



Alamogordo City Commission

NOTICE OF MEETING

Regular Meeting Agenda

May 9, 2023 - 6:30 PM

Donald E. Carroll City Commission Chambers
City Hall, 1376 E. Ninth Street

Susan L. Payne Mayor
Dusty Wright Mayor Pro -Tem, District 6
Nick Paul District 1
Stephen Burnett District 2
Karl Melton District 3
Josh Rardin District 4
Sharon McDonald District 5

Stephanie Hernandez Acting City Manager
Ashley Smith City Attorney
Rachel Hughs City Clerk

MISSION STATEMENT as Adopted by the City Commission on March 24, 1995.

The City of Alamogordo is a Municipal Corporation that exists solely for the purpose of providing the best possible services to our customers, the citizens of Alamogordo. We are committed to providing these services with honesty, integrity, compassion, fairness, and a commitment to excellence.

We are committed to the long-term financial stability and responsible growth of the City and all decisions will be driven by our commitment to provide the best services possible in a financially sound and responsible manner given the economic realities facing the City.

In accordance with Section 10-15-1.D, NMSA 1978 (2010 Cumulative Supplement), this agenda has been posted on the bulletin board located in the east/west lobby of the City Hall and in the glass case located outside of the north entrance of the City Hall, distributed to the appropriate news media, and posted on the City website: <http://ci.alamogordo.nm.us> within the required time frame. As a courtesy, the entire Agenda Packet has also been posted on the City of Alamogordo website: <http://ci.alamogordo.nm.us>

The Mayor and City Commission request that all cell phones be turned off or set to vibrate. Members of the audience are requested to step outside the Commission Chambers to respond to or to conduct a phone conversation. The Alamogordo Commission Chambers is wheelchair accessible. Other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Clerk's Office at 575-439-4100.

CALL TO ORDER & ROLL CALL

Announce the presence of a Quorum.

INVOCATION & PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

PRESENTATIONS

1. Motorcycle Awareness Month Proclamation. (Susan Payne, Mayor)
2. Presentation on 100 Percent Otero update count. (Peg Crim, 100 Percent Otero Co-Founder)

PUBLIC COMMENT

Residents must sign up with the City Clerk to address the City Commission. Comments are limited to 3 minutes, and there will be a maximum of 21 minutes allowed for Public Comment.

CITY MANAGER'S REPORT

REMARKS AND INQUIRIES BY THE CITY COMMISSION

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

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

3. Approve the minutes for the April 25, 2023, Regular Commission meeting and the May 1, 2023, Budget Hearing Workshop. *(Rachel Hughs, City Clerk)*

ITEMS REMOVED FROM CONSENT AGENDA

UNFINISHED BUSINESS

4. Consider, and act upon, Ordinance 1676, Z-2023-0003(A) for first publication, a map amendment to change the current zoning of the property located at 1209 Ohio Avenue from R-3 Two Family Dwelling District, to R-4 Multi-family Dwelling District. *(Sean McGranaghan, Assistant City Planner)* **(Roll Call Vote Required)**
5. Consider, and act upon, the proposed City Charter recommendations by the City Charter Committee. *(Benjamin Luna Jr., Charter Committee Chairman)*

EXECUTIVE SESSION (Roll Call Vote Required)

6. Adjourn into Executive Closed Session in compliance with 10-15-1(H)(2)(8) NMSA (as amended) to discuss: Limited Personnel Matters (City Manager and Acting City Manager) and Real Property located on 310 N. White Sands Blvd . **(Roll Call Vote Required)**

ADJOURNMENT

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 5/9/2023

Report Date: 05/02/2023

Report No: 1.

Submitted By: Susan Payne

Subject: Motorcycle Awareness Month Proclamation. (*Susan Payne, Mayor*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Presentation only.

Background:

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 5/9/2023

Report Date: 05/02/2023

Report No: 2.

Submitted By: Rachel Hughs

Subject: Presentation on 100 Percent Otero update count. *(Peg Crim, 100 Percent Otero Co-Founder)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Presentation only.

Background:

100 Percent Otero will present the findings of the 2023 Point In Time (PIT) count conducted for the City of Alamogordo and Otero.



City of Alamogordo City Commission Meeting
AGENDA REQUEST FORM

Today's Date: 4-19-2023

**Request Date
of Meeting:**

May 9, 2023

Name and Title:

Peg Crim, Co-Founder, 100% Otero

Address:

2400 North Scenic, Pro Tech Bldg Rm 130

Alamogordo, NM ZIP 88310

Phone Number:

575-551-1726

E-Mail Address:

peg.crim@100otero.org

Item requested will be for information only

Brief description of topic to be discussed:

Please attach one original of any documents pertaining to the topic -

We do not allow handouts at the meeting

100% Otero would like to present the findings
from the 2023 Point In Time (PIT) count
conducted for the City of Alamogordo and
Otero County

Signature: Cally Finnegan

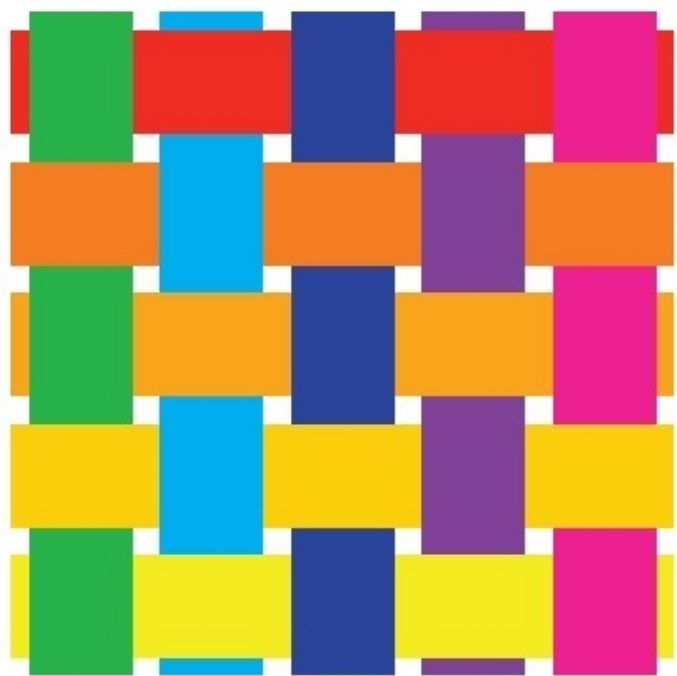
Please return to:

Rachel Hughs, CMC, City Clerk
City of Alamogordo
1376 E. 9th Street
Alamogordo, NM 88310

Phone: (575) 439-4100

Fax: (575) 439-4396

E-mail: rhughs@ci.alamogordo.nm.us



100% *Community* OTERO

Weaving It ALL Together

100% Otero
Grassroots Nonprofit
Eliminate Childhood Trauma
Support Families in 10 Vital Services

Food
Housing
Medical/Dental Care
Behavioral Health Care
Transportation

Parent Supports
Early Childhood Learning
Community Schools
Youth Mentoring
Job Training



2023 PIT Count



What is a PIT Count?

- **Unsheltered Count:** uses surveys and street outreach to account for individuals and families experiencing unsheltered homelessness on the night of the count
- **Sheltered Count:** the count of people who are sheltered in emergency shelter and transitional housing on a single night

2023 PIT Count Methodology

Outreach: Newspaper, Radio, Social Media, Flyers, Word of Mouth, Day of Hope

Volunteers Recruitment & Training

PIT Count January 31-February 3, based on the night of January 30

Partner Sites: churches, community meal sites, nonprofits, courts, medical offices, counselors, etc.

Mobile Teams: parks, parking lots, food pantries, laundromats, bus stops, libraries, undeveloped land, food trucks, etc.

Community health workers, interns, employees of courts, nonprofits & agencies, APS (Flo), individual volunteers, etc.

Otero County 2023 Data

- 40 surveys, 49 people
- Aged 18-63 (47 avg)
- Four children under 18
- Most stayed in vehicle, park, undeveloped land
- Two-thirds male
- One-third first time homeless
- Average 2.5 years since having stable housing (1 month - 10 years)
- Just over half are from NM
- Ten percent had military experience
- Two-thirds reported mental health conditions and one third have chronic illnesses
- Ten percent were homeless because of domestic violence
- One quarter listed “no income” as cause of homelessness
- No knowledge of shelters, no shelter for women, shelters full, no dogs



Sheltered Count

COPE 11 adults, 3 children

Runner's Refuge 3 adults

Schools (McKinney-Vento Program)

- Alamogordo 157 students
- Cloudcroft 2 students
- Tularosa 2 students

Now What?

Future PIT Counts

Days of Hope in Otero County

Continue building relationships and
having conversations

Experiments

Join us



Otero County 2023 Report

<https://www.100nm.org/otero/2023-pit-report/>

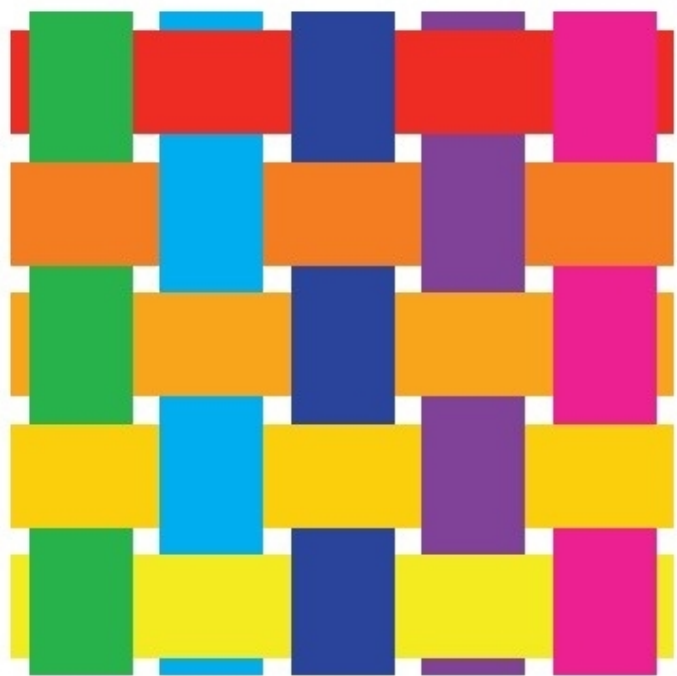
New Mexico Coalition to End Homelessness

<https://www.nmceh.org/>

Nationwide Statistics

<https://usafacts.org/>





100%

Community

OTERO

Weaving It ALL Together



Otero County

2023

Point In Time Report

A Project Funded by The City of Alamogordo and Otero County



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What is Homelessness?

HUD Definition

As per HUD definition, a literally homeless individual or family is an individual or family who lacks a fixed, regular and adequate nighttime residence. The individual's or family's primary nighttime residence is a public or private place not meant for human habitation. Or the individual or family is living in a publicly or privately operated shelter, or is exiting an institution where (s)he has lived for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering the institution.

<https://osh.sccgov.org/sites/g/files/exjcpb671/files/Glossary%20of%20terms.pdf>

Within HUD's definition, there are four categories of homelessness:

1. Literally Homeless
2. Imminent Risk of Homelessness
3. Homeless Under Other Federal Statutes
4. Fleeing/Attempting to Flee Domestic Violence

<https://www.hudexchange.info/homelessness-assistance/coc-esg-virtual-binders/coc-esg-homeless-eligibility/four-categories/>

The McKinney-Vento Definition of Homeless

(This data is routinely reported by school districts)

Subtitle VII-B of the McKinney-Vento Homeless Assistance Act (per Title IX, Part A of the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act) defines *homeless* as follows:

The term "homeless children and youths"--

- (A) means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 103(a)(1)); and
- (B) includes--
 - (i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;

- (ii) children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of section 103(a)(2)(C))
- (iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- (iv) migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii). <https://nche.ed.gov/mckinney-vento-definition/>

What is a PIT Count?

Point-in-Time (PIT) Count is the annual process of identifying and “counting” individuals and families experiencing sheltered and unsheltered homelessness on a single night in January as outlined and defined by the U.S. *Housing and Urban Development Department (HUD)*. HUD requires any community receiving funding from the McKinney-Vento Homeless Assistance Grants, which includes both the Continuum of Care (CoC) and Emergency Solutions Grant (ESG) funding, to conduct an annual count.

The full PIT count includes

- Sheltered Count: the count of people who are sheltered in emergency shelter and transitional housing on a single night;
- Unsheltered Count: uses surveys and street outreach to account for individuals and families experiencing unsheltered homelessness on the night of the count; and
- Housing Inventory Count (HIC); an inventory of the capacity of provider programs within a Continuum of Care that provides total numbers of beds and units dedicated to serving people experiencing homelessness (and, for permanent housing projects, were homeless at entry, per the HUD homeless definition), categorized by five Program Types: Emergency Shelter; Transitional Housing; Rapid Re-housing; Safe Haven; and Permanent Supportive Housing.

Taken together, the Sheltered, Unsheltered, and Housing Inventory Counts paint a complete picture of our homelessness response system, with the sheltered and unsheltered counts illustrating the need for services and the HIC illustrating our capacity for providing those services.

By conducting the counts annually, we hope to provide better information to service providers, governmental entities, and everyday residents of New Mexico to work together to develop effective and solution-based interventions addressing homelessness across the state.

https://www.nmceh.org/_files/ugd/6737c5_4ecb9ab7114a45dcb25f648c6e0b0a30.pdf

The portion of the PIT Count conducted by 100% Otero reflects those homeless individuals who were **Unsheltered** on January 30, 2023.

Why Count Unsheltered Homeless Individuals?

Information about unsheltered homeless people is useful for:

- service planning
- demonstrating a need for resources in the Continuum of Care application
- raising public awareness about the issue of homelessness

- accurately measuring and identifying the needs of populations that are the hardest to serve (chronically homeless)
- measuring performance in eliminating homelessness, particularly chronic homelessness.
<https://www.hudexchange.info/sites/onecpd/assets/File/Guide-for-Counting-Unsheltered-Homeless-Persons.pdf>

Otero County Historical Data

2021 Otero PIT Count

- Coordinated by Pastor Mike Degner through Hope Community Center, with volunteers including some from 100% Otero.
- Was conducted *mainly* in Alamogordo
- 90 Interviews completed ~ approximately 109 people total
- Demographics
 - 59 Males, 29 Females, and 2 People who Identify as Transgender
 - 10 people had a partner
 - 12 Children included in the count.

2022 Otero PIT Count

- Coordinated through **100% Otero** Housing Team, with volunteers
- Conducted mainly in Alamogordo with some efforts in Tularosa
- Interview sites: Mobile Team, Mountain View Church, Curbside Meal Sites, Corinth Baptist Church, Otero County Administration, Love INC, The Counseling Center, Community Park Tularosa, Counselors, Housing Authority, PMS, PACE
- **TOTAL surveys completed 22 - TOTAL people counted 24**
- 2022 Results
 - Locations
 - Tent: 7
 - Vehicle: 4
 - Abandoned building: 2
 - Outdoors: 8 (some shared locations, some not)
 - Demographics
 - 18 identified as male
 - 6 identified as female
 - Age range: 16-74 (2 people did not reveal their age)
 - Medical Questions
 - 13 reported a mental health condition
 - 3 reported a substance use disorder
 - 9 reported a disability or traumatic brain injury
 - 12 people were from New Mexico
 - 5 were NOT homeless when they arrived in Otero County
 - 4 were experiencing homelessness when they came to Otero County

2023 Otero County PIT Count Methodology

The 2023 Otero County PIT Count was coordinated by Nadia Sikes under the auspices of 100% Otero.

Prior to PIT Count:

Training - 27 local volunteers participated in training conducted by The NM Coalition to End Homelessness. Not all were able to volunteer during the actual survey dates.

Marketing/Promotion - The PIT Count was promoted by posting flyers in areas that homeless individuals might congregate. Flyers were also distributed throughout the community to community health workers, food pantries, and community health agencies. Members of 100% Otero spoke to the community about the event during appearances on local radio stations.

Appreciation bags - Preparation of appreciation gift bags containing hygiene items, socks, hats, gloves, snacks, and a gift card.

PIT Count: January 31-February 3, 2023

The dates of canvassing and first 14 survey questions were predetermined by HUD; two more questions were added by The New Mexico Coalition to End Homelessness.

Teams spread throughout the county in the early mornings, throughout the day, and early evenings to contact possible homeless individuals. Teams would strike up conversations and ask if the individuals would be willing to participate in the survey. The initial question determined if the individual was homeless according to the HUD definition. If so, the interview continued. Once the interview was completed, an appreciation gift bag was offered.

Survey forms were collected and entered by 100% Otero into the Survey Monkey set up by The New Mexico Coalition to End Homelessness. The Coalition will compile all of the information collected throughout the state and prepare a 2023 Balance of State report. Otero County raw data can be found in this report.

PIT count volunteers gathered after the count to discuss highlights and challenges of the 2023 Otero County PIT Count.

Highlights of this year's count included the training the volunteers received, the fact that Tularosa law enforcement was involved in the project and the way the volunteers were encouraged and trained to conduct the interviews in a "straight" talking, non-judgemental manner. The Community Health Workers from Gerald Champion Regional Medical Center were deemed the heroes of the count for addressing some individual needs immediately.

Challenges discussed at the wrap up included: difficulties in locating individuals experiencing homelessness, how to deal with the occasional individuals who did not want to engage and how to encourage those who did not consider themselves homeless but met our definition to participate in the survey. It was mentioned that the survey times did not include evenings and that might be



Point-In-Time (PIT) Count
January 31 - February 3, 2023
For the night of January 30, 2023

Save the date to be counted:
"If you, or someone you know, is sleeping on the street, in a vehicle, park, storage area, barn, laundromat, in the woods, in the desert, or other areas not meant for habitation, please consider getting interviewed."

Current Locations & Dates:

The Salvation Army: 1900 1st Street (575) 443-0845 Michael Beauchamp January 31-February 1 2:00 pm - 4:00 pm *Snacks, Survey, Gift*	The Counseling Center: 1900 10th Street (575) 921-1667 Nadia Sikes January 31-February 3 9:00 am - 4:00 pm *Snacks, Survey, Gift*	Our Savior Lutheran Church: 1212 Washington Ave. (575) 551-2939 Pat Galea February 1 1:00 pm - 4:00 pm *Meal, Survey, Gift*
St. John's Episcopal Church: 1114 Indiana Ave (575) 430-0473 Michael Drinkwater January 31 4:00 pm - 6:00 pm *Meal, Survey, Gift*	Love INC of Otero Co.: 1106 Ohio Ave. (575) 439-4812 Susan Payne February 1-February 2 9:00 am - 1:00 pm *Survey, Gift*	Bry's Lunchbox: Super Walmart Parking Lot: West Side February 1 8:00 am - 5:00 pm *Meal, Survey, Gift*
Runners Refuge Homeless Resource Center & Emergency Night Shelter: 601 Delaware (575) 437-4626 Richard Hernandez January 31-February 3 10:00 am - 6:00 pm *Survey, Gift*	Mobile Teams: Parks, Storage Areas, Streets, Laundromats, Etc... (575) 921-1667 Nadia Sikes January 31-February 3 *Survey, Gift*	APS 'Flo' Mobile RV: Super Walmart Parking Lot: West Side February 1 8:00 am - 5:00 pm *Snacks, Survey, Gift*



Questions or Volunteer Inquiries:
Nadia Sikes: (575) 921-1667

something to consider in the future. Since the PIT Count training stressed the safety of volunteers, extra precautions may be needed if future surveys are conducted after dark. The challenge of communication with and utilization of volunteers given work and personal schedules was also discussed.

Recommendations for future counts included:

- Creating teams in advance to make sure everyone has a partner at all times
- Varying the gift card options in the appreciation bags (Dollar General, fast food, pet food, VISA)
- Getting out in the evening/night for interviews
- Notifying law enforcement in each community
- Giving out cigarettes?
- Asking the interviewees if they have future plans.
- Taking food and water to increase the time the interviewees will participate in the conversation
- Taking the Day of Hope event to other communities in Otero County
 - Tularosa
 - Chaparral

2023 Otero County PIT Count Data

- Coordinated through **100% Otero** Housing Team, with volunteers
- Conducted in Alamogordo, Tularosa, Chaparral, La Luz, Dog Canyon and other desert locations.
- Interview sites: Mountain View Church, Salvation Army, Community Meal Sites, St. John's Episcopal Church, Our Savior Lutheran, Love INC, The Counseling Center, Community Park Tularosa, Tularosa Library, Bry's Lunchbox, Rustic Cafe, Walgreens parking lot, Runner's Refuge, Our Lady of the Light La Luz Food Pantry
- The Mobile Teams went to areas where homeless individuals are known to congregate
- Note: Some individuals declined to answer some questions which did not disqualify their survey but affects the total responses for specific questions.

