

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 PM, DONALD E. CARROLL COMMISSION CHAMBERS
October 22, 2024**

**SUSAN PAYNE, MAYOR
SHARON MCDONALD, MAYOR PRO-TEM
NICHOLAS PAUL, COMMISSIONER
STEPHEN BURNETT, COMMISSIONER
WARREN ROBINSON, COMMISSIONER**

**JOSHUA RARDIN, COMMISSIONER
MARK TAPLEY, COMMISSIONER
STEPHANIE HERNANDEZ, ACTING 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 p.m. Roll Call was taken by the Deputy City Clerk. Deputy City Clerk Aleshire announced there was a quorum present.

INVOCATION & PLEDGE OF ALLEGIANCE

The Invocation was given by Pastor Shelby Moon from West Minster Presbyterian Church, and the Pledge of Allegiance was led by Commissioner Paul.

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. Extra Mile Day Proclamation. (*Susan Payne, Mayor*)

Mayor Payne proclaimed November 1, 2024, as "Extra Mile Day" in Alamogordo and urged each individual of the community to take time on this day to not only "Go the Extra Mile" in his or her own life, but also to acknowledge all those who are inspirational in their efforts and commitment to make their organizations, families, community, country, or world a better place.

PUBLIC COMMENT

None.

CITY MANAGER'S REPORT

Acting City Manager Hernandez said:

1. Given the recent flooding disasters in Ruidoso and Roswell, there have been questions about whether the City of Alamogordo was prepared. When Fire Chief Ramirez was hired, one of his first tasks was to update our Hazard Mitigation Plan. He took that on, and it has already gone up to the State for approval. Once the State signs off, it goes to FEMA for approval. We should have something back by the end of the year. Fire Chief Ramirez also had some firefighters trained for water rescue.
2. The Governor's Office accepted our invitation to come here for a town hall. We have two possible dates: December 9, 2024, at 1 p.m., or January 8, 2025, at 5:30 p.m. We are still working on logistics but anticipate it being at the Tay's Event Center. I will follow up once we have a more specific time.
3. Regarding the Great Blocks Project, we started digging and hit an old copper pipeline we did not know existed. It was not on our maps or radar, but was taken care of. If you get complaints about a lot of water on 10th Street, that was why.
4. Officer Ferguson's murder trial has a docket call today and another on the 1st. It looks like everything is set to go. Jury selection is on November 4th with the trial to start immediately after.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Mayor Payne congratulated Acting City Manager Hernandez on completing her Doctorate and presented her with a gift bag. Acting City Manager Hernandez gave a shout-out to her parents and husband for helping her.

Mayor Payne said she attended COPE's Open House and gave a proclamation. She also attended a candlelight

vigil at the courthouse on Thursday. Keep in mind that October is Domestic Violence Awareness Month.

CONSENT AGENDA

- 2. Approve the minutes for the Special Commission Meeting on October 1, 2024, and the Regular Commission meeting on October 8, 2024. (Rachel Hughs, City Clerk)**
- 3. Approve the statements related to the Executive Closed Sessions held on October 8, 2024. (Rachel Hughs, City Clerk)**
- 4. Consider, and act upon, the award of Public Works Bid No. 2024-009, Hubbard Drive Bridge Replacement Project No.PW2503, to KE&G Construction, Inc., related to the Alamogordo Hubbard Drive Bridge Replacement Project for an amount not to exceed \$1,860,346.38, including NMGRT. (Justen Boyle, Project Manager)**
- 5. Consider and act upon the award of Public Works Bid No. 2024-010, Monte Vista Cemetery Entry Renovations Project No.CE2301, to National Construction, Inc., related to the Alamogordo Monte Vista Cemetery Entry Renovations project for an amount not to exceed \$244,503.75, including NMGRT. (Justen Boyle, Project Manager)**
- 6. Consider, and act upon, Resolution 2024-66 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 October 22, 2024. (Evelyn Huff, Finance Director) (Roll Call Vote Required)**

Commissioner Tapley pulled Items 4 and 5 for questions.

Commissioner Burnett moved to approve the Consent Agenda as amended.

Commissioner Paul seconded the motion.

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

ITEMS REMOVED FROM CONSENT AGENDA

- 4. Consider, and act upon, the award of Public Works Bid No. 2024-009, Hubbard Drive Bridge Replacement Project No.PW2503, to KE&G Construction, Inc., related to the Alamogordo Hubbard Drive Bridge Replacement Project for an amount not to exceed \$1,860,346.38, including NMGRT. (Justen Boyle, Project Manager)**

Commissioner Tapley asked when this project would start and finish. Project Manager Boyle said after the notice of work today, if approved, it would most likely start before December. The project will be about eight months. Commissioner Tapley said he had the same questions about Item 5, the Monte Vista Cemetery Entry Renovations Project. Project Manager Boyle said he was trying to get both projects started before December. It is usually two weeks after the notice of work to get everything started. The Cemetery is a grant, so it will probably take longer. It depends on how long the notice of obligation takes.

Commissioner Rardin asked why there was such a variation between the two estimates. Under Clearing and Grubbing, one shows \$35,000, and the other shows \$7,500. Project Manager Boyle said that is based on the contractors. KE&G is from Arizona, and HASSE is from Albuquerque. We had a state preference, so we added five percent, but even with that, they were still the lowest bid. Commissioner Rardin asked if he was referring to KE&G from Arizona. Project Manager Boyle said yes. I think they bid lower because they are trying to get into El Paso and more southwest. Commissioner Rardin said that when we see stuff like this, typically, two to three months from now, you will come back with a change order. Project Manager Boyle said no. In my pre-bids, I go over everything, walk the site with them, and encourage them to ask about something they see there and then. That is when I create my addendums. After the pred-bid, I have a week and a half to two weeks of questions. They have all that time to ask me questions, so we wouldn't have to do a change order. From there, we proceed on the project. One way you could see a change order is if a grant tells me I have to spend a certain amount, and they end up bidding lower than that grant. The other way could be if something was unforeseen, like on New York Street with the waterline that was not on the plans. Commissioner Rardin said there is such a variation between the two of them. Project Manager

Boyle said that is based on them. Some may put \$50,000 under Mobilization, and some may put \$10,000. It just depends on the contractor, and I have no control over that part.

