

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
7:30 P.M., COMMISSION CHAMBERS
JULY 22, 2008**

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

**COMMISSIONER ERIC BREWER
COMMISSIONER JOE FERGUSON
INTERIM CITY MANAGER MATT McNEILE
CITY ATTORNEY STEPHEN THIES
CITY CLERK RENEE CANTIN**

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

Mayor Pro-Tem Lujan called the meeting to order at 7:30 p.m. The roll call was taken, and Mayor Steve Brockett was absent. The invocation was delivered by Mrs. Dotti West, and the pledge of allegiance was led by Interim City Manager Matt McNeile.

Mayor Pro-Tem Lujan explained that Mayor Brockett was in Santa Fe attending the New Mexico Energy Investment Initiative Conference sponsored by Governor Richardson and the Assistant Secretary of the United States Air Force. They will identify strategies to develop renewable energy projects in local New Mexico communities and military facilities and will also aid in economic development.

Mayor Pro-Tem Lujan also recognized the passing away of Henry Compton, who was a retired Alamogordo Department of Public Safety officer.

PRESENTATIONS:

1. Presentation by Brian Cesar, Public Works Director regarding Street Capital Projects from the new 1/4% GRT.

Mr. Brian Cesar explained that in their packets the commissioners would find the timeline for the thirteen projects for the 2008 gross receipts tax street maintenance program. It was broken down into the utility line replacement, the engineering and the actual construction moving into the street engineering, the ADA portion and finally into the paving.

Commissioner Ledford asked if they could hold them to the dates, and Mr. Cesar said they would do their best to stick with the dates though there are things that are outside of their control.

2. Presentation by LeeAnn Nichols, Finance Director regarding financing options for Capital Projects: Flood Control, Street Capital and Water & Sewer Understructure for Street Capital projects.

Ms. LeeAnn Nichols started by reminding the commissioners of the meeting that they had on June 3rd in which they discussed the financing for the various projects that they have coming up in the next two to four years. She went on to say that the main subject for her presentation was the fund that Mr. Cesar mentioned. Mr. Powers, with RBC Capital Markets, gave a presentation in the June 3rd meeting, and from the discussions in that meeting that presentation has been updated, which was part of the commissioners' package. Basically, they are planning the financing as discussed on June 3rd—7.4 million in 2008 for the first two years of the project and another 7.5 million in October of 2010 to complete the projects through 2011. The under structure would be done in one issue at the same time as the first street capital issue, and Ms. Nichols attached a spreadsheet to the agenda report for the commissioners that basically provided them with the cash flow and how it would work with the project schedule that the public works director presented. Ms. Nichols summarized the projects basically by quarters in a fiscal year. They would get the street financing income on the first issue, and they are shooting for closing date of October 15, 2008. That would provide 7,181,000, and in the

month of November, there is scheduled for the street side 2,184,000, leaving a balance of 4.9 million. In October of 2009, the next set would be done, and they would be borrowing 7.5 million, which would mean a net of 7.3 million. Ms. Nichols explained that the schedule showed that the financing would follow the street project schedule and provide sufficient proceeds to complete the projects in a timely manner.

Ms. Nichols went on to say that in addition in the current year they need to cover the next two year phases for the flood control project with the Corps of Engineers for a total of \$3,975,000, and with that they would be pledging the 1984 gross receipts tax, which is the tax that is dedicated to streets, roads and drainage. The plan for the financing issues is to bid out the finance package to qualified financial entities to include the bond market, the New Mexico Finance Authority and through bank placement. They will ask qualifying agencies to submit a bid based on the MMD rate, which is the nationally used Municipal Market Data Service Interest Rate Table. The bidder would say they would give a loan or do a bond issue for certain percentage points over that interest rate, and they would be held to that in making the decision on which is the best financing issue. Ms. Nichols said that they are going to open up the bid to all of the qualified institutions. There would be a commercial loan, the New Mexico Finance Authority and the bond issue. They would compare the three.

The closing date of October 15th would be the date that proceeds would be projected to be received, and after the bids are received is when they would start working on the ordinances and the loan agreements and bringing them back through the Commission.

