CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 P.M., COMMISSION CHAMBERS
MAY 24, 2016

RICHARD BOSS, MAYOR
JASON BALDWIN, COMMISSIONER
NADIA SIKES, COMMISSIONER
JENNY TURNBULL, COMMISSIONER
SUSAN PAYNE, COMMISSIONER
AL HERNANDEZ, MAYOR PRO-TEM
ERICA MARTIN, COMMISSIONER
MAGGIE PALUCH, ACTING CITY MANAGER
STEPHEN THIES, CITY ATTORNEY
NANCY JACOBS, CITY CLERK

CALL TO ORDER / ROLL CALL / INVOCATION / PLEDGE OF ALLEGIANCE

Mayor Boss called the meeting to order at 6:30 p.m. Roll Call was taken by the City Clerk. Clerk Jacobs announced there was a quorum present. Invocation was given by Pastor Bill Heithold and the Pledge of Allegiance was led by Commissioner Martin.

APPROVAL OF AGENDA

Mayor Pro-Tem Hernandez moved to approve the agenda. Commissioner Baldwin seconded the motion. Motion carried with a vote of 7-0-0.

PUBLIC COMMENT

Rich Merrick commented on the following:
Mr. Merrick told Mayor Boss he understood in prior meetings the public could speak for three minutes for the first seven people and asked for clarification on what the timer was now. Mayor Boss answered they were going to use the timer for both public comments, but if it was something he believed the Commission would be interested in and would help them in making a decision, then possibly they would go over the time. Mayor Boss stated he had to understand the employees and Commissioners worked all day and they can't open it up for all night long. Mr. Merrick said in regards to the employees that have worked all day, most of the public were not sitting at home either.

Paul Sanchez commented on the following:
Mr. Sanchez stated that at the Special Meeting there was an allegation that was leveled by Mayor Pro-Tem Hernandez and he wanted clarification or a retraction of the allegation. He said the allegation was in regards to one of the Family Fun Center contractors who had allegedly spoken to Mr. Sanchez about issues with the FFC, and that Mr. Sanchez had spoken to the Commissioners about it. He said Mayor Pro-Tem Hernandez specifically stated that the intent of that was in violation of the RFP which says a contractor cannot speak to any city officials, commissioner, etc. Mr. Sanchez said there were three problems with that, number one he was not a city employee, two he never asked him to speak to the commission and three, by making the allegation, Mr. Wilson's bid would come under additional scrutiny because of the allegations. He wasn't seeking an apology; he wanted a retraction because it was not true not was there evidence of it.

Eliza Fernandez commented on the following:
Mrs. Fernandez spoke on Item 10 and read a statement as the APSOA president. She asked that any changes to the Personnel Manual remain subject to the negotiation process. (see agenda book for handout)

CITY MANAGER'S REPORT

Acting City Manager Maggie Paluch made the following remarks:
1. She congratulated Daron Syling as the new Chief of Police.
2. She thanked the staff that helped with Military Appreciation Day and said she had received wonderful feedback. She stated they raised $415 for scholarships so low income children could attend summer camp at the Recreation Center.
3. She announced the Pupfish season started yesterday and you could find the 2016 schedule online.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Commissioner Martin commented on the following:
She thanked staff for Military Appreciation Day and said it was a good event. She also thanked staff because the City website was looking really good.

CONSENT AGENDA

2. Approve the Minutes for April 25, 2016 Joint City/County Special Meeting, May 5, 2016 Budget Hearing, and May 10, 2016 Regular City Commission Meetings. *(Nancy Jacobs, City Clerk)*

3. Consider, and act upon, Change Order No. 6, RFQ No. 2013-05, to CDM Smith, Inc. related to the engineering and design services for the 1MGD Desalination Plant project, in an amount not to exceed $163,771.78, including tax. *(Brian Cesar, Public Works Director)*

4. Consider, and act upon, approval of the Otero County Economic Development Council, Inc., operating agreement. *(Stephen Thies, City Attorney)*

