

CITY COMMISSION
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
Tuesday, March 26, 2013

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, March 26, 2013 at 6:00 P.M.

PRESIDING OFFICER: The meeting was called to order by Mayor Mulcahy who presided and Mary B. Penner, City Clerk acted as Secretary of the meeting.

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

Hon. John Mulcahy, Mayor
Hon. Sandra Whitehead, Mayor Pro-tem
Hon. Steve Green, Commissioner
Hon. Mike Kertesz, Commissioner
Hon. Jeff Richter, Commissioner

Also present:

Juan Fuentes, City Manager
Jay Rubin, City Attorney
Mary B. Penner, City Clerk

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

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

Mayor Mulcahy called for the Pledge of Allegiance with Commissioner Kertesz leading the Pledge of Allegiance.

APPROVAL OF AGENDA: Mayor Mulcahy called for approval of the Agenda.

“Commissioner Green moved approval of the Agenda, but I would like to ask that Commissioners be allowed to say a few words after the Swearing In Ceremony at that part of the Agenda before Public Comment.”

Seconded by Commissioner Whitehead.
Motion carried unanimously.

SWEARING IN – COMMISSIONER KERTESZ –

Mayor Mulcahy asked Judge Sanders to come forward to perform the Swearing In – Oath of Office to Newly Elected Commissioner Stephan Michael Kertesz.

Commissioner Green stated along with the accomplishments this

Commission has made in the past year our inability to fill Commissioner Torres's seat created an under-current of this appointment and frustration inside and out of this building... hopefully that past is behind us, and we will be 5 Commissioners with the City Manager working as a team...a team that respects one another knowing that at times we will disagree, and putting aside personal feelings unite to do what is best for our City...with that said...Congratulations & Welcome Commissioner Kertesz.

Commissioner Whitehead – Welcome and we'll enjoy working with you.

Commissioner Richter – Welcome.

Mayor Mulcahy – I know there have been tensions resolving this issue, and the appointment of Mr. Kertesz on the board...I simply want to publicly state...that I welcome Commissioner Kertesz, and I look forward to accomplishing much for our community with this now new and whole board.

COMMENTS
FROM THE
PUBLIC:

Ms. Diane Lombardo came before the Commission with comments regarding the Shelter Contract.

Ms. Pat Freemeyer came before the Commission with comments.

Mr. Gerald Trumbull came before the Commission regarding his trash pick-up at 905 Pine.

Mr. Greg D'Amour representing the City of Truth or Consequences Recreation Advisory Committee came before the Commission to thank City Manager Fuentes for all his assistance, and Bill coming along helping us with some potential to get some future planning, and making sure there is an understanding of how past funds...past recreational needs within the community that it come through the committee...through the public...through public hearings have all been worked on and addressed in the past.

CONSENT
CALENDAR:

Mayor Mulcahy stated they have several items under the Consent Calendar – Golf Course Advisory Board Minutes – 1/9/13, Airport Advisory Board Minutes – 3/6/13 and the DAIC Monthly Report – February 2013.

“Commissioner Green moved approval of the Consent Calendar - #1 – Golf Course Advisory Board Minutes – 1/9/13, Airport Advisory Board Minutes – 3/6/13, and I do have a comment on those minutes, and DAIC Monthly Report – February 2013.”

Seconded by Commissioner Whitehead.

Commissioner Whitehead stated she has 1 correction on the Golf Course Advisory Board Minutes...just a typographical error, and item #3 – Comment **from** the Public instead of **form** the Public.

Commissioner Green stated on the Airport Advisory Board...and I realize it's a draft, on page 3 – Under the Fuel Report there has to be a typo...they have AV Gas sold 303 gallons for \$17,000.

Motion carried unanimously.

OLD BUSINESS: **DISCUSSION/ACTION – AWARD/APPROVAL OF LEGAL SERVICES CONTRACT BETWEEN THE CITY & COPPLER LAW FIRM, P.C. – JUAN FUENTES, CITY MANAGER –**

City Manager Fuentes stated this came before the Commission two meetings ago, and indicated it was tabled for further review and discussion, however as part of the procurement process, and Pat Wood our Procurement Officer is present to answer any questions, unfortunately the process limit as far as how much detail we can get into because under the procurement process these proposals are to be kept confidential until an award contract is negotiated so with that the proposal tonight and recommendation is to proceed forward with the approval and awarding of legal services contract with one condition under the term of the contract...currently the way it is written it is for a four (4) year term, and staff is recommending that if the Commissioners agree, and decide to move forward that section of the contract be amended to be for an initial one (1) year contract with an option to renew for three (3) additional years, and stated that will reflect the same kind of language that we currently have with our existing contract with Jay Rubin.

Commissioner Green – Would it be appropriate because I did check on some of the references for the Coppler Law Firm...would it be appropriate and legal for me to report on my findings on those phone calls.

Manager Fuentes – I would ask Pat as the Procurement Officer maybe chimes in as part of the process.

Ms. Pat Wood, Procurement Officer came before the Commission, and stated at this time you can't disclose anything because everything is confidential until it has been awarded.

City Attorney Rubin – Stated that there is a State Statute that supports that.

Mayor Mulcahy – It says here that we would have an option to renew for three (3) years...who's option is it?

Ms. Wood – That is following State Statute.

Mayor Mulcahy – No...it is the City's option to decide whether we want to continue with that contract, or reissue an RFP, or do we offer them the first choice.

Manager Fuentes – It is the option to both parties...it is similar to our existing contract with Mr. Rubin, and it would be the option of both parties to extend it if that's our wish...there is also a termination clause there that we can exercise as well.

City Attorney Rubin - In addition to the separate one (1) year renewal terms there is a 30-day termination clause if need be...so we're protected there.

Mayor Mulcahy - You recall from our last meeting that I personally didn't weigh in...in favor of the Coppler Law Firm at this time based on the recommendations of staff, and the RFP process. And I'd like to make sure or try to ensure if possible that we have a

decision point at the end of the one year period, because I do believe we need an attorney firm at this time, but I'd like to make sure this isn't an automatic renewal...and I'm not sure how to do that other than through the actions of the Commission.

Manager Fuentes – If that is the will of the Commission we can certainly modify that paragraph to reflect that, and I believe Jay your contract is similar...

