

CITY OF ALAMOGORDO, NEW MEXICO
JOINT MEETING WITH THE APS EDUCATION BOARD
CITY COMMISSION SPECIAL MEETING MINUTES
7:00 P.M., APS BOARD ROOM, 1211 HAWAII, ALAMOGORDO, NM
MARCH 6, 2013

ALAMOGORDO CITY COMMISSION

SUSIE GALEA, MAYOR	AL HERNANDEZ, MAYOR PRO-TEM
JASON BALDWIN, COMMISSIONER	JIM TALBERT, COMMISSIONER
NADIA SIKES, COMMISSIONER	BOB CARTER, INTERIM CITY MANAGER
ROBERT RENTSCHLER, COMMISSIONER	STEPHEN THIES, CITY ATTORNEY
JOSH RARDIN, COMMISSIONER	RENEE CANTIN, CITY CLERK

ALAMOGORDO PUBLIC SCHOOLS BOARD (WORK SESSION)

David Ceballes, Board President, District 5
Dr. Allan Rickman, Board Vice President, District 4
David Weaver, Board Secretary, District 3
Steve Jaszai, Board Member, District 2
David Borunda, Board Member, District 1
Lt. Col. Kenneth DeGraaf, Ex-Officio Member

CALL TO ORDER & ROLL CALL – APS School Board President, David Ceballes

APS School Board President, David Ceballes asked Mayor Susie Galea to call the meeting to order.

CALL TO ORDER & ROLL CALL – City of Alamogordo Mayor, Susie Galea

Mayor Galea called the City of Alamogordo City Commission Special Meeting to order at 7:00 p.m. Roll Call was taken by the City Clerk. Clerk Cantin announced there was a quorum present. All Commissioners were present.

Also staff members present: Dr. George Straface, APS Superintendent; Vance Lee, APS Director of Support Services; Interim City Manager, Bob Carter; City Attorney Stephen Thies; Utilities Director Brian Cesar; and City Clerk Renee Cantin.

1. Discussion, and possible action, related to Transportation Issues between Alamogordo Public Schools and the City of Alamogordo.

Superintendent Dr. Straface handed out packets to all the Commissioners and Board members. He introduced APS Director of Support Services, Vance Lee who would go through the handouts.

Mr. Lee said the packet before them is the proposed extension and an aerial photo. He pointed out an old plan from school files for a proposed extension of Washington Street. Another page was of the Otero Youth Soccer League soccer fields available. There was also a picture of all entities involved in this project. Originally they had a proposed school site by the Armory on South Florida, but after testing found the ground was not stable enough for a 65,000 ft. building. They began looking at other sites in order to find an area that would work for a new, not renovated, school south of First St. as they had promised the voters. They found this Mountain View site, referred to as the Santa Cruz site for architectural use only until a name is decided on, to be the best. He remarked we really support this Washington extension to support the new school as well as Mountain View. It would allow possibilities to work with the area neighborhoods to create a safer and more accommodating environment. He asked the Commission if they had any questions for him or Superintendent Dr. Straface.

Superintendent Dr. Straface stated the reasons they ended up choosing the Santa Cruz site were 1) the ground was stable for construction of a building, 2) there is existing infrastructure – utilities and fiber optics, 3) it is not in the flood plane, 4) liked the idea of making this a K-8 complex where the older students can tutor the younger students, and 5) we own the land. He said we do intend to keep the promise we made to our electorate by closing the Sacramento campus and developing our school boundaries this spring. He pointed out some details on the maps for the Commission. He noted the soccer group is supportive of this and we are collaborating with them to redevelop some other soccer fields we have.

Commissioner Robert Rentschler referred to the potential extension handout. He said we took \$800,000 to originally take Washington Ave. through Washington Park and connect it to Canyon Road. The current projections make more sense because we are straightening out Washington and Pecan and extending to Fairgrounds Rd. To continue this through the area we are talking about tonight just makes sense for the people of Alamogordo. The plan is to take the light out at Canyon and move it to Washington. He stated the \$800,000 we have allowed is not going to be enough money to do this.

Superintendent Dr. Straface asked if there was an estimate of cost at this point.

Utilities Director Brian Cesar gave an estimated overview and breakdown of the project costs. He said the project to run Washington between the two cemeteries and the signal reconfiguration for Washington and First Street is estimated at \$380,000; to acquire property would be \$180,000; roadway from First Street to the private road by Mountain View is \$540,000 if we keep the same road width you have there; set aside \$50,000 to carry through to Ocotillo. He stated the total would be \$1,150,000, and we have \$800,000 for this project.

