

**CITY COMMISSION MEETING MINUTES
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
TUESDAY, MAY 10, 2016**

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 May 10, 2016 with the meeting starting at 9:00 A.M.

A. CALL TO ORDER

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

B. INTRODUCTION

1. ROLL CALL

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

Hon. Steve Green, Mayor
Hon. Kathy Clark, Commissioner (by telephone)
Hon. Rolf Hechler, Commissioner
Hon. Joshua Frankel, Commissioner

Absent: Hon. Sandra Whitehead, Mayor Pro-Tem

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

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

2. SILENT MEDITATION

Commissioner Hechler made an announcement offering their heartfelt condolences to the family of Karisa Arroyos. He gave some details of the event. As a small close knit community many of us know Karisa. In times like these our community comes together to support the families who have suffered such a great loss. Although no words can take away the pain of this tragedy, please be assured this Commission, our city employees, and this community have all suffered from the loss. Please be kind to each other, and remember Karisa for her goodness and the beautiful young person that she was.

Mayor Green called for fifteen seconds of Silent Meditation.

3. PLEDGE OF ALLEGIANCE

Mayor Green called for Commissioner Frankel to lead the Pledge of Allegiance.

4. APPROVAL OF AGENDA

Mayor Green requested G.5 to be pulled and I.1 to be removed.

Commissioner Hechler moved to approve the agenda moving item G.5 and pulling item I.1 from Executive Session. Commissioner Frankel seconded the motion.

Commissioner Clark feels it's inappropriate for our Commission to have a discussion about a family member of a fellow Commissioners. We should put it to the City Manager for a decision. She doesn't feel it's appropriate.

Motion carried unanimously.

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

Mayor Green called for Public Comment, noting those wishing to comment would get three minutes, may only approach the podium once, and any material for the Commission was to be left in the black box by the podium. At the last meeting there were offensive and inappropriate comments made about staff, and we will not stand for that type of language. He would appreciate when presenting your concerns, please watch your language when you have the microphone or your privilege will be removed.

Ron Fenn, 316 N. Foch addressed the Commission related to:

1) He emailed a packet on his analysis on the Recycling Program since 2013 that needs to be ended. It's an extremely costly and non-productive process and until you look at this data, and understand it, you will see there is no need for recycling in this community. There is no benefit to it whatsoever. We need to just start planning and building our own landfills, both C & D and MSW. They can be funded through bond issues issued to the people, not the Capital One. Give people a 4% tax free income and you will get enough money from this community to build those landfills. Why we did the bond issue for the Transfer Station in the middle of our well field, is criminal. If you're going to do something for the community, do it with the communities' participation and for their benefit.

2) He just realized what the perfect analogy for this city is: It's like a Children's Lemonade Stand. The parents put out \$25 to buy equipment and supplies and the children sit there and make \$2.50, and at the end of the day the parents sit there and praise their children for their prowess and entrepreneurship. That's the City of Truth or Consequences. Please take this to heart.

Linda DeMarino, Executive Director of MainStreet Truth or Consequences addressed the Commission related to:

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1) They applied for a subrecipient grant. Last year they were funded at \$30,000. She added with all of the grants they got and volunteer labor and fundraising efforts. For every dollar the City put in \$8.70 was returned on their dollar.

2) Two grants they received was a small grant from the New Mexico Resiliency Alliance for Art Park and worked with the City for New Mexico Clean & Beautiful for Garbage Cans for Main Street for \$8,200.

3) This weekend is the Hot Springs Festival. We have workshops, music, author's corner, massage tent, tours of the Hot Springs hotels. We invite the public out to participate in these. They thanked the City and Juan and the Department Heads for all of their contributions in making this a great event.

Carole Wheeler, 603 Corbett addressed the Commission related to:

1) Thanked the City and all businesses in town on behalf of the NM Square and Round Dance Association and the Sierra Twirlers. The Sierra Twirlers the Mayor the coveted Elephant Butte Dam Dance Dangle.

2) 163 more signatures for the Off Leash Dog Park.

Billy Lacy 520 W. Ninth St. addressed the Commission related to:

1) Response to the Recycling program. It's disturbing to hear someone say we do not need the program. He said maybe we should do like California does and hire people who sort through all of the trash. He let them know an example of the West Coast problem with plastics in the ocean that breakdown to toxins. That's just one example of recycling. We also have glass and paper. To close down the thing we have to build a trash dump which will create a dump in our back yard. Either that, or go back to burning the trash in our back yard and getting rid of it.

George Szigeti, 913 Spruce Street addressed the Commission related to:

1) He doesn't want anyone to think he's insensitive. He knows what it's like to have a problem putting food on the table. He also knows what it's like to go through a natural disaster and lose everything but the clothing on our backs. He has been attending these meetings for many years and he's seen the Commission back away from significant issues because of their fear of affecting the poorest population of our people. It's an excuse for not doing things that need to be done. For example, the Franchise Tax that was discussed at the last meeting. The City needs income, we can't operate the city without money. We need to look at ways to increase our income and reduce the alliance on our Electric Fund. Even if we reduce the Electric Cost by 1/10th of a percent it would save a small household \$.32 per month. He emphasized again when issues like this come up, we need to do the right thing and make accommodations for those who need it. We have the nicest Housing Authority in the Country. Don't let it stop us from what we need to do.

Sophia Perron addressed the Commission related to:

1) Complemented the Clerk for great minutes. She thought her comments were beautifully paraphrased. She is sorry if the word nincompoop turned somebody off.

2) Immediately after the comments she made about the city yard falling apart due to neglect, directly after the meeting the City Public Works employees were at the yard at

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noon using a backhoe to smash up a stone wall and ripped the metal roof to pieces. They should have gone to the OSHA meeting, it might have helped them a bit. They were destroying our public property without our permission. That is not right.

3) She complimented Commissioner Frankel for bringing up the Historical Building at the last meeting; Commissioner Clark for bringing up the Copper Mines. She wanted to say bringing Water & Wastewater across the river is insane.

4) She spoke about Cleaning Up the town and Commissioner Hechler's proposals. She suggested using the Realtor's and the other city employees who ride around town all day.

5) We need a new dump. People don't want to come here and pay to export their garbage. It was a cleaner town when we had a dump. Our Town is falling apart from neglect. Forget the Spaceport, we need to get out and help our neighbors and elderly people and keep cleaning up.

D. RESPONSE TO PUBLIC COMMENTS

None.

E. PRESENTATIONS

1. Proclamation May Poppy Month

Mayor Green read presented the Proclamation for May Poppy Month.

2. Proclamation for Municipal Clerks Week

Mayor Green read the proclamation and presented it to City Clerk Cantin, Deputy Clerk Angela Torres, and Sonya Williams for Municipal Clerk's Week.

F. CONSENT CALENDAR

1. City Commission Regular Minutes, April 26, 2016
2. Public Utility Advisory Board Minutes, March 21, 2016
3. Golf Course Advisory Board Minutes, March 2, 2016
4. Lodger's Tax Board Minutes, January 28, 2016
5. Accounts Payable for April 2016

Commissioner Hechler moved to approve the consent calendar as listed. Commissioner Frankel seconded the motion. Motion carried unanimously.

G. NEW BUSINESS

1. Discussion/Action: Request by Hot Springs Falls, Inc. to consider cancelling the current agreement so they can deed the land to the Geronimo Springs Museum. Stephen Janos, Secretary/Treasurer for Hot Springs Falls, Inc.

Mr. Janos addressed the Commission and added in 2003 Jerry Stagner was the driving force behind the Hot Springs Falls. The idea was to make a walking trail or Hot Springs

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Falls. Mr. Stagner has since left the community and we have done nothing with it. They are a 501c3 Corporation, which when disposing of property should give to another Non Profit and that's why they are choosing the Museum because the property is adjacent to this property.

Mayor Green pointed out, to move this to another organization might open up other funding avenues for development of that property.

Commissioner Clark joined the meeting at 9:33 a.m.

Commissioner Clark asked if the Office of the State Engineer turned down that water because of evaporation that could occur from that water falling down the hill. Mr. Janos said he basically did the bookwork and the filings and Jerry Stagner was the driving force behind all of this. Commissioner Clark said it was a ridiculous response from OSE but she was just checking it.

Commissioner Clark moved to approve the request by Hot Springs Falls, Inc. to consider cancelling the current agreement so they can deed the land to the Geronimo Springs Museum. Commissioner Hechler seconded the motion. Motion carried unanimously.

2. Discussion/Action: City Utility Services, water and sewer across the river.
Robbie Travis, Building Inspector

Building Inspector Travis presented this item to start the process to see what kind of funds we can find or raise to get water to the other side of the river, sewer is a little more difficult.

Mr. Mark Thornton thanked the Commission for doing their civic duty. He is concerned they have lived on the other side of the River for 19 years and they have their own water well. But if they have a fire and the electricity goes out, they don't have any water. He hopes the city will look into getting them water. All of his neighbors have water and he thinks he is the only one who doesn't have water.

Mayor Green asked about the electricity and he responded he is on city electric. He asked why they don't have water if the other homes do. Mr. Thornton said they are not in close proximity to the houses that have city water.

Building Inspector Travis responded there are three people who have water that are privately owned. The meter is on the Riverside Drive side. Two of them go over the walk bridge to the properties there. Where Mr. Thornton lives there is the Vega's home that is next door, it was supplied by Steve Vega and they split the land and they don't have water any more. Steve Vega has water coming under the river where they dredged through there 10-15 years ago. That's the only water the City supplies, but it's all privately run. Our concern is we don't want everyone to cross water however they want to. We have a developer in the area who had some ideas even with FEMA

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because of the flooding issue and access. We would like to develop the area where we could get some impact fees and GRT's from there. We know it will take time and it won't be done right away.

Commissioner Clark asked if we would need a pump station. Water & WW Director Salayandia responded they have done it as a package where there will be development. Commissioner Clark can see how we can do electricity and possibly water. Building Inspector Travis said we could do it as a development plan. If there is a way we can do a bridge to carry the sewer lines and others. Discussion was held about the water levels and whether septic would work because we should worry about the groundwater. Building Inspector Travis added there are septic all along the river on the North. It has to be approved by the environmental department, so he doesn't see an issue for them. Mr. Thornton has the permits he needs.

Commissioner Clark asked if septic would be a better option. Water & WW Director Salayandia would recommend a package treatment plan to take care of the waste and use the effluent. There is always a possibility of leaching and getting in the ground water. You would have to get the engineering. Depending on the size he is thinking it would be half a million. Which is probably what a lift station would cost you.

City Manager Fuentes said the item described by Robbie is just whether to proceed forward so we can look at the feasibility. It will require a lot of Engineering and Planning. This is the first step by getting Commission approval. We will need to include it in our ICIP which will be coming up. We need to consider which services to take to the other side.

Mayor Green thinks it's an outstanding idea. Commissioner Clark said normally when we do a study like this, we have paid \$50,000 to \$100,000 for an Engineer. City Manager Fuentes confirmed.

Mayor Green said we owe it to our Citizens and Future Citizens to see if we can find funding.

Commissioner Hechler asked what the potential is for development. Building Inspector Travis said there are several, we have a subdivision in a smaller portion.

Commissioner Hechler asked if people are waiting for services there too. Building Inspector Travis said there is a lot of potential over there and it would open things up. Commissioner Hechler asked if people are waiting for service of this type to start developing. Building Inspector Travis said definitely, it's a good area to grow and we've had requests for a River Walk there. There is one property there for sale and it's tough to sell property with no water or services.

Mr. Thornton appreciates all of their efforts and he hopes he doesn't get put in a large file.

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Commissioner Frankel commented on the fire issues should it happen, he encouraged Mr. Thornton to contact the Fire Chief to work on a response plan for his property.

Commissioner Clark moved to approve to authorized staff to do a research process to get City Utility Services, Water and Sewer across the river. She added access to the other side of the river is very important and we should look at a bridge that would access that side in the study. Mayor Green seconded the motion. Motion carried by a vote 3-1-0. Commissioner Frankel voted nay.

3. Discussion/Action: Approval and authorization for City Manager to execute, sign and submit documents related to a Federal Assistance Grant through USDA/RUS for Law Enforcement Vehicles. Lee Alirez, Police Chief

Police Chief Alirez let them know there is a great need for these vehicles to have a command post set up vehicle in case of a large incident. The way they respond to an incident mitigates how quickly the recovery is back to a normal standard. We work together closely with other organizations but we are the first one to respond. He added we are down to seven vehicles. We recently got rid of quite a few vehicles that were tired and had very high mileage.

Commissioner Frankel asked about the usage of the Hummer we have parked at the lot. Is it decorative or functional? Chief Alirez had it moved from the Police Department, it is not functional at this time and would cost quite a bit to get back to a running state, much less to maintain for a vehicle we would barely use. It doesn't fit a need we have. We did receive that vehicle from the military, it will cost us more to fix it and maintain it. Commissioner Frankel said maybe they would consider reaching out to the Veterans Museum. Chief Alirez would have to see what the options are for disposition of this vehicle.

Commissioner Clark asked if the city will need subsidize our federal assistance grant, would it be something that would need to be in our budget for next year. City Manager Fuentes said we are currently applying to USDA for the Front End Loader and the second application would be for these two vehicles. If it's funded the Police Department GRT will be used for the match money. Commissioner Clark confirmed they have this included in their budget for the next fiscal year.

Mayor Green said his quick math is the Department would have to come up with \$40,500. Police Chief Alirez reiterated it's currently in the next budget.

Commissioner Hechler asked what the average mileage is of the current vehicles.

Police Chief Alirez responded with the average mileage. One vehicle has 150,000 miles on it, and it's in good running condition; We have two Ford Crown Victoria Interceptors at around 100,000 miles; then we have Dodge Chargers that are right under 100,000 miles, in the 58,000 to 70,000 range and they are in great shape. Commissioner Hechler asked who the vehicles would be assigned to. Chief Alirez responded they

would be for supervisors. Commissioner Hechler then asked about a take home policy. Chief Alirez said yes the city has a take home vehicle policy but all officers live in the city, so they all stay in town. The Supervisors are field personnel so they will be used for Patrol.

Commissioner Clark moved to approve and authorization the City Manager to execute, sign and submit documents related to a Federal Assistance Grant through USDA/RUS for Law Enforcement Vehicles. Commissioner Frankel seconded the motion. Motion carried unanimously.

4. Discussion/Action: Professional Services Contract with American Electrical Testing Co. for Testing at the Substation. Bo Easley, Electric Department Director

Electric Department Director Easley presented the item. The T & D Electrical Study suggested we have this testing done every year. This contract will enable the company to test and service the substation for the next four years. There will be testing the distribution switch gear line up, eight circuit breakers, nine VVC relays and two 115-15 Kv substation transfers including testing the oil in our two transformers.

Mayor Green was looking at the contract on the last page it indicates it doesn't not include bonding. His concern is the protection of city assets. What happens if they mess up during the testing, who's responsible for it? What happens when they test our equipment and they mess up a piece of our equipment? Who is going to fix that? The way he reads this contract it's up in the air. Electric Department Director Easley responded we have two transformers and they would test everything in sections. The process has been done many times, it just hasn't been done in many years. Mayor Green asked how long it will be down. Electric Department Director Easley responded it will only be down while they do the testing and it can all be ran on one transfer. He added this was sent to and reviewed by John Appel.

Commissioner Clark said we should be doing something like this every year and it is basically something you are implementing again. Electric Department Director Easley confirmed.

Commissioner Frankel moved to approve Professional Services Contract with American Electrical Testing Co. for Testing at the Substation. Commissioner Clark seconded the motion. Motion carried unanimously.

5. Discussion/Action: Hot Springs Women's Club requirements for Miss Fiesta Pageant. Sandy Whitehead, Mayor Pro-Tem

Item was removed.

6. Discussion/Action: Community Wide Trash Program. Rolf Hechler, Commissioner

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Commissioner Hechler started by commending Mayor Pro-Tem Whitehead for starting this program. He has made it his priority to start cleaning up the town and feels it's very important. The City Manager approved to hire three Emergency Hires for the city, whose primary duty will be to clean up the city. He would like to put another cleanup day for the residents. The County will be on board to have a free trash day on that day also, and will help with empty trailers that day.

He has also spoken to Earl Greer who is the President of the Realtor's Association, they have agreed to take pictures to send in of properties who need to clean up. As of May 3rd, we have located five dump sites that the city are taking action on. He introduced Police Chief Alirez to present the new app people can use to turn in complaints. Police Chief Alirez said the goal is for everyone to use the app. With this app, a Realtor can take a picture and send it to the app. It allows us one more tool to proactively go after people. It has so many features, illegal dumping is just one of them.

Commissioner Hechler would like the free cleanup day to be on May 21st and encourage all of get out and take a look at places that need to be cleaned up. We need to let the property owners of this free day so they can get things cleaned up as soon as possible.

Commissioner Frankel asked what the app is. Police Chief Alirez said it's a free app at Truth or Consequences PD. The icon is one of their badges and it gives you a tutorial. For those who don't have cell phones, we also have Nixel.

Commissioner Hechler showed a copy of the flyer that is going to the papers. Maybe it can even be on the front page.

Commissioner Clark has had the app on her phone for over a year. It does flash up if there is a missing person or anything going on. Her question is about the illegal dumping and what the biggest composition is. Is it Construction and Debris, mattresses, household trash? Police Chief Alirez would love to say it's the mattresses but it's not people when someone move they throw their stuff and dump it around the City and the other is construction materials. Commissioner Clark followed up by saying not having a Construction or Debris landfill is a problem for us. If we have 20-25% going down to Las Cruces Landfill and another 5% going into our arroyos, maybe we should seriously consider a C & D Landfill to help take care of construction.

Mayor Green commented it's great when the baton is passed and not dropped. He thanked Mayor Pro-Tem Whitehead for starting this and Commissioner Hechler for keeping it going. He thinks May 21st is an appropriate time since it's before the Centennial. He will send an email to the Bountiful Alliance to get more people to help.

Commissioner Clark moved to approve the community wide trash program on May 21st 9:00 a.m. – 4:00 p.m. for residents. Commissioner Frankel seconded the motion. Motion carried unanimously.

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7. Discussion/Possible Action: Healing Waters Plaza water issue. Kathy Clark, Commissioner

Commissioner Clark has been through this with Manager Fuentes, the Office of the State Engineer recommend to the City that they transfer up to 2,751 acre feet of water from their number 11 well, which is there municipal water supply for the City, into Hot Springs Well #24, which is the well at the Hot Springs Plaza. She has a couple of issues with this, first is this the Hot Springs Water area. We have a total value by the 1941 Study that was done of 2,401 acre feet, not 2,751. So basically, you couldn't pump all of that water. And two, it would have the potential to turn downtown into a Glenwood Springs and bypass all of the commercial and domestic water users of hot water. She thanked Manager Fuentes for listening to her issues. What the OSE agreed to do was put a cap on the water that can go into this well. This well was not used for such a long period of time the OSE basically closed the book on it. This well use to have 30 acre feet on it and it was used for Geothermal heating at the Teen Center. We feel the well is a good option to use.

She asked the city to put a cap on that well. It was 30 acre feet, so if it was over that amount we would nullify that well. It was her understanding we might need up to 30 acre feet to run that well and she asked Sazi Marri if that's correct.

Sazi Marri, President of Main Street addressed the Commission stated the architect estimated 12 acre feet for the fountain water feature if it were running for 9 hours a day. She is asking to put a cap on it at 30, which is what we originally had. If we wanted to run it 18 hours in a day, we could up to the 30 acre feet cap. Commissioner Clark said the other thing to think about is it could be a closed fountain. She is asking the Commission to please put a cap on this as well, so the OSE will have to live up to that obligation and that we are protecting the downtown businesses and the downtown water well users.

Mayor Green said at the meeting he had the sense that the Office of the State Engineer is willing to work with us. If we ask for the 30 acre feet of water, it might open a can of worms we might regret and he doesn't know if this late in the game if we want to play Russian Roulette with the Office of the State Engineer. Rather than coming in the 20's showing we've done our homework and we're coming up with a contingency.

Commissioner Clark said maybe what we can do is say we are expecting 12 acre feet but no more than the original 30 acre feet that was in that well.

Ms. Marri would also like to speak to the recirculated water. The original plan is the hot springs water for the Healing Waters Plaza, however if it's more beneficial for the city, the environment, and for the site, it absolutely needs to be taken into consideration and it's acceptable.

City Manager Fuentes said in regards to redesigning the well, one of the items in building the foundation is for the fountain. We are at a point where we have a project

that is underway and under a deadline, so we need to move forward with the project as it sits right now. In regard to the cap, he agrees there should be motion made to authorize staff to work with the OSE to provide and allocate enough water for the fountain and to not exceed the 30 acre feet. During a meeting with the OSE they requested a reasonable number. They know what we want to use it for and they have no doubt on the availability of water, but we also want to leave some leeway for any potential

Commissioner Clark said we could use some of that Geothermal Water to heat the Lee Belle Johnson Center. She suggested the motion to include using some for the Lee Belle Johnson Center.

Commissioner Frankel talked about the recirculation of the water feature and if it recirculates we would lose the heat. One of the things that would be important will be to have that be a hot springs fountain to capitalize on that.

Mayor Green heard that well will be metered and we will be notified. If we go over our granted allotment, they will shut us down. So he feels it's a good suggestion to cap it to protect our businesses and the OSE.

Mayor Green moved to approve authorizing City Manager Fuentes and staff to work with the Office of the State Engineer to revitalize Hot Springs Well #24 and project the use of 12 acre feet but no more than 30 acre feet of water on that well. Commissioner Clark seconded the motion. Motion carried unanimously.

8. Discussion/Possible Action: Key City Personnel Selection. Kathy Clark, Commission

Commissioner Clark said there are couple of issues that concern her in the Municipal Code. It specifically states, the City Manager shall be employed by the Governing Body. The Code says the City Manager should be for an indefinite term and the contract we have does not reflect that. It also says that for the City Attorney. And it says the Assistant City Manager is chosen by the City Manager with confirmation by the Commission. She believes it's extremely important to have one or more Commissioners on the selection committee for those chief positions and or City Manager. She feels at least one should be involved in one of those key positions and one of them needs to be party to the process. In those key positions, if our City Manager is not in charge, the Assistant City Manager is in charge. It should be a person we have determined we would have in charge if the City Manager is not available.

Commissioner Frankel asked what the current status is. Commissioner Clark responded the current status is we are not operating according to our code.

City Manager Fuentes said in regards to the City Attorney. He read the wording from Section 2-99 of the Code of Ordinances which was on the books since 1962. Some

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municipalities have the resources to hire an In-House Attorney. The majority of the smaller communities, do this by a Professional Services Agreement. It is not an employee of the city, it's a Contract Attorney. The way we have it now it's an RFP process and goes through the procurement process. In regards to some of the other positions, for example, the Assistant City Manager, under section 2-99 it does require the Manager to designate somebody, and it doesn't have to be a new position. It could be somebody who is employed in the absence of the City Manager. In the past we have had a number of Department Heads step in as the Acting City Manager including the City Clerk and the Finance Director. It still requires approval by the Commission and whether they feel that person is qualified to step in to that position. Some positions do come before the Commission and most others do not. He mentioned the City Clerk and the Police Chief which are chosen by the City Manager. All ordinances can be amended by the Commission. If there is a need to change them the Commission can do that. We can look at other communities and the process they use for their key positions and how they recruit as a body. Some will delegate to a committee, some will delegate to a committee.

Mayor Green said he likes the idea of taking a look at how other communities handle this, if we have rule of procedure or process then we should follow it. If it's out of compliance or doesn't work for us, then let's change it.

Commissioner Clark said that's basically what she is saying, if we want to operate how we are doing it, we should change the code. If we like this code better then maybe we should make a different arrangement with our Manager and our Lawyer. This is just to make sure there is a consistency to what we are doing and with what is on our code.

Mayor Green moved to approve letting the City Manager be aware they would like additional information of how other communities handle these things so we can check other codes and see how our codes compare. Commissioner Clark seconded the motion. Motion carried unanimously.

9. Discussion/Action: Authorization to proceed with negotiations with Verizon Wireless for the installation of a monopole near the Water Tank West of 2nd Avenue. Juan Fuentes, City Manager

City Manager Fuentes asked Mr. Les Gutierrez and Building Inspector Travis to come forward to the podium. Mr. Gutierrez is the Senior Site Acquisition Manager for Tectonic Engineering on behalf of Verizon Wireless. They are proposing a monopole near the Water Tank. If authorized there is a required process to be taken which is a Special Use Permit.

Mr. Gutierrez thanked Mr. Travis and the City Manager for looking at the site with us. He presented Verizon is trying to get more signal by planning ahead for a better signal in the area. More use is taking more data and we need to plan for that. There are some existing towers at that area but they won't work for Verizon at this point. Skyway Towers would like to build an 85 foot monopole and mount their antennas on that pole.

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The area they are most interested in is North of the Water Tank. Through their research, they were able to locate a vacated Right-of-Way of which the City owns 20 feet. The other 20 feet belongs to the adjacent property owner at Fast Wave. They are also a group we are talking to about placing the tower, but we are approaching the City first. There is enough room there where we could place the tower and have enough room for Verizon's equipment. We would like to enter into a long term agreement with the City, and provide the City with funding for a period of about 25 years. There is some room to increase the rent somewhat but not a lot, but the range would be from about \$180,000 to \$250,000 to the city. He showed a similar situation that was done in Belen with an 85 foot tower.

Building Inspector Travis stated this is an R-3 Zone, and within that zone a communication tower could be brought up with a Special Use Permit. So we would notify the property owners in that area, and hold a public hearing, then come before the Commission again with that approval.

Commissioner Clark asked about the HAM Radio that's on John Brown's property at 3rd and Foch and if this would affect that, and if it has a special use. Building Inspector Travis was not sure about that tower. She also asked if this would be subleased for another vendor. Mr. Gutierrez said by Federal Law you cannot keep someone else from using a tower. In this event Skyway Towers will be the owner of the Tower and they will be paying the city. Verizon will be a tenant on that tower. Say for example AT&T would like to use the tower, they could sublease the tower. On the ground, space is limited so there is only enough room for Verizon. If they needed space on the ground they would have to come to the city to lease additional ground space. In regard to the tower, they are able to use that by Federal Law.

Commissioner Clark would like to provide something where the city would gain from anyone who may sublet the tower. Mr. Gutierrez said they would be happy to work with the city, but the key thing is the city is not putting in the tower or doing the work. Typically they would be more than happy to share the rent if the city would like to share the cost of putting it in. He's just joking, he would certainly take that to them.

Commissioner Clark said we could put that in the agreement, something like if the sublease is proposed or approaches the tower owner, that the city would have negotiation in the process. Mr. Gutierrez said he could propose it to Verizon, and the city could make it a condition of the lease, but he doesn't know where they would go with that.

Commissioner Frankel asked what the investment would be in the tower. Mr. Gutierrez said first they can't get to the lease until they get the zoning approval. In the leasing, they do Phase 1 and do SHPO, Federal Requirements, FAA Requirements. We put the foundation and the whole cost of the structure and the whole cost would be somewhere between \$225,000-\$400,000.

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Commissioner Hechler would like to ensure that somehow where we can look at the fees again to keep in mind what the fair market value is. Mr. Gutierrez responded there will be a provision of an increase annually which will be tied to CPI.

Mayor Green said this is to authorize the City Manager to proceed with negotiations. Mayor Green asked how you stabilized something like that because we have very high winds here. Mr. Gutierrez said typically they will do a soil study before they do anything to verify that it will support it. They drill down and there will be 15 to 25 feet concrete pilings. The tower will be designed for 150 mph wind and the Water Tank up there is close to 50 feet and you have two existing towers. Before we go forward we will do a structural analysis to show the Commission it will be supported adequately and it will be safe.

Mayor Green said that was a concern because we have an Art Park that is being built right under that tower, and we will have children and other's visiting the site.

Building Inspector Travis said one way we might be able to increase is they have to lease land space out for the equipment. They may be a way we could get additional revenue from other vendors who use the tower.

Mr. Gutierrez said one of the reasons we need a tower that high is because the Water Tank is 55 feet high and we need to be able to be higher than that tank.

Commissioner Clark moved to approve the authorization to proceed with negotiations with Verizon Wireless for the installation of a monopole near the Water Tank West of 2nd Avenue. She added to have City Manager Fuentes take the Commission comments into account. Commissioner Hechler seconded the motion. Motion carried unanimously.

10. Discussion/Action: Approval of Grants/Projects Coordinator position and Job Description. Juan Fuentes, City Manager

City Manager Fuentes said in the past the City has been very successful in obtaining grants such as the Water Trust Board, Community Development Block Grants; Colonias; MainStreet; some Non-Profits; and some Aviation Grants. The coordination of these provide reporting to various state agencies and with various departments to make sure we are spending the money according the agreements. This position would potentially oversee the grants we have in place which are taken care of by each department and would possibly help find grants. Some of the funding agencies we are working with direct us to certain funding sources we can submit an application for. Its rare that we have to submit a proposal to a non-profit organization. But that happened with the Turner Foundation where we were able to submit a proposal for the Healing Waters Plaza project. In addition to the grant side, we have numerous projects we are dealing with like the Soccer Fields; the Dog Park; the Wellness Swimming Center; the Automated Reading System; or any other of the numerous project we are looking at in

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the coming fiscal year. This position has a lot of value and provide a lot of assistance to all departments who are tasked with a number of projects and grants.

Commissioner Clark said a lot of the things she sees is what the Community Development Director was doing. City Manager Fuentes said that is correct, he helped with the Airport Grants and some of the coordination and assistance with the Water Projects. Commissioner Clark asked if they would also be writing grants or just an administrator of grants. City Manager Fuentes said it will be an Administrator of grants with some grant writing. As part of the Federal and State Agencies, this will be part of their tasks too. Currently right now the financial side is being overseen by the Finance Director. Other grants are taken care of by the Departments. For example LSAP is taken care of by Don Armijo; Jesus & Traci are working with the Water & Wastewater and Colonias; Bill was working with the Aviation; the City Manager is working with the Veteran's Wall Project; and others. There is not one central location where someone is overseeing the whole process to make sure we are submitting documents in a timely fashion and it can be cumbersome and must be completed accurately. In the past we didn't have this many grants, we just had state appropriation money and that was it. We are trying to develop our own coordination without outsourcing to an Engineer. Sometimes we will need that technical assistance.

Commissioner Clark asked Jesus & the Chief if this would take pressure of them to have this position. Water & WW Director Salayandia said Traci has been doing all of that work on the grants and it takes a lot of her time. Police Chief Alirez also said it would definitely relieve some of the pressure off of them. Some of these grants he's worked with this before, but having someone who knows will help tremendously. To have a professional person on our staff to help with collaboration. Water & WW Director Salayandia said you have to stay on top of them. Police Chief Alirez added as it is right now, as we are looking at the Animal Shelter, it's a huge project and would be a tremendous help.

Mayor Green said certainly with them using other department's employees and having organization skills that are absolutely incredible.

Commissioner Hechler said for purposes of quality control a grant administrator is essential and very important to operations. When you farm out grants to other entities, you don't always get the same quality level back. He asked what the salary range will be. And how many grants will they oversee.

City Manager Fuentes said in regards to the salary, he will need to look at the budget and it would be comparable and he is looking at housing the position in the Community Development Department maybe looking at the Community Development Director position to gear more towards Economic Development. We have some applications in the works that would be part of that position. They will also have close communication and coordination with the Finance Department. We talked about a Planning Grant on getting the water across the river and assisting the Village of Williamsburg in bringing

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colonias money. There is quite a bit of work we can do this fiscal year and opportunities to apply for more.

Commissioner Frankel is interested in the salary range and feels it's important to include a very qualified person to do this job. He wants to make sure we are not filling the position with a poverty level minimum wage where we are going to get an average or basic job being done. This is an opportunity where we could fill this position with a creative, high quality person to get the job done. Or are we looking at a performance based position.

City Manager Fuentes said initially he was thinking about \$12-\$17 per hour. But it boils down to what our financial resources are in the budget and what we can afford. He heard the Commission about finding an Economic or Tourism Director position, as well. We do have people now that are able to do the job. It's not a grant writer going out to Non-Profit Agencies, it would be going out for grants for the city. Water & WW Director Salayandia and Police Chief Alirez need to focus on the operations and a grant writer.

City Manager Fuentes added they would look for grants for the city when they are tasked to do so. Commissioner Frankel said it seems like there are two positions. There is a grant writer that would be 9:00 – 5:00 doing the paperwork and another position for someone out there finding grants. City Manager Juan Fuentes said his purpose for presenting this is he sees a need right now with grants that need to be managed. They are not going to be the MainStreet Director and going out for Tourism or Marketing money. If the Commission can fund a marketing director, then they can help with funding sources for those activities.

Commissioner Clark asked about the possibility of flexible hours, when there are not as many grants so they would work less hours in the week. City Manager Fuentes noted as in other job descriptions, we will have other duties as assigned. There is plenty of work that needs to be done and also extra help with development of other projects.

Commissioner Clark also asked Electric Department Director Easley about some projects they have coming up. Electric Department Director Easley responded they have a lot of work to do on the testing and will need grants through that.

Mayor Green asked City Manager Fuentes to put on the agenda a presentation by Jay Armijo to let the Commission understand what the COG is, they have grant writer's on staff, and we are a member and there is money out there. He would think it should be advertised in-house first so if we have someone in-house who would like to apply that we keep that in mind. Mayor Green said number two would be to put dollars aside for grant administration training.

Commissioner Hechler said he is in support of this position, once we put this in place and he would like us to take advantage of grants that are out there. He would like to see this position grow to include this down the road.

Commissioner Clark moved to authorize the City Manager to proceed with the position within the budget and approve Grants/Projects Coordinator position and Job Description. **Mayor Green** seconded the motion. Motion carried unanimously.

H. REPORTS

1. City Manager

1) City Manager Fuentes let them know the status of the BLM Landfill by the Turtleback Golf Course for a Driving Range, and the Agreement has since expired. They have been working to patent the property which will cost the city less than \$400, and it will require monitoring for a number of years. We will be working with the Turtleback Golf Course for the use of that property and with the NM Environment Department on the monitoring. We will be addressing some of the issues on that property, like erosion and security fencing.

Commissioner Frankel asked when it was in operation and when it was shut down. City Manager Fuentes said it's old, it's back when you were able to burn trash and probably over 30 years or more. So now it's our Landfill. Mayor Green asked what it would cost us to monitor it. City Manager Fuentes said it's required to monitor it on an annual basis, we did some plans to the Solid Waste Bureau. We can come back and present that to the Commission. Mayor Green asked if there is any other money out there we might seek to help with some of the costs we have inherited. City Manager Juan Fuentes said no, it's a liability we agreed to accept. We do not want to disturb that sight, but just to monitor it.

2) City Manager Fuentes said one more item is the Healing Waters Plaza, we are monitoring that weekly. They are bringing new crews to help. The Trellis and Lights have been ordered and they may not arrive in time but they have been ordered and the work will hopefully be done by the end of the month in preparation for the Centennial.

2. City Attorney

None.

3. City Commission

Commissioner Clark thanked staff for sitting through these meetings with us. She thanked George and Sazi for being here today, she appreciates it.

Commissioner Frankel spoke about the Hot Springs Festival this weekend by MainStreet and listed all of the events that are planned. They encouraged all businesses to be open Friday, Saturday, and Sunday. He also encouraged the community owners to get out and clean up and have pride in their community.

Mayor Green thanked Carole Wheeler and the Sierra Twirlers. They have brought people to help showcase our beautiful town. We have been chosen to host 2018 the

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statewide regional event for the Square Dance Championships for a three day event. He thanked the staff members involved.

Mayor Green thanked the Sierra Arts Council for bringing the traveling team from the Santa Fe Opera here to the Civic Center a couple of weeks ago. This is the second year they have done that.

Mayor Green thanked the Fiesta Board and each individual group who was part of the Fiesta for keeping that tradition alive. He thanked KCHS for sponsoring the dance at the Civic Center; the Arts Council for sponsoring the Film Festival; the Sheriff's Posse for putting on the Rodeo; the Lion's Club who have worked and partnered with the Fiesta Board with their insurance.

I. EXECUTIVE SESSION

1. Limited Personnel Matters (Trevor Whitehead Appeal) pursuant to 10-15-1 (H.2)

Item was removed from the agenda.


J. ADJOURNMENT

Commissioner Clark moved to adjourn at 11:36 p.m. Commissioner Frankel seconded the motion. Motion carried unanimously.

Passed and Approved this 14th day of June, 2016


Steven Green, Mayor

ATTEST:


Renee L. Cantin, CMC, City Clerk