Total Surveys Completed	40
Total People Counted	49
Age Range Respondents were asked their specific age as another layer to prevent duplication.	18 - 63 (4 children under 18)
Average Age	47
1. Have you already completed a survey about where you stayed on Monday, January 30?	
This question prevents duplication.	
2. Where did you stay on Monday, January 30?	
Vehicle	12
Abandoned Building	3
Shed/Garage/Storage Unit	1
Street, Park, Camp ground or Other outdoor location	15
Homeless, won't disclose where	8
Bus or Train Station	1
3. What gender do you most identify with?	
Male	29
Female	12
Transgender	0
Questioning	0

A gender other than singularly female or male (e.g. non-binary, gender fluid, agender culturally specific gender)	0
Data Not Collected	8
Refused	0
4. Do you identify as Hispanic or Latinx?	
Yes	10
No	28
Refused	2
Data Not Collected	0
5. Of those listed, which race do you most identify with? (Select all that apply)	
Native Hawaiian or Other Pacific Islander	1
Asian	0
Black/African American	6
White	16
American Indian or Alaskan Native	6
Tribal Affiliation: Mescalero Apache	4
Refused	2
Data Not Collected	7
6. Is this the first time you have been homeless?	
Yes	9
No	18
7. How long has it been since you had stable housing?	Range 1 month - 10 Years
Average length of time since had stable housing	2.5 years
8. How many separate times have you been on the streets or in shelters in the past 3 years? (Including your current experience)	
1	6
2	7
3	3

4	1
5+	9
9. If you added up all of your homeless experiences in the past 3 years, would it be more or less than 12 months?	
More	24
Less	5
10. Are you from New Mexico?	
Yes	19
No (AZ, OH, CO, TX, CA, MI, SD, NJ, GA, MO)	15
11. Have you served at least one day on active duty in the US Military?	
Yes	3
No	29
12. Have you been diagnosed or self-diagnosed with the following? (only asked of respondents age 18+)	
A Mental Health Condition	20
A Substance Abuse Issue	9
HIV/AIDS	0
Any disabling condition of long duration such as a chronic physical illness, traumatic brain injury, developmental disability)	13
Refused	2
Data Not Collected	3
No	5
13. Is your current housing status a result of domestic violence? (only asked of respondents age 18+)	
Yes	4
No	29
Refused	3
Data Not Collected	3

14. Did any family or household members, such as your child, spouse/partner, or parent stay with you on Monday, January 30th?	
Yes	3
No	26
Refused	1
Data Not Collected	10
14a. If Yes,	
How many children under 18 stayed with you?	4
How many people 18-24 stayed with you?	1
How many people over age 24 stayed with you?	4
14a. Additional Household Member Information	
Age(s): 18, 43, 47, 50, 55, 63	
Gender: Male - 3 Female - 3	
Ethnicity: Hispanic/Latin(a)(o)(x) - 1	
Race: White - 4	
Refused	
Data Not Collected - 1	
15. What caused you to be unsheltered on January 30?	
Disability	1
Nowhere to go	2
No ID	1
Lost job	2
Utilities	1
Eviction	1
Mental health issues	3
High cost of rent	2
No income	10
No SSI	1

Can't get a job due to physical condition	1
Family issues	2
Life circumstances	1
Don't get along with others	1
Just released from incarceration	1
16. What keeps you from using the shelter system?	
Only lets in certain people	1
COPE over capacity	1
Not available	9
VA and Alamo Housing didn't work	1
Uncomfortable with other people	2
Don't know of any shelters	7
Guy that runs the shelter is rude	1
Shelter won't take dog	3
No shelter for women	4
Don't need one; I'm doing fine	1
Too far, only in Las Cruces	2
Don't like the man in charge	2
Law enforcement	1

Number of Individuals Housed in Shelters on January 30, 2023

- COPE 11 adults; 3 children
- Runner's Refuge 3 adults

Number of Children Considered Homeless Using the McKinney-Vento Definition

- Alamogordo Public Schools reports 157 homeless students in February 2023
- Cloudcroft Municipal Schools reports 2 homeless student in April 2023
- Tularosa Municipal Schools reports 2 homeless students in April 2023
- Chaparral - unknown (no response at at time of printing from Gadsden School District)

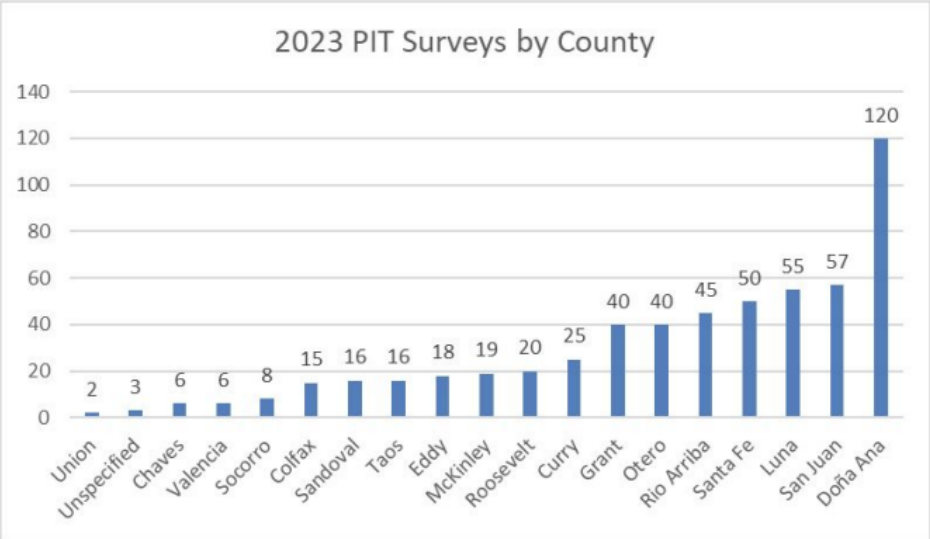
New Mexico PIT Count Data

The full report of 2023 statewide data has not been released as of early April, 2023. The New Mexico Coalition To End Homelessness will release a Balance of State report at <https://www.nmceh.org/pitreports> at a later date. This link can also be used to view the 2021 and 2022 reports.

The following information contains the Balance of State PIT Count of **Unsheltered** individuals compiled to date. NOTE: These counts do NOT include those for Bernalillo County.

2023 Point in Time - New Mexico Unsheltered Survey Results

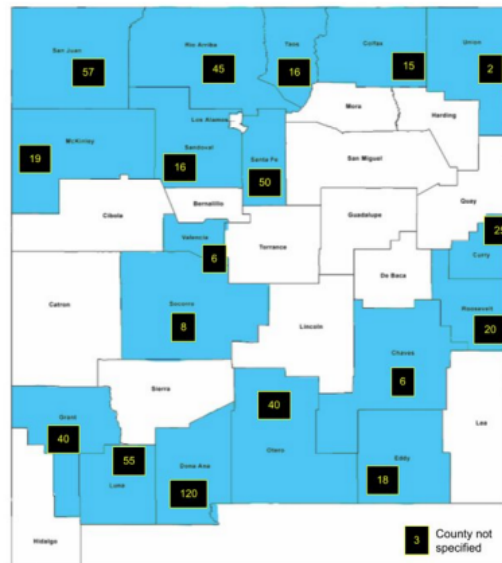
County	Surveys (Households)	Households Without Children	Households with at least one Adult and one Child	Individuals	Refusals
Chaves	6	6	-	7	23
Colfax	15	15	-	15	4
Curry	25	22	3	46	1
Doña Ana	120	119	1	133	79
Eddy	18	18	-	18	12
Grant	40	40	-	41	14
Luna	55	55	-	58	20
McKinley	19	19	-	19	19
Otero	40	39	1	49	0
Quay	0	-	-	0	3
Rio Arriba	45	45	-	52	0
Roosevelt	20	20	-	26	0
San Juan	57	53	4	78	125
Sandoval	16	15	1	19	18
Santa Fe	50	50	-	53	23
Socorro	8	8	-	8	0
Taos	16	15	1	24	3
Union	2	2	-	2	0
Unspecified	3	3	-	4	0
Valencia	6	6	-	6	2
Total	561	550	11	658	346



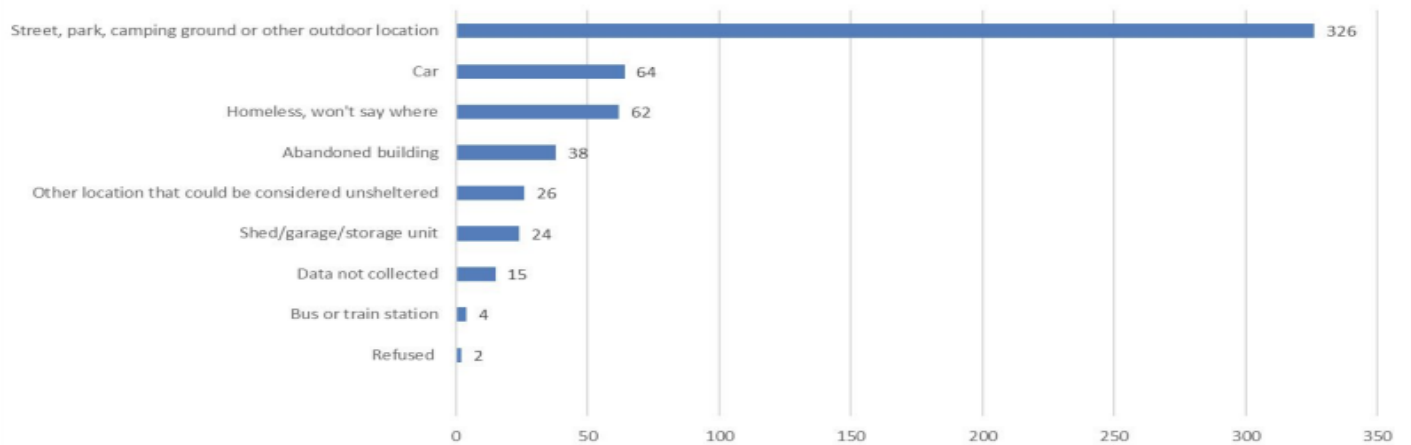
NM-501

2023 Unsheltered Point-in-Time Count Surveys

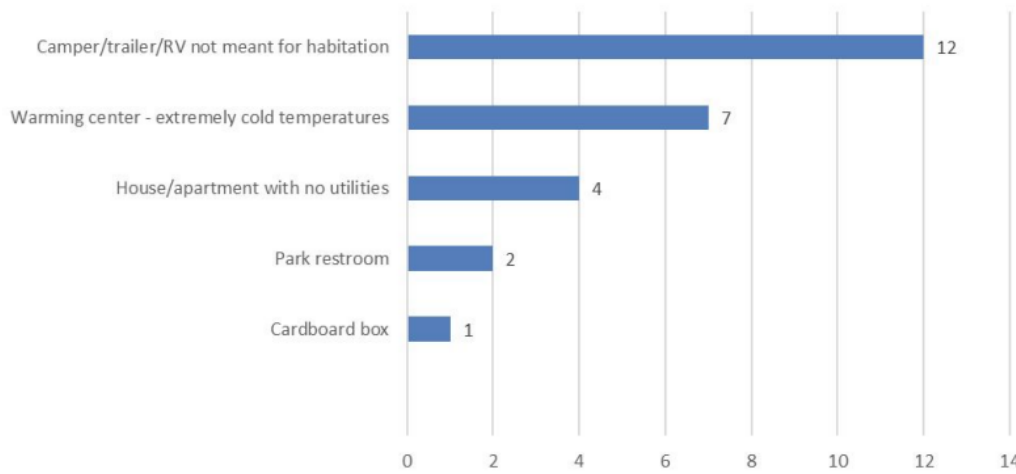
By County



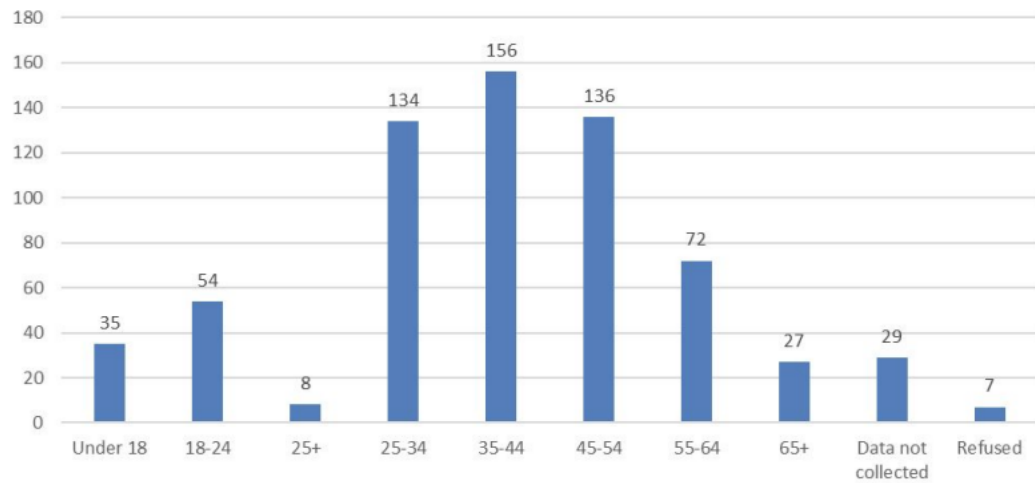
Where did you stay the night of January 30, 2023?



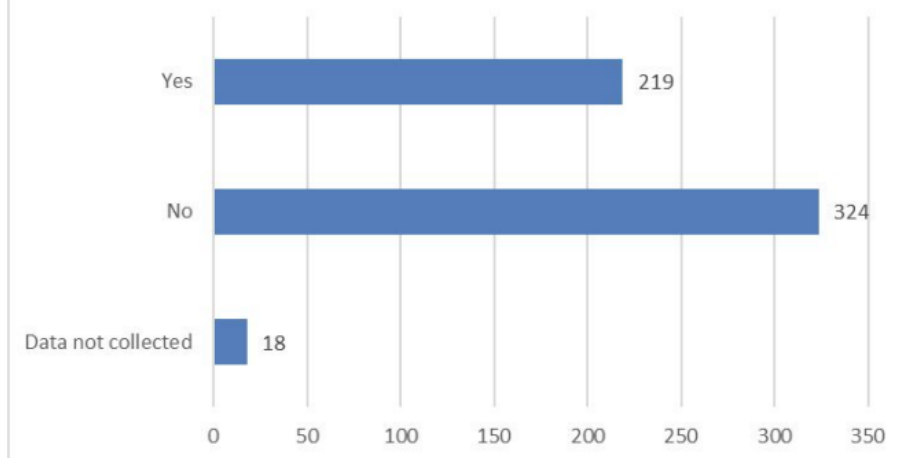
Other Unsheltered Locations

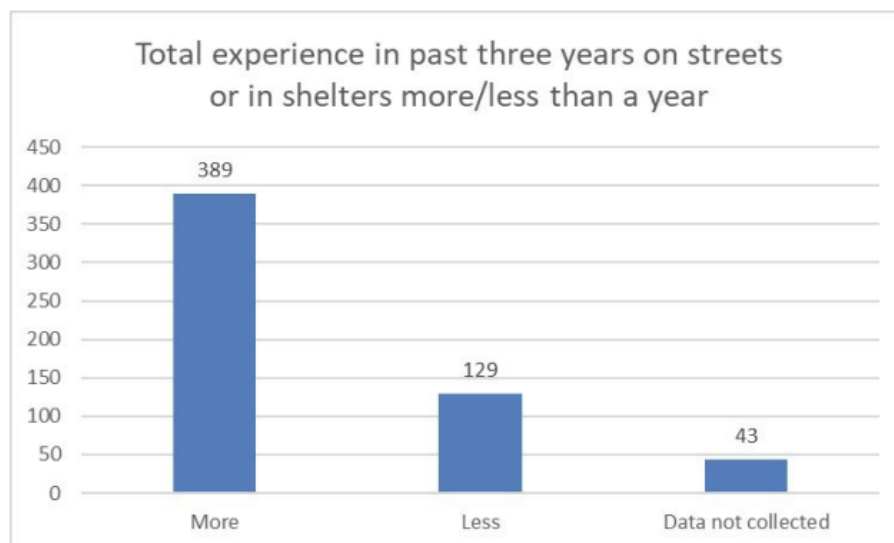
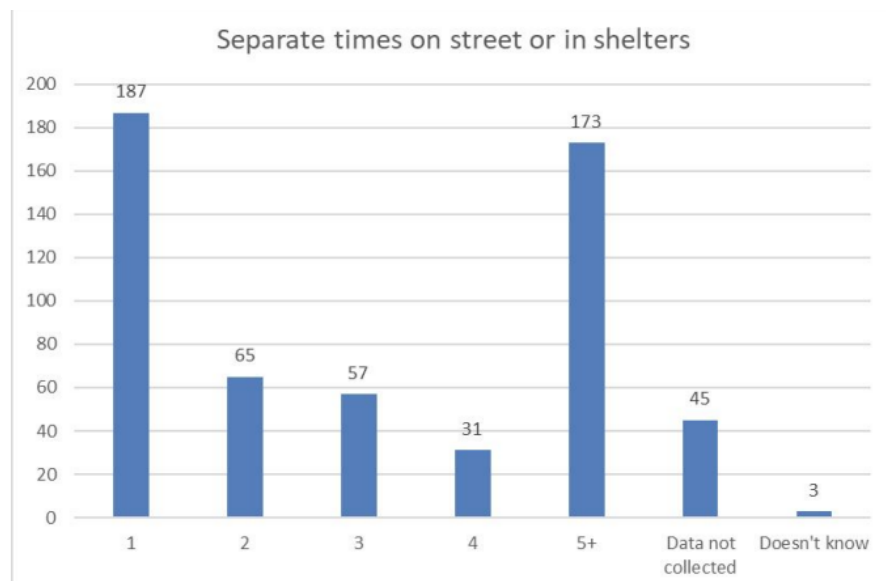
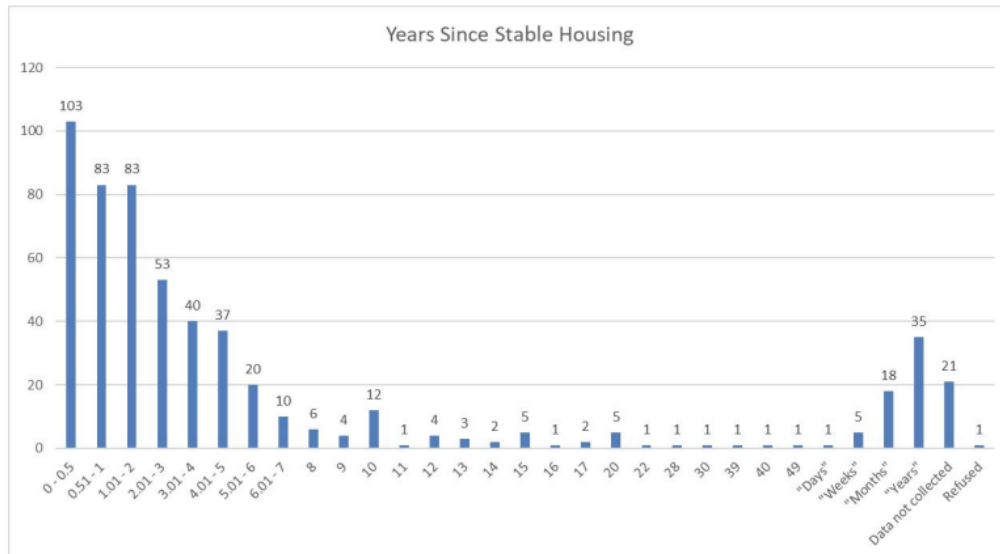


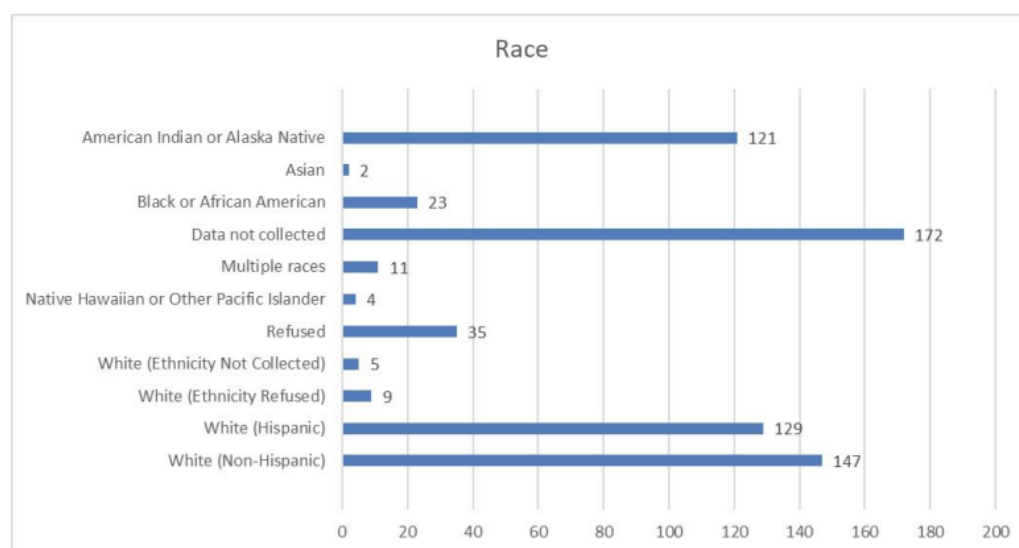
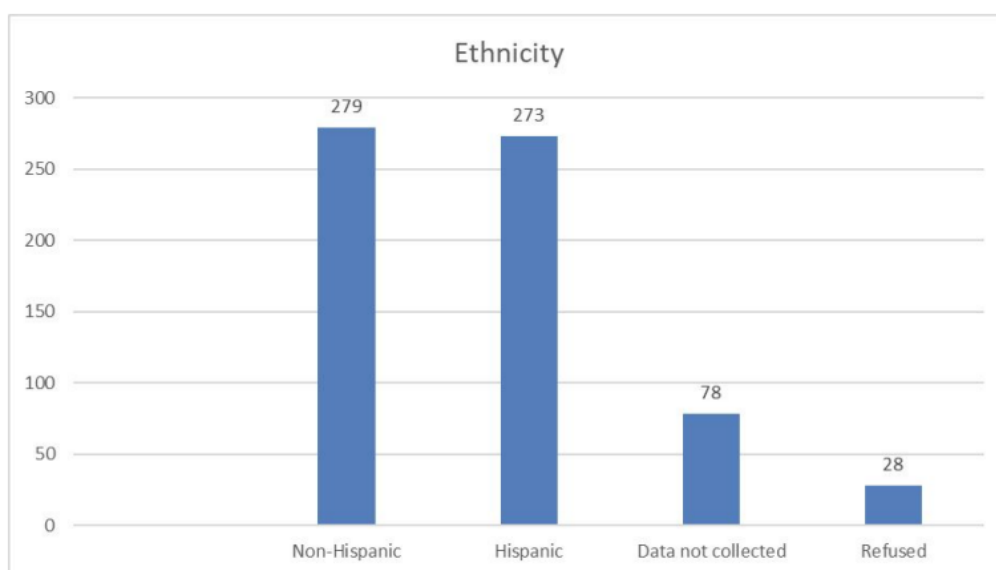
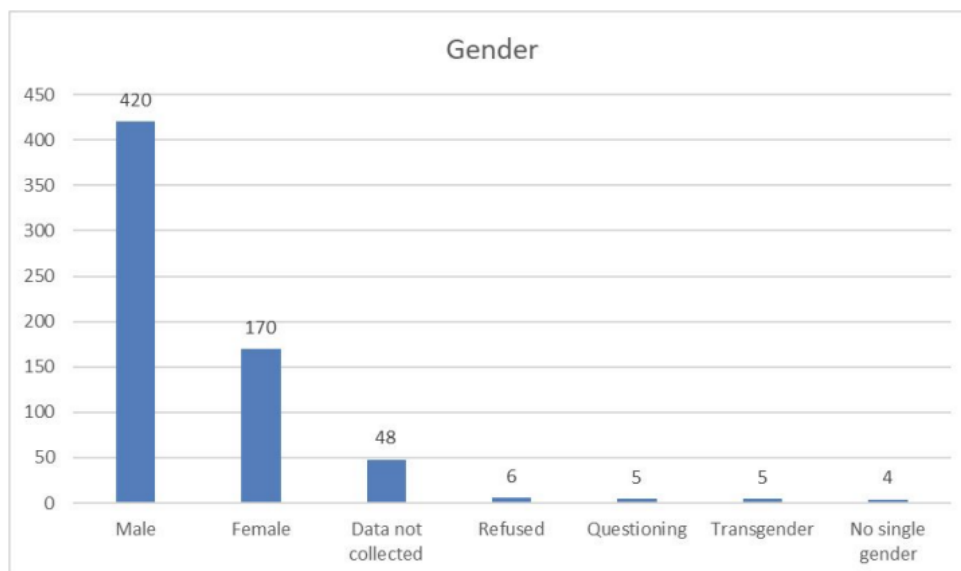
Age

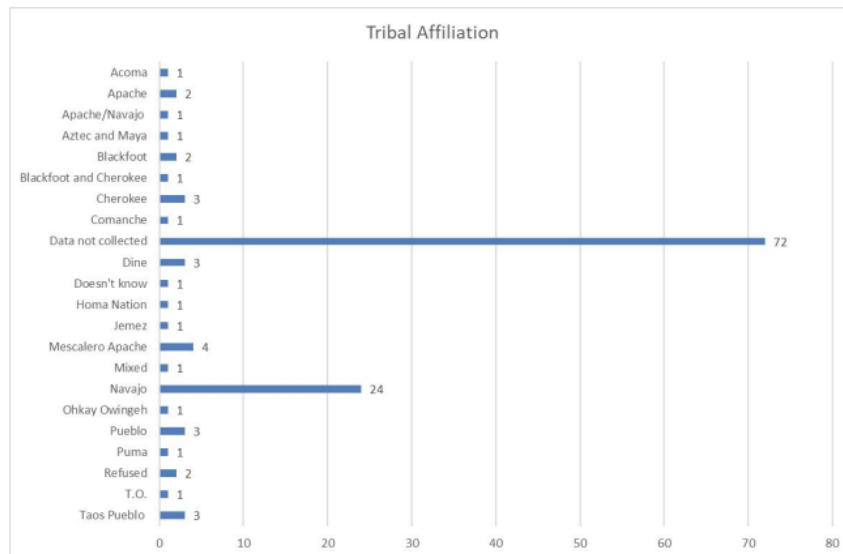


First time experiencing homelessness?

