

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION REGULAR MEETING MINUTES
7:30 P.M., COMMISSION CHAMBERS
MARCH 14, 2006**

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

**COMMISSIONER MARION LEDFORD
COMMISSIONER-ELECT CHRIS LUJAN
COMMISSIONER-ELECT STEVE BROCKETT
CITY MANAGER PAT McCOURT
CITY ATTORNEY KEN McDANIEL
CITY CLERK ANGIE RAHN-BROYLES**

Call Meeting to Order and Roll Call.

The meeting was called to order at 7:30 p.m., and all of the members of the Commission were present. The Invocation was given by City Commissioner Ed Cole, and the Pledge of Allegiance was led by City Commissioner Inez Moncada.

1. Presentation of plaques to outgoing City Commissioners.

Mayor Don Carroll presented plaques to outgoing City Commissioners John Robertson and Don Cooper in recognition of and appreciation for their dedicated service to the community.

2. Swearing in of the newly elected City Commissioners.

The Honorable Richard Stokely conducted the official swearing in of Commissioners Elect Chris Lujan and Steve Brockett as the newly elected City Commissioners. He also conducted the official swearing in of returning City Commissioner Ed Cole.

[A break was taken at 7:38 p.m., and the meeting reconvened at 7:44 p.m.]

3. Reorganization of the City Commission.

Mayor Don Carroll explained that as required by the City Charter, following an election the Commission reorganizes and selects individuals to serve as Mayor and Mayor Pro-Tem until the next election. He opened the floor for nominations.

Commissioner Ed Cole nominated Mayor Don Carroll to continue as Mayor. All voted "aye". The nomination passed by a vote of 7-0-0.

Mayor Carroll thanked the Commission and expressed his appreciation for the confidence of his fellow Commissioners.

Commissioner Inez Moncada nominated Mayor Pro-Tem Ron Griggs to continue as Mayor Pro-Tem. All voted "aye". The nomination passed by a vote of 7-0-0.

Mayor Pro-Tem Ron Griggs thanked Commissioners Cooper and Robertson for their service to the City.

City Manager Pat McCourt introduced the new department head over the Community Development Division, Arthur Alterson. Mayor Don Carroll welcomed him to the City of Alamogordo on behalf of the Commission. City Manager McCourt also acknowledged Mr. Sedrick Martin a guest in the audience who is an exchange student from Belgium.

PRESENTATIONS:

4. Presentation by Mrs. Connie Scroggins regarding the "Wall of Honor" at the Sgt. Willie Estrada Memorial Civic Center.

Mrs. Connie Scroggins made a presentation regarding the "Wall of Honor" at the Sgt. Willie Estrada Memorial Civic Center. She said that she worked very hard to get the Civic Center dedicated in memory of her brother, and what she was told at the time was that other military men and women who lost their lives in service to the United States would also be honored. She said it was never mentioned that non-military individuals would be honored in the same way. She acknowledged that the non-military people may very well be deserving of the honor, but she feels that it should be done at a different location. She expressed her hope that the Sgt. Willie Estrada Memorial Civic Center would be a place to honor military men and women who lost their lives for this Country. Also, the plaques are ready to be put at the Civic Center for all branches of the service, and they are waiting for approval. She has the names of ten young men who gave their lives for the United States so that we could all be free.

Mayor Don Carroll explained that at the time the discussion was held regarding the naming of the Civic Center it was discussed that it would be an appropriate place to honor other military veterans; however, there was never a limitation that it would only be for members of the military who had lost their lives. Provisions were certainly going to be made to honor those individuals, but discussions were also held at that time regarding honoring other members of the community who have served perhaps not having lost their lives in military service but who may have served in the military and in the community in other ways. Dr. Townsend, who is the official historian for the City of Alamogordo, has been asked to put together a committee to make some recommendations to the City Commission on how a process might be set up to honor not only military heroes but others who have contributed over the years to the City. No recommendations have been made yet so no final decision has been made as to exactly how the recognition will be set up and what criteria will be established. He did assure Mrs. Scroggins that whatever is set up to recognize individuals, it will in no way diminish the honor to Sgt. Willie Estrada. He would continue to be honored there as well as others from Alamogordo who have died in service to the United States, but also if appropriate other people who have contributed to the defense of the nation and made significant contributions to the community.

