

CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
7:00 P.M., COMMISSION CHAMBERS
AUGUST 13, 2013

SUSIE GALEA, MAYOR
JASON BALDWIN, COMMISSIONER
NADIA SIKES, COMMISSIONER
ROBERT RENTSCHLER, COMMISSIONER
JOSH RARDIN, COMMISSIONER

AL HERNANDEZ, MAYOR PRO-TEM
JIM TALBERT, COMMISSIONER
JIM STAHLER, CITY MANAGER
STEPHEN THIES, CITY ATTORNEY
RENEE CANTIN, CITY CLERK

CALL TO ORDER, ROLL CALL, INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Galea called the meeting to order at 7:00 p.m. Roll Call was taken by the City Clerk. Clerk Cantin announced there was a quorum present.

APPROVAL OF AGENDA

Mayor Pro-Tem Hernandez moved to approve adding to the Consent Agenda the Addendum Item #1 - to consider and act upon changing the status of the Pool Technician from Part Time (30 Hrs/wk) position to a Full Time (40 hrs/wk) position and add janitorial duties to the job description and duties. Commissioner Baldwin seconded the motion.

Commissioner Rentschler asked when this Addendum Item had been added to the agenda. City Clerk Cantin said it was added last Thursday and sent out last Friday. Commissioner Rentschler asked if that was the last day an item could be added and the Clerk told him it was.

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

The Invocation was given by Father Tom Arrowsmith-Lowe and the Pledge of Allegiance was led by Commissioner Sikes.

Mayor Galea asked for approval of the agenda.

Commissioner Rentschler moved to approve the agenda. Commissioner Sikes seconded the motion. Motion carried with a vote of 7-0-0.

PUBLIC COMMENT

A. William Dennis commented on the following:

Mr. Dennis told the Commission he had been coming to these meetings for at least a couple of years. He asked the City Attorney if any mayor we have had was above and beyond following the City Code. Mayor Galea asked who he was referring to and he said our current mayor had violated the City Code by appointing someone from outside the City to serve on one of the boards. Mr. Dennis said it needed to be corrected and City Manager Stahle answered by saying this situation had been discovered at the staff level and he had recommended it be corrected.

Mr. Dennis went on to say he heard the mayor say "I have appointed" when someone was picked for a board and according to Section 2 of the City Code it should be approved by the majority of the City Council. He said we won't have a 'mayor strong' system until next spring, and currently the mayor is equal to the rest of the commission and is more or less a mouth piece for what the rest of the commission decides. He wondered what would happen next if this was left to stand. Could someone from Ruidoso or Las Cruces serve on our city boards? He told them he had served for two years on the Library Board and only missed two meetings – one because of car trouble and one because he was attending his dad's funeral in Michigan. Mr. Dennis said other people on the board who were

fairly new had missed three out of the first four meetings, so what was the definition of an active member on any board? He felt he had been kicked out the door and treated poorly. He has been a city resident for the past 30 years and was more than willing to give his time to provide a service for the City.

Mayor Galea thanked him for the time he has served and didn't want him to feel mistreated. She said she would not apologize for not reappointing him this last time, but thanked him for his comments.

City Manager Stahle asked to correct the record as well. He said the upcoming election in March will not change the City to a strong mayor form. It will be a mayor elected at large with the same duties and responsibilities as the current mayor. He noted there was a difference between a strong mayor form of government and what will be applied in the Spring.

B. Dr. George Straface, APS superintendent commented on the following:

- 1) He commended Police Chief Duncan for working with the school system in his active shooter training. It was vital and his leadership made a difference.
- 2) He thanked the city for getting the cross walks done for the safety of the children.

