

CITY COMMISSION
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
TUESDAY, DECEMBER 27, 2011

REGULAR MEETING

MINUTES

TIME & PLACE: The Mayor and the City Commission of the City of Truth or Consequences in the County of Sierra and State of New Mexico met in Regular Session in full conformity with the law and ordinances of said Commission in the Commission Chambers of said City, on Tuesday, December 27, 2011 at 6:00 P.M.

PRESIDING OFFICER: The meeting was called to order by Mayor Lori Montgomery, who presided and Judy M. Harris, Deputy City Clerk acted as Secretary of the meeting.

ATTENDANCE: Upon calling the roll the following Commissioners were reported present:

Hon. Lori S. Montgomery, Mayor
Hon. Evelyn B. Renfro, Mayor Pro-tem
Hon. Steve Green, Commissioner
Hon. Frances Luna, Commissioner

Absent were:

Hon. Freddie Torres, Commissioner
Jay Rubin, City Attorney

Also present:

Juan Fuentes, City Manager
Judy M. Harris, Deputy City Clerk

QUORUM: There being a quorum present the Commission proceeded with the business at hand.

CEREMONY: Mayor Montgomery called for fifteen seconds of Silent Meditation.

Mayor Montgomery called for the Pledge of Allegiance.

APPROVAL OF AGENDA Mayor Montgomery called for approval of the Agenda.

“Commissioner Luna moved approval of the agenda as presented.”

Seconded by Commissioners Green.
Motion carried unanimously.

PRESENTATION Certifications of Appreciation

1. City Manager Fuentes presented a Certificate of Appreciation to Mayor Montgomery, for her participation in the new Recycling Center opening event.
2. City Manager Fuentes presented a Certificate of Appreciation to Commissioner Luna, for her service to the City.

COMMENTS FROM THE PUBLIC: Mr. Ron Fenn came before the Commission with comments and provided information for the record.

RESPONSE TO PUBLIC COMMENT: None

CONSENT CALENDAR: Mayor Montgomery stated they have one item on the Consent Calendar – City Commission Meeting Minutes – Regular – 12/13/2011.

“Commissioner Green moved approval of the Consent Calendar as presented.”

Seconded by Commissioners Luna/Renfro.
Motion carried unanimously.

DRAFT MINUTES: Mayor Montgomery state the following are draft minutes from various boards provided to the Commission for their information, and are non-action items.

BOARD & COMMITTEE REPORTS: None.

PUBLIC HEARINGS: None.

OTHER BUSINESS: **Consider/Approval – Resolution #17-11/12 Water Tank PPRF Loan**

City Manager Fuentes stated this is the second Resolution for the Water Tank Rehabilitation Project. He noted that at the last Commission Meeting the Commissioners approved the Water Trust Board Grant Loan Component, noting that

this was the New Mexico Finance Authority Loan Component – and was also the related to the Water Trust Board Project. Explaining that this is a loan for \$166,164.00, it is for 20 years and is a zero percent interest. He explained that in the Commission packets were a copy of the Loan Agreement and the Resolution required for the Agreement. (Complete copy attached hereto and made a part hereof)

“Commissioner Green moved to approve Resolution #17-11/12 Water Tank PPRF Loan.”

Seconded by Commissioner Luna.

Commissioner Montgomery responded Aye to Roll Call Vote
Commissioner Renfro responded Aye to a Roll Call Vote
Commissioner Green responded Aye to a Roll Call Vote
Commissioner Luna responded Aye to a Roll Call Vote

Motion carried unanimously.

Consider/Approval – Amended Election Resolution #12-11/12, English and Spanish

City Manager Fuentes stated that with the resignation of Commissioner Luna, effective December 31st, we consulted with the New Mexico Municipal League and they advised us to amend the Election Resolution to include Commissioner Luna’s position on the Ballot for a two year term. Noting the only amendment to the Resolution is the addition Position for a two year term.

“Commissioner Luna moved to approve the Amended the Election Resolution, both in English and in Spanish.”

Seconded by Commissioner Green.

Commissioner Montgomery responded Aye to Roll Call Vote
Commissioner Renfro responded Aye to a Roll Call Vote
Commissioner Green responded Aye to a Roll Call Vote
Commissioner Luna responded Aye to a Roll Call Vote

Motion carried unanimously..

Consider/Approval – Budget Resolution #18-11/12

City Manager Fuentes stated Resolution comes before you with additional budget amendments. Noting he would go through each of the amended items.

