

**CITY COMMISSION MEETING MINUTES
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
TUESDAY, JUNE 14, 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 June 14, 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. Sandra Whitehead, Mayor Pro-Tem
Hon. Kathy Clark, Commissioner (by telephone)
Hon. Rolf Hechler, Commissioner
Hon. Joshua Frankel, Commissioner

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

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

2. SILENT MEDITATION

Mayor Green read the following statement: The horrific event of this past weekend reminded him of the words of the poet John Dunn who wrote: "No man is an island entire of itself, every man is a piece of the continent, a part of the main." The senseless taking of lives impacts and diminishes us all. There can be no place for hatred and intolerance in our society. We the Commission feel the grief of the City of Orlando and the rest of the Country. He then called for fifteen seconds of Silent Meditation

3. PLEDGE OF ALLEGIANCE

Mayor Green called for City Clerk Cantin to lead the Pledge of Allegiance.

4. APPROVAL OF AGENDA

Mayor Green asked to move Presentation number 2 by the SCCOG to the first presentation and move everything down accordingly.

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

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

Mayor Green called for Public Comment, noting those wishing to comment would get three minutes, may only approach the podium once, and any material for the Commission was to be left in the black box by the podium.

Terry Squier, Elephant Butte Resident addressed the Commission related to:

- 1) Friends of Elephant Butte State Park. One of the things they do is put on the Fireworks Show. Asking all of the entities to chip in a little bit more to make it a bigger event. It's the greatest show in the state and he's watched hundreds of cars leave the event and go down to T or C.
- 2) He also announced the RV, Boat, and Adventure show this weekend at the Lake.
- 3) He also announced the Sandcastle Building Contest Event at Marina Del Sur.

Nadine Gardner Daves addressed the Commission related to:

- 1) She's a Member of the Chamber of Commerce and a Lifelong Member of the Geronimo Springs Museum.
- 2) She said turning the Lodger's Tax over to a Non-Profit would be devastating for those Non-Profits who have spent so much time planning their next year's events. It seems unfair to disregard the time the Lodger's Tax Board spends on review the allocations and making a recommendation to the Commission. These events bring not only Entertainment but Tourists to our Town. It also provides fun for our Permanent Residents and make our Winter Visitor's want to come back. All of these Volunteers have done a pretty good job of bringing people to our community for events. Please listen to a few of us as we all explain our concerns of this years plan. And then lets all sit down and make a better plan for next year. And please take this recommendation in the positive sense it is given.

Hans Townsend, Desert View & Chamber of Commerce addressed the Commission related to:

- 1) He brought to them a little clarity on the Chamber of Commerce Visitor's Guide. Sierra County and Truth or Consequences is a community that relies on Tourism as it's major industry. Hence, the importance of encouraging visitors to choose us as a stopping place and to revisit. Communities all over the world produce, publish, print, and distribute Visitor's Guides because it is proven to be the most effective way of producing tourism. The Chamber addressed this need and produced a Visitor's Guide that can compete with the best out there. Up until this year Southwest Senior was printing and publishing the guide. This year the Chamber decided to edit and publish the Guide itself which will save us money using the knowledge gained from the previous years. This helps enormously with the cost but it's a lot of work. The cost of the Guide

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in this Lodger's Tax year is: The Art and Graphic Design compilation done locally is \$3000; Setup, Printing, & Delivery from printer of 35,000 copies is \$22,000; the distribution costs are \$3,200 for the City of Albuquerque (including the balloon festival over and eight month period); and \$1,600 for distribution throughout El Paso (including Ft. Bliss). This brings us to a total of \$29,800. They collected \$11,000 from Advertisers this year. They also got \$1,200 from the County for the El Paso distribution. This still leaves us with a shortfall of \$17,600. That is why they ask for the Lodger's Tax allotment to defray those costs. They printed 25,000 this year and they will be gone by the end of the year. The next guide will have to be printed by the end of the year.

Russ Trager, Zia Kayak Outfitters addressed the Commission related to:

1) Happy Flag Day. Started thinking about Civic Pride when helping with the Flag Display in Elephant Butte. He is on the Lodgers Tax Board in Elephant Butte. When he opened his shop he became a member of the Elephant Butte and Sierra County Chambers. He likes to think it's his civic duty and feels it helps. He has been invited to attend the Sierra County/T or C Chamber meetings and everybody seems to have their heart in the right direction, but the methodologies are different. When it comes to the Chamber, he looks at it as being the City's chamber. They are very concerned about having a shortfall in terms of money from Lodger's Tax, and they asked him to speak on the possibilities this morning. He added the possibilities are General Fund, Lodger's Tax, and sometimes its grant. If there funding takes place it will certainly allow them to focus on other needed projects for the city.

Mike Kertesz, Resident of Truth or Consequences and President of the Chamber of Commerce addressed the Commission related to:

- 1) He would like to have the opportunity to have another meeting with the Commission. They are trying to support the builders and work with the Museum. The three entities would be best served if they could have a separate meeting with the Commission to go over all of the issues with the reproduction and cost of the Visitor's Guide. He asked for that as a follow up option to this meeting.

Carole Wheeler, 603 Corbett St. and coordinator for the PALS organization addressed the Commission related to:

- 1) Thanked the Commission for putting the Dog Park in the budget. Even though it's in the unfunded category, the fact that they are thinking about it is great. She believes if you build something, they will come. She is not one to spin her wheels while the governments wheels are spinning.
- 2) PALS Meeting on Thursday at 10 at the Housing Authority Meeting Room. We will be putting together the official Dog Park Rules. If and when the Dog Park is set, they don't want us to play catch up, they want to be ready.

Manny Long, 64 Arabian Lane, Elephant Butte addressed the Commission related to:

- 1) Old Time Fiddler's Group. He failed to provide their certificate for Non-Profit and he has it with him.
- 2) The process whereby the organization has to pay for the ads themselves and then ask for reimbursement, they do not have the money in their pocket to pay

for it ahead of time. The other option is to have an arrangement where when we do an ad, we can submit the tear sheet and invoice for payment and they can pay it directly. This will help us from having to pay for it in advance and having to submit the paperwork for reimbursement. The problem they ran into last year was they had an invoice come in and they failed to put the city logo and the disclaimer on the bottom of the ad. Hence, the \$500 bill was declined by the Lodger's Tax Group and we were stuck with that bill. They are hoping some other arrangement can be made instead of them having the front the money themselves.

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

- 1) Lodger's Tax needs to change, the way its set up now, the application process and reimbursement process is all difficult. Having worked with it for the past seven years, she finds it's a very difficult process. She is getting less money each year. It's difficult being a person who needs Lodger's Tax to try to find out how to get more. She comes to the meetings, turns in reports on time, uses money she is allocated and she got less this year and less last year as well. MainStreet has four events they use Lodger's Tax for including: Hot Springs Festival, Old Fashioned Christmas, Second Saturday Art Hop, Scoop the Loop and Sock Hop. It seems to be almost punitive to organizations that have multiple events. There are several organizations that have one event. She suggested they consider those who are doing multiple events and the amount they receive. We want to put Heads in Beds and bring people to town. It costs a lot of money to put on events as you guys now know through the Centennial. It's costs thousands of dollars to plan events. What's the sense in planning a great event if you can't get the word out there and put Heads in Beds. She feels there is a flaw in the process. There seems to be no rhyme or reason to what they allocate. She doesn't even know if they get copies of the ads where the organizations spend their money. She thinks things need to change, and she encourages them to look forward to some solution.