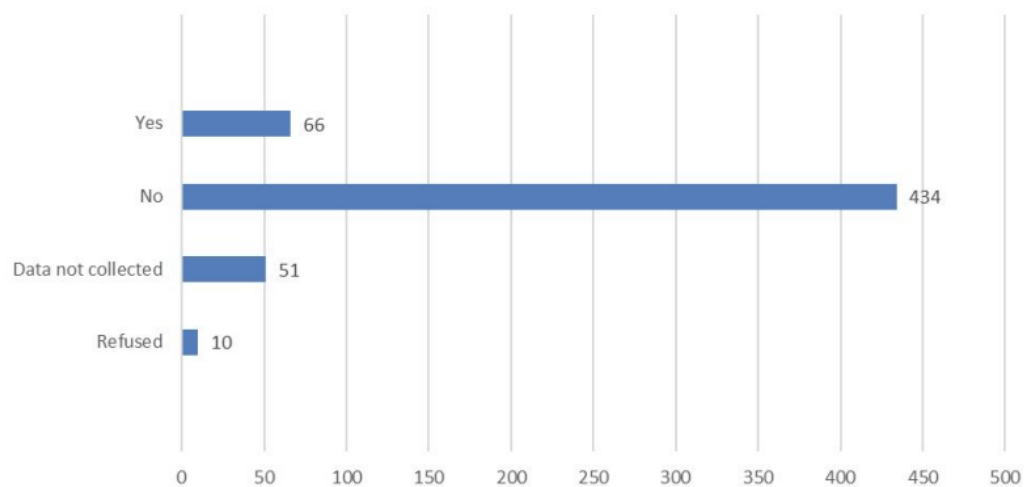






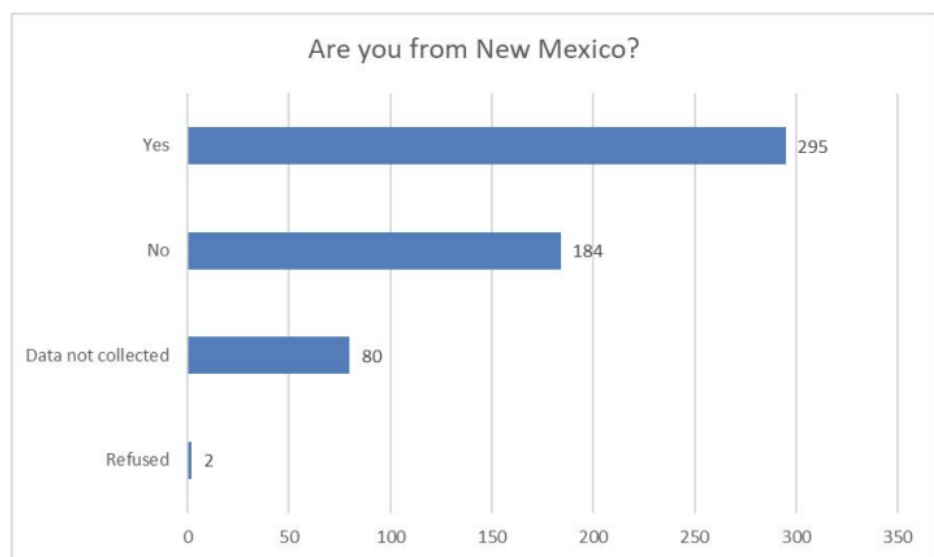
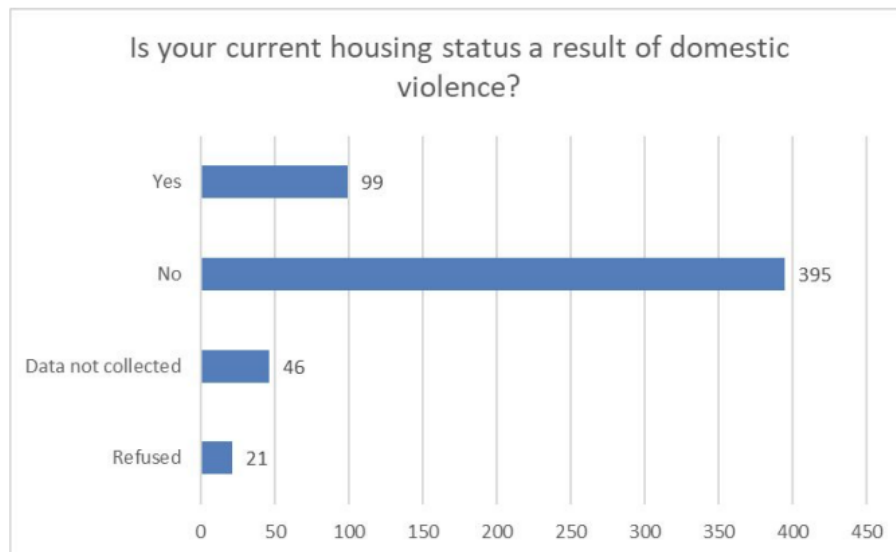


Have you served at least one-day active duty in the US Military?



Long-term Disabling Conditions

Mental Health Condition	Substance Abuse Issue	HIV/AIDS	Other Long-term Disabling Condition	Refused	Data Not Collected	No	Total
X							78
	X						81
		X					1
			X				48
X	X						84
X	X	X					3
X	X		X				54
X	X	X	X				1
X			X				35
	X		X				9
				X			17
					X		57
						X	93



Statistics on Homelessness in America

“In January 2020, there were 580,466 people experiencing homelessness in America...They lived in every state and territory, and they reflected the diversity of our country.”

([EndHomelessness.org](https://endhomelessness.org))

- In that year’s PIT Count, of those counted, **61.1% were sheltered and 38.9% were unsheltered.**
- **Over 70% were individuals and almost 30% were families**
- **Approximately 19% of those counted were defined as chronically homeless**
- **6.5% were veterans**
- **6% were unaccompanied youth**

National Alliance to End Homelessness, State of Homelessness: 2021 Edition

What Causes Homelessness?



- Affordable Housing

More than any other time, there is a lack of housing that low income people can afford. Without housing options, people face eviction, instability and homelessness.
- Income and Housing Affordability

Low income households often do not earn enough to pay for food, clothing, transportation and a place they can call home.
- Connection between Homelessness and Health (Including mental health)

Health and homelessness are inextricably linked. Health problems can cause a person's homelessness as well as be exacerbated by the experience. Housing is key to addressing the health needs of people experiencing homelessness.
- Escaping Violence

Many survivors of domestic violence become homeless when leaving an abusive relationship.
- Impact of Racial Disparities

Most minority groups in the United States experience homelessness at higher rates than Whites, and therefore make up a disproportionate share of the homeless population.

<https://endhomelessness.org/homelessness-in-america/what-causes-homelessness/>

Summary

While the PIT Count is currently the most widely-used methodology for enumerating people experiencing homelessness, it is not an exact count and has a margin of error. The margin of error is due to the fact that the numbers are greatly affected by the level of community engagement, methodology, weather, incorrect data submissions, data being largely self-reported, etc. Numbers in this report should be taken to indicate trends rather than exact, unwavering figures.

A survey like the PIT Count tells us that we have *at least* 49 homeless individuals in Otero County. Also, the number of homeless school-aged children reported by Alamogordo, Cloudcroft, and Tularosa schools, as defined by the McKinney-Vento count, is 161, more than three times the number identified by the PIT Count.

The question that comes to mind then is, “What do we need to do?” or “Now what?” The answer involves recognition that there is a homeless problem in Otero County. Solving homelessness requires participation by government officials, local and regional agencies, as well as not-for-profit organizations. Action must be taken on several fronts, including substance misuse, medical and behavioral health, and shelters that accept dogs.

100% Otero plans to continue to address housing shortages and the needs of unsheltered individuals and families, in collaboration with other local groups. 100% Otero conducted an experiment in November of 2022 called Day of Hope. At the event, local service providers were paired with housing insecure individuals. Tangible help was provided such as cell phones, hair cuts, vision and hearing screenings, Ask-A-Nurse and Ask-A-Resident services, flu and COVID vaccines, drop-in behavioral health counseling sessions, as well as Head Start, Medicaid, food stamps and Link2Feed registrations. Legal resources and help with employment and education applications were also available. Four-legged companions were welcomed with food of their own, heartworm checks and vaccinations. 100% Otero is planning similar events in the future at other Otero County locations.

Children, especially, deserve secure housing. The lack of a safe place to live contributes to Adverse Childhood Experiences and subsequent lifelong health and employment issues. 100% Otero wants every child to live a life characterized by safety, good health and happiness, and a future characterized by productivity and contribution.

This report can be viewed at <https://www.100nm.org/otero/2023-pit-report/>.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 5/9/2023

Report Date: 05/04/2023

Report No: 3.

Submitted By: Rachel Hughs

Subject: Approve the minutes for the April 25, 2023, Regular Commission meeting and the May 1, 2023, Budget Hearing Workshop. *(Rachel Hughs, City Clerk)*

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation: Approve the minutes.

Background: This is required by the Open Meetings Act.

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 P.M., DONALD E. CARROLL COMMISSION CHAMBERS
April 25, 2023**

**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
ASHLEY SMITH, 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 Joe Bryant and the Pledge of Allegiance was led by Commissioner Stephen Burnett.

APPROVAL OF AGENDA

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

PRESENTATIONS

1. Presentation of the NMDOT District State Transportation Improvement Program. (Francisco Sanchez, PE., NMDOT-D2 District Engineer)

District Engineer Sanchez gave his presentation.

Commissioner Rardin asked if NMDOT takes the severity of accidents into account. There may only be nine accidents, but we have had two fatalities at the intersection of US 54/70 Relief Route and W. 1st/Alamogordo Drive. About a month ago, there was another accident at that intersection; he said he drove through there daily, and there were a lot of accidents. People go sixty-five miles per hour when the speed limit is fifty-five. When you go east and west across there, there is a lot of confusion. District Engineer Sanchez said there are two things regarding any intersection. Putting in a four-way stop, or signal does not necessarily make it safer. The criteria are crashes that are preventable by traffic signals. Severity is not a part of the warrant analysis, but it is something that NMDOT is now taking into account through safety modeling, so they can see which intersections are the most unsafe. Commissioner Rardin said this one is up there. District Engineer Sanchez said no, not even close. We have the data that shows these accidents. We will do an in-depth analysis, but what we are seeing is just not meeting the criteria. Commissioner Rardin said they started the design and had the funding in place when they warranted this around three to four years ago. It was supposed to start in January of this year. You guys already have the design done, correct? District Engineer Sanchez said yes. Commissioner Rardin continued that we had already wasted most of the money designing it, and now we will just put it on the back burner. District Engineer Sanchez said he would not say waste because there are improvements there. The future may show that it is needed. Commissioner Rardin said they would be obsolete by then, and we would have to redesign it. District Engineer Sanchez said no; you have to keep in mind that design cost is minimal compared to construction cost. The design for the plans was made internally, so the cost is significantly less than if we did it through a consultant. When we design something, it is six to twelve percent of the cost. The signal estimate was \$2,500,000, so the design cost by consulting would be \$120,000, and doing it internally by the Department was much less. District Engineer Sanchez said back to the severity, we are modeling all intersections because

there may be a fatality there, but does it necessarily mean that it is a more dangerous intersection than one with many accidents? Sometimes we have intersections with many minor accidents. People want us to focus on this intersection, but severity is key to determining which intersections need improvement. We have seven thousand miles in Southeast New Mexico, maybe ten thousand intersections. We modeled every intersection in District 2. He said they are focusing on the top ten for improvement, and this was not in there. We will continue to work with the City; provide us with crash data. Commissioner Rardin said that about a year ago, there was an accident with a first responder from the fire station down the road. He got hit so hard that his engine block flew down the road and landed in the desert. District Engineer Sanchez said that it was unfortunate. All rates across the State are up, such as mortality and accidents. If you look at the factors behind them, ninety percent are due to inattention to speed or intoxication. It is rare when an accident is due to the design of the highway or the lack of a signal there.

Commissioner Rardin asked how you decide to split up the money that everyone gets. From the presentation, Curry County got \$21,000,000, and Otero County got \$1,600,000. In 2019, US 285 got \$42,000,000, but Otero County got \$738,000. District Engineer Sanchez said that every year, they are required to put a list of priorities. Based on those priorities, the legislature's transportation and finance committees look and decide which projects get funded with input. He said he could not lobby them himself; only the NMDOT Secretary could lobby. The Secretary takes priority projects, sits down with transportation committees, and that is what is written in House bills. The strength of the community is coming together, presenting at a legislative committee, and going to the legislature; that is where you see a lot of this.

Commissioner Rardin said our bypass is horrible in certain areas. White Sands Boulevard needs to be milled and filled again. It has been at least fifteen years since it was done. District Engineer Sanchez said that this presentation did not necessarily show the priorities he wanted to discuss. The bypass is an area we are aware of, and it will be entered in the stip; we submitted the paperwork. It will go in the six-year planning year. Once it goes into the planning year, we can develop the project. Once the project is completed with a set of plans, it is ready to go out to construction. We can put it on a list, and it will be eligible for legislative funding to fast-track it. If it was not funded through the legislature, it would eventually get into our four-year program. Commissioner Rardin said if we get our State Reps and Senators to start pounding on the DOT, we may get a little of that money. District Engineer Sanchez said yes. He said they addressed the bridge on White Sands and did complete some work. Commissioner Rardin said they fixed the north one, not the south one. The south one was raised, but it is still horrible. District Engineer Sanchez said it is a challenge where they keep going in there and fixing it. If you were to replace it, you are looking at five to seven million. On our evaluation, the bridge is solid and works, but it is a tough decision. Commissioner Rardin said it is not the bridge sinking; it is the piece between the two bridges. District Engineer Sanchez said the replacement cost and cost-benefit of keeping it serviceable are tough when you are only given \$30,000,000 a year for seven thousand miles and five hundred bridges.

Commissioner Rardin asked how often NMDOT reevaluated for traffic lights; would it be a request of the City? District Engineer Sanchez said generally it is a requested procedure, and they review it. They put a percentage of growth into their traffic studies, so they would know when it may be coming up and crossing a threshold. Three percent growth is the general annual growth for traffic volumes; that signal would not warrant it for a while. However, if you see development out there and the City wants us to review it, we are more than welcome to take counts and reevaluate it. Commissioner Rardin asked when the counts in the presentation were taken. District Engineer Sanchez said the whole report shows 2019 and 2022. For 2022, the numbers were smaller than in 2019. The only reason they were was because all those right turns were not counted because they were not affecting the delay at the intersection.

Mayor Payne said the only thing that made her uncomfortable in the presentation was the question of what a life is worth. She said they could only go on the data they had, but she wondered how many near-misses they had out there. Obviously, they would have no idea. Commissioner Rardin said it was daily. Mayor Payne said she felt like they were saying that if they had more people killed or permanently injured, then they would revisit it. District Engineer Sanchez said the tough part is that there is no way to quantify near misses. Unfortunately, the reality is that people die on roads. He said a goal they are trying to reach is no fatalities on the highway, but the reality is it is what is going to happen. Every accident has risks. We try to mitigate risk by looking at all the factors. The new modeling tries to quantify near misses and rates intersection potential for crashes, fatalities, and safety issues. The best we can do is get as much data as possible, get feedback from the community, and try to evaluate fairly for all communities to make all intersections safe. It is a tough job to choose which intersections need to be done; the best way is data driven. With limited funds, we need to do our best to evaluate and try to pick the most severe intersections. That is the best way to keep as many people as safe as possible.

Commissioner Rardin said that when you did your check with DPS on the number of accidents at that intersection, do they always respond to those, or does the Sheriff's Office? Some may be logged through the Sheriff's Office instead of DPS, or the State Police. Maybe we are not getting a clear picture. District Engineer Sanchez said that by statutory requirement, all law enforcement is supposed to send their rates to NMDOT. We have a contract with UNM that collects all the reports from law enforcement. It takes into account all the agencies that work in this area. Does that mean they are submitting them, though? For the most part, the State Police are good, and most Sheriff's Departments are good. Still, some local municipalities and smaller Sheriff's Departments do not submit all the accidents. Commissioner Rardin said you just went through your database; you did not contact our dispatcher or Department to pull what they had on their records. District Engineer Sanchez said they went through our database because, in theory, every law enforcement should have submitted every crash for that intersection. The only correspondence we verify is through the City of Alamogordo, with nine accidents at that intersection in the last five years. Commissioner Rardin said there are more than nine; there are nine a year. District Engineer Sanchez said the data does not reflect that. If the data does not reflect that, how can a department pursue a project there? If the criteria are met, he would be on it to deliver that project. Commissioner Rardin said the sad part is that they told us they would do it; we got it designed and thought it was in the works. Then we started asking questions and were told no, that the project was pulled, and they were not going to do it anymore. He said that part disturbed him. They were told it was going to be done, and he had emails showing that it would be done. He said he agreed with the Mayor about how many lives would be lost before the \$2,000,000 was spent to get the light in. District Engineer Sanchez said every critical intersection is important in every community, and they tried their best to address as many as possible. Mayor Payne said she was uncomfortable taking that bypass and was sure others felt the same way.

PUBLIC COMMENT

Dan Flores said he has property on 701 Cuba Avenue. He recently sold his house and will start building another house. He has five dogs and is having trouble finding an RV park where he can park. It is pretty crowded. The property he has is gated. His kids are 2, 5, and 12 years old. He is asking permission to keep his RV there until he completes his home. He said he felt like the place he was at was safe for his family and pets. He asked who he would talk to. Mayor Payne said he could get with staff. Mr. Flores said he had been bounced from department to department. He said he just wants permission to stay on his RV on his property. Mayor Payne said this was not an action item, so the Commission could not give that. City Manager Cesar said the City Planner would take his information and get back to him.

CITY MANAGER'S REPORT

City Manager Cesar made the following remarks:

1. He said regarding the fire that started at the landfill on April 19, as of today, it still has the subsurface fire. It is just venting at this time. At the beginning of the fire, the first thing was to protect the staff. Next, they looked at the liner and leachate field beneath the liner to protect them.
2. The annual meeting for the Landfill Board was canceled. It will be rescheduled.
3. The budget hearings will start on Monday, May 1, 2023, at 5:30 PM.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Commissioner McDonald made the following comments:

She participated in the Keep Alamogordo Beautiful cleanup from eight o'clock to ten on Saturday, April 22, 2023. The cleanup was on the 54/70 Bypass. There were approximately eighty-five to one hundred participants out on the road. The cleanup this year was not as bad as last year. She said she thought having more cleanups in a year helped.

She talked to the Dudley School's Project Manager, Joe Lewandowsky. According to him, all of the repairs have been awarded. She said they would like to have some of the stories about the Dudley School when it was open. The Historical Society has a person who takes statements and family history. They can also come to your home, if necessary, but an appointment must be arranged. The anticipated date of completion for Dudley School I is July 30th. The anticipated two-day celebration date for the project will be the weekend of August 18th through 19th.

Alamogordo District 5 will have its cleanup on July 15th. It will be at seven in the morning and end at about twelve. We have a bin outside given to us by the City to collect trash. This trash includes washers, dryers, and furniture. If you are cleaning up your yard and need a place to dispose of it, that can go in that bin. If you have something from the other districts, we will not prevent anyone from coming. There will be no shredding; we no longer have that service in town.

Mayor Payne made the following comments:

She said the National Day of Prayer is May 4th at the Civic Center. Lunch will be provided, and there is a \$6 suggested donation.

The Commission for the Blind built apartments for residents. NMSBVI is for younger kids that are visually impaired; they stay on campus and go to school. The Commission for the Blind is more for adults and is about training, but they did not have onsite apartments. If you were visually impaired and had children, you could not bring your children, so you could not get those services. Now with these apartments, they will be able to do that.

CONSENT AGENDA

2. Approve the minutes for the April 11, 2023, Regular Commission meeting. (Rachel Hughs, City Clerk)
3. Approve the statements related to the Executive Closed Session held on April 11, 2023. (Rachel Hughs, City Clerk)
4. Consider, and act upon, approving grant funding from THRIVE of Southern New Mexico for the Alamo Senior Center's Home-delivered Meals program for FY 24, the total amount budgeted

is \$19,312.20. (Magdalena Morales, ASC Manager and Veronica Ortega, Community Services Director)

5. Consider, and act upon, award of Public Works Bid No. 2023-001 to Rock Canyon Construction LLC related to the Rehab Indian Wells Walking Path project in an amount not to exceed \$92,017.62 (Bob Johnson, Engineering Manager)

6. Consider, and act upon, Ordinance 1675 Case Z-2023-0002(A) for adoption and final publication of a map amendment to change the current zoning of C-3 Business to M-1 Light Industrial, the property location is 6061/2 US Hwy 70 West. (Stella Rael, City Planner) (Roll Call vote Required)

7. Consider, and act upon, the receipt of a State grant contract to fund the Senior Companion Program (SCP) and the Foster Grandparent Program (FGP) for FY24. The total amount budgeted is \$69,782.50 for SCP and \$69,525.00 for FGP. (Magdalena Morales, ASC Manager and Veronica Ortega, Community Services Director)

Commissioner McDonald moved to approve the Consent Agenda.

