CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 P.M., COMMISSION CHAMBERS
AUGUST 23, 2016

RICHARD BOSS, MAYOR
JASON BALDWIN, COMMISSIONER
NADIA SIKES, COMMISSIONER
JENNY TURNBULL, COMMISSIONER
SUSAN PAYNE, COMMISSIONER

AL HERNANDEZ, MAYOR PRO-TEM
ERICA MARTIN, COMMISSIONER
MAGGIE PALUCH, ACTING CITY MANAGER
CANON STEVENS, ACTING CITY ATTORNEY
NANCY JACOBS, CITY CLERK

CALL TO ORDER / ROLL CALL / INVOCATION / PLEDGE OF ALLEGIANCE

Mayor Boss called the meeting to order at 6:30 p.m. Roll Call was taken by the City Clerk. Clerk Jacobs announced there was a quorum present. Invocation was given by Father Tom Arrowsmith-Lowe, and the Pledge of Allegiance and Pledge to the New Mexico Flag were led by Commissioner Martin.

APPROVAL OF AGENDA

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

PRESENTATIONS

1. Presentation of the Otero County Economic Development Council (OCEDC) Quarterly Report. *(Mike Espiritu, President/CEO of OCEDC)*
Mike Espiritu gave a Power Point presentation of OCEDC activities and accomplishments for the past quarter (see Agenda book for presentation and report).

PUBLIC COMMENT

Mayor Boss announced those who wish to speak to the item concerning the City pool will speak during that item (9). He recognized there was community support for a covered pool and so he would extend the comment time from three minutes to six minutes per speaker. He felt this commission recognized the importance of improving the quality of life for Alamogordo and wished to pick the best alternative for the citizens.

Paul Sanchez commented on the following:
Mr. Sanchez talked about the Infrastructure Capital Improvement Plan Public meeting held on Monday, August 15, 2016, at the library. He was concerned that only three department heads came to the meeting to present their items. He complimented the Fire Chief, Police Chief and Parks Department Supervisor for their presentations that evening.

CITY MANAGER'S REPORT

Acting City Manager Maggie Paluch made the following remarks:
1) Acting City Manager Paluch said we are on schedule with the First and Florida project, and hope to award by October 11th, with construction to begin the first part of November.
2) She referred to removing the traffic light at Canyon and First Street and said the Commission would consider this at a future meeting. Staff would bring forward the possibility of installing a traffic light at Tenth and Scenic.

3) Ms. Paluch updated information on the Sahara Apartments, saying the hearing on this had been vacated by the judge on August 11th and had not been reset. The foreclosure of the municipal liens case was set for a non-jury trial on October 28, 2016, at 9:00 a.m.
4) Ms. Paluch pointed out the new wall built this week by Splash Park. This wall would protect the Splash Park and pool from blowing dirt and debris.
5) She told the Commission the asbestos abatement of the Old Bowling Alley on South Florida was complete. Reports had been sent to the State and the City had completed and submitted application for demolition under our GB98 permit. Once the permit was received, city crews would remove the building from the property.
6) This Friday is the last Fourth Friday for this summer. She said to arrive early because there have been large crowds all summer long.
7) The Acting City Manager congratulated Tara Melton with the Alamogordo Daily News for being voted by the citizens of Alamogordo as the ADN Employee of the Year.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

None

CONSENT AGENDA

2. Approve the minutes for the August 9, 2016 Regular Meeting. *(Nancy Jacobs, City Clerk)*

3. Approve the statement related to the Executive Session held on August 9, 2016. *(Nancy Jacobs, City Clerk)*

4. Consider, and act upon, Resolution No 2016-36 approving a Grant Agreement between the City of Alamogordo and the New Mexico Department of Finance and Administration, Local Government for Special Appropriation Project 16-A2467 in the amount of $200,000 to purchase and equip police vehicles. *(Daron Syling, Police Chief)* (Roll Call Vote required)

5. Consider, and act upon, approval of Amendment No.1 to the Engineering Professional Services Agreement with Smith Engineering Company for the McKinley Channel Utility Relocation project. *(Nancy Beshaler, Project Manager)*

7. Consider, and act upon, final publication of Ordinance No. 1525 amending Section 18-01-030 of the Code of Ordinances concerning Municipal Court conditional discharge. *(Lauren Truitt, Asst. City Attorney)* (Roll Call Vote required)

8. Consider, and act upon, final publication of Ordinance No. 1526 amending Section 24-01-020 of the Code of Ordinances pertaining to reckless driving, by strengthening the penalty for such crime. *(Lauren Truitt, Asst. City Attorney)* (Roll Call Vote required)

Commissioner Martin asked to remove Item 6 from the Consent Calendar.

