

CITY COMMISSION MEETING MINUTES
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
CITY COMMISSION CHAMBERS, 405 W. 3RD St.
WEDNESDAY, SEPTEMBER 11, 2024

A. CALL TO ORDER:

The meeting was called to order by Mayor Rolf Hechler at 9:00 a.m., who presided and Angela A. Torres, 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. Rolf Hechler, Mayor
Hon. Amanda Forrister, Mayor Pro-Tem was absent
Hon. Destiny Mitchell, Commissioner
Hon. Merry Jo Fahl, Commissioner
Hon. Ingo Hoepfner, Commissioner

Also Present: Angie Gonzales, City Manager
Traci Alvarez, Assistant City Manager
Jay Rubin, City Attorney
Angela A. Torres, City Clerk-Treasurer
Arnie Castaneda, Water/Wastewater Director
Luis Tavizon, Chief of Police
Bo Easley, Water/Wastewater Director
Jocelyn Holguin, Finance Director
Dave Johnson, Facility Manager

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

2. SILENT MEDITATION:

Mayor Hechler called for fifteen seconds of silent meditation. He asked that we all remember the 9/11 event in 2001.

3. PLEDGE OF ALLEGIANCE:

Mayor Hechler called for Commissioner Mitchell to lead the Pledge of Allegiance.

4. APPROVAL OF AGENDA:

Commissioner Fahl moved to approve the agenda as submitted. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

C. PRESENTATIONS:

1. Presentation of City of Truth or Consequences Employee Service Anniversary Awards:

City Manager Gonzales presented an Employee Service Anniversary Award on behalf of Wesley Myers for 4 years of service with the City of Truth or Consequences.

City Manager Gonzales presented an Employee Service Anniversary Award on behalf of Steven Smith for 4 years of service with the City of Truth or Consequences.

City Manager Gonzales presented an Employee Service Anniversary Award on behalf of Thomas Bobelu for 9 years of service with the City of Truth or Consequences.

City Manager Gonzales presented an Employee Service Anniversary Award on behalf of Priscilla Fuentes for 9 years of service with the City of Truth or Consequences.

City Manager Gonzales presented an Employee Service Anniversary Award on behalf of Salvador Martinez for 1 year of service with the City of Truth or Consequences.

City Manager Gonzales presented an Employee Service Anniversary Award on behalf of Brenden Anglin for 2 years of service with the City of Truth or Consequences.

City Manager Gonzales presented an Employee Service Anniversary Award on behalf of Jaffee Blomquist for 7 years of service with the City of Truth or Consequences.

D. PUBLIC COMMENT (3 Minute Rule Applies):

Becca Eza addressed the Commission with comments related to MainStreet TorC updates:

- October 21, 2024 at 8:00 a.m. will be our next business breakfast.
- Our show of hands applications are open through the end of this week. If you know of anyone who has a small-scale business idea, please encourage them to apply. The application deadline is at midnight this Sunday. Our public event for that is on October 10th at the Club at 6:00 p.m. The finalists will present their pitch, and the public will vote to choose the winner of the grand prize of \$5,000 towards their business idea.
- Our wayfinding committee held our first meeting this week.

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- The Clean & Beautiful grant is in the first quarter and we're working on ordering the materials and in January we will have our next round of trashcan painting with local volunteers.
- I emailed you our MainStreet updates and there was a link in that email to a partner survey for MainStreet. We have our accreditation with the state coming up in December. It's really important for you all to take that survey to give us some feedback on what we are doing well and what we can improve.

George Henson addressed the Commission with comments related to:

- I saw on the agenda that you are renewing the contract for City Attorney Jay Rubin. We need to think about the term limits. I was in this meeting 10 years ago where they said no term limits are necessary, and what I've heard from many people is we can't get a decent person to replace him. That can't be true. It's a country full of lawyers. The damage they've done to me personally, between Mayor Hechler, Manager Gonzales, and Traci Alvarez is tremendous. I brought petitions that weren't looked at. I've been to court 4 or 5 times trying to get somebody to swear to the truth and nothing has happened. I am back in court again with the dismissal of a Tort Claim and a new Tort Claim involved. What we need to do is decide how much change is necessary and how much pain you can put on one person. The codes are not enforced, and they are not equally involved with any rational mind-set. Let's decide that lawyers are part of the problem, and his interaction has completely screwed me up. I've been destroyed for 10 years fighting this. Quit spending money on militarizing your Code Compliance.

Bill West addressed the Commission with comments related to:

- I have a suggestion for a problem that was listed in the agenda packet. If the truck driver has to get out to wheel the Poly Cart for people who can't wheel their cart to the curb, can somebody go beforehand and move the carts out and then move the carts back afterwards. That would smooth the truck driver's business. It might also be useful for the city to hire somebody like a utility spot worker where it doesn't justify hiring a person for a particular division of the city. It would be somebody who could float and do tasks like I just mentioned.

Steve Mull (Sierra County Sentinel) addressed the Commission with comments related to:

- I just want to make the Commission aware that the radio portion of the paper has been sold, and the new owners have not decided whether to broadcast or not, so you guys are not on the radio.

Ron Pacourek addressed the Commission with comments related to:

- I live on the river, and I read in the Sentinel that there is only one single Flood Commissioner who was appointed by the Governor. It says on the ballot for this November that the Flood Commissioners are created by a local elected 5-member board control district board. I am concerned about what happened up in Las Vegas with the flooding up there. Living on the river is a concern, so get out and vote.

