

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
7:00 P.M., COMMISSION CHAMBERS
JUNE 10, 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 STAHLE, 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. Commissioner Sikes was absent. Clerk Cantin announced there was a quorum present. Invocation was given by Reverend Dwight Harp and the Pledge of Allegiance was led by Commissioner Baldwin.

APPROVAL OF AGENDA

Mayor Pro-Tem Rentschler moved to approve adding an Executive Session for Collective Bargaining Negotiations (APSOA & AFSCME). Commissioner Hernandez seconded the motion. Motion carried by a vote of 6-0-0.

Commissioner Hernandez moved to approve adding the addendum to the agenda. Commissioner Straface seconded the motion. Motion carried by a vote of 6-0-0.

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

PRESENTATIONS

1. **Presentation regarding the efforts to create a civic brand for Alamogordo. (Cam Wilde, Presenter)**

Mr. Mike Espiritu, President & CEO, Chamber of Commerce addressed the commission. He said that last year Laurie Anderson from OCEDC attended a meeting and in later discussions we agreed to pursue possible branding/re-branding of our community. In September, the OCEDC and Chamber had their first of a series of meetings for community branding with a focus group of several volunteers from the community. We identified the importance of branding, the potential impact, identified our community strengths and assets with the goal to create a consistent message that could be viewed by others from different perspectives, business recruitment, increased tourism, civic pride and ownership of our city. This group met monthly and tossed around many ideas as well as conducting surveys in the community. A strong city brand can definitely shift the perception of a place and represent who we are. When people think of Roswell they think of aliens. When you say Alamogordo you have to ask "What's in Alamogordo?" He said we have several key players with us tonight from the focus group and he introduced Laurie Anderson.

Laurie Anderson from OCEDC continued with the presentation saying the whole idea of branding was to strategically place us in a position to import more dollars into our community than to export. Hundreds of communities are working to diversify their economies from core industries to new industry. Community branding is a team sport and should be embraced by everyone as everyone gains to benefit. Competition has never been more fierce. What will peak an investors interest the first time they hear about us, what sets us apart from everyone else, why should they invest in our

community and how can we put more skin into the game. What do we have to do in order to win when companies are looking to relocate. We looked at a community with a population of a little over 16,000, a former lumber town. Their challenge was trying to attract new business when they are located 60 minutes east of Minneapolis/St. Paul, 30 minutes west of Chippewa Falls. They identified their target audience and their values and priorities, and identified how they were an extension of those values. They came up with 'Welcome to Menomonie, Wisconsin: Right in the Middle of Everywhere.' This is an excellent example of a small town that has been able to leverage natural assets including miles of scenic trails, Lake Menomin, and all the amenities of a local poly-technical institute. The community also boasts a number of small businesses and a vibrant cultural scene. They have been able to maintain a thriving industrial base and a more diverse economy that extends beyond tourism. When they launched this campaign they increased tourism by 500% in 12 months. Their brand and artwork are award-winning and they were voted number 15 among the top twenty best small towns in America by Smithsonian magazine. Their center for the arts was listed as one of the world's most spectacular theatres by CNN, and in 2014, they were honored by the League of American Bicyclists with a bicycle friendly city designation. They will beat the odds of many small towns that struggle to maintain declining populations, departing businesses and deteriorating public assets.

Mr. Cam Wilde introduced himself as one of the volunteers on the Branding Committee. He is a graphic designer who specializes in branding. From what he could find, the only time Alamogordo had any solid visual brand was when they were the Rocket City. He liked what they did with it back then, but now we've become disjointed over the years. A brand is a gut feeling you and your target audience get about a place; the logo helps sell that. It is an ideal, a strategy of what a town is about. We have talked to the citizens and the way they feel about Alamogordo today and it's kind of all over the place. Some think we are the red-headed step-child of HAFB, and we love Holloman but we have our own civic pride to think about. This does not encroach on the New Mexico True campaign at all. That target audience is out of the state and visually it brands all New Mexico cities the same way. Someone said we are both in the same relay race and New Mexico True passes the baton to Alamogordo itself.

Mrs. Megan Wade, Senior Executive Assistant/PIO said she represented the City of Alamogordo at the Branding meetings. She showed the concept they had come up with: ALAMOGORDO – DISCOVER / EXPLORE / LAUNCH. These three words are what give us that 'gut feeling' about Alamogordo and we liked it because of its broad appeal. She gave the example of a snow-bird or tourist wanting to learn more about Alamogordo. The first thing you do is Discover - look at the climate; Explore – look at the blue sky, the parks, the forest; Launch – you decide to come here for your vacation or to retire. There are five reasons why people relocate their business: labor and workforce, desire to meet a new market, upgrading facilities or equipment, desire to lower their cost and increase their cash flow, and quality of life. Quality of life is one of the commission's main objectives for this year. With this brand we encourage business to discover that Alamogordo has a large retired military population as well as other people to create a strong labor force. They will discover Alamogordo has the space to develop and bring in commercial activity. They explore other areas like the recreation in and around the town, they discover we have one of the lowest crime rates in the state and our education systems are receiving top awards with graduating seniors receiving millions in scholarships. That helps create a great quality of life. What of the people already here? She mentioned that she grew up here, came back and rediscovered a lot about Alamogordo she had lost when she left. There are some who discover they want to raise their kids here because there are opportunities for their children. That's why we really love this DISCOVER / EXPLORE / LAUNCH.