Klaus Whittern, 618 Charles addressed the Commission related to:

- 1) Feels it's awkward to give comment on a presentation when it's forthcoming. He is in favor of the automated meter reading for the City Utilities. He is not critical of the idea, he is critical of the process to get there. In October of last year the city passed a Letter of Agreement (LOA). That has not been followed and there has been no meeting scheduled between that date and today under the requirement. There has been no Cost Benefit Analysis provided to his knowledge in today's presentation. There are a number of issues that are remiss at this point. There is no clear indication as to whether the process in the PDA will be more effective than if the city uses its own forces to pursue the project. He believes it needs to be cleared up and discussed with the community. It's a savings which come from the use of the utilities. He believes we need to postpone this issue and have the discussion with the public and amongst yourselves.

Marilyn Pope Geronimo Springs Museum addressed the Commission related to:

- 1) She agrees with Linda DeMarino's comments about the funding. Some of these problems are the same for all of us.
- 2) She invited Mayor Green to come to the meeting when they have a training session to help them see what he would like to see in the reporting and application. She would love to talk to somebody who wants to give her more detail and she will do the reporting however it needs to be done, but she needs to know how it needs to be done. She's listed tons of events this year and perhaps she should have done it a little bit differently.
- 3) They have been very busy this year. For Fiesta she had a very large group, the largest she has had in the five years she has been there. They had an Open House as they always do, they provided an ad for the Hot Springs Festival and hosted two of the programs Linda set up and went very well. They had an open house for the Centennial and had a very large group of people who were very positive. Part were firefighters, part were from the centennial. Some made comments they were glad we were open on Sunday, and again that is something we might want to think about. They did Centennial Posters, cards, had the Kick-off Breakfast, provided distribution of their materials, provided advertising on the radio and two ads in Fort Bliss. She thanked Renee Cantin & Sandy Whitehead for their hard work on this. She has been in her place and being new to the place and taking the reins and working as hard as this at she did.
- 4) Invitation to Cowboy Breakfast on July 2nd and dedication at the Guard House. Invitations will be sent out. She invited them to come by the Museum, she would love to talk to them.

Ernie Lucero, Clint Benjamin Memorial Team Roping addressed the Commission related to:

- 1) They have done this event for 14 years. The first or second largest Team Roping every year. They would just like a little help with Lodger's Tax money. He explained they are a large event. It brings a lot of people to town, they average about 700 teams per year. The biggest event they have had was almost 1,000 Teams. They are trying to keep it going and Los Lunas and Socorro are trying to take this event away from us. It takes a lot of money to run the event. If you're around in February you need to come and see how many people come to the event. He is hoping they can get something done.

D. RESPONSE TO PUBLIC COMMENTS

Mayor Green responded to the Lodger's Tax comments. In relationship to who should pay the bill. We started discussing this at the last Commission meeting. The motion was to task City Manager Fuentes to come up with another method that would help us support the recipients of Lodger's Tax money distribution. The recipients should have fundraisers to raise the money, they should produce the best quality event as possible, and the city should pay the bill. When the city pays the bill that way, it ties the city's hands because we are under the state regulations. We have tasked the City Manager to find another way to channel that money into an entity to do our bidding for us to make

sure it could happen the way we want it to happen. First we would have to change our code because right now it's under the City Commission. With no disrespect toward the Lodger's Tax Board and the recipients of these funds, he would like to add a discussion item for reviewing the Lodger's Tax process when Commissioner Clark returns. Business as usual is not a sound economic development plan, tourism is an economic driver for us. And unless we take a hard look and make some tough decisions, the city will stagnate and eventually fall by the wayside. We realize how important it is and we will be addressing it. We don't want to do something that will cause havoc this year, and maybe we will do our planning now and harvest for next year. He wants to make sure Commissioner Clark is present since she has been involved and is the Vice Chair of Tourism.

Commissioner Clark said we do have another member on our Commission that was part of the Lodger's Tax Board for many years. She feels it's very important to look at a better way that would benefit more people in our community. She appreciates Mayor Green's comments and those from the public. Maybe in the next 12 months we can reconsider how it's dealt with and come up with a better way.

E. PRESENTATIONS

1. Presentation related to the role of the SCCOG. *Jay Armijo, Executive Director*

Mr. Armijo gave a presentation on the SCCOG and the amount of employees and the area they cover. They currently have a membership of about 19 members which includes all of the municipalities, as well as, a few Water Associations and Special Districts. They also have a Legislative Representative which is Mary Kay Papen. They have a staff of twelve employees. They have one office here in Elephant Butte and one in Mesilla. The Mayor has been an active participant on the board and the Regional Transportation. He referred to the brochure he presented to the Commission. They are considered an economic development organization. They offer fiscal agent services for the entities and are currently the fiscal administrator for the SCRTD, and he went over the funding received. They have been looking at ways to continue to expand the services in Sierra County. They are also administer the Southwest Workforce Development and Chief Elected Official's Board for our region. They are involved in a large planning project with Dona Ana County and they get involved with smaller projects as well. The Statewide Regional Transportation Plan is also included in the packet. They also have a staff member who has helped with Graphic Design for projects. Currently the City of Truth or Consequences pays about \$2,200 for year which is a big deal for them.

2. Presentation related the Film Report. *Cary "Jagger" Gustin, Film Liaison*

Mr. Gustin gave a report which is part of the agenda packet. He has served as the Film Liaison for 22 years. He said Truth or Consequences is sleepy when it comes to films, we are often overlooked as they choose Albuquerque and Santa Fe with their proximity to the airport and there great sound stages. We have seen films here, Mad Love with

Drew Barrymore in the mid 1990's; Year One with Jack Black at Caballo Lake; the Book of Eli at Elephant Butte; Volvo Motor Works print ad, Chevy Trucks. We've had film activity here in May last year with a Belgian film crew spending the entire month doing a documentary on Truth or Consequences; Just weeks ago a documentary film crew working for Alex Trebek of Jeopardy fame contacted Juan's Office for film help. The planned shoot was Fiesta 2016 weekend. More details are in the full report in the agenda packet.

He is currently working with Juan on a permit form recommended by the state to have in place. Second, we have no film website. We have no way for film people to look at us and see what we can offer. There was a great website developed by former Mayor John Mulcahy through our SCEDO Group. When they disbanded the website went dead. He has requested the Sierra County Lodgers Tax Board to assist in addressing this. That board was holding funds to help with a launch party event for Spaceport America which now seems on a long term delay. The county webmaster is building a site. He has pictures of the entire city, its amenities and attractions, as well as, the surrounding regions for inclusion on this site. Third, he has requested through the Sierra County Arts Council to include in their Lodgers Tax request some funds to reprint an informational card with updated information.

Commissioner Frankel asked what is in the pipeline. Mr. Gustin said we don't have anything now, but when we have something local we would sure jump on it and bring them here if we can.