C. Harv Hamilton commented on the following:

Mr. Hamilton said that since February, he felt a lot more attention should have been given to the safety of kids who walk to Heights Elementary and Buena Vista Elementary Schools. Walking kids are much more likely to be seriously injured if hit by a vehicle around those schools. Parents, grandparents and teachers had helped him put his presentation together and they all asked him to read the following to the Commissioners: Not so many years ago he had read that a Heights Elementary student was hit at the intersection of 10th St. and Juniper Drive. In the late 1980's, a group of moms made appointments with various school and city officials in hopes of extending the 10th Street school zone adjacent to Heights Elementary. They wanted it extended up into Sunrise Heights and down to College Ave. They gave this up when the DPS Director at that time said he was almost fired for trying to extend it. The Juniper school zone adjacent to Buena Vista was put in place during this time frame. Presently there are six school zones around Buena Vista and 13 crosswalks of which seven are across 18th Street. There are two school zones at Heights Elementary, and College Ave. and Scenic Drive each have four crosswalks, while there are three across 10th Street near Heights Elementary including the new one on Juniper. On Bellemah Drive, there are another six and four are at the intersection with Boyce Ave. Mr. Hamilton noted he had mentioned at other commission meetings drivers coast through the Boyce intersection day or night. There is a dip right below the intersection and drivers seem to fly down Bellamah toward Yucca Elementary. Vehicles also speed up as soon as they pass the traffic light above 10th Street at the intersection of Juniper. That light cannot be seen going up 10th Street until drivers get to Juniper. Drivers race up Bellamah until they get to the dip, and he had not seen crossing guards at Bellamah's intersection with Boyce or at College & 10th. He has learned teachers are now tasked with being crossing guards and it is rare that anyone volunteers. Fences provide additional student protection and the playgrounds are used by neighborhood kids when school is not in session. There are not any crosswalks at Spruce or at 7th Street and College. Drivers speed along neighborhood streets around both schools to avoid school traffic zones. When a student was hit at Holloman's housing area last year, Holloman's commander fixed it just as he did cell phone use at the Base. Unilaterally, the City can't fix all these things for students walking to these two schools, but those he was representing believed the Commissioners should vote to reflect their position in this regard. They would like to see you invite school officials with clout to a locked door meeting with city officials with clout to hammer out temporary fixes yesterday and take actions required for more permanent ones. Without school system input, you can direct lowering of speed limits now and post police units to slow traffic as has been the case for a long time at Buena Vista. He thanked the Commission for their time.

Mayor Galea said we will look into this with our public schools and public safety departments. She noted crosswalks are at school locations and in the past we have worked with the Safe Routes for Schools program. Currently, there isn't any funding for this program.

CONSENT AGENDA (Roll Call Vote Required for item No. 4)

1. **Approve Minutes of the July 23, 2013 Regular Meeting of the Alamogordo City Commission.** (*Renee Cantin, City Clerk*)
2. **Approve statement related to the Executive Session of July 23, 2013.** (*Renee Cantin, City Clerk*)
- A-1. **Consider and act upon changing the status of the Pool Technician from Part Time (30 Hrs/wk) position to a Full Time (40 hrs/wk) position and add janitorial duties to the job description and duties.** (*Matt McNeile, Asst. City Manager*)

Item # 3, 4, 5 & 7 were removed from the consent calendar by Commissioner Rentschler. Item # 6 was removed by Commissioner Rardin.

Mayor Pro-Tem Hernandez abstained from voting on Item # 1 & 2 because he was not at the last meeting.

Commissioner Rentschler moved to approve items # 1, 2 & A-1 of the consent calendar. Commissioner Talbert seconded the motion. Items No. 1 & 2 vote was 5-0-1. Mayor Pro-Tem Hernandez abstained. For Item A-1 Motion carried with a vote of 7-0-0.

ITEMS REMOVED FROM CONSENT AGENDA

3. **Accept the Investment Report for the quarter ending June 30, 2013.** (*Ken Johnson, Finance Director*)

Commissioner Rentschler asked Finance Director Johnson about the overall investment portfolio of \$57 million. He asked if this report was six month, and Mr. Johnson told him it was year-to-date. Commissioner Rentschler asked if the Wells Fargo investments were about \$5-6 million and Mr. Johnson said it was more than that. Commissioner Rentschler said the year-to-date earnings have only made us \$8,000 and thought that kind of money should be earning more. He asked Finance Director Johnson what his plan was to do something about our investments so they make more interest.

Finance Director Johnson said the market isn't all that good. We have two benchmarks – one is the budget benchmark of .3% and the second is in our ordinance and is the state treasurers two year treasury investment pool. Our discretionary earnings have beaten both those benchmarks, and it is a matter of when we have our investments mature. One of the things talked about during the budget hearings was we are going to have to expend a lot of those dollars that are currently maturing. Our tax flow analysis doesn't show us gong out into the market place for the next nine months because we have to fund the capital projects in terms of the carry-over.

Mayor Galea said the carry-overs for capital projects are mostly designated funds that aren't yet expended. Finance Director Johnson agreed and said that in essence, what we do with that cash flow is take a look at our needs. When we look at our needs for the next nine months the majority of maturities we have will be needed in order to fund those expenditures. The majority that will be maturing are with RBC.

Commissioner Rentschler said he understood they mature as we need them and we invest based on that. He was looking at the maturity dates and thought the Wells Fargo ones that were the most were producing the least. When we have a portfolio of this magnitude producing half a million dollars a year and divide by \$60 million it is less than 1%. Mayor Galea asked him to explain why some must be invested locally, and Commissioner Rentschler said he understood that and was a big supporter of local investment.

