

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 P.M., COMMISSION CHAMBERS
DECEMBER 20, 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
LAUREN TRUITT, CITY ATTORNEY
RACHEL HUGHS, 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 Deputy City Clerk. Deputy Clerk Barraza announced there was a quorum present. Invocation was given by Pastor Jeff Sowers and the Pledge of Allegiance was led by Commissioner Turnbull.

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 to thank the City of Alamogordo for the support of the Stem Expo/ Field Trip to Holloman Air Force Base. (*Adrienne Salas, Superintendent*)

Superintendent Salas thanked the Commission for their support on sending students to the event in Holloman on October 6th. She stated the career expo was an inspiration to many of the students. She gave the commission a small token of appreciation.

PUBLIC COMMENT

Gene Downer commented on the following:

Mr. Downer wanted to give a pat on the back to Acting City Manager Paluch for weathering the storm. He also wanted to give a pat on the back to Paul Sanchez for his work in supporting the community. He also wanted to thank Diana, Cashier, from the Water Department for being incredibly efficient in her customer service. He wanted to ask the City to give support to Veronica Ortega on removal of gophers. He spoke about abandoned commercial and residential buildings.

Paul Sanchez commented on the following:

Mr. Sanchez wanted to thank the Commission for creating a comfortable environment for citizens to approach them with concerns. He also thanked the Commission for basing their decisions on facts and not on personality issues. He wanted to wish the Commission a Merry Christmas. He spoke on behalf of Toys for Tots. He asked if the City would post flyers and to help get the word out, that the event will be held on Friday December 23rd at 10:00 a.m. and not on Christmas Eve, as it was in the past. He wanted to let the Commission know that Wally Anderson thanked the Commission for supporting Toys for Tots.

CITY MANAGER'S REPORT

Acting City Manager Maggie Paluch made the following remarks:

1. She wanted to thank the Commissioners, staff and residents that came out to the groundbreaking of Basin Lanes. She said that once construction begins, that there will be progress updates posted on our website and our facebook page.
2. She said at 7:30 a.m. on December 20th, the City's Fire Department responded to a structure fire on Sunrise Avenue. An unconscious 77 year old woman was trapped and rescued from the fire. The Fire Department performed life saving measures, and was transported to Gerald Champion Hospital. She suffered smoke inhalation, but due to the efforts of the team she resumed consciousness and was released from the hospital that afternoon. She thanked the Police Department and our First Responders for their exemplary service.
3. She reminded everyone that City Offices will be closed at noon on Friday December 23, 2016.
4. She welcomed Brutus or K9 Clint. She stated that Brutus arrived this past week. His handler will be Chief Styling until further training.
5. She thanked the Commission for their time and dedication to the City of Alamogordo. She said that she was very proud and blessed to work as their City Manager.
6. She thanked the City staff for all their hard work and dedication.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

None.

CONSENT AGENDA

2. Approve the minutes for the December 6, 2016 Regular meeting. *(Rachel Hughs, City Clerk)*
4. Consider, and act upon, the Grant Award from the CNCS for RSVP Services for County residents. *(Veronica Ortega, Community Services Director)*
5. Consider, and act upon the approval of a consolidated contract with AFSCME Union Local 3818. *(Katie Josselyn, Human Resources Director)* (Roll call vote required)
7. Consider, and act upon, the award of RFQ 2016-07 Airport Engineering Services, White Sands Regional Airport to Armstrong Consultants. *(Veronica Ortega, Community Services Director)*
8. Consider, and act upon, the approval of Resolution No. 2016-45 requesting written approval from the Local Government Division of the Department of Finance & Administration, State of New Mexico for the revised budget figures computed as of December 20, 2016. *(Kathy Gilsdorf, Budget Analyst)* (Roll Call Vote required)
9. Consider, and act upon, the Grant Award from the State Library for services for County residents. *(Veronica Ortega, Community Services Director)*

Mayor Pro-Tem Hernandez asked to remove items 3 and 6 from the Consent Calendar.

