

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 P.M., DONALD E. CARROLL COMMISSION CHAMBERS
April 23, 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 Mayor Payne and the Pledge of Allegiance was led by Commissioner Burnett.

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. Donate Life Proclamation. (Susan Payne, Mayor)

Mayor Payne pulled the item because no one was present to receive the proclamation.

2. 100% Otero Update on the PIT Count. (Peg Crim, Co-Founder)

Jen Gruger said there was a Housing Symposium and Community Conversation on March 21st. The objectives were to bring the community together for a conversation about housing, access to housing, and homelessness. During the first half of the day, various speakers spoke about creating housing opportunities. The resounding message at the end was to keep meeting and having these conversations. We are excited that Assistant City Manager Hernandez will give us more information about what the City is doing in these areas. The SNMEDD Council and Purdue University are having a two-day summit in Roswell on May 22nd and 23rd. This will be on a bigger scale, with more counties, including Otero, to look at housing. We are hopeful the City can have a presence there.

Nadia Sikes said her part here is to try to improve things for the unsheltered, the unhoused, and the homeless. I have been doing a mobile outreach program since October in partnership with the New Mexico Health Department and Counseling Center. We follow up on rumors and information about homeless camps in and around Alamogordo. The contract does not permit us to give tents, tarps, or sleeping bags, but we try to provide resources and engage with them. We give out snacks, hygiene kits, women's products, and backpacks. In winter, we gave out socks, hand warmers, and hats. People welcome us. I try to find out what they need, and to date, not one person has told me we need a shelter in Alamogordo. They like that Runner's Refuge was a temporary shelter, but nobody ever says we need a brick-and-mortar shelter. People are mostly looking to feel safe; they need simple things like an area to clean up or do their laundry. I always hear from people about their stuff being stolen; if you don't have much, it can be traumatic. The contract ends at the end of June, and I would like to return

and tell you the results. The majority of the people are from here, have quit high school, and experienced childhood trauma and dysfunctional families.

Peg Crim said she did not have the final numbers for the PIT Count from the State.

PUBLIC COMMENT

Gary Trinkle signed up to speak under Item 10.

CITY MANAGER'S REPORT

City Manager Holden made the following remarks:

1. Staff is working on some of the issues with housing concerning 100 % Otero. The housing ordinance is still functional and does not disqualify us from federal funding or opportunities. We are looking at some attainable housing and working with developers.
2. During the last commission meeting, there were some concerns about speeding. The Police Department does a tremendous job. Between March 29th and April 9th, about eleven days, there were twenty-three crashes, two hundred and thirty traffic stops, seventy-nine citations issued, and six hundred and sixty-eight calls for service. From April 10th to April 21st, there were twenty-one crashes. Four hundred and ninety-seven traffic stops, two hundred and twenty-eight citations issued. Our Police Department is all over town at all hours. Since the last meeting, officers have gone out and looked at parked vehicles at Incredible Court, and six citations were issued. If they do not comply with citations, they will be towed. Code Enforcement has gone out and dealt with issues there, too. It is good that people let us know what is going on. If you feel we are not making headway, please let my Office or the Police Chief know so we can take proactive steps. We took the last meeting seriously and have done impactful things, like looking at grants to get more police overtime. We continue to look for opportunities to enhance law enforcement efforts.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Commissioner Rardin made the following comments:

When we have tennis tournaments, Oregon Avenue is almost impassible with cars on both sides. A constituent there asked if we could take the northern end of the Oregon School's old playground and turn it into a parking lot. It does not have to be anything fancy; just pull the fence down and place a gravel parking lot for overflow. Could we look into getting a cost for that? City Manager Holden said he would visit with Parks staff and Financing to explore options.

Mayor Payne made the following comments:

I am on the PSAP Board and know the number of calls they get. It's incredible. The issue isn't that they are not doing enough. I want to discuss it because the Commission is not allowed to speak about it unless it is in an open meeting. So collectively, maybe we can come up with a solution. The calls and complaints have increased. Speaking for myself, I think they are doing enough, but I hope the City and Commission can come up with a solution because it is getting worse.