Dr. Juan Garcia, NMSU-A commented on where the college is on the branding idea. He said the University has the same goal as the city; we want students to stay, invest in their education and then launch their careers. When he showed this idea to his administration they had a good connection with it. Not only does it resonate with what we want our students to do, but our logo for

the University is 'All About Discovery'. We had a focus group with the staff and they had positive comments about the excitement of the logo and how it helps the campus become excited. When we had a focus group with the students, one remarked it had 'good curl'. He said we will continue into the fall with focus groups when there are more students. Our president, administration, staff and students like it.

Mrs. Megan Wade read some comments received. One was from Yvette Herrell who is the president of the Tularosa Basin Historical Society (TBHS). Her comments were very positive. Mrs. Wade said a poll had been put on the City website and it produced one of the biggest responses we've ever had; 39% decided on the DISCOVER / EXPLORE / LAUNCH. HAFB and White Sands Missile Range (WSMR) did the same and got very similar responses.

Mr. Cam Wilde came back to say there will be a logo later; that is usually the last stage. We are still strategizing and the plan is to hit everyone in the city in order to narrow it down some more. Last comes the visual part and that could be a while.

Mr. Espiritu said this is pretty exciting and something we have lacked in our town. He thanked all the volunteers who worked on this. At this point, we want the commission's continued support as we move forward. We know everyone may not like it, but if the majority does then it is something we should pursue. We would like to come back before the commission at a later date with more results of this, and possibly reserve the right, the privilege to maybe ask for some funding in order to promote and market it in the future.

Mayor Pro-Tem Rentschler appreciated all the work done on this and he really liked the concept. He felt it fits Alamogordo very well and it really clicks.

Commissioner Turnbull asked how they are going to get it out to more people in the city. Mr. Espiritu said that's the next step and we are meeting tomorrow to discuss it. We will probably visit with civic groups and fraternal organizations, do another survey, do something in the water bills and advertise on marquees. We need their buy-in as stakeholders.

Commissioner Straface asked how the final decision is to be made and who will make it. Mayor Galea said the commission would decide whether to adopt it or not. She felt by consensus the commission was in support of the committee moving forward to gather consensus from the community. She was excited about the brand and remarked the city stands to gain the most with increased GRT revenues and businesses, and she felt the city should pay to design the logo. She hoped OCEDC would use the completed logo to help recruit businesses.

City Manager Stahle thought it was marvelous but he didn't want to launch until it is ready; until the graphics are ready in order to capture the essence of the tag line. He was cautious of getting too far ahead with the tag line until there were graphics presented to the commission so we could take action and work together with other entities.

Mr. Espiritu thought it was important for whatever logo is developed, that it will be the central theme for the city and other entities in the city would cascade from it. There will still be uniqueness and individuality of organizations that may choose to use those three words in their current logo. Mrs. Wade said just to be clear, those three words are just a tagline; the DNA of the concept. The logo would be the final process and we would make sure it could stand the test of time.

- 2. Presentation, discussion, and possible action related to the Agreement with PreCheck. WITHDRAWN.**

PUBLIC COMMENT**A. Mr. Harv Hamilton commented on the following:**

- 1) He said "the enemy of my enemy is my friend". At the last meeting he got his back up because of some of the things that were said about and by the Forest Service. He was a 1963 graduate of the oldest forestry school in the nation, and he felt he saw forest differently than anyone here. When he returned from Viet Nam he thought forest management was leaning toward the environmentalists. When he attended school, the only agency in the US Government contributing to the Treasury was the Forest Service. Now they don't have enough money to do anything right. Before he reported to Holloman, he went by Bonito Lake and thought it was a fire trap. The next day on his way down from Ruidoso, he was pleased to see how Mescalero was and had no idea it was being managed by a different entity. The first time he went to Cloudcroft to the lookout tower by Weed, he was again grossed out. Of all the forests he has seen since he started in the program, Lincoln is the worst managed. It isn't necessarily who is there, but what it has become. When he hears someone say one forest is different from another he asks why, why do they get that idea and who allowed it to get that way.
- 2) He hasn't been back to Bonito Lake since 1973, but has been told it is the only green spot up there. The silt is because of the Forest Service and that burn up there. We are waiting on FEMA to give us the money so we can dredge. He believed we would be lucky if 15 years from now it would be forested enough so we wouldn't have to be concerned with silt. Last time he had been here the ranchers showed up with about six hours notice of the meeting; the Forest Service had more. Back east we had the Dutch Elm disease that had been introduced from Europe; we have Africanized bees because of a screw up; up on the mountain we have a screw up with an overpopulation of elk introduced from Wyoming; in Pennsylvania the deer are overpopulating the entire state. He understood the city fathers, many years back, sold a bunch of land to the Forest Service for \$1.00. Now, to check on our water sources up there, we have to negotiate with the Forest Service.
- 3) He and his dad had been at odds over the Senior Center. Mr. Hamilton said that at every election he saw a bond issue where the seniors voted themselves money to improve the Senior Center. Then if they come with hat in hand to this body for more, they should be told they don't deserve anymore.
- 4) Mr. Hamilton said it seemed that the insert in the water bill was the only way the city got word out concerning activities. He wanted to see more in there about upcoming meetings and less long discussions.