Attorney Rubin – I think if there is a question about whether you want to renew it...you just put it on the agenda, and then the Commission can make a decision if that's something you want to do, and if you want to instruct staff to calendar it...say by the end of February of next year then we would have that on the agenda.

Mayor Mulcahy – I look at this, and I understand the urgency of needing to have legal presence supporting us in this situation at this time...I would just like to encourage the Commission to do that... mark our calendar, and take a look and see if this is really who we want to go with...if this is the will of the Commission to approve this at all. Having said that...I will personally support a one (1) year contract.

Commissioner Kertesz – If this is approved now can Commissioner Green make comments after it's approved about his conversation regarding the law firm...I think that can be done after it's approved...is that correct..

Attorney Rubin – I'm just thinking out loud...I think I would prefer to have the contract signed by everybody before we do that.

Commissioner Kertesz – Fair enough.

“Commissioner Green moved for approval of the award of Legal Services Contract between the City and Coppler Law Firm, P. C., and stipulate that it is for one (1) year period of time to be renewed at the end of that one (1) year by the Commission to see if they want to roll it over for another year with a maximum of 3 roll overs.”

Seconded by Commissioner Whitehead.
Motion carried unanimously.

**PRESENTATION – T OR C POLICE DEPARTMENT – 2012
END OF YEAR REPORT – CHIEF MULLINS –**

NEW BUSINESS:

Chief Mullins with the Truth or Consequences Police Department along with Captain Morgan and Malissa Cordell, Administrative Assistant presented a power point presentation regarding law enforcement activity from the past year.

The information presented included General Law Enforcement Services, Major Issues in the Community, and Efforts to Combat these Issues. (A complete copy of the power point presentation is available from the T or C Police Department or the Office of the City Clerk.)

During the presentation Chief Mullins introduced Senior Officers with the Truth or Consequences Police Department who are

responsible for supervising new officers as well as carrying out their duties, and recognized; Sgt. George Lee, Sgt. Ted Ontiveros, Detective Mike Lanford, Detective Terry White, and Sgt. Joshua Baker.

DISCUSSION/ACTION – CONTRACT FOR SERVICES – CITY OF T OR C & SIERRA VETERINARY SERVICES, LLC –

Chief Mullins came before the Commission, and stated the item before you is to consider approving the Animal Shelter Contract for Services. And indicated that Dr. Dawkins has agreed to continue services for the City of T or C for a limited period of time, and believes it is up to five years to be renewed every year.

She stated this will give the City, the City Manager, and this Commission time to proceed towards the goal of establishing, and operating, and hopefully maintaining our Animal Shelter separate from Veterinary Services.

Commissioner Kertesz stated he has a problem with Article 4. (a) – Compensation and Method of Payment...and it requires a \$15.00 per day per animal charge up for the first 10 days, and stated there is no requirement in there which would obligate payment to the City to get reimbursed for that money they might be billed for.

And stated for example...Maybe they may need a release from the City for example before they can pick up their pet so it's just a comment that might improve how the City would get paid for its indebtedness to the Veterinary Clinic.

Chief Mullins stated this is why the...biggest goal here is to eventually address our own animal services because she is offering these services...it's sort of...she has the advantage I guess you could say because we don't have an animal shelter, and we do need a temporary (inaudible) I guess you could say until we can do our own so we can't really...I know we're gonna be paying \$10,000 a month, and \$5,000 is coming out of my budget, and I believe the other 5 is going to be from other entities, and the City Manager would know more about that than I do. And pretty much this contract is just to help us get through hopefully into the next year, and start going...

She stated she has been speaking to Victoria Martinez, and I've kept in contact with her, and indicated she is with the Animal Protective Services of New Mexico, and that she has provided, and identified lots of grants and other resources, and as I get those I will provide them and give them to the City Manager.

Commissioner Richter – This \$10,000 a month that's gonna cover all her expenses including vaccinations things like that...disposal of carcass's this is all inclusive.

Chief Mullins – It includes the disposal of carcasses.

Commissioner Richter – In the case let's say for instance we have an animal that the owners don't pick up, and receives some vaccinations and stuff...that's her expense.

Chief Mullins – I don't have the contract in front of me so I don't know, and I know it's pretty general to what it was previously...the only change...the largest change is obviously the month per month. I don't think she changed anything else because she is doing this year to year, and it is to help us out...she's not offering anything extra it's exactly how it was in the years previous. And it is my understanding if I'm not mistaken City Manager...it is exactly the same other than the amount of pay for services until we can get our own shelter.

City Manager Fuentes – Under the Agreement I believe the compensation is \$10,000, and that's what we will be charged and billed for, and she may have other fees that she charges at the shelter for other services if...if an owner for example would go in and pick up the animal, but one of the other big difference in this contract compared to last year is under this contract the City would be acting as the fiscal agent for the County wide Animal Shelter Services...the City will be the only entity that Dr. Dawkins will be contracting with...the other entities if they wish to, and I am in contact with both County Manager Jan Carrejo, and the City Manager from Elephant Butte about an agreement with the City to cover the additional cost, and as the Chief pointed out this is only a temporary solution to get us as we hopefully receive some additional funding for an animal shelter which currently right now we are waiting to see if the Governor signs a Capital Outlay Bill which has \$100,000 set aside for us for the animal shelter, but we can currently look at those additional details...Commissioner Richter to clarify if all is inclusive with that \$10,000...that is my understanding.

Commissioner Green – So along those lines on page 4 where we're talking about Changes...any increase or decrease the amount of contractor compensation which are mutually agreed upon by and between the City and the Contractor shall be incorporated in written amendments to this Agreement...which means if we see that something is not being handled properly, and the only way to solve that is to put forth a few extra dollars...we can ask our partners in this agreement to help us out, but they are not contractually required to help us out...and would fall back on the City to make that difference...is that correct. And once we sign this we're giving everyone else kinda a free ride, and I know they're gonna be good neighbors, and they're gonna participate, but I think you understand my point.

Manager Fuentes – I do, and the rest of this agreement goes into effect, and Dr. Dawkins will only be dealing with the City of T or C, now if no other entity agrees to enter into an agreement with the City then essentially they would have to provide their own service...animal control services. And in a way Dr. Dawkins has decided to inclusively only deal with the City as the fiscal agent.