CONSENT AGENDA

3. Approve the minutes for the Regular Commission meeting on April 9, 2024. (Rachel Hughs, City Clerk)

4. Consider, and act upon, accepting the \$166,446.74 award from the State of New Mexico Department of Cultural Affairs accepting and signing the attached 2022 General Obligation

Bond Project Agreement for the Alamogordo Public Library. (Kim Underwood, Library Manager and Veronica Ortega, Community Services Director)

5. Consider, and act upon, Resolution 2024-23 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 April 23, 2024. (Evelyn Huff, Finance Director) (Roll Call Vote Required)

6. Consider and act upon an emergency funds appropriation of \$129,123.00 through the Capital Outlay Bureau with the Aging & Long-Term Services Department (ALTSD) for the purchase of a new Senior Center passenger bus (Magdalena Morales, ASC Manager / Veronica Ortega, Community Services Director).

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

8. Consider, and act upon, Resolution No. 2024-24, adopting an Infrastructure Capital Improvement Plan (ICIP) and identifying six (6) recommended capital outlay projects for Fiscal Years 2026-2030. (Magdalena Morales, ASC Manager / Veronica Ortega, Community Services Director) (Roll Call Vote Required)

Commissioner Robinson moved to approve the Consent Agenda.

Commissioner Mayor Pro-Tem McDonald the motion.

Roll Call Vote was taken.

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

NEW BUSINESS

9. Consider, and act upon, the Parks & Recreation Master Plan. (Jackie Fishman, AICP, Principal, Consensus Planning, Inc., Belinda Bass, Parks & Recreation Director, and Veronica Ortega, Community Services Director)

Jackie Fishman said she was a Principal at Consensus Planning, a consulting firm based in downtown Albuquerque. In addition to our staff working on this, we had sub-consultants from Smith Engineering Company and Formative Architecture.

Jackie Fishman proceeded with the presentation and gave a timeline of the creation of the master plan, their methodologies and analyses, results of the Community Survey, recommendations for improvements, cost estimates, and funding resources. None of the restroom facilities in the various community facilities meet ADA accessibility standards as determined by our project architects. A program should be undertaken to improve restroom accessibility.

Mayor Payne asked about the surveyed areas. Ms. Fishman said your parks are mostly central to the City. You have subdivisions that are not close to any parks. Mayor Payne said only two hundred and twenty-six people took the survey. That makes it hard to tell the priorities in a city of thirty-one thousand.

Commissioner Robinson asked what surprised her the most about the study. Ms. Fishman said Alamogordo has nice facilities and some of everything. That was surprising because other communities around New Mexico lack those facilities. I work in small and large communities all over the State, and Alamogordo does a nice job.

Commissioner Rardin asked if the new restroom at the Balloon Park is ADA compliant. Ms. Fishman said maybe if it was a brand-new facility. Commissioner Rardin said it was built about a year and a half ago, so it would have to be ADA-compliant. Ms. Fishman said all the other ones are not, and they are really all the same. The architects on the team went into great detail about where the restrooms fall short for accessibility. Commissioner Rardin said that it is ever-changing. The ADA rules could change in the middle of a project. We have had problems in the past with keeping up with that. It is concerning. Ms. Fishman said accessibility to the parks is a concern. A lot of the playground equipment and picnic tables are not wheelchair accessible. Commissioner Robinson asked if there were grants or incentives to improve ADA-compliant restrooms or park areas. Ms. Fishman said she was unsure about ADA specifically, but the document includes funding resources. I do not know if the New Mexico Outdoor Recreation Division may support that. I recently worked with the City of Clovis on their master plan, and most of their Outdoor Recreation grant was based on accessibility and ADA. Assistant City Manager Hernandez said we used to have ADA and grants on our ICIP listing, but we had to remove it because it was never formalized or shovel ready. Now that we have something in writing approved by the Commission, we now have opportunities for ICIP and other grant funding. This will help in a lot of areas to seek additional funding from the State, which is pushing for outdoor recreation right now. Mayor Payne said a lot of these grants have to be shovel-ready and cannot just be ideas. It has to be something where if they fund you, you are ready to start building. We have not really had that plan until now. Assistant City Manager Hernandez said we took some of the elements from the master plan, although not approved, up to Representative Gabe Vaquez's office. We knew we wanted to move forward on Inclusion Park at the Rec Center. This is our plan to say yes, we have something ready to go.