Mayor Hechler: We've had our discussions at the City Manager meetings that we are going to try and have a live post for our Commission

E. REPORTS:

City Manager Gonzales reported the following:

- Attended the legislative oversight committee meeting at New Mexico Tech in Socorro. They oversee New Mexico Finance Authority. There were senators and representatives present. Senator Brantley was there she is not on the committee, but she was there because I was presenting and the mayor from Magdalena was presenting as local fundees. I took the presentation that we have had with Secretary Kenny, the water and wastewater updates. I took the engineers report of the projects we have going on. We had a discussion and answered a lot of questions they had.
- We will have an ad in next week's paper for the increase for the city general obligation bond for the bills that calculated into the property tax bills. The city will see an increase. The department of finance got the bills calculated and attached to the t or c property tax bills. I have a calculation if anyone wants to see it. It gives more of our own funds to put into our water/wastewater and street department to utilize to fix our infrastructure.
- McAdoo St. they are close to pouring the concrete for the sidewalks. Their meter was relocated. They are preparing the subgrade, and we will get pavement next week.

a. Water Update.

Arnie Castaneda, Water/Wastewater Director gave a water update presentation. (Presentation attached hereto and made a part hereof).

b. Facility Department Update.

Dave Johnson, Facility Manager:

- In regard to vector control, there have been some concern over no sprays and what areas we have to close down because of no sprays. We consider a block radiance around the no spray if they call in. Some people don't realize they need to call in every year for a no spray because we don't know if they are renters or if they have moved. We want people to report every year if they want to be a no spray otherwise, we are going to spray the next year until we get a no spray call. It's the same thing in different locations like Animas Creek for the county there is a large area there it's a ranch or something and they want no spray for the length of the road and plus there is other people involved but we will spray it once or twice until we get a complaint not to do it. Our vector machine is working and running well. I spent over \$3,500 doing repairs to it, putting in new lines and getting it ready for this year. This year we have had some issues because of the rain and the wind plus we had our truck down because we didn't have an air conditioner which we can't drive in a truck

spraying chemical out of it with the windows rolled down. We also try to concentrate attention Tuesdays and Thursdays for spraying for several reasons one is for the public will understand that when we are out there we are going to be out there on Tuesdays and Thursdays and not Wednesday and Friday or other days it also helps with our employees for taking time off they know they are going to have to work on a Tuesday and a Thursday so when they set up their appointments or whatever they are doing during the week. We stick to that if we can't spray on a Tuesday we aren't going to spray on a Wednesday. Everything we do for the county is worked on in detail so it's a lot of math. We are regulated by the state so have to go by the label of how much chemical we can use and spray. It's not because it's poisonous or anything of that nature but because the insect can become immune to it. Then we have to change our chemical and that costs money every year we have to keep changing our chemical back and forth. There are usually applications that we do for the year and we actually spray. The reason why the rain and wind are a problem is because the chemical comes off the machine at a fine mist. We want the bugs to fly through it and the wind and rain will just push it down and we are just wasting chemical if it's not floating in the air. We have some issues with complaints of us not spraying or that the machine is not working properly. That is not true if the machine is not working, we are not going to be spraying we don't want to waste the chemical. The other thing is we need to be informing the public that they can do things at home such as getting rid of stagnant water, take down the weeds and brush. People can also purchase a sprayer and spray around their yard. Since we are regulated, we can only spray so much chemical at a time. But as the general public, you don't have those restrictions. You can spray as often as you want.

c. Electric Department Update.

Bo Easley, Electric Division Director:

- Within the last year, we have had a few projects. One was on the roundabouts we installed 5 poles for that. That project is complete. The Williamsburg on and off ramp we had to move 4 poles out there. That project is complete other than the street lighting for the bridge. We should be completing that pretty soon. The veteran's home built 6 new buildings up there. We ran new primer in the ground we set transformers up there. That project is complete. The elementary school wanted a bigger transformer, so we upgraded the transformer up there. The shopping center up north used to have the old-style primer in the ground it wasn't in conduit. We updated that primer put in conduit and put and set a new transformer up there also. I did contract Bixby out last year they replaced 15 poles on east riverside. We replaced 9 poles on Broadway from Steel to Copper. We just finished building a new line for Jose Rios on his property going out towards Bartoo. We built a new line for Nate Stephens for the condos on Wyona. T&D Services should be starting next week or the following week to do the electrical study for the department. That will be updated from when we did it

back in 2015. They guys have been replacing numerous poles around town updating our electrical system. We have the project on Morgan St for Dan Root coming up. If the loves truck stop comes in our not, we will have to build a new line for them from single phase to 3 phase.

- In the past electric departments never had their own backhoe. When a backhoe is needed, which is often we had to reach out to other departments. This changed when the streets gave us one in April of 2022 it is a 1987 410c. The backhoe they gave has helped but it is 37 years old with 6,665 hours on it. We are constantly putting money into it to so we can use it. I am requesting if we can put in for a new backhoe. I did get a quote, a new one runs about \$128,000. We do use it constantly when we are setting poles.

Commissioner Fahl: the price that you gave us is there not any one the state purchase list? Is John Deere on the state list?

Finance Director Jocelyn Holguin: Its off of CBS with a pricing agreement.

Commissioner Fahl: I just though there might have been more options than just CBS.

Electric Division Director Bo Easley: They are not cheap. This is basic the only thing that we did was go with a bigger engine and an updated stinger because a lot of time we have to dig in nothing but rock and caliche. Rolf, you are aware we have to build us a road sometimes to get to a pole to replace a transformer or something.

Commissioner Hoepfner: I did my research when I saw the numbers, so I understand. I went to the John Deere website and the base price is much lower but when you add on it gets expensive. Is it necessary for a \$980 radio package? I understand that it is already built like that and sold.

Mayor Hechler: John Deere list price they say is \$216,000 we got a got a CES discount of 43 percent and then our delivery price with everything included is \$128,000. It sounds like a good deal, but we know sometimes they are overpriced to begin with and then they give you a break on it, but it still sounds like we are doing pretty well on it. What is the plan for the old backhoe?

