

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 P.M., DONALD E. CARROLL COMMISSION CHAMBERS
May 9, 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 / 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 City Clerk Hughs, and the Pledge of Allegiance was led by Commissioner Karl Melton.

APPROVAL OF AGENDA

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

PRESENTATIONS

1. Motorcycle Awareness Month Proclamation. (Susan Payne, Mayor)

Mayor Payne proclaimed May 2023 as Motorcycle Awareness Month in Alamogordo and encouraged all New Mexicans to renew their commitment to safe driving practices, to watch for motorcyclists, and to be aware of all who share the road.

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

Ms. Crim explained what 100 Percent Otero was, their purpose, and the services they provide. She said that PIT stands for Point in Time and that it is counting the number of individuals experiencing homelessness in our community. She said they used the money that the Commission previously gave to do this count. A PIT count has two parts; the unsheltered, which is people that do not have a safe place to stay at night, and the sheltered, which is people that are in a temporary shelter but do not have permanent safe housing. They advertised the count and recruited and trained twenty-seven people in Otero County. They visited places where folks may not have a safe place to live. The PIT count was based on where people slept on the night of Monday, January 30, 2023. She said they did about forty surveys and talked to forty individuals, representing around forty-nine people; some people had a partner or children, but they just talked to one in the family. She said they knew that they didn't talk to everyone experiencing homelessness. There were people they didn't get and people that didn't want to talk to them. Most of them were open and willing to talk. She said that two-thirds of people reported mental health conditions, and one-third reported chronic illness.

Mayor Payne said the issue with the PIT count is that they do them in the middle of winter. You won't get a true count because people will be taking shelter. It makes more sense to do it in May or June. She said she was sure the actual numbers were much higher. Ms. Crim said they learn more and earn more trust each time they do this, so hopefully, they can find more each year.

PUBLIC COMMENT

CITY MANAGER'S REPORT

Acting City Manager Hernandez made the following remarks:

1. The Dare Picnic is at the Alameda Zoo this Thursday from 10 AM to 2 PM. She was asked to extend an invitation to the Commission.
2. She asked for help spreading the word about the Community Services Survey. It is on the main page and pinned on Facebook. It is imperative we get as much citizen input as possible because that will go into our Community Services Master Plan, which we will be presenting to the Commission.
3. There has been very little movement with the Scenic Dr. Railroad crossing. The contractors met with PNM in the last week of April. The contractors received confirmation from PNM to move forward with the underground extension line, but there is no tentative date. She said they had made the importance of the project and getting this open as soon as possible well known.
4. We are getting the word out about tourism. We are working on a couple of events specific to the tourism program coming in September. Details will be provided as they are worked out. We submitted the Co-Op Grant and hope to know if and how much we will get awarded by the next meeting. The Tourism Specialist position closed, and they did interviews. She said they had awesome candidates.
5. The City and the Center of Commerce were working on an MOU to take the lead for the regional jet service. We have been working with the FAA. Whatever the outcome, we are going to focus on 139 status. Community Services Director Ortega is in Ruidoso with the FAA for the rest of this week.
6. We met with Kevin and Jim from the State yesterday about our economic development. They are working with a company, and we hope to have something come forward in one of our June meetings. We talked about coordinating and bringing more business to Alamogordo. She is working with Learn New Mexico on a possible LEDA opportunity. She said they are trying to create the City of Alamogordo's portfolio. When we look at surveys and opportunities, two questions are how close are you to an interstate, and do you have an airport? We are not close to an interstate, but we do have an airport, so that is part of why we are focusing on getting 139 status. In 2021, we had about 500,000 people come through the City. That is a tremendous amount, so we need to figure out how to capture them.
7. We have been looking at software for foot trafficking to and through Alamogordo. One of the latest software companies had some real data for us. In 2021, we had about 500,000 people come through the City. That is a tremendous amount, so we need to figure out how to capture them.
8. We have been working with the agency regarding the Roadway Assessment Report. They sent us the raw data, and we sent our comments back. We need to coordinate with the Utilities Department because they are also doing a utility assessment. Hopefully, by the end of the year, we will have a solid plan to bring forward to the Commission.
9. There have been rumors circulating about us closing several parks. That is completely false. We are currently laying out a design for Piute Park to bring before the Commission. We are not closing any park. With Piute Park, we were thinking about making it more inclusive. The equipment was old and dangerous. We are hoping to get the design by the end of June. At that same meeting, we are going to have a presentation about all of our parks.
10. Parks and Recreation Director Bass, Utilities Director Nunnelley, and herself met with New Mexico Game and Fish about Bonito Lake. We talked about the possibility of stocking the lake for day-fishing. We still need to do many things, but they are not extensive. They also need to do things like sampling the water and ensuring the ecosystem is right for fish. We are very hopeful that in the near future, we will be partially open to day-fishing. The long-term goal is camping and RVs.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Commissioner Rardin made the following comments:

He asked Public Works to reach out to NMDOT. On White Sands Boulevard, by Blakes, there is a bump in the road every sixty to one hundred feet. Fixing those would make driving down White Sands more pleasant.

With Title 42 going away next week, do we have a plan in place if we get an influx of migrants? We are an hour away. Acting City Manager Hernandez said that would be coordination between the Emergency Manager, who would be Chief Adler, and Chief Denton. Commissioner Rardin asked if we had something in place or a plan. Acting City Manager Hernandez said yes.

Mayor Payne made the following comments:

She attended Karla Thompson's funeral service. She was a Worship Pastor for many years at Christ Community Church. She was sixty-three.

CONSENT AGENDA

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

City Clerk Hughs said there needs to be a correction to the April 25th regular meeting minutes. The heading states City Manager Cesar. It needs to be amended to read Acting City Manager Hernandez.

Commissioner Burnett moved to approve the Consent Agenda.

Mayor Pro-Tem Wright seconded the motion.

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

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)

Public Comment

Gary Linde said everyone who signed the petition still strongly protests this rezoning. On behalf of the protestors, he asked the Commissioners to deny this rezoning request.

Angie Schneider said she was a homeowner on the 1200 block of Ohio and was here to protest the rezoning of 1209 Ohio from R-3 to R-4. She said she submitted a letter prior to the other Commission meeting on April 25th, and she hoped they had gotten her second letter. She said a number of other homeowners joined her from 1200 block of Ohio that are here to stand in opposition to this; they all signed the petition. She urged the Commissioners to deny the rezoning request.

Will Green said he was grateful to the residents that signed the petition in opposition. He said that Mr. Quijano was not here today and said he didn't know if that spoke volumes about the rezoning application. He said this has already been covered in depth from the previous meeting and the meeting tonight. He thanked the Commission for entertaining their protest.

Assistant City Planner McGranaghan gave the presentation again and said that staff recommends approval of the rezoning from R-3 to R-4.

Commissioner Rardin said that previously, a neighbor mentioned that he would be at the next meeting to have his property rezoned back to R-3 from R-4. So, would we have three that are R-4? Assistant City Planner McGranaghan said it would be three in a row, including the one across the street. Commissioner Rardin asked if those three are currently used as multi-family or single-family structures. Assistant City Planner McGranaghan said he believed that 525 was single-family. Commissioner Rardin asked about 1123. Assistant City Planner McGranaghan said he was not sure. Commissioner Rardin asked what we knew about the one across the street. Assistant City Planner McGranaghan said that 1200 is single-family. Commissioner Rardin asked if all the existing R-4's were being used for something like R-1. City Planner Rael said yes; she believed they were all single-family dwellings. Commissioner Rardin said that City Attorney Smith showed them the information about conditional zones, and it didn't look like we could do that. Mayor Payne said there was a question last time about whether we could put a condition on it. She said they were told they could not put a condition on it.

