

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 P.M., COMMISSION CHAMBERS
June 14, 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 James Forney and the Pledge of Allegiance was led by Commissioner Rardin.

APPROVAL OF AGENDA

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

PRESENTATIONS

1. Presentation on overview proposal of Sol Zia, Inc. *(Bryan Porter, Sol Zia President)*

Bryan Porter, President of Sol Zia, spoke of a proposal they hope to make to the City in regard to upgrade an expansion of the City water and wastewater utility. He said that one of the specific things that we wanted to do was address the water shortages that the City of Alamogordo was facing, as well as the shortage of reclaimed water the City already has for its reclaimed usage. He stated that Alamogordo had a 40-year water plan conducted by a consulting firm around 2005; he encouraged everyone to read it to understand not only the issues facing Alamogordo utilities, but more specifically, the suggestions they had to address the issues, and what our proposal does to accomplish that. The City is not able to even begin to approach water rights it already has; this is problem because the City does not have enough potable water. As population in the area increases, which in that 40-year plan was estimated to be 52% population growth between 2005 and 2045, the issue will become even greater; the City of Alamogordo proper would have just under sixty-thousand people. The projected need for potable water is right around eleven-thousand acre-feet per year. The current yield that the City is able to get is under five thousand. The plan specifically outlined a number of possibilities, some of those were specifically mentioned as part of what we were wanting to propose, which includes the expansion of potable water wells, and specifically, it actually mentioned the area where his property is as one of the best options to expand supplemental wells for the City of Alamogordo. That is largely because the water quality south of Alamogordo is superior to the water quality in Laz Luz. He said if memory serves, the total dissolved solids south of Alamogordo tends to be roughly five times less than the total dissolved solids of the water that is pulled out from the La Luz water wells. That is an important issue because Alamo is currently way out of compliance with both the EPA's expectations for total dissolved solids as well as its own goals that it set for its water system. We are in unique moment right now because the biggest obstacle to doing anything with infrastructure is cost. There is so much federal money available for infrastructural improvement and development. Specifically, this money has not only been earmarked, but there are specific guidelines set to fast-track green and sustainable projects, of which this would

be. One of the things we think would benefit the City of Alamogordo is, not only will the utilities have to expand to serve the increase in population, but that comes at a cost of capital improvements. Usually, cities have to take out debt to finance those and then they recoup it over time through charges to the new users that it has. This is an opportunity to have the capital infrastructure completely paid for on the federal government's dime, and yet still get to reap new user accounts once they join the system, which means increased revenue for water and wastewater utilities. Additionally, because of the location of our property, the location of the of the Wastewater Treatment Plant, and the surface discharge pivot, we can minimize the amount of expansion necessary, and yet also give the City the opportunity to serve new customers. The benefit is, in the area that he outlined on the map that was included, particularly coming down from the Airport Avenue sewer main, you can allow the City's water and wastewater utilities to serve a new hundred customers. The benefit that has to the City is you can choose, because it is New Mexico, to provide sewer service without mandating that they attach to the water utility. What this does is allow their wastewater to come to you with taking any of the City's potable water. This does a whole bunch of things; one of the things it does is immediately increases the amount of reclaimed water the City has to resell, to the golf course, to farmers, to schools, to parks, etcetera. The other thing it does is it increases the availability of reclaimed water for the mixing with new potable water. One of the biggest issues facing the water system is that the main focus of Alamogordo's municipal water wells has been La Luz, and the total dissolved solids there are so significant that a desalination plant was proposed to try to and come up with a way to increase the water coming into the system while also de-watering enough to where they can reduce the solids. By taking in wastewater from people, you are now getting a new influx of wastewater that doesn't have the total dissolved issue, because of treatment you provide at the Wastewater Plant. It is increasing the amount of reclaimed water you have available, which is already an issue, you don't have enough as-is, and it is also allowing you to have new water to mix with the La Luz well water to give potable that is more in-line with EPA and State requirements for drinking. He said that one of things he would like to do is make himself available to put whatever project the Commissioners think is best, to put that together and make it happen without any cost to the City. What we are able to do, because it is in our mutual best interest, is we are able to offer the City the opportunity for us to go out and do all the work to make this money available to City, and additionally to oversee the construction of the expansion, so all you have to do is approve it. It doesn't require any time, money, or manpower on your part. It is really a win-win-win. The grant money that is currently available for free to the City to do this project could include a significant number of ancillary projects that can be tied into the green, sustainable picture of the project. For example, doing upgrades at the golf course that would allow its water consumption to be reduced. That is the purpose of these federal funds, they want to encourage cities like Alamogordo to start doing these things that everyone unanimously agrees is a great idea, that otherwise wouldn't be financially prudent, because there is too much initial cost and not enough of an ROI over long term. He said he would like to mention that the State Office of the Engineer, the USDA, and the Tularosa Basin Conservation District are all fully onboard with this proposal and what it would do for both the Tularosa Basin groundwater and the City of Alamogordo's water and wastewater services.

