

**CITY OF ALAMOGORDO, NEW MEXICO  
CITY COMMISSION REGULAR MEETING MINUTES  
MUNICIPAL BUILDING, 1376 E. NINTH STREET  
7:30 P.M., COMMISSION CHAMBERS  
JULY 9, 2002**

**MAYOR DON CARROLL**

**COMMISSIONER ED COLE**

**MAYOR PRO-TEM RON GRIGGS**

**COMMISSIONER JOHN ROBERTSON**

**COMMISSIONER INEZ MONCADA**

**CITY MANAGER PAT McCOURT**

**COMMISSIONER STEPHEN**

**EASLEY CITY ATTORNEY REBECCA EHLER**

**COMMISSIONER DON COOPER**

**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. Raymond Ewing, and the Pledge of Allegiance was led by Commissioner John Robertson.

Mayor Carroll reported with sadness the death of Sgt. Wendell Jones of our Department of Public Safety. Sgt. Jones died today, and he was a 17-year veteran of our Department of Public Safety, and he was a fine Officer. Sympathies were extended to his family, friends, and co-workers. Our community was sadder today for his passing.

**PRESENTATIONS:**

**1. Presentation to Mr. Stephen DeGiulio for his service on the Public Library Board.**

Mayor Carroll presented Mr. DeGiulio with a certificate for his service on the Public Library Board.

## **2. Presentation by RBC Dain Rauscher of a brief summary of the Bond options available for the Flood Control Project Agreement with the Corps of Engineers.**

Ms. Lisa Driesner, RBC Dain Rauscher, reviewed the Finance Plan Briefing (Note: A hard copy of the presentation is on file in the City Clerk's office with the backup information to this meeting).

Commissioner Robertson asked if the 3.15 percent interest rate would be locked in? Ms. Driesner said it would be locked in for as long as the bonds were outstanding. The way the bonds were currently structured, that would be through 2017. On the refunding it would be 3.15 percent, but the longer the period of time would be slightly higher. So the new money portion of the bond issue relating to the other capital improvement part of it, would be slightly higher than the 3.15 percent. Mr. McCourt said actually it wasn't exactly that amount on every bond that was issued. There were some higher interest rates on the longer term bonds; that was an average rate. Mayor Carroll clarified that was an estimate as of today, but could change depending on what the bond market was in September-October when the bonds were actually sold. Ms. Driesner said during September when the bonds were sold, those interest rates would be determined at that time. Commissioner Robertson asked if she foresaw any changes in these between now and September? Ms. Driesner said it was hard to have a crystal ball, but she felt the interest rates had started on a downward trend and the information and news abounding in the stock market and the continued inflation in the economy would indicate that interest rates were going to continue to be at the low levels they were at right now.

Commissioner Easley said we had two pieces going; the refunding of the '94 bonds and the refunding of the '96 bonds, and we were hopeful the interest rates would be as similar in 2005 as they would be today. Would it materially change our strategy if that was not true? Our strategy right now was the two-tiered deal. He realized in 2005 we could choose simply not to refund if the interest rates were going higher than our current par value, but would that change anything about our current, the first tier of changing to make that strategy not as attractive to us if in fact in 2005 interest rates had gone up significantly? Ms. Driesner said the Commission did have the flexibility to do absolutely nothing in 2005 if interest rates were not favorable. The way it was currently structured, it didn't change anything from the 1994 bonds that were already outstanding. If the City did nothing, then it continued to pay \$720,000 per year on that. Mr. McCourt said actually in 2005 we were still estimating we were going to have to come up with another sum of money for the flood control district, and we were looking at the refunding of the '96 issue to accomplish that. So if we got to 2005 and interest rates had risen substantially, then it would not be economical to refund that issue at that time; we would have to find another way to bridge to take care of the estimated flood control project costs at that time. Commissioner Easley asked if the yield of money returned for the 2005 refunding would drop off then and affect

our strategy on this? He didn't see that it would necessarily, but he wanted to ask that question. Ms. Driesner said it may. The way this was structured, based on current interest rates we were realizing a savings of about \$30,000 on that 1996, and this was the extra revenues which were being freed up in order to help us pay for the new money being moved.

Commissioner Cooper clarified that this was tied in with the Gross Receipts Tax. What happened if the bottom fell out and our Gross Receipts Taxes dropped 10, 20, 30 percent? Ms. Driesner said obviously that would be a problem if the current levels of revenue being collected in the City limits were substantially decreased from where they were right now. In this case, we would have sufficient coverage based on the revenues that were pledged. From the bond holders' perspective we pledged some revenues and the City used a particular source of revenues within the City budget to pay the debt service on those. It would create a situation where you would have to come up with funds from another source if the revenues the City was using right now would have dropped that significantly. Commissioner Cooper said in order to get from now to 17 years down the road, we would be mortgaging the future of the City for another 17 years on something that could possibly happen. Ms. Driesner said the one thing about the plan which was very conservative was that over the course of time between now and 2017, we had not made any assumptions about increases in revenues, so debt service payments that were being made in 2010, 2015, or 2017, were on an inflationary basis a lot lower than the \$720,000 which were currently in today's dollar terms. So she wasn't making that assumption and counting on any increases over that period of time. The projects the City did today with the funds from these bond issues were projects that the community would be benefiting from through that period of time anyway. The infrastructure put in today would be utilized by the future residents of the City as well.

Mr. McCourt said there was a more conservative way to approach this initial refunding, which would be not to raise the additional capital of \$2.5 million. The refunding could be done and lower the debt service. That would be a much more conservative way. As this was reviewed by staff, this particular Gross Receipts Tax had been used for doing projects. Staff's concern was if the Commission wished to do that, what would happen was that additional Gross Receipts would be \$100,000 to \$150,000. Staff was concerned that might get taken up into operational type costs and we would then lose the ability to fund some of these larger projects which the Commission had on the books and in the ICIP. Staff's understanding was that the Commission wanted to continue to use this Gross Receipts as a source of performing projects or large items in the City. But it could be addressed in a more conservative manner, and if there would be some dramatic downturn in the economy that resulted in a lower Gross Receipts income, that would essentially be absorbed because that amount would not be being used for debt service.

