

**CITY OF ALAMOGORDO, NEW MEXICO  
CITY COMMISSION REGULAR MEETING MINUTES  
MUNICIPAL BUILDING, 1376 E. NINTH STREET  
7:30 P.M., COMMISSION CHAMBERS  
JUNE 12, 2001**

**MAYOR DON CARROLL COMMISSIONER DON COOPER**

**MAYOR PRO-TEM JOHN VAN DOREN COMMISSIONER ED COLE**

**COMMISSIONER INEZ MONCADA CITY MANAGER PAT McCOURT**

**COMMISSIONER RON GRIGGS CITY ATTORNEY REBECCA EHLER**

**COMMISSIONER STEPHEN EASLEY CITY CLERK ANGIE RAHN**

**Call Meeting to Order, Roll Call, Invocation, and Pledge of Allegiance.**

The Meeting was called to order at 7:30 p.m. The Invocation was given by Rev. Garland Peek, and the Pledge of Allegiance was led by City Manager Pat McCourt.

**PRESENTATIONS:**

**1. Presentation to Public Safety Officers Richard Henley, Dusty Collins, and Troy Thompson for their life saving efforts in rescuing a toddler from a house fire.**

Mayor Carroll read an Awards Recommendation which recommended that PSO's Richard Henley, Dusty Collins, and Troy Thompson receive a Department award. He presented an awards packet containing the Awards Recommendation, as well as letters of thanks and recognition from the La Luz Volunteer Fire Department, Otero County, and the Dungan Fire Department, to each of the Officers for the role they played in saving the life of Starlyn Fifer by rescuing her from a burning house.

**2. Presentation by the Otero County DWI Supervision Office to Public Safety Officer Adam Prudencio recognizing him for the work he has done on DWI enforcement.**

Mr. Tony Bransford, on behalf of the Otero County DWI Supervision Office, presented PSO Adam Prudencio with a plaque and T-shirt recognizing him for the large number of DWI arrests he had made in the past year.

### **3. Presentation by Otero County Economic Development Council (OCEDC) with an update on 1-800-FLOWERS.**

Mr. Ed Carr, Executive Director of OCEDC, said he was pleased to announce that 1-800-FLOWERS.com had officially announced that they were coming to Alamogordo. It was a long, arduous seven-month process and on Thursday afternoon they elected to come to Alamogordo. He felt the City and its residents deserved thanks. He would particularly like to thank the Commission for their support. As the Mayor of Roswell had pointed out, the one straw that broke the camel's back was the fact that Roswell did not have the Options Gross Receipts Tax and the tools required to bring 1-800-FLOWERS to them. Through this City's effort and support, they had gotten that Options Gross Receipts Tax passed. They had an economic development fund which could support efforts like this and made their job a lot easier. They appreciated the City for doing that. They had two options they were considering, one of which was a new build-to-suit building, or the second which was the renovation of an existing building. They had not picked a site yet or which option they wanted. OCEDC had sent them a map of Alamogordo with potential City-owned land which they could have a building built on, as well as the Florida Street IGA which they were considering renovating. The old Wal-Mart building was still also under consideration. So it was now down to them picking an exact location. What was driving their decision was the earliest possible time to get their communications put on order with Qwest. Once they picked the site they would put that order on, and then they would either get to work in renovating a building or in building a new one. They should make that decision within about a week, and by the next Commission meeting they should have the location and he should be able to update them on that.

Mayor Carroll said on behalf of the City of Alamogordo, he would like to thank Mr. Carr, Mr. Larry Shulse, Ms. Susan Moss, and all of the Board members of OCEDC, as well as the real heroes who were the voters in Alamogordo who took a little bit of a leap of faith and were willing to tax themselves to provide the economic wherewithal for the City to be competitive and to finally attract a call center which these people had worked long and hard on. Over the last number of years there had been a lot of work done behind the scenes which most of them never saw, but which the OCEDC Board, Directors, and Susan Moss in particular had done an outstanding job on in preparing the way and making our community ready to be able to successfully compete and attract a call center. He thanked everyone concerned with OCEDC and with this project.

