

**CITY OF ALAMOGORDO, NEW MEXICO  
CITY COMMISSION REGULAR MEETING MINUTES  
7:00 P.M., COMMISSION CHAMBERS  
APRIL 9, 2013**

**SUSIE GALEA, MAYOR  
JASON BALDWIN, COMMISSIONER  
NADIA SIKES, COMMISSIONER  
ROBERT RENTSCHLER, COMMISSIONER  
JOSH RARDIN, COMMISSIONER**

**AL HERNANDEZ, MAYOR PRO-TEM  
JIM TALBERT, COMMISSIONER  
BOB CARTER, INTERIM CITY MANAGER  
STEPHEN THIES, CITY ATTORNEY  
RENEE CANTIN, CITY CLERK**

**CALL TO ORDER, ROLL CALL, INVOCATION & PLEDGE OF ALLEGIANCE**

Mayor Galea called the meeting to order at 7:00 p.m. Roll Call was taken by the City Clerk. Clerk Cantin announced there was a quorum present. Invocation by Reverend Harry Risner and the Pledge of Allegiance was led by Commissioner Rentschler.

Mayor Galea gave several presentations:

She accepted a check for \$99.40 from the Ministerial Alliance which was the cost for staff to hang the letters in the Commission Chambers of 'In God We Trust'.

She presented a proclamation for Parkinson's Disease Awareness Month to Mr. Roger Scow whose wife suffers with this disease.

She presented Interim City Manager Carter with a Mayoral Commendation. Mr. Carter thanked all, especially the City Staff.

**APPROVAL OF AGENDA**

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

**PRESENTATIONS**

- 1. Presentation by Love, INC regarding a Transitional Living Center in Alamogordo and possible action to Lease the La Placita building owned by the City of Alamogordo. (Ken Larson and Susan Payne, Love INC)**

Ms. Susan Payne told the Commission about the Transitional Living Center she would like to see in Alamogordo. She noted Love INC was a non-profit organization that meets the needs of people in Alamogordo, and noted a Transitional Living Center would be separate from her organization. Love INC does not have anything for those needing a place to stay for a day or two, except for putting them up in motels. Ms. Payne receives many phone calls for this each day. She clarified they don't want a homeless shelter for long-term stays, but for those who need a room for a few days in order to get on their feet because of unemployment or underemployment. She told the Commissioners she has found a building that would work for this. The building is La Placita, located at 3102 N. Florida Ave. which is owned by the City and being currently leased by Betty Dare. She would like to lease this because there are showers, bathrooms, a laundry and a commercial kitchen, so there would be very little to do to make the building adequate for the needs of a Transitional Center. They have the support of the Coalition to End Homelessness to help with grant writing, people to staff the facility, both paid and volunteer and the support of many other community agencies.

Commissioner Rardin asked the City Attorney if we currently have this building leased to the Betty Dare organization. City Attorney Thies said we currently have a one year lease agreement with Betty Dare that automatically renews unless either party elects to opt out of the lease. Ms. Payne told them

she is currently trying to contact the new administrator at Betty Dare. Currently, Betty Dare is using the building for storage and the Hunger Coalition serves a meal there once a week. She is hoping to get their support with this idea. Commissioner Rardin felt the current lease was the only problem he could see with this request.

Mayor Galea asked if there would be any additional costs to the City if this building were leased for the Shelter. Ms. Payne said they would not require any additional funding from the City other than to lease the building. They would carry the insurance and make any improvements. Love INC started out in this building, so she is familiar with the set-up. Making improvements to the building would be part of the program for families/individuals staying there.

Mayor Galea said the Community of Hope in Las Cruces does a hybrid by working with the Federal Housing Authority in that city. She said our Housing Manager, Maggie Paulich is very interested in this because the Public Housing goal is to become sustainable, so she thought the proposed program would be helpful to help families transition into self-sufficiency. Ms. Payne agreed saying their goal was to get individuals and families to become independent instead of dependent, in a structured format. There would be strict rules and policies, and in the end cause change in peoples' lives to become productive members of society. This is the best solution. This would help people right here in Alamogordo, and not those from out of town. It would not be a homeless shelter; it would be a transitional center to help people become independent.

Mayor Galea stated direction could be given to staff to work with Betty Dare.

**Mayor Pro-Tem Hernandez moved to approve City staff to work with Betty Dare and bring back to the Commission what is available to us. Commissioner Sikes seconded the motion. Motion carried by a vote of 7-0-0.**

**2. Presentation, discussion, and possible action, to amend ordinance 7-01-020 to allow beekeeping with rural residential areas designated in Alamogordo. (Robert Shepler and Paul McCarty, Presenters and Susie Galea, Mayor)**

Rob Shepler spoke first to the Commission and stated he is a member of the Southern New Mexico Beekeepers Association (SNMBA), as well as one of the directors of the organization. He noted the City of Alamogordo has a rare opportunity to give back to the community like so many other cities in New Mexico have done. Alamogordo is currently the only city in the state that does not allow bee keeping. He said bees are in trouble and we have lost 50% of the nation's bees in the last 50 years. Nationwide winter kill losses will be near 40%, and if we cannot keep bugs alive on the planet, what hope do we have for humans. He asked for an intelligent discussion based on facts, not emotion. Any fear of honey bees comes from lack of understanding. He invited the Commission to the May 25<sup>th</sup> Seminar at the Extension Office, and noted Commissioner Sikes had attended their first seminar in March. Mr. Shepler was hoping to educate the community more before this discussion came forward, but he said beekeeping seminars in Alamogordo will be an ongoing thing. Mr. Shepler continued by stating the following facts: Bee keepers are an asset to the community, not a liability; the bees in our city are Africanized Bees; African bees are highly defensive and more likely to sting; by introducing gentle European Honey bees the African bee problem will be eliminated over time; the current policy of no beekeeping in Alamogordo has made this a protected breeding ground for Africanized colonies.

He kept bees in Phoenix, AZ and his neighbors never knew he had them. The interest in private bee keeping has exploded and so bee breeders are choosing gentleness as a breeding trait. Mr. Shepler showed some pictures of bees and people working with them. Of the nearly 50 hives captured in Alamogordo in the last two years, all have come back positive for Africanized genes. Genetic testing is done by the state entomologist, Dr. Carol Sutherland of NMSU. By not allowing private beekeeping in Alamogordo, you have opened the door for feral colonies of Africanized bees that can be very aggressive. People and animals throughout the Southwest have been killed by these types of bees.

