

CITY COMMISSION  
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO  
Tuesday, May 13, 2014

WORK SHOP  
ACTION MINUTES

*WORK SHOP:*

The Truth or Consequences City Commission of the City of Truth or Consequences in the County of Sierra, and State of New Mexico met for a Work Shop, in full conformity with the law and ordinances of said Commission in the Commission Chambers of said City on May 13, 2014 at 4:00 P.M.

Mayor Pro-tem Sandra Whitehead opened the Work Shop; explaining the items to be discussed in the Work Shop included:

1. Discussion/Public Input: Solar Generation Facility
2. Discussion/Public Input: Golf Course Irrigation System, Evaluation of Pump Station
3. Discussion/Public Input: An Ordinance Amending Chapter 5, Adding Article VI; Providing for a False Fire Alarm code

Mayor Sandra Whitehead noted the first item; *Solar Generation Facility*; calling Steve House, Triple H Solar Engineer, to approach.

Steve House, Triple H Solar Engineer, approached and explained the merits, pros and cons of the Solar Generation Facility. Showing a PowerPoint presentation while noting specifics, along with explaining a Power Purchase Agreement. Mr. House spoke of the Utility Scale Solar Array. Noting the Benefits of adding Solar, why do it; Mr. House stated it would preserve our natural resources, clean, renewable energy; to be good stewards of our environment, no out of pocket costs to save money over time. Explaining the savings to the City would be in the area of \$1,700,000.00; and stating there was the benefit of access to state and federal tax credits and stabilized energy bills for 20-25 years. Mr. House noted several entities which are adding solar; the City of Santa Fe, City of Lordsburg, City of Silver City for their Waste Water Treatment Plant, the City of Albuquerque, the Deming Waste Water Treatment Plant, Santa Fe Community College and the pending 1.89 MW converting 90% of usage for the City of Truth or Consequences. Mr. House noted other entities; Central NM Community College, the City of Albuquerque Sunport, Alamogordo, Town of Taos, the Kit Carson Electric Utility in Taos, the City of Las Cruces, Albuquerque Academy, Village of Corrales and MCT Enterprises. Mr. House explained a graph of historical rate increase information starting in the year 2003 and progressing to the year 2015. Mr. House explained the Power Purchase Agreement details, the best and final offer (BAFO) for power. Mr. House noted the land use for this purpose would be what is currently known as the "shutter factory land", and explained the land lease cost would be \$2,500 per year. Showing a graph of base utility rate savings analysis with the Solar Array, contract term in years; explaining the utility rate comparison of the term.

Mayor Pro-Tem Steve Green asked Mr. House to explain private investors tax credits roll into the contract, getting back form of reduced costs and tax credits.

Mr. House explained who is doing it, giving a list of those which are using Solar, gave the historical rate information; he noted the BAFO (best and final offer) did not change from the Original.

Mayor Pro-Tem Green noted the annual degradation 0.7 to 0.5.

Mr. House explained the two different numbers; conception layout shown, enough land for another 1.5 MW, graphic shows two lines the green is energy rate, energy from Solar Array, the purple line is Sierra Electric rate at 4% increase and the blue is savings per year accumulated savings in time.

Commissioner Ruben Olivas made the statement that there were more useful things to do with the property. He asked Mr. House to outline the negatives of the project, and who is responsible for maintenance.

Mr. House noted inflation, with inflation we would pay more; he noted incentives for the PPA provider, every KW hour that doesn't generate power. He stated inverters would require replacing every 10 years, but there are guarantees on the panels. He also noted that there were options for buy out in the proposal.

City Manager Fuentes stated that the lease site was approved in a meeting of the Commission and noted that the site was in the back of the property, leaving space for expansion or another business for future use.

Commissioner Jeff Richter spoke of Federal Government subsidizing with our tax monies and questioned true costs. He questioned if complete make it subsidized, 1 ½% escalation rate, what is that for? He questioned what would happen if company folds up.

Mr. House answered tax credits, yes because Federal Government has tax credits; operation & maintenance costs, degradation and depreciation difference explained. Mr. House noted that fiscal reality will be there, make energy every day the sun shines. He noted several other companies, and noted that this particular company was local with local money.