Finance Director Johnson stated one of the things we ended up doing was to deploy monies here in the local market – over \$5 million dollars in some other investment pool. We earned over 1% more than what we had in terms of the benchmarks. We averaged on those investments over the term, and each of them was about five years, about 1.3%. Our overall portfolio is only earning about .4% and as he had said earlier the market is down. It is turning a little bit and the treasury rate for two year T-Bills will actually be going up. We still think we'll be able to beat that. Given those two benchmarks – the budgeted benchmark and the two year treasury benchmark – we believe we are doing a pretty good job in these tough economic times.

Commissioner Rentschler wanted to make sure the Commission understood that we will be doing better than this in the outlying year. Finance Director Johnson agreed.

Commissioner Rentschler moved to accept the Investment Report for the quarter ending June 30, 2013. Mayor Pro-Tem Hernandez seconded the motion. Motion carried with a vote of 7-0-0.

4. Approve Resolution No. 2013-27 approving the DFA Quarterly Report for the period ending June 30, 2013. [Roll Call Vote Required] (Ken Johnson, Finance Director)

Commissioner Rentschler asked Finance Director Johnson to elaborate on what this is and how it all goes together.

Finance Director Johnson responded the DFA has a number of requirements. We talked about the budgetary items and are interested in changing the information we give to them. One of the changes was to give them our three financial statements on a cash basis. The annual financial statements we present to the State Auditors Office are on a generally accepted accounting principles (GAAP) basis. The requirements they have are a couple of things. The State of New Mexico does not have a standardized chart of accounts, so we have our own chart of accounts. When we do the quarterly report we report on our expenditures based on the DFA chart of accounts. That is one of the last in the packet and it is the crosswalk between our chart of accounts and their chart of accounts. When they look across the local governments they can get a better idea about what they are looking at. Our budget is also on a cash basis and is based upon those items we have in our chart of accounts. What this does for DFA is allow them to standardize the reporting up to them and they have the ability on a quarterly basis to see how we are doing. This is the same thing we do internally in terms of where we are on our budget, particularly on the revenue side. As long as we don't have any significant changes in our budget, we don't have to make any drastic changes. As long as we have a good track on our revenues, we don't have to watch that so much. The other issue is what other things are they looking for, besides simply making sure we are on track and can live within our means. Before we get to the end of the year we get our financial statement prepared on either a cash basis because of the new requirement, or on a GAAP basis so we can see we are ok. The quarterly statements are not audited and the only one audited is the one we give at the end of the year.

Commissioner Rentschler asked if it was the end of the year audit the state decided we were late on. Finance Director Johnson said that was not the case. The Honorable Governor decided there were a number of issues and she wanted to put into place an early warning mechanism. In that executive order there were responsibilities to both DFA and the agency the monies would go through. There were guidelines put out by DFA to various agencies and in our case the NM Environmental Department deemed we had some issues. Finance Director Johnson talked with them and they agreed that after considering the information he had, we should be good to go. So the next time they go out to a bond market we will get the monies for that looping project we have.

Commissioner Rentschler said they reported it different than that. When we go through these pages and pages of figures, we can get lost in them and find them difficult to understand. When the DFA is able to arbitrarily withhold Capital Outlay Funds, it is important this is thoroughly explained to the Commission.

Mayor Galea felt they were stuck on the fact DFA made the statement on the late audit. She clarified the looping system that the capital improvement funding for the state was in regards to was an old project that was closed. EPA had put a hold on it. She wondered how many man power hours were needed for this new reporting and found it takes about 14 hours of staff time for the annual reporting and about 2 hours for each quarterly report. She appreciated all the work he and his department do for this.

Commissioner Rentschler asked Mr. Johnson if he was concerned about any of this reporting and the Finance Director said he was not concerned with any of the reporting they had made. Commissioner Rentschler asked if he was seeing any trends the Commission should be aware of and Mr. Johnson said he was not aware of any at this time.

Commissioner Rentschler moved to approve Resolution No. 2013-27 approving the DFA Quarterly Report for the period ending June 30, 2013. Mayor Pro-Tem Hernandez seconded the motion. Roll call vote was taken by the Clerk. Motion carried with a vote of 7-0-0.

5. Approve the amendment to the Agreement with Southwest Disposal to clarify the overloads and overfills for residential service. (Brian Cesar, Public Works Director)

Commissioner Rentschler asked if this hadn't been done six or eight months ago and Public Works Director Cesar told him this had been done January 10, 2012. Commissioner Rentschler remarked that had been just a little over a year and we are looking at raising the overload fee again.