Mayor Pro-Tem Hernandez moved to approve items 2, 4, 5, 7, 8 and 9 from the consent calendar. Commissioner Baldwin seconded the motion.

Roll call was taken for items No. 5 & 8.

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

ITEMS REMOVED FROM CONSENT AGENDA

3. Approve the statements related to the Executive Session held on November 15, 2016. *(Rachel Hughs, City Clerk)*

Mayor Pro-Tem Hernandez said he does not support the statement.

Commissioner Baldwin moved to approve.
Commissioner Payne seconded the motion.
Motion carried with a vote of 6-1-0.
Mayor Pro-Tem Hernandez voted nay.

6. Consider, and act upon, the award of Public Works Bid No. 2016-004 to Mesa Verde Enterprises, Inc. related to Florida Avenue Realignment at First Street project, in an amount not to exceed \$3,214,039.88, including NMGR. (Nancy Beshaler, Project Manager)

Project Manager Beshaler spoke about the realignment of Florida Avenue at First Street. She said we are at a point for construction to begin. The project will be a signalized intersection that realigns this street. She said the project will include new signals, street lights, water main, signage, striping and curb gutters. She said the project was advertised on August 28th and bids were opened on November 29th. There was one responsive bidder which was Mesa Verde Enterprises.

Mayor Pro-Tem Hernandez commented on the following:

Mayor Pro-Tem Hernandez stated originally the bid came in over the amount and he asked what was found that brought the bid within budget. Project Manager Beshaler answered there was a difference in the plans, as far as, the thickness of the pavement and what was in the bid tabulation. The bidder originally bid on five inch thick asphalt, instead of a two to two and half inch thick pavement. Mesa Verde then adjusted their amount with what the plan and specifications asked for, and the bid tabulation was adjusted as well. Mayor Pro-Tem Hernandez asked how much is left in this fund for this project and to compare that to the bid. Project Manager Beshaler answered we have only about \$2,000 in terms of contingency. She said we do have an allowance of \$100,000 for unforeseen obstructions. If there are no unforeseen obstructions, this money will remain in the contract. Mayor Pro-Tem Hernandez said he has no problems with the project or the contractor, but he does have a problem with the money being tight. At this time he can not support this project because of the money issue. Project Manager Beshaler suggested that they could look at some bid alternate items, to bring down costs. Mayor Pro-Tem Hernandez said he would not like to put staff and the contractor on that tight of a budget. Acting City Manager Paluch said we have to consider the timeframe that this money needs to be expended. Commissioner Payne was concerned that we already have money invested in this project. Acting City Manager Paluch said staff has already considered other cost alternatives, but that the timing remains the problem.

Paul Sanchez commented on the following:

Mr. Sanchez said there was \$4.5 million passed for that bond, and the budget for this project is \$3.2 million. He wanted to know what happened to the remaining money. He also asked if this project can come back for re-bid, if it does not pass this evening. Acting City Manager Paluch answered that the money has to be spent by December 2017. Due to the timeframe, it would be unlikely for this project to go out for another bid. Project Manager Beshaler said that \$745,000 was spent on Right of Way costs and \$400,000 was spent on the design cost. Mayor Pro-Tem Hernandez wanted to reiterate his concern of the tight budget, and having to dip into the General Fund if the project did not stay within budget.

Commissioner Baldwin moved to approve.
Commissioner Turnbull seconded the motion.
Motion carried with a vote of 6-1-0.
Mayor Pro-Tem Hernandez voted nay.

NEW BUSINESS

10. Consider, and act upon, Resolution No. 2016-42 donating the older MCC5500 radio console equipment to Otero County. (Larry Garner, Facility Maintenance Manager)

Acting City Manager Paluch shared some information on this donation. She said this radio console was upgraded with a newer version and Otero County expressed interest in using the older version. She said we are allowed to donate between government entities.