Commissioner Rardin moved to deny the rezone request for first publication.

Mayor Pro-Tem Wright seconded the motion.

Roll Call Vote was taken.

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

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

Vice Chairman Wright said they only made one change to this, on Article VII, Section 3, The Term of Office. On that, the change was that the office holders, commissioner, and mayor-at-large elected for the four-year term were limited to serving no more than two consecutive elected terms. An election shall be held on a staggered basis for the first Tuesday after the first Monday of each odd-numbered year.

Commissioner Rardin asked City Attorney Smith if she researched the term limits; we are non-partisan, are we allowed to put that in there? City Attorney Smith said we are allowed to. Commissioner Rardin said in the past, we were told we were not allowed. City Attorney Smith said there is nothing that prohibits us. From the time we first presented it to the Commission to now, there has been only one change. Commissioner Rardin said that all these changes will need to be put on the ballot. Do we need to decide whether we will place them all as one question, or each one as a question? City Attorney Smith said it would be easier to put it on the ballot as one; approve the Charter as a whole rather than trying to do it in pieces. Commissioner Rardin said that some of these are just bringing us into compliance with state law. Can those be passed by ordinance by us, or must they go on the ballot? Acting City Manager Hernandez said they could be passed by ordinance. Commissioner Rardin asked if the other changes would have to go on the ballot. Acting City Manager Hernandez said we are just getting into compliance with state statute, so that wouldn't have to go on the ballot. Anything silent in the state statute or new to ordinance must go on the ballot.

Mayor Pro-Tem Wright said that he, and other Commissioners, came in halfway through a term by a special election. So technically, he has been elected twice but only served six years. Commissioner Rardin said it states consecutive four-year terms. Mayor Pro-Tem Wright said it also says no more than two consecutive elected terms. Commissioner Burnett said he didn't think it would count for Mayor Pro-Tem Wright until after this has passed. Acting City Manager Hernandez said as appointed, that does not count. Those two elected terms would only be if you were elected to it. Mayor Pro-Tem Wright said that his were by special election. Commissioner Rardin said that in the Local Election Act, they changed the wording regarding someone resigning their seat. We appoint to that seat rather than have a special election. City Clerk Hughs said that was correct. City Attorney Smith said it is an appointment

now; the situation with Mayor Pro-Tem Wright would not occur. Commissioner Melton said that he and Commissioner Paul were in the same situation. Mayor Payne said that solves that problem.

Commissioner Rardin asked how we would do the ones coming back by ordinance. City Clerk Hughes said the ones conforming to state statute would be brought back by ordinance. She must also bring a resolution to the Commission for the Charter amendments going to the voters. Then we can send it to the County Clerk.

Commissioner Burnett moved to approve the recommendations.

Commissioner Rardin seconded the motion.

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

EXECUTIVE SESSION

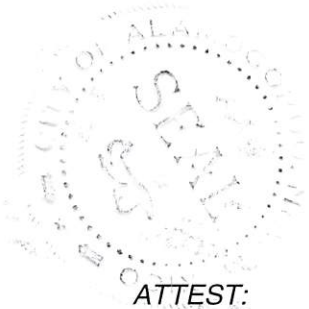
6. Adjourn into Executive Closed Session in compliance with 10-15-1(H)(2)(8) NMSA (as amended) to discuss: Limited Personnel Matters (City Manager and Acting City Manager) and Real Property located on 310 N. White Sands Blvd. (Roll Call Vote Required)

Mayor Pro-Tem Wright moved to adjourn into Executive Session at 7:26 p.m.

Commissioner Rardin seconded the motion.

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

ADJOURNMENT



ATTEST:



City Clerk Rachel Hughes



Mayor Susan L. Payne

(Prepared by Dylan Aleshire, Deputy City Clerk)
Approved at the Regular Meeting held on May 23, 2023.