Mayor Pro-Tem Wright seconded the motion.

Roll Call Vote was taken.

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

NEW BUSINESS

8. Consider, and act upon, Case V-2023-0002(A), Property owner Nicholas Ply is requesting to reduce the rear yard setback from 24' to 20' to accommodate the construction of new multi-family housing. (Sean McGranaghan, Assistant City Planner)

Assistant City Planner McGranaghan presented the case. He said they sent out ten letters to all owners within two hundred feet of the property; zero letters were returned, and there were no phone calls of opposition. No letters were returned as undeliverable. Staff recommends approval of the variance.

Commissioner Rardin asked if we knew the rear setbacks on 109 and 111? Assistant City Planner McGranaghan said he was not sure. Commissioner Rardin asked if we knew if they met the specs. Assistant City Planner McGranaghan said he assumed it is not meeting the twenty percent. Commissioner Rardin said he wondered if this would not look too out of place if we approved it. Assistant City Planner McGranaghan said yes.

Mayor Payne asked where this was. Assistant City Planner McGranaghan said it is north of 1st Street and technically North Scenic.

Commission Melton moved to approve.

Commissioner Burnett seconded the motion.

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

9. Consider, and act upon, Ordinance 1676, Z-2023-0003(A) for first publication, a map amendment to change the current zoning of the property located at 1209 Ohio Avenue from R-3 Two Family Dwelling District, to R-4 Multi-family Dwelling District. (Sean McGranaghan, Assistant City Planner) (Roll Call Vote Required)

Public Comment:

Linda deFrance said she has property directly across from 1209 Ohio. It is the first and last thing she sees every day. When the property changed hands to Propvine Holdings, the yard was never upkeep. It is a dirty eyesore with garbage that blows into our yards. When we received a letter from the City saying the property could be rezoned, we all got together and made a petition. We got every single resident within the map to sign it. We are against this because we want to keep our historic neighborhood a residential neighborhood. Changing the zoning opens possibilities for what could be built there. Even if Propvine sells this, that door remains open. It could be turned into many things that do not include a family living there.

Gary Linde said he owns 1200 Ohio, a prominent historic home. It is zoned R-4. In the forty-three years they have had it, they only used it as a personal residence. He said they filed the paperwork with the Planning and Zoning Department to change the zoning on their property from R-4 to R-3. This shows their commitment to preserving the neighborhood as best they could. He said that he and his wife do not favor the rezoning at 1209 Ohio.

Angie Schneider said she is a homeowner and resident in the 1200 block of Ohio Avenue. She is here to urge them to deny this rezoning request. She echoes the sentiments of her neighbors, homeowners, and the petition. She said she submitted a letter and hoped the Commission had read through that. She said when she called the City, she was told the zoning request would be supported by Planning and Zoning. That made no sense, so she asked what the criteria was and was told it was based on other R-4 zoned properties in the area. She said from what she could tell, there are two. One belongs to Gary Linde, who is seeking to change the zoning, and the other across the street is currently being renovated to be used as a single residence. She said it is spot zoning; no other areas in our block are R-4 zoned except those two properties. She said it was perplexing that the decision was already made to support this. She said that we do not know who bought the property, but the rest of us have a community there, and we care about each other. It is our home. We all see beauty and possibility in that historic downtown area, which should be promoted. If this rezoning is allowed, it does not matter what the person says they will do with it. They are there to make a quick dollar, evident by the website and the lack of concern and care for the property this entire time they have owned it. When the property is sold, they are stuck with that litany of purposes for which it can be used under R-4 zoning. It does not belong in our neighborhood.

William Green said their house is adjacent to the old Rousseau Hospital, which is the actual title of the property at 1209 Ohio. We own the Henderson residence. When we purchased our house, we were informed it was built in 1930. He said he spoke to the Tularosa Basin History Museum and was given extensive information about all the houses in the neighborhood. There was a PhD survey done for the historic properties throughout that neighborhood. He was given both anecdotal and physical information. It is not just referred to as the historical neighborhood; it is The Historical Neighborhood. The museum provided a map of all the significant properties in the area, their architectural styles, and the names of the original owners of the houses. If the house had a name, that is how it is referred to. It was first built as a private home and only converted to a hospital after Dr. Gilbert moved to the area. It was named after his nurse, not the doctor. He said he submitted articles and photos with the letter he submitted. He said when he spoke to the New Mexico Historical Preservation Society, he was told there is a certified local government program, and that Alamogordo is not enrolled in it. They deal with Alamogordo MainStreet, but he said he believed there are many properties in Alamogordo that need preservation and protection. He said he would encourage the City to look into enrolling in the certified local government. He said the individual that passed away, Ronald Welch, is the signature we could not get out of Massachusetts. He said he also reached out to Daniel Quijano, who is the owner/investor of the Rousseau Hospital.

Assistant City Planner McGranaghan presented the case. He said they sent twenty-four letters to surrounding property owners within two hundred feet. One letter was returned undeliverable. He said he spoke with three residents who were in opposition, and they received three letters of opposition, plus a petition with thirty-six signatures. He said that City Planner Rael met with more residents. He said they recommended approval; they looked at the zoning of surrounding properties to make that recommendation.

Commissioner Rardin said if they do rezone to R-4, what are the plans, what will be built? Assistant City Planner McGranaghan said Mr. Quijano is planning for multi-family housing but does not know the specifics. Commissioner Rardin asked if they would demolish the existing structure; Mr. Quijano and Assistant City Planner McGranaghan said no. Mr. Quijano said Propvine is his company. He said he spoke to William Green, and Mr. Green was the only person who reached out to him with concern. He said he put the offer out there that he was willing to speak to any of the neighbors who expressed concern, so they could talk with him about their plans and what they would like to have done. He was advised that nobody wanted to speak to him. The neighborhood feel, so clearly represented, was not extended to him. He said his concern was that he was not privy to the grass and sprinklers when he got the property. He inherited a vacant house and was told it needed about \$80,000 to \$100,000 in renovations. According to the person he spoke to today who helped map out this request, we are now closer to \$300,000 to \$400,000. He said the front-left-hand side of the house is borderline collapsing. The rebar on the inside is holding it together with screwed-in two-by-fours. He said he understood the love for the neighborhood, but this, as it is, is not an appropriate representation of the neighborhood that was just described. According to the seller, it is a historic property that no one wanted to buy. He said there were conversations with the neighbors, and none of those opportunities were taken advantage of, so he did it himself. Unfortunately, he said he was not given the best information. The nature of his business is that he does not get to travel to all the locations where they consider houses. This is a tougher situation than he had hoped, but that happens, and that is his responsibility. He was left with an extremely expensive house to fix, and nobody in the neighborhood wanted to take that on. Now it is his responsibility to do something about that. Unfortunately, money is limited, so he has to be intentional and responsible with approaching this property. One of those things is consideration of the neighbors and the historic nature of the property. He said his intent is not to demolish the existing structure. There is value in that, and it needs to be respected, but it also needs to be treated financially responsibly. He said he has to plan how to cover the expenses and the hundreds of thousands of dollars of rehab he was not planning for. Based on what they have seen, and the research done, the only thing that seems possible is R-4 zoning, which we felt was worth doing because dozens of properties neighboring this house reflect the same zoning.

Mayor Payne asked Mr. Quijano what he would do with the property. Mr. Quijano said they are considering keeping the existing structure intact because of its historic nature. He said they could potentially convert it into a fourplex within the existing structure and leverage that. He said he was former military and was told by military friends that there is a housing shortage in Alamogordo, so his thoughts were how he could serve that obvious need in the community while respecting the neighborhood.

Mayor Payne asked how long he had owned the property. Mr. Quijano said he took it over in either August or September of last year. Mayor Payne said you inherited it. Did you mean you bought it? Mr. Quijano said he bought it. Mayor Payne said that if we agreed to an R-4 zoning, could we put a condition where it could only be used as a residence, or residential dwelling, of some sort? She said that if Mr. Quijano is going to turn that into a fourplex, she hated to say it, but we desperately need that in Alamogordo. It would be irresponsible to at least not consider that. However, she also understood where the neighbors were coming from. Is there some compromise they could make where everybody is satisfied? She said she was told that it was possible to put a condition on it.

Commissioner Burnett asked Mr. Quijano if he had any other plans other than residential. Mr. Quijano said no, but there have been ideas presented to him. He said there is a decent amount of land on the property, so it was suggested that we keep the existing house, turn it into a three or fourplex, and then put some tiny homes there so there is more room for housing in the neighborhood. It was also suggested to turn it into a community garden. He has heard many ideas. Mayor Payne said please do not put tiny homes on it. He said the one that makes the most sense, which is why he is standing here.

Commissioner Rardin asked if Mr. Quijano had artist renderings of the quadplex. Mr. Quijano said they just had floor plan renderings at this point. Commissioner Rardin said he is all for property rights, but this petition has thirty-six signatures. He could not support this until Mr. Quijano and the residents sat down and talked to each other. Maybe once Mr. Quijano explained what he would do, the residents would feel more comfortable supporting it.

Mayor Payne asked if the neighbors present had communicated what they wanted to see done to the property. She wanted to know if it was all or nothing or what they would be willing to accept. She asked one of them to come up and speak to that because we must understand what they are asking. What would you like to see done with it? Mr. Linde said they felt it would be fantastic as a two-family, divide it in two, and improve the property. Stay as R-3. As far as he knew, we would welcome you regarding the people that signed that petition. Mayor Payne said he would be okay with a duplex, not a fourplex. Mr. Linde said if it stayed as an R-3 and two family, rather than multi, nobody would have any objection whatsoever. Commissioner Paul said it was not anybody else's decision regarding what a property owner does. He would say that he follows what Commissioner Rardin is saying. Until we know what this property will look like, the slew of things that fall under R-4 zoning opens it up to a ton of different stuff. Whether Mr. Quijano holds it for years or turns around and decides to sell, it just opens a lot of stuff. He said he is not going to vote in favor of approving that. Mayor Payne said it is going to be very limited. If we vote no on this, it limits him to what he can do. She said she agreed with Commissioner Paul. Mr. Quijano said that point is fair, and he understands. If there is an idea for contingencies where he decides to sell, he is okay with that. This is not some sinister plot to convert it for a quick buck, but it is a plot where he needs to be responsible for potentially \$500,000 in repairs. Mathematically speaking, a duplex is not going to cover the cost of that. Anybody who has to pay for these bills will account for that; he must account for this. He respects the thirty-six people that petitioned, but he questions where the petition was for the last decade where this thing was dilapidating and collapsing upon itself. That is not a show of a positive neighborhood and not adding the given description. On top of that, he said he did not see the apparent danger of an R-4 zoning, considering there are dozens of neighboring properties with the same zoning, and none of those have impacted the quality of their neighborhood for all the years they were zoned as such. So how has the R-4 zoning been safe for this many years, but all of sudden today, when it is this house, it now becomes a threat? He said that was confusing to him. He understood the concern, but that concern, if valid, would have been reflected in evidence for any of the other properties, but it has not. Commissioner Paul said Mr. Quijano assumes this has to go to R-4 zoning, but he bought the property knowing it was R-3 zoning. For your business model to make sense, that should have been looked at before purchasing the property. Mr. Quijano said it should have, and that was his fault. Commissioner Paul said he invested in real estate and understood where Mr. Quijano was coming from. Mayor Payne asked why Mr. Quijano acquired a property site unseen. Mr. Quijano said we work with helping investors across the country, and it works out well most of the time. A big part of his business is helping new people who want to retire in real estate. We do this all the time. Unfortunately, situations like this happen. He said he took the word of the gentleman that owned the house prior; he was an honest gentleman. However, he thought the previous owner was misinformed. He said the previous owner said he was quoted \$80,000, and he trusted that. It was ultimately his fault for not coming down and looking at it. He was now doing his best to fix the mistake. At this point, something needs to go into this property through investment. For an investment to be justifiable, they must know how he will pay for it. If he cannot justify how he will

pay, no one will give him the money to do the rehab on this house. We will have a situation that nobody is happy with: a house collapsing upon itself.

Commissioner Rardin asked how many square feet the current structure is. Mr. Quijano said it was originally mapped at three thousand four hundred feet, but additions were made. He said he did not know exactly how it was mapped, but it was said that the additions added about one thousand square feet. Commissioner Rardin said you are looking at about four thousand four hundred square feet and dividing that into four one thousand one hundred square foot structures. Mr. Quijano said correct. There would be two upstairs and two downstairs. It was previously metered; he said he believed there were three to four meters previously, so it is already prepared for that. We need to do all the electrical anyways because it is extremely outdated. It is a full overhaul, but it has been used for that in the past. Commissioner Rardin said the quadplex would be all that you would do. Would there not be anything over or above that? Mr. Quijano said that was not the plan; he wanted to put the fourplex inside. He said he appreciated the historic nature of the property. Commissioner Rardin asked if any other structures would be built on the property. Mr. Quijano said there are zero and has not thought about that. Commissioner Rardin said you just want to get this work done and move on. Mr. Quijano said that is exactly it, and for him, it would not be a quick flip because this is not something you buy for a flip. This is something you buy with intention. Mayor Payne said it would stay the same from the outside, not the inside. Mr. Quijano said that was correct, except for the gigantic crack and falling debris. He intends to keep it the same.

Commissioner Rardin said if we were to table this tonight, that would allow you time to sit down with some of the neighbors to have a discussion so that they would feel more comfortable. He said he understood where both Mr. Quijano and the neighbors were at on this. He said he agreed with Commissioner Paul, that Mr. Quijano bought the property, so he should be able to do what he wants. However, that is a historic building and one of our original hospitals. He said he wanted this to stay cordial and see if we could work this out for both sides. Mayor Payne said she was in a quandary because it is just a mess out there, but you do want dollars to invest and fix it up. She said she supports the idea of more apartments in our community. We desperately need them, even if it is just a fourplex. Yet we do not want to go against what our constituents say. Even if we see the plans and everybody is amicable and agreeable, she said she thought we still needed to put a condition on it if we decide to rezone it to R-4. It needs to be on condition that it will not be a rehab or a pot shop or something like that. Commissioner Rardin said it could not be that. Linda de France said if you put that condition in, would it be grandfathered in, so if it did change hands, the next buyer would have to meet those conditions? Mayor Payne said she believed it would and asked City Planner Rael to speak on that. Commissioner Rardin said it is similar to another property on the corner of 8th and Scenic with the old ATM. They had a condition on rezoning. City Planner Rael said that if you place a condition on it, you could say that it has to stay a fourplex and could never be anything different, or what is allowed in our uses under R-4. For example, it could not turn into a private club or lodge. The condition could strictly say that as long as it is a fourplex, whether this company sells it to someone else and they do not want to continue the fourplex, it reverts to R-3. Mayor Payne asked City Planner Rael if she knew how many R-4 are in that area. Commissioner Rardin said there are five in the protest area. City Planner Rael said everything in green on the presentation map is R-4. This whole area is mixed-use. Everything gold is R-3, lighter brown is C-1, and darker brown is C-3. There are residents with home-based occupations here, such as attorneys in R-3 zoning. We have a two-hundred-foot radius that covers a lot of R-4. Mr. Linde is in the far-left corner and will request rezoning that will come before you in May.

Mr. Green said there was a fight in the museum zoning and acquirement. Is there any possibility for the City to acquire this property and donate it to the Tularosa Basin Historical Society for renovation for tax write-off purposes or initiate into the certified local government? That is to assume Mr. Quijano

would negotiate with the City. He said he had spoken previously with Mr. Quijano about its potential to become a museum, and it was worth considering.

Ms. Schneider said when she spoke about R-4 zoning before, she was speaking about the 1200 block. Those two houses are in the 1200 block of Ohio, and every area where you have businesses is up against a residential community. On our block, and north, and beyond, there are just two homes. One is owned by Gary Linde, and the other is being refurbished into a one-resident home. She said she spoke to City Attorney Smith and wasn't sure that they could restrict the uses if it is R-4 zoned. She said she wasn't confident of that and would like to get a lawyer to look at it or do her own research. That is a heck of a gamble if we are just believing we can put a restriction in there. She said she did not believe for one second that Mr. Quijano, who has never been to their community, and puts the blame on us, would stick with this property. This is a flip. If you go to the website, that is the business he is in. They buy sight unseen for cash. She said that Commissioner Paul made the point that Mr. Quijano bought the property knowing what it was zoned for. It could be a duplex, so do that. She said she is not confident that when he sells, and she wanted to emphasize when, that it is not going to turn into that other litany of purposes and scopes of use for R-4 zoning. That does include rehab and shelter. You will see an exodus of us from that neighborhood.

Commissioner Rardin suggested to table this until the next meeting. That will give City Attorney Smith time to research whether we are allowed to put restrictions, and time for Mr. Quijano and the neighbors to sit down cordially. Commissioner Melton said it would be good to have Joe Lewandowski in that next meeting. Commissioner Rardin said yes, if Mr. Quijano is interested in selling to somebody in the City, or to the Historical Society. Mr. Lewandowski works with the Historical Society and has done a lot of the older buildings. Right now, they are renovating and restoring the Dudley School to how it was. Commissioner Rardin said he believed that this place, as one of our original hospitals, was on Mr. Lewandowski's list of projects. Perhaps that is an option, but we need time to take a look at all of that. Mayor Payne asked City Attorney Smith if she had any comments. City Attorney Smith said in the past, we have put restrictions on different properties. Planning and Zoning came to her, and she saw where we have done that. She said we should table this so she can do more research. Mayor Payne said we will table this for two weeks. Mr. Quijano asked who he would get into contact with regarding the suggested options. Mayor Payne and Mayor Pro-Tem Wright said Joe Lewandowski.

Commissioner Rardin moved to table the item until the next meeting.

Commissioner McDonald seconded the motion.

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

10. Consider, and act upon, Resolution 2023-15 for the acceptance and approval of the FY22 Audit. (Alan D. "A.J." Bowers, CRI - Carr, Riggs & Ingram) (Roll Call Vote Required)

Mr. Bowers virtually presented the FY22 Audit.

Mayor Pro-Tem Wright moved to approve.

Commissioner Melton seconded the motion.

Roll Call Vote was taken.

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

EXECUTIVE SESSION

11. Recess into Executive Closed Session in compliance with 10-15-1(H)(2) NMSA (as amended) to discuss: Limited Personnel Matters (City Manager). (Roll Call Vote Required)

Commissioner Rardin moved to Recess into Executive Closed Session at 8:29 p.m.
Mayor Pro-Tem Wright seconded the motion.
Roll Call Vote Required.
Motion carried with a vote of 7-0-0.

RECONVENE INTO OPEN SESSION

Commissioner Rardin moved to Reconvene into Open Session at 10:07 p.m.
Commissioner Melton seconded the motion.
Motion carried with a vote of 7-0-0.

12. Take any action as a result from the Executive Closed Session.

Mayor Payne said that City Manager Cesar announced he is retiring effective November 30th. During the transition, Assistant City Manager Hernandez will be named Acting City Manager.

ADJOURNMENT

Mayor Pro-Tem Wright moved to adjourn at 10:10 p.m.
Commissioner Rardin 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 May 9, 2023.

**CITY OF ALAMOGORDO, NEW MEXICO
BUDGET HEARING WORKSHOP MINUTES
5:30 P.M., DONALD E. CARROLL COMMISSION CHAMBERS
May 1, 2023**

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

**DUSTY WRIGHT, MAYOR PRO-TEM
KARL MELTON, COMMISSIONER
STEPHANIE HERNANDEZ, ACTING CITY MANAGER
ASHLEY SMITH, CITY ATTORNEY
RACHEL HUGHS, CITY CLERK**

CALL TO ORDER / ROLL CALL

Mayor Payne called the meeting to order at 5:30 p.m. Roll Call was taken by the City Clerk. Commissioner McDonald arrived at 5:47 p.m. City Clerk Hughs announced there was a quorum present.

APPROVAL OF AGENDA

Mayor Pro-Tem Wright moved to approve the agenda.
Commissioner Burnett seconded the motion.
Motion carried with a vote of 6-0-0.

PRESENTATIONS

1. City of Alamogordo Preliminary Budget for FY 2023-2024. (Evelyn Huff, Finance Director)

Finance Director Huff presented the preliminary budget.

REVENUE OVERVIEW

Commissioner Melton asked what miscellaneous revenue was. Finance Director Huff said it is reimbursements, refunds, sales of scrap, sales of land, some types of interest, and administration fees. It is a catch-all across all the different funds. Commissioner Melton asked if the forty percent decrease was being conservative. Finance Director Huff said with miscellaneous revenue, we don't budget until we get it because it is unpredictable. For example, in FY23, in abatement recoveries, we charged \$129,000, but we are modified accrual, so it goes on our PNL right off the bat. In 2022, that number was \$225,000, and in 2021 it was \$0. In those cases, that is not something we try to project because there is no rhyme or reason to it. Next year it could be \$300,000 or \$3. That is how all the miscellaneous revenue is.

FUND 11, GENERAL FUND

Revenues

Mayor Payne asked if GRT was based on a three-year average. Finance Director Huff said it was; we are taking 2023, 2022, and 2021, which is good because 2020 was weird. We are getting back to the actuals. Mayor Payne said all considering, it is not that bad.

Expenditures - Legal

Commissioner Rardin asked if we ever looked at hiring an Assistant Attorney again. Finance Director Huff said it is not something we included in this budget and was not part of the personnel request. However, City Attorney Smith is looking at that. Commissioner Rardin said we always had one. City Attorney Smith said she didn't budget that in because she was very new. She fully expects that she will be requesting that by the next budget.

Expenditures – Finances/Accounting

Commissioner Rardin asked why we had budgeted the Finance Director at eighty percent. Finance Director Huff said the other twenty percent comes from the Water Fund as she oversees Utility Billing.