Commissioner Cole asked if the flood control project that she spoke about was part of the current project or above and beyond the current flood control project, and Ms. Nichols said that it was the next phases of the flood control project, which is a 10 or 15-year project all together. Commissioner Cole asked if that included the McKinley Ditch area, and Interim City Manager McNeile said that would be the next phase. Mr. Threadgill explained that the \$3.5 million net would be for a portion of phase 5, and at this point in time they do not have the final specifications back from the Corps. An exact amount is not available. Phase 4 is expected to be completed in December, and phase 5 would be basically from White Sands up behind the Wal-Mart area next to the mobile home park and up to Abbott Ditch. The next phase is not going over to the McKinley area toward the college.

Commissioner Ledford asked if the \$14 million finance was what the street projects that Mr. Cesar showed them comes to, and Ms. Nichols said that was correct. Commissioner Ledford went on to ask if the quarter percent was sufficient to debt service that plus interest, and he asked if that was the full amount that they had available for servicing. Ms. Nichols explained that in the beginning when they were looking at financing, they had talked about getting the maximum dollar from the ¼% gross receipts tax, which was close to about \$19 million. That bid came from the New Mexico Finance Authority for a 30-year term. The 14 is based on the amount of money needed to do the projects that the public works director presented. It had nothing to do with how much bond money they could get.

Commissioner Ledford then stated that on the utility financing income they are bonding for the utility work that needs to be done, and he asked if the rehab projects are done without utility work. Ms. Nichols said that according to Public Works, the initial stage of the under structure is already started with engineering , and in October of 2008 they'll be spending approximately \$744,000. In October of 2009, they will begin the under structure. Mr. Cesar stated that right now they are out on RFP for the design services for all of the utilities. Commissioner Ledford went on to say that the utilities are being paid for by rate increases, and he asked if what they had already done would set up the reserves to pay for it or if it would be future increases. Ms. Nichols said that in the preliminary budget they estimated a rate increase to cover the sewer plant, a \$10 million issue, and they had indicated that it would take approximately an 18% to 20% rate increase. That is in the budget, and the estimates in the budget for water and sewer revenue are based on that. The utility that Commissioner Ledford was asking about was not in the budget because at the time they weren't aware that they would be going that route. Commissioner Ledford stated that they should let the people know that there would probably be a pretty decent increase. Ms. Nichols said there would be a rate increase to cover the debt service.

Commissioner Cole asked if utilities was just water and sewer, and that is correct. Commissioner Griggs stated his understanding that they have some roads they can start on, and they would then need to bond to do the utility work. They would do the utility work, and then they could finish all of the roads that are on the list. Ms. Nichols said that basically they would be bonding the under structure in one issue pledged by the water and sewer revenue, and they would be bonding the street capital through the new gross receipts tax just passed to do the street side. They need to get started on that because their goal date is to have the proceeds from the financing by October 15th. Those two will be done for the street capital projects, and there will be one more issue for the flood control. Commissioner Griggs stated that what the people of Alamogordo would start to see is continued roadwork of a fairly substantial nature over the next three or four years.

3. Presentation by Tresa Van Winkle from CAPPED regarding the proposed "Sacred Ground Memorial Park" and request for a letter of support from the city.

Recommendation: Approve the letter of support.

Ms. Tresa Van Winkle, the executive director of the CAPPED organization in Alamogordo, thanked the Commission for allowing her to give a presentation. She explained that CAPPED stands for Cancer Awareness, Prevalence, Prevention and Early Detection. Their mission is to be the organization that transforms urgent care into preventive care in the State of New Mexico, and their vision is to make New Mexico number one in primary cancer prevention. Cancer has reached epidemic proportions in the United States. One of two men and one of three women living today will be diagnosed with a major cancer during their lifetime. The SEER cancer stats review reports cancer deaths from all cancer in 1950 at 195.4 per 100,000, and in 2004 it's 185.7 per 100,000. In 50 years, only a 5% difference has been made, which means that annualized of all of the people that were diagnosed with cancer, out of every thousand, one has lived longer than five years.

Mrs. Van Winkle then showed the age adjusted annual cancer incidence rates for New Mexico and in fact Otero County, New Mexico, between 1973 and 2005, 33 years marked in five-year intervals. In 1985 they had 305 cases per 100,000 people, and in 1995, they had 397 per 100,000. In 2005 data, they had 431 per 100,000 cases. These are age-adjusted figures, and so it can't be explained by an aging population.

