

CITY COMMISSION MEETING MINUTES
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
CITY COMMISSION CHAMBERS, 405 W. 3RD St.
TUESDAY, APRIL 11, 2017

A. CALL TO ORDER

The meeting was called to order by Mayor Steve Green at 9:00 a.m., who presided and Renee Cantin, City Clerk-Treasurer, acted as Secretary of the meeting.

B. INTRODUCTION

1. ROLL CALL

Upon calling the roll, the following Commissioners were reported present.

Hon. Steve Green, Mayor
Hon. Sandra Whitehead, Mayor Pro-Tem
Hon. Kathy Clark, Commissioner
Hon. Rolf Hechler, Commissioner
Hon. Joshua Frankel, Commissioner

Also Present: Juan Fuentes, City Manager
Renee Cantin, City Clerk-Treasurer

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

2. SILENT MEDITATION

Mayor Green called for fifteen seconds of Silent Meditation. He added that it is unfortunate in the times we are living that there is a need for more silent meditation to pray for the insanity in the world and what's happening.

3. PLEDGE OF ALLEGIANCE

Mayor Green led the Pledge of Allegiance.

4. APPROVAL OF AGENDA

Commissioner Frankel moved to approve the agenda. Mayor Pro-Tem Whitehead seconded the motion. Motion carried unanimously.

C. COMMENTS FROM THE PUBLIC (3 Minute Rule Applies)

Mayor Green called for Public Comment, noting those wishing to comment would get three minutes, please come up and address the Commission and any material for the Commission was to be left in the black box by the podium.

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Kristy Manzan, Community Outreach Ambassador for Bountiful Babies addressed the Commission related to:

1) On behalf of Bountiful Babies and Wildflowers she wanted to thank City of Truth or Consequences for approving the funding to support healthy development in children through arts and play. And as a growing organization, they appreciate the support from the community and they reciprocate this support to their neighboring businesses and organizations.

Maria Weir, Program Coordinator for Bountiful Babies addressed the Commission related to:

1) She wanted to share their gratitude for the cities recognition for the upcoming, "Week of the Young Child". They invited all to participate in this free event by attending a week of special activities. A schedule of these events is posted at their downtown space of Wildflowers at 300 Broadway. They look forward to celebrating with the community and they thanked everyone for their time.

Cary "Jagger" Gustin Film Liaison addressed the Commission related to:

1) Attended annual conference in Santa Fe to get up to speed with all happenings. There were Liaisons from all over the state. He passed out information at Film and Media Day at the Roundhouse, and talked to several hundred people about our city. The state continues to be a hot bed of filming activity. In fact, New Mexico is one of the 8 Hot Spots for filming in Canada. He learned that he could effectively stop a production if they do not comply with our local film permit. This is a tool that let's our City and County officials know exactly what the film company wants to do, and the where, what, and why. There are no immediate films coming locally right now. Mayor Green did give him a contact for a United Kingdom Company wanting to film a documentary at the Spaceport. And he did help them with some of that information. We did receive compliments on our new website. It's wonderful that people really like it. And with that he thanked the Commission, and stated it's an honor to serve as your Film Liaison. He left information in their box.

Audon Trujillo, 506 W. Third St. addressed the Commission related to:

1) Last meeting you had an ordinance to eliminate the Convention & Entertainment Board. He thanks them all for not having done that. He wants to plead for them to read the ordinances and specifically the ones for the five boards that are not functioning. These boards are the Industrial and Economic Development Board, the Convention and Entertainment Board, the Personnel Board, the Sierra County Higher Education Council, and unfortunately, the really important one is the Planning & Zoning Commission. You all are not on task. This is like a big chunk of the boards that are supposed to be helping you do your jobs and they are not functioning. He would make a strong argument for the Convention and Entertainment Board being an important one. And had that board been in place, we wouldn't be having the Lee Belle Johnson problem, and it is a problem for this city. We're not generating revenue, and he thinks everyone wants to do that. We are not really helping with our citizens and having recreation. It's just not there. He's overstating that, but we could do a whole lot better and if this board was functioning you could bring more activities to the city.