Mayor Pro-Tem Hernandez moved to approve items 2, 3, 4, 5, 7 & 8 of the consent calendar. Commissioner Baldwin seconded the motion. Roll call was taken for items No. 4, 7 & 8. Motion carried with a vote of 7-0-0.

ITEMS REMOVED FROM CONSENT AGENDA

6. Consider, and act upon, approval of an application for participation in the Fire Protection Fund Grant FY 2017 for the Alamogordo Fire Department. *(Mikel Ward, Fire Chief)*

Commissioner Martin asked Fire Chief Ward to clarify the amount of matching funds - $20,000 or $25,000. The Fire Chief told her they require a 20% match, but they do their calculation on the full $125,000 instead of the $100,000, so the required match would be $25,000.

Mayor Pro-Tem Hernandez moved to approve an application for participation in the Fire Protection Fund Grant FY 2017 for the Alamogordo Fire Department. Commissioner Turnbull seconded the motion. Motion carried with a vote of 7-0-0.

UNFINISHED BUSINESS

9. Consider, and act upon, options for pool coverings for the Family Recreation Center pool. *(Maggie Paluch, Acting City Manager)*

Community Services Director Ortega came forward and gave history and statistics on the current pool. Community Services Director Ortega said she would explain staffing numbers, the number of patrons served, revenues collected and expenses for October 2015 through August 2016. She noted the pool was built in 1995 and the pool deck was done in May of 2014; the bubble track was replaced on March 20, 2014. The pool has an approximate lifespan of 15-20 years in its current state, if not resurfaced. The bubble was purchased in 1995, replaced in 2003 and retired 13 years later in 2016 – three years past its life expectancy.

Pool staffing during the summer months from June to August is: one aquatic supervisor, one part-time head lifeguard, five part-time regular lifeguards, six seasonals. Statistics for the participants, revenues and expenditures during the winter months of October 2015 through April 2016 were as follows: Patrons served – 2,394, Revenues - $26,134 and Expenses - $474,285. The summer months of May 2016 to August 19, 2016 statistics were as follows: Patrons served – 8,733, Revenues - $43,300 and Expenses - $354,246.

Public Works Director Cesar said the bubble that had just been retired was a little over 13 years old; the doors, air handler and other additional equipment were original. He had a list of 18 different reasons the bubble needed to be retired, some of which were previous tears and cuts that needed further repair by the company, mold inside that was embedded too deep to clean, all three outside doors and parts were rusted so bad they were beyond repair, inside of revolving door which was over 22 years old was beyond repair, and inside baffles that were tearing.

Public Works Director Cesar told the Commission his department had been called in to assess the condition of the pool and pump house, and asked to take over the maintenance. The Commissioners had previously approved to replace the pool heater damaged beyond repair and media in the sand filters. The new heater should have a lifespan of 20-25 years, and the media should have a life expectancy of over 10 years. The pool would be closed once to install the sand filters, the pump, and the heater. There wasn't a way to heat the pool presently, so the public could expect cooler water temperatures.

Acting City Manager Paluch reiterated the bubble could not go back up. She noted the on-line survey proved the public overwhelmingly wanted to see the pool covered.

Edward Balderrama, Project Manager offered three options for an enclosed facility. The first was to build an enclosure over the existing pool which was translucent and had polycarbonate panels; it could have retractable roof panels made out of aluminum. The Splash Park could not be enclosed because the engineering would cost too much. One company gave the estimate of $125 per square foot for the enclosure only; this totals approximately $2.5 million without tax. This would not include the Splash Park or any kind of upgrade to the existing electrical or mechanical systems needed to pull air out of the enclosure.

Mr. Balderrama explained a metal building would be less expensive, but it wouldn't look very attractive and there would be issues with corrosion; again, it would not include the Splash Park area in which the City had invested about $535,000. The electrical and mechanical systems would need to be upgraded, also. An estimate for a metal building alone was about $800,000.

