

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 PM, DONALD E. CARROLL COMMISSION CHAMBERS
May 12, 2026**

**SHARON MCDONALD, MAYOR
JOSHUA RARDIN, MAYOR PRO-TEM
BAXTER PATTILLO, COMMISSIONER
STEPHEN BURNETT, COMMISSIONER
WARREN ROBINSON, COMMISSIONER**

**AL HERNANDEZ, COMMISSIONER
MARK TAPLEY, COMMISSIONER
STEPHANIE HERNANDEZ, ACTING CITY
MANAGER
DARRELL MORI, CITY ATTORNEY
RACHEL HUGHS, CITY CLERK**

CALL TO ORDER & ROLL CALL

Mayor McDonald 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 Commissioner Robinson, and the Pledge of Allegiance was led by Mayor Pro-Tem Rardin.

APPROVAL OF AGENDA

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

PRESENTATIONS

1. Presentation for the proposal of an Urban Air type facility. (*Chaparral Middle School Leadership Students, Leadership Teacher Grant Messer*)

Chaparral Middle School Leadership Students Lily Alday, Pearl Abdullahi, Oceayana Wilkerson-Hall, and Eleina Cisneros gave their presentation. Mayor McDonald said she commended the students on their detailed presentation and everyone who assisted them.

2. Animal Control facility presentation and update. (*Dwain Martinez, Animal Control Manager and David McColley, APD Lieutenant*)

APD Lieutenant McColley and Animal Control Manager Martinez gave their presentation.

PUBLIC COMMENT

1. Tamara Hansen said she was the President of the City Worker's Union, AFSCME Local 3818. She said each person on the dais took an oath to serve the people of Alamogordo, including the workers who maintain our public spaces, keep services running, and those who care for the Desert Lakes Golf Course. Your responsibility is to the public, not special interests, cliques, or the loudest voices in the room. This issue isn't just about golf. It is about jobs, public accountability, and the kind of city Alamogordo wants to be. It is poor economic policy to take career opportunities away from City residents and replace them with uncertain private-sector jobs. You cannot sustain and grow a community on low-wage and unstable work. You cannot ask young people to stay in Alamogordo while eliminating the very jobs that give working families a reason to build a life here. There is no major industry in Alamogordo. Everyone cannot work at Holloman, in real estate or healthcare. The City itself must remain a source of stable, skilled, and community-sustaining employment. Part of that workforce is the skilled Golf Course Maintenance Crew you are now considering pushing aside. These workers are not disposable. They are trained City employees, residents, taxpayers, neighbors, and members of this community. In a time of economic uncertainty, this Commission should not be taking away livelihoods, health care, and stability without first proving that doing so is necessary, responsible, and truly in the public interest. Tax dollars paid for the improvements at Desert Lakes. Tax dollars paid for the irrigation system. Tax dollars paid for the specialized training needed to maintain it. Those tax

dollars came from all of us, not just golf course patrons. Desert Lakes is a municipal golf course that belongs to the public. It should remain accessible, accountable, and operated for the benefit of the whole community. Privatization and dynamic pricing risk moving that public asset further away from the people who paid for it. Show some confidence in the City's own investment, in the workers you have trained, and the public workforce you already have. Alamogordo is capable of managing its own municipal golf course. The answer is not to outsource these workers. Invest in them, retain them, and support them so they can keep serving our community.

2. Tamara Hansen read a letter from Jane Doe. Jane Doe said to set the record straight, the Family Fun Center Bowling Alley was a Commission-led initiative, not to be confused with one led by City staff. The Commission decided to build it, have a contractor run it, and operate the entire facility. No City staff were ever working at the Family Fun Center Bowling Alley. When the contractor disappeared and defaulted on the contract, the City was left with a facility they could not enter, inspect, or operate until after a fairly lengthy legal process. When the City finally entered the facility, they found damaged equipment and numerous unmet maintenance needs. They also found the liquor license suspended because the contractor had not paid the taxes owed. Can the Commission guarantee to the citizens of Alamogordo that this will not happen to the Golf Course? Can you guarantee that the taxpayer-funded equipment and facilities will not be damaged, stolen, or shut down for a period of time if the contractor defaults on their contract? Do you realize that if this happens, there would be no restaurant, pro shop, or golfing, and, depending on how long the legal issues take, it could kill the entire course after the millions of dollars spent to start the rehabilitation process? The City would be locked out of its own facility, just like the Bowling Alley. Will the Commission take responsibility for this? Keep golf course maintenance in the hands of the facility and protect the investment.

