

**CITY OF ALAMOGORDO, NEW MEXICO  
CITY COMMISSION REGULAR MEETING MINUTES  
MUNICIPAL BUILDING, 1376 E. NINTH STREET  
7:30 P.M., COMMISSION CHAMBERS  
MARCH 13, 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. Absent was City Manager Pat McCourt. City Attorney Rebecca Ehler was Acting City Manager. The Invocation was given by Commissioner Ed Cole, and the Pledge of Allegiance was led by Commissioner Stephen Easley.

**PRESENTATIONS:**

**1. Presentation of Life Saving Awards to Communications Equipment Operator Shawna Murphy and Public Safety Officer Mike Storseth for their outstanding work in saving a drowning child at the White Sands Community swimming pool.**

Mayor Carroll read letters of commendation and presented framed certificates to Communications Equipment Operator Shawna Murphy and Public Safety Officer Mike Storseth for the role each of them played in saving the life of a drowning child at the White Sands Community swimming pool.

**2. Presentation by Rod Ross, CPA/Partner from the firm of Monet, Clifford & Ross, L.L.C., regarding the Fiscal Year 1999-2000 Annual Financial Report.**

Mr. Rod Ross thanked Mr. McCourt and the Finance and Accounting Department for providing them with the information they needed to perform the audit. The audit was uneventful, and the Auditors' unqualified opinion was on pages 2 and 3. In essence, they had a clean opinion and there were no qualifications in the audit. Also, on pages 143 through 145 was the report of internal controls, and they found no major internal control deficiencies.

Mayor Carroll thanked Mr. Ross and his firm for performing the audit, and also for his taking the time tonight to visit with several of the Commissioners to answer some individual questions.

### **3. Presentation by Otero County Economic Development Council (OCEDC) of a budget plan for use of the marketing monies generated from the Economic Development Tax.**

Ms. Laura Bregler, Board of Directors of OCEDC, gave the following prepared presentation: "I am here this evening as a member of the Board of Directors of the Otero County Economic Development Council to request additional funding, allowed under NMSA7-19D-11, for increased marketing of the City of Alamogordo in order to achieve our goal of providing good jobs for our community.

As you will see in this presentation, marketing is a key factor in achieving economic success for our community. Not only is it allowed in the Act, it is called for in our Strategic Plan. What we are presenting is a well thought out plan of action to get the word about Alamogordo out to those industries targeted in our Strategic Plan. Companies cannot consider Alamogordo if they do not know that we are here. Let me start by giving you a little background on how we got to this point.

As each of you is aware, the City of Alamogordo has an annual contract with OCDEC for services to promote economic development in our City. This \$20,000 has allowed us to react appropriately to opportunities that come to Alamogordo, but we have been heavily reliant on outside agencies to send us leads. Basically the \$20,000 allows for administrative costs to be covered. The next step is to have funds with which to market Alamogordo. What we are looking for is the ability to execute an aggressive market plan to get the attributes of Alamogordo noticed by industries well suited to our needs and population.

In August of 2000 the City passed a Local Options Gross Receipts Tax for economic development. Currently approximately \$40,000 in OGRT per month is accruing in the economic development fund.

The law which allowed communities such as ours to pass the OGRT, NMSA 7-19D-11, allows for 10% of the tax or \$50,000 to be used for "administrative" or marketing purposes, whichever is less.

OCEDC's contract already allows for a vehicle to promote the City to companies looking to relocate.

We know that marketing is key to our efforts to bring economic development to Alamogordo. This is born out by both the Alamogordo Economic Development Strategic Plan and the Madison Report of 1990. Both cite the need for an

aggressive marketing plan and I would like to point out that the Madison Report called for a budget of approximately \$43,000 over 10 years ago.

Now that we've seen the vehicle for marketing and the need for a marketing plan we would like to present our approach, our plan for the marketing of Alamogordo. The one theme that you will note in our approach is that it is targeted and intended to get the best use out of dollars, the biggest bang for the buck.