CONSENT AGENDA

3. **Approve the Minutes of May 27 2014 Regular Meeting of the Alamogordo City Commission.** *(Renee Cantin, City Clerk)*
4. **Approve the statement related to the Executive Session of May 27, 2014.** *(Renee Cantin, City Clerk)*
5. **Approve granting a waiver of the permit free for a Special Fireworks Display Permit for the 4th of July Fireworks Display at the New Mexico Museum of Space History.** *(Renee Cantin, City Clerk)*
7. **Approve the final publication of Ordinance No 1467 amending Sections 28-02-100 and 28-03-080 of the Code concerning Water and Sewer Rates. [Roll call vote required]** *(Renee Cantin, City Clerk)*

8. **Approve Change Order No. 2, RFQ No. 2013-05 to CDM Smith, Inc. related to the engineering and design services for the 1MGD Interim Desalination Plant project, in an amount not to exceed \$6,113.98, including tax. (Brian Cesar, Public Works Director)**
10. **Approve the subdivision plat for Palo Duro Phase 3. (Marc South, City Planner)**

Item No. 6 was removed by Mayor Galea and No. 9 was removed by Mayor Pro-Tem Rentschler from the Consent agenda for further discussion.

Commissioner Hernandez moved to approve the consent agenda. 3, 4, 5, 7, 8 & 10. Mayor Pro-Tem Rentschler seconded the motion. Roll call vote was taken for Item No. 7. Motion carried by a vote of 6-0-0.

ITEMS REMOVED FROM CONSENT AGENDA

6. **Approve Resolution No. 2014-26 removing uncollectible and unsecured utility, library, housing authority, recreation center and other miscellaneous accounts from the City's accounts receivable. [Roll call vote required] (Helen Viscarra-Reno, Assistant Finance Director)**

Mayor Galea removed this from the Consent Agenda. She understood that by statute, every four years we write off uncollectible debt. She did approve writing off this amount by statute; it is \$42,000. She wanted the commission to consider adding to this the \$4,000 billed to the German Air Force for services provided by security and not wait four years.

Commissioner Hernandez said maybe next time we'll consider it. This time it is too fresh. Mayor Galea asked if he meant next year and he said no, maybe next time we will consider it. That would be like someone paying their water bill last month and asking to write it off this month; we need to extend it to the minimum requirement. We only do these every twelve months and we would create problems with the residents we didn't write off.

Mayor Galea understands his point but thought it was different than a water bill. She thought it would be a good PR move to write it off now versus waiting four years from now.

Commissioner Straface said he didn't want to revisit the whole issue but he also felt there were things the Germans were responsible for that we did not receive payment for. He felt the same as Commissioner Hernandez.

Mayor Pro-Tem Rentschler moved to approve Resolution No. 2014-26 removing uncollectible and unsecured utility, library, housing authority, recreation center and other miscellaneous accounts from the City's accounts receivable. Commissioner Turnbull seconded the motion. Motion carried by a vote of 6-0-0.

9. **Approve Change Order No 3, Public Works Bid No. 2013-006 to Burn Construction Co., Inc. as it related to Intersection Improvements at Indian Wells Road and Washington Avenue/Pecan Drive in an reduced amount not to exceed \$15,485.57, excluding of NMGRT. (Jason Thomas, City Engineer)**

Mayor Pro-Tem Rentschler asked about the reduced amount.

City Engineer Thomas said it was a credit of \$15,486 and did not include the right turn lane improvement. This change order includes three items. We substituted the stick-on 3-M tape for the crosswalks; we had a conflict with lane stripping when we were opening the intersection that needed to be addressed; the third was a credit for all the items on the contract, basically an add or

delete credit for all items on the contract based on actual measured in place quantities. Those three items together total \$15,000. We had talked originally about adding in the right turn lane improvements to this contract, but because the contract had been open since February and demobilized we should open it up to other bidders. We are about 85% done with the design and plan to advertise on June 22nd with the bid opening on July 9th. You'll see a recommendation on July 22nd. We are thinking it is a 30 day contract so construction time will be in August. With the savings from this and an unencumbered balance in 109 (Street Capital) of about \$79,000, there is a nice little kitty to do the right turn lane project.

Mayor Pro-Tem Rentschler was glad to see a reduced amount since it is not a normal thing to see.

Mayor Pro-Tem Rentschler moved to approve Change Order No 3, Public Works Bid No. 2013-006 to Burn Construction Co., Inc. as it related to Intersection Improvements at Indian Wells Road and Washington Avenue/Pecan Drive in an reduced amount not to exceed \$15,485.57, excluding of NMGRT. Commissioner Straface seconded the motion. Motion carried by a vote of 6-0-0.

