

*Steven Green
Mayor*

*Sandra Whitehead
Mayor Pro-Tem*

*Kathy Clark
Commissioner*



*Rolf Hechler
Commissioner*

*Joshua Frankel
Commissioner*

*Juan A. Fuentes
City Manager*

*505 Sims St.
Truth or Consequences, New Mexico 87901
P: 575-894-6673 ♦ F: 575-894-0363
www.torcnm.org*

REGULAR MEETING

THE REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO, IS TO BE HELD IN THE COMMISSION CHAMBERS, 405 W. 3RD ST., ON WEDNESDAY, JUNE 28, 2017; TO START AT 9:00 A.M.

A. CALL TO ORDER

B. INTRODUCTION

1. ROLL CALL

Hon. Steve Green, Mayor
Hon. Sandra Whitehead, Mayor Pro-Tem
Hon. Rolf Hechler, Commissioner
Hon. Kathy Clark, Commissioner
Hon. Joshua Frankel, Commissioner

2. SILENT MEDITATION

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF AGENDA

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

D. RESPONSE TO PUBLIC COMMENTS

E. PRESENTATIONS

1. Presentation of Medal, Award of Excellence to Officer Blacklock for his service to the City of Truth or Consequences. Lee Alirez, Police Chief
2. Presentation related to Smart Recycling. Steve Green, Mayor

F. CONSENT CALENDAR

1. Authorization to re-invest balance amounts of maturing Certificates of Deposits for the R&R Sewer, R & R Water, and Pledge State Accounts.
2. Fourth Quarter Subrecipient Reports & Third Quarter Reports for CAAT & MainStreet.

CONSENT CALENDAR *(Continued)*

3. Contracts with Les Deschamps and Steven Sage for Public Defender Services for indigent defendants.

G. ORDINANCES/RESOLUTIONS/ZONING

1. Discussion/Action: Ordinance No. 685 for publication for the sale of 1310 Nickel. Robbie Travis, Building Inspector
2. Discussion/Action: Resolution No. 40 16/17 Budget Adjustment Resolution. Melissa Torres, Finance Director
3. Discussion/Action: Resolution No. 41 16/17 related to Parks Fees. Renee Cantin, Clerk-Treasurer

H. UNFINISHED BUSINESS

1. Discussion/Action: Revisit Lodger's Tax Guidelines. Steve Green, Mayor

I. NEW BUSINESS

1. Discussion/Action: Lodger's Tax Funds request by MainStreet Truth or Consequences. Linda DeMarino, Executive Director
2. Discussion/Action: Public Arts Advisory Board Member appointments. Renee Cantin, Clerk-Treasurer
3. Discussion/Action: Preliminary discussion of Truth or Consequences Property Tax. Steve Green, Mayor

J. REPORTS

1. City Manager
2. City Attorney
3. City Commission

K. ADJOURNMENT

NEXT CITY COMMISSION MEETING WEDNESDAY, JULY 12, 2017

E.1



**CITY OF TRUTH OR CONSEQUENCES
COMMISSION ACTION FORM**

ITEM:

Presentation of Medal, Award of Excellence to Officer Blacklock for his service to the City of Truth of Consequences.

BACKGROUND:

Officer Blacklock has served the City of Truth or Consequences as a Police Officer since 06/30/2014, and has accepted a position with the State of New Mexico Police Department.

STAFF RECOMMENDATION:

N/A

SUPPORT INFORMATION:

N/A

| | | |
|---|---|--------------------------------|
| Lee Alirez, Chief of Police Name of Presenter: |  Police Department Department: | June 28, 2017 Meeting date: |
|---|---|--------------------------------|



E.2

**CITY OF TRUTH OR CONSEQUENCES
COMMISSION ACTION FORM**

ITEM:

Presentation related to Smart Recycling.

BACKGROUND:

Mayor Green requested this item to review Smart Recycling.

STAFF RECOMMENDATION:

None. Presentation Only.

SUPPORT INFORMATION:

None.

Submitted by: Renee Cantin

Department: Clerk-Treasurer

Meeting date: June 28, 2017



F.1

**CITY OF TRUTH OR CONSEQUENCES
COMMISSION ACTION FORM**

ITEM:

Authorization to re-invest balance amounts of maturing certificates of deposits for the R&R Sewer, R&R Water and Pledge State Accounts.

BACKGROUND:

The City received notice that the following Certificates of Deposit will be matured on June 24, 2017. The current period grace period ending date is June 24, 2017.

| Description | Amount | Recommendation |
|--------------|--------------|---|
| R&R Sewer CD | \$143,693.57 | Section 14-35 (D) of the City Code provides for the establishment of the R&R Sewer Fund. The funds can be used for repair and replacement projects as approved by the City Commission. Recommendation of staff to re-invest the remaining balance. |
| R&R Water | \$126,975.90 | The City established a R&R water Fund to be used for repair and replacement projects as approved by the City Commission. Recommendation of staff to re-invest the remaining balance. |
| Pledge State | \$586,918.26 | Recommendation of staff to re-invest the remaining balance. |

SUPPORT INFORMATION:

Time Deposit Maturity Notice for Pledge CD.

| | | |
|-----------------------------------|---------------------------|------------------------|
| Name of Presenter: Melissa Torres | Department: Finance Dept. | Meeting date: 06-28-17 |
|-----------------------------------|---------------------------|------------------------|



FIRST SAVINGS BANK
5800 S WESTERN AVE
SIOUX FALLS, SD 57108

006 00018 01
Customer:

Page: 1
XXXXXX3471 06/12/2017

Telephone: 575-894-7148

CITY OF TRUTH OR CONSEQUENCES
PLEDGE STATE
505 SIMS ST
T OR C NM 87901

=====

COD - PUBLIC FUNDS Certificate XXXXXX1418

=====

| | | | |
|-----------------------|------------|----------------|------------|
| Original Issue Date: | 06/24/2015 | Interest Rate: | .3500 % |
| Original Issue Value: | 584,862.93 | Maturity Date: | 06/24/2017 |
| Last Renewal Date: | 06/24/2016 | Term: | 12 Months |
| Last Renewal Value: | 586,918.26 | | |

* A p p r o a c h i n g R e n e w a l A d v i c e *

Your certificate will mature on 06/24/2017 with an interest payment of 519.13. Interest paid since this certificate was last renewed will be 2,056.91. Interest will be credited to your certificate quarterly. On 06/26/2017, assuming no other activity, the projected balance of your COD - PUBLIC FUNDS Certificate will be 588,975.17. If the certificate renews, the new maturity date will be 06/24/2018.

YOU WILL HAVE 10 CALENDAR DAYS AFTER MATURITY TO WITHDRAW FUNDS WITHOUT PENALTY.