We have developed a four-tiered approach as presented here. Let me tell you why each one of these is important to the overall success of our plan.

**#1 Direct contact with site consultants.** These are the folks who work directly with companies looking to relocate or grow and recommend sites that fit their needs. Getting information about Alamogordo into the hands of site consultants is vital to our efforts of getting companies that fit our needs to come and look at what we have to offer.

**#2 Direct Mail to targeted industries.** Again we need to use the funds wisely, that means targeting those industries that fit the needs of Alamogordo and fit our parameters. We are proposing a brochure that is produced quarterly and a monthly newsletter to be used in conjunction with our website to give the prospective companies the best possible information about our area. Our website has become the model for the state of New Mexico. If you haven't been there I encourage you to visit and see how up-to-date and complete the information is. While you can never get all of the information a company would need to make its relocation decision into a brochure, you can – with a well done product -- direct candidates to our web site where they will find a wealth of information to see if we are a fit for their needs.

**#3 Trade show participation through alliances.** This is a great example of getting bang for the buck. Using our alliances we can get the word out at trade shows at a fraction of the cost of OCDEC or the City of Alamogordo directly participating in these events. If we had direct participation it would necessitate buying a booth, having a display and sending direct participants to each show at great expense. These partners, armed with our marketing materials can spread the word about Alamogordo without the major cost of setting up a display and sending a participant to each of the trade shows they cover.

**#4 Increased public relations to raise identity.** Everyone knows what Rio Rancho is known for – they are a great place to put a business. While we are not looking to be Rio Rancho, we are looking to build an identity as a great place to bring good paying jobs. How do we accomplish this? We do this through advertisements in industry trade magazines, press releases, presence at trade shows and follow-up calls to prospects. Public relations cannot be hit and miss, it must be consistent and well done.

So, now to the crux of the matter – the proposed budget.

Let me briefly review each line item and the associated costs, and then I will be glad to answer any questions you may have.

Direct Contact includes Mailing Lists, which typically cost \$250 each, such as the Twin Plants database for Central Mexico and Chihuahua.

**Phone** – Our phone costs are projected to increase as we maintain contact with site selection consultants, this includes the fax machine.

**Postage** – This cost includes the mailing of the regular quarterly brochures, and the monthly newsletter.

**Association Fees** – This amount is the true cost of these valuable memberships

**Direct Mail Development** – We have chosen a local advertising agency to develop four different brochures and our monthly newsletter. As their contribution to economic development in our community, they have given us extremely good rates for this work.

**Printing** – This includes the brochure, newsletter and contact material.

**Public Relations** – This is a contract to produce monthly press releases, photos, copy and distribute to the wire services.

**Website** – Contract for Maintenance and addition of new material to ensure that the website stays current and relevant. In addition, we will have the ability to burn the page to a disk including the fact book for \$7.

**Print Advertising** – This will be for ads in publications such as Site Selection Magazine. It includes layout and distribution to the publication. A typical quarter page ad runs \$5,000.

**Newsletter** – This piece is essential in assuring top of mind awareness with our audience. The cost will run between \$500 and \$1000 a month depending on the use of color and content.

**Trade Shows** – We will chose a limited number of these to attend with the associations to target our market and get the word out.

In closing let me say that this is a great opportunity for all of us to achieve our goals of developing diversity, creating jobs, and providing long-term stability."

Commissioner Cooper said this stated that the cost of a trade show was \$2,900. Were they going to be going outside the State to these shows? Ms. Bregler said

some were in the State, but some that were looking at industries that we would like to target were indeed outside of the State. Commissioner Cooper felt that figure was kind of low. Ms. Bregler said part of the reason was that they would be given some trade show exposure due to the associations. They were only planning to target two or three that were very directly what they would like to see here in Alamogordo. They hoped to really target those monies. She agreed that was very low, but they wanted to keep it economical. That was part of the reason they wanted to use these alliances and send their materials and word out through them. Commissioner Cooper said as far as he was concerned, the people that knew Alamogordo best were the ones that should be at these trade shows. They had to know their product before they could sell it. He thought trade shows were great. His brother-in-law went to trade shows around the world and didn't miss any because he knew that those were the backbone of his business, and without those trade shows he didn't have a business. He thought they should look to put a little more emphasis on these trade shows. Ms. Bregler said they would take a look at that for sure.