And going back to the paragraph you just mentioned we would have to incorporate some of this existing language in the agreements that we would enter with the other entities because obviously any changes that would happen under this agreement with Dr. Dawkins would obviously have to come back to the City Commission for amendments, and in turn we would go back to the other entities as well.

Commissioner Whitehead – As this contract is gonna cost the City of T or C \$10,000 a month, and if the County and the Village of Williamsburg do not enter into this contract is this money in the budget to take care of this, and that Chief Mullins stated it was going to cost her \$5,000 out of her department, so is this budgeted for...or is this something we're gonna look at budgeting and taking care of, or are we gonna try real hard to get the other entities involved.

Manager Fuentes – This amount this contract would have to be budgeted under the Police Department with the other services contracts that we have...again as stated earlier...Dr. Dawkins in essence is the only Veterinarian that we have so the City is contracting with her because we are the biggest entity, but the County and the Manager from Elephant Butte I've been meeting with them on a regular basis, and I can tell you that County Manager Carrejo is being very cooperative, and has verbally stated to me that she'll be willing to work with the City...I definitely don't want to speak for her, but I feel confident enough that she has extended a hand in the system with the City moving towards a transitioning out of the into a City/County or City operated animal shelter services, and I'm still working with the Manager of Elephant Butte has also expressed interest to assist...what the final number will be I don't know yet until I have drafted an agreement that I can bring back to the Commission, but this full contract amount will have to be budgeted under the police department, and in turn we will budget the revenue to come in as well...hopefully.

Mayor Mulcahy – Clearly this other two communities have their own animal control issues I don't think they want to deal with them, but we're giving them \$10,000, and I hope it covers her costs...I want her to be successful...I want her to run a good clinic...I mean a good animal shelter, but I'd like to ask you a question, and have some discussion with the Commissioners after the presentation...Is the Scope of Work sufficient because I have a couple of points...I adopted a cat last week it was a good experience, and it worked well...but my concern was a couple of things, and one of them has been brought up tonight, and another one the hours on Saturday...I mean if we want to promote adoption, and want to get these cats out of there in homes, and dogs in homes, I think they are only open 2 hours on Saturday, and I wonder can our Scope of Work we couldn't somehow say we're giving you \$10,000 a month we need you to be open on Saturday longer hours or take hours out of the rest of the week.

Chief Mullins – That's a good question, but I'm not sure this is difficult in the sense that the ball's in her court because she's offering these service, and in the beginning she wasn't going to offer them at all...it was I'm not doing it. I believe she's only doing it I guess you can call it a band aide until we get moving on our own...I'm sure we can discuss these issues with her, but I don't think we're gonna be able to demand her to do anything at this point.

Mayor Mulcahy – It's still \$120,000 a year, and that's not a small amount of money...maybe we do, maybe we sit down and have some sort of conversation saying listen let's talk about the hours of operation if in fact we want to have more adoptions...let's make it easier for people to adopt...I don't know, 2nd thing was an issue that

was brought up tonight is of some consideration, and that is it should be in my opinion part of her responsibility in lieu of this payment to just walk through the clinic once a day, or walk through the animal shelter once a day, and check on the healthy animals...is that not happening...do you know.

Chief Mullins – By who...I don't know.

Mayor Mulcahy – I wish we could put a little bit of teeth in there that serves taxpayers money. And say we're giving \$120 grand a year, and I'm all for Dr. Dawkins...please make no mistake I'm grateful for what she's doing in our community I'm glad she's here, and I have told her so, but is it too much to ask...we need you to walk through once a day, and look at the hours of operation.

Manager Fuentes – This is a Professional Services Contract with Dr. Dawkins, and as the Chief pointed out, and as Commissioner Green obviously there is always room for further negotiations, and more specifics in regards to some of the things you pointed out, and without having Dr. Dawkins here present to address some of those questions or what the challenges are certainly we can go back, and as we discuss it with the other communities we can certainly sit down and discuss those ideas with her...ultimately I think with hopefully some of the...money if the Governor does sign this Capital Outlay Bill we definitely need to...begin to work with the organizations/non-profits to look at what programs we want to see develop in the next couple of years, because eventually she stated specifically this has to be transitioned out whether it is the City of T or C...the County...City of Elephant Butte...everybody.

Commissioner Green – On the Scope of Work...we have this Animal Shelter Task Force...for that group...were they consulted at all...something that we might consider having them take a look at the Scope of Work.

Manager Fuentes – As you recall the Task Force was formed on a task specific.

Mayor Mulcahy – We gotta do this in my opinion. And I would like to be able to direct staff to sit down with Dr. Dawkins, and at least ask her...can we please talk about the hours of operation, and we move forward on this contract...but direct staff to have that conversation, and come back to this Commission, and report on your findings, and what's happened with that.

“Commissioner Green moved for approval with the Contract for Services between the City of Truth or Consequences & Sierra Veterinary Service, LLC with the City Manager taking the lead on some of the points that were brought up by the Mayor, and the other Commissioners.”

Seconded by Commissioner Whitehead.

Motion carried unanimously.

DISCUSSION/ACTION – CHANGE ORDER #1 & #2 – CDBG WILLIAMSBURG ELECTRICAL UPGRADE PROJECT – GIL AVELAR, ELECTRIC DIRECTOR –

Mr. Gil Avelar came before the Commission, and explained Change Order #1 is to replace an overhead Guy pole that was in terrible shape, and stated five years ago it was in pretty decent shape, and since has deteriorated, and by the time they put the new load on it, and bigger conductor, the ACSR, and the tension really did a number on that pole...so it did need to be replaced. He stated they did it hot so it required 2 digger derrick trucks one to hold the tension...one to set the pole, 3 bucket trucks, two to actually do the work, and one just in case, and since the telephone was in such plus proximity to the hole that hole was hand dug so it took a while to get that down as it was pretty compacted, but they got it down with proper level and put it in, and transferred everything.

On Change Order #2...had to do when they were stretching the conductor past the tangent pole in the biggest part of that curve right by the service center/electric yard...once they started putting a little tension on that line it started putting a pretty good load on that tangent pole, and bent it to the South...so they needed to change that overhead Guy to something new, and re-tension it...that way they could proceed with their work.

Commissioner Kertesz – What is the status of the overall project?

Mr. Avelar – By Monday they should be done, and that this Thursday they will have a scheduled walk-through of the whole project, and Monday I think they will be ready to leave.