5. Consider, and act upon, the Alamogordo Chamber of Commerce agreement for Tourism Promotional Services. *(Stephen Thies, City Attorney)*

6. Consider, and act upon, approval of Alamogordo Chamber of Commerce Facility Maintenance, Overhead and Operational Expenses of Aubrey L. Dunn, Sr. Visitors Center for Tourism Promotion agreement. *(Stephen Thies, City Attorney)*

7. Consider, and act upon, approval of the New Mexico Department of Tourism Clean and Beautiful Litter Control and Beautification grant contract for FY2016-2017. *(Jan Wafful, Special Events Manager)*

8. Consider, and act upon, approval of the recommended expenditures for Tourism & Advertising Promotions. *(Jan Wafful, Special Events Manager)*

9. Consider, and act upon, approval of Senior Volunteer Program contract for fiscal year 2016/2017. *(Veronica Ortega, Community Services Director)*

11. Consider, and act upon, final publication of Ordinance No. 1515, authorizing the execution of a Loan Agreement and Intercept Agreement by and between the City of Alamogordo and the New Mexico Finance Authority (NMFA) for the principal amount of $6,870,000. *(LeeAnn Nichols, Finance Director)* (Roll Call Vote required)

12. Consider, and act upon, Resolution No. 2016-16 removing uncollectible and unsecured Utility, Library, Civic Center, Public Housing Authority and other miscellaneous accounts from the City's accounts receivable. *(LeeAnn Nichols, Finance Director)* (Roll Call Vote required)

13. Approve Resolution No. 2016-20 requesting written approval from the Local Government Division of the Department of Finance & Administration, State of New Mexico for the revised budget figures computed as of May 24, 2016. *(Kathy Gilsdorf, Budget Analyst)*) (Roll Call vote required)

Mayor Boss asked to remove Item 14 from the Consent Calendar.
Commissioner Turnbull asked to remove Item 10 from the Consent Calendar.

Mayor Pro-Tem Hernandez moved to approve items 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, & 13 of the consent calendar. Commissioner Sikes seconded the motion. Roll call was taken for items No. 11, 12, & 13. Motion carried with a vote of 7-0-0.

ITEMS REMOVED FROM CONSENT AGENDA

10. Consider, and act upon, final publication of Ordinance No. 1510 amending section of the Personnel Manual relating to corrective action and grievances. *(Stephen Thies, City Attorney)* (Roll Call Vote required)

City Attorney Thies explained this was an item to amend their grievance process under the Personnel Manuel, which was part of the Code of Ordinances. He said the primary purpose for making the amendment was to remove the ability of an employee to grieve a written reprimand to the city manager. Written reprimands were a form of disciplinary action that the City utilizes; it goes in the personal file but it doesn't subject the employee to any reduction of pay or any suspension. He said if they continue engaging in that action, they could ultimately be subject to some type of suspension without pay or another adverse action. If that type of action would be taken, they would have the right to grieve that issue to the city manager. He said to address the issue that was brought up by the Union, the City had a Labor Ordinance that was enacted before public employees had the right to collectively bargain in the state of New Mexico, and as a result their labor ordinance had been given grandfather status. This meant it didn't have to be consistent with the Public Employee Bargaining Act that was state statute. In their Labor Ordinance, it specifically said grievances were a non-negotiable item, and they could agree to negotiate changes to their grievance policy but it was not a mandatory subject for negotiations.

Commissioner Turnbull moved to approve final publication of Ordinance No. 1510 amending section of the Personnel Manual relating to corrective action and grievances. Mayor Pro-Tem Hernandez seconded the motion. Roll call vote was taken. Motion carried with a vote of 7-0-0.

14. Approve Resolution No. 2016-21 requesting interim approval from the Local Government Division of the Department of Finance & Administration, State of New Mexico to adopt the Preliminary 2016-2017 Budget as of May 24, 2016. *(Kathy Gilsdorf, Budget Analyst)*) (Roll Call vote required)

Mayor Boss believed there was a point in the near future that this Commission would be forced to adopt certain restrictions on this budget. He said with the effect of the exiting of the German Air Force they will need to monitor their projected revenue in the coming months. He said they should address this again when they act upon approving the FY17 budget at the second meeting in July.