Commissioner Easley said it had come to their attention that at some point they would be accumulating the money from the Gross Receipts Tax starting in March. That meant that they would be accumulating the money that was going to be funding these kinds of projects. He would like to see them begin to use some of that money now to start these promotional efforts. They would need to be careful with that to make sure the money they proposed to use between now and the beginning of the year didn't cross over the ten percent threshold, especially since they couldn't tell exactly how much they were going to get. He would propose that they all begin thinking about how they might accomplish that and try to get it on the agenda at the next meeting to discuss it and see, as they started to collect this money, if they could take some of that money they wanted to use for these promotional purposes and apply it to the Contract with OCEDC so that they could get started and begin to ramp up these activities. They couldn't do that tonight because obviously it wasn't on the agenda, but he would like to propose that the Commissioners at least begin to think about that. Commissioner Cooper said absolutely. Mayor Carroll though it was certainly workable, if there were some items they could start on this fiscal year. Ms. Bregler said absolutely; anything they could do to ramp up obviously helped them in the next year. Setup and all of that obviously took time and effort and they'd begun them, but if they had some funds to work that then they could hit next year running full steam and that would be good for Alamogordo.

#### **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.

#### **4. Minutes of Regular Meeting of February 27, 2001.**

Recommendation: Approve the minutes.

**6. Consideration of Ordinance No. 1112 amending Chapter 14 of the Code of Ordinances regarding adjusting of solid waste collection rates.**

Recommendation: Final adoption of the Ordinance.

**8. Award of Bid No. 2001-04, Fire Hydrants.**

Recommendation: Award to Rio Grande Pump & Supply for an estimated total of \$27,530.00.

**Item Nos. 7 and 9 were removed from the Consent Calendar.**

**Mayor Pro-Tem Van Doren moved to approve Consent Calendar items 4, 6, and 8. Seconded by Commissioner Cooper. All voted "aye". The motion carried by a roll call vote of 7-0-0.**

**CONTRACTS AND AGREEMENTS:**

**5. Professional Services Agreement with Research & Polling, Inc. to reaffirm the City Commission District boundaries based on the 2000 U.S. Census, and adjust the boundaries if necessary.**

Recommendation: Approve the Agreement.

Commissioner Cooper asked if the Census figures had been released yet? He understood they were to be released in October. Mayor Carroll said no. The Census figures were being released to the Governors of the respective states on a piecemeal basis. They should be available by the first of April to the State and to anyone that was interested in the figures.

Mayor Carroll said assuming they were going to approve this since they were required by law to redistrict after each Census, did any of the Commissioners have any preference on what the districting should look like? Typically what they would do was to have the contractor overlay the new Census figures with the existing districts and see if they were within the numerical guidelines that were required by law. If they were, then there wouldn't be any change. In all likelihood there would be some changes which would have to be made. Unless someone was just totally unhappy with the current districts, they could instruct the contractor to provide a couple of alternates based on working with the districts as they currently existed rather than trying to create a new districting scheme.

Commissioner Moncada said in the past they'd had three proposals which came before them before they redistricted to the present seven districts. Perhaps that would be a starting point if they had some questions on how to redistrict the City. That might be a guiding point. Mayor Carroll said if the anticipation was to go with the districts as they currently existed, what the contractor would do was to

provide the City with a minimum of two, or probably three, different options using the current districts as the starting place and some different possibilities of adjusting boundaries that needed to be adjusted. So they would have a starting place. Commissioner Moncada said she had stated that just in case there was anybody that didn't like the districts the way they had them now because the other two plans were a little different than what they had right now. Mayor Carroll said he would imagine everyone was happy with the districts because they all got elected from them.

Commissioner Cooper said when he came here there were five Commissioners, and that was later expanded to seven--four from districts and three at-large. After that they went to seven different districts. For some reason he thought if they were at 100,000 population or above, that it would behoove the City to have districts. For some reason he kind of looked at Alamogordo as a smaller City that really didn't need districting. But over the years he guessed people had changed their minds on that. Mayor Carroll said the Legislature had pretty well mandated that they would have districts.

Commissioner Easley said the only change he would recommend they look at, barring those that may be required by population shifts, would be a change in District 7. That district was on the south end of town and included the Airport Blocks and Golf Course area, and then there was this little lonesome strip which ran up the west side of White Sands Boulevard all the way up past the mall. It seemed to him that would be much more appropriately attached to the next district over, which was Commissioner Cooper's current district. He felt that would make geographically a lot more sense than to put it in with District 7. Mayor Carroll felt that was a point well taken and he had discussed it with the City Clerk and it was one of the suggestions she would make to the contractor; that he see if there was not some way to integrate some of that into some of the other districts. Commissioner Griggs said he had absolutely no complaint with that.

Mayor Carroll felt they'd given the Clerk enough information that she could relay to the contractor. They had an Agreement before them and the amount was \$14,000. This was something required by law and it was the only company in the State of New Mexico that did this type of information.

**Commissioner Easley moved that we approve item No. 5, the Professional Services Agreement with Research & Polling. Seconded by Commissioner Moncada. All voted "aye". The motion carried by a vote of 7-0-0.**

#### **ORDINANCES AND RESOLUTIONS:**

**7. Resolution No. 2001-07 Waiving Payment In Lieu Of Taxes (PILOT) for the Public Housing Authority.**

Recommendation: Approve the Resolution.

Commissioner Cole said he had no problem with the idea of this, but he did have some questions. What was the service or the improvements provided by the local government and what was the value of this service in dollars? What would be the value of the tax paid to the City? In other words, was it more or less one dollar for one dollar or some type of trade-off? What would be the results if the City government did not agree to the deferred tax, and did not waive it? He knew the Commission set as the Board for Public Housing, but what kind of controls did they have over these types of funds which were in lieu of?

Mayor Carroll said he didn't know the exact dollar amount of taxes they would be forgiving, but perhaps the Finance Director would know. Finance Director LeeAnn Nichols said she didn't have the actual dollar amount, but there were 220 units which the Housing Authority currently had and at an annual of \$200 per year it would come out to about \$44,000. She thought it was between \$44,000 and \$50,000. Ms. Ehler said this was a payment that the Federal Government made to local governments in lieu of property taxes because there were no property taxes levied on Federal property. Commissioner Cole didn't think there was a tax, so why would the money be coming from the Federal Government? Ms. Ehler said the Federal Government recognized that local governments provided police protection, fire services, and things of that nature on Federal lands. So every year Congress appropriated payment in lieu of taxes to various governments around the country as a recognition that they provide those services and were not compensated through taxes. It was actually a fairly substantial amount for Otero County and was something that a lot of the counties in the State got real nervous about when somebody, and more particularly in the east, started talking in Congress about cutting back payment in lieu of taxes because they did provide a great deal of money to counties with forest lands and BLM lands and that sort of thing. What they happened to have here in Alamogordo was the Public Housing project which was under the auspices of the Housing and Urban Development Department, and therefore the City was entitled to some funds in lieu of the property taxes that would be received if those properties were in private hands.

Mayor Carroll said to the best of his knowledge, the reason they didn't have a number was because the City had always waived the tax since it was in essence "our facility". But they were not required by law to do that. The County for many years waived the taxes. He believed last year they chose not to, but the City went before them on a yearly basis and requested that they also waive them. Again, if they didn't waive them, then it was something which would have to come out of the budget for the Housing Authority and that was just less money for them to provide the services they needed to provide. Commissioner Cole said, then, it would be a "reverse credit" if they didn't waive them and the Federal Government would allocate less money to the City. Mayor Carroll said either that, or it would come out of the Housing Authority's budget and go into their general budget. But

for all reality they would have less money to run the Housing Authority with, so they might in likelihood turn around and be putting it back in.

Commissioner Cole asked what type of property tax would be on those units as such? They were low rent type of homes. Ms. Nichols said they were, but they still had a valuation. Commissioner Cole asked what type of value they would have? Mayor Carroll said the payment would be some formula decided on by HUD. Commissioner Cole said for the property tax assessment, who set the value of the property? The County? Ms. Nichols said yes. Commissioner Cole clarified that was the figure submitted to the Federal Government, and then all worked out by some formula. Ms. Nichols said yes.

Mayor Carroll believed the year the County chose not to waive the taxes, that the County got about \$30,000. But what happened in that case was that the Housing Authority had already submitted their budget to HUD and then when the County chose not to relieve them of the obligation, it came out of the Housing Authority's operating budget to pay. Ms. Nichols said actually what they did was lower what the Federal Government would give in subsidy the next year, as an adjustment. Commissioner Cole asked if the County had voted not to take the in lieu of process on the property taxes they would receive? Mayor Carroll said he did not know because the City had not gone before them this year. He believed last year they chose not to waive it.

Ms. Nichols said that any amount would affect the Housing programs immensely. Commissioner Cole said he was not trying to be critical of any of it, but he was just trying to get a handle financially on what they were talking about and how it worked on this, especially since the documentation was just one sentence and he couldn't gather much from it.

**Commissioner Easley moved to approve item No. 7, Resolution No. 2001-07 waiving payment in lieu of taxes on the Public Housing Authority. Seconded by Commissioner Cooper. All voted "aye". The motion carried by a roll call vote of 7-0-0.**

#### **OTHER BUSINESS:**

#### **9. Consider Change Order No. 1 to Public Works Bid No. 2000-015, First Street Waterline Replacement.**

Recommendation: Approve Change Order No. 1 in the amount of \$41,003.67 (includes NMGRT).

Commissioner Cole asked when this bid was let approximately? Mayor Carroll said December 26, 2000. Commissioner Cole said, then, that it had been about three months. What was the reasoning when the bid was let, if it was just three months ago, that someone was coming back to the Change Order of that amount

for General Hydronics to put in these backflow valves? What took place on that? Mayor Carroll said he suspected the reason it wasn't included in the original bid was because no one thought about it at the time. Chief Engineer Kevin Heberle said the Plumbing Code didn't require the installation of backflow prevention devices if the meter was not replaced. The initial scope of work was not to replace the meters, but they had since decided that although it would meet the requirements of the Code, it probably wouldn't be in the best interest of public safety not to do that, so they decided that this would be the time to replace the meters since they were all over 20 years old. In replacing the meters, they also then needed to replace the backflow prevention devices which currently didn't exist. Using this contractor would get them a better price than if they did it piecemeal later on with our own forces.

Commissioner Cooper said regarding this bid, Mr. Heberle was real happy at the time with the figures that came in when it was let, at \$414,000. Mr. Heberle said that was right. Commissioner Cooper clarified that they had earmarked close to \$500,000. Mr. Heberle said that meant they had extra money left over to make more improvements.

Commissioner Cole said regarding the note which had gone out to different businesses from Code Enforcement last week... Mr. Heberle clarified it was for informing on the backflow prevention. Commissioner Cole asked if they had to pay for that? Mr. Heberle said the City was advising that they needed to install expansion tanks on any facility which had a water heater for safety. Commissioner Cole asked if that was something completely different than what this Change Order was referring to? Mr. Heberle said right. Those devices needed to go inside the facilities as part of their private plumbing. Commissioner Cole asked if there was another backflow valve which went in with the waterline installation? Mr. Heberle said that was correct. That backflow prevention device went near the water meter outside the facility. Commissioner Cole said several months when staff was talking about those going in, he thought that was a cost to be picked up by the businesses, the homeowners, and things. His problem was that they were talking about two different things tonight, and he was reading this as just one item. Mr. Heberle said he may have the two items confused. When they installed backflow prevention devices which went near the meter, that prohibited any backflow from entering into the water system; it protected the system. In doing that, if a water heater were to overheat inside a facility, the water had no place to expand and it could blow up the water heat and cause a fire or physical harm to somebody. So there was a rule that when you installed backflow prevention devices, you needed to install an expansion tank or something similar to that at a water heater. Commissioner Cole clarified that what they were talking about in the memo was the safety device for the businesses. Mr. Heberle said that memo referred to the expansion tank to be placed at the water heater inside a building. Commissioner Cole clarified this item referred to something completely different than this memo. Mr. Heberle said that was correct. They were related, but they were different items. The City was taking on

the responsibility of this on this particular project. Commissioner Cole asked who else would take it on if they didn't do it? Mr. Heberle said in some instances the backflow prevention devices were installed on private property and it could be made the responsibility of the business owner or home owner. They didn't believe it was reasonable to do that in this case. Commissioner Cole asked if staff could do it, or did they have the time to do it? Training? Safety? Were there reasons why the City was bidding it? Mr. Heberle said they would never get it done in the time frame they were getting it done now.

Commissioner Cole asked if this was out of Fund 93? Ms. Nichols said yes. What had they allowed for this financial year for that project? Was there a certain amount for this? Ms. Nichols said yes. Commissioner Cole said he came up with a figure of about \$455,000. Mayor Carroll said that would be the revised amount, which would still leave about \$10,000 or \$11,000 extra. Ms. Nichols said at the top of the Agenda Report where it said fiscal impact amount available, she had verified that amount was available. Commissioner Cooper said he knew it came in well under budget so there was plenty of room in there in case something like this did happen. Commissioner Cole said in that fund it left \$1,091,000, and what was the remainder of that money allocated to? Ms. Nichols said there were other projects in there. Public Works Director Jose Miramontes said they were running a line for the overpass. That would take care of the rest of the money.

**Commissioner Cooper moved that Change Order No. 1, Public Works Bid No. 2000-015, be approved. Seconded by Mayor Pro-Tem Van Doren. All voted "aye". The motion carried by a vote of 7-0-0.**

#### **UNSCHEDULED COMMUNICATIONS:**

##### **A. Congratulations to the Alamogordo Tigers and the Tularosa Wildcats.**

Various Commissioners congratulated the Alamogordo Tigers and the Tularosa Wildcats on their accomplishments at the State Basketball Tournament recently held in Albuquerque.

Commissioner Griggs said earlier they had recognized two people who helped save the life of a drowning boy. There were constantly many times in our community where people put others before themselves. They needed to sit down every so often and think about those people and try to recognize them as well. With us tonight were members of OCEDC who dedicated a lot of time and effort trying to bring business to this community to help Alamogordo be a better place to live. They needed to help them do what they did to make Alamogordo a better place to live. They needed a pat on the back and to know that they were appreciated.

Mayor Carroll echoed their comments, and felt they needed to recognize not only the quality of the young people in our community but also the quality of the

employees they had in the City, as was amplified this evening by the recognition of two employees from the Department of Public Safety. What they did was certainly heroic and above and beyond what most of them were ever called upon to do, but they had employees everyday who did good things for our community and often times they forgot to recognize them too. On behalf of all of them, he would like to thank all the City employees.

**EXECUTIVE SESSION: Adjourn into Executive Session to discuss pending litigation, and acquisition and disposition of real property.**

**Mayor Pro-Tem Van Doren moved to adjourn into Executive Session to discuss pending litigation, and acquisition and disposition of real property. Seconded by Commissioner Cooper. All voted "aye". The motion carried by a roll call vote of 7-0-0. The Meeting was adjourned at 8:20 p.m.**

The Governing Body of the City of Alamogordo, New Mexico, hereby states that its regularly scheduled meeting of March 13, 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 March 27, 2001.**



[City Of Alamogordo Home Page](#)

[Table Of Contents](#)

[Minutes Page](#)

[Return to City Clerk Home Page](#)