He clarified this definition by saying the type of bees here in the City are not pure African, but have been hybridized to some degree and still maintain many of the traits of Africanized bees. There are feral colonies at the New Mexico School for the Blind several times a year and they call the Extension Office when this happens. They are removed and given a new queen to replace the genes of the colony. This takes about six weeks to change the genes and make a pure honey bee hive. He wanted to be clear on the fact that in re-queening an aggressive hive, there is an entirely new breed of bees in about six weeks. Concerning bee swarms, he likened them to an infant in that they do not have a home and are at their most docile. We go to great lengths to keep our hives from swarming because when that happens we lose 60% of our bees as well as the queen. We artificially swarm the hive and split it in two to prevent a swarm. He pointed out some of this through pictures. Mr. Shepler pointed out that bees communicate by pheromones. The queen exudes a pheromone into the hive and if that pheromone begins to diminish, the hive will kill her and raise a new queen. When a swarm is captured the bees will use their wings to fan the pheromone amongst the other bees to bring them into their new hive. Mr. Shepler noted the City of Alamogordo has a choice – nice bees or mean bees. The solution is dilution of the gene pool with calm, non-aggressive European Honey bees. The citizens of Alamogordo are much less likely to be stung by a European Honey bee than an Africanized bee. Less than 1% of the population suffers severe, toxic reactions to bee stings. More people are killed by lightning each year than die from bee stings. The key question is can you hold something responsible that exists in the wild? He researched this and came to the conclusion the City of Alamogordo and/or private bee keepers would have no liability. The only cases he found concerned gross negligence. He had some research for City Attorney Thies to review. He told the Commission bees and beekeepers are assets to the community. Bees pollinate 30% of our food supply and bee keepers provide swarm control and keep nuisance hives out of buildings and homes. Raw honey produced by local hives provides allergy relief for many who suffer from allergies. He acknowledged that a severe reaction to a bee sting is terrifying, and noted his wife has this problem and they have been to the emergency room twice with life-threatening symptoms. He felt that by changing the law in the City, it would help prevent these types of episodes. The NMBA would be proud to set up a mentoring system for new beekeepers in Alamogordo, and would conduct ongoing seminars. He read a letter from Pilar Murray that was addressed to Commissioner Baldwin. It encouraged the Commission to change the law so that small scale beekeeping and the keeping of no more than three hives would be allowed within the city limits of Alamogordo.

Mr. Paul McCarty lives in High Rolls and to his knowledge is the only one who does bee removal in the City of Alamogordo. Mr. McCarty does 20-25 bee removals per season, which runs approximately from March to October each year. He catches the swarms which are a little more aggressive than the ones Mr. Shepler deals with. He explained how he does this and how he helps citizens as well as bee keepers. He also raises honey bees. He has all his bees genetically tested so he can develop bees with gentleness as well as feral survival tendencies. All the bees he has tested from Alamogordo have Africanized genes. They are similar to feral hogs in that they are unpredictable and are a reversion to wilder genetics. They like a smaller hive and so live closer to humans, whereas the European honey bees build larger nests. The feral bees build their nests in places such as buckets or water meters, closer to humans. One of the consequences of the European honey bees and the larger nests they build is that they do not spread as fast as the feral bees. The Africanized bees will swarm six-nine times a year. Any given time he estimated there are about 100 feral hives in Alamogordo. He usually gets one call per day to remove a swarm. He felt the City had a liability problem because of these feral bees. Domestic hives could be introduced into the City as recommended by the USDA. If you leave these domesticated bees in an area with a feral population, they send out drones during the mating season and then they outcross with the feral population, equalizing the genetics and becoming more domesticated. This is one of the control methods used and this is why many cities are allowing beekeeping in their city limits. In Alamogordo now, there is an accelerated growth of feral bees – reverse gene outflow – where the genetics have moved into the area quicker. Another option is to replace the hybridized stock with domestic stock so that you accelerate the reversal of the DNA back into the invasive species. Re-queening is the only real accepted method of controlling Africanized bees. In the 1980's and 1990's, Texas tried destroying all

the feral bees with pesticides, but these bees simply breed a strain resistant to the pesticides. Texas changed these rules and now allows beekeepers to breed bees down to a gentler bee. Mr. McCarty told the Commission the only way to take care of the feral bee problem in Alamogordo is to allow private beekeeping of domesticated honey bees. He read a letter from Mr. Les Crowder, President of NMBA. In the letter, it was stated beekeepers are the interface between bees and people and solve problems unmanaged bees pose to the people living in urban areas. They influence the genetics of local bees by selecting for gentle bees. Beekeepers' bees are like a genetic backfire burning out the fuel in a calm, thoughtful way before a wildfire blazes through with no controls. He noted urban beekeepers are growing in number and they are a resource for their communities.

Commissioner Rentschler asked what the lifespan of the bee is. Mr. McCarty told him a summer bee lives about six weeks, and a winter, worker bee about three months.

Commissioner Rentschler asked if the Africanized bees could send out drones to the European bee hives as well. Mr. McCarty said usually the different hives aren't very close together, and with enough beekeepers they can create a genetic dilution. Commissioner Rentschler remarked he had two swarms at his house and the first time they were vacuumed and the bee keeper kept them. The second time, exterminators came and killed them out. He worried about the 1% who suffer from the life-threatening repercussions of bee stings, because he has seen this when he was an EMT. Mr. McCarty said your chances of getting stung are higher with Africanized bee colonies. Commissioner Rentschler asked him if bees are considered livestock, and Mr. McCarty said they are considered a livestock, but in the county they are excluded because they are an invertebrate. They are kept for the honey. Commissioner Rentschler asked him if anyone in this organization had ever asked for a variance to this established organization. City Attorney Thies explained he was talking about a use variance and our city code does not prohibit use variances, so technically if one wanted to keep bees they could apply for a use variance. Commissioner Rentschler confirmed with the city attorney the process was to notify your neighbors first.

Mayor Galea said we could do a set-back in zoning as some other cities do. For example, one hive per 10,000 square feet of property, and Mr. McCarty felt there could be two hives per area because you have to have two in case one of the hives dies.

Commissioner Rentschler asked Mr. McCarty if he had an example of an ordinance from another city, and he did not. Mr. Shepler presented a sample ordinance. Commissioner Rardin asked for a copy of the Alamogordo ordinance, and the city attorney said he could pull one up.

Mayor Galea pointed out the letter in the Commissioner's agenda that was not in support of beekeeping. She had talked with Mr. McCarty about the state laws concerning beekeeping. She asked him how many bees could be kept in an area according to state law. He told her if you have over 25 hives in a certain area you have to register as a commercial aviary. The State of New Mexico has a lot of desert area that would not support that many hives in one place. You are usually lucky if you have three or four, because you could overload an area and that doesn't do any good. You would have starving bees. Mayor Galea asked him about having two hives and he told her this is normally how it is done so if you have a problem with one, you can rely on the other. Two hives per acre is considered the standard. Mayor Galea said that would cure the question of densely populated areas, and Mr. McCarty agreed. He continued by saying that is the defacto standard when beekeepers go to place hives, unless they are running a breeding operation or a commercial venture. The commercial ones are usually in areas with a lot of trees. He does mostly desert areas with mesquite, and has a few in the fruit trees around High Rolls. He didn't think there was anyone keeping bees in Tularosa anymore. Mr. McCarty told the Commission he began performing removals and seems to be the one with the most experience in the area.

Commissioner Baldwin asked how many beekeepers we are looking at in Alamogordo if the ordinance were to be passed. Mr. Shepler said there were 15 people interested in keeping bees at

the last seminar. Commissioner Baldwin confirmed with him that the next seminar will be May 25<sup>th</sup>, and he would try to be there. He thought our major concern is the health of the citizens from the possibility of bee stings. He didn't have a problem changing the ordinance after hearing tonight's information, but he referred to the information in the letter from Ms. Gilliam concerning her daughter who had a severe allergy to bee stings, and whether a neighbor would need to be notified when a hive was to be put next door or on the block. Mayor Galea asked him if he would like this stated in the ordinance. Commissioner Baldwin asked if the City, DPS or Fire Department would need to be notified when property had a hive on it.