Electric Division Director Bo Easley: We will auction it off.

Mayor Hechler: It's not worth a trade in?

Electric Division Director Bo Easley: No.

Mayor Hechler: It probably isn't.

Commissioner Mitchell: Was this originally part of your budget?

Electric Division Director Bo Easley: No, we are going to do a budget adjustment request.

Commissioner Fahl. But you have money to pay for it?

Electric Division Director Bo Easley: Yes.

City Commission Reports:

Commissioner Mitchell reported the following:

- Homecoming is this week for the high school and Thursday night is the bonfire. Friday night is the football game, and Saturday night is the dance.
- Spaceport had their open house on Sunday. They estimated about 3,000 people a lot of people dressed up there was more star-wars than star-trek.
- We had our first Wayfinding meeting with New Mexico Mainstreet and Buster with the street department. We discussed redesigning downtown in getting way finding signage to direct the public where we want them to go. We want them to go to the museum, the park, all these different areas. We are branding it where its easier for tourist to make their way around town and also for locals to know this street is a one-way and this street is closed that kind of stuff. Our first step is going to be what signage we already have and figuring out a way of how we want to replace it. I think it's a good step forward for the city and Mainstreet to direct the flow of traffic especially downtown.
- The Chile festival last week was a success. The Chile festival launched in the late 80's it was attended by 1,500 people it just happened over Labor Day weekend 30,000 people attended. That is what they reported throughout the weekend. When we look at things like our fiesta which has 3,000 to 4,000 people. The Chile festival hasn't been going as long but has really become a staple in the southwest to have that many people I just think that is a really positive thing for our tourism and economic development.
- I had some one reach out to me this weekend saying that a man came to her and asked her to sign a petition, and she asked what it was for, and he said that the city illegally took \$2 million dollars out of their general fund to build a police station. That was news to me, and I just wanted to urge the community for constant vigilance when it comes to people asking for your signature for things. Please come ask the Commission, or come ask the city staff, or the City Clerk when you hear things like this. Be careful on what people tell you that they're actually putting out there because it may not be the truth.

Commissioner Fahl reported the following:

- I want to give a shout out to Landford Livestock they won a prestigious award for conservation efforts on their ranch its national effort but in New Mexico they just started doing it about 3 years ago. They do a video that is shown and several websites that show case the efforts that they have done for conservation efforts on their ranch. They receive a cash award they will receive that this October. It's quite an accomplishment for our county nobody from the southwest has received that award before.

Commissioner Hoepfner reported the following:

- I attended my first recycling committee meeting. They are passionate about recycling and the future about that. I encouraged them that when they do come up with good ideas to go and present them to the commission.
- The 4th annual road clean up day is on September 20th meeting at the Ralph Edwards Park from 4-5:30 we encourage as much as the public to come and join from 5:30 to 6:30 is clean up.
- I also attended the Turtleback Trails meeting I was amazed with how much work the committee and the Village of Williamsburg have been putting into it. I would like to encourage us to start helping with the efforts. I recommend posting a map of where the trail is and include the healing water trail showing what is existent and taken care of with a QR code where they can get updates that why they have that for their next visit.

Mayor Hechler reported the following:

- We closed on the PNC Bank on August 30, 2024. The city is now the official owner of PNC bank. Chief you know have a building to put your police department in. I think you have access, you have keys, so you are welcome to go inside and start looking to see what we need to do. I would like you to start thinking about a community meeting so that we can involve the community in how we want to present this building to the public and how we are going to make it fit in with the public. It's more about the community policing and having the building itself fit in with the downtown area and things of that nature. I think we need to have public input, and I think it would be good to do that. I have already some local people reach out to us and what they would like to see. You and I have met there and talked a little bit about it. Somewhere down the road, I'll leave that up to you but please let's do that and figure out what we want to do with that building. I'll announce that we purchased the building for below the appraisal cost. The appraisal cost was \$450,000 we purchased it for less than that. There are some options down the road on how we want to renovate it depending on what happens we will either talk to our legislator or we will have a bond, but we will do one of those two things, and we will get this building up and you will have something to work out of. I'm really pleased to announce that.
- On August 29th I called the Bureau of Reclamation, and he put together an emergency action plan meeting. We met in Elephant Butte, and we have attendees from the National Weather Service, the Bureau of Reclamation from Salt Lake City, Albuquerque and locally, and we had the Flood Commission, and Sierra County. A lot of them called, but we actually went through a couple of scenarios. One was a dam breach at Caballo. The other scenario, we went through was of my urging we went through the situation that happened at the river earlier this year where we had a flow of the river at about 3,000 cubic feet per second and then we had a significant rain storm which caused Mescal and Cuchillo Creek to run and it added another 2,000 feet to it and it capped the river it was full and it was below the dam but it was influenced by the dam it capped full. That was one of the issues, so we worked on that scenario. The way these people work now is that once the national weather service identifies

a storm like that below the dam that can affect those run offs, they will activate a bone tree which includes everybody that makes decisions regarding that and our people. Everyone gets notified its all texting and online its immediate data stuff that they work through. One of the problems you have is that we have to identify those significant events early so that we can influence that with the flow out of the dam. Shutting down the dam or reducing the flow of it sometimes takes a couple of hours so I don't know if we will ever have enough notice, but we will have some notice it will work out. The biggest thing I got out of this meeting, is that we need an operational procedure, and how we are going to deal with situations like that once we get notified. You're going to get a copy of the emergency action plan. The plan itself is assigned to individuals you have to sign for the plan it's guarded I couldn't have one I was there as an observer I asked for one they wouldn't give it to me unless I was an official in making decisions. Chief you are going to get one for your Police Department. I talked with Sergeant Blomquist a little bit, and we need to develop an operational procedure on how we are going to deal with those things when you get that call at 2:00 a.m. when there is a significant storm event that is going to affect our river. Our river is already flowing at 4,000 cubic feet per second. You are going to get that call, and we have to have a plan of action. I hope that helps you Mr. Pacourek. It's on our radar and we will deal with it. we will have a plan of action with our Police Department including monitoring stations and things like that when those things happen so that we can evacuate those low line areas near the river if we have to. We can shut the dam down if we nothing else.