3. Alberto Palafax said he had been a City employee for four and a half years, and was here as a member of AFSCME Local 3818, as one of the workers who helped take care of Desert Lakes Golf Course with pride, skill, and dedication. Outsourcing our jobs would be a mistake. It would have an immediate effect on seven City employees and Alamogordo, as well as other delayed consequences. The seven City employees would lose their jobs, benefits, insurance, and retirement. I do not believe the community would be in favor of increases in golf fees, annual membership passes, or the termination of private golf cart use, yet that is a possibility if golf course maintenance is given to a private contractor. Our Golf Course Maintenance Supervisor was able to obtain approved funds for a \$4,000,000 irrigation system, new water pumps, and windmills. This would be a gross mismanagement of money partially obtained by tax dollars.

4. Thaddeus Gilmore said he was the Assistant Superintendent at the Golf Course and a union member. I have three serious concerns that all point to one issue: whether the public is being given the full truth before major decisions are made with our money, our public works, and our public assets. There are serious questions regarding a settlement with a former City Manager. If the City paid hundreds of thousands to remove a City Manager hired only a few weeks ago, the public deserves full transparency. This is public money, and when it is spent at the level it has been, the people have a right to know what happened, who made the decisions, and whether they are good for Alamogordo. If the former City Manager was raising concerns, enforcing rules, or requiring proper procedures to be followed, then removing that person raises more questions. That is precisely their role. The Commission cannot expect the public to accept silence on a matter of this magnitude. Secondly, I am deeply concerned about any effort to privatize our public assets, including our parks, fields, green spaces, and our golf course. These places belong to the people of Alamogordo and were paid for by generations of taxpayers. They are not bargaining chips or private business opportunities. Before any step is taken towards privatization, outsourcing, sale, lease, or transfer of public control into private hands, the public should see the full record. That means proposal appraisals, financial studies, communications, meeting notes, cost comparisons, and any discussion with private companies or interested parties. No public land or public service should be moved without transparency. Third, I am concerned with the role of current or existing contractors in these private discussions. It is clearly a conflict and calls into question the integrity of the procurement process. The public has a right to know of exactly their involvement. Was the process truly open and competitive? Were alternatives considered? It appears to be preferential treatment to insiders who were given special access, influence, and information that the public and workers did not have. I am formally requesting that the City Commission and Administration release all public records related to the former City Manager's release and settlement, any plans involving Parks and the Golf Course, and any involvement or influence by current contractors or potential private operators. This Commission cannot make decisions about public land, public jobs, and public money behind closed doors and expect us to trust a process we cannot see. If these decisions are truly in public

interest, prove it in public.

5. K.D. Owens said the Commission is undoing what they were elected for. You offered Acting City Manager Hernandez a contract, but instead of signing it and agreeing with her, you chose to buy her out. What you are doing to the Golf Course employees is wrong. I want to know how much you are getting in the contract and how much is going on behind closed doors. If we do not get these answers, I am going for three recalls.

6. Echo Johnson said LEDA funds and their use are on the agenda. I wanted to remind the Commission that I have an application and to ensure I was not forgotten. Citizens can request IPRA emails and communications that occur within our City. That way, you get it directly, and not from any news source, fake or real.

CITY MANAGER'S REPORT

Acting City Manager Hernandez made the following comments:

1. I will invite Community Development Director Shelley Dowhanik-Baron to say a few words. Community Development Director Dowhanik-Baron said the new Community Development Department oversees Engineering, Planning and Zoning, and Safety. I wish to update the Commission about this Department for the two weeks I have been on board. Engineer Sherman is a rock star, self-starter, and go-getter who is taking on all kinds of issues the Department has been faced with. She is taking care of business. We held a team-building exercise for the Department, and our number one focus is customer service. We are streamlining our processes to respond to the public in a timely manner and to improve communication with the public. My door is always open if you have questions. We will be hiring another Inspector shortly and ensuring that all our projects meet City standards.

2. The Altus Award is next week, and will be at 5:00 PM at the Civic Center. There will be a dedication to the Sheffield Clock on Saturday at noon, at the Rutherford Star in Downtown Main Street.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Commissioner Hernandez said he wished to recognize that this week is Police Week. I would like to thank all law enforcement officers for their work to ensure everyone is safe. I would like to recognize a good friend of mine, Officer Kerry Jarrett, who started his career with DPS in 1984, retired in 2006, returned 90 days later, and remains a police officer. For the last forty-two years, he has been helping to protect the City of Alamogordo.