Commissioner Rardin agreed and asked the city attorney to draft an ordinance stating the City would need to be notified and a permit issued for hives. If there was an issue, the various departments would be aware. Interim City Manager Carter asked if the Commission would like the beekeepers to work with the city attorney and staff on this, and Commissioner Rardin agreed.

**Commissioner Rardin moved to approve directing city staff to bring back an ordinance requiring a permit to keep bees. Commissioner Talbert seconded the motion. Motion carried with a vote of 7-0-0.**

Kathleen Gilliam stated for the record, she is against revising the ordinance. She said to those allergic to bee stings, this could be life-threatening or fatal. A member of her family has a severe allergy to bee venom and depending on where on the body they are stung, it can be fatal. She understood the importance of bees on this planet, but she did not think beekeeping should be in urban areas which include schools, business districts or sports areas. Her solution is to allow our area Master Gardeners, ranchers, farmers or property owners living outside the city limits to house the hives. This would be a good solution for the bees and as a result the beekeepers would have their hives in a better environment for the bees and the beekeepers would be dealing with folks with similar interests. Thus, those living in the city would not have added worries and concerns about health issues involved. She didn't know the history of the animal control ordinances, however, bees are specifically named and so she wondered why they were specified. It may have been a safety issue or perhaps a property value issue. She wondered if a property was put on the market that had a hive next door, would this information need to be put on a disclosure statement.

Ralph Ketter addressed the Commission and noted he is a beekeeper. He talked about why bees swarm stating it is the hives way of reproduction. When the queen leaves with about half the hive, they are looking for a home. They are in a docile state at this point and their tendency to sting is minimal. They send out scouts to find a new home. Now there are two colonies, and these colonies can be more dangerous than the swarm. The county extension office can help find someone to help you if you have a swarm on your property. He had heard the concern about more bees in Alamogordo if beekeeping is allowed. There would be a gradual increase of hives and the bees would forage in the same areas the feral bees use. Thus, some would relocate where there is not as much competition, so he did not think we would notice an increase. The bees would become gentler. He did not think we would become overrun by beekeepers. He read there are over 600 beekeepers in Albuquerque, but this includes Albuquerque, Rio Rancho, East Mountain and others around the state. The monthly beekeepers meeting in Albuquerque is attended by 60-140 people, and this is probably a more accurate count of the number of beekeepers in Albuquerque. Albuquerque is about 15 times larger than Alamogordo, so our ration would probably be around 10 beekeepers. He spoke on bee stings, and that one should not swat at a bee, but instead ignore them. His domestic bees are quite docile when he is working with them, but it doesn't take much to upset a hive of Africanized bees. His point was we need to figure out the lesser of two evils – bees that have been calmed down or the feral, wild bees.

Jeanne Kjos, a veterinarian from High Rolls became interested in bees after moving to High Rolls and trying to rehab a fruit tree orchard. She has noticed there are fewer bees every year and she educated herself on the issue. She had been afraid of bees, but after going to a hands-on workshop

found them to be very gentle. She stated we have an incredible group of beekeepers. She said we are losing insects at an alarming rate and we need to help the bees. We have a very informed and helpful community of beekeepers in our area that can help us with the issue.

Diana Calkins, manager of the Alamogordo Alameda Park Farmer's Market spoke next. She is a first year beekeeper and lives in High Rolls. She knows the bees she is seeing are feral bees since the city does not have any beekeepers. She encouraged the Commissioners to go forward with this change. As the manager of a farmers market, she is interested in produce not tainted with chemicals and pesticides, and in having healthy bees. She suggested also planting pollinator friendly landscapes in the future. We cannot depend on large commercial beekeepers to provide us with clean, healthy honey. They truck their bees to areas heavily treated with pesticides, and testing shows this honey and bees wax has 150 chemical residues which are eventually ingested by consumers. These bees also do not have a good diet which would keep them strong. At our farmers market we do not have enough honey, so we would support responsible beekeeping that focuses on healthy bees. Last year we had one vendor who sold honey at \$8.00 per half pint, and since the supply of honey is becoming scarce all over the world, the price today would be around \$10.00. Beekeeping would help to support our local economy. She is a first year beekeeper, and she noted they paid about \$175.00 for their first hive as well as the expense of building the hive. To be successful one must stay educated, and most people are simply too busy to do this. Thus, she did not feel there would be a large group of beekeepers. She noted there are hives in some of the dead trees in Alameda Park and knew they must be feral bees. She would like to see this population diluted with European honey bees. As the City looks at felling some of the dead trees, they need to note there may be some feral bee colonies in the trees.

Beverly Eckman-Onyskow told the Commission she is vice-president of the Otero Country Master Gardener Association and writes a gardening column for the newspaper. She lives in District One of Alamogordo. Bees are very important to a healthy garden. When she first moved here she had checked with the city to see about keeping bees. She had kept bees in Michigan and they had perished because of colony collapse disorder. She addressed the earlier idea of placing hives out of the city limit by saying she didn't want to travel an hour round trip just to see her bees. She has been stung, but it was her fault. Rachel Carson wrote 'Silent Spring' and addressed the deadly nature of DDT on our insect and bird population. She said bees are essential to life on earth.

### **3. Presentation on the Public Works Projects update. (Brian Cesar, Public Works Director)**

Public Works Director Brian Cesar gave an update on various projects on-going in the City.

~First he mentioned the project at Washington/1<sup>st</sup> Street – the RFP is out now and is scheduled to be awarded by the Commission on the 14<sup>th</sup> and will include signal placement, intersection realignments and a route feasibility study.

~The next project is the Washington/Pecan realignment – scheduled to be bid for construction on May 15<sup>th</sup> and the construction time for this will be approximately six months.

~The next is White Sands/10<sup>th</sup> Street – it is a grant through NMDOT and will entail a right hand turn lane off of 10<sup>th</sup> onto White Sands. The design is 100% complete and has been complete for some time. We are waiting for an amendment to the agreement with NMDOT and once we have that, we will put that project out to bid for construction.

~Next is the pulverize and pave project – should be bid for construction in June.

~The Waste Water Treatment plant had a final walkthrough for Phase I two Fridays ago. The contractor has finished all the punch list items. The notice to proceed on Phase II was given on March 22<sup>nd</sup>, and we should have design complete and ready to bid in early October.

~The Juniper Widening – survey is complete and under review by the surveyor. The notice to proceed to Souter Miller for preliminary design will be on the 15<sup>th</sup> of April and the preliminary design review by staff is scheduled for the week of July 1<sup>st</sup>. After that point, we will be bringing it back to Commission.

~The Panorama/Hamilton Intersection project – notice to proceed was on March 25<sup>th</sup> and the survey is complete. We will be meeting with the engineer next week to go over various

designs for the intersection and we should have that complete and ready to bid by mid-June.

