rardin said he would like to see staff bring back an option for item two and item three, to give the Commission more information. Information such as what it would cost us to bring it in-house, what the ongoing cost is going to be every year that we have it in-house with the staff member handling that, the process we would take if we let it sunset, then how we would repurpose that money, and some potential options for what we would use the money for. He asked City Manager Cesar if that is in the 105 fund, City Manager Cesar replied yes.

Mayor Payne said she was 100% in support of option two, and a little on the fence regarding option three; that's a tough one because you want to have an incentive to bring in new business, but at the same time, she understood why they would do that. She was a big proponent of economic development, and she didn't feel like we've had enough of that, she personally thought we could do more if we had somebody on staff that was dedicated to that. There are things that we obviously can't do as a government entity in terms of economic development, but we can certainly do a hybrid or something. She always thought LEDA was a good idea, but she is hearing things lately that make her say she doesn't know. We could maybe do both two and three, that's always an option. Commissioner Rardin said we would need the tax if we did item two. Mayor Payne said she always thought that LEDA was pros, but obviously there are some cons, and maybe she needs to do more research to find why we would do that. Commissioner Rardin said that one of the pros would be our GRT here in the city of Alamogordo would drop by an eighth of a percent, which would enable us to pass another eighth of a percent so our GRTs wouldn't go up on the citizens. He said it was a catch-22 because if you look at our success rate of LEDA, they passed that one in 2002 or 2004, somewhere around there, we haven't had a whole lot of successes with our LEDA money. He thought that Medlin Ramps and the place at the mall were the two success stories out of twenty years of collecting the tax. Mayor Payne asked that if we took option three, what we do for economic development; we would have to come up with a plan for that, and she believed that bringing it in-house is a great idea. We've got to do something, and we can't just do nothing; it is important for our community that we strive towards building our economy here, and the only way we do that is with new business. City Manager said to remember with LEDA, as everyone here understands it but maybe the people listening don't, LEDA is not just for any business, it is manufacturing. Mayor Payne said she knew that, if you heard her talking to the Senator earlier today, she is a big proponent of manufacturing, we need more of it, which is why she has a problem with option three. Ultimately, if option two, we could bring it in house, and find somebody

dedicated to that, maybe we would see something different in terms of LEDA that we haven't seen already. Obviously, she is only just one person, but for her, that is worth a shot. Commissioner Rardin said that basically all he was asking was for staff to bring us back options for two and three, and he agrees with Mayor Payne, if we brought it in-house, we would probably have to do so finagling, have the State do the vetting, because if it is in-house, then everything is public record, and these companies coming in may not want their financial information as public record. City Manager Cesar said that option three is relatively easy to bring forward because it will be by state statute; that one is not an issue to bring information back to Commission, you are asking about potential projects, we have a whole list of projects. He would assume that Commission would want to take something if option three was selected, to do away with or allow the tax to sunset, ultimately the citizens would be voting on it. It wouldn't be a project that would be popular to the public as whole, like the replacement swimming pool with the all-season cover on it and etcetera, as opposed to a pipeline up 10th Street. Mayor Payne asked how would we proceed with economic development, she thought that was incredibly important, especially for our community, how would we proceed with that. Commissioner Rardin responded we wouldn't. Mayor Payne said exactly. City Manager Cesar said the incentive would go away and Commissioner Rardin agreed. Mayor Payne said the incentive would go away, but we still have to have someone that does economic development. Our plan to do that in-house is to use a portion of LEDA money to pay for that, and so if LEDA goes away, we don't have that money to pay somebody to bring in-house, do you see what I am saying, so you almost can't do option two unless you have option three. Commissioner Rardin said that is correct, that is what he is saying, he is just asking staff to bring us back information for item two and item three, as an action item at a future meeting, and then we can decide at that meeting what option we want to take, that way we have more information, right now we don't have a whole lot of information on those two items. He said he didn't think that any of us felt that item one is one the table. Mayor Payne asked if we could bring that back fairly quickly though, and City Manager Cesar replied he would not promise at the next meeting but yes. Commissioner Rardin said part of the problem we have too is that the way the ordinance was written is that we are only allowed to use 10% of that for the staffing part, and City Manager Cesar said that was State statute. Commissioner Rardin continued that the problem we have is that we generate about a \$1,000,000 a year of that, it used to be around \$750,000 but that was a few years ago. City Manager Cesar said it was fluctuating. Commissioner Rardin continued that we only get around \$100,000, and you can't go hire a good firm for \$100,000 a year. Mayor Payne said she agreed. Commissioner Rardin restated that Option 2 and Option 3 are really our only options. Mayor Payne said she got it, but one thing she would ask is maybe we can find out what other cities that have in-house economic development are doing. For the purposes of this, she would be curious to see not what other cities are doing but how other cities do it; are they more successful because they brought it in house. In terms of things we can't do because the law stops us, we can work with other organizations for that portion of it. The Chamber does a lot of that already, but she doesn't think they want to do economic development full-time, but we can do some kind of a hybrid it helps us out too, that's something to think about in the back of your head. She said she can do her own research; she is very capable. City Manager Cesar said we could provide that information. Commissioner Rardin said he would like to see what other communities are doing and how successful they really are. City Manager Cesar said it would be difficult to compare it, but we will get you the information; it's like some discussions that a lot of this Commission has had in the past with water and sewer rates, Alamogordo is different than other communities. Mayor Payne said they are different, and she doesn't want to know what other communities are doing, she doesn't want to know which communities are doing it, all she wants to know is if you are looking at other communities are doing it, is it successful. She will certainly do her own research as well, but she was curious to know. City Manager Cesar said we can bring back that information, it is just that Alamogordo is a much different animal. Mayor Payne said she is not necessarily talking about in New Mexico, she is talking about in general, there has to be cities out there that are of a similar size that are doing it; is it more successful to contract out. She thought that was relatively easy to figure out. Commissioner Rardin asked City Manager Cesar how far out he

thought it would be, thirty days, two meetings. City Manager Cesar said it depends on what you keep adding to it. Commissioner Rardin asked again if he thought with what he had right now thirty days, or if he could get that done in two weeks. City Manager Cesar said no, it would not be done in two weeks, probably the first meeting in April. If they could bring it back sooner, they will bring it back sooner. Mayor Payne said there is only twenty-eight days in February, so they are almost done, we've basically got a month, and she thought that was pretty reasonable.

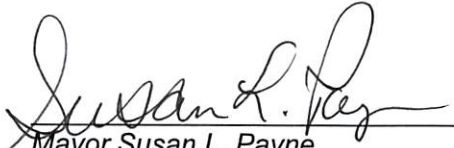
ADJOURNMENT

Commissioner Rardin moved to adjourn at 9:04 p.m.

Commissioner McDonald seconded the motion.

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





Mayor Susan L. Payne

ATTEST:



City Clerk Rachel Hughs

(Prepared by Dylan Aleshire, Deputy City Clerk)
Approved at the Regular Meeting held on March 8, 2022.