

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
7:30 P.M., COMMISSION CHAMBERS
JUNE 10, 2008**

**MAYOR STEVE BROCKETT
MAYOR PRO-TEM CHRIS LUJAN
COMMISSIONER RON GRIGGS
COMMISSIONER ED COLE
COMMISSIONER MARION LEDFORD**

**COMMISSIONER ERIC BREWER
COMMISSIONER JOE FERGUSON
CITY MANAGER PAT McCOURT
CITY ATTORNEY STEPHEN THIES
CITY CLERK RENEE CANTIN**

CALL MEETING TO ORDER, ROLL CALL, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Brockett called the meeting to order at 7:30 p.m. Roll call was taken, and all of the commissioners were present. The invocation was given by Reneé Cantin, City Clerk, and the pledge of allegiance was led by Commissioner Brewer.

Mayor Brockett recognized State Representative Gloria Vaughn, and he thanked her for being present at the meeting.

PRESENTATIONS:

1. Presentation by Mary Ann Burr from the SNMEDD regarding the Southeastern Regional Planning Organization (SERPO).

Ms. Mary Ann Burr thanked the commissioners for allowing her to present at the meeting, and she introduced herself as the RPO planner with the Southeastern New Mexico Economic Development District, also known as the Council of Government and briefly referred to as the COG. She explained that she worked closely within the COG with committees that are called the Southeast RPO, and the purpose of her visit was to provide an overview and understanding of what the RPO does.

Ms. Burr stated that the RPO works with federal legislation, and oftentimes when that federal legislation is spoken about, members or the public will have a point of reference in their mind. It is usually an acronym that represents one of the transportation legislative acts. Ms. Burr showed those in her presentation and explained that transportation legislation started in 1991. There was a task force that worked with the Intermodal Surface Transportation Efficiency Account, ISTEA. At that point, there was an effort through the creation of the Regional Planning Organization, RPO, which was created in New Mexico, to address the requirement to have a consultative planning process. The transportation legislation, ISTEA, was replaced with T21, which is an acronym for the Transportation Equity Act for the 21st Century. A key change that Ms. Burr pointed out a result of that legislation was that it required consultation with local elected officials in non-metropolitan areas, or rural areas, which is what the southeast region is. The closest Metropolitan Planning Organization, (MPO), would be Roswell, and that is only if Roswell is successful in getting 50,000 individuals on the next census.

Ms. Burr went on with her presentation to say that the current legislation is entitled the Safe, Accountable, Flexible and Efficient Transportation Equity Act, also referred to as SAFETEA-LU though the name will probably change again in a couple of years. The New Mexico Department of Transportation is the designated state agency that administers federal transportation funds, and what has evolved as part of the management of those federal transportation programs occurred when the NMDOT created seven Regional and five Metropolitan Planning Organizations to work with the NMDOT district offices across the state. Ms. Burr provided maps to the Commissioners in their packets to show them the boundaries of all of the RPOs across the state, and she pointed out that in the southeastern corner, the largest geographical area is the Southeast RPO, which covers the same counties as District 2. The Department of Transportation's district office is located in Roswell, and it serves the same eight counties. There is only one other RPO that has the same structure, and that is the northeast RPO where they share the same boundaries of the district office that they will be working closely with. All of the others deal with more than one district office.

Ms. Burr then stated that the reason for that is through all of the processes that they go through, they avoid that step in the approval process where the district offices have to get together in RPOs. That part is eliminated, and the process is simplified. What they do have, however, is two COGs that are represented, one of which Ms. Burr represents, SNMED, which serves Chaves, Eddy, Lea, Lincoln and Otero Counties. The northern most counties are served by the Eastern Plains Council of Governments, and they work with Curry, De Baca, Roosevelt Counties and part of Guadalupe County.