NEW BUSINESS

A-1. Discussion, and possible action, related to a finders fee for economic development.
(Susie Galea, Mayor)

Commissioner Hernandez said when the mayor first brought this up he thought it was a great idea but he has changed his mind. There are several issues that could happen with this. For instance, if you have a lost child and you offer a reward you receive lots of calls; some are legitimate and some are not. Anytime you offer an incentive, you start getting lots of people coming in to see how they can do it. This could not apply to any of us but in actuality it could because he could get someone from the audience to present it and then split it 50/50, and no one would ever know. It puts competition on what we already have which is our own economic development council and what they do. Not that competition isn't good, but this is dirty competition. We partner with them and don't pay them to bring anybody in. If they bring a business in then they need to get the finder's fee. If a so called 'dirty' company comes in with an offer but for whatever reason we turn them down, then the one who brought them in is still going to want the finder's fee for bringing them in. You will need a lot of rules and regulations that would be too much, and he wondered about the legality of a finder's fee.

Mayor Galea said we did speak with the city attorney and he talked about qualifying entities. We are on the same page. She agreed with Commissioner Hernandez concerning dirty companies and kick-backs to the commission, but said we are bound by an oath and are ethical public servants. The competition for OCEDC is not at all the case; they would not be excluded and the finder's fee would be for anyone who brought a company in. Her idea of the finder's fee, hypothetically, is 1% of the annual first year payroll of a company which would be paid five years after the company is vested in the city. It could be figured through a payroll audit from our internal auditor. If Jane Doe brings in a qualifying entity that brings in a \$5 million dollar payroll company, the finder's fee would be \$50,000 due to her five years later. We could make it more of an incentive if the finder's fee went to a charity of the person's choice. If Jane Doe's charity was C.O.P.E., then the \$50,000 would go to them in five years after the company was vested in the community. That is incentive for the whole community as well as OCEDC. A qualifying entity would not be retail or service companies. She had spoken with a realtor who knew of a food manufacturing company in El Paso that is looking at Alamogordo because of the new incentives of lesser taxes than the state. The City of Alamogordo stands to gain most if more companies and jobs come here.

Mayor Pro-Tem Rentschler addressed the city attorney asking him if he was comfortable with this.

City Attorney Thies said we wouldn't want to call it a finder's fee, but in conjunction with an eligible project agreement with an eligible company that is anything but retail, you are allowed to take economic development tax and use it for professional services related to the project agreement. It wouldn't necessarily be a finder's fee, but if someone were to bring us a project, that project would be appropriate to use economic development money to pay them for their services. If you wanted to establish a finder's fee and use some other source of funds, as long as it was structured properly in that you are getting something in return for the payment of the money, primarily the new business, it would be conceptually possible.

Mayor Pro-Tem Rentschler asked if we don't already do that, to the extent that if a company comes in looking for economic development money and meet all the criteria, we reward them. This goes beyond to somebody that knew the company before they showed up. He was concerned about the perception that is crucial from this commission, especially. He felt there was a lot of room for misperception.

Mayor Galea said she has spoken to several groups and no one has misconstrued this, so she didn't know what perception he was alluding to. Mayor Pro-Tem Rentschler said when you give someone \$50,000 then there might be more to perceive. Mayor Galea said she see's his point. If \$50,000 were given to a person or their charity of choice after a company had been here for five years and provided in their first year a payroll of \$5 million dollars providing new jobs in the city, she didn't know what the perception would be other than something positive.

Commissioner Baldwin said the discussion here is whether to have Staff move forward and not to actually decide on it tonight, so he was in favor of working with this idea especially if it would help Alamogordo in the long run. He was not opposed to having Staff bring those details of the finder's fee.

Commissioner Straface said the concept is reasonable to consider but thought the details would be important. He wanted them to bring forward points you would consider putting in an ordinance for discussion. Overall, he had some concern with the concept but wanted to look at the details.

Commissioner Turnbull thought this was what OCEDC was for, so she needed to see something more than this. She was not for giving someone money when OCEDC does this already.

Mayor Galea understood and said that the city is partnered with OCEDC to do that. This would strengthen OCEDC and make it a community effort.

City Manager Stahle said after hearing the idea put forward he thought it had potential. After he thought about it, it reminded him of the old days when we had bounties, when we awarded people by giving them money to bring in the bad guys. He didn't know that it couldn't be done and he had not seen it done; he thought the devilish detail is where we are going to get hung up. It is really the how and who you determine earns the fee, and he thought it could be really challenging to make sure the proper person is rewarded. We can do some work on this but he didn't want anyone leaving the room thinking it is a done deal. It is a big challenge when you put money on the table and potentially create a policy that will generate interest by multiple people. For example, several folks coming forward about a company coming in and they all feel like they deserve the reward. How we determine who earns that money will be what he focuses on and will bring back to you before you prep any kind of ordinance, if that is your direction tonight.

Mayor Galea thought that was fair and asked if anyone didn't agree with that approach.

City Manager Stahle added that up until we settle on those issues of who and how, he would be against it, because he feared the consequence of arguing who should get it. Let's work a little

slower and not get too far ahead of this. He said there was a lot going on in the city now, so don't expect it to show up on the next agenda.

Commissioner Straface said that's another issue we need to look at; staff time and how we want them to spend their time. Is this an issue we want to put forward now with everything else on our staff's agendas.

