

CITY COMMISSION
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
TUESDAY, AUGUST 12, 2014

WORKSHOP

Action Minutes

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 Tuesday, August 12, 2014 at 4:30 P. M., in the Commission Chambers, 405 W. Third, Truth or Consequences, New Mexico.

Mayor Sandra Whitehead opened the Work Shop by explaining there was a signup sheet on the table by the door, inviting all to sign in and acknowledge if they wished to receive the Agenda by Email. Mayor Sandra Whitehead explained that Commissioner Ruben Olivas was not present due to the death of his Mother.

Mayor Sandra Whitehead noted we were in a Work Shop to discuss and receive public input regarding the 2016-2020 Infrastructure Capital Improvement Plan (ICIP), the purpose of this meeting is to obtain public input in order to assist the Mayor and City Commission setting planning priorities for the City's 2015-2020 Infrastructure Capital Improvement Project (ICIP) Plan. The ICIP is a document instituted by the State of New Mexico designed to assist local governments in preparing for the long range infrastructure needs of the Community. It also helps identify the potential funding sources in order to fund these needs. The ICIP Plan presents a long range picture of the City's goals in development of the physical assets of the Community. The ICIP assists the City in pursuit of funding from outside sources in that it presents to other entities the long range plans of the City and allows other entities to assist in the fulfillment of those goals. Mayor Whitehead then asked ACM/CDD Bill Slettom to address the Commission.

Bill Slettom, ACM/CDD approached and gave the Commission a handout (Complete copy attached hereto and made part hereof); and started his presentation by explaining what is the ICIP. He noted it is a plan of priorities, covers a five year period, is developed annually and includes policy direction, funding time frames, estimated costs, justifications and details of each infrastructure capital improvement project proposed. He explained the types of infrastructure are roads, water, wastewater treatment, electrical grids, telecommunications, gas and solid waste. Mr. Slettom noted developing the Local Infrastructure Capital Improvement Plan identifies projects (New and Current Inventory) obtains costs; collaborates with all departments, estimates costs, includes operating and maintenance expenses, prioritizes the critical criteria; public health and safety, legal liability, timeline, emergency and compliance. For available funding sources he stated Legislative Capital Outlay Community Development Block Grants, USDA, Colonia's Infrastructure, Water Trust Board, the New Mexico Finance Authority, New Mexico Mortgage Finance Authority, Private-placement financing and New Mexico MainStreet.

Mr. Slettom then noted the list of 2015 ICIP items. He stated that the local Government wanted to see full printouts, and then he noted the top five sent last year; Wastewater Treatment Plant upgrade, Animal Shelter, Water/Wastewater line replacement, two electrical main feeders upgrade and the Hospital. He explained the USDA money for the Wastewater Treatment Plant; noting that the proposed plant will provide effluent quality that exceeds current regulatory standards, meet or exceed future regulations, significantly improve safety and increase capacity to serve Truth or Consequences to 2045. Regarding the Animal Shelter, he noted a new facility will provide for the safe, humane handling of animals; estimating the cost at \$800,000.00. Water and Wastewater line replacement is on-going replacement of old infrastructure, and extension of services, target areas will need \$1,200,000 the first year and \$1,500,000 the second year. New Electrical main feeders project includes new electrical entries into the City, pole replacement and hardware to accommodate City growth, project cost estimated at \$1.6 million. The pole replacement program, consisting of replacement of electrical distribution poles, an on-going project, estimated at \$300,000 annually.

Mr. Slettom stated that Sierra County was going through their ICIP right now, and is considering a construction and demolition landfill and the Animal Shelter, they are also talking of a multi jurisdiction building to house County and City Administration building. And the County wants to hear from us on all of this. He noted that his feeling was that Sierra County is willing to work with us on these projects.

Mr. Slettom then spoke about Rio Vista Land Company working on the parcels across the river and would like to see us look at building a bridge; he spoke about the subdivision planned and noted that access to the other side of the river would be a boost for the Community. He mentioned this incase the Commission wished to add a bridge to the ICIP. He then stood for questions.

City Manager Juan Fuentes stated that as Bill had pointed out, there is a need for an annual update to the ICIP and we can include requests for a bridge across the river. He noted a laundry list or wish list, and also noted the need for sidewalks.

Bill Slettom interjected that one item, the Solar Farm, could be removed because we are working on that right now.

Commissioner Kathy Clark asked what was the actual due date for the ICIP.

Bill Slettom answered September 2, 2014.

Commissioner Kathy Clark asked if we would partner with the County on the Animal Shelter, asking if we are paying \$120,000 per year for the Shelter currently, and wondering if we can run a Shelter for that amount.