SERPO's purpose is to serve as a forum to elicit informed recommendations for multimodal transportation and enhancement projects. They have approximately six meetings per year, and one of the primary functions that they are known for is that the committees that make up SERPO rate and prioritize specific federal transportation projects. Then, of course, they want to promote an efficient transportation network across the region.

Five programs run through SERPO, and the first is the Roadway Improvement Program, which concentrates on the construction and improvement of roadways with a specific functional classification, which would be interstates, principle or primary arterials, minor arterials and major collectors. The local roads and minor collectors are not going to be covered by the program. They have recently prepared a Roadway Improvement Program flier that gives a little bit more information about the roadways, repeats the functional classifications that are eligible, gives some insight as to scope of work and tells the ratios for the program. Ms. Burr referred to functional classification maps that she included in the packets, as that would show how the roads in Alamogordo are classed and which roads would be eligible under the federal transportation program.

Ms. Burr also pointed out that a couple of the roadway classification roadmaps are also available on their website. Ms. Burr went on to explain the applications guideline, which give an overview and idea of how the process works. Much more specific information such as the cost of projects, what the application requirements are and the application itself is made available when the application cycle begins. The RPO member will have that application.

Ms. Burr then stated that the second program that goes through SERPO is the Scenic Byways Program, which centers on the preservation and protection of scenic byways and builds designated scenic byways that are in the State. Ms. Burr provided a map of those scenic byways across the state, and she also provided maps of the three regional byways that are in the region including the Billy the Kid Scenic Byway, Sunspot Scenic Byway and the Guadalupe Back Country Highway. Guidelines were also provided in the commissioners' packets on how to apply for the scenic byway, which is basically an annual process whereas the Roadway Improvement Program has the longest annual process, which is two years, as it is a more complicated program. The committees have elected to have two stages of application. The first stage has simplified forms to point toward the process. There are feasibility reviews that are conducted by the District 2 office, and the second year will still be a full application cycle.

The third program that Ms. Burr outlined is one of the more popular programs, meaning that they receive more applications. It focuses on the enhancement of quality of life in and around transportation facilities—those aesthetics that folks will add to the roadway to make it more attractive and more appealing. It has seven broad categories, which include pedestrian and bicycle facilities, pedestrian and bicycle safety and education, scenic or historic acquisitions, scenic or historic highway programs, landscaping and scenic beautification, historic preservation, historic transportation buildings, rail corridor preservation, control and removal of outdoor advertising, archeological planning and research, environmental litigation and transportation museum. The more popular category includes things such as Alamogordo's enhancement application going through the process right now for a historic downtown entry way.

Ms. Burr provided a booklet providing examples to help in visioning and provide information as to what other people are doing nationwide. Ms. Burr also provided some photographs of Artesia's Main Street program for which enhancement was involved though it wasn't the only source of funding.

Ms. Burr stated that they also have public transit programs, and the first two are their more popular programs. Section 5310 is a program that gives funding and is intended only for elderly individuals and individuals with disabilities for capital purchases such as the purchase of vehicles or a handicap lift for the population that is being served. Section 5311 is the basic public rural transportation program, and it is going to be for communities that are less than 50,000. It has three categories, administrative, operating and capital purchases, and state agencies, local public bodies, and non-profit organizations may apply, which is where Z-trans is serving.

The next programs that fall under the public transit program are basically supplemental. The 5311 has to be in place before there is eligibility to receive the supplemental funding, and their particular focus is job access reverse commute, which is intended help the transportation needs for the Welfare to Work recipients.

Ms. Burr talked about Safe Routes to Schools, which is a federally funded program and is reimbursement like the others. Its whole purpose is to encourage and enable school children to walk and bicycle to school in K-8, and the whole idea behind it is that they want to encourage the physical activity to help children's health and prevent obesity. It will also help with traffic congestion. It is in two phases, and phase one provided 15,000 grants for developing an action plan. Phase one is not a requirement but the action plan that it is devoted to is a requirement. Phase two is where funding is received to carry out the action plan that has been drawn up, and the action plans include infrastructure projects up to \$250,000 and/or non-infrastructure activities up to \$25,000. The local government is the sponsoring entity. Sometimes schools may apply, but regardless of whether the school district is the applicant or the local government, there needs to be a partnership that is spelled out in the action plan. It is not a big program statewide and only has a \$1 million budget, but something that is very nice for communities that can't afford it is that there is no local match.