### **4. Presentation by Research & Polling, Inc., regarding redistricting.**

Mr. Michael Sharp, Director of Redistricting Services of Research & Polling, Inc., was present. They'd been asked by the City to re-draw the City's districts. Actually, the correct term was "redistricting". A reapportionment was mainly the process of redistributing the number of elected seats from one area to another. In 1991 the State of New York had actually lost a couple of Congressmen, and Arizona picked up two. Redistricting was just readjusting the boundaries. Basically, any district from which they were elected which was not state-wide, would be called single member districts and needed to be redistricted. The key here was who had the authority to redistrict. In the case of the State Legislature, it was the State House and Senate, and then the Governor had to sign the Bill. The same went for the U.S. Congressmen, House of Representatives, the State School Board, and the Public Regulation Commission. For the County Commission districts, it was the responsibility of the County Commission only. The Legislature did not have any say whatsoever in terms of what the County Commission Districts looked like. That also went for the City Commission, so they were solely responsible for redrawing those districts. The same went for the School Board as well. The Statutes stated that any City over 10,000 people must redistrict, and must do so after the latest Census. So they must use the most current, accurate information available. Some cities had decided to conduct a special Census in between decades. But in the case of Alamogordo, they were now redistricting and must use the latest data available. Alamogordo's latest population figure was at 35,600, which was an increase of about 29 percent. Just as a point, most of that 29 percent was mainly in the present District 7, the southern part of the City. Alamogordo had an increase of about 8,000 people from 1990 to the year 2000.

Mr. Sharp said they had some guidelines of redistricting which they would need to follow, including equal population, minority voting strength, compactness, contiguity, and communities of interest. Equal population meant equal representation. Every Commissioner should represent the same number of people. If one district had more people in it than another district, then the people of that district would be under-represented. If there was a district which had too few people, then those people were over-represented. Each person should have the same share of their Commissioner's brain as a person in another district. In this case, each district in Alamogordo should have approximately 5,000 people. That was the goal they were striving for with each district. Sometimes it was difficult to achieve perfectly equal population for the districts. The courts had given a little bit of leeway so they could make the districts substantially equal. In this case it meant that the districts should be within plus or minus 5 percent of the ideal population. In Alamogordo's case, they ranged between 4,800 to 5,300. So as long as the districts each fell between those two numbers, then they'd satisfied the equal population requirement. Their current districts and the population within had impacts on how the districts changed. If there was a district with very large population, then that district would have to shrink. If there was a district with a lesser population than needed, that district would need to grow.

Mr. Sharp said minority voting strength was the reason Alamogordo districted in the late 1990s, so they needed to pay attention to this. In this case, minority voting strength meant that they must avoid the dilution of minority voting strength, such that the minority population must be able to elect a candidate of their choice. If they diluted the strength enough that the population could not elect the candidate of their choice, then they'd violated Section 2 of the Voting Rights Act. So in this case they would strive to achieve representation in trying to allow a minority group to elect a candidate of their choice. The Federal guidelines basically said there was a definition of which groups were defined as minorities. In New Mexico it was generally Native Americans, African-Americans, and the Hispanic population. Recently there had been some Supreme Court cases in reaction to districts that were drawn in Texas, Georgia, and North Carolina. Those districts were drawn for the sole purpose of maximizing minority representation. However, when they looked at the districts, they were so bizarre in shape that they stretched from one city, took in a neighborhood, went along the freeway about 100 miles, took in another neighborhood and went along the freeway another 100 miles, and created a district. The Supreme Court said that was just too bizarre. How could the minority populations 250 miles apart have a community of interest. They couldn't create a district which was so bizarre in shape and which was based solely on race. They could draw districts based on race, but they couldn't subordinate all the other traditional guidelines.

Mr. Sharp said regarding compactness, there were many measures of compactness, but in the end it came down to, "Well, you kind of know when you see it". Regarding contiguity, they must be able to put their pencil down in any given district and go to every other part of that district without lifting up the pencil. They must have once distinct part and not two or more.

Mr. Sharp said communities of interest was every single factor they took into account when they redistricted, other than the four they just spoke about. This would include neighborhoods, cultural, historical, traditions, trying to avoid precinct splits when possible, maintaining the core of existing districts, incumbent residency, and geographic boundaries. When they looked at incumbent residency, the courts had said it was perfectly acceptable to take into account where the current Commissioners lived. They'd been elected to their district and the voters should be able to have a chance to say "yea" or "nay" the next time around. However, it was not a requirement to take into account the locations of the Commissioners, but was just something they could if they wished. Precinct splits were important to cities because it helped the City Clerk run the election in a more efficient manner. The fewer precinct splits they had, the easier it was to run the election. In some case though, it was necessary to split precincts in order to maintain equal population. If they must split a precinct to satisfy equal population, then they must do it. They could take into account any single one or any combinations of these communities of interest as long as they didn't violate any of the other previous guidelines. It was important to always keep those guidelines in the back of their mind as they looked at these plans.

