

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
MUNICIPAL BUILDING, 1376 E. NINTH STREET
7:30 P.M., COMMISSION CHAMBERS
JANUARY 27, 2004**

**MAYOR DON CARROLL
MAYOR PRO-TEM RON GRIGGS
COMMISSIONER INEZ MONCADA
COMMISSIONER DON COOPER
COMMISSIONER ED COLE**

**COMMISSIONER JOHN ROBERTSON
COMMISSIONER MARION LEDFORD
CITY MANAGER PAT McCOURT
CITY ATTORNEY KEN McDANIEL
CITY CLERK ANGIE RAHN-BROYLES**

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

The Meeting was called to order at 7:30 p.m. The Reverend Richard Hicks gave the Invocation, and Commissioner Moncada led the Pledge of Allegiance.

PRESENTATIONS:

1. Presentation of Certificate of Achievement from the Local Government Division of the Department of Finance and Administration (DFA) for the Annual Budget Award for Fiscal year 2003-2004.

Mayor Carroll presented the Certificate of Achievement from the Local Government Division of the Department of Finance and Administration (DFA) for the Annual Budget Award for Fiscal year 2003-2004 to Finance Director LeeAnn Nichols. Mayor Carroll also recognized Margie Gary, Virgie Romine, Lisa Gonzales, Brandy Frasco, Directors, and Department Staff for their joint effort and hard work.

Mr. McCourt added that the staff has won this award eight years in a row. Mayor Carroll also noted there are 102 municipalities and not all are given this award.

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.

Item Numbers 4 and 8b were removed from the Consent Calendar.

It was noted that 8b was not on the Consent Calendar; however, Commissioner Robertson stated 8b on his agenda was on the Consent Calendar.

2. Minutes of Regular Meeting of January 13, 2004

Recommendations: Approve the minutes.

ORDINANCES AND RESOLUTIONS:

5. Resolution No. 2004-02 listing the candidates for office, designating the polling places, and appointing the Precinct Board Members for the March 2, 2004 Regular Election.

Recommendation: *Approve the Resolution. [Roll Call Vote Required]*

OTHER BUSINESS:

6. Annual Reports from City Boards, Commissions, and Committees for 2003.

Recommendation: *Accept the reports.*

7. Budget Planning Calendar for fiscal year 2004-2005 Municipal Budget.

Recommendation: *Approve the calendar.*

8. Award of Bids and RFP's.

a) Bid No. 2004-02, Hot Mix for the Public Works/Street Department.

Recommendation: Award to Mesa Verde Enterprises, Inc. for an estimated amount of \$67,685.30.

c) RFP No. 2004-002, Collection Services for Municipal Court, Utility Billing, and miscellaneous receivables.

Recommendation: Award to Automated Recovery Systems, Inc., for a 33% contingency fee on all accounts collected, and with a "No Collection, No Charge" statement.

9. Project Close-Outs:

a) PW Bid No. 2003-001, 2001 CDBG & NMED SAP at Alta Vista PHA Complex.

Recommendation: Close out the project.

b) PW Bid No. 2003-002, 2002 CDBG Water Meter Installation at Plaza Hacienda PHA Complex.

Recommendation: Close out the project.

Commissioner Cooper moved to approve the Consent Calendar including Item Numbers 2, 5, 6, 7, 8a, 8c, 9a, and 9b, seconded by Mayor Pro-Tem Griggs. All voted "aye." Motion carried by a roll call vote of 7-0-0.

PLANNING ITEMS:

3. Consideration of Ordinance 1195 for rezoning to District "C" (Multi-family Dwelling) requested by N², Inc. [Case Z-03-0627(A), S. Florida Avenue]

Recommendation: Approve Case Z-03-0627(A) to amend the official zoning map of the City of Alamogordo, to change the zoning of subject property to District "C", to amend the master plan to reflect the change, and to approve the ordinance on such for final publication. [Roll Call Vote Required]

Commissioner Cole made a motion to approve rezoning request, seconded by Commissioner Robertson. All voted "aye." Motion carried by a roll call vote 7-0-0.

4. Consideration of the final plat of HERMOSA EL SOL for eighty-four (84) lots located within the City of Alamogordo, for N², Inc. [Case S-03-0806(A), 1400 block S. Florida Avenue]

Recommendation: Approve the final plat of HERMOSA EL SOL SUBDIVISION, Case S-03-0806(A), located within the City of Alamogordo, with variances on the installation and construction of alleys and with a Subdivider's Contract.