Mrs. Scroggins said that she understood those things, but she feels that the Civic Center was specifically for military men and women who gave their lives for this Country. In the dictionary it says memorial is for, "men that died in the wars."

Commissioner Moncada suggested that perhaps Founder's Park could be considered as a location for honoring non-military individuals and maybe even City Hall. Then perhaps the Civic Center could be restricted, as Mrs. Scroggins has suggested.

Mayor Carroll said that again he didn't think there was any commitment on the part of the City to limit the Civic Center to either Sgt. Estrada or only members of the military. The original request was that a street be named after Sgt. Estrada, and that has certainly been expanded upon by naming the Civic Center in his honor. While it may be that there are other places that would be appropriate for other recognition, if they are going to be scattered all over town, the effectiveness of what is being done may be lost. Founder's Park has up until now been set aside for recognizing the founders of the community and various groups who have played a major role in the founding of the community.

Mrs. Scroggins said that while others certainly should be honored, she does not feel it should be in the same place as individuals who have given their lives for this Country.

Peter Estrada read that "Mayor Don Carroll suggested naming the Civic Center in honor of Estrada and recognizing other members of the military on the inside of the building. The concept would be similar to the Hall of Honor idea brought up by Mayor Pro-Tem Ron Griggs at a prior meeting." He went on to say that military and civilian lives are very different, and questioned why the Commission would want to mix those individuals in recognizing their service.

Commissioner Moncada asked when Dr. Townsend has his regular meetings. City Manager Pat McCourt said that there had been two meetings to the best of his knowledge, but he was not sure when the next one was to take place. He will get that information and give it to the Commissioners. Commissioner Moncada suggested that perhaps the Estradas could be made a part of that. Mayor Carroll emphasized that the committee was set up to make recommendations to the Commission on how this can be done on an ongoing basis and to ensure that whatever criteria is set up it is fair and followed by future commissions in an attempt to take the process out of the political realm as much as possible. Commissioner Moncada suggested that Mrs. Scroggins be given the date of Dr. Townsend's next meeting so that she could attend.

Ms. Ruth Coughlin said that in his talk on November 11th Mayor Carroll had no objections to naming the building the Sgt. Willie Estrada Memorial and to at the same time be able to recognize other military members of the community who have given their lives as well. She went on to talk about how General Eisenhower refused the metal of honor stating that it should be reserved for military who put their lives on the front lines. She feels that the plaques on the Sgt. Willie Estrada Memorial should be reserved in the same way. Mayor Carroll said that he really did not want to get into a long discussion, but that he understood her to be saying that unless someone died in combat they should not be recognized in that building.

Ms. Coughlin said that is not what she said. She said putting their lives on the line but not necessarily giving their lives. Mayor Carroll said that there are people in the community who served in the military who may or may not have been in combat but may have also done a great deal for the community. Mayor Carroll said this is again why the committee has been organized to establish criteria for recognition.

Commissioner Lujan pointed out that there are officers in the community who have not served in the military who put their lives on the front line every single day. Mrs. Coughlin said that is not the same as the front lines of a war.

Mayor Carroll said this is not the proper venue in which to enter into this discussion. A public meeting will be set up to address these issues. Ms. Coughlin said again that she agreed with General Eisenhower that certain things belong to the military and only those who have served know what it is like to be on the front lines. She said that Mayor Carroll said he himself did not deserve to be honored on that Wall of Honor even though he had been in the military because he had not been on the front lines. Mayor Carroll made the point again that these issues are why criteria are being established as to what and who is deserving of recognition.

Peter Estrada said that he realizes there are a lot of people who are worthy of being on a Wall of Honor, both civilian and military, and that there are many who have been in the service for 30 years and who have served their country well though perhaps not on the front lines. However, he does not feel that people who have never served in the military should be honored at the Civic Center.

Mayor Carroll reiterated that this is why a committee is being established. Mr. Estrada said he would be glad to serve on the Committee with Dr. Townsend, and Mayor Carroll said that he was sure Dr. Townsend would be glad to have him.