Mr. Sharp said he'd received the data in late March, and this was their first meeting. They would go through the process over the next couple of months. The Commission would adopt a plan in time for the City Clerk to set up the election which would happen in March, 2002. These plans were not set in stone, and they may not necessarily even be suggestions. They were examples of what the City could look like when the Commission districts were re-drawn. So the purpose of this first meeting was to gather input from the Commissioners and the public. His goal was to gather as much input as he could and try to incorporate that into changing the plans if necessary. He was not here to draw a district which intentionally hurt one candidate or another; he was here to take input and to try and create a districting plan which best suited the City.

Mr. Sharp said in the handouts there were some population tables. District 7 was presently 60 percent, or 3,000 people, too large. That meant that it had to lose 60 percent of its population in order to fall within the guidelines they must follow. Districts 2, 3, and 5 were between 11 and 18 percent too small. They knew those must grow. Usually districts located in the center of a city had no room to grow within. Generally over time those districts would expand in size, and those areas that had high population growth would tend to shrink. The first column on the tables was population. The shaded rows represented the adult population within each district, and then they had the deviation from the ideal. For example, in District 1 the deviation was 364 people below the ideal, which represented -7.2 percent. So they knew District 1 should grow at least by 3 percent, as long as it fell within plus or minus 5 percent. Since they must adhere to the minority voting rights and try not to dilute the voting power, they should take a look at Districts 5 and 7. District 5 was 42 percent Hispanic, and District 7 was 45 1/2 percent Hispanic. Therefore, at the very least they should either try to increase one or both, or else try to maintain the Hispanic population in those districts.

Mr. Sharp said Plan 1 was an attempt at a status quo plan. A status quo was difficult to deal with if one district had changed significantly. One objective of this was if District 7 was too large, how did they handle that excess population? In this case he took District 2 and it just continued down to pick up that excess population. District 4 moved south and east and became more of a central-City district. District 1 moved west of Florida and picked up Precinct 37 and lost the rest of Precinct 25 and all of 27. District 3 moved to the south, and lost two precincts on its eastern side and moved south by one precinct. Since District 6 gained Precinct 23 on its northern side, it had to lose the western population, and it lost it to District 5. District 5 in the current plan was 42 percent Hispanic, and in this plan was 50.5 percent. They had increased it such that the Hispanic population actually made up a majority of that district. District 7 maintained the 45 percent Hispanic population. There were four precinct splits in Plan 1, and in the current plan they had three.

Mr. Sharp said if they just left District 2 as a compact northern district within the City, it would mean that some other district would have to pick up the excess

population in District 7. In Plan 2, it was in District 4. If they compared Plan 2 to Plan 1, then District 4 picked up the excess of District 7. Because District 4 picked up the excess of 7, it became much too large and must lose population to Districts 1, 3, and 4. District 3 shifted westward to Florida, District 1 lost its western area to District 2 and picked up an area to its southwest. District 4 was pushed further into District 7 along Highway 70, and that forced District 7 to extend into District 6. It still maintained the contiguity, though it may look on the map like it was not. One of the important things to remember as well was if they had a district like No. 5 where they had done well to create a majority Hispanic district, they couldn't mess around with it too much. There was another option they would see later on where they were able to maintain a level of population which was sufficient. But they didn't have too many options here. So in this case it was good for minority representation and they would kind of work all the other districts around it. In this plan there were four precinct splits. Precinct splits were sometimes necessary in order to bring the districts within that expected range or allowable range.

Mr. Sharp said in Plans 1 and 2 the excess population of District 7 was treated by bringing the district down into District 7 to pick up the excess population. In Plan 3 they had two districts which started from the south and worked their way up. District 4 was moved up from the south on the west side of Highway 54 up to about 16th Street just so it picked up enough population. This forced District 2 to pick up Precinct 30 on the south, and District 2 lost Precinct 28 and part of Precinct 37 on its eastern edge. This forced District 3 to move west to Ohio in Precinct 31, and north to Dewey in Precinct 33 to pick up the excess population of District 2. District 3 also lost Precinct 22 on its southern edge. This forced District 1 to move west and it lost the southern half of Precinct 25 to District 6. District 7 extended into the southern part of the City to Scenic and Abbott. This forced District 6 as well to move northwest into District 3 to gain its needed population. District 6 also moved into District 1 and District 5 remained unchanged. This was a classic example of how one change created a domino effect on all the rest of the districts. That was another key point of the process of redistricting. They might suggest to him to make a change, and more than likely that change would cause a ripple effect throughout the rest of the districts. In this case, there were seven precinct splits. If the number of precinct splits were too many, then hopefully they could come up with something which would split fewer.