Commissioner Hernandez said you brought up a point about a realtor who possibly had an interested company. He said this is my home and community and whether you pay him or not, this is his second term in a 16 year span just because this is his community. If that person is the same as he is, that this is their home, then they would do that without an incentive. He said they should give the tip to Mike Espiritu because that's his job. The incentive for him would be to make Alamogordo a better place to live; that is the important fact. If it is always going to be about the dollars than we aren't ever going to get anywhere. Like the logo, this is Alamogordo, this is home, and this is where I'll always be - that is what is important.

Mayor Galea appreciated the civic pride and felt the same way. The only reason she thought of this idea was because we have talked so much about economic development and this is something outside of the box. In psychological studies of humans, we are either intrinsically or extrinsically motivated; some by civic pride and some by dollars. This would address all the above. She asked the commission if they would like the staff to move forward and bring back ideas at a much later date of who this would apply to and how entities would apply and be able to receive the notice of being able to receive that funding.

Commissioner Hernandez said as time allows he didn't have a problem with it, but he didn't think it was important enough to be put up front. Mayor Galea agreed.

Commissioner Straface was opposed to the time involved at this point.

Commissioner Turnbull was opposed to the finder's fee.

Mayor Galea asked if they would be ok with her working on this issue herself at home. Commissioner Straface said he would if he could look at details.

Mayor Pro-Tem Rentschler said the city attorney could put it on the bottom of the stack. City Attorney Thies said it wouldn't see the light of day for quite some time.

Commissioner Baldwin said economic development is all we've been talking about for the last two years, and even if a finder's fee isn't what comes out of this idea, something positive could come from it. He didn't think we would be doing our due diligence if we didn't work it.

Mayor Galea didn't think it would be a bad headline that the commission had a bounty out for economic development. She said there are three opposed to allow Staff to take time to develop this further. Staff will not move forward to developing this any further and she will work on it in her own time.

A-2. Discussion, and possible action, related to a Demolition Incentive and revising the condemnation policy. (Susie Galea, Mayor)

Mayor Galea said this is related to economic development and generation of new growth. Our condemnation policy is very loose and this would focus on our commercial area along White Sands Blvd. It would strengthen our condemnation policy for old and dilapidated buildings. It would be much like they use in Kissimmee, FL, and she explained the program. There is a benefit to the city by redeveloping new businesses but would start with a condemnation policy we would have to

revisit as a commission. She asked if anyone was opposed to allowing Staff to bring forward to us a new condemnation policy for consideration.

Mayor Pro-Tem Rentschler said the concern he has is when we condemn a piece of property we pay fair market value, so he would be willing to look at this but where would the money come from to buy property on, for instance, White Sands Blvd. We might have to kick in \$100,000 to have someone tear down and redevelop; we could get way ahead of ourselves with this. We already have money to go in if a building needs to be torn down and he asked if we condemn for economic reasons like that. There are times to condemn, but it might be a harder pill to swallow for a lot of people if they weren't happy about it. If we are going to use it in order to get them to do something with it, then he is interested in it. We already have this, in that we currently allocate money to abate properties because of weeds and for the buildings themselves. What we don't have is a target building and if we did, he might be more willing to consider.

Mayor Galea said that's why she brought it up during the preliminary budget hearings, because it would be something we do yearly as we fund the program. For \$100,000 per year we would only condemn as much as that amount would allow. Currently, when we abate properties and demolish them it is at the city's cost, whereas under the demolition incentive it would be at the expense of the private business. The benefit to the city would be the generation of new buildings and new growth.

Commissioner Hernandez said this was one of those which sounded like a good idea in the beginning but if there was interest in it, it would already be done. For instance, the corner of White Sands Blvd. and 2nd Street where Domino's Pizza bought the whole area and then decided to build elsewhere. Now it will sit empty until Allsup's can work a deal with Taiwan Kitchen. There could be empty properties for a long time and he had a hard time with taking someone's properties. He did support cleaning up White Sands Blvd., but some of those properties are too narrow, too small to meet the parking ratios so you will have to take multiple properties. He wasn't for twisting somebody's arm and felt a lot of those people would move on with the right incentive. Until something comes along to fill these areas, he saw this as problematic at this point. He stated that he supported the mayor's thought and what she was wanting to do, but didn't see the economic structure there. Maybe this was another thing we need to figure out how to fund. There are empty properties currently that people are not buying, so why would they buy a property with a building on it.

Mayor Galea understood what he is saying. The reason it hasn't been done before is because one couldn't afford the cost of the property plus the demolition. This would be the city condemning because the building is dilapidated and not because we want to seize a perfectly good building. A business would want to utilize that space and pay only for the demolition and being gifted with the cost of the property by building new. That in itself would be the incentive.

Commissioner Hernandez brought up the property he referenced above. His grandmother owned that property back in the 1960's and it has been empty since then. There are other properties within that area that are the same. Second Street is going to be more viable than anywhere north because everyone is interested in the stoplights where the business traffic is. He felt we should build up the economic development structure before we do this and said again he wasn't opposed to the idea.

City Manager Stahle asked what the goal was. If it is to bring high-paying jobs then he wasn't sure these locations on White Sands Blvd. were the place major business would want to locate because normally it was the industrial park area they were looking for. White Sands Blvd. is more suited to retail and restaurant-type space. We have to look at that; who you are targeting with this policy. He knew the Florida community was larger than us and might have a different scenario in terms of

their finances. The city is tied to GRT so having some of this even apply to retail may be all you are trying to attain. He wanted them to think about the goal.