Maxine Estrada said that Willie was her oldest brother, and she wanted to ask everyone if they had lost a brother or a son in the war and if they know how it feels. Mayor Carroll said that he had not. Ms. Estrada said her sister had worked very hard to give her brother the honor he deserves. Yes, honor the other men and women but in a place that is appropriate, which should not be the Civic Center.

Mayor Pro-Tem Ron Griggs said that for the last several years he has been talking about places to honor those individuals who have made accomplishments for the City of Alamogordo. He didn't

focus on any one individual or any one group of individuals, but he believes that the goals in mind can be accomplished at the Civic Center. He acknowledged that though the Estrada family members do not think that is a good idea, the main reason that Dr. Townsend is working on this particular issue is to come up with criteria and a way to decide who should be recognized. That recognition never diminishes the contribution of any single individual who is recognized. There are no criteria at the moment, and there is no selection process by which anyone might be honored. Those things haven't been decided, and that is part of what the committee is addressing so that the City Commission and members of the community can then discuss it. That process is coming, and those discussions need to take place. It is important for the history of the community to recognize not only those who have died in wars but others like Howard Walker who served as a principle at Sierra Elementary School for many years and affected many children's lives. Individuals like that should be recognized as well as people like Willie Estrada and others. They are all a part of the community and have played a large part in it. These are people that made the town a community. Mayor Pro-Tem Griggs said that the committee needs to finish its work before these issues are debated.

Barbara Black, the niece of Willie Estrada, recalled the night that it was decided to have the Memorial set up at the Civic Center. There was debate as to whether honoring her Uncle was appropriate. There was discussion that not only he would be honored but all branches of the military would be honored. Honoring civilians at that location, however, was never discussed. Mayor Carroll said that nothing has changed. Ms. Black said she agreed that those who have served the community should be recognized, but she also feels that the military is distinct and should be honored as such. The Memorial of the Civic Center was appointed for the military just as Founder's Park is for the founders of the community. Ms. Black asked why the Estrada family was not contacted regarding being part of the committee as they were the ones who fought so hard for the Memorial to begin with.

Ms. Virginia Estrada said that her husband, Peter Estrada, has given his life for the youth of Alamogordo, and she wanted to point out that if he has volunteered to be a part of the committee headed up by Dr. Townsend he should be included in that.

Mr. Ernesto Hill said he served on Omaha Beach in World War II in 1944, and he was wounded during that experience. He said he thinks of himself as a civilian, but there are no ex-Marines. He feels that he is not an ex-soldier. He is a soldier and always will be. He would like the City Commission to recognize those who gave their lives in any war.

Commissioner Cole said that in re-reading the minutes from the first two meetings of the committee they have wrestled with many of the same issues that are being discussed. In paragraph four of the February 17th meeting minutes they talked about the Wall of Honor. "The committee could, if requested by the City Commission, also be asked to evaluate and make recommendations for other designations such as the naming of buildings, parks and other honors for people of the community." Commissioner Cole said he is trying to simply reflect that they are discussing these things. He suggested that the committee continue their discussions and then bring their recommendations to the Commission so that a decision can be made.

Mayor Carroll said that the differing opinions on what is suitable and what is not coupled with not having any established criteria are the very reasons that the committee was established. No final decisions have been reached, and an attempt will be made to satisfy as many people in the community as possible.

City Manager McCourt asked that the names and addresses of those who would like to be notified as to when the committee is meeting be collected so that a notice can be sent to them.

PUBLIC HEARINGS:

5. Ordinance No. 1263 approving a project in accordance with the Alamogordo Economic Development Strategic Plan: Project BELL.

Recommendation: Approve the ordinance for final adoption.

Mayor Carroll explained that this is a public hearing to consider the economic incentive for Project BELL, which has now been identified as PreCheck. He asked if anyone had comments on the proposed plan for the City to offer an economic incentive to PreCheck to locate a business operation in Alamogordo.

City Manager McCourt explained that PreCheck is a company that does background investigations on potential employees particularly in the medical profession. They currently have an office in Houston, Texas, and one of the factors that influenced them to seek out a community and ultimately Alamogordo was the hurricane last year that approached Houston and the realization that their operations could be halted in the event of such a disaster. The governor has also stepped forward to keep Alamogordo on a competitive basis with other communities in the State of New Mexico and has put in \$1.5 million for infrastructure development. Two hundred jobs will be created over the next couple of years with an average wage of approximately \$13/hour. This appears to be a good match for the community, and because they will hire essentially local people, better paying jobs will be provided for the local population.