Commissioner Kertesz – So we're not anticipating anymore change orders.

Mr. Avelar – I don't believe so.

Commissioner Richter – In that completion does that include the telephone being attached...piggy backed on the new poles.

Mr. Avelar – What's going on with that is the telephone was lagging as of yesterday...they were lagging behind 22 poles, so what they are doing to pull those poles they are hanging the telephone on the new pole...on the J-hook with the understanding that the telephone company will come and attach those poles properly.

Commissioner Green – The monies...is this gonna come out of the CDBG Grant.

Mr. Avelar – Yes.

Commissioner Green – So we have money to cover all of this?

Mr. Avelar – We're in pretty good shape.

Mayor Mulcahy – I want to thank you for the pictures...they tell a lot of the story.

“Commissioner Green moved for approval of Change Order #1 & #2 as presented by Mr. Avelar for the CDBG Williamsburg Electrical Upgrade Project.”

Seconded by Commissioner Whitehead.

Motion carried unanimously.

PRESENTATION – FYE 2013 – 2ND QUARTERLY FINANCIAL REPORT – LINDA LANHAM, FINANCE DIRECTOR –

Ms. Linda Lanham, Finance Director came before the Commission, and went over the FYE 2013 2nd Quarterly Financial Report, for October 1, 2012 through December 30, 2012. A complete copy of the report is available from the Finance Director, or the Office of the City Clerk during normal business hours, Monday through Friday.

She stated the 1st page is an overview of the Revenues & Expenditures, and explained the Revenues & Expenditures for each fund, and indicated we are right at our 50% goal with our revenues, and at 45% for the expenditures.

Ms. Lanham stated on the 2nd page is an overview broken down of the special revenues, and the capital projects...their revenues and expenditures.

Page 3 – Is the revenues, and stated these are revenues specific to the General Fund, and that overall we're doing well. And the internal government grants as you can see we are at 9.68%, and that is due to our Small Cities Assistance that we receive in March that you will see on the 3rd Quarterly Report.

Page 4 – This is the prior vs. current GRT...month & YTD Comparison, and the increase in the GRT is due to the tax increase of 25% that goes to the police fund.

Page 5 – Prior vs. Current Lodgers' Tax Revenue 2nd Quarter & YTD Comparison...and the same with this on the 2nd Quarter.

This page is the revenues for the GRT broken down from 2009-2013 month by month. And to give you an idea of the increase that we have received with the police departments 25% increase.

This sheet is the revenues broken down for the General Fund...the electric fund, and debt services just to give you an idea of where we're at year to date for the 2nd Quarter.

On this page same thing these are the revenues for the 2nd Quarter for the Special Revenue, Capital Project, Utility Office, Water, Wastewater, Solid Waste, Golf, Cemetery, Airport and Internal Services, an overview broken down in scale.

Next we're gonna be going into the expenditures for the 2nd Quarter, and you will see the General Fund we're right on target at 51%, and the Enterprise Fund at 48.48%.

And once again these are scales to show the expenditures for the 2nd Quarter for the General Fund, Electric Fund, and Debt Services to give you an idea where we should be at for this quarter.

And this is the rest of the expenditures...the Special Revenue, Capital Project, Utility Office, Water, Wastewater, Solid Waste, Golf, Cemetery, Airport, and Internal Services.

Ms. Lanham stated this is my presentation for the 2nd Quarterly Report.

Commissioner Richter – On page 8 there is a fund called Special Revenue...what's that?

Ms. Lanham – The Special Revenues, and if you go back to page 1...go to page 2 it's broken down the revenues as well as the expenditures, and the special revenues are the Fire Protection, Recreation, Corrections, Law Enforcement Protection Fund, Lodgers Tax, Environmental, Street, and the DWI programs which we have finished, PD Confidential, PD Donations, Seizure Share, and the Veterans, and stated that is under Other all combined into the one. And just to let you know...the Special Revenues under Recreation, and Streets those are the loans that we just recently refinanced...I should say extended, and we are now being able to pull down the funds and finish the projects...so that will start increasing.

Commissioner Green – Have we come up with a formula...how to back out the GRT...the dedicated quarter of one-percent to the police department to get a true handle on if we had not put that into effect is our GRT down, flat or up? Have we done any type of analysis to kinda get a handle on how the economy of the City is going rather than just taxing the citizens for obviously worth-while and needed monies...but excluding that...do we know where we're at with the GRT.

Ms. Lanham I could look into that for you, and see where it would be at.

Commissioner Green – On the last page it says GRT by category, and obviously retail is #1, lodging and food is #2, and #3 is under item #7 – Information and Cultural Industries...I don't know what that is.

Ms. Lanham – To be honest with you I didn't present that because that's a sheet that I still need to understand myself.

City Manager Fuentes – If you turn to page 3, and what the Finance Department is currently doing right now...they have a formula transfers the amount that comes in allocated to the police department in its own separate line item, and under that category it's the first category, and as you can see under that percentage under that category is 49.61%...so we have moved some money out to make the adjustments that we did in the beginning of the fiscal year, but the second category the Taxes-State that is separate, and the quarter percent does not fall under that category, and as you can see right now we're at 53%...so it's not great at least it's flat if not there's a little bit of gain...so while the majority of the money that we have seen in the other slide when you are comparing the GRT from last fiscal year to this fiscal year there is a substantial increase...the majority of that money is because of the additional quarter percent...if you factor that out we're still about flat in our General Fund GRT, and that is indicated by the Tax & State category.

Mayor Mulcahy – Taxes-State is all GRT? Or is it property tax as

well.

City Manager Fuentes – No the Taxes-State I believe that is all State GRT under the Taxes-Local that category...those two categories right there the majority of them are just the property taxes would fall under that category.

And to answer Commissioner Green in regards to the last page...I believe you were looking at the different categories, and those categories are also taking from the Tax & Revenue Department Report...the GRT report we get every month, and basically those are the categories that they themselves categorize when businesses report to Tax & Revenue Department, and as you can see it will not change because our 3 major industries here is Retail, Accommodations, and I believe whatever #2 is...Construction, so those will always remain the same.

Commissioner Green – Could we ask when someone has a free moment to fire off an e-mail to Tax & Rev, and find out Information and Cultural Industries...what is that...that's the 3rd largest revenue producer, and I think it's important that we understand what's happening and where it's coming from.

