

THE CITY COMMISSION OF THE CITY OF TRUTH OR CONSEQUENCES
REGULAR MEETING
TUESDAY, APRIL 22, 2014

ACTION MINUTES

Prior to the start of the Meeting, Mayor Sandra Whitehead announced there would be a Public Hearing to be held during the meeting, she requested anyone wishing to speak as a proponent or an opponent on the Ordinance, to please sign in at this time.

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, April 22, 2014 at 6:00 P.M.

CEREMONY: The meeting was called to order by Mayor Sandra Whitehead who presided and Judy Harris, City Clerk acted as Secretary of the meeting.

ROLL CALL:

Hon. Sandra Whitehead, Mayor Pro-Tem
Hon. Steve Green, Commissioner
Hon. Jeff Richter, Commissioner
Hon. Ruben Olivas, Commissioner
Hon. Kathy Clark, Commissioner

Also present:

Juan Fuentes, City Manager
Jay Rubin, City Attorney
Judy M. Harris, City Clerk

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

CEREMONY: Mayor Pro-Tem Sandra Whitehead called for fifteen second of Silent Meditation.

Mayor Pro-Tem Sandra Whitehead called for the Pledge of Allegiance with Commissioner Jeff Richter leading the Pledge.

APPROVAL OF THE AGENDA: Mayor Pro-Tem Sandra Whitehead called for approval of the Agenda; noting she wished to change item #H-2 to Discussion only (eliminating action on the item).
"Mayor Pro-Tem Steve Green made a motion to approve the Agenda with the amendment of removing the word Action from Item H-2."

Seconded by Commissioner Ruben Olivas.

Motion Carried Unanimously.

COMMENTS FROM
THE PUBLIC:

Linda DeMarino, MainStreet, approached and made comments about the upcoming Happy Earth Day, noting they were planting flowers and replacing wood on seven benches Downtown. She noted Tuesday may 6th is National Day of Giving, noting they would be raising donations, and would have tables at Walmart and Bullocks, and that there would also be a raffle.

Audon Trujillo, 506 W. 3rd Street, approached, he made comments regarding the Comprehensive Plan, Parks and Recreation, IPRAs, and the responsibilities of the City Manager.

Klaus Whittern, 618 Charles, approached and made comments on the Electric RFP on the Agenda – noting the need for an evaluation committee; he noted he felt there needed to be more discussion prior to RFPs. He also commented on the old Transformers in town.

Ron Pacourek, North Riverside, approached and made comments regarding his request for additional fire hydrants on North Riverside and striping to 3rd street, he also stated he thought it would be better to have public comments and then immediately go to response to public comment,

Hans Townsend, Chamber of Commerce President, approached and spoke of business growth in town, bus routes and increasing gross receipts. He suggested using the old SCEDO Office for new Business advancement.

Malissa Cordell, Police Department, approached and wishes to remind everyone that Saturday, April 26th was National Take Back Day, encouraging everyone to take unwanted medications for disposal.

CONSENT
CALENDAR:

Mayor Sandra Whitehead called for an approval of the Consent Calendar.

“Commissioner Steve Green moved to approve the Consent Calendar as submitted.”

Seconded by Commissioner Ruben Olivas.

Motion Carried Unanimously

PRESENTATION:

Mayor Sandra Whitehead announced the next item was Discussion/Presentation: Water System Preliminary Engineering Report and Asset Management Plan; with Becky Fink and Dave Schwendt, both from Smith Engineering.

Becky Fink approached and noted this is the Asset Management Plan and Preliminary Engineering Report; explaining why it was important to have an AMP. She noted that an Asset Management is a process for maintaining a desired level of customer service at the best appropriate cost, involving: Calculated justification for management of maintenance (replacement/rehabilitation), Government Accounting Board’s statement 34 and Funding. Ms. Fink noted the steps would be data collection, inventory, condition assessment (remaining useful life and level of service) and Risk Assessment. She explained the process starting with data; collect all available data relating to the City’s assets, meters, pipe, pumps, buildings, chemicals, filters, tanks, valves, SCADA equipment and etc. Noting everything “Water” that the City owns, noting collection of field data if required and include as much detail as possible such as age, type, size, model, initial costs, etc.