Another option he gave the Commission was to build a new pool, half the size of our current pool. The benefit would be that we could choose whatever enclosure we wanted. He described a tinseled [tensioned] membrane structure such as that used for training facilities and pointed out the picture in the agenda book which was about twice as big as he was proposing. Benefits of this option were we would not lose the Splash Park and it could be built wherever and however we wanted. He pointed out the estimates he compiled in the agenda book and said the pool costs were based on USA Swimming which uses $180 per square foot. He reiterated these various costs were his opinion and were not actual. Mr. Baldrrama said there was another number given to one of the commissioners by Livarck of $125 per square foot, and that is the number he used, although they estimated the wrong sized pool. Again, he said he would not recommend a metal building.

Acting City Manager Paluch asked him about the number for the enclosed facility, and he told her that company had constructed a facility in 2004, 100 ft. x 135 ft. which was larger than ours, and for the cover alone it cost $725,000. There were panels on the roof for light and garage-type doors on one side. We would put the doors in a row so as to expose the existing pool area and eliminate blind spots.

Assistant City Manager Paluch said if the idea of a new pool was acceptable to the commission, it would be placed next to the existing pool. It would be half the size of the current pool, and the two pools would provide various options – both pools open in the summer/only the outdoor pool open in the summer or indoor pool open in winter/both pools open in the winter.

Commissioner Martin asked about separate locker rooms, and Ms. Paluch told her that was to be determined. Commissioner Martin felt each facility would need their own locker area.

Commissioner Payne asked about separate costs for each pool and the fact we clearly lose money on our current pool. Would we increase fees? Acting City Manager Paluch said there could be a tiered membership approach, and reminded the commission a pool would never make money. Commissioner Payne was concerned that the City expenditures would increase. Acting City Manager Paluch suggested closing the outdoor pool in the winter and suggested making the enclosed pool more of a therapy pool that could be rented by others.

Mayor Boss restated what he thought had just been said: for less money, we can build a new pool half the size we currently have with a cover, and keep our existing pool for less money than it would cost to put a cover on the existing pool without the Splash park. Mr. Balderrama concurred. Mayor Boss asked if the bubble fabric that had been discussed had a warrantee, and Mr. Balderrama said he did not know what the warrantee was; he was simply collecting data at this point. He remarked the warrantee information would be a major factor in the decision.

Becky Torres commented on the following:
Ms. Torres said she had been going to the pool for about 16 years. She felt more would use the pool if a new bubble was put on. She noted the lift chair was a great asset and her mother used it when she came to the pool, along with other elderly people.

Jack Spears commented on the following:
Mr. Spears wondered if there would be a cover for the pool by the time this winter arrived. Acting City Manager Paluch told him it would probably not be covered this winter. Other options were being considered for this winter only – thermal/solar panels to help heat the water, but not to the level it normally was.

Jan King commented on the following:
Ms. King thanked the City for having a pool. She said she represented the elderly population who use the pool and was astonished how much it cost. Exercising at the pool was extremely important to the senior population and she noted doctors who said it was the best therapy for elderly individuals. She was concerned the High School Swim Team might suffer in the winter without a bubble over the pool.

Lenny Miller commented on the following:
Mr. Miller said he and his wife coach the Aqua Shocks Swim Team, and noted these swimmers have gone on to compete at higher levels. He felt all of this would be jeopardized if the existing pool did not have a cover.
Mayor Boss and Acting City Manager Paluch reiterated the pool was not going to be closed indefinitely, only for the winter months, and that the City was in contact with the High School swim team concerning this.

Estela Valle commented on the following:
Ms. Valle told the Commission she had been a water aerobics instructor in the past, and wanted to participate in the classes now, but could not do so because of medical issues that kept her from being exposed to the sun; the bubble was her protection from the sun. She hoped the City was not trying to make a profit off of these patrons. Ms. Valle noted she had numerous passes and wondered if she could be reimbursed.
Acting City Manager Paluch told her the passes did not have an expiration date and could be used at any time. Ms. Valle hoped it would not be too long, and wondered if she could give her tickets to someone. Acting City Manager Paluch told her to contact her office tomorrow about this, and reiterated the pool would only be closed this winter. She said the pool heater was in the process of being replaced at this time, thus the pool would be heated this winter.

Lorie Stauffer commented on the following:
Ms. Stauffer hoped to see a permanently covered pool. She noted she had been living in Alamogordo for three years, and she made the decision to move here because this city had the following: hospital, senior center, daily newspaper, good library, excellent Mexican food restaurants, and a year-round swimming pool. She needed both swim therapy and to stay out of the sun – a place covered and warm.