Acting City Manager Hernandez said our project process has changed recently. Project Manager Boyle has done a fabulous job of holding contractors to the contract, reading the projects, and thoroughly reviewing the previous ones with them. That way, they know the expectations of the City of Alamogordo and the timelines. He has cultivated relationships with the contractors so we can get more outsider bidders. We will have many projects, and there are only so many contractors in the city. This way, we can do several projects simultaneously and hold them to a standard. I would like to give a shout-out to Public Works Director Nunnelley and Project Manager Boyle for streamlining the process.

Commissioner Rardin said in the Bid Comparison, under Item Number 31, Traffic Control Management, one bidder is at \$98,000 and the other at \$10,187. Project Manager Boyle said sometimes contractors have their own in-house. Commissioner Rardin said so they wouldn't have to lease their own cones and barrels. Project Manager Boyle said right, one contractor may have to lease it out, and another may have everything in-house. Either way, no matter what they bid, it is one hundred percent on task where it is supposed to be.

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

5. Consider and act upon the award of Public Works Bid No. 2024-010, Monte Vista Cemetery Entry Renovations Project No.CE2301, to National Construction, Inc., related to the Alamogordo Monte Vista Cemetery Entry Renovations project for an amount not to exceed \$244,503.75, including NMGR. (Justen Boyle, Project Manager)

Commissioner Tapley said the only question he had about this was the ETA, and that was answered in the previous item.

**Commissioner Tapley moved to approve.
Commissioner Burnett seconded the motion.
Motion Passed with a vote of 7 - 0 - 0.**

NEW BUSINESS

7. Consider, and act upon, approving the construction of a new Natatorium - Sprung Structure vs Brick and Mortar Building. (Belinda Bass, Parks and Recreation Director; Regina Michaud, Aquatics Coordinator Alamogordo Recreation Center; Rob Price, ASA Architects; George Deines, Councilman-Hunsaker; Simon Todd, Sprung Structures)

Mayor Payne said there had been many questions about this. We have met about this previously to review. Parks & Recreation Director Bass said we previously met in February and June. Mayor Payne said the natatorium is basically building a new pool, and there was the question of how we will pay for it. To clarify, a question is on the ballot to potentially rededicate \$4,000,000. Acting City Manager Hernandez said to rededicate \$4,000,000 and GRT. Mayor Payne said right, GRT from money that is being put into our LEDA account. Previously, we had the option to just do this, but in the interest of full transparency, we collectively decided to let the voters decide. We are hoping the natatorium itself will be built either way. The question is the way we pay for it. There is no question that the pool needs to be replaced, as we saw in a previous presentation. However, it is expensive. One of the thoughts was to rededicate the tax and use that remaining money. It will not cost more money; it is a question of whether that is what you want to do with that money.

Parks & Recreation Director Bass said the purpose of this tonight is to discuss the actual structure to cover the pool. We have talked about either a sprung structure or a brick and mortar building. To clarify, a natatorium is a facility that houses one or more swimming pools. Staff would like the Commission to approve the sprung structure to cover the pool. At the last meeting, we offered a field trip for the Commission to go and look at a sprung structure that was not over a swimming pool but over a golf course. Mayor Pro-Tem McDonald went with us on the field trip,

and Commissioner Robinson had said he was familiar with it. We met with their manager to discuss their issues with the structure. They said they loved it. It was supposed to be temporary, but it has been there for almost fifteen years. They built two brick and mortar buildings next to it for maintenance and to house golf carts. Those buildings are half the age of the structure, but they have already had to repaint them and do roof work. They never had to do anything with the sprung structure. They remodeled the interior a few times, and they have had less maintenance than the two brick-and-mortar buildings. It is supposed to be washed every once in a while, but they have never done so. They do not do anything with it, and they love it. We also had a meeting with people at the Kearns Oquirrh Park in South Jordan, Utah. They have a natatorium with a sprung structure, and they love it. That sprung structure has been up for almost fifteen years, and it is extremely low maintenance. They had some hardware replacements such as on their big overhead doors, which see a lot of use. That sort of use would be typical on anything we put up. They also had to replace the big LCD monitors they used for scorekeeping. They also had to change a ventilation tube from the original to a class tube. Their lessons learned are ours to know before we start. The patrons love it. It is brightly lit with outdoor appeal because of the large side doors. Management loves it because it is low maintenance and they have happy customers. It was less expensive to build and maintain than a brick and mortar building.

Parks & Recreation Director Bass said our current outdoor pool is twenty-nine years old: it has cracking in the southeast corner, delamination of the pool deck, corrosion in the underwater expansion joint, leaking water in the mechanical rooms, uneven water level, gaps in the deck drainage covers, and stains and etching in the pool surface. We were asked to get the cost of rehabbing the current pool with a cover on it. We would spend virtually the same amount of money to rehab the current pool and still be unable to have room for spectator space. If we build a building over our current pool and rehab the pool, the building would probably outlast the pool. We may get lucky and get 20 years out of the pool. The pool would still fail after rehabilitation. The proposed new facility is twenty-three thousand square feet with a six thousand three hundred square feet new pool. It would have a zero-depth entry that we currently do not have. The new pool would be two pools in one; it would have a rentable space and be able to offer year-round classes and lifeguard training. We could do swimming classes or aerobic classes in the shallow end. We would be able to meet the needs of our community, such as the swim team. The main purpose is year-round access. Sprung structures come in many designs and sizes; we can order what we want. The frame has a fifty-year pro-rata warranty. The disadvantage is that it is a new and different facility, and some people may not want that. Maintenance is minimal, with no painting, guttering, or roof replacement. There is periodic door and window hardware replacement due to moisture corrosion, and panels may need replacement or patching over time. Structures do come with a patch kit. The longevity of the sprung structure is typically fifty years or more, and it has the durability to withstand harsh weather conditions like heavy winds. Holloman Air Force Base is putting up four sprung structures right now. A huge part of the Parks and Recreation's Department cost is maintaining what we have, so a sprung structure would save some dollars there. Sprung structures are modular in design, so expanding one in the future would be easy to do. Overall, the sprung structure would be better for cost savings than a brick and mortar building. Lastly, there was a New Mexico Recreation and Parks Conference at the CORE Center of Recreational Excellence in Hobbs, New Mexico. It is a lovely facility with a massive indoor aquatic center. We spent a few days there talking to those folks. It is a brick and mortar building with lots of headspace and is well-ventilated, but they feel it is not ventilated enough. It has giant windows to let light in, but they had to put coverings on the windows to avoid sunburning the swimmers. The CORE is six years old, but they are on the verge of spending thousands of dollars on maintenance on the stairway, which already has rust and crinkling paint. The stairway was specially coated for natatoriums.