THE INTEREST RATE AND ANNUAL PERCENTAGE YIELD HAVE NOT BEEN DETERMINED. THEY WILL BE AVAILABLE ON 06/24/17. PLEASE CALL 575-894-7148 TO LEARN THE INTEREST RATE AND ANNUAL PERCENTAGE YIELD.

=====

COD - PUBLIC FUNDS Certificate XXXXXX1518

=====

| | | | |
|-----------------------|------------|----------------|------------|
| Original Issue Date: | 06/24/2015 | Interest Rate: | .3500 % |
| Original Issue Value: | 143,190.37 | Maturity Date: | 06/24/2017 |
| Last Renewal Date: | 06/24/2016 | Term: | 12 Months |
| Last Renewal Value: | 143,693.57 | | |

* * * C o n t i n u e d * * *



FIRST SAVINGS BANK
5800 S WESTERN AVE
SIOUX FALLS, SD 57108

006 00018 01
Customer:

Page: 2
XXXXXX3471 06/12/2017

Telephone: 575-894-7148

CITY OF TRUTH OR CONSEQUENCES

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COD - PUBLIC FUNDS Certificate XXXXXX1518

=====

* A p p r o a c h i n g R e n e w a l A d v i c e *

Your certificate will mature on 06/24/2017 with an interest payment of 127.10. Interest paid since this certificate was last renewed will be 503.60. Interest will be credited to your certificate quarterly. On 06/26/2017, assuming no other activity, the projected balance of your COD - PUBLIC FUNDS Certificate will be 144,197.17. If the certificate renews, the new maturity date will be 06/24/2018.

YOU WILL HAVE 10 CALENDAR DAYS AFTER MATURITY TO WITHDRAW FUNDS WITHOUT PENALTY.

THE INTEREST RATE AND ANNUAL PERCENTAGE YIELD HAVE NOT BEEN DETERMINED. THEY WILL BE AVAILABLE ON 06/24/17. PLEASE CALL 575-894-7148 TO LEARN THE INTEREST RATE AND ANNUAL PERCENTAGE YIELD.

=====

COD - PUBLIC FUNDS Certificate XXXXXX1718

=====

| | | | |
|-----------------------|------------|----------------|------------|
| Original Issue Date: | 06/24/2015 | Interest Rate: | .3500 % |
| Original Issue Value: | 126,531.23 | Maturity Date: | 06/24/2017 |
| Last Renewal Date: | 06/24/2016 | Term: | 12 Months |
| Last Renewal Value: | 126,975.90 | | |

* * * C o n t i n u e d * * *





FIRST SAVINGS BANK
5800 S WESTERN AVE
SIOUX FALLS, SD 57108

006 00018 01

Customer:

XXXXXX3471

Page: 3

06/12/2017

Telephone: 575-894-7148

CITY OF TRUTH OR CONSEQUENCES

=====

COD - PUBLIC FUNDS Certificate XXXXXX1718

=====

* Approaching Renewal Advice *

Your certificate will mature on 06/24/2017 with an interest payment of 112.31. Interest paid since this certificate was last renewed will be 445.00. Interest will be credited to your certificate quarterly. On 06/26/2017, assuming no other activity, the projected balance of your COD - PUBLIC FUNDS Certificate will be 127,420.90. If the certificate renews, the new maturity date will be 06/24/2018.

YOU WILL HAVE 10 CALENDAR DAYS AFTER MATURITY TO WITHDRAW FUNDS WITHOUT PENALTY.

THE INTEREST RATE AND ANNUAL PERCENTAGE YIELD HAVE NOT BEEN DETERMINED. THEY WILL BE AVAILABLE ON 06/24/17. PLEASE CALL 575-894-7148 TO LEARN THE INTEREST RATE AND ANNUAL PERCENTAGE YIELD.





F.2

**CITY OF TRUTH OR CONSEQUENCES
CITY MANAGER'S OFFICE
505 SIMS STREET
TRUTH OR CONSEQUENCES, NEW MEXICO 87901
PHONE: (575) 894-6673 EXT 320 FAX: (575) 894-0363**

COMMISSION ACTION FORM

ITEM:

*Fourth Quarter Subrecipient Reports, FY 2016/17
Third Quarter Subrecipient Report for Companion Animal Action Team
Third Quarter Subrecipient Report for MainStreet*

PURPOSE OF ACTION:

Review

BACKGROUND:

Contract requires that recipients of Subrecipient funds submit a quarterly report to the City by the 15th of the month following the quarter except for the 4th quarter which was due by June 9, 2017 per Subrecipient contract. Included also are two 3rd Quarter reports submitted on time, but unavailable at the time the 3rd Quarter Reports were submitted for the City Commission's review.

STAFF RECOMMENDATION:

Not Applicable

SUPPORT INFORMATION:

Fourth Quarter Reports and Summary Sheet

| | | |
|--|-----------------------------------|------------------|
| Name of Drafter: Linda Sparks | Department: City Manager's Office | Meeting: 6/28/17 |
| E-mail: lsparks@torcnm.org | Phone: 575-894-6673 Ext. 320 | |

SUBRECIPIENT QUARTERLY REPORTS
FISCAL YEAR: 2016/2017

Updated: 06/20/17

| NAME OF ORGANIZATION | ALLOTMENT | 1ST QTR. REPORT | | 2ND QTR. REPORT | | 3RD QTR. REPORT | | 4TH QTR. REPORT | |
|--|-------------|-----------------|---------|-----------------|-------|-----------------|---------|-----------------|-------|
| | | YES | NO | YES | NO | YES | NO | YES | NO |
| (SUBRECIPIENT FUNDS- Contract requires reports by the 15th of the month following the quarter. Exception: 4Q report due 6/09/17) | | | | | | | | | |
| Boys & Girls Club | \$9,500.00 | X | 10/11 | X | 01/04 | X | 04/05 | X | 06/08 |
| Companion Animal Action Team/CAAT | \$1,000.00 | X | 10/04 | X | 01/05 | X | 04/03 * | X | 06/02 |
| Domestic Abuse Intervention Center/DAIC | \$2,500.00 | X | 10/11 | X | 01/09 | X | 04/10 | X | 06/20 |
| Matthew 25 Food Pantry | \$6,000.00 | X | 09/30 * | X | 01/06 | X | 04/06 | X | 06/05 |
| Sierra Joint Office on Aging (SJOA) | \$24,000.00 | X | 10/05 | X | 01/13 | X | 04/05 | X | 06/09 |

(OTHER FUNDING - Contract requires reports by the 15th of the month following the quarter. Exception: 4Q report due 6/09/17.)

| | | | | | | | | | |
|---|-------------|----------------------------------|-------|--------------|-------|--------------|---------|--------------|-------|
| Friends of Elephant Butte Lake State PK | \$1,000.00 | X | 07/14 | Zero Balance | | Zero Balance | | Zero Balance | |
| Geronimo Springs Museum | \$3,500.00 | X | 09/26 | X | 01/06 | X | 04/11 | X | 05/30 |
| Geronimo Trail Scenic Byway | \$3,500.00 | X | 10/07 | X | 01/09 | X | 04/05 | X | 06/20 |
| MainStreet Truth or Consequences | \$35,000.00 | X | 10/04 | X | 12/30 | X | 04/03 * | X | 06/02 |
| Sierra County Recreation & Tourism | | Contract w/ Griffin & Associates | | | | | | | |

1st Quarter: JUL, AUG, SEP

2nd Quarter: OCT, NOV, DEC

3rd Quarter: JAN, FEB, MAR

4th Quarter: APR, MAY, JUN

Copies to City Mgr. & Commission 10/25/16.