Mayor Payne said, "federal funds are available to cover the full cost of the infrastructure expansion and improvements", she said she felt like after that, there has to be a hitch somewhere. Mr. Porter said there is not, that is the beauty of the COVID money that the government started printing en masse, not a lot of catches. He said there has been grant money available at the State level for some time, but one of the biggest catches that is always attached to the State money is local government financial participation. In other words, if you want a million dollars from us, you need to match x percent; that doesn't exist in this case.

Mayor Payne asked if this was something we had looked into. City Manager Cesar said yes, this is something that we have looked into, we go after any of the monies that are out there and available.

There is going to be a little more discussion required than the Commission normally permits for a presentation. It is something that we can bring back.

Mr. Porter said to be fair, he has spent many hours on the phone with Mr. Nunnelley and so, the utilities folks are definitely clued into this. One of the issues in the past, particularly in terms of State money, is all the bureaucratic red tape. There is a skip jail and head straight to go option with the Federal program that is available right now, where you move straight to the head of the line and all the necessary bureaucratic oiling and greasing that needs to happen at the State level is taken care of by other people at the State level and Federal level. He said he knew that Mr. Nunnelley had mentioned that was one of the issues; the amount of time for the people at the New Mexico State level to get their act together and help move these things forward is just incredibly slow and obtuse.

2. Presentation on set up of a new Railroad Historical Park. (Joe Lewandowski and Veronica Ortega, Community Services Director)

Joe Lewandowski said that this is a project that is between the City, the Tularosa Basin Historical Society, and MainStreet Alamogordo. MainStreet Alamogordo received a \$20,000 grant a couple of years ago, before COVID kicked in, so everything got put on hold. What we are talking about building here is a historical park design. Mr. Lewandowski proceeded to visually describe the setup of the Railroad Historical Park and elaborate on various areas and items of historical value. Mr. Lewandowski said where the funding for this is the \$20,000. It covers everything except for the railroad car, which will work on donations or fundraising or whatever we need to do. There are no dollars out of the City. In parks, Ronnie's crew will have to reconfigure the irrigation, the sprinkler systems in there with this new item in there. We will keep the rosebushes and add a few more trees and things.

3. Presentation on the City's current debt profile. (John Archuleta, Stifel Public Finance, and Chris Muirhead, Modrall Sperling)

John Archuleta presented the current debt profile in-depth and showed what the situation is concerning outstanding debt for the City of Alamogordo.

Mr. Archuleta said that is a brief summary of the debt that you presently have outstanding. You have room for additional debt if you so desire, depending on what kind of financing you want to do, which is either going to be the municipal gross receipts tax, the state-shared, or water and sewer projects, or going to the voters and getting a general obligation bond question. He said he also has Chris Muirhead with Modrall Law Firm, he will give you a quick rundown as far as how the money can be spent, or what kind of projects can be done with the different sources or revenues that we are dealing with.