Public Works Director Cesar told him we weren't raising that fee. What was missed in the contract was that Southwest Disposal is providing this service for us at \$51.93 per container for overloads/overfills. Previously, the Code Enforcement Dept. went out and picked up these containers, but what we missed in the contract was when Southwest Disposal picked up those containers they take a picture of them so that when we receive the monthly bill we can verify what we are paying for. In the case of an overload where the 300 lb. containers are overweight, i.e. when someone puts concrete in the container, their regular trucks can't pick the containers up and they have to send out a special truck to do this. To help document this for our monthly billing, those containers are taken to the Convenience Center where they are weighed. As part of the negotiations, they can dispose of the material at the Convenience Center as opposed to taking it to their yard in order to reload into one of their trucks to then take to the landfill. This was missed in the contract language. What was happening was Southwest Disposal was taking those overloads to the Convenience Center where it was weighed. As you know, everyone can take up to 26,000 lbs. a year to the Convenience Center. It took a period of time for them to reach the 26,000 lb. limit, so this is why you are seeing this so much later. The first time we realized there was an issue was when Southwest Disposal started receiving a bill from the City for use of the Convenience Center. This item addresses allowing Southwest Disposal to weigh and dump the material at the Convenience Center.

Commissioner Rardin verified with Public Works Director Cesar that Southwest was picking up and taking overfills to the Convenience Center. Commissioner Rardin said we are paying them for the service and paying the tipping fee when they put it in our dumpsters, so we are paying for it twice. Public Works Director Cesar said he wouldn't say we are paying for it twice. We are being charged the \$51.93 per container, but in the past we had code enforcement officers manhandle the containers into their City vehicle and take it to the Convenience Center to dump. We've taken out the Code Enforcement officers that could be doing what they really should be doing and are having Southwest Disposal do this.

Commissioner Rentschler asked if they were handling these containers individually and weighing them first, and Public Works Director Cesar affirmed. The Public Works Director said if it is simply an overfill they don't take them to the Convenience Center. They are taken straight out to be disposed of. The overloads are required to be taken to the Convenience Center to be weighed so we can document how many overloaded containers were picked up that month. This is to verify we are being charged correctly.

Mayor Pro-Tem Hernandez moved to approve the amendment to the Agreement with Southwest Disposal to clarify the overloads and overfills for residential service. Commissioner Baldwin seconded the motion. Motion carried with a vote of 6-0-1. Commissioner Rentschler abstained because he has a business relationship with Southwest Disposal.

- 6. Approve the agreement with Research & Polling, Inc. to complete the Redistricting into six districts for the City of Alamogordo. (Renee Cantin, City Clerk and Stephen Thies, City Attorney)**

Commissioner Rardin asked if there would be three concepts to choose from and City Clerk Cantin affirmed. Commissioner Rardin said he brought this to everyone's attention because the previous commission had approved a plan that had him being moved out of his district, as well as Mayor Pro Tem Hernandez and Commissioner Talbert being moved out of theirs. He asked if the commissioners who would still be seated after the upcoming election had been taken into account and whether they would remain in their districts. City Clerk Cantin said this had been taken into account. The new City Charter will make every effort for the unexpired terms to still have their position. Commissioner Rardin said the lines were real close.

Commissioner Talbert had asked about the application for the change of the census, and according to the City Attorney they have to go by the old census. If the new one reflects different numbers it will not affect this. Mayor Galea said the updated census numbers will not be available in time for the redistricting. Commissioner Talbert confirmed it would all be figured by the 2010 census.

Commissioner Rardin asked if minority districts would be taken into account or would we have to have two. City Attorney Thies said there is some debate as to whether we will need to have the majority-minority districts in light of a recent U.S. Supreme Court decision. We will take a closer look at that when we can look at the plans. Based on the 2010 Census, we should have two minority/majority districts out of the current seven. Commissioner Rardin asked if this would change when we go down to six districts. City Attorney Thies told him we will look at how they put the individuals in the district.

City Clerk Cantin noted the City had not received a response from the former contractor who had handled the preliminary. She had received a response from him yesterday, but after talking to the City Manager felt that Research & Polling was the best to go with.

City Manager Stahle added the other respondent not only responded late, but had to abandon their company and would have to hook up with someone else. That would definitely take even more time.

Mayor Pro-Tem Hernandez moved to approve the agreement with Research & Polling, Inc. to complete the Redistricting into six districts for the City of Alamogordo. Commissioner Rardin seconded the motion. Motion carried with a vote of 7-0-0.

- 7. Approve the award of Public Works Bid No. 2013-001 to General Hydronics, Inc., related to the Well Transmission Line Phase III – Priority 1 project, in an amount not to exceed \$698,546.37, including tax. (Bob Johnson, Contract Coordinator)**

Commissioner Rentschler had one concern which was the resident veteran preference certification. He asked Public Works Director Cesar if this had originally come out with the award to the lowest bidder. Public Works Director Cesar said when bids were opened the veteran's preference had been applied to Burn Construction which made them the apparent low bidder. Upon further review, we applied the in-state preference to General Hydronics which brought their cost down below Burn Construction. They did not have a veteran's preference certificate with their paperwork. Commissioner Rentschler asked about local preference and Public Works Director Cesar told him this could not be considered because it had federal monies attached. They could use the veteran's preference or in-state preference if they were an in-state contractor. You couldn't combine the veteran's preference and in-state preference to create a larger spread. We took the highest number

of deductions, checked the map and worked with Legal to apply everything correctly. Commissioner Rentschler said he understood.