Copies to City Mgr. & Commission 01/24/17.

Copies to City Mgr. & Commission 04/25/17.

Copies to City Mgr. & Commission 06/28/17.

*Matthew 25 Food Pantry: Documents received by City Clerks Office 9/30/16, but not by City Manager's Office until 12/02/16 after inquiry by Dawn Jensen. Complete report submitted 1/06/17.

* CAAT: Documents received by City Clerks Office 4/03/17, but not by City Manager's Office until 4/24/17 after inquiry.

* MainStreet: Documents received by City Clerks Office 4/03/17, but not by CM Office until 4/25/17 after inquiry.

RECEIVED
JUN 08 2017

SUBRECIPIENT QUARTERLY REPORT

(Report is due by the 15th of the month
following the quarter.)

FY: 2016/2017

ORGANIZATION: The Club

ALLOCATION: \$9,500.00

QTR DRAW: \$2,375.00

QUARTER: 3rd 4Q

(FY Allotment, Not Qtr. Draw)

(1st/2nd/3rd/4th)

(Please detail the progress made in providing the services each quarter.)

During the April-June 4th quarter, The Club provided high quality comprehensive programs, opportunities, mentoring and USDA Snack for over 140 6th-12th graders for 20 hrs during school and 30 hrs for summer. Transportation was also provided for youth to off site events and from the schools to the club. Transportation was also offered and provided for youth to attend outreach events and Community Service Learning. Youth helped with mainst, film festival, and work at the Rec Complex. Mentors build relationships with youth & families This quarter the Club conducted county wide surveys that DOH will use to help reduce risky behaviors. Over 75 youth were offered alternatives to adjudication through diversion program ing and mentoring services.

By the end of this year over 250 youth will have been served. TorC subgrant represents less than 5% of our operating budget.

SUBMITTED BY: _____

Rebecca Dow

TYPED NAME

SIGNATURE

DATED: 06/07/17

3rd Quarter Report
Companion Animal Action Team

REC'D
APR 03 2017

SUBRECIPIENT QUARTERLY REPORT

(Report is due by the 15th of the month
following the quarter.)

FY: 2016/2017

ORGANIZATION: Companion Animal Action Team (CAAT)

ALLOCATION: \$1,000.00

QTR DRAW: \$250.00

QUARTER: 3rd

(FY Allotment, Not Qtr. Draw)

(1st/2nd/3rd/4th)

(Please detail the progress made in providing the services each quarter.)

On March 4, 2017 ASAVET Charities and CAAT held a Spay/ Neuter Clinic at the T or C
Fire Department in Williamsburg. A total of 53 cats and dogs were done, 29 dogs and 24 cats.
36 vaccinations were administered , all dogs went home with pain medication. 3 animals
received microchips. Total bill was \$2, 445.00. In addition we housed the staff for 2 nights
at La Paloma Hot Springs approximate cost \$471.00 and provided lunch for all staff.
We charged \$30.00 for cats, \$40.00 for dogs under 30 lbs and \$50.00 for dogs over 30 lbs.
CAAT paid for pain medication for all the dogs. CAAT volunteers provide coverage for the
clinics including crates, set-up and tear-down and cleaning before and after. T or C Fire
Dept. works with us to pull one truck out so that we have room to provide recovery for dogs.
Williamsburg allows the use of the meeting room.

SUBMITTED BY:

Majorie E Powey

TYPED NAME

Majorie E Powey

SIGNATURE

DATED: 04/03/17

Rev. 5/2014



INVOICE NO. CAAT030417
DATE March 4, 2017

TO Majie Powey
Companion Animal Action Team
PO Box 512
Williamsburg, NM 87942
[Phone]

RECEIVED
APR 03 2017

| DATE | DESCRIPTION | TOTAL |
|---------------------|--|--------------------|
| 3/4/2017 | 50 spay and neuter procedures | \$1,500 |
| | 3 additional surgeries at \$30 each | 90.00 |
| | 36 vaccinations at \$10 each | 360.00 |
| | 3 microchips at \$20 each | 60.00 |
| | 29 animals received pain medication at \$15 each | 435.00 |
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| Subtotal DUE | | \$ 2,445.00 |

| DATE | PAYMENTS RECEIVED | |
|------------------|--------------------------|--------------------|
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| | | |
| TOTAL DUE | | \$ 2,445.00 |

Payment due with in 30 days of invoice date.

Please make all checks payable to ASAVET Charities.

THANK YOU FOR YOUR BUSINESS!

Please contact Pat Hubbard at path@asavetcharities.org with any questions or concerns.

SUBRECIPIENT QUARTERLY REPORT

(Report is due by the 15th of the month
following the quarter.)

FY: 2016/2017**ORGANIZATION:** Companion Animal Action Team (CAAT)**ALLOCATION:** \$1,000.00**QTR DRAW:** \$250.00**QUARTER:** 4th

(FY Allotment, Not Qtr. Draw)

(1st/2nd/3rd/4th)

(Please detail the progress made in providing the services each quarter.)

On May 19, 2017 CAAT sponsored a low-cost spay neuter clinic at the Williamsburg Fire Station. Services were provided by ASAVET Charities out of Tucson Arizona. Dr. Karter Neal and her crew provided spay/neuter services for 54 animals. Nineteen cats and 35 dogs were done, 54 vaccinations were administered. All the dogs and some of the cats were sent home with pain medicine and E-collars. Total bill (see attached invoice) was \$2,715.00. In addition we provided housing for the staff for two nights at La Paloma Hot Springs and lunch the day of clinic. CAAT paid for pain meds for all the dogs. CAAT volunteers provided coverage for the clinics including crates, set-up and tear-down as well as cleaning before and after the clinic. T or C Fire Dept. worked with us to pull a truck to allow a space for recovery for the dogs. Williamsburg allowed us to use the meeting room.

We met the goal of providing a minimum of 150 to 200 spay neuter surgeries during the past year.