2) Today you have a Marketing & Tourism Coordinator position is on the agenda. He is concerned about the hiring process in the city. What he's seen in the past, from the board, it doesn't inspire confidence. The Personnel Board could help a lot, he thinks we are doing that. But the composition of the Hiring Board has never been defined, other than what's already in the books. The City Manager and the Human Resource Director are the only members that have to be part of a hiring board. That should be changed. Please pay attention to the preferred skills, and experience for that position, as well as, the required. If that person doesn't have it, their application should be tossed out. Required and preference is really different in an application process. You all don't pay attention, and he's talking about the City Manager actually and the Human Resource. They don't pay attention to the apparently, because he's personally gone through this before.. We've got to hire the best for our community, not just someone we like. If it has a requirement for education, make sure they have that education.

Beth Ann Fenn, 316 Foch St. addressed the Commission related to:

- 1) She read a letter which is part of the record.
- 2) GRT
- 3) Spaceport related activities.
- 4) Since the City of Elephant Butte has bought the Sierra del Rio Golf Course. The City should shut down our Golf Course. This compensation

Sophia Peron addressed the Commission related to:

- 1) Agreed with everything Mr. Trujillo said about the Boards & Commissions.
- 2) This City Commission has been so disrespectful to its citizens and they know it. Why they keep voting for you people, she has no idea. But they are finally realizing it.
- 2) Film Making. The last film that came to town with Sybil Sheppard she noticed they were asking for extras and only paid \$7.50 per hour. T or C wages are how they take care of us when they come in for the film industry. And if they are doing it properly, T or C wages don't cut it.
- 3) As far as everything else, she's said it, it's horrible, and it's the worst it's ever been. Hiring someone for Tourism when we have so many people here who have interacted and done everything they need to do, and they know what the town is like. We will have to have a retraining session and it's going to be another failure.

Linda DeMarino addressed the Commission related to:

- 1) The Miss Fiesta Pageant is this Saturday night. They partnered with Rotary.
- 2) They are working really hard on the Hot Springs Festival on May 12-14. They have some good thing lined up and their Keynote Speaker is Dr. Sue Neal Pie who wrote a book called Inflammation Nation.
- 3) Working on grants for some good projects for the MainStreet Organization. They appreciate the Commission's support and thanked them for signing the MOU.

D. RESPONSE TO PUBLIC COMMENTS

Mayor Green asked Jagger to give him a call.

E. PRESENTATIONS

1. Proclamation naming April 24th – April 28th, 2017 at the Week of the Young Child. Steve Green, Mayor

Mayor Green read the proclamation and presented it to the Bountiful Babies.

F. CONSENT CALENDAR

1. City Commission Regular Minutes, March 14, 2017
2. Joint City Commission/Sierra County/Williamsburg/Elephant Butte Workshop Minutes, March 27, 2017.
3. Accounts Payable, March 2017

Mayor Pro-Tem Whitehead moved to approve the consent calendar as noted. Commissioner Hechler seconded the motion. Motion carried unanimously.

G. PUBLIC HEARINGS

1. Approval to submit USDA funding applications for various equipment needs. Traci Burnette, Grant/Project Coordinator

Mayor Green said if you attended our event at our Healing Waters Plaza yesterday, you were hopefully able to see what great things are happening with grants

Grants Projects Coordinator Burnette presented the city has an opportunity for various equipment. This is the same application we used for the Street sweeper, the Streets Department Loader, as well as, the Police Vehicles. We are still working on the particulars and which department. We are looking at a Reel Trailer for the Electric Dept.; a possible backhoe for Sanitation; possible equipment needs at the Golf Course; and the Parks Dept.

Mayor Green asked if there are any questions or concerns from the public.

City Attorney Rubin wanted to include the reason it's on the agenda as a Public Hearing is because USDA requires it. He asked if that was correct. Grants Projects Coordinator Burnette said she doesn't know if they have done it this way in the past.

City Manager Fuentes added at this point it would not hurt so we can get some comments from the public and if they feel there is a need. Specifically, if there is equipment they would like to see.

Mayor Green said seeing no comments, he closed the public hearing.

H. ORDINANCES, RESOLUTION, & ZONING

1. Discussion/Action: Resolution No. 31 16/17 approving the interim financing for USDA Rural Development project – Wastewater Treatment Plant Improvement Project Phase 2B and Lift Station Upgrades, allowing City

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Manager to execute, sign and submit documents related to an application with CoBank. Melissa Torres, Finance Director

Finance Director Torres presented this item and will prepare the documents to be submitted.