Commissioner Robinson moved to approve.

Mayor Pro-Tem McDonald seconded the motion.

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

**10. Discussion and provide staff with direction on recent theft and speeding issues.
(Commissioner Rardin)**

Gary Trinkle said the burglaries are getting out of hand and are being carried out by drug addicts who chose that lifestyle. I have rental houses in town and lost tenants because of break-ins. I have been broken into twice. Something has to give. I heard about how the Police Department is understaffed. You have to figure out a way to get more law enforcement here, whether raising taxes, gross receipts, or whatever needs to be done. You ought to be able to feel safe in town. These guys are riding bicycles and breaking into homes and businesses in broad daylight. I do not know if they are being let loose in the courts or what is happening, but they are getting away with it. Houses are being broken into daily, and it is ridiculous. Regarding speeding and the recent accidents, you are not expecting a car to be doing sixty-five in a thirty-five. That is why people are getting t-boned, and accidents are getting worse. I am willing to pay my share if you raise property taxes; at least, I will not have to worry about getting robbed. It is only a matter of time before they break into the wrong house, and someone gets hurt. Mayor Payne said we raised taxes last summer to do that. Mr. Trinkle said to raise them again. Mayor Payne said it is not that easy, but I believe it is working. Mr. Trinkle said the way to get more people is to pay them more. Do something. City Manager Holden said Mr. Trinkle had previously met with Commissioner Rardin and me. We talked about a lot of the issues mentioned, and I subsequently spent time with Chief Kunihiro about them. The awareness is appreciated.

Commissioner Rardin said the building community has been hit really hard. I have been hit twice at my shop. Some people have been hit about ten to twelve times. We are talking thousands of dollars. It is frustrating because, as business owners, our insurance costs have escalated year after year. Every time we make a claim, those costs are increased even more. The purpose of this being on the agenda is to start talking about it and see what we can do to help the Police Department. Can we tighten up ordinances, or as a home rule, can we do things beyond what the State allows us to do? I

would like staff to brainstorm. I heard a rumor that we only have two police officers at night. How many do we have? Chief Kunihiro said normally, four and a sergeant. Commissioner Rardin asked about the lieutenants. Chief Kunihiro said they go home at nine or eleven, depending on the shift.

Commissioner Rardin said he mentioned speeding at the last meeting and agreed with Mr. Trinkle. A lot of out-of-towners come in, thinking they are out on the interstate. Maybe citations will slow them down. City Manager Holden said Chief Kunihiro and I discussed this. There are grant-funded overtime programs available that we could utilize to increase patrols for speeding. I have already approved one to allow a grant to come into play so we can step up enforcement. We have to be sure that people know they need to report these incidents and issues, so we have a good record of it. If somebody believes officers are not following up, we need to call the Chief or myself directly to follow up. We need dates, times, and incidents so the Chief and Deputy Chief can follow up to determine if these calls are coming in and who is getting them. We are not intentionally overlooking any of those things. We need you to call. If you don't call, the police don't have a way to respond. Commissioner Rardin said the first time he was hit, he reported it to the Police Department, and the officer did not even come out. I was told to get online and report it there. That looks bad to constituents when an officer does not want to take the time to come out. Chief Kunihiro said regarding the suggestion to file it online, the direction to officers is that it is an option we can offer, but if they want an officer to respond, we will. If you or your constituents say we refuse to respond, please let me or a supervisor know so we can handle the situation. Some people cannot file an online report, and others do not want to do it. Based on the priority of calls to take a report, we will show up. For consideration, in 2023, we took thirty-five thousand calls for service. That averages to about three thousand incidents a month. A call can range from a couple of minutes to two to three officers on a call for up to seven hours. There are so many variables. It seems that burglaries are increasing, and more people are wandering the streets at night. I pulled some quick data and was surprised. From January to the present date in 2023, compared to January to the present date in 2024, our burglaries and breaking-and-entering are up twenty-five percent. Auto burglaries are down thirty-five percent, and vehicle theft is down twenty-six percent. Mayor Payne said so they went from cars to buildings. Chief Kunihiro said it seems that way. We have a lot of vacant buildings around town on which we take calls. We take all crime seriously but may not always have the resources to put an officer directly in an area for an entire shift. I share the concerns about how people are driving in town, and since the last meeting, we did some directed patrol towards White Sands, First Street, Tenth Street, and Indian Wells, where many crashes happen. We doubled our traffic stops and nearly tripled our issued citations. In that timeframe, we did not decrease the number of crashes, but we will have to show consistency in enforcement for an impact. Mayor Payne said she was surprised there were twenty-one crashes in ten days. That's an average of two a day. Commissioner Rardin said a lot of that is distracted driving. Chief Kunihiro said distracted and impaired driving.