RECEIVED
JUN 02 2017

SUBMITTED BY:Majorie E Powey

TYPED NAME

Majorie E Powey

SIGNATURE

DATED: 06/02/17

Rev. 5/2014

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JUN 20 2017

SUBRECIPIENT QUARTERLY REPORT

(Report is due by the 15th of the month following the quarter.)

FY: 2016/2017

ORGANIZATION: Domestic Abuse Intervention Center

ALLOCATION: \$2,500.00
(FY Allotment, Not Qtr. Draw)

QTR DRAW: \$625.00

QUARTER: 4th
(1st/2nd/3rd/4th)

(Please detail the progress made in providing the services each quarter.)

| Statistical information: | | Years | Victimation | Referral | |
|--------------------------|------------|-----------|---------------|--------------|-----------------|
| Female-13 | Anglo-13 | 18-21-1 | Emotional- 22 | Police- | Sheriff- |
| Male-9 | Hispanic-2 | 22-40-10 | Physical-15 | Hospital - 4 | Self-Referral-6 |
| | Other-7 | 41-59-6 | Sesxual-3 | Courts- 6 | Friends-1 |
| | | 60-74- 1 | | Family- 1 | Other-4 |
| | | Unknown-4 | | | CYFD- |

| | |
|-----------------------------------|-----------------------------------|
| Type of Contact: | Volunteer Hours: Total-1105 |
| Orders of Protection- 10 | Cell phone-1104 |
| Skills & knowledge Sessions- 46.5 | Administrative-0 |
| Group- 220.5 | Crisis- |
| Community Navagation - .75 | Office- |
| Crisis Intervention- 3.75 | Direct client contact (crisis) -1 |
| Shelter-1 | |
| Food-1 | |
| Legal Advocacy- 42.5 | |

April
Windstream- \$175.47

May
Windstream-\$154.00
Verizon \$141.53

June
Windstream- \$154.00

Total \$625.00

SUBMITTED BY: Blanca Chavez
TYPED NAME

Blanca Chavez
SIGNATURE

DATED: 6-20-17

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JUN 05 2017

SUBRECIPIENT QUARTERLY REPORT

(Report is due by the 15th of the month following the quarter.)

FY: 2016-2017

ORGANIZATION: Matthew 25 Food Pantry

ALLOCATION: \$6,000.00

(FY Allotment, Not Qtr. Draw)

QTR DRAW: \$1,500.00

QUARTER: 4th

(1st/2nd/3rd/4th)

(Please detail the progress made in providing the services each quarter.)

Matthew 25 continues to be busy serving over 500 households per month. Using the grant money from the City of T or C, we have subsidized our rent of \$600 per month and purchased more food from RoadRunner Food Bank in Albuquerque, as well as locally from Bullock's Grocery . Our volunteers help keep our storage and rotation of food products optimal, and most of the food that comes in to our Pantry, goes right back out the door again during any given month.

This quarter we were the recipient of several food drives, including a large drive sponsored by the employees at the local US Post Office. This drive garnered over 2000 lbs. of food, which was shared equally between Matthew 25 and St. John's Episcopal Church for their monthly community supper. We also received 500 pounds of dog food through a drive sponsored by CAAT (Community Action Animal Team). This food is being given to people too poor to be able to purchase food for their animals. We are so grateful to these organizations who think about food insecurity for both people AND their animals!

Our volunteers continue to support the Pantry and help streamline our food distribution system. Recently a volunteer couple have taken on the TEFAP shut-in delivery of over 130 baskets of food once a month, freeing our other volunteers to pack food for walk-ins on TEFAP day and allowing them to unload the Roadrunner truck that comes in that morning. Thus we are no longer forced to postpone food distribution that day to 11 am, and customers can pick up their food at the usual 9 am start time. We are so grateful to our thoughtful, hardworking community volunteers!

Our Participant Numbers and Profit and Loss Sheets are attached to this report, as is our Invoice for this quarter. We thank the City for its on-going support and its participation in helping us feed the hungry citizens of our town.

SUBMITTED BY: Dawn Jensen

TYPED NAME

Dawn Jensen

SIGNATURE

DATED: 6-5-17

Rev. 5/2014

1:20 PM
06/03/17
Accrual Basis

Matthew 25 Food Pantry
Profit & Loss Standard
April through May 2017

RECEIVED
JUN 05 2017

| | <u>Apr - May 17</u> |
|---------------------------|------------------------|
| Ordinary Income/Expense | |
| Income | |
| Contributions and Support | 5,046.04 |
| Earned Revenues | 1,500.00 |
| Total Income | <u>6,546.04</u> |
| Expense | |
| Bank Fees | 10.00 |
| Food | 4,455.94 |
| Sales Tax | 0.76 |
| Utilities | 584.50 |
| Total Expense | <u>5,051.20</u> |
| Net Ordinary Income | <u>1,494.84</u> |
| Net Income | <u><u>1,494.84</u></u> |