Mayor Pro-Tem Whitehead moved to approve Resolution No. 31 16/17 approving the interim financing for USDA Rural Development project – Wastewater Treatment Plant Improvement Project Phase 2B and Lift Station Upgrades, allowing City Manager to execute, sign and submit documents related to an application with CoBank. Commissioner Frankel seconded the motion. Roll call was taken by the Clerk. Motion carried unanimously.

2. Discussion/Action: Resolution No. 32 16/17 declaring nonessential surplus property for the November Auction. Renee Cantin, Clerk-Treasurer

City Clerk Cantin presented this Resolution declaring surplus property which was actually for the June auction.

Mayor Green has discussed this with Finance Director Torres and we do have a contractor for scrap metal. He asked Sanitation Director Alvarez to check with our supplier for the going rate. He was told \$65-\$70 per ton. He took the low price and with the 85 tons and he feels we shouldn't accept less than \$5,500, because if it goes for \$3,000 we would be losing money.

Clerk-Treasurer Cantin responded that's not a problem, we can put a minimum bid and if it won't go any higher we can tell him not to sell it. She just wanted to clarify if that is \$5,000 per beam or a total for the 16 beams? Mayor Green said its 85 tons of material for the whole package.

City Attorney Rubin said if the expected value is over \$2,500 we would have to publish it as the Resolution says.

Mayor Pro-Tem Whitehead moved to approve Resolution No. 32 16/17 declaring nonessential surplus property for the November Auction. Commissioner Hechler seconded the motion. Roll call was taken by the Clerk. Motion carried unanimously.

I. NEW BUSINESS

1. Discussion/Action: Award RFP: 16-17-006 Architectural Services for Regional Safety Complex

Central Purchasing Officer Wood said we received proposals until March 17, 2017 at 2:00 p.m. We received four proposals for these services. The Selection Committee consisted of Finance Director Torres, Building Inspector Travis, and Police Chief Alirez. They have made a recommendation to award RFP 16*17*006 to NCA Architects.

Mayor Pro-Tem Whitehead moved to approve the award to NCA Architects. Commissioner Frankel seconded the motion. Motion carried unanimously.

2. Discussion/Action: Approval to submit USDA funding applications for various equipment needs and authorization and approval for City Manager Juan Fuentes to execute, sign and submit required and requested documents related to the USDA/RUS Applications for Federal Assistance. Traci Burnette, Grant/Project Coordinator

Commissioner Clark had talked to the Water Department and they need a truck. She didn't her make mention of that. Grants Projects Coordinator Burnette said that was one of them.

City Manager Fuentes had her share the difference between this and the one we did last year. Grants Projects Coordinator Burnette said this year USDA are putting priority on equipment needs below the \$30,000 mark, then they will look at the equipment above that mark. We can apply for the equipment that is more, but we can only be awarded \$30,000.

Mayor Green said let's keep those men and women coming back to T or C and keep updating our equipment.

Mayor Pro-Tem Whitehead moved to approve to submit USDA funding applications for various equipment needs and authorization and approval for City Manager Juan Fuentes to execute, sign and submit required and requested documents related to the USDA/RUS Applications for Federal Assistance. Commissioner Frankel seconded the motion. Motion carried unanimously.

3. Discussion/Action: Re-purposing the Fire Department Building for Airport Operations. Juan Fuentes, City Manager

City Manager Fuentes put up a visual on the screen. The Airport staff is using one of the hangars for a number of years for a maintenance shop. They have equipment, supplies, and tools in that shop. That building was used for a Fire Dept. building years ago, however, due to lack of water to the building it was never used properly. We're proposing to vacate the hangar and repurpose it. There's plenty of room to house all of our equipment and supplies and we could use the other hangar for revenue. The recommendation from the Airport Advisory Board is before you for consideration and action.

Commissioner Frankel said last time we toured the airport, there was fire equipment in that hangar. City Manager Fuentes responded there is equipment Chief Tooley indicated he might want to auction off. There is also an Emergency Trailer we will relocate and find another suitable site for it.

Mayor Pro-Tem Whitehead moved to approve Re-purposing the Fire Department Building for Airport Operations. Commissioner Hechler seconded the motion. Motion carried unanimously.