Commissioner Martin asked Finance Director Nichols if the reorganization of Public Works was in the proposed preliminary budget. Ms. Nichols said it was not. Commissioner Martin stated she had asked twice for it. Acting City Manager Paluch said they could get that information as soon as possible. Commissioner Martin said she had a hard time voting for approval of a preliminary budget that was missing information.

Commissioner Baldwin moved to approve Resolution No. 2016-21 requesting interim approval from the Local Government Division of the Department of Finance & Administration, State of New Mexico to adopt the Preliminary 2016-2017 Budget as of May 24, 2016. Mayor Pro-Tem Hernandez seconded the motion. Roll call vote was taken. Motion carried with a vote of 5-2-0. Commissioner Martin & Commissioner Payne voted nay.

PRESENTATIONS

1. The Army 1st Armored Division will brief the Commissioners on upcoming proposed helicopter training in the Lincoln National Forest, and the use of the Alamogordo-White Sands Regional Airport for helicopter staging.

Dr. Brain Lock introduced Colonel Conner - Commander of the Combat Aviation Brigade at Fort Bliss, Chief Ward Officer Moreno - Chief Pilot and Standardization Officer, and Lieutenant Colonel Segura with the First Armored Division and others in the audience from Fort Bliss and the Forest Service. He stated they were there as a partnership with the Forest Service to announce a proposal to utilize portions of the Lincoln National Forest for High Altitude Mountain Training Strategy.

Colonel Conner explained High Altitude training. He said as the Combat Aviation Brigade Commander their responsibility was to train and prepare the soldiers to mitigate the risk with operating a helicopter in a multitude of environments. He mentioned although Fort Bliss was a phenomenal training area, they didn't have the high altitudes to perform the tasks the soldiers needed to do. They wanted to train in the Lincoln National Forest to prepare their soldiers for future operations the nation was asking them to do. He presented a Power Point that included their training in 2012 at the Lincoln National Forest and how it reduced the accidents in deployments to Afghanistan. (see agenda for Power Point)

Commissioner Baldwin asked them if they would be flying directly from Fort Bliss to the landing spots or would they be utilizing the City's airport. Colonel Conner answered they would be using the airport to refuel. Commissioner Baldwin asked if this would be day and night and how much would they be flying annually. Colonel Conner said it would depend on the mission set and their tempo, if there was deployment coming up it would be more frequent. He said most of that information would come out in the Environmental Study. Commissioner Baldwin asked him if there had been any opposition with this and he answered everyone had been OK with it. Commissioner Turnbull thanked them for their service.

PUBLIC HEARING

15. Consider, and act upon, Application No. 995065 to grant a Transfer of Location for Dispensers Liquor License No. 0021 with Package Sales from Palm Side to Wal-Mart Stores East LP d/b/a Wal-Mart Market #5726, located at 2401 Indian Wells Road, Alamogordo, NM. *(Nancy Jacobs, City Clerk)*

Mark Rhodes of Rhodes & Salmon, PC addressed Mayor Pro-Tem Hernandez's concerns regarding the different types of liquor licenses. Mayor Pro-Tem Hernandez said it would be a concern if a liquor license would be sold and taken out of the City. Mark Rhodes assured him they could not move a liquor dispenser with package out of the local option district or they would lose that package.

Mayor Pro-Tem Hernandez moved to approve Application No. 995065 to grant a Transfer of Location for Dispensers Liquor License No. 0021 with Package Sales from Palm Side to Wal-Mart Stores East LP d/b/a Wal-Mart Market #5726, located at 2401 Indian Wells Road, Alamogordo, NM . Commissioner Martin seconded the motion. Motion carried with a vote of 7-0-0.

