

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 P.M., DONALD E. CARROLL COMMISSION CHAMBERS
June 11, 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 Stan Richardson of Southern NM Outreach, and the Pledge of Allegiance was led by Mayor Pro-Tem McDonald.

APPROVAL OF AGENDA

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

PUBLIC COMMENT

Abe Moore and Marcos Doportto signed up to speak under Item 9.

CITY MANAGER'S REPORT

City Manager Holden made the following remarks:

1. Last week, we built sediment ponds to keep ash and debris from falling into Bonito Lake. The federal government shut us down because of woodpeckers. We have completed all required assessments and paperwork and hope to resume operations tomorrow. Due to being proactive, we had already done a significant amount of work up there. Four deep ponds are already nearly built. We may be able to dodge a water catastrophe without draining the lake.

2. The Mobile Call of Duty Memorial Wall will be at the mall tomorrow between 1:30 p.m. and 3:00 p.m. It is a recognition of our fallen law enforcement from 2023.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Mayor Pro-Tem McDonald made the following comments:

District Five will have our Annual Clean-Up from 7 o'clock to 12 o'clock on Saturday, July 20, 2024. Other districts are joining in. District One will be on the corner of Scenic Drive and Indian Wells. District Three will be at 817 Scenic Drive. District Six will be next to the Fairfield Inn. There will be shredding at the Dudley School on 6th and Maryland. If you wish to get rid of a junk vehicle, you can fill out a form.

Mayor Payne made the following comments:

We had the ceremony for the 2023 AETC Altus Trophy Community Support Award.

The City of Alamogordo will not have a parade this year on the 4th of July because our insurance will not allow it. However, the Air Force Sergeants Association will have a parade. Further details will come out soon.

There was a tour of City Hall for the kids from Holloman Air Force Base School.

CONSENT AGENDA

1. Approve the minutes for the Regular Commission meeting on May 28, 2024 and the Emergency Commission meeting on May 31, 2024. (Rachel Hughs, City Clerk)
2. Consider, and act upon, approval of the Memorandum of Understanding with the Alliance of Regional Military Support (ARMS). (Stephanie Hernandez, Assistant City Manager)
3. Consider, and act upon, a funds appropriation of \$1,421.00 through the Capital Outlay Bureau with the Aging & Long-Term Services Department for the shortfall in the purchase price of a new Senior Center passenger bus. (Magdalena Morales, ASC Manager and Veronica Ortega, Community Services Director)
4. Consider, and act upon, approving Lease of City Property Agreement with Center of Protective Environment (COPE) for the office building located at 909 S. Florida Avenue. (Stephanie Hernandez, Assistant City Manager)
5. Consider, and act upon, the Investment Report for the quarter ending March 31, 2024 in accordance with the City of Alamogordo Investment Ordinance. (Sue Ashe, Accounting Manager)
6. Consider, and act upon, Resolution No. 2024-30 removing uncollectible and unsecured Utility, Library, and other miscellaneous accounts from the City's Accounts Receivable. (Sue Ashe, Accounting Manager) (Roll Call Vote Required)
7. Consider, and act upon, Resolution 2024-34 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 11, 2024. (Evelyn Huff, Finance Director) (Roll Call Vote Required)
8. Consider, and act upon, Resolution 2024-36, expressing continued support of Alamogordo MainStreet, along with acceptance of a new MOU from New Mexico MainStreet and Agreement with Alamogordo MainStreet. (Stephanie Hernandez, Assistant City Manager) (Roll Call Vote Required)

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

Commissioner Tapley seconded the motion.

Roll Call Vote was taken.

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

NEW BUSINESS

9. Consider, and act upon, Ordinance 1696 Case Z-2024-0001(A) for first publication of a map amendment to rezone properties located at 181 & 243 Hamilton Ridge Road, 3100, 3150, 3180, 3190, 3192, & 3194 Hamilton Road, Reynolds Subdivision Replat G, Lot G, and Pruiett Subdivision Replat A, Lot 4A from R-1 as Single Family Dwelling to RE-Residential Estates. The

property owners request the zone change to comply with the current ordinance for keeping livestock. (Stella Rael, City Planner) (Roll Call Vote Required)

Public Comment

Abe Moore said they were trying to get rezoned to residential estates to have livestock. Marcos Doporto said he agreed with what Mr. Moore.

City Planner Rael said the applicant for this case was Marcos Doporto, and he was the representative for all the property owners. These properties were in the Reynolds Subdivision Replats F & G, and the Pruiett Subdivision Replats A & B, consisting of ten parcels. All requested to be rezoned from Single Family Dwelling to RE Residential Estates. Five letters were mailed by certified/returned receipt mail to all property owners of record within two hundred feet of the property, excluding public right-of-way. As of today, there have been three letters of support and one letter of opposition, all from the opposite side of Hamilton Ridge Road. Staff recommend approval of this request as it will not be materially detrimental to surrounding property owners or the public.

Mayor Payne said she had received calls about this, both for and against, and had gone out there herself. A person opposing this raised questions about the road and whether they owned it. Could you explain that? City Planner Rael said there were no property owners on the south side years ago. Mr. and Ms. Smith are the ones in opposition to this, and they own a few different parcels. They own from the cul-de-sac to the tracks and felt that was their road. At one point, there were barriers there. Then, the Moore's purchased property on the south side and submitted plans for their home. Per a recorded plat, Hamilton Ridge Road is a public right-of-way and owned by the City. I had the barriers removed a few years back.