Mayor McDonald said there will be a ribbon-cutting on Saturday, May 16th, at the Sheffield. They will be donating a family clock. There is a star in the road for Sheriff Rutherford, who was killed years ago. The memorial dedication is at noon. We supplied proclamations for both items, but I will not be able to attend. Commissioner Hernandez said he should be able to do that.

Mayor McDonald said National Prayer Day was on May 7th, and it was hosted by Christ Community Center. We had a really good attendance. I would like to remind people that if you wish to have a proclamation, please let us know at least five days in advance so we can prepare it.

Mayor McDonald said she attended the Living Wax Museum at Sunset Hills Elementary School on Monday, May 11th. It was very unique, and students were dressed as heroes, presidents, justices, and civil rights leaders. Kids had a button you could press to hear what they had to say. It was a unique way to get social studies back into schools.

Mayor McDonald said the Altus Award Celebration will be on May 20th at 5:00 PM at the Civic Center. We welcome everyone, including the Commission, to show up that day for the award.

Mayor McDonald said the Alamogordo City-Wide Cleanup is on July 18th, from 7 AM to noon. The headquarters will be at the Dudley Community Center and Park at 523 Maryland Avenue. There will be free dumpsters in your district for dumping your junk. Yard cleanup services will be provided to seniors, people with disabilities, and military personnel. There will be free shredding at the Dudley Community Center from 10 AM to 12 PM. The dumpster locations are Indian Wells and Scenic, 2201 Puerto Rico Avenue, 817 North Scenic, Panorama Boulevard by the Fairfield Inn, Walker Road at the baseball park, 1500 Oregon Avenue, and 521 Maryland Avenue.

CONSENT AGENDA

3. Approve the minutes for the Regular Commission Meeting on April 28, 2026. *(Rachel Hughs, City Clerk)*
4. Consider, and act upon, Resolution 2026-12 increasing the Animal Control Fees. *(Dwain Martinez, Animal Control Manager and David McColley, APD Lieutenant)* (Roll Call Vote Required)
5. Consider, and act upon, Resolution 2026-13 designating the City Clerk as the Custodian of Records and the method of destruction of City records as witnessed shredding. *(Rachel Hughs, City Clerk)* (Roll Call Vote Required)
6. Consider, and act upon, Resolution 2026-14, supporting the City's commitment to advancing toward a No-Kill Animal Shelter. *(Dwain Martinez, Animal Control Manager)* (Roll Call Vote Required)
7. Consider, and act upon, approval of Change Order 1, in the amount of \$80,135.50, excluding NMGRT, to National Construction, for changes in the State's wage rates and Sidewalk Addition. *(Joseph Samora, Project Manager)*

Mayor McDonald said we will pull Items 4 and 7.

Commissioner Robinson moved to approve Items 3, 5, and 6.

Commissioner Burnett seconded the motion.

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

ITEMS REMOVED FROM CONSENT AGENDA

4. Consider, and act upon, Resolution 2026-12 increasing the Animal Control Fees. *(Dwain Martinez, Animal Control Manager and David McColley, APD Lieutenant)* (Roll Call Vote Required)

Commissioner Tapley said he had a question regarding the fees to be increased. APD Lieutenant McColley said most of the top fees are generated by veterinary clinics. We do not have any control over that. The bottom half of the list are increases we have suggested.

Commissioner Hernandez said he had an issue with the impound fee going from \$20 to \$100. Animal Control Manager Martinez said across New Mexico and other places we looked at, it has gone from \$100 to \$150. We are requesting an increase because the \$20 amount has been in place since I started in 2010. Since then, the cost of food, shots, medications, housing, and running the facility has increased. We have to come up with that money somewhere. APD Lieutenant McColley said costs for water, electricity, and chemicals have increased significantly. These amounts have been in place for at least fifteen years. We would like to increase the amounts and offset costs to give the animal a bit of extra time to get adopted. Animal Control Manager Martinez said the Otero County Shelter started at \$80, went to \$100, and they are considering increasing it further. Regarding nearby places like Las Cruces and El Paso, everyone has theirs around \$100-\$110. Commissioner Hernandez asked whether that would deter someone from coming to get their dog. Animal Control Manager Martinez said that is the surrender fee. Commissioner Hernandez said so the impound is the surrender fee, and it is just worded wrong. Animal Control Manager Martinez said yes sir. Commissioner Hernandez said he would prefer they be taken to the shelter rather than released onto the street. APD Lieutenant McColley said we have also put chipping into place. When someone adopts a dog from the shelter, if the dog escapes, that helps us identify the dog so we can return it to its owner. Animal Control Manager Martinez said the microchipping program is self-sustaining. Acting City Manager Hernandez had the idea to microchip.