Commissioner Steve Green asked how many acres would be used; if the company goes under do we still have energy provided, and isn't the City protected regardless what happens, we still have energy?

Mr. House answered 9 (nine) acres, the entire plot including setback is approximately 40 acres.

Commissioner Ruben Olivas asked about Affordable Solar letter, regarding options A & B.

Mr. House noted it was mirrored, and the option inflation rate stays.

It was noted that Jimmy Capps was in the audience, from Sierra Electric; if anyone had questions for him. No questions were asked.

Mayor Sandra Whitehead closed Work Shop #1 at 4:45PM.

*(Complete copy of handout attached hereto and made part hereof.)*

Item 2: Discussion/Public Input: Mayor Sandra Whitehead noted next was a Work Shop for a *Golf Course Irrigation System – Evaluation of Pump Station*; she asked Dave Schwent of Smith Engineering to approach.

Dave Schwent, Project Manager & Project Engineer, gave the Commission a handout, and noted he hoped the questions wouldn't be a difficult as the previous Work Shop. Mr. Schwent gave the Commission a background of the project, showing an existing map and explained the evaluation. He noted that in the report they identified many short-term action items to improve the operations of both the Old Pump Station and the New Pump Station. He noted some of the short-term actions have been identified as priority items, noting they had provided preliminary, estimated costs for those items. He felt it is in the best interest of the City to address the priority short-term action items identified as soon as possible. Mr. Schwent also noted they has also proposed potential long-term solutions of relocating the New Pump Station to improve Golf Course irrigation performance and have provided a rough preliminary estimated cost for the relocation project. During his presentation, Mr. Schwent explained that the City is currently faced with the challenge of having to meet the considerable irrigation demands at the T or C Golf Course using pump stations that either have significant equipment maintenance issues or that were not designed to irrigate the Golf Course. He noted the Old Pump Station is currently being used as the primary irrigation system and the New Pump Station was constructed in 2006 and is being used as the back-up irrigation system during times when the pumps of the Old Pump Station are not operating properly.

Mr. Schwent stated that unfortunately, the New Pump Station was not originally designed to be used to irrigate the Golf Course itself. He explained that the intended irrigation are of the New Pump Station is the Middle School ball fields, located just northeast of the Golf Course with a potential future irrigation are being the new Cemetery, located northwest of the Golf Course on the other side of I-25. He noted due to apparent design oversight, the new Pump Station was also not constructed at an elevation to draw water from the Effluent Reuse Storage Pond, which was the intended source of irrigation water for the station. The Pumps of the New Pump Station are not self-priming and consistently lose prime during operation due to being set at an elevation too high relative to the Effluent Reuse Storage Pond source water. He noted that despite the constraints of the original design, operators have made field modifications and developed operational procedures that allow the New Pump Station to be used to irrigate the Golf Course if it is used in conjunction with the Old Pump Station. In conclusion, Mr. Schwent noted to provide water to the Golf Course consistently and cost-effectively over the long term, the City should improve or modify the Golf Course irrigation pump station infrastructure.

Commissioner Steve Green noted the New Pump Stated age of pumps is 2006. He noted we threw good money after bad. Asking for the worse case cinereous.

Mr. Schwent explained redundancy is built in; we lose one and still use the other.

Commissioner Ruben Olivas asked if there was the money available for the work.

City Manager Juan Fuentes the money has not been identified for repairs, noting it took \$18,000 to repair the two pumps, aside of that no funding has been identified for the project.

Commissioner Jeff Richter asked about the existing Pump House, can the old pump draw at invert, what point inefficiency.

Mr. Schwent stated yes; pumps can't prime themselves. He also noted it would be approximately eight weeks to plan and build.

Les DeFour, Golf Course Advisory Board, approached and noted the Advisory Board's support to maintain the Golf Course. Noting the backup old Pump House is no legacy we want. He stated their support with the Pump Stations.

City Manager Juan Fuentes asked Mr. DeFour about funding.

Mr. DeFour stated the Golf Course Improvement Fund has some limited funds, noting they have been losing 30% per year. They wish to enclose the patio, but will see what they can help with and how much money there is to designate. He noted if they don't have water, they won't have golfers.

Howie Tucker, Golf Pro approached the podium and thanked everyone for looking into this.

Mayor Pro-Tem Steve Green asked if there was money left in the Recreation funding which could be used for this purpose.