Mayor Green asked if there is a company in Santa Fe where we can be there and show people our assets and what we can use. Mr. Gustin responded there is not one at this time, but just being in contact with the State Film Office and their studios and staying in the loop with that. He does go to the Annual State Film Office Meeting on his own funds. Mayor Green added if he things it might be more impressive, one of the Commissioners might like to attend that meeting with him to develop that relationship with them.

Mayor Green also said you mentioned the Sierra County Lodger's Tax Board. Mr. Gustin has requested they use the money they are holding for the Spaceport to help build a website since it's not needed at this time.

3. Presentation related the Hot Springs Festival 2016. *MainStreet T or C*

Mrs. DeMarino gave a presentation on the Festival. It started in 2009 and they ran it until 2012. One of problems then was trying to find a good time to have it. Then in 2015 there were some of the local businesses who asked about it. So we polled businesses and some locals on the event and we applied for a Tourism Grant in November of 2015 and we found out in January 2016. In the new concept and format of the event we have three cornerstones which are Healthy Lifestyles; Alternative Medicine; and Sustainable Living. The new format included Workshops, Speakers, and Field Trips instead of a one day thing, we did it over three days to give people a reason

to stay here overnight. We had a committee that met weekly for 3 ½ months. That weekend we had over 40 local volunteers which was really great. The topics really had buy-in from the volunteers. We now have pieces set up to plug in new speakers and locations for next year. She went over the advertising for the event which included Truth or Consequences, Southern NM, Tucson, Santa Fe, and El Paso. They used print, media, radio and facebook. She then showed some images of the musicians, we had some local and some from out of town, there were also some therapy people who did sessions. We had Speakers who flew in to speak and some local people who offered some great sessions with a lot of interest. We had a native flute player and a portrait artist. We did field trips and one was in Kingston for a Sustainable Building session where 13 people attended. She announced some of the comments from businesses. She did call some of the hotels to find out their occupancy over that weekend and most were at about 94% occupancy. The feedback was good, the event needs more bones, and with more time will grow. The Planning Committee Meetings will begin next month.

Commissioner Frankel added it was a great event, he volunteered for the weekend and it was a lot of fun and a lot of work. He asked if she feels like they got adequate help from Griffin & Associates for this event. Mrs. DeMarino told them she forgot to add the attendance was between 1,200 – 1,500 for the event. Related to Commissioner Frankel's question, Griffin & Associates said they would write a Press Release and get us a spot on a Morning Show in Albuquerque. She knows they put the website on the press release. She is not sure if it went out because didn't see where the Press Release went out. It's difficult to tell because she doesn't know what to expect.

Mayor Green added this is the type of event he truly believes the city should work with the Non-Profit organization to make sure nothing falls through the cracks. He thanked all of the volunteers and the board. He feels this has the opportunity to be the signature event in our community. Because it showcases what our community is all about.

4. Presentation related to Yearout Energy Services (YESCO). *Scott Griffith*

Mr. Griffith gave a presentation which is part of the agenda packet. In October of last year the city signed a Letter of Agreement to take a look at incorporating the electric and water meters as one set and to see what it would look like for a project. We had previously worked with the water system. One of the reasons it has taken so long is by integrating the electric meters there are several different forms of auditing that the state allows us to use. NMSA 1978 6-23 is the statute we are going under. We follow a process according to state statute. The good news is energy performance is happening in New Mexico in a big way. We are studying how we get this project to fund itself so there is no cost to the city. The energy savings and water saving you will get on new meters will create a higher income on your system because the old meters dissipate and don't work as well. It will also save money in your billing system. He presented the steps included looking at the water data; meter population; ages of all of the meters and when they were installed and what vendor they were from. The testing of the meters was very intense. Right now we see a 3 day accuracy level. This sets whether there is

a project that will create enough savings. The PDA approves the exact number. In meter accuracy only there is between \$68,000 & \$163,000 of pick up. The maintenance and operation could be as much as \$53,000 on top of that. This is a great way to fund a project because it takes the operations and maintenance down also. The billable in 2015 was a little over \$2 million. Electric Meters do not compromise like a water meter does. We took numbers off of the older meters to see how they were working. With an Electric audit we use stipulated savings because we know it will be the accuracy with the new digital meters. The PDA will inventory all meters that require service changes; it will also define the ownership of the meters and boxes; the stipulated savings by the manufacturer; the pre-retrofit baseline; the operating expenses; and the post savings. The bottom line is you have Power Factor Adjustments. If you put in digital meters they are going to talk back and you can read them automatically. There are several systems that can read water and electricity simultaneously. They should all be able to be read in five minutes and you don't have to go out physically to read them. The efficiencies are between 20% & 40% which is very conservative.

He presented three different types of technology. Drive by Radio Reading we just installed in Silver City. The readers don't have to get out of the truck to read the meters. The city has already installed 1,000 new meters which could be upgraded as a radio read. Roswell is installing the fixed based system, which is where the meter sends information every 3-5 minutes over the internet. You can also bill very quickly. AMI could be beneficial for a small system. There is also the new 3G 4G Cellular System, this is what Santa Fe is installing now. Each meter is actually like a cell phone so there is no infrastructure, it just reads over the cell phone tower. The problem is it has monthly fees which he is looking at right now. There is a cost benefit analysis on each one, the problem is which one will make the most sense. He can look at the PDA to get the exact numbers to see which technology makes the best sense.

He explained the AMI benefits which allows you to read every 15 minutes. This allows you to see your system in real time. It's going to also reduce the misreads and higher bills. We just installed 7,000 in Silver City and out of those 6,700 are already on online billing. There have been no hitches in billing whatsoever. We are very careful with execution. There is also a tampering notification, so if someone hooks up their neighbor's camper, you can shut them down right away. Leak detection is part of what the meters give you. The online aspect saves Customer Service a lot of time. The project we look at is how much savings can we find through accuracy pickup. The next step is an investment of the savings. We are looking at using QECD's (Qualified Energy Conservation Bonds) which require a guarantee type of project. It's a federal service that rebates energy costs. Right now, nobody else is in line for that money. It's a unique one time deal for that funding. We are looking at about 120 days to do the testing. These are a way to finance infrastructure with no upfront costs. Their company guarantees a savings to be done. If we don't get one, they pay the difference under the rules of the statute. The next step is how to price out what the PDA would be. Because they are under state contract, they are allowed to charge for electric but not for water, they have to go for approval for that. The Audit has to be approved by the NMED and the OSE. They also totally turnkey this project to help get it done. We do hire locally so

it brings jobs into the area, and they train locally so they can continue operations. They are asking for the PDA approval to move to the next step. The risk is only if you want to go and build it yourself.

Again in summary, there is no feasibility cost; the PD Implementation plan, all costs are finalized in the package; everything will be reviewed by the Commission before its ever decided up; we work with all vendors to get you the right contract; there are NO change orders; there is a difference in an escrow project rather than other types of funding.

Commissioner Clark knows this will be good for the Electric Department but she still hasn't seen the cost benefit analysis.

Commissioner Hechler asked about the Cost saving the city will realize, will it be actual savings or savings to the system? Mr. Griffith responded a portion of the actual savings will go to pay for the project itself and a portion will go to the city. Generally 80% of that will go to pay for the infrastructure. Commissioner Hechler also asked if it's a 20 year project. Mr. Griffith said it could be, Silver City is 14 years. The state statute reads up to 25 years. Commissioner Hechler asked what the life expectancy would be of the system and the meters and what happens if they break down in the meantime. Mr. Griffith responded in the process they get a warrantee from the manufacture for 20 years. Then third Commissioner Hechler asked what is in it for YESCO. Mr. Griffith responded they act as the General Contractor, they actually come in and installing as a total turnkey project, and they make their money as the General Contractor. If a meter is \$325 and installation is \$125, we make our money within that. There is no monthly or yearly fees.

