

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION SPECIAL MEETING MINUTES
3:00 P.M., COMMISSION CHAMBERS
AUGUST 15, 2006**

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

**COMMISSIONER CHRIS LUJAN
COMMISSIONER STEVE BROCKETT
CITY MANAGER PAT McCOURT
CITY ATTORNEY WILLIAM BROGAN
CITY CLERK RENEE CANTIN**

Call Meeting to Order and Roll Call.

Mayor Don Carroll called the meeting to order, and all of the Commissioners were present.

RESOLUTION:

1. Consider approval of Resolution No. 2006-52 adopting an Infrastructure Capital Improvement Plan for FY 2008.

Recommendation: Approve the resolution.

City Manager McCourt explained that the City Commission adopted the current ICIP during the budget process. The capital projects that have been adopted are listed within that, and it is broken out by funding source. Each year, and particularly the last two years, the Governor's office has asked that the top five projects be designated as such. The legislators have not asked that it be done, but the City has provided a list to the legislators prior to the start of each legislative session. The Governor's office has also been asking that the designation be made earlier and earlier. Last year it wasn't done until approximately October, but this year they would like it into their office by August 28th. City Manager McCourt said that precisely how it will be used is unclear, but the experience has been that the legislators look beyond the top five projects into other areas for which they may have received additional input as to being important within the community and then choose to fund those areas. For instance, last year Representative Marquardt funded tennis court construction, which wasn't on the list at all, and Representative Vaughn was successful in pulling together quite a bit of funding for the library building, which had also not been in the list of the top five. It was and is included within the total ICIP.

City Manager McCourt passed out a list of what the top five projects were as designated last year during this process. What is taking place now is essentially the same thing for fiscal year 2008. After it was done last year for the Governor, a more extensive list was put together for the legislators, and it was presented to and discussed with them.

Mayor Carroll went over the projects that were requested in 2006. The number one request was for the South Florida extension, and \$1,517,000 was requested of which \$500,000 was received. Mayor Carroll asked if additional funding is needed for South Florida, and City Manager McCourt said that they believe it would be wise to do that because even though the Commission has put in additional local money to match the State money that has been received and some past amounts have been received as well, the supplier of asphalt recently requested to rebid their current contract. It was rebid, and the net result of that is a 22% increase in the costs that the City will incur for asphalt products. Any and all projects that use asphalt will exceed current estimates for construction.

Mayor Carroll asked if the South Florida project is currently out for bid, and City Manager McCourt explained that it is currently out for re-design because even after the money was received and the existing funds were pulled together, there was some grading that had taken place between Desert Lakes and Ocotillo, which significantly changed the area. It didn't appear that sufficient money was available to construct the project as originally envisioned. Discussion then took place around "quality

engineering” or something along those lines that dictates that the project be changed. What has been looked at is using a ditch on one side of the project and putting in a walkway on only one side as opposed to both along with creating a four-lane road as opposed to three-lane. It would be two lanes with a center turn lane.

Mayor Carroll said that the real question that he is asking is if they are successful in securing additional funds if it will be a year before the money shows up. He asked if that worked into any kind of a timeframe that is being looked at or can be lived with in relation to the South Florida project. City Manager McCourt said that it would work within the timeframe of when construction would be underway. The funding could be utilized for that particular project. Mayor Carroll said that if that project was the number one priority previously and there’s not enough money to do it, then it should still be the number one priority.

Commissioner Ledford asked a question regarding the \$11 million total over multiple years to go out to Martin Luther King in that he thought what was envisioned was from Panorama to Desert Lakes. City Manager McCourt said that was correct, which is the project that is currently being discussed. Commissioner Ledford pointed out that according to the detail it shows that engineering fees are \$755,000 to do a \$400,000 construction project. He wanted to know if the current request is to go to Desert Lakes or if it is the whole project. City Manager McCourt said they would be focusing at this time on the area to Desert Lakes. A separate request has been put in under the GRIP program to go from Desert Lakes to the intersection with Martin Luther King and then Martin Luther King and over. Commissioner Ledford said that what he is concerned about is that the \$1.3 million does not make sense to him. Mayor Carroll pointed out that going back and looking at the capital outlay request for last year in the narrative it shows an \$11 million project, and it shows that the minimum amount to make the project viable is \$1.5 million, which is what was asked for in terms of the first part. City Manager McCourt explained that the \$1.3 million for 2008 would be the continuation of the project. It is the best staff estimate on the right number, but it would not necessarily include the money that is already in place for 2007.