City Attorney Rubin reported the following:

- As the Mayor reported, we closed on the PNC bank building on August 30th. The property is 210 Main Street. There is an interesting history in this matter because this process has been in the works for a couple months. I was pleased that we did a title search and got a title report early on. The interesting aspect is that the bank, has had quite a history about the ownership of the property. There was First National Bank, First Savings Bank, Compass Bank, and a couple other names that where in there over the last 40 to 50 years. We to get ask the title company if the title had been properly transferred during all the transactions that occurred between these intermediate banks, so that PNC Bank would be able to transfer the title to us, and that was successfully completed, so everything went well.

F. CONSENT CALENDAR:

1. **City Commission Regular Minutes, August 14, 2024**
2. **Acknowledge Regular Recreation/Golf Course Advisory Board Minutes, June 3, 2024**
3. **August 2024 Accounts Payable**

Commissioner Fahl moved to approve the Consent Calendar as submitted. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

G. ORDINANCES/RESOLUTIONS/ZONING:

1. Discussion/Action: Resolution No. 07 24/25 Budget Adjustment Request.

Jocelyn Holguin, Finance Director reviewed Resolution No. 07 24/25 Budget Adjustment Request.

Commissioner Fahl moved to approve Resolution No. 07 24/25 Budget Adjustment Request. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

H. NEW BUSINESS:

1. Discussion/Action: Review/Accept offers to Purchase Reed Rocket Sculpture.

Assistant City Manager Alvarez: The Commission tabled this item at the meeting on August 28th and requested that I reach out to the offeror's and have them either attend the meeting or submit in writing, a scope plan of what they plan to do with the Reed Rocket Sculpture. I received two responses out of the 3 offers and I submitted those to the mayor.

Mayor Hechler: We had 3 responses here. One person declined to give any explanation or say anything so we will deal with that as well. Andy Underwood responded that he has 3 partners in this, Sid Bryan, Cary Jagger Gustin, and Susie Buhler. We would divide the rockets 3 ways. Sid would install his portion at 405 Main on the north side of his parking lot. Jagger would install his share in his patio area at 203 Main, and Suzie and I would install our portion out at 130 lower Cutillo Creek area where Suzie has an old car collection and kind of an art park. That bid was for \$300. Cindy from Hillsboro responded that the artwork would be displayed in Hillsboro as you cross Percha Creek. We are setting up the Hillsboro Market, a place for farmers, artists and crafts people to sell their work. We are currently working on a property to get ready for spring. It is the property connected to the Percha Park. If you look at our Facebook site from the farm market. I have posted the video, and I think it would be an excellent spot. Her bid was \$365. The third offer was from Mr. Ron Fenn. He gave no explanation, and he gave the highest bid which was \$767. Those are the three options. What I would like to do is to hear from the Reed Rocket artist, Mr. Barbour to see what his preference is so we can make our final decision on where we would like to go, and then we will talk about it.

Jeff Barbour, Reed Rocket Sculpture Artist: Thank you for your patience with this. This has been quite a journey. This has been going on for almost 10 years now. I went down to Cruces one time and presented a couple of demos for engineers, and they didn't really want to look at that. Inside each of the poles that support the actual Reed are musical rods and when they swing, they make a sound. Originally, I wanted them all together, but I'd like to see them in town, and my choice is to go with Jagger. He's

talked to me about it, and he's the one who actually got this thing through the Arts Commission. Thank you for your time and consideration on this.

Mayor Hechler: I thought it was important to hear from Mr. Barbour since he was the person who actually put this thing together. The journey has been for quite some time. We discussed this when I was on the Commission back in 2016/2017. Being green I didn't really know much about it, and I went along with the rest of the Commission. I was learning, but I know a lot more about it now. We do not have to go for the highest bid. We can discuss it and decide any location that we want to give it to.

Commissioner Fahl: We asked for them to provide us with information just like when you are putting in a request for proposals or bids. If they don't respond, then that's a non-responsive request so I would throw out the higher bid because he didn't follow what we asked. If the goal is to have it in public, even though Hillsboro is a beautiful area and that would be a beautiful location, it is up there and not in town, so I would say that we need to go with what Andy Underwood's proposal says.

Commissioner Mitchell: I think it would be awesome to put it up in Hillsboro because it would be a tourist attraction and I would like to see their market grow, but I also agree with the proposal to keep it downtown and locally. Sea Properties, Jagger's by the Museum and 303 Gallery, well they are going to put there's out in Animas, but either way, they are all downtown. I think that would be cool. We originally thought to place this at the Buckhorn Plaza so it would be two blocks away from its original destination, so I am in favor of that as well.

Commissioner Hoepfner: I have the same thought to keep it in town as well.

Mayor Hechler: I think we are so happy for Mr. Barbour that we're finally able to do something with this because it's been sitting in storage for so long.

Commissioner Fahl made a motion to accept the offer from Andy Underwood \$300 for the Reed Rocket Sculpture. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

2. Discussion/Action: Vector Control Service Agreement between the City of T or C and the Village of Williamsburg.

Assistant City Manager Alvarez: The Village reached out to the city to see if they could get some vector control out there at the Village of Williamsburg. They haven't had any in the last couple of years. We have tried to go into negotiations in the past with the Village and they weren't in a financial position to where they were able to allocate funds for vector control and now, they are, so they are requesting to enter into an agreement. They will not necessarily be sprayed at the Village of Williamsburg during the entire season. The Village is requesting a fee on an as requested basis.