1:21 PM
06/03/17
Accrual Basis

Matthew 25 Food Pantry
Transaction Detail By Account
April through May 2017

RECEIVED
JUN 05 2017

| Type | Date | Num | Name | Memo | Amount | Balance |
|----------------------------------|-----------|-----|-----------------------------|---------------------------|-----------------|-----------------|
| Contributions and Support | | | | | | |
| Deposit | 4/4/2017 | DEP | Private Donation | Stacy | 200.00 | 200.00 |
| Deposit | 4/4/2017 | DEP | Private Donation | Women of the Moose | 50.00 | 250.00 |
| Deposit | 4/7/2017 | DEP | Private Donation | Stacy | 150.00 | 400.00 |
| Deposit | 4/7/2017 | DEP | Private Donation | Stacy | 500.00 | 900.00 |
| Deposit | 4/7/2017 | DEP | Private Donation | Patricia | 200.00 | 1,100.00 |
| Deposit | 4/7/2017 | DEP | Private Donation | Stacy | 600.00 | 1,700.00 |
| Deposit | 4/7/2017 | DEP | Private Donation | Stacy | 20.00 | 1,720.00 |
| Deposit | 4/13/2017 | DEP | Private Donation | Stacy | 200.00 | 1,920.00 |
| Deposit | 4/13/2017 | DEP | Private Donation | Women of the Moose | 50.00 | 1,970.00 |
| Deposit | 4/13/2017 | DEP | Private Donation | Stacy | 75.00 | 2,045.00 |
| Deposit | 4/13/2017 | DEP | Private Donation | Impact Fund | 50.00 | 2,095.00 |
| Deposit | 4/19/2017 | DEP | Private Donation | Stacy | 250.00 | 2,345.00 |
| Deposit | 4/19/2017 | DEP | Private Donation | Stacy | 100.00 | 2,445.00 |
| Deposit | 4/21/2017 | DEP | Private Donation | Stacy | 500.00 | 2,945.00 |
| Deposit | 4/21/2017 | DEP | Private Donation | Bountiful Alliance | 250.00 | 3,195.00 |
| Deposit | 4/21/2017 | DEP | Cash for Clubs (Bullocks) | Percentage Program | 140.09 | 3,335.09 |
| Deposit | 5/1/2017 | DEP | Private Donation | Stacy | 200.00 | 3,535.09 |
| Deposit | 5/1/2017 | DEP | Cash for Clubs (Bullocks) | Percentage Program | 350.34 | 3,885.43 |
| Deposit | 5/1/2017 | DEP | Cash for Clubs (Bullocks) | Percentage Program | 316.26 | 4,201.69 |
| Deposit | 5/12/2017 | DEP | Private Donation | Stacy | 100.00 | 4,301.69 |
| Deposit | 5/12/2017 | DEP | Private Donation | Stacy | 200.00 | 4,501.69 |
| Deposit | 5/12/2017 | DEP | Private Donation | Stacy | 50.00 | 4,551.69 |
| Deposit | 5/12/2017 | DEP | Private Donation | Stacy | 20.00 | 4,571.69 |
| Deposit | 5/12/2017 | DEP | Private Donation | Stacy | 200.00 | 4,771.69 |
| Deposit | 5/26/2017 | DEP | Private Donation | Stacy | 250.00 | 5,021.69 |
| Deposit | 5/26/2017 | DEP | Private Donation | America Online Giving | 4.35 | 5,026.04 |
| Deposit | 5/26/2017 | DEP | Private Donation | Stacy | 20.00 | 5,046.04 |
| Total Contributions and Support | | | | | 5,046.04 | 5,046.04 |
| Earned Revenues | | | | | | |
| Deposit | 4/19/2017 | DEP | City of T or C | 3rd Quarter Grant Paym... | 1,500.00 | 1,500.00 |
| Total Earned Revenues | | | | | 1,500.00 | 1,500.00 |
| Bank Fees | | | | | | |
| Check | 4/30/2017 | cc | Bank of the Southwest | bank fees | -5.00 | -5.00 |
| Check | 5/31/2017 | cc | Bank of the Southwest | Paper Statement Fee | -5.00 | -10.00 |
| Total Bank Fees | | | | | -10.00 | -10.00 |
| Food | | | | | | |
| Check | 4/3/2017 | 358 | Bullocks | March | -1,680.16 | -1,680.16 |
| Check | 4/6/2017 | 357 | RoadRunner Food Bank ... | March | -676.38 | -2,356.54 |
| Check | 4/28/2017 | 361 | RoadRunner Food Bank ... | April | -1,372.14 | -3,728.68 |
| Check | 5/4/2017 | 362 | Bullocks | April | -727.26 | -4,455.94 |
| Total Food | | | | | -4,455.94 | -4,455.94 |
| Sales Tax | | | | | | |
| Check | 4/30/2017 | cc | Bank of the Southwest | tax on bank fee | -0.38 | -0.38 |
| Check | 5/31/2017 | cc | Bank of the Southwest | tax on bank fee | -0.38 | -0.76 |
| Total Sales Tax | | | | | -0.76 | -0.76 |
| Utilities | | | | | | |
| Check | 4/21/2017 | 360 | City of Truth or Consequ... | Electric, Water, Sewer | -247.28 | -247.28 |
| Check | 4/24/2017 | 359 | NM Gas | gas bill | -22.52 | -269.80 |
| Check | 5/19/2017 | 363 | NM Gas | gas bill | -22.57 | -292.37 |
| Check | 5/22/2017 | 364 | City of Truth or Consequ... | Electric, Water, Sewer | -292.13 | -584.50 |
| Total Utilities | | | | | -584.50 | -584.50 |
| TOTAL | | | | | 1,494.84 | 1,494.84 |

Matthew 25 Food Pantry
April & May Client Numbers

RECEIVED
 JUN 05 2017

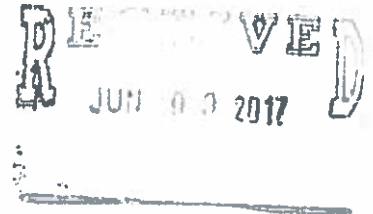
| <u>Date</u> | <u># of Households</u> | <u>Seniors</u> | <u>Adults</u> | <u>Children</u> |
|-------------------------------------|------------------------|----------------|---------------|-----------------|
| April 6th | 108 | 64 | 141 | 90 |
| April 13th | 114 | 66 | 129 | 67 |
| April 20th | 90 | 51 | 115 | 64 |
| April 27 th TEFAP | | | | |
| Walk-ins | 99 | 60 | 117 | 47 |
| Sr. Hous. | 130 | 89 | 41 | 0 |
| TOTALS: | 541 | 330 | 543 | 268 |

Total Number of People Served: 1141

| <u>Date</u> | <u># of Households</u> | <u>Seniors</u> | <u>Adults</u> | <u>Children</u> |
|--|------------------------|----------------|---------------|-----------------|
| May 4 | 98 | 59 | 131 | 72 |
| May 11 | 126 | 83 | 156 | 94 |
| May 18 | 101 | 59 | 126 | 60 |
| May 25 TEFAP (Temporary Emergency Food Program) | | | | |
| Walk-ins | 100 | 48 | 101 | 40 |
| Sr. Hous. | 133 | 92 | 41 | 0 |
| TOTALS: | 558 | 341 | 555 | 266 |

Total Number of People Served: 1162

SUBRECIPIENT QUARTERLY REPORT
FY: 2016/2017



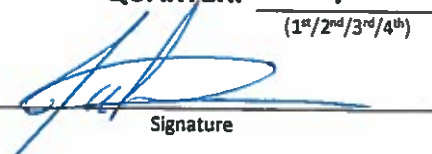
ORGANIZATION: Sierra Joint Office on Aging

(Report is due by the 15th of the month following the QTR.)

ALLOCATION: \$24,000 \$6,000
(FY Allotment) (Quarterly Draw)

QUARTER: 4TH
(1st/2nd/3rd/4th)

SUBMITTED BY: Joe McClintock / Exec. Director
Print Name


Signature

(Please detail the progress made in providing the services each quarter.)

The SJOA performed the following services for the 4TH QTR (April, May & June 2017).

| | | | |
|---|---|-------|---------------------------|
| Congregate meals | = | 8,240 | Units / Meals |
| Home Delivered Meals | = | 8,107 | Units / Meals |
| Transportation | = | 2,794 | Units / Rides |
| Homemaker Services | = | 1,212 | Units |
| Respite (caretaker relief) | = | 129 | Units |
| Title XX - Home, chore & personal care services | = | 1,658 | Units |
| Foster Grandparent Hours | = | 1,263 | Hours / Children served |
| Senior Companion Program | = | 1,795 | Hours / Seniors served |
| Senior Employment Training | = | 672 | Hours Job Skills Training |

Program Information

- The SJOA stayed on budget and completed its contractual obligations for the 3rd consecutive year.
- All programs absorbed a 5% reduction in funding in 2017 without reducing services to our seniors.
- Three of our Federal Grant funded programs could be eliminated by the current Administration in Washington - Foster Grandparent, Senior Companion and Senior Employment. This would be a loss of approximately \$135,000 and 13 employees.