City Manager Juan Fuentes noted yes, we can divert those funds back to use for the Shelter.

Commissioner Kathy Clark made reference to the Bridge access to go across the river was not a bad idea to consider, noting it's not a new idea, she had heard of it over 20 years ago.

Mayor Pro-Tem Steve Green asked if the EPA was issuing permits for C & D Landfills.

Bill Slettom answered that the County has started the process, we have not pursued.

Mayor Pro-Tem Steve Green noted pole replacement; noting that at the last meeting we were told not pursue. He felt the Hospital could be removed because the new CEO was trying to put the Hospital back in the black, and wished to do so, on their own. He asked if we had replacement poles now.

Ed Williams, Electric Department, answered that we have some poles, maybe 20 to 25.

Mayor Pro-Tem Steve Green noted to move pole replacement down on the list.

City Manager Juan Fuentes noted the study ongoing at this time, when complete the Electric Division can identify what is needed. The study will identify the real need.

Ed Williams concurred with City Manager Fuentes, the study will show a lot and then we can revisit it the needs.

Commissioner Jeff Richter said he thought the Animal Shelter and Landfill were advantageous, as was working with the County, as both are needed. He then spoke of needs, the Bridge over the river, should they continue that to do the project.

With no further questions from the Commission, Mayor Sandra Whitehead asked for public comment.

Audon Trujillo approached, he noted the shortness of time the public has to speak of the projects, noting they are blindsided by these things and then they are due. He noted they needed a calendar that all can see. He asked how to increase revenue for the City.

Ariel Dougherty approached, she questioned the overall budget for the Animal Shelter.

Bill Slettom noted a new Shelter \$120,000 per year, construction approximately 800,000 to a million for plan and design.

City Manager Juan Fuentes stated this was a preliminary figure; we are working with an engineer to get a more realistic number.

Ariel Dougherty noted frustration; that will note to amend/change the list. She was glad the Solar Project was removed. Downtown needs a New City Hall, which will affect tourism; tie it in with the County, do something grand. She noted the need for a citizen committee. She would like to see purchase or acquisition of the two swinging bridges over the river. She stated we need to spend money on the Animal Shelter and make it look grand. (Complete copy attached and made part hereof)

Audon Trujillo approached a second time; noting the need for Library expansion, the fact that their hours need to change as they are closed after 5 and on weekends. He agreed a new building should be build downtown, noting no more corrugated buildings like the County has done.

Mayor Sandra Whitehead noted the concerns, she feels we are open and working in a timely manner, she noted her concern for a Municipal Building, the thought of combining with the County. Agreed with Commissioner Richter on being on board with the County. She noted Elephant Butte, asking of the shelter. Mayor Whitehead stated we need to move forward.

Commissioner Kathy Clark questioned the Animal Shelter, and the \$800,000.

Bill Slettom answered that it was estimated at 800,000 on a new building on the ground over two years ago, to plan, design and construct.

Commissioner Kathy Clark asked if we are committed to the Armory.

Bill Slettom answered no.

City Manager Juan Fuentes said yes, we are; noting we have already committed for the Animal Shelter and law enforcement complex. He stated he was working with an architect, working with the National Guard, and getting an appraisal for the Police Department Building. He noted we want to have the ability to include others like the Sheriff's Department and work together.

Commissioner Kathy Clark asked if we are doing something.

City Manager Fuentes answered yes, we have a long list of projects and money is hard to come by. He noted that the USDA was helping with us getting a Street Sweeper and money for the Waste Water Treatment Plant.

Commissioner Kathy Clark noted she agreed with public comments, we need to come up with Offices for the City and County, noting that the swinging bridges are a good idea.

Mayor Pro-Tem Steve Green suggested we consider feeders, taking pole off and replace; to support the C & D Landfill and Main Street if money available; he also noted empty space and moving the Healing Waters Plaza to the top. He thought we should come up with a calendar, advertise and not keep this a secret.

Commissioner Jeff Richter asked staff about the Animal Shelter. He urged staff to listen and come up with viable studies.

Commissioner Kathy Clark noted we can't do decent analysis without information.

Mayor Sandra Whitehead asked what do we do now?

Commissioner Jeff Richter stated we should look at what the County is willing to do with us.

City Manager Juan Fuentes noted that is the reason this is on the Agenda. He noted that in a Special Meeting we can itemize and go back to the County, the Public and have another Work Shop. He recommended taking it off the Agenda, bringing it back.

Mayor Sandra Whitehead asked for input from City Employees.

Ed Williams, Electric Department, agreed with Water, Waste Water and Electrical, however he liked the C&D Landfill idea, he also noted for safety purposes City wide sidewalks are needed.