Commissioner Mitchell moved to approve the Vector Control Service Agreement between the City of T or C and the Village of Williamsburg as needed. Commissioner Hoepfner seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

3. Discussion/Action: Approve City of Truth or Consequences Tenant Lease Agreement.

City Manager Gonzales: This is the lease agreement with our Water/Wastewater Director Arnie Castaneda for the purpose of residing in the building right next to the golf course.

Mayor Hechler: Is this a perk, or does he actually pay rent? How does this work?

City Manager Gonzales: Technically, I think this would be called a perk, but he pays taxes on it so it is an employment perk.

City Attorney Rubin: Legally, it is a bargain for an exchange. I wouldn't call it a perk. Paragraph 3 reads: *The Lessor and Lessee acknowledge that Lessee shall perform certain services during this Agreement's term in exchange for the fair market value of the rental fee for these Premises as consideration for this Agreement. Fair market value is currently \$500.00 per month. These services shall include, but are not limited to the following:*

A. When off-duty, Lessee shall be alert to any unauthorized use of the Premises and the area in the vicinity of the Premises, including the Golf Course and Pro Shop. Lessee will notify the appropriate law enforcement officials and Lessor of any acts of destruction to property, vandalism, trespass, etc., as soon as practicable.

B. When off-duty, Lessee shall provide reasonable assistance and information to individuals inquiring about the Golf Course when City Employees are not available.

What I think that's saying is that we're not actually getting cash, but we are getting services that equal the fair market value.

Mayor Hechler: The services are to report any issues at the golf course to the Police Department and to answer questions regarding the golf course. I don't know if those things can still be in there because I have some questions about some of those things. I'd like to table this until next time, and I'd like to have a discussion with management to see if this is necessary. I thought this was going to be a temporary situation, not a permanent situation, but now we've been under this for a year already, so I think I'd like to discuss that a little bit. My understanding is that it's \$500 a month. He does not pay that \$500 a month, but he has to list it on his taxes, so that's why I was questioning it so I'd like to discuss that further with management and see if we can't make a decision further down the road.

Commissioner Fahl: I guess I misunderstood when the previous Chief's lived in there. I thought they paid rent. Nobody has been actually paying rent. I guess that slipped by me.

Mayor Hechler: I don't know? It says services, and they are supposed to call the police department if there is vandalism or something like that.

Commissioner Fahl: Didn't they also watch over the golf course?

City Clerk Torres: The taxes are deducted from their payroll.

City Manager Gonzales: Yes, their taxes are deducted from their payroll.

Mayor Hechler: If I remember the history from this, we always wanted to have an officer in that residence mainly because we've had some issues in the past with vandalism and things of that nature. I was under the impression that originally when we did this for Mr. Castaneda that it was temporary, so I would like to find out a little bit more about it and see what's going on, so I would like to request that we table it and then bring it back.

Commissioner Fahl moved to table the City of Truth or Consequences Tenant Lease Agreement. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

4. Discussion/Action: Approval of Purchase Requisitions over \$20,000.

Leiandra Gurrera, Procurement Officer reviewed the Purchase Requisitions over \$20,000 provided in the packet.

Commissioner Mitchell moved to approve the Purchase Requisitions over \$20,000. Commissioner Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

5. Discussion/Action: Contract renewal with Jamie F. Rubin, LLC Attorney at Law.

City Manager Gonzales: This is the year 4 extension on this agreement. The agreement says year 2 so we will need to amend that. This time next year we will be going out for a request for proposal on legal services.

City Attorney Rubin: I thank you for your consideration. Paragraph 3B is correct. It says that this contract has a possible 4-year contract. We will just delete paragraph 1B which talks about us being in year 3, and I think we can also delete the first sentence in 4A about this being renewed up to two additional years and thank you again for your consideration.

Commissioner Fahl moved to approve the Contract renewal with Jamie F. Rubin, LLC Attorney at Law with the amendments as noted. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

6. Discussion/Action: Selection of an alternate date for the second meeting in September.

Mayor Hechler: I will be attending the Governor's Economic Development class in Albuquerque that is sponsored by MainStreet. I would like to attend that because I think that it is an important meeting for our community and certainly in the way that I connect with the community. I think it would be good to represent MainStreet if I can if that is part of it. I don't know if it is or not, but that meeting is on the 25th and the 26th. The 25th happens to be the Commission meeting so I am requesting that we move the 25th meeting to the 24th to accommodate that meeting, that way I will be able to attend the Economic Development class.

Commissioner Mitchell: I had actually sent an email to Tammy about this last month, and I was supposed to bring it up at the last commission meeting, but I was sick. I wanted to attend the meeting as well because of the impact that it's going to have on our downtown economic development. I was going to see if the city would pay for that, or if it is something that we need to pay for out of our pocket. I don't know if this counts as training for the commission.

Mayor Hechler: I'm approved to go right?

City Manager Gonzales: Yes. We have mileage per diem for training.

Commissioner Fahl: So, there is a recreation and tourism thing in Las Cruces and I'm going to the one in Cruces on the 23rd and the 24th. I'll just go on the 23rd. Jornada paid for me to go to that, not the city. That's weird that they would have them overlapping each other.

City Manager Gonzales: You have \$2,500 budgeted in your governing body employee training line item. I am all for training, but I am also all for you guys being at the round house and the 60-day session.

Commissioner Mitchell: I put it on my calendar to go and ask about it and then I got sick. I just think that one of us needs to be there so if Rolf you're going to go, that's fine.