SUBRECIPIENT QUARTERLY REPORT
FY: 2016/2017

ORGANIZATION: GERONIMO SPRINGS MUSEUM

*(Report is due by the
15th of the month
following the QTR.)*

ALLOCATION: \$3500.00 \$875.00
(FY Allotment) (Quarterly Draw)

QUARTER: 4th
(1st/2nd/3rd/4th)

SUBMITTED BY: Marilyn Pope
Print Name

Marilyn Pope
Signature

(Please detail the progress made in providing the services each quarter.)

The Geronimo Springs Museum uses the allotment provided to partially pay for necessary operational expenses. This greatly assists us in being open seven days a week to locals and tourists alike. We have Open House for events, such as Fiesta and Hot Springs Festival, both held in May. We have activities that complement the themes of these community celebrations.

We are constantly striving to keep our costs at a minimum. The addition of motion-sensored and low energy lighting, and a more conservation-oriented heating and cooling has been a huge help.

Follows is a list of what the funds go toward:

| | | | |
|-------------------------|----------|-------|---------|
| Alarm Services | \$211.21 | #4662 | 5/26/17 |
| Turtleback Pest Control | \$52.63 | #4624 | 4/11/17 |
| | 52.63 | #4646 | 5/12/17 |
| City of T or C | \$257.17 | #4635 | 4/26/17 |
| | 336.56 | #4664 | 5/12/17 |
| NM Gas | \$42.80 | #4637 | 4/26/17 |
| | 42.82 | #4663 | 5/26/17 |

Thank you so much for your support and interest in this community effort.

May 30, 2017

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JUN 20 2017

SUBRECIPIENT QUARTERLY REPORT

(Report is due by the 15th of the month
following the quarter.)

FY: **2016/2017**

ORGANIZATION: **Geronimo Trail Scenic Byway**

ALLOCATION: **\$3,500.00**

QTR DRAW: **\$875.00**

QUARTER: **3rd**

(FY Allotment, Not Qtr. Draw)

(1st/2nd/3rd/4th)

(Please detail the progress made in providing the services each quarter.)

During the months of April, May and half of June, 2017, we greeted 1,636 guests. By the end of May we had half the number of visitors we had in all of 2016. We mailed 18 packet of information to potential visitors and relocatees. We shipped 9 boxes of assorted brochures to the various other visitors center. We answered 80 telephone requests for information and responded to 340 emails to date. We kept the Spaceport Visitors Center open for the benefit of travelers.

Total expenses for the period:

Telephone \$328.02

Insurance \$202.02

Postage \$ 96.36

Supplies \$ 450.00

Total expenses for the period: \$ 1,076.40

Some expenses were paid by the director.

We are open 7 days per week with all volunteer staff. We greeted an average of 18 people per day, providing them with information on the local area including places to eat, shop, and visit while here. Sierra County Tourism Board provides donations for one of our volunteers to deliver brochures to local motels and restaurants on a monthly basis for the benefit of travelers staying at those facilities. We stay open on art hop night for the benefit of the public.

We assist visitors with finding hotel rooms, especially on weekends.

Our volunteer time and services provide the City of Truth or Consequences with marketing efforts in excess of \$42,000 per year. These services are provided to visitors who come to our community and spend money, increasing both lodgers tax and gross receipts. The information we mail out and provide for conferences and conventions further encourages people to visit or to plan a longer stay at some future time.

SUBMITTED BY:

LaRena Miller

TYPED NAME

LaRena Miller

SIGNATURE

DATED: **06/20/17**

Rev. 5/2014

RECEIVED
APR 13 2016/2017

SUBRECIPIENT QUARTERLY REPORT

(Report is due by the 15th of the month following the quarter.)

ORGANIZATION: MainStreet Truth or Consequences

ALLOCATION: \$35,000.00

QTR DRAW: \$8,750.00

QUARTER: 3rd

(FY Allotment, Not Qtr. Draw)

(1st/2nd/3rd/4th)

(Please detail the progress made in providing the services each quarter.)

MainStreet Truth or Consequences started off the year with the Annual Meeting/Membership Party. It was very successful as we got over 50% more members than we had last year. Attendees were supportive of our efforts to help revitalize downtown.

We are working hard to plan Hot Springs Festival which will take place May 12-14th. We have lined up some great speakers and workshops for the event. Advertising has gone out to various publications throughout the state and El Paso and we are listing it on event calendars.

MainStreet is also working with the Rotary Club to plan and execute the Miss Fiesta pageant.

We have hosted the Second Saturday Art Hop for each month. Business owners reported that the March event brought many visitors through their doors.

Additionally, we have two separate groups working with business owners on Façade Improvement Projects. At the brewery, we hosted a design brainstorming group which developed many ideas for the façade of the Truth or Consequences Brewing Company. The other groups is working with Angel Remnants on a straight forward façade improvement project which would basically patch and paint that storefront.

Collaborating with the Jornada RC&D, we are working on two different grant proposals. One would be to utilize the MainStreet office as an workspace for current and prospective business owners. The second grant would be for a Customer Service Training Course. This would be a two day training that would incorporate basics of customer service, role playing, as well as a tour of the assets of T or C.

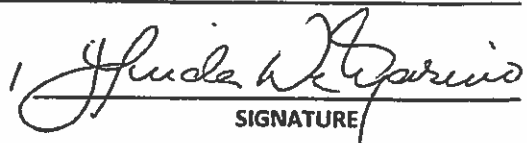
We met with New Mexico Clean and Beautiful personnel when they came to town. We learned more about that grant and will be submitting an application for funds to create the Art Park.

MainStreet has also been collaborating with PALS for the Dog Park. In March, we did a clean-up at that site to prepare it for construction. This was also incorporating the Swim Team and New Mexico Clean and Beautiful Grant from this year.

SUBMITTED BY:

Linda DeMarino

TYPED NAME



SIGNATURE

DATED: 04/03/17

Rev. 5/2014

SUBRECIPIENT QUARTERLY REPORT

(Report is due by the 15th of the month following the quarter.)

FY: 2016/2017

ORGANIZATION: MainStreet Truth or Consequences

ALLOCATION: \$35,000.00

QTR DRAW: \$8,750.00

QUARTER: 4th

(FY Allotment, Not Qtr. Draw)

(1st/2nd/3rd/4th)

(Please detail the progress made in providing the services each quarter.)