Commissioner Tapley asked if the beams were aluminum or galvanized. Mr. Todd, the representative for Sprung Structures, said the beams were aluminum. Any steel components would be hot-dipped galvanized.

Commissioner Burnett asked what the current pool's hours of operation were. Aquatics Coordinator Michaud said we are open six months of the year, from April to October, but that is dependent on the current facility's capability of opening. We opened two months late this year because of maintenance issues. During the summer months, we are open seven days a week. On weekdays, we are open until 6:30 a.m. to 7:00 p.m., and private rentals can go even later to 9 o'clock. Commissioner Burnett asked if that was the pool. She replied that it was. On the shoulder seasons, when it is not summer break, we still go six days a week, and we are open at 6:30 a.m., then we move into afternoon sessions between 9:30 a.m. and 1:30 p.m., and then we open back up from 4:30 p.m. to 7:00 p.m. with a combination of activities. Right now, we are only able to offer the schools one month of swim practice due to not having a cover on the pool. It just gets too cold to keep it running, and it burns out our heaters and pumps to keep the water at a usable temperature.

Commissioner Burnett asked what the cost of revamping the current pool would be. Parks and Recreation Director Bass asked if he meant the cost of revamping it and putting a cover over it. He said no, just the revamp. She said that would be around \$6,000,000 to \$7,000,000. Aquatics Coordinator Michaud said we could revamp it for roughly \$8,000,000, but that would not eliminate bigger issues, such as the sixteen-inch drop from the deck to the pool. One set of steps is less than three feet in width, so seniors, toddlers, and even the Swim Team have issues getting out of the pool because you have to push yourself up those sixteen inches. That is also a safety concern for us because if someone with a spinal injury and/or an unconscious swimmer is in the pool, to get them out, we would also have to deal with those sixteen inches. A flush gutter is safer to get people in and out of the pool.

Commissioner Burnett asked what would happen if the reallocation did not get passed. Aquatics Coordinator Michaud said we would keep operating the best we could with the pool we have. Acting City Manager Hernandez said we could come back and ask the Commission to make decisions, such as whether we would go for a GO bond. There are some additional amounts we could pass without going for a referendum. Additional options could come to you, but it would cost additional money. This was the best option to minimize the impact on citizens, which is why we tried this first. Commissioner Burnett said he had heard from numerous people who were unhappy about this. Even if this does not cost them more money, the people are just not happy in general. They did not give specific reasons, but they were not for this. Many people were not. I do not think they understood that the GRT is just being reallocated, and this is not an additional tax. Mayor Payne said she also thought that was the problem. I try to explain that this is a great option, but we need to talk to the schools because they will use the pool a lot. Acting City Manager Hernandez said we have spoken to the schools, but can we clarify what we are asking them? If we ask them to put in money for a joint-use pool, then there will be a discussion about who controls the pool. The schools do not have the cash and would probably have to bond. We spoke to them at length about this, and the best option was to keep the structure the way it is. We have a joint powers agreement, a JPA, with the school where they pay us for pool usage, but the City maintains full control of it. To address Commissioner Burnett's previous comment, we have a website dedicated to this. We did get the information out late, but we have the Parks and Recreation Board, along with others, helping to educate the public on the use of the fund and tax. We cannot dedicate this to the street fund or to reduce water bills. It is just about communication; we are getting that out more with our partners like NMSU-A and the schools. We are trying to speak directly to the people opposed to this.

Mayor Pro-Tem McDonald said she was working with people for early voting, and many people do not know what a natatorium is. I do not know how much understanding there is. When you vote, people usually look up the meaning to figure out what is happening. I heard that today from people onsite at the Fairgrounds, who tried to explain to people what they were voting for. Communication to get the word out will be needed for the next couple of weeks. Parks and Recreation Director Bass said they put the definition on the website because people were asking about it. It is also on our socials and this presentation. We have been trying to tell people it is a word for a building with a swimming pool in it.

Commissioner Burnett said if the \$4,000,000 and this get approved, what is our timeline? What is our start date? Parks and Recreation Director Bass said the moment we have money in hand, I will be getting hold of Mr. Price of ASA Architects, Mr. Deines of Counsilman-Hunsaker, and Mr. Todd of Sprung Structures to solidify our plan. The build timeline depends on a lot of the subcontractors and the structure to be put over it. Mayor Pro-Tem McDonald asked if the sprung structure would still take less time than the brick and mortar building. Parks and Recreation Director Bass said the build time would be significantly decreased with a sprung structure. The lengthy part would be digging a hole and constructing the pool. However, the pool is not the only thing that needs to be rehabilitated. It's the entire pump house. The surge pit is leaking, and it needs new heaters.

Mayor Pro-Tem McDonald said what impressed her about the sprung structure was that it could maintain the pool's temperature year-round, regardless of whether it was hot or cold outside. One of the biggest problems of living in the southwest was just deterioration.

Mayor Payne said there is caution in our city because people think taxes will go up, even though there are citizens out there doing education. You will always have people who are concerned or say they will not vote for it. However, this is a good thing, and I hope people do their research. This is why I mentioned the schools earlier. They need to help us get the word out. This benefits our high school kids. We have a robust swim team, and it also benefits our senior citizens. I think it is not a question of whether this gets built but when. Parks and Recreation Director Bass said the Parks and Recreation Board sent a letter of support for the sprung structure and natatorium in general.