Mayor Green asked what their form of guarantee is. Mr. Griffith responded under state statute there are three forms of a guarantee. As a company, we are guaranteed by our company name. The second one is we have to do an insurance bond for the savings amount and the state requires a secondary backup bond, that's all on them. So we have those three steps for the guarantee. Mayor Green asked if the city is the named designee and Mr. Griffith confirmed that.

Mayor Green added the initial survey brought you back again because you feel there is enough captured revenue or getting reimbursed by the users and we are losing some of the billables because of antiquated old meters. Mr. Griffith said under the statutes they look at accurate and savings under the same category. The Silver City project had law firms like Modrall and Rodey to check everything to make sure we are ok. He will share those with the Commission. Mayor Green would also like to get some of their former contacts with other communities for projects they have done. We are not determining the mechanism we are going to use at this point, that is going to be a decision made down the road. Mr. Griffith responded after the audit is done, we know there is an amount to pay for the driveby system. We know at the lowest amount, there's a Cadillac version of the Census product. There are a lot of different variables. As far as, the cost benefit analysis, until they know what the numbers are as far as the value, then they can go and see which system will work best. Commissioner Clark also asked him

what the cost benefit would be if we did it ourselves. Once they go through the program Cities usually only replace 10%-15% at a time to get it going. There is no guarantee of what the results are going to be. He gave an example of the Santa Fe project.

Mayor Green said he mentioned the Electric Department has already installed about 1,000 new meters. Would we be tied to the manufacturer to get that credit. Mr. Griffith said those meters are about \$31 each, the expensive part is the radio read. The reading device is different than the meter itself. We will look at how we could use the meter you have which is not a bad meter, or would it be better to have new meters.

Commissioner Frankel asked about the timeline on the technology and how long the radio read technology has been in place. Mr. Griffith said for an example Espanola has a radio read program that's been about seventeen years old. The mechanical side of the meter is slowing down. Meters are a mechanical product and over time the calcites build up. For years we've had mechanical meters out there and there's a statewide pricing agreement for them, but you have to have a physical person reading the meters. The new meters now are mag meters with no moving parts and they last longer. You have to be careful with the water quality in selecting a vendor. He explained the difference between Water meters and Electric meters.

Mayor Green said on the Cost Benefit Analysis, that cannot be done specifically until you do the PDA with the pros and cons and highs and lows. Mr. Griffith agreed. He needs to understand how the meter population is reacting right now. We are going to get different ages and times of when they were purchased and placed to understand what the population is doing. Then maybe we could determine the driveby would be the best with the AMI for Electric. We also need to know what the cost of billing is so we can provide that information. For Roswell they priced out eight different systems, as well as, the cost for doing it themselves. They have over 50 disconnects a month and it costs them more than the ordinance allows them to charge. They are losing an immense amount of money just because of the people it takes to do that.

Commissioner Clark thanked him for coming back. She knows he has done a lot of work on this. She still stands with the previous Commissioner Richter and feels we need to look at our entire water system and the things we need is just not a good plan. At the end of the day the money will go into your pocket and not ours. She hates to be so skeptical but she is. She mentioned the cost benefit analysis which we didn't get. This town doesn't have a lot of money and we do have an infrastructure problem. She feels just dealing with meters and not dealing with water lines and T-1 lines, and knowing we have to tear up downtown to do so, is difficult if it's not all in the same package. She said maybe we can have the people with the water study work with Scott and have all of them talk together and make a package to see if we benefit from this. She wants to make certain in doing a project that we are doing it all together. She doesn't know if it's possible but she would like City Manager Juan Fuentes to look into it.

Mayor Green commented how he mentioned Silver City which was a 14 Year Bond. Mr. Griffith responded they have a 20 year bond but they will pay it off sooner. Mayor

Green added they will pay it off in 14 years with a 20 year warranty on these meters. So that becomes a revenue producer which could theoretically be put towards water line replacement and such.

Mr. Griffith gave an overview of what happened in Silver City. There is \$3.9 million in infrastructure they are not having to pay up front for. They can take those dollars now and move them toward leak detection. They provided them a portable leak detection device where they can go quadrant by quadrant to fix those leaks. Under state statute where it says water conservation, we have to prove we are saving water. They are now saving 29 million gallons of water. In the process we found \$264,000 in savings. He understands Commissioner Clark's concerns in why would you put a new meter on old lines. The new meters will allow you calibrate the loss. When we read the Smith Engineering report, if you get the meter straightened out that is where the dollars will come from. It's your infrastructure and you're building a new Wastewater Treatment Plant already, but the billable side is where you will save the money. We look at how to get those revenues back up. It's a look at the mechanical process that's being compromised by water quality and age. This is a one-time opportunity to look at the dollars you will be saving. It doesn't affect your bond capacity, it's considered a conduit with the state. If we have new meters it will help you to see where you need to replace lines the quickest.

Mayor Green read an email from a Citizen's concern about her disapproval of the smart meters and the health hazards due to the electromagnetic radiation admitted from them.

Mr. Griffith responded we had that concern in Silver City as well. As of today in his lifetime, they have installed over two million meters. On the radio read side, they use a bandwidth the FCC has already regulated and it's very safe. When the radio read it send the information in the same way you send a text. So the Radio Read is a real low frequency. On the AMI that sends information every five to ten minutes, it's again the same as a text. There are no proven studies that it's a health hazard. There are FCC white papers he can get to the commission showing the bandwidth issues and how they work. They are all within very safe standards.

F. CONSENT CALENDAR

1. City Commission Regular Minutes, May 10, 2016.
2. City Commission Regular Minutes, May 24, 2016.
3. Golf Course Advisory Board Minutes, April 6 & May 3, 2016.
4. Accounts Payable for March 2016.
5. Contracts with Les Deschamps and Steven Sage for Public Defender Services for indigent defendants.

Mayor Pro-Tem Whitehead moved to approve the items as listed on the Consent Calendar. Commissioner Clark seconded the motion. Motion carried unanimously.

G. PUBLIC HEARINGS

1. Public Hearing: Final Adoption of Ordinance No. 669 15/16 amending Chapter 14, Article II, Section 14-30 Access to Property; Inspection. Christina Bruch, Electric Dept. Admin. Asst.

Electric Dept. Admin. Assistant Bruch stated we are here once again for a public hearing for this ordinance. It was published May 26th in the Sentinel and we are hoping for your approval.

Commissioner Clark confirmed that Mayor Green read her letter to George and Christina.

Mr. Szigeti wanted to put on record the Public Utility Advisory Board has worked with everyone to make this ordinance as fair to all of the users as they can while ensuring the Electric Department has the tools they need to do their jobs properly. It's been a difficult process but he thinks they have the best solution for them.

Mayor Green thanked both the Department and the Board for working with staff and he declared the public hearing closed.

H. ORDINANCES, RESOLUTION, & ZONING

1. Discussion/Action: Final Adoption of Ordinance No. 669 15/16 amending Chapter 14, Article II, Section 14-30 Access to Property; Inspection. Christina Bruch, Electric Dept. Admin. Asst.

Electric Dept. Admin. Assistant Bruch said at this time, we are requesting final approval of this ordinance.

Commissioner Clark moved to approve Final Adoption of Ordinance No. 669 15/16 amending Chapter 14, Article II, Section 14-30 Access to Property; Inspection and she added she appreciates all of the efforts of staff. Mayor Pro-Tem Whitehead seconded the motion. Roll call vote was taken by the Clerk. Motion carried unanimously.

2. Discussion/Action: Resolution No. 31 15/16 for Administrative and Financial Support of the Great Blocks on MainStreet Program. MainStreet T or C

City Manager Juan Fuentes announced Mrs. DeMarino will present the item. This is a new program put out by NM MainStreet. This is the second year, and last year they did it in Raton. They are asking for support administratively and financially for this program. There will probably be about five municipalities who will apply and they will only award two. The area they are looking at is on Austin and at the end of the project you will have a set of shovel ready documents. You go through the process of identifying the project, getting public input, meeting with engineers, and develop the documents to find funding for shovel ready projects. The reason we selected MainStreet is because it was Juan's idea. We can take care of some of the flooding issues there, take care of a big

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giant street that needs to be beautified, we have traffic there, and our Hot Springs Hotels are along that area. Ultimately, what we would ask the city for is there is a 20% match that can be half in-kind and half cash which would be \$7,000. We would need support from the city on that. There is one typo on there, it says McDaniel and it should just be Daniel.

Commissioner Frankel added this is a rare opportunity. Not only are we eligible to apply but we were encouraged to apply by the Director of MainStreet for the state. So when you are encouraged to apply for something it's a good indicator that we are high on their list.

Mayor Green said the state MainStreet was offering \$500,000 to projects that are shovel ready. We were able to get \$140,000 for the Healing Waters Plaza.

Mrs. DeMarino added even though Raton was the first group to get the funding for the first year, they actually got funding from other organizations to help with the project and those might be funds we can access as well.

Commissioner Hechler asked how the in-kind match is provided. Mrs. DeMarino responded a lot of it is in labor hours including paperwork. City Manager Fuentes also responded we can provide part of it as cash match and other services can be staff support for testing or equipment we have to use for a project. Because we already have our staff we are paying, we can use that as in-kind. Commissioner Hechler feels it's a great investment.

Mayor Green invited Mrs. DeMarino to also attend the DOT Board Meeting to start throwing some food on the waters to work parallel roads at the same time.

Commissioner Hechler moved to approve Resolution No. 31 15/16 for Administrative and Financial Support of the Great Blocks on MainStreet Program. Mayor Pro-Tem Whitehead seconded the motion. Roll call vote was taken by the Clerk. Motion carried by a vote of 4-0-1. Commissioner Frankel abstained.

3. Discussion/Action: Alternate Summary Procedure Plat at the North End of Myrtle Street (Tract 1). Robbie Travis, Building Inspector

Building Inspector Travis presented the item. This is to split a narrow strip of land. The new owner would like to obtain it to build a landscape retaining wall to help with drainage. Mr. Terrazas is here if they have any questions.

Commissioner Clark asked Building Inspector Travis if he is comfortable with this. Building Inspector Travis responded yes as long as they leave the dirt berm there they are in favor of this.

Commissioner Hechler asked once this wall is built, where does the water drain, does it impact anybody, and are they ok with it. Building Inspector Travis said the new owner is

the last person on that lot and once they get the wall built it would drain back to the alley and it naturally drains that way anyway.

Mayor Pro-Tem Whitehead moved to approve the Alternate Summary Procedure Plat at the North End of Myrtle Street (Tract 1). Commissioner Frankel seconded the motion. Motion carried unanimously.

Item J.3 was requested to move up by the Mayor: Discussion/Action: Approval of Juvenile Justice Advisory Council contract between State of NM, CYFD department and the City of T or C. (Rebecca Dow)

Ms. Rebecca Dow presented the need for this funding. The Juvenile Justice Advisory Council does not have a single dollar in Sierra County. When the Boys & Girls Club started in 2008, she would see all of this money going out but it's not coming to Sierra County for juvenile delinquency. It's a state initiative that has a mandatory make up of Judge's, Law Enforcement, District Attorney's, Defense Attorney's, Child Advocates, Municipalities, and others. With the help of our Teen Court and Judge Sanders it took us two years to build this program. We now have the opportunity to implement this contract for alternative and graduate sentencing. They would like to partner with the city to implement this program. She referred to page 17 of the contract to show what we could implement including: mentoring; delinquency prevention; and alternatives to detention. We would have a coordinator to bring together the efforts. The intake is a needs assessment that is used throughout the United States which shows what they would need to be self-sufficient. We will build baseline data to what the juveniles in Sierra County will need to create healthy families. Through that there will be mentoring and programs through Teen Court that can be administered through Judge Sanders. Those will give us the baseline data where towards the end of the year, we would host a retreat to begin moving forward based on our needs to seek more programs to benefit our county.

Mayor Green asked if this is available on a yearly basis and if this will perpetuate itself and go forward. Ms. Dow said it is state appropriation funded annually and we are very lucky to get funded. She feels they see a need and she has never had any funding lost that she's applied for unless the funding goes away. Mayor Green thanked her for sticking to it.

Commissioner Hechler moved to approve the Juvenile Justice Advisory Council contract between State of NM, CYFD department and the City of TorC. Commissioner Frankel seconded the motion. Motion carried unanimously.

I. UNFINISHED BUSINESS

1. Discussion/Action: Additional subrecipient grant allocations - Friends of Elephant Butte Lake State Park; Geronimo Springs Museum; and Geronimo Trail Scenic Byway. Juan Fuentes, City Manager

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Mayor Green wanted to apologize to the MainStreet Board, when he went in to put this on the agenda, he left MainStreet off of the list. He asked that to be added to the next agenda.

City Manager Fuentes said you have the list of funding before you. This year Friends of Elephant Butte requested \$2,000, Geronimo Springs Museum requested \$8,000; and Geronimo Springs Trails Scenic Byway requested \$4,000. These funds are allocated through the Lodger's Tax and at this time it's before the Commission for consideration and award.

Mayor Green asked if the Friends of Elephant Butte request is for the Fireworks. It was confirmed.

Mayor Green suggested awarding the same as last year in the amount of:
\$1,000.00 Friends of Elephant Butte Lake State Park
\$3,500.00 Geronimo Springs Museum
\$3,500.00 Geronimo Trail Scenic Byway

Commissioner Clark commented that she already added that we need to review the way we distribute these dollars and she feels leaving them the same as last year is acceptable so we can review the process.

Commissioner Frankel moved to approve awarding \$1,000.00 Friends of Elephant Butte Lake State Park; \$3,500.00 Geronimo Springs Museum; \$3,500.00 Geronimo Trail Scenic Byway. Commissioner Clark seconded the motion.

Commissioner Hechler commented on the hit the City took in our budget this year. These organizations do great things and he hopes this helps. Hopefully in better times and better budgets, we can look at more in the future.

Mayor Pro-Tem Whitehead asked if there is any way during mid-year we could consider giving more money through the year if we have the funds to do it. Mayor Green said if it's the will of the Commission, we could look at bringing it back for more funding if it's available.

Commissioner Frankel retracted his motion.

Commissioner Clark moved to move forward with the amount and would like to reconsider in six months if there is more money available we would look at contribute to these organizations that do so much for our community. Commissioner Frankel seconded the motion. Motion carried unanimously.

2. Discussion/Action: Lodger's Tax Allocation for Fiscal Year Ending 2016.
Juan Fuentes, City Manager

City Manager Fuentes said before you are the applications for the Lodger's Tax Allocations from the last meeting including: Chamber of Commerce; Clint Benjamin Memorial Team Roping; Friends of Elephant Butte Lake State Park; Geronimo springs Museum; MainStreet Truth or Consequences; Sierra Arts Council; and Tor C Fiesta.

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Some of the organizations that were ineligible included: New Mexico Old Time Fiddlers Association; The Bountiful Alliance/Farmers Market; and the Veterans Memorial Park/Museum Trust Board. This is before you for consideration and allocation.

Mayor Green received a call from the Bountiful Alliance and they said they would like the Commission to not consider them at all for this funding cycle.

Mayor Green started by saying there is never enough money to go around. He gave a breakdown of his recommendation.

\$11,500 Chamber of Commerce;

\$1,500 Clint Benjamin Memorial Team Roping; he doesn't feel prizes is a good use of funds

\$700 Friends of Elephant Butte Lake State Park; with the understanding that they allow us to put a tourism table to hand out information about Truth or Consequences and Sierra County.

\$9,500 Geronimo Springs Museum;

\$9,500 MainStreet Truth or Consequences;

\$3,000 Sierra Arts Council; and

\$5,000 Tor C Fiesta

\$1,000 New Mexico Old Time Fiddlers Association;

The Bountiful Alliance/Farmers Market; and the

\$4,300 Veterans Memorial Park/Museum Trust Board. For a total of \$46,000 available.

Commissioner Clark asked about the billboards at the Museum and aren't they \$8,000 per year. She said she will have a discussion with them but will not vote on this because she hasn't done a proper review of the applications. She will refer to the other Commissioners to make the decision.

Commissioner Frankel gave his breakdown which included:

\$6,000 Chamber of Commerce;

\$1,000 Clint Benjamin Memorial Team Roping;

\$1,000 Friends of Elephant Butte Lake State Park;

\$9,000 Geronimo Springs Museum;

\$15,000 MainStreet Truth or Consequences;

\$2,000 Sierra Arts Council; and

\$4,000 Tor C Fiesta

\$2,500 New Mexico Old Time Fiddlers Association;

\$2,500 The Bountiful Alliance/Farmers Market; and the

\$3,000 Veterans Memorial Park/Museum Trust Board. For a total of \$46,000 available.

Commissioner Frankel explained where he came up with these numbers. While he believes in the Chamber of Commerce, he believes they can use monies derived from the members. If you look at the application it is to be used mainly for the Visitor's Guide. For the Team Roping, the largest part of the allotment was for prizes, we can promote the event but we can't use it for saddles and items like that. He understands the need for a fundraiser on the Fireworks. And Museums are a continual source of

tourism. For MainStreet, he used the explanation by Linda about giving funding to an organization that puts on many events. The Arts Council puts on great events that drive people to our town. As past President of Fiesta, we give the same \$5,000 each year and we are not getting the best return on investment. They need to create a way to reinvent themselves. The Old Time Fiddlers, we need to use common sense and to let something like this fall through the cracks because of an error would be a great loss to the city. He doesn't know why the Bountiful Alliance pulled out, but he encouraged them to give them something. The Farmer's Market is a great way for Heads in Beds that is available every Saturday, keeping people here. Or maybe we find someone to help them promote it. And the Veterans Museum, he feels very strongly against billboards and maybe this would be a good time for them to get away from them. They aren't going to bring Heads in Beds. He also has a problem with their numbers where they bring in 65,000 people a year visiting there. He lives by there and would love them to prove him wrong.

Mayor Green suggested he had a conversation with Mr. Long and they don't have any money up front to incur the cost. And the Farmer's Market is working on getting some of their state documents in order and they would not be eligible at this time. Commissioner Frankel would like the community to let the world know we have a Farmers Market.

Commissioner Hechler agrees with a lot of what Commissioner Frankel said. But he believes in giving additional funds to the Chamber of Commerce. If we can't give to the Fiddler's or the Farmer's Market, maybe we can give more to the Chamber who could help them out.

Mayor Pro-Tem Whitehead said it's all important everyone does a great job. She like the recommendation of the Lodger's Tax Board. We need help and people to bring us money to help our livelihood here.

Mayor Green understands and he is not a member of the board of the Chamber of Commerce. He takes it upon himself on Tuesdays and on Friday's to stock the racks at Denny's and at Johnny B's. So he knows how many Visitor's Guides are moving through those entities and it's almost 3,000-3,500 at those two locations. The locals go to Johnny B's and the tourist come off of I-25 to Denny's. He likes what he heard about the Hot Springs Festival because it's hard numbers. He feels to take an organization and almost cut them in half seems almost punitive. He hopes we do look at and change the process and he's not sure we should make that change now. He agrees with the roping the money should not go for saddles. He agrees Fiesta should be looked at in a different way, it sucks all of the life out of downtown and puts it at Ralph Edwards Park, the vendors don't pay GRT and the businesses downtown that generate it have locked their doors. The future bodes well with us because we have another asset to use that centers the business locations that generate revenues. On the museum it talks about school tours but that doesn't put heads in beds.

Commissioner Frankel said one of the things they were looking for when he was on the Lodger's Tax Advisory Board is accountability. If you're putting out a publication like a Visitor's Guide, you could add a QR Code or coupon or something they can send in so we can use it as a tool. How many people use it as a tool to stay here instead of who already lives here. Visitor Guides are yesterday, it's about applications that are mobile and optimized. Printing has become a much less used medium for advertising. In the future we have to find ways to make that publication trackable so we can see what the Return on Investment is for the events. Looking at the cost to distribute the guides versus hitting that keyboard and sending it out to the entire world. He encouraged organizations to look into it and consider getting on the web and away from the print media.

Mayor Green asked if he would be comfortable putting his code requirement in the contract for these organizations to help us start tracking the return on investment. Its all about accountability and the return on investment. If there is a way to do that, would he feel comfortable putting that in the contract for next year's brochure and making it a requirement? He doesn't see the racks and brochures disappearing and not seeing one printed piece of paper. He feels people want to take something away as a memory. He has actually seen people at Denny's pick up the paper guide on the rack and look at it. Does it help them in staying or coming back, he does not know.

Commissioner Clark interrupted with the travel she does, and the use of the internet on your phones. She is old school and likes to have a piece of paper, but truthfully the way you find something is online. She agrees with Commissioner Frankel in that it's a different kind of travel world and if we should put some energy into internet. In Europe for the last six weeks, there is not a single person under her age who is looking at a map.

Commissioner Frankel couldn't agree more, its age related. If we can show our tourism is over a certain age, we stay with paper. And if we are looking at the younger generation, we should try the electronic.

Commissioner Clark made some comments and added maybe we need to look at it a little differently.

Mayor Green said this is exactly what she was talking about in taking a look at all aspects of the Lodger's Tax. He has never been one to change horses in the middle of a stream and feels it unfair. Commissioner Clark agreed its something we can look at.

Mayor Green asked for additional thoughts and considerations. He has one position and Commissioner Frankel has another recommendation.

Commissioner Hechler said we do have some recommendations from the Lodger's Tax Board. He feels they have put some thought into it and we shouldn't change them as drastically as Commissioner Frankel presented. Some of the things that come to his mind is we are in the most photographed age, and that's the way technology is moving

and that's the direction we are heading. We should take the suggestions from the Advisory Board into consideration and take Commissioner Frankel's suggestions for the next one.

Mayor Green agrees we should deal with the changes in the future. He suggested taking The \$4,000 from Fiesta and add it to the Museum & MainStreet bringing both of them to \$10,000 and a little over the recommended allotment over the Lodgers Tax Board recommendation. He added if the Commission is comfortable and we could award the Fiddler's \$1,000 then they would have that to spend.

City Manager Juan Fuentes put the numbers on the screen with Mayor Pro-Tem Whitehead's suggestions. He said if any of the numbers are incorrect to let him know so he could correct them. Mayor Green suggested putting \$4,000 for Fiesta and move \$1,000 to the Fiddler's. They agreed MainStreet has produced some great events and generate revenue for the city.

Mayor Green moved to approve awarding \$11,500 Chamber of Commerce; \$1,500 Clint Benjamin Memorial Team Roping; \$700 Friends of Elephant Butte Lake State Park; with the stipulation we could set up a table there; \$10,000 Geronimo Springs Museum; \$10,000 MainStreet Truth or Consequences; \$3,000 Sierra Arts Council; \$4,000 Tor C Fiesta; \$1,000 New Mexico Old Time Fiddlers Association; The Bountiful Alliance/Farmers Market; and the \$4,300 Veterans Memorial Park/Museum Trust Board. For a total of \$46,000 available. Mayor Pro-Tem Whitehead seconded the motion. Motion carried 3-1-1. Commissioner Frankel voted nay and Commissioner Clark abstained.

Commissioner Clark is no longer with the meeting by telephone.

J. NEW BUSINESS

1. Discussion/Action: Re-Appointment of Cary "Jagger" Gustin to the Governing NM Office of Film Liaison

Commissioner Frankel moved to approve Re-Appointment of Cary "Jagger" Gustin to the Governing NM Office of Film Liaison. Mayor Pro-Tem Whitehead seconded the motion. Motion carried unanimously.

Mayor Green added if he feels he can use the Governing Body to please use us. Mr. Gustin added he will continue with the website and get it up within the next few weeks. Mayor Green asked if he would please have City Manager Juan Fuentes review it and he asked Mr. Gustin to notify the Commission to review the website.

2. Discussion/Action: To accept and approve a Project Development Agreement (PDA) to allow Yearout Energy Service Company (YESCO) to perform an Investment Grade Audit to integrate Automatic Reading Water and Electric Meter for a Self Funding Energy Performance Contract Under State Contract 15-05759. Pursuant to NMSA 1978 6-23. Traci Burnette, W/WW Admin. Asst.

Commissioner Clark rejoined the meeting by telephone at 12:26 p.m.

W/WW Admin. Assistant Burnette presented the item. At this time it is the recommendation of staff to proceed with the approval of the Project Development Agreement.

Mayor Green asked if the PUAB was involved in this. Ms. Burnette responded yes it has gone to that Advisory Board and it was their recommendation in the beginning to move forward. Mayor Green asked if we move ahead and decide not to work with YESCO to capture the information, they are going to bill us \$49,000. However, if they do what they say they are going to do and they don't find enough savings that makes this project feasible, then we aren't on the hook for any money. So if we do it ourselves we owe them \$49,000 or if we contract with them then that amount of money would be rolled into the determination of cost in the terms we negotiate. So the \$49,000 would be spread out over the payments we will be making. Ms. Burnette responded that is correct, if we decide to go with them there will not be any money up front until they have proven a cost savings for us.

Mayor Green then asked about the meter being taken off to replace the pipe and you would not have to purchase a new meter.

Commissioner Clark said her understanding with this whole agreement from the beginning is if we pay the \$49,000, we don't need to pay it unless we do the program. That is the reason we were asking for a Cost Benefit Analysis which is not something she is impressed with. She gave Traci kudos for all of her work on this, but she's still not comfortable with what we have asked YESCO to do.

Mr. Szigeti said he had a little communication with Scott after your earlier comments and we can do a couple of things with this program. The downtown replacement of the water lines is on the next phase of the water development and we can do things like delay the installation of the water meters in the downtown area to do it along with the pipeline replacement. The other thing is, if we wait until we do the water lines, that's going to be a long term project we are working on and it could be 10 years down the road to get to these areas. Waiting 10 years would defeat the purpose of this.

Commissioner Clark asked if we have looked at the cost of the meters and what they are charging and what we are actually going to get benefit from. She hasn't seen that and she thinks its going to be a wash and we aren't going to make any money or lose any money. If the city would benefit \$500,000 a year, it would be another thing.

Mr. Szigeti has to agree with Mr. Griffith on that, depending upon which system we choose, we really can't price that out until we decide what we will do. Commissioner Clark asked if he is confident this would be a good study to do? Mr. Szigeti doesn't have the exact number but if we were going to replace all of the meters we would have to have an Engineering Study anyway. He doesn't know what that cost would be, even

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if we decide to do it ourselves it would be a good investment. He has watched a number of projects go through and there is always a large cost up front for the Engineering Studies. Commissioner Clark said so you feel this is a very important to do this particular study, but can we talk to them and maybe partner this with the replacement of the water lines or take them out and reuse them. Mr. Szigeti added it won't change anything if we go in and have to redo the water line, if we just replace the meter.

Commissioner Clark agreed to default to the PUAB Board if they feel it's a good thing to do. She is great that Mr. Szigeti is there and that he cares so much.

Commissioner Hechler asked if we have had any discussions with other communities who have implemented these programs.

WWW Admin. Assistant Burnette spoke to Alex Brown briefly from Silver City and he's very happy so far with what they have gone forward with. Commissioner Clark said she has heard from a couple of people in Silver City who are not happy.

Commissioner Hechler is feeling there is information we don't have. He moved to table this item and have City Manager Fuentes contact other communities who have this program and how happy they are and provide that to the Commission so they can make a better and more informed decision. Commissioner Clark wondered if we want staff to do that or the company to do that. Commissioner Clark seconded the motion. But was no longer with the meeting for the vote. Motion carried unanimously 4-0-0.

3. Discussion/Action: Approval of Juvenile Justice Advisory Council contract between State of NM, CYFD department and the City of TorC. (Rebecca Dow)

Was discussed before Unfinished Business.

4. Discussion/Action: Award RFP No. 2015-16-007 for Audit Services to Axiom CPA's and Business Advisor's, LLC. Pat Wood, CPO

Central Purchasing Officer Wood said we received proposals until May 16th at 2:00 p.m. We received 8 proposals and based on the evaluations a recommendation is being made by the Selection Committee to award the RFP to Axiom for Audit Service pending contract approval by the Office of the State Auditor.

Mayor Green asked if they are out of Las Cruces or Albuquerque and it was very close. He said there are no dollars on what was given to the Commission, are we saving any money from last year. Central Purchasing Officer Wood said they are from Albuquerque and yes we would save money, the contract will be for \$45,000 plus GRT. She believes we paid \$55,000 last year.

Mayor Pro-Tem Whitehead moved to approve the Award RFP No. 2015-16-007 for Audit Services to Axiom CPA's and Business Advisor's, LLC pending approval from the State Auditor. Commissioner Hechler seconded the motion. Motion carried unanimously.

K. REPORTS

1. City Manager

He and staff will be meeting with Bob Calvani who is the Architect for the Animal Shelter Project. Now that the Healing Waters Plaza is almost complete, they will be moving forward aggressively on the Animal Shelter. They believe they have all of the funding for this and feel they can get it complete by January 2017. They will be working with the member of the Veterans Museum Board, they received \$100,000 for a Veterans Memorial Wall and they have reached out to a contractor to put together the details to replace that wall. He and Traci have been working with USDA Applications for the Police Vehicles and Front End Loader. The third application will be for Phase 2B for the Wastewater Treatment Plant. They are hoping to get the first two applications out this week and the last one within the next month.

2. City Attorney

None.

3. City Commission

Mayor Pro-Tem Whitehead thanked everyone for this weekend. We had a very successful celebration this past weekend in the Healing Waters Plaza. She announced all of those who attended and helped. In the audience we had: Mayor Deb Stubblefield from the Village of Williamsburg; County Commissioner's Sherry Fletcher and Kenny Lyon; Trustee Wanpen Root; County Treasurer Terry Copsin; Mayor Green; Commissioner Hechler; City Manager Juan Fuentes; Former Commissioner Russ Peterson; Former City Clerk, City Manager, and Commissioner Evelyn Renfro (also in the parade); we had District Attorney Clint Willbern and Mike Kertesz in the audience also. She also wanted to thank the Hot Springs High School Jr. ROTC who posted the colors; Jamie Teachnor who sang the National Anthem beautifully; US Air Force Major Hock from Kirtland Air Force Base. She also thanked the Committee Members: Renee Cantin; Chief Alirez; Captain Morgan; Chief Paul Tooley; Janice Gray; Dean Tulk; Sherry Fletcher; Marilyn Szigeti; Dianne Lombardo; Linda DeMarino; Destiny Mitchell; Marilyn Pope; Moshe Koenick; Sazi Marri. She also wanted to thank our Miss Fiesta Centennial Queen Skylar Green, our Jr. Miss Centennial Sarah; Hot Springs Womens Club; Geronimo Springs Museum; T or C Chamber of Commerce; and T or C MainStreet. She also thanked our staff members: City Manager Juan Fuentes: Christina Bruch; Angela Torres from the Clerk's Office; Sonya Williams; Priscilla Fuentes; Chelsea LeClair; the Parks Crew; Peter Baca; Cody Tapia; Don Armijo; Abel Tijerina; Ray Chavez; Streets Dept., Benny Fuentes & Staff; Jesus Salayandia; Isaac Fuentes

and all City Employees and Staff. Again thank you to all of the community for helping us get out there and celebrate and we probably won't see you in the next 100 years but we had a great time.

Commissioner Frankel also wanted to go through a few thank yous. He thanked the Commissioners who showed their solidarity and coming to ride on the float. He thanked Bullocks for providing drinks on the float and Walmart for providing over 600 popsicles we gave out. He thanked the Streets Dept and Parks Dept for coming together and helping us get our flatbed and the Swim Team for helping hand out popsicles along the way.

Now he would like to touch base on an incident that happened last week. He witnessed an emergency at the Utility Office with an irate customer. Where the Police Chief was restraining this individual. It became a heated situation where his utilities were turned off with no red tag and no letter. He was under the impression we weren't doing any disconnects or red tags until we had this billing situation worked out. When he turned and inquired with one of the workers there, he asked how many disconnects they are doing a week and he said they are doing several. His question is are they being shut off or red tagged? We are going to be 100 degrees this week and what is the status.

City Manager Fuentes responded he is not sure if he asked the proper question to the employee, because his understanding is we are not Red Tagging anybody or disconnecting for non-payment. The case he is referring to is a unique case in that it's over \$5,000 in arrears. He is sure the staff is doing disconnects for closed accounts or other reasons, that's why he's not sure they understood his question. The case you are referring to is someone who has filed for bankruptcy and is over \$5,000 in arrears. That is being resolved and the customer did get his meter back on that day and they are referring to Legal Council on other options. When you have that much in arrears and file for bankruptcy. Commissioner Frankel asked if it is safe to say no customers at this time are at risk of having their service shut off without notice. City Manager Juan Fuentes has asked staff to generate a list of how much we have in arrears and how many accounts. Now we are starting to get back on line with the billing cycles and everything is starting to normalize. We will start notifying those with a high bills but right now we don't know how much we have for accounts that have those high bills. Its not going to be all at once but we will definitely give ample notice. Right now we do not know how severe the customers have allowed their bills to accumulate. We will have to start slowly implementing that back again.

Commissioner Frankel asked about our current utility bills and if we are on a regular cycle or are they behind again. He has not received his bill and it's a week behind. City Manager Fuentes said we just transferred an employee who is working on the catch up and is doing an amazing job. He just saw an email verifying the mailing and we should be caught up in the next month and will be steady. Commissioner Frankel mentioned so any customers waiting on their utility bill, they are about a week out.

Mayor Green mentioned that he was invited by Frances Luna to the 4-H Rodeo and about 50% of the people he spoke to are not sleeping in their trailers. There were 68 participants and they all come with their families. The assumption he made is they are sleeping in our hotels and motels. The Clint Benjamin is a two day event. The Gymkhana is a two day event so we know they will stay in our hotels. He spoke to City Manager Juan Fuentes about fixing up the Punk Greer Arena. There are some possibilities of some work crews coming. Once we are at full staff, he would like to have a workshop to find out what we can do to bring more Rodeo's to T or C. As you all know Socorro has done a great job and is trying to steal our Rodeo. But we should see what we need and who we can partner with to make a facility that will be a magnet to attract them in.

Mayor Green then added Mayor Pro-Tem Whitehead covered them all but she was there from Sunrise to Sunset and did a great job. Everyone assumes that because they have the title of Manager that they expect you to be there and they do, but he knows for a fact City Manager Juan Fuentes was there until 10:30 at night doing things and putting things away so he thanked him for his efforts. And a special thanks to Commissioner Frankel for arranging their Chariot.

Mayor Green we all see the Healing Waters Plaza is coming online soon. He would like staff to come up with a form for the use of the Plaza. What is appropriate, do we have to put down noise levels. He would like to come up with a form for a Rental. If we are going to close that off for a private party, we've got to be reimbursed for that. We should come up with a scheduling fee.

L. ADJOURNMENT

Mayor Pro-Tem Whitehead moved to adjourn at 1:03 p.m. **Commissioner Hechler** seconded the motion. Motion carried unanimously.

Passed and Approved this 12th day of July, 2016.


Steven Green, Mayor

ATTEST:


Renee L. Cantin, CMC, City Clerk