Mr. Muirhead said the general obligation option does require an election as John mentioned; that is the most citizen-involved process because you wouldn't move forward without getting voter approval to issue that debt. It has the most secure pledge, which is the full faith and credit of the City, which is the ad valorem taxes and any other revenues that come in. Once you have voter approval, it just takes a simple majority of the Commission to approve moving forward with that financing. Now the other options, which are your State-shared gross receipts tax, or your municipal gross receipts tax, or the utility net-revenues, do not require an election. So, it is just the Commission to decide if you want to do something like that. The statutes require that seventy-five percent of the voting members of the Commission approve moving forward with an ordinance authorizing that debt. If you don't get seventy-five percent but you get a simple majority, you can then send it to the voters to see if they approve it. If you get seventy-five percent support for any of those, what are known as special-fund

pledges, then you don't have to go to the citizens and you can impose that yourself. It is subject to a referendum, that if the residents of the City got enough signatures they could require an election. He said in thirty years, honestly, you just don't see it. Mr. Muirhead said that is a less involved process, though it is still subject to all the Open Meetings Act requirements, there is a lot of sunshine on it through just public notices. There are additional public notices that are required for issuing debt, there are all kinds of public sunshine on any issuance of debt. The purposes, the general obligation, mostly you see those fall squarely into what you are used to seeing for municipal capital projects, roads, water, sewer, major capital improvements, public buildings. The gross receipts tax revenues give you the greatest latitude, whether it is the municipal gross receipts tax, or the stature of gross receipts tax. The municipal gross receipts taxes were recently amended at the State legislature to give you really any general municipal purpose you can use those revenues for, and you can incur debt for any municipal purpose. Again, just looking at the statutes, that is a very broad delegation of authority because there is a very broad list of municipal purposes that you can use it for. State-shared is the same, in small communities, you see a lot of communities pledging the State-share because it is the most stable and significant gross receipts tax that are pledged. The joint system utility revenues are net revenue that John referenced. Again, a supermajority of the council. That is limited to improvements to the system, you would not be able to issue debt payable from those revenues that didn't tie to capital improvements to the system. Again, all of these to make them Federally tax-exempt, which the boon for municipalities because it is lower cost, need to be used for capital improvements. You wouldn't see financing for city operations, you would not finance that; there are ways to do that on a taxable basis, but that is very much not the norm that you would see. Again, to do a tax-exempt and federally tax-exempt, it would have to be for capital projects. Once you have particular projects, what he and John can do is help guide on what the best way to do that is, and to finance those and move through that process. We would make sure, as your bond council, that dotted all your I's and crossed your T's and have done it correctly so that the investors, whether it is public marketing or private placement, have comfort that everything is done correctly and is solid.

Mayor Payor said thank you, we are doing well, she said she thinks it looks good. Mr. Muirhead said that John mentioned that the three refundings that you did in the last year were really successful given where we stand today. Mayor Payne said just in time. Mr. Archuleta said with interest rates right now, if you were to try to do those particular transactions, you probably wouldn't have been to have the savings, but interest rates are probably right around two-and-three-quarter percent versus one percent or less. Mayor Payne said kudos to the City for that, we are looking really good, and it is really nice to see that \$10,000,000, not that we are going to use that bonding capacity, but it is nice to know that is there if we had to do it. There are a lot of municipalities out there that are not in that kind of shape.

PUBLIC COMMENT

None.

CITY MANAGER'S REPORT

City Manager Cesar made the following remarks:

1. We are at the end of the fiscal year. We will begin the new fiscal year come July. One of the things we talked about during the Budget Hearings, at a staff level is at the end of July/first part of August, he, the Finance Director, and the Assistant City Manager will be meeting with various department heads to go over the projects that have been approved. Not just for the last fiscal year, but we have quite a number of projects that have carried on for many years, some of which haven't started. We are going to go back through those projects, re-evaluate, see if they are still needed, funded correctly, etcetera, and then coming back to Commission with either doing away with these

projects, returning monies to fund balances, or reallocating funds. That will be coming forward probably in the second meeting in August.