Mayor Carroll said that it is a multi-year road construction project, but he doesn’t think they can go to the legislature and ask \$800,000 to engineer a multi-year project that will be built in phases. City Manager McCourt pointed out that they frequently go and ask for planning grants. Commissioner Ledford stated that last year’s request was more accurate, and the numbers probably need to be brushed up. Mayor Carroll explained that the engineering was broken out last year to correspond to the construction numbers over the multiple years. This year they are lumped all together. Commissioner Ledford said that what he wants to do is get South Florida fixed to Desert Lakes, and after that to him is a different story. The priority is to Desert Lakes, which is what is being worked on and discussed. The question is whether the City should be requesting additional money from the State legislators and Governor in the 2008 fiscal year to work on that particular section. In addition, there has been a request, which will stay in, to work on Florida and Martin Luther King as part of GRIP-2.

Mayor Carroll said that it would seem to him that since some funding has been received that should cover the engineering, what should be requested for 2008 is the difference between what has been received and the total project cost. It shouldn’t be for additional money for engineering. City Manager McCourt said that probably what needs to be done is to break it into phases including the phase that they are on now and then a phase that goes from Desert Lakes Road continuing South to Martin Luther King and then Martin Luther King and over. Commissioner Ledford asked what is submitted to the legislators, and City Manager McCourt said that they submit summary sheets with specific information on the forms that they request. Mr. McCourt said that the book is what is used for the legislators. All the Governor wants is one page. Commissioner Cole asked for clarification on whether the request to the Governor last year was to Desert Lakes, and it was. He then pointed out that the City received \$500,000, which was not enough to cover the engineering fees. City Manager McCourt explained that the \$500,000 would be used in conjunction with the money that the City Commission appropriated from local funds to build and concentrate on the section between Desert Lakes and Ocotillo. Mayor Carroll said that the continuation past Desert Lakes is part of the City’s

request that is still in under GRIP-2. It's on the ICIP. Therefore, if it is going to be funded, it will be out of a separate piece of legislation. The request will be more clear if the project is broken into two phases, which would also allow some of the engineering funds to be reallocated if necessary.

Mayor Pro-Tem Ron Griggs pointed out that South Florida has been funded twice already. What is being used right now is roughly \$300,000 that was received from the legislature, and then at the last legislative session there was additional funding of \$500,000. The City went ahead and put in roughly \$600,000 of local money to try to finish South Florida. He would think the request should be only for moneys necessary to cover the increase in the cost of asphalt that may be coming. He is concerned a little bit as far as the ICIP in that it looks like what was done is instead of starting in 2007 it was just all bumped up to start in 2008. City Manager McCourt said that when they say there is an increased cost this year, it is very clearly 22%, but there actually was a big increase in cost last year also. Mayor Carroll suggested that if the City wants to finish this project, it should be made the number one priority and staff go back and redo the numbers. Last year the City said that the Master Plan for the extension had been completed along with preliminary drainage study and preliminary grades. This year the City could say that has been done, partial funding has been received from the legislature, additional local moneys have been put in, and so much more is needed in order to be able to complete the project because of the increase in costs over time.

Mayor Carroll said that the engineering fees need to be taken out of the project if that has already been accomplished. If the \$755,000 is taken out, there is about \$650,000 left in. If \$650,000 is still needed over what was originally received, then what was originally a \$1.5 million project is now probably a \$2 million project. City Manager McCourt said that an engineering contract has just been awarded at about \$100,000 to redo the engineering between Desert Lakes and Ocotillo. There will also be some ongoing administrative expenses where inspectors go out and inspect the project to make sure it's being done properly and do the testing on the project as it is being constructed. Most of the money, however, needs to be going into construction.

Commissioner Ledford said he doesn't understand the engineering fees, and he needs to see the numbers because it just doesn't make sense to him. Mr. McCourt pointed out that they are all getting more expensive. Mayor Carroll said that there has been a problem in the past in that the City doesn't typically update the numbers from year to year to reflect that a project will cost more one year than it did the previous year. In fact, on some of the projects if the money won't be received for another year, then the City needs to try to estimate what they anticipate the cost will be a year from now.

Mayor Pro-Tem Griggs said that it just doesn't look to him like the numbers on the ICIP reflect the moneys that have been received from previous legislative sessions. If in 2007, \$1.3 million was requested and only \$500,000 was received, it seems like in 2008 the \$800,000 ought to just move over. He said it may be the ICIP process that he is not following. The intent at budget time was to put the roughly \$600,000 in to be able to finish the project. Mayor Carroll said that the request needs to be made for whatever additional moneys are going to be needed to build the road in July of 2008. Commissioner Cole agreed and underscored that if that is the intent, it needs to start moving.