Ms. Burr then stated that SERPO is not responsible for rating, ranking, or recommending projects for state funding. They may disseminate information on state funding, and Ms. Burr listed the state programs for the familiarity of the commissioners. Ms. Burr also provided the contact person's name and number.

Commissioner Griggs stated that even though they talk about the ranking for federal funding only and not state funding that during GRIP2 SERPO did evaluate the applications and ranked them as well, and Ms. Burr stated that they provided a resolution of support. The members didn't actually go through them and number the projects or grade them with the components. In fact, with the time frames that they had to work with, Ms. Burr stated they were very fortunate in that they were able to get it on the agenda in order to get the resolution approved so that it could accompany the GRIP applications, which were first come first served but also built in how ready the projects were. Commissioner Griggs stated that they were a great help to Alamogordo when they got the stuff ready for South Florida, Martin Luther King and North Scenic, which were the approved projects under GRIP2.

Ms. Burr then described the selection/referral process whereby they do rating, ranking and prioritizing. In terms of the five programs, the only one for which the application goes directly to SERPO is for the Roadway and Enhancement Program. For the others, one actually makes an application federally to a state office. Once SERPO receives applications, they will have the application requirements in-hand, and they will distribute all copies of applications to all members. What then happens is the applications are shot off directly to the Tourism Department, Transit and Rail, and Santa Fe's Public Transportation; they actually forward copies of the applications to be distributed so that the rating process can begin.

SERPO consists of two committees, the policy committee and the technical committee, and Ms. Burr showed a list of the membership, which is also available on the website. Currently, they have 52 members. Thirty-six of them are in the Southeast RPO, which would be the five counties that SNMED oversees, and sixteen of the members are in the Eastern Plains Counsel of Governments. Sometimes

in the absence of a designated member, they will designate the mayor. The mayor makes the designations, and Ms. Burr stated that for the policy committee Commissioner Griggs is a member and a change has recently been submitted for Marc South.

When the prioritization takes place by the committees when they convene, they follow a process, and they try to make the screening criteria available to all applicants. Usually presentations are provided in which projects are described.

When all of the programs come together, the results are included in the regional planning tool, which is a document where the itemized selections are listed. That is forwarded to the District 2 office. They consider it, and that is where the funding comes in. District 2 knows what their budget is, and they are going to look at how the projects fall, the cost of the projects and how many they can afford. They submit those once they do their evaluation, and they forward their recommendations on to the state office where they will also be presented to the State Transportation Commission for approval. In the Enhancement Program this year, they had eight applications, and five of those were funded. They were very pleased because the year before only three were selected. You want to get projects on the STIP, the Statewide Transportation Improvement Program list, which is their planning document. The statewide STIP is about 200 pages long, but Ms. Burr said they have isolated just their district.

Ms. Burr described their web site and the information that is contained in it including their recently completed long-range plan. Every five years they have to do an update to the long-range transportation plan, and they tried to collect as much information as they could to make the plan as detailed as possible. They have an inventory of planned projects on the long-range plan, and although it is just a snapshot of one year, it included all of the transportation-related projects from the ICIP. They are putting forward and demonstrating the need for transportation projects.

Ms. Burr then provided the contact information for their office, and she stated that additional information that they have in the packets that is really just transportation related included a map and brochure of the RTP program, Recreational Trails Program. The reason she brought that up was because if there were a trails program that Alamogordo was envisioning for some time down the road, they would make applications for the enhancement. Perhaps it could be applied for and get qualified, and then the slot could be left open for another enhancement program. At one time she was told that they could match the federal with the federal, which would be great, but it is not seen anywhere. Ms. Burr is still trying to pursue that.