Mr. Sharp thought it might be worth investigating the possibility of creating a District 5 minority district which took a little bit different shape, and in Plan 4 that district was not quite as compact as in the previous plans. If they just looked at the numbers and not necessarily the community, the numbers were right, with about 49.5 percent minority makeup. District 5 kept the core of the district and moved south until it had enough population. District 7 just lost its northern half and didn't need to go past Highway 70 or Panorama. So its northern edge of District 7 went up to Panorama and had a solid northern end. District 3 picked up some population from Precinct 23. District 4 lost part of its northern edge north of

Indian Wells and it gained Precinct 27, the area south of Indian Wells and west of Juniper. It also picked up more of Precinct 32 east of Filipino. District 2 expanded west to include the other side of White Sands Boulevard, and expanded east into Precinct 37 to Puerto Rico. District 1 moved west into that portion that District 4 gave up and lost part of Precinct 27 to District 4, which was south of Indian Wells and west of Juniper. In this case there again were seven precinct splits. If the alignment of Districts 5 and 6 seemed a little screwy, there was a way to fix it and make it look a little more pleasing to the eye. That was one option for this plan, and it would actually raise the Hispanic District 5 to a level they saw in all the other plans as well.

Mayor Carroll said if the lines were redrawn in Plan 4, what would the change be? Mr. Sharp said basically there was a swap which would happen. That area in District 6 which was north of Brookdale, would go into District 5. That area south of Brookdale, between Brookdale and Panorama, would go into District 6. Mayor Carroll asked about the precinct splits in each plan. Was there at least four in every plan? Mr. Sharp said that was correct. In this case there was one other point which could be made between Districts 5 and 6, and that was that the eastern edge of District 5 could actually be moved to the Precinct line and take a little bit out of District 6, which would clean it up. At this point that precinct was split three ways, and it was possible to only split it two ways.

Mayor Carroll said in looking at Plan 4, it seemed that the overall population deviation was smallest in that plan, and that four of the seven districts fell within one percent of the ideal population. Mr. Sharp said that was correct. If it was the objective of the Commission to make all seven districts as close to the ideal as possible, that could be done. In order to do that, though, he felt it would require more precinct splits. In this case District 6 was right on zero deviation, but if they made the swap he talked about previously, it would change the deviations a little bit. Mayor Carroll asked if it would increase or decrease the population in District 5? Mr. Sharp said he didn't have the figures exactly, but he felt the deviations might flip.

Commissioner Easley said he would be carefully studying these maps. If he had questions, he would forward them to Mr. Sharp.

Commissioner Griggs asked what really took place at the moment? What was the next step for the Commission? Mr. Sharp said typically the first meeting was intended to introduce the guidelines of redistricting and to produce three or four initial plans to gauge reaction. That was the main purpose of the first meeting. From there he would take that input and incorporate it into revisions of plans if they needed to, and then those plans could be presented at a second hearing. They could present these four plans plus revisions, or they could replace one of them with a revision if it was deemed better in some way or another. From that point they would gather more input from the second meeting if they needed, and between the second and third meeting if there were any further revisions which

needed to be made then that could be done. They could either then adopt at a third meeting or continue on with the further revisions. He had found that the longer the process went on, the harder it got. At some point the Commission had to make a decision. Mayor Carroll said he envisioned something along those lines; the presentation tonight, and then the Commission having between now and the next meeting to look at it and decide what they liked or didn't like. They could have it on as a discussion meeting at the next meeting and if there were any suggested changes or recommendations, that those get forwarded to Mr. Sharp and he could either make them, attempt to make them, or tell them that he couldn't make them. Then the Commission could hold a Public Hearing before they selected a final plan, and then go from there. He didn't know that it would be necessary for Mr. Sharp to come back at the next meeting if all he was going to do was to hear the questions. If there was no on-the-spot answer he could give, then it just delayed the process. The problem he saw with them getting their comments directly to Mr. Sharp was that they might not have the chance to comment on one other Commissioner's concerns. He might have a concern which might work well for his district, but it might be at the expense of an adjacent district and that Commissioner might not take too kindly to that. He would think for the initial comment that all the Commissioners should be able to hear what the comments and concerns were, and then get a compilation of that information to Mr. Sharp. Mr. Sharp said that was a perfectly acceptable methodology. It worked both ways--whichever way the Commission would like to proceed was acceptable. The Commission could also hold a Work Session where this was not necessarily an action item. That sort of forum could be used to gather public input as well, and it might be a forum where they could ask questions of "what if", like "what if they moved a precinct from here to there". If they had that sort of input or questions, then that was a meeting he should probably attend. He was just in Las Cruces, and what worked out well was to get input on the plans and then to come up with something that was close. He loved receiving input because it was his job to make them happy and hopefully produce a plan which would be passed. He could take that input and forward plans back to the Commission, and from there they could gather public input at some point if they needed him to come back and answer additional questions about why, why not, etc. He would agree that if at the next meeting they simply showed the plans again as well, then it might not be worthwhile for him to show up. He'd rather be here to present something new and explain why the changes were made.