Mayor Pro-Tem Griggs asked when the 1994 bonds matured? Ms. Driesner said in 2006. Mayor Pro-Tem Griggs said we had four more years of \$720,000 per year anyhow. Mayor Carroll said the primary need to consider refinancing the Series 2002 was to come up with the \$2.95 million we needed to continue our share of the flood control project through there. So whether or not we refunded bonds to free up another \$2.5 million for capital projects or not, we would still have a need to refinance these bonds to some amount of money for the \$3 million. It might be interesting to know if we just did that and kept the debt service at the same level, how far out would we have to refinance those bonds to do that? Ms. Driesner said that was an analysis she didn't have prepared tonight, but she would imagine that the final maturity would be shortened up probably two or three years from 2017. As Mr. McCourt had mentioned, this was totally flexible. \$2.5 million was a number which fit into the way this was structured and resulted in debt service at the \$720,000 limit, but it was certainly at the Commission's discretion and pleasure as to how much they decided to issue for other capital projects.

Commissioner Robertson asked how much money we actually had into this project? As he remembered at the budget meeting, we were unaware of how much money we actually had into the flood control project. Those figures had been requested, and he'd never seen them. How did we know that we needed \$2.7 million for this? Finance Director LeeAnn Nichols said we currently did have, cash-wise, \$2,320,000 into the project. The Engineering Department was devising the past history of all the expense we'd paid towards this project. She didn't believe that information had been developed yet. Mayor Carroll said we knew how much cash we had into the project, but what we didn't know was how much in-kind that we can get credit for as part of our overall match. But we were aware of the actual cash that we had put into the project. Commissioner Robertson said by the past history of what had been paid, was the \$2.7 million something we needed in cash to keep up with it? Ms. Nichols said no. We did a 2000 Gross Receipts Tax bond issue, and from that bond issue we had paid the Corps \$2.3 million. The City could take a credit for all of the past work that had been done on the flood control project and use that as a credit toward our match of the entire project, which was \$11.5 million. Mayor Carroll said it was a minimum of 25 percent. Commissioner Robertson said he was asking how we knew that we needed \$2.7 million for that this year? Ms. Nichols said it was \$2.95 million, and how we'd come up with that was that the Corps had given us a draw schedule based on the planned phases that we were going to complete each year. We basically had a draw schedule for phases for between now and 2009. Commissioner Robertson asked when the value of the property was going to come into effect here? When were we going to know actually how we stood on this thing? Mr. McCourt said he hadn't read the contract for a couple of years, but it seemed to him that they did an accounting at the end of the project if he recalled correctly. Mayor Carroll said under the contract we were required to put up 5 percent of the project cost in cash, which we were right on the edge of having done that. We were required to pay a minimum of 25 percent of the total

project cost. If the project went over the total authorized amount, then the City would be liable for the difference over and above that. Any in-kind credit would be toward the end of the project. The Corps was not going to be willing to accept the in-kind up front; it would be toward the end of the project when the in-kind amounts were figured because they got funding on an annual basis for the project. Commissioner Robertson said at the estimated cost right now, what was our portion at the 25 percent going to be? Ms. Nichols said our share of the whole project was \$11.5 million.

Commissioner Cooper asked if we were talking about the southern part of this flood control project? Mayor Carroll said no; the \$48.5 million was for the whole northern part and the whole southern part. The southern part was under construction right now. This \$11 million was for our share for the whole project, and it would be spread out over the life of the construction project, which they estimated to be about ten years. Commissioner Cooper said we continually rolled over some of these bonds and extended them out farther and farther, and we were kind of just pushing it farther down the road, like kicking a can down the street. Sooner or later that can was going to get so far out that even our grandkids won't be able to catch up with it.

Commissioner Cole asked if for the approval of this the Commission had to approve it by a super majority? Ms. Ehler said revenue bonds required a super majority approval by the Commission in order to be issued on the Commission's say-so. In the case of a seven-member Commission, the three-fourths majority was six.

Commissioner Cole asked if this was a type of Gross Receipts Tax which the Commission could keep rolling over and applying "x" years out into the future without going to the people? Mayor Carroll said it was an ongoing Gross Receipts Tax. Commissioner Cole asked at what point could the Commission or the community say that was enough and they would like as a community to quit paying this Gross Receipts Tax? Mayor Carroll said when all the bonding obligations of the City that were based on that Gross Receipts Tax were satisfied. Commissioner Cole said if the people wanted to stop it, what would they have to do to stop it? Mayor Carroll said they could not stop it as long as it was pledged for the repayment of debt. Commissioner Cole said in other words, the voting public did not have any control over this tax--just the Commission. Mayor Carroll said as long as it was used to pay off debt, that was correct. Commissioner Cole said hypothetically, if the Commission would like to stop the flood control project, what type of penalty or damages would be involved with the Corps to stop the project if they so desired? Mayor Carroll said he had no idea what the penalties from the Corps would be. He thought it would be devastating to the reputation of the City and to our future bond rating if we were to go out and issue bonds for a project and then not live up to what we said we were going to do with the money. He thought that would be a terrible thing for this City to contemplate. Commissioner Cole said according to his own figures, the \$40

million would include the McKinley Channel and the South Channel. The North Channel would take the other \$8 or \$9 million. So if the Commission or the public would indicate they would prefer not to do the North Channel and the retention pond, there would be the possibility that could take place. He realized the South Channel and McKinley Channel had just now begun, and it was along where it needed to continue. But could the Commission revisit the North Channel? Mayor Carroll said yes, it could. Commissioner Cole said if the community would initiate a referendum saying they would like to stop this type of tax, did they have that option? Mayor Carroll said not as long as there were bonds outstanding that this tax was going to pay for. He did not believe that this particular Gross Receipts Tax was subject to a referendum. It was passed by Ordinance, so maybe it would be. If he sensed where Commissioner Cole was going, we had a flood control project which was designed to protect the south side and the north side of our community against floods. Was he suggesting that we just protect the south side and don't worry about the north side? Commissioner Cole said no; he was just surprised to research and find that this type of Gross Receipts Tax could just go on forever. It seemed to him if the community and/or Commission had reached a limit paying on this tax, that they would have the right to say they did not want to pay it anymore. The economic development tax had a sunset clause, and he was surprised to find out this one did not. If we decided as a government we didn't want to continue this...it was his understanding for the community that they would be paying this probably forever unless there was some way to stop it if they desired. Mayor Carroll said the ability for local government to impose Gross Receipts Taxes was controlled by action of the State Legislature. In some cases the State Legislature allowed municipalities to impose a tax without a vote of the people, and in some cases as in the economic development tax and as in the quarter percent tax we would be discussing later on tonight's agenda, those were required to be subject to approval by the voters. Some Gross Receipts Taxes had been approved by the voters and some had been done by action of the Commission as allowed by the State Legislature. If it was not supporting outstanding bonds, yes the Commission could repeal a tax. He assumed that the citizens could bring an initiative to do away with the tax. Commissioner Cole said if there was not a super-majority of the Commission, it would stop also. Mayor Carroll said no, it would not. The only thing that would stop would be the refunding. The bonds had to be paid off. Once we entered into a bond debt, we had no choice but to pay it off. It was not optional whether the voters decided they didn't want to pay the taxes anymore to pay the bonds. The only thing that the super majority would be required for would be for the refunding of this bond issue. If we didn't refund it, we still had the obligation under the flood control project to come up with \$2.95 million next year which we didn't have absent the ability to refund these bonds.