Ms. Burr then mentioned that the next application cycle for Safe Routes to School is coming up in the fall, and she said that Alamogordo may or may not be ready for their Phase 2 application. She thought they would already be aware of the status of the enhancement project, but Ms. Burr had asked them what fiscal year it was included in. It is not official, but the District 2 office told her it was fiscal year 2010, and it was the \$200,000 project. Hopefully, in a couple of months Alamogordo would have the official word that it was approved.

Robert Kurtz in the District 2 office indicated that the traffic signal project on the Alamogordo Relief Route at the 10th Street and Mesa Verde intersection is 95% complete and has a price tag of \$857,123. There is a U.S. 82 rock-scaling project from milepost 5 to 8.3. It has a total price tag of \$1,664,573, and that is 25% complete. The recycling project on U.S. 54/U.S. 70 from La Luz to Tularosa is 15% complete, and the U.S. 54/U.S. 70/U.S. 82 intersection at the north end of Alamogordo and other various improvements are included with a price tag of \$150,000. The improvements also include redoing the westbound left turn lane, additional signing, pavement marking and signal improvement.

Mayor Brockett asked where the paving markings are, but it did not say other than on the north end. Ms. Burr will try to get more specifics and forward that to Mayor Brockett. He also reported that there is an upcoming project on U.S. 82 between milepost 13 and milepost 16, which is to address four rockslide locations. There are also three upcoming GRIP projects in fiscal year 2009 in Otero County to work on U.S. 54 between Tularosa and Carrizozo. Regarding public transport, the letters of intent

are due July 23rd, and a new thing that is coming up is New Mexico First and the Department of Transportation is planning a transportation finance Town Hall that is going to be held in northern New Mexico at the Santa Ana Pueblo. All they are doing at this time is collecting names of potential participants. Ms. Burr said that they were trying to get the word out in their five counties so that if there is someone who has interest, they could participate. They do ask that individuals be familiar with, for instance, the executive summary of the House Memorial 35. The individual would have to commit to 2.5 days, but it would pay. It does involve a Saturday, and they were asking and looking for local elected officials or citizens. Ms. Burr indicated that the deadline would be the following Friday and it was planned for August 7th, 8th and 9th. They are just forwarding names and the roles that the transportation stakeholders play. New Mexico First and NMDOT would make the selections as to who will be invited.

Mayor Brockett asked if there were any comments or questions. Commissioner Ledford asked about the improvements between Tularosa and Carrizozo and wanted to know if the improvements would be sufficient such that they could raise the speed limit as 55 miles per hour for that section is unreal.

Mr. Brian Cesar, Public Works Director, said that the State DOT should be out within a month and a half to see what they could do to address that section. City Manager McCourt said that it is not on any of the lists because it is not project money but is being taken care of out of maintenance budgets. They have been out there about three times, and they thought they had fixed it. Every one of those was supposed to be the permanent fix, and each one has failed.

Mayor Brockett thanked Ms. Burr for her presentation, and he suggested that anyone interested in attending the Transportation Finance Town Hall contact the City Clerk. He also thanked Commissioner Griggs and Mr. Marc South for being on the policy and the technical committees.

CALL OF THE CONSENT CALENDAR:

MINUTES:

2. Minutes of May 27, 2008 Regular Meeting and May 28, 2008 Special Joint City/County Meeting.

Recommendation: Approve the minutes.

CONTRACTS AND AGREEMENTS:

3. Approval of an agreement between the City and Alamogordo Public Schools for School Resource Officers.

Recommendation: Approve the agreement.

4. Approval of an amendment to airport land lease for Parcel E8-A (Dr. Robert Hurd).

Recommendation: Approve the amendment to the airport land lease.

5. Approval of an agreement with United Way for Senior Programs.

Recommendation: Approve the agreement.

6. Approval of an agreement with United Way for Retired Senior Volunteer Programs.

Recommendation: Approve the agreement.

ORDINANCES AND RESOLUTIONS:

7. Consider Ordinance No. 1330 amending Chapter 8 of the Code of Ordinances regarding building codes.

Recommendation: Approve the ordinance for final publication.

10. Consider Resolution No. 2008-15 requesting written approval from the Local Government Division of the Department of Finance & Administration, State of New Mexico for the revised budget figures computed on June 10, 2008.

Recommendation: Approve the resolution.

11. Consider Resolution No. 2008-22 approving the New Mexico Department of Tourism Litter Control and Beautification grant.

Recommendation: Approve the resolution.

Mayor Brockett pulled Consent Calendar Item #9.

Commissioner Ledford made a motion to approve items 2, 3, 4, 5, 6, 7, 10 and 11 of the Consent Calendar. Mayor Pro-Tem Lujan seconded the motion. A roll call vote was taken due to items 7, 10, and 11. All voted "aye," and the motion carried with a vote of 7-0-0.

ORDINANCES AND RESOLUTIONS:

8. Consider Ordinance No. 1334 approving the NMFA loan for Phase 2 of the Westside Infrastructure Improvement Projects for \$1,217,808.00.

Recommendation: Approve the ordinance for first publication.

City Manager McCourt explained that the item was phase 2 of a construction project, and it ran a water line down the west side of town to serve the area along the Relief Route. These are some final items that they feel would be beneficial to the community to accomplish, and those items were listed on the staff report. The gabion baskets are to provide flood protection to the elevated tank and the ground tank on the northwest side of town, and the parallel lines are to provide service lines on 82 that people can tap as opposed to the supply line. Crossing the Relief Route in two locations would be to accommodate future development, and they have a parallel line to go down McDonald Road to provide service to some of the customers there that are now served by Lawrence Avenue. They would like to tap them in to serve an area of the City that is not currently served by water lines, and they would suggest doing this project. Mayor Pro-Tem Lujan had asked about the debt service on the project, and it would be \$93,054, which would come from the Water and Sewer Fund. Based on the current rate and income structure, that is about 1% of the income structure.

Commissioner Cole asked if City Manager McCourt could show them on the map where phase 2 and phase 1 would be, and Mr. Cesar showed that. City Manager McCourt clarified that it went all the way down to First Street paralleling the Relief Route, turned west at First Street and then proceeded down Lavelle Road to tie into an existing line. It also proceeds eastward down First Street, and that is where Alamogordo had acquired the right-of-way and the whole project proceeded eastward from the Relief Route to tie in behind the Hi-D-Ho to provide looping of the water system and replace an old supply main that was undersized and deteriorated. The City now has service all along the Relief Route, water and sewer. Of course, the City's policy is that the only people that would be allowed to tap that would be individuals within the City. In the long-term sense, that would tie into the Snake Tank project in that the water lines from Snake Tank would come down roughly paralleling the rail route and tie into the tanks at that location. The tanks could then move water eastward up 82 to tie them into the top of the system or westward down 82 and

tie into the tanks so that the system would be fully functional with those items. It addresses both the current and the long-term needs of the community.

Mayor Pro-Tem Lujan asked what the estimated time is to complete the project, and City Manager McCourt said that it would probably be about 18 months but they haven't bid it out yet.

Mayor Pro-tem Lujan made a motion to approve Ordinance No. 1334 approving the NMFA Loan for Phase 2 of the Westside Infrastructure Improvement Projects for \$1,217,808.00. Commissioner Cole seconded the motion. A roll call vote was taken, and all voted "aye." The motion carried with a vote of 7-0-0.

9. Consider Ordinance No. 1335 amending section 13.020 of the Personnel Manual regarding group insurance for part-time employees.