Mayor Galea said her reason for bringing it forward was not high paying jobs. It was for quality of life, beautification, and new growth and development. She thought that sponsors economic growth and development. Doctors want to move here with their families when we are a beautiful city.

Mayor Pro-Tem Rentschler said his consideration was the city taking out a building on a 60' normal sized lot and having something put back in there with \$100,000 of general fund money. He suggested taking that same amount of money and going out to White Sands Blvd. towards Hwy. 70. He drove to Carlsbad and went through Artesia which was quite impressive. He remembered it wasn't the same as 10-15 years ago. They've done some things with trees that he could envision doing going out towards Holloman. The demolition the city has done on buildings, and he noted the building at Pecan and Indian Wells, has been impressive. If we have buildings not being kept up to code we can take them down if the owner is non-responsive. The first time you have an owner who is responsive you will be tying up the attorneys time, also. He said he liked the idea and would like to see White Sands Blvd. beautified.

Commissioner Hernandez said another thing is we need to change our ordinance to state what will be rebuilt once a building is demolished. Where Martin Tire is now used to be Tiny's Tire Town which was a lean-to and now is a metal building; it was only a slight improvement. If you are going to only put up metal buildings then it won't do anything for us. You have to do all that part before you do this part, and that will take time.

Mayor Galea asked if he thinks the next step would be to have the Planning & Zoning Commission review building codes along White Sands Blvd. and other industrial areas. Commissioner Hernandez said it wasn't just P&Z, it would be several committees bringing something forward. Look at all the Dollar Stores popping up around town; they are in there a short while and then they move on leaving an empty metal building. Some of those things should be addressed.

Mayor Galea asked if he would also be in favor of reviewing the condemnation policy. As you drive down White Sands Blvd. there are some buildings that are dilapidated, but there is no condemnation because our policy is loose.

Commissioner Hernandez said maybe the city could help someone who is willing to clean up their property. The biggest part of that are the tipping fees one has to pay. If you have a property worth \$20,000-\$30,000 and it will cost you \$50,000 to clean it up, why would you do it. If we had a property owner incentive instead of builders incentive then more people might do it. Mayor Galea thanked him and said she would like to research that idea. Commissioner Turnbull agreed with Commissioner Hernandez to make it for any property owner in town.

Commissioner Baldwin believed there was a request for Staff to bring a list of dilapidated buildings. He would like to see a list of dilapidated buildings in order to decide if an ordinance would be created for five structures or 35 structures.

Mayor Galea asked the city manager if that could come back at a future meeting. City Manager Stahle said absolutely. He said one of the points this brings up is the state law concerning demolition. What are you allowed to legally demolish as a government entity? You might be surprised what it takes to condemn a property and take it, so let us put that report together along with a list of properties along White Sands Blvd. only, at least from the curb view and not going into the buildings, that might be candidates.

Mayor Pro-Tem Rentschler said when it comes to dilapidated buildings there is a minimum maintenance standard to be looked up. As long as it is secured and has a roof on it, essentially

there isn't anything we can do about it. The other thing is if we look at an incentive for property owners, the anti-donation clause kicks in and we simply can't give money. The portion the city gets of it isn't a lot and it is tough when it comes to the private property laws in the state.

Mayor Galea had spoken to the city attorney in the past concerning anti-donation and if you can quantify the value given back to the community in beautification and improved quality of life is equivalent to the incentive, then they would qualify for the funding.

Commissioner Hernandez said tipping fees are usually where the cost is incurred. You have to be careful of the contractors who do this for a living. You could do it during the Big Give or United Way Day of Caring or other smaller projects like that. It will take a lot of people and some time to get this right. He said the Comet Building front is beautiful but from the side you see it is a metal building. His thought was to cover both sides and the front to disguise the fact it is a metal building.

Mayor Galea asked the commission if they would be comfortable for Staff to work on this idea and bring back to the commission a list of dilapidated buildings that could be addressed under a stronger condemnation policy.

Commissioner Straface said he would amend it to follow what the city manager suggested; to bring forward what the state law does to govern us, look at that list of dilapidated buildings and then have that discussion.

Mayor Galea said that sounds like a good idea. No one opposed this.

A-3. Discussion, and possible action, to direct staff to prepare an ordinance to prohibit the feeding of pigeons in the City of Alamogordo. (Robert Rentschler, Mayor Pro-Tem)

Mayor Pro-Tem Rentschler said he brought this item because of a letter of request from Gaye M. Walton. He believed pigeons have gotten out of hand and he has watched and knows of people who feed them. His wife tried feeding other birds and found out you can't feed them without attracting flocks of pigeons. Short of figuring out how to eradicate them he mentioned a bounty of \$.50 per bird and 12 year old kids armed with pellet guns who could take care of the problem in a week. They could bring them to City Clerk Cantin's office for the money. Short of that, we need to make sure people aren't buying bird food to feed the pigeons, because they will become a problem that we will be investing tens of thousands of dollars to remove. This is a good way to begin stemming the population and he wanted an ordinance that would simply say don't feed the pigeons or you will be fined.