Expenditures – Accounts Receivable

Commissioner Rardin said that under Accounts Receivable, is that for Water Billing? Finance Director Huff said that it is for the Customer Service Reps only. The Utility Billing area is fully out of Fund 81, so that is the Customer Service Manager and her clerks in the back. The idea of the past was that because it was Customer Service, they took payments for Planning and Zoning and the City Clerk's Office. They also take some internal deposits, so they shouldn't be all paid out of Fund 81 because they are not doing just straight Utility Billing. He said he asked because we should look at hiring a Collection Officer instead of sending a lot of different things to Collections. We can have somebody in-house who tries to collect many of these debts we write off every year. Finance Director Huff said that is something they have discussed internally, especially for Departmental items and Non-Utility Billing. For Non-Utility Billing, we have an ordinance, procedures, and everything. However, for the Departmental stuff, we do not have anything. The first step is moving to the new software where we can track invoices and issue statements. Our current software can't issue statements. We will be able to make monthly statements. Our Accounting Technician is taking that initial step, so we can see how much effort and time that takes and then give us a plan to request another employee.

Expenditures – Code Enforcement

Mayor Payne said that you said we added a Code Enforcement Manager, so what did we have before? Finance Director Huff said we did not have a Code Enforcement Manager or Supervisor for a portion of the year. They tried managing it differently, and it did not work out, so Public Works Director Beshaler was approved to hire a Code Enforcement Manager. Commissioner Rardin asked if the \$134,000 difference in salaries and benefits was because of the manager position. Finance Director Huff said yes; it was only budgeted for a small part of FY23. The increase is the difference between having it budgeted for the full year of FY24. Commissioner Rardin asked how much the salary went up from a supervisor's to a manager's salary. Finance Director Huff said the base salary is \$53,400. She said she believed when there was a Code Enforcement Supervisor, it was closer to \$40,000, but she would have to look to be sure. Mayor Payne said it was significant. Finance Director Huff said yes. Public Works Director Beshaler said the previous employee left before the Salary Survey was implemented. Considering that and the difference between the supervisor and the manager, she said she didn't think it was quite as significant. Commissioner Rardin said that regarding the Code Enforcement Manager position, shouldn't we have waited until Budget Hearings to have us approve that before we hired for it? Finance Director Huff said they brought it as part of a budget revision. A proposal was submitted to the City Manager, and he approved it, and we brought it as part of the revision. Commissioner Rardin said you don't explain what is in the Budget Revisions. Finance Director Huff said the details are in the packet.

Expenditures – Police

Commissioner Melton asked for the current number of certified officers. Finance Director Huff said thirty-five. Commissioner Melton said we are only budgeting for one more hire. She said yes; you will notice on the breakdown of the budget we do breakout lieutenants, sergeants, police chiefs, etcetera. It is thirty-six patrol officers. Commissioner Melton asked if there was a reason we budgeted for forty-one last year and we are going down to thirty-six this year. Finance Director Huff said that in FY22 when we budgeted forty-one, we never hit that mark. When we budget for so many officer positions that we never fill, we end up obligating funds that we know will never get spent. The idea in FY23 of obligating funds for only thirty-one positions was to make the funds more liquid inside the General Fund. We didn't freeze the positions; if we ever got close, we would have done a budget revision. We have nine positions allocated for funding that we haven't been able to fill. Budget Analyst Gutierrez

said they also allocated some money for Police Service Aides. Finance Director Huff said that was done in 2023. Part of not budgeting those ten was also to budget the four Police Service Aides.

Mayor Payne said she thought the Police Department had a specific IPRA records clerk. Finance Director Huff said they do, and they are budgeted for.

Commissioner Rardin asked why we are doing away with our captain positions. Finance Director Huff said they had transitioned the captain positions; they are not fully budgeted in FY24. Commissioner Rardin asked what we are transitioning them to. Finance Director Huff said patrol officers. Commissioner Rardin said we are taking the two captain positions and creating four patrol officer positions. Finance Director Huff said yes, that is part of the changeout. Commissioner Rardin said we would have a Chief, a Deputy Chief, then Lieutenants, Sergeants, and Officers. She said correct.

Commissioner Melton asked if last year was the first year we had those Police Service Aides. Finance Director Huff said correct. Commissioner Melton asked if we received any feedback from residents. Deputy Police Chief Kunihiro said he didn't have specific feedback numbers, but the Police Service Aides are taking their fair share of non-emergent calls. He said that feedback from the officers is that the Police Aides are helping out a lot. We have debated increasing Police Service Aide positions if police numbers dip, especially if we can't hire police officers. They are limited in what they can do, and we don't want to go that route necessarily. Commissioner Rardin asked what their job description was; say you have minor thefts; are they allowed to come and take reports on those? Deputy Police Chief Kunihiro said that for petty misdemeanors that don't have a suspect, say a citizen wants to report that their lawn ornament has been stolen with no suspects, cameras, or anything like that, then the Police Service Aides can take stuff like that. They also take non-injury-related crashes and crashes that aren't disabling vehicles. They are in the neighborhoods a lot and can write parking citations and things of that nature. Commissioner Rardin said he asked because he had an incident where he couldn't get DPS to show up to do a report. He said they wanted him to do it online. He said he didn't know if that is what the Police Service Aides should be doing. If a certified officer couldn't get there, could one of these guys come to take the report and do the legwork? Deputy Police Chief Kunihiro said online reporting is meant to be another resource. Commissioner Rardin said he was told to do it all online, and they wouldn't even come out to the site. Deputy Police Chief Kunihiro said they could talk afterward about the specifics, but they shouldn't be forcing anyone to take an online report if they don't want to. The citizens may have to wait longer based on call volume, but other than that, they shouldn't be forcing anyone into online reports. Mayor Payne said she had gotten feedback for that same thing, so we need to discuss it. She said she just thought it was a thing you do now. Deputy Police Chief Kunihiro said it could be convenient, but the Chief's direction is that it is not a must. If they want an officer to respond and are willing to wait, we will show up where they want to meet.

Commissioner Melton asked what the peak number of officers we had in the five years before COVID, compared to what we are budgeting. Deputy Police Chief Kunihiro said he didn't know what had been budgeted, but the total number of officers we have hired now is forty-three officers, from the Chief down to every sworn officer. Certified officers are thirty-five; we have four in the Academy and three we are hoping to send to the Academy. The thirty-five officers are the only ones that can go out and do work on their own because we don't put officers out on their own, although we could. We don't do that for up to a year. He said he couldn't say that he remembered them having more than forty-seven to forty-eight over the last four to five years. Commissioner Melton said he asked because he remembered that we considered sixty the number we should be aiming to be full-time. Is that what we would consider fully staffed? Budget Analyst Gutierrez said these are budget authorizations, not filled positions. He said he thought what was happening before was that they were authorizing a certain number of officers but not hitting the full number. There is a lot of difficulty in filling those types of positions right now. Deputy Police Chief Kunihiro said his understanding is that they were always at

fifty-nine to be fully staffed for many years. He said at some point; we dropped down to fifty-eight. This past year, his understanding of the budget process was that it was not good budget practice to budget for things like this continually. It is better to be more realistic with your budget practices, so we dropped that down to forty-eight. If we increased to over forty-eight, then we would have to request that, but we haven't gotten there yet. Commissioner Melton said we are not going to deny applications if we have qualified officers, but we are above what we are budgeting. Finance Director Huff said no; that was never the intent. The intent was to make the funds in the General Fund more liquid. To give a little bit of history, in FY16, they had such huge salary savings that they moved it out and used it to buy police cars and equipment. It was hundreds of thousands of dollars. That is not a great practice to have that amount of money tied up. We would love for them to be fully staffed, but in the current climate, it is not realistic. She said she was watching the Albuquerque news the other night, and they were talking about the same thing. Instead of budgeting for one thousand two hundred officers, they will budget for one thousand one hundred officers because they do not feel they can fill those one hundred positions. As for us, no, we never turn them away. If they can get them, we will hire them. Commissioner Rardin said that we used to budget for seventy-six positions around eight years ago. Deputy Chief Kunihiro said that we had seventy-six officers when he was hired in 2006. Commissioner Melton asked if the retention bonuses were working. Deputy City Clerk Kunihiro said we had lost four officers, two of whom received the bonuses since that implementation. The other two were ineligible. Mayor Payne said that is not encouraging, but we have four in the Academy and three more possibly going. Deputy Police Chief Kunihiro said that four are due to graduate on May 25th, and then if we get the other three in, they will go to the July Academy and graduate from November to December. They won't be on their own until around February to March. Commissioner Rardin asked if they saw many turnovers to the Sheriff's Department or other departments. Deputy Police Chief Kunihiro said yes, they are. Commissioner Rardin asked if we were still seeing the switch back and forth. Deputy Police Chief Kunihiro said we are not getting any of them back. Acting City Manager Hernandez said that the County recently proposed a pay increase of about fourteen percent for them. Commissioner Rardin asked how our recent wage increase compares to theirs. Acting City Manager Hernandez said that this would put the County higher. Deputy Chief Kunihiro said it would be significantly higher if they got fourteen percent. Commissioner Rardin asked how much higher we are talking. Deputy Chief Kunihiro said we are comparable right now. The starting salary for non-certified officers for the County, City, and Detention Center is around the \$19.40 to \$19.50 an hour range. Certified officers are in the \$21.00 range for us and the Sheriff's Office, but they will go up fifteen percent. Mayor Payne said they would go up almost two dollars an hour for non-certified. Acting City Manager Hernandez said they had acknowledged that, and she will meet City Attorney Smith and Human Resources Director Torres to look at different options to bring forth to Commission. Mayor Payne said it sounded like a bidding war. Finance Director Huff said that is what it has been across the State; Chief Denton and her had multiple conversations about that. It seems like everyone keeps moving up, which makes everyone else move up. Commissioner Rardin said the \$4,000,000 decrease in our General Fund ending balance concerns him. Mayor Payne said that was conservative, though.

SPECIAL REVENUE – FUNDS 15, 16, 19, 20, 21, 22, 27, 28, 31, 32, 33, 35, 36, 37, 38, 42, 44, 63, 69, 71, 74, 75, 89, 96, AND 107

Commissioner Rardin asked if Fund 105 was usually under Special Revenue. Finance Director Huff said that Fund 105 is a GRT fund. He said he didn't see it anywhere in here and thought it used to be under Special Revenue. Finance Director Huff said it is under Capital now.

FUND 27, MUNICIPAL COURT

Mayor Payne asked why Municipal Court increased. Finance Director Huff said they are receiving less State funding; their State funding has evaporated. That can be seen in Fund 19, Court Automation. That used to cover all their computers and software, and now to cover what we need, it requires a transfer. Mayor Payne asked if that was due to circumstances beyond our control. Finance Director

Huff said it is; the courts revenue is deposited into the General Fund. While it looks like they only get \$13,000 in revenue, the bulk of their revenue is under the fines in the General Fund. Part of the \$506,000 transfer is offset by their revenue. Their revenue doesn't cover all of that. As they will tell you, the more tickets written, the more revenue they can get. We also have a new Judge, so sometimes they handle cases differently.

FUND 15, CORRECTIONS

Commissioner Rardin asked why our Corrections Fund jumped so much from 2022 to 2023. Finance Director Huff said that 2023 is still a projection. They are actually at \$40,178. Commissioner Melton asked how much we were paying per prisoner. Finance Director Huff said around \$80 a day. The line it draws from depends on whether they are a half-day or full-day prisoner. She said that APD Administrative Manager Maria Herndon was working with the County to determine what the prisoners were considered. Commissioner Rardin asked if there was a way to set up a community service to offset some of this, like a work program. Finance Director Huff said that the Municipal Court offers community service towards paying off fines. She said she didn't know if that translates to paying off jail expenses. City Attorney Smith said that Judge Overstreet mostly isn't sending people to jail unless it is a DWI with mandatory incarceration time. Most of the time, it is usually fines; we offset that with community service, as you are talking about. Typically, when we are putting someone in jail, it is because they failed to appear. Then they will get picked up and are only there for a few days. It is not like we are having a lot of people being sentenced to jail time. Commissioner Rardin said it is probably just the repeat offenders really paying. City Attorney Smith said correct; it would be more of those not appearing in court, and then a bench warrant gets served. Commissioner Rardin asked if it was the ones seen repeatedly in the police logs. City Attorney Smith said yes.

FUND 20, LODGER'S TAX – CITY PORTION

Mayor Payne asked when we would hear back from the State regarding the NM True Co-op Grant. Finance Director Huff said she thought they would announce it on May 22nd. That will determine how much we get awarded and our match. If we don't get awarded the whole amount, we will have more funds to do other types of advertising. Mayor Payne asked if Finance Director Huff would bring that back to us. Finance Director Huff said yes, we have a lot of good plans. The position closed on Friday, and she discussed the candidates with Community Services Director Ortega. While Community Services Director Ortega will be supervising the position, the Finance Department will have a lot of input. Acting City Manager Hernandez said we would get there when we got to Community Services, but we reworked it. The previous position as Civic Center Manager has changed to Community Affairs Manager. The tourism person falls under that, as well as Marketing and Communications. That is the whole picture now in one place, as opposed to it being in different Departments. Finance Director Huff said instead of one person doing it, we think a whole team can do it now. We are very excited about that. Commissioner Melton asked who would be responsible for economic development. Would it be the Tourism Specialist? Finance Director Huff said no, the economic development stays with the Finance Director at this point. Acting City Manager Hernandez said that since Finance Director Huff has her hands full, she is currently taking on that part and consulting with her when things come up. Finance Director Huff said we hope we have a LEDA application for you all within the next two months or so. Acting City Manager Hernandez said we are at the point where everything is settled and have been pretty aggressive. She submitted some site selections; we have the LEDA application. Nothing resulted from the former; we couldn't get a hold of them. We are holding onto that, but we also received a brand-new one this week.

Commissioner Melton asked what the role of the Community Affairs Manager would be. Finance Director Huff said they would oversee the Tourism Specialist, the two Marketing and Communication positions, the Civic Center Supervisor, and the Civic Center maintenance person. They will be housed at the Civic Center. Their main things will be the City's Special Events, overseeing tourism, and then

helping develop the big picture tourism policy along with City and Commission leadership. They will also oversee Communications and Marketing, so we will have a complete and consistent message for all of our events and platforms. If it is a tourism or communications and marketing event, it will be advertised as such. They can also support each other with things like special events, tourism, and just giving a cohesive working department instead of scattered pieces. Commissioner Melton asked if they have any role with customer service regarding views towards the City. Finance Director Huff said that would come through in marketing and communications. When talking about customer service, are you talking about customer service people in all departments, or the overall message? Commissioner Melton said whoever has the most exposure to residents. Finance Director Huff said we didn't talk about them being involved in other departments other than communication and marketing specialists continuing their role of handling communications for departments. For example, if she went to them and said we need to develop this program for Water Billing, they would help us develop the materials and push out that marketing campaign. Right now, we have two of those positions, which are both full. They are a great resource for the departments. Acting City Manager Hernandez said the Community Affairs person is more about, yes, we have these events. We are focusing on feet on the street instead of heads in beds for things like sports events, concerts, but we are also working with our businesses for day events and some overnight events. Overnight events are like the Balloon Fest. That True tourism event brings in people. It will be a mixture, but our focus is on our community and bringing people to the community, even if it is for a day. As far as communications, our goal is to have all communications flow through there, so we are doing consistent messaging throughout the City. If there is an issue or things we need to get out, we want to ensure it is in the same context. We have pretty great people that are able to create graphics, communicate well, work on our website, and generally work with each department.

FUND 27 – MUNICIPAL COURT OPERATIONS

Mayor Payne asked if the vehicle used here was for prison transport. Finance Director Huff said they don't transport prisoners anymore with any regularity. Mayor Payne asked what they used the vehicle for. Finance Director Huff said they have to go out to jail and serve things sometimes, like subpoenas. City Attorney Smith said they serve our subpoenas. If we have witnesses, we need to come to court, and the Bailiff will go out and serve those in-person to those people. Whenever someone is at the court, we don't have to bring them here to court. We are doing Google Meets, but sometimes they will have to go to jail to serve the paperwork. Finance Director Huff said we used to have to go get them and bring them here. We don't have to do that anymore.

FUND 28 – POLICE CONTINGENCY

Commissioner Melton asked if we considered funding this with cannabis GRT. Finance Director Huff said we had not talked about that. The cash balance in this fund is pretty good; right now, they have \$54,000 and rarely spend more than \$10,000, so funding hasn't been an issue.

FUND 32 – COMMUNITY SERVICES

Cemetery

Commissioner Melton asked for an estimate of when we would have to purchase more land or expand the Cemetery. Acting City Manager Hernandez said we are looking at the ordinance to see if it still works. There are an estimated ten years out that we would have to look at it. If you buy a plot, you can only have two cremains by ordinance. We are not sure if that ordinance is still conducive to what we need, and we are looking into that. If it stays the way it is, we are thinking ten years. Commissioner Melton asked if we buy the land or need the space in ten years. Acting City Manager Hernandez said ten years is when we start buying the land. Commissioner Rardin asked if we have that much space left, even for regular burials and caskets. Acting City Manager Hernandez said yes; we are part of the Community Services Master Plan; they are going in there and looking to see if that number is still valid, if we need to update our ordinances, or need to start looking at land sooner rather than later. We

believe that is still fair. Commissioner Rardin said he has asked about the Cemetery over the last four years, and it just looks like we will run out. Acting City Manager Hernandez said that is a hard thing to predict. Commissioner Rardin said he thought we should start budgeting and looking at this sooner than ten years from now. Acting City Manager Hernandez said that is what the Community Services Master Plan is for.

Recreation Center

Commissioner Melton asked if there was any consideration of increasing the REC Center's fees with the cost of chlorine, or has that stayed steady? Finance Director Huff said those have stayed steady with the increase that was passed a couple of years ago, that is, the automatic riser. Nothing to the level of four hundred percent that the chemicals went up.

Zoo

Commissioner Rardin asked why we are doing away with the Zoo's Curator and Support Staff positions. Finance Director Huff said that the Curator became the Lead Zookeeper, it was more of a change of job title rather than doing away with it. The Facility Support Staff is part of what they transferred into the Cashier, which was an odd admin position that wasn't really earning any value. He asked if the Zoo was acquiring more animals. Acting City Manager Hernandez said the expansion is part of the Community Services Master Plan. Right now, we can't, though. Commissioner Rardin asked when the Commission would get to see that plan. Acting City Manager Hernandez said we are working on it now. The Parks and Recreation Director went to Bonito Lake this week, and Community Services Director Ortega is working with them. We do not have an anticipated date.

Community Affairs

Mayor Payne asked if the Community Affairs Department's FY23 budget would be filled before the end of FY23. Finance Director Huff said yes. Commissioner Melton asked who would talk to a prospective business. Finance Director Huff said that it depends on several things. It could depend on the business contact. If they are looking for LEDA, they will reach out to Acting City Manager Hernandez or herself because they are going to the State Economic Department, which has talked with us at length. A lot of them will reach out to the Center of Commerce. The Center of Commerce will usually direct them back to the City Manager's Office if they have specific questions that the Center can't answer. We have not talked about it yet in terms of the Community Affairs portion.

Library

Commissioner Rardin asked if the Children's Library Clerk is moving to regular Library Clerk or if they are doing away with that. Finance Director Huff said it was just made general. Commissioner Rardin asked what the Maintenance and Page were. Finance Director Huff said the Maintenance and Page positions have not been active since COVID. Those were part of the cut from COVID. So that is incorrect on FY23; those should have been in there. Commissioner Rardin asked what their specific job was before. Finance Director Huff said that Maintenance did maintenance on the building. Commissioner Rardin asked if that fell under Facilities. Finance Director Huff said it did not at that time. Since those positions were cut, the cleaning of the facility has fallen under the cleaning contract. Facilities have done additional work. The Page positions were internal, and they restocked shelves and did general library work. Commissioner Rardin asked if that wasn't what the Clerks did. Finance Director Huff said they do that at the next level. Commissioner Melton said it sounds like we are not returning to pre-COVID hours. Finance Director Huff said they just recently started opening on Mondays. Mayor Payne asked if there was a plan for them to be open on Fridays. Community Services Director Ortega said no; we received one position to get that extra day to open. We were closed for two. When we lost the Library Pages, we lost eight and that part-time Maintenance position. She said that City Manager Cesar gave us that one position back with the understanding that we would open on Mondays again. It is a big rotation for them, and they are open six days a week. Everybody works

a Saturday. Commissioner Rardin asked how many employees were needed to get it back to pre-COVID. Community Services Director Ortega said we had eight part-time Pages and one part-time Facility Maintenance. Commissioner Rardin asked if we needed a Facility Maintenance guy there to open to pre-COVID levels. He said he didn't know how well-utilized the Library is. Community Services Director Ortega said it had been a challenge with custodial services because that means we need custodial services there six days a week opening for us. It is just a struggle getting custodial services right now. Staff also have to assist with custodial services. Mayor Payne asked for the Library's pre-COVID hours. Community Services Director Ortega said they were open six days. Mayor Payne asked if Friday was the day they were closed. Community Services Director Ortega said they were closed on Sunday. Commissioner Rardin asked if it was Monday through Saturday. She said right. Mayor Payne asked why we couldn't go back to that. Community Services Director Ortega said they did not have the staffing; we lost the eight Pages, and now staff has to take on that workload. All staff, including the Librarian, are on rotation, where they all work a Saturday. Commissioner Rardin asked if we could look into what it would cost to be open for six days again. Community Services Director Ortega said yes. Finance Director Huff said we have been discussing a solution to the custodial issues because we are not happy with the services we receive. She said Acting City Manager Hernandez, Public Works Director Beshaler, and herself have all been working on how many people it would take to do the upkeep the way we want it and have coverage. The Library is an active part of that conversation. With that conversation, it would be how many additional full-time or part-time positions would be needed to keep the shelves up to date and other responsibilities. Commissioner Burnett said so it is currently open Monday through Thursday, then closed Friday, then open Saturday, then closed Sunday. Why didn't we go from Tuesday to Saturday, and then leave Sunday and Monday closed? Community Services Director Ortega said that was a choice that Library staff decided would work best. They must reshelve books, sanitize them, do general cleaning, and things like that. They felt it would be better to be closed on Mondays. Commissioner Rardin asked again for the cost of hiring additional staff to keep it open six days a week. Finance Director Huff said that Library Manager Underwood would be happy to put that together. Acting City Manager Hernandez said they get about thirteen hundred visitors on average in the Library a week in their weekly reports. Commissioner Rardin asked if that was at the current level. Acting City Manager Hernandez said yes, and she was sure it would increase in summer. Mayor Payne asked how much we get from the County. Finance Director Huff said that it is varied; we don't have an agreement at the moment, we don't get that until August. They go through their budget process, they approve. It was \$25,000, and it went to \$50,000, and there was talk about it going back to \$25,000, but they left it at \$50,000. We will see what their budget process comes out with. Mayor Payne said she remembered at one time they reduced it. Finance Director Huff said there was a year when they cut funding to the extension service and other places. There was an uproar where 4H came back at them. We did pretty well, and we didn't lose too much. They still funded the Senior Center and Library. Mayor Payne asked if they tracked whether the citizens were from the City or County. Finance Director Huff said it was on their library cards.

