

**CITY OF ALAMOGORDO, NEW MEXICO  
CITY COMMISSION REGULAR MEETING MINUTES  
7:30 P.M., COMMISSION CHAMBERS  
MAY 9, 2006**

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

**COMMISSIONER CHRIS LUJAN  
COMMISSIONER STEVE BROCKETT  
ASSISTANT CITY MANAGER MATT McNEILE  
INTERIM CITY ATTORNEY REBECCA EHLER  
CITY CLERK RENÉE CANTIN**

**CALL MEETING TO ORDER, ROLL CALL, INVOCATION AND PLEDGE OF ALLEGIANCE**

Mayor Don Carroll called the meeting to order at 7:30 p.m., and all of the Commissioners were present. City Manager Pat McCourt was absent. The Invocation was given by Pastor Bill Heithold followed by the posting of the colors by the Alamogordo High School Junior Air Force ROTC. The Pledge of Allegiance was led by Mayor Pro-Tem Ron Griggs.

Mayor Carroll said that a week ago he had the opportunity and privilege of participating in the German Air Force celebration of the tenth anniversary of the Tornado Aircraft Training Mission at Holloman. A proclamation was issued at that ceremony, and Mayor Carroll read it. "Let it be known that to show our appreciation for welcoming us into the community, making us feel at home and to promote future ventures, the German Air Force Flying Training Center has been authorized by the Commander of German Armed Forces Offices on 24 April 2006 to formally sponsor the City of Alamogordo, New Mexico beginning this 29<sup>th</sup> day of April in the year 2006." Mayor Carroll extended thanks to the German Air Force. The proclamation basically formalizes their support for the community, which they have provided on an ongoing basis for the ten years that they have been there. They are asking nothing in return. They just want to continue as members of the community. Mayor Carroll said that they certainly look forward to continuing to work with them in the years to come.

Mayor Carroll went on to recognize Betsy Keller who recently graduated with a Bachelor of Science Degree in Human Resources Management. It is an outstanding accomplishment to be able to continue and complete a college education while at the same time holding down a job at City Hall and raising a family. He congratulated her, and there was a round of applause.

Mayor Carroll explained that Item #2 on the agenda, "Consideration of Resolution 2006-23," has been withdrawn at the request of the petitioner. It will be taken up at a later date.

**CALL OF THE CONSENT CALENDAR:**

**MINUTES:**

1. Minutes of April 25, 2006 Regular Meeting.

*Recommendation:* Approve the minutes.

**ORDINANCES AND RESOLUTIONS:**

4. Consider Ordinance No. 1272 authorizing the City to enter into a loan agreement with the New Mexico Finance Authority.

*Recommendation:* Approve the ordinance for first publication.

5. Consider Ordinance No. 1273 amending sections of the Code of Ordinances concerning purchasing and construction project administration.

*Recommendation:* Approve the ordinance for first publication.

6. Consider Resolution No. 2006-35 requesting written approval from the Local Government Division of the Department of Finance & Administration, State of New Mexico for the revised budget figures computed on May 9, 2006.

*Recommendation:* Approve the resolution.

7. Consider Resolution No. 2006-36 supporting locating the F-22A Aircraft at Holloman Air Force Base.

*Recommendation:* Approve the resolution.

### **OTHER BUSINESS:**

10. Investment Report for the quarter ended March 31, 2006, in accordance with the City of Alamogordo Investment Ordinance.

*Recommendation:* Accept the report.

12. Statement regarding the Executive Session of April 25, 2006 at 2:00 p.m.

*Recommendation:* Approve the statement.

**Commissioner Ledford made a motion to approve items 1, 4, 5, 6, 7, 10 and 12 on the Consent Calendar. Seconded by Commissioner Cole. A roll call vote was taken. All voted "aye." The motion carried by a vote of 7-0-0.**

### **PLANNING ITEMS:**

2. Consider Resolution No. 2006-23 amending the Alamogordo Comprehensive Plan 2000 and the 1998 Alamogordo Comprehensive Traffic Study which require the future extension of Desert Lakes Road east from Florida Avenue requested by Tierra de Suenos, Inc. [Case M-06-0327(A)].

Item number two was withdrawn from the agenda at the request of the petitioner and will be addressed in a subsequent meeting.

*Recommendation:* Deny the resolution.

