

CITY COMMISSION
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
April 14, 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, April 14, 2015; 5:00 P.M., in the Commission Chambers, 400 W. Fourth, Truth or Consequences, New Mexico.

Mayor Sandra Whitehead opened by explaining there were three items in the Work Shop.

1. Discussion/Public Input: An ordinance amending Section 2-3 of the City Code, providing for a depository designated by the City Commission; Judy Harris will discuss that.
2. Discussion/Public Input: An ordinance amending Section 14-45 of the City Code pertaining to the renewable energy program; Attorney Rubin will discuss that.
3. Discussion/Public Input: An ordinance providing for an annual reduction of the Electric Division Transfers out to the General Fund; and Manager Fuentes will discuss that.
4. Mayor Sandra Whitehead announced the first items is an ordinance amending Section 2-3 of the City Code, providing for a depository designated by the City Commission; Judy Harris.

Judy Harris, City Clerk approached and explained the current City Code Section 2-3 reads: Depository Designated. The Official Depositories for the various funds of the City are hereby designated as First Sierra national Bank and First Bank. Ms. Harris explained that everyone knew that the two listed banks were no longer in the City; and this section of the Code was written in 1962. Ms. Harris stated that staff was proposing the Ordinance to read as follows; "Depository Designated: the official depositories for the various funds of the city shall be determined by the City Commission." She explained that the Commission would be the deciding factor for the Cities money. Ms. Harris also explained the added safety, noting this would be addition coverage for the Cities money, as the Commission would be the deciding factor for banking, not the City Manager Fuentes or herself or others, the decision would come to the Commission for action, noting it would be the Commission's decision to invest the money. . She also noted the savings this would bring to the City, which she would explain in another presentation on tonight's Agenda.

Mayor Sandra Whitehead called for comments; with no questions, Mayor Whitehead called for City Manager Fuentes's recommendation.

Juan Fuentes, City Manager, noted he recommend we proceed forward with the change of the Code, noting it was a good change, recommended by Staff.

Mayor Sandra Whitehead asked for any comments from the public. No further comments were received.

Mayor Sandra Whitehead noted the next item is Discussion/Public Input: An ordinance amending Section 14-45 of the City Code pertaining to the renewable energy program; Jay Rubin.

Jay Rubin, City Attorney, explained the Commission had spoken of this about three weeks ago, and if they were to move forward this would be Section G; Attorney Rubin then read the following:

Section 14-45 Renewable Energy Customer Program

1. Overview-The City of Truth or Consequences Renewable Energy Customer Program is available to any City customer, residential or commercial, that installs a qualified renewable energy system sized for the average monthly usage and has it interconnected to the City's power grid. The City reserves the right to deny interconnection for oversized systems.

2. Metering, Systems will be billed monthly from a bi-directional main meter. The monthly bill will reflect a net reading which will show customer usage in excess of customer generation as positive kWh, or customer generation in excess of customer usage as negative kWh.

3. Rates-Customers will be billed for service in accordance with the rate structure and monthly service charges that the customer would be assigned if the customer had not interconnected to a qualifying facility. Customer generation will be used to displace a customer's own load. If electricity supplied by the city exceeds the electricity generated by the customer during a billing period, the customer will be billed for the net energy supplied by the City under the applicable rate. If electricity generated by the customer exceeds the electricity supplied by the City during a billing period, the City will credit the customer on the next bill for the excess kWh generated.

4. kWh-excess customer generation will be credited to a bank, in the form a kWh, to be used to displace customer load in the future. Banked kWh will carry forward from month to month until such time as customers load allows kWh credits to be used, or until customer disconnects from the City's system. Customer's monthly billing statement will reflect the amount of banked kWh credit before the current billing and the amount of banked kWh after the current billing.

Attorney Jay Rubin noted if they moved forward the new Section would be read as follows: In the event a customer disconnects from the City's system with unused kWh credit in the bank, the City will pay the customer for all unused kWh credits at the Sierra Electric Cooperative Rate to be determined at the time of disconnect. He noted it read, "this amount will be first deducted from the customers final utility bill and then from any addition fees or fines that the customer owes to the City. Any remaining balance will be reimbursed to the customer by check.

Mayor Sandra Whitehead called for questions or comments. With none, Mayor Whitehead asked City Manager Fuentes for his recommendation.

Juan Fuentes, City Manager noted this item would be on the Agenda later for consideration of publication.

Mayor Sandra Whitehead called for questions or comments from the Public.

Ron Pacourek approached and had a couple of points. He read a portion of the Code “the City reserves the right to deny interconnection for oversized systems”. noting that was all the paperwork he had. He asked who is responsible, what department will decide if it’s an oversized system. He noted there is no responsibility there, noted he felt it should be made clear who would be responsible. He noted he contacted Affordable Solar, the solar company will help design the best use for the customer; and read the information to the Commission. Who in the utility office will decide if it’s an oversized system, who can deny this in the City? The other item he said in the last paragraph it states supplemental, what does that mean?

The Commission stated that the wording had been changed to Sierra Electric Cooperative Rate.

Mr. Pacourek noted the hook up charge and having the meter set, in his situation when the meter was set he did not have to pay for it, or the installation of the meter, why is the customer not charged for that, he noted he felt that was a concern. He noted the manual effort for maintain the record.

Klaus Wittern, 618 Charles, noted he had a couple of problems with it. One is the bi-directional meter, the cost of the meter; and the credit situation. He explained the kWh power, and noted that the use of the distribution system twice because the flow of the power, so there is a significant increase in the use of the meter, and all of that is cost related, you should want to review the element of when you do that, he noted they should reconcile the rates every year.

George Szigeti, noting the Public Utility Board had considered this and he wished to clarify the record keeping, he noted the credit bank for the excess energy; explaining it worked just like a bank, making reference to a banking savings account. You don’t have to retain records for the life of the system, it’s there.

Commissioner Jeff Richter asked Ed Williams to approach. He asked Mr. Williams for a description of an oversized system.

Ed Williams, Electric Director, approached, explaining that on the application there is a line that says specifies size, if your averaging 4000 watts and they build you a 4000 watt system, you average 4000 watts and they build you a 15000 system, and then you are oversized. The company can average it out and size it appropriate.

Commissioner Jeff Richter ask Ed Williams what we would have billed it out if we charged for it, you know R&R.

Ed Williams, Electric Directed noted we don’t charge by-directional, there about 120 each. If we had to charge for that noting they only had four customers using the systems. Noting it was never brought to the forefront the charge would be about 90 bucks. Explaining the only charge they would have would be; he then turned to staff in the audience to ask.

Bo Easley, Electric Division, noted it came to about 19 dollars, 20 dollars.

Ed Williams noted the Utility Department takes care of that part of the billing.

