

CITY COMMISSION
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
JANUARY 27, 2015

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 Workshop, in full conformity with the law and ordinances of said Commission in the Commission Chambers of said City, January 27, 2015; 5:00 P.M., in the Commission Chambers, 400 W. Fourth, Truth or Consequences, New Mexico.

Mayor Pro-Tem Steve Green opened the Workshop by explaining we were here today in a Workshop to have discussion and public input on three items;

- 1) Proposed Ordinance Providing that the Code of Ordinances be Amended by Adding Section 12-6-18 to the Uniform Traffic Ordinance;
- 2) Proposed Ordinance Imposing a Convention Center Fee in compliance with the requirements set forth in the New Mexico Convention center Financing Act; and
- 3) Proposed Ordinance Amending the Code or Ordinances Chapter 14 Article III Section 4-79 Service Charges.

Mayor Pro-Tem Steve Green stated the Interviews schedule to follow the Workshops was to be postponed.

Workshop #1) Proposed Ordinance Providing that the Code of Ordinances be amended by Adding Section 12-6-18 to the Uniform Traffic Ordinance

Jay Rubin, City Attorney opened by explaining this dealt with the 2014 Amendment to the Uniform Traffic Ordinance (UTO); Prohibition of texting while driving. We have already agreed to follow, mandate to adopt. He explained the definitions page and noting that this amendment must be adopted by Ordinance since the UTO has been adopted as an ordinance; which brings us here tonight. He read the Ordinance as follows:

12-6-18 Texting While Driving

- a. A person shall not read or view a text message or manually type on a handled mobile communications device for any purpose while driving a motor vehicle, except to summon medical or emergency help or unless that device is an amateur radio and the driver holds a valid amateur radio operator license issued by the Federal Communications Commission.
- b. The provisions of this section shall not be construed as authorizing the seizure or forfeiture of a handheld mobile communications device. Unless otherwise provided by law, the handheld mobile communication device used in the violation of the provisions of this section

is not subject to search by a law enforcement officer during a traffic stop made pursuant to the provisions of this section.

c. As used in this section:

1. Driving means being in actual physical control of a motor vehicle on a highway or street and includes being temporarily stopped because of traffic, a traffic light or stop sign or otherwise, but driving excludes operating a motor vehicle when the vehicles has pulled over to the side of or off an active roadway and has stopped at a location in which it can remain safely stationary;
2. Handheld mobile communication device means a wireless communications device that is designed to receive and transmit text or image messages, but handheld mobile communications device excludes global positioning or navigation systems, devices that are physically or electronically integrated into a motor vehicle and voice operated or hands-free devices that allow the user to compose, send or read a text message without the use of a hand except to activate, deactivate or initiate a feature or functions and
3. Text message means a digital communication transmitted or intended to be transmitted between communications devices and includes electronic mail, an instant message, a text or image communication and a command or request to an internet site, but text message excludes communications through the use of a computer aided dispatch service by law enforcement or rescue personnel.

D. A violation of provisions of this section is punishable by a fine of \$25 for a first violation and \$50 for a second or subsequent violation. Violations of provisions of this section may be included in a local penalty assessment ordinance.

Commissioner Jeff Richter asked if it is mandated; how will we enforce, and does the Officer need to see the guy on the phone.

Police Department Captain James Morgan answered yes, it's pretty evident when someone is on the phone, and the Officer will articulate what he saw. He explained that this is not to impede privacy; it's to get people to pay attention to driving.

Commissioner Kathy Clark asked if they can dial a phone number.

Captain James Morgan noted anything the driver does that impedes driving attention.

Mayor Pro-Tem Steve Green questioned how the Department handles the training when these type of Ordinances come into play. He also asked if Captain Morgan would make this presentation at the High School.

Captain James Morgan answered that if they are approved, they hold training, and if necessary they contact Rubin or the New Mexico Municipal League or other contacts. He noted he thought the idea of a presentation to the High School was a very good suggestion.

Mayor Pro-Tem Steve Green closed Workshop #1 at 5:14 PM.

Workshop #2) Proposed Ordinance Imposing a Convention Center Fee in compliance with the requirements set forth in the New Mexico Convention Center Financing Act.