Mayor Hechler: I got approached by the Assistant City Manager about a month and a half ago to see if I wanted to go, and sure. I'll be glad to represent the city at this thing.

Commissioner Fahl made a motion to change the second meeting in September to September 24, 2024, at 9:00 a.m. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

7. Discussion/Action: Luncheon date for City Advisory Boards.

Mayor Hechler: Remember earlier in the year we had a meeting with folks from our various boards to come and have discussions with us. I think one of the things for me was that they sometimes felt undervalued and underappreciated, and nothing could be further from the truth. I do rely on their meetings, and I do rely on their minutes. I pay attention to what they do when they have their meetings, and I really do appreciate what they do for our community so I thought it might be important to recognize them at a luncheon. I would like for our commission to maybe set up a potluck and we would bring the food and serve them, and maybe recognize these folks and appreciate what they do for our community. I'd like for us to have it before the end of the year. It gives us the chance to talk with them face to face and sit down with them and talk about our issues and how we can serve them better because they are serving us. I would like all of you to be present, including our City Manager and Assistant City Manager and Department Heads. Anybody who is influenced and affected by what our boards do that help our city. We will make it a potluck and we will serve them and take care of them and thank them for all that they do.

Discussion ensued regarding a date, time and place for the luncheon.

Commissioner Fahl made a motion to have the City Advisory Board luncheon on October 10, 2024, at noon at the Civic Center unless otherwise noted. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

8. Discussion/Action: Annual request to hold one meeting in November and December 2024.

City Clerk Torres: This is our annual request to hold one meeting in November and one meeting in December due to the holiday seasons. If approved, the November meeting will be held on November 13th and the December meeting will be held on December 18th.

Mayor Hechler: The reason why we do this is because of the holidays and with everything else, its going to be tough for everyone to be here, and this is an annual thing that we do every year.

Commissioner Mitchell made a motion to approve one meeting in November and December and hold the November meeting on 13th and the December meeting on December 18th. Commissioner Hoepner seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

9. Discussion/Action: Water Right Assignment Agreement Permit 02239-A.

Assistant City Manager Alvarez: This agreement pertains to the water right that we lease from Mr. Bill Buhler for the fishpond by Ralph Edwards Park. In 2000, the commission entered into an agreement at \$150 per month and it's remained that amount since 2000. Mr. Buhler is asking for the city to consider an increase to \$250 per month and renew his agreement.

Commissioner Fahl: That's a reasonable change after that long.

Mayor Hechler: The fishpond is pretty valuable to our community. I think it's a valuable asset.

Commissioner Mitchell made a motion to approve the Water Right Assignment Agreement Permit 02239-A. Commissioner Hoepner seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

I. ADJOURNMENT:

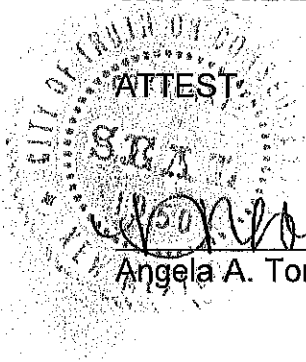
Mayor Hechler adjourned the meeting at 11:13 a.m.

Passed and Approved this 9th day of October, 2024.



Rolf Hechler, Mayor

CITY COMMISSION SEPTEMBER 11, 2024 REGULAR MEETING MINUTES



Angela A. Torres, CMC, City Clerk



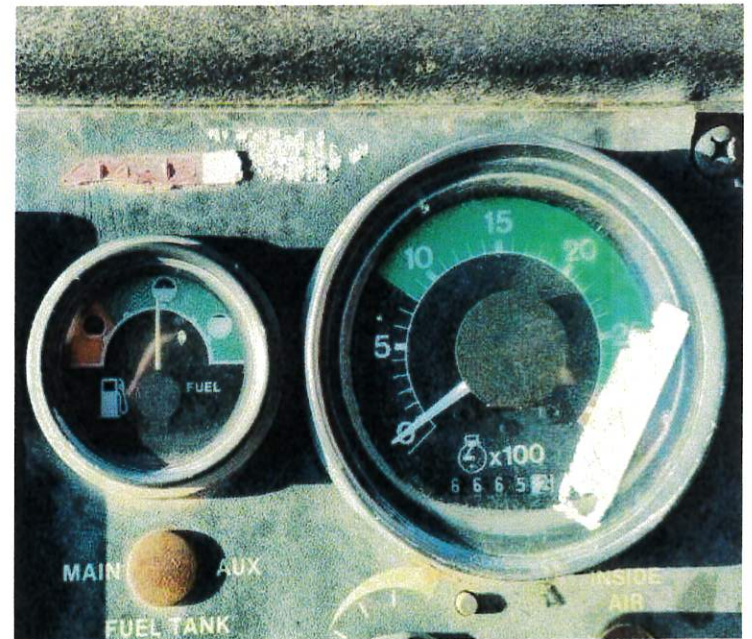
ELECTRIC PROJECTS

2023-CURRENT

PROJECT DESCRIPTION	COMPLETED
ROUNDABOUTS- MOVED 5 POLES	✓
WILLIAMSBURG ON/OFF RAMP- MOVED 4 POLES	✓
VETERANS CENTER- RAN NEW PRIMARY UNDERGROUND AND SET 2 NEW PADMOUNT TRANSFORMERS	✓
ELEMENTARY SCHOOL- UPGRADED NEW PADMOUNT TRANSFORMER	✓
SHOPPING CENTER- UPDATED THE PRIMARY UNDERGROUND AND SET A NEW TRANSFORMER.	✓
BIXBY CONTRACTED JOB- REPLACED 15 POLES ON EAST RIVERSIDE	✓
REPLACED 9 POLES ON BROADWAY FROM STEEL TO COPPER	✓
BUILT A NEW LINE FOR JOSE RIOS PROPERTY	✓
BUILT A NEW LINE FOR THE WYONA CONDOS	✓
T&D SERVICES HAVE STARTED A COMPLETE STUDY OF THE ELECTRIC DISTRIBUTION SYSTEM	IN PROGRESS
UPDATE THE DISTRIBUTION MODEL	IN PROGRESS
REPLACE NUMEROUS POLES AROUND TOWN	✓