Commissioner Rentschler asked him if this was for leaving the road by the school as is and connecting to Ocotillo, and Mr. Cesar said the \$540,000 is keeping the road width as is. Commissioner Rentschler asked if there is a reason we wouldn't want it to become city width? Mr. Cesar explained it would have to do with the discussion concerning what this road would actually become. If we wanted it to be a path to continue toward Ocotillo we would have to come to an agreement with the school system and acquire that private roadway. The existing roadway would need to be widened to match what is on Washington now. Commissioner Rentschler asked about cost differences. Mr. Cesar told him it would add an additional \$250,000 for the part that hasn't been built. Commissioner Rentschler said it would cost \$250,000 to make it 10' wider, and Mr. Cesar agreed.

Superintendent Dr. Straface asked if land that he assumed was on the east side of the soccer field would be required from APS. Mr. Cesar said the existing roadway would need to be widened. He was not sure if it was city or school property. Superintendent Dr. Straface was concerned about the amount of land and if it would cut into the soccer fields, though he felt it would be minimal. Mr. Cesar said from the preliminary layout it would be very minimal if at all.

Commissioner Rentschler asked if the project would include sidewalks on one or both sides of the road. Mr. Cesar said the segment on city property would require sidewalks and this is part of the estimate. Mr. Cesar answered another question by saying we already own the land, and the contractor will have to do some demolition. He noted there is an existing parking lot there.

Superintendent Dr. Straface said you're talking about coming up from the east side of the road from First Street. Commissioner Rentschler said when we first started this we found some unmarked graves there and we re-routed the fence to include them in the cemetery. While this was going on he noted curbing had been installed that must be a parking lot curb just west of the cemetery's southwest corner. Mayor Galea said the curbing is not new and had been there since at least this past summer. Commissioner Rentschler agreed it's fairly new. Mr. Cesar told him portions of that would have to be removed, so that is why it is dramatically more for roughly 10'-15' section of asphalt. Commissioner Rentschler said it is still 200' of curb and gutter and with his own equipment

he could have it out in an hour's time. Mayor Galea asked if he was donating his time to do this.

Mayor Galea said maintaining the width of the road instead of widening it would be the best solution in order to stay within our budget, and the road wouldn't need to be any wider for the traffic flow. Mr. Cesar said if the purpose of the road is to accommodate locale traffic, then he would agree. Superintendent Dr. Straface said we see bus and parent traffic on that road.

Commissioner Josh Rardin noted if we tie that road into those subdivisions back there the traffic will increase. Right now, he said, the portion of the road owned by the school doesn't meet minimum city standards. He felt it would be in our best interests to go ahead and build it to city standards. Dr. Straface said we have not had lengthy discussions on this but his thought was to block that road during the school day/year like we do now, because kids are walking back and forth across it. That would stop some of the local traffic. His understanding was that extending it to Ocotillo was down the road.

Mayor Pro-Tem Hernandez said this time it's a lower cost. Mayor Galea asked Mr. Cesar if he could give a hypothetical figure to expand the width in order to bring it up to code. Mr. Cesar said it would take \$1.4 million.

City Manager Carter said your footprint includes curb and gutter through here.

Commissioner Rentschler asked where the school system stood on this. He said the curbs and gutters with ADA were a killer, and curb and gutter would cost the same whether the road was widened or not. Eventually, he would like to see this road widened to the full city width, but the City will not have the money to do so for a while. Mr. Cesar asked him if he was saying to build full city width in the area that does not have a roadway today up to the existing road that is not the same width, and Commissioner Rentschler agreed then asked how many feet there was between First Street and the school road. Mr. Cesar told him in the neighborhood of 3,500 feet.

Commissioner Rardin said if we were to bring Washington all the way through to the school road, he wondered about the little road coming off of Canyon Drive and going to the school road. Would we keep it or close it off? Dr. Straface said we would keep it and then possibility transfer it to you. Commissioner Rardin said he would be afraid of people getting in a hurry and cutting through there. If we take the light out at Canyon Drive and First Street, there is going to be an amount of traffic going both ways and we might end up with accidents at First Street and Canyon Drive due to the traffic coming off Canyon. Dr. Straface said the traffic would come from Santa Cruz to the south of Mountain View to the east – he thought this was Coronado. It will be blocked off during the school day all through the school year, so there shouldn't be a lot of traffic at that point. He didn't see that ever changing because kids use it to move from one school to another.

Mayor Galea added Coronado needs maintenance with the school there. She said the City was looking at another road project and we need to consider the poor condition of Coronado. It has a lot of pot holes. Commissioner Rardin corrected the name of the street to Santa Cruz which is in the Coronado sub-division. Mr. Cesar told her that road would be paved in two months.