~Fairgrounds Road project – the paving is complete and Sand Bar, the sub-contractor, will be in next week to place the pavement markings and when completed we will open the roadway to traffic. PNM will be in by mid-June to place the street lights. We ran electrical conduit to do this. PNM has indicated by the end of June the lights should be in place.

~The 2010 Street Maintenance Program – Cutler is out. Milling is complete for the project and we have about 45% of the roadways paved. They should be complete by the first week in May, weather permitting.

~The Red Circle Re-use line – City crews in Oregon Park have been connecting to the effluent system. This was begun on March 25<sup>th</sup> and should be completed by the end of April. We are running a 6" re-use line to the park at Red Circle, and after we are completed the Parks Department will take over and run the system.

Mayor Pro-Tem Hernandez had concerns on traffic at Fairground and Florida, and the speed limit on Fairgrounds. Public Works Director Cesar said the Fairgrounds and Florida intersection was looked at in Phase I and we did, as part of the 2008 Street Maintenance, put in conduits so we would be prepared if in the future increased traffic called for traffic signals. From the traffic studies, it does not call for a traffic signal now or in the near future, but if traffic warrants a signal, we will look for funding to do so. Mayor Pro-Tem Hernandez said that in the original first Phase of Fairgrounds signs replaced were 45 MPH. Mr. Cesar said that was constructed by the hospital and the speed limit was going to be 35 MPH, but he was going to check on that and get back to the Mayor Pro-Tem. Mayor Pro-Tem Hernandez said his concern was walkers there and 45 MPH was pretty steep. Public Works Director Cesar told him he thought it was to be reduced to 35 MPH.

Commissioner Rardin asked if Fairgrounds would be open before the street lights were up. Public Works Director Cesar told him the roadway would open up probably the end of next week after the stripping was down. PNM may have to divert traffic or do limited lane closures when they set the poles.

Commissioner Rentschler asked about the Pecan/Fairgrounds extension. Public Works Director Cesar said he didn't have it in this report. He told the Commission this extension had been designed in-house and had used a contracted engineer since we did not have an engineer on staff. He had taken previous drainage calculations from previous studies and incorporated them into his design. He is not comfortable with some of the previous studies so he is recalculating some of the areas. Once that is back from him, city staff will incorporate it into the final design. Our new city engineer will begin on the 6<sup>th</sup> and will review this. We are probably looking at mid-June or early July to bid for construction. Interim City Manager Carter asked Mr. Cesar if we had funding for that, and he affirmed it was in Fund 118. We will need to do a budget revision into the project from fund balance.

Mayor Galea thanked Mr. Cesar. She acknowledged the Library Staff in attendance tonight. Bonnie Meagher, Head of Circulation and Sharon Rowe, the new Librarian were introduced. The Friends of the Library will hold a Meet and Greet for Ms. Rowe on April 22<sup>nd</sup> at 5:00 p.m. at the library.

**Recessed at 8:35 p.m. and reconvened at 8:50 p.m.**

**CONSENT AGENDA** (Roll Call Vote Required for items No. 5, 6, & 7)

4. **Approve Minutes of the March 26, 2013 Regular Meeting of the Alamogordo City Commission.** (*Renee Cantin, City Clerk*)
5. **Approve the final publication of Ordinance No. 1436 amending Chapter 2, Sections 2-04-090, 2-04-100, and 2-04-110 of the Code of Ordinances related to the organization and business of the Alamogordo Promotions Board. [Roll call vote required]** (*Stephen Thies, City Attorney*)

6. **Approve Resolution No. 2013-13 supporting the New Mexico Department of Tourism Litter Control and Beautification grant for Keep Alamogordo Beautiful (KAB). [Roll call vote required]** (*Erik Marion, Parks Supervisor*)
7. **Approve Resolution No. 2013-14 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 April 9, 2013. [Roll call vote required]** (*Kathy Gilsdorf, Budget Analyst*)
8. **Approve the Damage and Lost Materials Policy and the Fees & Fines Collection Policy for the Alamogordo Public Library.** (*Sharon Rowe, Librarian*)

Commissioner Hernandez moved to approve items # 4, 5, 6, 7, & 8 of the consent calendar. Commissioner Rardin seconded the motion. Roll call was taken for items #5, 6, & 7. Motion carried with a vote of 7-0-0.

### **UNFINISHED BUSINESS**

---

9. **Approve the final publication of Ordinance No. 1433 repealing Article 2.05 in the Code of Ordinances and establishing a Police Department and a Fire Department. [Roll call vote required]** (*Stephen Thies, City Attorney*)

Commissioner Talbert moved to approve Ordinance No. 1433 repealing Article 2.05 in the Code of Ordinances and establishing a Police Department and a Fire Department. Commissioner Rentschler seconded the motion.

Commissioner Baldwin had a question as to how we got so far out of training. He said when a city entity such as our police or fire department gets so far out of training, it is a concern. Mayor Galea thanked him for that concern and she agreed. There was a lot that was not done under the former umbrella of staff.

Interim City Manager Carter said we should be concerned. When he took over as Interim City Manager and first went to DPS, he found we were not in compliance with the ISO rating, which was to be done this March. We had lost a lot of officers to the Sheriff's office and other places. We also had a very young department who were not able to get their certification as police officers while getting the training they needed to become certified firemen. It takes 240 hours of certification to become a fire officer and you have to also get your certification through the State of New Mexico. That is a lot to require of a first year rookie. Because we lost a lot of those people, we did not have the personnel. Mr. Carter proposed putting a Fire Chief in place that would allow us to have a Fire Marshall and an Emergency Manager. Half of the Emergency Manager's salary would be paid by the State, because we do not have an Emergency Manager. If we had an emergency such as we had in this community in about 2008 when we had the flood, we wouldn't have an Emergency Manager to coordinate that. We are still going to have to use the fire department to help fight fires – that is part of who we are. If we can establish the fire department and establish the training needed to get them up to that level, we could put on three shifts, have three lieutenants, have five people under each lieutenant, and train every day. It takes approximately four hours a week for that training, and if you have police officers doing their job while trying to maintain police and fire training every week, you get out of balance. Now we can get these people and have them come on staff during the day and train on off days. Even though we will have to pay overtime for this, we can stay up on our training mode. We can use 20 people from a staff of about 50 from the police department, and another 12 volunteers that are almost certified – they are called the Dirty Dozen. That will give us 32 people and the other 15 we have on duty every day, plus the lieutenants, will give us about 50 people to fight fires. It will allow us

to build back up in the next 18 months so when the ISO (Insurance Service Office) rating comes down, we hope to get a rating better than our current rating of 4. If we lose our rating we go to a 7 and that would cost the community about 25% - 30% more in insurance. We want to continue to go down in rating. He felt the quickest way to do this was to go this route while still leaning on the Police Department but not having all in the Department become certified. If we had to get everyone in the Department certified by next year, it would cost you about \$400,000 in overtime. We split these two departments up, train on duty with the people we have and we could still be within budget and not see any increase. The numbers show that in doing this you will have about \$200,000 less budget this year with the two budgets we had last year with the police budget. There was some capital in that of about \$280,000 last year. So this is pretty much a dead-even budget for the two years.