Ray Vincent commented on the following:
Mr. Vincent was representing the Parks and Recreation Advisory Board, of which he was the Chair. He pointed out the rest of the Advisory Board were in attendance tonight. The recommendation of the Advisory Board was to have a permanent, non-retractable structure for the existing pool. He had researched how many individuals had used the pool, taken swim lessons and other classes. Mr. Vincent felt people and businesses looking to move to our community inquired as to whether we had a pool, and this influenced their decision. He was concerned for the swim team and others who wanted to use the pool in the winter, and the loss of revenue. The Advisory Board recommended a permanent cover with roll-up doors on the side for ventilation purposes and security. They felt this would reduce cleaning costs, chemical costs, allow the swim team to practice, and probably increase attendance during the winter. Mr. Vincent had researched metal buildings and thought this could not be an option. He volunteered himself and any Advisory Board members to serve on any committee concerning the pool.

(Audience comments – could not understand)

Mayor Pro-Tem Hernandez clarified with Ray Vincent the price he quoted for a metal building, and Mr. Hernandez cautioned everyone this was not what the actual amount would be. He said there would be many additional fees tacked on to that. Mr. Vincent said the amount he quoted was simply an estimate. Assistant City Manager Paluch agreed.

Mayor Pro-Tem Hernandez asked what chemical was used for water treatment and was told bromine.

Project Manager Balderrama said the biggest issue was existing building/structures and how to attach/cover any new structures. A new facility could begin in January or February and we would have the advantage of an existing pool while this was being done. The existing pool would be shut down while being enclosed and this could take up to 30 weeks. The existing electrical/mechanical systems would also have to be updated; ventilation was an important factor because of the humidity. The maintenance of a structure would greatly increase cost to the City. Changes and cost of such to the existing Rec. Center were unknown and could not be calculated at this time. He would rather see a separate structure as opposed to attaching to the existing Rec. Center.

Mayor Boss invited Ray Vincent to come forward. Mr. Vincent said it had been discussed building a half-size pool and asked what the size would be, and would it accommodate swim meets. He was told it would be 25 meters (51 feet wide/82 feet long) which is half Olympic size and would accommodate short course swim meets.

Paul Sanchez commented on the following:
Mr. Sanchez went over the number of swimmers Mr. Vincent had quoted and said this was a higher number than voted in our elections. He asked if the current cover had been sold and was told yes, for approximately $2,300 in auction. He felt this should have been addressed last year when the old bubble was removed. He felt there should be an immediate solution to this problem, and Acting City Manager Paluch reminded him a pool heater was not considered an emergency purchase; emergency purchases were only for present danger to the health, welfare, or safety of the citizens. The pool, she said, was not shut down at this time and the heater was in the purchasing process. Mr. Sanchez disagreed, feeling this was a health issue. He asked if the City had thought to contact other pools in the area to help in the meantime. Commissioner Payne said the acting city manager had already looked into this.

Debra Cobb commented on the following:
Ms. Cobb said her family had used the pool frequently, especially her child with cerebral palsy who was a Special Olympics athlete and a member of the High School swim team. The City pool was closed for six months last year and she asked how long the pool would be closed for the present changes. She was an annual pass member and was concerned because she could not use these passes. Ms. Cobb was in favor of a permanent structure for the pool and to do so as soon as possible. She knew the pool at the NM School for the Blind and Visually Impaired was too warm to be used by the swim team.

Mayor Pro-Tem Hernandez asked if Alamogordo Public Schools (APS) provided any funding to the City for the pool, and Acting City Manager Paluch said APS rented the pool for the swim team; the City had a Joint Powers Agreement with APS. She went on to say the City had been in conversations with APS on how to maintain the swim team through the winter. Mayor Pro-Tem Hernandez said the City's responsibility was to the citizens as a whole. Deborah Cobb got back up and asked him what he meant by that statement. He told her the schools and the City both get a share of money from the State of New Mexico, and APS did not contribute any of this share to the City to help maintain the pool.

Deborah Cobb stated she had a year-around pass and wanted her money back since the pool was going to be closed for a time. Acting City Manager Paluch told her she had been in contact with her on this and would make sure to follow through.

Mayor Boss felt no direction could be given at this meeting because the Commission needed more information.