FUND 35 – HIDTA GRANT FUND

Commissioner Rardin asked if all we got last year was \$16,000. Finance Director Huff said yes; that is about what we typically get. They do a clawback, so if other agencies in our district don't use it, they give us a bump. That bump is usually between \$3000 to \$5000. The highest amount we have ever gotten is around \$20,000, but we sometimes struggle to spend it. Commissioner Rardin asked if we had a narcotics-type deal, or if that was through Otero County. Deputy Chief Kunihiro said they are the fiscal agent for it. Commissioner Rardin asked if we have any officers currently in that program. Deputy Chief Kunihiro said no.

FUND 44 - TRANSPORTATION

Administrative Services for Public Works

Commissioner Rardin asked if they had a Public Works Inspector in 2022 or 2023. Finance Director Huff said we did not for all of 2023. It is a new position as of FY23. She said it hasn't been a budgeted position since at least she started in 2018. He asked if we had an inspector on the payroll. Finance Director Huff said we had a Utilities Inspector but not a Public Works Inspector.

Z-Trans Contract

Commissioner Rardin asked if Z-Trans asked for an increase. Finance Director Huff said no, they asked for the \$189,254.

Street Maintenance

Commissioner Rardin asked if we were just adding one Maintenance Worker. Finance Director Huff said yes. He asked if we are getting rid of the other zeroed positions. She said the Dispatch Clerk in Facility Maintenance is covering the Dispatch Clerk position. We talked about the coverage there, and she said she could see it being requested to change in the future. The Utility and Streets Construction Manager has been changed because we don't have Utilities Construction anymore. That is now more under the Streets/Drainage/Weeds Maintenance Manager.

FUND 125 – CANNABIS GRT

Mayor Payne asked how the reporting for this was going. Finance Director Huff said they are required to report every dollar spent on it. Ours is easy because we spend it all on salaries and benefits. We haven't had any feedback from DFA. Mayor Payne said we had an adjusted budget for FY23; do we know the actual? Finance Director Huff said when this was printed on February 6, 2023, we were at \$101,182, so that would have had through December. Acting City Manager Hernandez said this one is \$151,395 prior to April 13th. Finance Director Huff said that means through February, we would probably not have the large numbers. Mayor Payne said that from December to February is \$50,000. Finance Director Huff said we did not revise the \$204,000 because we felt we were close to being on track for it. Budget Analyst Gutierrez said that is what they budgeted for next year. Finance Director Huff said it has been pretty consistent, the low end is \$13,000, and the high end is \$16,000 to \$17,000. Finance Director Huff said it would be interesting to look at the correlation between GRT versus the number of cannabis stores. She said she didn't feel like we have seen more GRT as more stores open; it seems to be the same but just spread out over more stores. Commissioner Rardin said there are about twenty stores. Mayor Payne said from 10th Street going South, there were at least ten or fifteen. Commissioner Rardin asked about the admin fee, is that \$6,100? Finance Director Huff said yes; that is the money they charge us to collect it. Commissioner Rardin asked if we could get with the League, other municipalities, and counties, and tell the State we are tired of paying their fees. Finance Director Huff said you had to get with the legislature to put in a bill. Commissioner Rardin said we couldn't get the League to do it. Finance Director Huff said she didn't think the League could introduce a bill, but they could find somebody interested. Commissioner Rardin said the majority of the received GRT is collected right here in our local community by our businesses. The State is charging us a fee, and we don't know whether we are getting the portion we are supposed to receive. He said he finds that ridiculous. Finance Director Huff said that when it comes down to it, it would have to be signed by the Governor, but she didn't think it was something to be done administratively. It has to be done on the legislative side. Commissioner Rardin said the Municipal League would rally with communities and legislators during sessions to reduce that or eliminate it. Commissioner Melton asked if the State is doing anything to ensure these businesses pay the GRT. You just mentioned they keep popping up, but the revenue seems stable, and it is probably a cash-heavy business. Finance Director Huff said that is something they have to look at. They have to register with and report to TRD. She said she is unsure how TRD would recognize if one of these companies operated without being registered with them. Commissioner Melton asked if they do physical visits. Commissioner Rardin said they do and set up a whole thing called the Cannabis Control Division. They are using Construction Industries Division as their enforcement arm. They are regulating them heavily on that side of it through CCD

rules. Finance Director Huff said that the State Police have a portion of it as well because you are required to have a surveillance system, which has to have a tie-in to the State Police.

CAPITAL – FUNDS 24, 48, 50, 54, 56, 61, 105, & 109

FUND 105 – ECONOMIC DEVELOPMENT GROSS RECEIPTS TAX

Commissioner Rardin asked what the other services were here, the \$18,508. Finance Director Huff said that is the GRT Admin Fee. We used to be able to budget it as part of the revenue, but now we have to show it separately as an expense. He said we should start requesting a breakdown of everything that is collected. She answered that she wasn't sure if you could make an IPRA request for that. Commissioner Rardin said you can't, not the people that actually paid, but the gross amount they collect. It is always a fight to get that information from them.

Mayor Payne asked who was going to handle economic development. Finance Director Huff said Acting City Manager Hernandez is handling the outreach portion, and I have been doing the financial reviews. Eventually, they will take more of a tag-team approach to that. Mayor Payne said the only thing she saw that we were missing with economic development was that they come to us instead of having someone reach out. Who is visiting businesses? Do we have anyone doing that? Acting City Manager Hernandez said not to businesses; they are coming to us. Before, it was OCEDC, but the OCEDC contract was cancelled about a year ago. She said she was working with Trish Livingston and June Lucero. They are going through Small Business Development and then sending them toward us or the State, depending on the type of economic development. We updated our LEDA application to make it easier than what OCEDC was doing. The financial and tax statements are concerns that the Commission previously expressed. However, as the State says, you are requesting public money. You need an acknowledgment that if you are requesting taxpayer money, then you should be able to show you are a solvent company. Mayor Payne said she agreed and was in support of bringing it in-house. She just thought that not everyone needs small business development. Acting City Manager Hernandez said the State has been extremely helpful and showed us possible projects. It was slow running, but now we have gotten everything aligned.

FUND 109 – STREET CAPITAL GROSS RECEIPTS TAX

Commissioner Rardin asked if stoplight heads needed to be replaced. He said he would rather see that money going toward the roads' surface than traffic lights. Finance Director Huff said there is a substantial fund balance in 109; it is projected to end the year at eleven point three. There is a street assessment to be presented to you, and she expected to see a healthy revision out of that once it is determined what to do with it and what to do with the underlying water infrastructure. Commissioner Rardin said we had not had any major projects in a while. Finance Director Huff said that the plan is nearly ready to go; they just need to answer some water and sewer questions. Commissioner Rardin asked if we are looking at doing a bond on the street or are we going to do it strictly out of 109. Finance Director Huff said we did not talk about bonding because, based on what was presented on the initial plan, we gave them what we are taking in, and they gave us a plan based on the revenues we get from this GRT. We did not ask them for a plan with a balloon where we could bond \$10,000,000, but she was sure they would give us one. Commissioner Rardin said we did the \$15,000,000 with Hamilton, South Florida, and a bunch of different ones; he said he thought we just refinanced that one about a year ago. It may have been two different ones for \$7,500,000 each time. Finance Director Huff said that might be something we have to look at to afford the water and sewer infrastructure in conjunction with the road. We may have to start dipping into our bonding capacity. We have been good and building that back up, so we are in a good place. Commissioner Rardin said two other bonds should be dropping off soon or could be refinanced. Finance Director Huff said that refinancing right now is too high. We did good, though; we got in when the rates were great.

FUND 114 – SIDEWALK REVOLVING LOAN

Commissioner Rardin said he thought we would do away with this because no one was utilizing it. Finance Director Huff said we discussed it, but there was concern that doing away with it with the standards and specs coming in would lead to people using it. However, we haven't seen that. So, we can look at doing away with it. Commissioner Rardin asked how much this was. Finance Director Huff said \$145,000. Mayor Payne asked Finance Director Huff if she thought people knew about this, or how the City offers it to them. Finance Director Huff said she didn't think it was well publicized. It could possibly use a revamp of policy because it has a steep interest rate and short payback timeframe. She said she has never seen the application but has been told that when people see it, they say it is not conducive to their situation. Commissioner Rardin asked if it had ever been used. Finance Director Huff said not that she was aware of. Commissioner Rardin said they set this up while doing road projects, and most people don't do anything with their sidewalks until they are forced to by the City. When we would go in and do the street, we would let them know if their sidewalk needs to be updated. That is why that program was developed; it was set up so that it wouldn't be a hardship. It was a way to help homeowners have a way of doing it. Commissioner Melton asked what it would typically cost to do a sidewalk. Finance Director Huff said she wasn't sure. Commissioner Rardin said it depends; sixty feet on a standard lot is probably \$5000 to \$6000. With today's prices, it would be more. Commissioner Melton said a lot of people do not have \$6000 on hand. Commissioner Rardin asked if we wanted to bring this back before the Commission and look at the policy on that, just to take a look and decide whether to keep or do away with it. Finance Director Huff said we could do that. We could look up the policy and bring it back as a discussion item. Commissioner Rardin said it had been around twelve years since we set that up, around 2009 or 2010.

FUND 124 – AMERICAN RESCUE PLAN ACT

Commissioner Rardin asked how long we have to spend that. Finance Director Huff said four. Commissioner Rardin asked how many years it has been so far. She said two.

DEBT SERVICE – FUNDS 53, 59, & 82

FUND 53 – GENERAL OBLIGATION PRINCIPLE & INTEREST

Commissioner Rardin asked what the 2017 bond was. Finance Director Huff said that would be the Natatorium. He asked if that was upgrades to the REC Center. She said yes, that was originally supposed to be the pool, but it wasn't enough money, so it ended up being quality of life improvements. It has probably funded about twenty-five different projects.

ENTERPRISE – FUNDS 81, 86, 88, 90, 91, & 94

FUND 81 – WATER/SEWER OPERATING

Customer Service/Utility Billing

Commissioner Rardin asked if the City was going to ask for more meter readers. Finance Director Huff said we preliminarily asked for another meter reader position, but City Manager Cesar said no. Commissioner Rardin said they were told we didn't need any on this new system, but last year you guys asked to hire three additional ones. Finance Director Huff said that up until the national system crashed, we could keep our local system at reporting over 97%. We could finally keep up with replacing batteries, MIUs, and broken or stolen things. Commissioner Rardin asked what the national system had to do with ours. Finance Director Huff said it all runs through Zenner's operating system. We don't own the operating system, and their system has been down. Commissioner Rardin asked if they gave us any reason why. Finance Director Huff said that Customer Service Manager Sierra said that they didn't directly say they were hacked, but that was the feeling she got.

Utility Maintenance

Commissioner Rardin asked if we have had trouble filling the three additional Journeyman positions. Finance Director Huff said there were eight vacant positions in Utility Maintenance. There are not only problems in recruiting but retaining. He asked if we paid for them to get their CDL. Finance Director

Huff said yes, we pay for them to get their CDL. Commissioner Rardin asked if there was an implementation or something to keep them long enough to get our money back. Acting City Manager Hernandez said we have a plan for that; we are working with Utilities Director Nunnelley and Human Resources Director Torres because Police and Utilities are having the same issues. We will try to be more aggressive in keeping any money we put into the employee. Commissioner Rardin asked why they left; did they do exit interviews? What were the specifics? Finance Director Huff said everyone does an exit interview. Human Resources Director Torres said a couple was for more money, others went to other contractors in Alamogordo, and one said they worked too hard.

Wastewater Treatment Plant

Commissioner Rardin asked how long it has been since we revamped that plant. Finance Director Huff said eleven years.

FUND 90 – DESERT LAKES GOLF COURSE

Mayor Pro-Tem Wright asked about the status of the Superintendent position. Human Resources Director Torres said they are still collecting applications. Mayor Pro-Tem Wright asked if they had looked at the option of contracting that out. Acting City Manager Hernandez said we have not talked about that. Mayor Pro-Tem Wright said without a Superintendent coming in, the condition of the Course could go downhill fast, and we are pumping money into irrigation. It is something we should look into. Commissioner Rardin asked if we were fully staffed regarding maintenance, disregarding the Superintendent position. Acting City Manager Hernandez said yes, we have an Acting Superintendent. Parks and Recreation Director Bass is looking into stepping in. Mayor Payne said it was questionable if we are letting it go down, but she has gotten a lot of comments and feedback from people. Mayor Pro-Tem Wright said the concern is that it is much more than just running a weed eater or lawnmower. You must know how to work with effluent water, the greens; it is a major quality of life feature, especially since Holloman shut their course down. Acting City Manager Hernandez said that Parks and Recreation Director Bass is well-educated in the wastewater part of it. We know there is a problem, and we are keeping an eye on it. Commissioner Rardin asked if we contracted that out, it would be substantially more expensive than in-house. Acting City Manager Hernandez said we have not looked at contracting that out. Commissioner Rardin said he thought that contracting would be substantially more expensive. Finance Director Huff said it would depend on the contract's setup. The supervisory expense is \$64,534, and the operational is \$273,000. It is a consideration if you are talking about fully contracting it out with no City employees.

Commissioner Melton said that going back to other services, of the \$1,700,000 in user fees, we are paying a little over \$1,000,000 to the pro contract. Finance Director Huff said yes; he runs the Pro Shop and the restaurant. We take a portion of that revenue, and so does he. It is an accounting exercise in terms of how much he brings in, the portion that he keeps ends up going into expense. Commissioner Melton asked who owned the land. Finance Director Huff said it belongs to the City. The building, Pro Shop, and restaurant belong to the City.

FUND 91 – WHITE SANDS REGIONAL AIRPORT

Mayor Payne asked what the grant was for. Finance Director Huff said it was for lights on the runway. Commissioner Rardin said didn't we just get State Capitol money for the Airport, or are we fixing to? Finance Director Huff said we are fixing to, but she has not read that final bill, so she was unsure how much would be allocated. Commissioner Rardin asked how much that was. Acting City Manager Hernandez said they have been asking, but we don't know what it is. It is not \$15,000,000 because they significantly reduced. She said she thought it was \$251,000,000, and the final bill ended up being \$55,000,000, and she was not sure what part of that was ours. Nobody seems to know. Finance Director Huff said we had not gotten a sheet that lays it out. He asked if the Governor had signed it. Finance Director Huff said she must have signed it. If she did not, it would be dead.

FUND 94 – GREEN TREE REGIONAL LANDFILL

Commissioner Rardin asked if it was still on fire. Acting City Manager Hernandez said yes, there was still a subsurface fire.

OUTSIDE AGENCIES

Commissioner Burnette asked for Alamogordo Mainstreet's budget amount last year. Finance Director Huff said \$40,000. Commissioner Rardin asked what they used the money for. Finance Director Huff said regular operations, marketing, communications, and the salary for the Director. Commissioner Rardin said we pay for their Director. Finance Director Huff said yes. Acting City Manager Hernandez said the MOU requires some partnership from the City. For the population we have, the suggested amount is \$40,000. Commissioner Rardin asked why we bumped it to \$55,000. Acting City Manager Hernandez said nothing had been finalized, and we are still going back and forth. Finance Director Huff said we put it in as a placeholder here, knowing that contract negotiations would be ongoing when we submit our preliminary budget. Commissioner Rardin asked what the benefit was to the City and community for \$55,000. Finance Director Huff said they do their events; they bring a lot to the small businesses in that part of town. All of their events, like Christmas on Mainstreet, and their Comic-Con, they do all those. Those are not part of the City of Alamogordo's Special Events. They do a lot of lobbying of the City for improvements in that area and galvanize the workforce to make some improvements through volunteer labor. Commissioner McDonald said they are looking at \$1,900,000. Finance Director Huff said yes, from the Great Blocks. That is a huge infusion of cash in that area. Mayor Payne said they had brought a lot of awareness to Alamogordo, especially if you look at where we were and are now. We have been accepted into a state program for which very few municipalities have been slated. That will give them access to special grants. There has been a huge benefit, and Alamogordo Mainstreet Director Nolan Ojeda works passionately. They have worked hard to prove themselves over the last couple of years. Commissioner Rardin asked regarding the grant money they received; is that just for New York Avenue? Finance Director Huff said she thought it spans 10th Street. Commissioner Rardin asked if we were the fiscal agent for that money. Finance Director Huff said yes, we are the fiscal agent. Commissioner Rardin asked what projects we were looking to use that money for. Finance Director Huff said it is all designed, benches, light posts, sidewalks, and a lot of aesthetics. Our match was going in and doing infrastructure underneath. Commissioner Rardin asked when we got this grant. Finance Director Huff said we just got the grant paperwork. He asked when we got the agreement. Finance Director Huff said she didn't know if the agreement was on the agenda yet. Initially, we were supposed to get the agreement in November, but it got delayed. Grant Coordinator Osborne has been working with the State to finalize everything, so it is ready for the agenda. Commissioner Rardin asked if we had those improvements budgeted. Finance Director Huff said they were done.

GENERAL QUESTIONS

Commissioner Melton asked for more information about our portfolio risk, what we invested in, and how much. Finance Director Huff said the majority of our investments are in certificates of deposits. Governmental CDs are very safe and pay between one and one and half percent, depending on when we are in them. We contract with Morton Securities, and they are our main investment provider. Larry Lundberg, out of Utah, is our Portfolio Advisor. We have some bonds, depending on what he finds. We also use our money market account; it pays two-point-five percent but is governmental and fully collateralized. We are not in anything that is not governmental. We are invested in some of the banks in town. We have certificates of deposit and a money market account with First Savings. We have certificates of deposits with Pioneer. We recently turned in our certificates of deposit with Washington Federal, to move those into Morton and try to centralize. The majority of things are CDs or municipal bonds. Commissioner Melton asked if we had any exposure to equities or stocks. Finance Director Huff said no; we are not in any sort of speculative investments. No mutual funds or anything like that.

This Commission probably hasn't seen it, it was approved before that, but we have an investment policy that says we cannot do any speculation.

Commissioner Rardin stated that when you bring budget resolutions forward with staff changes, if we are going to have positions created or moved around, please be more transparent and tell us. Finance Director Huff said we could move those off the consent agenda and put them under new business. Commissioner Rardin said that in the past, whenever we created positions, it was always done around or during budget time. It wasn't done mid-year. Commissioner Rardin said if it was normal routine business that was one thing, but he thought they should be told about newly created positions.

Commissioner Rardin asked if we just had the three bonds right now. Finance Director Huff said yes; we have the 2017 one, the Fund Center, and the roads. He asked about the \$15,000,000 from 2008. Finance Director Huff said that one is gone. Commissioner Rardin asked if we paid that off. Finance Director Huff said she thought we paid that off; we refinanced it into a loan, and it switched debt service funds. He said if you could, we can have a picture of where we are at with that. Finance Director Huff said we still have that from the last time John came; he had all of them included there. He asked if that was from when we financed them. Finance Director Huff said yes.

Commissioner Melton asked how our debt compares to Roswell or Hobbs. Finance Director Huff said we are debt conservative. We do not go out for debt as some other places do. Partially, it comes down to whether it is a general obligation bond. Are we going to get that passed? We have had mixed successes. Roswell does more debt than we do, but they also have a bigger tax base.

Commissioner Rardin said that in years past, they would put a cheat sheet of the other services. Finance Director Huff said that was in the front. He said it used to be broken down by the Department. She said there is a list of all the different lines that go into other services. It is on page 5. Commissioner Rardin said it used to have dollar amounts. Finance Director Huff said her group has never done that. He said instead of asking the question; it allowed us to just flip to the back and look at it. You can remember that for next year. She said that we will be on new software by next year, and it will all look different. Hopefully, the reporting will be easier. The funds are the same, but the account numbers are different.

Commissioner Rardin moved to adjourn at 9:38 p.m.
Commissioner McDonald seconded the motion.
Motion carried with a vote of 7-0-0.

ADJOURNMENT

Mayor Susan L. Payne

ATTEST:

City Clerk Rachel Hughs

(Prepared by Dylan Aleshire, Deputy City Clerk)
Approved at the Regular Meeting held on May 9, 2023.

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 5/9/2023

Report Date: 05/02/2023

Report No: 4.

Submitted By: Sean McGranaghan

Subject: Consider, and act upon, Ordinance 1676, Z-2023-0003(A) for first publication, a map amendment to change the current zoning of the property located at 1209 Ohio Avenue from R-3 Two Family Dwelling District, to R-4 Multi-family Dwelling District. (*Sean McGranaghan, Assistant City Planner*) **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact: None

Recommendation: Approve for first publication.

Background:

The City Commission tabled this item during the commission meeting of April 25, 2023.

Information from the April 25, 2023 Commission meeting

Property owner, Propvine Holdings LLC, requests a map amendment to change the current zoning of the property located at 1209 Ohio Avenue from R-3 Two Family Dwelling District, to R-4 Multi-family Dwelling District.

ORDINANCE No. 1676

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ALAMOGORDO, CHANGING THE CLASSIFICATION OF A CERTAIN PROPERTY COMMONLY KNOWN AS 1209 OHIO AVE FROM ITS PRESENT DESIGNATION AND ZONING DISTRICT: R-3 TWO-FAMILY DWELLING DISTRICT TO: R-4 MULTI-FAMILY DWELLING DISTRICT WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF ALAMOGORDO, OTERO COUNTY, NEW MEXICO.

WHEREAS Propvine Holdings LLC (hereinafter referred to as "the Owner") is the owner of the certain real property legally described below (hereinafter referred to as "the Property") located within the corporate boundaries of the City of Alamogordo, New Mexico, (hereinafter referred to as "the City"); and

1209 Ohio Ave

WHEREAS, an application has been filed in the Owner's name under Case No.

Z-2023-0003(A) to change the zoning of the Property, and

WHEREAS, the City Commission, after notice and hearing, finds and determines that the application for the re-zoning of the Property is in the public interest and is consistent with the proper development of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION THAT the zoning of the Property, which is more fully described below:

1209 Ohio Ave

Is hereby changed from R-3 Two Family Dwelling District to R-4 Multi-family Dwelling District, and the official zoning map and comprehensive plan of the City are hereby amended to reflect this change.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2023.