Commissioner Cole moved to approve Ordinance No. 1263 for final adoption. Seconded by Mayor Pro-Tem Griggs. Mayor Don Carroll, Mayor Pro-Tem Ron Griggs, Commissioner Inez Moncada, Commissioner Ed Cole, Commissioner Marion Ledford, Commission Chris Lujan, and Commissioner Steve Brockett voted "aye". The motion carried by a roll vote of 7-0-0.

CALL OF THE CONSENT CALENDAR:

Item Nos. 6, 7, 9, 10, 11, 12, 13, 14, and 15 were on the Consent Calendar. Item Nos. 11 and 12 were removed from the Consent Calendar.

6. Minutes of February 28, 2006 Regular Meeting.

Recommendation: Approve the minutes.

7. Ordinance No. 1262 amending Section 14-01-110 of the Code of Ordinances regarding the rates for Solid Waste Collection.

Recommendation: Approve the ordinance for final adoption. [Roll Call Vote Required]

9. Resolution No. 2006-20 approving the acceptance of a Joint Powers Agreement from Daniel's Fund for the Ageless Health Initiative.

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

10. Resolution No. 2006-21 authorizing a transfer of money from Fund 49 to Fund 81 for inside City limit water resources.

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

13. Accept the Canvass of Returns for the March 7, 2006 Regular Election. (Exhibit A)

Recommendation: Accept the canvass as presented.

14. Application for participation in the 2006 Law Enforcement Protection Funds.

Recommendation: Approve the application.

15. Statement regarding the Executive Session of February 28, 2006.

Recommendation: Approve the statement.

Commissioner Cole moved to accept items 6, 7, 9, 10, 13, 14 and 15 on the Consent Calendar. Seconded by Commissioner Moncada. Mayor Don Carroll, Mayor Pro-Tem Ron Griggs, Commissioner Inez Moncada, Commissioner Ed Cole, Commissioner Marion Ledford, Commissioner Chris Lujan and Commissioner Steve Brockett voted "aye". Commissioner Chris Lujan abstained from items 6 and 15 because he was neither involved nor present for those items. The motion carried by a roll vote of 6-0-1 (Lujan abstained).

ORDINANCES AND RESOLUTIONS:

8. Resolution No. 2006-17 requesting fee increases in annual passes and green fees charged at the Desert Lakes Municipal Golf Course.

Recommendation: Approve the Resolution.

Mr. Matt McNeile made a brief presentation regarding the fees at Desert Lakes Golf Course. Mr. Grant Dalpes is making a recommendation for an increase in green fees. Mr. Dalpes said that there is now a new superintendent at the golf course, and he along with Mr. Dalpes has come up with a short-term plan that will be published. The items included in that plan could be fulfilled with minimal stress on the budget. The rates have not changed since 2002, and 9/11 had a great impact on the golf industry not only around the country but specifically in the region of Alamogordo. In addition, the course conditioning the last couple of years has been less than desired. The golf pass rates had been very complex, and the elimination of the quarterly rates actually created an increase in revenue. Part of what is currently being suggested is that several rates be done away with. 2003 marked the first year where the green fee was flipped to an annual pass play, and in 2003, 52% of the play was green fee paying play. When that was examined, a balance was arrived at as to what the membership fee and annual pass fee should be versus the green fees.

In 2001 there were quarterly passes, and a lot of individuals have requested that those be brought back. When the seasonal pass was adopted, there were 239 of them issued with \$330,000 in revenue. In 2003, which was the first full year with only seasonal passes, the number of passes went down to 174 but the revenue went up \$74,000. It is obvious that it was a good change all around. It solidified that passes were affordable, and in addition the green fees went up so if individuals could not afford the annual pass, they still played golf at a reasonable rate.

A survey is conducted every year of golf courses with the same philosophy in that it is a daily fee golf course. The biggest things that came out include that Desert Lakes is one of the few courses that offers senior rates. Some only offer it during the week. In addition, the 9-hole usage is 50% of the total if not more, and it is important that that is kept.