The Commission scheduled a Work Session for Tuesday, June 19, 2001, at 7:30 p.m. in the Commission Chambers. Mr. Sharp would not be present for this session. Mayor Carroll said the comments and concerns they came up with from this meeting could be forwarded to Mr. Sharp, and then after that he could come back and present whether they were workable or not, and what some new plans might be based on some of those comments and concerns. If any of the Commissioners had some questions which came up between now and the end of the week, if they contacted Mr. Sharp then possibly he would be able to get something back to the Clerk before the meeting. Mr. Sharp recommended that

any concerns be directed to him through the City Clerk. Sometimes Commissioners would suggest changes, and sometimes it was nice to be anonymous, and that was fine.

An unidentified citizen inquired about the population west of Districts 2 and 5. Mr. Sharp clarified that area was not within the City limits and was not considered for redistricting purposes of the City Commission.

Mayor Carroll asked if there was any rough rule of thumb if they moved a line one block; what did that translate into? He realized it may vary, but what may they be talking about? Mr. Sharp said that depended on the block. There were some blocks in the downtown area that had zero people. So it might be a matter of looking at the population of blocks or at the area of blocks. The thing to keep in mind was if they moved a district a block over and took an entire row, then if they knew the approximate population of that area, they pretty much knew the district that lost those blocks would probably have to gain an equivalent population somewhere else. But it was hard to say exactly what that change would be just by looking at the block itself. Mayor Carroll said in looking at a plan, as long as they stayed within the plus or minus five percent, it didn't necessarily mean that if they increased or decreased one district, that the other one would have to make a corresponding adjustment. Mr. Sharp said that was correct. As an example, in Plan 2 for Districts 3 and 4, District 3 was almost 4 1/2 percent too large and District 4 was almost 3 percent too low. So theoretically, District 4 could move into District 3 a block at a time and actually the deviations of both of those two would go closer to zero. In that case neither one would have to expand or contract into any other district.

Commissioner Griggs asked if that particular one was drawn to a precinct line? Mr. Sharp said his goal in drawing the plans was to try to take into account precinct lines as much as possible because he knew it helped with election purposes. In this case that line was put there because of the precinct; he tried to do that whenever he could. They were not held to following precinct lines, but it just helped in the election process. Mayor Carroll asked if the precinct lines were not subject to change when the County redistricted? Mr. Sharp said the County adjusted precinct lines when they saw fit and only in odd-numbered years. In this case, in 2001 the precinct lines had been frozen and there couldn't be any precinct changes in terms of the lines themselves. It might occur later on, say in 2003, that maybe some of the precincts in the southern part of the City will have grown so much that the County decided it needed to split a precinct to accommodate the growth. It was possible that some of these precinct lines could change, but unlikely within the City unless there was a really good reason to do it. Mr. McCourt asked if the precinct lines corresponded with the Census tracts? Mr. Sharp said they were not designed to follow Census tract boundaries, but if they did it would be by coincidence. By law, precinct line boundaries must follow Census block boundaries, and Census block boundaries must follow physical features, such as arroyos, streets, streams, pipelines, ridge lines, etc. Blocks

were then aggregated to form Census tracts. All precinct lines followed blocks, but they may split a Census tract which was just a larger group of blocks. If it were an objective to follow Census tracts, that would be fine. But in this case many times Census tracts were much too large for a single precinct. A Census tract would more than likely need to be divided multiple ways. Mr. McCourt clarified that the data Mr. Sharp had was on a smaller scale than the Census tracts. Mr. Sharp said that was correct.

Commissioner Cooper felt that Plan 2 was pretty much on target on the plus or minus. Mr. Sharp said that was correct. Every district within every plan was within plus or minus 5 percent. Commissioner Cooper felt that Plan 2 ran even closer than the others. Mr. Sharp said one thing they could look at when comparing plans was to look at total deviation. They could take the deviation of the highest district and add it to the deviation of the lowest district. In this case, Plan 2, District 3 had a 4.4 percent deviation which was the highest positive deviation, and District 1 had a minus 3 percent which was the highest negative population. If they added them together, that was 7.4 percent. That was one indication of how fair or how equal the representation might be. Mayor Carroll said both Plan 1 and Plan 2 only had one precinct within 1 percent, and Plan 3 had none. It looked like all four of the plans pretty much maintained at least one, with the possibility of two, minority districts. Mr. Sharp said that was correct. In every case, District 5 was the stronger of any two Hispanic districts. In the case of Plan 3, that second district was District 4 instead of District 7. In all the other plans, District 7 was about 45 percent Hispanic, and in Plan 3 that dropped to 42 percent.