Commissioner Cole said he assumed the \$2.5 million for capital improvements was based on the ICIP. Mr. McCourt said those improvements would be determined by the Commission. Commissioner Cole asked if the current ICIP plan monies suggested were dependent on this \$2.5 million. Mr. McCourt said

no. Commissioner Cole asked if those projects could still take place? Mayor Carroll said no. Mr. McCourt said there were many projects in the ICIP which were not funded because we did not have any available sources of funding for those projects. This would give the Commission a source of funding which could then be applied to various projects within the ICIP that were not in the budget at this time. Commissioner Cole said if we went the conservative route for the flood control only, there would not be the \$2.5 million for the ICIP projects. Mr. McCourt said that would be one path the Commission could follow if they so chose; to do the refunding and only raise enough capital to do the next portion of the flood control district and not to raise the \$2.5 million. That would reduce the total debt service. As the Mayor suggested, the debt service could be restructured so that the issue would be paid off faster, or we could keep the debt service at a lower level which would then produce an ongoing source of cash of some amount. He didn't know exactly what that number would be at this time, but the Gross Receipts would generate enough money to pay the debt service on the refunding issue and generate some ongoing cash that could be used for other purposes.

Commissioner Cole said the total project was \$48 to \$49 million, and the City's share was approximately \$11 to \$12 million. What did the five percent cash part mean on that? Mayor Carroll said that meant that out of our 25 percent, 5 percent of it had to be cash. Commissioner Cole said if we had to pay out 25 percent, then the other... Mayor Carroll said the other 20 percent could be in-kind if we had the ability to provide that much in-kind, which we didn't. Commissioner Cole said if the community could, that could go for in-kind. Mayor Carroll said really the only in-kind the City had the ability to provide was land and right-of-way acquisition. Commissioner Cole said this project was a lot of money, \$50 million, and yet tonight and on other occasions we kept increasing one way or another our revenue because we needed it for the community. Maybe the community needed a flood control project. If there was a flood and major damage and no flood control, then that would be catastrophic. If we never needed it, then we had wasted our money. He was not for sure this evening that we needed to continue with the north part of the project. Mayor Carroll asked him if he felt we just needed it on the south side where he lived? Commissioner Cole said the south side was already started and it had gone far enough now where it probably needed to be completed. He didn't know. He did not know where the McKinley Channel was coming into all of this, or even if it was a connect between the North Channel and the South Channel. It was clear to him that if there wasn't a super majority from the Commission, then we only had to pay off the bond indebtedness of the flood control project based on what he'd heard tonight. Mayor Carroll said yes, and then next year we would need to come up with \$2.9 million in cash. Commissioner Cole asked how much longer this project would be going on and taxing the resources of the community? Mayor Carroll said it was about ten years for the entire project to be built, so there were about seven to eight years to go. A lot of that time frame was structured originally on the City's ability to come up with \$10 million. The project could have probably moved a lot

faster had the community had the ability to come up with our 25 percent sooner. That was why this funding mechanism was put into place to allow us to raise that money with this Gross Receipts Tax revenue over an extended period of time and still leave some money in that fund for ongoing maintenance operations in the City.

Mayor Pro-Tem Griggs clarified this was a quarter of one percent Gross Receipts Tax, which equaled approximately 25 cents per \$10 purchase. It was not a significant amount. Commissioner Cole agreed, but when you took all the other taxes and users fees, it was. Mayor Pro-Tem Griggs said it was not. Commissioner Cole said with the surcharge on the water right now, it was a significant amount to the members of our community. Mayor Pro-Tem Griggs said whether we did the flood control or not, the members of the community had asked us to make those decisions, we'd initiated it, and that was what the tax amount was. What they had brought to us was a mechanism in place or a way to take the flood control to the next level to where we can pay for it. Then what they'd said and what they'd shown was if we used the same debt service, we can also have another \$2.5 million to do capital projects that were in our ICIP that we would not be able to do without that. He wanted to be clear that everybody understood that, because if we didn't have it, we couldn't have those projects. Commissioner Cole said if we didn't have the flood control project, we could have done those. Mayor Pro-Tem Griggs said he didn't know that was correct, because he didn't know that we could have floated this bond for another reason. Mayor Carroll said we could have, but that was a decision by a previous Commission that decided it was a priority for our community. Had we not built a new City Hall, had we not built the Recreation Center, had we not built the Senior Center, we would have monies to do other things with, but those were decisions and priorities that were in place at the time. So to speculate on what we could have if we hadn't done anything for the last five or ten years, sure we'd have a lot more money but we would not have some of the facilities that we have in place now.

Mayor Carroll thanked Ms. Driesner for her presentation. He requested the Commission be given a refinancing scenario which raised the \$2.95 million and kept the debt service at the current level.

Commissioner Cooper said the last appreciable flood which hit the City of Alamogordo was in 1959 and was on the south side, and there was some damage. As a matter of fact, the Civic Center which use to be the National Guard Armory, according to the Corps of Engineers, should have been raised about three feet to take it up away from the flood. He lived on the north side and there were natural drains over there. He was on the north side, but obviously wasn't in a flood plain because he didn't have to have insurance. Mayor Carroll said there was a considerable number of houses on the north side of town that were in a flood plain. Commissioner Cooper said he didn't think so. Commissioner Moncada said FEMA maps would show it. Mayor Carroll said the City had the

latest flood control maps that controlled what was in a flood plain and what was not. Whether or not someone thought they were in a flood plain or not, the FEMA maps were what the insurance world used to make that determination.

Commissioner Cole asked what kind of information could be given to the Commissioners to study in case the super majority did not receive enough votes from the Commission to indicate what would happen? Mayor Carroll said nothing would happen. If we brought this up for a vote to refund these bonds and we didn't get six votes, then we didn't refund the bonds. But life went on just the way it was. There was no money saved, the tax continued in place, the debt service on these bonds continued in place, and we were short \$2.9 million for our obligation of the flood control project which was due next year.