In April of 2000, a group of dedicated cancer survivors and their families recognized that Otero County needed cancer information, screening and support services, cancer treatment options and primary cancer prevention education. By April of 2001, CAPPED had full 501(c)3 tax exempt status. In 2001, a miracle happened, and a wonderful local couple stepped forward and donated a building to CAPPED, which enabled them to expand their vision. Presentations were made across Otero County. By February 2003, they had completely 100 presentations and raised nearly \$35,000. Their 99th presentation was to the Builder's Association of Otero County, and the remodeling began the next morning. They started with a warehouse, and Mrs. Van Winkle showed photographs of the progression until the building was completed and they had a grand opening July 17th, 2003. They just had their five-year anniversary.

They are doing camp programs, have a computer learning center, provide information services, and capped.org is their web site. They are also an Angel Flight registration point and a New Mexico Medbank registration point. They provide free prescriptions to those who can't afford them. CAPPED also has a small lending library and does educational seminars on health promotion, disease prevention, and disease survival. They have done more than 500 community presentations on primary cancer prevention, and their program exploded with 15,300 children taught sun safety in the last five years. They distribute educational literature from the National Cancer Institute, and they do educational seminars to reduce stress, improve nutrition, promote health, understand cancers, and prevent diseases. In secondary prevention, which means catching it at the earliest possible point, they have their CAPPED Angel Fund, for which they raise money in the community to provide services and negotiate with local healthcare providers. Fifty-five low-income individuals have been served resulting

in 26 cancers prevented or cured, and in the CAPPED mammography program 297 low-income women have received free screening mammograms. Eleven cancers have been diagnosed.

CAPPED also has a variety of support services including the CAPPED Sun Safe Program. The pilot was in 2003, and it was a huge success. They expanded annually, and it now includes preschools and kindergarten through third grade throughout Otero County with assemblies in Lincoln and Dona Ana. They buy colorful hats, and the kids love them. Since 2003, they have presented at 145 schools. They also have coming soon their healthier nutrition program. CAPPED wants to expand their services to enhance the lives of the people of Otero County. Integrated medicine seeks to build bridges in healthcare helping practitioners to work together in the best interest of their clients through education, collaborative assistance and referrals. CAPPED plans to expand its program to include a Center for Integrative Healthcare so they can attract a diversified medical community and provide low-cost preventive integrative medicine.

The key benefits for the people include the introduction to integrative healthcare, seminars, pamphlets, health benefits of integrative medicine turning many current health problems around and prevention of many future health problems, improved quality of life and a lower lifetime cost of healthcare. Capped is there to help when cancer strikes. CAPPED is educating our county on prevention. CAPPED is writing grants to fund programs. CAPPED is holding fundraisers to earn extra dollars. CAPPED is advocating for the rights of patients. CAPPED is there when cancer returns, and CAPPED is holding hands and drying tears. CAPPED is making a difference.

Mrs. Van Winkle explained that 46% of the dollars that they spend in their expenses come from Otero County, and they are raising 54% outside of Otero County. Income is down, and expenses are up, however, despite their best efforts, which is why they are reaching out for other grants. They are proud of their record that in the five years 10% of their functional expenses have been for management, 11% for fundraising, and 79% for their programs. CAPPED has the world's greatest volunteers, and the five-years total is more than 28,000 hours, which multiplied at \$7/hour is over \$200,000 in volunteer hours.

Mrs. Van Winkle went on to say that they would also like to build a special park in the city. It was designed to be put on the old Gerald Champion Hospital site. The property is owned by the County, and the park would be a walking path. The design is specific to that property in many ways, and they consider that to be sacred ground. The county has indicated that they are not convinced that the park is the best use of the property, and they gave CAPPED around a million-dollar figure that they would possibly accept for it. They are now trying to remove all of the obstacles to make it possible for the park to be there, and if they have to, they will raise the money to make it happen.

Mrs. Van Winkle said that they would love to have a letter of support from the City, which would help them with their grant writing and help remove obstacles to the park being built.

Mayor Pro-tem Lujan apologized for not being able to meet with Mrs. Van Winkle. CAPPED is much bigger than he thought it was, and it seems very beneficial to the public and the county.

Commissioner Brewer made a motion to approve the letter of support. Commissioner Ferguson seconded the motion.