City Manager Juan Fuentes noted no, the funding has been used for the Pool and we still need a storage facility for the cover.

Mayor Sandra Whitehead closed Work Shop #2 at 5:35PM.

*(Complete copy of handout attached hereto and made part hereof.)*

City Attorney Jay Rubin noted that he would request that *Work Shop #3, Discussion/Public Input: An Ordinance Amending Chapter 5, Adding Article VI; Providing for a False Fire Alarm code*; be postponed, as he and Fire Chief Paul Tooley were working on the Ordinance, noting it would be returning to the Commission at a later date.

*Mayor Sandra Whitehead closed the Work Shops; noting the Regular Scheduled meeting of the Commission would begin at 6:00 PM.*

*Mayor Sandra Whitehead announced there would be a Public Hearing this evening regarding Discharge/Disposal of Geothermal Waters from the Hot Springs Aquifer System; Providing alternative Methods for the Discharge of Geothermal Waters Produced*

*from Domestic Water Wells, Requiring a City Permit for the Discharge of Geothermal Waters Produced from Domestic Water Wells to Facilities Owned and Operated by the City; and Providing for Fees to Cover City Expenses incurred for the Collection and Treatment of Geothermal Waters Produced from Domestic Water Wells and Discharge to Facilities of the City; she explained there was a sign up form for Proponents or Opponents on the table.*

## **THE CITY COMMISSION OF THE CITY OF TRUTH OR CONSEQUENCES**

### **REGULAR MEETING**

**MAY 13, 2014**

**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, May 13, 2014 at 6:00 P.M.

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

Upon calling the roll the following Commissioners were reported present:

**CEREMONY:**

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

**Absent:**

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.

Mayor Pro-tem Sandra Whitehead called for fifteen second of Silent Meditation.

**CEREMONY:**

Mayor Pro-tem Sandra Whitehead called for and led the Pledge of Allegiance.

**APPROVAL OF  
THE AGENDA:**

Mayor Sandra Whitehead called for approval of the Agenda.  
Mayor Pro-Tem Steve Green requested that item #2 Solar Generation Facility, out of respect for Commissioner Kathy Clark, be removed from the Agenda. It was stated to

remove Item #4 the Lodgers Tax for lack of information, as there were no applications or information for decisions to be made, he did request the item to be returned at the May 27<sup>th</sup> meeting.

City Attorney Jay Rubin requested the removal of H-3; An Ordinance Amending Chapter 5, Adding Article VI; Providing for a False Fire Alarm code; be postponed, as he and Fire Chief Paul Tooley were working on the Ordinance, noting it would be returning to the Commission at a later date.

“Mayor Pro-Tem Steve Green moved to approve the Agenda as amended.”

Seconded by Commissioner Jeff Richter.

Motion Carried Unanimously.

**COMMENTS FROM  
THE PUBLIC:**

Linda DeMarino, MainStreet TorC, approached the podium and made comments regarding the draft of Downtown Master Plan would be ready next week, and would be posted on the City Website, she noted it would also be available at the Library and Clerk’s Office for review. She noted June 10<sup>th</sup> is the 1<sup>st</sup> Business Breakfast at Grapes, and would be held on a quarterly basis. *(Complete copy of handout attached hereto and made part hereof.)*

Kim Skinner, Sierra County Tourism, approached and made comments regarding the Lodgers Tax request not being enough funding for the trip advisor page, as they needed to maintain internet presence. *(Complete copy of handout attached hereto and made part hereof.)*

Lorena Miller, Visitor Center, approached and made comments regarding the Tourism Board and Lodgers Tax. *(Complete copy of handout attached hereto and made part hereof.)*

Kay Dunlap, Elephant Butte State Park, approached and made comments regarding events on Saturday, May 17<sup>th</sup>, for the Elephant Butte Lake State Park Media Day. She noted several events and presented the Commission with an invitation to attend and a copy of the flyer of events. *(Complete copy of handout attached hereto and made part hereof.)*

Jagger Gustin, Sierra County Arts Council, approached and made comments regarding the new Sierra County Artists Directory booklet and left copies for the Commission and the record. *(Complete copy of handout attached hereto and made part hereof.)*

Ron Fenn, 316 N. Foch, approached and made comments regarding the concrete installed at the Evelyn Renfro Park having 22 cracks in the sidewalk, the waste of resources and money. *(Complete copy of handout attached hereto and made part hereof.)*

Craig Person, Sierra Del Rio & President of the Veterans Memorial Park Trust Board, approached and noted a change in funding for the Veterans Park, he noted there were

several Grants at the Nation Park level that they would apply for, and he noted they were envisioning a much larger building for the future expansion of the Park.