Mayor Carroll said he had asked to have this item taken off the Consent Calendar due to the uniqueness of the issue. He stated that the City would require .7855 acres of public land for dedication and there was only 3.55 acres included in the plat. Mr. Nelson is working closely with staff to add a neighborhood park to this area, with the idea of having a sand surface playground area, benches, and trash receptacles. Mr. Nelson is not only willing to donate the land but also to help pay the costs toward the park. Mayor Carroll added that the benefit of having land and money donated for a park would be far more beneficial in lieu of the acres that the City would have received. He also noted this might be an area where the developer would be willing to fund some of the improvements for parkland.

Commissioner Robertson asked what the developer was willing to donate for the cost of this project. Mayor Carroll replied up to \$15,000 and most likely matching funds from the City. As the project moves forward, Community Development shall have a better idea of the plans and the costs involved.

Mr. McCourt stated that he and Mr. McNeile, Director of Community Services had met to address the additional funding. They believe the City is not in any position to commit to fund any additional amounts at this time; however, the other alternative would be to add some park equipment to the area.

Commissioner Cole asked if the developer would withdraw his \$15,000.00 offer if the City could not match the \$15,000.00. Mayor Carroll said the City would probably equip the park with less equipment.

Mayor Pro-Tem Griggs made a motion to approve the final plat of Hermosa El Sol subdivision with variances on installation and construction of alleys and with subdividers contract, seconded by Commissioner Cooper. All voted "aye." Motion carried by a vote of 7-0-0.

8b). PW Bid No. 2003-015, Walker Field Girls Softball Field Lighting.

Recommendation: Award to Zuni Electric Inc. in the amount of \$314,870.00 (includes NMGRT) Option No.1.

Mayor Carroll stated this was one of the projects selected for field lighting improvements. The \$175,000.00 that was originally estimated was based on Texas/NM Power Company when they were installing field lighting. They have since stopped installing field lighting, which means the bids are considerably higher now than before. Under Option 1, the City would need to allocate an additional \$174,368.00 for the lighting of the four fields. This money would come from the facility improvement line item in the budget. It would leave the City with a balance of a million

and fifty thousand dollars in the line item. The other options to look at are less cost effective and would not get the job thoroughly completed. Mayor Carroll stated his recommendation would be to utilize Option 1 and award the bid.

Commissioner Robertson questioned at what meeting the \$175,000.00 was allocated for this project. Mayor Carroll replied when they had the discussion on the refunding of the bond. It was discussed that part of the funds would go for flood control and the other part for Quality of Life issues. Commissioner Robertson said there were four items that were mandatory on the list and the field lighting was set aside. He also stated they never appropriated any funds for that project.

Mr. McGuire stated that the minutes from September 10, 2002 did state that there was discussion on the lighting at Hooser Field. He also stated that Commissioner Cole wanted to make sure the lights at Hooser Field were one of the first projects to be done. It was also mentioned that staff did list the amount of \$314,870.00 at one of the presentations.

Ms. Nichols stated \$175,000.00 was the original amount that was set aside for the Hoosier/Walker field improvements. The Commission was very specific in regards to keeping track of this allocation and any money that was moved around. Ms. Nichols stated she has the exact transactions that took place and how the money was moved around.

Mr. McCourt read the list and stated what each amount was for. A street sweeper purchase \$123,000.00 set aside, the cost of that was \$109,287.00 the remainder of the \$13,713.00 was moved back to the catchall line item. The Commission also approved \$100,000.00, which was set-aside for the Golf Course Committee for the design of the new golf course, which was completed on January 14, 2003. Thirty thousand dollars for the golf course water storage improvement that was approved by the Commission on February 11, 2003. Seventy-five thousand dollars went for the water tower that was completed April of 2003. Six hundred twenty-four dollars was moved to the water storage improvement at the golf course, which was done on February 25, 2003 and the balance from the interested earned was \$41,591.00. The request tonight would be to take \$174,368.00 from the catchall line item and move it into the field item, leaving a balance of \$1,048,857.00.

Commissioner Cole agreed with Mr. McCourt's figures and stated that the Commission did approve \$175,000.00 and found no controversy. Discussion continued and Mayor Carroll pointed out that the lights at the fields are old, dangerous, and a safety hazard.