The green fee proposal encompasses changes anywhere from going up a quarter in some rates such as junior rates (for those 18 and under) up to as much as \$1 for the non-resident or the regular senior or adult. It is not a dramatic increase, but it does keep Desert Lakes close to the average around the state and region as far as green fees. The golf pass proposal is very elaborate and has been difficult to keep track of and explain to people. Another problem is the rates cannot be looked at

individually to see which are the most effective. In the current proposal, six different passes will be gotten rid of. As far as the total impact, the green fees for 2006/2007 will be about \$10,000 and golf passes about \$20,000 for a total of \$30,000. Everything is deducted downward from the non-resident rate for green fees, and he suggested rounding everything to the nearest \$5 or \$10 over and above just to keep things simple.

Commissioner Ledford had several questions. He asked what is done in October if the summer pass is from May to September. Mr. Dalpes said there are no passes for October. The reason that was done was to first of all get the rates to a level that it was thought people would buy. If it was done at six months, they could have bought two seasonal passes and been in the same place as a regular annual pass, which is what they were trying to get away from in going from the quarterlies to seasonals. May to the end of September is the timeframe that people who play in leagues tend to play in. October is an extremely busy month with tournaments, and April is a very busy month for maintenance. It was obvious to exclude those months if there were months that would be left out.

Commissioner Ledford asked how many were included on a business pass. Mr. Dalpes said two. Commissioner Ledford asked if individuals living in the same residence had to be husband and wife or just two people in town. Mr. Dalpes said it is couples to be politically correct just as long as they are living in the same household.

Commissioner Ledford went on to ask about eliminating the winter adult resident pass and raising the non-resident pass and pointed out that there is no reference to residents. What happened to the resident? The non-resident pass came as a suggestion from the committee three years ago, which has created a lot of ill will not to mention that most people who live outside of the community circumvent that rule by getting a P.O. box in Alamogordo. That is why the suggestion has been made to take out the word "resident". The "resident" and "non-resident" will be the same price. The anticipation is that there will be better play from non-residents if that classification is eliminated. The numbers then could improve more than what is shown on the report.

Mayor Pro-Tem Griggs agreed that some sort of rounding should be done to get away from odd pennies and dollars. Also, in looking at the passes that were sold for senior passes in the summer and winter versus adult passes, he thinks an argument can be made for phasing out the senior passes altogether. Mr. Dalpes said that is one of the changes he was suggesting for next year. The current proposal is a small increase. He also pointed out that many individuals had stopped coming because of the condition of the golf course. Another suggestion is to get rid of the discount associated with the seasonal pass.

Commissioner Ledford asked what the intent was to do with the additional \$27,000 in revenue. Mr. Dalpes said it would go in the City budget. Commissioner Ledford asked if it was their intent to reduce the subsidy to the golf course. Mr. Dalpes said he would not suggest that at this time. City Manager McCourt said that would need to be considered during budget time. Costs have gone up. The rates have not been increased for a few years, but the subsidy has not gone up. It has remained fixed. A point has been reached at which more revenue has to be generated within the golf course to maintain it. Mr. Dalpes said the rounds have gone down steadily. When the remodeling was done, the rounds hit a high of 56,000, and last year just over 45,000 were done. They have gone down steadily as the condition of the golf course has gone down. He would suggest waiting until after the clubhouse is built to look at any change in the subsidy and to get on a long-term plan that addresses maintaining the golf course correctly.

Commissioner Cole asked if he understood correctly that there are fewer people playing golf. Mr. Dalpes said that is correct, but it is not necessarily a good thing or a bad thing. When the quarterly rate was done away with, some play was lost, but the revenues went up because that play was paying a higher fee per round. That was combatted with aggressive promotion. The golf course has to get \$7 to \$9 per round just for basic support, and right now the average effective rate is about \$6 to \$7. It needs to be bumped up over the next several years.

Commissioner Cole asked if the condition of the golf course was referring to the grounds and things of that type. Mr. Dalpes said that is correct. He does believe, however, that the causative problem has been addressed.