Spring is always a busy time for MainStreet Truth or Consequences, with the biggest portion of time going into the planning and execution of the Hot Springs Festival. This year, we collaborated with the Film Fiesta to create even more of a draw to Truth or Consequences on what used to be a dead weekend in town. This year saw nearly every room in the downtown booked. Business owners reported that they were very busy and appreciated the traffic that the event brought.

We also collaborated with the Rotary Club on the Miss Fiesta Pageant. MainStreet provided assistance with promotion of the event, as well as volunteers during and prior to for setting up.

The initial façade improvement project for the Truth or Consequences Brewing Company building was completed. MainStreet facilitated a group of people assembled to brainstorm ideas for the façade and was completed when other volunteers scraped, painted, and helped clean. There may be other phases of this after the business is up and running. The other façade improvement project is still in the works. Other building owners have picked up applications for this seeing what has been done.

In the area of training, the Executive Director attended the National Conference in Pittsburgh, coming back with many ideas and a lot of inspiration. Those that would be of most value were about how to work with the city on preventing demolition by neglect and working with the city to gather feedback from new businesses and building owners on how the process went in order to create processes that encourage new businesses to open shop here because there are not unnecessary barriers.

The Board of Directors has been participating in webinars to help create a stronger organization. Recent topics have included recruitment, fundraising, and measuring effectiveness. These are run by New Mexico MainStreet.

We collaborated with the City to help with submitting a grant to New Mexico Clean and Beautiful to support the Art Park. From last year's grant, we held three clean-ups in downtown.

Also submitted was an ArtPlace America grant to address waterharvesting. Keep your ears open for information on our progress with this one!

SUBMITTED BY:

Linda DeMarino

TYPED NAME

Linda DeMarino

SIGNATURE

DATED: 06/02/17

Rev. 5/2014

RECEIVED
JUN 02 2017



**CITY OF TRUTH OR CONSEQUENCES
COMMISSION ACTION FORM**

ITEM:

Contracts with Les Dechamps and Steven Sage for Public Defender Services for indigent defendants for 2017-2018

BACKGROUND:

These are annual Contract Services for indigent defendants. Both have served in this position previously.

STAFF RECOMMENDATION:

Approve both contracts.

SUPPORT INFORMATION:

- Contract with Les Deschamps
- Contract with Steven Sage

| | | |
|---|-----------------------------|-----------------------------|
| Name of Presenter: J. Rubin, City Attorney B. Sanders, Judge | Department: Municipal Court | Meeting date: June 28, 2017 |
|---|-----------------------------|-----------------------------|

City of Truth or Consequences**505 Sims****Truth or Consequences, New Mexico 87901****Attention: Juan Fuentes, City Manager****Contractor**

NAME: STEVEN LLOYD SAGE
ADDRESS: 446 N ALAMEDA BLVD
CITY, STATE, ZIP: LAS CRUCES, NM, 88005
FEDERAL / EMPLOYEE ID NUMBER: 81-0905390
STATE ID: 63-170245-007
BUSINESS LICENSE NUMBER: 2017-12
TELEPHONE: ⁵⁷⁵526-1755 CELL: ⁵⁷⁵650-6868 FAX: ⁵⁷⁵526-1189

CAPTIONS

Each paragraph of this Agreement has been supplied with a caption to serve only as a guide to the contents. The caption does not control the meaning of the paragraph or in any way determines its interpretation or application.

APPROVALS

City:

STEVEN GREEN, Mayor _____ Date _____

ATTEST: RENEE CANTIN, City Clerk _____ Date _____

JAIME RUBIN, City Attorney _____ Date _____

Contractor:

Attorney:

Date 6-20-17

Printed Name:

STEVEN LLOYD SAGE

City of Truth or Consequences**Contract for Services****2017-2018****Part I**

THIS agreement for services is by and between the City of Truth or Consequences (hereinafter called "City") and STEVEN L. SAGE (hereinafter called "Contractor").

WHEREAS the City wishes to engage the services of an attorney to represent and serve as Counsel in cases requiring an attorney before the Municipal Court.

NOW THEREFORE the parties do mutually agree as follows:

The City agrees to engage the Contractor and the Contractor hereby agrees to perform the Scope of Work detailed below.

Scope of Work

Representation of defendants who are eligible for appointment of counsel or are determined to be indigent and are facing charges filed in the Municipal Court of Truth or Consequences, New Mexico. The Municipal Court Judge determines eligibility for indigent counsel services, applicability of the right to counsel, and has assigned Contractor to provide legal representation to said defendant; such representation shall continue until defendant has been sentenced by the court, acquitted of all charges or the charges have been dismissed by the prosecution or the Court on motion or *Sua Sponte*.

The Contractor will follow the Municipal Court of Truth or Consequences Policy and Rules of Procedure. (Copy to be provided)

Time of performance

The services of the Contractor shall commence on July 1, 2017 and be completed on June 30, 2018. The Contractor represents that he/she are in good standing with the New Mexico State Bar.

Such services shall be continued in such sequence as to assure their relevance to the purposes of this agreement. This contract may be extended on an annual basis for an additional three (3) years commencing on July 1 of the next fiscal year. In no event shall the original term of this contract, together with all extensions exceed four (4) years.

Access to Information

It is agreed that all information, data, reports, records, maps, and all other materials relating to the facts of the Contractor's assigned cases as are existing, available, and necessary for the carrying out of work outlined in the agreement, shall be furnished to the Contractor by the City at no charge. The provision of additional informational resources, including but not limited to those necessary to conduct legal research, shall be the Contractor's sole responsibility.

Compensation and Method of Payment

The Contractor shall be compensated for his/her services at a flat rate of Six Hundred and Fifty and No/100 Dollars (\$650.00) per case assigned. Compensation shall be provided to the contractor upon completion of the Contractor's representation of the assigned client. In no event shall the Contractor's compensation exceed Six Hundred and Fifty and No/100 Dollars (\$650.00) per case. Applicable gross receipts taxes, services including travel, per diem, and other expenses of the Contractor or its staff shall be the Contractors' responsibility. Total compensation to be paid under the agreement shall not exceed an annual total of \$26,000. If compensation paid under this contract exceeds \$600.00 in a year, the City will issue IRS Form 1099 on a calendar year basis.

Claims

The Contractor shall save, hold harmless, and indemnify the City free from claims that may arise in connection with work the Contractor will perform under the agreement. The Contractor also agrees to pay for staff time at standard hourly billing rates, plus expenses at cost that might be required for expert testimony, or any other court appearances, together with preparation time and legal costs that might arise because of Contractor's involvement in this assignment, whether subpoenaed by the City or any other group.

It is understood and agreed that this contract is not intended to create an enforceable interest for third party beneficiaries to this contract. Outside of the City and the Contractor, no party shall have a right to enforce the terms of this contract.