Mayor Payne asked about the water line. Why did it end up there? Is it the correct water line? Why are certain homeowners on City water while others are not? City Planner Rael said Mr. Moore could better answer those questions as he took up the cause to get water out there. Mr. Moore said the land he bought is within the City, and they paid City taxes. I paid for and installed a two-inch private line from Martin Luther King to my property, a distance of one thousand nine hundred and seventy-five feet. Mayor Payne asked if we permitted that. He said yes, it was permitted, and the City inspected it. City Planner Rael said it was. Mayor Payne asked if it only had to be a two-inch line. Mr. Moore said it was a single service, and he was responsible for the entire line. Mayor Payne asked if other homeowners were on that line. He said there were two other homeowners on that line. Mayor Payne asked if that was still a single service. He said the sizing of the line goes into a lot of things. The City has its standards for built or donated lines. We are not asking for the City to maintain the line. A two-inch line will do for multiple houses. When I installed it, it was originally just for my home. My neighbors asked if they could tie into the line if they had water issues with their wells, so I had them tie in. They have their own individual meter. Mayor Payne asked again if it was a single service. He said the City used to work differently, and that subdivision was designed for people to drill wells and have septic. Yet we also pay the same taxes as people with the right to water and sewer. Two water mains run down past the intersection of Hamilton and Hamilton Ridge. I asked if I could tap into those, and the City said yes. Well, those old transmission lines from Boles Fields were down further, like Holloman has. When I tapped one of the water lines, it was dry. That is when we moved down to Martin Luther King, and I paid to run that line all the way. Mayor Payne asked if someone built a house in the City, would the City approve a two-inch water line with them running it? Is that something we routinely do? City Planner Rael said Utilities are not my department and I am not knowledgeable about that. I can say that any other homeowners who were already there would have the same opportunities at a cost that the Moore's had. So yes, the City would approve it if there was a way to get water out there. The Utilities Department does look at the size of the line. I can say that when plans showing the size of lines are submitted, the proper departments look at that. They will let me know if there are questions so I can deny it.

Commissioner Rardin moved to approve.
Commissioner Robinson seconded the motion.
Roll Call Vote was taken.
Motion carried with a vote of 7-0-0.

10. Consider, and act upon Ordinance 1697 Case Z-2024-0002(A) for first publication of a map amendment to rezone Somerset Subdivision Phase 1 from R-2 Townhouse Dwelling District to Planned Unit Development District (PUD). (Stella Rael, City Planner) (Roll Call Vote Required)

City Planner Rael said this request was from Somerset LLC, French Brothers. It may sound familiar because a representative from French Brothers came before the Commission and spoke about going this route. The developer intends to create smaller lots within Phase One of the Somerset Subdivision to construct single-family dwellings. Smaller lots are allowed within the Planned Unit Developed District, or PUD. We are increasing the size of fourteen lots by decreasing the size of existing lots within the Somerset Subdivision. Staff recommends approval because this request will not be detrimental to surrounding property owners or the public.

Commissioner Burnett moved to approve.
Commissioner Rardin seconded the motion.
Roll Call Vote was taken.
Motion carried with a vote of 7-0-0.

11. Consider, and act upon, Case V-2024-0001 (A), property owner Mesa Village LLC is requesting to be granted a variance to decrease the rear setback for lots 1-77 from the required twenty-four feet (24) per ordinance 29-03-040 (20% of lot depth) to fifteen feet (15). (Stella Rael, City Planner)

City Planner Rael said the requirement per ordinance is twenty percent or thirty feet of the lot depth. Twenty percent of the lot depth here is twenty-four feet. Mesa Village LLC is requesting to reduce that to fifteen feet. I have reviewed this, and it does not make a big difference. They are not building two-story homes that can look down on other homes. It works within our ordinances. Staff recommends approval because this request will not be detrimental to surrounding property owners or the public.

Commissioner Rardin asked what the purpose was. These look like normal one hundred- and twenty-foot deep lots. Are they building larger homes on smaller lots? City Planner Rael said they would like to put porch areas in the rear of the homes. They just want to prepare in case the property owners decide at some time to close in those areas, so they can still be within our setback requirements. They are good sized lots. He asked if they are going to make the front yards bigger. She said no, they will probably stay within the twenty-foot requirement.

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

12. Consider, and act upon Ordinance 1701, Case Z-2024-0003(A) for first publication of a map amendment to rezone 2350 Eudora St. from C-3 Business District to M-1 Light Industrial District. (Stella Rael, City Planner) (Roll Call vote required)

City Planner Rael said Shannon and Tammy Wright owned the property. The zoning map shows quite a bit of mixed-use. The business going into this location will be involved in manufacturing, and it is best to rezone it. Staff recommends approval because this request will not be detrimental to surrounding property owners or the public.

Commissioner Rardin asked what the squiggly lines on the map meant. City Planner Rael said the diagonal lines meant the property had a condition. He asked if the property was vacant. She said yes.

Commissioner Paul moved to approve.

Mayor Pro-Tem McDonald seconded the motion.

Roll Call Vote was taken.

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

13. Consider, and act upon, the New Natatorium Spring Structure Design. (Belinda Bass, Parks and Recreation Director, Heather Casebolt, Alamogordo Recreation Manager, Simon Todd, Sprung Structures)

Parks and Recreation Director Bass said there were questions about the structure to be put over the Natatorium, specifically a sprung structure versus brick and mortar. Mr. Todd from Sprung Structures will give a presentation with videos about sprung structures and answer your questions. Mr. Todd gave his presentation.

