

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 P.M., DONALD E. CARROLL COMMISSION CHAMBERS
June 27, 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 Pastor John Krall and the Pledge of Allegiance was led by Mayor Pro-Tem Wright.

APPROVAL OF AGENDA

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

PUBLIC COMMENT

Kimberly Pineda said she had property at 710 Dooley and has been trying to get a carport built. She said she previously spoke with City Planner Rael, who went out and checked her property. Ms. Pineda said carports on both sides of her and across the street do not meet the same specifications she is being asked to meet. She said that City Planner Rael told her she would speak with City Attorney Smith to try to get that approved but was told that was a no-go. She said this was her next step to try to get this approved. Mayor Payne said this was not an action item, but perhaps we could get something figured out. Acting City Manager Hernandez said she thought this was coming at the next commission meeting. Mayor Payne said that we would discuss it at the next commission meeting.

Donna Turnbull said she wanted to find out the status of the park by the fire station at the top of 10th Street. She said there are signs on Paiute; she had no problem with the signs the City put up saying no dumping in the area, but she had a great problem with the signs saying no trespassing and violators will be prosecuted. Apparently, she is a violator and needs to be prosecuted. She said she had walked those foothills. A lot of people abide by the signs and laws, and those people have been riding their bicycles on the cleared-off property there, not harming a soul, building a few little things, and having a great time for the last 40 years she has lived up there. Now those little kids do not have a park and cannot be in the natural desert. She said she had not heard of injury on that property and was disgusted when she saw a police officer with his lights on up there. About six weeks ago, there was a young couple holding hands, no kids, just going to take a walk. He had to pull up with his lights on and have a conversation with them. If the signs must stay, she insists they go up on every piece of City property around town.

Commissioner Rardin asked if we owned that property. Mayor Payne said yes. He asked how far up that was and if they put signs where BLM starts. Police Chief Denton said those signs were put up at the request of a resident who lives right next to where the land has been cleared off. He said he was talking of the north end of the fire station, all the way to where the houses start up again. It was due to motorcycle and four-wheeler traffic that was clearly a neighborhood problem. It was a choice by

previous City management to put no-trespassing signs to control some of that, but they still get calls up there all the time. Commissioner Rardin asked if it would be possible for us to change the sign to no offroad vehicles rather than no trespass. Police Chief Denton said that is above his pay grade. Commissioner Rardin said there are a lot of walking trails there. Police Chief Denton said that some of it is BLM, some of it is State, and some of it is private. He said a fence goes across that A Trail now, and he did not know who owned that area. He said that Ms. Burns has that. Mayor Payne said that she got a call a week ago from her. It is an issue for the neighbors.

Commissioner Rardin asked if staff could look into the options for that area and bring that back later or send that to us in an email.

CITY MANAGER'S REPORT

Acting City Manager Hernandez made the following remarks:

1. To address Commissioner Rardin, we will look at it and see if it is a matter of what vehicles the constituents had. If it is, we can probably do what Commissioner Rardin said and say no motorized vehicles. We will look at it and bring it back if we have to.
2. Regarding Paiute Park, she had the design sent to her by Parks Supervisor Erik Marion and Parks & Recreation Director Bass. She had not brought it back yet because she wanted to bring a whole presentation of all of our Parks. We can probably do that in July. The design they have looks beautiful.
3. The railroad sent us the scope of work for the electrical work that was needed. We put it out for bids, and it came back on Monday. She said they signed the contract with Stone Electric and will start next week. They expected two to two and half weeks to do the trenching, but they also needed to do line locates. Assuming all goes well, we should open it hopefully in August. Once we get the electrical work, it is just a matter of the railroads connecting the arms and signals.
4. She emailed the Commission last night about the street assessment. That was just the preliminary report. There were a lot of reports, but that is probably the most useful, as it tells you the road conditions.
5. She said she was happy to announce that Deputy Chief Kunihiro has accepted the position of Police Chief, effective today. Both Chiefs are preparing for a smooth transition. Chief Denton's last day in the office is Friday, and his last official day with the City is July 21st.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Commissioner McDonald made the following comments:

The contractors for the Dudley School were delayed due to a CID permit. All permits have now been reviewed and approved, and the contractors are to get back in there. This will complete everything that needs to be done inside the building and allow the volunteers to go back inside the building to do some painting. Joe Lewandowski, who is over this project, will make a list of dates for volunteers.

The Cleanup will be on July 15th. If we get enough volunteers, we will include Dudley School as a location to go out and clean up. This will help eliminate weeds and trash dumped on the property.

Last week, Mayor Payne, Acting City Manager Hernandez, and the Parks and Recreation Department were at the Dudley School. We had Zack Pinero from the National Hispanic Cultural Center, or NHCC, there. The NHCC contacted the Tularosa Basin Historical Society regarding partnering in the new Ambassador Program. The program will add new resources to the effort, and they will assist in any manner they can. Their mission is to offer their resources in preserving and educating all persons about the Hispanic culture through art, music, dance, promotion, and historical archives. It is a great honor to have an organization of this stature recognize the Dudley School Community Center and Park. Mr. Pinero said he would recommend accepting the Dudley School to the Ambassador Program

and notify the Secretary of Cultural Affairs and the Governor. She said that Mr. Lewandowski did not obligate the City in any fashion. Once the offer is official, the Tularosa Basin Historical Society, City Staff, and the Commission will review it and decide.