Commissioner Cole asked if the Commission approved the letter of support if they were approving the concept of turning the property over to CAPPED or if there would be a lot more planning with the City about developing the park in conjunction with the green zone that the City has running somewhat on the east side of town. He wanted to know what the intent of the support was. Mrs. Van Winkle said that what they don't want to do is get down the road and find a granter who would be willing to grant them money to build the park and then come back and find that the City would not support it. Mrs. Van Winkle said that there is a foundation in El Paso that they will talk to about funding, but they will probably not do it at this time because of the block from the county. Commissioner Cole made the point that there is possibly economic development in that piece of property for the community so they

would have to weigh the economic development against the health benefit. He wanted to know if they approved it if the Commission would be approving that CAPPED try to find financial support to buy the property from the County one way or another and to develop it in conjunction with the City.

Mrs. Van Winkle explained that CAPPED does not want to own the property. They would create another non-profit that would be in charge of the park. CAPPED would be involved. It was their intention when they were working with the county to begin with that they would just designate the property as a park and the property would continue to belong to the county. As a non-profit the park can be built for much less than the City or County could because they could do so with volunteers. Commissioner Cole asked if it is built how it would be maintained, and Mrs. Van Winkle said that they are talking with local churches and civic organizations. It would be broken up into an annual schedule, and each group would have an opportunity to come and help. Right now, CAPPED would be responsible for it, and they are planning on putting a small gift shop on it. they have designed some tiles that they could sell there, and they would also be selling healthy snacks. It was suggested that they put solar power in on the roofs of the restrooms and gift shop, which hopefully would create enough energy to light it during the nighttime hours.

Mr. Larry Van Winkle then addressed the commission and explained that when the concept started it was with the notion that the library would be right across the street from it. It is a heavily traveled area, and it was their thought that people could come day and night to walk it very safely. They are looking at not just the healthy part of it but welcoming people. The signs that are along that area that say "No Trespassing" are not welcoming. The park would draw people into the area, and between the health value and beautification of Alamogordo, it would be beneficial. Mr. Van Winkle also provided examples of other parks in the City where people have volunteered to be involved in their formation or maintenance. Mrs. Van Winkle then explained that the park as planned would be the largest labyrinth park in the State of New Mexico and the only one with a path that is five feet wide, which would allow two wheelchairs to pass.

Commissioner Griggs asked if CAPPED had any alternative sites, and Mrs. Van Winkle said that they have looked at other sites in and around the City. The park, however, was really designed to be on that site. They have worked on the park now for over three years, and they have gathered over 2,500 signatures that are in favor of that piece of property being turned into a park. Commissioner Griggs said that the only concern he had was that the way the letter was styled in dealing with the "Sacred Ground Memorial Park" puts the City Commission in somewhat of a conflict with their friends at the county. He would feel more comfortable with the letter if it just said that the City supported the planned expansion of the project leaving it up to CAPPED as far as where it would be put. Mayor Pro-tem Lujan said he thought Commissioner Griggs has a good point though he understood that a lot of things having to do with the park had to do with that particular piece of ground. He did think that the letter should be a letter strictly of support if the County approves the location. Ms. Van. Winkle said that perhaps they could stipulate in the letter if it could be worked out with the county.

Commissioner Brewer said that the whole concept is based on that site. CAPPED is stepping forward to do something to improve the curb appeal of Alamogordo, and there is a debate about it. He thinks they should support it, but that said, they can't tell the county what to do with their land though they could suggest that it would be a good idea for the County to do.

Mayor Pro-tem Lujan asked City Attorney Thies if the Commission decides to draw up a letter of support whether that could be changed later on. He suggested that a revised letter could be brought to them at the next meeting. Then they could review it and approve or disapprove it.

Commissioner Griggs made a motion to amend the previous motion to approve the letter of support and to strike the language that says, "into the Sacred Ground Memorial Park." Commissioner Brewer seconded the motion. A vote was taken and all voted "aye." The motion carried with a vote of 6-0-0.

Commissioner Brewer made a motion to approve the motion as amended. Commissioner Ferguson seconded the motion. A vote was taken and all voted "aye." The motion carried with a vote of 6-0-0.

