

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
7:00 P.M., COMMISSION CHAMBERS
MONDAY, AUGUST 25, 2014**

**SUSIE GALEA, MAYOR
JASON BALDWIN, COMMISSIONER
NADIA SIKES, COMMISSIONER
JENNY TURNBULL, COMMISSIONER
AL HERNANDEZ, COMMISSIONER**

**ROBERT RENTSCHLER, MAYOR PRO-TEM
DR. GEORGE STRAFACE, COMMISSIONER
JIM STAHLER, 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 Pastor Bill Heithold and the Pledge of Allegiance was led by Commissioner Baldwin.

APPROVAL OF AGENDA

Mayor Galea welcomed all to the Commission meeting including State Senator Ron Griggs and State Representative Yvette Harrell.

Mayor Galea requested that Item A-5 be removed from the Addendum. She had spoken to some Committee of 50 members and Chamber President Mike Espiritu and they will be attending the Outstanding Airmen of the Year Banquet in Washington, D.C., so she will not be asking to go on that trip. Instead she would like to recognize that airman with a Mayor's Commendation when he returns from that trip.

Commissioner Hernandez moved to approve adding the Addendum items to the agenda, except item A-5. Commissioner Straface seconded the motion. Motion carried with a vote of 7-0-0.

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

PRESENTATIONS

**A-1. Presentation of a Proclamation to the Chamber of Commerce Junior Ambassadors.
(Mayor Galea)**

Mayor Galea presented the Proclamation to the Chamber of Commerce Junior Ambassadors. She remarked Commissioner Sikes had recognized this groups' diligent work and had requested they be acknowledged. There were many Junior Ambassadors present along with their leaders to accept the Proclamation that named Tuesday, August 26, 2014, as Alamogordo Junior Ambassadors Day. They received a standing ovation.

1. Presentation by the New Mexico Museum of Space History related to the IMAX Improvements Project. (Chris Orwoll, Executive Director)

Mayor Galea remarked Museum Director, Chris Orwoll was unable to attend tonight. **Commissioner Hernandez moved to approve tabling this item until the next meeting. Mayor Pro-Tem Rentschler seconded the motion. Motion carried by a vote of 7-0-0.**

2. Presentation related to the Alamogordo and New Mexico Main Street Program. (Pam Lee, Chairman of Planning & Zoning Commission & Dr. Terry Marquardt, Chairman of Main Street Program)

Ms. Pamela Lee, Chairman of the Planning & Zoning Commission addressed the commission. She said she was here tonight on behalf of the Planning & Zoning Commission along with Dr. Terry Marquardt, Chairman of Alamogordo's Main Street Steering Committee. He previously served for 12 years in our State's House of Representatives. We are asking for your support for this exciting program for our city. The program will dramatically change our city through the joint efforts of our citizens, business leaders, and government. This program will allow us to realize our dream of a more vibrant downtown where we can walk to restaurants, stores and ice cream parlors on our beautiful evenings. It is a program that will attract people and businesses to our city by taking advantage of it's location at the foot of New Mexico's most beautiful mountains, and adjacent to national treasures like the White Sands National Monument, Holloman Air Force Base and the White Sands Missile Range. The program is the New Mexico MainStreet program. MainStreet is a grassroots, economic development program that helps communities revitalize the core of their cities. This program is not new and New Mexico cities have been taking use of MainStreet and revitalizing their cities for almost 30 years. More than 27 cities are now in the MainStreet program and have experienced a renaissance by improving the appearance of their downtowns using the architects and designers of the MainStreet program, thereby attracting people and businesses to their city centers once again. The program is not a top-down program; it is run by the people of the city through a non-profit corporation led by a board of directors and a MainStreet manager. It relies on volunteers for much of its work and brings a city together. In a real sense, it is a public/private partnership where its costs are covered by contributions from businesses within the MainStreet district, the community and the city. It is a pay-as-you-go program which means the projects are undertaken at the pace at which the funds are raised. The Planning and Zoning Commission has been considering MainStreet since the fall of 2012, when it approved my motion to consider how Alamogordo might get involved in MainStreet. Since then, I have spoken to citizens and civic groups throughout our city about MainStreet and since earlier this year, Dr. Marquardt and I have jointly made these efforts. Planning and Zoning held a public meeting in February of 2013 and about 40 citizens turned out to learn more about MainStreet. We now have a vibrant core of volunteers with more than 85 potential volunteers signing up on our email list. We have the support of business leaders, the Chamber of Commerce, and many of our political leaders. Earlier this year, former state representative, Dr. Terry Marquardt, volunteered to serve as our Steering Committee Chairman. Since then, enthusiasm for MainStreet has exploded; we have defined Alamogordo's MainStreet proposed district (she showed a chart on the overhead and it is in MainStreet Power Point in Agenda Book) as the area between 13th Street on the north to 7th Street on the south, with White Sands Blvd. on the west to Maryland, Virginia, and Indiana Streets on the east. On July 10th, the Planning and Zoning Commission voted unanimously to recommend to the City Commission to approve applying for entry into the MainStreet program. Our application is due on September 29th and the latest version of the draft application has been given to the City Manager and City Attorney. More than two years ago, I first spoke to many of you in this room about MainStreet. At that time, I told you that dreams should never be destroyed by details. Dr. Marquardt and I are now here to present you with the opportunity to take the next step in MainStreet, and on behalf of the Planning and Zoning Commission I urge that you vote to approve our entry into the MainStreet program for it would provide the details for us to realize our dream of a vital and vigorous downtown. Your unanimous vote will make a strong statement to both our citizens and the NM MainStreet program itself of your commitment to move our city forward towards a more vibrant future. She then introduced Dr. Terry Marquardt.