Ms. Fink noted that during the Inventory portion they would organize data in GIS, long term, short term, source and distribution, and then they would assign a value (replacement). Ms. Fink gave several examples of presentation, noting linear feet of small diameter waterlines by material and small diameter waterline. She noted then a condition assessment was next, modes

of failure, use experience and knowledge of systems (determine modes of failure), interview operation staff and work order information. She noted other ways of condition assessment were other additional analysis if required, leak detection and inspections.

Ms. Fink stated there were several different condition assessments; Mitigation (cathodic protection use VFDs, exercise valves and cycles pumps. Noting remaining useful life would determine a decay curve for each set of assets, which they use to formulate a scoring system as part of the potential of failure calculation. She went on to describe Condition Assessment as level of service (use to formulate a scoring system as part of the consequences of failure calculation) customer driven, (minimum water outages, pressures, taste, odor) Regulatory (contaminant levels heading SDWA and State Regulations, NSF 42,53,58,60 & 61 certified and Management (operation and maintenance). Ms. Fink noted Risk Assessment is probability x consequence, showing the likelihood of failure and criticality of asset itself. Ms. Fink touched on and explained that consequence ties to level of service, noting environmental, economic and social, used a relative scoring system. She explained the risk assessment was probability X consequences, which comes up by risk, prioritized low, medium and high, she noted several graphs shown in the slide presentation.

For recommendations she suggested 20 year funding, projects for the next 5 years, describe O & M modifications, prepare PER for improvements, project sized small enough to allow multiple bidders and projects sized large enough to achieve economy of scale between \$500,000 to \$1,000,000.00.

Dave Schwent, Smith Engineering Environmental Engineer took over the briefing, stating the Preliminary Engineering Report (PER) is a primary instrument for acquiring funding to improve infrastructure. USDA RUS is developed a detailed and comprehensive per format to ensure the proper planning, engineering, and financial content is included. Closer evaluation of specific project needs, planning for future conditions/operations, comparison of Engineering alternatives including life-cycle costs, required by some funding agencies. Mr. Schwent explained PER Sections were project planning area, existing facilities, the need for the project, alternative considers selection of alternatives, the proposed project and conclusions and recommendations. Mr. Schwent mentioned the project planning area would identify specific area and population to be served by proposed project, collection and discussion of relevant information on planning area such as flood zones, climate, environmental issues, project population growth associated with planning area and proposed project. Noting that existing facilities assess and understand existing components of infrastructure associated with defined planning area and proposed project by working closely with operators. Mr. Schwent stated this would identify and discuss specific needs to be addressed by the proposed project; AMP will identify many of the needs for the proposed project. He noted alternatives were considered establishing design criteria, based on defined needs, to evaluate and compare engineering alternatives, to compare [are engineering alternatives in many categories such as performance, future capacity or expansion, energy consumption, environmental impacts, construction costs and O & M costs. He explained they develop a rating matrix to be used to select the proposed project from the engineering alternatives, which incorporates many design factors categorized as social, environmental, or economic. Mr. Schwent explained the proposed project and added that once the matrix was assessed they could discuss particulars of the proposed project in detail; construction costs estimates, funding issues and identify potential funding sources, show financial information in format the funding agencies prefer for faster review and funding process. Mr. Schwent and Ms. Fink stood for questions.

Commissioner Jeff Richter noted the asset management plan, GIS software information. Asked how they gather the information, and how old the information is.

Ms. Fink and Mr. Schwent explained that threw the data given back to them. GIS gives us most of the information needed. Mr. Schwent answered back to 2009 to see if they have all data.

Commissioner Ruben Olivas asked cost of the engineering, and time frame.

Ms. Fink answered a grant Water Trust Board monies.

Bill Slettom, ACM/CDD, approached and said it was a combo grant and loan.