CALL OF THE CONSENT CALENDAR:

MINUTES:

4. Minutes of July 8, 2008 Regular Meeting and July 14, 2008 Special Meeting.

Recommendation: Approve the minutes.

CONTRACTS AND AGREEMENTS:

7. Approval of an agreement for Corporation for National and Community Service (E-grants) for the Retired and Senior Volunteer Program, Contract # 08SRWNM013, in the amount of \$52,081.

Recommendation: Approve the agreement.

8. Approval of agreements with State of NM Non-Metro Area Agency on Aging:

- A. For the Direct Purchase of Services for Senior Center Programs for Federal funding of \$92,015 and State funding of \$239,119.

Recommendation: Approve the agreement.

- B. Nutrition Service Incentive Program (NSIP) for Senior Center Programs \$23,065

Recommendation: Approve the agreement.

9. Approval of the settlement agreement and property damage release between the City of Alamogordo and General Hydronics, Inc, Jason Rodriguez, American Hallmark Insurance Company, & Effective Claims Management, Inc. for damage to city property resulting from a vehicle accident April 26, 2008.

Recommendation: Approve the settlement agreement and release.

ORDINANCES AND RESOLUTIONS:

12. Consider Ordinance # 1337 rezoning for 804, 814, 824, 834, 844, 854, 864, 874, 884, 894 Lindberg Avenue, 2523 Walker Avenue and 2524 Travis Avenue to MH-1, Manufactured Housing Subdivision District, from R-1, Single Family Dwelling District, requested by City of Alamogordo. [Case # Z-08-0683(A), located in the south side of town at Lindberg Ave between Walker Ave and Travis Ave]

Recommendation: Approve the ordinance for final publication.

13. Consider Resolution No. 2008-27 adopting the final budget for the Fiscal Year 08-09.

Recommendation: Approve the resolution.

OTHER BUSINESS:

15. RFP 2008-008, Financial Advisor Services.

Recommendation: Award RFP to RBC, Capital Markets.

16. RFP 2008-010, Engineering Design Services for Alamogordo - White Sands Regional Airport.

Recommendation: Award RFP 2008-010 to Armstrong Consultants, Inc.

17. Consider Change Order No. 1 to Public Works Bid No. 2007-006, 2007 Street Maintenance Project Two.

Recommendation: Authorize Change Order No. 1 to Star Paving Co. in the amount of \$26,400.00.

18. Public Works Bid No. 2007-009, Plaza Hacienda Sidewalk Improvements, Change Order No. 2.

Recommendation: Approve change order no. 2 in the amount of \$18,597.50.

19. Investment Report for the quarter ended June 30, 2008, in accordance with the City of Alamogordo Investment Ordinance.

Recommendation: Accept the report.

Commissioner Ledford moved to approve items 4, 7, 8a, 8b, 9, 12, 13, 15, 16, 17, 18, & 19 of the Consent Calendar. Commissioner Brewer seconded the motion. A roll call vote was taken because of items 12 and 13. A vote was taken, and all voted "aye." The motion carried with a vote of 6-0-0.

PLANNING ITEMS:

5. Consider the final plat of PLAIN VIEW ACRES 2 SUBDIVISION for Crimmins Family Limited Trust. [Case #S-08-1011 (A); located at Coronado Drive between Arapaho Trail and Santa Cruz Drive].

Recommendation: Approve the final plat, Subdivider's Contract and the Waiver of Protest Agreement.

Mayor Pro-tem Lujan read the item and recommendation, and Mr. Marc South, the City planner, explained that it is a very straightforward subdivision. The original subdivision provided for 30 lots, and it has been there for some period of time. The number of lots has been changed to 33.

Commissioner Cole made a motion to approve the final plat of Plain View Acres 2 subdivision, the Subdivider's Contract, and the waiver of protest agreement. Commissioner Griggs seconded the motion. A vote was taken, and all voted "aye." The motion carried with a vote of 6-0-0.

6. Public hearing to consider a variance to reduce the required front yard setback of 25 feet to 20 feet for Crimmins Family Limited Trust. [Case #V-2008-0522(A); location: 302 through 605 Coronado Drive - Plain View Acres Unit B Lots 41 through 70 (proposed single family dwelling subdivision Plain View Acres 2)]

Recommendation: Approve the variance.

Mayor Pro-tem Lujan read the item and the recommendation, and Mr. South explained that it is the same property that they had just approved the replat on. The subdivider requested a change in the setback from 25 to 20 feet, which is becoming a very standard request. Mr. South explained that the rezoning draft anticipated a change to 20 feet.

Commissioner Griggs made a motion to approve the front yard setback variance. Commissioner Brewer seconded the motion. A vote was taken, and all voted "aye." The motion carried with a vote of 6-0-0.

CONTRACTS AND AGREEMENTS:

10. Discussion and action authorizing the Mayor/City Manager to sign agreement between New Mexico Regulation and Licensing Department, Construction Industries Division and the City of Alamogordo transferring the building permits and inspection function to the New Mexico Construction Industries Division.

Recommendation: Subject to discussion.

Mayor Pro-tem Lujan read the item and recommendation.

Mr. Threadgill explained that he had left in the commissioners' mailboxes a copy of the letter from Lisa Martinez, the director of Construction Industries Division. At the time it was placed on the agenda, they had a commitment from CID that they would be getting a letter, but they hadn't yet received it at the time they gave them the commitment. They said it was going to require the mayor's signature so they placed the item on the agenda not knowing exactly what the letter would say or request. Instead, CID submitted the letter, which in a nutshell states that they are willing to take over Monday, July 21, 2008, issuing permits and conducting inspections within the City of Alamogordo. It does not require the mayor's signature. They have met with CID to get some of the logistics worked out, and they have pretty much come to an agreement on how things should work. They have committed to take the backlog of plans that they currently have in plan review. Commercial will go to Las Cruces. Residential will go to Albuquerque, and they will put a team together to get those permits out as soon as possible. They are also going to help with the backlog of inspections as they're taking over the issuing of permits and conducting inspections on the permits that they issue.

Commissioner Ledford said that they had in the budget \$322,000 in revenue that they won't be receiving. He asked if there were expenditures they would be reducing. Mr. Threadgill said that they have approximately \$90,000 that was not covered by the permit revenues but was coming from the general fund. Their expenditures are greatly reduced in that they have four out of six vacancies. The letter that the city sent asking for their signature is not being returned.

Mr. Threadgill said that from the State's point of view the action was that the City called them and asked them to come in and start issuing permits and doing inspections. No action was necessary at the meeting.

ORDINANCES AND RESOLUTIONS:

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

Recommendation: Deny the ordinance.

Mayor Pro-tem Lujan read the item and recommendation, and Interim City Manager Matt McNeile explained that the staff doesn't agree with the terms that are being offered to the City, specifically with regard to debt ratio coverage increasing from previous loans. City Attorney Thies stated that specifically in the prior two bonds the revenue from the water sewer was pledged to pay the ratios at 120%. The NMFA requested in their initial draft of the loan documents and Ordinance to place that at 130%. The City asked that they reduce that, and NMFA initially indicated that they would consider the reduction. The board, however, stated that their policy is to request 130%. The staff felt that agreeing to the 130% ratio would potentially tie the city's hands in the future. Another difficulty that they had with the document was that they had requested that they be allowed to reimburse themselves for the

internal engineer costs. NMFA had initially given their approval of a modification to the document to allow that. They then backpedaled on that indication, and the last documents don't allow it. The other primary factor for their recommendation is that at a staff level they determined that there are better options to finance the project.

Commissioner Ledford asked Ms. Nichols about the urgency of the project as it may take another month or two to go through another form of financing to be approved. Ms. Nichols said that one of the options is to wrap the project up with the under structure and do it in that issue. Another option would be to use some of the fund balanced out of fund 81, which is the water and sewer that's available and do an in-house loan through fund 49, which is the 1986 gross receipts tax that is for outside water. That has been done before by resolution, and it is then paid back to that fund. There is approximately 1.5 million available.

Commissioner Griggs asked if NMFA would be upset with the City because they are going to be used for other projects later, and Ms. Nichols said they would be including them on the bid for the financing issues that are coming up. The City still has an open door for them for those options, and Ms. Nichols had personally told them that. City Attorney Thies said that the fact that they would potentially disapprove this ordinance doesn't foreclose the City's ability to go back to the NMFA and inquire about their willingness to extend \$1.2 million at a later date. The City would be closing on the loan for this project within about 15 days, and the City has an obligation to spend that money within the next three years. As soon as it is closed, the City will start accruing interest on the \$1.2 million. Commissioner Griggs said that he wanted to make sure that the City doesn't tie up its reserves at a time when the rates are pretty good because they are going up. He would rather the City uses its reserves when the interest rates are higher. Ms. Nichols suggested that they wrap it up with the under structure issue.