Mr. Fuentes stated the first budget amendment is in regards to the Lodgers Tax Fund. Noting that during the last meeting they discussed the renovations and improvements needed for the old Fire House, at that time a similar Resolution was adopted that allocated \$10,000 towards the improvements of the old Fire House; the Resolution proposed allocates an additional \$20,000, from the Lodgers Tax Fund. Noting the Lodgers Tax Fund does allow, under State Statue, for the funds to be used for Tourist related facilities, which this would serve.

Mr. Fuentes noted the second budget amendment is to the CI General Fund, which is the transfer in from the Lodgers Tax Fund, the \$20,000, recognizing the revenue monies coming in to the CI General Fund.

Mr. Fuentes noted item number three budget adjustment, is similar, the Budget adjustment; under number four – General into Facilities – it is an insurance claim reimbursement – for the repairs to

the Cities Facilities. Number five is grant reimbursement for Police Activities.

Adjustment number six is also a grant reimbursement from the Court automation program.

Item number seven is in regards to the electrical construction, this will provide for the local cash match for the CDBG project, the CDBG project in Williamsburg, the funds will be provided from the ending cash balance, noting that we do have the \$400,000 of Grant Funds allocated in the budget, but we did not allocate the matching funds. Mr. Fuentes noted they are in the ending cash balance for that fund.

The eighth adjustment is in regard to the DWI Program, noting the DWI Coordinator was present, stated that she is requesting an increase in both the revenues and the expenditures, because they are anticipating a higher activity in those two areas.

“Commissioner Luna moved to approve Budget Resolution #18-11/12.”

Seconded by Mayor Pro-tem Evelyn Renfro.

Commissioner Montgomery responded Aye to a Roll Call Vote
Commissioner Renfro responded Aye to a Roll Call Vote
Commissioner Green responded Aye to a Roll Call Vote
Commissioner Luna responded Aye to a Roll Call Vote
Commissioner Torres responded Aye to a Roll Call Vote

Motion carried unanimously.

Consider/Approval - Aviation Division Grant Agreement Application – Resolution #19-11/12

City Manager Fuentes stated that Dumas Slade, with WH Pacific, had dropped by last week, with this grant application for improvements to Taxiway B reconstruction. In the Commission packets is a Grant Application for \$600,000.00, noting that \$570,000 would be provided by FAA, State Aviation Division would be providing 2.5% of that, which is \$15,000, and the City of Truth or Consequences 2.5%, which is another \$15,000. Stating that our match will be coming from our ending cash balance of the Airport Fund. The funding for the \$600,000, we are requesting the approval of this Grant Application because we are in a three year window, the City is eligible for \$150,000 every year, if we don't apply for these funds, then we end up, in essence, losing \$150,000.00. Mr. Fuentes went on to add that this is one of the projects listed in the Capital Improvement program, noting that the application has been prepared and is before the Commission for consideration. Mr. Fuentes did note that City Attorney Jay Rubin did review the application, although it is not signed – as required, as Mr. Rubin is out of town, he has reviewed the application and emailed that he has approved it as to form.

“Commissioner Luna made a motion to approve the Aviation Division Grant Agreement Application- Resolution #19-11/12.”

Seconded by commissioner Evelyn Renfro.
Commissioner Montgomery responded Aye to a Roll Call vote
Commissioner Renfro responded Aye to a Roll Call Vote
Commissioner Green responded Aye to a Roll Call Vote
Commissioner Luna responded Aye to a Roll Call Vote

Motion carried unanimously.

None.

CITY MANAGER-

City Manager Fuentes stated he wanted to recognize a couple of folks, and also some businesses. Noting that the City did open the Emergency Shelter on Friday, there were about 250 passengers, people that stayed overnight. Some of our employees that participated in assisting them were Raymond Chavez, Al Bauer, Jimmy Schraner, Judy Harris, David Johnson and Ed Williams, and several from the County who assisted as well. Mr. Fuentes recognized the Red Cross, Wal-Mart, and Bullocks for donations; Subway, Pizza Hut, also CYFD and New Mexico State Parks. Unfortunately due to road conditions, the people had to stay overnight, noting that it's better to be safe than sorry, and people of the community really came forward and participated and assisted, and at least we gave some accommodations to the folks who had to stay here. Noting he wished to recognize them for the work done.

**OLD
BUSINESS**

REPORTS:

Mr. Fuentes stated there had been quite a big line break on Platinum and Broadway; last week, there was two breaks on a twelve inch line, our water crew was out there last week trying to locate it. When they were finally able to locate the leak, unfortunately it was a line, because the location of it, was incased in concrete, they worked quite a bit on it. The repaving of the section that had to be cut is to be repaved tomorrow, so you will see a lot of activity at that intersection.