3. Consider Ordinance No. 1269 consenting to the annexation of 3.694 acres of land requested by Bella Vista, LLC [Case A-06-0068(A), Convair Circle].

*Recommendation:* Approve the ordinance for final publication.

Mayor Carroll explained that this item was before the Commission at a previous meeting and was approved for first publication.

**Mayor Pro-Tem Griggs made a motion to approve Ordinance No. 1269 consenting to the annexation of 3.694 acres of land as requested by Bella Vista, LLC. Seconded by**

**Commissioner Brockett. A roll call vote was taken. All voted "aye." The motion carried by a vote of 7-0-0.**

**OTHER BUSINESS:**

8. Award of Public Works Bid No. 2006-006, South Florida Reconstruction.

*Recommendation:* Award to Star Paving Company in the amount of \$373,326.53, (includes NMGRT)

Assistant City Manager Matt McNeile said that a map showing the scope of the project was a part of the packets the Commissioners received. The project tapers off toward the South end, and the intention is to have two lanes with a turning lane in the center.

Commissioner Cole said that he had a phone call last week regarding this project from one of the families that live in that area asking about the possibility of making a four-way stop at the intersection of Panorama and South Florida. He told them he would bring up the issue in the meeting. They had originally requested a traffic light, and Commissioner Cole had explained to them the State regulations which would make it impossible as well as expensive.

Mayor Carroll said that it is something that the Department of Public Safety could look at to see whether the traffic flow would warrant it and whether it would be a help or a hindrance to the smooth flow of traffic in that area.

Mayor Pro-Tem Griggs wanted to pass on to the directors that there have been issues in the past with Star Paving Company, and he said he felt it would be wise to get that out of the way up front so that they understand that the City really does want them to do a good job this time or perhaps there won't be a next time. There have been too many instances when issues have come up.

Mayor Carroll asked that Arthur Alterson pass that suggestion and recommendation on to Star Paving Company as the project proceeds if the Commission's intention is to award them the contract. He said that he would. Commissioner Cole said that it may be worthwhile as was discussed earlier to just give them a copy of the minutes reflecting the discussion of their workmanship on some of the streets, particularly First Street and South Florida. Mayor Carroll said that he would leave it up to Mr. Alterson to determine the best way to relay the message to them.

**Mayor Pro Tem Ron Griggs made a motion to award Public Works Bid No. 2006-006 to Star Paving Company. Seconded by Commissioner Lujan. A voted was taken. All voted "aye." The motion carried by a vote of 7-0-0.**

9. Purchase of Property – *City, Tularosa Basin Historical Society, and Weinman.*

*Recommendation:* Authorize Staff to proceed with the purchase of the property.

Mayor Carroll explained that the property being discussed is the Plaza Bar. The Tularosa Basin Historical Society was successful in obtaining State funding to purchase that piece of property with the idea being that would be the future home of the Tularosa Basin History Society Museum. This is the first step in that process. As with State grants there needs to be a government entity that actually owns the property, and what is being contemplated is that Ms. Weinman would sell the property to the City of Alamogordo at the negotiated price. Once that is done, the City will in turn enter into an agreement with the Tularosa Basin Historical Society for them to operate the facility on the City-owned property similar to what has been done with several other projects in Town such as the Opportunity Center and the Girl Scout Hut. It is merely a formality that is required by State statutes. There is no financial obligation or liability to the City.

Mayor Carroll pointed out that Dr. Townsend and Mr. Cliff McDonald who were on the Board of the museum and were instrumental in obtaining the grant were at the meeting. He asked whether they had any comments. Dr. Townsend said that they very much appreciate the City's cooperation in this effort. The legislature did grant \$303,000 for the acquisition of the building though more money than that will be needed to do the internal repairs and bring it up to museum accreditation standards.

Commissioner Moncada asked whether once the City receives the check from the Governor and hands it down to the Historical Society whether the City is completely free of responsibility for the building. Mayor Carroll said that the actual operation and maintenance of the building would be the responsibility of the Historical Society. It would be up to the Historical Society to decide how they want to proceed as far as the tenants that are currently in the property. He assumes that until the Historical Society is ready to proceed in a meaningful way with doing something with the building that it would be in their best interest to continue to sub-lease or lease some of the building out to generate more revenue for their operation.

