

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 P.M., DONALD E. CARROLL COMMISSION CHAMBERS
March 12, 2024**

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

**MARK TAPLEY, COMMISSIONER
WARREN ROBINSON, COMMISSIONER
RICK HOLDEN, 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. The Invocation was given by Commissioner Robinson and the Pledge of Allegiance was led by Mayor Pro-Tem McDonald.

APPROVAL OF AGENDA

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

PRESENTATIONS

1. Tularosa Basin Downwinders Consortium presentation. (Mary White, Tularosa Basin Downwinders Consortium Member)

Ms. White said she was here to discuss the Radiation Exposure Compensation Act, RECA. We are working to get New Mexico covered by the Act and are here to ask the Commission to consider passing a resolution or proclamation in support of covering New Mexico under RECA. RECA expires in June, and if it expires without our legislation, that is the end. We will likely never get help for the radiation exposure caused by the Trinity atomic bomb. We were close in December with legislation and votes for the National Defense Authorization Act, NDAA, which passed the US Senate with a supermajority vote. House Speaker Jim Jordan took it out of the NDAA in December, but we now have Jim Jordan on our side.

Ms. Edna Hinkle said she was a breast cancer survivor. Her grandparents lived twenty-seven miles from Trinity, and they had six children. The entire family is affected by cancer. The government said the land was uninhabited, and they were not warned to leave the area beforehand. The government took their ranch to form the White Sands Missile Range, and the family moved to Alamogordo. Thirty-one members of the families around the ranch have had cancer. Sixteen died, and thirteen survived. Eleven years ago, in 2013, \$346,000 was submitted to my insurance for cancer treatment, and that does not include many associated costs. After chemo, I am more susceptible to skin cancer and have had thirty-one instances of it. I am past the cancer but will never be past the side effects.

Ms. White said if the legislation sunsets, there will not be another opportunity. Everything we need is in this legislation. When innocent people are injured, we ask the federal government to step up and take responsibility. Ten pounds of plutonium packed in the Trinity bomb did not fission and rained down for days. The concussive force sent radiation for hundreds of miles.

Commissioner Rardin asked how many other municipalities the Tularosa Basin Downwinders Consortium was seeking support from. Ms. White said that cities and counties across New Mexico were stepping up. We have the support of the western states' governors, such as Texas and the New Mexico House and Senate.

Mayor Payne asked what the state legislator's responses were. Ms. White said that one legislator asked what proof or testing there was, and the response was, we have no money. We are fighting cancers with garage sales and bake sales for funding. The other states had no measure of proof. They were presumed to have been affected due to their proximity to an atomic bomb. The same goes for New Mexico, and this was the most problematic bomb dropped one hundred feet off the ground. The government did not want massive loss of life or property destruction. This meant a huge concussive force with radiation. After that, they evacuated for one hundred and fifty miles, which was not uninhabited. From the archives, we know there was concern the government would be sued and liable.

PUBLIC COMMENT

None.

CITY MANAGER'S REPORT

City Manager Holden made the following remarks:

1. We will get the agendas to the Commission in a timelier fashion so you can have more time to review them.
2. Staff is working on a Tourism Plan to identify what tourism is, how we get there, and what we are doing. Assistant City Manager Hernandez is working closely with the Center of Commerce and Tourism Specialist Flint.
3. We are in a Water Rate Study. We will call the commissioners to schedule a one-on-one meeting with the rate study consultant. Understanding the full depth of the ongoing program and study is important. It has been ten years since the City has embarked on water rates. We are going to simplify the water process considerably.
4. We are working on the parking issues on Oregon Street. There is no reason why kids cannot park at the high school they go to. We will place signs up, limit parking along the street, and regulate it so people who want to come to the Park can use it. School kids will not be allowed to park here during school hours. If that is not understood, some may be towed as a last resort. We know they may move to other areas, and we are working closely with the school. The school has been putting out notices advising kids to find other parking places.
5. We still do not have liquor liability insurance. We are working with the New Mexico Municipal League Self-Insurance Fund to provide that insurance, but we are not getting anywhere. In the interim, we have had to cancel events like the Saint Patrick's Day Bash. We cannot sell alcohol, and in that short time, we could not get someone to take that on as a private contractor.
6. Regarding the Rocket City Fun Center, staff has worked with Jay and his counterparts. He has been cooperative. From the staff's standpoint, it looks like he will meet the obligations of the LEDA portion. We are moving to the next phase, which is to develop an inventory to know what is in the building and who it belongs to. We have to deal with the cost of bringing the facility up to a minimum standard to continue operating as a bowling alley. Potential lingering tax issues regarding liquor also need to be resolved. We plan an executive session to discuss potential litigation, remaining bond responsibility, the land, and options.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Mayor Payne made the following comments:

There are many positive things happening in our community. We have so many new police officers, the Ferguson Academy, a new Base Commander, and the Center of Commerce is coming along.

Commissioner Robinson made the following comments:

The Altus Award should be publicized so people know about it. Mayor Payne said that is coming. National people are coming to present the award.

CONSENT AGENDA

2. Approve the minutes for the Regular Commission meeting on February 27, 2024. (Rachel Hughs, City Clerk)

3. Consider, and act upon, Ordinance 1686 for adoption and final publication to add Article 11-08, Section 08-010 - 08-040 to Chapter 11 Criminal Code, concerning Peddler and Solicitor Regulations. (Ashley Smith, City Attorney) (Roll Call Vote Required)

4. Consider, and act upon, Ordinance 1687 for adoption and final publication to add Article 11-07, Section 07-010 - 07-060 to Chapter 11 Criminal Code, concerning Alcoholic Beverage Regulations. (Ashley Smith, City Attorney) (Roll Call Vote Required)

5. Consider, and act upon, bid award IFB 2024-01 to AggTec for an estimated amount of \$84,600.00 for the purchase of concrete to be utilized by various departments. (Evelyn Huff, Finance Director)

6. Consider, and act upon, Resolution 2024-19 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 March 12, 2024. (Evelyn Huff, Finance Director) (Roll Call Vote Required)

Commissioner Burnett removed Item 5 from the Consent Agenda.

Mayor Pro-Tem McDonald moved to approve the Consent Agenda as amended.

Commissioner Robinson

seconded the motion.

Roll Call Vote was taken.

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

ITEMS REMOVED FROM CONSENT AGENDA

5. Consider, and act upon, bid award IFB 2024-01 to AggTec for an estimated amount of \$84,600.00 for the purchase of concrete to be utilized by various departments. (Evelyn Huff, Finance Director)

Commissioner Burnett asked how many times we have written off bills for AggTec in the last two years. Finance Director Huff said she was not aware of any and would have to research it. Commissioner Burnett said in the water bill last year it was in excess of \$10,000. That may have been for Mesa Verde. She said Mesa Verde had a large bill written off for the hydrant meter that had not been turned in or billed. We got it back. Commissioner Burnett said it was not AggTec then.

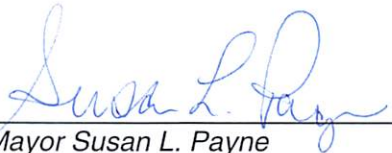
Commissioner Burnett moved to approve.

Commissioner Robinson seconded the motion.

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

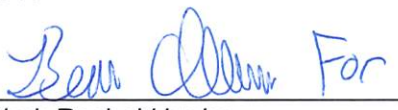
ADJOURNMENT

Commissioner Burnett oved to adjourn at 7:08 p.m.
Mayor Pro-Tem McDonald seconded the motion.
Motion carried with a vote of 7-0-0.



Mayor Susan L. Payne

ATTEST:



City Clerk Rachel Hughs

(Prepared by Dylan Aleshire, Deputy City Clerk)
Approved at the Regular Meeting held on March 26, 2024.