Commissioner Robertson asked if it would be appropriate that we could put this off until the next meeting to where we could study it a little closer? Mayor Carroll said this was not an action item; it was a presentation. The action item would not happen until the August 27th meeting. Mr. McCourt said this would tell Ms. Driesner and staff to start getting the necessary documents ready for the Commission to review and look at approving. He wasn't sure what additional information the Commission would like us to get ready for them.

Commissioner Cole said if the Commission did not approve the refunding, what were the options that would have to be faced? Mayor Carroll said the option was the City had to come up with \$2.95 million next year to satisfy a signed contract we had with the Corps of Engineers for the flood control project. Mr. McCourt said he knew of no way. Commissioner Cole said an option could be presented of how to do that to the Commission. All these things placed in this proposal was based on one option that the Commission would refinance the Gross Receipts Tax for the flood control and the \$2.5 million for capital improvements. We had to pay the indebtedness for the flood control project, so what was the best way to do it without all the other. He was looking at the flood control project only. He did question this presentation tonight and what the Commission was to vote on, and that was why he was so interested in the super majority and what vote it would take for it not to pass. Mayor Carroll said it took two negative votes for it not to pass. Commissioner Cole said he was also concerned that the people of the community did not have the option of saying enough is enough on this, and the only way they would have was to elect new Commissioners who would see some way to try to bring it to a halt.

Commissioner Cooper said if we had these bonds out here and they could be retired in two to three years, wouldn't we be saving the interest if we could retire those bonds? Mayor Carroll said when the bonds were paid off, yes. Commissioner Cooper asked how many bonds we had that we could retire within the next year? Mayor Carroll said we couldn't retire any because the debt service we were paying was paying the interest and the principal on the bonds. Commissioner Cooper said in other words when we rolled all these bonds and

grouped them together, then they were all locked in. Mayor Carroll said when you refunded the bonds, you paid off some of the earlier ones and issued new ones, and you extended the time in which you were going to pay the bonds off. Commissioner Cooper said if we could retire some of the bonds earlier without having to refund... Mr. McCourt said even if the Commission decided they did not wish to raise any new capital for this or any other project, it would still make economic sense to refund these bonds at this time because you would still realize lower interest costs over the remaining life of the bonds by refinancing them at this time. So even if it was the Commission's decision not to use any of the proceeds for a new capital issue that you could use for other projects at \$2.5 million or if you didn't want to use any portion of it for the flood control district, it still made economic sense to refund the bonds just because you could get the money at a lower interest rate and save that money at this time. The bonds would not have to be extended.

Ms. Driesner said the extension would be from 2006 which was the current final maturity, four years from now, to 2008 or 2009 depending on what current market conditions were when we actually priced the bond issue. So the extension would be two to three years at the outside. The benefit of doing it was that you were working within the means and the revenues you currently had to provide the capital. If you had a \$2.9 million obligation and you didn't refund this particular bond issue, you would obviously need new revenues. This structure allowed you to do both of those things; realize savings and complete your obligations without increasing the amount of revenues that you currently obtained for capital projects. Commissioner Robertson asked about the \$30,000 per year savings. Ms. Driesner said the \$30,000 per year was the estimated savings on the 1996 refunding. Right now we were talking about the 1994 series of bonds which were currently callable. The savings on those would be about \$280,000 per year for the next four years. However, that was offset by the fact that you were extending maturity somewhat. Commissioner Robertson said, in other words, we'd be very foolish not to do this. Ms. Driesner said she wouldn't say they'd be foolish not to do it, but it was a very good opportunity for the City to realize an over \$75,000 savings in today's dollars to the City.

Commissioner Cole asked about the charts that extended the debt service to 2017? Ms. Driesner said that would be the payments that were due for the bonds that would be issued for the flood control project for the City's obligation over the next two years. Mr. McCourt said this presentation was prepared for the money for the flood control project and the \$2.5 million for other projects. Ms. Driesner said the Mayor had also asked for a scenario where we only issued enough for the flood control project. So the obligation being extended may be shorter than 2017.

### **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.

### **3. Minutes of Regular Meeting of June 25, 2002.**

Recommendation: Approve the minutes.

### **5. Standard Airport Lease Agreement with Rio Grande Air.**

Recommendation: Approve the Airport Lease Agreement.

### **8. Statement regarding the Executive Session of June 25, 2002.**

Recommendation: Approve the following statement and authorize it to be included in the minutes of June 25, 2002: "The Governing Body of the City of Alamogordo, New Mexico, hereby states that its regularly scheduled meeting of June 25, 2002 was adjourned into executive session and the matters discussed in the closed meeting were limited only to those specified in the motion for closure."

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

**Commissioner Cooper moved to accept items 3, 5, and 8 on the Consent Calendar. Seconded by Commissioner Robertson. All voted "aye". The motion carried by a vote of 7-0-0.**

## **CONTRACTS AND AGREEMENTS:**

### **4. Amendment to Employment Agreement with City Manager.**

Recommendation: Approve the amendments and direct staff to draw up Agreement for signature.

Mayor Carroll said the recommendation on this did not come from the City Manager, but came from him since he was the one who had submitted this for action. The proposed amendments included extending the term of the Employment Agreement until January 19, 2004, and also to increase the City's share of the retirement contribution from 12.15 percent to 15.15 percent.

Commissioner Cooper moved that we not extend the Contract. Seconded by Commissioner Robertson.

Commissioner Cole asked what exactly that meant? Commissioner Cooper said not to extend it. Commissioner Cole clarified it would expire in January 2003 then. Commissioner Robertson said yes.

Mayor Carroll called for the vote on the motion. Commissioner Cooper and Commissioner Robertson voted "aye". Mayor Carroll, Mayor Pro-Tem Griggs, Commissioner Moncada, Commissioner Easley, and Commissioner Cole voted "nay". The motion failed by a roll call vote of 2-5-0.

Commissioner Easley moved that we accept the Employment Agreement with the City Manager. Seconded by Commissioner Moncada.

Commissioner Cole asked how long of an extension this was? Mayor Carroll said one year. Commissioner Cole said his current Contract expired in January 2003, so this was a one-year extension.