Commissioner Rardin asked how expensive it would be to replace the structure after twenty-five years. How expensive or labor-intensive is it to replace the liner? Mr. Todd said an over-the-top reskin is about a third of the original construction cost. We take an aluminum cap over the existing aluminum beams and cover it with a new membrane. The structure will not need to collapse, and people could still swim inside. Commissioner Rardin asked if that included R30 on it. Mr. Todd said yes, the existing insulation stays. If the insulation gets damaged, we can remove it and replace it panel-by-panel. Commissioner Rardin asked about the likelihood of mold and mildew or if there were pinholes. Mr. Todd said if the interior liner gets punctured, we recommend patching it immediately. We provide patch kits that get heat-sealed on the structure. Typically, when a structure is sold, you have an extra inventory in case that happens. If it does get mold and mildew inside, it can be replaced on a panel-by-panel basis. The panels typically stretch in fifteen-foot sections. The likelihood of it spreading panel by panel is unlikely if addressed quickly, though it could happen. Commissioner Rardin asked how well the outside membrane held up to UV. Do you get a full fifteen years out of it? Mr. Todd said you get a full twenty-five years. If it fades or is damaged, it is covered under warranty. With proper maintenance and upkeep, we have had structures last thirty-five years. Commissioner Rardin asked what maintenance and upkeep was needed on the outside. Mr. Todd said in high snow areas, that would be the removal of snow from sidewalls. Also, regular cleaning and pressure washing. Cleaning and maintenance are described in the contractor's guide. It is pretty low maintenance. Commissioner Rardin said the bubble we used to have must have been made of a material like this. Mr. Todd said he was unfamiliar with that system, but Parks and Recreation Director Bass mentioned it. I brought samples of the material and would be happy to leave them here. Commissioner Rardin asked if it was like a rubber sheet or like a TPO-type system. Mr. Todd said yes, it is a polyurethane membrane. Commissioner Rardin asked if it failed over time at bending points like ninety-degrees. Mr. Todd said there were no ninety-degree bends in the sprung structure. The beams are designed at a twenty-six degree slope, so there would not be sharp bends. Commissioner Rardin said he was worried that, with our climate, it would cost us \$500,000 to have this thing reskinned in fifteen years. Wouldn't it be better to do brick-and-mortar or something different? Mr. Todd said the membrane is under warranty for twenty-five years. The fifteen-year warranty is for temporary applications, like temporary lunchrooms or warehousing space. I would not recommend it for this application. Commissioner Rardin asked if the higher-end price was in the estimates of the ASA presentation by Rob Price. Parks and Recreation Director Bass said yes.

Commissioner Paul asked what the terms of the warranty were. Mr. Todd said it was a pro-rata warranty. As the lifespan goes on and costs increase, we look at it on a case-by-case, year-by-year basis. For example, we recently did a warranty for a structure in Phoenix, Arizona. They used a Tedlar

membrane for twenty years and needed it replaced. We warrantied the last five years, which came out to twenty-five percent of the original cost. Commissioner Paul asked what would void the warranty. Mr. Todd said not having the Sprung Technician present while the structure is being erected or dismantled or any major work. If a panel needs to be replaced and our technician is not on site to guide the repair, that will void the warranty. Commissioner Paul asked what the limitations or downsides of this type of structure were. Mr. Todd said it is not a traditional construction, so there will be questions from the public. You will need to educate the public on it. You have to reskin the structure after twenty-five or thirty years, which is an added cost. There are repairs on traditional construction roofs, too. Commissioner Rardin asked how they held up in a hailstorm. We occasionally have hailstorms with golf ball-sized hail. Mr. Todd said that if hail punctures it, it will be covered by the warranty. We will send out a patch kit if you do not have one available. Commissioner Rardin asked if the technician needed to be present for that. Mr. Todd said no, not for simple stuff like the patch kit. The technician is required for issues like major rips or structural issues.

Commissioner Paul asked what you would do if it were tagged with graffiti. Are you pressure washing it? Mr. Todd said pressure washing. There is a chemical we recommend for graffiti removal.

Commissioner Rardin asked how it held up with chemicals like chlorine or bromine in the air on the inside liner. Mr. Todd said there are steel components and hanging brackets with two-stage galvanizing and zinc coating. I have not seen issues at a pool where the interior liner has been a problem. Commissioner Rardin said so it is mainly add-on components. Mr. Todd said correct, like the hanging brackets and HVAC. The components you get from us, our steel, would be hot dip galvanized with a second layer of zinc coating applied.

Mayor Payne asked if we would have the ability to design this. Mr. Todd said yes. You would need to work with an architect. Our engineering staff would work closely with them to make sure it fits our parameters.