Quite a few folks have reached out, and we have given them information. Mayor Pro-Tem McDonald said older adults who need to use the pool often go to Las Cruces. I went there to see the facility, which has two huge swimming pools. When we send our people somewhere else, we may tempt them to move there. We should make something better for the citizens here.

Commissioner Paul said if the measure on the ballot fails, what financing options are out there? What does that look like? If this passes and is approved tonight, that is giving approval to move forward with the natatorium regardless of what happens with the question on the ballot. Acting City Manager Hernandez said the Commission has already approved the natatorium. We are asking you to approve the structure type. If the question passes, once the results are certified, we can go to NMFA and show that we have a funding source for any bonding that needs to happen. That is the best-case scenario. If the question does not pass, we would probably have to go out for a GO bond or GRT increase. A GO bond increases property taxes. We still have an amount we can pass for GRT bonding. Mayor Payne asked if the Commission could just pass that. Acting City Manager Hernandez said the GO bond has to go out to voters, but that does increase taxes. Mayor Payne said we do not want to do that, but it is something we could do. Commissioner Rardin said if the voters shoot this down, it will look bad if we turn around and do it anyway. Acting City Manager Hernandez said if the voters do not vote for it and the Commission chooses not to move forward on the other two options, we will extend the pool as best we can. There will come a point where we must shut it down because we cannot keep pouring money into it. The \$8,000,000 amount given earlier is regarding what we know, but there could be things we do not know, just like the copper pipe with the Great Blocks project mentioned earlier. We do not know what else is failing with the pool. Project and maintenance costs just keep increasing.

Commissioner Rardin said the slideshow says there are two options to rehabilitate the current pool. Either brick and mortar for \$10,000,000 or a sprung structure for \$5,000,000. Is the \$5,000,000 to revamp the pool and cover it? Parks and Recreation Director Bass said that may be a typo. I believe the revamping of the pool was \$7,000,000. Mr. Price said that to rehab it with the sprung structure is \$5,000,000. The cost to rehab the pool itself without anything else is half that. Commissioner Rardin said so it is \$2,500,000 to revamp the pool. How many years does revamping the current pool with a sprung structure get us? Mr. Price said five years, and you may be able to stretch it to ten. Parks and Recreation Director Bass said covering the pool buys it more time. Commissioner Rardin asked how you insulate the sprung structure. Based on the fabric from the brochure, I do not see how you heat and cool that without insulation in there. Mr. Todd said the fabric piece is the exterior architectural membrane. On the inside of that is a layer of R-25 insulation. On the interior is a layer of the same polyurethane membrane. It is like a sandwich. Commissioner Rardin asked how the building codes on that work. Typically, they require R-38 on a roof and a minimum of R-19 on a wall. Mr. Price said it was R-25 on the wall. Mr. Todd said yes, from grade to peak. If the building code requires a higher R-value, we can use a double layer of insulation. Commissioner Rardin said so we could get R-50. Mr. Todd said correct. Commissioner Rardin said he was not sure how that would work, considering the walls and roof are a sort of joint deal. I worry about this material with our climate, but I did not get a chance to go to Las Cruces to look at their sprung structure. What if we were to revamp the current pool with a sprung structure and put a plan to put money into place for this? Like Commissioner Burnett, I hear a lot of negativity because people think taxes will go up. A GO bond will have to go back on the ballot to be approved by the voters. If they shoot the current question down, they will probably shoot the next down. Also, could we discuss this after we know if the money is approved? Then, we would have a better idea of what money we have and what GRT to pledge. Acting City Manager Hernandez said we previously came to you with Chris Muirhead of Modrall Sperling and John Archuleta of Bosque Advisors LLC, and we presented those options. Then, we presented again after that because the Commission asked us to figure out another plan, and the thought process was not to increase taxes. That is when we brought the second option to you, which is to rededicate taxes. Everything is up to the Commission. Commissioner Rardin said it seems premature because we do not know whether we have the money or not. We do not know what our budget is or what we have to spend on it. If it passes, we have \$4,000,000 plus whatever we can bond out. I believe we have an eighth of a percent, so that is about \$1,200,000 a year. Acting City Manager Hernandez said if we drag this out, it is pushing it too. Commissioner Rardin said we are pushing it about two weeks after the election. Then, we will know what we have to spend and what direction we can take. Acting City Manager Hernandez said the initial price of this pool is \$10,000,000, which is our total bonding capacity without passing tax. If you recall, the decision was not to bond out completely in case of an emergency. Our budget was to stay within those means. Commissioner Rardin asked if the \$10,000,000 was on the GO bond side. She said that is our bonding capacity. Commissioner Burnett said it was about \$12,000,000, correct? She said we had \$10,000,000, \$12,000,000, and \$15,000,000, depending. They did not do a full assessment of our bonding capacity, and we based on it the last one that was done around 2019. It was basically presenting options to the