Dr. Townsend explained that under the anti-donation clause the Historical Society could not receive grant money from the legislature, which is why it is necessary for the City to serve the function that it is serving at the present time. They do not believe that any steps could be taken on it before the end of the year or the first of next year. The status quo will exist until that point, and between now and the first of the year, the Tularosa Basin Historical Society would hope to get some knowledgeable individuals into the building to look it over and see what really needs to be done to bring it up to museum standards. That would give them an idea of their next step.

**Commissioner Cole made a motion to authorize staff to proceed with the purchase of the property for the Historical Society. Seconded by Commissioner Brockett. A vote was taken. All voted "aye." The motion carried by a vote of 7-0-0.**

Mayor Carroll thanked Dr. Townsend and said they look forward to seeing the museum in a new home some day. Dr. Townsend thanked the Commission.

#### 11. Provision of Essential Air Service (EAS)

*Recommendation:* Recommend to the United States Department of Transportation a carrier to provide Essential Air Service to Alamogordo/Otero County/Holloman Air Force Base.

Assistant City Manager McNeile said that after the order was issued for essential air service, the City received three proposals, one from Island Air Express, one from Northeast Plains Aviation/Colorado Airways, and one from Mesa Air Group. Northeast Plains Aviation and Mesa Air Group have pressurized aircrafts in their proposal but Island Air Express does not.

Mayor Carroll went on to say that two of the proposers have not yet been certified by the Department of Transportation to provide air service, but that does not preclude them from bidding though it is a process that could take a number of months. In addition, the proposal from Mesa Airlines originally had three options, but they have since removed options #1 and #2. The only remaining option is the non-stop service from Alamogordo to Albuquerque. If Mesa Airlines is chosen, since they fly the 19-seat aircraft, the City would have to bring the airport into compliance with Part 139 of the FAA Code, which would entail some cost to the City. It is about a six to eight-week process to do that. A lot of what would need to be done could basically be done in-house. Mesa Airlines has inserted some additional monies that they indicate would be a pass through to the City to help offset some of those expenses. However, it is not totally clear whether that will be acceptable to the Department of Transportation or the FAA. It appears that it has been done in other places. Mayor Carroll also mentioned that in the past the City has waived the 15-seat requirement, and that would have to be done in order to select one of the other two bidders. The Air Force has been very gracious and accommodated Alamogordo's wishes in both of those previous selections, but they have indicated that they would be more comfortable with the larger aircraft. Air Force regulations would prohibit them from utilizing the smaller nine-passenger aircraft. They could, in fact, use the 15-passenger

aircraft, but there is no guarantee that they would because they have some internal regulations that require that they travel by the least expensive manner.

Commissioner Ledford said that Alamogordo has tried smaller airlines in the past and hasn't done very well. The cost on Mesa of \$943,000 includes \$120,000 for the 139 certification, which the City would have to pay for anyway. If that were taken out, it would be about \$200,000 more to have Mesa come in than the other two. The City would have to figure out how to budget for that if those costs cannot be passed back through the subsidy. Mesa's option 3 is two daily non-stop, round trip flights to Albuquerque. The issue with Valley also was that they weren't certified to fly by the FAA in New Mexico, which is the same issue with these other two airlines. It is not guaranteed that they would get the certification so Alamogordo could go another six months without an airline if Mesa is not the one chosen. He asked if the Airport Advisory Committee still recommends Mesa.

Jim Talbert said that two things had to occur the first of which is the distance had to be increased from Alamogordo to Albuquerque in order to take the cap off the subsidy because it is a \$200/person cap. A lobbying agency called the Regional Aviation Partners put the request in to the DOT to combine Alamogordo/Holloman as a hyphenated operation, and that successfully moved it to 214.5 miles, which effectively removed the \$200/passenger cap from the bid. This allowed Mesa to use the larger number, \$943,010. Mr. Talbert spoke with the head of the EAS Division of DOT, and DOT has no problem with the pass through. The \$943,010 will provide \$120,000 per year for the two years of the subsidy to the City of Alamogordo to pay the 139 upgrades. Mr. Clarke, the Airport Manager, and Mr. Talbert have put together some estimates, which were sent, and depending on how the City goes about it, it is between about 90 and 116,000 per year. With the \$120,000 pass through, which the DOT has already agreed to, there will be virtually no cost to the City. The City will get \$120,000 to pay for the personnel upgrades, and there are some minor paint and lighting fixtures that need to be changed at the airport. Those things don't have to be accomplished until June 30, 2007. Mesa could come in and start flying as early as they could get there.