Dr. Terry Marquardt told the commission this is our city. Don't worry; MainStreet is not here to complain that there is this blight in our community (Power Point was being shown during presentation), that some buildings in the center of our community look like slums. MainStreet is not here to ask that you improve the first impression that visitors have of our community, the first impression that determines whether they stop for lunch, or stop to visit the Space Museum, or White Sands, or to continue on their journey to a more welcoming stop. That first impression that determines if this is where they want to invest their lives and their business, or accept employment

here, an impression that determines whether they want to retire here, or whether they want to volunteer for military service here. It could be these very views that prompted a commander from HAFB, speaking to an Alamogordo civic organization to say, if you expect airmen to volunteer for service at HAFB or do business here in Alamogordo, you need to clean up White Sands Blvd. Now, MainStreet understands that the City has limited resources to address these issues of blight in our community and that's why MainStreet is forming a non-profit to partner with the City, enabling the City to access the very same resources that 27 other communities in New Mexico have been accessing for 29 years, to revitalize their commercial districts and create jobs and grow businesses, to encourage entrepreneur support and development, all of which benefits the local community and raises the quality of life. No, MainStreet is not here to complain; MainStreet is, in fact, here tonight to offer help to the City. Help in not only cleaning up our city but help in preserving and enhancing our historic culture and heritage, and at the same time help the City in attracting businesses and creating jobs. MainStreet understands that the City has limited resources and that's why MainStreet is here tonight to demonstrate how the City can increase those resources by stimulating the vitality of our community through a partnership with the State Department of Economic Development, and an Alamogordo non-profit MainStreet. MainStreet communities bring funding to their cities not available to the city otherwise; like the Maddox Foundation and the McCune Foundation, charitable and philanthropic foundations that contribute to NM MainStreet projects. The Friends of NM MainStreet and the NM Coalition of MainStreet communities are additional entities that partner with NM MainStreet. New Mexico Heritage Preservation Alliance is a private partner for managing philanthropic funds for the Historic Preservation Division, and New Mexico Resiliency Alliance is a private partner for pass-through funds from philanthropic sources to local MainStreet affiliates for design projects, scholarships and operational 'C' grants. New Mexico MainStreet start-up communities are eligible to apply for physical infrastructure and planning grant funds from the Economic Development Department MainStreet Capital Outlay Fund. MainStreet communities utilize the Community Development Block Grant (CDBG) program which is a flexible program for providing communities with resources to carry out community development activities such as the prevention of slums and blight. NM MainStreet has promoted metropolitan redevelopment area planning for downtown areas that are deteriorated and blighted or under-utilized, in order to stimulate economic development and community well-being in Las Cruces, Farmington and Clovis. In fact, let's take a look at Las Cruces' MainStreet: population 97,000, entered the MainStreet program in 2003, created 311 new jobs, 73 new businesses, \$7.8 million in private investment; or Farmington: Population 45,000, entered MainStreet program in 1997, created 266 new jobs, 87 new businesses, \$5.6 million in private investment; how about Clovis: a very similar military community to Alamogordo, population 37,000, entered MainStreet program in 2001, created 215 new jobs, 83 new businesses, and \$21.4 million in private investment. MainStreet is not a big fix or an instant answer, but rather an incremental process that ultimately has made a dramatic difference for those communities. As Pamela said, the Committee has received endorsements from your City Planning and Zoning Committee and the Chamber of Commerce Legislative Committee. OCEDC has agreed to be the fiscal agent until Alamogordo MainStreet has completed the 501 (c)3 Non-Profit application process. Public Service of NM (PNM) has agreed to support Alamogordo MainStreet as it does other MainStreet communities in New Mexico. Our legislative delegation, Senator Griggs, Representative Harrell, and Senator Burt who has sent a letter to the Mayor and Commission supporting the efforts of MainStreet. In fact, to quote Senator Burt, "I simply ask the Mayor, City Commission and the Administration to support the MainStreet Revitalization Project 100%."

Dr. Marquardt continued saying that the application process to become a MainStreet community is a competitive one. The New Mexico Legislature has appropriated funding for two new MainStreet communities in 2014. Alamogordo MainStreet will present its application to the New Mexico Department of Economic Development on September 29th. New Mexico MainStreet Division of Economic Development recommends a MainStreet district consists of a quarter square mile, easily walkable district to target the commercial revitalization. The benefits of Alamogordo selected as an emerging MainStreet community is really the exciting part of what is possible in our community. The New Mexico Economic Development Department will provide professional and technical assistance and resources of professional organizational development consultants who provide facilitation in strategic planning, work plan development and fund raising. Professional graphic design and