Commissioner Paul asked why we were only looking at the sprung structure. We were set on track at the last meeting to discuss the Natatorium. I would like to see other options. The cost is substantial enough to warrant other options to be presented to the Commission for consideration by the community. I do not fully understand what we are approving of with this item on the agenda. We can approve a type of structure, but is that carte blanche on what will be spent? It leaves some grey areas that cause concern. Parks and Recreation Director Bass said that we discussed the brick-and-mortar and the sprung structure at the last meeting. We prefer the sprung structure because if a brick-and-mortar building is built around the swimming pool and heavy maintenance is required, or if we expand, that building will also need heavy renovation. With the sprung structure, we can expand, and it is easier to disassemble portions of it to do any work in the pool. It will all be cohesive if we do an expansion, unlike the Rec Center with its add-ons. We are trying to have a modern look with an eye toward future expansions, projects, or work done on the pool. Commissioner Paul asked what the dimensions were for what we put here. At the last discussion, there was talk that the pool would not meet the requirements for any official high school meets or events to be held. It is back to the issues we encountered with the Family Fun Center. If you are building something to the tune of \$10,000,000 or more, it just does not make sense if we do not consider that an option. Recreation Center Manager Casebolt said that when we originally met with the architects, we discussed our options and the community's needs. High points were somewhere for the swim team to practice, and there was the potential to hold smaller meets. We will be able to do that, but we will not have huge eight to ten school meets like Las Cruces or Albuquerque. We can host two or three school meets in the new Natatorium. Part of that is that a bigger pool means a lot more money, which makes the \$12,000,000 to \$15,000,000 go up quite a bit. We discussed the swim team option. Then we have recreational swimming and a better area for swimming lessons. We have a two-and-a-half-foot shallow end area that is still too deep for young children. So, we will have a better area to do that, all the way up to deeper water, including zero entry. Right now, we do not have zero entry in our pool. We have step

entry and ADA wheelchair access lifts. Zero entry would allow people to walk in and would be more accessible. We are still required to have ADA lifts. When it came down to size, it was just the dollar amount for us. A bigger pool that hosts more lanes increases the cost quite a bit. Commissioner Paul asked if the pool size would be enough to meet what is needed to hold any type of high school event there. Recreation Center Manager Casebolt said yes, but it will be limited to two or three schools. It will not be a big meet like Las Cruces or Albuquerque does. Parks and Recreation Director Bass said the pool is the biggest cost of this entire thing. The sprung structure is considerably less to build than a brick-and-mortar building, which also has replacement costs, such as for the windows and roof. The sprung structure has less maintenance, and some repairs, like patching holes, we can do ourselves. The sprung structure has sections, so if something catastrophic happens, we only have to replace that section. We are trying to get the most we can with our dollars.

Commissioner Burnett asked what the Commission was being asked to determine. Was it how big the building will be? Parks and Recreation Director Bass said that this meeting was just to decide if the Commission wanted to go with this type of structure. Staff would like the sprung structure, so we came to the Commission with this and why we want it. It is up to the Commission to say yes or no.

Commissioner Rardin asked if there was one of these already up in Las Cruces. Mr. Todd said yes. I would encourage the Commission to visit one of our structures. That one is at the Red Hawk Golf Course. I would be happy to organize that or put you in contact with staff there. Parks and Recreation Director Bass said the military uses these in Iraq and Afghanistan, and they hold up over there. NASA uses them, too. Commissioner Rardin said the military uses those more like a temporary structure. They are up for a year or two, then take it down and move it elsewhere. Are these like what was set up for migrants in El Paso? Mr. Todd said no, that is more of a tent structure. Commissioner Rardin said he would feel more comfortable if he could go and see one. I am in the construction trade and a little leery about this because of the moisture and chemicals with the membrane. Mr. Todd said the one up in Las Cruces is a banquet hall, but the one in West Jordan, Utah, is a flight away.

Commissioner Burnett asked what was the longest time that one of these has been over a pool. Mr. Todd said that would be our current facility, which is up to eighteen or nineteen years.

Commissioner Tapley asked how old the current pool is. Recreation Center Manager Casebolt said thirty years. Parks and Recreation Director Bass said over thirty years. Commissioner Tapley asked if the structure could be moved. Mr. Todd said the structures are relocatable and modular. Typically, you save the aluminum for a longer lifespan but get an all-new membrane, insulation, and door placements. You could save the membrane, but from a labor standpoint, it is cheaper to rip it out. Parks and Recreation Director Bass said there is a sprung structure in Utah that started out as one facility and was moved to another, then got moved again. Mr. Todd said it was in West Jordan, Utah, and the structure was repurposed three times over thirty years.

Commissioner Rardin asked if staff looked at refurbishing the existing pool and putting a sprung structure over that. Parks and Recreation Director Bass said they were told that the current pool is a lost cause, and it is structurally deteriorating rapidly. We would have to take out the current pool to put a new one in. Commissioner Rardin asked who told them that. Assistant City Manager Hernandez said the expansion joint is separating. We have been pouring money into it. We had to do a lot of maintenance for the spring break opening. Every building has a time that you need to do something on it, and we are at that point with the pool. As for who has told us that, we have had Facility Maintenance and contractors. We just keep pouring more money into it, which will only get more expensive. Eventually, we will not be able to use it.

Mayor Payne said we want to be able to host events. Our kids currently have to go out of town. Alamogordo has an award-winning swim team, and we cannot host people. I'm a little disappointed we can only have smaller meets, but I hope there is a way we can expand that. I think the school

needs to participate more in some way because these are school functions. We need a new pool. Hosting meets is good for our entire city. They will eat at restaurants and shop in our stores. It is expensive, but I think it is the better way to go. There are multiple things we can do with this. Assistant City Manager Hernandez said that several designs were provided at the last meeting. More pool means more cost. We are at bonding capacity and GRT and working within the means we have. The next item will be proposed funding options. This was the best option to checkmark all users we have within the city.

Commissioner Paul asked what they were approving of here. Is it the type of structure? What if it changes? Assistant City Manager Hernandez said you are approving the design we have. He said he would be voting against this and felt the Commission was not presented with enough information to make a sound decision. There have been too many missteps in the past, such as the Family Fun Center. We need to do due diligence and see everything we need to. She asked what information he would like to be provided. We have the brick-and-mortar option, which is a \$17,000,000 project. He asked for ballpark numbers for the brick-and-mortar versus sprung structure. She said they are looking at \$12,500,000 now. He asked what the anticipated cost would be once it goes into construction. This will not happen tomorrow, so will that \$12,000,000 to \$15,000,000 turn into \$18,000,000 to \$20,000,000? What is the City doing at that point to address the increased construction cost? She said our cost is what ASA put out when we brought it back in February. The option we are presenting is the \$12,500,000. If you recall the conversation at the meeting about a champagne version versus a downgraded version, we are going with the middle version. So, the \$12,500,000 is what is being asked to be approved tonight.

Commissioner Burnett asked when the construction date would be. Assistant City Manager Hernandez said the upcoming item is possible funding options. With this, there is less likelihood of fluctuating costs. The top of it can happen fast, but we will still have to worry about the pool part. Depending on the next item, we would be able to start as soon as the public votes on it. Commissioner Rardin asked what the cutoff date is to get this on the ballot. Assistant City Manager Hernandez said the election is in November, but we must have it at least ninety days ahead. They are together but independent, so I don't want you to think of it as if you must have both. Mayor Payne said we must have it sent to the County Clerk by August. Commissioner Rardin said we have another forty-five days to get something done. I agree with Commissioner Paul, and I would like more options regarding this. Maybe do a scaled-down version with a brick-and-mortar, a pre-engineered metal building, or a sprung structure. I want to see one in person. The challenge with metal buildings is chemicals. Parks and Recreation Director Bass said that was something discussed with ASA Architects, and they said the deterioration rate is rapid. Commissioner Rardin said he has worked with ASA before, and they sometimes push things the way they want to see it. Would we still have to put a bond on the ballot to cover the difference? Assistant City Manager Hernandez said that would be covered in the next item, but no.

Commissioner Rardin asked to table this until the next meeting. I may be able to go over to Red Hawk Golf Course next week to look. Parks and Recreation Director Bass said she would be willing to drive the Commission over there to see it.

Commissioner Rardin asked if the intent was to build a larger pool, so go with a sprung structure to cover costs? Parks and Recreation Director Bass said this would help us get everything that meets everyone's needs and still have a building that will last and give us the most value for the dollar. He said twenty-five years is not a long time for a building. She said twenty-five years is just the length of the warranty. These buildings have a track record of lasting much longer. Commissioner Burnett asked what would be done differently to get longevity out of this pool to be built. Do we have to replace it in another thirty years? She said we would have to rely on the latest building techniques for swimming pools that will come from the architects. Assistant City Manager Hernandez said pools generally have a lifespan. Since I have been here, this is currently the third pool, and the next one will be the fourth. Facility Maintenance is fantastic and has maintained it despite the issues. We do the best we can with

any building we have to make it last. Commissioner Burnett said he just wanted to make sure we are being proactive in terms of the next pool to be built. How much more longevity can we get out of the next pool? Mayor Payne said she thought thirty years would be pretty good. Parks and Recreation Director Bass said that is the goal. We are not trying to cut corners on the pool. We cannot afford the champagne version of everything, so we are trying to find a middle ground with the highest quality we can, both for the pool and structure over it. If everything works out right, at the end of the new pool's life in thirty years, hopefully, we can pick up the structure and move it over to the next one. We would just have to reskin it. That will save us money and avoid building yet another building.

Commissioner Rardin asked staff to do research about the age of the pools prior to the current one. I want to see how long they lasted.

Mayor Pro-Tem McDonald asked if the temperature control was better in the sprung structure. Mr. Todd said the structure has less than two percent air loss. R30 insulation and the HVAC system should keep the heating and cooling costs lower than traditional brick-and-mortar. She said her impression was that the plumbing would not rust out like a brick-and-mortar. Does it have a longer lifespan too? Mr. Todd said his focus was strictly on the structure itself. Parks and Recreation Director Bass said the pool will have upgraded and new mechanical components to give us longevity. All your piping must be upgraded regularly as part of maintenance.

Commissioner Burnett asked if the \$12,500,000 was for both the pool and structure. Parks and Recreation Director Bass said yes. Mayor Payne asked what the cost for the sprung structure was. Parks and Recreation Director Bass said the initial was between \$2,500,000 and \$3,000,000. Mayor Payne asked how much it would cost to build a brick-and-mortar building. Parks and Recreation Director Bass said the brick-and-mortar was \$16,000,000.

Parks and Recreation Director Bass asked if the Commission wanted to arrange a trip to see the Red Hawk Golf Course in Law Cruces. Commissioner Robinson asked her to arrange the trip.

Commissioner Paul asked to confirm the lane sizes required for high school meets. Assistant City Manager Hernandez said we have; it was twenty-five yards. Aquatics and Recreation Coordinator Michaud was involved in the project, and she works with the swim team. Recreation Center Manager Casebolt said it was twenty-five yards and the Coordinator researched the high school requirements. Commissioner Paul said there would be no dive, correct? Assistant City Manager Hernandez said that was correct.

Commissioner Burnett asked how big the building was. Assistant City Manager Hernandez said we will bring back the design concept that ASA put together. We do not want to go off memory. Parks and Recreation Director Bass said it was in the packet the Commission received at the previous meeting. Mr. Todd said the structure was one hundred feet wide by one hundred and sixty-one feet long. The material price was \$2,400,000.

**Commissioner Rardin moved to Table the item and try to bring it back at the next meeting.
Commissioner Paul seconded the motion.
Motion carried with a vote of 7-0-0.**

14. Consider, and act upon, Resolution 2024-37, giving notice to the Otero County Clerk of a Referendum on rededicating the Local Economic Development Tax and Fund Balance to the Construction of a Natatorium and City Owned Facilities in Alamogordo at the Next General Election on November 5, 2024. (Stephanie Hernandez, Assistant City Manager) (Roll Call Vote Required)

Assistant City Manager Hernandez said this is related to what the poll is going to look like regardless of what the Commission decides. Taking a step back and looking at the City with all our projects, we are bringing a proposal to rededicate the Local Economic Development Tax. It sunsets on December 2025. We have not been good at using economic development money. We have built up a huge cash balance in that account. Due to the State's house bill, they allow us to rededicate taxes to unrestricted. I have worked on economic development heavily with the state auditors, our auditors, and the State's Taxation and Revenue to make sure we can. It was voted on by the voters for economic development, although the Commission can reallocate that. We are requesting to take it back to the voters because that makes it clean, and it does not put the Commission or staff in an awkward position. We are asking to take this back, rededicate the tax, and put it towards the Natatorium and part of the fund balance. If we are not using all the fund balance, the projected 2025 fund balance will be about \$8,000,000. We are requesting take half of that and leave half in economic development. As for economic development, it is not going away, we are still working closely with the State. We are at an infant stage of economic development, and we have not been able to get a grasp as to what the Commission wants as far as priorities for businesses to come in. Once we get to the point where we can present an economic development plan, we still can pass a tax dedicated to economic development.

Commissioner Rardin asked what the question on the ballot would be. Would it be to reallocate \$4,000,000 of the existing balance? Assistant City Manager Hernandez said that and to rededicate the tax. This is our attempt to not increase GRT currently or bond out. Our bonding capacity is about \$10,000,000. We would still need to come up with additional funding regardless of what structure the Commission chose. The question on the ballot would be, for rededicating the .125 local economic development tax and the \$4,000,000 fund balance. He said if it passes, we will use \$4,000,000 existing and then the tax we collect to service the debt? She said that is correct. He asked about the remaining \$4,000,000. She said the projected revenues from the .125 is about \$1,300,000. There are different debt schedules on the last two pages of your sheet. Anything that is not paid for the debt service will be used for other facilities within the City. We do not have a plan for fixing or revitalizing our structures. Roofs are failing. He said we have time before this goes to the County Clerk. How many days? City Clerk Hughs said it is no later than seventy days before the election. The last date is August 27, 2024. You must remember we have to try to be closer to the beginning. Otherwise, if they go to the second page, the City will have to pay for that second page. Assistant City Manager Hernandez said this proposal does not really matter as far as the specific structure the Commission requests. We are bringing this regardless of what the Commission approves. Commissioner Rardin said if they reallocate it, will this be the extension? Does it extend for four years at a time? Assistant City Manager Hernandez said it will be rededicated and there will be no sunset. Commissioner Burnett said if we let LEDA sunset, would we allocate that money towards this? Assistant City Manager Hernandez said this would replace it. The way LEDA is currently structured, it sunsets every four years. We either bring it back to the Commission and ask to reallocate it, or it just goes away. Commissioner Rardin asked if it had to go to the voters to get reallocated. Assistant City Manager Hernandez said according to the State and auditors it does not because House Bill 491 allows the Commission to vote on the ordinance. Prior to that, it did. We felt that we wanted to put this on the agenda since the voter did vote on it. They should have a say on if they want to reallocate it. Commissioner Rardin asked what incentives for economic development would be used after that. Assistant City Manager Hernandez said she had an economic development strategy. If we are serious about getting economic development here, we must look at all aspects. Bringing in businesses, improving facilities like the Airport and Zoo, Bonito Lake, all those things are part of the strategy. As far as incentives are concerned, we would have to come back with IRBs and community development. There are many of them. If we want to get technical, there are incentives for manufacturing at the Airport. It must be presented as a complete package of economic development.

Commissioner Paul asked why we were looking at this as an option for the Natatorium as opposed to something else? At the last meeting there was discussion about the Airport. I reviewed master plans for the Airport over the last thirty years, and there were items on the list year after year. I am not in

opposition to the Natatorium and is great for the quality of life for citizens, but we have neglected an Airport that can be a huge economic driver. Why are we not looking at giving \$2,000,000 of LEDA to the Airport, \$2,000,000 to the pool, and then figure out how to get the rest of the money for the Natatorium? Assistant City Manager Hernandez said regarding economic development at the Airport, the Airport is divided into three sections. You have the runway taxiways, the building, and then the parking lot to the access road. The Airport has been neglected. The roof is failing, and the building is sinking. We are looking at a design for a new terminal with an OLDC grant, which is around \$15,000,000. That needs to be shovel-ready and ready to go. I agree the airport has been neglected, but on the other side, it has been incredibly difficult to deal with some of the problems. We are looking at funding sources available. If this tax is rededicated, and if there is leftover money, the Airport is a facility. However, we are lucky at the Airport because we have other options for funding. We have federal funding, state funding, and general fund funding. In the next ICIP item, you will see that the vault is on there. That is going to be state funded. That is step one of being able to road the Airport to where it needs to be. Commissioner Paul said the bonding capacity is \$10,000,000 right now. If this is approved by the Commission, ends up on the ballot for November, and gets passed by the citizens, then what happens if there is an increase in cost to build the pool? Finance Director Huff said something inaudible. Assistant City Manager Hernandez said our bonding capacity is property taxes. This is GRT and completely different. Right now, we have the availability to pass a 1.87 tax that can go out to voters. There is still availability for citizens to vote on economic development, or whatever the City Commission at the time decides. We have a bunch of major projects in the forefront. This has been on the radar for about three years, so it is the one that staff have been working on the longest. Every year when that pool is about to open, we get the price tag for how much opening it will cost and a reminder that we will need to start looking at a new pool.

Commissioner Rardin said in the past, the city passed the Natatorium, had money to do this, and then not enough money to get the project done. So, it got dispersed into other projects. Assistant City Manager Hernandez said that was 2014. Finance Director Huff said it was originally passed for the Natatorium, but it did not come close. Commissioner Rardin said the public will probably have a closer eye on what we do on this. City Manager Holden said he sent out a description of how that money was reallocated and where it was reallocated to. There is an exact accounting of how that money was reallocated and dispersed. Commissioner Rardin said it went to many different quality of life projects. Mayor Payne said that 2014 was before I was on the Commission, but after 2016, I remember us talking about it. They were going to replace a bubble with a new one. This was the bubble they erected in the winter and took it down in the summer. It was going to be about \$2,000,000 to replace, which was far more than they thought. They were going to be short, so they reallocated the money to other projects. Assistant City Manager Hernandez said the Natatorium serves a huge demographic, from children to those who enjoy fitness. This is a true community project that benefits more than just any one demographic.

Commissioner Rardin said if this passes, regarding reallocated GRT, how much can borrow? How much debt could we service? Assistant City Manager Hernandez said we went up to \$15,000,00 with a twenty-year payment. If we did that, the debt service would be approximately \$1,100,000. Commissioner Rardin said so we have a little bit extra. That would be \$15,000,000 plus \$4,000,000, so that gets us up to \$19,000,000. She said using the \$4,000,000 would allow us cash now to start immediately. We are not trying to stack the \$15,000,000 and \$4,000,000, we are trying to minimize the debt. If you choose a brick-and-mortar building and it costs \$16,000,000, then it will be \$12,000,000. If you choose a sprung structure and it costs \$12,500,000, then it would be \$8,000,000. Commissioner Rardin asked if we would sell bonds for this or get a loan from the Department of Finance Authority. Finance Director Huff said GRT bonds. Commissioner Rardin asked if those only sold twice a year. Assistant City Manager Hernandez said she did not know. Commissioner Rardin said GO bonds are only sold once or twice a year. Assistant City Manager Hernandez said the last two pages of the agenda item show the debt schedules provided for GRT only.

**Commissioner Robinson moved to approve.
Commissioner Rardin seconded the motion.
Roll Call Vote was taken.
Motion carried with a vote of 7-0-0.**

15. Consider, and act upon, Resolution No 2024-39, A resolution expressing concern and urging action in response to the Blue 2 Fire. (Rick Holden, City Manager) (Roll Call Vote Required)

City Manager Holden said they had been proactive in their approach to this fire. This resolution follows the discussion and topics from the Commission and others in the area. We should be mindful as there is a lot of speculation about what the federal government should have done, but we are also receiving federal money. We want to be open and honest but also explore what may have gone wrong and mitigate some of those things for the future. We will initiate an investigation into the causes of the Blue 2 Fire, focusing on identifying lapses in fire management, practices, prevention measures, and regulatory enforcement. We want close collaboration with other local authorities affected by the fire. We want swift and decisive action to be taken to address challenges posed by the fire and to uphold the well-being of the communities and the environment. We expect and hope for regular updates provided to stakeholders and the public.

Mayor Payne said she watched the meeting in Ruidoso. They said they wouldn't have done anything different. I do not know anything about fire management, but I disagree with them. City Manager Holden said as bad as it was, we are probably better off now. Especially if we get the rest of the sediment ponds fixed because that will give us security in the future.

Commissioner Rardin said there is a typo in the second whereas. 2002 needs to be changed to 2012. This is just us asking the federal government to investigate this, correct? We are not going to launch any investigation. City Manager Holden said he did not see us being the investigator of launching any specific targeted attacks. Commissioner Rardin said so we are asking the federal government to look into this and the actions of the Forest Service. Will Lincoln County and Ruidoso do something similar? City Manager Holden said we have not received anything from them but want to look at other partners and working together. Hopefully, we will have opportunities to meet with Lincoln County officials and others as we contemplate potential action. The Commission has the power and authority to take this to the level they wish. This gets us on record saying we avoided total catastrophe, but we need to look at what took place. We want to avoid a similar fate down the road. Mayor Payne said we only avoided catastrophe because City of Alamogordo employees came up with a plan. City Manager Holden said staff had spent much time dealing with this fire over the last two weeks. Mayor Payne said the Forest Service would have never come up with this idea. City Manager Holden said he was a speaker at that meeting, and the response we got was that they had never seen a city move at that level of expediency. We had money committed and things done without waiting for anybody. It is a tribute to the staff. I feel confident we are moving in the right direction. If we can avoid that stuff getting into the lake with the ponds, we might be able to do things even later this summer. The fish are doing fine. We hope to maintain that level of lake quality.