The next project that was asked for last year was the extension of First Street to the relief route. An amount of \$2.7 million was requested, but only \$200,000 was received. That coupled with what has been received in the past provided enough money to get to the tracks. City Manager McCourt said they have been working on this project for several years also. A box culvert has been built on the west side of the tracks that the road will be routed over eventually, but this project hasn't been pushed as hard because the City has been in negotiations with the landowners for about seven years to get the necessary right-of-way through that particular area. The City is hoping to build the next section from the tracks going west and to reconstruct a large, sweeping bend in the road rather than what are short "S" turns now. In order to do that, the City needs at least \$2.8 million to complete the project, but they know that they won't get that much. The City only gets chunks of funding, which it then has to try to accumulate to do a sensible piece of the project.

Mayor Carroll said that he is concerned that if it was a number two priority last year and there has been funding for a couple of years that it still needs to continue to be a priority because otherwise the money will be lost. The five years will run out, and it will all be lost. Even if the City has to take it in small chunks, if it was a priority before, it should continue to be one. Commissioner Brockett asked if a certain amount has to be spent every year, but that is not the case.

Commissioner Ledford pointed out that if the project costs \$3 million and the City only gets \$200,000 a year for five years, it would not add up. Mayor Carroll said that this was a high priority for the businesses on White Sands Boulevard between First Street and the overpass. Typically \$2 or \$3 million is not received in one chunk, which is one of the things the Governor and legislature is trying to address. Approximately \$700,000 or \$800,000 has already been received towards this project, but the cost of the project from the day it was first started to now has probably gone up by that amount. It is an issue that is not going to go away any time soon, but unless it stays on the front burner along with some other projects, the City should just ask for \$50,000 projects and be done with it without ever having the potential of getting any of the larger projects funded. If another \$500,000 is received, putting that with what has already been received might get at least part of the project done.

Mayor Pro-Tem Griggs said that with respect to this particular road, the amount of money that has been set aside seems to be quite a bit if it will only be a two-lane road. City Manager McCourt explained that the long-term plans are for a four-lane road, but they are trying to get funding to build two of the four lanes. The cost of \$3 million reflects a four-lane road being built, but the City is hopeful to get funding to be able to build the two-lane road and at least have a safe two-lane road into town to be expanded at some other point in time. Mayor Carroll said that the project description is two travel lanes with a continuous left turn lane in addition to the railroad crossing. Mayor Pro-Tem Griggs pointed out that it has always been more expensive than South Florida even though it is not as long as South Florida. Mayor Carroll said a lot of that is getting across the railroad and the culvert that needed to be put in. Mayor Pro-Tem Griggs agreed that if it has been set up as a priority, then that needs to continue. If the deal can't be settled with the landowner, however, the City needs to figure out whether it wants to do the road at all. Commissioner Cole said that he thought the property issue had been worked out. City Manager McCourt explained that the City thought that was the case, but in the last conversation one of the major players said that he was not willing to continue.

Mayor Carroll asked if it is the pleasure of the Commission to keep this a priority. Mayor Pro-Tem Griggs said that it is with him, and Commissioner Cole concurred. Commissioner Cole asked why the funding that has been received cannot be spent to move forward, and City Manager McCourt said that is their intention. There haven't been enough funds yet to do any significant work other than the culvert crossing. Mayor Carroll said that the road needs to go to the relief route whether the big curves are taken out of it or not. At some point, the City will need to inform the landowner that an agreement needs to be reached or another approach taken.

The next project that was asked for last year was North Scenic Drive, and City Manager McCourt said the City has put in for funding on this through the State STIP program but had not received funding. He could not recall if it was in GRIP-2, but Mayor Pro-Tem Griggs said he thought some part of it was. However, it did not come out in the first grouping of GRIP-2 like South Florida and Martin Luther King did. In GRIP-2 there were five projects statewide that were picked as being in the first phase. There were additional phases of GRIP-2, and he thinks it is in one of those. Mayor Carroll said that no funding has been received as of yet, and as such there may be other priorities that should be moved into its place.

Mayor Pro-Tem Griggs said that one of the roads they need to consider is La Velle Rd. Senator Bingaman's office was planning to fund about a million dollars to build La Velle Road north from the highway. He thinks it needs to go at least to the national desalination research facility. City Manager McCourt said that they feel they have sufficient money to get from White Sands to the rail spur just south of the Sunbaked Biscuits factory. Eventually, La Velle Road will need to be reworked as it continues to develop as an industrial area. The City ended up with about \$750,000 in federal funding for this project. Mayor Pro-Tem Griggs said that it could be in talking with the federal delegation that

additional funding could be received on the road in addition to funding from the State to assist in getting at least to the Sunbaked Biscuit factory. Mayor Carroll suggested that the City could possibly request from the State legislature enough funding to take it at least to Sunbaked Biscuits. It will probably have to be done in chunks.