marketing specialists provide assistance with image development and branding, marketing strategies, events planning and publicity. Professional economists and business development specialists provide technical assistance and training in marketing analysis, business strengthening, business recruitment and revitalization financing to us. Professional architects and planners provide conceptual design services for façade improvements, parking, landscape and signage. Each local program is eligible to receive architectural services for two design projects per year. Professional planners and design professionals provide assistance in historic preservation, community planning, streetscape design, vehicle and pedestrian circulation enhancements, district master planning, revitalization plans and strategic plans. New Mexico Department of Economic Development provides notice of grants and partnership opportunities, and innovative revitalization tools and techniques. NM MainStreet's estimated annual fair-market value of these services and professional technical assistance, if purchased directly by the community would be \$50,000 per year. But instead, it's paid for by the NM Legislature. For every dollar local and state government invests in MainStreet, there is an average of \$44 in private sector capital investment in MainStreet districts. Because of this 44-1 investment ratio, NM MainStreet has become a national model for leveraging public dollars. Economic Development is about jobs, new investment, new businesses and the generation of tax revenues for you for local and state efforts. I think this is an exciting opportunity for our community, one that 27 other New Mexico communities over the past 29 years have already capitalized on. Alamogordo may not be the last to receive these benefits, the benefits of the MainStreet program in New Mexico, but if the application is accepted we will be the 28th. Why? Why is that? We are here today to show you what the rest of New Mexico has been doing for 29 years and what we can do to not only catch up, but also how you can be leaders in our community. Alamogordo MainStreet's recommendation is that the City take the \$50,000 you have already appropriated to build a wall to hide this blight, and instead take that \$50,000 you have already appropriated to build the wall to hide this blight and invest it in the NM MainStreet program, and receive a 44-1 return on your investment; that's \$2.2 million dollars, and create an economic development engine that not only attracts investments and creates jobs, but also improves the esprit de corp of our community through efforts that make our community more attractive, more welcoming, and improve the quality of life. Together, we can create an economic opportunity for our community, for our children and grandchildren, if only we have the vision, the commitment and the effort to succeed.

Mayor Pro-Tem Rentschler said what he would say about this program is that anyone who has listened to him since he has had a seat on the commission, he has had a vision of what downtown Alamogordo can be, even though his vision isn't exactly as yours is, and that is probably a good thing, because mine involve a lot of public money. With that being said, he can't tell you how excited he is about this and is glad to see this synergy behind it, Planning and Zoning behind it, the legislators we have here in the audience tonight and the letter from Senator Burt, I am just excited about this. I think it is a really good opportunity for Alamogordo, is something we need to do as you just saw by the pictures you just demonstrated. You are absolutely right; we were looking to build a wall there. We have money in Economic Development and Quality of Life money for that wall and it hasn't been built yet, so I really believe this is something Alamogordo needs and something that will benefit us immensely. I am glad to hear your presentation tonight, thank you.

Commissioner Straface thanked both Ms. Lee and Dr. Marquardt for their presentation. Am I to understand that once we apply and assume for one moment we are successful, that you two will be the leaders of this, the ones that really direct the activities, or is there someone else behind it? Ms. Lee responded from the audience (unintelligible). Commissioner Straface said you would be soliciting volunteers to assist you as you go through this once it is approved, is that accurate? Dr. Marquardt responded there were a number of people here tonight that you may want to ask them to stand to show their support. (Many in the audience stood up).

City Manager Stahle commented the MainStreet program opens doors to funding opportunities for both the private and public sectors; it doesn't get any better than that. You mentioned the public/private partnership; I'd like to ask everybody this. At what point in time did the City of Alamogordo lose Main Street? I ask that provocative question because we never really have, although I would tell you some people would say that when the Mall was built on the north end, that's

where Main Street went. Others might tell you that it was the parking lot of Wal Mart because that's where everybody goes. The truth is the heart of the community is in its old downtown, so I respect very much the opportunity to bring attention to it and try to revitalize it. Most cities that have gone through the MainStreet program have taken years to develop their main streets, but have really flourished. They've made a difference in how it looks and how a community feels about it. If your heart's healthy, the rest of you should be, so I look forward to working with the folks of Main Street which are really the businesses, to make this something you are all very, very proud of. I'll pledge every bit of effort the Staff can muster to support you.

Pam Lee said she agreed with that, but here's the point. The point is, Alamogordo didn't get to where it got overnight, and it won't get to where we want it to get overnight, either. In the process, the important thing, it will unify our city on a common purpose, and think about that, think about what that can do for the soul of the City, let alone the soul of the town itself that we are going to work on. All these people are here because they are excited and I see the excitement in your eyes, too, so let's do it.

Mayor Galea had a few questions and she appreciated the presentations. She especially appreciated the comment Ms. Lee made about the fact that dreams should not be destroyed by details, but there are a few questions I have about the details because it does involve tax dollars. I do wonder with the City, after this process does get to its next phase, Phase 2 where fund raising begins after 18 months and the City puts up a third of the funding or more, if perhaps there is no buy-in financially from the other merchants, downtown, private or public, where is the other \$60,000 going to come from.

Dr. Marquardt responded the \$21 million in Clovis came from individual investors, not merchants that are in their MainStreet, but investors that came into the town after MainStreet started revitalizing their commercial district. Also, the bulk of the money does not come from business owners. The business owners provide voluntary efforts, but the McCune Foundation and those other foundations I illustrated in the presentation, those come in like \$50,000 denominations, and PNM comes in \$50,000 denominations. So we're not talking about selling water at the County Fair to raise money for MainStreet, we are talking about a process in place that raises hundreds of thousands of dollars for communities throughout New Mexico. That's where the private contribution comes from. Actually, the \$15,000 or \$30,000 that the City contracts in services from MainStreet, that could easily not be a third; it could easily be much less than that.

Mayor Galea said she has a question about the \$30,000. It will most likely come from the Promotional Board funding that comes from Lodger's Tax, and tonight we are approving that same type of funding to be spent on the Chamber of Commerce for Tourism Promotion services in the amount of \$26,000; how would that not be competing for those same funds.

Dr. Marquardt said it is not competing; it is a partnership with the Chamber of Commerce. One of the goals of MainStreet is to increase tourism in our community and so with the Chamber of Commerce efforts to increase tourism and the help the MainStreet gets from the State Tourism Department, the State Department of Economic Development; it enhances their efforts as well as the City's revenues from tourism.