Recommendation: Approve the ordinance for final publication.

Mayor Brockett explained that he requested that the item be pulled from the Consent Calendar because it needed to be amended to specify "regular" part-time employees.

Commissioner Cole asked if that means it does not include seasonal, and City Manager McCourt said that is the case.

Mayor Pro-tem Lujan made a motion to approve Ordinance No. 1335 for final publication as amended. Commissioner Griggs seconded the motion. A roll call vote was taken, and all voted "aye." The motion carried with a vote of 7-0-0.

OTHER BUSINESS:

12. Appointments to Boards and Committees.

Mayor Brockett appointed George W. Leete to the Senior Volunteer Programs Advisory Council and Arthur Wolford to the Alamogordo Disability Council. He asked that the City Clerk notify the individuals of their appointments.

UNSCHEDULED COMMUNICATIONS:

A. City Manager McCourt

The water report was provided, and City Manager McCourt stated that applications to re-drill wells three and five had been approved by the State engineer. They will be moving forward with that program in the well field, and the southern Prather well is back on line. The people of Alamogordo have continued to be conservative in their use of water, and the City is in good shape for the summer.

He provided a reminder of the Town Hall Meeting next Tuesday, June 17, 2008, at 6:00 p.m. at the Civic Center to discuss economic development and a potential retail development study. City Manager McCourt explained who would be part of that presentation, and he stated that a vendor would be coming in from Pitney Bowes who does retail trade study marketing options and will be showing her product. There are other vendors that have similar products.

Finally, City Manager McCourt said that he would be out of the office next week on Wednesday, Thursday, and Friday attending the New Mexico City Manager's Conference along with Mr. McNeile; Renee Cantin, City Clerk, will be the Acting City Manager. Next Saturday will also be the policy committee meetings in Albuquerque, and he will be attending that meeting as well with Mr. McNeile.

B. Mayor Pro-tem Lujan

Mayor Pro-Tem Lujan said that an individual stopped him who had moved from Alaska to Alamogordo and mentioned how nice everyone in the City had been to him. He said that even the officers who stopped him for not wearing a seatbelt and for an expired tag on his plate were nice.

EXECUTIVE SESSION: Recess into Executive Session to discuss threatened and pending litigation (Mtn. View Trailer Park).

Mayor Pro-tem Lujan made a motion to approve going into Executive Session at 8:36 p.m. Commissioner Brewer seconded the motion. A roll call vote was taken, and all voted "aye." The motion carried with a vote of 7-0-0.

OPEN SESSION: Motion to go into open session.

Mayor Pro-tem Lujan moved to go back into open session at 9:15 p.m. Commissioner Ferguson seconded the motion. A vote was taken and all voted "aye." The motion carried with a vote of 7-0-0.

13. Action if any from the Executive Session.

Recommendation: Need a motion to approve any action taken on any posted items discussed in Executive Session. If no decisions were made the following statement should be read: The matters discussed in the closed meeting were limited only to threatened and pending litigation (Mtn. View Trailer Park) as specified in the posting of the closed meeting.

Mayor Pro-tem Lujan made a motion to authorize and direct staff to initiate foreclosure on the Mountain View Trailer Park. Commissioner Ferguson seconded the motion. A vote was taken, and all voted "aye." The motion carried with a vote of 7-0-0.

ADJOURNMENT.

Mayor Pro-tem Lujan made a motion to adjourn at 9:16 p.m. Commissioner Brewer seconded the motion. A vote was taken and all voted "aye." The motion carried with a vote of 7-0-0.

/s/Mayor Pro-tem Chris Lujan

Mayor Pro-tem Chris Lujan

(SEAL)

ATTEST:

/s/Reneé L. Cantin

City Clerk Reneé L. Cantin

*(Prepared by Ubiquis Reporting)
Approved at the Regular Meeting held on June 24, 2008.*