Commissioner Rentschler moved to approve Public Works Bid No. 2013-001 to General Hydronics, Inc. related to the Well Transmission Line Phase III – Priority 1 project, in an amount not to exceed \$698,546.37, including tax. Commissioner Talbert seconded the motion. Motion carried with a vote of 7-0-0.

NEW BUSINESS

8. **Consider, and act upon, selecting a Voting Delegate and Alternate Delegate for the New Mexico Municipal League Annual Conference Business Meeting being held August 27th– 30th, 2013 in Taos, NM. (Renee Cantin, City Clerk)**

Commissioner Rentschler volunteered to be the delegate and Commissioner Sikes volunteered to act as alternate.

Delegate: Commissioner Robert Rentschler

Alternate: Commissioner Nadia Sikes

All agreed to this and a vote was not required.

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

The Mayor said she would not make any appointments at this time.

PUBLIC COMMENT

None.

CITY MANAGER'S REPORT

- 1) City Manager Stahle noted tomorrow the Leadership Otero Group will be taking a tour of City facilities. He and the Mayor and Commissioner Baldwin will be helping with the tour.
- 2) He addressed recent water leaks around the city. He thanked Public Works Director Cesar and his staff for jumping on these and noted they are not an easy thing to contend with. They have kept both the water pressure and water turn-offs to a minimum. Last night's Fireside Chat had a recommendation to get the word out to residents in a timelier manner. He said it was put out on the Internet as soon as we were notified and he appreciated the news media helping to get the word out. He apologized for all this and told of one business on White Sands he had personally visited that was directly affected by the leaks – Alamo Transmission. The owner was most gracious.
- 3) Mr. Stahle said we have hired a new Airport Manager and he won't be here until the end of October. His name is Duke Pruitt who used to work at the airport some years ago.
- 4) We have been working on several things at the Recreation Center. We are taking actions and steps to improve and enhance this facility after receiving many phone complaints. He encouraged the community to come and look at the improvements over time.
- 5) At last night's Fire Side Chat, the Dog Park was an issue of concern. He met with staff this morning to look at opportunities for improvements, and he warned everyone half the park would be closed off in order to re-germinate the grass. We'll also make some improvements to the handicap accessibility from the east and other paths.

Mayor Galea had a concern about the trees on Pecan and the fact they have not received enough water since the water line was shut off. She checked with Public Works Director Cesar and found the sprinkler system had been stubbed out by the Utilities Dept. two years ago, but the Parks Dept. has not done their part to put in the system. City Manager Stahle said he would look into it. He said one beautiful pecan tree had been removed because of construction. He asked Public Works Director Cesar and Assistant City Manager Matt McNeile to look into this.

REMARKS AND INQUIRIES BY THE CITY COMMISSION

Commissioner Rardin commented on the following:

1) At the last meeting, he had asked about the old Wal-Mart building. City Manager Stahle said his staff had met with Wal-Mart Property management people today and they have been working on the graffiti, weeds and trash. They are working with us on this and hope to have it done by the end of the month. Commissioner Rardin asked if they are going to get a plan in place so we don't have to go ask every three months, and City Manager Stahle said it was his intention that they do.

2) He asked about the Washington Ditch. City Manager Stahle wanted to go out with Public Works Director Cesar to tour this area in order to time any improvements. He mentioned there was a claim for \$30,000 on some prior work done on the ditch, so he wanted to get it right this time. Commissioner Rardin said he wanted it cleaned from the end of 18th Street where it ties in and down to the end. City Manager Stahle reiterated he wanted to walk it first so as to be clear on what is needed, and he didn't want to begin any work while it is green. Commissioner Rentschler said ponding is an issue. Commissioner Rardin said along with ponding come the mosquitoes.

Commissioner Rardin then mentioned removing the temporary fence behind the fields by the Recreation Center. Now that we've graded the sides of the ditch it isn't so dangerous. He also mentioned weeds being four feet high. City Manager Stahle said he wanted to look at this first to see if taking down the fence would be appropriate.