Manager Fuentes – We might have the answer on the report, but we'll certainly do the research and get back to the Commission.

Mayor Mulcahy – Thank you for the report...I think the first two pages are very self-explanatory...I would like to see on page 3 where we have these General Fund Revenues if it's possible I'd like to see some actual dollars because to Commissioner Green's point what dollars is that actually 53.14% helps, but we even had this in the first quarter discussion if we could re-produce this report with another page saying what are the actual dollars I think that would be very helpful.

Manager Fuentes – I will ask...there is a work sheet that Linda can e-mail to you all that will kinda break that down...where she gets those percentages.

Mayor Mulcahy – Ms. Lanham and I had a discussion earlier today I have a little bit of a request in that on page 5 where you go to the lodgers tax, and on page 4 where you go to the current GRT I found it a little bit hard to understand that in the first two columns it says 11 December, and 12 December when it's really the 2nd quarter... it's October, November, December that's that number there so if you could change that I think it will help me to understand that a little bit better, and make it more relevant to the other...otherwise it looks like December was a huge month when it was really 3 months-worth of data. And maybe with respect to page 7 & 8 over here where it says actual revenue General Fund, Electric Fund that's year to date actual revenue...isn't it?

Ms. Lanham – Yes.

Mayor Mulcahy – And then that's compared not to the quarter revenue but to year-to-date actual revenue...one being a budgeted revenue...one being actual revenue...quarter one and quarter two combined.

Ms. Lanham – Correct.

Mayor Mulcahy – Right so it would just...help me...this is actually better in relation than just snap shot in the 2nd quarter...it tells us kinda where we are right now in our budget going through the 2nd quarter, but I think it would make it easier to understand if instead of quarter revenues it would say Q-1 and Q-2 revenue. Under #7 the bar chart is good it helped me calculate that it's about 5.15 million dollars in GRT in those big categories, but if we actually put numbers at the top or something like that I think it would help.

Manager Fuentes – I believe the 3rd Quarter Report will be coming sooner...the second meeting in April.

Report only.

**DISCUSSION/ACTION – RESOLUTION #28-12/13 – FYE 13
– BUDGET ADJUSTMENT –**

Ms. Linda Lanham, Finance Director came before the Commission, and stated she brings before you Resolution #28-12/13 – Budget Adjustments. And what she is asking for –

General Fund – We discussed the General Code System that we are getting for...The Management System for the City, and it was approved, and that we are going to need \$28,290.00 to cover the cost. She explained this covers the conversion from the old system to the new system, training, and the system itself.

So your first Transfer-Out is from the General Fund for \$9,430.00, and if you go down the Capital Projects...Go down to the Enterprise Fund – I'm going to be transferring out of the Electric and the Solid Waste...the \$9,430 of each one of those to help fund the General Code, and they are going into the Capital Projects... I'm gonna put the \$28,290 into the Capital Improvement Fund, and this will help purchase the program as well as the training and the conversion portion of the system.

Recreation Fund – This is to put the Arizon refund check back into the Recreational Fund to help with the pool cover, and that is \$66,334.00.

Capital Projects – I'm asking to transfer in \$1.00 to each one of the 5 checking accounts, and stated these accounts need to be kept active, and that they are interest bearing accounts that we need to keep open. And these are for accounts; DOT Broadway, Emergency Repair, R&R Water, CDBG, and the Federal Seizure Share.

Enterprise Fund – The Airport...The Expenditures to increase it by \$10,200, and this is to pay for the new lease for the fuel truck for the Airport. She stated this is gonna help pay for the next 5 months that we have left in the year.

Commissioner Green – On these accounts that we're putting \$1.00 in to keep open...I noticed that 3 of them have no money in them what so ever are we being charged a monthly charge to keep these accounts open.

Ms. Lanham – No that’s why I’m putting the dollar in them to stop from getting those fees.

Mayor Mulcahy – Where is the \$10,000 coming from for the fuel truck?

Manager Fuentes – The City has under the Airport Fund, and part of the sales that we collect for fuel sales at the Airport we use a credit card system, and we have an agreement with the company out of state that collects those funds for the City, and has a separate fund for the City...so when we buy fuel from that company they automatically deduct it from that account. He stated we have enough funds in that account where we can draw down at least for that \$10,000, and that we have used it in the past for some of the improvements at the Airport.

“Commissioner Green moved for approval of FYE-13 Budget Adjustment Resolution #28-12/13.”

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.
Commissioner Kertesz responded Aye to a Roll Call Vote.
Commissioner Richter responded Aye to a Roll Call vote.

Motion carried unanimously.

DISCUSSION/ACTION – AGREEMENT FOR SERVICES – BETWEEN THE CITY OF T OR C & THE ADVANTAGE GROUP –

Ms. Linda Lanham, Finance Director came before the Commission, and stated this is The Advantage Group Agreement for Services, and explained this agreement is for collection of the debt that is outstanding in the Utility Department.

She included the 3 companies that we talked to, and we felt that the Advantage Collection would be the best one to go with because most of them wanted up cost...up front cost, or they did not want to work with us. And thinks that the City used them years ago under a different company, and they were formally known as The Albuquerque Collections.

Ms. Lanham stated in March they brought the 3 agencies before the Utility Board, and asked for their recommendation to go with the Advantage Collections. She stated the board did have a few concerns which I discussed with the City Manager, and indicated after the concerns were addressed City Attorney Rubin gave me the go ahead to pursue with the Agreement, and before any accounts are written off, I will bring them before the Commission for approval as well as an update on paid accounts.

She stated part of the Agreement, and part of an audit process as well, and stated they can’t write anything off without coming before you for approval before the agency starts collecting, and probably monthly before this gets started we will be receiving our money on a monthly basis, and as soon as this is approved, and

move forward you will probably see me monthly.

Commissioner Kertesz – Article 10 – Agent shall provide an acknowledgment of accounts indicating debtor name, date assigned, balance assigned, total number of accounts, and total balance assigned...Would it be possible for them to give us categories for example...1st letter that went out, 2nd letter that went out...then it went to collection...the categories...another words... plan the work, and work the plan is what I'm trying to say.