NEW BUSINESS

16. Consider, and act upon, a purchase agreement for Lot 2B, Replat B Industry Center Subdivision, in reference to a flood control pond adjacent to the Dry Canyon Channel. (*Stephen Thies, City Attorney)*

City Attorney Thies explained the flood control purchase agreement and recommended approval of the agreement.

Mayor Pro-Tem Hernandez asked City Attorney Thies if that would take care of the Randall issue. He answered yes it would address the issue. Mayor Pro-Tem Hernandez asked him if it would eliminate putting the bridge in, and City Attorney Thies said yes. Mayor Pro-Tem Hernandez explained they have been in litigation with Mr. Randall because of culverts. Commissioner Baldwin pointed out this fixes a problem but it also solves another north flooding issue. Mayor Pro-Tem Hernandez said that would help slow down the flooding issue on 25th Street.

Mayor Pro-Tem Hernandez moved to approve a purchase agreement for Lot 2B, Replat B Industry Center Subdivision, in reference to a flood control pond adjacent to the Dry Canyon Channel. Commissioner Baldwin seconded the motion. Motion carried with a vote of 7-0-0.

17. Consider and act upon an alleged rolling quorum violation of the Open Meeting Act. *(Stephen Thies, City Attorney)*

Mayor Boss read a statement saying that on the morning of Tuesday May 3rd, he became aware of accusations being made that the RFP sent out to the two contractors, White Sands Construction and Star Dust Lanes LLC, were not even close to what the Commission directed management to send out in the April 26th Regular Meeting. He immediately requested copies of both the original RFP and the RFP that was sent out after the April 26th Regular Commission Meeting. He reviewed both documents and in his opinion, the RFP sent out was substantially different than the original RFP and the language in the RFP was very different than that of the original RFP. As Mayor, he decided to call a special session commission meeting. He decided to discuss his action with Commissioner Baldwin before meeting with the City Clerk to request the meeting. After discussion they both agreed that a special commission meeting was necessary to consider redirecting management in the matter. Mayor Boss said Commissioner Baldwin said he would notify Mayor Pro-Tem Hernandez and Commissioner Sikes that a special meeting was going to be called. Mayor Boss said he would notify other Commissioners, which he did by phone. He then met with Clerk Jacobs and requested a meeting on Tuesday May 17th. At the conclusion of the May 17th Special Meeting, he and Commissioner Baldwin were approached and warned that there may be an appearance of a rolling quorum which was a violation of the New Mexico Open Meetings Law. He said they were advised to report the potential appearance of the violation immediately. Both Commissioner Baldwin and he were surprised by the accusation and asked for an explanation. Mayor Boss and Commissioner Baldwin were told that a rolling quorum may have been by the phone calls made May 11th notifying the rest of the Commission that he was calling a special meeting. Calls were simply made to make Commissioners aware that a special meeting was being called so they would be aware of the meeting. He immediately went to City Clerk Nancy Jacobs and reported the accusations. He was familiar with Open Meeting Laws as related to rolling quorum matters and did not believe any violation was committed and that he was fully within his rights as mayor to contact Commissioners of the special meeting to be called. He believed both the City Attorney and City Clerk approved of his opinion. He ended there and let Commissioner Baldwin make some comments on that.

Commissioner Baldwin stated anybody that knows him knows that he was petrified of rolling quorums and communicating with most of the Commission, to the point where he was having lunch and their old Mayor came to the 19th Hole. Mayor Pro-Tem Hernandez was there enjoying lunch with his wife and then another Commissioner came in and they all freaked out and he went back to work because he didn't want to be in the same place. He said he didn't believe there was a rolling quorum but just being on the up and up and since an allegation was made they wanted to come to the public and let everybody know they understood there could be a perception. He said no decisions were made or discussed; it was just to notify people of the special meeting.

Mayor Pro-Tem Hernandez stated he was the one that requested they bring this out into the open to clarify. He didn't believe there was a rolling but there was the possibility it looked like such and it was best to talk about it.