Commissioner Jeff Richter asked how much a directional meter costs. So the City absorbs the cost of the meter?

Mr. Williams noted \$120 and a regular meeting costs about \$30.

Commissioner Richter asked why we are doing that.

Mr. Williams answered customer service, he noted we only have the four customers; and noted it's about 90 bucks difference.

Commissioner Richter noted the City is absorbing the cost for the directional meter. He asked when we have a new hookup is there a charge for the meter.

Commissioner Russ Peterson stated that the City retains ownership of the meter.

Mr. Williams noted no they do not charge. The only charge we have on a new hookup, are the man hours, equipment hours and wire hours. Stating what Commissioner Peterson said, Mr. Williams said the City retains ownership.

Commissioner Kathy Clark asked if the meters were expensed or fixed assets, since they have a life span of years.

City Manager Fuentes noted he believed they are considered as an inventory item.

Ed Williams stated we have had some meters last 20 – 30 years, some will last 5 years. It's hard to say what an average life would be, he thought maybe 15. Mr. Williams noted only four customers over the past few years.

Commissioner Richter spoke of federal tax credits, asking if they expire in a few years. He spoke of the cost of the meters on down the line.

George Szigeti noted the renewable credits and renewable energy are also declining.

Ron Pacourek noted he received a letter to extend the tax credits and asked him to call Mr. Gardner, he also noted he hoped for the Commission to be more proactive with the ordinance. He spoke about supplementary rate and wholesale rates and credits. He also suggested being pro-active with ordinances.

Juan Fuentes, City Manager, noted that he and Ed Williams had met with Mr. Pacourek. He noted that they spoke about ordinances, where every ordinance is a living document. He explained that as we move forward on this new program, as we implement the new system, will revisit this; also the Public Utility Advisory Board will also revisit and watch this, noting that Mr. Szigeti was on that Board, he was very in tune with this program.

City Manager Fuentes, addressing Klaus Whittern, stated that under the existing agreement with Sierra Electric Co-op it requires the City to buy a certain amount of power from Sierra Electric Co-op.

Mayor Sandra Whitehead thanked everyone for their comments.

Mayor Sandra Whitehead noted the next item is Discussion/Public Input: An ordinance providing for an annual reduction of the Electric Division Transfers out to the General Fund; Juan Fuentes.

Juan Fuentes, City Manager, explained this is an item we have been discussing when we start working the fiscal year budget. The proposed ordinance reads as follows: noting a new Section "G", he then read the following:

For Fiscal Year ending 2015, the City transferred from the Electric Division \$1.6 to the General Fund to offset the revenue shortfall in the operating budget. Each year – Mr. Fuentes noted the wording "*preceding*" should be changed to "*following*" Fiscal Year ending 2015, the City Manager shall reduce the Electric Division Transfer out to the General Fund by \$ blank amount. Mr. Fuentes stated that amount would be decided by the Commission. This section is being added to the code that has other directors for the City Manager. He noted we talked about this in the past and we have the option to reduce the amount taken from only the Electric funds. Last year we reduced it by 80,000 and 20 from water; this one is just the electric division.

Mayor Pro-Tem Green noted he understood that once we agree and can come up with an amount, then other Commissioners are bound to stay with that amount?

City Manager Juan Fuentes and City Attorney Jay Rubin both spoke and noted that amendments could be made to the ordinance by that Commission. City Manager Fuentes noted this is an ordinance; it is not set in stone, future Commissions can change the amount or amend the ordinance as they see fit.

City Attorney Jay Rubin agreed.

Commissioner Kathy Clark noted her comfort level would be to take a historical look to see if the City could operate without the transfers. She asked if anyone had ever taken a look at the enterprise funds, to see if we can do this. She noted she saw a lot of variables, GRT, Small Cities Assistance, etc. She noted she was uncomfortable not having a business plan worked up for the future, based on this. Commissioner Clark finished by noting she did not feel comfortable with anything at all.

City Manager Juan Fuentes noted that future Commission could amend this ordinance.

Commissioner Russ Peterson noted we set a figure in there, somewhat low, say \$5,000; at least it's a reduction, and if at some other point and time, whoever is the Commission, feels that 5,000 is not enough, they can figure out what's best for the City at that point, but at least we are making an attempt to lower our use of the electrical.

Commissioner Jeff Richter noted one of the reasons we are looking at an ordinance like this, is that we have to begin somewhere, there has to be steps taken, the public has to know that yes – we realize that we are spending way more than we take in; and we've got in on our minds. He stated that we do have to make changes in our spending habits, and the way we portion the money such and so forth. He stated he felt the amount they put down has to be significant and meaningful; otherwise we're just playing lip service. He noted with a minimal amount there are no teeth to it. He explained there's nothing that says we have to stop relying on what basically is a tax, the City and Community as a whole has to realize that the only way we are going to increase the revenue around here is to thru development, it's not continuing to raise the utility rates to fund the general fund. Unless you have people willing to make the tough decisions, to take the responsibility; an Ordinance that doesn't have teeth in it, does not have a significant amount is basically meaningless.

Commissioner Russ Peterson asked Commissioner Richter what would be a significant amount.

Commissioner Jeff Richter stated one hundred thousand.

Commissioner Russ Peterson asked 'a year'

Commissioner Jeff Richter explained we have 1.6 million; about 16 years. If you do \$10,000 a year, that's a lot of years down the road. He explained he's said these four years in a row and it doesn't change.

Mayor Sandra Whitehead noted they tried to do this, trying to reduce it by a hundred thousand, how did that work.

City Manager Juan Fuentes noted that in the last couple of years we have reduced it by a hundred thousand. By looking there we see that the General Fund transfers were reduced by \$80,000 and \$20,000 from the Water. If you would remember all the utilities were separated, now we can track it closer. The Commission gave us a directive to reduce - this that is where the ordinance comes from. He noted that we are doing that and developing the budget right now; there's going to be significant issues, with Walmart coming on line, we will lose one of the biggest power uses. It's up to the Commission, can we afford that amount. Do we want to make economic economy how do we bring business in. He stated by looking at the numbers, we have made a steady increase.

Mayor Pro-Tem Steve Green noted he was torn between Commissioner Clark and Commissioner Richter. He noted we should be able to stand alone. He stated there has to be a plan, and he would like to see a plan so we can continue to reach out to our citizens. He noted that one hundred thousand would show that we are trying to reduce the amount. He noted he would like to see something that shows good faith, but he also wants to make sure the City can operate on the amount.

Mayor Sandra Whitehead opened the floor to the Public.

George Szigeti approached and noted he was speaking for himself and the Public Utility Advisory Board also. He noted their goal is to balance the utility rates and keep them as

affordable as possible, while maintaining the systems necessary to deliver those utilities to the public. He stated it is very hard to do so when so much of the money (using the electrical fund as example) being directed back to the general fund. It would make their job much easier if they had an amount to work with.

Ed Williams, Electric, approached and noted he really liked the number put out by Commissioner Richter, \$100,000; however he explained filling out a questionnaire, and one of the questions was if you could reduce the general fund, how much would you reduce it by? Mr. Williams explained he put down \$25,000, to him that was realistic. He stated he agreed they need to start somewhere.

Ron Fenn noted this is an enterprise facility, the electric utility is an enterprise, and an enterprise means that it has to pay for itself. And what is going on now is that we are ignoring the entire infrastructure of the electric utility. We have hundreds of burned out transformers in the City and no plan to replace them, no plan, we don't even have an inventory at this time. He noted he was thinking; why not start looking at where we are spending all this money. He noted the City was down 170 voters, and we are heading in the same directions, because we are doing nothing to keep people here. Mr. Fenn also noted the excessive employees and empty buildings.

Klaus Whittern approached and spoke saying this is a very, very serious problem, before you can make a reasonable decision to cut, you need to know if the system is being maintained at the level of service that it currently has. Mr. Whittern explained that any of the budgets did not account for any depreciation. He mentioned capital assets we have over time. He noted life spans for transformers, wiring systems, and age of the system. He also spoke of the decision to move funds, and explained they need to have fees.

Mr. Schroeder approached and noted a tree which fell over down the road causing a power outage, he also mentioned street signs without names on it, and asked about repaving streets.

Mayor Sandra Whitehead asked for further comments. With no comments, Mayor Sandra Whitehead opened the Regular Meeting.

CITY COMMISSION
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
APRIL 14, 2015
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 April 14, 2015, following the Workshop, with the meeting starting at 6:07 P.M.

**PRESIDING
OFFICER:**

The meeting was called to order by Mayor Sandra Whitehead, 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. Sandra Whitehead, Mayor
Hon. Steve Green, Mayor Pro-Tem
Hon. Jeff Richter, Commissioner
Hon. Kathy Clark, Commissioner
Hon. Russ Peterson, Commissioner

Also Present

Juan A. Fuentes, City Manager
Jay Rubin, City Attorney
Beatrice Sanders, Municipal Judge

CEREMONY:

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

Mayor Sandra Whitehead called for fifteen seconds of Silent Meditation, in
remembrance of Captain Morgan's father.

Mayor Sandra Whitehead called for Commissioner Jeff Richter to lead the
Pledge.

**APPROVAL OF
AGENDA:**

Mayor Sandra Whitehead called for approval of the Agenda.

"Mayor Pro-Tem Steve Green moved to approve the Agenda as presented for
April 14, 2015."

Seconded by Commissioner Russ Peterson.

Mayor Sandra Whitehead noted she had a motion for approval and a second, are
there any further comments.

Commissioner Kathy Clark asked to pull the City Commission Meeting Minutes,
from the Consent Calendar, the March 10th, she wished for clarification on some
of the wording.

Mayor Sandra Whitehead noted removal of the City Commission Meeting

Minutes from March 10th, and then called for the vote to approve the Consent Calendar.

Motion Carried Unanimously.

**COMMENTS FROM
THE PUBLIC:**

Ron Fenn, 316 north Foch, approached and read a letter into the minutes; the letter is regarding the Lease Agreement between the City of T or C and Geronimo Trail Scenic Byway, Inc. Mr. Fenn stated that this action required an Ordinance per NMSA 3-54-1 B&D. A full copy of Mr. Fenn's handout is made part hereof the Record.

Audon Trujillo approached and made comments regarding leaving one of each (paperwork) in the box, he noted the lease to Geronimo Trail Scenic Byways, 3-54-1, evaluation of the City Manager, the Financial Manager position, the City Manager as Chief Procurement of one person. A full copy of Mr. Trujillo's handout is made part hereof the Record.

Ariel Dougherty approached, she greeted the Commissioner and welcomed Commissioner Peterson. She stated she wished to state how very disappointed and sad that the Commission has taken away the senior's rec and cultural center. She also mentioned the closed portion of the meeting with the City Manager's evaluation and budgeting software. A full copy of Ms. Dougherty's handout is made part hereof the Record.

Glen Johnson, 2104 S. Broadway, & RJRV Park, made comments regarding the new one percent tax for the convention center, only motel and RV parks are responsible for the new tax. Adding one more percent to the bed tax, is getting to the point of not competitive.

Joey Perry, 716 North Gold, approached and noted she wanted to comment on how much her neighborhood is improving. She explained the code compliance is doing their job, she thanked the Commission, and hopes more will happen.

Linda DeMarino, Executive Director MainStreet Truth or Consequences, approached and explained the upcoming meeting and work to be done where the old Buckhorn was, and an economic study to be held at the museum.

Kim Audette approached and thanked the Commission allowing people to speak, she noted and increase to the public in numerous fees. She feels the Commission is not watching the executive branch. She spoke about the City's projects and duties, noting nothing dealt with poverty.

Ed Williams approached and noted that this Friday there is to be an Emergency Management exercise. He noted Foch to third and fourth would be blocked due to the exercise.

LaRena Miller, 512 N. Foch, approached and noted that when the Lee Belle Senior Rec Center was built as a municipal building, a community center for the entire community; not just for Seniors.

Betty Brannon approached and noted she was Chamber of Commerce Vice-President; she noted she wanted to comment on the Visitor Center, staffing; she wants them to bring together both boards.

With no further comments, Mayor Whitehead moved to Response to Public Comments.

**RESPONSE TO
PUBLIC COMMENT:**

No response to public comments.

**CONSENT
CALENDAR:**

Mayor Sandra Whitehead explained the items in the Consent Calendar are City Commission Meeting Minutes 3/10/2015, Golf Course Advisory Board Meeting Minutes for 1/14/2015, Lodgers Tax Advisory Board Meeting Minutes 7/24/2014 and 2/26/2015, Accounts Payable March 2015. Mayor Whitehead noted that earlier in the meeting, Commissioner Kathy Clark asked to remove the minutes for the City Commission Meeting of March 10, 2015.

Mayor Pro-Tem Steve Green made the motion for approval of the Consent Calendar as noted.”

Seconded by Commissioner Kathy Clark

Motion Carried Unanimously.

OLD BUSINESS:

Mayor Sandra Whitehead called for Discussion/Action: Ratification of Ordinance #662, Traci Burnette.

Traci Burnette, Water/Waste Water, approached and explained on March 10, 2015 voted for the Final on Ordinance 662, the paperwork only included a 20% increase, she requested the correct Ordinance be signed and approved.

Commissioner Russ Peterson noted he was not there when this happened,

Traci Burnette explained that in the previous meeting the correct ordinance was portrayed and approved, and in the minutes, and all the meetings it was correct at 30%, when it was signed it was the 20% paperwork.