2. The Scenic Extension Project is finally moving at a fairly good clip. Today the contractor actually finished Lawndale, that was a portion that we had to do to be able to get that crossing. It was an agreement between a property owner and Alamogordo; that portion has been completed along with the closure of 8th Street. The extension itself is moving right along.

3. He said he would like to recognize Rene Romo from Senator Ben Ray Lujan's office. He is with us tonight. We met for close to two hours prior to the meeting, talking about the various issues that Alamogordo is facing and some of the upcoming projects; some of our needs going from the past and going forward.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Mayor Payne made the following comments:

She said they had the ribbon cutting for the completion of the McKinley Channel and it turned out really well.

CONSENT AGENDA

4. Approve the minutes for the May 24, 2022, Regular meeting. *(Rachel Hughs, City Clerk)*

5. Approve the statements related to the Executive Closed Session held on May 24, 2022. *(Rachel Hughs, City Clerk)*

6. Consider, and act upon, adoption and final publication of Ordinance 1650 amending sections of Chapter 17, Article 17-08 Peddlers and Solicitors of the Alamogordo Code of Ordinances to remove door-to-door licensing for commercial solicitors. *(Rachel Hughs, City Clerk)* (Roll Call Vote Required)

7. Consider, and act upon, Resolution 2022-29 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 14, 2022. *(Evelyn Huff, Finance Director)* (Roll Call Vote Required)

8. Consider, and act upon, approving the award of RFQ 2022-04 Professional Services to Update Various Code Ordinance for the City of Alamogordo to NM Local Government Law, LLC. *(Nancy Beshaler, Public Works Director)*

9. Consider, and act upon, approving the award of RFP 2022-010 Auditing Services to Carr, Riggs and Ingram. *(Evelyn Huff, Finance Director)*

10. Consider, and act upon, acceptance of a \$50,000 appropriation agreement from NM Department of Finance and Administration to Alamogordo Police Department to purchase and equip vehicles. *(Richard Denton, Police Chief)*

11. Consider, and act upon, acceptance of a \$65,000 appropriation agreement from NM Department of Finance and Administration to Alamogordo Police Department to purchase and equip vehicles and department equipment. *(Richard Denton, Police Chief)*

12. Consider, and act upon, acceptance of a \$100,000 appropriation agreement from NM Department of Finance and Administration to Community Services for park surveillance equipment. (Veronica Ortega, Community Services Director)

13. Consider, and act upon, acceptance of a \$50,000 appropriation agreement from NM Department of Finance and Administration to Community Services for playground ground cover and borders. (Veronica Ortega, Community Services Director)

Commissioner Rardin removed item 8 from the Consent Agenda.

Commissioner Rardin moved to approve the Consent Agenda as amended.

Commissioner Paul seconded the motion.

Roll Call Vote was taken.

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

ITEMS REMOVED FROM CONSENT AGENDA

8. Consider, an act upon, approving the award of RFQ 2022-04 Professional Services to Update Various Code Ordinance for the City of Alamogordo to NM Local Government Law, LLC. (Nancy Beshaler, Public Works Director)

Commissioner Rardin said he had seen this advertised in the Legals, and he thought it was the Planning and Zoning ordinances, but reading through the agenda report, could we not rewrite these, \$75,000 is a lot of money. Is that something we couldn't do in-house through our Attorney's Office. One of them was the water, sewer, and sewage disposal vegetation, he said he hadn't heard anything about us rewriting these.