Ms. Lanham – Yes when we talked to them they will keep us in touch with them, and they do send out 2 letters before they send them...they have 90-days so it gives them time to work with us or the agency.

Commissioner Kertesz – Do you have any idea how often they will be reporting to us?

Ms. Lanham – Monthly.

Commissioner Kertesz – Article 14 & 15...Mr. City Attorney Rubin – Shouldn't that say...NM Law?

City Attorney Rubin – I'm thinking the reason it just says law... generally saying New Mexico because it probably makes it Federal Statutes that might be involved.

Ms. Lanham – They follow both State and Federal regulations.

Commissioner Kertesz – Would it be proper to get a copy of the Advantage Groups New Mexico License, and a copy of their General Liability Insurance, and Professional Liability Insurance.

City Attorney Rubin – In Paragraph 15 already contemplates that they are to be bonded, and provide...and have insurance.

Commissioner Kertesz – And a copy of their bond would be good too.

Ms. Lanham – Okay I will get that.

Commissioner Richter – How far does this bad debt of \$700,000 go back...to what date?

Ms. Lanham – It goes back to 2000, and stated that is when they converted over to the ADG System, and that it has been carried over from the audit as well, but with our Auditors is we have \$700,000 paid in unpaid utility bills, and we can only go back 5-years according to law...so we can only go back to 2008 so we can recover up to \$300,000, and look at getting about 71% of that.

Commissioner Richter – The Advantage Group when you interviewed them...did they give you any sort of success rate they've had in the past with municipal...

Ms. Lanham – They did verbally, and they were Albuquerque Collections, and when we did the rating on them...they came up A rate.

Commissioner Richter – I mean a success rate at collection...what percent?

Ms. Lanham – No, but I can see if they can provide me with something.

Commissioner Richter – It would be nice to see on municipal collections on how well they fair.

Commissioner Green – This agency...they will not touch anything under \$10.00 or go back past 2008...is it when the debt was incurred or the last payment made.

Ms. Lanham – I believe so because then it makes it current in 2008.

Commissioner Green – So as long as money has been received from 2008 and forward regardless of when the debt was incurred they would go after that.

Ms. Lanham – Yes.

Mayor Mulcahy – Thank you for doing this. I would like to re-enforce Commissioner Richter's point to say we'll get \$210,000 just because their margins there I think we're gonna find the percentage of what we can actually get from the \$300 is significantly less, however it would be nice to know what that looks like. I looked at this company and went on line, and did all that due diligence and it's a great company.

“Commissioner Green moved for approval the Agreement for Services between the City of Truth or Consequences Utilities, and The Advantage Group.”

Seconded by Commissioner Kertesz.
Motion carried unanimously.

DISCUSSION – EXPANSION OF EFFLUENT WATER SYSTEM – MAYOR MULCAHY –

Mayor Mulcahy stated in conversation with some of the people out there, and with Commissioner Green talking about water management it's a fact that we put a lot of effluent a lot of wastewater into the Rio Grande...it's clean water, and meets all EPA codes it's clear...it's good water but we're sending it to Texas, and it is my opinion that a Commissioner to start wrestling with the idea that we might take a look at our infrastructure, and find easier ways to recycle more of that water...we're currently recycling a lot of it...we're going to the golf course, Ralph Edwards Park, and some other smaller parks, but we could found out how we can use even more of that...I don't know how much is going out it's in the hundreds of thousands of gallons a day, and it's great for the river, but everything below the dam is Texas's water basically. And so what I'd like to do is take a look at some options about how we might cycle that water North toward the golf course ultimately possibly all the way out to the Cemetery where we are now using potable water to water that area, and also take it up to a place where we actually make some decisions about where else we might go on City property, and some other places to be a larger part of a beautification aesthetic type program where we can not only

increase our floral culture if you want to call it that, but replace our aquifer...put it back in the aquifer where it belongs, so without too much information on the table here I'd like to start the discussion, and found out how the Commission feels about some of this, and get ideas and ask for the citizens to do the same, and maybe Mr. City Manager you can provide us with some detail maybe at a later date to tell us where we're at what can we do, and can we at an efficient expense figure out if there is a way to centralize this project so that we can utilize this water...start at the top of the hill, and go into all parts of the City.

Commissioner Kertesz stated the only draw-back that I see in using the water is the percentage of nitrates that we have to deal with... now that's not something that's gonna happen soon, but it is something that we have to look at when we re-do the treatment plant, and I don't know if there is something before we get the treatment plant built...do we have to do something as an interim basis...if we do it'll affect how we use that water and where it goes, and I support the idea of taking that water up to the Cemetery, and using it for other purposes...if we ever have a large amount of construction that can be used as water to control dust, and that sort of thing, but I'd like to suggest that we talk to Jesus and find out if there is anything interim that would be affecting the amount of nitrates, and how we would use the water.

Commissioner Green – I know first-hand because I was with the Manager talking about this very subject up in Santa Fe when we were there for the legislative, and one of the things that the department head asked us...if our water had ever been proofed up as they have done in Albuquerque, and when we said we didn't think so his reaction was well you guys are really missing the boat because there is value in that water of 800,000 gallons plus a day that we're dumping into the river...so I think that, and I applaud you for taking the lead on this if there is something there to be gained that we put less water into the river and use it...once we can take care of the nitrates to put water on plants and grass, etc., etc., etc., rather than using potable water, and I think the Manager, and I don't know if this is the time now, but to give a report on the findings up there of a request to extend a line from the golf course up to the Cemetery to use that effluent water.

City Manager Fuentes – And in the audience we have Todd Phinney from WHPacific, as this is an item of interest, and since they are one of our contracting firms that we work with, and he brought to my attention, and reminded me because he downloaded a copy of our ICIP this particular topic is listed as one of our projects in our ICIP, however it is down on the priority list...we definitely if the Commission would like to make it a priority you could move it up next ICIP cycle...that is correct, and we did meet with some funding agencies, and indicated there is some funding out there, and a lot of the funding that is available is a loan type of a program...and there could possibly be a program that would forgive part of the loan, and that I believe under the ICIP is one of the projects is to move...extend that effluent system up to the Cemetery where we are using a lot of the potable water, but I agree the more we use this water the more we can save from our Wells, and as Commissioner Kertesz pointed out I think also with the upgrades of the Wastewater Treatment Plant it would also improve the quality of the effluent water. And one of the reasons we can't

use it in parks, and the high schools is because of the nitrates, and some of the items that are in the water currently right now, and if it gets in the benches, and tables and so for the they have to disinfect those items, so it would definitely improve the quality which would expand the use of this water, but basically we may identify some possible funding sources, but again a lot of it currently right now is loan type of a program.