Commissioner Cole said he would support this one-year extension, but he would like to mention four or five concerns he had which he had mentioned at previous Commission Meetings and also at budget workshops. First, he had reservations with adding six new staff members in this year's current budget when we had continually told the people of the community that there was not sufficient money for the City government. He also disagreed with the staff pattern changes, especially moving the current City Attorney to DPS and employing a new person in that position for here at the Administration building. That would cost us more money, and that was illustrated with the recent employment of the Overstreet firm for the litigation on Well No. 9. Second, was the street preventative maintenance program which we had not had. He knew the City Manager had put \$150,000 into that for this current year. He also knew that on the agenda this evening was the question of another Gross Receipts Tax increase. If he was correct, it would be one that did not have a sunset clause in it. He thought that was wrong for the people of the community. Third, was the current R.O. project. He thought there had been a slowness there, and he thought it needed to be addressed more aggressively. We needed to get a bond issue date set for a planned lease to own R.O. plant. Fourth, he had a concern with certain issues and how they had been handled from the City Manager's office via to the Commissioners and what had happened during the Commission meetings. One was the smoking issue, and the second was the alternate lifestyle in the Library display. His last concern was the current Golf Course condition and what had taken place there, especially what he had read on the golf barn and also phone calls he had received in recent days on the situation of reclaimed water at the Golf Course. Although he did support the City Manager, he did have strong concerns. One reason he was supporting a one-year extension was because it was suggested that there would be a two-year extension of the City Manager's Contract, and he had said he would not support a two-year extension. He would support a one-year extension, and he would make these recommendations for the Manager's consideration. He knew not all the Commission had his concerns.

Mayor Carroll called for the vote on the motion. Mayor Carroll, Mayor Pro-Tem Griggs, Commissioner Moncada, Commissioner Easley, and Commissioner Cole

voted "aye". Commissioner Cooper and Commissioner Robertson voted "nay". The motion carried by a roll call vote of 5-2-0.

## **ORDINANCES AND RESOLUTIONS:**

### **6. Ordinance No. 1155 adopting a Municipal Capital Outlay Gross Receipts Tax.**

Recommendation: Final adoption of the Ordinance.

Commissioner Robertson said he had this item earmarked for the street maintenance program, and he understood some of the Commissioners had changed their mind on this and weren't wanting to support it at this time. However, he wanted to bring to view that we already had a one-quarter of a percent Gross Receipts Tax for the street maintenance program which was issued in 1983. On three different occasions it was renewed for that intent. In 1998 so many things were added to it to use the money for, that here in the last few years there had been no money taken back to the street maintenance program. If we were not going to pass the quarter percent Gross Receipts Tax for our street maintenance program, we needed to look into and renew that Ordinance to get back the quarter percent which we already had for street maintenance and which it was originally put in for. It had gone for that for eight to ten years, and then all of a sudden they took it and used the money elsewhere.

Commissioner Robertson moved to pass the Gross Receipts Tax. Seconded by Mayor Pro-Tem Griggs.

Mayor Pro-Tem Griggs said if passed tonight, it would send this item to a vote of the people to accept it or not. Mayor Carroll said that was correct. Commissioner Cole clarified that if the people approved it, it would go on forever as there was no sunset clause. Mayor Carroll said that was correct.

Commissioner Cooper said this was a good idea and Commissioner Robertson was looking out for the health and welfare of the City and its citizens. However, under Section Four this was worded to say, "for construction, reconstruction or improvements of municipal streets, also alleys, roads, bridges, including acquisition to right-of-way". So the money would not go directly to street maintenance, but would cover all the rest of those items listed there. Mayor Carroll said the language used in Section Four was right out of the State Statute that authorized the tax. It was a common language used in these types of things.

Mayor Carroll said there were a lot of needs in the City. Should this tax pass, it could certainly be put to beneficial use. However, there were other things that this tax could also go to support. When we discussed this two meetings ago, there was not support. In fact, he believed three Commissioners spoke in opposition to it, and at least two voted not to even publish it the first time. It would

be very difficult indeed for the Commission to take this to a vote of the people if we weren't united on the need for it. His concern was that this particular Gross Receipts Tax had a sunset clause in our ability to enact it. If the Commission didn't agree that this was a project which needed to be done, he wasn't comfortable taking it to a vote of the people knowing that with a divided Commission in all likelihood it would fail and then it would make it much tougher for it to pass. He didn't think at this point the timing was right to take this particular item to a vote of the people. He did not intend to support this for final adoption.

Commissioner Cooper agreed because this quarter of a percent was it. We had no place else to go but to the voters. If we already had a quarter percent earmarked for this... Mayor Carroll said that was not correct. The original quarter percent had street maintenance and street lighting designated. Commissioner Robertson said it was 85 percent street maintenance and 15 percent street lighting. Mayor Carroll said the second time it was amended the percentages changed and there was something else added to it, and the third time it was changed to put in flood control and weed control. That was done as the needs and priorities changed of what that tax was imposed to do. In fact, that quarter percent did not exist out there by itself because it was part of what was being used to pay the flood control project. Commissioner Robertson said it was going to referendum next year, because that one could be taken to referendum next year. Mayor Carroll said it could not because it was pledged to bonds. Commissioner Robertson said according to the City Attorney it could go to referendum next year because it was up as of this next year. Mayor Carroll said there were two quarter percents which were used to pay off existing bonds; the '94 and '96 bonds. Both of those quarter percents were encumbered by those bonds, or pledged to those bonds.

Mayor Carroll called for the vote on the motion. Commissioner Robertson voted "aye". Mayor Carroll, Mayor Pro-Tem Griggs, Commissioner Moncada, Commissioner Easley, Commissioner Cooper, and Commissioner Cole voted "nay". The motion failed by a roll call vote of 6-1-0.

**7. Resolution No. 2002-23 authorizing the Mayor to execute a Membership Agreement with Southeastern New Mexico Economic Development District/Council of Governments (SNMEDD/COG).**

Recommendation: Approve the Resolution.

Commissioner Cole moved not to join this organization, and instead put the \$6,000 into street maintenance.

Mayor Carroll asked Commissioner Cole if he had any idea what the Southeastern New Mexico Economic Development District/Council of Governments was or what they did for the City? Commissioner Cole said from

what he read here, but he also had a pretty good idea of what our streets were like. He also realized that we only had \$150,000 for street maintenance for next year, and there were some places in the present budget which needed to be looked at before we gave the final approval at the next City Commission meeting and make the adjustments so there would be more money in street maintenance.

The motion died for lack of a second.

Commissioner Easley moved that we approve Resolution 2002-23 authorizing the Mayor to execute a Membership Agreement with the Southeastern New Mexico Economic Development District/Council of Governments. Seconded by Mayor Pro-Tem Griggs. Mayor Carroll, Mayor Pro-Tem Griggs, Commissioner Moncada, Commissioner Easley, and Commissioner Cooper voted "aye". Commissioner Cole and Commissioner Robertson voted "nay". The motion carried by a roll call vote of 5-2-0.

#### **OTHER BUSINESS:**

#### **9. Close out of PW Bid No. 2002-002, Otero/Lincoln County Regional Landfill Cell 3 Development.**

Recommendation: Close out the project.