Jagger Gustin, speaking as Film Liaison, noted that there were Film Crews here in the City, from Belgium, noting the Dude Motel has become a movie set and they would be filming in the area.

Melissa Cordell, TorC Police Department, approached and noted that April 26th was National Take Back Day and gave the State numbers for the Take Back, noting that locally they collected 32 lbs. (*Complete copy of handout attached hereto and made part hereof.*)

Klaus Whittern approached and made comments regarding the need for a work session for the Budget and the need for the Budget to be on the City Website.

Mary Jo Fahl approached and requested that the Lodgers Tax item be removed from the Agenda.

Ron Pacourek, 603 N. Riverside, approached and thanked the City for the Fire Hydrant he had requested installed on north Riverside. He noted the NFPA Fire Hydrant Spacing Code. (*Complete copy of handout attached hereto and made part hereof.*)

**CONSENT  
CALENDAR:**

Mayor Sandra Whitehead noted the Consent Calendar and asked for a motion.

“Mayor Pro-Tem Steve Green moved to approve the Consent Calendar as presented;

1. City Commission Work Shop and Regular Meeting Minutes for April 8, 2014.
2. City Commission Regular Meeting Minutes for April 22, 2014
3. Lodgers Tax Advisory Board Meeting Minutes 3/27/2014
4. Golf Course Advisory Board Meeting Minutes 3/12/2014
5. Accounts Payable April 2014
6. Domestic Abuse4 Intervention Center – April 2014.”

Seconded by Commissioner Jeff Richter

Motion Carried Unanimously.

**PRESENTATION:**

Mayor Sandra Whitehead noted next was a Presentation regarding use of the Zelma Iorio Business Center facility for Business Recruitment, requesting Hans Townsend to approach.

Hans Townsend, Chamber of Commerce President, approached and gave a PowerPoint Presentation regarding the Chamber pursuing a number of businesses interested in moving to our Community. Noting this is of vital importance to our

economy and growth and should be acted upon as expeditiously as possible. He noted that in order for the Chamber to be able to fulfil the need for information that these businesses require the Chambers wishes to work with City and other to put together a smooth procedure that can be followed to effect successful transfers of such businesses into our community. This would help to better not only the economy, but the standard of living for many residents. Mr. Townsend showed a PowerPoint Presentation. He requested information on the USDA proceeds from the disbanded SCEDO group, and knowledge of who had ownership of the equipment in the facility, which they may be able to use.

City Manager Juan Fuentes noted that SCEDO had used the building in the past and stated he didn't have any information on the equipment left in the building. He noted the City did not have any written agreements for the facility or the equipment left there. He did state he would write a letter to request information on both.

Commissioner Ruben Olivas and Mayor Pro-Tem Steve Green both agreed that the City should see about answering the questions and finding a way to help encourage businesses to move to the Community.

*PUBLIC HEARING:*

Mayor Sandra Whitehead noted the next item; Public Hearing Relating to Discharge/Disposal of Geothermal Waters from the Hot Springs Aquifer System; Providing alternative Methods for the Discharge of Geothermal Waters Produced from Domestic Water Wells, Requiring a City Permit for the Discharge of Geothermal Waters Produced from Domestic Water Wells to Facilities Owned and Operated by the City; and Providing for Fees to Cover City Expenses incurred for the Collection and Treatment of Geothermal Waters Produced from Domestic Water Wells and Discharge to Facilities of the City; requesting that City Attorney address the Proposed Ordinance. She gave the audience a moment for any to sign up.

City Attorney Jay Rubin explained this item has been before the Commission at various times; noting the main thrust of the Ordinance is Domestic, as he was instructed to remove the wording Commercial from the Ordinance. He noted various sentences and paragraphs, all which were related to Domestic Waters.

Mayor Sandra Whitehead noted the signup sheet only had one name, calling Hans Townsend as an Opponent to approach.

Hans Townsend approached and noted that it looked as though in the Study the City paid for; there were no changes in 60 years. He noted the money and time spent on this, when there were other things we should be doing.

With no further comments; Mayor Sandra Whitehead closed the Public Hearing at 6:55 PM.

*UNFINISHED  
BUSINESS:*

Mayor Sandra Whitehead noted next was Discussion/Action – Final; Adoption Ordinance #654- Mayor Sandra Whitehead noted the next item; Public Hearing



Relating to Discharge/Disposal of Geothermal Waters from the Hot Springs Aquifer System; Providing alternative Methods for the Discharge of Geothermal Waters Produced from Domestic Water Wells, Requiring a City Permit for the Discharge of Geothermal Waters Produced from Domestic Water Wells to Facilities Owned and Operated by the City; and Providing for Fees to Cover City Expenses incurred for the Collection and Treatment of Geothermal Waters Produced from Domestic Water Wells and Discharge to Facilities of the City; requesting that City Attorney address the Proposed Ordinance.

Mayor Sandra Whitehead opened to comments or questions from the Commission.

Commissioner Jeff Richter asked of the legality applying to existing wells or ones to be drilled.

City Attorney Jay Rubin noted it applied to all.

“Mayor Sandra Whitehead suggested the item be postponed indefinitely as it has been tossed around and gone back and forth, defeating the intent of the Ordinance.”

Seconded by Commission Ruben Olivas.

Mayor Sandra Whitehead called for a Roll Call Vote; noting an Aye would Postpone and a Nay would defeat the motion.

Hon. Sandra Whitehead replied AYE a Roll Call Vote.

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

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

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

Motion failed, with a one (1) to three (3) vote.

With Mayor Whitehead voting for the postponement.

Mayor Pro-Tem Steve Green questioned whither to move forward with the Ordinance. Noting they needed a system in place to monitor.

Commissioner Jeff Richter concurred with Mayor Pro-Tem Green, noting we needed to protect the asset. Noting his disappointment that the Commercial had been deleted, as the purpose was to protect the resource.

“Mayor Pro-Tem Steve Green moved to approve the Final of Ordinance #654.”

Seconded by Commissioner Ruben Olivas.

Mayor Sandra Whitehead called for a Roll Call Vote.

Hon. Sandra Whitehead replied Nay 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.

Motion Carried to Approve Ordinance #654; with a 3 to 1 vote.

Mayor Sandra Whitehead noted the next item was *postponed*; the *Award Solar Generation Facility RFP 13-14-4603-1126-840*. The items will be returned in a future meeting.

Mayor Sandra Whitehead noted the next item, Discussion/Action- Airport Courtesy Car, calling on City Attorney Rubin to present.

Jay Rubin, City Attorney, explained the changes made to the Agreement with the Chamber of Commerce to provide a Courtesy Car at the Airport.

Mayor Pro-Tem Steve Green asked City Attorney Rubin about item #6 in the Agreement; regarding the liability limits meeting the City's.

City Attorney Rubin acknowledged he had changed to amount to the same as the City.

City Manager Juan Fuentes stated the Chamber will hold all the liability, as it was in their interest to do so.

Commissioner Jeff Richter mentioned it was a matter of semantics.

Hans Townsend with the Chamber noted the Agreement would be signed, noting they were using the same loan agreement used by Whitehead. Noting that those who wish to use the car get insurance, and that the City Employee Steve Spaw said he would do what needed to be done.

Mayor Sandra Whitehead asked if the vehicle was only for use during business hours.

Bill Slettom, ACM/CDD, noted yes it was from 7 AM to 5 PM, on a first come, first serve basis, when Airport staff was available.

"Mayor Pro-Tem Steve Green moved to approve the Agreement with the amendment of item 7 to detail that Airport Personnel would make sure the forms were filled out."

Seconded by Commissioner Ruben Olivas.

Motion Carried Unanimously.

**NEW BUSINESS:**

Discussion/Action – Designation of South Central Council of Governments (SCCOG) to serve as the Fiscal Agent for Senior Joint Office on Aging (SJOA).