Commissioner Burnett asked what a dangerous dog permit was. Animal Control Manager Martinez said that, depending on the severity of the bite, the number of attacks, or both, we issue a seizure warrant and seize the animal. Then we go through the Magistrate Court, and the owner has to defend why they do not think the animal is dangerous. If the judge deems they can get it back, they will need to increase their fence, put it through training, get it fixed, and update it with shots. If the judge deems the animal is not manageable enough to return to the owner, the judge seizes it and turns it over to the City, and we will destroy it humanely.

Mayor Pro-Tem Rardin asked what the intact fee was. Animal Control Manager Martinez said that if someone picks up someone else's dog and brings it to the shelter to reclaim it, and if they have paperwork showing the dog is purebred, they can get it out once without it being spayed or neutered. Any animal that comes in without that paperwork will be spayed or neutered before being returned to the owner, because we are trying to keep the population low. If they want to use the dog for breeding purposes, they have to pay the intact fee to get the animal back without the procedure. Mayor Pro Tem Rardin asked about the dead animal pickup. If an animal passes away, will you all come and pick it up? Animal Control Manager Martinez said we go out and pick them up.

Commissioner Tapley said this shows an approximate 5% increase. Based on the increase by vets, these fees are not 5%. They are more like 30% to 50%. Animal Control Manager Martinez said if that 5% is still on there, I apologize. The amounts are set on negotiating with the vets. Commissioner Tapley asked what the fee was prior to this increase. There is no fee in here; it is blank. It says it is going to \$204.50 for a female. The current vet fee is zero; it doesn't say anything. Animal Control Manager Martinez said the total includes the cost of the shots, rabies, and the animal's spaying or neutering. Commissioner Tapley said so if you get an animal and sterilize it, and it comes back, where does that money go? Who is paying this? Animal Control Manager Martinez said it is paid directly to us. The only thing we get out of it, with cats, is the feline shot. Also, the adoption fee. Everything else goes to the vet. Commissioner Tapley said if the \$204.50 is being charged, who is paying that amount? Animal Control Manager Martinez said the person who adopts the animal. Commissioner Tapley said so if someone comes in to adopt a cat, and you fix the cat, that person will pay the \$204.50? Animal Control Manager Martinez said yes sir. Commissioner Tapley said if it was lower, would more animals be adopted? Animal Control Manager Martinez said absolutely, but the vet costs have gone up for different reasons. I sat down with a vet, and they showed me how their billing has increased just from three years ago to now. It was insane. They are not making money off this. They are doing it at a low cost for the citizens and us. Commissioner Tapley asked how the process for adopting and fixing animals worked. Animal Control Manager Martinez said if you adopt through us, you have to have it fixed through us. You cannot just pick it up, take it home, and decide not to. We started doing that because there was a lot of backyard breeding, especially with pitbulls. They would come in, pick up a dog for \$25, say they would fix it, then breed it and charge \$1,500 a dog. Commissioner Tapley said he wished the fees were lower. Animal Control Manager Martinez said he would love that also. Police Chief Kunihiro said to reiterate, those fees are mostly controlled by the vets and the work they do. We have been able to secure grant opportunities, which allow us to offer half-off or free adoptions to help get animals adopted. Acting City Manager Hernandez said we have met to have RFPs go out, see if we can get veterinarians in our area, and maybe use transportation to get animals spayed and neutered at a lower cost.

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

7. Consider, and act upon, approval of Change Order 1, in the amount of \$80,135.50, excluding NMGRT, to National Construction, for changes in the State's wage rates and Sidewalk Addition. (Joseph Samora, Project Manager)

Mayor Pro-Tem Rardin asked how many lineal feet of sidewalk are being done. It seems like a lot of money. Is this sidewalk along the road? Project Manager Samora said yes; it will include three drive pads, and it will go approximately one hundred and fifty-six feet. Mayor Pro-Tem Rardin asked if this was a five-foot-wide sidewalk. Project Manager Samora said yes. Mayor Pro-Tem Rardin asked if the drive pads would be beefier for fire trucks. Project Manager Samora said yes, six inches.

Commissioner Hernandez said he pulled it off because of the amount and to be transparent.

Mayor Pro-Tem Rardin said due to that fire station, I will abstain from voting on this.