3) Commissioner Rardin said the Recreation Center was a disaster 3-4 years ago and it's so much better than it used to be. It was built the same time City Hall was built – 1995 or 1996. It was not given any money to work with, no improvements were made and they did not have a cleaning staff. The number of visitors in June was 6,608 and he wanted to see a professional cleaning service go there every night or every other night to clean. City Manager Stahle responded he understands his concern. On the agenda tonight you expanded a part-time position to full-time there and the job duties include maintaining and performing janitorial services. We are going to try this for a while to see if it takes care of the problem. We are stepping in that direction to improve the conditions there. Now that school is starting and the crush of kids will slow down, we believe we can handle it this way. City Manager Stahle said all the staff has been coached and will continue to be coached in a team effort to keep the place clean and sanitary. One of the complaints has been kids leaving their clothes at the pool. He believed the community should be educated to help keep it clean. He felt everyone would see a marked improvement in the next few months. He brought up the HVAC system which is partially central air and partially evaporative with plastic strips over some doors. We are looking at alternatives to this. Staff has been laying sod to improve the looks of the exterior.

Mayor Galea said she was utilizing the center for her triathlon training and found the area began and ended the day dirty, so she appreciated the efforts to clean things up. She had also heard many complaints when her daughter was there for swimming lessons, as well as complaints from the high school swim coach.

Commissioner Rentschler said we have put well over $\frac{3}{4}$ of a million dollars into it over the last two years, but one of the things we seem to have missed are the small things like faucets which could be replaced at a minimal cost in order to improve the looks of the area.

Commissioner Rardin thought the men's restroom at the Rec. Center smelled better than the restrooms here in City Hall. City Manager Stahle remarked he must have been there on a good day. Commissioner Rardin had received maybe five complaints in the last 4 $\frac{1}{2}$ years, and he asked the City Manager to forward the complaints he had received to him.

4) He addressed the water leaks on White Sands Blvd. saying most of the leaks were between 1st and 10th Streets. He felt we should look into funding this because he had spoken with Ralph Meeks, engineer of NMDOT, and voiced he thought White Sands Blvd. needed to be resurfaced. This area of White Sands Blvd. was the worst. Commissioner Rardin thought all the service lines to all the

businesses between 1st and 10th Streets should be replaced before the State resurfaced the road. He wanted to get some cost estimates to do this. Mr. Meeks had told him if they had any extra money and Cutler was here, they could resurface that piece, so we need to fix the service lines before hand. Mayor Galea agreed, but said the money to be used was currently being used for rehabilitation to Bonito Lake and the Desalination Unit, so which project would we cut? Commissioner Rardin said those projects were important, but we need to look at this, also.

Mayor Pro-Tem Hernandez asked if this was a certain zone, because he had noticed from White Sands Blvd. to the other side of Florida had many leaks. City Manager Stahle noted this was the oldest part of town and you could expect to see these old lines breaking. Mayor Pro Tem Hernandez told him the lines breaking were put in probably within the last 30 years. Public Works Director Cesar told the Commission the service lines on White Sands Blvd. and the water main at 11th Street had been put in 23.5 years ago. Mayor Pro Tem Hernandez named some streets that had the newer AC pipe were not that old, and Public Works Director Cesar said the majority of those lines were put in during the early 1990's. Mayor Pro Tem Hernandez noted they weren't so old and this area seemed to still have problems. Public Works Director Cesar said this area was close to the bottom of pressure zone 3. Commissioner Rardin asked if those pressures were checked and Public Works Director Cesar told him the pressure reducing valves were checked every day. Public Works Director Cesar said there were two service lines on White Sands Blvd. that were broken and once the first was fixed and repaved, they would work on the service line at 710 White Sands Blvd.

Mayor Galea asked Public Works Director Cesar to explain the size of the pipe and how it had broken. Public Works Director Cesar explained it was 1.25" service line that over time probably had a rock pushing on it and as the pipe moved the rock eventually put a hole in the line which grew to cause the leak. This line runs at or a little above 100 PSI so the pressure eventually ripped the pipe.

Commissioner Rentschler said we have had this discussion before and wondered how many of the service lines had been replaced. Public Works Director Cesar told him the Commission had approved a project of about \$792,000 and the money was still in the Line and hadn't been shifted to the project. We were looking at weighing out our needs such as the Corps project which has utility line relocations which will be expensive. They will come close to the \$800,000 we had budgeted to replace the service lines on White Sands Blvd. If this is a priority, the Finance Director had told him he would look for other areas to fund the Utility Line Relocation.