City Manager Carter said that from the City's standpoint, we have \$800,000 allocated to this project. Mayor Galea added we are short \$600,000. Mr. Carter continued by saying it would be closer to \$1.25 million so we are about \$450,000 short. We would need a joint venture with the school for that amount or we stub it out and later on come back and pick it up, and he didn't think that was a good idea. Dr. Straface said in looking at what we have projected for cost, he believed they could come up with \$300,000-\$400,000 to support this project, and not hurt the construction of this school. Interim City Manager Carter said this is the agreement you all will have to come up with.

Commissioner Rardin was concerned with the statement 'We believe we can....', and wondered if APS would be able to come up with the money after they were done with building the school. Dr. Straface told him if APS signs that agreement they will commit to that agreement.

APS Board President Ceballes asked about any issues with the Anti-Donation Clause. Mr. Lee said not for school construction like this. APS Board Member David Borunda asked if PSFA would have any problems with it, and Mr. Lee said they would not participate in road work. Mr. Borunda asked if that means the 70% would not be part of that and was told that was correct. He said it would come strictly out of our budget and was told they do not participate in road projects. He asked if this money was coming out of SB9 and the answer was no. Mr. Lee told him they were expecting some soft costs of \$300,000-\$400,000 for extending fiber optics to the new school, but the fiber optics are already there. Mr. Borunda asked if that money wasn't part of the PSFA money, and he was told no. Mr. Lee said that development would be soft costs that some would and some would not. Once we are on the property and within the confines of the building, most likely. Dr. Straface told him they had plans to extend a road from where the school footprint was out to Florida and there was cost there, but PSFA wasn't going to participate in it. What we are doing is transferring what we anticipated, to this roadway and he felt they were fine.

Superintendent Dr. Strafass asked the Board President why he thought there would be a problem with Anit-Donation. APS Board President Ceballes simply wondered about transferring funds from one entity to another entity that is not specifically a school site or building. Dr. Straface didn't believe it would be problematic, and he felt it could be done legally with a joint agreement.

Dr. Strafass told Board Member Borunda that we looked at our budgets and what we had planned for the South Florida site, and we have \$300,000-\$400,000 we can provide to this and not hurt the construction of this building.

APS Board President Ceballes said correct me if I'm wrong, but it is our intention to build up both phases all at once to affect cost savings, and Dr. Strafass agreed. It is coming out of the bond proceeds and we have that.

Mayor Pro-Tem Al Hernandez commented that as he looked at the map, he thought you may be able to access it through your back road, but that is not feasible for safety. One of the reasons the city wants to realign Washington is for your benefit. He asked how they were proposing to access the new school. He was concerned there would be two schools with a road not up to city standards. Dr. Strafass told him PSFA has been with them throughout the planning and they are not concerned. They are very much aware of our discussions with you and are aware of the possibilities and are very supportive of the flow-through traffic pattern. Commissioner Hernandez said a sub-divider has to put in all access roads and since this is part of your project it wouldn't concern the Anti-Donation Clause.

APS Board President Ceballes said his only question was whether this was an issue, and if it is not, it is not. He would hate to take several steps down this road and then run into this issue. Dr. Straface said they would check into it. City Attorney Stephen Thies said his preliminary answer was it doesn't appear to be a problem. He would have to do some research, but there is always a way around the Anti-Donation Clause.

Mr. Lee said because we tier our bus and bell schedules, we wouldn't have the bus drop-offs and parent drop-offs at the same time.

APS Board President Ceballes said it was his individual perspective that what would be desirable to both entities would be to get this school built and extend Washington. Mayor Pro-Tem Hernandez wanted to make sure an emergency vehicle could get there if it had to.

Superintendent Dr. Straface said APS has recently hired an in-house attorney who is an experienced legal advisor. He then introduced Mary Jenke and asked her opinion. Ms. Jenke said as long as the school is receiving demonstrative value for the money being expended, she thought they would be able to show that on several perspectives. She did not believe it would be an Anti-Donation Clause violation. She told the group she would also like to do some more research.

Mayor Galea asked for a comment on how they proposed to accommodate the loss of the soccer fields. APS Board Member Steve Jaszai said he had met with them and it was discussed they would lose three fields, two through construction of the facility and the third to a playground. That would leave them four fields available and they could accommodate this. Eventually, we hope to help fix up the fields on Abbot to a playable condition. There are also three fields at the High School the soccer league can use. He stated APS hoped to partner with the Recreation Center to combine leagues there as well.