Mayor Galea has been studying how they work in Las Cruces where the community rezoned the main street area as the Downtown District, and with the downtown zoning improved the property values and improved the property taxes to generate more revenue, and they encumbered that revenue for a ten year period to do one large approved Capital Improvement Project for the esthetic look of the MainStreet area. My question is how will that affect the business owners that are lessees to the businesses. There are a number of business owners who aren't necessarily property owners. Would their lease go up monthly and affect their bottom line, that's what I'm concerned about.

Dr. Marquardt said thank you for that concern. In any community where there is more revenue, where there is more commercial district, where there is more economy thriving, rents do go up, but it

is proportional to the profits.

Ms. Pam Lee said one of the advantages, Mayor, about being 28th in line to get into this program is that almost any question any of you might ask has been answered by another program, and that is the advantage of being in this program. We get these answers; we don't have all the answers tonight for you, I certainly don't. The point I'm trying to make here is there are answers and we get them from the MainStreet program. If we have problems with leasers and downtown and they don't want to get involved in the program, it's not the first time that has happened. It has probably happened 27 other times.

Mayor Galea appreciated that very much and understands there is technical assistance provided. I just have questions for the record for all involved so that this is fair for everyone that is concerned. I do have one more question about the fund-raising. I recognize that for our largest non-profit, the United Way being one of the largest non-profits, they struggle to raise \$300,000 a year for many organizations. How will this be competing with non-profits that can barely scrape a quarter million dollars each year and then with that quarter million dollars assuming that would be something that MainStreet in their public/private partnerships could accumulate. How would that not be competing with our non-profits?

Dr. Marquardt told her the list of contributing charitable and philanthropic organizations that I listed this evening don't have anything to do with United Way. I didn't list United Way as a source of income for MainStreet. Mayor Galea said she understood, but there are a number of businesses in town in the Main Street district that do contribute to a number of charities. Dr. Marquardt said he expects that successful businesses and professionals like myself will continue to contribute to United Way in addition to working to improve the economic vitality of Alamogordo, in addition to our profit/loss statements of our individual businesses. Mayor Galea said thank you and I'll certainly take your word on that.

Commissioner Hernandez commented he would like to piggy-back off of Dr. Marquardt's statements. Probably over the last five years the hospital has been in very bad shape and we're just now coming out of it. During those five years we do United Way, we do Relay for Life, we do pretty much anything anybody asks us to do. Every year, we have not only met the goal but exceeded the goal through those times, and those are the employees that give. It didn't matter if we were getting raises or not getting raises or whatever was happening, so this community is a giving community. So, he didn't think that was a problem, that there would be any kind of problem; people are going to give.

Mayor Galea thanked Ms. Lee, Dr. Marquardt and all those who came to support MainStreet tonight.

PUBLIC COMMENT

None

CONSENT AGENDA (No Roll Call Vote Required)

3. **Approve Minutes of the August 12, 2014 Regular Meeting of the Alamogordo City Commission.** (*Renee Cantin, City Clerk*)
5. **Approve the Lodger's Tax Expenditures for Tourism & Travel.** (*Jan Wafful, CS Admin. Assistant*)
6. **Approve the Agreement with Otero County Economic Development Council (OCEDC) for operating in the amount of \$30,000.** (*Stephen Thies, City Attorney*)
7. **Approve the Agreements for the Chamber of Commerce related to Facility Maintenance, Overhead, and Operational Expenses of the Aubrey L. Dunn Visitor's Center for Tourism Promotion in the amount of \$25,000.** (*Stephen Thies, City Attorney*)

8. **Approve the Agreements for the Chamber of Commerce for Tourism Promotional Services in the amount of \$26,000.** (*Stephen Thies, City Attorney*)
9. **Approve the award of RFQ No. 2014-01 to Souder, Miller, & Associates, related to the engineering and design services for construction of a new lined Cell No. 5 at the Otero/Greentree Regional Landfill project, in an amount not to exceed \$94,570.00, including NMGR.** (*Brian Cesar, Public Works Director*)

Commissioner Hernandez asked to remove Item # 4 from the consent calendar.

Commissioner Straface moved to approve items # 3, 5, 6, 7, 8, 9 of the consent calendar. Commissioner Baldwin seconded the motion. Motion carried with a vote of 7-0-0.

Dr. Marquardt asked the Mayor if action would be taken on the MainStreet proposal, and she remarked that Item 11 under New Business is the Resolution to support MainStreet.

ITEMS REMOVED FROM CONSENT AGENDA

4. **Approve statement related to the Executive Session of August 12, 2014.** (*Renee Cantin, City Clerk*)

Commissioner Hernandez stated that in order to stay intact with the Open Meetings Act, it is my opinion we did not discuss the city manager's evaluation on August 12th. Mayor Galea said that's right. Commissioner Hernandez said rather, we discussed items concerning other employees, and so I just wanted to clarify that so we are not in violation of the Open Meetings Act.

Mayor Galea said ok. I did request that the item be placed on the Executive Session and I asked that the statement be that we discussed items relating to personnel matters for the city manager. It was stated differently on the agenda, so thank you for removing that. Items were discussed pertaining to personnel matters relating to the city manager. Would anyone disagree with that statement?

Commissioner Hernandez moved to approve that in order to not violate the Open Meetings Act, we did not discuss the city manager's evaluation in the Executive Session of August 12, 2014. Mayor Pro-Tem Rentschler seconded the motion. Motion carried with a vote of 7-0-0.