Commissioner Green – Stated there are certain points given to projects that they perceive as a green project, and bringing effluent water to the Cemetery they consider that to be a green project, and we would get certain points in our application towards that. And I would like to see proofing up of our water is all about.

Mayor Mulcahy stated I would like to see in coordination with WHPacific to take a look at our situation, and see if there is some... I'm not looking for a two and a half million dollar project here... I'm looking for...is there something we can do here because we're literally throwing our water down the river, and we can be recharging our aquifer, and we need to understand the nitrates.

And I wanted to throw it on the table, and wanted to found out what the will of the Commission was, and maybe ask staff if it is the will of the Commission...let's take a look at this, and come back with some more facts, and maybe open up a workshop and see if we can figure out, and see if this is a big dollar item, and if so do we want to do it, or do we want to try to fund it or whatever, but maybe there is a simple solution that just turns that water around and moves it somewhere else in the City.

Discussion only.

DISCUSSION/ACTION – APPROVE APPLICATION FOR THE JUVENILE ADJUDICATION PROGRAM –

Ms. Bobbie Sanders Municipal Judge came before the Commission, and stated the program that this grant funds is very important to me as well as to the youth in our community. And that she is here to request your approval to apply for the next fiscal year funding for the Juvenile Adjudication Fund...your approval to submit the application, and consideration to remain our fiscal agent.

She stated the grant serves juveniles typically that have traffic citations or misdemeanors, or petty misdemeanors that at some point the Juvenile Probation Officer feels is a candidate for Teen Court...it's an alternative sentencing program...another words whatever the child is sentenced to in the...programs, prevention programs, education programs...once they are completed this charge is dismissed, and does not remain on their record...this is primarily for a first offender, and it runs for children 11-17 years old sometimes 18 if they are still in school, and they are students, and indicated that the grant last year after 2 or 3 years of lobbying for this money we were finally legal, and the law came into effect that everybody that is convicted or gets a traffic citation through Magistrate Court pays \$1.00 fee into that citation total, and that \$1.00 goes into the Juvenile Adjudication Fee for New Mexico, and then these fees are distributed throughout the State according to need. She stated last year the money for us was \$14,000, and this year they encouraged us to expand a little more...and that they

received a little more, and I hired a director for the program, and I am simply the supervisor of the program, and I hired Mr. Dan Fromer, retired middle school teacher, and that the grant is going to go up...the actual funding will \$23,000 that I'm requesting, and then \$2,300 in-kind which is a total of \$25,300.

Judge Sanders stated I selected Mr. Fromer out of a couple of candidates because my personal knowledge with juveniles in the school system...I worked there for a little over a year in the prevention programs at high risk children, and stated every child that I met has very good memories, and very touched by his manner with these children. She stated bringing Mr. Fromer on board... he's got some ideas, and this is how Teen Court is throughout the State, and indicated there is currently 25 throughout the State, and so therefore Mr. Fromer being the director he decides which programs he would like to implement, and what he would like to see in place, so all I need to do is supervise, and be there for DFA with any questions they have, and all I need is to re-apply, and to have a fiscal agent.

Commissioner Kertesz – I do know Dan Fromer, and I support your feelings about him, and thanked her.

Commissioner Green – I think it's a great program, and I thank you for continuing with it.

Mayor Mulcahy – The \$2,300 in-kind...what does that mean exactly.

Judge Sanders – They won't allow the City to match in-kind like materials or services because the City is the fiscal agent, but we have people that are volunteers, and supervising people that do the...for the community service type thing, and an Attorney or two that's gonna help train.

Mayor Mulcahy – There are some deliverables or accountabilities kinda at the end of the year or at a quarterly basis...is that your understanding Mr. Fromer.

Mr. Dan Fromer came before the Commission, and stated we have to make quarterly reports, and be accountable for what we spend.

Mayor Mulcahy – In your application it shows that there's numbers of children served...and stuff like that.

Mr. Fromer – We estimate the number...it's hard for me to predict how many...

Mayor Mulcahy – What I'm asking is for some reporting to come back to this Commission.

Mr. Fromer – We can provide you with a copy of all our quarterly reports.

Mayor Mulcahy – Judge on another topic I think you are supposed to supply the Commission with some kind of updates in paper form about revenues and stuff like that...are you familiar with that at all.

Judge Sanders – You're talking about...the Municipal Court reports

every month to the City, and that is without failure, and as State Statute provides it's monthly within the first 10 days of the month, and that is kept right there. In the past the Commission never requested this or it never was done with the former Judges...but if you choose to have a copy of that we can include it if you want.

Mayor Mulcahy – I think the Statute says that the Commission should be getting those reports.

Judge Sanders – It is provided to the City...now my understanding was that all these financial reports come in, and the City distributes them.

Mayor Mulcahy – I don't know if they have to distribute everything...I think it's revenues associated with the Court, and I can get the accurate verbiage...I just read it earlier today when I was going through this particular application.

Manager Fuentes – You might ask your Court Administrator to e-mail the last report to the Commissioners, and when they submit it on a monthly basis we'll make copies for the Commission so they can see what to expect.

“Commissioner Green moved for approval of the Application for the Juvenile Adjudication Program, and also designating the City of Truth or Consequences as the fiscal agent for the program.”

Seconded by Commissioner Kertesz.

Judge Sanders on the other topic I will submit the copy of the monies that we collect in the Court, however I do want emphasize to you that I'm not allowed to answer any questions...if you have concerns...we're not in a money making business.

Motion carried unanimously.

CITY MANAGER –

REPORTS:

City Manager Fuentes stated that the NMML will be in town to give a presentation on the happenings at the NM Legislature, and other issues affecting municipalities. And about two Bills that are of interest to us...1 is Senate Bill 54 it's a Local Government Planning Fund, and that Bill was signed by the Governor on March 21st , and indicated this Bill will allow entities to apply for more planning money...as you recall the City applied for some planning grant money when we did the WWTP PER Report, and I had an opportunity to talk to Leandro Cordova from NM Finance Authority, and I asked him...since this Bill has been signed if we would qualify for a 2nd planning grant, and he said “yes” so we have been looking for funds to update our Comprehensive Plan so we will definitely will be bringing an application and Resolution to the Commission for approval that will allow us to seek that planning money, and that it up to \$50,000.00.

