

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 P.M., COMMISSION CHAMBERS
March 28, 2017**

**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 City Clerk. Clerk Hughs announced there was a quorum present. Invocation was given by Father Tom Arrowsmith-Lowe and the Pledge of Allegiance was 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 Police Department promotions. (*Daron Syling, Chief of Police*)

Chief of Police Syling introduced their new K-9, Zeus. Zeus is an 18 month old Belgium Malinois, trained in detection of marijuana, cocaine, heroin, and methamphetamine. He can find people and handler protection. With developing the K-9 Unit, they made a Special Services Division, which was formerly the Investigative Division. The Captain over Special Services Division is Captain Mike Lawrence and his Lieutenant is David Kunihiro. He introduced Sergeant Chris Hughs, Sergeant in charge of the Special Services Division; He will be in charge of the K-9 Unit and the upcoming Traffic Division. They took another patrol Sergeant off the street and made him an Administrative Sergeant, this is Sergeant Joe Paradis. His new duty will be locating Grants for funding the Police Department. The promotional process that was conducted at the Alamogordo Police Department is called an Assessment Center, so the supervisory candidates for the rank of Lieutenant and Sergeant all had to take a written test. Once they passed this test, they moved forward with the Assessment Center and the candidates went before Command Staff personnel from outside of Otero County. This Command Staff was comprised of a Commander from Albuquerque, a Commander from the U.S. Border Patrol and a Commander from the Las Cruces Police Department. None of the candidates were allowed to disclose their name and were identified by a letter designated to them. They rated our Supervisors by their performance in specific areas in which we were looking for. The Command staff identified the top three candidates for each position, and then eventually narrowed their recommendation to two. The scores were given to us after we made our recommendations to the Human Resources Department. This was a very challenging Assessment Center which took about 3 days. Both Eliza Fernandez and Rodney Scharmack were promoted to Sergeant. Our two Lieutenants will be in charge of patrol are Lieutenant Richie Denton and Lieutenant Dave McColley. Chief of Police Syling introduced K-9 Moyka, and said he is the same breed as Zeus and is trained in the same areas. He said these dogs were purchased from donations given by the community.

Mayor Boss congratulated all the Officers on their promotions and thanked them for their service.

PUBLIC COMMENT

Mayor Boss commented on the following:

He spoke on Hobby Lobby coming to town. Acting City Manager Paluch added they met with Fred Griffith. She said Mr. Griffith is the new developer and owner of the White Sands Mall. She said he has worked for a private company in renovating malls across the nation. This is the first project he will own and renovate himself. Mayor Boss said Mr. Griffith wanted him to thank Planning and Zoning Administrator Rael, Acting City Manager Paluch, Public Works Director Cesar, Acting Fire Chief LeClair and Roger Schoolcraft. He said this is a big thing for the City of Alamogordo, and we will probably see more businesses come into that area. This will be a great economic benefit for the City of Alamogordo. The City of Alamogordo will get a percentage of the Gross Receipts tax on the money spent there. He said he thinks there will be a considerable amount of economic development as a result of this.

CITY MANAGER'S REPORT

Acting City Manager Maggie Paluch made the following remarks:

1. She said there have been some concerns of people fishing in Bonito Lake. She reminded everyone that the lake is still closed. The Lincoln County Sheriff's Department and the New Mexico Game and Fish will help in patrolling Bonito Lake. She added the project to remove debris from the lake will hopefully be awarded in late summer or early fall, and will be a two year process. Once this is completed, hopefully the Community Services Department will be able to re-open the campground, pending budget approval from the Commission.
2. She said staff is continuing to research the cost of the new playground and Splash Park. There are two additional firms that are on the CES Bids list that the Community Services Department will be contacting to discuss the possible project. She has asked staff to be extremely thorough in gathering information. She will be pushing back the Presentation of the project to the Commission, until they are able to acquire a very accurate cost estimate.
3. She announced that all of the concrete flat work which will have a material floor finish has been poured at Basin Lanes. The colored concrete located in the lobby, the main hallway and in the private bowling areas is scheduled for Thursday, March 30, 2017. The structural steel is scheduled to go up the first week of April. She showed pictures of the progress and some artwork of the Artist that will hand paint the inside of the laser tag area.
4. She said there have been many questions on what the City can spend the economic GRT funds on. She reminded everyone the City of Alamogordo passed the Economic Development Plan in 1996 and subsequently passed the one-eight Municipal Infrastructure GRT dedicated for economic development in 2000. She announced Mark Roper, the Community and Business and Rural Development team leader, will be at our Commission Meeting on April 25, 2017 to do a workshop with the Commission. He will talk about Economic Development and where those funds can be spent.
5. She thanked the Friends of the Library for donating the remaining needed funds for the Pergola.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

None.

CONSENT AGENDA

2. Approve the minutes for the March 14, 2017 Regular meetings. *(Rachel Hughs, City Clerk)*
3. Approve the statements related to the Executive Session held on March 14, 2017. *(Rachel Hughs, City Clerk)*
4. Consider, and act upon, the application for participation in the 2017 Law Enforcement Protection Funds. *(Chief Syling, Chief of Police)*

5. Consider, and act upon, release of liens older than 4 years. *(Lauren Truitt, City Attorney)*
6. Consider, and act upon, the award of RFP 2017-001 Update Comprehensive Plan to Consensus Planning. *(Maggie Paluch, Acting City Manager)*
7. Consider and act upon Resolution 2017-09 authorizing and approving submission of a completed application for financial assistance and project approval to the New Mexico Finance Authority Local Government Planning Fund Application regarding the Metropolitan Redevelopment Area. *(Charlie Deans with CommunityByDesign)* (Roll Call Required)
8. Consider, and act upon, the approval of Resolution No. 2017-03 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 March 28, 2017. *(Kathy Gilsdorf, Budget Analyst)* (Roll Call required)
9. Consider, and act upon, a request for authority to commence foreclosure proceeding on unpaid liens. *(Lauren Truitt, City Attorney)*

Commissioner Payne asked to remove Item # 8 and Mayor Pro-Tem Hernandez asked to remove Items # 5 and 9 from the Consent Calendar.

Mayor Pro-Tem Hernandez moved to approve Items 2, 3, 4, 6, and 7 of the consent calendar.

Commissioner Sikes seconded the motion.

Roll call was taken for item No. 7.

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

ITEMS REMOVED FROM CONSENT AGENDA

5. Consider, and act upon, release of liens older than 4 years. *(Lauren Truitt, City Attorney)*

City Attorney Truitt said we are trying to clean up our book of liens. She said these releases are for liens that are past the Statute of Limitations for enforcement. The City will not be able to foreclose on these liens anymore, and this is why we are recommending the release on these liens.

Mayor-Pro-Tem Hernandez said the reason he pulled these off the consent calendar, is because there are nine of these liens that have to do with water. He said for fair, malicious prosecution he will abstain from voting on these, because we will be giving water away. Mayor Boss asked if we are really giving water away, and if we have any legal recourse to collect. City Attorney Truitt said she thought this was a little mischaracterization. She said the City's authority, not only under State Statute, but also under our Ordinances, to file these liens. There is a four year Statute of Limitation to foreclose on those liens. Since foreclosure proceedings were not instituted during those four years, we cannot collect on them anymore. She could not speak as to why foreclosure proceedings were not executed within those four years, but they were not. She said we are just trying to clean up our documentation and move forward on a fresh page. Mayor Boss said it was a failure on our part, but we cannot collect any money. Mayor Pro-Tem Hernandez said I understand, but we are still giving water away, either way.

Commissioner Turnbull moved to approve.

Commissioner Baldwin seconded the motion.

Motion carried with a vote of 6-0-1.

Mayor Pro-Tem Hernandez abstained from voting.

8. Consider, and act upon, the approval of Resolution No. 2017-03 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 March 28, 2017. *(Kathy Gilsdorf, Budget Analyst)* (Roll Call required)

Finance Director Hall presented the quarterly revised budget figures. She said for the quarter ending on March 31, 2017, we are presenting 26 Resolution items. She said the Fiscal impact is an increase to revenues across all funds of \$2,786,940, and also an increase to expenditures across all funds of \$88,328. She said the net impact is actually an increase to revenues of \$2,698,612.

Commissioner Payne said she pulled this item because it is a budget item and she wanted to make sure everyone understood. Finance Director Hall clarified items number 12 and 13 on the agenda are for the purchase of additional vehicles using Fiscal Year 2017 funds. She said those items are included on this Resolution. If we get to those agenda items, and chose not to approve the purchase of those vehicles, we can revise this document before we send it to the Department of Finance and Administration (DFA) to remove those Resolution items. She said those items were included on the document in case you did approve them, so we would have the funding to purchase the vehicles. Commissioner Payne she wanted to make sure that everyone understands what we are voting on.

Mayor Pro-Tem Hernandez moved to approve.

Commissioner Martin seconded the motion.

Roll Call was taken.

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

9. Consider, and act upon, a request for authority to commence foreclosure proceeding on unpaid liens. (Lauren Truitt, City Attorney)

City Attorney Truitt said this is in the same vein as what we were just talking about in Item 5. It is an expense for the City to file these liens. She said this is our collection mechanism for municipalities. These liens are getting close to the four year Statute of Limitations. Some are higher amount liens that we are trying to pursue. She said the first requirement in the Statute is that we send out a 30 day Notice. Historically, we have about 90 something percent of people that we send letters to, called to make arrangements to pay. The consequence for not making arrangements to pay is the property owner would be responsible for not only for the lien and interest, but also for filing fees and reasonable attorney fees so the cost becomes more for them at that point. This is a big incentive for them to pay within the 30 days.

Mayor Boss asked if we don't proceed to enforce these liens we will be back to release them just like done with item 5. City Attorney Truitt said right, and as I mentioned liens are our statutory collection mechanism. We file them and they have a four year Statute of Limitation on them, once they are getting close to the end the City needs to make a decision on whether it's willing to say there is no penalty for not paying or to move forward with our statutory collection ability.

Commissioner Payne asked City Attorney Truitt about the lien on Ohio Ave. and how the dates can be so far apart. City Attorney Truitt said those are two separate liens, those are dates the liens were filed. Commissioner Payne asked how they could get water if they owed on the first lien. City Attorney Truitt explained that liens are not placed just for water billing. A lien could be placed for weeds, and other things.

Mayor Pro-Tem Hernandez said this is why he pulled this item off the consent agenda. He said there are a couple of liens listed with high amounts. He said there is very minimal information on this list. He asked for a little more information on these liens. City Attorney Truitt said this is a reasonable request and those are all a matter of public record. She said these are presented to you in the form of this list. These are all validly filed and enforceable liens. The decision is; do we foreclose or do we not foreclose on these liens.

Mayor Pro-Tem Hernandez asked when an item like this comes on the agenda, does he need to request public records or can he just get the information. He thought it would be simple enough to put water or weeds on the side, on the list, but if he is required to complete a request for public records that's fine. City Attorney Truitt told him what he is asking for is reasonable. We are just trying to move forward with these liens. As far as a public records request this is available as a record for the County.

Commissioner Sikes asked City Attorney Truitt what the process is, prior to filing the liens, to try and collect the money. City Attorney Truitt said the process she is most familiar with is the Water Billing Department. There is a similar process that happens for weeds through Code Enforcement. Letters or bills are sent to

property owners to notify them that they need to make arrangements to pay. She said I believe that we do have a collection agency for water billing. Acting City Manager Paluch confirmed we do use a collection agency. City Attorney Truitt said when that is unsuccessful, we move forward with filing the lien. After multiple attempts to collect through those initial channels, we then move forward with the statutory authority.

Commissioner Baldwin said we have been asking for this process for about four to five years now and thanked City Attorney Truitt for putting this together. He stated Mayor Pro-Tem Hernandez's request is reasonable, and it is easy enough to put the reason for placing the lien on this list. He said there are about 20 to 21 liens and asked what the book of liens look like. He asked about how many liens they will have to address. She said I think it was you that asked to start seeing these in bulk. There were quite a few that had lapsed, as far as, the Statute of Limitations. I really do not have a ballpark figure of what is past statute and what is not, but we are trying to make headway. Commissioner Baldwin said he thought Mayor Pro-Tem Hernandez's request is reasonable and he would like to see it as well. Hopefully, the mechanism is in place now to address these more frequently. City Attorney Truitt said the Legal Department determined these liens were filed properly, and for that reason we did not recommend waiver or release of these liens. She said utility or weed lien is easy to put on there, but as far as, authority under the Statute to foreclose this is not relevant to that process.

Commissioner Payne asked what the process is, if we foreclose on the property. City Attorney Truitt said the process now, is that we send the 30 day Notice. If within the 30 days, they have not made arrangements to pay, then we will file an action in court to begin collecting. At that point, the lien property owner would be responsible for the lien amount, the interest that has accrued, as well as the filing fee and the Statute says reasonable Attorney fees. The foreclosure Statute really gives property owners a long opportunity to pay. They have a nine month redemption period to pay that lien. Commissioner Payne said then no one is going to come in and take their home. City Attorney Truitt said historically when these have been done, greater than 90 percent of the people called in to make arrangements to pay, so we did not have to move forward.

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

NEW BUSINESS

10. Consider, and act upon, award of Public Works Bid No. 2017-001 to Smithco Construction, Inc. related to the 1-MGD Brackish Water Treatment Facility, in an amount not to exceed \$9,480,672.00, including tax. (Bob Johnson, Engineering Manager)

Engineering Manager Johnson said staff's recommendation is to approve the award. The award will consist of; raw and finished water piping in the vicinity of the treatment facility, a one million gallon per day reverse osmosis treatment facility for chemical storage and feed system, sample control room, maintenance garage, heating ventilation and cooling, plumbing and electrical systems, approximately a 5.6 acre lined evaporation pond, a finished water booster station clear well storage. Site work including: grating, storm water conveyance and fencing, a storm water pollution prevention plan. The project was properly advertised on January 8th and 15th, 2017. Bids were opened on March 1, 2017 with three responsive bidders. He said Smithco Construction is the apparent low bidder. The award was thoroughly researched to ensure this firm was fully qualified to build this project. Smithco has experience on other Desal related projects in Fort Hancock, Texas, Horizon City, Texas and Santa Theresa, New Mexico. There is approximately a two percent spread between the first and second bidder, and a 10 percent spread between the first and third bidder. There is a 10 percent spread in the Engineer's estimate and the low bidder, all of which staff considers to be within the competitive range.

Commissioner Baldwin said completion at 100 percent is where we have the ability to use this water and asked Engineering Manager Johnson where we are in this process. Mayor Boss said in other words, where are we, as far as percentage completion, on the entire project. There have been multiple phases over a 20 year period. Engineering Manager Johnson said the Snake Tank Well project is ongoing for approximately 90 days. There was one small change order for a defective screen portion within Well 5. This added about

45 days to the performance period. Their new completion date is September, 2017. That project is right at 20 percent completed. Two of the monitoring wells have been drilled, neither has been equipped. The third monitoring well drilling should begin within the next 30 days. The equipping process for these three wells will not take more than 30 days beyond that. The concrete work has been started and the basic layout work for Well 5, as well as the Well Control building. Utilities have been going in underground for power and communications. Mayor Boss asked if that is all included in this amount. Engineering Manager Johnson said no, this award is specific to the Desal facility. The Snake Tank Well award was approved several months ago. The performance period for this particular project is 15 months long, once the City issues notice to proceed. This 15 months performance period includes a substantial amount of testing to make sure that everything operates exactly the way it is supposed to. The City does not plan to issue a notice to proceed until the contract has been executed, bonds and insurance are in place and the most critical item is to have the waste excavation plan approved by New Mexico Environmental Department (NMED) Solid Waste Bureau.

Mayor Boss asked if we are timely on all of our applications and permits. Engineering Manager Johnson said that is correct and added there is one discharge permit modification. This is a modification to an existing discharge permit. He said that process was initiated between the City and Groundwater Quality Bureau in approximately mid December 2016. He said we could not do that until the plans and specifications were approved by the various Bureaus within NMED. In mid-January we received the documentation from the Groundwater Quality Bureau. There is a process in which we need to issue a 30 day Public Notice and advertise in the City Clerk's Office and the newspaper. This process was completed on February 27, 2017.

Mayor Boss asked if they were in compliance with everything we need to do to move this project forward. Engineering Manager Johnson said that is correct. There will not be any discharge from the plant for at least 15 months. We have more than enough time to get this permit discharge modification settled.

Public Works Director Cesar addressed Commissioner Baldwin's question. He said about a year ago, he brought forth to the Commission, co-use of the Bonito pipeline. As soon as the well at the Snake Tank and the Desal Plant is complete, we can actually start processing water out of the Desal Plant. There is still going to be a requirement to have a parallel pipeline to the Bonito line. We have a segment of that line in place, but there is still an outstanding portion that will need to be addressed. We have a five year agreement with Holloman to use the Bonito pipeline, but could be extended if needed, assuming that Holloman agrees to the use. There is still that one outstanding problem that will need to be addressed for Phase 1 of the Project to be totally complete.

Mayor Boss asked if we had any estimate of what it might cost. Public Works Director Cesar said based on previous bids and the segment that we have left to complete, it's in the neighborhood of 4 to 4.5 million dollars. Mayor Boss asked how many miles is that. Public Works Director Cesar said approximately seven miles.

Mayor Pro-Tem Hernandez asked how far away we are from actually pumping water with the wells. Public Works Director Cesar said that will be complete before the Desal Plant. Mayor Pro-Tem Hernandez asked if it is proven that we can pump water out of there. Public Works Director Cesar said yes, in the initial drilling the actual test Well was being equipped. They have the draw down test and the pumping test. This Well five will more than produce enough water to get to the Desal Plant to produce those one million gallons of potable water a day. Mayor Pro-Tem Hernandez said they are kind of putting the cart before the horse here. We are not pumping water yet, but we are building the Plant, so I just wanted to make sure that we will be able to feed the Plant at some point. Public Works Director Cesar said this Well was tested many years ago. Mayor Pro-Tem Hernandez asked when we will get the first drop of drinkable water. Public Works Director Cesar said it will be at the completion of the Desal Plant, approximately 15 months from possibly tonight. For this first phase, operationally the Desal water is going to be Alamogordo's most expensive water to produce. We will continue to try and use our surface water sources first, then our wells, then if needed we will go to the Desal Plant. In the first phase we will be using it as a peaking facility, so if we need to, we will run it over the summer months.

Mayor Boss said to this point, over the last twenty years, we probably have 20 million dollars in this project and we will have another 10 million after tonight. We will have 30 million and probably another four, Public Works Director Cesar said 4 to 4.5. Mayor Boss said he did some calculations and it appears that one half of this money is from grants. Public Works Director Cesar said correct. Mayor Boss said the other half is from the City and from money that we borrowed and also from funds that we have collected on. Public Works Director Cesar said we have the one bank of reverse osmosis (RO) unit inside a very large building. We purposely did that for future phases, so that we do not have to modify a building and try to retro fit plumbing in. We will be able to go in order to our next bank of RO unit, so that we can go from 1 million to 2 million to 3 million or whatever is necessary at that time.

Mayor Boss asked Public Works Director Cesar if he supports this project, he answered yes. Mayor Boss asked him to tell him why. Public Works Director Cesar said in any municipality you do not want to have all your eggs in one basket. For Alamogordo, over the years, it started off with just the surface water and we eventually branched off into well water. He said Alamogordo and a good portion of Otero County is in a Critical Management Area as defined by the Office of the State Engineer. What that means is the City would have a very difficult time in requesting a new ground water source in this area. Back in 1994, the City looked towards Desalinization and obviously it has been a very long process, if we are just asking for an award tonight on the construction. We saw in 2012, the Little Bear Fire, we lost Bonito Lake. We lost 1440 acre feet of water a year that we could have been drawing into the City. We did not have to go into water restrictions, but that is because present and past members of the Commission have approved various water projects. If we lost the La Luz Fresnal system that would be around two thirds of Alamogordo's water. We could have a failure in the La Luz Well field, and then we would lose the majority of our wells. This first phase gives us the ability, if we have an issue, to continue to provide the same amount of water that the citizens have come accustomed to. It also, in the future, for growth or industry comes in or water demand increases, we now have the ability to provide that water and to upsize it in the future up to the 4000 acre feet a year. To give a little bit of perspective, on average in Alamogordo, we consume a little over 5000 acre feet a year. If we fully built out the Desalinization facility and we stayed at the same consumption numbers we can almost supply all of the water from the Desalinization facility.

Mayor Boss said he recently spoke to Senator Griggs about this project. Senator Griggs mentioned in 2004 or 2005, before we replaced the line from Bonito Lake, we had issues with lines bursting every time we put pressure on it. We went into rationing and we were almost into a very serious situation and we kind of skated through it. An event like this could happen to us again. This is an emergency source of water and it can be expanded. It will be our most expensive water. We are not going to want to pump it, if we don't have to. Public Works Director Cesar clarified it is not emergency source of water; we don't have that restriction placed on us. Mayor Boss said because of the cost factor we may want to try and avoid using it. We may want to use it to improve quality at times, but we got it in case of an emergency and we can expand it in increments.

Mayor Pro-Tem Hernandez said there are other choices for water and one of them is reclaimed. He said some communities actually use this. Public Works Director Cesar said the reclaimed line is very close to the plant. Mayor Pro-Tem Hernandez said it was actually considered back in the 1990s. Mayor Boss said El Paso has done that for 20 to 30 years now.

Paul Sanchez commented on the following:

Mr. Sanchez said he 1,000 percent supports the Desalinization Project. From the 15 percent loss we took when Bonito Lake happened, the pipe bursting, the growth of our City, the Family Fun Center, potential Splash Park, Hobby Lobby, new missions at Holloman, we need to have backups. Another source of news from Ken Bass, I allow him to post on my page. I don't always concur with what Ken says. He made a post about this Desal Project. There is one point of clarification, Ken reports he confirmed with Steve Huddleson, the New Mexico Environmental Department Pollution Protection Section Manager, that modified discharged permit 1827 isn't set to be looked at until this week. This permit has not been issued as of right now. Mr. Bass also commented is Mr. Huddleson has not seen the final design plans for the Desal Plant, which must be approved before they can go out for bid. I would like a clarification on the permitting and the plans. I didn't talk to him; this is Ken Bass talking to him, so I take about a pound and a half of Desal Salt in there, on the exact clarification. He said Mr. Johnson mentioned a 30 day Public Comment process. I follow media pretty good, and I never saw any of that. I may have been looking in the wrong place. I would like to know where that Public Comment period was done. I usually forward that stuff, so the rest of Alamogordo can see

it. If I could get a couple of clarifications on those specific items, I would hate for the City go out for a bid, when the Enemy D is saying that we can't do that.

Mayor Boss said the Acting City Manager Paluch would contact Mr. Sanchez on his questions, rather than answer it tonight. Mr. Sanchez said my only concern is if we pass this tonight, and this information is true, which I have doubts too. Mayor Boss said everybody is aware of what is going on. I have total confidence in our staff. We will get back with you on this.

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

11. Consider, and act upon, Ordinance No. 1535 consenting to the annexation of one acre requested by owners Clifton and Barbara McDonald located at Lot 2, McDonald Road Subdivision. Located west of the City at the northwest corner of 10th Street and McDonald Road. Case A-2016-0001(A). (Stella Rael, Planning and Zoning Administrator) Roll Call Required

City Planner Williams spoke on the proposal for annexation. He said this was heard at the Planning and Zoning Commission in March 2, 2017. Combined staff and Planning and Zoning Commission recommend approval.

Mayor Pro-Tem Hernandez asked if access to this would be off of Tenth Street. City Planner Williams answered yes. Mayor Pro-Tem Hernandez just wanted to make sure because of all the accidents. The only access to this is off Tenth or First Street.

**Mayor Pro-Tem Hernandez moved to approve.
Commissioner Sikes seconded the motion.
Roll call vote was taken.
Motion carried with a vote of 7-0-0.**

12. Consider and act upon using \$217,010 of funds rededicated from Fund 49 1986 GRT to the General Fund 11 for the purpose of purchasing replacement vehicles in Fiscal Year 17. (Julianne Hall, Finance Director)

Finance Director Hall said originally we had looked at funds setup last year in our Budget hearings. We chose to pass an Ordinance to rededicate up to 50 percent of the Municipal Gross Receipts tax from Fund 49, which is our 1986 Gross Receipts Tax. We approved to transfer up to 35 percent for Fiscal Year 17, in the amount of \$561,948. This amount is sitting in a transfer fund and has not been touched yet. We had considered using this money to purchase some much needed vehicles. However, we determined that our Fund 96, which our self-insured fund is. This is our fund that we use to pay our fleet insurance; we also use it to pay for repairs to any vehicle that has been in an accident. It currently has a fund balance of \$767,300. This fund balance has been accruing over the years, because the cost of some of the collision damage has not been as much as projected. In Fiscal Year 16, we actually had a \$300,000 transfer from Fund 96 back to the General Fund to purchase some additional vehicles. There were never any vehicles identified, so the transfer never happened and the fund balance remained at \$767,000. We do want to keep approximately \$400,000 to \$450,000 in that fund balance, in case there is an increase in the cost of insurance or in case there is un-projected collisions. That leaves \$300,000 that we have available which we can transfer to the General Fund to use to purchase these vehicles, rather than use Fund 49.

Acting City Manager Paluch explained to the Commission that our fleet is very aged. On some cases we are paying more for repairs than the vehicle is actually worth. We would really like to purchase these vehicles in FY17, so that we have more flexibility in FY18 for Capital Equipment.

Mayor Boss asked if the Commission could approve this and substitute Fund 49 with 96 and \$217,000 with \$300,000. Acting City Manager Paluch said it would still be the \$217,000 and not the full \$300,000. The motion would need to read from Fund 96 instead of Fund 49.

Commissioner Baldwin said he had no objection to that, other than point of order. This was publicized as action item for Fund 49 and I would have an issue with it if I wanted to come and speak if it was coming out of a different fund, and did not get the opportunity because it was listed as Fund 49. If the City Clerk says we can do it, we can, but I would have an issue moving forward unless it was on here as that item. Acting City Manager Paluch said we can certainly bring this back at the next meeting. Since, Erik Marion and the Chief of Police is here this evening, maybe they can give you a presentation, and then at the next meeting we can put this on the consent agenda, if that pleases the Commission. Mayor Boss said I concur with what you are saying. That is what concerns me, is that we have it right.

Mayor Pro-Tem Hernandez said you talked about the maintenance on these vehicles, do we keep maintenance records or do we have a work order program. Acting City Manager Paluch said yes we do. All of our vehicles are maintained by the Fleet Department. There are maintenance records over Fleet Maintenance Department on how much they are spending on these vehicles. Mayor Pro-Tem Hernandez the only issue I have is that these are budgetable items. In the future I would like to see that we are better prepared, as far as what we are going to need over the years. Keep track of that versus bringing us this amount of money right at the end of the year. If we can plan it lets plan it.

Acting City Manager Paluch agreed with Mayor Pro-Tem Hernandez 100 percent. For several years throughout the budget we have not had a replacement program for Fleet. This year we are running it concurrently with the Budget process. We have a replacement program in the works and it will become before the Commission, so that we can properly plan going forward. If we could listen to Erik Marion and the Chief and we will come back and put this on the Consent Agenda for the next meeting. Finance Director Hall said Fire Chief LeClair would also give a presentation this evening.

No Action on this item. It will be brought back to the Commission.

Acting City Manager Paluch stated there would be no action taken on this item, just presentation by the three individuals. She said they are going to talk about why they need these vehicles and what vehicles they are requesting. This way the Commission knows what is needed.