PUBLIC HEARINGS

10. **Public Hearing, consider, and act upon, Application No. 911558 to grant a transfer of Ownership and Location for Liquor License #0283 from Meridian Investments, LLC to Allsup's Convenience Stores, Inc. d/b/a Allsup's Store No. 95, located at 822 N. Scenic Dr., Alamogordo, NM including the waiver of the distance of less than 300' from a nearby church.** (*Renee Cantin, City Clerk*)

City Clerk Cantin told the commission that this item had been tabled from the last meeting in order to obtain a letter in writing from the pastor, and you do have attached in your book the letter that I had sent to the pastor. What I did receive from him was an email; I did send him another email this morning, as well, inviting him to come to the meeting but he had a meal that they provide at their church and could not attend tonight. You also have some questions from the last meeting on how many feet within the building, you also have a letter from Cheryl Winrow who is the manager at this Allsup's who prepared the application, and she did explain the discrepancies in her numbers there. It was her fault the numbers were a little bit off and she did apologize and provide explanation to you

all. I talked to the pastor twice and as you can see from the email that he says he understands and needs

to be an exception to the rule, because the license is for the sale of closed containers and he does not take issue with the granting of this license. So, this license also was published two consecutive weeks prior to the first public hearing and an additional two weeks prior to this public hearing and I have not heard any opposition.

Commissioner Straface moved to approve Application No. 911558 to grant a transfer of Ownership and Location for Liquor License #0283 from Meridian Investments, LLC to Allsup's Convenience Stores, Inc. d/b/a Allsup's Store No. 95, located at 822 N. Scenic Dr., Alamogordo, NM including the waiver of the distance of less than 300' from a nearby church. Commissioner Baldwin seconded the motion. Motion carried with a vote of 5-2-0. Commissioner Hernandez and Commissioner Turnbull voted nay.

NEW BUSINESS

11. **Consider, and act upon, Resolution No. 2014-41 in support of the MainStreet Alamogordo's application to the New Mexico Department of Economic Development for inclusion in the New Mexico Main Street Program. [Roll call vote required] (Marc South, City Planner)**

Mayor Galea moved to approve Resolution No. 2014-41 in support of the MainStreet Alamogordo's application to the New Mexico Department of Economic Development for inclusion in the New Mexico Main Street Program. Commissioner Straface seconded the motion. Motion carried with a vote of 7-0-0.

12. **Consider, and act upon, approving a subdivision request by Christine Hobson to divide a tract of land in the N1/2 SW1/4 NW1/4 of Section 17 T16S, R10E, NMPM (2118 No. Florida Ave.) into two (2) tracts: one being 0.500 Acres and the other being 4.319 Acres. (Case # S-2014-0007(A)) (Mark South, City Planner)**

City Planner South told the commission that Items 12 and 13 were a pair entry and will blur over into each other. He said Item 12 is taking a parcel that fronts on to N. Florida, 2118 N. Florida. It is directly north of the grocery store/Laundromat/gas station that is there now. In the past, this lot had a mobile home park on it; there has not been a mobile home park there for a significant period of time. The people who are involved in the proposal to redevelop this desire to come up with a proposal for an affordable mobile home community in Alamogordo. Affordable housing has been an issue for some time in Alamogordo and this is a step toward dealing with it. However, and this is a group, a couple of individuals with whom the Planning Staff has been working for over a year to try and find a proper location, one available at an appropriate price and something that could be handled appropriately. This lot (he pointed it out on the overhead), this is the lot in question for the subdivision. The gas station, etc. is down here; the subdivision will split this lot into two parcels. The small chunk which is the .5 acre chunk fronts onto N. Florida, and the rest of this will become the mobile home park. What we discovered in the course of the applicants walking through all of this is, I am not quite sure how this ever operated as a mobile home park in the past. It was not zoned for a mobile home park, so unless that mobile home park was there when this area was annexed into the City, which is possible, this has been non-conforming for a very, very long time. Having been completely, having had all the former mobile homes and things taken off the property, the non-conforming status ended. A rezoning will be required to make this whole proposal work. Planning Staff was somewhat reluctant to do, to encourage a rezoning of the whole property because the Comprehensive Plan clearly talks about N. Florida being developed into a retail/commercial office strip. We had some issues with that, the folks involved came back and said we obviously need land to get back into the mobile home park part of it, but in fact, it works better for them to keep this frontage on N. Florida for potentially a commercial use at some point in the future. It dealt with the

issue of the Comprehensive Plan and it still allows for the development of affordable mobile home residences in the area. We could have technically proceeded with this subdivision as an administrative subdivision, but we thought honestly it would be more fair to you all to see the whole package, so that without this the whole rest of it doesn't make a lot of sense. So, this is the first chunk which is the subdivision of the land and it will create an area that will be known in the second chunk as the Ridgeview Subdivision.

Commissioner Hernandez said this is just directly south of the Evergreen Trailer park, right? City Planner South said that is correct. Commissioner Hernandez said there is already an existing, and I'm with you. I remember when it was, I think, Northside Trailer Park is what it was called, back in the day.

City Planner South said yea, this is Evergreen, this used to be the J&J or Giant I guess it is now, Xerox across the street and all of that, but this is bare land.

Commissioner Hernandez moved to approve a subdivision request by Christine Hobson to divide a tract of land in the N1/2 SW1/4 NW1/4 of Section 17 T16S, R10E, NMPM (2118 No. Florida Ave.) into two (2) tracts: one being 0.500 Acres and the other being 4.319 Acres. (Case # S-2014-0007(A)). Mayor Pro-Tem Rentschler seconded the motion.

Mayor Galea noted this also relates to Ordinance 1473, is that correct. City Planner South said you need to do the subdivision first. Mayor Galea said I was just making sure we don't need to approve that. So we will be approving the subdivision in this motion, correct. City Planner South said yes, m'am.