Debra Cobb expressed she felt the City should have addressed this last year when the bubble was taken down. Mayor Boss felt we should quite blaming and move forward. Commissioner Payne reminded that tonight was not the first time this issue had been addressed.

Mayor Boss called a recess at 8:24 p.m.

Mayor Boss reconvened the meeting at 8:30 p.m.

Commissioner Baldwin said we have been planning for this for a year. He noted the last time this came before the Commission, the people in the audience were against having a year round cover for the pool, and that slowed down the pool cover research done by Staff. He felt the Commission should proceed with giving Staff direction and recommended looking at the possibility of two pools. He reminded everyone the operating cost for the current pool was $444,000 annually and the pool received $44,000 annually – a $400,000 subsidy. This had not been questioned by the Commission because they understood the quality of life value. The recurring cost of running two pools was a concern and he was glad the funding was now in place to do what needed to be done. Putting a bubble on the existing pool was the other option to be considered.

Commissioner Turnbull verified that a company would take the bubble up and take it down. Acting City Manager Paluch said the cost would be $25,000 each time, and it would have a 20 year warrantee if we added the UV coating.

Mayor Boss asked what the estimated cost would be for a bubble, and Ms. Paluch told him it would be just over $400,000 for the first year.

Commissioner Martin asked how long it would take to order a new bubble, and Ms. Paluch didn't know. Commissioner Baldwin said there would be other infrastructure to be figured in.

Commissioner Martin wanted to eliminate one of the options – the telescoping cover that would not incorporate the Splash Park. Everyone agreed to eliminate that option.

Commissioner Martin was in favor of either building an indoor pool or getting another bubble.

(Someone spoke from the audience and I couldn't understand) Acting City Manager Paluch answered the individual saying we would not use City Staff to put up/take down a bubble, because of the injuries that have been incurred by staff in the past.

Mayor Pro-Tem Hernandez supported a new facility versus spending more money on the existing pool. He felt we could build double the size if APS would pay for half of it.

Commissioner Payne asked if the high school swim team could use the smaller pool, and was told the existing pool accommodates the team, but the smaller pool would not.

A gentleman from the audience came forward to say the swim team needed 25 yards/8 lanes/depth bowl at one end for diving for a short course quality for the High School. He did not think the Aqua Shocks could compete there, but they could practice. Acting City Manager Paluch said the existing pool would be available for the High School and Aqua Shocks, since they like the water temperature to be lower than what our senior citizens like.

Commissioner Turnbull wanted a new facility to accommodate everyone, not simply one small group. She felt the projected new pool facility would be too small even with the existing pool, and also thought the school system could help with this. Ms. Turnbull suggested a covered pool at the Senior Center.

Commissioner Sikes asked if Alamogordo had swimming competitions and was told no because there needed to be a deeper diving well, and more lanes.

Ray Vincent came forward to speak about length and depth. He felt you would want a shallow end for small children and water exercise classes in the new pool and that would not accommodate swim meets.

Mayor Pro-Tem Hernandez thought a therapy pool at the Senior Center should be a consideration in the future. He noted the Hospital used to have therapy pools and when one of them was closed, the gas bill went down $5,000 per month.

Acting City Manager Paluch reminded the Commission the $1.2 million could not be used for reoccurring costs for a bubble.

Commissioner Sikes asked for two options from City Staff to be reconsidered at another time. Commissioner Martin thought the two options should be a new facility and a new bubble for the existing pool.

All agreed on the new pool option. All agreed the Splash Park did not need to be eliminated.

Mayor Pro-Tem Hernandez asked Project Manager Balderrama if there could be an opening to the Splash Park that could be used in the summer. Mr. Balderrama said you could keep the Splash Park but would lose the slide; it could not be relocated to another section of the Splash Park.

Acting City Manager Paluch said the slide was part of the Splash Park and could not be removed without compromising the Splash Park.

Mayor Pro-Tem asked about putting a new pool in another location. Acting City Manager Paluch said one problem would be staffing because you would have to have another full staff of lifeguards. The after-school program incorporated swimming so kids would need to be bussed somewhere else or the City would need to discontinue the program. Mayor Pro-Tem asked about the area south of the pool where the Girl Scout Hut was located, and thought that area could be considered. Project Manager Balderrama said it had been discussed by Staff.

Mayor Boss asked for a final list of options. 1) New facility and costs involved, and 2) Cover existing pool with a bubble.