Mr. Fuentes noted, for FYI, he did have interviews with a gentleman for the Finance position, his name is Jorge Trevino, he has experience in finance in municipalities, the wealth of his experience has been in Texas and Arizona. The areas he has worked in is an ideal match for the position we are looking for here, Covering both, not only accounts payable, he also has experience in budgeting, experience in utility, billing – so he would be a ideal fit for this position. Mr. Fuentes noted he had offered him the position, Mr. Trevino will be starting February 6th. Giving him 30 days to relocate to T or C.

In a last note, Mr. Fuentes explained that he did make a presentation, last week, to Senator John Author Smith, regarding our top priorities for Capital Outlay as well as some of our policy issues. As we suspected, money is going to be tight, for Capital Outlay, but none the less, we wanted to present our request to Senator Smith, in hopes that maybe not the \$500,000 but at least \$50,000 – anything will help.

Commissioner Green had follow-up, concerning Mr. Fuentes's report. He noted that when they spoke to Senator Smith, he had eluded that he was expecting to get about \$300,000.00, for his entire district. Noting that what Senator Smith suggested and council us on, he suggested that we to Representatives were present, before the Legislature convenes – go to their Offices in Silver City and in Las Cruces and present our case, because if we can get a couple of dollars from the three of them – the pots going to be bigger, than what John Author Smith is going to get.

Commissioner Luna

Commissioner Luna wished to thank everyone, on her last report. Noting it would be sad without the other Members on Tuesday, but she would be listening, she thanked the Commission again.

Commissioner Green

Commissioner Green wanted to wish the Commissioners, City Manager, staff and all residents of T or C and Sierra County, the best of Holidays and a very happy and healthy New Year for all. Commissioner Green made a suggestion to the City Manager, noting when people drive by old buildings – or where people had been cited and they are going to do something to rehab either an historic building or just a regular building, we put a big sign up or ask them to put a big sign up, “this historic building is under renovation and will be restored to its former glory”, so people see there are things happening that are on the positive vane and it explains why the building looks like it does.

Commissioner Renfro

Commissioner Renfro welcomed Mayor Montgomery back, she went on to wish everyone a Happy New Year, and to wish Commissioner Luna the very best as she has enjoyed working with her and will miss her.

Mayor Montgomery

Mayor Montgomery noted it is good to be back. She stated she appreciated everybody’s well wishes over the last month, noting they would be in and out and she would keep all informed. She stated she wished to thank the City Crews for getting out there during the snow Thursday and Friday, saying they did some remarkable work keeping the roads free and clear. Noting she had received calls from Santa Fe wondering if the Veteran’s Center was closing the Facility due to the weather, she answered no, that the City was good, all was taken care of everything. She sent her appreciation to Don and the City Crew. Mayor Montgomery stated she attended the Dona Anna Community College Government Round Table, at the East Mesa Campus in Las Cruces, noting that it is quite a remarkable program, they will be adding classes for State Police Academy. She wished all a Happy New Year and for all to be safe out there.

“Commissioner Luna moved that the meeting be closed for Executive Session pertaining to:

- A. Purchase, Acquisition or Disposal of Real Property 10-15-1H (8)
HSLD, LLC. , Airport Property Transaction.

Seconded by Commissioner Luna.

- Commissioner Montgomery responded Aye to a Roll Call Vote.
- Commissioner Renfro responded Aye to a Roll Call Vote.
- Commissioner Green responded Aye to a Roll Call Vote.
- Commissioner Luna responded Aye to a Roll Call Vote.

**EXECUTIVE
SESSION:**

Motion carried unanimously.

Mayor Montgomery stated that the Commission was now in Open Session.

“Commission Green certified that only matters pertaining to A. Purchase, Acquisition or Disposal of Real Property 10-15-1H (8)”, HSLD, LLC., noting discussion incurred and no action was taken. “

“Seconded by Commissioner Luna.
Motion carried unanimously.

OPEN MEETING:

“Commissioner Luna moved to direct staff to prepare a bulleted list for HSLD, regarding the Airport Lease, of the Airport Property Lease, and have them make a presentation to the Commission at the last meeting in January.”

“Seconded by Commissioner Green.
Motion carried unanimously.

CERTIFICATION:

There being no further business to come before the Commission the meeting was adjourned.

PASSES AND APPROVED this _____ day of _____ 2011, on motion duly made by Commissioner _____, seconded by Commissioner _____, and carried.

Lori S. Montgomery, Mayor

Judy M. Harris
Deputy City Clerk

ADJOURNMENT:

APPROVAL:

ATTEST:

