

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
6:30 P.M., COMMISSION CHAMBERS
October 10, 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, CITY MANAGER
PETRIA SCHREIBER, 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. Commissioner Sikes was as absent. Clerk Hughs announced there was a quorum present. Invocation was given by Commissioner Payne and the Pledge of Allegiance was led by Commissioner Turnbull.

Clerk Hughs said City staff would like to pull Item 10 from the agenda.

APPROVAL OF AGENDA

Mayor Pro-Tem Hernandez moved to approve the agenda as amended.
Commissioner Baldwin seconded the motion. Motion carried with a vote of 6-0-0.

PRESENTATIONS

1. Presentation of the Aftermath K9 video. (*Daron Syling, Police Chief*)

Police Chief Syling said the Aftermath Company came to the City of Alamogordo and did a follow up story from when they won the Aftermath grant last year, they captured the spirit of our K9 Unit pretty well. Voting starts tomorrow for the Aftermath Grant. He showed the Aftermath K9 video. (Please go to YouTube to see Aftermath K9 video).

Police Chief Syling said this is the video that goes out Nationwide. I was proud of what they produced for our Department. Our K9 Unit is doing some phenomenal things right now and for those listening at home aftermath.com/k9competition, vote with every email address that you have. Mayor Boss asked Police Chief Syling to share some information of an event that happened today. He said Alamogordo Police Department responded to an attempt to locate a federal fugitive. The subject had been wanted for several days and basically evaded escape. When officers arrived on scene, he barricaded himself inside a house. He was armed with a knife and refused to come out. We introduced or employed K9 Moika into the house and Moika did physically apprehend the subject, kept him from retrieving the knife and was taken into custody with no injuries. This is exactly what our K9 Unit is there for and all my Officers went home safe. The fugitive did have some injuries to his arm when he was apprehended by the K9, but we got all the officers' home and we got the guy home. Had he produced that knife and we didn't have the option of a K9, it could have been an entirely different outcome of events.

2. JLUS Mapping Tool presentation. (*Darron Williams, City Planner and Adrian Johnson*)

City Planner Williams introduced Adrian Johnson, Project Manager for this project. She said in 2012, the Department of Defense awarded a grant to Dona Ana County and its partners to conduct a study to look at land compatibility issues between the Military Installations, Counties, Communities and Federal Agencies. This particular joint land use study was one of the largest ones that they ever conducted. It involved surrounding Military Installations, Several New Mexico Counties and Municipalities along with numerous Federal and State agencies. It consisted of about 22,760 acres of land that they looked at. During the period of 2012 and 2015, there were two particular groups that were formed as a policy group and a technical group. Those two groups looked at the issues and they came up a bunch of strategies on how we can possibly mitigate issues on encroachment to the Military installations as well as hindering community's growth. After they came up with the strategies they went back to the Department of Defense and they

awarded them a second grant. This grant was for them to take a committee of specific representatives to work together and implement the strategies. These strategies were then grouped into four work groups. They looked at airspace, renewable energy resources, plans and ordinances, and communications and noise. Where we are in New Mexico, we have some of the premier airspace in the Country. That became our biggest working group, as well as renewable energy. Our major goal behind this was how we can create more effective, cohesive coordination between the Military installations, the agencies and the communities around. We came up with a website. She showed the new website. She said the old website focused on just the study area. Now we tried to move into the implementation stage. She said we have the Joint Land Use .org website. This website is for anyone. She showed information available on this website. She said the implementation committee meets every three months at various locations.

City Planner Williams said the intent was to improve communications in regards to military operations, civilian operations, and development. They came up with JLUS tool itself. It allows the person that is activating the website to select what kind of information they want to look at. It is a multipurpose tool and we have included all the partners that have a digital map input that we can access. One of the tools that we are working to implement is an energy management tool.