Commissioner Rentschler asked about citizen volunteers. The Interim City Manager told him we must get the ordinance in place, see exactly what we have and then we can open it up. He had to get everything in motion first. Commissioner Rentschler felt we would find we have trained firefighters in the city already trained to do this. Interim City Manager Carter wants the new Chief to get in place and set the ground work on this. Commissioner Rentschler felt the County Fire Dept. and the training facilities at Alamo West were pretty impressive. Within the next year or so, we should be able to train our people right here, so we need to utilize our volunteer citizens.

Mayor Galea asked about combined assets and our police department structure. Would this aide the City as far as security for parties or Pup Fish games? She also asked if firefighters could assist with DWI check points. Interim City Manager Carter stated firefighters would be there for firefighting events. This would not take anything away from the police side of it. It could be an added asset since we use both police and fire. He explained they had moved four positions from the police to the fire department to come up with the numbers they needed. No new employees would be added. We have about seven positions open in the police department, however Police Chief Duncan told him today there were about 160 applications for these positions that had been narrowed down to eight finalists. Nothing would change in security or coverage for the city.

Commissioner Baldwin asked if the police officers that go through that training would be paid more. Interim City Manager Carter told him they are already on staff and doing this job. The criteria of their job would not be changed at all. Commissioner Baldwin asked about the other police officers and Mr. Carter said that is in negotiations with the Union at this time.

Commissioner Rentschler had a question about assignment of duties. Currently we have both police and fire personnel responding to the scene of a fire. Who would be in control? Interim City Manager Carter responded the fire department would.

**Roll call vote was taken by the Clerk. Motion carried with a vote of 7-0-0.**

## **NEW BUSINESS**

- 10. Consider, and act upon, the first publication of Ordinance No. 1437 amending Section 18-02-030 of the Code of Ordinances increasing the salary of the Municipal Judge after the March 2014 Election. (Stephen Thies, City Attorney)**

City Attorney Thies explained the ordinance would increase the current annual salary of \$27,000.00 plus an additional \$6,864.00 to the sum of \$40,411.00. The current annual compensation was established in 2005 and there has not been an increase since than. The ordinance reads the compensation of salary would be equal to one half times for a magistrate judge. An independent commission establishes that. We would not have to come back with another amendment in the future that way. This ordinance increase would not become effective until after the March 2014 election because the current sitting judge cannot have his compensation increased until the beginning

of a new term.

Mayor Galea asked if this falls under the recommendation of the Municipal League for this salary so that it would be similar to municipal court judges in the state. City Attorney Thies did not have the specific answer to this, but when he discussed this with Judge Lee who is an active member of the Municipal Court, he suspected it is consistent with municipal judges in similar sized communities.

Commissioner Baldwin asked him if this reads it will automatically go up and the City Attorney said it would, but he didn't think it would be annually. He thought it would be done every two or four years when they review the compensation being paid to judges. Commissioner Baldwin had an issue with it

going up for other judges in the state while we are cutting funds here. He did not want to be a part of automatic raises for anything when we are tightening our belt. City Attorney Thies said your hands will

be tied in the future if you elected to reduce it. You would have to wait until the term of the sitting judge expired to reduce the salary. Thus, you would be limited to every four years to review the matter.

Commissioner Rardin said he would like to see us table this until the budget hearings, and see what is available. He agreed with Commissioner Baldwin about automatic raises and thought we should do the same for staff as well as for the municipal judge. Mayor Galea told him a raise for the judge needs to be raised by ordinance, not by preliminary budget. Commissioner Rardin said if we pass this ordinance as it is written it will happen automatically every time. The Mayor asked him if he would like to amend the item, and he said he would rather wait until after budget hearings to see how much money is available.

City Attorney Thies told them that currently the clerk would present the budget with this increase and you would have the opportunity to look at it then. There is plenty of time because it would not become effective until March of 2014. Commissioner Rardin said since we have plenty of time and the sitting judge wouldn't benefit from it, we should wait.

Mayor Galea asked if the Commission chose to amend it, could the language be removed to allow the increases or decreases to be automatic. City Attorney Thies told her you could simply establish the \$40,411.00.

**Commissioner Rardin moved to approve tabling until after budget hearings on the second meeting in May. Commissioner Rentschler seconded the motion. Motion carried with a vote of 7-0-0.**

11. **Consider, and act upon, the first publication of Ordinance No. 1438 amending Sections 29-03-030 and 29-04-050 of the Code of Ordinances pertaining to accessory buildings.**  
*(Stephen Thies, City Attorney)*

City Attorney Thies said this ordinance was requested by Commissioner Rardin. He noted there isn't much change to the current ordinance. It is primarily intended to clarify whether or not an accessory building may be built on the rear property line. In the past, code officials have interpreted the ordinance differently allowing masonry buildings to be built on the rear lot line and sometimes not. Also, they have allowed wood structures to be built and at other times not. This would provide any structure of any material may be placed on the rear lot line.

**Commissioner Rardin moved to approve Ordinance No. 1438 amending Sections 29-03-030 and 29-04-050 of the Code of Ordinances pertaining to accessory buildings. Mayor Pro-Tem Hernandez seconded the motion.**

Commissioner Rardin asked if we make our accessory building ordinance match our one set back ordinance. City Attorney Thies said the second component to this ordinance deletes the two feet requirement for a side yard. We would do it within the 29-04-050 which is the R-1 that requires the two foot setback. Commissioner Rardin asked him if we took that out of there, and the City Attorney agreed. Commissioner Rardin explained to the Commission he had a constituent in his district who was feuding with a neighbor over an accessory building on his property. The way the ordinance was written it could be interpreted two or three different ways, so this would clarify it. Many of us had read it and all had interpreted it differently.

Mayor Galea noted this had been presented to the P&Z Commission a couple of months ago, but no action was taken. Interim City Manager Carter said they had approved it but we didn't get the action back.

Commissioner Rentschler asked about the masonry construction part of this. Commissioner Rardin explained it says you may construct a masonry wall around the side lot line because it isn't combustible. If it is constructed of any combustible material it must be at least two feet away. Commissioner Rentschler asked about metal or cement board. Commissioner Rardin said that is just the way it is written. He noted the R-1 read you must have a two foot setback regardless of material. The accessory building ordinance read if it is built out of masonry, it could be all the way onto the side line. They contradicted each other and City Attorney Thies clarified it and took the portion out stating built all the way on the side line and refers it back to the R-1 ordinance. Commissioner Rentschler asked about masonry, and City Attorney Thies said if it is masonry it still can be built to the side line. This is only masonry and wood construction cannot be built with a zero setback. The change really says on the rear lot line it doesn't matter how it's built; it can be built with a zero setback. Previously, there had been varying interpretations whereas if it was wood it had to be two feet off the rear lot line, and if masonry it could be set right on the rear lot line. There is not a fire issue because generally there is an alley in the back.

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

**12. Discussion, and possible action, to move unscheduled communication to the beginning of the agenda schedule. (Susie Galea, Mayor)**

Mayor Galea had requested this item and would like to move unscheduled communications to right after Presentations and before Consent Agenda. That way members of the community would have their opportunity to address the Commission without having to wait until later in the evening.