City Manager McCourt explained that different designs are looked at for each of these projects in terms of the area and whether there will be curbs and sidewalks.

Mayor Carroll asked if the continuation of the improvement to La Velle Road out to Sunbaked Biscuits should be a priority, and City Manager McCourt's opinion was that it is not given the other items in the City. He thinks there are much higher-priority items throughout the City that need to be addressed. Mayor Pro-Tem Griggs said that he thinks the City needs to continue to work with Senator Bingaman's office to tell them what can be done and then see if his office is willing to provide additional help. He thinks that would be a better approach than using State funding. City Manager McCourt then suggested that they not attempt to re-allocate the funds from Senator Bingaman's office.

Another one of the top priorities from last year was the reclaimed water distribution and storage, and City Manager McCourt said that a second amount of funding was received for that. It is another very large project. The tanks are being built, and another allocation was received that will be used for lining and covering. Mayor Carroll suggested that it continue to be a priority and pointed out that it may have some appeal to the Governor to allow for the increased efficiency of use with regard to reclaimed water. The numbers should be updated to reflect new costs and what has already been done.

Commissioner Cole asked if there is a process by which if there is money available it could be applied to a project that has already been discussed that is perhaps more of a priority. Mayor Carroll explained that they are going to pick and choose the projects that they want to fund. The Governor does this in conjunction with the area legislators. He may go to them and say, I'll put "X" dollars towards this project. How much are you going to put toward it? It may not be the same priority to some of the local legislators as it is to the Governor or the other way around. Mayor Pro-Tem Griggs explained that it would be nice if the legislature would just give the City \$5 million or \$10 million and just let the City use it where it is needed, but they don't do that. The legislators get a variety of requests that are not only from the City, and they sometimes mix and match. Occasionally, the City gets the short end of the stick in that process, and Commissioner Cole pointed out that what is more urgent to the Commission is getting projects completed as opposed to having five unfinished projects over ten years or whatever the period of time is.

Mayor Pro-Tem Griggs asked if a liner has been put in, and City Manager McCourt said that some funding had been received in the prior year, which is being used to construct the storage basics and do the earth work that is necessary. Additional funding was received in the current year and is being used to put in the liner and the plumbing. Mayor Carroll suggested that again additional funding for the reclaimed water system should be there. City Manager McCourt said that he does think it is an important project and does seem to be high on the Governor's list. City Manager McCourt said that they need the funding to finish looping the system from Alameda Park to the La Velle Pump Station. Mayor Pro-Tem Griggs suggested that the narrative should address how much further ahead Alamogordo is as far as the use of reclaimed water and how it has impacted the diminished usage of fresh water. He doesn't think anybody knows what the City of Alamogordo really does for water. Whatever is needed to finish the project should be requested.

The last project that had been asked for was ADA compliance, and there was no funding for that. City Manager McCourt said that they feel it is an important project to address the needs of the community, and as was pointed out in the 2007 request, the City is looking at building corridors to be able to allow citizens to move around within the community. It is, of course, a mandate that the City must accomplish and be able to show continuing work. That is done in several ways including through the street maintenance program. The City had asked for \$150,000 a year, but with the increased cost

that number may need to be raised to the amount necessary to do the project. It is not possible to estimate how much it would take to get the entire City into ADA compliance. Commissioner Brockett said in his opinion it just needs to be put on the list year after year.

Mayor Carroll said that would be the top four, and asked if there were suggestions for number five. Commissioner Brockett said that he doesn't have a specific one, but one of the three desals would be important to look at. It is a large-scale project, and some grants have been received through the Water Trust Board. Mayor Carroll didn't feel it would serve a purpose to request funding for the project with as large as the bill would be. City Manager McCourt said that at this time he doesn't feel that should be put on the request list for 2008. He suggested using the funds that are currently lined up and then coming back to it in 2009. Commissioner Brockett asked for a breakdown of what had been received to this point, and City Manager McCourt will get that to him. Mayor Carroll said that along with that it would be helpful to get the revised costs because those shown on the ICIP are considerably higher than what has been talked about.