IN THE PAST THE ELECTRIC DEPARTMENT HAD NEVER HAD THEIR OWN BACKHOE. WHEN A BACKHOE WAS NEEDED, WHICH WAS OFTEN, THE ELECTRIC WOULD HAVE TO REACH OUT TO OTHER DEPARTMENTS LIKE STREETS, PARKS, ETC. TO BORROW ONE IN ORDER TO COMPLETE SOME JOBS. THIS CHANGED WHEN STREETS TRANSFERRED THEIR JOHN DEERE 1987 410C IN APRIL OF 2022.

[Cite your source here.]





THE BACKHOE THAT WAS TRANSFERRED HAS BEEN A HELP BUT IT IS 37 YEARS OLD WITH 6665 HOURS AND HAS DECLINED CONSIDERABLY, RESULTING IN MORE AND MORE COSTS ON REPAIRS TO KEEP IT UP AND RUNNING.

4RIVERS

EQUIPMENT

1441 RV Drive
El Paso, TX 79928
Cell # (915) 538-9452 Fax # (915) 598-0479

REVISED EQUIPMENT PROPOSAL - BACKHOE
CES (Cooperative Educational Services) Purchasing Coop
CES Contract No. 2022-10-C102-ALL

City of T or C
Current CES Member
9/05/2024



Picture used may not reflect actual configuration quoted
**New 2024 John Deere Model 320P Backhoe
Factory Ordered Unit**

EQUIPMENT SPECIFICATIONS

113 Net H.P. John Deere 4.5 Liter Final Tier 4 Engine

Enclosed Cab with A/C and Heat

Air Suspension Cloth Seat

Joystick "Pilot" Backhoe Controls

LED Full Light Package

Bosch Basic Radio Package

4 Wheel Drive w/ Limited Open Differential

Auto Shift Transmission

Tires - Galaxy 19.5L-24 Rear & 12.5/80-18 Front

Auto Ride Control

1.3 Cubic Yard 92 in. Loader Bucket

Heavy Lift Extendable Dipperstick

1,000 lb. Front Counterweight

24" BH Bucket

Standard Stabilizer Pads

Strobe Light with Magnetic Mount

Plus Other Additional Standard Factory Features

WARRANTY

1 Year (12 Months) Comprehensive Full Machine Factory Warranty

Additional Extended Warranty available at an Additional Cost.

CONFIGURATION PRICING
BASED OFF OF CES COOPERATIVE PURCHASING PRICING
CES Contract No. 2022-10-C102-ALL
Effective July 26, 2022 through July 25, 2027

2024 John Deere Model 320P Backhoe – New Factory Ordered Unit

John Deere List Price -	\$ 216,344.00
<u>Less CES Discount (43%) -</u>	<u>(\$ 93,027.92)</u>
Factory Freight -	\$ 3,450.00
<u>Local Delivery to Truth or Consequences -</u>	<u>\$ 1,250.00</u>
Total Sales Price -	\$ 128,016.08

Note – As of 8/23/24, lead time for this backhoe from the Factory is 5 to 6 months upon receipt of order.

Accepted By: _____

Date: _____

Printed Name: _____

Title: _____

Quoted By: _____

Date: _____

Rigo Ordonez, NM Territory Sales Representative
4 Rivers Equipment, LLC.
Cell Phone (915) 538-9452

FINAL & 2ND PUBLIC MEETING

**WILSON
& COMPANY**



Louis Armijo Sports Complex Master Plan



Thursday, September 12, 2024
5:30 - 7:30 p.m.
City Commissions Chambers

405 West Third, Truth or Consequences, NM

For special accommodations, please contact O.J. Hechler no later than two days in advance of the meeting at **575-740-6716** or **orrin.hechler@torcnm.org**

At this final public meeting, the Project Team will present concept options & project phasing.

The City of Truth or Consequences continues to develop a Master Plan for the Louis Armijo Sports complex and invites you to attend, learn about the project, ask questions, and share your feedback with members of the project team.

The background features a large, abstract graphic design. On the left, there is a dark blue textured area with a white circle. A large, white, organic shape flows from the left towards the center, framing the text. On the right, there are light blue, watercolor-like splashes and shapes. The overall aesthetic is clean and modern, with a focus on water and nature.

Water and Wastewater update

September 2024

Water Pressure

- After spending several weeks working on the water pressure issues, we held a meeting with Wilson and Company to discuss the issue and decide where the most beneficial area would be to put a bypass that would restore the pressure to the Smith/Silver.
- Mark Nasi from Wilson and Company visited us on the 29th of August to discuss the problem.
- Using Wilson's computer model of our water system, Mark identified some valves that could provide the pressure required to the school and hospital. One valve on 9th and Date was identified as a possible solution. After the crew worked on the valve they were able to open it, within hours the water pressure at the school and hospital had equalized and is maintaining pressure.
- Current pressure at the school has averaged to 62 psi at the fire hydrant inside the campus and the hospital has averaged 70 psi
- The plan going forward is to have the school and hospital report their pressure regularly to Wilson and Co. for monitoring.

Water Leaks

- Water leaks are at a current high of 57 active leaks as of September 6th 2024.
- Crews were able to complete 28 leaks in the month of August.
- Tungsten alley project is now complete as of August 31st.
- Leaks repaired so far in the month of September are 11. There are 28 to be fixed in the next 3 weeks.