City Manager Cesar said if you remember back many months ago now, part of the goals that Commission set for him were the revisions and looking at various ordinances. We have a very good start and tonight we are going to be discussing the Technical Standards. The subdivision ordinance, building ordinance, etcetera, that is already underway and is being worked on. Code Enforcement and those ordinances were a concern of the majority of the Commission. That was a definite goal from the Commission. Can the ordinances be looked at and rewritten by staff and Legal, yes. Can it be done in a timely fashion with everything else we have going on at this time. Part of the reason our ordinances are in this state because it is going to be rewritten by staff, gone through Legal, eventually to Commission; what we are having these various companies do, just like the water and sewer rates, the Technical Standards, etcetera, we are bringing in professionals that not only have worked in New Mexico, but around the country to bring things to today's standard. So yes, \$75,000 is a lot a money and he does not disagree, but if we want this done in a timely fashion, and to move forward, it is money well spent.

Public Works Director Beshaler said that \$75,000 is a budgetary number. When we do professional services through the State laws, we have to select a consultant based on their qualifications, we can't select based on price. So, what happens is we select based on qualifications, and then we negotiate the price. She said she did not know if it is going to \$75,000. Commissioner Rardin said so it is up to \$75,000. Public Works Director Beshaler said right, that is the budgetary number she put in. She said the good thing about this is that it is a law firm that is owned by two lawyers that have been lawyers for the Municipal League for years before they retired, so they have a lot of extensive experiences with ordinances and writing those types of things. She said she thinks there will be some efficiencies because of their experience and how much knowledge they have about

ordinances. She said she thinks the time to complete it based on that, we will have some efficiencies and she said she is hoping it will be much less than \$75,000. We negotiate the price after we award the contract to them.

Commissioner Rardin asked if this will come back to us once we know the regular price. Public Works Director Beshaler said we typically don't bring it back, we haven't ever in the past. Commissioner Rardin said we are going to give a blank check for \$75,000. Public Works Director Beshaler said that is the budgetary number that we put in.

Mayor Payne said that was going to be her next question, was it really \$75,000 or up to \$75,000. Commissioner Rardin said up to. Mayor Payne said she felt like it was not going to be that much. Commissioner Rardin said that in this day and age everything is getting more expensive. Mayor Payne said we did something else recently, an ordinance review on something. Commissioner Rardin asked if we outsourced the P&Z, did that one already come forward. City Manager Cesar said all those are under way, actually part of it is being done; he said that Rusty Payne from Smith Engineering will be in front of you in a little bit. Their company is doing a portion of it. Mayor Payne asked if that was pretty comparable to this. Public Works Director Beshaler said that he actually has more ordinances to update in terms of volume. His contract is timely materials, \$100,000 is the limit. We did the same thing with the Technical Standards, and we gave him a timely materials contract up to a certain amount, and he has not spent sixty percent of it.

Commissioner Rardin asked when was the last time some of these ordinances were updated. City Manager Cesar said that is part of the problem; you have access to the ordinances, and you can see as when they were updated. For the most part, on those ordinances, those were tiny little band-aids. A small section of an ordinance may have been changed. Most of the ordinances are for the most part in their original form since they were enacted. Commissioner Rardin said he believed in not reinventing the wheel, if you just need a little Band-Aid to make it tweak and work for today's age, he said he is okay with that. Commissioner Rardin said he just wanted a little more information on these, he said he hadn't heard any grumblings about these particular ordinances yet and he just thought it was odd to bring it to us to start looking at these when we were working on those other ones. City Manager Cesar said the entire Code of Ordinances really needs to be looked at and updated. These are the ones we have had a particular issue with at a staff level, at a Commission level, and at a public level.

Mayor Payne said she liked that they are looking at this, this is something that really needs to be done. We just need clarity because there are so many grey areas.

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

NEW BUSINESS

14. Consider, and act upon, first publication of Ordinance 1651 Case Z-2022-0001(A), a map amendment to remove the condition that was placed on the property in 1998. Property located at 1001 Scenic Dr. was rezoned from R-1 Single Family Dwelling to C-1 Neighborhood Business Case 1998-0574(A), with the condition that property could only be used as an ATM machine location. (*Stella Rael, City Planner*) (Roll Call Vote Required)

City Planner Rael said we did look at this on May 24th and you all voted to approve on removing that condition. The reason this is coming back in front of you is because the ordinance document was not attached to the agenda. It has to come back as new business.