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

13. **Consider, and act upon, the first publication of Ordinance No. 1473 amending the official zoning map of the City of Alamogordo, changing the classification of Ridge View Lot 2 (2118 North Florida Avenue) from its present zoning district of C-3, Business District to MH-2, Manufactured Housing/Recreational Vehicle Park District. (Case # Z-2014-0003(A)). (Marc South, City Planner)**

City Planner South said you have pretty much heard the overview, unless there are questions.

Commissioner Hernandez moved to approve the first publication of Ordinance No. 1473 amending the official zoning map of the City of Alamogordo, changing the classification of Ridge View Lot 2 (2118 North Florida Avenue) from its present zoning district of C-3, Business District to MH-2, Manufactured Housing/Recreational Vehicle Park District. (Case # Z-2014-0003(A)). Mayor Pro-Tem Rentschler seconded the motion. Motion carried with a vote of 7-0-0.

14. **Consider, and act upon, the sale of certain city owned property located at 1513 Black St. in Alamogordo, NM 88310. (Stephen Thies, City Attorney)**

City Attorney Thies explained to the commission that what they have before them is an offer by an individual by the name Glenn Mainz to purchase one of the lots we own over on Black Street. Black Street is located north of 70 and west of La Velle Road. The City acquired these parcels, if I recall correctly, about 25 years ago in a special assessment district. They had to pay all their special assessments and that city clerk closed on the property and acquired a number of lots and that particular area has resulted in that foreclosure. Over the past several years we have been selling off areas, lots, these are now large lots, most of them about 60 to 120 feet in size. Our average price has been about \$2,500 with maybe a high of \$4,500. As I indicated in my agenda report, several years ago the tax assessor's office did a market analysis and they came up with a range of \$2,000 to \$4,500 for the lots in that area. We had a real estate broker do a probable market value in the

analysis of 2008. He concluded the value of the lots were anywhere from \$3,000 to \$4,000. Last time we really got aggressive to sell these was about three years ago, and we listed and advertised these properties as being for sale and we took sealed bids. I think we sold three and maybe four lots at that time at a price of about \$2,500 to \$3,500 each. I'm not sure if the individual who made the offer is here tonight; his offer for the parcel is \$3,788.88.

Commissioner Hernandez said that as this meets the price range value he moved that we approve the sale.

Commissioner Hernandez moved to approve the sale of certain city owned property located at 1513 Black St. in Alamogordo, NM 88310. Commissioner Turnbull seconded the motion. Motion carried with a vote of 7-0-0.

15. Consider, and act upon, the placement of a new Resident Parking Only sign for home located at 1315 Jackson Avenue. (Renee Cantin, City Clerk)

City Clerk Cantin told the commission this is a general request from a resident who lives across the street from City Hall over here, which is within 500 feet of the property line of a public meeting place. The map of this property showing the 500 feet is on page 171 of your agenda book, and I stand for questions if you have any. We do have an additional letter from the Soccer League because of one of the comments had been written on her application about parents allowing the kids to urinate in front of her yard, and so the Soccer League did just put a letter in response to that, that they actually even have one of the coaches who lives in the area who opens his home to that. They wanted to make that clear.

Mayor Galea thanked her for adding that to the record in rebuttal to the letter provided by some of the residents about the challenge they were having with the local youth at that park.

Mayor Pro-Tem Rentschler moved to approve the placement of a new Resident Parking Only sign for home located at 1315 Jackson Avenue. Commissioner Hernandez seconded the motion. Motion carried with a vote of 7-0-0.

16. Consider, and act upon, Resolution No. 2014-42 in support of interest fee caps on small loan companies in New Mexico. [Roll call vote required] (Nadia Sikes, Commissioner)

Commissioner Sikes explained her request for this item. She said I had been contacted by former senator Steve Fishman back in June. He has formed a coalition to try to bring the bill to the Legislature. We've discussed this in the past; we know and have acknowledged that it is a problem, but realize that locally we probably couldn't do a lot about it. But, if there is going to be a coalition of all of the metropolitan areas and municipalities in New Mexico going forward to assist the Legislature and pass in legislation, I thought it would be something that would be in our best interests. He provided us not only with a sample resolution, but with a lot of back up information about the organization that he's put together, and they've put a very reasonable cap on it that we've included in our resolution.

Mayor Galea said this week we have the NM Municipal League meeting. If this does pass tonight, I would like to share with the other municipalities the resolution so that they might also support it. In our prior discussion as a commission about the store-front lenders, the challenge has been that there is no regulatory system at the state level, currently. What this resolution would do is support this next legislative session placing a regulatory interest rate amount set at 36% so that it does not take advantage of other businesses, tax payers, employers, government, credit agencies in our community. Working with the former legislator, he talks about the impact on businesses. He says, "Nationally, store-front borrowers declare bankruptcy twice as often as the general population. If outrage on behalf of consumers is not enough to spur action, take a look at all the other constituencies that have taken a hit from the high store-front lending cost. For businesses, recent

independent research shows that high cost store-front lending depresses business and kills jobs. All the money wasted on loan fees and interest would likely have been spent with local stores and services. One researcher estimates the economy losses and that of \$24 for every \$100 spent on pay day loan fees. New Mexicans spend about \$100 million on high cost store-front loans in 2012 alone."

Commissioner Straface moved to approve Resolution No. 2014-42 in support of interest fee caps on small loan companies in New Mexico. Commissioner Sikes seconded the motion. Roll call vote was taken. Motion carried with a vote of 7-0-0.