Mayor Galea addressed Utilities Director Cesar and asked him about the allotted \$800,000 directed to this project. She asked if he needed direction tonight from the Commission. Utilities Director Cesar told her that would be helpful because they are under the time constraint to expend the monies by December 31, 2014. This is a very narrow time frame to work all this out, so he needs direction on what he is to design.

Commissioner Jason Baldwin asked what the timeline was on the new school and Superintendent Dr. Straface told they were looking at opening the school in January of 2016.

Commissioner Rardin asked if they have explored other location options. Superintendent Dr. Straface said they had. They have gotten estimates of \$4.00-\$7.00 per square foot for land. They had contacted a gentleman today wanting to sell 19 acres at \$7.00 per square foot. We passed on that because we already own the land by Washington. Commissioner Rardin asked how much that would add up to. Commissioner Rentschler said \$65,000 would be for the area of the building alone. Commissioner Rardin said he simply wanted to explore all options before making a decision. Dr. Straface said we would still have to buy property, reconfigure roads, and more. He told the Commission APS had looked at some land south of the current site, but there were flood plan issues and the high cost of moving dirt to the area. He couldn't recommend to his board.

Mayor Galea asked for public comment.

Doug Nelson from the audience said he had offered to sell his land to APS. It was 18 acres for \$285,000 which is the appraised value of the land. The major fault he could see on the land by Washington was the main entrance for this school would be on the north side of the building and most people would be coming from the south end of town. They will either go down Florida Ave. or Mimosa Ave. and cut across, or go up Santa Cruz. He didn't feel parents or buses would be utilizing the new realigned area to get to school. His question was why didn't they have the main entrance facing south down Playa Azul, demolish one house, go through Quail Hollow sub-division, and then go to Ocotillo Road.

Mayor Galea said when the new site opens, Sacramento Elementary will be closed and Yucca will be relieved, so she didn't see any undue stresses on Mountain View. She explained to Mr. Nelson, it would cost more to build it at that 18 acre site than at the Mountain View site.

Commissioner Rentschler said if you build it to Washington it's going all the way to Fairgrounds and eventually to Ocotillo. Mr. Nelson said the site he offered has nothing to do with Ocotillo. He felt Playa Azul was a standard city street and only a small portion of street would have to be installed to take it to Ocotillo. Commissioner Rentschler told him it had been considered but the City does not have the money at this time to do this. APS Board Member Borunda added there would be kids coming from the north side of First Street after the district lines were reconfigured. Superintendent Dr. Straface said this spring we will be looking at boundary changes as a result of this new school, so we can't predict what our bus routes will look like at this time. There will be a combination of areas from which the kids will come.

Mayor Galea asked for further comments.

Commissioner Rentschler moved to approve staff to move forward with the extension of Washington at First Street, at standard city width, and staff would be instructed to work with

the school to establish a joint agreement for the remaining cost, as proposed. Commissioner Talbert seconded the motion.

Commissioner Rardin asked if we did Washington through there at standard city width, will the school close the little spur going over to Canyon Road. Dr. Straface said no.

Mayor Pro-Tem Hernandez asked to amend the motion to pursue extending the design to Ocotillo Road. Commissioner Rardin seconded the motion.

Mr. Cesar asked for clarification. He asked if they meant the feasibility study or the route study to take it to Ocotillo Road, or full design of the roadway. Mayor Pro-Tem Hernandez would like to see the cost to have it built and acquire property. Mr. Cesar said that would be the route feasibility study.

Interim City Manager Carter asked to add to the motion that staff would be instructed to work with the school to establish a joint agreement for the remaining cost of the road.

The amendment was voted on first, amending the motion to pursue extending the design to Ocotillo Rd. Motion carried with a vote of 7-0-0.

The original motion was voted on next, to approve staff to move forward with the extension of Washington at First Street, at standard city width, and staff would be instructed to work with the school to establish a joint agreement for the remaining cost, as proposed. Motion carried with a vote of 6-1-0. Commissioner Rardin voted nay.

Commissioner Rardin voiced his concern that traffic would be pushed over to Canyon Drive if the spur was not closed.

2. City Commission/APS Board Comments.

Superintendent Dr. Straface said the school board will present this to one of your Commission meetings in the future.

ADJOURNMENT

Commissioner Rentschler moved to adjourn at 7:53 p.m. Commissioner Baldwin seconded the motion. Motion carried with a vote of 7-0-0.



Renee L. Cantin
City Clerk Renee L. Cantin

Susie Galea
Mayor Susie Galea

*(Prepared by Nancy Jacobs, Deputy Clerk)
Approved at the Regular Meeting held on March 12, 2013.*