Ms. Fink answered approximately eight months of work.

Mayor Pro-Tem Steve Green asked what about underground, no digging would be needed to look at pipes? He noted the side water the City owns and City Wells.

Ms. Fink noted staff will tell them if there are problems when drilled to make the determination. Old records and work orders would also be used.

Commissioner Kathy Clark asked about well to house only. She noted downtown there are very caustic pipes dissolve, and noted the condition of pipes, and if the soil was a consideration.

Ms. Fink stated that was not good data. When the pipe was put in they don't usually use native soil, they removed the native soil and use other material to fill, which makes the data not good. She also noted they do take that in to consideration.

City Manager Juan Fuentes noted that within the next eight months they would be able to apply to the Water Trust Board and use the documents to apply for funding in the next funding cycle. He also noted that Jesus Salayandia was in the audience. He explained the City had received \$160,000 Water Trust loan/grant for the Water System PER/AMP. He explained that Smith Engineering had assisted in securing the funds, and will be developing the PER/Amp. The PER/AMP will evaluate the existing water distribution system and recommend capital improvement upgrades, once the planning document is completed, the City will use its finding to secure additional funding for capital improvements.

Mayor Pro-Tem Steve Green asked if would be a good idea to let the Water Trust Board so they would be aware of the process.

Mayor Sandra Whitehead thanked everyone for the input, and Ms. Fink and Mr. Schwent for the information presented.

PUBLIC HEARING:

Mayor Sandra Whitehead called for anyone interested in signing up to speak regarding the Public Hearing to approach now to sign in; she noted the Proposed Ordinance - Final Adoption Ordinance of the city of Truth or Consequences Amending Sections 6-78, 6-82 and 6-83 of the Nuisance Chapter and Repealing Section 6-79 of said Chapter. She requests City Attorney Jay Rubin present.

City Attorney Jay Rubin noted this item had come before the Commission two meetings ago, and Bill Slettom had presented the change of weeds by name noting the proposed ordinance amends the existing weed ordinance revising the list of weeds prohibited by the City. He noted the Ordinance provides for the City to file a criminal complaint with the Municipal Court for offenders. He noted the Ordinance provides for an 8% interest per annum on any lien placed.

Mayor Sandra Whitehead noted that there were no names on the Public Hearing sign in sheet and asked if there was anyone who wished to speak on the matter.

Mayor Sandra Whitehead closed the Public Hearing at 6:51 PM

UNFINISHED
BUSINESS:

Mayor Sandra Whitehead noted Unfinished Business; stating the subject matter “Final Adoption Ordinance #653 Amending Sections 6-78, 6-82 and 6-83 of the Nuisance Chapter and Repealing Section 6-79 of said Chapter, and Repealing Section 6-79 of said Chapter.” Mayor Whitehead asked each Commissioner for comment and City Manager Fuentes, no comments or remarks were made.

“Mayor Pro-Tem Steve Green moved to approve Final Adoption of Ordinance #653”.

Seconded by Commissioner Ruben Olivas.

Mayor Sandra Whitehead called for a Roll Call Vote.

Hon. Sandra Whitehead replied AYE to a Roll Call Vote.

Hon. Steve Green replied AYE to a Roll Call Vote.

Hon. Jeff Richter replied AYE to a Roll Call Vote.

Hon. Ruben Olivas replied AYE to a Roll Call Vote.

Hon. Kathy Clark replied AYE to a Roll Call Vote.

Motion Carried Unanimously.

NEW BUSINESS:

Mayor Sandra Whitehead announced New Business; Discussion/Action Award Engineering Service for Electric Utility Distribution Study RFP #13-14-4603-0212-599; requesting that Ed Williams approach.

Ed Williams approached and noted he stood before the Commission to request the Electrical System Study. He explained it was much like the Water System Preliminary Engineering Report, just for Electric instead.