4. Discussion/Action: Job Description for a Marketing/Tourism Coordinator.
Juan Fuentes, City Manager

City Manager Fuentes said the reason for bringing this up is at a previous meeting the Commission talked about changing the way we distribute Lodger's Tax money, the way we market the city and the way we brand it. It's getting harder to use those funds for marketing programs for the city. He's proposing the Marketing/Tourism Coordinator, so we could provide the resources for that person to market and brand the city better. We have multiple organizations going in different directions. We would like to get someone on board to better brand the city.

Commissioner Clark commented for the rest of the Commission, a little over a year ago, we passed the convention center tax so the funding is existing already which should be for a person to oversee the Convention Center and tourism. She added having been a part of the Tourism Board for quite a few years. We need to work on getting a brand in place and when we've done such a good job and our Lodger's Tax has gone up tremendously. It's our responsibility to invest it back. On the job description, she suggested the title be Tourism/Event and Convention Coordinator. She would also like to add in G. under essential duties to continue in that sentence to hold an office in the Civic Center and to plan events and to oversee or manage operations of the Truth or Consequences Convention Center which we call the Civic Center. She thanked City Manager Fuentes for this because it's not an easy one to come up with.

Commissioner Frankel said when the previous RFP went out for the Sierra County Tourism Director, he would like them to bring up the certification level of our employees and to add a few trainings a year for the downtown businesses and hospitality to earn their certification. It would be incentivizing rather than penalizing.

City Manager Fuentes suggested adding the language where is a little broad and open as part of the duties to add that as part of the local businesses and with the state as well to develop a program. Starting something locally that could branch to something statewide.

Mayor Green mentioned that he heard him say training downtown, and he asked if he would consider that being for all business in the city. Commissioner Frankel agreed as long as they are talking about Truth or Consequences and not all of Sierra County.

Commissioner Hechler asked who else will be responsible for setting the duties for this position. City Manager Fuentes said this person will be involved with all of the organizations. The direct supervisor will be the City Manager. But it will be an ongoing adjustment as we go, and if we need to, we will do so.

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Mayor Green suggested if this is approved and as we go into the budget season, we might want to publish this as soon as possible. He added in talking to someone from another community, they give the Lion's share of the Lodger's Tax to the Cultural Arts District who is in charge of the distribution of it, and they keep a portion that is under the control of the City Manager, in the event they may need some. He thinks we are right on task and this is very timely.

Mayor Green moved to authorize staff to advertise this position with the suggested changes in a timely and appropriate fashion a Marketing/Tourism/Convention Coordinator. Commissioner Clark seconded the motion. Commissioner Frankel asked what the pay would be. City Manager Fuentes said he will consult with the HR Director to discuss best amount for the salary for the best qualified person with limited resources. City Manager Fuentes asked if it would be between \$12-\$14, City Manager Fuentes confirmed it would.

Commissioner Clark said she believes we get something like \$50,000 a year with the Convention tax. So when the money goes up then the money for the coordinator goes up or the upgrades to the Convention Center can be done.

Mayor Green said here is an opportunity who is a go-getter and has a good relationship with this community. He thinks its easily traceable and in this market place, we have to look out for ourselves. City Clerk Cantin confirmed the revenue was a little over \$54,000 for 2015-2016.

Motion carried unanimously.

5. Discussion/Action: Relocation Packet Final Review. Steve Green, Mayor

Mayor Green thanked the Commission. He showed them the previous packet and it was created to use less postage. He took their advice and put in SJOA and Workforce about jobs. He asked them to go to page two of the Welcome Letter. He would like to add the National Council for Safety named the City of Truth or Consequences as the 14th safest community in the state. He congratulated the Chief, and the department and the citizens. He would like to add a statement saying: "In 2017 the National Council for Home Security and Safety rated the city the 14th Safest City in New Mexico." That should also go on the website. With no objections, he will add that statement and he asked that the Commission stop by and sign the document in a couple of days so we can complete the packet. He also mentioned that he would like to have personal thank you cards made and they should be hand written and a month after they request on, send it out to each one who requests a relocation packet. We will keep a running total of this. He would like the thank you card to be of Water Tank Hill looking down on T or C and open it up to a hand written note. Everyone gets emails and types, it will make us different and stand out from the crowd to whoever takes on this responsibility. Once it's approved and signed, we will make 26 copies of the relocation packets to be ready to go.