City Clerk Hughs said she wanted to remind Stella. City Planner Rael said she wanted to remind me; one thing I was going to mention is, reviewing the ordinance, at the bottom of the first page she said she indicated where it says, "is hereby changed to", what you received in the packet it indicated as "changed from". She said she made a correction, it should be "to" C-1 Neighborhood Zoning District without conditions. She said she just wanted to point that out for the record.

Mayor Payne asked if we needed to handle that any differently. City Planner Rael said no.

Commissioner Rardin moved to approve.

Mayor Pro-Tem Wright seconded the motion.

Roll Call Vote was taken.

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

15. Consider, and act upon, the final plat for Case S-2022-0008(A) Somerset Subdivision. (Stella Rael, City Planner)

City Planner Rael said the area consists of a total of 87.91 acres and 140 lots as being proposed. City Planner Rael said that back on January 27, 2022, Public Works Director Nancy Beshaler, herself, and owner Jim French met to discuss the current process to begin creating a new subdivision. After that meeting, Jim French went back and got together with his engineers, and they turned in a preliminary subdivision plat of Somerset around mid-March. The preliminary subdivision plat was submitted by Somerset LLC, owner Jim French and their engineer Souder, Miller and Associates. The Technical Review Committee at this point began the review process of the proposed subdivision, and she said she explained that process at the last meeting when she brought the other subdivision. She said they went back and forth, the owners had to make some revisions, but at this time, the Technical Review Committee has approved this plat. That means the review process of the proposed subdivision has been looked at by the Technical Review Committee, and the engineers and developer have met all our City requirements. She said she is recommending approval of this plat.

Mayor Pro-Tem Wright moved to approve.

Commissioner Paul seconded the motion.

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

16. Consider, and act upon, first publication of Ordinance 1652 amending Section 3-1 of the Alamogordo Code of Ordinances concerning Compensation in the Employee Manual. (Kim Torres, HR Director) (Roll Call Vote Required)

Human Resources Director Torres said this is directly tied to the Classification and Compensation Study we just completed. This allows us to implement the step plan that we put in place. It lays out what happens if someone gets promoted, if they get demoted, if there is a lateral transfer. It also outlines cost-of-living steps, which is the purpose of the step plan, which would come to the Commission every year during the budget for approval. The ultimate plan is to have a cost-of-living step in there. It also outlines a review of the pay plan so that we have an automatic review, at a minimum, every five years so that we don't find ourselves in the same position we were in before.

Commissioner McDonald moved to approve.

Commissioner Melton seconded the motion.

Roll Call Vote was taken.

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

17. Consider, and act upon, approval of Resolution No. 2022-28 adopting the revised Technical Standards as minimum requirements for the design and construction of subdivisions, City utilities, streets, and improvements inside the public right-of-way. (Nancy Beshaler, Public Works Director and Rusty Payne PE, Smith Engineering Company) (Roll Call Vote Required)

Public Works Director Beshaler said in the spirit of bringing the City into the current times, she is bringing the item of the new Technical Standards for your approval. City staff has been working with Smith Engineering for well over a year on these standards with exhaustive hours of review and commenting and research. The draft was made available for public review in early May. We had a Public Meeting in early June; we had two people submit written comments, all the comments were addressed. Those comments, Technical Standards, and a resolution are in your agenda packets.

Commissioner McDonald asked what is the estimated cost on the changes that have not been made going back twenty years, and then what would be the savings going forward for the City. Mr. Rusty Payne from Smith Engineering Company asked if that related to the Technical Standards. Commissioner McDonald said yes. Mr. Payne said he believed that all the Technical Standards that are in there have been addressed, and he said he believed that we spent approximately \$69,000 so far. Commissioner McDonald said she was talking about the cost for the City, based on not having the standards up to date. At this particular point, do you know what it has cost the City not having the Technical Standards revised before now. Mr. Payne said he could not answer that one. Public Works Director Beshaler said she wouldn't even metric a guess on that, we could look into it and try to provide a response to you. The standard drawings were last updated in 2004, and before that, the standards were written in 1994, so you are talking of adjusting many years of Technical Standards.