Mayor Carroll said that it was his understanding that they had to be 139 certified prior to them being able to provide service, and a large part of that was an operations manual. The staff does not anticipate that to be much of a problem, and Mr. Talbert said they already had a model. The airport at one time was certified so it will be just a matter of combining the two documents and sending them off. Mr. Talbert said that the problems encountered last time would not apply because of the extra funding from DOT.

Commissioner Ledford asked if the DOT was going to allow the pass through to where the subsidy would take care of the full \$943,000. Mr. Talbert said the DOT is going to let the subsidy pass through to the City.

Rudy Clarke, the Airport Manager, clarified that the \$900,000 is a federal grant. Before an air carrier can provide service there are two things that have to be done. The manual has to be completed, and the FAA has to accept it. He proposed that the model from Clovis be utilized, which is acceptable. He will pass it on to the members of the Airport Advisory Committee for them to review. The name will simply have to be put in it. The second thing that has to be done is there is some striping that has to be done on the taxiways, which can either be bid out or done in-house. That has to be done before the aircraft are allowed in. There is also some grading that will be required; however, none of the necessary actions are substantial. His estimate is that it will be about \$10,000 at the most if the City has to bid it out. Mr. Clarke said he does not anticipate that it would be a tremendous amount of money or be very difficult to accomplish what needs to be done to get the certificate.

Commissioner Ledford asked when it could be expected that Mesa would be able to start service if they are selected. Mr. Clarke said the last time they talked to Mesa they indicated that their pilot is on a 45-day bid cycle. They bid it the first of the month, and if Alamogordo backs Mesa and the DOT awards it before the end of May, Mesa would bid it out. Then it would be 45 days from that point before they would be able to provide service. It would be roughly two months. Mr. Clarke spoke with

Bill Mitchell, the certification officer from the FAA, and he said he could put it on a fast track in which case it would take about six weeks.

Mr. Talbert said that in light of the approval of the pass through and the apparent ability to upgrade the airport with minimal cost to the City being considered, Mesa Option No. 3 is the recommendation of the Airport Board.

Mayor Carroll said that he agrees with Commissioner Ledford that Alamogordo has attempted now three times to incubate a small, statewide air service and has been unsuccessful. His feeling is that the best bet at this point lies with Mesa Airlines to provide passenger service.

**Commissioner Ledford made a motion to approve Mesa Airlines with a recommendation to the United States Department of Transportation that they provide Essential Air Service to Alamogordo/Otero County/Holloman Air Force Base. Seconded by Commissioner Brockett. A vote was taken. All voted "aye." The motion carried by a vote of 7-0-0.**

Mayor Carroll asked Assistant City Manager McNeile to notify DOT of their recommendation as well as the officials at Holloman Air Force Base. As part of the recommendation their concurrence should be solicited and forwarded on to the DOT.

### 13. Appointments to Boards and Committees.

Mayor Carroll said that there is a vacancy on the Community Development Advisory Committee and one on the Mayor's Committee on Aging. He asked that if anyone knows of anyone who would be interested in serving on those committees, and if they do recommended that they contact the City Clerk.

## **UNSCHEDULED COMMUNICATIONS:**

### 1. Commissioner Cole

Commissioner Cole asked if it pleased the Commission that he be able to give a report on the S.P.I.R.I.T. Conference, which he attended along with five or six other individuals from the S.P.I.R.I.T. Committees of Kansas, Oklahoma and New Mexico. Texas didn't have anybody there at this time though they usually do. They met in Washington, DC regarding the four-lane highway 54 from El Paso to Wichita. It is four-lane already from El Paso to Tularosa, and under the Grid Program a super highway is taking place between Tularosa and Carrizozo. During the period of time that was set up ahead of time, they visited all of the congressional delegations of the respective states. Unfortunately, Senator Domenici's staff was busy. Congress was in Session, and they did not get to sit down with his staff. However, they did with all of the other staff including several of the senators and several of the representatives individually including Representative Udall of New Mexico. What was said in so many words and so many discussions is that they want to try to do the total project. However, they were given the feeling that that would not be the case but it will be piecemeal, which is understandable with so many projects throughout the nation having a high priority also. That was one thing that was distinctly illustrated.

Kansas was the most glaring example of where education has taken a high priority over just about anything or maybe at the same level as federal highway funds. There is quite a debate going on in the field of education as many know, and it is pretty stiff competition for the four-laning of highway 54 to Wichita.

Commissioner Cole said that all of the congressional delegations were very receptive to the two-day visit to Washington, D.C. The meeting was set up ahead of time, and there was a set schedule. They even met with some of them during the evening hours. In fact, on the second day the team split up so that they could visit with all of them. It was a very profitable meeting with the congressional delegations, and he was pleased to represent Alamogordo. Several that serve on the local

transportation boards for Alamogordo and Otero County will be in the area when the annual conference will be held in Alamogordo in September of this year. There will be about 50 people representing the states from El Paso to Wichita, city governments and county governments. He suggested that the City Commissioners mark their calendars and try to attend at least some of it. He said he would be happy to try to answer any questions, but it was really just a lobbyist visit to the congressional delegation to try to encourage them to stay on track for four-laning Highway 54.

Mayor Carroll thanked him for the report and for his willingness to be Alamogordo's representative to the S.P.I.R.I.T. Committee. Trips to Washington, D.C. are a lot more work than they are glory, and he appreciates Commissioner Cole taking his personal time to represent Alamogordo.

2. Commissioner Brockett

Commissioner Brockett commended Arthur Alterson for spending time with the Cedar residents the week before last. Mr. Alterson spent about an hour and a half meeting with them. He then had them at City Hall last Friday to view the video, which does exist. It is vital for a department head to communicate with citizens during situations like that one. Commissioner Brockett thanked him and let everyone know how helpful he was.

3. Mayor Pro-Tem Griggs

Mayor Pro-Tem Griggs had the opportunity to represent the City with the arrival of Union Pacific's engine number 844 and the train that was pulled by that engine. It is one of the last if not the last steam engines that was put into service. It doesn't actually run on steam anymore, but it was nice to see that part of the County's as well as the City's and State's heritage.

Mayor Pro-Tem Griggs went on to say that Friday of last week he was in Albuquerque because one of Alamogordo's own was recognized by the Governor's Committee on the Status of Women. There were 21 women selected from across the State, and his Aunt, Tuce Green, was one of those selected. She is the first one in the roughly 20 years of the deal selected from Alamogordo although Mabel Frary from La Luz was selected in past years.

He also said in that evening's paper there is an editorial commending the Department of Public Safety and recognizing their efforts in keeping Alamogordo as one of the safest communities in the state.

4. Acting City Manager McNeile

Acting City Manager McNeile said that the reservoirs are up to a little over 100% capacity. There are four wells operating at this time. Bonito Lake is 21 feet below the spillway. The lake has been closed as well as the campground in accordance with what the Forest Service is doing, and just keep praying for rain.

5. Mayor Carroll

Mayor Carroll said that the City is in the process of forming a budget for the upcoming fiscal year. Public hearings will be held at Fire Station #5 at 2 p.m. starting Monday the 15<sup>th</sup> and going through the 19<sup>th</sup>. The public is welcome and encouraged to provide input at those meetings.

Mayor Carroll also pointed out that Saturday, May the 20<sup>th</sup> is the annual day in the park celebration. This year it is conjunction with the Gus Macker three-on-three basketball tournament. While those things are going on, the real emphasis of May the 20<sup>th</sup> is Armed Forces Day. He hopes that people will come out and participate and take the opportunity to thank men and women in uniform for what they do for the country.

**EXECUTIVE SESSION:** No Executive Session was necessary.

**Commissioner Ed Cole made a motion to adjourn the meeting. Seconded by Commissioner Steve Brockett. All voted "aye." The motion carried by a vote of 7-0-0. The Meeting was adjourned at 8:15 p.m.**

*/s/Donald E. Carroll*

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Mayor Donald E. Carroll

ATTEST:

*/s/Renee Cantin*

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City Clerk Renee Cantin  
(SEAL)

(Prepared by Ubiquis Reporting)  
*Approved at Regular Meeting on May 23<sup>rd</sup>, 2006.*