Commissioner Steve Green noted a safety grant, data driven with no match. He asked Ed Williams if we have people injured due to sidewalks, noting the need for data for safety money.

City Manager Juan Fuentes noted the list was broad and would include the new information, which covers all.

Ed Williams stated he had few claims regarding Sidewalks, saying he didn't think he had any filed.

Andy Alvarez, Sanitation Department, noted the need for a Construction and Debris Landfill, stating it would get the cost of transport down.

Traci Burnette, Sanitation Department, stated Waste Water Treatment Plant, C & D Landfill, and central location of the City Buildings.

Don Armijo, Public Works Department, stated Waste Water, Waste Water and Water Lines, and he noted fix streets.

Captain James Morgan, Police Department, noted the Animal Shelter and Law Enforcement Complex, he suggested storm drainage down town, stating it is a big issue.

Judy Harris, City Clerk, noted sidewalks – explaining we have a very clean town, but the sidewalks need work, she also mentioned building the Shelter because of the amount of money we are paying for services.

Mayor Sandra Whitehead thanked everyone for their comments and noted the Regular Meeting would start at 6:00 P.M.

CITY COMMISSION
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
TUESDAY AUGUST 12, 2014
REGULAR MEETING
ACTION 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, August 12, 2014, following the Work Shops, with the meeting starting at 6:00 P.M.

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

Mayor Sandra Whitehead explained Commissioner Ruben Olivas was not present due to the death of his mother. The Mayor also explained a sign in sheet on the table.

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

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

Also Present:

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

Absent: Ruben Olivas, Commissioner

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

CEREMONY: Mayor Sandra Whitehead called for fifteen seconds of Silent Meditation.

Mayor Sandra Whitehead called for the Pledge of Allegiance with Mayor Pro-Tem Steve Green leading the Pledge.

APPROVAL Of AGENDA: Mayor Sandra Whitehead called for approval of the Agenda, noting three items were to be removed from the Agenda; Item:F.3.Discussion/Action-Letter of Support recommending four ramps along Rio Grande; Item:G.2.Disuession/Action-Electric Service Agreement between Sierra Electric Cooperative, Inc. & the City of T. or C.; and Item:G.5.Discussion/Action-Resolution #04 14/15 2016-2020 Infrastructure Capital Improvement Plan (ICIP).

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

Seconded by Commissioner Kathy Clark.

Motion Carried Unanimously.

PUBLIC
COMMENT:

Diane Lombardo, President of CAAT, approached and made comments regarding National Dog Day and Dogs and Animals in general.

Michael Hogg, 516 Maston Street, approached and read portions of a handout regarding the Senior Joint Office On Aging (SJOA). (Complete Copy Attached and made part hereof.)

Judy Castelli, 806 Van Patten, approached and noted she was Chairman of the SJOA Committee; she made comments regarding SJOA and mismanaged funds.

Pat Freemyer, T. or C., approached and made comments regarding Truth or Consequences, pointing fingers and public responsibility regarding blame in the SJOA problem. She noted SJOA now has a new Director, why not give it a chance.

Robbie Finney, Chairman of the Senior Olympics, approached and made comments regarding the Senior Olympic program, equipment missing and questions left unanswered.

Charles Kuhne, 151 E. Riverside, approached and made comments regarding the Senior Joint Office On Aging; financial losses, lost documents, and failure to pass audits.

David Crader, 112 N. Riverside Drive, approached and made comments regarding the Senior Joint Office On Aging.

Beverly Hart, 112 N. Riverside Drive, approached and made comments regarding the Senior Joint Office On Aging and her son David Crader.

Maggie Allen approached and made comments of support for Rita Johnston, from the Board of SJOA.

Leroy Henderson, Chuchillo, approached and made comments regarding water and water supplies.

Sophia Person, T. or C., approached and made comments regarding the Park, street signs needed to be replaced and handicap parking.

Audon Trujillo, 506 West 3rd, approached and made comments regarding the Comprehensive Plan, disappointment with the public participation.

Charley Warren approached and made comments regarding Majie Powey and the SJOA program.

CONSENT
CALENDAR:

Mayor Sandra Whitehead called for a motion regarding the Consent Calendar, City Commission Special Meeting 7/15/2014, City Commission Work Shop and Regular Meeting 7/22/2014, Lodgers Tax Advisory Board 5/19/2014, Public Utility Advisory Board 5/19/2014 and Accounts Payable July 2014.

“Mayor Pro-Tem Steve Green moved to approve the Consent Calendar as presented and Itemized by the Mayor.”

