

CITY COMMISSION
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
Tuesday, September 4, 2012

SPECIAL 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 Special Session in full conformity with the law and ordinances of said Commission in the Commission Chambers of said City, on Tuesday, September 4th, 2012 at 8:00 A.M.

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

Hon. John Mulcahy, Mayor
Hon. Sandra K. Whitehead, Mayor Pro-tem
Hon. Steve Green, Commissioner

Absent was:

Hon. Jeff Richter, Commissioner

Also present:

Juan Fuentes, City Manager
Mary B. Penner, City Clerk

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

CEREMONY: Mayor Mulcahy called for the Pledge of Allegiance.

EXECUTIVE SESSION: “Commissioner Green moved that the meeting be closed for Executive Session pertaining to – A. Purchase, Acquisition or Disposal of Real Property and/or Potential Litigation 10-15-1H (7) & (8), 1. Related to – NMSA Welcome Center.”

Seconded by Commissioner Whitehead.

Mayor Mulcahy responded Aye to a Roll Call Vote
Commissioner Whitehead responded Aye to a Roll Call Vote
Commissioner Green responded Aye to a Roll Call Vote

Motion carried unanimously.

**OPEN MEETING/
CERTIFICATION** “Commissioner Green certified that the Commission went into Closed Executive Session under – A. Purchase, Acquisition or Disposal of Real Property and/or Potential Litigation 10-15-1H (7) & (8), 1. Related to – NMSA Welcome Center, discussion ensued and no vote was taken.

Seconded by Commissioner Whitehead.

“Commissioner Green moved to authorize staff, and City Attorney Jay Rubin to follow directive of sending a letter of response to Mr. Wade Jackson, General Counsel for NM Economic Development Department answering their concerns pertaining to the protest of the property that T or C has put forth.”

Seconded by Commissioner Whitehead.

Mayor Mulcahy stated he would like to make a statement –

On May 31st the City Commission voted unanimously with Richter recusing directing the City to respond to the NMSA Welcome Center RFP offering the land on the Shutter Factory site for fair market value. When the NMSA Board voted to award the RFP they did so setting the price at the assessed value of \$152,000 which is less than half of the expected fair market value. After finding this out I asked for a meeting with Christine Anderson along with Commissioners Whitehead and Green, and asked her to reconsider the accepted price because it was not the action of the Commission to offer it at such a low price. She responded that it was too late to change the price per the State of NM Procurement Code, and anyway the time to make that request would have been during the NMSA Board meeting when the RFP was being awarded.

I strongly support the location and the City’s offer for the proposed site for the NMSA Welcome Center, and I voted for it on May 31st. I do not think the price of \$152,000 for the NMSA Welcome Center property is appropriate or fair. The next nearest bid was over \$900,000. The City will have to make substantial improvements to meet the subsequent obligations of the NMSA RFP for infrastructure and access improvements which may easily exceed the \$152,000 being paid by NMSA. This is an NMSA RFP Section B paragraph 7.

As such I do not support offering this property within this agreement unless the price is raised to match the Commission’s action to obtain fair market value. It has always been my intention as Commissioner to ensure the tax payers of Truth or Consequences do not pay for deals like this. They have already paid NMSA for the development of Spaceport America with their self-imposed GRT...they do not need to pay more again.

I’m not against the Welcome Center location or the Welcome Center...I am against the price, therefore I vote no.

Vote is 2-1 – Motion passes.

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

APPROVAL: PASSED AND APPROVED this _____ day of _____, 2012, on motion duly made by Commissioner _____, seconded by Commissioner _____, and carried.

JOHN A. MULCAHY, MAYOR

ATTEST:

MARY PENNER
CITY CLERK