PUBLIC COMMENT

Paul Sanchez commented on the following:

He spoke on the incident at the Alamogordo High School and complimented the Police Department. He also spoke on flags and when a flag is no longer a fitting emblem for display. He said the flag at the Airborne Monument is ribbons and has a hole in it and needs to be replaced. Additionally, the flags were flown at half-staff over the weekend. The American flag and the New Mexico flag were at half-staff, and the POW-MIA flag was not. The POW-MIA flag was at full staff, keeping it above the American flag. The POW flag happens to be a very unique flag in the sense that there are only seven days that this flag must be flown at Government installations. The POW flag may never, except for those seven days, be displayed at half-staff. When flags go to half-staff, if you have a POW-MIA flag then you simply remove it, unless it happens to be on one of those days. It has come up too many times for me to not want to bring it to your attention and ask that we take a closer look at it in the future.

Edward Summers commented on the following:

Mr. Summers spoke on water rates and his belief that this law should be rescinded. He asked the Commission take a vote on this tonight. Mayor Boss stated they could not vote on an item that is not on the agenda, it would be unlawful. We will take your comments into consideration.

CITY MANAGER'S REPORT

Acting City Manager Maggie Paluch made the following remarks:

1. She said the City applied for a Community Development Block grant for \$500,000 for upgrade and additional office space to the COPE building. The renovations are now complete. The Board of Directors and the staff at COPE are holding an Open House/Dedication on Thursday October 12, 2017 from 11:00 a.m. to 2:00 p.m. The ribbon cutting will at 11:30 a.m.
2. She said in regards to the First and Florida project the Contractor, Mesa Verde, has requested additional time to complete the project. Our Project Manager Beshaler has agreed to the time extension. There were unforeseen circumstances out of the contractor's control that delayed the project. The City has granted a 37 day extension, putting substantial completion at January 12, 2018.
3. She said the City of Alamogordo is about to get an increase in population, due to the F16 mission at Holloman Air Force Base as well as a few other potential new businesses coming into town. City staff started Growth Management meetings last week. We will be meeting once a week and pulling in different Director's as we are discussing different items. We will discuss the needed infrastructure and possibly more city employees, dependent on our population growth. Staff will need to develop action plans for future expansion. Also, ensure that during budget season we can adequately come to the Commission with ideas for the needed growth.
4. She said staff has received an outside independent legal opinion regarding the use of LEDA Funds for the Family Fun Center. The Attorney has agreed that the Family Fun Center does meet the qualifications to use

the LEDA funding. Tentatively, a special meeting is set with the Commission to review all the contracts on October 26th in the evening.

5. She said Fire prevention week starts next week. The Alamogordo Fire Department will host the Fire Prevention Day at Alameda Park on October 14th. The public is invited to watch all the Fire Departments. Holloman Air Force Base and White Sands Missile Range will participate in firefighter games. The Fire Prevention parade starts at 10:00 a.m. at 10th and Oregon, and the fire games will start after the parade around 11:00 a.m. There will be free hot dogs, sodas and waters for all citizens that attend.

6. She said Otero County Economic Development Council (OCEDC) has been working on a PR campaign for the City of Alamogordo. HK Advertising has created a website named Alamogordo Jobs.com. This website is to promote the City and encourage people to apply for the Maintainer jobs for the F16 Mission. The site is fully operational. The various sections include things to do in Alamogordo and the surrounding areas, as well as, relocation information for people coming into our community.

7. She introduced Mr. Larry Garner as the new Public Works Director. She said Mr. Garner has been with the City for 24 years and was the Manager for Facility Maintenance.

8. She said City Attorney Schreiber was named the Young Lawyer of the Year for the 12th Judicial District in New Mexico.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Mayor Boss made the following comments:

He said last Thursday was the New Mexico Aerospace Aviation Association STEM Program Annual Event. He had the Honor of reading a Proclamation, prepared by Governor Martinez, and a Proclamation in which he prepared himself. He felt very good about the City of Alamogordo supporting this event. He is anxious to see the numbers for this event. He said there was another event last Friday afternoon at Holloman Air Force Base to thank our Military men and women. We provided hot dogs, hamburgers, and beverages including beer. This was to thank them for what they do in our Community for the Big Give and the Day of Caring. There are hundreds and thousands of hours spent by our Military in Alamogordo to our benefit, and this was our payback. The sponsor of this was MainGate United. He thanked all the City employees for supporting this event.

CONSENT AGENDA

3. Approve the minutes for the September 26, 2017 Regular meeting. *(Rachel Hughs, City Clerk)*

4. Approve the award of RFP 2017-006 Water & Wastewater Analytical Services, to Aqua Environmental Testing Lab. *(Brian Cesar, Assistant City Manager)*

5. Approve the award of RFP 2017-005, SCADA/RTU Programming & Commission Services for the City of Alamogordo, to IDESaA Incorporated. *(Brian Cesar, Assistant City Manager)*

6. Approve Change Order No. 4 in the amount of \$20,130.81, including NMGR, to CSW Contractors, Inc. related to the Rehab Effluent Storage Ponds Desert Lakes Golf Course project. *(Bob Johnson, Engineering Manager)*

7. Approve Change Order No. 4, RFQ 2014-05, to Bohannon Huston, Inc. related to the engineering and design services for the Bonito Lake Restoration project, in an amount not to exceed \$4,683.82, including tax. *(Bob Johnson, Engineering Manager)*

8. Approve the Grant Agreements between the New Mexico Aging and Long Term Services Department (NMA LTSD) and the City of Alamogordo to provide capital outlay funding to the Alamogordo Senior Center. *(Veronica Ortega, Community Services Director)*

Mayor Pro-Tem Hernandez moved to approve items 3, 4, 5, 6, 7, 8 of the consent calendar. Commissioner Baldwin seconded the motion.

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

NEW BUSINESS

9. Consider, and act upon, Resolution 2017-28, a Resolution authorizing publication of a Notice of Sale of \$5,285,000 City of Alamogordo, NM General Obligation refunding bonds, Series 2017 and authorizing the City Commission, City Officers and City employees to take further action necessary in connection with the sale of the bonds. (Julianne Hall, Finance Director) (Roll Call Vote Required)

Mr. Erik Harrigan, from RBC Capital Markets, spoke on Resolution 2017-28 and explained that this authorizes publication of a Notice of Sale. This Notice of Sale along with preliminary Official Statement gets posted and published so Investment Banking Firms from across the Country have the ability to bid on the City's Bonds on a competitive sale. We wanted to make sure that we could get ahead of the Federal Reserve meeting which is October 30th and November 1st. One reason we wanted to proceed on a fairly brisk basis, to refund and try to capture interest rates savings on those 2009 bonds, based upon current market conditions, refunding those bonds would generate about \$350,000 of present value savings to the City or about 6 percent. The minimum threshold to be considered economically beneficial is three percent. In the event, we see a significant rise in interest rates and we are no longer able to achieve our target savings, we simply wouldn't proceed with the refunding.

Commissioner Baldwin asked if this doesn't change the length of the payout. Mr. Harrigan said that is correct, this is co-terminus with the original final maturity of the 2009 bonds.

Commissioner Baldwin moved to approve.

Mayor Pro-Tem Hernandez seconded the motion.

Roll call vote was taken.

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

10. Consider, and act upon the addition of speed tables or speed humps on Washington Avenue between 10th Street and Indian Wells. (Brian Cesar, Assistant City Manager)
(Withdrawn)

11. Consider and act upon first publication of Ordinance No. 1546 amending certain sections of the Code of Ordinances concerning purchasing. (Petria Schreiber, City Attorney and Barbara Pyeatt, Procurement Manager) (Roll Call Voted Required)

Chief Procurement Officer Pyeatt said this is to increase the thresholds for our procurement to mirror the State's thresholds, the last time this was 10 years ago.

Mayor Pro-Tem Hernandez asked about Section 6 Item B, the urgent purchases, the determination of an urgent purchase and at where an urgent purchase is defined. We recently had one that the urgency stopped at one point, but we continued with the project beyond what I feel was urgent. I think we need to set some boundaries on that, a determination of what is urgent.

Chief Procurement Officer Pyeatt said usually what is considered urgent is the loss of life or loss of property. It is brought to me with the City Manager's approval and the department director's approval. From there it is handled by a project manager.

Mayor Pro-Tem Hernandez said we did the Hopi Court project as an emergency and we had one when we had the floods where we took out the whole street on Scenic Drive. Getting that cleaned out and allowing the water to come through was the emergency part. Once that was done, then the rest of it went out to bid. It was not all done under the emergency clause.

Assistant City Manager Cesar said with Hopi Court, we did not actually process that as an emergency purchase; it was done as an urgent. The reason we had to do that is because we were at the tail end of a fiscal year, our purchasing had shut down. It was not like the 2006 flooding, which was an emergency and had a FEMA Declaration.

Mayor Pro-Tem Hernandez said they spoke about that and I understand part of that, but when we spend close to half a million dollars, I am concerned that we that without going out to bid.

Assistant City Manager Cesar stated the purchasing of materials, these materials were under contract. General Hydronics was the contractor that performed the work and we actually had an on-call utility contract with them. This did go through the competitive process. That contract was still valid; it crossed over multiple fiscal years.

Mayor Pro-Tem Hernandez said he still has concerns with this because of the competitive portion of it. There are contractors capable of doing the same work. When that contract was passed, it was to allow General Hydronics to replace fire hydrants and such, which are not anywhere near rebuilding a whole subdivision or cul-de-sac.

Commissioner Baldwin moved to approve.

Commissioner Turnbull seconded the motion.

Roll Call vote was taken.

Motion carried with a vote of 5-1-0. Mayor Pro-Tem Hernandez voted Nay.

12. Consider and act upon Resolution No. 2017-27, A Resolution Adopting a Six Month Moratorium on New Off-Premise Billboards for the City of Alamogordo. (Darron Williams, City Planner and Petria Schreiber, City Attorney) (Roll Call Vote Required)

City Planner Williams explained the Resolution was to establish a six month moratorium, thus giving City staff and the opportunity for the Commission to consider and look at how we are going address concerns with billboards. This is specifically targeted towards off-premise billboards.

Mayor Boss said I can understand a penalty for \$500, but 90 days in jail. City Attorney Schreiber explained that she would be addressing that entire section. She said what we did, in order to be transparent with the citizens and the Commission we put in our general penalty clause. She read Ordinance 1-1-100 which outlines the penalties. She said it is not our intention to imprison somebody for putting up a billboard. It is our intention to be transparent with the penalties for breaking an Ordinance in the City of Alamogordo. That penalty section does also reference section 2-1-030 which is the penalty for putting up non-permanent structures. Essentially what we are saying is if someone were to put up a billboard that is non-permitted, there would be a penalty. Through our moratorium, we are not going to give you a permit at this time. Those are the potential fines, what is going to be levied is going to be up to the Municipal Judge. This is the standard penalty for breaking any ordinance in the City of Alamogordo. Mayor Boss said in all likelihood no one is going to jail. City Attorney Schreiber said as the Chief Prosecutor for the City, I would never recommend that, nor would anybody from my office.

Commissioner Baldwin asked we don't have any other ordinance or resolution that states anything less than what you read us. City Attorney Schreiber said it is going to be \$0 to \$500. Mayor Pro-Tem Hernandez said \$500 is the maximum, and 90 days is the maximum.

Commissioner Baldwin clarified his question by asking we don't have any other ordinance or resolution that says you can be fined and not put in jail for breaking our ordinance. City Attorney Schreiber said you can be fined for certain ones. Commissioner Payne clarified the question by asking if we have ordinances that don't say you can be put in jail. City Attorney Schreiber referenced section 2-1-030, which sets out certain penalty assessments that are set for each violation. There are fines that we can set and not attach jail time to it. It was not our intent to put jail time on it; this is our attempt to reference citizens for penalties. Commissioner Baldwin said we could move forward, if that is a concern, and strike the 90 days in jail from this.

Commissioner Turnbull asked to have this to be removed. She said it is not necessary, and I would not like to see anyone go to jail for a billboard for one day. City Attorney Schreiber said what I would ask

the Commission to do then is set a fine. If we need to table the resolution tonight to discuss that, then we can, but I would ask to set a dollar amount. If we let this go in front of a Municipal Judge, that will be at his discretion and we cannot take that Jurisdiction from him.

Mayor Pro-Tem Hernandez said the guesstimated cost of our time to do this. That is how we charge everything else, on how many hours you have involved in doing something like this. It is going to be over \$500, I'm sure. City Attorney Schreiber said \$500 is really where we need to set the limit. She suggested to set the fine at something lower for the first time and maybe something a little higher for the second time or maybe we could just split the difference and say it is a \$250 fine. Mayor Boss asked if she is recommending a \$250 fine. City Attorney Schreiber said yes.

Commissioner Baldwin asked what if the fine does not meet the income or revenue generated from that fine, so they do it anyway, and there is no penalty stiffer than that. If we take 90 days in jail out, then that stiffer penalty is basically ignored. I understand what everyone is trying to accomplish here. A lot of the public does not want to see these billboards up; I have been contacted on that more so than anything else.

Mayor Boss asked City Attorney Schreiber the likelihood of anyone going to jail is zero, correct. She answered correct. She said I am not the Judge, and I cannot speak for the Judge, but my office would not seek that penalty.

City Attorney Schreiber said what I can point out and we can adopt this language is in our penalty assessment Ordinance in 1-1-100 b, it does say that each day any such violation or failure to perform such act shall continue shall constitute a separate offense unless specifically provided. Maybe the Commission can adopt a per day fine.

Commissioner Payne said there has to be an incentive, because if there is no incentive they are just going to say that we make more money putting the billboard up, I'll just pay the fine. Commissioner Baldwin said I would go with that route.

Mayor Pro-Tem Hernandez said the other part of that is who would get the fine if the landowner is renting the property to them. He asked if the landowner or the billboard owner get the fine. City Attorney Schreiber said the landowner would get it, because they have control of the property

Mayor Pro-Tem Hernandez asked if we have the authority to limit the signs in the state right of way. City Attorney Schreiber asked if he was talking about the signs on the bypass. Mayor Pro-Tem Hernandez said no, I am talking about the signs on White Sand Boulevard. City Attorney Schreiber said it is my understanding that the billboards being put up are not on State Right of Way. The Billboard companies are contracting with a private land owner, and leasing a portion of the property. We will not be able to interfere with the DOT Right of Way.

Mayor Pro-Tem Hernandez said he wants to make sure the public knows that there may be a sign or two that gets put up that is in the State Right of Way, or somewhere where we have no control over. City Attorney Schreiber said this Ordinance has nothing to do with the signs that are currently in place. We will come back within the next 6 months and have a workshop to talk about whether or not we want to get rid of those signs and how we want to do that potential cost to the City. It is no secret that billboard companies are a very litigious group, so it is bound to get us a lawsuit. The City Commission will need to weigh really what it wants to do about that and that will be a more in depth study.

Mayor Pro-Tem Hernandez said the property he was talking about is about a mile passed the bypass on the north side and the other side of the prison on the west side, from there to here is City of Alamogordo property. If you look at those areas there are quite a bit of billboards especially on the west side. Commissioner Payne said I believe the billboard companies mentioned that. We got an education on the State Right of Way. Mayor Pro-Tem Hernandez said he wants to make sure the public knows that we have no control over the State Right of Way.

Mayor Boss asked if we were to strike the imprisonment portion and asked City Attorney Schreiber to give a recommendation of a range. She said it would be my suggestion to take the last paragraph of the Resolution and we say "Whereas, the penalty of noncompliance maybe an administrative fee of "and we strike from there on, and the Commission adds language that they would like to see. Mayor Boss asked City Attorney Schreiber what she would suggest. She said that the Commission set a penalty per day of noncompliance and we should start that when they are on notice. Mayor Boss asked how much. She asked City Planner Williams for an amount. City Planner Williams said if you look at our administrative fees, the violation fee that we established is 10 times the original amount of the permit. In this instance, we look at a length of time it would take a person on notice to effect. I would recommend somewhere between \$50 and \$100 per day. City Attorney Schreiber suggested \$50 per day, but we need to establish that they have been on notice first. She suggested that reads the penalty for noncompliance maybe an administrative fee of \$50 per day once the land owner has been noticed of the violation.

Mayor Boss reminded the Commission this was only for six months.

Commissioner Payne asked if we are going to give the land owner time to comply. City Attorney Schreiber said that is up to the Commission, we could do whatever you like. City Planner Williams said anybody that erects a billboard requires a state permit. They also have to coordinate, through us in order to obtain that State permit. It would be very difficult for someone to say I didn't know and put a billboard up with a State permit. Commissioner Payne asked what about the land owner, do they have to coordinate with you. City Planner Williams said yes.

Commissioner Payne asked City Planner Williams to explain off premise. City Planner Williams explained if the sign is on the premise of their business it is ok. If they chose to replicate that sign on the opposite end of the City, then it is considered off premise.

City Attorney Schreiber told Commissioner Payne what we are looking at essentially is if you have a business, then you could advertise all you want on your own property. It is when you attempt to advertise in other places on other properties, you cannot erect a billboard. Commissioner Payne said even if you are putting a billboard on someone else's property, it can't be there.

Mayor Boss said could we move forward with this and have the \$50 per day fine and strike the imprisonment clause. Commissioner Baldwin said correct and add what City Attorney Schreiber said. City Attorney Schreiber read the suggested language.

Commissioner Payne clarified the process for obtaining a State permit.

Commissioner Baldwin made a motion to Consider and Act upon Resolution 2017-27 imposing a \$50 a day fine with the following wording, whereas the penalty for noncompliance may be an administrative fee of \$50 per day, once the land owner has been notified of the violation. Notice will be given via certified mail.

Commissioner Baldwin moved to approve as amended.

Mayor Pro-Tem Hernandez seconded the motion.

Roll Call vote was taken.

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

13. Consider and act upon the acquisition of the real property owned by Mr. George Gonzalez and located in the SE 1/4 NE 1/4 SE 1/4 of Section 7 in the amount of \$31,000. (Petria Schreiber, City Attorney)

City Attorney Schreiber said this is a tract of land that Engineering Manager Johnson approached me wanting to purchase for our Griggs Reservoir project. She apologized for the appraisal; it was not included in the agenda report. We had problems uploading it, so we decided to leave it out. We do have a copy of it

if anyone would like to see it. This was the appraised amount of the property; this is a very large parcel of property. It is two acres and we are only taking a strip of it. The entire two acres was appraised at \$88,000. Once we take the strip of land that we are looking for, the fair market value of that remaining parcel will be \$57,000, so that is where we get the \$31,000 for the taking of land.

Mayor Pro-Tem Hernandez moved to approve.

Commissioner Martin seconded the motion.

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

14. Consider and act upon first publication of Ordinance No. 1548, an ordinance amending Sections 2-14-040 and 2-14-050 of the Alamogordo Code of Ordinances regarding economic development. (Petria, Schreiber, City Attorney) (Roll Call Vote Required)

City Attorney Schreiber spoke on Ordinance 1548. She said this was not done for the Family Fun Center. We did a very close reading of our current Ordinance 2-14-040 and 2-14-050, and read them for compliance with the State Ordinances. In looking at that and with conversations with Mark Roper, our State LEDA Representative, it was discovered that not only did we have a typographical error in our Ordinance that referenced the wrong section of State Ordinance, but we were not in compliance with the State Ordinance. What you see in front of you brings us into to Compliance with State Ordinances. She referenced the areas of the Ordinance that were updated.

Commissioner Turnbull moved to approve.

Commissioner Payne seconded the motion.

Commissioner Baldwin asked if any change here hinder or hamper or do anything other than make sure that we are in code with what they are trying to do. City Attorney Schreiber answered no. She said when she actually had this done, before I met with or read any scope of work from the PR Task force, so this has been in the works by my Department and done before any of that started. That project will have different issues and parameters that are not impacted by what we did today.

Roll Call was taken.

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

15. Consider, and act upon a revision to the FY18 Street Maintenance Project. (Brian Cesar, Assistant City Manager)

Assistant City Manager Cesar said staff was suggested to look at the congestion issue at the intersection of 10th Street and Oregon Avenue. He said Oregon from Indian Wells to Charlotte is in next year's street maintenance program. If we make changes now, we may have to shift a road out. He then spoke of widening Oregon by four and half to five feet and what it would entail. The estimated cost of that is just under \$54,000. We did look at restricting parking to one side of Oregon or both sides from the area of 10th Street back towards the Girl Scouts area. If the Commission took the no action option, staff would like to at least restrict parking on the east side of Oregon.

Mayor Pro-Tem Hernandez said my recommendation to restrict parking on the west side of Oregon. Parking is less than it is than the east side. At the same time, you can paint out or yellow out 2 to 3 parking spaces on the east side from 10th Street in. Most businesses were in favor of that versus both sides, and restricting parking on the east side. Mayor Boss said it would be safer that way because when you are parking going south, you are opening your door into traffic. Mayor Pro-Tem Hernandez said let it be known that we are not required to provide off street parking to anybody.

Commissioner Baldwin asked Assistant City Manager Cesar what the opinion of staff was. Assistant City Manager Cesar answered staff would prefer to go in and do the signage and painting of the curb and gutter. Commissioner Baldwin said so staff sees a need, right. Assistant City Manager Cesar said for certain times of the day, yes.

Mayor Boss said you said the business owners are not in favor of what. Mayor Pro-Tem Hernandez said of course, they were not in favor of restricting parking on either side, but if they were going to do it, they would prefer to restrict the parking on the west side. Assistant City Manager Cesar said the area where staff has the most concern is when you get to the intersection of 10th and Oregon.

Commissioner Turnbull said she requested this because when you are on 10th Street and you are trying to turn onto Oregon, you can't, especially during lunch time. Mayor Boss said if the parking was closed, you could see that solving the problem. Commissioner Turnbull said that is why I asked how much it would be to take that section between the sidewalk and the street from 10th Street to just before the Girl Scout hut. Assistant City Manager Cesar said we went passed that point because we have to taper it back and meet the existing roadway with it.

Commissioner Baldwin said he was not for widening the road. The city is trying hard now to be business friendly. Mayor Boss said there are only a couple of businesses in there, why can't we go in and ask them. I know Mayor Pro-Tem Hernandez did, but that was years ago. Mayor Pro-Tem Hernandez said actually this was in the past two weeks. The owner of Pizza Mill was okay with losing three parking spaces on the west side of Oregon, if we were going to do something.

Commissioner Turnbull said one of the problems, is that people park right on the corner. Commissioner Baldwin said it sounds like Mayor Pro-Tem Hernandez's suggestion is the best to restrict it on the west side. Commissioner Turnbull said the reason I was asking for it now is because I knew that we are getting ready to do Oregon.

City Manager Paluch said this is a really cheap fix and like Mayor Pro-Tem Hernandez said, if this does not work we can easily go back and change it and do a different plan.

Mayor Pro-Tem Hernandez moved to approve the restriction of off-street parking the first 150 feet, from the first alley on the west side to 10th Street and then as staff deems necessary on the east side.

**Mayor Pro-Tem Hernandez moved to approve as amended.
Commissioner Turnbull seconded the motion.
Motion carried with a vote of 6-0-0.**

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

Mayor Boss read the openings and appointed Susan Hopkins to the Senior Volunteer Program Advisory Council. No one was opposed.

ADJOURNMENT

**Mayor Pro-Tem Hernandez moved to adjourn at 8:14 p.m.
Commissioner Turnbull seconded the motion.
Motion carried with a vote of 6-0-0.**



ATTEST

Rachel Hughes
City Clerk Rachel Hughes

Richard Boss
Mayor Richard Boss

(Prepared by Eric Barraza, Deputy Clerk)
Approved at the Regular Meeting held on October 24, 2017.