**CITY OF ALAMOGORDO, NEW MEXICO a
New Mexico municipal corporation**

By: _____
Susan L. Payne Mayor

ATTEST:

Rachel Hughs, City Clerk

APPROVED AS TO FORM:

Ashley Smith, City Attorney



City of Alamogordo

City Commission

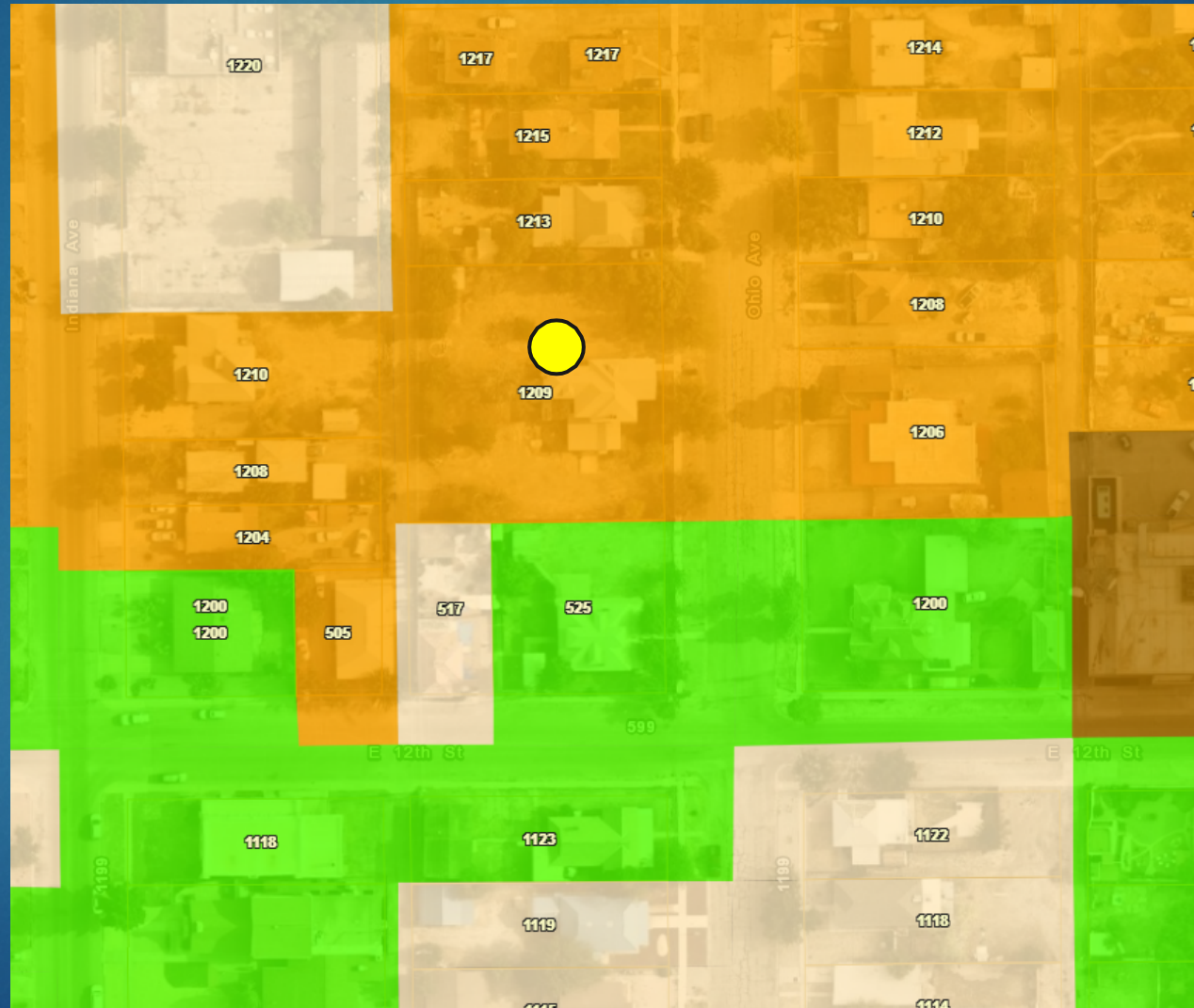


Z-2023-0003(A)

Sean McGranaghan, Assistant City Planner
April 25, 2023

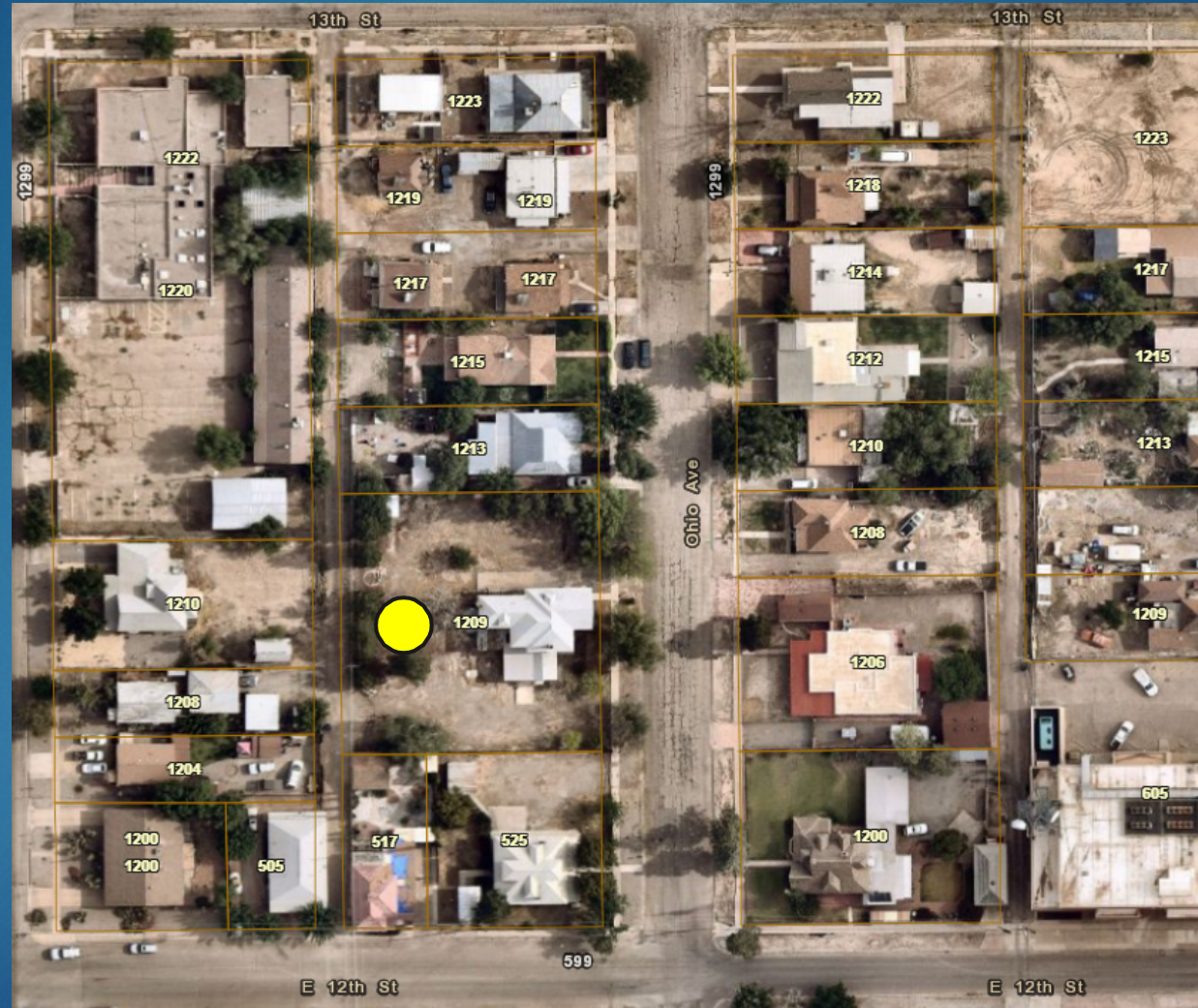
Zoning Map

2



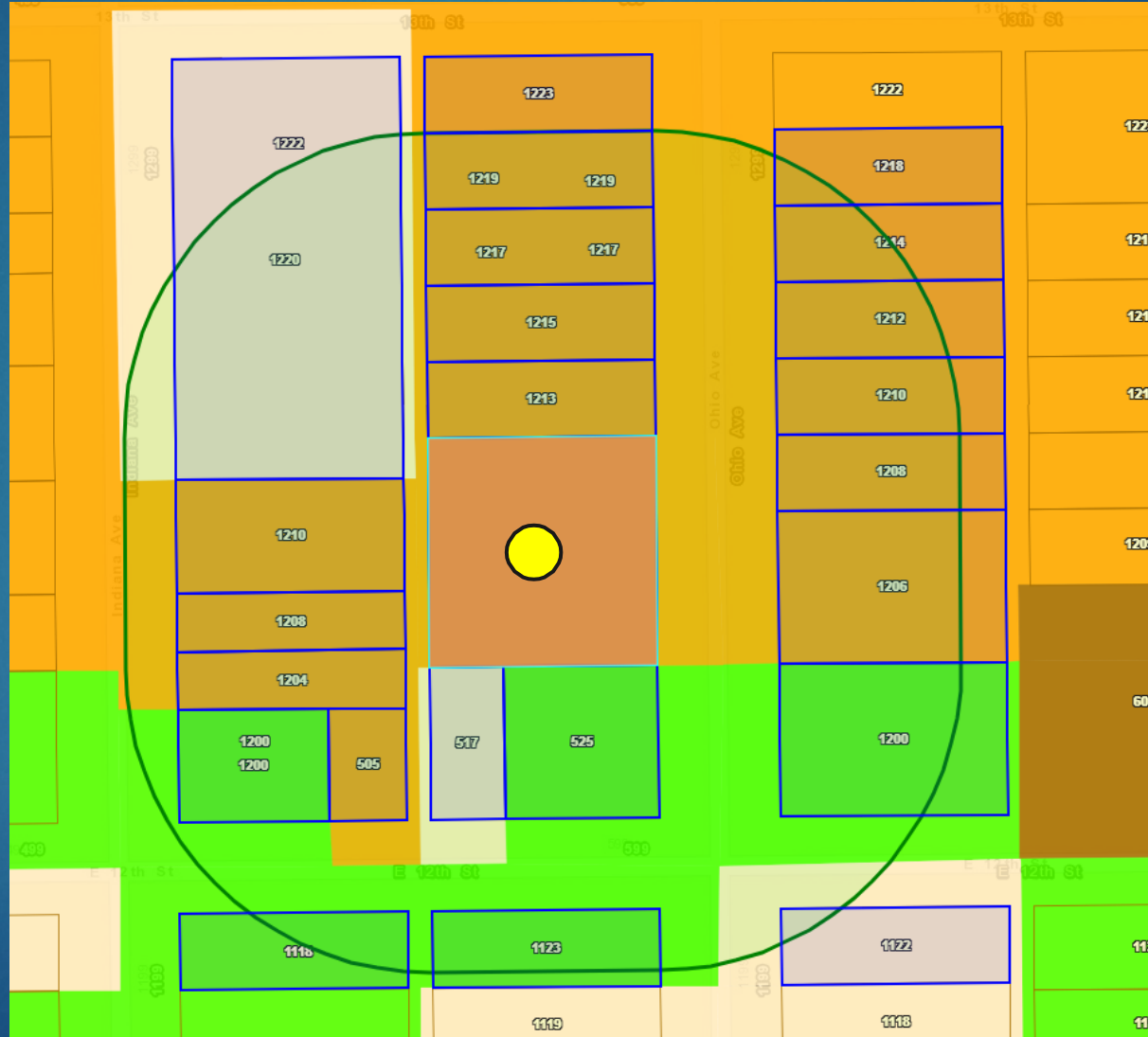
Aerial

3



Protest Area Map

4



Zoning Request Case: Z-2023-0003(A)

5

Request:

The property owners are requesting for a map amendment to change the zoning of the property located 1209 Ohio Ave from R-3 Two-Family Dwelling District to R-4 Multi-Family Dwelling District.

Propvine Holdings LLC
7512 Prickly Brush St NW
Albuquerque, NM 87114

Findings of Fact

- ◆ 1. The application was filed, and all fees were paid.
- ◆ 2. Legal ad was placed in the Alamogordo Daily News
- ◆ 3. Twenty-Four (24) letters were mailed by certified/returned receipt mail to all property owners of record within two hundred (200) feet from the property excluding public right-of-way.
- ◆ 4. As of April 18, 2023, there has been one (1) letter returned undeliverable. Two phone calls of opposition were received, and the City Planner met with a property owner within the protest area opposing the rezoning.

Z-2023-0003(A)

7

- ◆ 7. Staff recommends approval.

ANGIE K. SCHNEIDER
1213 Ohio Avenue
Alamogordo, New Mexico 88310
juliaclairemother@live.com
575.937.7766



April 18, 2023

Planning & Zoning Department
City of Alamogordo
1376 East Ninth Street
Alamogordo, New Mexico 88310

Re: Opposition to Requested Rezoning Case # Z-2023-0003(A), 1209 Ohio Avenue

Members of the Planning & Zoning Department:

I write to respectfully request a denial of the above referenced rezoning.

By way of introduction, I am the owner of a beautiful 1930's home on Ohio Avenue next to the property seeking rezoning. When I relocated to Alamogordo years ago, I specifically chose the downtown historic neighborhood for its charm, history and potential. Like many of my homeowner neighbors, I love this neighborhood and have invested time, energy and money into my home. Over the years that I have lived here, I have seen others purchase homes in this area to renovate and restore. We take great pride in our neighborhood community and it is my hope that the integrity of our neighborhood is important to the City of Alamogordo

R-4 zones do not belong in the middle of our historic district. Opening up our neighborhood to the myriad of uses allowed under City Ordinance 29-03-240 will destroy the history and charm we so cherish and celebrate. I recognize that as of the drafting of this letter there are two (2) R-4 zoned homes on the east and west corners of Ohio Avenue and 11th Street. But both of these homes are single family residences, one for over 40 years and the other is currently being renovated and restored to the beauty it once was – for single family use. To my knowledge, there are no other R-4 zoned lots on our block or further north on Ohio Avenue.

As for the property located at 1209 Ohio Avenue, it has not been cared for in any way for over a year. The yard is overgrown and littered with garbage. The owners have shown zero regard for our neighborhood and have no apparent ties to Otero County or Alamogordo, much less to our beloved historic neighborhood. Allowing the rezoning would be an affront to those of us who live here and care for our homes and this community.

I urge you to deny the requested rezoning of 1209 Ohio Avenue to R-4 zoning.

Truly,

A handwritten signature in blue ink, appearing to read "Angie K. Schneider", written over a light blue horizontal line.

Angie K. Schneider

RECEIVED
APR 18 2023
PLANNING & ZONING



**PETITION
IN OPPOSITION TO PROPOSED ZONING CHANGE
CASE # Z-2023-0003(A)**

To the Alamogordo City Commission and the Planning and Zoning Department.

WE, THE UNDERSIGNED, HEREBY PETITION the City of Alamogordo City Commissioners and the Planning and Zoning Department to deny the proposed zoning change from current zoning of R-3 Two Family Dwelling to R-4 Multi-Family Dwelling as requested in case #: Z-2023-0003(A) by property owner Propvine Holdings LLC concerning the property located at 1209 Ohio Avenue, property legal description: Subd: Alamo Blocks Lot: 16, 17, 18 Block: 71.

IN SUPPORT OF OUR PETITION WE STATE AS FOLLOWS:

1. Pursuant to City Ordinance 29-03-240, if the rezoning is granted, Propvine Holdings LLC, or any buyer thereafter, will be permitted to use the property for a boarding or lodging house for up to twenty people, a non-profit religious, educational or philanthropic institution, a hospital, clinic, or adult residential shelter, a private club, lodge, or fraternal organization, a professional office or studio of doctors, dentists, artists, musicians, lawyers, or other like professions.
2. We oppose the property uses allowed under City Ordinance 29-03-240, R-4 zoning, in our historic, residential neighborhood.
3. We oppose the encroachment of higher zoning and spot zoning in our historic, residential neighborhood.
4. We oppose a company with no ties to Alamogordo, Otero County, or the State of New Mexico, with no understanding of our local and community values or dynamics, unfamiliar with the history of our neighborhood, with zero personal investment, only concerned with the monetary bottom line (as boasted on their website) destroying our historic neighborhood.

NAME

ADDRESS

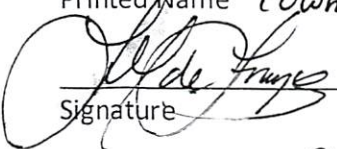
DATE

Linda M. de France

1206 Ohio Ave.

4.15.2023

Printed Name (Owner, Crown Jewel Racing, LLC)

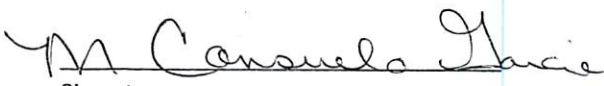

Signature

Maria Consuelo Garcia

1210 Ohio

4/15/23

Printed Name

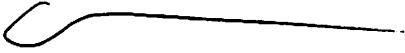

Signature

NAME

ADDRESS

DATE

Angie K. Schneider 1213 Ohio Avenue 4.15.23
Printed Name



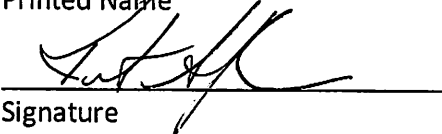
Signature

Eust Melendez 1208 Ohio Av. 4-15-23
Printed Name

Ernest Melendez

Signature

Kurt SAGEE 1215 Ohio Ave 4-15-23
Printed Name



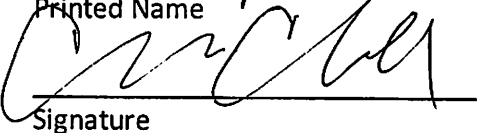
Signature

CHARLINE NAKSFELD 1215 OHIO AVE 4/15-23
Printed Name



Signature

Christopher Cardwell 1123 Ohio Ave 4-15-23
Printed Name



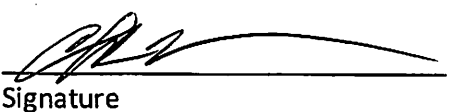
Signature

Mary C. Jung 1123 Ohio Ave 4-15-23
Printed Name

Mary C. Jung

Signature

CHRISTOPHER CARSON 2334 Sierra Vista CT 4/15/23
Printed Name


Signature

OTERO ARTS BOARD MEMBER
1118 INDIANA AVE

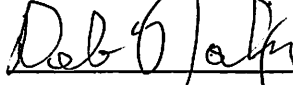
NAME

ADDRESS

DATE

Deb Norling 1204 Indiana Ave. 4/15/23

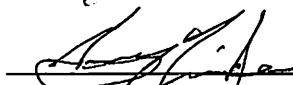
Printed Name



Signature

(GARY LINDE)

Printed Name



Signature

Karen Linde

1200 Ohio Ave

4-15-23

Printed Name

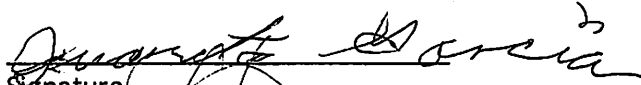
Karen Linde

Signature

JULIA H. TO

1214 Ohio 4-15-23

Printed Name



Signature

Francis Ellis

1218 OHIO AVE 4-15-23

Printed Name

FRANCIS ELLIS

Signature

Julio

Quinoz

1219 Ohio

4/15/23

Printed Name



Signature

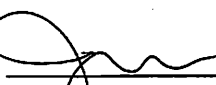
* (OWNER 1217 1/2 OHIO, 1217 OHIO,
1219 1/2 OHIO, 1219 OHIO)

Jessica Olivas

1217 1/2 Ohio Ave

4/15/23

Printed Name



Signature

NAME

ADDRESS

DATE

Cedric Williams

1217 1/2

4-15-2023

Printed Name

Signature

Jeffrey Bryan + 1219 1/2 4-14-2023

Printed Name

Signature

GAIL GRIMM 507 12th ST 4-15-2023

Printed Name

Signature

Willie Taylor 505th Alameda 4-15-23

Printed Name

Signature

KONRAD SPENCER 1212 OHIO AVE AMADOR, NM 88310 4/15/23

Printed Name

Signature

Amanda Drews 1122 Ohio Ave 16th April 2023

Printed Name

Signature

JEREMY CARDWELL 1123 OHIO AVE 4-16-23

Printed Name

Signature

317 12th ST
803 CATALINA

NAME

ADDRESS

DATE

Pedro Lucero 2356 Apache Ln 4-16-23
Printed Name
Pedro Lucero
Signature
505 12 St Lucero 3 Lucero

Christina Leon 1500 Crescent Pl 4-16-23
Printed Name
517 12th St
Leon
Signature

JASON LEON 1500 CROSCOR DR 4-16-23
Printed Name
517 12th St
Jason
Signature

William H. Greith 1213 Ohio Ave. 4-16-23
Printed Name
575-802-3461
William H. Greith
Signature

Nickolas Ausbrooks 1210 Indiana Ave 4-17-23
Printed Name
Ausbrooks
Signature

Rebekah Convoiser 1109 Indiana Ave. ALA 88310 4-17-23
Printed Name
Convoiser
Signature

Jimmy Santiago 1123 INDIANA AVE. ALA 88310 4-17-23
Printed Name
Santiago
Signature

NAME

ADDRESS

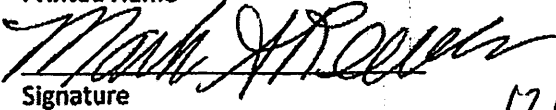
DATE

MARK A. PEREZ

2541 LOS ALAMOS CT, L.L. NM 88011
1115 OHIO AVE ALAMO, NM 88310

4-16-23

Printed Name



Signature

1200 Indiana Avenue Suite 2 NR

ALAMO

88310

MARK W. WHORTON

1444 SCENIC DRIVE ALAMO, N.M.

Printed Name



Signature

4-17-23

88310

Donna Martinez

1123 Indiana Ave. 4/17/23

Printed Name

Alamogordo, NM 98310

Signature

Jamie Lucero

505 CH. LUCERO + LUCERO

4/18/23

Printed Name

1806 CRESCENT DR.

Signature

Tate Van Kester

1200 Indiana Ave Ste B

3006 Shawnee Trl, Alamogordo, NM

Printed Name

4/19/2023

Signature

Printed Name

Signature

Printed Name

Signature

NAME

ADDRESS

DATE

Eril V. Blackwood Trust EVBlackwood Trust 1201 Ohio Ave, Alamogordo, NM 88310

17-Apr-2023

Printed Name

Eril V Blackwood

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

April 18, 2023

Linda M. de France
Owner, Crown Jewel Racing, LLC
1206 Ohio Ave.
Alamogordo, NM 88310
(702) 682-2556
lindadefrance@gmail.com

RECEIVED
APR 19 2023
CITY CLERK

Alamogordo Planning and Zoning Department
1376 E. 9th Street
Alamogordo, NM 88310

Re: Case # Z-2023-0003(A), Rezoning 1209 Ohio Ave from R-3 to R-4

Dear Honorable Mayor Susan L. Payne and City Commissioners:

I am the homeowner of 1206 Ohio Ave., Alamogordo, and my home sits directly across Ohio Ave from 1209 Ohio Ave. I have owned my home for about 13 years. I own another home at 1517 Michigan Ave., which is also in the historic part of town. I have owned that home for almost 30 years.