Wastewater

- We have had some issues at the headworks at the WWTP. A transducer that sends a water level signal to our SCADA system stopped communicating with the computer causing the four influent pump stop working. Without a signal the pumps cannot turn on. Within minutes the influent backed up into the system.
- Crews were able to turn on the pumps manually to reduce the backup pressure. The system has a rarely used backup floats that after resetting were able to be put online.
- We currently have a service call in to I & C Solutions to come and repair the transducer.
- This incident could have been much worse but the operators caught it in time. However, this brought to light the need to have more wastewater certified personnel that have an understanding of the wastewater process. I have talked to HR about posting wastewater vacancies hope to recruit some additional operators.

Billing for Vector for County From / /20 to / /20 including the spraying check lists.

Tuesday Evenings

For..... Arrey/Animas Creek/Hidden Valley/Palomas (upper & lower)

Trip charge including spraying miles is 70 miles X 75 cents a mile.....\$52.50

Man hours 2 x \$25hr = \$50 x 4.8 hours.....\$240

Chemical \$5.38pm X 24 sprayed miles.....\$129.12

SubTotal.....\$421.62

X__ events/weeks.....Total.....\$

Thursday Evenings

For.....Monticello RV park/Gomez Ranch area

Trip charge including spraying miles is 39miles X 75 cents a mile.....\$29.25

Man hours 2 x \$25hr = \$50hr x 1hr.....\$50

Chemical \$5.38pm X 2.5miles.....\$13.45

SubTotal.....\$92.70

X__ events/weeks.....Total.....\$

Total for the county is \$

David S. Johnson

1 mile X 1 foot is 5,280 feet

1 mile 25 feet wide is 132,000 square feet or 44,000 square yards

1 acre is 4,840 sq yrds..... 44,000 sq yrds divided by 4,840 = 9.090

This equals 9 acres in 1 mile 25 feet wide.

25 linear miles 25 feet wide is 225 acres. (average night of application).

12 gal. of diluted chemical contains 3.3 pounds of permethrin chemical.

3.3 pounds of permethrin divided by 225 acres = 0.01466667 or 0.015 pounds per acre.

12 gal. of diluted chemical in 25 linear miles 25 feet wide is a total of 0.015 pounds of permethrin per acre. At levels of 0.007 pounds per acre a total of 25 applications are allowed per year (per season).

Each jug is 22 pounds of chemical.....2.5 gal.

Of which contains 6.6 pounds of the chemical permethrin. 30%.

Half a jug of chemical (1.25 gal) is mixed with 10.75 gal. of water for a 12 gal. tank.

The label of the product (Aqua Perm-X UL30-30 with the EPA number 89549-76) clearly states

“Do not exceed 25 applications at 0.007lbs permethrin per acre per application (per season).”

Mileage for county vector spraying. As of July 2017

1, Miles to Monticello is 23miles from the TorC F.M. shop, round trip is 46miles.

Actual spraying of chemical through Monticello and Placitas is 4.5miles.

2, Miles to Monticello RV park is 17miles from the TorC F.M. shop, round trip is 34miles.

Actual spraying of chemical through the RV park area is 2.5miles.

3, Miles to Arrey is 22miles from the TorC F.M. shop, round trip 44miles.

Actual spraying of chemical through Arrey is 10miles

4, Miles to Animas Creek is 15miles from TorC F.M. shop. Round trip 30 miles

Actual spraying of chemical through Animas Creek is 5miles.

5, Miles to Palomas is 8miles from the TorC F.M. shop, round trip 16miles.

Actual spraying of chemical through Palomas (upper and lower) is 8miles

6, Miles to Hidden Valley is 9 miles from TorC F.M. shop, round trip is 18miles

Actual spraying of chemical is 1mile.

The plan is to incorporate 2 County locations for spraying once a week.

For an example; Locations 1 and 2 above can be sprayed on the same date. 63miles+7sprayed miles.

Locations 3 and 4 above can be sprayed on the same date. 44miles+15sprayed miles

Locations 5 and 6 above can be sprayed on the same date. 18miles+9 sprayed miles

With each application being one week a part in rotation (unless more is required).

On the next page is the formula for calculating the chemical cost per mile, and total expenses per year.

The cost of the chemical (Prentox Aqua Perm X UL 30-30) is \$717.54 for 5 Gallons. \$143.50 a Gallon.

The spraying mix is 1 gallon of chemical to 9 gallons of water = \$143.50 for 10 gallons of solution.

1 gallon of mixed solution = \$14.35

At the application rate of 8 ounces per minute X 60 minutes = 480 ounces or 3.75 gallons an hour.

\$53.81 of mixed solution applied an hour of continuous spraying.

At this application rate at the speed of 10 miles per hour = \$53.81 or \$5.38 for every mile.

With this formula it is calculated the application rate is \$5.38 per mile for chemical use.

Using this solution and incorporating proposed application plan, and considering additional applications when required, on average monthly coverage (chemical miles sprayed) may be up to 60 miles.

With application for 5 months total County chemical use would be 300 chemical used miles.

A) 300 miles X chemical use rate of \$5.38 a mile = \$1614.00 of chemical applied.

Travel miles to and from application sites, again considering additional application when required, on average monthly County wide coverage of up to 200 miles.

With application for 5 months of travel miles would be up to 1000 miles.

B) 1000 miles X \$2.00 a mile travel cost (vehicle use)= \$2000

Using the 300 mile chemical use rate to calculate employee cost of \$25.00 an hour .

C) 30 hours X \$25.00 an hour per employee rate X 2 employees = \$1500.00

These costs can vary depending on additional applications, weather conditions, and employee availability.

David Johnson

Facility Management.

7/13/2017