Jay Rubin, City Attorney, explained the correct numbers have been used

throughout the discussion, the incorrect paperwork was signed. It was consistently referred to as 30%, this will ratify that it is 30% increase.

Mayor Sandra Whitehead asked City Manager Juan Fuentes for comment.

Juan Fuentes, City Manager, noted he recommended ratification of the Ordinance, he noted the corrected numbers.

“Mayor Pro-Tem Steve Green moved for ratification of Ordinance #662.”

Seconded by Commissioner Kathy Clark.

Mayor Sandra Whitehead called for a Roll Call Vote.

Hon. Sandra Whitehead responded AYE to 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’

Hon. Russ Peterson responded AYE to a Roll Call Vote

Motion Carried Unanimously.

**MARCH 10, 2015
CITY COMMISSION
MEETING MINUTES
CONSENT
CALENDAR:**

Mayor Sandra Whitehead noted we would go back to the Consent Calendar, we had removed the City Commission Meeting Minutes of March 10, 2015; Mayor Whitehead noted Commissioner Clark had questions.

Commissioner Kathy Clark noted her question is going to require Attorney Rubin’s input please, and Manager Fuentes. She explained as we look at the section on old business there’s a paragraph saying “Mayor Pro-Tem Steve Green noted that he would like to suggest that if we’re going to notify by letter, that it be a registered letter” – she explained this is about the Convention Center Tax 1%, and he also suggested a workshop on March 24th. Commissioner Clark noted that in the process, and she agreed; he believes the Mayor did too, that we would notify people, and what happened is that the notifications did not go out, in some sort of a timely fashion, so it was sent out the 27th, not the 10th 11th or 12th, however there was a meeting held on the 24th. Commissioner Clark noted the question is (speaking to Attorney Rubin), what she is running into a phrase called commission directive. And already today Manager Fuentes has used formal and informal directive, we also have it on the end of the agenda when we’re talking about the City Manager being required to implement certain directives when preparing a budget. Commissioner Clark explained this is under Directives, 14-35; the question was answered to me, in a way that she still finds confusing; she explained she thought it was important for the Commission to understand this. What had been explained to her was that if we have a formal directive as a Commission, and we want to have staff act on it that we can’t just talk about it up here, we have to put it into the form of a motion. She noted this

came from both City Manager Fuentes and City Attorney Rubin. She requested clarification on this. Commissioner Clark stated she wanted to know what a commission directive actually is.

Jay Rubin, City Attorney, you would have to look at the intent of what the Commission is doing. If it's not actually in the motion itself, however the Commission said or their expectations was that it was going to go out. So he would assume it was a directive to go out.

Cathy Clark stated so the directive does not have to be in a motion, we can have a conversation up here and if there's enough of us here to say we want something should be done then that is enough directive.

Jay Rubin, City Attorney said he would prefer it be in a motion in the future; explaining that the actual motion is the action you're taking. He noted each situation is different. The actual motion is the action taken.

Mayor Pro-Tem Steve Green noted he was the one who suggested it, and therefore he doesn't think we can hold anyone's foot to the fire here. He thinks that in the future, we put a directive within a motion.

City Attorney Jay Rubin agreed. The motion is the directive for the ordinance.

City Manager Juan Fuentes noted that if there is a directive that impacts an ordinance, whether it's the effective date of an item, that it is made clear, he noted that in the future it needs to be clear. The action and approval was done according to state law.

Commissioner Clark explained this affected her as a business owner; she wants it to be crystal clear in the directive.

Mayor Pro-Tem Steve Green asked what to do to get the minutes approved.

Attorney Jay Rubin noted to make a motion.

"Mayor Pro-Tem Steve Green moved that the March 10th City Commission Meeting Minutes be approved."

Seconded by Commissioner Kathy Clark.

Motion Carried Unanimously.

NEW BUSINESS;

Mayor Sandra Whitehead called for Discussion/Action: Lease Agreement between the City of Truth or Consequences and Geronimo Trail Scenic Byway, Inc.; City Manager Juan Fuentes

Juan Fuentes, City Manager, called for LaRena Miller to approach. He explained this is an agreement between the City and Geronimo Trail Scenic Byway Inc., to provide them a location, at 301 South Foch, the site of the Lee Belle Building; the lease is for one year, with the option to renew. This is for a Visitor Center. He requested LaRena approach and explain more.

LaRena Miller, Geronimo Trail Scenic Byway, Inc. (GTSB), she explained that the Geronimo Trails Scenic Byway has operated in the City for about 12 years. She explained the City asked them to partner with them going into this building. Ms. Miller noted a very well trained staff of volunteers, that are exceptional at telling people where to go, directing people, sending them out in the community recommending places to eat, places to see. She noted they were very pleased with the partnering with the City. She noted Joey Perry as their Secretary and Jim Brannon, President, stood with her at the podium. They have log in sheet people sign, we keep records of where they came from, and explaining other used their numbers for advertisements out of town. She noted they were very pleased to join in this endeavor with the City.

Jim Brannon, President GTSB, wished to reinforce the fact they made the decision to make the Visitor center downtown and combining this into one facility. He commended the City for what they are trying to accomplish.

LaRena Miller stated how excited they were to be in this with the City.

Mayor Pro-Tem Steve Green asked about terms of the lease, it says April 1st.

City Attorney Jay Rubin noted we could change the dates to whatever they wanted.

Mayor Pro-Tem Steve Green noted how wonderful it was to have a trained and competent team to meet those coming into the community. It's a pleasure to see them partner with the City.

Commissioner Russ Peterson noted good job.

Mayor Sandra Whitehead requested the City Manager's recommendation.

City Manager Juan Fuentes noted staff's recommendation was to approve the lease with Geronimo Trails Scenic Byways, Inc.

"Mayor Pro-Tem Steve Green moved for approve of the lease agreement with Geronimo Trails Scenic Byway, Inc."

Mayor Pro-Tem Steve Green asked City Manager Fuentes if he had an estimate when they would actually open the building for Geronimo Trails.

City Manager Juan Fuentes suggested a May first start date; noting that staff was

making repairs and painting right now. He explained that after the lease is approved we can start planning on the move.

“Mayor Pro-Tem Steve Green suggested that we change the 1st day of April, 2015 to the first day of May, ending of 31st day of April, not July, of 2016.”

Commissioner Kathy Clark asked Ms. Miller if the Geronimo Trail Scenic Byway was okay with the conditions required on the lease, the hours and such.

Ms. Miller said yes, we can adjust the hours and do what we need to do.

Commissioner Kathy Clark asked City Attorney Jay Rubin if this could be amended if needed.

Jay Rubin, City Attorney, said yes, we can amend it as need be.

Mayor Sandra Whitehead noted she had a motion and a second, any further comments.