Commissioner Griggs made a motion to deny Ordinance No. 1334. Commissioner Ferguson seconded the motion. A roll call vote was taken, and all voted "aye." The motion carried with a vote of 6-0-0.

OTHER BUSINESS:

14. IFB No. 2008-03, Purchase Digital Sign for Willie Estrada Memorial Civic Center.

Recommendation: Award the bid to Commercial Sign Art in the amount of \$45,652.03 including NMGRT.

Mayor Pro-tem Lujan explained that he had taken this item off of the Consent Calendar. He asked what the cost savings is between what it is costing to change out the sign every time they want to change it to the cost of the sign. Interim City Manager McNeile said that he doesn't know what the current sign is worth. Mayor Pro-tem Lujan explained that his question was what does it cost to have City staff go out and change out the sign, and he explained that the reason he has a problem with it is because they just canceled all of their memberships for \$5,000. Staff has been cutting back on their expenses. Everybody knows that the budget is very tight, and they are spending almost \$46,000 on a new sign that is doing just fine. He was not saying that they don't need a digital sign there. He just didn't know if now is the right time.

Ms. Nichols said that this money would be coming from fund 20, which is the City's share of the lodger's tax. Those funds are restricted to promoting the City of Alamogordo, and so that money couldn't be used for other things. It is not coming out of the General Fund.

Commissioner Griggs made a motion to approve IFB 2008-03, purchase digital sign for Willie Estrada Memorial Civic Center. Commissioner Cole seconded the motion. A vote was taken, and all voted "aye." The motion carried with a vote of 6-0-0.

20. Voting delegate and alternate delegate for the Municipal League Annual Conference Business Meeting being held August 12 through August 15, 2008 in Clovis, NM.

Recommendation: Select a voting delegate and alternate.

Mayor Pro-tem Lujan read the item and recommendation. He went on to explain that the Mayor will be attending the conference August 12th to 15th and is willing to serve as the delegate.

Commissioner Ledford made a motion to approve Mayor Steve Brockett as the voting delegate and Commissioner Ed Cole as the alternate. Commissioner Ferguson seconded the motion. A vote was taken, and all voted "aye." The motion carried with a vote of 6-0-0.

21. Appointments to Boards and Committees.

Mayor Pro-tem Lujan explained that Mayor Brockett had asked him to appoint Rebecca Price to the Senior Volunteer Programs Advisory Council, and he asked the Clerk to notify Miss Price of the appointment.

UNSCHEDULED COMMUNICATIONS:

A. Commissioner Cole

Commissioner Cole complimented Brian Cesar's staff on the roadwork in District 6.

B. Commissioner Griggs

Commissioner Griggs stated that the work on South Florida is progressing dramatically. It's taken over six years to get the funding for that, and while sometimes you want things to happen right away, it is good to see something happening after spending that much time on it.

C. Interim City Manager McNeile

Interim City Manager McNeile stated that the water report is looking good, and he also stated that two African crowned cranes were born last week at the zoo. They are healthy and doing well, and that is the first time they have had them hatch at the zoo.

D. Mayor Pro-tem Lujan

Mayor Pro-tem Lujan commented that 16th Street is done and looks beautiful.

He also had a request from the City Clerk to notify the public that the next regular Commission meeting would be held Monday, August 11th, in order for some commissioners and members of the staff to attend the Municipal League annual conference in Clovis, New Mexico. There will be no meeting on Tuesday, August 12th.

ADJOURNMENT.

Commissioner Ledford made a motion to adjourn at 8:52 p.m. Commissioner Griggs seconded the motion. A vote was taken, and all voted "aye." The motion carried with a vote of 6-0-0.

/s/Steve Brockett

Mayor Steve Brockett

(SEAL)

ATTEST:

/s/Reneé L. Cantin

City Clerk Reneé L. Cantin

(Prepared by Ubiquis Reporting)

Approved at the Regular Meeting held on August 11, 2008.