City Manager Stahle said they have been looking at this. There are other cities that have developed ordinances banning the feeding of pigeons, not hunting them. We can bring options back to you.

Mayor Galea had spoken to Ms. Walton about this and had discussed the ordinance in Albuquerque, and how challenging it would be to enforce this without creating a new position in Code Enforcement. To look for any bird feeder and define any retail store selling bird feed would be really challenging, and Ms. Walton agreed there is an easier way to address the problem. She said the Same Day Medical Clinic had a lot of birds because of the structure of their building that had an awning they could get under. The Mayor thought the City or the Chamber of Commerce could address putting up netting around that business' awning. That was her chief concern since there was a large population of birds which was not a healthy or safe thing, especially at a medical clinic. She recognized our Code Enforcement officers were out taking care of other things and wouldn't have much time to address this issue.

Mayor Pro-Tem Rentschler said that was fine, too. We had the old Wal-Mart that was inhabited by about 20,000 of these vermin, which has since been taken care of by boarding it all up. Maybe we could add that to the ordinance, but at the same time we have people who go out in the fields to feed these birds. It isn't like we had to create a special position for this, but to just try to get the people who are spreading it out in places around the city and particularly on the ground. He noted a neighbor had an awning that attracted pigeons and they have since put up flashing so the birds can't get in, so he was working to keep them out of his yard.

Commissioner Hernandez has actually seen a couple of places, one across from the House of Prayer where an older man feeds them bread and attracts a flock, that would be an easy case to take care of. There's another one at the Aspen Apartments on Washington and Aspen where a man feeds them. The hospital spends a lot of money trying to deter the pigeons from various areas; there is one building where we spend anywhere from \$14.00 to \$20.00 per foot to protect the ledges by putting up spikes. They are very expensive and don't last too long because the pigeons tear them up and the sun deteriorates them. The hospital also puts netting around areas and he said there was about \$50,000 invested in one building for pigeon protection. He mentioned the person who is feeding the birds at Aspen and Washington is only about two blocks from one of the hospital's main buildings where he has pigeon problems. They are living at this building and eating at the apartments. He also saw at the gas station on Vermont and 10th St. a couple of guys who backed up a truck to the awning and for three or four days in a row they took truckloads of pigeon droppings from the awning top. If you look at the Lowe's grocery gas station you'll see a net that covers their awning which he guessed cost about \$10,000. It is a very expensive deterrent and there are some people who actually feed just the pigeons.

Mayor Galea said that was a very good point and felt this was a public health issue. Before we jump into an ordinance, she wanted the city to work with the Public Health Department to address it as a community issue. Re-educating the public would be a positive thing.

Commissioner Turnbull asked how we would prove someone is feeding pigeons. Mayor Pro-Tem Rentschler said you can't unless you have a Codes Enforcement person who witnesses it. What it does is give you a law that many people will obey. He gave the example of the fact he hasn't had a speeding ticket in a long time because it is the law and he tries not to violate it.

Commissioner Straface felt the city manager had a good suggestion for the staff to research other ordinances for the commission to look at before any action is taken.

Mayor Galea asked if the commission has any objection to that and no one objected.

A-4. Appointment of a Ex-Officio representative to the Committee of 50. (Renee Cantin, City Clerk)

Mayor Galea said this was added to the agenda after the Committee of 50 pointed out their bi-laws stated they must have ex-officio representatives from both the City and County Commissions. She had assumed the mayor was the ex-officio representative.

Mayor Pro-Tem Rentschler said if that's not the case, it needs to be. He felt the mayor should be the ex-officio for these kinds of committees in Alamogordo and was surprised this was not the case.

Mayor Galea said we would need to show in our meeting minutes an appointment, and she would be happy to serve as the ex-officio representative as she has been. She would be giving a five minute report to the city on things benefiting HAFB and Alamogordo.

Mayor Pro-Tem Rentschler moved to approve Mayor Galea to serve as the Ex-Officio Representative. Commissioner Straface seconded the motion. Motion carried by a vote of 6-0-0.

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

Mayor Galea stated if there are no objections, she would reappoint Sharon Hodges to the Mayor's Committee on Aging and Laura Blackmon to the Senior Volunteer Programs Advisory Council. All were in agreement.

PUBLIC COMMENT *(continued if needed)*

A. Mike Espiritu commented on the following:

Mr. Mike Espiritu wanted to make sure the commissioners had received the announcement for Thursday at 1:00 p.m. at PreCheck. Please RSVP if you are going to attend and arrive at 12:45 to greet the Governor. That invitation is also for the city manager and city attorney.

Mayor Galea thanked him and was looking forward to attending.

CITY MANAGER'S REPORT

A) City Manager Stahle handed the mayor a report that identified some of the major projects we have and their timelines. He pointed out that the first sheet showed the Fund 118 projects to be done by the end of the calendar year. The second sheet identifies the conceptual schedule for the First/Florida realignment project and we are looking at a couple of years to get it completed. The last sheet is the Family Fun Center and we have had a lot of calls on this project. He said he would get this information to those people. It identifies the steps to be taken in order to complete the project. As with any schedule, there are all kinds of things that can cause the schedule to go bad, and the bottom on the last sheet lists some of the challenges for the Fun Center. It gives some targeted dates and we hope to have soft openings sometime in July/August of 2016. He mentioned the runway extension at the airport; we should be advertising for the construction in the next few weeks. The bid award should be at the late August commission meeting for you all to look at, with construction taking place sometime in October. We are estimating it will take around six months.