With no further, Mayor Sandra Whitehead called for a vote.

Motion Carried Unanimously.

Mayor Sandra Whitehead called for Discussion/Action: Resolution #33 14/15 authorizing the submission of the FY 16 application for the Juvenile Adjudication Fund program established by the Local Government Division; Judge Bobbie Sanders, Municipal Judge.

Municipal Judge Bobbie Sanders approached and noted it is that time again. She explained she was preparing an application for the coming year, to continue the operation of the Sierra County Teen Court. Not sure how much the Commission knew about the subject, she explained that the teen court is juvenile adjudication program, and what that means is that young people, who are deemed eligible by a Juvenile Probation Officer and the Court System and the School District, feel that they should not be charged with an officially with an offense, can certainly benefit from going through a diversion program, and doing Community Service, Jury Duty, programs appropriate for the offense that they were referred for; such as battery, shoplifting, bullying, excreta, excreta. Judge Sanders explained that they do have all the curricula, and the courses we provide for these Juveniles, she was hopeful you were provided with information on what we've accomplished so far. She noted that this past year, the Teen Court, to date, the Court has seen 300 young people. She explained the majority of those people are referred by the Schools, for truancy. Judge Sanders explained although many did not consider truancy a crime, it is. It is your pipe-line to higher crimes, because these young people are out of school, parents are allowing them, and they are out

doing all sort of things, things that cause an unsafe Community, destruction to a Community. Judge Sanders noted that her goal with the school district, it is working; they've noticed that the reduction in Teen Court is impressive enough that they hope the Program can continue. The Schools are in support, the JPO are in support. Judge Sanders mentioned other who supported the program and stood for questions or comments.

Commissioner Kathy Clark noted that Teen Court saved one of her kids. She stated she is a firm supporter of the Teen Court.

Commissioner Russ Peterson explained he worked with Bobbie in a similar program. Commissioner Peterson then gave her the thumbs up signal.

“Mayor Pro-Tem Steve Green moved for approval of Resolution #33 14/15 Authorizing the submission of the FY 2016 application for the Juvenile Adjudication Fund Program established by the Local Government Division.”

Seconded by Commissioner Kathy Clark.

Mayor Sandra Whitehead noted a motion and a second, asking for further comments.

With no further comments, Mayor Sandra Whitehead called for Roll Call Vote.

Hon. Sandra Whitehead responded AYE to 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.

Hon. Russ Peterson responded AYE to a Roll Call Vote.

Motion Carried Unanimously.

Mayor Sandra Whitehead called for Discussion/Action: Authorization to move from bank of the Southwest to First Savings bank, Judy Harris.

Judy Harris, City Clerk, approached and noted there was a presentation, and noted this was discussed in the Workshop. Ms. Harris explained the current City Code Section 2-3 notes the Depositories for the various funds of the City are hereby designated as First Sierra National Bank and First Bank. She explained that as everyone knew we do not have either bank. Ms. Harris stated this Code was written in 1962, it needs to be changed. She mentioned a change of the Depository and noted she would present that next. Ms. Harris explained the City has 32 operational funds in there and four savings accounts with Southwest Bank; we also have accounts in Compass Bank. In Compass Bank the City holds three accounts in Compass Bank; The Cemetery Fund, the State Library Fund

and the USDA Wastewater Treatment Plant Fund. Ms. Harris noted there were also CD's with Compass Bank, noting the mature dates on the screen. Ms. Harris noted a letter the City received from Bank of the Southwest requesting the City remove funds. Noting they are a hometown bank, they are not an investment Bank and can only handle balances in the 200,000.00 range; noting the City has too much money in there bank and they have asked us to move it.

Ms. Harris explained some of the charges and fees the City have come up since November of 2014. Regarding Southwest fees we have a balance of \$1,701.15 and just today we received another fee for March in the amount of \$278.26, she explained this is a fee they are charging us to hold our money, because it's over the \$200,000 limit and they just can't hold it anymore. Ms. Harris noted that was \$2,000 she did not want to spend, but until a proposal was ready to bring to the Commission, there had been no choice. She explained she contacted all the Banks in town; went to Southwest Bank and asked if there was anything they could do, they explained the \$200,000 and they would have to charge us fees, regardless. We also went to Compass, as we have accounts with them. Compass Bank will also charge us fees, monthly fees and service fees. She also asked for Citizens Bank, who sent in a brochure, and were more than willing to have us go in to see what else we wanted. Then we went on to First Savings Bank. Ms. Harris introduced Michelle Romero in the Audience and asked her to approach. As noted on the screen the First Sierra Bank was willing to waive fees, allow the City to hold 200,000 in any number of accounts. The chart shows no fees and all service charges waived. She noted they would waive fees and also offer the City the highest rate on accounts, they are not worried about the minimum – they will take any number of accounts to make the minimum if \$200,000, so in earnest no fees would be charged; it will be done as a small business checking and as shown everything all the way down is waived. Ms. Harris made the statement, how can you say no to that. Ms. Romero has offered to take the CDs when they mature, noting they have a higher interest rate than anyone even the state. Ms. Harris explained this was not a simple process; we have 32 accounts to move plus the four savings to move. She explained we want to move them all, but it's not something we want to do in a rush. We want to do it right and take it in sections and Michelle is willing to help.

Mayor Pro-Tem Green wished to thank Staff, in this case Clerk Harris for taking the initiative to try to save the City money. He noted a possible \$3800 savings a year. He asked Michelle from First Savings Bank what are the assets for the Bank.

Michelle Romero, First Savings Bank, explained they have over 70 million in capital right now, all the monies pledged at the bank will be pledged at 100%, and so you don't have to worry about the limits or anything, everything's guaranteed to a 100%, so you don't have to worry.

Mayor Pro-Tem Steve Green asked what they used for back up to pledge that amount.

Ms. Romero answered they do municipal funds. And it would be through FDIC, she noted they purchase additional through them to allow for the 100%.

Mayor Pro-Tem Steve Green thanked Ms. Romero for being so free with the word waived.

Commissioner Peterson asked if they met all DFA requirements, he also asked where the Home office was

Ms. Romero answered South Dakota.

With no further questions, Mayor Whitehead calls for a motion.

Ms. Harris noted she wished to address Mayor Pro-Tem Steve Green's comments about Compass bank accounts. She noted she did wish to move them eventually, and mentioned starting the Wastewater account just recently.

Mayor Pro-Tem Steve Green asked about the amount we receive from Southwest bank. Mayor Pro-Tem Green asked what the rate was for First Savings.

Ms. Romero noted it was at 35 right now.

Mayor Sandra Whitehead called for the City Managers recommendation.