Commissioner Rardin said with budget hearings coming up, could we look at adding more Police Service Aides? They are not certified officers, but they can handle the smaller stuff. Is that what they are being utilized for? Chief Kunihiro said we currently have four spots, which I think is plenty. We just have vacancies because three have transferred to a police officer position. We are in the process of looking at four to five applicants and filling three spots. That is probably why you do not see them as much. Commissioner Rardin said that when we created them, the purpose was to alleviate the small workloads that were not as important. Things that have happened in the last five years make you think this is Albuquerque. Chief Kunihiro said we are not unique compared to other parts of the country, but when it is happening here, well, we have always said it does not happen in our little town. Mayor Payne said my biggest concern is the break-ins because there are more and more. People need to call when break-ins happen. If they don't call, there is no record. If you do not get the result you are looking for, go higher up or call your Commissioner. Commissioner Rardin said the hard part is how random it is. Officers cannot spend thirty days out there watching. I catch them on cameras but cannot tell who they are. Commissioner Burnett said there was a guy in his truck out on Florida with cars driving by. They do not care if they are seen. I have had things stolen out of the front yard. Commissioner Rardin said

we installed ring cameras. Chief Kunihiro said we get footage from ring cameras and share it with law enforcement agencies and resources. Sometimes, people just do not know who they are, or the picture is not good enough. It is frustrating. We charged a group of juveniles doing burglaries off 18th Street. Last night, we had burglaries and a stolen vehicle off the 1st Street area. We recovered the stolen vehicle and put two juveniles in jail as a result, but the investigation is ongoing. Some things fall into place, but unfortunately, we cannot solve every crime.

Commissioner Rardin asked if there was anything we could do to tighten up the ordinances. Juveniles are kind of a slap on the wrist, but is there anything we can do where the punishment starts to fit the crime? Chief Kunihiro said we do not have much say in the actual punishment. Commissioner Rardin asked if we could increase penalties or fines or something similar to what we did before when we went after the parents of the juveniles. Chief Kunihiro said burglaries are felonious crimes at the Magistrate and District Court levels. That is not dealing with the municipality. We have been trying to do what we can with the solicitation and park closure ordinances to at least redirect this. I would encourage people to continue to report issues or concerns about how investigations are handled and go up the chain of command. Mayor Payne said there has to be something we can do. Commissioner Burnett said legislative-wise, that's State level. Depending on what they decide, that is what we get to do. Right now, it's just not very good. Mayor Payne said we have State Representatives and Senators to make those changes. We have already tightened three ordinances regarding juveniles, and it took us several months to come up with that and ensure we could legally do it. We need to focus our attention on the State Representatives and Senators and advocate at that level.