Commissioner Rardin made the following comments:

He said he asked about Oregon Avenue at the last meeting, and they got their explanation on it. When we go about this road study, he wants to see that road put into the mix. It stated in the email that it would cost \$5,000,000, but if it costs \$5,000,000 today, what will it cost if we do this in another ten years? He said we should do this even if we must do it in phases. He said the road had not been touched since '86 or '88. We have no shortage of bad roads to deal with, but that is a main one that needs attention.

He said there was a post on Facebook about a spray park. Someone said they wanted to come to the Commission and request that they build a spray park. When we do our Park Study, could we get a rough idea of what it would cost to put one of those in? We previously looked at it with Kids Zone. Mayor Payne asked if a spray park was like a splash pad. He said yes, like that, like one in Las Cruces. More than likely, it would be too expensive at this point, but he asked for a rough guess or estimate as to what it would cost. Acting City Manager Hernandez said that Mark Threadgill had plans, and everything was set out. If we still had that, we could dust that off, look at it, and use it as a starting point. Commissioner Rardin said we need to update it with today's pricing.

Mayor Payne made the following comments:

She said she was excited to see Ridgecrest getting done. She made a Juneteenth Proclamation. She thanked City staff for getting air back in the Commission Chambers. Acting City Manager Hernandez said that Facility Maintenance was waiting on the part and harassing the company to get it. Once the part came, they stopped everything to get it done. She said that Engineering Manager Bob Johnson was retiring and congratulated him.

CONSENT AGENDA

1. Approve the minutes for the June 13, 2023, Regular Commission meeting. (Rachel Hughs, City Clerk)
2. Approve the statements related to the Executive Closed Session held on June 13, 2023. (Rachel Hughs, City Clerk)
3. Consider, and act upon, the adoption and final publication of Ordinance 1677, Z-2023-0004(A), a map amendment to change the current zoning of the property located at 1200 Ohio Avenue from R-4 Multi-Family Dwelling District to R-3 Two Family Dwelling District. (Sean McGranaghan, Assistant City Planner) (Roll Call Vote Required)
4. Consider, and act upon, the award of IFB 2023-03 Sampling Stations to Morrison Supply Company in the amount of \$64,496.60 excluding tax. (David Nunnelley, Utilities Director)
5. Consider, and act upon, Resolution 2023-27 authorizing the release of certain liens that fall outside the statute of limitations. (Ashley Smith, City Attorney) (Roll Call Vote Required)
6. Consider, and act upon, the Alliance of Regional Military Support (ARMS) contract. (Stephanie Hernandez, Acting City Manager)

7. Consider, and act upon, HUD Form 50077-CR Civil Rights Certification. (Evelyn Huff, Finance Director)

8. Consider, and act upon, Resolution 2023-28 requesting written approval from the Local Government Division of the Department of Finance and Administration, State of NM for the revised budget numbers computed as of June 27, 2023. (Evelyn Huff, Finance Director) (Roll Call Vote Required)

Mayor Pro-Tem Wright moved to approve the Consent Agenda.

Commissioner McDonald seconded the motion.

Roll Call Vote was taken.

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

NEW BUSINESS

9. Consider and act upon, Land Exchange Between the City of Alamogordo and Alamogordo Public Schools, for properties located at 1401 Collage Ave and Fairgrounds Road. (Stephanie Hernandez, Acting City Manager and Belinda Bass Parks & Recreation Director)

Acting City Manager Hernandez said that in November 2020, the City did a land swap with Alamogordo Public Schools. We swapped our Hang Glider Park with their Chaparral. It was approved by both entities so that they could build a new middle school on Hang Glider Park. Unfortunately, recently, the school faced additional obstacles. That area was zoned to be in the 100-Year Flood Zone, requiring additional collaboration with FEMA and the Army Core of Engineers and additional time. Acting Superintendent Pamela Renteria is here previously wrote a letter to all the Commission that gave additional information. There were three options presented to us by Deputy Superintendent Colleen Tagle. The first two were basically leave as-is, and then they could rent back the Chaparral property from us and build the school there. We weren't excited about that because we would have another Oregon School situation. The second was to leave as-is, but they would have to build berms, and we would have to give them access to our property, plus the hospital would too. The third option would be to reverse the land swap and do another land swap giving us back Hang Glider Park, and then they would take over Chapparal's side again. Before making any recommendations, she said she worked with Park Manager Marion and had asked him to look at it to determine if the land had deteriorated. She said he was happy to hear that we were considering this. There was no real deterioration to the land, but it would take minor renovations. She said that Parks and Recreation Director Bass also went out there to look at it. Parks and Recreation Director Bass and Park Manager Marion both liked the green space. The City has not encumbered any expenses to develop Chaparral because it is still in session. She said that Parks and Recreation Director Bass, Park Manager Marion, and herself recommended approving the land swap to get our park back and more green space. That was utilized for a lot of sports out on Griggs Field, so it could be overflow or practice fields or whatever they plan to develop on it. She said that Deputy Superintendent Colleen Tagle and Acting Superintendent Pamela Renteria were here tonight if the Commission had any questions regarding the report.