Commissioner Turnbull commented traffic was a huge issue on Oregon from the Rec. Center to 10th Street, and needed to be considered.

Peter Villa commented on the following:
Mr. Villa said his daughter had been the Rec. Center lifeguard who saved a child a few weeks ago, and to whom the Commission had given a Proclamation. He said she was on the swim team that would be without a pool, and he felt the bubble could be put up and not taken down. He felt the pool had not been maintained as it should over the years.

Commissioner Sikes liked the idea of putting the bubble up one time and not taking it down annually.

Commissioner Payne questioned the cost of the bubble. Acting City Manager Paluch told her the $400,000 included everything for the new bubble – cost of doors, prep work, etc. It would be custom made for our facility and she did not know how long it would take.

Commissioner Baldwin made a motion to table the item and directed Staff to pursue the making of the two structures with all planning discussed tonight, and the other direction to Staff is to get us all the final numbers and time lines for another bubble. Commissioner Payne seconded the motion. Motion carried with a vote of 7-0-0.

Acting City Manager Paluch said this information would come back the Commission at their next meeting on September 13, 2016.

NEW BUSINESS

10. Consider, and act upon, award of Public Works Bid No. 2016-002 to CSW Contractors, Inc., related to the Rehab Effluent Storage Ponds - Desert Lakes Golf Course, in an amount not to exceed $505,139.25, including tax. ***(Brian Cesar, Public Works Director)***

Public Works Director Cesar explained this was for renovation on the five golf course ponds used to store and pump effluent water for the City.

Mayor Pro-Tem Hernandez moved to approve award of Public Works Bid No. 2016-002 to CSW Contractors, Inc., related to the Rehab Effluent Storage Ponds - Desert Lakes Golf Course, in an amount not to exceed $505,139.25, including tax. Commissioner Sikes seconded the motion. Motion carried with a vote of 7-0-0.

11. Consider, and act upon, a request by George Sandoval II, related to a leak adjustment request for 504 E. First St. (Margo's Mexican Food). ***(Mark Threadgill, Customer Service Manager)***

Mark Threadgill, Customer Service Manager explained this leak abatement request met all the qualifications of the Leak Abatement Policy. Since it was greater than $2,500, it must be approved by the Commission.

Mayor Pro-Tem Hernandez moved to approve a request by George Sandoval II, related to a leak adjustment request for 504 E. First St. (Margo's Mexican Food). Commissioner Baldwin seconded the motion. Motion carried with a vote of 7-0-0.

12. Consider, and act upon, a request by the City of Alamogordo related to a leak adjustment request for 3102 N. Florida Ave. ***(Mark Threadgill, Customer Service Manager)***

Mark Threadgill, Customer Service Manager explained this leak abatement request met all the qualifications of the Leak Abatement Policy, and he pointed out this was city property. Since it is greater than $2,500, it must be approved by the Commission.

Mayor Pro-Tem Hernandez moved to approve a request by the City of Alamogordo related to a leak adjustment request for 3102 N. Florida Ave. Commissioner Baldwin seconded the motion.

Commissioner Baldwin asked what the problem was. Mr. Threadgill told him this was at the old reintegration center on Florida that had been used by Good Samaritan for storage in the past. They cancelled their account in October of 2013, and we turned off the water. The Fire and Police Dept. had been using this meter and had Facilities Maintenance fix a leak in January. It now has a radio-read meter installed.

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

13. Consider, and act upon, edits and corrections to the City of Alamogordo Leak Abatement Policy. ***(Mark Threadgill, Customer Service Manager)***

Customer Service Manager Threadgill said this policy had been adopted in December and needed minor revisions. He noted the only substantial change made was for Extraordinary Leak Abatement – the customer would not be responsible for any of the cost.

Mayor Pro-Tem Hernandez moved to approve edits and corrections to the City of Alamogordo Leak Abatement Policy. Commissioner Sikes seconded the motion. Motion carried with a vote of 7-0-0.

14. Consider, and act upon, the Low Flow Toilet Policy. ***(Mark Threadgill, Customer Service Manager)***

Customer Service Manager Threadgill said we didn't have a clear policy, and the one change was the credit would be a one-time credit instead of crediting monthly.

Commissioner Turnbull moved to approve the Low Flow Toilet Policy. Mayor Pro-Tem Hernandez seconded the motion. Motion carried with a vote of 7-0-0.