“Seconded by Commissioner Kathy Clark”

Motion Carried Unanimously.

PRESENTATION:

Mayor Sandra Whitehead noted the Presentation; a Proclamation for Nation Dog Day, August 26, 2014. Mayor Whitehead read the Proclamation and called for Members of CAAT to approach and accept the Proclamation. Members of CAAT called to approach : Diane Lombardo, President; Deb Peters, Vice-President; Majie Powey, Secretary; Carole Wheeler, Member at Large; Robbin Brodsky, Treasurer; and Marilyn Szigeti.

UNFINISHED BUSINESS:

Mayor Sandra Whitehead noted next was Discussion/Action Appointment to Parks & Recreation Advisory Board.

Secretary Judy Harris noted that Millie McLeod and Carole Wheeler have decided to resign from the Recreation Advisory Board. Noting in the Minutes of their meeting, Chairman Greg D’Amour had requested that the Commission consider two applicants and if any other applicants should apply, to consider all applicants for the two positions. It was noted there were three individuals whom turned in applications.

Mayor Pro-Tem Steve Green noted that none of the three were present, and that he did not know two of them.

Commissioner Kathy Clark noted the minutes did recommend to of the three.

Mayor Pro-Tem Steve Green stated that the minutes did specify that they received two applicants, but were expecting another to be put in and that the Commission should consider all applicants.

Commissioner Jeff Richter noted they should show up.

Mayor Sandra Whitehead asked if we should table until the next meeting, to give them the opportunity to come before the Commission.

Mayor Pro-Tem Steve Green asked if that was a motion, if so he would second.

“Mayor Sandra Whitehead moved to ask the three applicants to come before the Commission at the next meeting.”

“Seconded by Commissioner Steve Green.”

Motion Carried Unanimously.

Mayor Sandra Whitehead noted next Discussion/Action-Re-Appointment to Public Utility Advisory Board.

Secretary Judy Harris noted that the PUAB had lost two Members, Mike Potia & Bill Jacka; leaving three Members, Al Siffring, George Szigeti and James Hunt. Noting that Mr. Siffring has been on the Board for some time, Staff was requesting and recommending Re-Appointment of Mr. Siffring, to enable the Board to continue with business, as the three Members did consist of a quorum.

“Mayor Pro-Tem Steve Green moved to Re-Appoint Al Siffring to an addition two years of until such time more names came down.”

“Seconded by Commission Jeff Richter”.

Motion Carried Unanimously.

Item F.3.Discussion/Action-Request Letter of Support, Recommending 4 Ramps along Rio Grande; was pulled from the Agenda earlier in the Meeting.

NEW BUSINESS:

Mayor Sandra Whitehead noted Discussion/Action-Address the Senior Joint Office on Aging Program. Mayor Whitehead stated she had requested for this to be on the Agenda, to allow for an update on what the Commission was doing regarding the matter.

City Manager Juan Fuentes explained the recent meeting with the Cabinet Secretary and others, City Workers and the New Executive Director Tony MacRobert to resolve any issues, he mentioned the 90 day probation, noting that all services are being provided and the City has a commitment made to the SJOA, working with the Executive Director to make sure that service continues for the Seniors in the Community.

No action was taken.

Item G.2.Discussion/Action-Electric Service Agreement between Sierra Electric and the City of T. or C.; was pulled from the Agenda earlier in the Meeting.

Mayor Sandra Whitehead announced Discussion/Action-Selection of a voting Delegate and Alternate for the 2014 New Mexico Municipal League Annual conference to be held in Albuquerque August 27th to August 29th.

City Manager Juan Fuentes explained that New Mexico Municipal League is requesting the Governing Bodies to appoint a Voting Delegate and Alternate for the upcoming conference. He noted the delegate will vote on legislative priorities, policies and election of officers for the NMML, explaining that Mayor Sandra Whitehead and he would be traveling to the meeting, which starts the 27th of August.

“Mayor Pro-Tem Steve Green moved to appoint Mayor Sandra Whitehead as the Voting Delegate, and City Manager Juan Fuentes as Alternate.”

“Seconded by Commissioner Kathy Clark.”

Motion Carried Unanimously.

Mayor Sandra Whitehead noted Discussion/Action-Resolution #04 14/15 a Resolution Imposing Certified Weight Ticket Fees and Net Scale Weight Ticket Fees; calling for Traci Burnette to approach.

Traci Burnette, Sanitation, explained the Sanitation Department is proposing fees for certified weight tickets. She noted that as of May we have 5 Members who have received their weight Master Certification. She noted proposed fees are \$10 for Certified Weight Tickets and \$6 for Net Scale Weight Tickets; which is comparable to what other local business charges.