17. Consider, and act upon, approving the involvement to the U.S. Mayor's Campaign to End Bullying. (Susie Galea, Mayor)

Mayor Galea said that in 2012 the commission did sign a resolution to create an Anti-Bullying Coalition within the City which would enable such a group. I brought this to the commission as part of my commitment to the commission that I would not sign on to any nationwide letters of mayors support as I had in the past. It frustrated some commissioners when I signed on with the US Mayors Campaign for the Freedom to Marry, and so I bring this to the commission that there be approval that I also sign on to the US Mayors Campaign to End Bullying.

Commissioner Hernandez said he had a question for her. Did you read the resolution? Mayor Galea said yes she read the resolution.

Commissioner Hernandez said I support this and all aspects of it, but I cannot support you being our person that basically goes to this. Mayor Galea said she would not be attending events; this would be City based. I am not attending anything outside the City in support of Anti-Bullying; Anti-Bullying month is the month of October.

Commissioner Hernandez said ok. I'm just, it's just my opinion that I would not support at this point you being involved in this. Mayor Galea asked you would support a commissioner signing onto the National Mayors list campaign to end bullying?

Commissioner Hernandez said if you read the resolution, and Mayor Galea interrupted to ask which part he did not agree with. He said the second 'Whereas'. Mayor Galea said ok, and she read, "Whereas, bullying consists of a pattern of intentional conduct, including physical, verbal, written or electronic communication, that creates a hostile environment and substantially interferes with another person's physical or psychological well-being and that is: motivated by an actual or perceived personal characteristic, including race, national origin, marital status, sex, sexual orientation, gender identity, religion, ancestry, physical attribute, socioeconomic status, familial status or a physical or mental ability or disability; or threatening or seriously intimidating..." and she said I don't understand why there's some concern with that portion of the resolution.

Commissioner Hernandez said well, in the recent, you have been very guilty of this, and actually in my career, you are actually the biggest bully I've ever worked with.

Mayor Galea said ok; you are entitled to your opinion, and I'm sorry you feel that way.

Commissioner Straface wanted to make sure we are liaisoning with the School District in this and they'll have representatives on this. Mayor Galea said yes.

Mayor Pro-Tem Rentschler asked where it talks about the School District. Mayor Galea said it talks about the Mayor partnering with the school so that there would be city-wide awareness of the Anti-Bullying Campaign. Mayor Pro-Tem Rentschler asked if weren't already in the middle of that. Mayor Galea said no, sir.

Commissioner Straface said the School District is involved in Anti-Bullying. Commissioner

Hernandez said it is on the last big sentence. Commissioner Straface said it is a major focus of the School District, Anti-Bullying right now. This probably would support that, I'm guessing. Mayor Galea said yes, it would support the schools.

City Manager Stahle said I need to point out that the resolution you all are referring to is Resolution 2012-16; that is already adopted by the commission. Commissioner Straface said yes. The City Manager said you are already in work with the School District on Anti-Bullying.

Mayor Galea said I am asking that I answer back the letter dated August 6th that starts out "Dear Mayor", talking about the impact of bullying and it is in request that there being over 180 mayors registered for the campaign in 39 states with more signing up each week. I ask that the commission would approve that I would also sign on.

Mayor Pro-Tem Rentschler said again, we are already involved in this resolution from 2012-16, it predicates us to that.

Mayor Galea said will you give me approval to sign on?

Mayor Pro-Tem Rentschler said I was just asking the question, when you said we were not, I was surprised at that. I was just clarifying.

Commissioner Straface asked to comment. If the commission already approved this, than I think we automatically are on it. I don't know if you need a resolution. Mayor Galea said no resolution is needed; just an approval that I, it would be a motion to approve the involvement to the US Mayors Campaign to End Bullying. I brought this as a good-faith effort because I did make a commitment to this commission that I would not sign-on to any national letters as I had in the past without discussing with the commission.

Commissioner Sikes said does that mean we need to take action. Mayor Galea said she would appreciate if I were to receive approval from the commission, I would readily sign-on to this national campaign with the other 180 mayors.

Commissioner Sikes said then I would say based on the fact that we've already passed the resolution, it's already something we're doing, we already have a cooperative effort going with the local school district, we all know that bullying is a bad thing, I don't see a problem with allowing you to sign a letter that just puts you in a larger group supporting the end of bullying. So I would say that we let you sign the letter.

Commissioner Sikes moved to let Mayor Galea sign the letter to the U.S. Mayor's Campaign to End Bullying. Commissioner Turnbull seconded the motion. Motion carried with a vote of 5-2-0. Commissioner Hernandez and Mayor Pro-Tem Rentschler voted nay.

A-2. Consider, and act upon, Resolution No. 2014-21 declaring an emergency in the City of Alamogordo related to the recent heavy rain fall. [Roll call vote required] (Mikel Ward, Fire Chief)

Fire Chief Ward and Deputy Chief Jim LeClair came forward to give an overview. Fire Chief Ward said that following the heavy monsoon rains and our discussion Thursday, we are asking that you sign a resolution declaring an emergency in Alamogordo relating to the flooding.

Mayor Pro-Tem Rentschler asked Fire Chief Ward what the value of the damage was so far. Fire Chief Ward said complete damage assessments aren't in, but we are roughly at about \$80,000 damage and clean-up, about \$20,000, give or take in emergency response, about another \$130,000 in FEMA improvements.

Mayor Pro-Tem Rentschler asked what the threshold was. Fire Chief Ward told him there is a county-wide threshold, and I'm sorry I don't have that number. It's a little over \$200,000. City Manager Stahle said it is \$206,000, and Fire Chief Ward thanked him. Fire Chief Ward went on to say that county threshold is then combined at the state level for FEMA threshold and then it goes off to FEMA for declaration.