Commissioner Rentschler would not like to see people speak who just came in ahead of those who had requested to be on the agenda in a timely manner. Mayor Galea said the planned presentations would be first and then those who signed up would be after. Commissioner Rentschler said when we are having discussions we allow citizen input, and he thought this would be putting the cart before the horse. First of all, we wouldn't have any citizen on the agenda at all if they knew they could simply sign up and speak first. This could result in some very long meetings. Mayor Galea said the presentations are about 15 minutes in length, while unscheduled communications are three minutes at the most. Sometimes they simply want to speak of something simple like road construction or condition of city facilities, so this way they would not have to wait until late in the evening to speak.

**Mayor Pro-Tem Hernandez moved to approve moving unscheduled communication to the beginning of the agenda schedule after scheduled presentations. Commissioner Sikes seconded the motion.**

Mayor Pro-Tem Hernandez thought we should give this a try and see if it works. If not, it could be moved back to the way it is done now. Basically, we are trying to work with the people since they are saying we do not work with them.

Mayor Galea said we had sign up sheets for this meeting. She said the name and address were on the sheet, and she would like to see their topic added to the sign up sheet.

Commissioner Baldwin asked if they are putting a topic down, can we ask them to comment on those topics when it's formally presented. He agreed with the Mayor Pro-Tem, however if they want to speak on a subject actually on the agenda then it would be more appropriate they speak at that time. Mayor Galea said but at the same time if items are removed from the Consent Agenda to New Business, we would be generous to allow public comment. This is a public meeting not a public hearing.

Commissioner Rentschler said his point was if they came to speak on Item #12, they would be speaking before the item came up. He would rather have their input while addressing the item.

Mayor Galea said if Unscheduled Communication were moved to before the Consent Agenda, they could speak on any items not on the agenda. It would be stated on the sign up sheet they have only three minutes to speak. Commissioner Rardin asked if we can do three minutes per person and a maximum of 20-30 minutes for the whole Communication time. If there were a large group of people signed up to speak, they could speak during this time for 20-30 minutes and the rest would be moved to the end of the meeting. Commissioner Rentschler said we could divide it up by item.

Mayor Galea said when we have done this by agenda item, there is 15 minutes for and against. Commissioner Rentschler said if they have that much time we need for them to come in and get on the agenda before the meeting. Commissioner Rardin doesn't want to limit the public, and agreed with Commissioner Rentschler they should get on the agenda if it is something to be discussed at length. If they have concerns that are short, we should give them three minutes per person but no longer than 21 minutes. Mayor Galea clarified with him if there was a large group for one subject, they could wait until the end of the meeting. He agreed.

**Mayor Pro-Tem Hernandez amended his motion to include the time limit of three minutes per person and 21 minutes total. Commissioner Sikes seconded the motion. Motion carried with a vote of 7-0-0.**

**13. Consider, and act upon, an Amendment to the Rules & Regulations for the Commission Meetings.** *(Josh Rardin, Commissioner and Renee Cantin, City Clerk)*

Commissioner Rardin told the Commission these were rules developed by the former City Manager. He felt they needed to be changed somewhat.

City Clerk Cantin noted that since the former City Manager had left, she had been preparing the agendas as she had before. She pointed out the proposed changes beginning:

~Page 2, Rule 5(a) –change 'The City Manager Shall consult with the City Manager and Mayor in the preparation of the Agenda.' to "The City Clerk shall consult with the City Manager and Mayor in the preparation of the Agenda.'

~In section 5(g) to delete in first sentence, 'and referred to the City Manager', and she would do as she used to. Normally what she does is to send the request to the correct Department Head, Director or Manager and they will put it on the agenda if need be. In the same section - first sentence remove, 'by the Mayor or City Manager'. In the second sentence of the same section, remove, 'being agendized', and remove the 4<sup>th</sup> sentence, 'Commission members shall receive copies of those written requests which are not agendized.' She noted she has not done this in the past nor since this was in place. If there was something important she would let them all know and put it on the agenda for discussion.

~In Rule 6 she added the Order of Business on this document. It had been on another document and she felt it was important this should be approved on this document. She would move the

Unscheduled Communications up as the Commission had just approved.

~She next referred to Rule #14 under Public Comment and felt some of it should be reworded since they had just discussed this. She could add under section b) the time limits just adopted, and noted the under that same section to remove 'with Commission approval' giving the Presiding Officer discretion.

~Rule #18 to remove, 'based on seating order or order', because it has been more organized to allow the Presiding Officer or the Elected Mayor to select that order. Now it is in district order, and it might be clearer to make this change.

**Commissioner Rardin motioned to approve this as written plus adding the changes on the Unscheduled Communications previously approved. Commissioner Sikes seconded the motion.**

Commissioner Rentschler talked about approval of the agenda and whether it was necessary to do this. Mayor Galea said that under Parliamentary Procedure, there wasn't a reason to do so. It was the former City Manager's preference. City Clerk Cantin said it was not required.

Commissioner Talbert asked if there could be random roll calls. City Clerk Cantin said we had looked into having each commissioner vote with a button and she would have a switch to take the total. This is why she put into these rules to have the Presiding Officer do what they were most comfortable with.

Commissioner Rardin said when he was first on the Commission, they always went through the City Clerk. She put it on the agenda and dealt with the City Manager. The former City Manager passed a lot of rules and made it more difficult. He said he still takes everything to Renee because the City Manager has enough on his plate. He hoped this would clarify and simplify the process.

City Clerk Cantin added she teaches all the Clerks in the state it is the Clerk's job to prepare the agenda. The only municipality she knew of where the City Manager prepares the agenda is the City of Gallup.

Mayor Galea asked about how the roll call voting is done. City Clerk Cantin told her if the proposed changes to the Rules were passed, she and the Mayor would work together to make the changes and email the changes to everyone.

Commissioner Rardin said random changes to the roll call might create some confusion. Mayor Galea said the random idea came up during the City Manager selection process.

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

#### **14. Appointments to Boards & Committees. (Susie Galea, Mayor)**

Mayor Galea announced the Boards and Committees with current vacancies and appointed Susan Payne to the Community Development Advisory Board. This will be her first term.

### **UNSCHEDULED COMMUNICATIONS**

#### **A. Paul Sanchez, 701 Seventh St. commented on the following:**

1) He asked about the rule change just approved of. He told the Mayor she said this is a Public meeting not a Public hearing. She said he was correct. He then read from the Rules and Regulations, Item 14 a) 'Public comment is permitted on all agenda items....' and if this is true, why can't the public comment on the agenda items. She said it is the discretion of the Presiding Officer and she likes to follow parliamentary procedure. Mr. Sanchez said item a) didn't say anything about the Presiding Officer as item b) did. The Mayor said perhaps there was a hypocrisy there that needs clarifying, and he asked her to reiterate that. She said perhaps there was a hypocrisy in the rules that needed clarification at the next meeting.