City Manager Juan Fuentes explained the current process if approved then we would negotiate for a similar plan, he spoke of the 2003 study and the need to plan to work with available funding in-house. Noting that in 2003 the City hired an engineering firm to conduct an Electrical Utility Distribution System Engineering Study. The study looked at the existing infrastructure, distribution system and made recommendations for capital improvements; he noted he was not sure what of those were repaired. Noting the AMP will create a system list to rehabilitate, replace, upgrade and or construct necessary infrastructure and equipment to increase reliability and efficiency.

“Mayor Pro-Tem Steve Green moved to approve Award Engineering Service”.

Seconded by Commissioner Ruben Olivas.

Motion Carried Unanimously.

Mayor Sandra Whitehead noted next was Discussion – Airport Courtesy Car Agreement, asking City Attorney Jay Rubin to present.

City Attorney Jay Rubin explained the background of the process to have a Courtesy Car at the Airport for those traveling in to the City. He noted the Contract Agreement with the Chamber of Commerce, for use of the car.

Mayor Pro-Tem Steve Green thanked the Chamber of Commerce for the donation of the car; he suggested change in the contract to “Chamber” only, noting that “Sierra County Chamber” is not

the name used. He questioned liability coverage, a loan agreement form, whether a copy of the driver's license would be required. On pages 2/3 he noted the name change to "Chamber" again and the address of 207 South Foch for the Chamber. He noted portions of the agreement where it stated staff would clean and wash the car, asking if that was appropriate for staff to do.

Bill Sletton, ACM/CDD stated that washing or cleaning the car was not in Airport Staffs job description.

City Manager Juan Fuentes stated the Airport Advisory Board has been requesting a courtesy car at the Airport for incoming pilots and guests to use to drive into town for dinner and shopping. He noted that due to liability issues and insurance, the City was unable to provide such a service at the Airport; and that the Chamber of Commerce offered to serve as the conduit to rent a vehicle for this purpose and park it at the Airport. The City will agree to lease the vehicle on behalf of the Chamber at the Airport during regular business hours and an agreement proposed will specify the terms and conditions for the Chamber and the City.

Hans Townsend, Chamber of Commerce President, noted he had spoken to Staff, Steve Spaw, and they did not have a problem washing and caring for the car.

Mayor Sandra Whitehead thanked the Chamber and Mr. Townsend.

Bill Sletton, ACM/CDD noted that this was for discussion only and the item would be brought back after amendments were made.

City Attorney Jay Rubin agreed, noting that this would be brought back to the Commission for action.

REPORTS:

City Manager Juan Fuentes noted he did not have a status for Mr. Pacourek at this time, noting he would follow-up and get an answer for him.

City Attorney Jay Rubin – No Report.

Commissioner Jeff Richter – No Report.

Commissioner Kathy Clark noted that Virgin Galactic was providing the Community an opportunity with a list of business needs. She sated they had received special efforts from various public officials to get help for job training and work. She also noted the Community was fortunate to receive the opportunity.

Mayor Pro-Tem Steve Green made the suggestion to City Manager Fuentes to start LEDA talks, noting that way we can offer what we can to enhance the opportunity for new business to come into the Community. He spoke of the cleanup to be Saturday meeting at 8 AM at City Hall, asking support for the cleanup effort prior to the Fiesta. He spoke of the City Library phone needing to announce Library hours. Mayor Pro-Tem Green also announced the free travel will roll out Wednesday April 30th, and then begin in travel dates on May 5th. He encouraged all to use the transportation.

Mayor Sandra Whitehead – No Report.

**RESPONSE TO
PUBLIC COMMENTS:**

None.

ADJOURNMENT:

With nothing further to come before the Commission, Mayor Sandra Whitehead asked for a motion to adjourn.

“Mayor Pro-Tem Steve Green moved to adjourn.”

Seconded by Commissioner Ruben Olivas.

Motion Carried Unanimously.

CERTIFICATION:

PASSED AND APPROVED this _____ day of _____, 2014, on motion duly made by Commissioner _____, seconded by Commissioner _____, and carried.

SANDRA WHITEHEAD, MAYOR

ATTEST:

Judy M. Harris, City Clerk