**Commissioner Hernandez moved to approve.
Commissioner Robinson seconded the motion.
Motion Passed with a vote of 6 - 0 - 1. Mayor Pro-Tem Rardin abstained.**

NEW BUSINESS

8. Consider, and act upon, Ordinance 1724 for first publication, an Ordinance repealing Chapter 22, Subdivision Requirements, of the Code of Ordinances of the City of Alamogordo, New Mexico, and adopting updated Subdivision Regulations in Chapter 20, Land Development Code. (Liz Treat, Planner Bohannan Huston, and Shelley Dowhanik-Baron, Community Development Director) (Roll Call Vote Required)

Community Development Director Dowhanik-Baron said this was to update regulations so they are more modernized with current construction practices and with what other municipalities are doing. We are looking to protect the health, safety, and welfare of the citizens of Alamogordo with these changes.

Bohannan Huston Planner Treat gave her presentation.

Commissioner Burnett said Doug sent an email that we all read. It had his concerns. Did we ever reach back out to him? Acting City Manager Hernandez said she did, and Community Development Director Dowhanik-Baron also spoke with him. This is the first reading of the publication, so we are still taking all the feedback. The earliest this will come back is June 9th. If we get a lot of feedback, we will work through all those and incorporate or discuss why we can or cannot. Commissioner Hernandez said two points made were about the fifty- to hundred-year flood and the retention ponds. Mayor Pro-Tem Rardin said maintenance concerning the retention ponds. I have concerns too about the bonding, warranty guarantee, and financial guarantee. Is there any way to do a cost analysis of what it will cost developers to do those? We have the public telling us we need affordable housing, but that will increase. The Technical Standards in 2022 increased the cost of lots by \$3,500 to \$4,500 a piece. The bonding requirement will increase the cost of this for each subdivision. The traffic studies will increase the cost. Going from a fifty to one hundred year floodplain will substantially increase the cost. If I am reading this correctly, it says the developer will be responsible for the overflow or detention ponds. How long will it be theirs? Will the City take over that maintenance? Regarding the notice to proceed, I understand the City wants the plans in place, but how do you tell someone they are not allowed to move dirt on their own property without your permission? They invest the money, create the subdivision, put in infrastructure, and then hand it off to the City. Why would we fine them? A lot of times, they will wish to go in, clear land, and do geotechnical before they get an approved plan to the City. If they break ground prior, we will fine them according to this. Maybe we can include stipulations for preliminary dirt work before submitting a plat to the City. Bohannan Huston Planner Treat said the way it is written, it is meant to say construction to start development of what is on the final plat before that can get started to ensure what is planned meets what is in the construction documents, the development agreement, and the materials going in are up to City standards. The way the Code is written, it is meant to pay for after the final plat is approved, not to tell a developer they cannot do what they want with their property prior to the subdivision application process. Mayor Pro-Tem Rardin said there is a penalty for beginning work on the subdivision before a notice to proceed. These guys often go in and rough in where the lots and streets will go before putting any infrastructure in. If they do not have their plat approved by the City at that point, I do not understand how we can hold them responsible or fine them for that. Bohannan Huston Planner Treat said this is how it is written in the current Technical Standards. That is the process we are following here. Acting City Manager Hernandez said the only time we have done anything is when they are working in the right-of-way. We have had this issue come up. The Fairgrounds comes to mind. Mayor Pro-Tem Rardin said a lot of times, they are working in what will be the right-of-way, but they still own the property until the City accepts it. I would like to know what financial impact the traffic studies, one hundred year flood, and the bonding requirements will have on these subdivisions. I think it will really hinder development in our community.

Mayor McDonald asked whether some of the issues coming up tonight had been reviewed and discussed beforehand. Mayor Pro-Tem Rardin said they were. Mayor McDonald said it seemed you were looking at items that needed to be corrected, or where something else needed to be done. Four points were brought up. Bohannan Huston Planner Treat said in terms of the performance financial agreement, and that being 110%, we looked at peer communities. For example, Las Cruces requires 125% of the total cost of infrastructure. The warranty bond started at 15% and we lowered it to 10% based on feedback from the development community and their concerns. You know, they will get this money back as long as the infrastructure is constructed. Mayor Pro-Tem Rardin asked if we would allow phasing of the subdivisions as we have been. Bohannan Huston Planner Treat said yes, of course. He said he had a question pertaining to Section 204-040 E, which states, "the developer shall agree to lay and construct all paving, curb, gutter, and sidewalk", which I understand. Do the sidewalks have to go in prior to it being accepted? She said no. He asked if they could go in as lots are sold and homes are built. She said yes. He said it does not state it that way. Commissioner Burnett said that was a concern someone had. She said we changed the Code, maybe in

a different section, to say they have five years. Mayor Pro-Tem Rardin asked what if you have a lot that is not selling. Does the developer have to go and put sidewalks in? Even if they do not know where the driveways and stuff will be? Acting City Manager Hernandez said she believed they could request a one-year extension. Bohannon Huston Planner Treat said she believed there could be an extension. He said that in that same section, under Item M, it states that long-term maintenance of improvements, such as drainage ponds, shall be the responsibility of the property owner. Subdividers will not want to maintain that fifty years from now, but they will be held to it. She said that is pretty typical, given my understanding of peer communities. The city would not take on the responsibility of drainage ponds, that would be on the property owner. If the developer is not the property owner in the future, there may be HOA fees or another setup that does not require the city to maintain drainage ponds on private property. From what I understand, the City is not able to maintain private subdivision parks and landscaping as it has done in the past. The Parks Department cannot continue to do that. He asked whether that meant that, with the parks in newer subdivisions, the City will not be accepting or maintaining them. Acting City Manager Hernandez said we are also no longer requiring them. If the subdivider wants it in there, the subdivision would be responsible for maintaining it. He asked if the drainage ponds were more on the commercial side, as far as maintenance. Most of the residential ones flow into the street, then wherever per the drainage plan. Bohannon Huston Planner Treat said it depends on the situation. Drainage ponds are not always required in every situation. Some developments, maybe commercial, subdivision, and residential. He said that once it is built out and the subdivider is out without any lots to sell, I can understand their side of it, and not having to maintain it fifty to one hundred years down the road. Community Development Director Dowhanik-Baron said that, in her previous experience with retention ponds and drainage structures, they are normally turned over to the city, which maintains them in perpetuity, and it is not on the developer. However, the Commission as a whole would need to approve it as a new City policy, and we would take on that long-term cost. He said that is how it was done in the past; once accepted, it became the City's responsibility just like roads do. Mayor McDonald said regarding the retention ponds, it should be the responsibility of the subdivision or whoever owns it. The City is constantly trying to get enough people on the Maintenance Crew to service those areas. Community property should be our main concern. However it was done in the past, that is not a responsibility the City should have to keep forever. Mayor McDonald said the purpose of a retention pond is to catch and control water running down the streets, releasing it at a slower rate or storing it. I think this will be an issue later with these subdivisions, once they are built out, and the subdivider does not care about it anymore. The City will get calls to clean that up. If we cannot find the owner of the subdivision, what do we do? Community Development Director Dowhanik-Baron said the long-term policy of the City has been to restrict runoff from any parcel of land that is being developed to pre-development rate. Whether they design a retention pond on site, or use different types of material with different permeability to retain that runoff within the development. Again, I think this may be a change in City policy, if we want to codify it to whether we do or do not take the ponds on. Conveyance through ditches differs because it is not withheld within the development area. Commissioner Burnett said the issue we had a Druzers with the drain, is that supposed to flow under the road? Acting City Manager Hernandez asked which subdevelopment that was. He said Panorama. Mayor Pro-Tem Rardin said Quail Hollow #2. She said yes. Commissioner Burnett said so at that point: would we take care of the responsibility after the fact if something happened there? Acting City Manager Hernandez said if it is under the road, we have to maintain and clean it. Community Development Director Dowhanik-Baron said within our right-of-way. Commissioner Hernandez said Mike Druzner has been building houses as long as I have. If he isn't retired, he is fixing to. Other guys doing developments have retired. Once they are out, how do you chase them down? Mayor Pro-Tem Rardin said so after they pass away, who is responsible for it? I think the City ought to accept responsibility once the subdivision is accepted. Acting City Manager Hernandez said once it is accepted, or once it is completed? He said once accepted by the City. Essentially, when it is completed is when we accept it, correct? Community Development Director Dowhanik-Baron said after the warranty expires. Mayor Pro-Tem Rardin said yes we accept it, we have the one-year warranty period, and then the City would assume responsibility for cleaning those. She said we could go back and research our history, current standards and best practices in communities similar to Alamogordo, and look at it in more depth. Commissioner Burnett asked how many retention ponds there were. Community Development Director Dowhanik-Baron said she did not have an answer for that breakdown. Mayor Pro-Tem Rardin said developers are giving millions in infrastructure to the City. I think once they are done, it is built out, then in a year the City needs to assume that responsibility.

Commissioner Pattillo asked which subdivisions would be impacted by the traffic impact analysis and how that is determined. Bohannon Huston Planner Treat said that the process is still being developed. It might live in the Technical Standards documents or somewhere else. In terms of the threshold for different intensity of traffic analysis that would be needed for different subdivisions, it has not been decided yet. That speaks to the expense of the

analysis, which is relative to the size of the subdivision, so it will not be the same for every type and size of subdivision. Commissioner Burnett asked if we had ever done a traffic study in subdivisions before. Is this just a new thing? Acting City Manager Hernandez said we have not typically done them, but we have done them. He asked what the most recent one was. She said Somerset was the last one. Commissioner Pattillo asked how that fee was assessed. Bohannon Huston Planner Treat said she did not know if that would be a fee. The developer would have that privately done, and then it would just be a part of the application fee. He asked if the developer would pay that. She said correct. Commissioner Burnett asked if the developer did that study on their own, or if it was something we required them to do. She said the City would require the developer. He asked if it was specifically a requirement for Somerset. Assistant City Planner Abbott said she believed so. The only thing I liken this to is commercial development. Like if a restaurant wants to come in, they have to do a traffic study. That is on them. I do not see the fees for those. He asked if other communities were moving towards traffic studies. Is that why we are trying to adopt it? Bohannon Huston Planner Treat said yes to ensure the community is not negatively impacted by any increased traffic and things like that. It is a pretty common practice now in cities of this size. Commissioner Pattillo asked if we were okay with narrowing down how this is assessed. She said yes, that would be a good idea.

Mayor McDonald said going back to the retention pond, if the City is going to look at maintaining, is there some type of process the pond has to maintain over the years in order for the City to continue to do the maintenance? People come in and change things all the time. As a result of changing the way the pond is set up, is there something the City will draft, whereas it has to maintain a certain size or things in there? Is there anything on the City's side where it can be guaranteed if we are having that responsibility? Acting City Manager Hernandez said it would be turned over to the City, and they could not do that. There are standards it has to meet, like depth, slope, and grade. Once the Commission decides to make that a part of the City's responsibility, then it would be City property and they could not change it. Commissioner Hernandez said there is an ordinance that disallows you from entering a ditch or pond. Acting City Manager Hernandez said yes, there is.

Bohannon Huston Planner Treat asked if there were any concerns not addressed. Mayor Pro-Tem Rardin said in an email from Mr. Nelson, there was other minor stuff, but these were the main ones. The cost is the big one. The 2022 Technical Standards increased the cost of a lot. I want to avoid increasing the cost of a subdivision any more than what we already have. The traffic study will be a big one. I do not believe a traffic study in a residential neighborhood is warranted. I think those, and the associated costs, should be looked at and brought to us so we can make better informed decisions.

Commissioner Burnett moved to approve.

Commissioner Robinson seconded the motion.

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

9. Consider, and act upon, Ordinance 1725 for first publication authorizing the execution and delivery of a loan and subsidy agreement in the total amount of \$3,083,455 between the City of Alamogordo and New Mexico Finance Authority. (Evelyn Huff, Finance Director) (Roll Call Vote Required)

Acting City Manager Hernandez said back in September, the Commission approved us to apply for this. The Water Board Trust approved it. The loan will be about \$3,000,000, and we have a match on this of about \$462,000. The money will be coming from Fund 69, the balance in that is over \$2,000,000. For the record, this is for the Granada Hill area. I printed a map for the Commission as well. Mayor McDonald said she received that memo.

Commissioner Pattillo asked what scope the loan would cover. Acting City Manager Hernandez said it covers WSRP-007, which is both water infrastructure and the roads. He asked whether it would be a complete redo of the water lines and roads on those streets. She said yes, similar to Oregon.

Mayor Pro-Tem Rardin asked if this would incorporate any work with the newer subdivision off 18th Street. Acting City Manager Hernandez said it goes straight up to that area, if I remember correctly. Who is the developer? He said White Sands Construction. She said she was not sure. He said they would probably put in their infrastructure, and it will tie into 18th Street.

Mayor McDonald said she had received calls from people talking about the roads and their conditions for the last couple of months. Acting City Manager Hernandez said we are working on WSRP-002, which is the Alaska area and all that. We will have both going on at the same time.

Mayor Pro-Tem Rardin said for the record, I do a lot of work for White Sands Construction, which is the development company and not the construction company. Does anyone have a problem with me voting on this loan agreement?

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

10. Discussion and direction regarding the final allocation of remaining LEDA Funding. (Stephanie Hernandez, Acting City Manager)

Acting City Manager Hernandez said a while back, I said I would bring this. I had all the quotes and information. Last year, we had an application, and I turned away a lot of applications because I assumed the Commission would award the funding. After the application was pulled, we accepted applications again. I did not review or analyze them; I only have a quick summary. There are also quotes there for the demolition of La Placita and Oregon School. So, what would you all like to do?

Mayor McDonald asked how much was in the fund. Acting City Manager Hernandez said it is about \$900,000, but it will probably be back to around \$1,000,000. We need to make corrections in that fund. Mayor McDonald said she had reviewed the six applications placed on the agenda tonight. Does anyone else have comments?

Commissioner Robinson asked if there was a deadline for when these funds would have to be extended. Acting City Manager Hernandez said no.

Mayor Pro-Tem Rardin said the requests are all over the place. Do we have the dates these came in? Acting City Manager Hernandez said it was not there, and I do not know if they are on the applications themselves. He said he would like to see what applications came in at what time. I do not feel that we should use economic development money to demolish City properties. She said there are three possible uses for this funding. LEDA applications, for the Natatorium as part of the contingency fund, or for the demolition. That was passed in the ordinance on referendum. That is the first decision you need to make. When this comes back, that is a question that needs to be asked. How do you want to use the funds? I'll get you the additional information, then you can decide. Mayor McDonald asked if this would be at the next meeting. Acting City Manager Hernandez said if all that is being asked is the dates and times, then yes. Mayor Pro-Tem Rardin said he wanted a breakdown that showed the amounts requested instead of having to read through them. She said that was there on the very first page of the agenda report.

11. Appointments to Boards and Committees. (Sharon McDonald, Mayor)

Mayor McDonald appointed Billy Tucker to the Airport Zoning Board. No one was opposed.

EXECUTIVE SESSION

12. Motion to Recess into Executive Closed Session pursuant to NMSA 1978, § 10-15-1(H)(2) for the purpose of discussing limited personnel matters (hiring of the City Manager) (Roll Call Vote Required)

Mayor Pro Tem Rardin asked who had called the Executive Session. City Clerk Hughs said she was asked to put it on by the Acting City Manager, based on feedback from the Commission. Acting City Manager Hernandez said she got feedback from City Attorney Mori and Finance Director Huff that the Commission wanted it. I was not sure, so I asked City Clerk Hughs to put it on. It is better to have it if you need it. Mayor Pro-Tem Rardin asked what would be discussed in the Executive Session. City Clerk Hughs said it would be the hiring of the City Manager, but I do not know beyond that. Mayor Pro-Tem Rardin said that the per advice of our legal counsel, we were told that until everything is settled, we should not do anything with the hiring of the City Manager. Do we actually need to recess or just adjourn? Acting City Manager Hernandez said that it is the Commission's decision. I was told through the grapevine and was not sure who to ask. We put it on there just in case. If you do not want to, that is a Commission

decision. Mayor Pro-Tem Rardin said he wanted to avoid an Open Meetings Act violation by discussing something not there. Mayor McDonald said she was informed that the Mayor Pro Tem and a Commissioner had sent word to Legal regarding a personnel matter. Mayor Pro-Tem Rardin said he just wanted an update, and that was it. Mayor McDonald said she did not ask what it was about, but it was in regard to the most updated information I had received from the attorneys. He asked if Lynn and Brian would be there. She said yes. He said the problem was that it was published as a hiring of the City Manager, rather than as threatened and pending litigation. She said we can change that. When I saw it, that is what I was looking at too. He said we cannot tonight. We would have to call a special meeting and have it published correctly. If we are going to be talking to the two attorneys, it really needs to be threatened and pending litigation to avoid an Open Meetings Act violation.

Commissioner Burnett moved to Recess to Executive Session at 8:36 PM.
Commissioner Robinson seconded the motion.
Motion Failed with a vote of 0 - 7 - 0.

RECONVENE INTO OPEN SESSION

13. Motion to Reconvene into Open Session and read the statements related to the Executive Closed Session. (Roll Call Vote Required)

None. The Commission voted not to Recess to Executive Session.

14. Action, if any, related to the Executive Closed Session. (Roll Call Vote Required)

None. The Commission voted not to Recess to Executive Session.

ADJOURNMENT

Commissioner Robinson moved to adjourn at 8:42 PM.
Commissioner Hernandez seconded the motion.
Motion Passed with a vote of 7 - 0 - 0.



Mayor Sharon McDonald

ATTEST:



City Clerk Rachel Hughes

(Prepared by Dylan Aleshire, Deputy Clerk)
Approved at the Regular Meeting held on May 26, 2026.