2) He asked about Rule 24 where the retention time for meeting cassette tapes would be changed to the State's record retention schedule which allows them to be destroyed once the minutes are approved. Mr. Sanchez said he knew that tonight's approved minutes were not exact in regards to certain things such as the Mayor's comment about allowing public discussion at her discretion on the cell phone issue. She had made the statement, 'even though this is a public meeting not a public hearing' was not in the minutes. He wondered if there was a question about the way things are worded and it's not worded exactly in the minutes, how can a citizen go back and verify that. Mayor Galea said the minutes are not yet summary minutes and not to be nit-picked. She did not want to be crucified for saying there is a public meeting not a public hearing. She said the City Clerk could answer that for him. City Clerk Cantin told Mr. Sanchez she apologized for skipping that point earlier in the Rules. She said the State regulation for keeping minutes is that once the minutes are approved, which are the original record of what happened at a meeting, the tapes can be destroyed – period. We have a resolution on file approved by a former commission that states we are to keep the tapes four years. If there is something that deviates from the recorded minutes, it is the Commission's job to catch that when they approve the minutes. Those minutes are the final word, and because we are one of the only communities in the State still doing exhaustive minutes and not summary, we have a really good record of those meetings. She explained she had added here a recommendation to not follow the City's regulation anymore for keeping tapes or recordings, but instead following the State's regulations. This would allow us to destroy those tapes after the Mayor so approved. She stated we have file cabinets full of tapes and we are going on to tape # three for this meeting, and it takes a lot of storage space. Once we go to digital recording and can link it on the web site, we won't have to delete it right after. If someone wants to go back and listen to the audio, they will be welcome to do so. It is specifically for the cassette tapes. Mr. Sanchez told the Mayor the City Clerk just contradicted something she said when the Mayor said the minutes are summary. The Mayor told him they are not yet summary minutes. Most cities ask their Clerk to do summary minutes and we ask our Clerk to go above and beyond. Mr. Sanchez thanked her for clarifying that and said he had mis-heard her. He said his point was there were some omissions from the last approved minutes in his relation to his question about Public Comments section, and because those aren't lining up, he is concerned about destroying the tapes. Mayor Galea asked him if he was asking us to be more detailed like in Municipal Court tapes that are typed verbatim and every yawn and throat-clearing is written down. He said he wasn't trying to be sarcastic, and she told him he was being very antagonistic. He countered he didn't believe he was and believed he was asking a respectful question of why the tapes are going to be destroyed, when he knows for a fact there is a difference and an omission was left out of the last minutes. She again stated these are not verbatim and there was not an omission. He again said he didn't feel he was being antagonistic and even though he didn't think he would get it, he wanted an apology for her statement just now about the yawns which he thought was fairly sarcastic. She said he was asking our clerk to go above what we ask her to do now and do verbatim. He said that is not what he is asking, and she told him he was. He said what he is asking for is for the amendment just put into place by the Commission - Agenda Item # 13, specifically says 'destroy the tapes.' He said he is not talking about changing the minutes. He didn't understand, when he knows there are differences between the tapes and the minutes, he didn't personally agree with destroying the tapes. If a question were to come up later, we could always refer back to the tapes. He said he is talking about the tapes, not the minutes. He apologized if she misunderstood him. She thanked him for his comments.

**B. Theda Harshey commented on the following:**

1) She said she still lives at 1109 Juniper and is here to ask the Commission to change the vote on Juniper. She noted she agreed with Commissioner Rentschler about whether to put the Unscheduled Comments at the beginning or end of the meetings. She said that maybe if she had been at the meeting in August of 2010, maybe this would not have been put on and voted on. She said she has learned a whole lot about what you all do here – the crazy things like that last conversation. If we had been here through all the meetings like she has since the last election, she was saying this wasn't the Commission's last chance, but one more chance for one of them to change their vote. We have had the residents move their vehicles off the street so you won't have to widen it, and she addressed Mr.

Carter in saying that would be \$1.1 million right there for the Police and Fire Departments and their training. She would appreciate it if one of you would change your vote.

### **CITY MANAGER'S REPORT**

---

Interim City Manager Carter went to the podium to face the Commission and present the following report:

Back in August, when I was hired to work as your Interim City Manager, you set a course of action for us to fill several top positions within the City and work to get several on going projects moving. I would like to report on the last 8 months work.

- A new Human Resources Manager was hired and she has subsequently reorganized her department and they are doing an outstanding job of recruiting and filling the different positions we have had open.
- A new Finance Director was put in place in December and as you are aware has set up a new investment program and accounting accountability for the City. He too is doing a great job.
- Again with your direction we were able to get an MOU with the Otero County Sheriff for APD and the Sheriffs Department to be cross carded and work together to the benefit of all Otero County citizens.
- We hired our new Chief of Police in January and already he is making a big difference in the department and city.
- A new Certified Librarian was put in place in March and she and staff are working together on many different projects at the Library.
- We have hired a City Engineer and he will start work on May 6th.
- We have put in place a Public Information Office as part of the duties of the Senior Executive Assistant. Through her efforts, we have set up the Fire Side Chats with the City Manager and they have worked out great. She has also set in place a policy for all information needing to get to the public to go through this office so we can coordinate all information. She's doing an outstanding job. She's also been working on the webpage and face book.
- We have hired an Asst. City Attorney to fill that vacancy.
- All upper Management positions have been filled.
- One of the projects was the BLM permit for the Snake Tank project. We received the permit and the project is moving ahead.
- Staff working together with the Commission was able to bring our Water and Sewer operations back in house the first of February and it is working well. We did that in one month.
- One of the major things we were faced with was the ISO Inspection that was to be done this past March. When we were made aware of the pending Inspection and the fact that our firefighter numbers were down and with Police and Fire staff told me we could not pass the Inspection, together we wrote a letter to the Office of the ISO and were granted an 18 month extension. With your passing of the New Police and Fire Ordinance, I am convinced we will pass the ISO next year. We've implemented a program to get our certification done. We will have a Fire Chief in place by April 29<sup>th</sup>.
- All the paper work is in place on Bonito Lake with FEMA and we are waiting clearance for them to move forward.
- We have a preliminary budget almost ready and I believe that the City under your direction and care is in good shape for this up coming budget year.

The City of Alamogordo has great employees and staff and as you are aware this will be my last Commission meeting. I want to thank you personally for the trust you have shown to me and them for allowing me to be a part of your management team. He received applause from all.

Mayor Galea said she doesn't think there is anything to parallel his work and mentorship with this Commission. She told him he has stood shoulder to shoulder with them and has really knocked it out

of the park.

### **REMARKS AND INQUIRIES BY THE CITY COMMISSION**

---

#### **Commissioner Baldwin commented on the following:**

- 1) Commissioner Baldwin thanked Interim City Manager Carter for all his work.