Commissioner Burnett moved to approve.

Mayor Pro-Tem Wright seconded the motion.

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

10. Consider, and act upon, Case V-2023-0003(A), property owners Donald R. & Evelyn B. Carlson are requesting to be granted a variance to decrease the lot size requirement per ordinance 29-03-270 from 6000SF to 4001SF for 804 Crouch Dr. and 4490SF for 2507 Alaska Ave. (Stella Rael, City Planner)

City Planner Rael said this would sound familiar to the Commission because she brought this before them in March for a rear setback. She said that the owners are trying to retire and divide the property and sell off the set of apartments facing Alaska Avenue. They do not have the lot size requirement of six thousand feet and need every other setback. Staff is recommending approval. City Planner Rael proceeded with her presentation and findings of fact.

Mayor Pro-Tem Wright asked if the utilities for the property would be crossing properties. City Planner Rael said no, it will not affect anything except the lot size requirement.

Commissioner Rardin asked if they would have ample room for parking. City Planner Rael said yes, it will not change anything except for the lot size requirement. Their yards will be a little smaller.

Commissioner Rardin moved to approve.

Commissioner Melton seconded the motion.

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

11. Discuss a possible joint workshop with the Otero County Commission. (Josh Rardin, District 4 Commissioner)

Commissioner Rardin said a County Commissioner approached him to see if we could work together on certain things and what projects everyone was working on to see if we could bring some of our Capital Outlay money together. He wanted to bring this to the Commission's attention and see if they favored setting up a meeting to sit down with our County counterparts. Mayor Payne said that County Commissioner Barela spoke to her about this last week. Was that the same County Commissioner that approached you? Commissioner Rardin said yes. Back in 2018, he requested a meeting with Otero County that never happened. It would be a good idea to sit down with them. There are numerous areas to work together on in the City. Maybe we could save the taxpayers some money.

Commissioner McDonald asked Commissioner Rardin what the City Commission and County Commission had in common in the past. He said we share constituents. She said she was asking about projects. He said that we could sit down and talk about consolidating Animal Control into one large deal rather than having two. PSAP and Solid Waste at the Convenience Centers were others; we have one, but they have fifteen across the County. Maybe we could contribute money to Otero County and have them run ours for us. There may be a project that the City and County both want to contribute to. If we could give \$800,000, and they give that too, that gives a larger pool of money to work together on. It has been a long time since the City and County sat down and talked to each other. Maybe this is the start of something new. Mayor Payne said it was 2016.

Commissioner Melton asked Commissioner Rardin what he was thinking logistically; would we meet here or in the Chambers? Commissioner Rardin said wherever it could even be at the Civic Center. Mayor Payne said the last one was at the Civic Center. Commissioner Rardin said we could do it as a workshop, so no action would be taken, but we could have a conversation, and the public could attend. Even if nothing came from the meeting, we at least sat down and conversed.

Commissioner Paul asked if it would be worthwhile to have some sort of agenda and said he was open to this. Commissioner Rardin said we could have four or five items to discuss and keep the meeting short.

Mayor Payne said we should find out if the other two County Commissioners feel the same way. Commissioner Rardin said it is on their agenda at their next meeting.

Commissioner McDonald said another big deal that came up earlier was our internet connection in this area. Commissioner Rardin said the County has been working on that broadband deal. We could join them to get some funding, maybe talk to our State legislators and let them know we are working on this together and ask for help. That is a good one that should be on the agenda if the meeting happens.

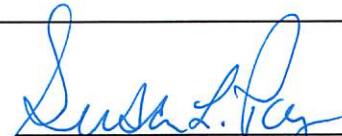
Mayor Payne asked Acting City Manager Hernandez what the next step was. Acting City Manager Hernandez asked what direction the Commission wanted staff to take. Commissioner Rardin said it is based on whether the County wants to have a meeting. Mayor Payne said as long as there is some type of real agenda. Commissioner Paul said if they brought two things, and we brought two things, we could both have some specific topics to discuss rather than having too much and wasting everyone's time. Mayor Payne said the direction to staff would be to see what the Otero County Commission says at the next meeting, and then reach out to see if they are open to it. Acting City Manager Hernandez said we could do that.

EXECUTIVE SESSION

12. Adjourn 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 McDonald moved to adjourn at 7:14 p.m.
Mayor Pro-Tem Wright seconded the motion.
Motion carried with a vote of 7-0-0.

ADJOURNMENT



Mayor Susan L. Payne

ATTEST:



City Clerk Rachel Hughes

(Prepared by Dylan Aleshire, Deputy City Clerk)
Approved at the Regular Meeting held on July 11, 2023.