Commissioner Rardin asked if juveniles committed the majority of these crimes. Chief Kunihiro said it was a mix. With the District, there are catch-and-release things where someone not deemed dangerous is released. This means we may arrest someone for serious felony charges tonight, and tomorrow, they will be out walking the streets and doing it again. We struggle with detaining both juveniles and adults, but yes, there are lots of juveniles out wandering around. I attribute that to the fact that they do not fear consequences from the criminal justice system. Mayor Payne said our system is broken. I used to always think it was parents not taking care of their kids, but it is more complex than that. Still, that is not an excuse. They need to be held accountable because if not, they just become criminal adults. Chief Kunihiro said that besides traffic law violations, Municipal Court does not have jurisdiction over juveniles. Delinquent acts go to the District Court and JPO.

Mayor Payne said the only viable solution heard tonight is what City Manager Holden mentioned, which is potential overtime and getting more officers on the street at night. I think we can all agree that five officers on the street is not enough. Commissioner Rardin asked how many officers were on staff at the Sheriff's Office at night. Chief Kunihiro said he was not sure. Commissioner Rardin asked if we could work into a Memorandum of Understanding with them for coverage at night until we get a handle on this. What about the State Police at night? Chief Kunihiro said he had asked the State Police to assist with traffic enforcement. The local captain said they had other obligations, but they fully intend to assist us with traffic enforcement soon. Commissioner Rardin said they have been doing those blitzes, but once that is over, maybe they can give us a hand. Commissioner Paul asked what the staffing levels for the Alamogordo Police Department were. Chief Kunihiro said we have forty-seven sworn officers. We have been doing good hiring them, but a lot of them are in the Academy. So, we technically have thirty-nine certified officers who can do the work now. Six are in the Academy, and a couple washed out. Commissioner Paul asked what the maximum number was. Chief Kunihiro said the fifty-six was budgeted this fiscal year. That is every sworn law enforcement officer from the bottom to the top. Commissioner Paul asked if the hiring has been consistent. The bonuses we pushed seemed to help, but is that still the case? Chief Kunihiro said it shot up quickly, and we have done three tests this year, but the turnout was not very good. Commissioner Paul asked if many officers were leaving. Chief Kunihiro said we had four resign since we implemented the pay increase and hiring incentives. However, we have more in the pipeline, which gets us to forty-nine quickly. Commissioner Rardin asked if the Police Service Aide positions could be filled. Chief Kunihiro said we

have applicants. It is still pretty intensive, but they do not have all the testing the Academy requires. Commissioner Rardin asked what powers they had. Chief Kunihiro said they could cite only certain things like parking violations. They cannot detain someone. If they saw you committing a traffic violation, they should not turn their lights on and pull you over. They do assist with traffic crashes, which is a huge help. Commissioner Rardin asked, as far as authorizing the budget for overtime, if any of the officers are up for that. Chief Kunihiro said not always. Officers value time off, so if they work twelve-hour shifts, they do not always want to come in on the only two days off this week for overtime. The State is doing things with grant funding to incentivize that and pay double time. Sometimes, money talks. We have overtime offered all the time, and people do not sign up for it. Commissioner Rardin asked if that was time and a half. Chief Kunihiro said yes, sir. They would average \$42 to \$45 an hour with time and a half.

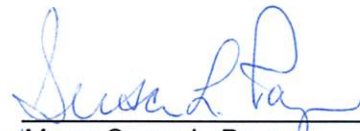
Assistant City Manager Hernandez said we are still working on things in the background after the death of Officer Ferguson. The Governor called a special session for July 18th where they will talk about public safety issues. I have not had a chance to discuss that with City Manager Holder or Chief Kunihiro yet, but you need to keep that in the background. There are statutory issues causing communities to be unsafe and unsafe for our officers. We will keep an eye on that, and if we come up with anything, I will forward it to you.

ADJOURNMENT

Commissioner Rardin moved to adjourn at 7:57 p.m.

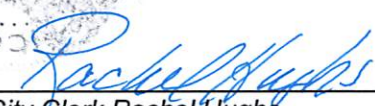
Mayor Pro-Tem McDonald seconded the motion.

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



Mayor Susan L. Payne

ATTEST:



City Clerk Rachel Hughes

(Prepared by Dylan Aleshire, Deputy City Clerk)

Approved at the Regular Meeting held on May 28, 2024.