“Mayor Pro-Tem Steve Green moved to approve Resolution #3 14/15 Imposing Certified Weight Ticket Fees and New Scale Weight Tick Fees.”

“Seconded by Commissioner Kathy Clark.”

Motion Carried unanimously.

Item G.5.Discussion/Action-Resolution #04 14/15 2016-2020 ICIP, was pulled from the Agenda earlier in the Meeting.

REPORTS:

City Manager Fuentes reported he received notification of the \$93,000 Grant with a local match to obtain a Street Sweeper, through USDA. He explained notification of receipt of the Waste Water Treatment Funding thru USDA, which the City would accept on the 21st at 9 AM. He apologized for the driveway by the Community Garden, noting a miscommunication and not intentional, he noted implementing a process so no public

resources were wasted. City Manager Fuentes spoke of the Term Limits set on City Boards, noting the PUAB problem, noting we are not generating any interest in serving on Boards, noting he would bring it back to the Commission for review or change.

Mayor Pro-Tem Steve Green noted that the Public misunderstood about the process why to implement the two term ruling; that to open the process when termed out, doesn't mean they can't apply again, noting maybe changing the Ordinance wording. He stated that during Public Comment the reference to Rita Johnston on the SJOA over two years, noting that this is totally different, especially when the Commission picks someone to represent the Commission on a Board.

Commissioner Jeff Richter noted that if we are not receiving interest we should take a look to see if the Board serves a purpose, combine them or seek other answers

Jay Rubin, City Attorney – No Report.

Mayor Pro-Tem Steve Green thanked MainStreet for the recent 4 day, 3 night meeting they held; explaining 54 people attended. He also thanked the Commissioners who attended. He spoke about a Recycling Meeting noting that he wished the newspapers would mention that all vehicles bringing items to the Transfer Station needed to be tarped. Mayor Pro-tem Green stated that because of the efforts of Leonard Carrillo and George Szigeti we obtained a new recycle trailer which would make it possible to expand the City's Recycling endeavor. He explained that trailers would be at Bullocks Monday thru Friday 9 AM to 1 PM; At the SJOA Monday thru Friday from 9 AM to 1 PM and at Walmart on Fridays from 9 to 1.

Commissioner Kathy Clark spoke about the Marketing Meeting, noting it was important to get together, asking when that could take place. She also commented on the Water discussion by Leroy Henderson, noting the importance that the Commission needed to know when this was coming up again.

Mayor Sandra Whitehead thanked those who came out regarding the Senior Joint Office on Aging, she noted she appreciated their patience and work they were doing. Mayor Whitehead noted she spoke to the City Manager and City Attorney regarding the Ordinance regarding City Board Terms, and suggested that the Ordinance be repealed, she requested it be brought before the Commission for discussion.

RESPONSE
TO PUBLIC
COMMENT:

Mayor Pro-Tem Steve Green noted he wished to address a comment made by Beverly Hart; he explained Ms. Hart stated Rita Johnston had been appointed for a third term. He wished to make it clear that the term limit does not apply to that position, as the SJOA positions are appointed.

EXECUTIVE
SESSION:

- “Mayor Pro-Tem Steve Green moved that the meeting be closed for Executive Session pertaining to:
1. Pending or Threatened Litigation 10-15-1H(7)
 - a. HSLD

- 2. Personnel 10-15-1H (2)
 - a. Related to City Manager Contract”

Seconded by Commissioner Jeff Richter.

Mayor Sandra Whitehead called for a Roll Call Vote.

Commissioner Sandra Whitehead responded AYE to a Roll Call Vote.
Commissioner Steve Green responded AYE to a Roll Call Vote.
Commissioner Jeff Richter responded AYE to a Roll Call Vote.
Commissioner Kathy Clark responded AYE to a Roll Call Vote.

Motion Carried Unanimously.

OPEN
SESSION:

Mayor Sandra Whitehead stated that the Commission was now in open session.

- “Mayor Pro-Tem Steve Green stated that
- 1. Pending or Threatened Litigation 10-15-1H(7)
 - a. HSLD
 - 2. Personnel 10-15-1H (2)
 - a. Related to City Manager Contract”

were discussed in executive session and no decisions were made.”

With no further business, Mayor Sandra Whitehead called for a motion to adjourn.

Motion Carried Unanimously.

CERTIFICATION: PASSED AND APPROVED this ____ day of _____, 2014, on a motion made by Commissioner _____ and seconded by _____, and carried.

Sandra Whitehead, Mayor

ATTEST:

Judy M. Harris, City Clerk