City Attorney Thies educated the Commission on rolling quorums. He said the fix was what they would do in the next several minutes and that was to summarize the discussions that occurred outside the open meeting. The Open Meetings Act required the Commission to conduct public business in public so the public could observe deliberations leading up to a decision. The Open Meetings Act did not prohibit the Commissioners from discussing items outside the meeting. The Open Meetings Act is violated by having conversations outside of the public meeting when they go to the majority of the Commission and try to solicit support or a vote for a particular decision. The prohibition was when they step over the line and have the majority of the votes before they walk into the meeting.

Mayor Pro-Tem Hernandez said in the past there were allegations of talking behind the scenes and as City Attorney Thies said, be very careful what you discuss. He appreciated the Commission talking about it.

18. Consider, and act upon, an allegation that the City Commission failed to comply with the New Mexico Open Meetings Act. ***(Stephen Thies, City Attorney)***

City Attorney Thies said at the last Commission meeting there was an allegation that the notice provided of the special meeting did not comply with the Open Meetings Act. He said similar to the rolling quorum issue the fix was simple. At the next meeting or a future meeting they properly notice the particular item or reaffirm the action at the prior meeting and by doing so they had corrected that potential violation of the Open Meetings Act. He requested they review the minutes that were italicized that dealt with the motion made and then ask for a motion to affirm the action that was taken. If they did so, they corrected the alleged violation of the Open Meetings Act.

Paul Sanchez asked City Attorney Thies if the RFP was sent out last week or was it corrected and held until the vote tonight and was to be sent out the tomorrow morning. City Attorney Thies answered it was sent out with the changes with the independent design consultant using the same scoring criteria as the original and delivered on Thursday. Mr. Sanchez asked if it was legitimate based on this complaint, and should it have been sent out the next day instead of previously. Mayor Boss asked City Attorney Thies if he would like to address that and he answered no.

Mayor Boss read the following:
An allegation was made during the May 17, 2016 Special Commission Meeting that the City violated the New Mexico Open Meetings Act by failing to properly notify certain parties of the meeting. If such a violation did occur, the cure is rather simple. The Commission simply needs to re-discuss the specific matter and summarize the comments made regarding the item at the prior meeting, and then retake the vote on the particular item.

The only action item on the May 17th agenda related to a review of the action taken by City Commission at the April 26, 2016 Regular Meeting, specifically relating to Agenda Item 15 - Funding for the Family Fun Center. I will read a summary of the discussion on this item which occurred on May 17th along with the motion, and will then request a motion to reaffirm the vote taken at that time.

Commissioner Turnbull moved to proceed with the original RFP (RFP 2015-006) that states "the City seeks a well qualified development team to participate in the facility's design and project planning, construction, financing, operating and maintaining", and to use an independent scorer.

City Attorney asked for clarification so there would be no misunderstanding as to the direction. City

Attorney asked the commission if they wanted the independent design consultant to review and score the management/operate proposals and possibly make a recommendation whether the City should accept or reject a party's lease proposal.

Mayor Boss asked if this issue needed to be decided at this time. City Attorney responded yes. City Attorney Thies continued by saying he would modify the RFP to allow for its distribution as soon as possible. City Attorney wanted clarity as to the direction. City Attorney would be contacting the independent design consultant tomorrow to explain the scope of work. City Attorney stated the total scope of work is required in order to get a cost proposal from the independent design consultant.
Clerk Jacobs asked for clarification and read it back to them:
Commissioner Turnbull moved to proceed with the original RFP (RFP 2015-006) and to use an independent scorer.

Commissioner Baldwin remarked that an independent scorer was to score the responses using the original RFP scoring criteria. He wanted to make sure that was part of Commissioner Turnbull's motion. She said yes.

City Attorney Thies asked if it would be to manage/operate, and Commissioner Turnbull said yes.

Commissioner Martin seconded the motion.
Motion carried with a vote of 6-0-0.