Commissioner Straface moved to approve Resolution No. 2014-21 declaring an emergency in the City of Alamogordo related to the recent heavy rain fall. Commissioner Turnbull seconded the motion. Roll call vote was taken by the Clerk. Motion carried with a vote of 7-0-0.

A-3. Consider, and act upon, a request for a Utility Bill abatement for the property located at 1418 Juniper Dr. (Robert Rentschler, Requestor)

Mayor Pro-Tem Rentschler presented his item. He explained he brought this and I realize this is within the Staff's level of preview; they certainly could have mitigated at this level. In lieu of recent events with the public and with Water Billing and what have you, I figured I needed to bring it myself and the full commission needs to hear this and approve this. My water bill was near \$1,076 and some amount. I actually got this call from city staff while I was in California that I was going to have an exceedingly high water bill, and would I like them to turn my water off. I said sure, let them turn it off if we're over \$1,000. So, you'll see, too, there should be a repair bill in here. I used the same contractor to repair it that's been actually installing our meters. It was perplexing to me when I realized what had happened. On this, and I've shared this with the staff who will listen to me, this meter replacement program we've got going on has been problematic. All of you, I would guess, have heard this before. There have been a lot of meters they are putting in that are a little bit larger and they're trying to shove the pipe. Although, so far what I hear is, well, they weren't even around your house. What I do know is that it was plumbed and scheduled for PVC, did it myself, fit really good, there wasn't a problem with it, and because of the amount of problems we've had with this, and I guess we'll have an agenda item in the next city commission meeting that will address this, that there have been a lot of these things breaking. I really believe my meter, my waterline was broken by this contractor; I can't prove that, but I believe it. What I'm asking for here tonight is I'm asking that we do what we do for any other citizen that showed up to the Water Department down there with their bill for \$1,200 and they say I've got a receipt and I had it repaired and it was a leak. That's what I'm asking for this evening here.

Mayor Galea said for the record, for those who would reference it back in the future, it is page 217 in the agenda book, where the receipt is found.

Commissioner Hernandez moved to approve a request for a Utility Bill abatement for the property located at 1418 Juniper Dr. Commissioner Turnbull seconded the motion. Motion carried with a vote of 6-0-1. Mayor Pro-Tem Rentschler abstained.

A-5. Discussion and possible Action regarding Potential Travel for the Mayor to attend the Air Force Association, Outstanding Airmen of the Year banquet on September 15-18, 2014, in Washington, D.C. (Susie Galea, Requestor)

Removed by motion at the beginning of the meeting.

18. Appointments to Boards & Committees. (Susie Galea, Mayor)

Mayor Galea announced the Boards and Committees with current vacancies and appointed Blaza Madrid to the Mayor's Committee on Aging; Karen Hutchison to the Public Library Advisory Board; Nina Walker Saenz to the Senior Volunteer Programs Advisory Council; Karen Hutchison to the Public Library Advisory Board; and Nina Walker-Saenz to the Senior Volunteer Programs Advisory Council.

PUBLIC COMMENT

None.

CITY MANAGER'S REPORT

1) City Manager Stahle reminded everybody the Cottonwood Festival is this weekend and if you get a chance, go by. I thought it should be fun; unfortunately, I'm going to be out of town, but I hope everybody else makes it. That's all I have.

REMARKS AND INQUIRIES BY THE CITY COMMISSION**Mayor Galea commented on the following:**

Mayor Galea remarked that there was a letter I received recently from members of the Department of the Customer Service Billing Department, and they were concerned with my remarks I had made in the newspaper related to the August 4th article where I had sighted that I felt personally that in my opinion it was stealing, what had transpired between Armando Ortega and those accounts and utility billing, and they were also frustrated with my remarks in the emails sighting my agreement with a citizen that a criminal investigation should be pursued. And if I have caused anyone any hurt feelings or if I have caused any ill will, that was not my intent and I apologize if anyone has any hurt feelings from my remarks. That is all I will say on that matter.

EXECUTIVE SESSION (Roll Call Vote Required)

Recess into Closed Session in compliance with Section 10-15-1.H, NMSA 1978 (2010 Cumulative Supplement), to discuss:

- **Sale, Acquisition, or Disposal of Real Property (Housing Authority Properties)**
- A-4. Sale, Acquisition, or Disposal of Real Property (Alvillar)**

Commissioner Hernandez moved to adjourn into Executive Session to discuss **Sale, Acquisition, or Disposal of Real Property (Housing Authority Properties and Alvillar)** at 8:22 p.m. Commissioner Baldwin 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 at 8:53 p.m.

- 19. Consider, and act upon, any action that may be needed as a result of the Executive Session.**

Mayor Galea said that for the record we must state that no action was taken in Executive Session and all discussion was limited to items stated on the agenda for Executive Session, with exception to the item of Sale and Acquisition or Disposal of Real Property for the Housing Authority Properties was not discussed in this Executive Session, but would be moved to a future date.

Commissioner Hernandez moved to approve the Mayor's statement. Commissioner Straface seconded the motion. Motion carried with a vote of 6-1-0. Mayor Pro-Tem Rentschler voted nay.

Mayor Pro-Tem Rentschler said he would like to see us do it a different way.

ADJOURNMENT

Mayor Pro-Tem Rentschler moved to adjourn at 8:54 p.m. Commissioner Baldwin seconded the motion. Motion carried with a vote of 6-1-0. Commissioner Straface voted nay.



ATTEST

City Clerk Renee L. Cantin


Mayor Susie Galea

*(Prepared by Nancy Jacobs, Deputy Clerk)
Approved at the Regular Meeting held on September 9, 2014.*