#### **Commissioner Rardin commented on the following:**

- 1) Commissioner Rardin also thanked Mr. Carter for giving them a hand in getting the City back on track.
- 2) He mentioned the City lost one of its good citizens yesterday with the death of Klad Zimmerle, who owned Alamotero Land Surveys. He has had a hand in plaiting or re-plaiting almost every sub-division in Alamogordo.
- 3) He asked the City Staff if a traffic count could be done at 1<sup>st</sup> Street and the By-pass. He thought the last one was done before 1<sup>st</sup> Street was redone between the train tracks and the By-pass. There is a light at 10<sup>th</sup> Street and Mesa Village, and since 1<sup>st</sup> Street has been redone there is an excessively large amount of traffic coming to 1<sup>st</sup> Street and the By-pass. For safety reasons, he would like to see if a light would be warranted in the future. Interim City Manager Carter said the State had been contacted to do this and we are waiting on them to get this done. Public Works Director Cesar said NMDOT is reassessing that area. Commissioner Rardin said there has been at least one fatality there, but that was before the road was redone and the traffic increased.
- 4) He next mentioned the structure fire on White Sands Blvd. behind the Chevron Station that occurred this morning. He mentioned it was the first time he had seen a Police Chief at any kind of an incident for most of the time. He thanked him for this.

#### **Mayor Pro-Tem Hernandez commented on the following:**

- 1) Mayor Pro-Tem Hernandez thanked Interim City Manager Carter for everything and noted Mr. Carter was also at the aforementioned incident.
- 2) He asked the media to clarify on the police and fire split because he has had a lot of questions from people about this. He noted the reason this was being done was for the ISO rating and training, and he asked this be put in any media reports.

#### **Commissioner Rentschler commented on the following:**

- 1) Commissioner Rentschler thanked Mr. Carter for the last eight months, and said it was a pleasure working with him. He hoped they would continue to communicate.

#### **Commissioner Sikes commented on the following:**

- 1) Commissioner Sikes thanked Interim City Manager Carter and felt a lot had been accomplished under his leadership, and they all had learned a lot. She was glad he had made himself available for consultative purposes.

Interim City Manager Carter said they all had a place in his heart and he greatly respected them as well as the people of the community who embraced him. Thus, we were able to accomplish a lot of things. He said he will be back and will help in anyway possible. He said he worked for the City of Lovington for 32 years and he didn't think he had any better friends than he had in these people right here. He thanked them for that.

#### **Mayor Galea commented on the following:**

- 1) March 28th – attended Green Tree Landfill Authority meeting, and the next meeting scheduled is for May 2nd at 6:30pm. Commissioner Rentschler is the Chairman/President, I am VP, and Commissioner Rardin is the secretary.

2) March 30th was Easter in the Park. Thank you to all the sponsors. The staff and volunteers did a great job bringing the activity to the community.

3) March 31<sup>st</sup>, I drew the raffle winner for the Elk's Club ATV raffle. The Elk's Club sold 700 tickets, and the proceeds fund the club and the many ways they donate to our local community clubs.

4) April 1st – Met with our City PIO's and Chief Duncan to introduce the EL Paso PD's PIO to discuss proactive public information through Face Book and other media outreaches.

5) April 2nd – Met with the C-50. They have invited me to join them to meet with AF AETC in relationship to a F-16 mission soon to come to HAFB. I will meet with the AETC on behalf of the City on April 17th.

6) April 3rd – The Commissary held a Family Fun Math Night at the store. I ended up not being able to go, and Commissioners Sikes and Talbert attended. The HAFB folks really appreciated the "downtown" community support. I was sorry to not attend, nor did I know it was an event that involved 500 kids until 7pm. Thank you to Commissioners Sikes and Talbert!

7) Bob Carter and I met with General Salas to show him what the Guard calls "swap space". It's a city owned building that the Guard can lease from us when they begin their \$5M remodel in 2014. We let Gen. Salas know that we welcome the NM Guard here, look forward to their potential future expansion and mission. We can work with them through APS to make the ASVAB pre-course well known and combat drug use, as recently it has been difficult for the Guard to recruit willing graduates due to failed drug tests and low scores on the ASVAB's.

8) April 4th the Commission met with City Manager candidates at the 19th Hole Restaurant as an evening reception with a few other community members. That same evening, Chief Duncan held a Self-Defense class through the Community Policing Program which is new. This was a proactive way to teach self-defense and there will be more community classes in the future.

9) April 5th – The Community-wide City Manager candidate Meet & Greet at Desert Sun Toyota show room was well attended. Thank you to Bobby Martinez for the use of his facility and other sponsors like PreCheck and Western Baking Co. There wasn't any cost to the tax payers for this.

10) April 6th – Attended the NHRO training for the upcoming Housing Authority Board with Commissioner Talbert. I feel more capable of assisting the public housing authority with their needs now and into the future. Their focus is how they can become more self-sustaining, and this Commission will be a great asset to them for that mission.

11) April 8th – Met with Col. Croft of HAFB and spoke about updates in and around the City. He informed me of encroachment issue within the flying range in the Lincoln Co. area. I have begun work with Ret. Gen. Hanson Scott to request an agenda item with Lincoln Co. to discuss the importance of zoning to protect the flight range into the far future. If projected wind farms do arise, it could mean that GAF FTC and the F-16's won't have the training space necessary and that would be an economic detriment to our entire region.

12) Proclamation - Holocaust Remembrance April 7th-April 14th

13) Proclamation - Purple Up! For Military Kids Day April 15th – Wear purple in honor of our community's military children.

14) I want to mention the \$11,880,600 received in CIP funds from the State. The city was awarded a lot of those funds. Much of this goes to CIP within the City. We received the following:

Reclaimed Water and Effluent Lines - \$243,000; Alamogordo Senior Center Improvement - \$103,600.00; Museum of Space History Theatre - \$500,000; NMSU Advanced Tech. Education Center Phase II - \$111,000; NMSU-A Info. Tech - \$131,790.00; Otero Co. Tularosa Basin Historical Society - \$525,000. Tularosa themselves received \$425,000.00. We could have improved with many of our requests and many of our needs had to do with water. We will work on achieving more CIP funds for our area of the state.

**EXECUTIVE SESSION** (Roll Call Vote Required)

*Recess into Closed Session in compliance with Section 10-15-1.H, NMSA 1978 (2001 Cumulative Supplement), to discuss:*

- Purchase, Acquisition or Disposal of Real Property. (3102 North Florida Ave.)
- Threatened Litigation (Street Project)
- Limited Personnel Matters (City Manager Recruitment)

Commissioner Rentschler moved to recess into Executive Session to discuss Purchase or Acquisition or Disposal of Real Property (3102 North Florida Ave.); Threatened Litigation (Street Project); and Limited Personnel Matters (City Manager Recruitment) at 10:01 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**

*Take any action as a result from Executive Session.*

Mayor Galea reconvened the meeting into open session at 10:47 p.m.

**Statement by the Mayor:** The Governing Body of the City of Alamogordo, New Mexico, hereby states that on April 9<sup>th</sup>, 2013 a Closed Executive Session was held and the matters discussed in the closed meeting were limited only to Purchase, Acquisition or Disposal of Real Property (3102 N. Florida Ave.); Threatened Litigation (Street Project); and Limited Personnel Matters (City Manager Recruitment) as posted on the meeting notice.

No action was taken.

**ADJOURNMENT**

Commissioner Rardin moved to adjourn at 10:48 p.m. Mayor Pro-Tem Hernandez seconded the motion. Motion carried with a vote of 7-0-0.

ATTEST:

  
 City Clerk Renee L. Cantin

  
 Mayor Susie Galea

(Prepared by Nancy Jacobs, Deputy Clerk)  
 Approved at the Regular Meeting held on April 23, 2013.