Commissioner Ledford made a motion to approve Resolution No. 2006-17 requesting fee increases in annual passes and green fees charged at the Desert Lakes Municipal Golf Course with the rounding up of numbers as suggested above. Seconded by Commissioner Moncada. Mayor Don Carroll, Mayor Pro-Tem Ron Griggs, Commissioner Inez Moncada, Commissioner Ed Cole, Commissioner Marion Ledford, Commissioner Chris Lujan and Commissioner Steve Brockett voted "aye". The motion carried by a roll vote of 7-0-0.

11. Resolution No. 2006-22 approving and accepting the Bureau of Reclamation Cooperative Agreement No. 04-FC-40-2168 in the amount of \$540,000.

Recommendation: Approve the Resolution.

City Manager McCourt explained that this is actually a reflection of the continuing effort to seek out grant money to assist in the development of the old facility. The cost of using local money to pay for the expenses of the development of the well field up North is kept down by seeking grant funds. The City has actually already filed for reimbursement under this grant, and he was notified today that \$60,000 of what had been paid for with local money will be reimbursed.

Commissioner Ledford made a motion to approve Resolution No. 2006-22 approving and accepting the Bureau of Reclamation Cooperative Agreement No. 04-FC-40-2168 in the amount of \$540,000. Seconded by Commissioner Moncada. Mayor Don Carroll, Mayor Pro-Tem Ron Griggs, Commissioner Inez Moncada, Commissioner Ed Cole, Commissioner Marion Ledford, Commissioner Chris Lujan and Commissioner Steve Brockett voted "aye". The motion carried by a roll vote of 7-0-0.

12. Outdoor watering restrictions.

Recommendation: Ratify the City Manager's decision to restrict outdoor watering to one day per week.

John Garst wants the Commission to take into consideration that with PreCheck coming water just can't be continually taken away. Mayor Carroll said that the 200 jobs anticipated by PreCheck will be filled by individuals that are already in the community so that should not increase the demand on the water system, and it is by nature a very low water use operation. Mr. Garress also suggested that the Commission consider a moratorium on residential connections.

Mayor Carroll explained that City Manager McCourt has requested that his decision be ratified by the Commission. Commissioner Moncada asked what days the decision would effect. City Manager explained that addresses ending in an odd number would be able to water on Sundays, and addresses ending in even numbers would water on Saturdays.

Commissioner Ledford made a motion that the City Manager's decision to restrict outdoor watering to one day per week be ratified. Seconded by Commissioner Moncada. All voted "aye". The motion carried by a vote of 7-0-0.

OTHER BUSINESS:

16. Notification of vacancies on Boards and Committees.

Mayor Carroll said there is a vacancy on the Community Development Advisory Committee, one on the Mayor's Committee on Aging, and one on the Senior Volunteer Program Advisory Council. He suggested that if anyone knows of individuals interested in serving on those committees that they contact the City Clerk's office.

UNSCHEDULED COMMUNICATIONS:

A) Arnold Innerhoffer

Mr. Innerhoffer asked the Commission a question about eminent domain. On Friday he was reading the Alamogordo newspaper, and it said that Governor Richardson vetoed the eminent domain bill. The first sentence in the article said that the reason he did it was because City officials said that they wanted him to urgently veto the bill that would restrict powers of eminent domain. The paper also said that Alamogordo City Manager Pat McCourt was not available to comment on Thursday, and if it was made by the City officials, Mr. Innerhoffer wanted to know if that was a unanimous decision and who told Governor Richardson.

Mayor Carroll said that he was the one who urged Governor Richardson to veto it. Mr. McCourt was not available for comment because he was on vacation. Mayor Carroll said he did not speak on behalf of the City or the Commission but as one individual elected official. He explained that the reason he did so was because the municipal league had taken a position that the proposed legislation was not wise and that it could in fact wind up being very detrimental and having unintended consequences. The eminent domain issue came about as a result of the Supreme Court ruling in the Kelso case. New Mexico has different guidelines and safeguards than other states. The position that Mayor Carroll took and the position of the League was that it was a hasty decision to just outlaw it and the safer and wiser position would be to sit down and go over the existing restrictions and statutes that deal with eminent domain. If there were areas that needed to be changed, those could be changed without totally eliminating it. He is not aware of anything that has ever been done in the community or that is anticipated to be done in the community where private property would be taken for economic development purposes.