The Commission recessed at 8:35 p.m., and reconvened at 8:40 p.m.

#### **Call of the Consent Calendar:**

Items on the Consent Calendar are considered routine and should not require further discussion. A single motion will approve all items marked "CC" unless removed at the request of a Commissioner, City staff, or a member of the public. Items removed from the Consent Calendar will be heard in the numbered sequence.

#### **5. Minutes of Special and Regular Meetings of May 22, 2001.**

Recommendation: Approve the minutes.

#### **7. Grant Agreement for Airport Action Plan.**

Recommendation: Approve the Grant Agreement between the FAA, State Aviation Division, and the City of Alamogordo.

#### **8. Joint Powers Agreement with Otero County and the Village of Tularosa for ambulance services.**

Recommendation: Approve the Agreement.

**9. Ordinance No. 1119 amending Chapter 24 of the Code of Ordinances concerning residential parking restricted.**

Recommendation: Final adoption of the Ordinance.

**10. Ordinance No. 1121 consenting to the annexation of 12.127 acres of land requested by the City of Alamogordo et al. [Case A-01-0055(A); Ocotillo Drive at S. Scenic Drive]**

Recommendation: Final adoption of the Ordinance.

**13. Project Close-outs:**

**A. Final Adjusting Change Order No. 2 and close out of PW Bid No. 2000-004, Fleet Management Building Addition.**

Recommendation: Approve Final Adjusting Change Order No. 2, and close out the project.

**B. Final Adjusting Change Order No. 1 and close out of PW Bid No. 2000-012, Convenience Center Improvements.**

Recommendation: Approve Final Adjusting Change Order No. 1, and close out the project.

**Mayor Pro-Tem Van Doren moved to approve Consent Calendar items 5, 7, 8, 9, 10, and 13(A-B). Seconded by Commissioner Cooper. All voted "aye". The motion carried by a roll call vote of 7-0-0. (Note: Commissioner Moncada wished to abstain from voting on item No. 5, making the vote on that particular item 6-0-1.)**

**CONTRACTS AND AGREEMENTS:**

**6. Sales and Exchange Agreement with Statewide Drilling for the trade/sale of Airport equipment (D7 Dozer).**

Recommendation: Approve the sale/trade of a D7 Dozer to Statewide Drilling and the City of Alamogordo.

Mr. McCourt said in this case they were trying to get a more appropriate piece of equipment. The D7 Dozer was picked up as surplus property. Both pieces of equipment had been appraised, and the City would trade off the larger piece of equipment for the smaller one, plus receipt of \$7,000 in cash. The equipment could be better utilized at the Airport and also in our alleys because it was smaller, and they did share equipment between departments. It was also easier to transport.

Commissioner Easley asked if the two dozers were approximately the same age? He assumed they'd evaluated the trade dozer and that it was mechanically in good shape. Mayor Carroll thought that would be part of the appraisal process.

Commissioner Griggs said in the Sales Agreement it spelled "John Deere" as "John Deer". Mayor Carroll said if this was approved, they would make the necessary change in the final document.

**Mayor Pro-Tem Van Doren moved for the approval of the sale/trade of a D7 Dozer to Statewide Drilling. Seconded by Commissioner Cooper. All voted "aye". The motion carried by a vote of 7-0-0.**

#### **SCHEDULED COMMUNICATIONS FROM THE CITY COMMISSION:**

##### **11. Commissioner Ed Cole - Addressing options for Long Term Investment Instruments.**

Recommendation: Consider the options for Long Term Investment Instruments.

**Commissioner Cole moved to postpone this item until the next Commission Meeting so they would have a little more time to study some different options. Seconded by Commissioner Easley. All voted "aye". The motion carried by a vote of 7-0-0.**

##### **12. Mayor Don Carroll - Consider City's letter of support for the Lincoln National Forest Demonstration Program.**

Mayor Carroll said as part of the forest health program and the federal legislation which Senators Domenici and Bingaman were able to get passed, there was a possibility to develop a plan to have a partnership in addressing the needs of the forest's health, restoration, watershed management, etc. This letter would be indicating that the City was supportive of the idea of the Forest Service, the local communities which were affected, the farmers and ranchers, and basically the stakeholders in the Lincoln National Forest, putting together a proposal of how a program could be set up with having everyone have input to do a demonstration project depending on the amount of funding that became available to show that this concept would work and be productive in managing the Lincoln National Forest. What they were looking for was a sign of support from Alamogordo that they would take along with the Grant proposal letters of support from the various stakeholders back to Washington to see if in fact they could get this thing done. At this point, that would be the extent of our involvement--to say that we either were or were not supportive of the concept of having all the concerned entities and stakeholders involved in setting out exactly what program or how to go about restoring forest health. If that was acceptable to the Commission, they could compare a basic letter of support for the concept and at this point not be committed to anything beyond that.