Jay Rubin, City Attorney, explained this is a revised version, explaining by reading the Art 7-361: Convention Center Fees;

Whereas, the New Mexico Legislature enacted the Convention Center Financing Act codified as 5-13-1, et seq. N.M.S.A. and

Whereas, because the City of Truth or Consequences is authorized by the Act to impose a Convention Center Fee if its governing body enacts an ordinance to impose the fee; and

Whereas, Section 5-13-4, N.M.S.A. 1978 sets forth the various requirements that shall be stated in the ordinance imposing a Convention Center Fee; and

Whereas, the City desires to impose a Convention center Fee in Compliance with the Act.

City Attorney Rubin read the following section: 7-361 Convention Center Fees

- a. A Convention Center Fee is hereby imposed on the use of any room within a lodging facility within the City of Truth or Consequences in the amount of one percent (1%) of gross taxable rent per room for each day that a room within a lodging facility in the City limits is occupied by a vendee not otherwise exempted by the Act. The fee shall not exceed \$2.50 per room for each day.
- b. The revenue generated by the convention center fee shall be dedicated as follows:
 1. The costs of acquisition of land for, and the design, construction, equipping, furnishing, landscaping, operation and maintenance of a convention center located within the city limits.
 2. Costs of collecting and otherwise administering the convention center fee; provided that administration costs shall not be paid until all required payments on the revenue bonds issued pursuant to the Convention center Financing Act are made and that no more than five percent of the revenue collected in any fiscal year shall be used to pay administration costs.

C. Each vendor must maintain strict records in connection with the Convention center Fees. A vendor is liable for the payment of the proceeds of Convention Center Fees that it failed to remit to the City Clerk. Failure of the vendor to collect the fee is not cause for the City to forgive Convention Center Fees due and owed by the vendor. Each violation of this section is punishable by fees in an amount equal to the greater of ten percent of the amount that Was not duly remitted to the City or one hundred (\$100.00).

D. Pursuant to the requirements of 5-13-4(B), N.M.S.A.1998 the convention center fee imposed by this Article shall be received by the City Clerk on a Monthly basis.

Commissioner Kathy Clark made note of paragraph 3, regarding the penalty. She also asked about late paperwork,

City Manager Juan Fuentes explained that the City would request separate payments as they are separate for funds.

City Attorney Jay Rubin noted it was no problem because it was on the Agenda.

Commissioner Jeff Richter noted with in the municipal limits per room, and per day.

City Manager Juan Fuentes explained that for this fee provisions have to go by the Act. We have to comply with this one which is 15% days – Comply with the Act.

Mayor Pro-Tem Steve Green noted the separate accounts and how those effected would be notified.

City Manager Juan Fuentes explained it was administrative; when we notify we will recommend separate fees 5% for Lodgers Tax and 1% for Convention Center Fee.

Mayor Pro-Tem Steve Green asked for public input.

Audon Trujillo, 516 W. 3rd, noted his confusion, he stated he thought this money was to be used for repairs to Lee Belle Johnson.

Mayor Pro-Tem Steve Green noted operations of both buildings. He spoke of imposing the 1%, generating 50,000 a year; he spoke of the maintenance of the Civic Center.

City Manager Juan Fuentes noted Section B language.

Mayor Pro-Tem Steve Green closed Workshop #2 at 5:31 PM.

Workshop #3) Discussion/Public Input: Proposed Ordinance Providing Amending Code of Ordinance Chapter 14 Article III Section 14-79 Service Charges.

Traci Burnette, Administrative Assistance Waste Water Treatment Plant (WWTP), approached and noted this was a request a change to increase Waste Water rates by 30%; she noted the 30% would generate extra revenue; she spoke of a rate comparison included in the Commission Packet. She noted the rate for Commercial and Residential was the same.

City Manager Juan Fuentes compared rates; he noted Raton and Aztec rates. He noted that during the Public Utility Advisory Board meeting they went over the same presentation. He spoke of USDA obligations to meet the loan; he also noted future improvements, and additional staff. He finished by explaining that the Public Utility Advisory Board was in unanimous support.

Commissioner Jeff Richter noted \$75,000.

City Manager Juan Fuentes noted our rates needed to be raised, it's not sustaining itself.

Assistant City Manager/Community Development Director Bill Slettom noted that was correct, he noted create debt reserves for future improvements as well.

Commissioner Jeff Richter questioned the 500 million, if it was correct.

Administrative Assistant Traci Burnette noted it's highlighted above.

Commissioner Kathy Clark noted the shortfall of 14,000 for this. She explained her bills had not risen for years. She also told Traci she didn't have a choice but to raise the rate. She spoke about recapture of money; and the Hot Mineral Water one.

City Manager Juan Fuentes explained the Ordinance stricken language; 14-79 stays the same, A1 & A2.

City Attorney Jay Rubin answered it is already in existence.

Commissioner Kathy Clark noted auto pass through charge; says you can have more than 5% increase.

Mayor Pro-Tem Steve Green asked about the Grant being contingent on passing this Resolution.

City Manager Juan Fuentes answered the Commission already passed a Resolution on this and by closing of the Grant.

Bill Slettom, ACM/CDD, noted that within the year of completion of the project.

Mayor Pro-Tem Steve Green opened for Public Comment.

Audon Trujillo approached and made comments about bathhouses and fees.

City Manager Juan Fuentes answered there was no discussion or on the table.

Audon Trujillo stated no fair straight across.

City Manager Juan Fuentes noted customers and waste water fees.

Commissioner Kathy Clark in here 22 years it has not been raised.

Mayor Pro-Tem Steve Green closed Workshop #3 at 5:55 PM.

**CITY COMMISSION
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
JANUARY 27, 2015
ACTION MINUTES**

TIME & PLACE: The Mayor Pro-Tem 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 January 27, 2015, following the Workshop, with the meeting starting at 6:00 P.M.

**PRESIDING
OFFICER:**

The meeting was called to order by Mayor Pro-Tem Steve Green, who presided and Judy M. Harris, City Clerk acted as Secretary of the meeting.

ATTENDANCE:

Upon calling the roll the following Commissioners were reported present:

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 M. Harris, City Clerk

Absent:

Sandra Whitehead, Mayor

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

CEREMONY: Mayor Pro-Tem Steve Green called for fifteen seconds of Silent Meditation.

Mayor Pro-Tem Steve Green called for City Manager Fuentes to lead the Pledge.

**APPROVAL OF
AGENDA:**

Mayor Pro-Tem Steve Green; noting several changes needed; explaining items to be pulled from the Agenda:

- Presentations: Certificate of Appreciation to the Swimming Pool Task Force – *postponed to 2/10/2015*
- New Business: item G-12; Discussion/Action: Resolution 26 14/15 Amending, Repealing and Enacting certain Sections of the Accounting Policy & Procedures Manual – *postponed to 2/10/2015*
- New Business: item G-13; Discussion/Action: Recommendation for Alternate Municipal Court Judge – *postponed to when all parties can attend.*

“Commissioner Kathy Clark moved to approve the Agenda as noted.”

Seconded by Commissioner Jeff Richter.

Motion Carried Unanimously.

**COMMENTS FROM
THE PUBLIC:**

Ron Fenn approached and made comments regarding the use of the Senior Center, a visitor center in South Dakota; noting discouraged Seniors.

Delmas Howe approached and made comments regarding the use of the Senior Center, he spoke of pros and cons, noted that downtown is dying. He explained he thought this was very good for downtown.

Phyllis Jones approached and made comments regarding living here since 2003, she explained why people were upset, noting they found a note, she stated that is not the way to do things.

Betty Brannon approached and said she was thrilled about it, thinks it's a great idea.

Sid Bryan, owner of the Pelican, approached and made the comment that he was thrilled about temporary use as the Visitor Center, the bus will go through town, he likes the idea and applauds the Commission for what they are doing.

Destiny Mitchel approached and noted she was in favor of bringing people downtown. She also mentioned the fee structure would be important.

(Unknown name) Male, approached and asked if Lee Belle was given to the Seniors or what.

City Manager Juan Fuentes stated it's a City Building, and serves many purposes.

Commissioner Jeff Richter noted the public to address at an appropriate time, and answer the public in response.

Audon Trujillo noted the confusion on page 104 Senior Rec Fees, noting the need to fix stucco.

Sophia Peron approached and commented on Lee Belle Johnson as the Visitor Center, she explained she had sent an IPRA to SpacePort for answers. She also noted moving the Police Station, the need for shelving and cleanup of the evidence room. She noted Joanie Griffin was doing a great job to promote us.

Ron Pacourek approached and made comments regarding the response to public comments moved up in the agenda, noting his appreciation. He spoke about the Public Utility Advisory Board Meeting, he asked about the Solar for residential and commercial, the status of the Ordinance. He mentioned Gross Receipt Tax, and sewer rates going up.

Melissa Mckinstry approached and made comments about the move for the

Visitor Center, she noted she did not have all the facts, but it seems a good for downtown. She also commented on Utility rate hakes being really high.

Steve (unknown last name) approached and commented on the Commission being tightlipped on this, noting his concern how things were proceeding.

Randal Lawson approached and commented on the Lee Belle, noting to do what is best for the town.

**RESPONSE TO
PUBLIC
COMMENTS:**

Commissioner Kathy Clark stated it was hard to answer questions, noting that sometimes we don't have all the answers. She noted the exhibits and idea groups.

Commissioner Jeff Richter noted that GRT has gone to 8% in July. He noted the concerns regarding Lee Belle's repurpose. He stated the motion is INTERIM.

Mayor Pro-Tem Steve Green noted we will address the concerns. He explained the Buildings that were considered for the Interim Visitors Center, noting 4 buildings. He noted that Lee Belle was the only viable location. He noted the opportunity to increase people downtown, more GRT coming in. He noted 100 empty houses, no jobs, noting the need to do something.

City Manager Juan Fuentes noted regarding the Solar, the Public Utility Advisory Board would look at this on their next agenda & vote on a recommendation for Staff to work on an Ordinance to take the Commission.

**CONSENT
CALENDAR:**

Mayor Pro-Tem Steve Green noted the Consent Calendar consisted on City Commission Meeting Minutes for January 13, 2015.

"Commissioner Jeff Richter moved to approve the Consent Calendar."

Seconded by Commissioner Kathy Clark.

Motion Carried Unanimously.

PRESENTATION:

Presentation/Update: Tourism Marketing Plan; Joanie Griffin, Griffin and Associates.

Joanie Griffin approached and explained some of the accomplishments: Successfully secured \$40,000 New Mexico tourism Department Co-Operative Grant. Stipulations are that all creative to feature hot springs and the NM True message. She noted that the City must spend \$80,000 and the Mew Mexico

Tourism Department will reimburse us \$40,000. Re-did all the billboard creative to feature hot springs and the NM True Message. Ran a TV campaign in February in the El Paso and New Mexico Visitor Guides and New Mexico magazine. Ran a highly successful Pandora audio campaign during the holidays with much higher than average click through rates. Submitted seasonal new releases to regional and national travel writers and editors. Hel Media Familiarization (FAM) trip last spring with 5 journalists in attendance. All wrote stories on TorC.

Ms. Griffin explained what is planned for 2015:

Will continue with the news release and billboard outreach

Will also be in the El Paso and NM Visitors Guides

Will develop a video Pandora and TV campaign to run in March

We will do a big media push and potentially a news conference at the Roundhouse during the legislative session to announce the partnership between the interim TorC Spaceport Visitor Center and New Mexico Spaceport Authority.

Prominently featured on the first ever motorcycle tourism map, which is being underwritten by the New Mexico Tourism Department.

Mayor Pro-Tem Steve Green stated to keep the campaign going, run the target market. He also questioned where TV ads were run.

Ms. Griffin's reply was Pandora, Santa Fe, El Paso. TV ads ran in El Paso. She also noted the Budget of \$75,000 for the next campaign.

Ms. Griffin gave the Commission a handout, complete copy will be made part hereof the Record.

Presentation: MainStreet; Linda DeMarino, MainStreet Executive Director

Linda DeMarino approached and noted that the \$70,000 Grant was complete. She commented on beatification for two facades, improving buildings, planters to liven up downtown, downtown clean up. She mentioned MainStreet has done trick or treat for 2 years, scoop the loop, Sock Hop, and Old Fashioned Christmas. She noted there were more people in the stores for Old Fashioned Christmas and the second Saturday Art Hop; twelve times a year. Ms. DeMarino spoke about the Healing Waters Plaza and the interim Visitor Center to boost economy. She stated it is all about opportunity. She explained that they would be cleaning up the Buckhorn lot.

Presentation: Certificates of Appreciation to the Swimming Pool Task Force.
Presentation Postponed until 2/10/2015 Meeting.

NEW BUSINESS:

Discussion/Action: Resolution #24 14/15 Colonias Infrastructure Project Fund Loan/Grant Agreement #3171-CIF

Bill Slettom Assistant City Manager/Community Development Director approached and explained that in 2014 the City was awarded a loan/grant from the New Mexico Finance Authority Colonias Infrastructure Board for Phase 2A Clarifiers as part of the total Wastewater Treatment Plant renovations. A PowerPoint presentation was shown on the screen; Resolution #24 14/15 Approving acceptance of financial assistance from the NMFA Colonias Infrastructure Fund. He noted the Wastewater Treatment Plant Colonias Infrastructure Fund Update:

Phase 2A – Clarifiers.

\$750,000 grant/loan awarded by New Mexico Finance Authority (NMFA) Colonias Infrastructure Fund. First application submitted in March 2013 and denied. Second application submitted March 2014 and awarded, NMFA closing on February 6, 2015. Third application was submitted January 16, 2015 asking \$750,000 as a continuation of Phase 2A.

Commissioner Kathy Clark mentioned the 605,000 in the bank, is it reimbursable.

Mayor Pro-Tem Steve Green noted 675,000 reimbursable where from?

City Manager Juan Fuentes answered a budget adjustment.

“Commissioner Jeff Richter moved to approve Resolution #25 14/15 a Resolution Authorizing the Execution and Delivery of a Colonias Infrastructure Project Fund Loan/Grant Agreement”.

Seconded by Commissioner Kathy Clark.

Mayor Pro-Tem Steve Green called for a Roll Call Vote.

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

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

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

Motion Carried Unanimously.

A complete copy of handouts and other material provided for the Record.

Discussion/Action: Resolution #25 14/15 A Resolution declaring Surplus Property to be nonessential for Public or government Functions to be Sold Pursuant to §3-54-2 NMSA.

City Clerk Judy Harris explained the purpose of the action pursuant to Section 3-54-2 of the New Mexico State Statues, 1978, Annotated, the City of Truth or Consequences serves notice that the City will use Willard Hall to sell various surplus properties belonging to the City. She noted following all New Mexico Statues and noted there was a list of items included in the Commission packet.

“Commissioner Jeff Richter moved to approve Resolution #25 14/15 A Resolution declaring Surplus Property to be nonessential for Public or government Functions to be Sold Pursuant to §3-54-2 NMSA.

Seconded by Commissioner Kathy Clark.

Mayor Pro-Tem Steve Green called for a Roll Call Vote.

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

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

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

Motion Carried Unanimously.

Discussion/Action: Proposed Ordinance for Publication, providing that the Code of Ordinances be Amended by Adding Section 12-6-18 to the Uniform Traffic Ordinance.

Jay Rubin, City Attorney, noted this was discussed in the Workshop, and noted that the Ordinance be Amended by adding Section 12-6-8 to the Uniform Traffic Ordinance, providing for a prohibition on texting while Driving. He added that the Legislature passed the new Texting While Driving, noting a summary of Ordinance definitions; reading from Section 12-6-18 Texting While Driving; a person shall not read or view a text message or manually type on a handheld mobile communication device for any purpose while driving a motor vehicle, except to summon medical or other emergency help or unless that device is an amateur radio and the driver holds a valid amateur radio operator license issued by the Federal Communications Commission. He read a portion of Section B. The provisions if this sedition shall not be construed as authorizing the seizure or forfeiture of a handheld mobile communication device.

“Commissioner Jeff Richter moved for Publication of an Ordinance providing that the Code of Ordinances, City of Truth or Consequences, be Amended by

adding Section 12-6-18 to the Uniform Traffic Ordinance, Providing for a Prohibition on Texting While Driving.”

Seconded by Commissioner Kathy Clark.

Mayor Pro-Tem Steve Green called for a Roll Call Vote.

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

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

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

Motion Carried Unanimously.

Discussion/Action: Proposed Ordinance for Publication, Imposing a Convention Center Fee in Compliance with the Requirements set forth in the New Mexico Convention Center Financing Act.

City Manager Juan Fuentes deferred to City Attorney Jay Rubin.

Jay Rubin, City Attorney, noting the Commission had discussed this last meeting and advised for him to prepare the Ordinance; he noted they also discussed this in the Workshop this evening. He gave a brief portion of Section 7-361 Convention Center Fees. A.)A convention Center Fee is hereby imposed on the use of any room within a lodging facility within the City of Truth or Consequences in the amount of one percent (1%) of gross taxable rent per room for each day that a room within a lodging facility in the city limits is occupied by a vendee not otherwise exempted by the Act. The fee shall not exceed \$2.50 per day.

Commissioner Jeff Richter asked how the Ordinance was Managed.

City Manager Juan Fuentes answered that the Clerk’s already do it for the Lodgers Tax; we will keep the amounts separate in Lodgers Tax or Convention Center Fee. He noted that it would require a Budget Adjustment, which would come back to the Commission for approval.

“Commissioner Jeff Richter moved for Publication of an Ordinance Imposing a Convention Center Fee in Compliance with the Requirements set forth in the New Mexico Convention center Financing Act.”

Seconded by Commissioner Jeff Richter.

Motion Carried Unanimously.

Discussion/Action: Proposed Ordinance Providing that the Code of Ordinances be Amended in Chapter 14 Article III Section 14-79 service charges.

Traci Burnette, Administrative Assistant Waste Water, noted the Workshop discussion, and in light of the Workshop, staff is recommending approval of the increase.

Commissioner Kathy Clark noted we already improved Waste Water, no Option; the rates have not been increased in ages.

With no further, Mayor Pro-Tem Steve Green asked for a motion.

“Commissioner Jeff Richter moved to approve Publication for a Proposed Ordinance Providing that the Code of Ordinances be Amended in Chapter 14 Article III Section 14-79 Service Charges.”

Seconded by Commissioner Kathy Clark

Motion Carried unanimously.

Discussion/Action: Purchase of a new Poly-Cart truck.

Andy Alvarez, Interim Sanitation Director, approached and explained the need for a second Poly-Cart truck. Noting that he was her to recommend the purchase of new truck. Mr. Alvarez noted the need for a second truck, and remarked that the cost would be \$220,581.86. Mr. Alvarez noted the packet information and stood for questions.

City Manager Juan Fuentes explained the purchasing request for proposal (RFP); he explained THE Bond Funds ending from Cash Balance.

Commissioner Jeff Richter asked questions such as noting he wanted to understand the need for a second truck. He wished to make sure it was a necessary purchase.

Mr. Alvarez explained yes the have phase 1 & phase 2 on the same day.

Commissioner Kathy Clark noted she had to agree with Commissioner Richter, she stated she needed more information.

City Manager Juan Fuentes explained the slide on the screen, which were portions of the budget. He noted we could have a quarterly report ready for the next meeting.

Commissioner Kathy Clark asked how many employees were in Sanitation.

Mr. Andy Alvarez answered 14 before, now 9; noting they were three people short.

City Manager Juan Fuentes noted operational expense and personnel. He noted changes since the landfill closed.

Mayor Pro-Tem Steve Green said so it's fair to say that if we didn't recycle we would be shipping and paying a lot more.

Commissioner Kathy Clark made the statement that she needed more information and more to study this.

Commissioner Kathy Clark made the motion to postpone this item for two weeks, noting she wanted more information."

Seconded by Commissioner Jeff Richter.

Motion Carried Unanimously.

Discussion/Action: Sierra Joint Office on Aging (SJOA) 2nd quarter reimbursement request.

Joe McClintock, SJOA Executive Director, approached and addressed the Commission. He noted the paperwork was delivered late, and asked the Commission to assist them during the changes for SJOA.

Mayor Pro-Tem Steve Green noted the Contract and the due dates for reports.

Commissioner Kathy Clark noted why we have due dates, late reports, what decisions if they are late; do we cut them out completely.

Commissioner Jeff Richter stated they decided that back then, no report, no funds. He stated that we insist the Contract be followed and they comply with due dates, if you want money get it in on time.

"Commissioner Kathy Clark made a motion to accept the request."

Seconded by Commissioner Steve Green

Commissioner Clark & Mayor Pro-Tem Steve Green voted AYE
Commissioner Jeff Richter voted NAY

Motion Carried 2 to 1.

Discussion/Action: Procedure to appoint new Commissioner.

Mayor Pro-Tem Steve Green noted the position vacancy left by the resignation of Commissioner Ruben Olivas. He stated he wished to discuss this on solid footing. He noted they had three options; 1) do nothing. 2) have a special election. 3) appoint someone.

Commissioner Kathy Clark suggested they do it like the Boards, they turn in an application with a resume.

Commissioner Jeff Richter questioned the duration; noted March.

When asked the conditions; City Attorney Jay Rubin noted they must be a resident of the City and be registered to vote.

The Commission discussed advertising; the request was to post the publications in the newspapers where the public would see it, instead of a legal ad, and the ads need to run two weeks in a row, in each newspaper.

“Commissioner Kathy Clark made the motion to advertise in the Herald and Sentinel, both for two weeks in a row.”

Seconded by Commissioner Jeff Richter.

It was asked that the Clerk post the ads somewhere the public would see it, and not post as a legal ad; posting in both newspapers for two consecutive weeks.

Motion Carried Unanimously.

Discussion/Action: Hiring process for key city positions.

Mayor Pro-Tem Steve Green noted the question of hiring for key city positions has come up several times, wanting to know the process for hiring those key positions, Gold, Chief of Police, etc.

City Manager Juan Fuentes noted that Golf was not an employee position, it was contract RFP; he explained the code and noted the City Manager has the authority in regards to personnel; he also explained the Policy of hiring, the interview and noted that if necessary he can bring in other people. He explained the flexibility the City Manager has in hiring and that he can bring in others with experience in the field if so needed. He explained that in some instances he looked within the Staff to fill the vacancy, using the City Clerk's Office as an example.

Commissioner Jeff Richter noted you hire who you can afford.

Commissioner Kathy Clark thanked Mr. Trujillo for the subject matter; noting the panel needs to include one expert.

Mayor Pro-Tem Steve Green noted he appreciates the policy of looking with-in first. He thanked the Commission for the discussion.

Discussion/Action: Formation of a Citizens Committee to work with staff on the T or C Centennial Celebrations.

Mayor Pro-Tem Steve Green explained he requested this be on the agenda so a discussion on attracting citizens so the input would benefit the City.

A discussion on how to get events going and continuing was brought up, as was the input needed to help downtown. The question of who would be on the committee and how to best get the input for the Centennial Celebration.

Juan Fuentes, City Manager, noted he and Bill Slettom would be on the Task Force, representing City Staff.

“Commissioner Jeff Richter moved to approve formation of a Citizens Committee to work with Staff on the t or C Centennial Celebrations.”

Seconded by Commissioner Kathy Clark.

Motion Carried Unanimously.

Discussion/Action: Amendment to the Fees, Deposits, and Regulations for the Ralph Edwards Civic Center.

City Clerk, Judy Harris, explained the fees for the Civic Center, she noted the Lee Belle Johnson Senior Center fees were much less, or in some instances no charge at all.

City Manager Juan Fuentes explained the use of Lee Belle Johnson Senior Center for badminton, line dancing and etc.; noting the Civic Center would be utilized for activities that have been held in the Lee Belle Johnson Senior Center, he discussed the pricing difference.

“Commissioner Kathy Clark made a motion to instruct Staff to prepare a Resolution on what we discussed.”

City Manager Juan Fuentes noted changing the rate from the Civic Center to be the same as Lee Belle Johnson Senior Center.

REPORTS:

City Manager Juan Fuentes noted the Solar Farm Ribbon Cutting on Friday at 10 A.M.

City Attorney Jay Rubin, No Report.

City Commissioner Jeff Richter made the comment when advertising for qualified elector, 3 points.

Commissioner Kathy Clark, No Report.

Mayor Pro-Tem Steve Green mentioned the event at the Sierra Grande; he thanked the Chamber and Sierra Grande for the wonderful event.

Seconded by Commissioner Jeff Richter.

ADJOURNMENT:

With no further to come before the Commission, Mayor Pro-Tem Steve Green called for a motion to adjourn.

“Commissioner Jeff Richter moved to adjourn.”

Seconded by Commissioner Kathy Clark.

Motion Carried Unanimously.

CERTIFICATION:

Passed & approved this 10 day of February, 2015, on a motion made by Commissioner Green and seconded by Commissioner Clark, and carried.



A handwritten signature in cursive script, appearing to read "Sandra Whitehead".

Sandra Whitehead, Mayor

ATTEST:

A handwritten signature in cursive script, appearing to read "Judy M. Harris".
Judy M. Harris, City Clerk