City Manager Juan Fuentes noted item H.1. – Designation of SCCOG as Fiscal Agent for SJOA and item H.2. Designation of SCCOG as Fiscal Agent for Legislative Money for the Waste Water Treatment Plant. He stated they are similar agreements to

the one signed earlier in the year for the Animal Shelter. Manager Fuentes noted the Audit Findings being the reason for the designation of a Fiscal Agent for both.

Mayor Pro-Tem Steve Green noted his displeasure with SCCOG, as the City pays for membership with SCCOG, yet they receive 3% on each of the items, asking what we get for our membership with SCCOG. He noted the amounts of money for each item and requested the City Manager contact SCCOG and gets a better price.

Commissioner Ruben Olivas asked what findings.

City Manager Fuentes answered that the Budget findings, noting that the City was attempting to get an audit of equipment and property for the City to remove the findings.

Commissioner Jeff Richter noted his disappointment.

City Manager Fuentes explained that no, they don't have to be approved tonight and he would look at the matter.

Mayor Pro-Tem Green asked if the two weeks before the next meeting would be enough time, stating he felt it item should be tabled to get a better price.

"Mayor Pro-Tem Steve Green made a motion to table item H.1. and item H.2. to the May 27, 2014 meeting."

Seconded by Commissioner Jeff Richter.

Motion Carried Unanimously.

Item H.3. New Business; Discussion/Action – Proposed Ordinance for Publication, Amending Chapter 5, Adding Article Vi; Providing for a False Fire Alarm Code; was postponed in the Agenda portion of the meeting.

Discussion/Action – Award Engineering Services for Airport Improvements RFP #14-14-15-8403-0326-598.

Bill Sletton, ACM/CDD, approached and explained the City seeking the contract for Engineering Services for Airport Improvements. He explained that with the City Commission approval Staff could precede with negotiations with the Contractor and then the Contract would return to the Commission for approval. He explained the companies which turned in their bids for the project, and noted the overwhelming choice of Delta Engineering.

"Mayor Pro-Tem Steve Green moved to authorize negotiations."

Seconded by Commissioner Jeff Richter.

Motion Carried Unanimously.

Item H.5. New Business: Discussion/Action Award Lodgers Tax Allocations for 2014/2015 FY; was postponed earlier in the meeting, and will return to the May 27<sup>th</sup> Agenda.

Mayor Sandra Whitehead noted next was Discussion/Action – Resolution #31 13/14 A Resolution Authorizing the Destruction of the 2012 Election Files Pursuant to §3-8-71(C) NMSA, 1978; she requested City Clerk Harris present.

Judy Harris, City Clerk, explained the purpose of action was Pursuant to §3-8-71(A) NMSA the city Clerk is required to retain for two years after each municipal election various items mentioned. She stated that an Inventory of records is completed to identify custodial records which have satisfied the legal retention period, pursuant to §3-8-71 NMSA and New Mexico State records Retention and Disposition Schedules. A complete list of files to be destroyed is recorded on Resolution #31 13/14. Clerk Harris noted Staff recommendation was that the records were identified in §3-8-71(A) shall be destroyed two (2) years after Election, the City clerk is requesting City Commission approval to authorize the destruction of the 2012 Election files by shredding. Clerk Harris noted supporting information provided; State Statues, Election Handbook of the State of New Mexico showing Statue 3-8-71.

Mayor Pro-Tem Steve Green noted shredding would be good, as it would sell with the Recyclables.

“Mayor Pro-Tem Steve Green moved to approve Resolution #31 13/14 A Resolution Authorizing the Destruction of the 2012 Election Files Pursuant to §3-8-71(C) by shredding.”

Seconded by Commissioner Jeff Richter.

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.

Mayor Sandra Whitehead noted next was Discussion/Action regarding FYE 2014 Budget Adjustment Resolution #32 13/14; and requested Financial Director Leo Silva

to present.

Leo Silva, Finance Director, approached and gave a brief summary of the proposed budget adjustments, he noted the following:

1. General Fund - \$34,000 Increase to cover May and June Utilities
  - \$15,000 to Cover yearly Legal Fees
  - \$5,000 to cover Year End Expenditures.

Mayor Pro-Tem Steve Green questioned the Legal Fees, as he thought that we had received a check for reimbursement from the New Mexico Municipal League. He also asked why the Utility Fees.