Commission. Commissioner Rardin said I thought this was a different pool of money since we are pledging GRT, rather than a property tax. Acting City Manager Hernandez said it is a different pool of money. He said so, we are still limited on the GRT bond as well? She said yes. We can only pass up to two point five total, and we are at two point zero five. Either way, we are pushing capacity. This was the best option to go for. I know it seems like there is a lot of negativity, but there is a lot of positivity as well. Commissioner Rardin said people are still upset over the water rate increase. I have seen comments saying this was another Fun Center debacle. Mayor Payne said that was social media, and there are thirty-one thousand people in our city. Commissioner Rardin said they are still constituents and ten percent of the people will vote in this election. Aquatics Coordinator Michaud said in a season we average around nineteen thousand five hundred people coming in. We serve a lot of people within those six months. A year-round pool would serve more of the population and would open it up to more lessons, more swim team uses, and more youth group uses in the off-season. We can barely accommodate schools coming in because there is only a tiny window from late spring to early summer. Mayor Payne asked if we would be able to do swim meets. Aquatics Coordinator Michaud said yes, we would meet the requirements to hold small swim meets. Mayor Payne asked if we were currently able to do those. Aquatics Coordinator Michaud said we could, but there is no spectator space. It would be a closed swim meet, and people that would want to come watch would not be able to do so. Acting City Manager Hernandez said so we serve almost twenty thousand people in a six-month season compared to a handful of negative comments. We work hard to communicate with people, but some people just never change their minds, no matter what. Mayor Payne said we take everyone's comments seriously, but in totality, there are not that many negative comments. I have gotten many positive comments. It is really about education, and as Commissioners, we have an obligation to educate people. We are the ones who put it on the ballot. Commissioner Rardin said it is two separate issues. The natatorium on the ballot is one thing, and yes, we are trying to be transparent and educate people. Picking this tonight may be pointless two weeks from now if the question does not pass. So, let's see if it passes and then decide what we are going to do with it. Commissioner Burnett said regarding voters, he had spoken to around fifteen people who had already voted without information beforehand. They did not know what it was for. So, we did not get it out early enough for voters to do the research, and they have already voted no. Mayor Pro-Tem McDonald asked if the survey that asked citizens what they wanted in Alamogordo was being factored in. Parks and Recreation Director Bass said yes, that was part of our Master Plan study. One of the most popular things in that survey was a year-round swimming pool. If the Commission decides what structure to put over the pool tonight, and if the question on the ballot passes, that is one less thing we have to do when we come back and redo this.

Commissioner Rardin said so the sprung structure will be over the pool, but what kind of construction will be in the other parts of the facility? Mr. Price said it would be under the sprung structure as well, or, depending on budget, it could be a typical brick and mortar. Commissioner Rardin said so whatever we decide on that. It's not set in stone yet. Parks and Recreation Director Bass said what you are seeing is a preliminary design. We are pushing to get more for our money over the long term. Maybe we will have a brick and mortar facade, or maybe it will be a full sprung structure. Mr. Price said there are a variety of options. The sprung structure is useful over the pool because it is high. Commissioner Rardin asked what the size of the aluminum frame was. Mr. Todd said after we break the ninety-foot wide threshold, we use an eight by twelve aluminum beam. Commissioner Rardin asked if that was an I-beam. Mr. Todd said yes. Commissioner Rardin asked how the in-walls were framed. Mr. Todd said they have aluminum uprights on the flat ends of the structure. They are not I-beams. Commissioner Rardin asked if they were like four inch square tubing a quart-inch thick. Mr. Todd said exactly.

Commissioner Paul said if this question does not pass, what are our options to try and fund this, and how much longer will that be? We can sit here and decide on a sprung structure versus a brick and mortar, but if we are another year or two out from that, the project costs will increase. What are we looking at for a budget on this? Acting City Manager Hernandez said like I said earlier, we stayed within our bonding capacity to ensure we had some funding for this. The reason we are doing both of these simultaneously is because we would love to have this open within the 2026 season. We are doing everything in step. The design for what you approve gets finalized, the vote happens, and then we are ready to hit NMFA. If it does not pass, you still make a decision on whether brick and mortar or sprung structure, the design gets finalized, and we bring in our bond people to tell you your funding options and availability. As designed now, we have the capacity to do bonding if it does not pass. That will drag it out a little. It would have to go on the ballot of November 2025 if we do a property tax or GRT. Commissioner Rardin said the \$4,000,000 from Fund 105 was mentioned as being looked at for transferring or reallocating. In the event this does not pass, can we reallocate that money without a vote of the people? Acting City Manager Hernandez said ideally this tax would sunset if it does not pass. Once that happens, the Commission would decide how to allocate that money. Commissioner Rardin asked when that would sunset. She said December 2025. He

said it would be a full year to allocate that without a vote. If it fails to pass we can still allocate the \$4,000,000 because that would not get spent somewhere else. We would only be \$1,000,000 shy of revamping the existing pool with a structure over it. I have been through GO bond vote through the years, and given the water rates, I think we will have a tough time getting it passed. We did not get the information out there early enough, and there is a lot of misinformation out there. Acting City Manager Hernandez said we did a full marketing campaign for it, it is even on Hulu and Disney. Mayor Payne said her son said it was on Instagram. Commissioner Rardin said he had not seen it at all. Acting City Manager Hernandez said we are working with our partners like the schools and NMSU-A. We started late, but not too late. Voting started on the 9th and we were up that week. NMSU-A has a bond that will not increase taxes are they are having a difficult time like we are. It is nothing new. Commissioner Rardin said there were five or six other bond questions on the ballot. Mayor Payne said you see those same bonds every time. Acting City Manager Hernandez said we could have had this information in the voter's hands three months ago, and it would have still been the same. It is the nature of the situation. Mayor Pro-Tem McDonald said she hadn't seen many people under fifty-five years of age voting. The seniors over fifty-five are knocking it out this year. Commissioner Robinson said he thought we missed some excitement for this vote simply by using the word natatorium and not swimming pool. I voted for it early, but no one has approached me about it. A lot of things go on in an election year that confuse people. Let's get this thing built.

Commissioner Rardin said he thought we should wait two weeks from now. Table this until the next meeting when we know whether we have the money and how much. Then make a decision. It was said that with the GRT we would only have an eighth of a percent, so we can only bond an additional \$10,000,000, right? Acting City Manager Hernandez asked if he was referring to the GRT that has not been passed or rededicated. We have two options when it comes to GRT. Commissioner Rardin said if the GRT on the ballot gets rededicated, what is the maximum amount we can borrow? She said once we have an actual dedicated revenue source, then we talk to our bond counsel, and then we go to NMFA, who will tell us the maximum amount we can borrow. We know we can do the \$10,000,000 with that revenue stream. He said so then we would be potentially looking at \$14,000,000 to fund this with. She said correct. He said he would rather until it passes or does not. Commissioner Robinson asked what the advantage was to waiting. Commissioner Rardin said we would know how much money to spend. If it doesn't pass, we have basically nothing, and we would have to come back and figure out another way. We are going to reallocate the \$14,000,000 existing, the reallocated tax which people are already paying. Then we use that revenue to pledge and borrow money, to bond out, an additional up to \$10,000,000. Acting City Manager Hernandez said if you chose the brick and mortar, we pull back on some pool features. If you go with the sprung structure, we will have more funding to put in more. That is where staff and everyone would like to know what the Commission's decision is. Do we scale back, or add in features? Commissioner Burnett said the estimates were \$12,000,000 for the sprung structure and \$15,000,000 for brick and mortar. Acting City Manager Hernandez said if the Commission wanted to wait, it would be until a month after the election. We have a Commission meeting on election day. Commissioner Rardin said we typically move that to Wednesday because of election day. Acting City Manager Hernandez said the Commission voted to have it on a Tuesday. Mayor Pro-Tem McDonald asked if it would be on the 5th, on Tuesday. Commissioner Rardin said we might cancel that meeting and call a Special Meeting for Wednesday. Some members of the Commission will not be here. Mayor Pro-Tem McDonald said if we decide to go with the sprung structure, and the ballot fails, we can do something different, no? Mayor Payne said if does not pass and we just rehabilitate the current pool, was that \$7,000,000? Commissioner Burnett said \$2,500,000. How much more life do we get if we rehabilitate the current pool? I heard five years. Commissioner Burnett said five to ten. Mayor Payne said so we would spend \$2,500,000 for something that may last five years? That is a waste of taxpayer money and I would not agree to that. I say if the bond does not pass, we are not going to do anything. Commissioner Rardin said we still have to fix the pool. Mayor Payne said why do we have to fix the pool? If the voters do not want it, then they do not want a pool. Those are the facts. Why would we spend \$2,500,000 for a pool that lasts five years? That makes no sense. Mayor Pro-Tem McDonald said that is not including what is already happening to the pool. Mayor Payne said a ridiculous amount of money is being put into the current pool so it can limp along. We have to be practical. Commissioner Rardin said if we spend \$5,000,000 we will get a sprung structure over the revamped existing pool. Mayor Pro-Tem McDonald said that does not guarantee the life of the pool. Mayor Payne asked if that is what the citizens deserve. Commissioner Rardin said if that is what we can afford, that is all we got. Acting City Manager Hernandez said things are going to be more expensive in five years. Just like when the Commission previously did the Quality of Life Bond, and we did not have enough to do the pool back then. In five years we could exhaust LEDA and then we are back at square one. Maybe it will be a smaller pool but where is the revenue going to come from? Mayor Payne said so we are basically kicking the can down the road. Commissioner Rardin said waiting two weeks to decide the structure over the pool will not make or break the deal. All that is being asked tonight is, do we want a brick and mortar building or a sprung structure? Commissioner Paul said he was in favor of

what Commissioner Rardin was saying. We do not have all the facts, so it is hard to say to do one thing or another. Mayor Pro-Tem McDonald asked if the price would change in two weeks. Parks and Recreation Director Bass said no. Commissioner Robinson asked if we would be in good shape if we decided on the sprung structure in two or three weeks. Parks and Recreation Director Bass said yes. Acting City Manager Hernandez said if you want to wait, it would have to be until the second meeting in November because we will not know the results that night. Commissioner Rardin said we could if we cancel the meeting and call a special meeting the next day. Acting City Manager Hernandez said you would have to vote on that tonight, and canceling the meeting is not an action item. Mayor Payne said so we would have to make it the 19th. That is two weeks from the 5th.

Commissioner Rardin moved to table this until either November 5th or November 19th.

Commissioner Paul seconded the motion.

Motion Passed with a vote of 6 - 1 - 0. Mayor Pro-Tem Sharon McDonald voted nay.

8. Consider, and act upon, Ordinance 1708 Case M-2024-0001(A) for first publication of a de-annexation of parcels known as Highway 82 Subdivision Lots 1-4, 17 US Hwy 82-Account Number R022812, 19 US Hwy 82-Account Number R022839. (Stella Rael, City Planner) (Roll Call Required)

City Planner Rael said to give you some history, the parcels we are to discuss were annexed into City limits in 2005 by ordinance. It was an annexation that involved approximately six hundred and twenty-seven acres. The property owners of the Highway 82 subdivision, along with parcels 17 and 19 next to that, have petitioned to have their properties removed from City limits, or de-annexed, and returned back to Otero County jurisdiction. There are six parcels involved. The subdivision was created in 2001, and they were in the County at the time. The County subdivision plat had to come through the City after the County approved the subdividing of those parcels. As of today, there have been no letters returned undeliverable from the protest area and I have received no letters of opposition. I received two calls. One caller said they did not want to be de-annexed, and I left them a voicemail letting them know they were not part of this and were already in the County. The other call was just asking some questions and they realized they were not involved in the de-annexation. Staff recommends approval because this request will not be detrimental to the surrounding property owners or the public.

Commissioner Rardin asked if this was the first time we had done a de-annexation. City Planner Rael said it was. It has not been done in the seventeen and a half years I have been on staff.

Commissioner Rardin moved to approve.

Commissioner Robinson seconded the motion.

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

9. Discuss City Manager recruitment and provide direction to the Human Resources Department. (Susan L. Payne, Mayor)

Mayor Payne said she had this put on the agenda on the advice of outside counsel to speak about this publicly and request public input. None of the public signed up to speak tonight. I have not received any emails. Did any Commissioners receive any emails? Commissioner Rardin said we received some in our boxes. Human Resources Director Torres said three comments came to the COAHR email. Those were put in your box yesterday. Commissioner Rardin handed Mayor Payne a copy of the comments and she read them. Mayor Payne said thank you for the comments. We are trying to get the community involved, and we care what people think.

Human Resources Director Torres said the packet has a brief summary of the options you have. The first option is for us to handle it internally like we normally do. The first option has two additional options for it, where it is open to internal candidates only, or it could be posted to the public. The second option is that we can request quotes. The downside to that is, if we request quotes over \$60,000, it would have to go to an RFP, which may take more time than we wish to spend. The third option is to make a request for proposals, or RFP, and request quotes and qualifications from vendors.

Commissioner Rardin asked why there was not an option for normal recruitment like on Indeed. You said an internal recruitment? Human Resources Director Torres said my office would do that advertising internally. He said I apologize, I misread it, so that would go as far as you can reach. She said right. We could do it in-house only or

post it out to the public. He said he thought it needed to be posted to the public. Mayor Payne said it definitely needs to be open to the public. If we decide to go with a recruiter we should do an RFP to make it completely transparent. Let them do a bid. Commissioner Rardin said even if stays under \$60,000? Mayor Payne said yes. That is the best way to do it because we are not picking a recruiter. We are allowing them to come to us if they are interested in bidding.

Commissioner Rardin asked how many headhunting companies are out there. Human Resources Director Torres said hundreds. He asked if that was specifically for city manager. She said there would be a lot, but I do not know how many. I am sure there are hundreds. Mayor Payne said there are lots for government and city management.

Commissioner Burnett asked how many applicants we received last time. Human Resources Director Torres said approximately forty. He asked if that was just in-house. She said yes.

Commissioner Paul said it obviously needs to be open to the public, regardless of the option. It doesn't hurt to put out an RFP and see what comes back. Commissioner Rardin asked if both could be done. Could we start advertising it and also solicit an RFP for a headhunter? Human Resources Director Torres said with that, let us open it ourselves to the public where we let it run for a period of time to see what we get. If we are not getting the responses we want, then we do an RFP. The risk you are running is that if we get an internal candidate or someone in the community, we could end up paying a recruiter for someone already here. Commissioner Rardin said I would like to see this go out and we will see what we get. Mayor Payne said I thought you wanted a recruiter. He said that he does and does not. We have several issues that will arise by the end of the year, and we probably won't have a new Commissioner until February or March. There would only be six of us to pick the City Manager. I want to use the recruiter to get a good qualified candidate, but we also need to get this done quickly. Mayor Payne said she did not like the idea of us needing to get this done quickly. That scares me. Mayor Pro-Tem McDonald said she agreed. Mayor Payne said she did not want to settle. We had a great City Manager. The position is a high-pressure job for strange reasons. If we hurry to get someone in there, we will just end up in the same position. We have to make sure that whomever we hire understands that Alamogordo and the State of New Mexico are very different from other cities and states. It is not for the faint of heart. Being qualified and being able to handle it are different things.

Commissioner Paul said it was worthwhile to put the job out there through the City's resources. If nothing comes back of interest, then put out an RFP. We are talking about a substantial amount of taxpayer money to be used to source somebody that we do not know will stay longer than a year or two. We all felt the previous City Manager had what it took and would be here for a length of time. Unforeseen circumstances arose. Let's go look and see what we can find first before paying someone \$50,000 to go look for us. I will term out at the end of the year, but I still think it is worthwhile for the Commission to look and see what we can get. Mayor Payne said she thought that was a wise choice. I just do not want to be in a hurry. He said there was not a hurry to have someone by the year's end. She said finding someone highly qualified was not an issue previously, and I think we can do that again.

Commissioner Rardin asked if there was a finalized job description. Human Resources Director Torres said that was attached. You may want to look at the qualification to ensure that is what you want. He asked if the past city managers were bonded. It says must be bondable. She said yes. He asked if ten years of actual city manager experience were wanted. I say city or county upper management. Mayor Payne said we could just say ten years of experience in public management. He said city and county are very similar in organization. Mayor Payne said public management covers either one. Right now, it says, "Five (5) years of experience as City Manager or Assistant City Manager". There is not a huge difference, but do we want ten years? He said those contradicted each other. Mayor Payne said they do. He said we have five years under desired but ten years under required. She asked if it would be ten years of experience as City Manager or Assistant City Manager. He said it could be either.

Mayor Pro-Tem McDonald said so we are leaving in the five years under desired, and changing the one under recruitment qualifications to city or county? Commissioner Rardin said city or county, or assistant city or county manager. It could be worded to sound more professional. It could help with weeding applications. Some applications received last time were from people who had no business applying for the job and did not meet any qualifications. Mayor Pro-Tem McDonald said that does not stop people from applying. If we leave the five years under desired, then we need to change the one under recruitment qualifications. It cannot just be ten years of county or city. A person can have five years under desired, but I think we can get qualified applicants with upper management. It is everything, not just county or city. Commissioner Rardin said what if someone came in from say, Twitter, and managed like six hundred employees. They would have no experience running a Public Works

Department or Wastewater Department. They have management experience but not experience in other areas. Mayor Payne said she was not sure a county manager would have that experience either. Commissioner Rardin said a county manager would, they have road departments, but they would not have water or wastewater experience. Mayor Payne said they also would not have experience with quality-of-life items, like our Senior Center or REC Center. That is not what the county does. He said it was still infrastructure. She said she did not know if someone with ten years of county experience could run a city because it is so different. We need to be careful and strategic. Mayor Pro-Tem McDonald said we could move the five years of experience as a City Manager or Assistant City Manager under Desired to Required. That way they would need to have it. Commissioner Rardin said we already have ten years of progressively responsible experience in upper management under Required. Mayor Payne said we could consider someone without many years in city management, but who has years working in upper management for a municipality. There may be people who never decided to do that before. The average life of a city manager is three to five years, but in Alamogordo, it could be less. Commissioner Rardin said we could just leave it the way it is. Mayor Payne said we need to add something in there about years working for a municipality. Commissioner Rardin said ten years. It takes a couple of years to know the processes, and other communities do it differently. She said if you work for ten years in upper management at a municipality, I think you could be considered at least for the City Management position, especially if you have a Master's Degree like we are asking for. He asked if this job description was what was sent out last time. Human Resources Director Torres said yes. He said we could always reject everybody if we do not like what we are seeing. We could reject them and then put it back out again, right? Human Resources Director Torres said our evaluation process scores all of these items, and then we narrow it down to those who are qualified or not. At that point it would be elimination through the interview process, then final interviews, then you have the selection at the very end. He said if none of them are a fit, could we put it back out for advertisement? She said yes if the decision was no one was suited. He said we should put it out as-is and see what we get. Mayor Payne said we should leave it as city manager. Commissioner Robinson said he agreed.

Mayor Payne asked if anyone wanted to change "Five (5) years of experience in government". Commissioner Rardin said to change it from five to ten. Mayor Payne said if we do that, we may as well take out the other line. You could say ten years of progressively responsible experience in upper management working for a municipality. Commissioner Rardin said that sounds all right. Commissioner Paul said yes. Mayor Payne said we could then take out the five years of government because if they are working in a municipality, they are working in government. Mayor Payne said resident of Alamogordo for six months and bondable are good. Definitely a valid driver's license.

Commissioner Rardin asked if the salary was on here too. You will need salary ranges as well. Human Resources Director Torres said it would be in the posting as a range, and it would be DOQ. He asked if the Commission would like to up the salary; Human Resources Director Torres previously emailed us regarding what other municipalities were paying. Commissioner Paul said there was a previous discussion about the upper range. Mayor Payne said there was. I agree that we should up the salary a little. Commissioner Rardin said we are pretty competitive. What are we capped out on? Human Resources Director Torres said she was not sure, but thought it was around \$145,000. He said we previously discussed doing \$150,000 to \$175,000. Commissioner Paul said that is what he thought was discussed. Commissioner Rardin asked again if the Commission would like to go higher. One in the email from Human Resources Director Torres was around \$250,000, but I do not think we need to go that high. Commissioner Burnett said \$175,000 for Alamogordo is pretty good. Mayor Payne said she thought the School Superintendent made around that amount. Commissioner Rardin asked if the Commission wanted to go \$150,000 to \$175,000 or \$120,000 to \$175,000. We could leave a broad range. Human Resources Director Torres said we could just put a bottom number and DOQ. He said I guess, that leaves it open. Mayor Payne asked what the bottom number should be. Commissioner Robinson said \$125,000. Commissioner Burnett said it could be left at \$120,000. Commissioner Rardin said that may scare away potential applicants. Mayor Payne said what about \$130,000? Human Resources Director Torres said it just depended on the candidate. Some are in for the money but others are not. Most will want to make more than they currently do, but we do not know what that number is. He asked what information the wage study done a few years ago had about the city manager. Human Resources Director Torres said the result of that was the pay scale we have now. For City Manager, it is a twenty-five-step plan starting at about \$120,000. He asked if it went up to a \$150,000 or so range. She said yes. He said he was afraid if someone saw \$120,000 that would scare them away. Mayor Pro-Tem McDonald said people putting in a resume at this level will tell you what they want. Then it is up to you to decide what you are willing to give. Put a bottom amount on there and let them tell you what they are looking for based on the resume. Human Resources Director Torres said another option is just DOQ. Commissioner Rardin said that leaves it open. Mayor Payne said we need to put an amount on there. Commissioner Paul said he agreed. Commissioner Rardin said he agreed with Mayor Pro-Tem

McDonald. Do we want to put \$120,000 and DOQ? Mayor Payne said yes, depending on qualifications, that is good.

Commissioner Rardin asked why lift and move items up to fifty pounds was in here. Human Resources Director Torres said that was standard template language put in all job descriptions.

Mayor Payne asked if anything was on here that said they must work well under pressure. Human Resources Director Torres said she would look through it, and we could add that. Commissioner Rardin said that would scare people away. Mayor Payne said she knew. How can we word this to say they must be social media savvy? That is an important qualification. Commissioner Rardin said it was, and it was not. Commissioner Burnett said for somebody who does not have social media, I could care less. Commissioner Rardin said I read social media. Mayor Payne said the city manager needs to understand the power and influence of social media. It is important that we are honest and upfront with people. Mayor Pro-Tem McDonald said we are not unique to social media. Mayor Payne said it should be a qualification, but not that you have to read social media. Commissioner Burnett said we have a department that does that for us. Mayor Payne said they put stuff on social media. He said that is what I mean. Human Resources Director Torres said she could put some language in there regarding computer skills and that kind of thing. Mayor Payne said they do not need to be savvy to post social media, they need to be aware of the influence of it. Commissioner Rardin said he reads it. If it is a legitimate concern, I will bring it up. We will need to discuss or fix it. A lot on social media is misinformation or they do not know all the facts. On the other side of that, we cannot react to everything on social media. We need to be able to run everything. When Commissioner Hernandez was here previously, he was clear that the government does not have a whole lot of place on social media. It is a place to interact with friends and family. Mayor Payne said she did not completely agree with that, but it may have been the case at one time. It's not the case anymore. We see it locally and nationally. He said you have to take it with a grain of salt. We react to legitimate concerns and overlook the other ones. Mayor Payne said we need to put something in there. Human Resources Director Torres said she would add something. If we go ahead and post this, do you want a review period after thirty days? Commissioner Rardin said so advertise for thirty and then a review period of another thirty days. Is that what we did last time? Human Resources Director Torres said it was probably thirty or sixty. Commissioner Burnett said it was sixty for the initial. Acting City Manager Hernandez said it was thirty, then the Commission did an additional. Commissioner Rardin said thirty or sixty, whatever works.

Mayor Pro-Tem McDonald asked if we thought there would be a lot of responses given the upcoming holiday season. Commissioner Rardin said they probably will. The election is in two weeks, and that will be the bigger one with chaos. Human Resources Director Torres said we could post it open until filled and review it after thirty days. If we are not happy at that point, we could put it out for another review period. Commissioner Robinson said that sounds good. Commissioner Rardin said we could also take the option of getting a headhunter at that point as well. Human Resources Director Torres said so after sixty days? He said if we do not have anything viable. Is that everything that is needed? Human Resources Director Torres said yes.

ADJOURNMENT

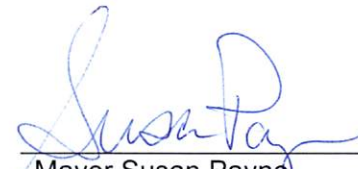
Mayor Pro-Tem McDonald moved to adjourn at 8:44 PM.

Commissioner Robinson seconded the motion.

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

ATTEST:


City Clerk Rachel Hughes


Mayor Susan Payne

(Prepared by Dylan Aleshire, Deputy Clerk)

Approved at the Regular Meeting held on November 5, 2024.