City Manager McCourt recommended Fire Station No. 8 as the 5th priority. It is a public safety item and would be a station on the northwestern side of town to maintain the fire protection ratings in that area. Commissioner Ledford asked if that is because of the airport, but it is not though they are working on a fire station request for the airport area also. That is being worked on as a joint station that would incorporate both the airport and the community needs at that location. Fire Station No. 8 would be located on Mesa Verde Road, where PreCheck is being constructed. Currently, Station No. 6 on North Florida services the area, but there is a large subdivision that is going to be put in on the north end of the Relief Route. That is outside of the distance for the ISO rating so it could be as much as a nine without a fire station. Mayor Pro-Tem Griggs asked how much development would have to occur before it affects the ISO rating. City Manager McCourt said that the consideration is not only the affect on the rating but the businesses would also have to pay a larger insurance fee. The real concern is the immediate development that is occurring. A business is going in with employees as well as a theater complex. Public Safety Director Trujillo added that the ISO rating for the rest of the community would not be affected. It would just be for that area.

Commissioner Lujan asked if it is a higher priority to have wireless 9-1-1, but there is a different funding source available for that. The only thing outside of that is the Centrecon system, which is currently in the ICIP. It is about \$100,000, and it is not covered by the State. Mayor Carroll explained that the City is still working with the State DFA on the 9-1-1. Part of the funding they have indicated is not something they would typically fund, which is the Centrecon. The enhanced 9-1-1 itself is still being worked on with DFA, the County and Sheriff to come up with a plan that will be satisfactory as far as providing the maximum amount of protection for the citizens. Mayor Carroll said there is not much sense in asking for funding for that through the legislative process.

Mayor Pro-Tem Griggs pointed out that it would probably take five years to get all of the funding for the first station, and City Manager McCourt said that it may and what they are going to do is try to work with a variety of funding sources to get it built. What would be put in would be not only the station but also the equipping of the station. They would still need to figure out staffing. Mayor Carroll pointed out that part of the challenge for the City is to educate the state legislators. It may be a project that the Governor would totally fund in connection with PreCheck.

Mr. McCourt explained that with respect to the two most recent fires station's, they were funded using a combination of funding. There was a general obligation bond that helped fund the construction and re-construction of a couple and the acquisition of some equipment, and funding was also received using the City's share of funding from the State Fire Marshall to help construct those buildings. That is one area they are looking at in terms of the fire station being discussed.

Mayor Carroll gave the following as a suggested list of five priorities: 1) South Florida, 2) Fire Station, 3) Reclaimed Water, 4) First Street, and 5) ADA compliance.

The rationale for moving First Street to number four is that the fire station is something that has become a higher priority. The reclaimed water is now further along with additional funding, and there is concern with potential continued drought.

Mayor Carroll explained that this does not keep legislators from looking at other items on the ICIP and feeling that in response to citizen input or input from other organizations that they would like to help fund some of those projects. It is unlikely that the Governor would fund anything that is not in the top five, but that may change also. However, if it's not listed in the ICIP, it certainly will not get funded.

Mayor Carroll said that typically what is done is they wait until January to visit with legislators. He thinks that they probably ought to start visiting with them before the first of the year to let them know what the priorities will be.

Mr. McCourt asked if they should put the suggestions into the form of a Resolution for the City Commission meeting next Tuesday. Mayor Carroll said they could certainly approve it today.

Commissioner Brockett made a motion to approve Resolution No. 2006-52. Mayor Pro-Tem Griggs seconded the motion. A roll call vote was taken, and all voted "aye." The motion carried by a vote of 7-0-0.

UNSCHEDULED COMMUNICATIONS:

1. City Manager Pat McCourt

City Manager McCourt introduced Mark Threadgill as the new Operations Analyst who has been with the City for two days. Mayor Carroll welcomed Mark to the City.

Commissioner Cole asked what the water status is, and City Manager McCourt reported that Bonito Lake is now just ten feet below the spillway and still rising.

2. Mayor Don Carroll

Mayor Carroll mentioned that the State Transportation Commission is meeting in Cloudcroft on Thursday if any of the Commissioners would like to attend to show support for that group. The meeting starts at 10:00 with coffee and donuts at 9:00.

Commissioner Moncada made a motion to adjourn at 4:37 p.m. Commissioner Cole seconded the motion. A vote was taken, and all voted "aye." The motion carried by a vote of 7-0-0.

The meeting adjourned at 4:37 p.m.

/s/Donald E. Carroll

Mayor Donald E. Carroll

(SEAL)

ATTEST:

/s/Reneé Cantin

City Clerk Reneé Cantin

(Prepared by Ubiquis Reporting)

Approved at the City Commission Regular Meeting of September 12, 2006.