I am opposed to the rezoning of 1209 Ohio Ave from an R-3 to an R-4 dwelling for the following reasons:

- 1) I bought this specific home in this specific historic neighborhood for Quality of Life reasons. I love the architecture, style, preservation and historic value of the older homes in this neighborhood.
- 2) Many homes on Ohio Ave and throughout this neighborhood have been or are in the process of being updated and renovated, while making an effort to preserve the original architecture and history of the home. I know I could have had my home mowed down and rebuilt at about a third of the cost it has cost me to try to preserve the original style and design of my home, but I wanted to maintain the historic integrity of the building and neighborhood. Alamogordo has already lost too many of its charming, historic buildings over time.
- 3) The majority of homes surrounding the property in question are homeowner-occupied homes. This provides increased stability, lower crime, and better upkeep of the home and yard in the neighborhood. We homeowners love our historic homes and this neighborhood. Many of us have spent countless dollars and years making improvements, all the while maintaining the integrity of the history and architecture of the homes.

- 4) I personally am worried about the potential increase in crime, noise, traffic, and 24/7 comings and goings if 1209 Ohio is rezoned into an R-4, which would open the door to so many potential property uses. I personally doubt I would keep my home that I have spent so much time, money, and effort in updating. I don't want to live across the street from a "private club, lodge, boarding house up to 20 people, adult residential shelter," or most of the other options that City Ordinance 29-03-240 would allow once a property is zoned R-4.
- 5) The current owner of 1209 Ohio is an "absentee owner," Propvine Holdings, LLC. According to Propvine's website (www.propvine.com) its sole purpose is to sidestep realtors and purchase properties to turn a profit. It is **not** to contribute to the heart and soul of a historic neighborhood.
- 6) As an absentee owner, no one from Propvine has even visited the property. The previous owners kept up the grass, trees, flowers and entire lot, despite not actually living in the home. This is because they are local and took pride in this historic neighborhood and the way their property looked. An absentee owner, which is actually an investment business, has no such sense of belonging to a community. I have looked out the front windows from my home since Propvine Holdings, LLC, took over the property and the yard has not been mowed or weed-whacked one time, it is full of garbage, and they haven't paid anybody to clean it up. I feel this is a harbinger of what is to come if they are granted the re-zoning. They will not live on the property, they won't live in the community, they won't live in the town, they won't even live in Otero County.
- 7) The new property owners' main objective is to make money. Not to contribute to a historic district and sense of community.
- 8) The property at 1209 Ohio Ave in its current condition is completely inhabitable. There is no kitchen. There are no bathrooms. In its original life, it was a small hospital called the "Rousseau Hospital," which was the maternity hospital for the community. It will take a whole lot of time and money to turn it into a Multi-Family dwelling or any of the options that R-4 Zoning allows.

For these reasons, I am opposed to the rezoning of 1209 Ohio into R-4.

Thank you for your consideration,

(//signed//)

Linda M. de France

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 5/9/2023

Report Date: 05/04/2023

Report No: 5.

Submitted By: Rachel Hughs

Subject: Consider, and act upon, the proposed City Charter recommendations by the City Charter Committee. (*Benjamin Luna Jr., Charter Committee Chairman*)

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background:

On April 11, 2023, The Charter Committee presented recommendations to the City Commission. The City Commission asked the Charter Committee to go back to look at the Charter regarding the following:

- Limites on terms of office
- Resolutions on referendums

The added italicized amendment is from the Charter Committee Meeting of April 27, 2023

Article VII Section 3

The term of office for all commissioners, including the mayor, shall be four (4) years. *The office holders, i.e. commissioners and mayor-at-large, elected for a four (4) year term are limited to serving no more than two (2) consecutive elected terms. Elections shall be held on a staggered basis on the first Tuesday after the first Monday in November of each odd-numbered year.*

Information from the Commission meeting on April 11, 2023.

During the regular Commission meeting on January 10, 2023, the Commission passed Resolution 2023-03 Establishing a Charter Committee. During the regular Commission meeting on February 14, 2023, the City Charter Committee was appointed by the City Commission to review the effectiveness of the Charter and make recommendations to the City Commission within sixty (60) days of its appointment. The appointed members of the City Charter Committee are Benjamin Luna Jr., Shannan Wright, Vesta S. Edmond, Tim Mills, Marjorie L. Schulze, and Vincent Jones. The Committee met on March 2, 2023, March 16, 2023, and March 30, 2023. Attached are the compiled recommendations from the Committee.

PROPOSED RECOMMENDATIONS BY THE CITY CHARTER COMMITTEE – 5/9/2023

PART I CITY CHARTER

PREAMBLE

We, the citizens of Alamogordo, New Mexico, under the Constitution and Laws of New Mexico, ordain and establish this Charter for the City of Alamogordo, New Mexico.

ARTICLE I. INCORPORATION AND POWERS

The incorporated municipality known as Alamogordo, (hereinafter "City") existing within its present or future boundaries, shall exercise all powers and perform all functions not expressly denied.

ARTICLE II. FORM OF GOVERNMENT

The form of government for the City of Alamogordo is the Commission-Manager form of government.

ARTICLE III. ELECTORS

Any registered, qualified elector of the City may vote in any City election and may be a candidate for any City office for which he or she is qualified.

ARTICLE IV. ELECTED OFFICERS

The elected officers of the City are six (6) Commissioners, one (1) Mayor, and one (1) Municipal Judge.
(Amd. of 3-6-12)

ARTICLE V. QUALIFICATIONS FOR CANDIDACY

Candidates for elective office in the City shall be qualified electors with the following additional qualifications:

Section 1. Candidates-at-Large.

Candidates-at-Large must reside within the city- for twelve months prior to candidacy.
(Amd. of 3-1-16)

Section 2. Candidates for District Offices.

Candidates for District Offices must reside in the District they seek to represent- for twelve months prior to candidacy.

(Amd. of 3-1-16)

Section 3. Disclosure.

Each candidate for City office shall file a disclosure statement with the City Clerk, at the time of filing for the office. This statement shall identify all real property and businesses in New Mexico in which the candidate has a financial interest.

(Ord. No. 1598 , 9-12-19)

ARTICLE VI. ELECTIONS

Section 1. Regular City Elections.

- A. Regular City elections to elect City officers, as required, shall be held on the first Tuesday after the first Monday in November of odd-numbered years.
- B. New Mexico law governing the manner of conducting City elections shall govern elections in the City.

(Ord. No. 1586 , 3-26-19)

Section 2. Elections.

- A. In the regular City election for **the Mayor at-Large and** Commissioners, the candidate receiving the greatest number of votes in each district represented is elected.
- B. ~~In the regular City Election for Mayor, the candidate receiving the greatest number of votes is elected unless that candidate fails to receive more than 50% of the vote. In that case, there shall be a special run-off election between the two candidates receiving the greatest number of votes. The run-off election shall be held within 45 days after the date that the final canvass is completed. The city commission shall by resolution set the date of the run-off election and specify the names of the candidates. The resolution shall be published once at least seven days prior to the run-off election.~~
- ~~C.~~ **B.** If a tie exists after the certification of the results of any election, the determination as to which of the tied candidates is elected shall be decided by lot.

(Amd. of 3-7-00; Amd. of 3-1-16)

Section 3. Vacancies.

- A. A vacancy occurs upon an elected officer's death, recall, resignation, or, as to Commissioners, upon termination of residency in the district represented, or upon absence from Commission meetings for a consecutive period exceeding sixty (60) days, unless a majority of the remaining incumbent City Commissioners vote to retain the absent Commissioner or the absent Mayor for an additional sixty (60) days, which vote must take place at the next following regular meeting.
- B. A vacancy in the commission, including the office of mayor, shall be filled by appointment of the commission of a person qualified under Article V. The Commission must declare by resolution that a vacancy exists. The resolution declaring the vacancy must be adopted by the Commission within fifteen days of the vacancy. The Commission must appoint an eligible person by majority vote to fill the vacant office at the first regular meeting following the expiration of thirty days after the adoption of the resolution. If the Commission fails to

make the appointment at that meeting, the Mayor must, within fifteen days, appoint an eligible person to fill the vacancy. The Commission may by ordinance establish the specific procedures for selecting an eligible person to fill a vacancy. The commissioner or mayor appointed or elected shall serve for the remainder of the unexpired term for which the commissioner or mayor who vacated the position was elected.

- C. If the entire Commission is vacated simultaneously, the Municipal Judge shall perform the function of the Commission only as concerns the calling of a special election to fill the vacancies.

(Amd. of 3-7-00; Amd. of 3-2-10; Amd. of 3-6-12)

Section 4. Non-Partisan Elections.

Elections for City officers shall be non-partisan. The party affiliation of candidates shall not appear on the ballot nor on any official document relating to the candidate or to the election.

ARTICLE VII. THE GOVERNING BODY

Section 1. Equality of Commissioners.

All Commissioners, including the Mayor, except as otherwise provided by this Charter, shall have equal voting power, privileges and prerogatives.

(Amd. of 3-6-12)

Section 2. Composition.

The governing body shall be comprised of six (6) members to be known as commissioners and one (1) member to be known as mayor. The six (6) commissioners shall be elected by the qualified voters of each of the six (6) single-member districts. The mayor shall be elected at large.

(Amd. of 3-6-12; Amd. of 3-1-16)

Section 3. Term of Office.

The term of office for all commissioners, including the mayor, shall be four (4) years. ~~Elections shall be on a staggered basis. The terms of office for the current municipal office holders seated upon City's opt in to the Regular Local Election is adjusted, so that:~~ The office holders, i.e. commissioners and mayor-at-large, elected for a four (4) year term are limited to serving no more than two (2) consecutive elected terms. Elections shall be held on a staggered basis on the first Tuesday after the first Monday in November of each odd-numbered year.

~~(A) municipal officers elected or appointed to a term ending in 2020 shall serve until December 31, 2019, the new term of the position shall be elected at the regular local election in November 2019, and the new term shall commence January 1, 2020.~~

~~(B) municipal officers elected or appointed to a term ending in 2022 shall serve until December 31, 2021, the new term of the position shall be elected at the regular local election in November 2021, and the new term shall commence January 1, 2022~~

(Amd. of 6-20-95; Amd. of 3-18-97; Amd. of 3-6-12; Ord. No. 1586 , 3-26-19)

Section 4. Districts.

The Commission shall be divided into six (6) districts. The boundaries of each district shall be established by ordinance. Within one year after publication of each National Census, the Commission shall reaffirm that the City is divided into six (6) Districts that are compact in area and as nearly equal in population as possible.

(Amd. of 3-18-97; Amd. of 3-6-12; Amd. 3-1-16)

Section 5. Meetings.

All City Commission meetings are open to the public and the official records open to inspection, except for closed executive sessions held in accordance with the State Open Meetings Act. A quorum consists of a majority of incumbent Commissioners and the Mayor.

- A. Regular meetings shall take place twice monthly at a place, time and day determined by ordinance. Regular meetings shall not occur on legal holidays.
- B. Special meetings shall be called by the Mayor or any two (2) Commissioners, for the purpose of discussing or acting on any City business.
- C. Emergency meetings shall be called by the Mayor or any Commissioner, to resolve emergency matters involving clear and present danger to the health, safety or welfare of the citizens of Alamogordo.

(Amd. of 3-1-16)

Section 6. Compensation.

Upon implementation of this Charter, Commissioners shall receive fifty dollars (\$50.00) compensation for expenses for each regular meeting attended and for each regular meeting not attended by reason of official City business. This minimum compensation shall not be changed unless the proposed change is submitted to, and approved by, the electorate at a regular City election. Any additional compensation shall be established by ordinance.

(Amd. of 3-1-16)

Section 7. Incompatibility of Offices.

No member of the Commission or the Mayor may hold any other local, state, or federal elected office. Acceptance of the second elected office constitutes an automatic resignation from the position of Alamogordo City Commissioner or Mayor, and the vacancy thereby created shall be filled in the same manner as other vacancies on the City Commission are filled.

(Amd. of 3-2-10; Amd. of 3-1-16)

ARTICLE VIII. MAYOR AND MAYOR PRO-TEM

Section 1. Selection; Term; Removal.

- A. An organizational meeting shall be held as soon as practicable after each Regular City election in which Commissioners are elected.
- B. The Commission and Mayor shall elect one of its members to serve as Mayor Pro-Tem. The term of office for the Mayor Pro-Tem shall be until the next organizational meeting of the Commission.
- C. An organizational meeting shall also be held if the office of the Mayor Pro-Tem becomes vacant. Said office becomes vacant in the manner specified in Article VI, Section 3.
- D. A motion for removal of the Mayor Pro-Tem shall be made at a regular meeting, and must be seconded by two (2) Commissioners or one (1) Commissioner and the Mayor. The motion for removal shall be voted upon at the next regular meeting and shall require the affirmative votes of no fewer than five (5) Commissioners for passage.

(Amd. of 3-2-10; Amd. of 3-6-12; Amd. of 3-1-16)

Section 2. Powers and Duties of Mayor.

The Mayor shall preside at all meetings of the Commission and shall perform such duties as are imposed by the Commission. The Mayor has all the powers and duties of a Commissioner, including the right to vote upon all questions under consideration.

The Mayor is the official head of the City for all ceremonial and military purposes. With the advice, and subject to the approval of a majority of the Commission, the Mayor shall appoint and may remove, if necessary, members of the public boards, commissions and committees of the City. The Mayor shall lead, guide and develop with the City Commission, City Manager, and other appropriate individuals, short and long range plans and goals for the City concerning its growth and development. The Mayor shall present an annual state of the City message at a Public Meeting determined by the Mayor.

(Amd. of 3-6-12; Amd. of 3-1-16)

Section 3. Powers and Duties of Mayor Pro-Tem.

In the absence of the Mayor, the Mayor Pro-Tem shall perform the duties of the Mayor.

ARTICLE IX. THE MUNICIPAL JUDGE

There shall be one Municipal Judge elected at-Large for a four-year term, who shall serve in accordance with applicable state law.

(Amd. of 6-20-95; Amd. of 3-1-16)

ARTICLE X. INITIATIVE, REFERENDUM, AND RECALL

Section 1. Initiative.

- A. Upon petition, signed by the qualified electors in a number ~~no less~~ **more** than twenty (20) per cent of the average number of voters who voted at the previous four (4) regular City elections or ~~no less~~ **more** than

twenty (20) per cent of the number of voters who voted at the previous regular City election, whichever is the greater, any measure may be proposed to the Commission for enactment within thirty (30) days of the date of filing **verification of** the petition. If the Commission: (1) fails to act, (2) acts adversely, or (3) amends the proposed measure, the Commission shall ~~call a special election in not less than thirty (30) days nor more than sixty (60)~~ **within ten (10) days of the expiration of the thirty (30) day period, adopt an election resolution calling for the holding of a special election within ninety (90) days of the thirty (30) day period** for the purpose of submitting the measure to the electorate.

- B. The ballot shall contain the proposed measure and the measure as amended, if the Commission amends the proposed measure. After each measure there shall be printed the words:

"for" and

"against,"

with spaces for crosses after each word.

- C. The measure receiving a majority of the votes cast on that measure in its favor is adopted. If each measure receives a majority of votes cast on that measure in its favor, the measure receiving the greatest number of votes cast in its favor is adopted.

Section 2. Referendum.

- A. If within thirty (30) days following the adoption of an ordinance or resolution by the Commission, a petition, signed by the qualified electors, in a number ~~no less~~ **more** than twenty (20) per cent of the average number of voters who voted at the previous four (4) regular City elections or ~~no less~~ **more** than twenty (20) per cent of the number of voters who voted at the previous regular City election, whichever is greater, is presented to the Commission asking that the ordinance or resolution in question be submitted to a special election for its adoption or rejection, the ordinance or resolution shall become ineffective and the Commission shall provide ~~for an election on the measure within sixty (60) days of the filing of the petition.~~ **upon verification of the petition and the Commission shall within ten (10) days of verification adopt a resolution calling for the holding of a special election on the measure within ninety (90) days of the verification of the petition.**

- B. The ballot shall contain the text of the ordinance or resolution in question. Below the text shall be the phrases:

"for" and

"against,"

with spaces for crosses after each word.

If a majority of the votes cast favor the measure, it shall take effect immediately. If a majority of the votes cast are against the measure, it shall not take effect.

- C. If an ordinance or resolution is an emergency measure, it shall go into effect immediately, but it shall be subject to repeal by an adverse majority at a referendum election.
- D. The referendum procedure of this section shall not be available for any ordinance authorizing bonds or other obligations where such ordinance, bonds or other obligations previously have been approved at a City election.

Section 3. Recall.

Any City Commissioner, including the Mayor, is subject to a recall election. Upon petition seeking a recall of a Commissioner or Mayor, the Commission shall call a special election within sixty (60) days, ~~unless the regular City election occurs within ninety (90) days.~~

- (a) unless the regular City election occurs within ninety (90) days.
- (b) but shall not be conducted later than one hundred eighty (180) days from the end of the term for the office for which the recall of the named official is sought.

Notice of Intent to circulate a petition for recall must be dated and filed with the City Clerk and shall include a statement of the reason for the recall. Each page of a recall petition, before any signatures are signed to it, must be endorsed by the manual or facsimile signature of the City Clerk and the date of filing of Notice of Intent; the City Clerk shall provide this without charge. The recall petition must be submitted to the City Clerk with the requisite number of signatures, within one hundred and twenty (120) days of the date of filing the Notice of Intent. **No petition seeking for the recall of Commissioner or Mayor shall be submitted more than once during the same term of office to which the official is elected.**

The petition shall be signed by ~~no less~~ **more** than twenty (20) percent of the number of registered voters in that Commissioner's district at the time the Commissioner was elected. If the petition seeks to recall the Mayor, the petition shall be signed by ~~no less~~ **more** than twenty (20) percent of the number of registered voters residing in the City at the time the Mayor was elected. The special recall election of a Commissioner shall be held only in that Commissioner's district. The special recall election of a Mayor shall be citywide.

If a majority favors recall and this majority equals or exceeds the number of votes the Commissioner or the Mayor received when elected, the office shall be declared vacated, and the office shall be filled as are other vacancies. A Commissioner or Mayor who is recalled shall not be eligible for re-election until the term for which the Commissioner was originally elected has expired.

If a recall election results in a failure to secure the votes necessary to recall, the Commissioner or Mayor who is the subject of the election shall not again be subject to recall until after six (6) months from the date of the recall election.

(Amd. of 3-18-97; Amd. of 3-6-12; Amd. of 3-1-16)

ARTICLE XI. THE CITY MANAGER

Section 1. Qualifications; Appointment.

A City Manager shall be appointed, solely on the basis of his or her qualifications, for an indefinite term. His or her selection shall not be limited by reason of former residence. His or her salary shall be fixed by the Commission. The appointment or removal of a City Manager shall require the affirmative votes of no fewer than four (4) Commissioners or three (3) Commissioners and the Mayor.

(Amd. of 3-1-16)

Section 2. Duties.

The City Manager is the chief executive officer of the City. He or she shall have a seat, but no vote, at every meeting of the Commission. The City Manager:

- (a) Shall enforce and carry out all ordinances, rules and regulations adopted by the Commission;
- (b) Shall employ and discharge employees of the City;
- (c) Shall prepare and submit an annual budget to the Commission;
- (d) Shall make recommendations to the Commission concerning the welfare of the City;
- (e) Or his or her designated agent, shall be the person for the purpose of civil process.

(Amd. 3-1-16)

ARTICLE XII. THE CHARTER

Section 1. Saving Clause.

All bylaws, ordinances and resolutions in force in the City before the adoption of this Charter shall remain in full force and effect until amended or repealed. All rights and property which were vested in the City shall remain so vested under this Charter. No existing contract or franchise and no existing right or liability and no pending litigation of any kind shall be affected by the adoption of this Charter.

Section 2. Severance Clause.

The provisions of this Charter are severable, and if any provision or part thereof is held to be illegal or unconstitutional as applied to any person or situation, the remainder of this Charter or its applicability to other persons or situations shall not be affected.

Section 3. Amendment or Repeal; Periodic Review.

- A. This Charter shall be amended or repealed in accordance with state law, except that any petition for amendment or repeal must be signed by qualified electors in a number no less than twenty (20) per cent of the average number of voters who voted at the previous four (4) regular City elections or no less than twenty (20) per cent of the number of voters who voted at the previous regular City election, or by five (5) per cent of the qualified electors of the municipality, whichever is greater.
- B. Every ten (10) years, the Commission shall appoint a committee to review the effectiveness of this Charter and make **their final** written recommendations to the City Commission within sixty (60) days of its appointment.

Section 4. Effective Date.

This Charter shall become effective ten (10) days following the certification of the election of City officials required.

Section 5. Reserved.

Editor's note(s)—An amendment of March 7, 2000, amended the Charter by repealing former section 5 in its entirety. Former section 5 pertained to the transition of the city government, and was a part of the original Charter.

PASSED, APPROVED AND ADOPTED THIS 9th DAY OF March, 1983. *

CITY OF ALAMOGORDO, NEW MEXICO

a municipal corporation

By /s/ HENRY P. PACELLI

MAYOR

ATTEST:

/s/ ANGIE J. RAHN, CITY CLERK

*Amended June 20, 1995; Amended March 18, 1997; Amended March 7, 2000; Amended March 6, 2012;
Amended March 1, 2016; Amended March 26, 2019;

AGENDA REPORT

CITY OF ALAMOGORDO

CITY COMMISSION

Meeting Date: 5/9/2023

Report Date:

Report No: 6.

Submitted By:

Subject: Adjourn into Executive Closed Session in compliance with 10-15-1(H)(2)(8) NMSA (as amended) to discuss: Limited Personnel Matters (City Manager and Acting City Manager) and Real Property located on 310 N. White Sands Blvd . **(Roll Call Vote Required)**

Fiscal Impact:

Amount Budgeted:

Fund:

Additional Fiscal Impact:

Recommendation:

Background: