

CITY COMMISSION
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
Tuesday, May 27, 2014

WORK SHOP
AMENDED MINUTES

WORK SHOP:

The Truth or Consequences City Commission of the City of Truth or Consequences in the County of Sierra, and State of New Mexico met for a Work Shop, in full conformity with the law and ordinances of said Commission in the Commission Chambers of said City on May 27, 2014 at 3:00 P.M.

Mayor Pro-tem Steve Green opened the Work Shop; announced that Mayor Sandra Whitehead was absent due to a family matter.

Mayor Pro-Tem Steve Green explained the items to be discussed in the Work Shop included:

1. Discussion/Public Input: Lodgers Tax Allocations for 2014/2015 FY
2. Discussion/Public Input: ~~Lodgers Tax~~ Sub-Recipient Allocations for 2014/2015 FY
3. Discussion/Public Input: FYE 2014/2015 Preliminary Budget

Mayor Pro-Tem Steve opened the Work Shop by giving a brief overview of the item; noting to remove the wording Lodgers Tax from item number 2, as it should read "Sub-Recipient Allocations for 2014/2015 Fiscal Year." Noting that before he turned the microphone over the Manager Fuentes stating he wished Manager Fuentes to give a brief overview to all, on how the numbers are derived, how they are split, what are acceptable? He noted that before Manager Fuentes gets to the Sub-Recipient, he wished to make a statement pertaining to that; with that he turned the Work Shop over to City Manager Fuentes.

City Manager Juan Fuentes stated there were questions on how they arrived with the numbers for Lodger Tax, he then explained Resolution #29 12/13 showing the required break down for allocations, he noted that the allocated funds were for promoting tourism events. Manager Fuentes explained the requirements from the State; and noted upcoming hospitality training, and explained how the State has become strict with the Lodgers Tax. He noted that the Sierra County Tourism and the Geronimo Trails were different and they did follow the State Guidelines, explaining the money set aside for that. After the summary of how the Resolution required split of monies; Manager Fuentes stood for questions. With no questions, City Manager Fuentes started explaining the budget. He explained that if we spend \$80,000.00 we should get \$30,000 back; he explained transfers out and expenses. Manager Fuentes explained that the City allocates \$30,000 of Lodgers Tax for MainStreet every year, and noted we have done this for years now. He noted how the money was split for different items, explaining amounts for the Golf Course, Civic Center, and outstanding items such as golf carts. Manager Fuentes explained service contracts to Geronimo Springs Museum and Geronimo Trails Scenic ByWay. Noting the final transfer out of \$231,000.00. Explained that the Lodgers Tax Advisory Board goes over all of this then makes a recommendation to the Commission on what to allocate. Manager Fuentes spoke of recommending that each of the Lodgers Tax recipients be

required to attend Hospitality Training, noting he felt it was very important. He stated that was up to the Commission, whether they wanted to make it a requirement; he noted that the packet included applications from those requesting money. He finished by explained that we allocate money per the Resolution each year. Manager Fuentes stood for questions.

Commissioner Kathy Clark noted that the Lodgers Tax Advisory Board had noted some as eligible and some as ineligible, but allocated money anyway, she then asked Manager Fuentes to explain eligible and ineligible.

City Manager Juan Fuentes gave the reasons for eligible and ineligible; noting the Lodgers Tax Advisory Board recommendations and explaining the Advisory Board had gone over the applications. Manager Fuentes noted that our position is to qualify those who were eligible, by following the guidelines; and noted those who were ineligible did not have nonprofit status nor had not meet criteria.

Mayor Pro-Tem Steve Green asked how the notice for allocations was advertised.

City Manager Juan Fuentes said no notice had gone out, and that all those who applied the prior year were sent a letter. He also noted it was published in the paper, and notice went out.

Mayor Pro-Tem Steve Green suggested the groups require and need time to read all the material needed, noted the arbitrary of value and want it to be more specific, and give enough time to the entities time to gather the paperwork for filing. He wished for those who filled out the paperwork to be more specific, he would like to see tracking system for how many visits to web sites, be more specific.

City Manager Juan Fuentes stated a notice had been put up and letters sent out. He spoke of some who turned in quarterly report and some did not.

Linda Sparks, Administrative Assistant, noted the reports were not being turned in for some.

Mayor Pro-Tem Steve Green asked the City Manager to put the information up on the screen. He then asked who owns the Veterans Memorial.

City Manager Juan Fuentes answered the City owns the land, and fixed items there, facility and buildings.

Commissioner Jeff Richter noted that the paperwork provided showed that the Veterans Advisory Board had turned in late quarterly reports, if that is the case there should be no more monies allocated to those groups.

Mayor Pro-Tem Steve Green stated he thought a point value should be given to groups following the funding guidelines; there should be some type of scoring mechanism; he explained that no decisions or votes were to be taken in the Work Shop.

City Manager Juan Fuentes explained the wording in the guidelines and contract do mention the requirements, and noted that the guidelines meet State requirements, explaining the notice and what went out to each organization

Mayor Pro-Tem Steve Green asked if the City Manager had a list of the ones who asked for Lodgers Tax Allocations.

City Manager Juan Fuentes answered he did and read the following letter with recommendations from the Lodgers Tax Board. "The Lodger's Tax Advisory Board at their Regular meeting held April 24, 2014, reviewed Lodgers Tax Allocations applications for FYE 2015 and makes the following recommendations:

• MainStreet	\$8,000.00
• NM Old Time Fiddlers Assoc.	\$2,500.00
• Sierra County 4-H	\$ 700.00 (if Criteria is met)
• Chamber of Commerce	\$13,000.00
• Sierra County Arts Council	\$2,600.00
• Geronimo Springs Museum	\$9,200.00
• T or C Fiesta	\$6,000.00
• Veterans Memorial Park	<u>\$4,000.00</u> (if Criteria is met)
Total	\$46,000.00

Commissioner Kathy Clark asked the City Manager about the paperwork showing 'if criterion is met' what does that mean.

City Manager Juan Fuentes noted that for Sierra County 4-H they did not provide documentation, whether they were a nonprofit organization or if they are a 401 C.

Mayor Pro-Tem Steve Green asked if they had complied since the date on the paperwork.

City Manager Juan Fuentes answered yes they have.

Mayor Pro-Tem Steve Green stated so we can cross off if criteria met on that one. He asked the Commission if they wished to go over each application one by one. He asked who owns the Veterans Memorial Park, who owns it?

City Manager Juan Fuentes stated that the property belongs to the City, the Museum and all fixed items are on City Property. He noted there were people in the audience to represent them wanting to go into a MOU with the City, because of the numerous items in the Museum. They are a nonprofit, and the City provides the Property. The City does hold some funds that were donated to the Museum, which was dedicated specifically to the Museum. He noted they were also looking at replacing the wall, and how to get funding to do so.

Mayor Pro-Tem Steve Green noted the first one is the Chamber of Commerce of T or C and Sierra County requesting \$24800. Recommended

Commissioner Jeff Richter stated he felt there needed to be attention to overlap, we should make sure the money is spend diversely as possible. He noted several groups

advertising in the same book, when they could go together to place the add, instead of having multiple small adds.

Commissioner Ruben Olivas asked about the building and utilities being used by the Chamber of Commerce.

City Manager Juan Fuentes answered that the City owns the building and pays the utilities.

Commissioner Jeff Richter asked, that in that case, why were they requesting \$3,000 more this year?

A member of the audience answered that was for the guide book.

City Manager Juan Fuentes noted that the notice went out, then the applications.

Mayor Pro-Tem Steve Green noting that a decision would be made in the regular meeting when this comes up again. He asked is consensus of \$13,000 for the Chamber would work.

Mayor Pro-tem Steve Green noted next was the Museum; they are asking for \$16,000. Noting the Lodgers Tax Advisory Board had recommended \$9,200. He also stated that according to the paperwork they had not spent all their money allocated, asking what happens to the money not used. H questioned Linda Sparks in the audience, asking if they had spent all the money since the paperwork was completed.

Linda Sparks, Administrative Assistance answered no, not all money spent.

Mayor Pro-Tem Steve Green asked the City Manager what happens to unspent funds.

City Manager Juan Fuentes answered that the money is redistributed.

Marilyn Pope approached and stated they had spent all money except for something like 1,100, noting they worked under a time crunch. We don't start spending until the first of August. Part of the responsibility is that we didn't get our award till several months late. She noted that the award was several months late, she was retroactively filling out reports.

Mayor Pro-Tem Steve Green stated he wished to suggest, in the future as we move forward, on the proposal budget, for advertising it only gives the amount, events only shows the name of the event, he wants them to be more specific as to what the money was spent on, not just one thing.

Marilyn Pope answered that for the brochures, they have plenty, what they were trying to do is get some lighter weight brochures for mailing.

Mayor Pro-Tem Steve Green stated all he was suggesting is that they be more specific, so we know what we are investing in.

Commissioner Ruben Olivas asked Ms. Pope if the \$9,200 gets them by, I know you put

in for 16, but the 9,200 will get you by?

Ms. Pope answered that she would like 30,000, but.... (Inaudible reply).

Commissioner Kathy Clark asked if they had an ad in the Chamber puts out the Visitors Guide also. So you have your own guide and then are represented in the one the Chamber puts out also.

Marilyn Pope answered yes, and commented on the advertising, needing to know what others were advertising, where they are putting them in El Paso, so we can better coordinate out money.

Commissioner Kathy Clark said her point is, if we giving x amount of money to the Chamber of Commerce and they are putting out a product that includes the Geronimo Springs Museum, includes the Veterans, isn't it redundant to put out a brochure, wouldn't it be better to just put out the guide which would include the whole area. She stated she was thinking about the Elephant Butte Guide which they just put out and it's a beautiful product that can be used for many different organization, her other comment was we have two amazing Museums, why wouldn't it be the same amount for both.

Mayor Pro-Tem Steve Green noted MainStreet was next, asking \$14,700.00, they are eligible for, noting again he wished for more specific explanations on what money was to be spent on, and the Lodgers Tax recommendation is \$8,000. He read the application, noting that no specifics were listed, and just general amounts.

Commissioner Kathy Clark asked if there was the possibility that all these Organizations could work through Griffin and Associates, at least for a suggestion, they could oversee the marketing efforts.

Mayor Pro-Tem Steve Green agreed and noted that maybe Joanie Griffin and/or her group could come down and meet with groups and come up with a new procedure, this money isn't available until July anyway. He noted a point or value system should be considered to get the best bang for our buck, and a new procedure for an application.

Commissioner Ruben Olivas asked where the Visitor Center falls in.

Mayor Pro-Tem Steve Green answered they are considered a cooperative marketing Grant partner with the City, and have a sub-recipient application to get money, which will be discussed later. Both Museums and Chamber act as hosts to the Community. He stated MainStreet then \$8,000.

Mayor Pro-Tem Steve Green noted that under ineligible the Old time Fiddlers are asking 4500, and the Lodgers Tax Board are recommending was \$2500, and noted they were ineligible, but still recommended by the Lodgers Tax Board. It's a tradition that's been going on a long time, it's a tradition that's been going on a long time, and he knows they are eating and spending the night in our town.

Commissioner Jeff Richter noted the wording ineligible.

Mayor Pro-Tem Steve Green asked the City Manager and Linda Sparks why.

Linda Sparks answered from the audience they don't have their number.

Mayor Pro-Tem Steve Green asked if they had been notified they need that.

Julie Durham, as Chairman of the Lodgers Tax Advisory Board, was in the audience and answered they go through groups; she noted she thought the City was overreaching demanding them to have IRS information from the internet. She The answered was that they did not have their EIN number, noting they had said they were working on the problem. Ms. Durham spoke (inaudible)

Mayor Pro-Tem Steve thanked Ms. Durham and noted the time and need to move on with the process.

Mayor Pro-Tem Steve Green spoke stating he thought we needed to support them, and make an award contingent on them receiving their nonprofit money, give them \$2500 contingent that they have the information within a month and a few days to come into compliance, and why would we not want to fund an event which brings people into our restaurants and motels.

Commissioner Jeff Richter stated he thought they should put a date for them to comply by.

The Commission agreed on the end of June for the cut off, award of \$2500 contingent with the paperwork being submitted.

Mayor Pro-Tem Steve Green noted next was Sierra County Arts Council; application does not include required non-profit status, again.

Commissioner Jeff Richter stated "same thing".

Mayor Pro-Tem Steve Green asked Linda Sparks if they had submitted any invoices.

Linda Sparks believed not, then changed and said today, they submitted today.

Mayor Pro-Tem Steve Green said better late than never; they are looking at 3800, the Advisory Board suggested \$2600, and we can put the same codicil on them, the City receiving the nonprofit status by June 30th.

Mayor Pro-Tem Green noted Sierra County 4-H, asking 1500, the Lodgers Tax Advisory Board suggesting \$700. If the Commission entertains this award, I would like to make sure the award does not go to strengthen prize line; but newspapers, Clovis Livestock Journal, obviously that's going to bring people in.

Commissioner Jeff Richter stated, with the same criteria.

Mayor Pro-Tem Steve Green agreed, and said if the criterion is met.

T or C Fiesta asked 9400 they are ineligible because they applied for nonprofit status with the IRS in September 2013; application is pending at this time. He spoke to the City Manager saying he thought we gave them money through another entity, that they partner with another agency or entity; for them to fall under the umbrella as an existing 503C, can they be under another organization as a project of that entity. Mayor Pro-Tem Green stated he felt the two "It's Thank You Time" from Fiesta, in local papers, the ads were not a good use of Lodgers Tax and do not accomplish one thing; stating he felt those things should be looked at and not be paid.

Commissioner Jeff Richter noted that last year Fiesta had the same thing, why haven't they remedied the thing; they've had a year to do it, what is the problem.

City Manager Juan Fuentes noted that they previously asked MainStreet to be the fiscal agent.

Mayor Pro-Tem Steve Green noted the advertising locations they did use, for out of town adds. He asked for questions on the \$6000 award contingent with MainStreet being the fiscal agent.

An answer came from the audience, that yes they had.

Mayor Pro-Tem Green noted the Veterans request being 16,300, noting he was surprised to see such a low amount of the award, recommended \$4,000. Applicant did not receive Lodgers Tax funds for 2013; applicant was late and incomplete this year. The City continued to pay for the Billboards, on I-25 South and the Billboard near the Moose; application was received late and was declined for that reason, it was submitted again. No proof of nonprofit status was submitted, the Billboards do not qualify due to location (60 Miles from the attraction or event. Mayor Pro-Tem Green stated we can't use the Billboard moneys due to their location distance. He noted representatives were here, and he wished to hear their response.

Commissioner Ruben Olivas noted his concern that \$4000 was pretty low.

Mayor Pro-Tem Steve Green stated no offense to the Lodgers Tax Board, but we can take the numbers and move them within the \$46,000.00.

Commissioner Jeff Richter stated \$4000 is what it is, if some of these other doesn't meet criteria, we can take that.

Commissioner Kathy Clark noted that to her understanding, we have set aside this 46,000 for a long time, there are other people that we allow to advertise in town, and we allow other to ads in town, has a hard time with this.

Mayor Pro-Tem Steve Green asked if it was the City's intention to pay for the Billboards this year as we did last year.

City Manager Juan Fuentes answered that it is not in the budget. The reason we paid for them last year, is because they missed the deadline, we had a meeting with them and we had a little bit on money, with full understanding they would apply and meet the deadline

this year.

City Manager Juan Fuentes spoke regarding allocations and funding the Veterans; he also spoke of marketing.

Mayor Pro-Tem Steve Green asked could we not entertain the notion that since it's a City owned facility and attraction, to take a few dollars from O&M from the City's portion of Lodgers Tax, towards the Civic Center and applying it to this project. How much are the billboards?

The answer came from the audience, \$7,000 for both.

Commissioner Jeff Richter the whole idea of a Budget was to stay within it, we wanna stay in our Budget, and people aren't gonna be happy, that's just the way it is. We're dealing with a Budget here.

Commissioner Kathy Clark spoke of the location of the Billboards, noting she felt the one out of town served a better purpose than the one in town. How much the Military Museum affected the tourism? Discussion of the location of the Billboards incurred.

Mayor Pro-Tem Steve Green noted he thought they should take the request and look at that eligible ad ineligible and find more money to cover, at least, the Billboards; noting they had to find \$3,000 more in that case, as the recommendation of the Lodgers Tax Advisory Board was only for \$4,000.. He asked if we take a thousand dollars off of Fiesta, noting that when he was on the Board they got \$5,000 and they made that go a long way. He asked Linda Sparks if she remembered what Fiesta got last year.

Linda Sparks did not have the answer. Someone in the audience called out something inaudible.

Mayor Pro-Tem Steve Green stated again that if they took a thousand from Fiesta, does anyone else see where we can take the other.

Commissioner Ruben Olivas mentioned MainStreet.

Mayor Pro-Tem Steve Green asked what you want to take from there.

Commissioner Ruben Olivas stated \$1000.

Mayor Pro-Tem Steve Green (Commissioner Kathy Clark asked how about \$500 from Geronimo Springs Museum) Mayor Pro Tem Steve Green stated we can take \$500 from the Geronimo Springs Museum, and \$500 from the Chamber. Noting that will make the , the Fiddlers stays the Same, the Chambers award \$12,500, Geronimo Springs Museum , \$8,700, MainStreet \$7,000.00, the Fiddlers would stay the same, the Sierra Arts Council stays the same, 4H if they meet the criteria stays the same, the Fiesta Board will come down to \$5,000, and the Veterans Memorial Park Museum is up to \$7,000. He also noted they would vote on this during the regular meeting with the Budget.

Mayor Pro-Tem Steve Green noted they would now move on to the Cooperative

Marketing Grants; noting that Manager Fuentes explained that already; we have Geronimo Trails Scenic ByWay requesting \$8500. He asked City Manager Fuentes there money the way you had set this up to give Geronimo Trails Scenic ByWay their request of 8500 and Sierra County Tourism 16,000, is there money for those two cause that can speed this up real quick,.

City Manager Juan Fuentes made remarks and stated his recommendation was to fund the two the same as last year. And those two combined is \$25,000, and some of that money is used to fund Joanie Griffin as well, last year's allocation if you'll look at the applications.

So am I correct in stating we can fund the Geronimo Trails Scenic ByWay at \$8500 and the Sierra County Tourism at \$16,000

City Manager Juan Fuentes stated if that is the Commission's will, he also noted that the budget, as they can see, is pretty well taped out, just like the other applications with a fixed amount, his recommendation is to fund these the same as we did last year.

Mayor Pro-Tem Steve Green noted he could not see without his glasses and asked what did we fund them last year.

An answer came from the audience (Kim Skinner) that the Sierra County Tourism received 13, then the other 6, coming to 19.

City Manager Juan Fuentes spoke about working with Joanie Griffin and when we have a project come up, there is a little bit of funding that's there that we use for those that come up for some of those activities.

Mayor Pro-Tem Steve Green stated then with the idea that we are a tourism destination and that will be our marching orders, any comments.

Commissioner Kathy Clark I'm going to ask Chairman Skinner to give us a report on the 16,000 and Geronimo Springs ByWay real quick, because having been on the tourism board since 2005, noting she and Mayor Pro-Tem Green had spoken to Joanie Griffin and knew she did a lot for us without even charging, she just doesn't like cutting those two organizations if we don't have to.

Commissioner Ruben Olivas asked how much we spent on that last year.

City Manager Juan Fuentes spoke, asked if he meant this year, he noted we are in line to spending all the organizations we did last year, he noted speaking with Joanie Griffin last week and she submitted me a proposal for 1200 to advertise, he speaks of coordinating advertising opportunities and then his words are inaudible.

Mayor Pro-Tem Steve Green asked both Kim Skinner and to make brief presentations.

Kim Skinner approached and noted that last year they requested \$13,000, but something came up and we didn't get funding from the State of New Mexico, what she asked for was an additional \$3,000 for Trip Advisory, noting the contract was in there; when you purchase that contract with Trip Advisory you purchase all rights the name Truth or

Consequences, when you go to Trip Advisor, you're going to go to our site, it's all New Mexico, it's New Mexico True, if you don't approve this \$3000 anybody can come in here and take it over. The banner ads there are that Mo created and Ruanna created, if you don't 'renew this contract then anybody can come in, anybody can come in a contract with Trip Advisory, which is the largest in the word and they will own the rights and can change the narrative, they links to motels, restaurants, dining, shopping and everything. She noted she thought this was a critical issue, especially with SpacePort coming, and Sir Richard Branson to be here, to turn loose of that would be a huge mistake, they have to come to T or C.

Lorena Miller, Geronimo Trails Scenic ByWay, approached and noted they had wanted to do more advertising this year, but noted they could get by with the same \$6,000 they had last year if that enable you to find the 3000, they can get by with the Website as Ruanna does an amazing job on it, she felt that Trip Advisor was more important than some of the other advertising she had wanted to do.

Mayor Pro-Tem Steve Green asked if with that 6,000 they would allow them to do a reprint on that.

Ms. Miller acknowledged yes, that is the main thing, its small enough to go in the mail, plus we can mail inserts and such for 92 cents.

Mayor Pro-Tem Steve Green said he appreciated they were willing to do that, and wished to suggest when they get to the Budget we consider awarding 16,000 to the Tourism Board with 3000 dedicated for the Trip Advisory and with 6,000 for the Geronimo Trails Scenic ByWay.

City Manager Juan Fuentes noted that one of the things, by that example, in the guidelines we can identify those recurring expenses, and identifying them and asking about details, we won't be duplicating asking about incurring expense as noted here tonight.

Commissioner Ruben Olivas stated rather than give Ms. Miller \$6,000, can we do anything different, maybe give them 500 or a 1000, maybe six instead of 7, more, because everything gets more expensive every year, maybe some kind of index increase whether it's an additional \$600 or something to cover those expenses.

City Manager Juan Fuentes stated if it is the will of the Commission.

Commissioner Jeff Richter noted his concern again in this whole process, stating all these organizations are well meaning, but he thought after a while we became self-serving, stating he hoped in the future the Lodgers Tax Advisory Board commits itself that we take a look, we got a lot of duplication going on here, set up priorities, here's where we're gonna focus on, and I don't think all these dollars are being spent wisely, we hat to say no were not going to fund every little thing,. He noted SJOA who had made significant changes in their organization so they can stay open. Again he wished to remind everyone that we are working within a budget, none of these cuts are severe, noting he knew he wasn't going to get his way all the time, noting he hardly gets his way, but we have seen the GRT is down, and most the enterprise funds are down, especially utilities and he reminded the Commission that these funds come from the General Fund, and that comes

from the Utilities, mostly electric and the people who are paying for this are the public, the ones with the utility rates, they're the ones paying for this, so keep that in mind, I hope we can proceed with Sub-Recipients.

Commissioner Ruben Olivas noted that if we could just take one and two hundred dollars here and there for certain line items, for the year, like the street department, or for the waste water, if we could take one or two hundred dollars we're going to make a difference, noting he didn't think it would make that much difference at the end of the year. He asked if all the organizations get together maybe one time, have a work shop or whatever, and go over what everybody is doing.

Commissioner Kathy Clark noted she agreed with everything said by Commissioner Richter, and thought that we have some Organizations that have quite a bit of money, so she feels the most important thing to do is if our seniors aren't getting food, then I would take the ones that have the most needs first, you know this is not a final budget, we can work on it for a month or so, so that being said, do we want to give money being cautious or put this money here, we don't want to promise money to someone and then find out we can't, until we can find out; and then take a look at this again.

Commissioner Richter agreed they are well funded, aren't they.

Mayor Pro-Tem Steve Green noted that from what has been able to understand there's only one entity right now that is eligible, until we get a ruling, at that's SJOA, and that's because there are a quasi-governmental entity that receives state funding. And I don't want to

City Manager Juan Fuentes noted the applications in front of them show how everyone will spend that money, he thinks when we go into the new fiscal year they knew guidelines will go before the Lodgers Tax Advisory Board and the Commission, to get that communications. Organization. The applications you have is how they intend to spend the money. He thinks that as we go into the new fiscal year, we can set the guidelines, we should be able to have that communications and see where items are duplicated, the applications you have right now are telling you where they want to spend the money.

Mayor Pro-Tem Green stated he would like to move on, noting next was Sub-Recipient allocations, and he wished to bring to his fellow Commissioners and to the public, that the State is looking very closely at propriety of financial awards that are a violation of the anti-donation clause, and because of that as he understood, a non-profit with a 501C3 is a public entity, and according to staff, a lot of those entities might not be legally eligible. But from we've been given to understand, I have asked staff to reach out to councils (plural) to get their opinion what we can do legally, and what we cannot do legally, what he wishes to suggest, until we get that, is that we move forward cautiously, looking at every application, with the understanding that we will be driven by what council tell us what we can fund, and who we can't fund. If anyone has questions about that concept, I want to turn it over the City Manager Fuentes.

City Manager Juan Fuentes stated it was the past practice and recommendation to move forward with the fiscal year, showing a graph of the general fund budget, noting in 2011 ,,

in 2006 82,000 and 12/13 53,000; knowing that the general fund, as you all know that revenues exceed our expenditures, we had a lot more applications last year, this year we sent out applications to those who received funding, and now we have a number of other organizations which are looking for money from any source, so now we have a number of applications requesting consideration. It is up to the City Commission to make a determination of a level of funding, as well as who to fund. In the Preliminary budget it was presented with that allocation amounts. He stood for questions.

Commissioner Ruben Olivas asked how the amount of money for sub-recipients came from.

City Manager Juan Fuentes explained past spending with some coming from the General Fund, noting exceeding expenditures, he noted the money comes from the General Fund, and that we have to be cautious using the General Fund as the Tax payers are doing the funding. He noted how the amounts have been declining, and the allocations were made from available amounts. It's not a number that comes from a resolution or anything else; it just comes out of the general fund.

Mayor Pro-Tem Steve Green explained reaching out to council for ruling on allocations.

Commissioner Ruben Olivas asked how long we would be waiting for the ruling.

City Manager Juan Fuentes noted a couple of weeks.

Commissioner Jeff Richter spoke regarding budgeted amount of \$26,700 and being fiscally responsible, the proposed amounts and he sees the most critical thing here being SJOA, and noting they have made serious budget cuts, noting they took control of their own destiny so they can stay open. He noted once again he wished for the Commission remember they are working within a budget.

The Commissioners questioned City Manager Fuentes as to what the other organizations came under, and where does the money in the budget come from.

City Manager Juan Fuentes noted the Governing Board General Fund. He noted it exceeded expenditures, the two last year funding SJOA, the Boys & Girls Club, and Domestic Violence, Hot Springs Cemetery; he also noted those who requested funding.

Commissioner Jeff Richter noted this was self-serving, that the Lodgers Tax Board should take a look and set up priorities and not funds every little thing.

Mayor Pro-Tem Steve Green noted next Sub Recipient, noting the amounts of requested allocations, the money each had in contribution and in the bank. He noted amounts which several organizations had in the bank for funding which would cover amounts requested.

City Manager Juan Fuentes explained that the State looks closely at financial awards that are moving forward with the understanding who we can fund and who we can't fund. He spoke about past spending with some coming from the General Fund, noting exceeding expenditures. He noted the money comes from the General Fund, and that we have to be cautious using the General Fund as the Tax payers were doing the funding.

Mayor Pro-Tem Steve Green noted that David Crader, SJOA was in the audience and asked the County for money.

Mayor Pro-Tem Steve Green asked if the Commission suggested amounts to fund felt comfortable with 26,700 set aside.

Commissioner Kathy Clark noted she would like to see \$100 from each, but agreed the Budget stay with the \$26,700, no to increase the budget.

Mayor Pro-Tem Steve Green, speaking about SJOA, asked if they would be receiving money from the State or County.

Commissioner Jeff Richter stated that was not enough cuts for him, \$26,700 was fiscally responsible.

Commissioner Ruben Olivas said he wished for \$56,300.

Mayor Pro-Tem Steve Green stated the same as last year \$66,000; suggesting they pull it out and vote separate for the final vote.

The Commission spoke about the Cemetery fund.

Mayor Pro-Tem Steve Green noted it says we contact out to clean and landscape; and suggested they award the \$2,000.

Lorena Miller spoke about the Cemetery and when the weeds were so high they couldn't even see the grave markers, she mentioned the 4 City blocks plus, which needed to be maintained. She explained the needs of the Cemetery maintenance.

City Manager Juan Fuentes spoke regarding the funds for the Cemetery, which were held in a separate account.

Commissioner Green noted he wished to use the money from the Cemetery for other organizations.

Lorena Miller explained only the interest was allowed used.

City Manager Fuentes explained funding for the Cemetery, the separate account, the fact that the Cemetery money was for Cemetery use only, and could not be moved to other funding, and cannot be used for other uses, it is a specific use and can only be used for specific items at the Cemetery.

Mayor Pro-Tem Steve Green was speaking in the background, conversation inaudible.

Commissioner Ruben Olivas asked Mayor Pro-Tem Green if he had heard what was said, noting we cannot use the money from the Cemetery for anything other than the Cemetery.

Mayor Pro-Tem Steve Green said he understood that. He explained various numbers to

the Commission, trying to find dollars without anyone being hurt. He noted he was just trying to find \$2,000.

Mayor Pro-Tem Steve Green stated that the Commission would get to it.

Mayor Pro-Tem Steve Green stated he was just advised by Commission Richter that on the agenda there is no starting time for the regular meeting, so we are okay to continue with our business, saying so we will have time Mr. Fenn.

Mayor Pro-Tem Steve Green noted Friends of Elephant Butte; they had traditionally gotten \$1,000.

Commissioners noted they were comfortable with a thousand.

Mayor Pro-Tem Steve Green noted Geronimo Museum and Scenic ByWay, taking the two together, he noted if he remembered last year they just split the money, he suggested the found money from the Hot Springs Cemetery, and we increase for the O&M for the Geronimo Springs Museum and the Scenic ByWay.

Commissioner Ruben Olivas asked the City Manager if we can do that, add the money from the Cemetery.

City Manager Juan Fuentes stated No, that is what he was saying, Geronimo Springs Museum is funded out of Lodgers Tax, this is the Cemetery.

Mayor Pro-Tem Steve Green asked what happens to the money.

City Manager Juan Fuentes stated it goes back to the Cemetery.

Commissioner Ruben Olivas stated that if that's the case, we might as will give it to them.

Mayor Pro-Tem Steve Green noted moving forward, Geronimo Springs Museum, \$3500.

Commissioner Kathy Clark asked if that was the budget figure for these people.

City Manager Juan Fuentes stated that is correct, noting it was in the Lodgers Tax budget and he believed it was split in half between both.

Mayor Pro-Tem Steve Green moved to MainStreet Truth or Consequences, \$30,000.00, asking City Manager Fuentes to explain.

City Manager Juan Fuentes stated that when MainStreet was formed, the City entered into an agreement to fund that organization for a number of years, that's why it's budgeted in the budget each year.

Mayor Pro-Tem Steve Green noted the average between Commissioners amounts and a compromise between numbers was \$43,000.00. And would wait for council opinion for

the final amounts to be allocated.

Mayor Pro-Tem Steve Green noted next was Preliminary Budget and asked the City Manager to go over the debt, as they had concerns about the debt.

City Manager Juan Fuentes went over the City debt, this is available to the public, we have two categories one is the General Fund Debt the other is Enterprise Debt. He explained both, and noted the amounts of debt in the General Fund \$4,638,770 is the outstanding balance we have. Explaining that 51% NMFA refinancing, he explained refinancing in 1997 or 98 they decided to refund old debt and take out additional debt, which was close to, over a million dollars. He explained expenses such as lighting, pool cover, bathrooms, etc., the sidewalks, and a loan for 1.8 million dollars which represents 40% of the General Fund Debt. This loan is paid for by the General Receipts Tax and that money is restricted to only the Street fund. The City Manager explained the Fire Department Debt, noting that came out of the Fire Protection Fund money, each year they receive money for the funding. The City also took out a loan for the Police Department which is at about \$179,000 outstanding July 1st. For expense debt he noted combining to lower and refinance debt to get them lower, he explained NMFA items such as water tanks, electrical outstanding debt, he noted some of the smaller debts, noting most were electrical, water, waste water and solid waste. Combined we have close to 10 million dollars of outstanding debt; he spoke of pooling down the debt, GRT money and NMFA loans. We do make loan payments to all these State Agencies, sometime we see a big check go out; all have their own revenue stream. (Complete copy attached hereto and made part hereof.) With the exception of waste water, does not generate significant revenue to fund themselves. He noted Capital Outlay, electric funds and the Police Department, and spoke of funding for Police Department needs, funding agencies, and noted he hoped he would have good news about funding next week. City Manager Fuentes stood for questions.

Commissioner Clark asked about average interest rates.

Manager Fuentes answered about 3%, noting we had reached out to find out current interest rates, if there are saving there we refinance. We can visit that again, or is there something creative ways to fund items.

The Commission noted the importance of the items discussed, and commented on using funds to pay down loans.

City Manager Fuentes noted yes, part of the challenge is to look at the budget and look at what we have, part of the problem is the General Fund, the GRT goes to pay down the debt, if we had extra money we could do more, noting the General Funds and declining GRT.

Mayor Pro-Tem Steve Green stated he wished to move on.

Commissioner Jeff Richter noted the point has been made the last two and a half hours, that we are looking at a budget, we're looking for hundreds of thousands dollars, in his opinion, the City needs to make so wholesale changes in some of the enterprises it has, the City Government has be allowed to become huge and bloated it has not become receptive

or responsible to the citizen's needs. He feels it's time to examine these enterprise funds and see what can we do efficiently and cost effective, if that means we need someone to come in a run the solid waste, electric or the pool, that's an option. We are broke, we don't have the GRT to support the government we have, we need to take action and be responsible.

Commissioner Ruben Olivas noted that if business opportunities come up, we get more GRT, and pay stuff off.

Commissioner Clark noted we need to sit down and look at our goals, look at the possibilities and decide what our strategies are. She noted budget numbers and debt.

Commissioners agreed.

Mayor Pro-Tem Steve Green noted we needed to move on.

Aerial Dougherty from the audience made comments regarding the length of time spent on the Lodgers Tax portion and not enough time on the budget. She noted time is money and noted we should be talking about hours. She noted she was a tax payer in this community, are we all willing to sit here for 300 hours, and have that discussion how are we going to allocate out a better use of time. She stated she appreciated how we need to be presented with the information, but knows she is not going to last that long. She wished for clarification.

Mayor Pro-Tem Steve Green stated he wished to move on, noting that this is not the first time the budget has been presented.

Ron Fenn, from the audience approached, and noted no we didn't, once again mentioned the lack of adequate time. He noted this was supposed to be a Public Workshop, on the budget, we've spend two hours discussing money; he made comments regarding cutting the Sanitation Department, to the size that is appropriate to this City. He spoke regarding the length of time spent discussing the Lodgers Tax and not enough time on the budget. He made the suggestion of removing the waste of money on the transfer station, which would increase amounts available, instead of the Budget.

Mayor Pro-Tem Steve Green took exception to Mr. Fenn comments, asking City Manager Fuentes to continue.

City Manager Juan Fuentes continued with the PowerPoint presentation, noting a recap of the preliminary budget. He noted that DFA requires 408,566. Noting the General Fund and Revenue estimates, showing the estimated revenue of \$3,444,377 and the revenue shortfall of 1,458,413. With the expense amount at 1,173,000, revenue 4,617,377 and the General Fund (ECB) 285,413. On the Preliminary 124,903, showing the General Fund revenue chart on the screen, detailing taxes, revenues and transfers in (Electric Division, Water and Streets) Moving to the General Fund Expenditures, explained 63% Salary and Benefits, 27% Operating Expense, Capital Outlay at 0, Transfer out at 10%. City Manager Fuentes showed the transfer out detail, and summary of changes (GRT decrease, Property Tax, Building permits, Animal Pound, and Special Revenue as streets; enterprise funds, capital projects and projects and capital needs.

Commissioner Ruben Olivas asked about the numbers being presented and how they were decided.

City Manager Juan Fuentes explained that the process is normal, and comes about by looking at previous years and items needed throughout the year showed portions of the PowerPoint Presentation, noting the General Fund Debt at \$4,638,077; 97/98 the City took out addition debt to refinance bonds to install the lights at the ball park, for the Pool and etc., noting that streets and sidewalks 40% was paid by GRTY. The Fire Pumper was 5%, NMFA Police Department Building, Streets and Sidewalks at 50% and the NMFA refinance at 51%. City Manager Fuentes moved on to the enterprise fund, with \$5,2356,234 debt; NMFA refinance Utility (3 to 1 loan) less interest was 26%, NMFA water tanks was 3%, Solid Waste Revenue Bonds was 22%, NMFA Storage Tanks at 17% , NMFA Low Voltage Feeder at 20%, NMFA Environment Department (Utility at 3%, NMFA USDA Loan refinance at 26%. He noted all have revenue streak to pay down the debt. The Police Department has dedicated GRT, also small other leases such as John Deere.

Mayor Pro-Tem Steve Green asked if the Budget was available to pick up. Is it public knowledge?

City Manager Juan Fuentes answered yes it is on line, noting it has been on line for at least two weeks.

Mayor Pro-Tem Steve Green asked if we had anyone go on line and then submit questions to the City Manager or City Clerk about the budget.

City Manager Juan Fuentes and City Clerk Judy Harris answered no.

Commissioner Ruben Olivas asked the City Manager to clarify the Preliminary.

City Manager Juan Fuentes explained the Preliminary, noting the would be working on the final, waiting for the Commission for change or to address the Commission felt were needed; noting he would wait to see what is the will of Commission.

Commissioner Ruben Olivas mentioned streets, are they still doing matching funds?

City manager Juan Fuentes noted we do match and some with in-kind service.

Commissioner Jeff Richter stated that we need to consider the preliminary Budget and address the ½ million. Look at the General Fund (1 million/4) take a look at staff, staff is heavy. The Budget exposes bad decisions being made. When we approved the pool cover there was no foreside, we need to manage costs. Look at other ideas for management of the pool, maybe the solid waste, see if someone else can do it and be cost effective to us. Commissioner Richter noted the minimum household income here is 19,000, 21.5% of individuals of New Mexico. We need to look at the budget and funding and consider every agreement, what can we do to lower the amounts.

Commissioner Kathy Clark mentioned she would attack the pool as it was beyond her

ability to comprehend. Noting she listened to the audience, having no idea the cost was so much, knowing what was said, who pays for this? Health insurance rates have skyrocketed, can anyone else provide it at a better cost? Looking at wages, she agrees with Commissioner Richter she doesn't think we are fiscally responsible in the way we run the City. She is uncomfortable with this, thinks more research is needed, noting maybe those in the audience can help.

Mayor Pro-Tem Steve Green noted the growing concerns and frustration. Noting it was a challenge for all and all about making good sound decisions moving forward.

When asked the question if the June 1st is the due date for the budget, City Manager Juan Fuentes noted yes for the preliminary, and the second meeting in July for the final. Noting we needed to prioritize and pull resources to finish project and identify those more important.

Mayor Pro-Tem Steve Green asked for anyone who wished to speak to limit questions to 5 minutes each.

Les DeFour asked a question to the City Manager; are we still going to have the money to fix items that were found, is this the final or do we have some money to put towards the items needed to be done.

City Manager Juan Fuentes noted yes this is the Preliminary Budget, and noted that Les had reminded him of work at the Golf Course needed to be done, knowing that he can add those items to the Budget.

Les DeFour spoke to Commissioner Richter, noting they had looked at the items needed at the Golf Course. Noting they were looking at alternative methods for running and maintaining the Golf Course. Noting they were still looking at those items which he will present in the future. He mentioned using volunteers to help with the Pump problems. He spoke of the pump problems, using his people to work on items instead of calling out City Staff to come out. . He spoke of the effect of not being able to water, noting this was a problem and the need for grass for the Course.

Commissioner Jeff Richter noted he thought they should look at all alternatives to save money. Noting that was the kind of thing they are looking at, to save the City money. He asked City Manager Fuentes about the Budget for those projects.

City Manager Juan Fuentes noted if this is a priority to the Commission, then they will look at that the Golf Board were willing to help with the work at the Golf Course.

Commissioner Ruben Olivas explained he had attended a meeting and the Golf Advisory Board was willing to volunteer to help. Noting that what they are doing is extremely dangerous. He stated we need to do this, and we need to do this pretty quickly.

Klaus Whittern spoke about things we need to do, we need to do for clarity, it is important to include seasonal, part time and other ideas for employees, he spoke regarding insurance rates and the amount the City paid, he noted we need to bite the bullet by paying insurance. He noted he wished to help and knew other who would also help. He

spoke of Worker Comp, and Government Standards. Mr. Whittern made comments regarding the Police Department Grants, and are they fully reflected. He asked the question if the City was currently in compliance with B34. Noting it would require the City to accounts for depreciation not just in your uprating but also in your sidewalks and you can see how far behind you are. Noting 1934 sidewalks where are no longer in compliance. He finished by stating that he hopes the City will start next year's Budget within the next couple of months.

City Manager Juan Fuentes noted that we were working with the contacted auditors on this item.

Ed Williams spoke regarding the employees not getting the backing when the public complains we are not getting the job done, when we have had cuts and don't have the man power to do it. He requested the Commission to please understand what is in each line item, noting he knew the Commission was under the gun, but to please take their time in making the decisions.

The audience made comments regarding the length of time spent on the matter, noting their displeasure. They noted it was unfair the way the Commission has done the work shop and no one has had time to go over these items on the budget.

Mr. Fenn questioned the amounts of money in line items and noted we cannot sit and discuss items and come up with a reasonable budget which is killing our City and go over cute little graphs and come up with money.....

Commissioner Ruben Olivas explained we do want to do this, we want to go over the nuts and bolts of the budget and get each member of each department and go over the numbers. He explained this isn't the final budget.

Mayor Pro-Tem Steve Green noted that those who have interest in this have those who have specific questions let us know. He asked Mr. Fenn where he was 6 months ago or in the last two weeks.

Mayor Pro-Tem Steve Green closed the Work Shop and noted the Regular Meeting would be held after a short break. He also noted that the conversation regarding Allocations and the Budget would continue in the Regular Meeting.

THE CITY COMMISSION OF THE CITY OF TRUTH OR CONSEQUENCES

REGULAR MEETING

MAY 27, 2014

TIME & PLACE:

The Mayor and the City Commission of the City of Truth or Consequences in the County of Sierra and State of New Mexico met in Regular Session in full conformity with the law and ordinances of said Commission in the Commission Chambers of said

City, on Tuesday, May 27, 2014 at 6:11 P.M.

CEREMONY:

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

Mayor Pro-Tem announced that Mayor Sandra Whitehead was absent due to a family matter, asking for all to think of her family during the silent meditation.

Upon calling the roll the following Commissioners were reported present:

Hon. Steve Green, Mayor Pro-Tem
Hon. Jeff Richter, Commissioner
Hon. Ruben Olivas, Commissioner
Hon Kathy Clark, Commissioner

Absent:

Hon. Sandra Whitehead, Mayor

Also present:

Juan Fuentes, City Manager
Jay Rubin, City Attorney
Judy M. Harris, City Clerk

QUORUM:

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

CEREMONY:

Mayor Pro-tem Steve Green called for fifteen second of Silent Meditation, asking those in attendance to keep the Whitehead family in their thoughts.

Mayor Pro-tem Steve Green called for Commissioner Ruben Olivas to lead the Pledge of Allegiance.

*APPROVAL OF
THE AGENDA:*

Mayor Pro-Tem Steve Green called for approval of the Agenda; stating a wish to consider moving New Business G-1 up to F-1 on Unfinished Business, making all else 2, 3, 4 & 5.

“Commissioner Ruben Olivas so moved.”

Seconded by Commissioner Jeff Richter.

Motion Carried Unanimously.

*COMMENTS FROM
THE PUBLIC:*

Mayor Pro-Tem Steve Green called for Public Comment.

Lorena Miller, Geronimo Trail Scenic Byway approached, thanking the City for their support and noting the Visitor Center is open seven days a week, by Volunteers.

Ron Fenn approached, making comments regarding an email in reference to the Recycle Program for April, the Cost of the program and the Budget.

Les DeFour, Golf Association, approached and made comments regarding the Golf Associations support of retention of Howie tucker as Golf Pro, noting information regarding Golf Fees.

Mary Jo Fahl, President of the Truth or Consequences Veterans Board, approached and noted separation of City Appointed Board for the Park ad Museum.

Lindy Burns, Veterans Board Wall, noted \$25,000 earmarked for the Wall, stating the cost is to be \$70,000.

Klaus Whittern, 618 Charles, approached and noted his comments from the last meeting regarding having a yearlong budget discussion, noting the frustration was very apparent in the room. Mr. Whittern commented that the needs of the City are real, and the needs from Grants to the General Fund.

Ed Williams, Williamsburg, approached and spoke regarding City Employees retiring, stating they did a marvelous job, and outstanding work, deserving a hand.

Alison Rachette approached and commented on her muscular health problems, and the use of the pool for stretching her muscles. She noted suggestions for the pool use and open swim.

Sara Frothingham approached and made comments regarding the Pool, noting that the Pool is an asset to the Community and Sierra County; she noted younger people coming into the Community,

Howie Tucker, Golf Pro, approached and made comments regarding the Moose Junior Golf, ages 7 to 17, stating everything need to play was supplied. He invited everyone to come out to the Course.

Tina Wells approached and made comments regarding living here for a number of years, she mentioned the Pool, and opportunities for Citizens to use the Pool.

Jane Green approached and made comments regarding the Pool, the need to keep the Pool open, and the Citizens needing a voice in the Management of the Pool regarding hours and days.

Lindy Evanson approached and thanked everyone for making the Week of the Child a big success, and for working together. She commented on the running of the Pool and decision making for the Pool.

Hans Townsend approached and made comments regarding the Pool, noting not finishing or starting things which should be done, noting half a million for a hole in the ground, making no sense or logic.

Millie McLeod approached and noted the fees for using the Civic Center and the need to lower the prices for those using the Center. She asked why no one had called Alamogordo to find out information on how they used the Covered Pool and removal of the Cover. She also noted the City needed to be looking for Grants for things for the City.

Randal Lawson approached and made comments regarding the City Manager, the length of time used in the Work Shop and the use of the Pool.

Mayor Pro-Tem Steve Green noted Public Comment response and working with Staff on Agenda, noting the Committee working on the Pool.

Commissioner Ruben Olivas volunteered to be the go between with the public to meet with the City Manager regarding the Swimming Pool and its use.

CONSENT

CALENDAR:

Mayor Pro-Tem Steve Green noted the Consent Calendar, consisting of:

1. City commission Work Shop and Regular Meeting Minutes for 5/13/2014
2. City Commission Special Meeting Minutes for 5/5/2014
3. Public Utility Advisory Board Meeting Minutes for 3/17/2014
4. Golf Course Advisory Board Meeting Minutes for 4/9/2014.

“Commissioner Ruben Olivas moved to approve the Consent Calendar as presented.”

Seconded by Commissioner Jeff Richter.

Motion Carried Unanimously.

PRESENTATION:

Mayor Pro-Tem Steve Green noted next was City Employee Service Awards, requesting City Manager Fuentes to present.

City Manager Juan Fuentes noted Service Awards for City Employees, he also mentioned a couple of retirements were to be recognized tonight:

Those with Five Years Plus of Employment with the City:

Mathew Montoya, Waste Water Department, started 5/26/2009
Johnie Burnette, Facility Management/Pool, started 8/18/2008
Sean Shellito, Electric Department, started 12/01/2008
David Johnson, Facility Management, started 5-19-2008
Leonard Carrillo, Solid Waste Department, started 12/15/2008

Those with Ten plus Years of Employment with the City:

Jesus Salayandia, Waste Water Department, started 4/17/2003
Retha Jermyn, Library, started 6/23/2003

Those with Fifteen plus years of Employment with the City:
Benny Fuentes, Street Department, started 9/21/1998

Those with Twenty plus Years of Employment with the City:
R. Dee Brown, Jr, Animal Control Police Dept., started 5/18/1994
Jodale McDonald, Fleet Maintenance, started 7/12/1993
Patricia O'Hanlon, Library, started 8/13/1993

Those with Twenty Five plus Years of Employment with the City:
Angela D. Torres, Library, started 8/08/1988

Those with Thirty plus Years of Employment with the City:
Gilbert Avelar, Electric Department, started 5/21/1984

City Manager Juan Fuentes then recognized two retirements:
Leonard Carrillo, Solid Waste Department, with 6 years of employment.
Gilbert Avelar, Electric Department, with 30 years of employment.

Mayor Pro-Tem Steve Green awarded a recycled piece of art to Leonard Carrillo for his recycling efforts.

Mayor Pro-Tem Steve Green moved for a short recess for five minutes, noted drinks and cookies available.

NEW BUSINESS:

(Note: During the start of the meeting, Mayor Pro-Tem Steve Green moved item G-1 to F-1, due to the amount of interest from the public attending the meeting.)

Mayor Pro-Tem Steve Green Resolution #33 13/14 Preliminary Budget, 2014/2015; requesting City Manager Juan Fuentes present.

Commissioner Jeff Richter stated he noted that the City was Staff Heavy.

City Manager Juan Fuentes explained 3% and when refinanced loans reached out to NMFA to lower and see what makes sense. He noted that Streets paid for GRT dedicated to Streets. Noting the Challenge was General Fund, most of refinanced to GRT if we have extra, we need to decide what is our priority, where to focus the resources, so we can be done with debt. City Manager Fuentes spoke of the Preliminary Budget Prior.

Commissioner Jeff Fuentes said looking for 100,000 at time, in his opinion wholesale charges, he stated we are not receptive or responsible to time examine enterprises to see what functions can do efficiently; we need to take responsible action.

Commissioner Ruben Olivas stated he wanted to remind of the business opportunities, come get more GRT and plan things before we get anything

Commissioner Kathy Clark noted as we go into Budget, what are our goals? We are

looking for \$100,000, we need to strategize and come up with money or decide what the goal is, is this a tourist issue.

Mayor Pro-Tem Steve Green noted that back to the Allocations discussed earlier in the meeting. Noting he felt taking individual items and vote on them as a group. Specifically starting with Lodgers Tax and then vote for the budget in total, asking the Commission is that fair and reasonable.

City Manager Juan Fuentes said yes.

“Mayor Pro-Tem Steve Green made the motion for the awarding of Lodgers Tax as discussed previously in the work shop:

For the Chamber of Commerce: \$12,500.00

For Geronimo Springs Museum: \$8,700.00

For MainStreet Truth or Consequences: \$7,000.00

For New Mexico Old Time Fiddlers Association: \$2,500.00

For Sierra County Arts Council: \$2,600.00

For Sierra County 4-H, contingent on meeting criteria: \$700.00

For T or C Fiesta: \$5,000.00

For Veterans Memorial Park Museum: \$7,000.00

Noting that is his motion.”

Seconded by Commissioner Kathy Clark.

Motion Carried Unanimously.

“Mayor Pro-Tem Green suggested for additional funding:

The Sierra County Tourism Board be awarded \$16,000.00

And very generously the Geronimo Trails Scenic ByWay gave up some of their request, to help us out financially, and we can award \$16,000 for the Tourism Board.” and Geronimo Trails Scenic ByWay for \$6,000.00.”

Seconded by Commissioner Ruben Olivas.

Motion Carried Unanimously.

Mayor Pro-Tem Steve Green noted we wanted to put aside a certain amount of money for the Sub-recipient Grant applications and then once we find and get verification who we can give money too, I would just like a number for Manager Fuentes to put in the budget, then when we get word back we can decide how to split up that number. Mayor Pro-Tem Green noted Commissioner Olivas had mentioned \$56,000, Commissioner Richter mentioned \$26,700; Mayor Pro-Tem Green recommended \$53,000. Commissioner Kathy Clark stated \$103,000, noting she was very concerned about SJOA, she noted she would go \$37,000; Taking those totals to reach a

compromise would be to put \$43,000 in the Budget. Mayor Pro-Tem Green asked if anyone would make a motion to allocate \$43,000 for the sub-recipient grant.

“Commissioner Ruben Olivas made the motion to allocate \$43,000.”

Seconded by Mayor Pro-Tem Steve Green.

Commissioner Kathy Clark asked the City Manager where you are going to find it.

City Manager Juan Fuentes stated that if that is the direction the Commission wished he would take the number, looking at the ending cash balance, and go back to staff and see where we have 36 right here, so if that is the direction of the Commission I can look at the numbers; he spoke of capital outlay and adjusting the budget.

Commissioner Ruben Olivas said he would not be upset if the City Manager came back and said we can't do it, he just asked if they would try.

City Manager Juan Fuentes stated that again, if that is the direction he will take the numbers and come back to the Commission with a proposal of how we can do that number.

Mayor Pro-Tem Steve Green stated and we are not asking to come up with \$43,000, we are asking to come up with \$16,300. He asked the Commission for further comments.

Commissioner Jeff Richter stated, the budgeted amount is \$26,000, we have to look at this do you want a swimming pool, or do you want to fund sub-recipients, look at the guidelines here, they knew these cuts were coming, we don't have that kind of money, we don't have that kind of money, I'm gonna stick with \$27,000, that's the amount in the budget, that's what we need to stick with.

Commissioner Kathy Clark, here's my thought, once again, we are charging 14.1 cents per kw hour, people that are paying that are the poorest people, do we feed these people, or do we cover the swimming pool and pay 10, .000 a month in utilities, I have a real problem with that, if these people want a swimming pool, they can volunteer, they can figure it out, that is what I would do.

Commissioner Ruben Olivas noted the ladies will meet with City Manager Fuentes and see if we can come up with ideas to help the City.

Mayor Pro-Tem Steve Green stated we have a motion and a second to put in the Budget \$43,000 for Sub-Recipient Grants, calling for the vote.

Motion Carried with a 3 to 1 vote, with Commissioner Jeff Richter voting Nay.

Moving on, "Mayor Pro-Tem Steve Green made the motion to Award:
The Hot Springs Cemetery Association \$4,000.00
To Friends of Elephant Butte State Park \$1,000
Geronimo Springs Museum \$3500
Geronimo Springs Scenic ByWays \$3500
And by Contract thru the State MainStreet T or C \$30,000."

Seconded by Commission Ruben Olivas]

Motion Carried Unanimously.

Mayor Pro-Tem Steve Green introduced Discussion/Action: Award Solar Generation Facility RFP 13-14-4603-1126-840, calling Steve House to address the item.

Steve House, Engineer for Triple H, approached and explained the Utility Scale Solar Array for the City. He noted he had presented this item in a previous meeting. Mr. House spoke while a PowerPoint presentation was show. He explained rates and the Purchase Power Agreement, noting the Co-op rate was 4%. He discussed the lease of land; th3e default language in the agreement to protect the City. He also commended staff.

Commissioner Kathy Clark asked where the 4% came from, and asked about the City Property proposed for the site.

Mr. House explained that it is the industry standard; he also explained the grid is owned by the City, so it doesn't have to purchase the land.

City Manager Juan Fuentes noted that Gil Avelar and Ed Williams were very active in the negotiations, and their interaction saved the City money over time.

Mayor Pro-Tem Steve Green noted the historic rate increase of 4%, and the example PNM rate increase.

Commissioner Kathy Clark asked if there was a penalty if the City got out.

Mr. House answered yes; he noted that Ted Turner had purchased a company in New Mexico, and Mr. Turner knew a good deal.

Commissioner Ruben Olivas asked about the cost, he also asked what if we owned it today.

Mr. House estimated about three million; noting 4 million kw hours if change hour, 12cents per KW hour, ½ million the first year, over the term of the agreement.

Mayor Pro-Tem Steve Green asked if we have Solar Generation Facility 1.5 MW means City would buy less (1.5) from Sierra Electric. With the Power Purchase

Agreement we buy from Affordable Solar, what does it cost now?

Mr. House answered 79 cent rate increase.

Mayor Pro-Tem Steve Green stated right now if Sierra electric never raised the rate we are at 7 ½ years to get back to where we are, a percent of cost of energy reduced. He noted Sierra at 8 cents, noting the numbers look better, WAPA reduced by 30%.

Ed Williams and Gil Avelar, both from the City Electric Department, approached and said they understood what everyone was saying, right now TriState projects this year to owe us money and a reduction every month. Approximately \$4,000 per month is taken off the bill, or we get credit for the amount.

Commissioner Jeff Richter noted the broader view – most pay federal income tax, this subsidizing projects, the real cost, in Broadview when have competition, it is a free market savings every year, where is that savings going to go? Everything we should do is to discuss when rate payers are going to save. What is the real scenario?

Mayor Pro-tem Steve Green noted we'd be fools not to take advantage of the Federal Government; the project is viable and profitable for the City, noting we must move forward, its hard cash savings. He spoke of the savings which this would bring the City and we're going to start making \$2500 on the lease of the land. If we can do this with costing one dime to the City, and if you want to stop dipping into the money, make a profit and have a viable resource to boot, why wouldn't we, I don't see it as a paper savings, I see it as a hard cash savings, it's like found money. We can use that savings that money that will be there, for roads, paving.

Commissioner Kathy Clark asked if they get subsidized by the Feds.

Mr. House answered yes, that's exactly the reason they do it.

City Manager Juan Fuentes agreed with Sierra Electric Co-op 1.5 MW.

"Commission Ruben Olivas motioned to approve the award of the Solar Generation Facility."

Seconded by Commissioner Kathy Clark.

Motion Carried with a 3 to 1 vote, with Commissioner Jeff Richter voting nay.

Mayor Pro-Tem Steve Green announced the next item is unfinished business – renewal of the Golf Course Management Contract.

City Attorney Jay Rubin explained the Agreement to renew contract with Howie Tucker. He noted there were no changes made to the Contract and that the renewal was for a one year period, ending on May 31, 2015, with the addendum remaining in full force and effect as through the same were set forth.

Commissioner Kathy Clark noted that the exhibit one goes against the contract agreement showing the position independent contractor.

City Attorney Jay Rubin explained he did not see as a concern, it came out of the RFP, and Mr. Turner's Attorney was present and had no concerns with the wording.

City Manager Juan Fuentes noted the section came out of the RFP.

City Attorney Jay Rubin noted 127 duties, not that hard to do (fulfill).

City Manager Juan Fuentes stated when the City was audited they looked at all and Mr. Tucker is an independent contractor.

"Commissioner Kathy Clark moved to approve the Renewal Golf Course Management Contract."

Seconded by Commissioner Ruben Olivas.

Motion Carried Unanimously.

Mayor Pro-Tem Green noted next was Discussion/Action: Designation of Fiscal Agent for Senior Joint Office on Aging (SJOA); requesting the City Manager to present.

City Manager Juan Fuentes noted he would speak about the next two items on the Agenda; Designation of Fiscal Agent for Senior Joint Office on Aging (SJOA) and Designation of Fiscal Agent for Waste Water Treatment Plant (WWTP). City Manager Fuentes noted both items were presented in the previous meeting and the Commission had requested he negotiate the fee with South Central Council of Governments (SCCOG). City Manager Fuentes stated he was able to negotiate the fee noting that there would be no charge by SCCOG, for either item.

City Attorney Jay Rubin noted he felt no oversight, because of the no fee.

"Mayor Pro-Tem Steve Green moved to approve Designation of SCCOG as Fiscal Agent for Senior Joint Office on Aging (SJOA)".

Seconded by Commissioner Jeff Richter.

Motion Carried Unanimously.

"Mayor Pro-Tem Steve Green moved to approve Designation of SCCOG as Fiscal Agent for Waste Water Treatment Plant (WWTP)."

Seconded by Commissioner Ruben Olivas.

Motion Carried Unanimously.

“Mayor Pro-Tem Steve Green moved to accept Resolution # 33 13/14, as our preliminary Budget and move forward.”

Seconded by Commissioner Ruben Olivas.

Mayor Pro-Tem Steve Green Called for a Roll Call vote.

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

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

Hon. Ruben Olivas responded AYE to a Roll Call Vote.

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

Motion Carried 3 to 1, with Commissioner Jeff Richter voting Nay.

Mayor Pro-Tem Steve Green announced Resolution #34 13/14 establish appropriate Green Fees for the Municipal golf Course. He asked Les DuFour to approach and present.

Les DuFour approached and explained the Golf Advisory Board had identified a mistake in the 2010 Green Fees for the Golf Course. Noting that they found mistakes that had not been corrected. He noted new wording giving the Golf Advisory Board the last two sentences, in an attempt to get communication with the City better, giving the Golf Advisory Board more power to make decisions in what happens with the funding for the Course.

Mayor Pro-Tem Steve Green asked the City Attorney and City Manager if they last sentence is in keeping with Advisory Board Powers. Stating he felt maybe the wording should be something like the Golf Course Advisory Board can make recommendations, instead of the wording used.

Commissioner Jeff Richter stated by definition they are an Advisory Board.

City Attorney Jay Rubin agreed and noted it needed to be changed because of the Ordinance; they are Advisory Board, noting the second to last sentence already states the money is to be used exclusively for Capital Improvements, stating he felt the last sentence needed to come off.

“Mayor Pro-Tem Steve Green made a motion to approve Resolution #34 13/14 disregarding and taking out the last sentence.”

Seconded by Commissioner Ruben Olivas.

Mayor Pro-Tem Steve Green Called for a Roll Call vote.

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

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

Hon. Ruben Olivas responded AYE to a Roll Call Vote.

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

Motion Carried 3 to 1, with Commissioner Jeff Richter voting Nay

Motion Carried.

Mayor Pro-Tem Steve Green noted next was Approval of Joint Powers Agreement for Animal Control within the Boundaries of the County of Sierra, between the County of Sierra and the City of Truth or Consequences, requesting City Manager Fuentes to present.

City Manager Juan Fuentes noted this is a similar agreement as the past agreement. He noted the JPA which was approved for three years and was \$30 for each response; he gave the Commission a recent example regarding a hording case, noting the bill went to the County. He stated that City Attorney Jay Rubin had reviewed and noted only minor typos,

Commissioner Kathy Clark asked if it was a problem that it showed Mark Huntzinger as the County Manager, noting he was no longer with the County.

City Manager Juan Fuentes and City Attorney Jay Rubin felt it was not a problem.

"Mayor Pro-Tem Steve Green made a motion to approve the Joint Powers Agreement for Animal Control within the boundaries of the County of Sierra, between the County of Sierra and the City of Truth or Consequences."

Seconded by Commissioner Ruben Olivas.

Motion Carried Unanimously.

REPORTS:

Mayor Pro-Tem Steve Green called for Reports.

City Manager Juan Fuentes reported that he would be traveling to Deming next week for a meeting.

City Attorney Jay Rubin – No Report

City Commissioner Jeff Richter reported that Broadband BAJA had been bought out.

Commissioner Kathy Clark – No Report

Commissioner Ruben Olivas reported that he had asked City Manager Fuentes about an office for the Chamber (Hans) to use.

(City Manager Juan Fuentes explained we have the Office Space in the Civic Center, noting that it has always been available, and continues to be available, the problem is to clarify gray areas, who owns the equipment in the building, noting he had a meeting set to determine the answer and would obtain more info and advise as to the use as soon as he knew the answers.)

Mayor Pro-Tem Steve Green reported about information from Kim Skinner about Trip Advisory, he spoke about Holiday Inn and read the letter from the Chamber of Commerce regarding the matter of access to the internet. He noted that he and Manager Fuentes met with the Company buying New Mexico Gas, and noted they were going to fix the gas prices at today's rate.

(City Manager Fuentes stated he had a Company wishing to locate an antenna on The Water Tower, which he would be bringing back to the Commission for approval.)

*RESPONSE TO
PUBLIC
COMMENT:*

None.

ADJOURNMENT:

Mayor Pro-Tem Steve Green asked for a motion to adjourn.

“Commissioner Jeff Richter made a motion to adjourn.”

Seconded by Commissioner Ruben Olivas.

Motion Carried Unanimously.

APPROVAL:

PASSED AND APPROVED this ____ day of _____, 2014, on a motion duly made by _____ and seconded by _____, and carried.

Sandra Whitehead, Mayor

ATTEST:

Judy M. Harris, City Clerk