And I also received some good news our Fire Chief Tooley deserves credit, and recognition who asked the Commission for support for the purchase of a new fire truck, and Mr. Cordova brought it to my attention that the City's request has been approved...so we should be getting a letter shortly, and hopefully a

truck shortly thereafter, but I'm sure the Chief will be bringing more information to you.

Manager Fuentes stated another Bill that was signed by the Governor was Senate Bill 228, and that's the NM Finance Authority Water Trust Fund and Acequia Projects...and this is the Water Trust Board list of projects which we submitted an application, and I believe now that it has been signed by the Governor...the next step will be hopefully a presentation to the Water Trust Board in Mid-April, so we will keep the Commission and public informed on that so hopefully we'll get some additional Water Trust Board money for that project.

Some quick updates on some of our projects; The restroom project started construction on Monday, and everything appears to be going as scheduled, and we haven't encountered any problems, Swimming Pool project all of the drawings have been are being finalized, and they are hoping they get those plans submitted to CID within the next week or so, and once they get the permit then they will be able to proceed and move forward...it looks like maybe the 1st or 2nd week hopefully we can get it turned around quickly by CID so we can start the groundbreaking at the pool, Solid Waste Activity...since we started operating our Solid Waste Collection Center we have hauled 4 times, and the average haul for our tonnage for the last 4 trips was close to 19 tons of trash...today I believe we hauled twice in one day, and that staff is kept busy, and they are maximizing the loads, and still working out the kinks...staff is doing an excellent job compacting the trash and hopefully maximizing the loads.

Manager Fuentes stated on our trip to Santa Fe we met with a gentleman with NM Mortgage Finance Authority, and has a program for Affordable Housing Plan, and stated they have some grant funds available, and that it is a local match requirement, and indicated we have received a contract that we are currently reviewing, and in the near future we will be bringing it to the Commission for consideration...it's a \$15,000 grant which we would match as well with a possibility of getting the Planning Grant Money from the NM Finance Authority...maybe looking at consolidating these two plans, and do one big planning project that will include the Comp Plan update, and the Affordable Housing as well.

City Attorney Rubin – No report.

COMMISSIONERS -

Commissioner Kertesz stated that Manager Fuentes took the time to take me around to introduce me to all the department heads, and wanted to thank him for that.

Commissioner Richter stated we received a notice today from NMML that the Hold Harmless Bill had been harmed, and it named John Arthur Smith as the architect of this legislation, and I want to make a comment that John Arthur Smith is our Senator, and he is one of the few physically responsible legislators of either party in the State. And last year...last legislative session the Finance Committee I believe, and they fired a long shot, and they let all the municipalities know that State Revenue was down...and this was

coming, and I think all the municipalities are crying foul because they see the revenues is gonna get cut...you can tell they didn't make any adjustments to their budgets, and take it seriously, so I would suggest to the Commission and staff that we look at our own budget, and see where we can make the necessary cuts because we do have receding revenue coming in from the State, however with the Hold Harmless provision if you have a municipality under 10,000 population you can keep your Hold Harmless percentage or you can institute...referendum...a new one that's a 3/8% I believe, so the legislation is in place it's gonna be phased in over 15 years, and I hope the other municipalities in the State will take this seriously, and get their spending under control.

Commissioner Green stated this past-weekend Main Street did their quarterly clean-up downtown, and I wanted to thank Bill Sletton for coming in giving up a half of a day over the weekend, and volunteering to push a broom which he did with such vigor that he actually broke the broom in half...so Bill thank-you very much we appreciate it.

Commissioner Whitehead – No report.

Mayor Mulcahy – I want to thank the City, and staff particularly the Solid Waste staff for a fabulous grand-opening on our Solid Waste Facility last week...I'm glad to hear it's running I knew it would...it looked like it was ready to go. And I talked to Patrick Peck, and he loved the building so much...he's gonna build three of them down in Dona Ana County.

He stated on our trip to Santa Fe I met with the State Engineer, and talked about water in Sierra County, and talked a little bit about our economy in Sierra County, and had a great conversation with him about water and water rights in the State, and in attendance was the Assistant Attorney General for water rights, and had a conversation and it was good. Also I want to thank those of you...I think it was everybody except Commissioner Richter who was out of town for the Hospital ground-breaking...I thought that was a classy thing to do...I think it's the stuff that makes the difference here that's the kind of thing that I would love to hear more about where the City gets behind the County gets behind, and we need an emergency room, and we're gonna find the 4 million dollars, and we're gonna get that thing. And wanted to thank the City Manager and City staff for everything they are doing right now.

None.

RESPONSE TO
PUBLIC
COMMENT:

EXECUTIVE
SESSION:

“Commissioner Green moved that the meeting be closed for Executive Session pertaining to: 1. Personnel 10-15-1H (2); City Manager Evaluation.”

Seconded by Commissioner Kertesz.

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
Commissioner Kertesz responded Aye to a Roll Call Vote
Commissioner Richter responded Aye to a Roll Call Vote

Motion carried unanimously.

OPEN MEETING: “Commissioner Green stated that the Commission was now in Open Session.”

CERTIFICATION “Commissioner Green certified that only matters pertaining to: 1. Personnel 10-15-1H (2) – City Manager Evaluation was discussed in Executive Session, discussion incurred and no vote was taken.”

Seconded by Commissioner Whitehead.
Motion carried unanimously.

“Commissioner Green moved that the Commission supports unanimously the job that City Manager Fuentes is doing, and ask that the Mayor report their findings to the community as an agenda item at the 4/9/13 City Commission meeting to give the public an overview where the Commission is at as a perception of the job he is doing.”

Seconded by Commissioner Whitehead.
Motion carried unanimously.

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

APPROVAL: PASSED AND APPROVED this _____ day of _____, 2013 on a motion duly made by Commissioner _____, seconded by Commissioner _____, and carried.

JOHN A. MULCAHY, MAYOR

ATTEST:

MARY PENER
CITY CLERK