Commissioner Moncada asked where Cell 3 development was? Mr. McCourt said this was a development at the regional landfill. As we filled up each of the sections, we had to develop a new section. We constantly were digging them out, laid a liner down on the ground, and then built on top of that with layers of dirt as we covered each layer of trash. This was the landfill on the way to El Paso.

Commissioner Cooper moved to close out PW Bid No. 2002-002, Otero/Lincoln County Regional Landfill Cell 3 Development. Seconded by Commissioner Moncada. All voted "aye". The motion carried by a vote of 7-0-0.

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

Community Development Advisory Committee. Three vacancies.

Airport Zoning Board. One vacancy.

Parks and Recreation Board. Two vacancies.

Planning and Zoning Commission. One vacancy.

Alamogordo Disability Council. Six vacancies.

Senior Volunteer Programs Advisory Council. One vacancy.

No appointments were made, and all remaining vacancies were rescheduled.

## **UNSCHEDULED COMMUNICATIONS:**

### **A. Questions from Mr. John Van Doren regarding the pipe railing along Pecan Drive; and signage along the Relief Route regarding hazardous materials.**

Mr. John Van Doren asked the logic and cost for putting the pipe railing down Pecan Drive? Second, whenever there was a bypass route around a community, they would have signs which stated "Truck Traffic/Local Delivery Only/HAZMAT Must Use". We were void of that, and everyone knew how he felt about the continuation of the number of trucks that were still using White Sands. He was worried one of these days we would be sorry that we didn't say "HAZMAT belongs out there", unless they were a local delivery.

Mayor Carroll said the Local Emergency Planning Committee was in the process of designating a hazardous cargo route and it would in fact be the Relief Route. There were certain requirements that had to be met and there were some hoops the City had to jump through to get that done, but they were in the process of doing that. The signage on the Relief Route had been discussed and did have a number of weaknesses to it. The Chamber of Commerce Transportation Committee, as well as our Engineering Department, had been working with the Highway Department to come up with the appropriate signage and to redo the signage on the Relief Route. He wasn't sure how soon that would happen, but that was in process. Mr. Van Doren said that was the same response that was given seven months ago. Mayor Carroll said the situation was still the same. Mr. Van Doren said that made him believe that someone was sitting back on their duff or something. Mayor Carroll said the Highway Department had limitations, and right now they had some financial limitations, but we would continue to proceed as rapidly as we were able to in order to address it. Mr. Van Doren said he just hoped it would be accomplished before some HAZMAT truck had an accident on Tenth and White Sands. Mayor Carroll said that could certainly happen, but it was much safer on White Sands Boulevard now than it was before the Relief Route was done. Mr. Van Doren said he was so anxious to get that Relief Route put in, and now that it was in it seemed ridiculous to have all this continuation of... Mayor Carroll said as far as the hazardous cargo route, he thought the Planning Committee was looking at the overall and not just the Relief Route. There were other streets in town that we may want to designate hazardous cargo routes at the same time. They were trying to address this as an overall package because it would take Commission action to designate them, and he believed it took State approval at some point in time to allow us to designate certain streets or not designate certain streets. Mr. Van Doren said he wanted to encourage whoever was responsible to press forward and press hard.

Mr. McCourt said regarding the railing on Pecan Drive, this formulated from citizen complaints in the area on people parking under the trees and in that immediate area and the need to protect the root structure of the trees. Parks and Recreation Manager Matt McNeile said it was initiated by the residents, and also the police had a problem with enforcing parking on one side of the street and not on the other. Mr. Van Doren said he probably used Pecan Drive more than any Police Officer, employee, or Commissioner because he lived right down there. He saw no cars ever parked on the west side of northbound Canal Street. There were never any cars parked there and the logic of it just escaped him, especially in June when the budget was really getting into a crunch. When he asked about the cost, he was told that it wasn't too much. In his personal budget, 25 cents could sometimes be too much because it was the pennies that added up to the dollars. So if we were out just spending "not too much", then that might be why in June we were in hurting status. Mr. McCourt said it was done as an in-house project and we'd used scrap materials to create the fences.

Mayor Carroll said that may not satisfy Mr. Van Doren, but did it answer his questions? Mr. Van Doren said not really on the logic. He saw four guys over there for better than two weeks working on it. That was not something trivial; it was some money. Whether we had the scrap pipe to do it with or not, he failed to see the logic when he traveled up and down the street. He was told that DPS asked for it to be put up so cars could park over there, but no cars were parking over there. So that blew their theory. Mayor Carroll thought when he would see the majority of the cars parked over there was when it came time for the trees to drop the pecans and people went and picked them. Mr. Van Doren said that may be true, but it was only for a brief period of time. He thought signage and enforcement of the signage would have been better.

## **B. Comments by several golfers regarding the dead fish in the ponds at the Golf Course.**

Mr. John Brown said there were a lot of complaints over the last couple of weeks on all the fish dying out at the Golf Course, and he wondered if anyone could tell him why. Mr. McCourt said he couldn't explain it this evening, but he did receive a report last week from the Golf Course Superintendent that there had been a fish kill and that he had cleaned it up. He had not received a subsequent report that the fish were continuing to die. He did understand that now as he'd received a report this evening when he returned to town.

Mr. John Garst said this time of year when the temperatures had been as hot as they were, there was generally a lack of oxygen.

Public Works Director Jose Miramontes said he and the Engineer had looked at the problem today. There was a definite problem with one of the ponds. It looked like there was a severe lack of oxygen and, yes, lots of fish had died. He then contacted our Waster Water Plant Manager, U.S. Filter, and he'd provided a

report which had been prepared back in 1995 after we had experienced a similar event. It appeared similar in nature, and at that time the State Fish and Game indicated that it was the extreme changes in temperature and the high temperatures that had caused the problem. They recommended that we not stock fish in those ponds.

Mr. McCourt said we had the surface aerators on some of the ponds, as well as bubbler aerators in one or two of the other ponds. He was informed this evening that there appeared to be some sort of a gas formation occurring in ponds that did not have any aerators in them. Mr. Miramontes said one of the ponds which appeared to be in the worst shape did in fact have one of the newer aerators, and it was working when they visited today.

Mr. Carlos Salas, U.S. Filter, said pond "D" appeared to be the one that had the most dead fish. It seemed to be the only pond that had the major fish kill. He was not aware of a major fish kill last week. Some of the other ponds seemed to only have six or seven dead fish on the sides of the pond, and many of those fish seemed to be very decayed and very old and had been there for quite some time. But today, pond "D" had between 200 to 1,000 dead fish. Preliminarily he felt it had to go back to the findings from that report he found today. If it had been some sort of a contaminated source from the Waste Water Plant, it would have gone to all the ponds. He hadn't had a chance to talk with the Golf Course Superintendent, but he would get with him tomorrow. He would also talk to Game and Fish and ask for some more information as to why they were dying. The report was pretty self-explanatory, and one of the key items in there as recommended by the Game and Fish Biologist was to remove the fish and that they shouldn't be in there because it wasn't a stable environment for fish. They did define a certain type of fish that probably could survive in there. It appeared that the fish that were dying now were gold fish.

Commissioner Robertson asked what time staff was out there today? Mr. Salas said about noon. Commissioner Robertson said he was out there about 9:00 a.m. and they were cleaning all the fish up. In fact, they had a big truck plum full of fish that they had taken out of most of those ponds. What did Mr. Salas attribute all the black sludge and slime which was causing the lack of air in there to? This had to be coming from the disposal plant. Mr. Salas said some of the debris was. Commissioner Robertson said it had not gotten to the first few holes, but it seemed to be working its way towards the other holes. What did he attribute all of the solid waste to that they were getting out there? Mr. Salas said it was no more solid waste now than it had been in the past. Commissioner Robertson asked why they'd ever had it, then? Mr. Salas said they would have suspended solids in the effluent, but it had always met the permit; it had never exceeded it. They would never get it out unless they had a very expensive filtration system. It was just suspended matter, but it met the permit.

Mr. McCourt said we had just put on another treatment system on our plant, and he understood that was designed to further clean up any reclaimed water before it was sent out. Mr. Salas said it was on line now. Mr. McCourt said that did remove additional solids from the wastewater stream. Mr. Salas said that was correct, and he was initially running the startup tests on it. Therefore, he did not have the numbers yet, but it was cleaning up the water better than what it was in the past.

Commissioner Robertson asked if the permit allowed us to spray this water all over our parks and recreation area with solids in it? Mr. Salas said yes; it was required that the City have this permit before it could be applied. Mayor Carroll clarified this was a State permit from EPA. Mr. Brown said that last week there was sludge floating on the top of the pond two inches thick.

Commissioner Cooper said he and Mr. Salas had visited on this before, and Mr. Salas had brought up that if the City hadn't brought up this additional treatment, that in the future, which was now, we would have more serious problems with those ponds. He appreciated everything Mr. Salas had helped him with out there.

Commissioner Easley thought people needed to pull back a little bit and realize that this was a phenomena that was occurring all over the Southwest right now with the temperatures and the drought. It was very common. It was a complex biological cycle. Commissioner Robertson disagreed. If you went out to Holloman AFB and looked into their ponds, you could see six foot down into the water. Commissioner Easley said if you went all over the Southwest, you would find ponds and lakes having the exact same problems. They had major fish kills, which came because of the cycle. It didn't happen to every pond, but it happened to a lot of ponds. There was a biological factor involved. He didn't know why we needed fish in our ponds anyway, but if we had fish, we were going to get some fish kills from time to time because it was a normal phenomena that occurred. It didn't mean that we were pumping rancid water into the ponds, but that the ponds were going through a normal biological cycle that they went through on a periodic basis. Those were the true scientific facts. He would go out and check the ponds tomorrow. It turned out what they called "sludge" may well be the algal bloom die-off.

Mr. Brown said he was not a fish lover, but he was just asking why the fish were dying. Another problem we were having was that we spent thousands of dollars per year on people repairing the effluent water piping system because the sludge was going through the piping system blocking it up and eating out most of the apparatus that put the water on the grass. That didn't have anything to do with the ponds; this came from the plant. Mayor Carroll said part of the problem was in the plant, but part of the problem was in deficiencies in the entire system. We did in fact have an engineering study done as to what it would take to make that system operate the way it should, and as he recalled, that cost was somewhere between \$7 and \$8 million. That would make the system operate the way it

should with additional covered holding ponds and a better looping system. We understood there were problems, and we were attempting to mitigate them the best we could. He did remember the fish kill from five or six years ago where it was as severe as it was this year. Mr. Brown recommended that every one of the Commissioners take a half hour and get on a golf cart and take a ride around the Golf Course because this was the No. 1 revenue producer for the City. It would behoove the Commission to go out there and take a look at what they had. He didn't think when they got done riding around that they would be very happy, especially if they could stand the smell. Mayor Carroll said he had been out and he had seen it. By and large he felt the Golf Course was in better shape than it had ever been in. Mr. Brown said up to a point he agreed. Mayor Carroll said obviously if we had the fish kill and the stench from the dead fish, then that was something that needed to be corrected as best they could. Mr. Brown said every day, every morning, the workers out there were repairing the sprinkling system because they were getting plugged up all the time. If the City could get the sprinkling system to work with decent water, those guys out there could make a very good course. Mayor Carroll said we'd just invested a half million dollars in additional treatment of the effluent. It was just basically now starting. It was on line but was undergoing testing to make sure it did in fact meet the specifications it was bid to. Part of the problems with the lines was the algae in the lines. First they needed to get the lines cleaned out and then get a higher quality effluent water in that would minimize that. If the lines weren't looped and they didn't have the flow through them, then that added to the problem. There were a number of problems which the City was aware of, but it became a challenge on how we solved them all.

Mr. Ron Whitely said he wished some of the Commissioners could sit in the audience and see how ridiculous they looked. Some Commissioners were asking questions which they thought they needed to get the answers to for their constituents, but some of the other Commissioners were sitting up there with smirks and looking at the audience. It didn't look very professional, nor did it look very professional when our Mayor turned to one of the Commissioners and said, "Well, you want it just because it's on your south side?". That wasn't a very professional way to act. Second, the Commission had just renewed the City Manager's contract. Why did it take other people to bring to his attention the things that he was supposed to be doing? The cart barn which was given to the City by Jesse Lane was in disrepair. The letters were falling down on it, but who brought it to his attention? Certainly not him. We (the golfers) brought it to his attention. Regarding the fish kill, did each pond have to have a certain number of fish to die? Maybe one pond had more than the other. There was a puddle of water right next to fairway No. 10, it was black, and it stunk to high heaven. These were the things the City Manager was responsible for. He didn't know why they weren't being done. Our so-called experts were giving out a bunch of bull and not saying what was really going on out there. They were giving their opinions when they didn't even come out to the Golf Course.

Mr. Ed Kimber said what Commissioner Easley was talking about on ponds was not what was going on out at the Golf Course. Please go out and look. He had called EPA who said it was not their problem, and they told him to call Code Enforcement. He called Code Enforcement and got the run around and knew they weren't going to do anything. Did they report to the City Manager that a complaint about the fish kill had been submitted on June 28th? Mr. McCourt said the Golf Course Superintendent, Doc Carmichael, had reported to him last week. Mr. Kimber said he wasn't Code Enforcement. Mr. McCourt said he didn't believe Code Enforcement had informed him. Mr. Kimber said at least Mr. Carmichael informed him. Did Code Enforcement report to him also? Mr. McCourt said Code Enforcement went through the City Engineer, but ultimately they did report to him. Mr. Kimber said he should have known about this at least two weeks ago. Were people keeping stuff from him? Mr. McCourt thought people reacted and responded to situations, and he would expect City staff to react and respond and do their best to correct the problems to the best of their ability. When it went beyond their ability, they tended to bring them up the chain of command and get them to him. Mr. Kimber said it needed to go a little bit quicker because fish were being killed off at least since the 28th. He counted three truck loads of fish going out today, and they'd been pulling them out ever since the 30th. If U.S. Filter said they didn't discharge anything, they were lying through their teeth.

Mr. Isaiah Scott asked what the health hazards were that this was producing for those people that were smelling this, and when had it been evaluated by the health authorities? Mayor Carroll believed the State did in fact regulate the amount of solids that could be in effluent water and still be used. As was reported, we met those standards and from that he could only surmise that the potential health hazard from the solids in there had been addressed and an acceptable and safe level had been established.

**C. Comments by City Manager regarding water update; and Washington, D.C. trip regarding the R.O. project.**

Mr. McCourt said the daily water report indicated that the reservoirs were at 57.1 percent of total capacity. The Bonito line was not flowing as of this time and was still out of commission from a previous break. He'd received a report indicating the total amount of reduced water usage in June compared with June of last year, and it was 28,815,400 gallons, and for May it was 30,700,500. It was approximately 59 million gallons of water less that we'd used during those two months. Without that, our reservoir levels would be down at approximately 42 million gallons of water. The citizens of the community needed to be congratulated on conserving that water. Without that, there would be little hope that we would make it through the summer with an adequate supply to take care of even our basic needs.

Mr. McCourt said he, Mayor Carroll, and Mayor Pro-Tem Griggs did get back from Washington, D.C. today. They'd met with the Bureau of Reclamation staff,

met with Congressman Skeen's staff and with Senator Domenici and his staff on Monday afternoon, and then later met with staff from Senator Bingaman's office. They'd discussed the current R.O. project, where the funding was at, and what steps would be necessary to coordinate that and to get the funding for the project. It seemed extremely good to get the million dollars as of the new fiscal year that would allow us to continue with the NEPA study, permitting costs, etc. It appeared to be in very good shape. There were some technical questions on how to do the funding and the matching share for the construction portion of the project. One of the questions which had been raised was that we needed to make sure that the project wasn't delayed by the funding stream not being available when we finished getting the appropriations through the State Engineer's Office. As might be expected, there were concerns expressed at the Federal level that they were in deficits at this time and getting projects was not quite as easy as they'd hoped it would be, but they were all very supportive of our project.

#### **D. Thanks given to those involved with 4th of July Parade.**

Commissioner Easley commended Commissioner Cooper for working so hard on the 4th of July Parade. He thought the parade was excellent and very large this year. He wanted to thank him personally for all the effort he expended on putting the parade together for us. Commissioner Cooper said he appreciated it; it was a joint effort. They also had a great time in the park. There were some heavy hitters as far as the politicians were concerned. Bill Richardson, Steve Pearce, John Arthur Smith, and some running for the Public Regulation Commission were here. He appreciated them for showing up. Without the cooperation of the Parks and Recreation Department, DPS, and others, this could not have happened.

#### **E. Commissioner Cole's planned absence from July 23rd Commission Meeting.**

**Commissioner Cole said he would be absent from the next City Commission Meeting.**

#### **F. Comments by Mayor Pro-Tem Griggs regarding effluent water and golf course ponds.**

Mayor Pro-Tem Griggs said one of the things that may have some impact on the reclaimed water situation was that the contract for U.S. Filter was up for review. The evaluations and the recommendation hadn't come to the City Commission yet on who the contractor would be, but that was about to happen. If it was somebody else, maybe they would have a different understanding of that sort of water and maybe they'd have other thoughts or things they could do to make the situation better. He was driving home the other night and it did smell pretty bad. Hopefully we would get an improvement in the water smell and quality if possible.

**G. Comments by Mayor Carroll regarding 4th of July Parade; fireworks display; Washington, D.C. trip; and plaque received from the German Air Force Chief of Staff.**

Mayor Carroll said regarding the 4th of July Parade, he wanted to also recognize Susan Flores who did quite a bit of work on it as well.

Mayor Carroll said we had an excellent fireworks display at the Space Hall Museum. While we did have a few violations of the fireworks Ordinance, the vast majority of the people who did choose to celebrate with fireworks did in fact exercise caution and restraint. Even though we did have some complaints and issued some citations, we had no fires caused by fireworks. That spoke well for the responsibility of our citizens.

Mayor Carroll said the City Manager had already reported on the Washington trip. He was most encouraged. All of our Congressional delegation was very supportive of our R.O. efforts and would do what they could to help us obtain Federal matching funds for the project. The more Federal monies we were able to get for the project would obviously cut down on the amount of money we had to get from the rate payers or the citizens of Alamogordo. We were actively pursuing as much Federal Grant money as we possibly could to help us with this project.

Mayor Carroll said two weeks ago he had visited with the Chief of Staff of the German Air Force, Lt. Gen. Bach, who was here for an inspection tour at Holloman. He was most appreciative and most complementary to our community on the way that the members of the German Air Force and their families had been accepted and integrated into the community. He assured Lt. Gen. Bach that relationship was a two-way street, and we were happy to have the members of the German Air Force in our community, and that the good relationship would continue. Lt. Gen. Bach had also presented to him, for the City, a plaque which read, "Presented the 26th of June, 2002, to the City of Alamogordo", with the German Air Force logo. We would display this plaque here in City Hall.

Commissioner Cooper moved to adjourn. Seconded by Mayor Pro-Tem Griggs. All voted "aye". The motion carried by a vote of 7-0-0. The Meeting was adjourned at 9:40 p.m.

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**Mayor Donald E. Carroll**

**ATTEST:**

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City Clerk Angie J. Rahn

(SEAL)

(Prepared by Chief Deputy Clerk Teresa Y. Gutierrez)

Approved at the City Commission Regular Meeting of July 23, 2002.



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