City Manager Juan Fuentes noted we did receive money from the Municipal League, and noted the amount was to cover additional fees.

Pat Wood, Procurement, answered that the Utilities were for the Swimming Pool expense.

City Manager Juan Fuentes noted that there was also the expense of the part time personnel at the Swimming Pool.

Mayor Sandra Whitehead asked where the money was coming from.

City Manager Juan Fuentes answered from the General Fund.

Leo Silva, Finance Director, continued that item #2 was the Pledge State Tax of \$6,000 to cover Year End Expenditure. Item #3. Electrical Construction \$38,000.00 was to cover CDBG Construction costs per the Williamsburg Electrical Project.

City Manager Juan Fuentes noted the CDBG Construction project was a local match.

“Mayor Pro-Tem Steve Green moved to approve Resolution #32 13/14 FYE 2014 Budget Adjustments.”

Seconded by Commissioner Jeff Richter.

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.

Mayor Sandra Whitehead noted next was Discussion/Action – Renewal of Golf Course Management Contract; turning the meeting over to City Manager Fuentes.

City Manager Juan Fuentes explained he had received a call from Attorney Mark Filosa, who represented Golf Pro Howie Tucker, stating that they wished to make changes to the Golf Pro Contract. He noted he had not received word on what changes were being requested.

City Attorney Jay Rubin noted the changes were unknown to him also.

Golf Pro Howie Tucker approached.

City Attorney Jay Rubin cautioned Mr. Tucker that his legal counsel was not present.

Golf Pro Howie Tucker stated it was just small things; mostly wording in the Contract.

City Manager Juan Fuentes recommended postponement of the item, until such time that Mr. Tucker's Legal Counsel was available.

Golf Pro Howie Tucker stated the Liquor License was due by the 31<sup>st</sup>.

Commissioner Ruben Olivas suggested the item be tabled till the May 27<sup>th</sup> meeting. "Commissioner Ruben Olivas moved to table the item."

Seconded by Mayor Pro-Tem Steve Green.

Motion Carried Unanimously.

**REPORTS:**

City Manager Juan Fuentes reported the City Clerk had the Budget placed on the City Website. He noted that the requested stripping from resident Ron Pacourek was on the schedule of projects to work in the next fiscal year. City Manager Fuentes noted that additional fire hydrants were not in the budget at this time, and noted it would be up to the Commission to set aside money to put fire hydrants in.

Mayor Pro-Tem Steve Green suggested Fire Chief Paul Tooley access grant money for fire hydrant analysis throughout the community and to apply for funding.

City Attorney Jay Rubin, No Report.

Commissioner Ruben Olivas reported he would request we look at the striping needed. He noted he would attend the Sierra Health Council next week in the Red Room. He requested to have Public Meetings with open discussions to answer general questions the Public had; asking if that was possible. He requested a schedule be figured out for such meetings.

Commissioner Jeff Richter, No Report.

Mayor Sandra Whitehead, No Report.

*RESPONSE TO  
PUBLIC  
COMMENT:*

None.

*EXECUTIVE  
SESSION:*

With no further business to come before the Commission; "Commissioner Steve Green moved that the meeting be closed for Executive Session pertaining to:

1. Personnel 10-15-1H(2)
  - a. related to Public Works Department"

Seconded by Commissioner Jeff Richter.

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.

*OPEN SESSION:*

Mayor Sandra Whitehead noted the Commission was now back in session.

"Mayor Pro-Tem Steve Green certified that only matters pertaining to:

1. Personnel 10-15-1H(2)
  - a. related to Public Works Department

Was discussed in Executive Session, and no votes or action were taken."

Seconded by Mayor Sandra Whitehead.

*ADJOURNMENT:*

With nothing further to come before the Commission, "Mayor Sandra Whitehead moved to adjourn."

Seconded by Commissioner Jeff Richter.

Motion Carried Unanimously.

*CERTIFICATION:*

Passed and approved this \_\_\_ day of \_\_\_\_\_, 2014, on a motion duly made by Commissioner \_\_\_\_\_, and seconded by Commissioner \_\_\_\_\_, and carried.

\_\_\_\_\_  
Sandra Whitehead, Mayor

*ATTEST:*

\_\_\_\_\_  
Judy M. Harris, City Clerk