CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 PM, DONALD E. CARROLL COMMISSION CHAMBERS
October 8, 2024

SUSAN PAYNE, MAYOR
SHARON MCDONALD, MAYOR PRO-TEM
NICHOLAS PAUL, COMMISSIONER
STEPHEN BURNETT, COMMISSIONER
WARREN ROBINSON, COMMISSIONER
JOSHUA RARDIN, COMMISSIONER
MARK TAPLEY, COMMISSIONER
RICK HOLDEN, CITY MANAGER
ASHLEY SMITH, CITY ATTORNEY
RACHEL HUGHS, CITY CLERK

CALL TO ORDER & ROLL CALL

Mayor Payne called the meeting to order at 6:30 PM. Roll Call was taken by the City Clerk. City Clerk Hughs announced there was a quorum present.

INVOCATION & PLEDGE OF ALLEGIANCE

The Invocation was given by Pastor Olivas of Christ Community Church, and the Pledge of Allegiance was led by Commissioner Robinson.

APPROVAL OF AGENDA

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

PRESENTATIONS

1. Swearing in of Police Officers, Fernando Ramirez and Alex Bird and Police Service Aides Leo Garcia and Elias Marroquin. ***(David Overstreet, Municipal Judge)***

Judge Overstreet swore in Police Officers Fernando Ramirez and Alex Bird, and Police Service Aides Leo Garcia and Elias Marroquin.

PUBLIC COMMENT

None.

CITY MANAGER'S REPORT

Assistant City Manager Hernandez made the following remarks:

1. None.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Commissioner Burnett asked Assistant City Manager Hernandez about the status of LEDA funds for the cookie factory. She replied that she gave the contact information to Accounting Manager Ashe, who would make contact to get the documentation. The company Ultra Health took over the previous LEDA. The previous owners of the cookie factory left the country, but there was still a LEDA balance on it. In order to sell the building, we released the lien, and Ultra Health assumed the LEDA obligation. We are in the auditing process. Mayor Payne asked if it was paid now. Assistant City Manager Hernandez said we are trying to get payroll documentation to see if they have met any LEDA criteria. Commissioner Paul asked her what the criteria were. She replied that it was based on jobs, but could not remember the exact number of jobs. Mayor Payne asked if they were operating out there. Assistant City Manager Hernandez said she did not know if they were. My understanding is that they were not, which is why Commissioner Burnett brought that to us. Commissioner Rardin said when they initially bought it, they had people disassembling ovens, but I have not seen any other activity than security at the gate. Mayor Payne asked how long it had been. Commissioner Rardin said a couple of years ago. Assistant City Manager Hernandez said 2022. Commissioner Paul asked what recourse we had if Ultra Health had not performed. Assistant City Manager Hernandez said we will have to reach out to them. There are a couple of things we can do. We will try to see where they are at. We can extend the LEDA if it has passed the deadline, or put a lien on the building like we did last time.

Finance Director Huff said we have been actively working on this. That PPA has a clawback provision in it. If they are not able to provide the payroll documentation in there, we can bring it to the Commission. Mayor Payne said so we are covered. Finance Director Huff said yes.

CONSENT AGENDA

2. Approve the minutes for the Regular Commission meeting on September 24, 2024. *(Rachel Hughs, City Clerk)*

3. Approve the statements related to the Executive Closed Sessions held on September 24, 2024. *(Rachel Hughs, City Clerk)*

4. Consider, and act upon Resolution 2024-65 establishing a six-month moratorium on new off-premise billboards for the City of Alamogordo. *(Stella Rael, City Planner)* (Roll Call Vote Required)

Commissioner Robinson moved to approve.
Commissioner Rardin seconded the motion.
Motion Passed with a vote of 7 - 0 - 0.

ITEMS REMOVED FROM CONSENT AGENDA

None.

NEW BUSINESS

5. Consider, and act upon, Resolution No. 2024-64 authorizing and approving submission of a capital outlay grant application to New Mexico MainStreet. *(Evelyn Huff, Finance Director and Nolan Ojeda, Alamogordo MainStreet Executive Director)* (Roll Call Vote Required)

Finance Director Huff said we applied for and received a grant from New Mexico MainStreet for the Great Blocks program. The grant was $1,900,000. We chose to match that with in-kind work of replacing water and sewer lines between 8th Street and 10th Street, which is an additional $1,950,000 of work we are doing down there. We had a first bid opening for the Great Blocks project but no response from bidders. We reached out to New Mexico MainStreet because the engineer's probable cost estimate was done several years ago, and we thought it may not come in under $1,900,000. New Mexico MainStreet indicated that it had additional funds, and they wanted us to come back when we had a bid and discuss it. We had a second bid opening with two responsive bidders. The lowest bid was $2,500,000. Adding a tax of $209,000 with a contingency of $384,000 gave us a need of $3,159,000 to complete the project as designed and submitted. Mayor Payne asked if that was with the original and matching money. Finance Director Huff said yes. We needed $3,159,000 but only had $1,900,000. That is not including our match, which has already been bid and awarded. We went back to New Mexico MainStreet, and they indicated they could issue an additional $1,000,000. That left an additional $260,000 the City would basically put in there as an additional match. The resolution here tonight is the final piece for the application going to New Mexico MainStreet. It is a resolution of support from the Commission saying that we are supporting the application for an additional $1,000,000, which will put New Mexico MainStreet's total grant award for the Great Blocks project at $2,900,000. If passed, the Executive Director of Alamogordo MainStreet, Nolan Ojeda, will include this as part of his application and submit it. Then we will be bringing the actual award of the project to you possibly by the October 22nd meeting or the first meeting in November.

Commissioner Rardin asked how many blocks it was. Finance Director Huff said it was from 8th Street to 10th Street. Commissioner Rardin asked if it was from 10th Street to 12th Street. Finance Director Huff said no, not on this part. Additional work is being designed for that portion. Commissioner Rardin asked where the additional $260,000 we have to match would come from. Finance Director Huff said this is concrete and street work, so it will come from Fund 109. Mayor Payne asked if there was a lot of money in there. Finance Director Huff said there was currently $12,000,000 in the fund balance.

Mayor Pro-Tem McDonald said she would abstain from voting because she was appointed as a board member for MainStreet.

Commissioner Paul moved to approve.
Commissioner Tapley seconded the motion.
Motion Passed with a vote of 6 - 0 - 1. Mayor Pro-Tem Sharon McDonald abstained.

EXECUTIVE SESSION

6. Adjourn into Executive Closed Session in compliance with 10-15-1(H)(2)NMSA (as amended) to discuss: Limited Personnel Matters (City Manager).

Mayor Pro-Tem McDonald moved to Adjourn to Executive Session at 6:51 PM.
Commissioner Burnett seconded the motion.
Motion Passed with a vote of 7 - 0 - 0.

ADJOURNMENT

CITY OF ALAMOGORDO, NEW MEXICO SEAL

ATTEST:

City Clerk Rachel Hughs

Mayor Susan Payne

(Prepared by Dylan Aleshire, Deputy Clerk)
Approved at the Regular Meeting held on October 22, 2024.