City Manager Juan Fuentes noted that he would recommend approval of the move, noting that Ms. Romero was offering a savings to the City. And mentioned that she was willing to guarantee 100% which was good. He also stated that as Clerk Harris had mentioned, we are not going to rush this, when dealing with public funds, with the process of transition on the funds and the new system and other issues, we want to make sure we have our ducks in a row. He noted his approval for Staff's recommendation to move accounts.

"Mayor Pro-Tem Steve Green moved to approve the move of bank accounts from bank of the Southwest to First Savings Bank."

Seconded by Commissioner Kathy Clark.

Motion Carried Unanimously.

Mayor Sandra Whitehead called for Discussion/Action for Publication an Ordinance amending Section 2-3 of the City Code, providing for a depository designated by the City Commission; Judy Harris

Judy Harris, City Clerk, approached and explained that City Code Section 2-3 Depository Designated reads that the official Depository for the various funds of

the City are hereby designated as First Sierra National bank and First Bank. She stated that this code was written in 1962, and it needs to be changed. Ms. Harris noted that Staff recommendation is to change the section to read **Depository Designated: The official depositories for the various funds of the City shall be determined by the City Commission.** Ms. Harris explained this gives the City added protection on its banking.

With no further Comments, Mayor Sandra Whitehead asked the City Manager for his recommendation.

Juan Fuentes, City Manager, noted he would recommend approval for publication.

“Mayor Pro-Tem Steve Green moved for approval of publication Ordinance amending Section 2-3 of the City Code, providing for a depository designated by the City Commission.”

Mayor Sandra Whitehead called for a Roll Call Vote.

Hon. Sandra Whitehead responded AYE to 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’

Hon. Russ Peterson responded AYE to a Roll Call Vote

Motion Carried Unanimously.

Mayor Sandra Whitehead called for Discussion/Action: for Publication an Ordinance amending Section 14-45 of the City Code pertaining to the renewable energy program, Jay Rubin.

Jay Rubin, City Attorney, explained we discussed this in a previous meeting and earlier tonight. The City has an Ordinance, noting we proposed adding a new Section 14-45, Section G reads: **Renewable Energy Customer Program.**
1) Overview the City of t or C Renewable Energy Customer Program is available to any City customer, residential or commercial, that installs a qualified renewable energy system sized for the average monthly usage and has it interconnected to the City’s power grid. The City reserves the right to deny interconnection for over-sized systems. 2) Metering; Systems will be billed monthly from a bi-directional main meter, the Monthly bill will reflect a net reading which will show customer usage in excess of customer generation as positive kWh, or customer generation in excess of customer usage as negative kWh. Noting the last page he read: in the event a customer disconnects from the City’s system with unused kWh credit in the bank, the City will pay the customer for all unused kWh credits at the Sierra Electric Cooperative Rate to be

determined at the time of disconnect.

Commissioner Kathy Clark noted someone else's comments, that what if in time Sierra Electric does not exist. She also mentioned waiting 20 years to receive a refund might need to be changed.

Commissioner Jeff Richter stated that Commissioner Clark's comments should be looked at. What if Sierra Electric Co-op, what would be the difference if we cleared the account every year, every six months or whatever. Was there a reason to wait on the payout of the bill?

Ed Williams, Electric Division, noted that once the new system is in place that can be looked at and see if it could be. He stated he did not see any advantage either way, explained that. They use more than they actually give us. He also explained that the payout was an accounting thing, noting they just thought it would be better to payout at the end.

City Manager Juan Fuentes noted this was a new program, even for staff. We are getting our feet wet with this. He explained the Ordinance can always be looked at, amended, once we have a history we can see what it will be. And we can continue to take this back to the Public Utility Advisory Board, to watch and see what occurs.

Mayor Sandra Whitehead asked if we needed to pass this tonight.

City Manager Juan Fuentes noted the Public Utility Advisory Board hears this also, and they have made a recommendation to pass this. He noted his recommendation was to approve publication, we're always going to continue to watch this to see what happens; if we need to make adjustments we can do that.

George Szigeti noted the Public Utility Advisory Board, their thought was to get this into an ordinance, the initial process has been a challenge for the Utility Office, and we don't want to throw any other complications to it right now. Under most programs you don't get the payout until the account closes. The other point is that we don't want people building their own solar generation facility in the back yard. He noted putting in an oversized system does not help or give credits. His system uses up any balance that he has made, and at the end of the year credit will be zero or near zero.

Mayor Pro-Tem Steve Green agreed that we need to get this up and running, and if things don't work out, we'll look at it again.

"Mayor Pro-Tem Steve Green noted he agreed with the City Manager, he then moved for approval of publication of the Ordinance Amending Section 14-45 of the City Code pertaining to the renewable energy program."

Seconded by Commissioner Russ Peterson and Mayor Sandra Whitehead.

Commissioner Kathy Clark asked if it was too hard to write in that part to say Sierra Electric or Current provider.

Jay Rubin, City Attorney, said yes he could do that.

“Mayor Pro-Tem Steve Green amended he motion to approve Publication of an ordinance amending Section 14-45 of the Code pertaining to the renewable energy program.”

Seconded by Commissioner Russ Peterson.

With no further Comments, Mayor Sandra Whitehead called for a Roll Call Vote.

Hon. Sandra Whitehead responded AYE to 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’

Hon. Russ Peterson responded AYE to a Roll Call Vote

Motion Carried Unanimously.

Mayor Sandra Whitehead called for Discussion/Action State Grant Agreement for Airport Projects, pavement crack seal and remark runway 13-31; Taxiway B Crack Seal, Apron Crack Seal-Sealcoat; and T Hangar Crack Sealcoat; Bill Slettom.

Bill Slettom, ACM/CDD, explained that we are asking for authorization to submit an application for airport aide to the Federal Aviation Administration and NMDOT Aviation Division, for obligation sponsor matching funds, matching grant offer. Mr. Slettom provided a handout, which is attached hereto and made part hereof. The scope of work is to fill cracks in 13-31; after a crack is filled then they have seal coating, and remark the entire pavement, the scope of work does contain the engineering requirements. The estimated cost of all those items is \$630,000; the FAA portion is 90%, the remaining 10% is to be divided between NMDOT and the City of T or C., which makes our portion \$76,500. He explained the process to the Commission, and noted reimbursements. Mr. Slettom made comments regarding grant reimbursables yet to be made and the transfer of funds in the coming year probably about \$10,000. He explains that we have to continue to maintain improvements for anything they gave us funds.

Mayor Pro-Tem Steve Green noted that 90% of 630,000 is not 477,000, its \$567,000.00; noting that will change all the other numbers if his math is correct.

Bill Slettom, ACM/CDD, explained he took the numbers off of the Grant himself.

Mayor Pro-Tem Steve Green spoke on the proposed work, how long will the Runway be closed down.

Bill Slettom asked Ed Williams to approach.

Ed Williams, Electric Division, approached and explained that in the past when they had Taxiway B work going on, they put out a Notam which tells pilots whatever information you post. He noted that Pilot's read these before they fly and they will know what work is going on. He also noted he didn't know if they were going to split the numbers.

Commissioner Kathy Clark asked if the Runway was a problem now, or dangerous to use. She mentioned the tennis courts and the improper work on them, and is wondering if this fix will last. She asked where the money is coming from, and did this go to the Airport Advisory board?

Bill Slettom answered no, but it's one of those things we have to maintain, if we don't do this now, it exasperates the problem. Mr. Slettom answered that certainly in the future. He explained redoing Runway 31 is on the ICIP and it looks to be about 6 million dollars, and about 7 years away, the State did an airport runway inventory last year, it rated all the state and gave us a plan of action on how to maintain. Mr. Slettom noted it did go to the Airport Advisory Board and they did recommend it.

Juan Fuentes answered that this will be from fund 84, which is the Aviation Airport Fund. He explained he would go to the Capital Projects fund and Grant reimbursables; this is the fund we use for FAA projects. He noted we are to receive grant reimbursables hopefully within the next month, which will give us about 100,000 in the cash balance. We already have some of their current grants, with a local match. We might need \$10,000, which we will budget in 2016.

Commissioner Russ Peterson asked if they are all pavements or is there concrete involved.

Bill Slettom noted all our Runways are asphalt.

Commissioner Jeff Richter asked for a frequency of repairs, and has this repair work been done before. Are we looking for another 10 years, is this an environment effect?

Ed Williams answered about a decade ago; he explained that with all the landings and take offs, it does happen, and need regular maintenance.

Bill Slettom answered that about two weeks ago we had the thump test, the State did an analysis that shows we are Class B Runway, so that's 12500 pound per

wheel. He noted he would be seeing Jan Lucero and Dan Moran next week and would approach them to ask about the numbers.

Commissioner Jeff Richter spoke about repairs and then noted we can approve it right contingent on getting the correct numbers in there, our share would be 31,500, would be our share.

Bill Slettom, ACM/CDD, maybe the motion could be to proceed with the application with the corrected numbers. He noted he would share the results of the thump test.

Mayor Pro-Tem Steve Green stated that, if they give us the numbers, we are obligated to take it and use it. He stated that 31.5 is a lot better than seventy six grand.

Mayor Sandra Whitehead asked City Attorney Rubin his thoughts.

Jay Rubin, City Attorney, noted he agreed you could approve the application subject to the corrected numbers.

Juan Fuentes, City Manager, noted that Mr. Slettom would be going to an Aviation Conference with them in Ruidoso, so we can get the correct numbers, and we can come back to the Commission as well. .

Commissioner Kathy Clark asked could we make that subject to getting correct figures, knowing that the figures can't go up.

“Mayor Pro-Tem Steve Green made the motion to authorize staff to submit an application for the Airport Aide to the Federal Aviation Administration (FAA) and NMDOT Aviation Division, for obligation of sponsor matching funds, and authorization to accept the resulting grant offer, the project shall consist of, pavement crack seal and remark runway 13-31; Taxiway B Crack Seal, Apron Crack Seal-Sealcoat; and T Hangar Crack Sealcoat; in that motion I would ask that Mr. Slettom speak to NMDOT Aviation and get the corrected numbers for the obligation for the FAA and what our portion of our final bill will be.”

Seconded by Commissioner Russ Peterson.

With no further discussion, Mayor Sandra Whitehead called for the vote.

Motion Carried Unanimously.

Mayor Sandra Whitehead called for Discussion/Action: Resolution no. 34 14/15 requesting budget adjustments in revenue and expenditure for Fiscal Year 2014-2015, Juan Fuentes.

Juan Fuentes, City Manager approached and explained what he has up on the screen is the actual schedule of budget adjustments for that we have to submit to DFA, every quarter we look at the revenue and expense report and if we need to make some adjustment, we try to do it every quarter. As we get closer to the end of the Fiscal Year, he might bring back one more adjustment to end the Fiscal Year, for any final adjustment for the end of the year. Noting some of the items, he noted the General Fund, after looking at the revenues; we anticipate an adjustment of \$30,700, to account for actual revenue we are receiving. More significant is the Street Department revenue line item that is \$81,210.00, and that the final item we received, and it was expensed last fiscal year, so we wanted to list that in this year's final budget. Manager Fuentes explained the other significant one is the USDA Sweeper Account, for USDA Street Sweeper Grants Funds to be received; he noted it is also item number 13. Expenditure increase it's our share of that amount. Manager Fuentes spoke of the work being done at the Visitor Center. He also explained the Hospital GRT, we're looking at exceeding the budget, so we are adding \$17,000 for the hospital GRT Distribution YTD activity is estimated to exceed approved budget.

Mayor Pro-Tem Steve Green questions the item for the Municipal Pool of \$5,000.00, was that thru attendance, a grant or what.

City Manager Juan Fuentes noted we received a little bit more than we had thought, that we had originally figured, so we adjusted the numbers.

Commissioner Kathy Clark asked why we didn't do an adjustment for the new system.

City Manager Juan Fuentes answered that we used a different account, and that was already in the budget in the finance department, noting using the finance allowance. Going into 15/16 we will put those numbers in the budget. We only use an adjustment when it changes bottom numbers.

Commissioner Russ Peterson noted one could have a thousand questions on the budget, he noted he did not have any.

Mayor Sandra Whitehead asked Manager Fuentes for his recommendation.

Juan Fuentes, City Manager recommended the approval.

“Mayor Pro-Tem Steve Green moved for approval of the adjustments in the revenue and expenditure budget for Fiscal Year 2014-2015.”

Seconded by Commissioner Russ Peterson.

With no further Comments, Mayor Sandra Whitehead called for a Roll Call Vote.

Hon. Sandra Whitehead responded AYE to 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
Hon. Russ Peterson responded AYE to a Roll Call Vote

Motion Carried Unanimously.

Mayor Sandra Whitehead called for Discussion/Action: Authorization to invest available ending cash balance from the Electric Division, Water and General Fund, Juan Fuentes.

Juan Fuentes, City Manager, explained as was presented during the moving of the funds, Bank of the Southwest has asked the City to invest its funds in some of the other institutions. What we've done in the past is to invest in the State, and we can withdraw the money without any fees. For the Electric Division we are recommending investment of the Electric Division ending cash balance (\$500,000.00) with a local financial institution or with the State Treasurer's Office. He noted that First Savings Bank is offering the highest rate on our investment; he suggested we move the moneys there. For the General Fund \$100,000 and Water Fund \$400,000 available ending cash balance is recommended to be deposited with the State Treasurers Office. This doesn't tie up the money; we can withdraw the money without any fee. The City in the past have never invested monies, one because we never had any. What we are trying to do is to set aside the DFA requirement.