City Manager McCourt elaborated on the subject by saying that in Alamogordo in particular there are referendums and any time the City Commission would want to do a condemnation that would have to be done by ordinance. A referendum is a citizen's right to force the decision to an election within the community. Alamogordo is fondly known in the State of New Mexico as the R & R center. That is not for rest and relaxation but for recalls and referendums. The citizens are very active in the community and in looking at the Commission's decision, and they have not indicated any reluctance to use the referendum or the recall if they feel that the Commissioners are taking action that is not in line with the community values.

There was a question as to whether any Commissioners had ever been recalled, and that has occurred.

B) Mayor Pro-Tem Ron Griggs

He wanted everyone to know that the construction to enable the quiet zone at Martin Luther King and Highway 54 has been completed. The next step is for the City to send a letter to Union Pacific Railroad, and within the next 21 days or so that will officially become a quiet zone. The railroad will no longer be required to have the trains' horns blow as they approach the crossing. The engineer still has discretion if he sees situations that are dangerous to blow the horn if he so chooses. The horns will be silenced at that particular crossing, and there are no other crossings in the community where that will occur at this time.

Ms. Coughlin asked what was going to happen with the other three zones that had been discussed. Mayor Pro-Tem Griggs said there are not currently any other plans to initiate quiet zones at any other crossings.

C) City Manager Pat McCourt

City Manager McCourt said Commissioner Robertson had been working on developing a policy to address the curb fill situation, and there certainly have been other Commissioners addressing it as well. That policy will be brought forward as part of the budget. That has not stopped because Commissioner Robertson has left the Commission, and it will be brought forward during the budget cycle because there is a cost involved. They will look for the Commission to evaluate it at that time.

As far as the water report, hard work has been done to maximize storage as the summer season approaches. The observations as far as anticipated precipitation are not rosy and neither is the availability of water from the springs. Alamogordo is now in its ninth year of drought conditions. He congratulated the people of Alamogordo for doing an astonishing job in adapting to the circumstances while minimizing the hardships.

Alamogordo's membership in the Southeastern New Mexico Economic Development District needs to be reaffirmed each year, and the current representative position on that Board is filled by the Mayor. He is happy to continue in that for another year at which time a new appointment would have to be made. Mayor Carroll will plan to continue that representation.

Mr. McCourt thanked his staff and expressed appreciation that he was able to go on vacation and feel the community was left in good hands and ran well.

He informed the Commission that he had received notification that a prison facility in Texas where long-term City prisoners had been housed as a cost savings measure would no longer be available for that purpose. The prison has entered into a contract with the federal government under homeland security and notified all of the entities that they were providing housing for that they will no longer be able to do that. The prisoners are being returned, and they will work to find a safe and economical alternative.

D) Mayor Don Carroll

In conjunction with the City of Alamogordo being recognized by the U.S. Conference of Mayors for its water conservation program, Mayor Carroll has just received the latest copy of the U.S. Mayor weekly newsletter in which there is a full-page article on the City of Alamogordo's water conservation program.

Mayor Carroll took the opportunity to thank the legislators for the work that they did during the recent legislative session as well as the Governor for the capital outlay monies that both he and the legislators were able to obtain for the City of Alamogordo. The Governor did exercise a number of vetoes, but fortunately out of the City of Alamogordo's requests the only item that was vetoed was \$83,000 for a parking lot.

City Manager McCourt explained that though not everything requested was received, Alamogordo did not take as much of a beating at the governor's veto pen as many other communities did. City Manager McCourt has a list of the approved projects.

EXECUTIVE SESSION: There was no need to adjourn into Executive Session to discuss threatened and/or pending litigation.

Commissioner Ledford made a motion to adjourn. Seconded by Commissioner Moncada.

All voted "aye". The motion carried by a vote of 7-0-0. The meeting was adjourned at 9:15 p.m.

/s/Donald E. Carroll

Mayor Donald E. Carroll

ATTEST:

/s/Angie Rahn-Broyles

City Clerk Angie J. Rahn-Broyles

(SEAL)

(Prepared by Trisha Ruckart, Ubiquis Reporting)

Approved at the City Commission Regular Meeting of March 28, 2006.