

CITY COMMISSION MEETING MINUTES  
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO  
CITY COMMISSION CHAMBERS, 405 W. 3<sup>RD</sup> St.  
WEDNESDAY, AUGUST 9, 2023

**A. CALL TO ORDER:**

The meeting was called to order by Mayor Amanda Forrister 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. Amanda Forrister, Mayor  
Hon. Rolf Hechler, Mayor Pro-Tem  
Hon. Destiny Mitchell, Commissioner  
Hon. Merry Jo Fahl, Commissioner  
Hon. Shelly Harrelson, Commissioner

Also Present: Angie Gonzales, City Manager  
Traci Alvarez, Assistant City Manager  
Jay Rubin, City Attorney  
Angela A. Torres, City Clerk-Treasurer  
Kristie Wilson, Finance Director  
Sonya Renfro, Utility Office Manager  
Electric Department Director Easley  
Tammy Gardner, Executive Director

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

**2. SILENT MEDITATION:**

Mayor Forrister called for fifteen seconds of silent meditation.

**3. PLEDGE OF ALLEGIANCE:**

Mayor Forrister called for City Manager Gonzales to lead the Pledge of Allegiance.

**4. APPROVAL OF AGENDA:**

**Mayor Pro-Tem Hechler moved to approve the agenda as submitted. Commissioner Fahl and 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 to OJ Hechler for 6 years of service with the City of Truth or Consequences.

City Manager Gonzales presented an Employee Service Anniversary Award to Alona Niebergall Hechler for 3 years of service with the City of Truth or Consequences.

City Manager Gonzales and Tara Manning presented an Employee Service Anniversary Award to Jessica Bowles for 2 years of service with the City of Truth or Consequences.

City Manager Gonzales and Sonya Renfro presented an Employee Service Anniversary Award to Katy Martinez for 3 years of service with the City of Truth or Consequences.

City Manager Gonzales presented an Employee Service Anniversary Award to Pat O'Hanlon for 30 years of service with the City of Truth or Consequences.

City Manager Gonzales presented an Employee Service Anniversary Award for William Montoya for 13 years of service with the City of Truth or Consequences.

City Manager Gonzales presented an Employee Service Anniversary Award for Rene Loera for 4 years of service with the City of Truth or Consequences.

City Manager Gonzales presented an Employee Service Anniversary Award for Rafael Marin for 6 years of service with the City of Truth or Consequences.

City Manager Gonzales presented an Employee Service Anniversary Award for Donald Venable for 6 years of service with the City of Truth or Consequences.

City Manager Gonzales presented an Employee Service Anniversary Award for Kaci Frazier for 3 years of service with the City of Truth or Consequences.

**D. PUBLIC COMMENT (3 Minute Rule Applies):**

Nate Stephens addressed the Commission with comments related to:

- There has been a lot of negativities around everything that we are doing in the community so I wanted to bring you guys a little bit of positive. He had several people in the audience stand up who have benefited from AGNS. They are all employed by, or employed by subs of AGNS, and this is a huge thing for employment in Sierra County. Not everyone could make it here today, but this is a 3<sup>rd</sup> of the people that AGNS has provided employment for in this community. We have been a #1 in Foxworth for 4 years in a row which means that the employees at Foxworth can be added to this pile. We are in the #10 in lows in Las Cruces, and we are bringing those materials back to Sierra County. As said before, if anybody wants to ask him about any of the projects that he is a part of, he is more than willing to sit down with you guys to talk it over, and hash it out and figure it out. We are able to adapt and overcome whatever we have to do to make sure that it is benefiting the community.

Lori Montgomery addressed the Commission with comments related to:

- She is the owner of MPG Services, and she is here to speak on behalf of AGNS Construction and her company. She has had a long-standing relationship with AGNS Construction and the valuable benefit they provide to the community, not only to the community, her company and the employees that she has working for MPG Services, but what even the Commission has to realize is that this is a trickle-down effect for the community as well. When we do work for AGNS Construction, we pay gross receipts tax. That tax goes into a community on certain jobs, and when she pays her employees, they pay taxes, and when they pay taxes, they buy goods and services, and those goods and services go back into the community, and when these projects don't happen, those things don't happen in the community. Those things go back into the community, and we all live in this community, so it is a trickle-down effect. MPG Services has grown a lot, and they grow from when AGNS services grows. Progress is inevitable in the community, and we all have to support that, but planned progress is what we all have to work towards, and so when that planned progress is done by organized individuals, that is important and should be encouraged.

**E. REPORTS:**

**City Manager Gonzales reported the following:**

- I am moving forward with a Lobbyist request. I have contacted 8 firms. The deadline will be tomorrow. We will work internally to review the quotes, and I am quoting, under the professional services procurement template, and then we will present the procurement packet for final approval at the next meeting.
- The swimming pool will be closed next week from August 14<sup>th</sup> to August 21<sup>st</sup>, due to a shortage in staff. The new schedule will be posted on 8/21 and the last day to swim will be on September 4<sup>th</sup>.

- Our utility departments have been busy this month. The electric department restored a 6 minute power outage yesterday, due to a power glitch on the tristate line. It affected half of the town. She commended them for getting in there and getting that fixed.
- The facility department has been keeping the buildings cool in the summer heat. The Civic Center is open 7:30am-2:30pm for cooling centers, and the library is open 9:00am-4:00pm Monday through Friday and 9:00am-12:00pm on Saturday. The SJOA Center is also open to keep people cool. She Commended the facility management department for taking care of the buildings for our public.
- The water and wastewater departments have been doing what they do best, and that is fixing water leaks. The weekly leak report is 22 leaks. One of the new water guys stated that he has been involved in about 60 leaks, as there is usually more than 1 leak at each location. A couple of them will go to Smith Co. as they are deeper buried. Smith Co. has the training and the equipment in order to keep the employees safe in the trenches, and that is why Smith Co. gets a lot of these, because those water lines are buried pretty deep.
- The Street Department finished the SJOA parking lot and they are getting ready to start a local government road fund (LGRF). The project will be on Pine Street, and the project deadline is the end of the year. She commended them for taking care of the streets, because the streets get damaged whenever the water runs. We appreciate them helping each other out. They allowed the water department to use the street cones, but the street cones have seemed to have disappeared so if anybody sees a lonely little cone, or a naughty gang of cones, please let us know so we can gather them up and take them to streets.

**City Attorney Rubin reported the following:**

- I wanted to give an update on the 630 Charles property. We had our hearing since the last time I saw you and the Judge did approve for us to go forward with the foreclosure. We have a tentative date for September 28<sup>th</sup> at 10:00 a.m.

**City Commission Reports:**

**Commissioner Mitchell reported the following:**

- We started back to school last week in July which was ridiculous, but we are back to school. Starting next Wednesday is early release on Wednesdays.
- She commended the City of T or C and Smith Co. for all of the construction work going on throughout the county. Foch street is a nightmare, but I know that they are working really hard and trying to get everything better so kudos to everybody.
- The new parking lot here by the Chambers is wonderful.

**Commissioner Harrelson reported the following:**

- The early release for school on Wednesday starts next week. The parents need to be aware of that for their kids coming home early. It is important that the teachers have that time to do their work. There are a lot of mandates coming up from the state and we really need this in our community if we are going to rise and level up our teachers to really be able to meet needs of our students.
- She piggybacked on the growth that Ms. Montgomery was talking about. Growth is really vital in our community, and all of the progress that is happening really impacts every person in our community, and we really want to stay positive about that. We want to stay positive, and put out good messages in the media, and concentrate on good things. I really challenge the media or who considers themselves as media to keep positive and report the good things about our community. We have lots of good things happening here, and we need to keep it more positive, and we need to do better.

**Commissioner Fahl reported the following:**

- She thanked the Sentinel for the great article that Chuck wrote in Friday's paper about our water situation. It really clarified it. She thinks it helped the public to understand the situation and how we are working. She really appreciates what Arnie is going to do when you are publishing where all of the leaks are. The phone number to reduce the calls to dispatch was also a really good idea. Kudos to all of you guys because that was a great idea.
- She is a football mom, and our first football game is going to be next Friday, and she is excited because we have a new coaching team in, and for her being a football mom for many, many years, it is exciting to see a new program coming in, and she hopes that everybody is excited to go and participate, and support our kids including all of our sports kids, FFA kids, and all of our kids in our schools. The community is what helps drive them to be excited.
- The letter we received from the Office of State Engineer that notified the city about no more drilling in our hot springs district, she thinks that it caught all of us unaware. She has had concerns, and she has brought it up before if we are not careful, she believes we will pump ourselves out of business. The aquifer is shrinking from what she has been told from the local well drillers, so she thinks it would be good if we could set up a public workshop or meeting with someone from the State Engineers Office so they could explain that because we have a lot of people who are concerned as Nate is as a developer and a contractor for their building down there. They were planning on drilling wells for a lot of those people that are probably concerned. She thinks that we need to be very cognizant of what the water situation is. That water can run out. It doesn't recharge as fast as it used to, and we need to be aware of that so it would really help us to be more knowledgeable about that situation in our community so that might be something you might want to set up.

Commissioner Mitchell: The Hot Springs Highschool AP environmental science class is partnering with New Mexico Tech to do water surveys this year. The contacts that she has up there she thinks will be a great asset if we do a community forum. Jim Winters has a copy of the moratorium from 10 years ago where we were going to stop the drilling and we didn't. If we end up getting something like that put together, she would love to be able to get some input and get some data for you guys.

Commissioner Fahl: I think that New Mexico Tech had done that last study. I think that we really need to connect all of those dots, and we be aware, and have future Commissioners always be aware of that situation because it is vital to our community, and we need to be more cognizant of what is going on.

**Mayor Pro-Tem Hechler reported the following:**

- He was able to attend a couple of business openings last week, and it is always nice to see new businesses coming into our community.
- He has been helping Virgin Galactic and they are trying to find a person who can provide vending machines at Spaceport. He thinks that it would be a very lucrative contract. They wanted to keep the business local, and that is why they contacted him, but he is having some trouble finding somebody so if there is anyone out there who knows of somebody who would like this opportunity, please contact him directly.

**Mayor Forrister reported the following:**

- I know its hard for us to read all of the negative stuff, especially on Facebook, and then our community reads it on the square. She commended Christie Conklin and Tim who are running that page for putting out a public service announcement to make it more of a public forum page, and to keep the comments positive, and not a page where people are just complaining all of the time. It is easy for us to wine and complain about traffic down town, or the roundabouts, and how it is hard and frustrating, but with those things it's called growth, and with growth which he heard about this morning, brings more GRT. We cannot continue to live the way we were living and still sustain. We have to continue to grow, and our community needs to be open to those things that are happening, and be patient. Yes, we have water lines issues. Yes, we have road issues. Yes, we have construction, but everybody is trying to move forward, and everybody needs to be a little bit more supportive in that endeavor. She also commended Chuck for his positive and informative article in the paper. She thinks that was a great idea, and it gives our citizens kind of an update on what is going on.

**F. CONSENT CALENDAR:**

1. **City Commission Regular Minutes, July 26, 2023**
2. **Acknowledge Regular Lodgers Tax Advisory Board Minutes, May 22, 2023**
3. **Acknowledge Regular Library Advisory Board Minutes, July 31, 2023**
4. **July 2023 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. NEW BUSINESS:**

**1. Discussion/Update: Water Update.**

City Manager Gonzales: In May and June well #6 was acting up on us, and we fixed it. It did cost around \$55,000 to fix. That was an expense that was paid for out of Federal funds that was given to the community, I believe during the COVID pandemic. We decided that there was nothing else better to do with that federal money than to repair the well for our community. While we were at it, well #8 was kinda limping along so we decided to fix her up too. Arnie said that they were going to flush it, so it should be back online here within the next 10 days. We wanted to do this so we have these good wells that are bringing this water in and now we are really working on the distribution lines. The water department is not fully staffed, but we have a small staff who are working together, and they are working to fix this water issue. It is a slow process, but we are working on it.

**2. Discussion/Action: Approve Electric Rate Study Recommendation.**

Craig Brown 1898 & Co. reviewed the Electric Rate Study. (Complete presentation attached hereto and made a part hereof).

Bo Easley, Electric Division Director: When City Manager Swingle was here, he wanted to get this done because we haven't had a rate increase for around 22 years, and I believe it is time to move forward with it.

Sonya Renfro, Utility Office Manager: I know that the large commercial base rate seems like a lot, but I think that it is well due, especially since we have to take care of the transformers, and it is a lot harder on our electrical system, but I don't see that this rate increase is really going to cause any issues.

Commissioner Fahl: Do you think the amounts that they had in there are sufficient to meet our needs?

Sonya Renfro, Utility Office Manager: Yeah. Absolutely. It is something that needs to happen. We have lines to look after, and we have trucks, birds in the transformers all of the time, there is so much.

Mayor Forrister: Craig, what is our price per kilowatt right now?

Craig Brown 1898 & Co.: The combined rate for residential customers is 13 cents right now, and they are paying \$.09 which is the base rate, and then you have the 4.14 cents per kWh.

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Mayor Forrister: So, with the trip charge and everything else it's about \$.14.

Craig Brown 1898 & Co.: So, you are basically going from 13 cents right now to 14.5 cents.

Mayor Pro-Tem Hechler: So, we are looking at the increase which we have tables up to 2027, but is this going to be sustainable from that point forward? In other words, what is going to change in 10 years from now. Shouldn't there be a cost of living increase in here somewhere or do we just keep it to where it is now, and then attack it again in 10 years?

Sonya Renfro, Utility Office Manager: I believe that there is a built in increase for the next 3 years, and then after that I think that we are just going to do the 5% or 3% increase. We wanted to do it to where there is an increase every year like we do the water, sewer and trash so we can keep up with everything.

Mayor Forrister: I think that is something that needs to happen.

PUAB Chairman George Szigeti: Just so everybody understands, the rate that we have here is for the first year, and if I understand it right, the ECA will go up again on the second year. So, in the first year, the residential will go up to 14.5, but then in the second year, it will be around 17.5 or 18 cents, and then maybe a little bit of an increase after that. I just want everybody to realize that what you are seeing here is only for the first year, and then there will be another 3 to 3.5 increase per kWh the next year. I think it is not immediately obvious to people that look at this that it will be continued increases on there. It does sound like a lot, but compared to what a lot of people are paying elsewhere across the country which is 25 to 30 cents a kWh so it is not out of order to bring it up, and especially since our rates have been where they are for so long, we really need to do this. We were asked for some comments at the last PUAB meeting and I did send some to the City Manager on this. In order to promote energy conservation, we would like to see a sliding scale where the first X number of kWh is a certain value, and then if you go over, let's say 1000 kWh, anything you use over that should be charged at a slightly higher value, like a tiered structure similar to what we do with water right now. I think it would be nice to have a tiered structure on there. That is up to you to decide on, but we do need to look at promoting energy conservation as well as water conservation. That was just our suggestion for that part.



Don Armijo, PUAB Member: The one thing that I really have to say about it is that you guys are on a rough end here. This has been talked about for so many years, but nothing has been done about it, and now we are at the point to where it need to be done. Once this is brought up and put to the table, it will be able to take off in the future, and this will not only help with that, but getting this system back up is going to help the city out so we are able to receive federal loans and stuff like that, and continue to build it and go up.

Gil Avlar, PUAB Member: I am really happy that you guys have got this rate study going, and you are going to address the problem because we are not charging enough. I worked with a lot of Commissioners for decades and they didn't want any part of it so I am really proud of you guys for taking the bull by the horns so to speak and trying to alleviate the problem.

Mayor Pro-Tem Hechler: Bo, is this going to meet your need over the next few years. Do you feel confident in this rate increase? Is it going to fulfill what you need to have done, and is it going to get our head above water. Are we going to be able to take care of things like we should?

Bo Easley, Electric Division Director: Yes sir. I think so.

Mayor Forrister: I just want to make sure that it does get increased every so often even after this is done because we do need to have that 3% increase every year.

Sonya Renfro, Utility Office Manager: I agree with that. I think that we should have a 3% to 5% increase each year after, and then later on when we do another rate study maybe we will be ok, but that is kind of how it is with the CPI. We see if we need that revenue or are we okay where we are at right now. You guys know that we are constantly going up because we need the revenue for our system.

Commissioner Harrelson: I think you have to put in cost of living rate increases for everything. Everyone else in the world does that. That is one thing that we have to do.

Mayor Pro-Tem Hechler: I will be looking forward in the future to have the luxury of not going to the electric department every year to augment our city budgets.

City Manager Gonzales: We have to be. That is a priority. There are needs and there are wants, and we need to make sure that we do needs. The rate increase would be done through an ordinance, and I would see that we would have an increase of whatever you guys decide, addressed in that ordinance.

Mayor Pro-Tem Hechler: Since we are planned out here until 2027, perhaps we can add a cost of living increase after 2027, maybe in 2028. This will keep our head above water and maybe keep us in the flat from that point on. One of the other irons that we have in the fire is that we are still considering the sale of our electric infrastructure, and I would like to have Mr. Szigeti address what this rate study is going to do in comparison with

Sierra Electric Coop's rates, and if we do decide to sell the electric department, are we going to have enough of a rate increase on top of this one?

PUAB Chairman Szigeti: I didn't bring all of my spreadsheets, but right now the rate increase that is proposed for the first year will put our rates close to what the Sierra Electric rate is. Our monthly charge will still be quite a bit less, but the kilowatt hour cost would be about the same. It would go up again the second year, but because of the different surcharges that they have, they have an energy cost adjustment and they have a debt service cost adjustment and those vary quite a bit from year to year. In fact, a year ago I was looking at consulting with a friend in the County who has solar and a year ago, their electric cost was actually two cents higher than it is this year, so there is quite a bit of variability in it. These things are likely to go up than to go down, so even with an additional increase that next year, we will still be within the range of normal variability that would be on the Sierra Electric bill. Even then for the total bill, including the monthly charge and the kWh charge, this rate increase is not going to put us significantly higher than what we can expect the Sierra Electric bill to be so selling the utility to Sierra Electric is not going to result in any great savings to the customers or a substantial rate increase either.

**Commissioner Fahl moved to approve the Electric Rate Study Recommendation by Craig Brown 1898 & Co. and allow city staff and legal to prepare an ordinance for the rate increase to include a cost of living increase in 2028. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**3. Discussion/Action: Award of RFP #23-24-001 for Electric Transformers.**

Assistant City Manager Alvarez: The city went out for a request for proposals for the purchase of transformers, and only one bid was received and was deemed responsive, so we are requesting recommendation of award to Western United Electric supply for a total cost of \$165,105 for 5 transformers.

**Mayor Pro-Tem Hechler moved to approve the Award of RFP #23-24-001 to Western United Electric Supply for Electric Transformers. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

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

Kristie Wilson, Finance Director 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.**

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**5. Discussion/Action: Review, Approve and/or Allocate Funds for Sierra Co. Chamber of Commerce.**

Tammy Gardner, Executive Assistant explained that they are applying for funds for the Community Art Park Billboard (1) year rental. The applicant requested \$1,500.00 and the Lodgers Tax Advisory Board recommended to fund this in the amount of \$1,500.00.

**Commissioner Fahl moved to allocate funds to the Sierra Co. Chamber of Commerce in the amount of \$1,500.00. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**6. Discussion/Action: Review, Approve and/or Allocate Funds for MainStreet Truth or Consequences.**

Tammy Gardner, Executive Assistant explained that they are applying for funds for the Truth or Consequences Desert Ultra event. The applicant requested \$3,250.00 and the Lodgers Tax Advisory Board recommended to fund this in the amount of \$3,250.00.

**Commissioner Mitchell moved to allocate funds MainStreet Truth or Consequences in the amount of \$3,250.00. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**7. Discussion/Action: Order granting variance application for 800 Block of Wyona.**

City Attorney Rubin: As you know, at the last meeting, the City Commission took action to approve the variance application for the 800 Block of Wyona. We are not here to revisit that issue, but as you know it was opposed. There were people who spoke in opposition of this. When I thought about this, I was thinking, in case this matter ever does get appealed to District Court, the District Judge is going to require that you have an Order that is set forth to what we found at the previous meeting, so that is what the purpose of this is. Most of the time as you know, when we look at Planning & Zoning issues, most of

the time, those issues are uncontested. There is nobody really in opposition so we don't really have to go through this Order process, but because there were people who spoke in opposition, I felt it best to protect the city, we should have an Order in place so that is the purpose of this. We are not here to actually discuss the merits of the variance. We are here to put an Order in place to confirm what you already did. If you take a look at the order I prepared, the first few paragraphs are basically just discussing the procedure that we notified the people that were within 300 ft. of the proposed variance area. We went through the Battershell process, and we allowed all members of the public to give testimony. Paragraphs 6-13 were included because if we look at Ordinance 15-8. When we met two weeks ago, we were required to actually make findings with respect to these issues, and we pretty much did. I think that the fact that you granted the variance implies that you were considering this, but I thought it would be good to set forth the proposed Order.

Commissioner Fahl: I want to apologize. I was not at the last meeting. It looked like it would have been a good one to be at. I wish I could have been there to voice my support of continued development, and following proper procedure. Thank you, fellow Commissioners, for caring the banner for us while we were gone.

Mayor Forrister: Commissioner Fahl. Thank you for saying that. I was also not here, but I would have been in support of it as well. I am glad that we sit on a Commission that is pro-development.

Commissioner Mitchell: There was a lot of opposition, and it was not against this variance so we went forward based only on the variance. Not on any of the other muddying of facts, and so as a Commission we made that decision.

City Attorney Rubin: I also wanted to add that I understand that we did get an appeal from Rick Dumiak. I don't think that the appeal applies though. An appeal, as set forth in our zoning code would be that if a decision would have been made by one of the city administrators or by the Planning & Zoning Board that would actually have made a decision on a recommendation, then you could make an appeal from that decision to the City Commission, but in this case, the City Commission is the one who made the decision so you not going to make an appeal to the same body, so I don't think that applies. I am bringing that up because it was Mr. Dumiak's intention that we should put the "stay" on the implementation of the variance, and I don't think that is appropriate here.

Mayor Forrister: Right, because it would be us making that choice anyways, and we already did that. I would also assume that an appeal would need to be an interested party.

City Attorney Rubin: That is the other thing. We defined an "interested party" as being someone who is within the 300 ft. zone for the variance that is being considered or if you can demonstrate some direct preliminary interest in the project so that is the other thing.

**Commissioner Fahl made a motion to approve the Order granting the variance application for the 800 Block of Wyona. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**8. Discussion/Action: Request to change Assistant City Clerk job description to a City Clerk Administrative Assistant.**

City Clerk Torres: My Assistant City Clerk position is currently vacant. I have gone through a few employees in that position within a year. One of my previous employees said that they enjoyed working in my office, it was just too hard to survive off of \$13.12 an hour. Since that position is open again, I decided to do some research on the duties of other Administrative Assistants in the city, and the duties are very similar to what my Assistant Clerk does. They are already doing all of the duties that are listed in the job description in your packet. The only thing that is going to change is the name of their title, and it will allow me to pay them the same amount as most of the other Administrative Assistants in the city, and then hopefully I will be able to recruit a larger pool of applicants for my open position.

Mayor Pro-Tem Hechler: There are 20 essential functions. 25 general duties, and very in-depth requirements to become this position. I wish we could pay this person \$18 or \$19 an hour. \$14.47 an hour isn't very much, and there is a heck of a requirement here. I can stock shelves at Walmart for \$15 an hour and not have near as many duties and responsibilities to take care of so I commend any person that comes into this office and works for those wages. I will say though, when you work for the city and you have the opportunity for retirement, there are great benefits involved in that, and that would be the reason that somebody would want to get their foot in the door, so it would be a great job for some organized and dedicated person so I wholeheartedly support this effort.

Commissioner Mitchell: Did we budget for this?

City Clerk Torres: I do have the funds in my budget, so I won't have to request any additional money.

Commissioner Mitchell: Do you have the funds to increase that wage even more?

City Clerk Torres: I would have to look.

City Manager Gonzales: The wage rate study is something that we have to follow.

City Clerk Torres: Since we already have other Administrative Assistants, it will just fall into that same rate scale.

Mayor Pro-Tem Hechler: If you find somebody that has several years of experience, you can compensate them for years of experience, correct?

Commissioner Fahl: I was just thinking about the job title. One thing that I noticed all of these years is when somebody new comes to something, you need to think about what does that job title reflect, and how does it look on my resume in the future, and what would that job title say to somebody that is not familiar with an agency or something. Does that job title reflect somebody with responsibilities or somebody who is a file Clerk? I do not think that title is substantial enough for what that job does. Is that what they have in other Municipalities? What does everyone else call them? Do you have to be the same as everybody else?

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City Clerk Torres: I think that it is different everywhere. If you look at the job duties in the job description, they are already doing all of that. When I started, we had two Deputy Clerks and then we had our City Clerk. When that City Clerk retired, then our City Manager at the time made it to where it was the City Clerk, the Deputy Clerk, which is the supervisor who is in charge when I am gone, and then there is the Assistant Clerk which is like an Admin Assistant or whatever. So that is why we just came up with the name Assistant Clerk which is essentially an Admin.

Commissioner Fahl: I get that, but that title makes a big difference.

Commissioner Harrelson: Can it be named super-duper city clerk?

Commissioner Fahl: An Admin Assistant says to me, oh they are a file clerk. If I was reading that on your resume, that does not say, "oh you had responsibilities." I would just think about the title because young people especially do not think about the future.

Mayor Forrister: The problem is that the job descriptions and titles were part of the study, so she is just trying to change the title, because they basically have the same job duties. She wants to change it so that the person that comes into that position can get paid a little bit more.

Commissioner Fahl: I think that will affect her applicants.

City Clerk Torres: I completely understand what you are saying, and if I could change the study or pay them more I would.

Commissioner Fahl: That salary schedule was a good place to start, but it is not set in stone, and as we evolve, it needs to evolve with us, so then you would change something in the salary schedule to more meet our needs. That may be okay for now, but you might think about adjusting it, especially for those kinds of positions. A department head is understandable and relevant, but for the other jobs you need to look at how that is going to draw people in, and what that would look like on a resume, and what does that say to another person because that is important when you are thinking about careers.

City Clerk Torres: I agree 100%.

Commissioner Harrelson: I think that I agree, and at some point, we have to re-look at the salary schedules because they evolve just like the water rates and everything else.

Mayor Forrister: I can definitely see the need for this because it would be very hard to get somebody in that wants to stay. How much turnover have you had over there?

City Clerk Torres: I have had two people leave within the past year.

Mayor Forrister: And they are leaving because of the pay. Correct? Yes, we offer benefits, and we need to look at that too, but my fear is that this becomes a precedent, and we all changing these job titles, and every department wants to come and change the title to whatever, and so are we going to be back in the same position that we were in, whenever. Secondly, why is this coming to us, and why can't Angie just make this decision? Is this set-in stone that we have to make it? I do not want to. It is not my job.

City Clerk Torres: The study was approved last year in June. Since then, we have done this probably 3 or 4 times, and I can send you guys the dates if you want, so this is not the first time we are doing this. I had the opportunity to finally change it, now that the position is open again so that is why I am bringing it to you. The other ones were brought to you guys. It is supposed to come to you if it is a change to the job description. I am not the first one to do this, and I am not inventing a new position. It is the same duties. I just to be able to pay them a little bit more for all that they are required to do. You guys say "best of the best" so I am trying to get the best of the best.

Mayor Forrister: I agree for this. I just don't see the need for us to micromanage that. I wish that didn't have to come to us, and you can just go to your boss and your boss could handle it that way for any future changes in the salary schedule or job description.

Commissioner Harrelson: Can that be put into an ordinance, moving forward, you as an entity can approve that?

Assistant City Manager Alvarez: I believe we would have to look back on Bruce's salary plan, but I believe he passed a resolution that gave certain duties to the City Manager, and certain duties to the Commission.

Mayor Forrister: So, this is something that has to come to us. I mean, I don't mind it, I just think that we are not the ones who deal with the day-to-day issues. What is your recommendation on this?

City Manager Gonzales: This did come to me, and I did push back, and then I thought about it, and I know that it is probably going to come back and bite me, but I did go ahead and make the decision to bring this to you for your approval, as it would bring an Administrative Assistant across the board. Everybody but her has an Administrative Assistant. I kind of agree with you on the Special Clerk. Every Clerk that I have ever known has always had "Clerk" in their name because they are clerk's so I thought it was a little different that this one was going to be an Administrative Assistant, but I can swallow

it. I sat down and really thought about whether or not to bring this because I knew that we were going to open that can of worms, and it kind of did, and I am pushing back on some of these, so we don't bring it to you, but this one I swallowed because across the board, now we will have an Administrative Assistant in each department.

Mayor Forrister: That works for me. I just wanted to make sure that you had your say so, and we don't have employees lined up at the door.

City Manager Gonzales: We do not want that because that is not what you guys signed up for.

Mayor Forrister: I think that they can go work at McDonalds for \$14.00.

Commissioner Harrelson: In the public-school setting, we have set rates of what we pay people, but a lot of times they get stipends, or signing bonuses and things like that to bump them up and entice people to come work for you at that entity. I don't know if that is something legally that can be done for extra duties. Sometimes that does bring in a different type of applicant, and someone that will stay longer just because they are being supported financially. That may be something to consider. I know that the rate study is done, but there may be some way that you can stipend people out or give sign on bonuses. Something to get somebody in.

City Manager Gonzales: We will consider that. There has been a salary study that is brand new. There is just a little bit of push back on it right now because the salaries went into effect this past fiscal year, and so the employees are starting to push a little bit. I want to be respectful of the work that the staff did, but you are right, all of these things can be changed. They are liquid documents. They are not written in stone, but we need to let it work so we can see where we need to adjust it, if we need to at some point.

Mayor Forrister: She is walking proof. She has lost two people because they cannot make ends meet here so what do we do if we can't get somebody in there.

Commissioner Mitchell: City Clerk Torres, how long have you worked for the city?

City Clerk Torres: 13 years.

Commissioner Mitchell: What did you get paid when you started as Deputy Clerk?

City Clerk Torres: \$11.97.

Commissioner Fahl: The cost of living right now is outrageous.

Commissioner Mitchell: I know, and my point is, when minimum wage was \$5.25 back in the day, and I worked at the city pool as a lifeguard, I got paid \$6.18 an hour because we got paid more than minimum wage because you had to get certified, you had to get CPR certified. You had to learn how to save a life, and then as minimum wage went up,



lifeguards were still getting paid \$6.18 and the minimum wage was \$7.25 so just as we are doing with our electric study, and raising that up, whatever we do in the future, we need to build in that cost of living fee. So yeah, this year the starting pay is \$14 an hour and next year it is \$15 an hour and so forth, and based on that salary study, and based on the description of the actual position, I think that we need to make sure that future Commissioners and future city employees understand that yes, we are giving everyone a raise based on the salary study now, but we are going to have to do it again and again and again, and not be stagnant for 22 years of not raising anything.

Mayor Pro-Tem Hechler; Doesn't the new salary study have that built in?

City Manager Gonzales: Yes.

Commissioner Fahl: Okay well that's good. We are all behind what you are saying Angela. It's just the process that we have to go through and it is the little things that can really make a big difference when you are trying to get somebody to come in and work for you.

Mayor Pro- Tem Hechler: One of the main considerations I had when I looked at this was that you were able to absorb it in your budget, and I think that is the first consideration I would have for any department. My question would be, can you do this and stay within your budget because then it should come to the Commission so we can make a decision, and I am glad that you were able to do that, and that is one of the reasons why I wanted to support it.

Mayor Forrister: City Manager Gonzales, I just want to make sure that you have your hand in anything before that comes in. I don't want to be making those day to day decisions without your support in this.

City Manager Gonzales: I do support this and I did see this, and I did push back, and I did ask that budget question also.

Mayor Forrister: Okay great.

Assistant City Manger Alvarez: I know when we brought the salary study to you, they were still looking over all of the job descriptions. We just recently got all of the updated, draft job descriptions that might potentially have title changes, and those are in HR right now. She is doing a full review and comparison. Once she is good with everything she will get with Angie and I, we will review them, and then they will go out to the department heads, and then eventually we will have updated job descriptions because they are outdated. Those will not come to you because job descriptions don't have to go to the Commission for approval, just the position.

Mayor Forrister: It sounds to me like this document needs to be a working document. It is brand new, and we need to work through some of those things, so hopefully you will be able to get somebody who will stick around for a little bit.

Commissioner Mitchell made a motion to approve the request to change Assistant City Clerk job description to a City Clerk Administrative Assistant. Commissioner Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

**H. EXECUTIVE SESSION:**

**1. Threatened & Pending Litigation (Erica Baker) pursuant to 10-15-1(H.7).**

Mayor Pro-Tem Hechler made a motion to go into executive session at 10:55 a.m. to discuss Threatened & Pending Litigation (Erica Baker) pursuant to 10-15-1(H.7). Commissioner Mitchell seconded the motion. Roll call vote was taken by the Clerk-Treasurer. Motion carried unanimously.

Mayor Forrister reconvened the meeting in open session at 11:15 a.m.

Mayor Pro-Tem Hechler certified that only matters pertaining to Threatened & Pending Litigation (Erica Baker) pursuant to 10-15-1(H.7) was discussed in Executive Session and no action was taken.

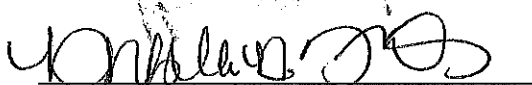
**I. ADJOURNMENT:**

Mayor Forrister adjourned the meeting at 11:16 a.m.

Passed and Approved this 23rd day of August, 2023.

  
Amanda Forrister, Mayor



  
Angela A. Torres, CMC, City Clerk