Commissioner McDonald asked if there would be savings going forward. Public Works Director Beshaler said there should be savings going forward, but she can't quantify that either. What we are really looking to do is protect the citizens of the City of Alamogordo by making sure that all our infrastructure is constructed with the current Technical Standards of the industry, and safely in the best interest of everyone. Commissioner McDonald said she is satisfied.

Mayor Pro-Tem Wright asked if the responses to the public comment sent back to the contractors that submitted, or were they just put in this package. Public Works Director Beshaler said that you and Abe were the only two that commented. She said that they did put it in the packet. We actually had a conversation with Abe on the phone because we had questions with him on some of his comments; we had a lengthy conversation with Dave and Rusty and I, and pretty much went through all of his comments and addressed his issues.

Commissioner Rardin said that on your agenda report, your last paragraph says, "Modifications for day-to-day operational changes will be determined at the staff level.", what exactly does that mean. Mr. Payne said the primary example that he was looking at in those cases is, let's say a model of a fire hydrant is discontinued, the City personnel can go ahead and select and approve a fire hydrant without coming back to Commission. He said what we had in there as well, that any wholesale modification, anything that changes the overall intent of it, would come before Commission again. Commissioner Rardin said it just says that more significant changes will be reported to the City Manager, via addendum, for approval; so, it goes to staff basically still. Public Works Director Beshaler said that they do have a resolution in the packet that discusses the process for amending

the Technical Standards. Commissioner Rardin asked what page is it on. Public Works Director Beshaler said it should be the page right after the agenda report. Commissioner Rardin said so it is in the actual resolution. Commissioner Rardin said it is not for current staff, but for future staff, after you guys all retire, we never know who we are going to have, we don't want to leave too much room for interpretation in there. He said that you guys kind of know what we are thinking, but we could end up with a former engineer we used to have that is in retirement, and if we leave too much room for interpretation it could be disastrous. Public Works Director Beshaler said she was sure that Commission at that time would raise enough questions about the problem, it would probably be addressed at that time. Commissioner Rardin said maybe.

Commissioner Rardin said that it does say in here that the document is a living document that will be reviewed by staff annually for revisions, and a report provided to the City Manager as needed; he said he guessed in order for him to change this resolution, he will have to bring it back to us, or whomever is in that position. Commissioner Rardin said he did not want to leave it up to staff, he said he wanted to leave it up to the Commission, because it is our policy. We set it, staff abides by it.

Commissioner McDonald moved to approve.

Commissioner Paul seconded the motion.

Roll Call Vote was taken.

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

18. Appointments to Boards and Committees. (Susan Payne, Mayor)

Mayor Payne read the openings and appointed Carmen Chavez to the Senior Volunteer Programs Advisory Council. No one was opposed.

EXECUTIVE SESSION

19. Adjourn into Executive Closed Session in compliance with 10-15-1(H)(8) NMSA (as amended) to discuss a land swap of disposal of real property of 200 South Florida and acquisition of right-of-way, South of Highway 70 West of Airport. (Roll Call Vote Required)

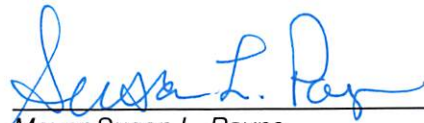
Commissioner Rardin moved to approve adjourn into Closed Executive Session at 7:55 pm.

Commissioner Melton seconded the motion.

Roll Call Vote was taken.

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

ADJOURNMENT



Mayor Susan L. Payne

ATTEST:

June 14, 2022

City of Alamogordo Regular Meeting

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City Clerk Rachel Hughs

(Prepared by Dylan Aleshire, Deputy City Clerk)

Approved at the Regular Meeting held on June 28, 2022.