Commissioner Rentschler said we have two breaks now and in the past have had numerous breaks. He asked how many service lines there were and how many still needed to be replaced. Public Works Director Cesar said prior to the two we are replacing now, there had been 10 or 11 replaced. Commissioner Rentschler asked how many were in that 10 block area, and Public Works Director Cesar said there were 32 or 33. Commissioner Rentschler said we have done a third of them and it should be cheaper, to which Public Works Director Cesar told him it would be cheaper by two. That area doesn't have the typical residential service lines, and we can't shut down White Sands Blvd. to do two or three lines a day. Commissioner Rentschler asked if it might be related to further down on White Sands Blvd. when we did the emergency repair two years ago. Public Works Director Cesar didn't think it was related. That had been directly related to the Cottonwood Heights pressure. We will continue to see the service line failures because the damage has been done. Commissioner Rentschler knew money had been allocated for this a couple of years ago and wanted to make sure where those monies had gone. Public Works Director Cesar reiterated it was still in the Line, and Commissioner Rentschler said we shouldn't have to allocate new money for this. Public Works Director Cesar said you won't need to for this project but will have to for the Corps project.

Commissioner Rardin asked Staff to have information for the next meeting or the one after pertaining to this so we have options for money. White Sands Blvd. is shut down now and it is a hassle. Public Works Director Cesar said it might take longer than the next meeting to get this because they are still getting information from the Corps. They had met last week and we are still nailing down what needs to be moved and when it needs to be moved. This will be for the next phase which is about a year away.

Mayor Galea noted the schools had voiced concerns about the closing on Madison Street at the foot bridge. City Manager Stahle said it was an issue he was concerned with and the little kids would have a long walk to the other foot bridge close to Washington. He told Dr. Straface of APS that he was keenly aware of their concern and would try to do something about it. As far as the money for doing the other portions of the project the Corps is paying 75% of, we absolutely need to consider where we will come up with the funds, but that will come in future fiscal years. He thought the money would be there for most of the service lines but we are also going to have to figure out where the money will come from for the big drainage projects.

Commissioner Rentschler remembered allocating these funds a couple of years ago and the work would not be done in-house. Public Works Director Cesar said the service line work would be contracted out, and Commissioner Rentschler said since the money was currently available, how long would it take to put the contract together to get going. Public Works Director Cesar told him it would take 30-45 days to have it out on the street. Commissioner Rentschler said since DOT will be resurfacing we should consider going ahead with this.

3) Commissioner Rardin noted the Public Works employees had demolished a house faster than he had ever seen them do that and he was impressed. It was done within 30 minutes.

Commissioner Talbert commented on the following:

1) He spoke to Governor Martinez yesterday about the Desal Plant and invited her to come down. She told him she would do so.

Commissioner Rentschler commented on the following:

1) He had attended an Economic Development Meeting in Alamogordo. Mr. McMillan, who will present to us at our next meeting was the speaker and it was very interesting. He felt they had given him information concerning what was available in our area that he was not aware of. Many areas were represented at the meeting. There was an agreement among those in attendance that we need to jump-start the aviation industry here and having our high school and NMSU-A incorporate some classes geared towards the aviation sector.

2) He said he had been attempting to get the Corps to move dirt into the White Sands Community Ditch that appears to not to be owned by anyone. He asked City Attorney Thies if he had found anything out about this. City Attorney Thies said we did talk to the Army Corps of Engineers and found that material removed from the ditches becomes property of the contractor and they are responsible for disposal of the dirt. The dirt currently piled at 1st Street has been spoken for and will be hauled somewhere else. Commissioner Rentschler said we have maintained that ditch for the past 30 years and it is overgrown with weeds. This is the same problem we have at the Washington Street ditch and it produces mosquitoes. There is a population of retired people on both sides, and not one is claiming this ditch; it is a county right-of-way, and City Attorney Thies said when the ditches were established in the late 1950's that area was not in the city limits. When the State rerouted White Sands Blvd. they acquired the ditches which they conveyed to the county. Commissioner Rentschler asked who is responsible for them now.

Commissioner Rardin suggested our staff get with the County Manager and work with Pate Construction. If they had put all of the fill in the ditch, it would probably be filled up by now. He also noted there was a large mound of dirt on the Civic Center parking lot at this time and maybe this could be dumped in that ditch.

Commissioner Rentschler said the problem with the ditch was when the channel was being worked on down lower they channeled all the water into this ditch and it has made for a mess. Since it is in the city limits we need to clean it up. City Manager Stahle said he was meeting with the County Administrator on Monday and would bring this up.

3) Commissioner Rentschler said he was disappointed in the RFQ for Economic Development services. We were very specific on local preferences for this and that they adhere to this. He read what was in the RFQ and the only thing he saw referring to local/regional preference was the one an

El Paso group completed. This isn't what we asked Staff to do, he said. The New Mexico Partnership is the arm of the NM Economic Development Dept. If we award this to someone from out-of-state, we will lose access to the NMEDD and the leads they can give. We should be looking at spending taxpayer money as locally as we can. We are looking at OCEDC, an El Paso company and a Virginia company. These last two would be long distance calls and we wouldn't be dealing with them face to face. There are three of us who sit on this; himself, the Mayor and the City Attorney. He thought it should be the concern of the entire Commission.