Commissioner Griggs agreed and thought it would be a good thing. He had been up at the Inn of the Mountain Gods and saw where the trap and skeet fire had burned. It was very close to the Inn, and probably the management of the forest contributed to them being able to contain the fire and not spread to Ruidoso or to the Inn itself. He felt anything the City could do in this regard would be a positive thing.

Mayor Carroll said if that was agreeable, then he would generate a letter of support and get it up to Mr. Gary Wood, Village Trustee from Cloudcroft, who was the focal point of putting this together.

## **OTHER BUSINESS:**

### **14. Appointments to Boards and Committees.**

Community Development Advisory Committee: Two vacancies.

Senior Volunteer Programs Advisory Council: Three vacancies (3 At-Large positions available).

Airport Zoning Board. One vacancy.

Alamogordo Disability Council. One vacancy. Nomination: Mr. Thomas E. Byers. Mayor Carroll said Mr. Byer's wife, Judy, currently served on this Council. He had spoken to Mr. Byers and indicated that he typically did not think it as necessarily the best policy to have members of the same household serve on the same committee at the same time. It somewhat tended to dilute what could be the differing opinions. Mr. Byers had said he understood and that he would withdraw his nomination, but that he would like to be considered at such time as his wife was no longer on the Council. Mayor Carroll agreed that his application would be kept on file until such as time as Mrs. Byers was no longer on the Council, and he would be considered at that time.

All remaining vacancies were rescheduled.

## **UNSCHEDULED COMMUNICATIONS:**

### **A. Commissioners commended DPS Officers recognized under items 1 and 2.**

Commissioner Cooper reiterated what was said about our fine Officers in DPS, and he felt they did an excellent job day after day. Commissioner Easley said often times the term "hero" was used rather loosely, but tonight they actually had the privilege of recognizing true heroes. This particular case was a very touching one, so he hoped to convey his personal gratitude to those Officers for what he viewed as a very heroic activity.

## **B. Comments by Commissioner Cole regarding the City's auditor.**

Commissioner Cole asked if the City Manager had heard anything back from the auditor yet? Mr. McCourt said not yet, but he would follow up on it.

## **C. Commissioners Easley and Griggs commented on the Miss New Mexico Pageant.**

Commissioner Easley congratulated Commissioner Griggs, Judge McCutcheon, and Rick Guidry because all three of their very charming and attractive daughters brought a lot of pride and good publicity to Alamogordo for their participation in the Miss New Mexico contest this past weekend. He appreciated and applauded them and wished also to say thank you to their parents because he happened to know how much effort and love and even money their parents put into those kinds of efforts as well.

Commissioner Griggs said the Miss New Mexico pageant was held here this past weekend and Alamogordo was represented by three young ladies. There were eighteen contestants in the pageant and it had grown dramatically in the last three years. It brought a lot of visibility and dollars into our community and it was something we needed to rally behind and support because it did convey a positive image of Alamogordo.

Commissioner Griggs said on a little bit different note, he also wanted to express thanks to Mr. Marion Ledford who had helped him go over the investments item which was on the agenda tonight.

## **D. City Manager commented on the water situation; two City employees (Andy Padilla and Andrew Martinez); leave of absence; and Gay/Lesbian display at the Library.**

Mr. McCourt said our water storage capacity at this time was 76.1 percent. For this time of year that was really good. He noticed today that the clouds had started moving in and hopefully that was the beginning signs of our seasonal rain. The stream flows out of the La Luz-Fresnal system were running about 50 percent of normal, and the flows out of Alamo Canyon which was always extremely dependable for us, were down about 18 percent this year. They did have some problems going on with the landfill well which was located way out and which they wouldn't think would normally be affected. When they read about these type of problems it always seemed to indicate that the City was the cause of them, but these were problems everywhere in the area. Cloudcroft was having problems with their wells, Timberon's spring had essentially gone dry, and the San Francisco river had dried up. So there were just a lot of problems going on due to a lack of precipitation over the last couple of years. But our current water situation was okay and a lot of steps had been taken over the past ten years building the larger reservoirs, getting them lined, changing to the effluent system,

and rebuilding our collection system. There was a lot of work the City had done for the last few years to get ready for the type of situation they were in now.

Mr. McCourt said he wanted to mention the actions of a couple City employees who were involved in maintaining the City's flood control ditches. They had located a marijuana plant in their work and had removed it. The employees were Andy Padilla and Andrew Martinez, and he wanted to compliment them on a job well done.