Commissioner Baldwin moved to reaffirm the decision made at the May 17, 2016 Special Meeting in regards to this issue. Commissioner Turnbull seconded the motion. Motion carried with a vote of 6-0-1. Commissioner Sikes abstained from the vote; she had been absent at the above referenced Special Meeting when the original vote was taken.

19. Accept the resignation of Interim City Manager George Straface. ***(Nancy Jacobs, City Clerk)***

Mayor Pro-Tem Hernandez moved to accept the resignation of Interim City Manager George Straface. Commissioner Payne seconded the motion. Motion carried with a vote of 5-2-0. Mayor Pro-Tem Hernandez & Commissioner Sikes nay.

Mayor Pro-Tem Hernandez said that in the contract with former Interim City Manager Straface, item number six of that contract was performance evaluation, where former Interim City Manager Straface spoke of items he would accomplish in the timeframe he was there; if he did then he would receive a bonus. Mayor Pro-Tem Hernandez believed he accomplished all the items he listed and was entitled to that payout.

Mayor Pro-Tem Hernandez moved to uphold the contract of Dr. George Straface. Commissioner Turnbull second.

Commissioner Baldwin stated he had not thought about what was in the contract and would like time to discuss what the items were. He said off the top of his head he did agree with Mayor Pro-Tem Hernandez but wanted a chance to defend their decision if they were discussing it in public. Commissioner Martin asked if this needed to be on the agenda. Mayor Pro-Tem Hernandez said it was because his resignation was part of it. Commissioner Martin stated she did not have the contract in front of her. Mayor Pro-Tem Hernandez stated if they had an item, they needed to be prepared to speak about it entirely.

Mayor Boss did not believe the contract provisions were met regarding the hiring of a City Manager, however, he supported paying Dr. Straface the $15,000. Mayor Pro-Tem Hernandez said they could discuss it or come back at a later day.

Commissioner Baldwin agreed it was part of his resignation but thought they could be viewed as two separate items. He said he was ok with waiting another two weeks to review the contracts.

Commissioner Payne asked City Attorney Thies for direction. City Attorney Thies said they could take the safe option and table the contract part of it to give the Commission an opportunity to review the provisions in the contract and bring it back to take action.

Commissioner Baldwin stated they had a motion and a second on the floor.

Paul Sanchez shouted point of order, this was not on the agenda. He said he was in support of Dr. Starface getting the bonus. He didn't think a single action, such as the confusion that happened with the Family Fun Center should taint anyone's entire time they were in their position. He said before they make a decision they should take a hard look at what the contract said.

Mayor Pro-Tem Hernandez said it was surprising to him that a member of the audience had read and knew the contract inside and out but some of the commissioners did not. Mr. Sanchez wanted to know what the problem with that was. Mayor Pro-Tem Hernandez stated there was no problem; it was the Commission's job to know all that.

Mayor Boss said they had a motion on the table but maybe they should reconsider it. Commissioner Payne agreed they needed to table it and said the contract states up to $15,000 so there was room for discretion. She told Mayor Pro-Tem Hernandez she had seen the contract before, but she didn't think they should be put on the spot.

Mayor Pro-Tem Hernandez he didn't have a problem with tabling it.

Mayor Pro-Tem Hernandez withdrew his motion.

Commissioner Baldwin asked if they were not going to accept the resignation. Mayor Pro-Tem Hernandez said the resignation was accepted and Commissioner Baldwin understood the contract was the second motion.

20. Consider, and act upon, the appointment of an Acting City Manager. ***(Nancy Jacobs, City Clerk)***

Commissioner Baldwin asked if it said somewhere they had to appoint an acting city manager. City Attorney Thies stated in the Code of Ordinances, the Charter, that by default it falls in the organizational chart to the assistant city manger. He said normally the practice had been to appoint someone because they were now taking additional responsibilities. Mrs. Paluch could decline to do those additional responsibilities and that was why the assistant city manager had always been appointed to act when a city manager resigned. He commented on the increase in compensation because they were asking the person to assume additional responsibilities.