Mayor Galea asked when we could expect to have the design for the parking apron. City Manager Stahle didn't think there would be a lot of outside engineering and it would be done in-house.

Mayor Galea asked for the due date for sale of bonds for the Family Fun Center (FFC). City Manager Stahle said on the next agenda you will be approving the financial advisor for the city and we will work with that person in order to determine the best time. The market will drive a lot of that and the market isn't bad at this time, so he was hopeful we will move fairly quickly; there are consequences for being too early. He said the commission had authorized us to charge to the various projects some of our expenses in the meantime, so when the bond actually sells will be market driven more than anything else.

Mayor Pro-Tem Rentschler said in the earlier budget meetings we had authorized \$300,000 going to the Space Hall of Fame to digitize the IMAX and that we would be receiving matching capital outlay funds from the state. He asked if we have written a warrant yet. City Manager Stahle said he didn't believe we had, but we have bidding communication and museum personnel have approached him and given him a tour of the facility they will be improving. They have gone well above your requirements, and he expected that check to be written at any time.

Mayor Pro-Tem Rentschler said he had heard there are some at that facility who do not want to digitize the IMAX and instead do something else with it. He felt we were tied to digitizing and we

would not be writing them a blank check. City Manager Stahle told him absolutely not. It is being digitized but not under the IMAX program. It will be a very similar program that is much more cost effective, and will do the very same thing. Mayor Pro-Tem Rentschler said he would want to know of any changes before they allocated the money. City Manager Stahle said it is still digitization. Mayor Pro-Tem Rentschler said he didn't vote to do it up at the Space Hall, he voted to improve the IMAX theatre as a draw for Alamogordo; if it is not there it needs to come back to us. City Manager Stahle said ok. Mayor Pro-Tem Rentschler said we allocated that money for a specific purpose, and if that purpose is not being followed than we need to be the first people in line to say, 'Tell us why.'

City Manager Stahle said he understood and it was his understanding the agreement was to digitize, not necessarily to buy the IMAX brand. He said he would go back and study that and ask. Mayor Pro-Tem Rentschler said if you are talking about using the same building and they are going to get rid of the IMAX deal, then he would like to know that since IMAX is certainly a draw. City Manager Stahle said it is the smallest IMAX in the country. He said he would be happy to bring the facility manager over for the full details, and if you are interested, go up and see them and let him describe all the work they will be doing to the facility. It isn't just the digitization of the theatre; a lot is going on in that building besides that. He felt it was consistent with what the commission agreed to do. Mayor Pro-Tem Rentschler wanted the facility manager to come and report to the commission.

Commissioner Turnbull asked about the FFC. She is getting calls asking if the location by the theatre is final or not. She asked if it was possible to put something in the City Profile about why it is going to be by the movie theatre, and the city manager said yes.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Mayor Galea reported the following:

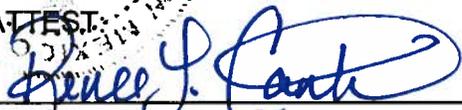
- 1) She attended the Committee of 50 meeting recently and owed the commissioners a copy of that report where they stated who they met with in Washington, D.C. and the positive outcomes of their meetings.
- 2) There had been some great farewells to Commander Croft and Commander Bingham. There were a number of community members there. We are looking forward to welcoming new commanders to HAFB and WSMR, and the city manager had told her we could do a community wide meet-and-greet at the Civic Center. Our new Special Events Coordinator, Jason Richards will coordinate that event.
- 3) She will be attending a Joint Use Land Study as a policy member and she welcomed any to attend with her. The Technical Committee has proposed many policy adoptions. The benefit for our community is joint land use with the military, with more funding for schools and other infrastructure as we continue to share it with the military. The meeting will be tomorrow from 1:00-4:00 p.m. in Las Cruces.
- 4) This Saturday at 2:00 p.m., the New Mexico Museum of Space History (NMMSH) will have a singing of the national anthem in order to help break the record for number of singers at one time in combination with other museums related to the Smithsonian.

EXECUTIVE SESSION

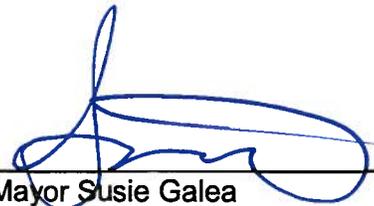
Commissioner Straface moved to adjourn into Executive Session to discuss Collective Bargaining Negotiations (APSOA & AFSCME) at 8:41 p.m. Mayor Pro-Tem Rentschler seconded the motion. Roll call vote was taken by the Clerk. Motion Carried by a vote of 6-0-0.

ADJOURNMENT





City Clerk Rerieé L. Cantin



Mayor Susie Galea

*(Prepared by Nancy Jacobs, Deputy Clerk)
Approved at the Regular Meeting held on June 24, 2014.*