City Manager Stahle responded saying he would like the city attorney to address the local preference. Mr. Stahle said it would be doable for the entire Commission to do evaluations, and any award would have to be a Commission decision. You will get the three proposals and evaluation forms which you will fill out and we'll have to consider how to handle open meeting laws. It will drag out the process somewhat.

Mayor Galea added the concern that if only Staff reviewed the RFQ, when it came to the Commission all the same questions would be brought up by Commissioners, so that was why she recommended a review of all proposals that came in.

Commissioner Rentschler said he would prefer the entire Commission review these. The only group who filled out the Local/Regional Preference Certification form was Border State Alliance and their region is El Paso. Mayor Galea was sorry we couldn't baby-sit OCEDC to make them fill out the form. Commissioner Rentschler said he couldn't help that, but he would like to have seen the points available divided up a little different and points available for local people be significant. This is money collected in Alamogordo and we need to look closely before we send our money to El Paso or Virginia.

Mayor Galea said the company coming in to build a new grocery store is bringing crews from another state because we don't have anyone locally who can build a supermarket to the scale they need. The City and the taxpayers deserve an expert providing economic development and we should judge it on face value. Commissioner Rentschler responded that first and foremost they are building this on a tax basis collected in Alamogordo. They are doing that privately, but this is tax money. Mayor Galea said taxpayers deserve the best service.

Commissioner Rardin suggested the entire Commission review the RFQ's and make a decision as a whole. Mayor Galea said the whole Commission wanted this to come back to the September 10th agenda and so we'll have to review these very soon. Commissioner Rardin said Commissioner Rentschler made it clear he would like the entire Commission to review the RFQ's and that won't hurt anything. It might be better for all seven of us to review it before deciding anything. He also said he agreed with Commissioner Rentschler on this. Mayor Galea said the RFQ's were due on Friday. Commissioner Rardin didn't always agree with OCEDC, and there are other options, but he didn't want to argue about it tonight.

Mayor Galea thanked him and said again these were due on Friday and she would have liked this to have come up before today. City Manager Stahle said this could be extended, but not too long. Since five of you have not seen it, we should be able to extend another week or so. Commissioner Rardin asked what was due on Friday, and the Mayor told him the scoring was due on Friday. He stated we have until September 10th, and the City Manager told him you have until whenever you want. Mayor Galea said it was the Commission that was driving this when we asked Staff to get the RFQ done and back to us.

Mayor Galea commented on the following:

- 1) She noted that Wild West Days would be tomorrow at the Otero County Fair.
- 2) The NM Space Museum would be hosting rocket scientists on August 16th-18th. These scientists would be inducted into the International Space Hall of Fame. Tickets are available from the NMSM.
- 3) The NMML Annual Conference will be August 27th-30th and most of us will be attending.
- 4) The Cottonwood Festival will be August 30th -September 1st.

- 5) City Staff are working with the German AF in preparations for Oktoberfest on September 13th-14th.
- 6) September 28th she will be riding in a 100 mile bike ride to raise funds for Felicia Tribble who is a young girl with leukemia.
- 7) Save the date: she is working with HAFB on a Mayor's Chase ½ Marathon in the White Sands Monument on November 16th. It will be a fundraiser for the Fisher House in Albuquerque which serves our wounded warriors.
- 8) Mayor's New Year's Eve Ball will be on December 31st and she and Staff are working on this.
- 9) There were good reports from the Business Impact Government Relations meeting. She learned the White Sands Monument had 50,000 visitors last year, and the area had an increase in home sales but still have 946 properties in the county for sale. She is excited to meet Mr. Griffin who is coming to the Commission's next meeting to address aerospace technology jobs on a six month basis for about \$40,000.

EXECUTIVE SESSION (Roll Call Vote Required)

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

- **Acquisition of Real Property (Lot 1C, Replat C, Block C, Silverado).**

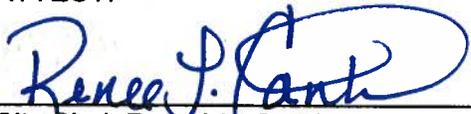
Commissioner Rardin moved to adjourn into Executive Session to discuss Acquisition of Real Property (Lot 1C, Replat C, Block C, Silverado) at 8:33 p.m. Mayor Pro-Tem Hernandez seconded the motion. Roll call vote was taken. Motion carried with a vote of 7-0-0.

ADJOURNMENT



Mayor Susie Galea

ATTEST:



City Clerk Renee L. Cantin

*(Prepared by Nancy Jacobs, Deputy Clerk)
Approved at the Regular Meeting held on August 26, 2013.*