Mayor Pro-Tem Hernandez moved to approve.

Commissioner Baldwin seconded the motion.

Roll call vote was taken.

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

11. Hold a public hearing, and act upon Ordinance 1533 for first publication for a map amendment to the official zoning map of the City of Alamogordo to rezone the property located at 805 Alaska Ave. from R1 – Single Family Dwelling District to R4 – Multiple Family Dwelling District. Case Z-2016-0005 (A) (Stella Rael, Planning and Zoning Administrator)

Mayor Pro-Tem Hernandez moved to approve.

Commissioner Turnbull seconded the motion.

Roll call vote was taken.

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

12. Consider, and act upon, first of publication of Ordinance No. 1534 Repealing Ordinance No. 1495 which approved a local economic development project for secured financial assistance by Orogrande Garnet, LLC (Lauren Truitt, City Attorney)

City Attorney Truitt said this program was established by Ordinance and now it needs to be repealed by Ordinance.

Mike Espiritu commented on the following:

Mr. Espiritu gave a history about the project. He said the Burrell Group out of Santa Fe desired to operate a Garnet mining project in Orogrande. This Ordinance was created to allow the transfer of State LEDA money of \$750,000 to the Burrell Group for creating jobs. The jobs were to be created for a plant and a mining operation. The Burrell Group also contracted an attorney to get an approved Industrial Revenue Bond with the County Commission. He said there was a clawback in the contract that said if they could not perform they would have to return the money. The company is still moving forward with the project, however, there has been a delay with the State Environmental Department. He explained that it is over a one year process to acquire the necessary permits and because they could not meet the job creation requirements by the contract, they had to fall back to the clawback provision of the contract and give back the money, which is the reason of this Ordinance. He stated the company still wants to move forward with this project once they have acquired the necessary permits. He stated they are about eight months away from getting these permits. Mayor Boss asked if the Commission could act upon this and come back at a later date. Mr. Espiritu answered the Commission should act upon this because it is within the clawback provision of the contract, with the agreements, as required by law. If they chose to pursue this at a later time, they will need to restart the entire process again. Commissioner Baldwin asked if the amount was \$75,000 or \$750,000. City Attorney Truitt answered the amount was \$750,000. She said this money has already been returned to the City, but now needs to be returned to the State.

Commissioner Baldwin moved to approve.

Commissioner Turnbull seconded the motion.

Roll call vote was taken.

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

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

Mayor Boss read the openings and reappointed Stephen Butler to the Senior Volunteer Program Advisory Council. No one was opposed. Commissioner Baldwin asked if we promote the Boards and

Committees anywhere. Acting City Manager Paluch answered that this is on our website and profile page.

Commissioner Baldwin and Commissioner Sikes wanted to thank all City staff and wish them a Merry Christmas. Mayor Boss also wanted to thank the staff and the citizens of Alamogordo for the comments.

ADJOURNMENT

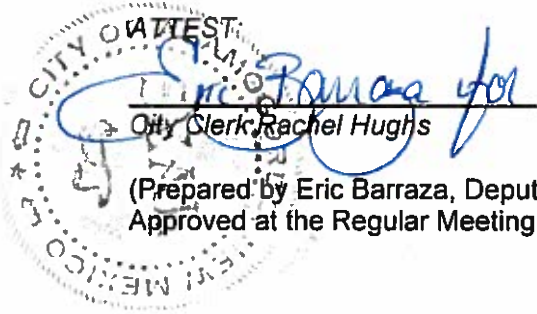
Mayor Pro-Tem Hernandez moved to adjourn at 7:17 p.m.

Commissioner Martin seconded the motion.

Roll call vote was taken.

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


Mayor Richard Boss



(Prepared by Eric Barraza, Deputy City Clerk)

Approved at the Regular Meeting held on January 10, 2017.