

**ORDINANCE No. 1439**

**AN ORDINANCE AMENDING CHAPTER 2-09 OF  
THE CODE OF ORDINANCES OF THE CITY OF  
ALAMOGORDO, NEW MEXICO, CREATING A  
HOUSING AUTHORITY ADVISORY BOARD.**

**BE IT ORDAINED** by the City Commission of the City of Alamogordo New Mexico that the *Code of Ordinances* be amended as follows:

**SECTION ONE**

Chapter 2-09 of the *Code of Ordinances of the City of Alamogordo, New Mexico* is hereby amended to read as follows:

**2-09-010. - Creation of department.**

There is hereby created a Housing Authority Department. The Housing Authority Department shall consist of the ~~executive director of the housing authority~~ housing manager and such officers and employees as may be provided for by the city manager. The ~~executive director~~ housing manager of the housing authority shall manage and have charge of the administration and maintenance of all Housing Authority properties and programs within the city. The ~~executive director of the housing authority~~ housing manager shall perform other duties as assigned by the City Manager.

~~2-09-020. Executive director.~~

~~The executive director of the housing authority shall be an at-will employee and serve at the pleasure of the city manager.~~

**2-09-020. Housing Authority Advisory Board.** The Alamogordo Housing Authority Advisory Board is hereby created.

**A. Structure.** The Alamogordo Housing Authority Advisory Board shall be composed of five (5) members who shall be residents of the City of Alamogordo, but not current employees and, except as expressly provided for in this section, officers of the City of Alamogordo. At least one member shall have experience in residential construction, real estate sales or management. At least one other member shall be employed by a local lending institution in mortgage lending. At all times, at least one member of the Board shall be a resident of a low rent Public Housing Program dwelling unit owned by the City of Alamogordo, who shall be called the Resident Commissioner. Termination of the dwelling lease of the Resident Commissioner shall result in their immediate removal from the Advisory Board. The fifth member shall be the Mayor of the City of Alamogordo. For any member of the Board, termination of their residency inside the City Limits of Alamogordo shall result in their immediate removal from the Advisory Board.

**B. Appointment.** The incumbent Mayor shall serve on the Advisory Board until her or his successor has been elected and assumes office. Two Board members shall be appointed by the City Commission from nominees submitted by the Building Contractors Association of Otero County and the Otero County Association of Realtors with the remaining two Board members being appointed from nominees submitted by the City Commission. Of the original members of the Board, one shall be appointed to a two (2) year term, another to a three (3) year term, another to a four (4) year term, and the last member shall be appointed to a five (5) year term. Thereafter, all members, except the Mayor, shall be appointed to five (5) year terms ending on June 31st, except that all vacancies shall be filled for the unexpired term. A board member shall hold office until a successor has been appointed and has qualified, unless sooner removed according to law. Other than the Mayor, a board member may serve a maximum of two successive terms of office. The members of the Board may elect their own chairperson.

**C. Compensation and Expenses.** Members of the Advisory Board shall serve without compensation, except for reasonable travel or other expenses necessary in the fulfillment of their duties.

**D. Meetings, Rules and Records.** The Advisory Board shall meet at least once a month, but may meet more often if deemed necessary by the Advisory Board. The Advisory Board shall establish a regular time for its meetings. A majority of the membership shall constitute a quorum for the purpose of transacting business. Action by the Advisory Board shall be by majority vote. The Advisory Board shall keep a record of its resolutions, transactions, findings and determinations, which record shall be public record.

**E. Duties, Responsibilities and Powers.**

1. The following duties, responsibilities and powers are hereby delegated to the Alamogordo Housing Authority Advisory Board by the City Commission:

a. The power within its area of operation, to investigate the living, dwelling and housing conditions and the means and methods of improving the conditions; to determine where slum areas exist or where there is a shortage of decent, safe and sanitary dwelling accommodations for persons of low and moderate income; to make studies and recommendations relating to the problem of clearing, replanning and reconstructing slum areas and the problem of providing dwelling accommodations for persons of low and moderate income, and to cooperate with the state or any political subdivision of the state in action taken in connection with the problems; and to engage in research, studies

and experimentation on the subject of housing and affordable housing programs;

b. The power to hear and decide grievances pursuant to the Alamogordo Housing Department Grievance Policy.

2. The Board shall have the power to recommend to the City Commission that the City take any of the following actions the final authority for which shall remain with the City Commission:

a. To acquire by the exercise of the power of eminent domain any real property;

b. To sell, lease, exchange, transfer, assign, pledge or dispose of any real or personal property or any interest in real or personal property;

c. To procure or agree to the procurement of insurance or guarantees from the federal government of the payment of any bonds or parts of any bonds issued pursuant to the state law, including the power to pay premiums on any such insurance;

d. To issue bonds to fund the acquisition, purchase, lease, construct, reconstruct, improvement, alteration, extension, expansion or repair of any housing project or any part of a housing project and operate and maintain the housing project;

e. The approval of the Five Year Public Housing Agency Plan and Annual Plans.

f. The power to adopt rules and regulations, bylaws and other policies for the operation of the housing authority department and for the conduct of the Advisory Board;

g. The approval of grant applications or proposals for the benefit of the housing authority department;

h. The approval of the annual operating budget;  
and

i. The power to exercise all or any part or combination of powers herein granted

3. The Advisory Board shall provide an annual written report to the City Commission with respect to the status and activities of the Housing Authority Department including, but not limited to, progress made in reaching any stated goals and objectives specified in the Five Year Public Housing Agency Plan and Annual Plan.

## **SECTION TWO**

**Effective Date.** The provisions of this Ordinance shall become effective on July 1, 2013.

**PASSED, APPROVED AND ADOPTED**, this \_\_\_\_\_ day of \_\_\_\_\_,  
2013.

CITY OF ALAMOGORDO, NEW MEXICO  
a New Mexico municipal corporation

By: \_\_\_\_\_  
Susie Galea, Mayor

ATTEST:

\_\_\_\_\_  
Reneé L. Cantin, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Stephen P. Thies, City Attorney

**First publication approval: 03/26/2013**  
**First publication: 04/07/2013**  
**Final publication approval: 04/23/2013**  
**Final publication: 04/28/2013**  
**Effective date: 05/03/2013**