Mayor Boss believed they should appoint an acting city manager and there were considerably more responsibilities along with being an assistant then being the actual acting city manager.

Mayor Pro-Tem Hernandez agreed to support an appointment so the Commission could have a direct point of contact. Commissioner Martin asked Maggie Paluch how she felt and Maggie said she was ok.

Mayor Pro-Tem Hernandez moved to appoint Maggie Paluch as Acting City Manager. Commissioner Sikes seconded the motion. Motion carried with a vote of 7-0-0.

Mayor Pro-Tem Hernandez said they need to talk about pay and Mayor Boss recognized that. Mayor Pro-Tem Hernandez said the norm was 20 percent. Mayor Boss said the acting city manager will be paid at level of compensation stated by City Ordinance and he believed that was the low end of the range for the position of city manager.

City Attorney Thies said $100,000 was the low end of that particular position and the high end was $160,000 a year. Mayor Boss said he understood it would be at the low end and Mayor Pro-Tem Hernandez said that was the way he read it also. Mayor Boss asked if they needed to make a motion and Mayor Pro-Tem Hernandez answered no.

WORK SESSION

21. Update the status of the Desalination Plant Project and the Bonito Lake Project. ***(Brian Cesar, Public Works Director)***

Public Works Director Cesar gave some history on the Little Bear Fire and spoke on the Bonito Lake Project. (see agenda for Power Point)

Mayor Boss asked if they would be moving the debris during winter months. Brain answered they were looking at having the contractor work through the winter and early spring. They would not look to have the contractor work during July to September, the monsoon period. Mayor Pro-Tem Hernandez recommended a tour for the new Commissioners so they could see why it was taking so long.

Public Works Director Cesar spoke on the Desalinization Project and explained the first phase of the project. (see agenda for Power Point)

Mayor Boss asked him if they were lacking pipeline from La Luz to the Plant. Public Works Director Cesar answered they had pipeline from the City to La Luz and from the Snake Tank Well field. There was a mile and a quarter of pipeline coming from Snake Tank Road toward Alamogordo so they were lacking seven and half to eight miles of pipeline.

Commissioner Payne asked Public Works Director Cesar to elaborate on monitoring wells. He explained it was not a normal production well used to pump to water, it was a hole drilled into the ground to monitor water levels and pull water samples.

Mayor Pro-Tem Hernandez clarified they were treating the water coming from north of town; they were not pulling any water from the location where the Desalinization Plant set. Public Works Director Cesar confirmed the site where the plant will be was strictly for treatment. Commissioner Payne said the concern was how long the sealed system would last. Public Works Director Cesar stated the recommendations were from the Ground Quality Bureau and the Solid Waste Bureau.

Mayor Boss asked for tours of Bonito Lake and the Snake Tank. Public Works Director Cesar asked the Commission to get together with City Clerk Jacobs and she will give him the times when they could tour.

Mayor Pro-Tem Hernandez said by law they were required to monitor the water they provided to the citizens as well as monitor any contaminations they may cause to the systems because they had wells. Commissioner Payne said she was satisfied with the information as she had read the reports.

Commissioner Baldwin thanked Roger Schoolcraft for his time as Interim Police Chief and congratulated him on his new promotion. He welcomed police Chief Syling to the family.

EXECUTIVE SESSION

22. Adjourn into Executive Session in compliance with Section 10-15-1(H), NMSA 1978 (as amended), to discuss Threatened or Pending Litigation (W. Irby). (Roll Call Vote required)

Mayor Pro-Tem Hernandez moved to adjourn into Executive Session to discuss Threatened or Pending Litigation (W. Irby) at 8:21 p.m. Commissioner Martin seconded the motion. Roll call vote was taken. Motion carried with a vote of 7-0-0.

ADJOURNMENT

Richard Boss
Mayor Richard Boss

ATTEST:

Nancy E. Jacobs 6/14/2016
City Clerk Nancy E. Jacobs

(Prepared by Rachel Hughs, Deputy City Clerk)
Approved at the Regular Meeting held on June 14, 2016.