Commissioner Kathy Clark asked why we wouldn't put that amount in a CD.

City Manager Juan Fuentes noted we can add money to the State, with a CD we cannot add to it.

Mayor Whitehead also noted we can't add money to a CD. We're not necessarily going to take it out right after we put it in, but if we have the need to take it out, then we can, and we won't get penalized if we take it out, not that we're planning on taking it out.

City Manager Juan Fuentes stated it's up to the Commission, if you want to invest in CDs, we can.

Commissioner Kathy Clark stated we can't spend it anyway.

City Manager Juan Fuentes answered that's correct.

Mayor Sandra Whitehead asked City Manager Juan Fuentes for his recommendation.

City Manager Juan Fuentes recommendation is to invest \$500,000 from the Electric Division, with First Sierra Bank and invest \$100,000 from the General Fund and \$400,000 available ending cash balance from the Water Funds. He explained the goal is to create a savings account, and maybe down the line we can add to it.

Mayor Pro-Tem Steve Green asked City Clerk Harris if there is a penalty for early withdrawal of a CD.

Judy Harris, City Clerk, answered yes there is there is with all banks.

Mayor Sandra Whitehead called for a motion.

“Mayor Pro-Tem Steve Green moved for authorization to invest the available ending cash balances from the Electric Division in the amount of \$500,000 with First Savings; the Water Division \$400,000 to be deposited with the State Treasurers Office and the General Fund ending case balance of \$100,000 be deposited with the State Treasurer’s Office. And all deposits will require the signature of the Mayor and the City Clerk.”

Seconded by Commissioner Russ Peterson.

With no further comments, Mayor Sandra Whitehead called for the vote.

Motion Carried Unanimously.

Mayor Sandra Whitehead called for Discussion/Action: for Publication an Ordinance providing for an annual reduction of the Electric Division Transfers out to the General Fund, Juan Fuentes.

Juan Fuentes, City Manager, noted we discussed this in the workshop, the item will codify that every year the City Manager has to reduce the transfers from the Electric Division, the Commission will decide the amount of that reduction.

Mayor Pro-Tem Steve Green thought they should move ahead.

Commissioner Kathy Clark moved to postpone this item, until such time Manager Fuentes can give us better information.

Commissioner Jeff Richter noted he already gave his opinion.

“Mayor Steve Green moved for publication of the ordinance for Publication an Ordinance providing for an annual reduction of the Electric Division Transfers out to the General Fund, in the amount of \$25,000.00.”

Motion died for lack of a second.
City Attorney Jay Rubin asked what they wished to do regarding this.

“Commission Kathy Clark made the motion to postpone until Manager Fuentes can confidently state to us that we can do \$100,000.00.”

Seconded by Mayor Pro-Tem Steve Green.

Motion Carried Unanimously.

REPORTS:

City Manager Juan Fuentes reported that Ed Williams will be retiring at the end of this month. Mr. Williams has been a loyal and dedicated employee with the City for 32 years. We certainly appreciate his time with the City, and want to thank him for his service. During this transitioning period, Boaz Easley will be over seeing the Electric Division with the assistance of personnel from the Division.

Bill Slettom, ACM/CDD, reported that there will be a Workshop held May 12, 2015 to discuss the Healing Waters Plaza. Mr. Slettom asked for the approval of the Commission to move forward with the Workshop.

Mayor Pro-Tem Steve Green, asked if the May 12th Workshop would fall into the timeline for the Healing Waters Plaza, and asked if it would go before the Commission in May for final approval or would they have a Workshop and then the item would be on the agenda for the Commission to make a decision whether or not to move forward.

Bill Slettom, ACM/CDD, suggested that they have a Workshop to give direction to Mr. Marrow to incorporate further ideas that have come forward with the Commission's approval. Then they would move forward to design development at that time. If we proceed with a Workshop before the meeting on May 12th then it will be about an hour long presentation.

Mayor Pro-Tem Steve Green, asked that an article or notification of what we are trying to do, be sent out to both papers, and ask them to publish the notice on the front page of the circular rather than asking them to put it into the legal ads.

Bill Slettom, ACM/CDD, noted, with the full sponsor's agreement, there is part of the project that is not FAA eligible. There is \$100,000.00 that the FAA is not going to participate in. So that puts it into NDOT Aviation Division, and they're showing a 50/50 split. But the deal he has going with NDOT Aviation is that they are supposed to do a 90 % split and that will bring it down considerably. The application must be submitted by July 1, 2015.

City Attorney Jay Rubin, No Report.

Mayor Pro-Tem Steve Green reported that one of the perks of being an elected official is that you get to sit next to the Mayor in the front row of the Ms. Fiesta pageant. He thanked Mayor Sandra Whitehead for saving him a seat. And thanked everyone for the wonderful job they did to make the Ms. Fiesta event possible.

Commissioner Jeff Richter reported that a journalist visited our town and described this place as a place with peeling paint and shabby buildings, but then went on to say that the hot springs were great, and we have some pretty cool places here. However the first impression was the peeling paint on the buildings.

Commissioner Richter went on to say that this town did really well until the 1980's when the gold mines closed. So until Truth or Consequences decides to save itself nothing is really going to happen here.

Mayor Sandra Whitehead reported that she received an email from the Municipal League stating:

“Dear fellow New Mexico Mayors. Please join us in encouraging our Legislators to come together in crafting a Capital Outlay Bill and signing on the attached letter. Thank you for your support.”

They sent her a draft copy of the letter, and she asked City Manager Fuentes to prepare this letter of support for the Capital Outlay Special Session, so that all of the City Commissioners can sign it and get it sent off.

Executive Session – Personnel 10-14- 1H (2)

“Mayor Pro-Tem Steve Green moved that the meeting be closed for Executive Session pertaining to 1. Personnel 10-14-1H (2).”

a. City Manager Annual Performance Evaluation pursuant to Section V of the Contract.

Seconded by Mayor Sandra Whitehead.

Hon. Sandra Whitehead responded AYE to 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

Hon. Russ Peterson responded AYE to a Roll Call Vote

Motion carried
Motion carried unanimously

No decision was made during Executive Session.

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.

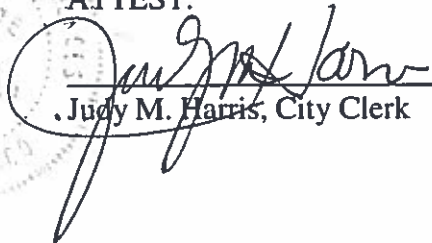
Motion Carried Unanimously.

Passed & approved this 26 day of May, 2015, on a motion made by Commissioner Steve Green and seconded by Commissioner Jeff Richter and carried.



Sandra Whitehead, Mayor

ATTEST:



Judy M. Harris, City Clerk