15. Consider, and act upon, Resolution No. 2016-37 adopting an Infrastructure Capital Improvement Plan (ICIP) and identifying the top five (5) recommended projects for Fiscal Years 2018-2022. ***(Maggie Palach, Acting City Manager)*** **(Roll Call Vote required)**

Grants Compliance Officer, Cynde Saghenkahn explained the ICIP process and how it is prepared for presentation to the State.

Fire Chief Ward (fire engine), Police Chief Syling (police vehicle & equipment), Community Services Director Ortega (library restroom renovation & playground shade structures), and Acting City Manager Paluch (ADA compliance ramps) explained the top five projects.

Mayor Pro-Tem Hernandez moved to approve Resolution No. 2016-37 adopting an Infrastructure Capital Improvement Plan (ICIP) and identifying the top five (5) recommended projects for Fiscal Years 2018-2022. Commissioner Turnbull seconded the motion. Roll call vote was taken. Motion carried with a vote of 7-0-0.

16. Appointments to Boards and Committees. ***(Richard Boss, Mayor)***

Mayor Boss read the openings and appointed Paul G. Sanchez to the Parks and Recreation Board. No one was opposed.

WORK SESSION

17. Consider, and act upon, providing direction to staff regarding amending the Alamogordo Code of Ordinances Chapter 14, Garbage, Trash, and Refuse, to restructure the requirements for the removal of Abandoned, Wrecked, Dismantled or Inoperative Motor Vehicles. ***(Mikel Ward, Fire Chief)***

Fire Chief Mikel Ward and Deputy Fire Chief Jim LeClair addressed the Commission. Chief Ward asked for direction on this issue, noting it had been ongoing since 2014. He hoped to have two Public Meetings in order to get citizen input before finalizing the ordinance to present for approval by the Commission.

He said the present ordinance was not enforceable and was very restrictive of personal property rights. Abandoned and dilapidated vehicles were a significant problem all over town, creating health and safety hazards. He asked the Commission for direction so this amended ordinance could be completed and easier to enforce.

The Commission decided not to view the Power Point presentation (found in Agenda Book), and directed Chief Ward to continue with Public Meetings and come back to the Commission with further information. It was noted this issue was a major concern for the city.

Mayor Pro-Tem Hernandez asked about towing and storing of vehicles. Fire Chief Ward said they were looking at doing what our Police Dept. does now – developing a qualified list of tow truck companies at a set rate to remove vehicles. They would do the impound work and give us our fee, and then bill the owner for the rest. Mayor Pro-Tem Hernandez then asked about the private property issue. Fire Chief

Ward told him the language hadn't changed and included enforcing on private property. The Mayor Pro-Tem and Chief Ward discussed antique vehicles.

The Commission asked Fire Chief Ward and Deputy Fire Chief LeClair to continue with the process, have the Public Meetings and bring this ordinance back for first publication.

EXECUTIVE SESSION (Roll Call Vote Required)

18. Recess into Executive Session in compliance with Section 10-15-1(H), NMSA 1978 (as amended), to discuss: collective bargaining negotiations (AFSCME, APSOA & non-represented employees), limited personnel matters (City Manager candidates), and purchase, acquisition or disposal of real property (First & Florida project). (Roll Call Vote required)

Commissioner Baldwin moved to recess into Executive Session to discuss collective bargaining negotiations (AFSCME, APSOA & non-represented employees), limited personnel matters (City Manager candidates), and purchase, acquisition or disposal of real property (First & Florida project) at 10:11 p.m. Mayor Pro-Tem Hernandez seconded the motion. Roll call vote was taken. Motion carried with a vote of 7-0-0.

RECONVENE INTO OPEN SESSION

Mayor Boss reconvened the meeting at 11:30 p.m.

Mayor Boss announced union contracts had been discussed and would be an action item on the September 13, 2016 Commission agenda.

Mayor Boss said the Commission gave Staff direction to negotiate with one of the City Manager candidates. The Mayor did not give a candidate name.

ADJOURNMENT

Mayor Pro-Tem Hernandez moved to adjourn at 11:32 p.m. Commissioner Martin seconded the motion. Motion carried with a vote of 7-0-0.

Richard Boss
Mayor Richard Boss

ATTEST:
Nancy E. Jacobs
City Clerk Nancy E. Jacobs

(Prepared by Nancy E. Jacobs, City Clerk)
Approved at the Regular Meeting held on September 27, 2016.