Commissioner Cooper moved to award PW Bid 2003-015 in the amount of \$314,870.00. Seconded by Commissioner Moncada. Six voted "aye." Motion carried by a vote of 6-1-0 (Commissioner Robertson voted "nay")

10. Appointments to Boards and Committees:

No appointments made. All remaining vacancies were rescheduled.

UNSCHEDULED COMMUNICATIONS:

A) Comments by Mr. Paul Banse regarding the water situation:

Mr. Banse voiced his concerns regarding the water situation and more homes being built in the community. The water restrictions are becoming more restrictive and yet the community is

seeing more homes being built. What other solutions does the City have other than the RO plant, which is years away from being built?

Mayor Carroll added that approving a subdivision does not necessarily mean the developer will be building immediately. Yes, water is an issue; however, people who own land do have the right to build on their land. He also explained that the housing industry is one of the leading economic drivers in the community.

Mr. Banse asked if the City had a plan. Mayor Carroll stated the City does not have a plan; however, new homes do not necessarily mean increased population. People are moving up into newer homes due to the economy. The discussion continued.

Mayor Pro-Tem Griggs reiterated that people are purchasing larger homes due to the market, low interest rates, and the economy. He also stated that the largest employer in the private sector of our community is the contractor business and people would be unemployed if we were to stop building houses. Mayor Pro-Tem Griggs pointed out that the City does have a way to control construction through the building permits that are given out. Mr. Banse asked if there was a determine point. Mayor Pro-Tem Griggs stated there is not a determine point at this time.

B) Comments by Mr. Vann Myrick:

Mr. Vann Myrick, President of the Girls Slow Pitch Softball, thanked the Commission for passing the bid and asked when the bid on the lights at the girl's softball fields would be awarded. Mr. McGuire replied that it would be awarded this week and they hoped to have the project completed before the start of softball season.

C) Comments by Mr. Pat McCourt regarding:

1. Water report - Mr. McCourt commented that the water report is better than two weeks ago and they are ahead of schedule on the reservoir. There was recent snowfall in the mountains and about nineteen inches of new snow at Ski Apache. The good news is that when the snow melts it will end up in Bonito Lake. The surface flows are helping to bring up the reservoirs. We have cut back on the pumping of the wells for water conservation. Mayor Pro-Tem Griggs asked what the status was of the Prather Wells. Mr. McCourt replied that the Prather Wells are running and according to the recent Water Report at a half million; whereas, the last report showed it at a million gallons a day. Mr. McGuire pointed out that the south well was running into some problems with cavitation and expects to have the problem remedied by the end of the week so the pump should be back on line thereafter.

2. Mr. McCourt mentioned he will be out of town on Thursday attending a meeting in Santa Fe and Mr. McNeile will be in charge.

D) Comments by Mayor Carroll regarding:

1. Mayor Carroll informed the Commission that the Ambulance Committee met and approved to extend the ambulance contract an additional year with no change in the rates. The contract will be considered by the City Commission as soon as all the required paperwork is sent over by the County.

2. Dispatch Operation at DPS – The cost for dispatching this year would be between \$156,000.00 and \$160,000.00. This amount is shared between the City, the County, and Tularosa. Last year the cost for dispatching was \$180,840.00 which included one time capital outlay.

3. Southern New Mexico Economic Development District (SNMEDD) Mayor Carroll was elected as Vice President, and was appointed to the position of Vice President of the District for a year.
4. Mayor Carroll reminded the Commission of Municipal Day on February 5.
5. Mayor Carroll and the City Manager met with Representative Foley in Santa Fe last week to discuss the City's water project.

Commissioner Cooper moved to adjourn the meeting, seconded by Mayor Pro-Tem Griggs. All voted "aye." Meeting adjourned at 8:25 p.m.

"The Governing Body of the City of Alamogordo, New Mexico, hereby states that its specially scheduled closed meeting of January 27, 2004 at 6:00 p.m. was held and matters discussed in the closed meeting were limited only to those specified in the Notice of Closed Meeting."

/s/ Donald E. Carroll

Mayor Donald E. Carroll

ATTEST:

/s/ Angie J. Rahn-Broyles

City Clerk Angie J. Rahn-Broyles
(SEAL)

(Prepared by Deputy City Clerk Karen H. Groves)

Approved at the City Commission Regular Meeting of February 10, 2004