Mr. McCourt said many of them knew there were some medical things going on with his granddaughter and his wife, and currently that was scheduled for early July. It appeared that would be the time frame in looking at his absence.

Mr. McCourt said the City had received some comments which had come up recently due to a display at the Library. That display had to do with Gay and Lesbian Pride Month. They normally worked with groups to put on displays, and the Library had some special rules surrounding it as far as freedom of information and displays. As they might expect, there were segments of the population who did not agree with those values. They were trying to work with all the segments of the population and would continue to do so. He did want to bring it to the Commission's attention that there was some concern about that. Commissioner Cooper said he'd received a couple of calls on it, and he'd gone over to the Library but didn't see anything over there. Mayor Carroll said it was on the counter where the reference section was by the newspaper racks. Mr. McCourt said they did try to work with a very broad spectrum of the population, and they certainly did recognize that on occasion segments of the population clashed.

**E. Mayor Carroll commented on the Legislative Redistricting Committee Meeting; the June 23rd NMML Policy Committee Meetings; letters regarding the enclosing of the patio at the Senior Center; and the Juneteenth Celebration on Saturday.**

Mayor Carroll said the Legislature was also redistricting, and there was a series of interim Legislative Redistricting Committee hearings scheduled for June 20th in Carlsbad, June 21st in Roswell, and June 22nd in Clovis. The one in Roswell on the 21st would be the closest for us if anyone would care to attend that.

Mayor Carroll said June 23rd was the NMML Policy Committee Meetings. If anyone else was planning to go, possibly they could go together.

Mayor Carroll said he had copied the Commission on a letter responding to a request from some folks at the Senior Center recommending that we enclose the

patio to house the exercise equipment which was currently in the hallways. In his response he had indicated that the City had neither budgeted for it nor was it in the long range plan. Since then, he had received another letter from another group at the Senior Center who suggested that they enclose the patio so they could use it for an exercise room. He did not write back, but he did speak by phone to one of the principals in this and explained that, again, we had neither budgeted for it nor planned for it, and in any event, the two uses suggested for it were mutually exclusive. If they filled it with exercise equipment, then there would be no room for aerobic-type exercises. There were more and more demands on a limited amount of space at the Senior Center. When they built the Center, they built all they could afford to build. They knew at the time that it wouldn't be adequate size-wise indefinitely. They may want to consider in the ICIP in some future years some expansion of the Senior Center. He didn't know when they would come up with the financing to do it, but it was something since they were getting more and more demands, that they might want to look at for some of the out years.

Commissioner Cole asked if it was even feasible to enclose the area? Mayor Carroll said yes. There were two existing walls now, so it would not be cost prohibitive. It had been discussed in the past for moving the exercise equipment in there. It was a question of whether the cost would justify the possible increased use of the equipment. But now there was another group who wanted to utilize the space but for a different purpose. It could be done, and he had indicated that he'd ask the City Manager to get some sort of updated cost figures on enclosing the room. They could certainly entertain that, but then they ran into the difficult decision of deciding who got to use the room. There were currently five pieces of equipment, and the suggestion in the letter was that they needed two or three more pieces after the patio was enclosed.

Mayor Carroll said this Saturday was the Juneteenth Parade and a celebration of activities in Washington Park. The parade started at 10:00 a.m. and the festivities in Washington Park started at noon and would run through most of the afternoon. The entire community was welcome to participate.

**EXECUTIVE SESSION: Adjourn into Executive Session to discuss acquisition or disposition of water rights and real property, pending litigation, and limited personnel matters.**

**Mayor Pro-Tem Van Doren moved to adjourn into Executive Session to discuss acquisition or disposition of water rights and real property, pending litigation, and limited personnel matters. Seconded by Commissioner Cooper. All voted "aye". The motion carried by a vote of 7-0-0. The Meeting was adjourned at 9:08 p.m.**

The Governing Body of the City of Alamogordo, New Mexico, hereby states that its regularly scheduled meeting of June 12, 2001 was adjourned into executive

session and the matters discussed in the closed meeting were limited only to those specified in the motion for closure.

The Governing Body of the City of Alamogordo, New Mexico, further states that its specially scheduled meeting of June 19, 2001 was adjourned into executive session and the matters discussed in the closed meeting were limited only to those specified in the motion for closure.

---

**Mayor Donald E. Carroll**

**ATTEST:**

---

**City Clerk Angie J. Rahn**

**(SEAL)**

**(Prepared by Chief Deputy Clerk Teresa Y. Gutierrez)**

**Approved at the City Commission Regular Meeting of June 26, 2001.**



[City Of Alamogordo Home Page](#)

[Table Of Contents](#)

[Minutes Page](#)

[Return to City Clerk Home Page](#)