**Commissioner Rardin moved to approve.
Commissioner Robinson seconded the motion.
Roll Call Vote was taken.
Motion carried with a vote of 7-0-0.**

16. Consider, and act upon, Resolution No. 2024-38, adopting an Infrastructure Capital Improvement Plan (ICIP) and identifying the top five (5) recommended capital outlay projects for Fiscal Years 2026-2030. (Debbie Osborne, Grant Coordinator) (Roll Call Vote Required)

Grant Coordinator Osborne said ICIP projects focus on the repair or replacement of existing infrastructure, the development of new infrastructure, and items that address the critical needs of the City. ICIP is a planning tool, not a grant application. Listing projects on the ICIP list could possibly increase funding opportunities. Projects must be on the ICIP list to be eligible for a capital outlay application later in the year. Projects on the list are not projects already included in the City's annual budget. We request the Commission's approval to submit capital out applications for the first five projects on the list. The first five projects on the list are the renovation of a small group building for the Recreation Center, the renovation of an educational center for the Zoo, Mountain Trout Farm Rehabilitation, the design phase of the relocation of an electrical vault at the Airport, and the purchase and installation of a columbarium at the Cemetery. A public meeting was held on June 6, 2024, and twenty-two people attended. Overall, they were happy with the top five projects. Questions asked by the public were related to the Golf Course irrigation system, traffic enforcement, safety issues, Parks maintenance, and water projects.

City Manager Holden said that we have a pending contract regarding the purchase of the Mountain View Trout Farm. The Commission will have to consider that for approval as soon as we get an appraisal and a cost/benefit analysis. We do not own it at this point. We wanted it on this so when the time is right, the City will be in a position to move forward. Grant Coordinator Osborne said if that does not work out, we can always add another project, and then come back and get it approved by the Commission. Mayor Payne asked what the purpose of buying the Farm was. City Manager Holden said it was for the water rights.

Commissioner Burnett moved to approve.

Mayor Pro-Tem McDonald seconded the motion.

Roll Call Vote was taken.

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

17. Consider, and act upon, Resolution No. 2024-40 requesting interim approval from the Local Government Division of the Department of Finance & Administration, State of New Mexico, to adopt the Preliminary 2024-2025 Budget as of May 31, 2024. (Evelyn Huff, Finance Director) (Roll Call Vote Required)

Finance Director Huff said the preliminary budget was presented at the Budget Hearings on May 6th. On May 28th, we brought that preliminary budget back to the Commission for approval to upload and send it to DFA by May 30th. On May 31st, DFA sent out the final award letters for the LEPF, which is the Law Enforcement Protection Fund. In all previous years I have been involved in the budget, we projected the LEPF and uploaded that projection as part of the preliminary budget. When we get the final award letter, we adjust the final budget to match the award letter. We uploaded our budget on May 30th, which was a day ahead of time. When DFA sent out the final award letters on May 31st, the difference was \$10,500. We thought we would do that in our final budget like we always do. Last week, we got a call from our analyst at DFA, who said they would return our preliminary budget to us because we need to make sure the LEPF amount matches the award letter. I immediately sent him back an email saying that the Commission did not vote on \$170,000; they voted on \$159,500. When we bring the final budget, we will correct it like we always do. DFA Analyst Joshua Silva called us back and said the new DFA Administration decided they no longer want to do that. They want the preliminary budget amount to match the award letter exactly. I responded that was not what my Commission voted on, and I do not feel comfortable uploading an amount that was not what we presented. DFA responded that they did not care and would not approve our preliminary budget without that amount. After discussion with City Manager Holden, we agreed that the best course of action was to bring it back to the Commission and tell you we are making the \$10,500 change from what was previously presented and voted on and ask you to revote on it so we can upload it into the system as our preliminary budget.

Commissioner Rardin asked if DFA was asked to get it a week earlier. Finance Director Huff said Police Chief Kunihiro diligently forwarded the award letter memo to us. He received it at 9:30 on May 31st. There was no way the Commission could have voted on that and allowed us to get our upload done by the date we were supposed to. I emailed DFA to let them know this puts finance directors in a bad position. I do not want to upload and send something to the State that the Commission did not vote on. I have to send what the Commission voted on.

Commissioner Rardin moved to approve.
Commissioner Tapley seconded the motion.
Roll Call Vote was taken.
Motion carried with a vote of 7-0-0.

EXECUTIVE SESSION

18. Adjourn into Executive Closed Session in compliance with 10-15-1(H)(7) NMSA (as amended) to discuss Litigation update with Downtown Ventures. (Roll Call Vote Required)

Commissioner Rardin moved to adjourn into Executive Session at 8:59 p.m.
Mayor Pro-Tem McDonald seconded the motion.
Roll Call Vote was taken.
Motion carried with a vote of 7-0-0.

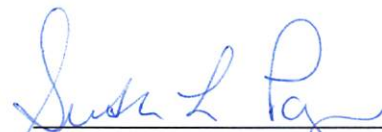
ADJOURNMENT



ATTEST:



City Clerk Rachel Hughes



Mayor Susan L. Payne

(Prepared by Dylan Aleshire, Deputy City Clerk)
Approved at the Regular Meeting held on June 25, 2024.