He asked City Manager Fuentes to write a letter to the Chamber or other entities to thank them for their past requests but to make sure from now on the relocation packets will be sent from the Geronimo Trails Scenic Byways. He would request every month they send it out to the Commission to show who we are.

Commissioner Frankel requested to include someone who was the most literate of this community, to help with changes. Mayor Green asked him to get his findings to City Clerk Cantin.

Commissioner Hechler moved to approve the relocation packet with the change he presented and adding to proofread it and return to City Clerk Cantin. Commissioner Frankel seconded the motion. Motion carried unanimously.

K. REPORTS

1. City Manager

City Manager Fuentes submitted the bills that were brought up this year. The Mayor, Clerk-Treasurer Cantin, and he attended the District Meeting this year. He gave a report on HB174 which was pocket vetoed; HB for the LEDA Act which now includes Broadband and internet; we were including in HB268 for funding even though funding was limited; and also SB44 Water Fund Project for the Water System Storage and delivery.

Next week there will be the Clerk's and Finance Officer's Spring Meeting and the Clerk's need to get their certification, but we will be available by phone,

2. City Attorney

Thankful to be back. He is already working on several projects, and he's looking forward to working with the Commission.

3. City Commission

Commissioner Hechler announced the Spring Clean Up will be on April 29th. They asked people to please bring people to unload their own trash, and some other new regulations. The County will again participate and to call the Collection Center for more information. He suggested City Manager Fuentes get Code Enforcement to go out and make an effort to encourage the properties that need it to get cleaned off. He encouraged residents to call in to dump sites.

Commissioner Clark asked if City Manager Fuentes had any idea why the short term occupancy tax was vetoed. City Manager Fuentes responded the Governor did not want to pass anything that may be viewed as new taxes or a tax increase. Commissioner Clark asked if she didn't understand what the concept was. City Manager Fuentes said but we may be able to take it on ourselves. Clerk-Treasurer Cantin said at this point we are not tracking them, but we are looking at putting the ordinance in place that would require them to pay the Lodger's Tax.

Mayor Green thanked everyone who got up at the ungodly hour on Sunday morning for the race. It was a fun way to get out the word about Truth or Consequences. He read an email from Frances Luna on the names of people who worked out there on the rodeo arena. They will need another day or two to work on the arena. He also named some of the organizations who helped. He thanked Frances and Donald Luna, Rotarians, County Employees, and FFA, and all.

He and Manager Fuentes went to ABQ to support the Water Department award New Mexico Rural Water Association. He thanked Jesus and Arnie for an award well deserved. This Saturday will be Miss Fiesta, thank you to Rotary and MainStreet for stepping up.

He added he will be asking the City Clerk to put an item on the agenda to change the meetings to the second and fourth Wednesday.

L. EXECUTIVE SESSION

1. Threatened or Pending Litigation (Possible City legal action to address interference with legitimate activities of the City) Pursuant to 10-15-1(H.7)
2. Limited Personnel Matters (City Manager Evaluation) Pursuant to 10-15-1(H.2)

Mayor Pro-Tem Whitehead moved to approve going into Executive Session at 10:14 a.m. to discuss Threatened or Pending Litigation (Possible City legal action to address interference with legitimate activities of the City) Pursuant to 10-15-1(H.7); and Limited Personnel Matters (City Manager Evaluation) pursuant to 10-15-1 (H.2). Commissioner Frankel seconded the motion. Roll call vote was taken by the Clerk. Motion carried unanimously.

Mayor Green stated that the Commission was now in Open Session at 11:45 a.m.

Mayor Pro-Tem Whitehead certified that only matters pertaining to Threatened or Pending Litigation (Possible City legal action to address interference with legitimate activities of the City) Pursuant to 10-15-1(H.7); and Limited Personnel Matters (City Manager Evaluation) pursuant to 10-15-1 (H.2) was discussed in Executive Session and no action was taken.

M. ACTION ON ITEMS DISCUSSED DURING EXECUTIVE SESSION, if any.

None.

N. ADJOURNMENT

Commissioner Frankel moved to adjourn at 11:45 a.m. **Commissioner Hechler** seconded the motion. Motion carried unanimously.

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Passed and Approved this 9th day of May, 2017



Steven Green, Mayor



ATTEST:



Renee L. Cantin, OMC, City Clerk