Parks Manager Erik Marion said \$64,350 of this budget number is to replace 3 vehicles in the Parks Department, which are currently not functioning. The impact of these inoperable vehicles is less flexibility in the program. He mentioned they have to piggy back people from one place to another place, when they should be able to go in different directions. The repairs are often times lengthy, expensive and many times we see that repair parts are not even available. The average age of the vehicles in the Parks Department exceeds twenty years. These three vehicles constitute essentially 20 percent of the 15 vehicles that we have on the list scheduled to replace over a five year period.

Commissioner Baldwin clarified that Parks Manager Marion's request is for \$64,000 for three vehicles and asked if he was sure that this is all he needs. Acting City Manager Paluch said there is more that he needs, and you will hear about it in his budget presentation. This is the most dire need for him at this moment. Commissioner Baldwin said I know you have an extremely aging fleet and he wanted to make sure he got what he needed this year. Parks Manager Marion said at this point, these three vehicles constitute what we really need as quickly as possible to keep the program functioning during the summer months.

Acting Fire Chief LeClair said if this is approved this will replace a 1994 Ford Bronco which was acquired by the Code Enforcement Division through another Department in the City. This vehicle actually has 131,000 miles on it. He said his portion is right around \$23,000.

Chief of Police Syling asked for \$120,000 for vehicles. A portion of this is to replace an evidence truck. This vehicle has 170,000 miles on it and is used to drive back and forth around the State to the Crime Lab. He said they are looking into getting a tow behind trailer for our Crime Scene Unit. Our Crime Scene Unit is currently in the shop. This vehicle is not reliable. The other two vehicles would be for Ford Explorers, much like our marked units, which would go into our Detective Division.

Commissioner Baldwin thanked everyone for their Presentations. He apologized for point of order going to hold them back on this. We want this moving forward as fast as possible, but we also want this as legal as possible. Commissioner Payne said she made the inquiry because she was not comfortable with where the

money was coming from. She apologized for this putting us off two weeks, but I am way more comfortable with what we are doing now.

13. Consider and act upon using \$70,000 from Water/Sewer Fund 081 for the purpose of purchasing replacement vehicles for Water Meter Technicians in FY17. (Julianne Hall, Finance Director)

Finance Director Hall pointed out there was an attachment that was not included in the Agenda packet (see Blue Book). She asked Utility Billing Customer Service Threadgill, to present to the Commission the need for these vehicles. Utility Billing Customer Service Threadgill said this request is to replace three ten year old plus vehicles which the Meter Technicians currently use. These are all Ranger pickups with 85,000 to over 100,000 miles on each vehicle. He said these are the worst kind of mileage a vehicle can have, stop and go mileage. These vehicles have probably not seen 55 miles per hour in a couple of years. Additionally, our job has changed over the last two years with the implementation of the AMR. Our Meter Technicians now carry about \$1500 to \$1700 worth of meters and test equipment each. The plan going forward is that they will eventually have MBTs in each of the vehicles so that they can be live online while out in the field with all the meters, rather than having to radio back in or come back in to the shop. There is not space in these vehicles to secure this type of equipment and carry any amount of replacements. We are asking to replace the pickup trucks with small minivans. We will also have shelving installed from the factory. These vans will help technicians secure multiple meters, tools, parts and testing equipment when they are out in the field every day. This money will come from Fund 81, which is the Water and Sewer Fund.

Commissioner Turnbull moved to approve.

Commissioner Payne seconded the motion.

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

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

Mayor Boss read the openings and reappointed Joel R Hamilton to the Library Advisory Board, Moyra Robuck to Parks and Recreation Board, and Arthur Alterson to Planning & Zoning Commission. No one was opposed.

ADJOURNMENT

Mayor Pro-Tem Hernandez moved to adjourn at 7:52 p.m.

Commissioner Sikes seconded the motion.

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



ATTEST:


City Clerk Rachel Hughes


Mayor Richard Boss

(Prepared by Eric Barraza, Deputy City Clerk)

Approved at the Regular Meeting held on April 11, 2017.