Nothing in this contract shall abridge or waive the immunities granted to the City under the New Mexico Tort Claims Act.

If City brings a legal action against the Contractor to enforce the terms of this contract, and the City prevails in that legal action, it shall be entitled to recover its attorney's fees.

Bribes and Gratuities

It is illegal in New Mexico for any public employee to solicit or accept anything of value in connection with award of the contract and for any person to offer or pay anything of value to any such public employee. (NMSA 1978, §§ 30-24-1 through 30-24-2).

Termination

Either party to this contract may terminate the contractor relationship with the City upon thirty (30) days' notice. The Contractor shall turn over to the City all files for any commenced but not completed representation before the date of termination.

City of Truth or Consequences

505 Sims

Truth or Consequences, New Mexico 87901

Attention: Juan Fuentes, City Manager

Contractor

NAME: LEE DESCHAMPS LAW FIRM
ADDRESS: PO BOX 389
CITY, STATE, ZIP: SOCORRO, NM 87801
FEDERAL / EMPLOYEE ID NUMBER: 85-0464073
STATE ID: 02411801.00.0
BUSINESS LICENSE NUMBER: 52542
TELEPHONE: 575-838-0972 CELL: 575-952-0444 FAX: 575-838-2922

CAPTIONS

Each paragraph of this Agreement has been supplied with a caption to serve only as a guide to the contents. The caption does not control the meaning of the paragraph or in any way determines its interpretation or application.

APPROVALS

City:

STEVEN GREEN, Mayor _____ Date _____

ATTEST: RENEE CANTIN, City Clerk _____ Date _____

JAIME RUBIN, City Attorney _____ Date _____

Contractor:

Lee Deschamps
Attorney: _____

Date 6-21-17

Printed Name: 575-952-0444

City of Truth or Consequences

Contract for Services

2017-2018

Part I

THIS agreement for services is by and between the City of Truth or Consequences (hereinafter called "City ") and LES DESCHAMPS (hereinafter called "Contractor").

WHEREAS the City wishes to engage the services of an attorney to represent and serve as Counsel in cases requiring an attorney before the Municipal Court.

NOW THEREFORE the parties do mutually agree as follows:

The City agrees to engage the Contractor and the Contractor hereby agrees to perform the Scope of Work detailed below.

Scope of Work

Representation of defendants who are eligible for appointment of counsel or are determined to be indigent and are facing charges filed in the Municipal Court of Truth or Consequences, New Mexico. The Municipal Court Judge determines eligibility for indigent counsel services, applicability of the right to counsel, and has assigned Contractor to provide legal representation to said defendant; such representation shall continue until defendant has been sentenced by the court, acquitted of all charges or the charges have been dismissed by the prosecution or the Court on motion or *Sua Sponte*.

The Contractor will follow the Municipal Court of Truth or Consequences Policy and Rules of Procedure. (Copy to be provided)

Time of performance

The services of the Contractor shall commence on July 1, 2017 and be completed on June 30, 2018. The Contractor represents that he/she are in good standing with the New Mexico State Bar.

Such services shall be continued in such sequence as to assure their relevance to the purposes of this agreement. This contract may be extended on an annual basis for an additional three (3) years commencing on July 1 of the next fiscal year. In no event shall the original term of this contract, together with all extensions exceed four (4) years.

Access to Information

It is agreed that all information, data, reports, records, maps, and all other materials relating to the facts of the Contractor's assigned cases as are existing, available, and necessary for the carrying out of work outlined in the agreement, shall be furnished to the Contractor by the City at no charge. The provision of additional informational resources, including but not limited to those necessary to conduct legal research, shall be the Contractor's sole responsibility.

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Claims

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Bribes and Gratuities

It is illegal in New Mexico for any public employee to solicit or accept anything of value in connection with award of the contract and for any person to offer or pay anything of value to any such public employee. (NMSA 1978, §§ 30-24-1 through 30-24-2).

Termination

Either party to this contract may terminate the contractor relationship with the City upon thirty (30) days' notice. The Contractor shall turn over to the City all files for any commenced but not completed representation before the date of termination.

G.1



**CITY OF TRUTH OR CONSEQUENCES
COMMISSION ACTION FORM**

ITEM:

Discussion/Action: Ordinance No. 685 for publication for the sale of 1310 Nickel.

BACKGROUND:

At the June 14, 2017 meeting, the Commission approved to proceed with the sale of 1310 Nickel. An ordinance is required to proceed. The ordinance will be distributed next week and a hard copy will be provided at the meeting.

STAFF RECOMMENDATION:

Approve Ordinance No. 685 for publication for the sale of 1310 Nickel.

SUPPORT INFORMATION:

| | | |
|-----------------------------|--------------------------------|-----------------------------|
| Submitted by: Robbie Travis | Department: Building Inspector | Meeting date: June 28, 2017 |
|-----------------------------|--------------------------------|-----------------------------|

G.2



**CITY OF TRUTH OR CONSEQUENCES
COMMISSION ACTION FORM**

ITEM: Resolution No.40 16/17, Budget Adjustments transferred, as listed below

BACKGROUND: Reconciling Budget Adjustments needed for pending year-end transactions as listed below.

| Description | Amount | Recommendation |
|--|---------------|--|
| Increase General Fund 101 – Revenue(s) | \$90,000 | Budget Adjustment – Increase Revenue |
| General Fund Transfer Out Fund 101 | \$50,000 | Transfer Out \$50,000 Capital Improvement – General for the Capital Appropriations Grant (DFA) Animal Shelter |
| General Fund Transfer Out Fund 101 | \$35,000 | Transfer Out \$35,000 to the Golf Course |
| Capital Improvement – Transfer In Fund 305 | \$50,000 | Transfer In \$50,000 Capital Improvement – from General Fund for the Capital Appropriations Grant (DFA) Animal Shelter |
| Utility Office Transfer In Fund 502 | \$25,000 | Increase Transfer In from Joint Utilities to cover additional expenses |
| Electric Dept – Transfer Out Fund 503 | \$5,000 | Transfer Out from Electric Dept to cover the additional expenses from the Utility office |
| Water Dept – Transfer Out Fund 504 | \$5,000 | Transfer Out from Water Dept to cover the additional expenses from the Utility office |
| Solid Waste Dept – Transfer Out Fund 505 | \$5000 | Transfer Out from Solid Waste Dept to cover the additional expenses from the Utility office |
| Wastewater Dept – Transfer Out Fund 506 | \$5000 | Transfer Out from Wastewater Dept to cover the additional expenses from the Utility office |
| Transfer Station – Transfer Out Fund 507 | \$5,000 | Transfer Out from Transfer Station to cover the additional expenses from the Utility office |
| Golf Course – Transfer In Fund 508 | \$35,000 | Transfer In from the General Fund to cover additional expense for the Golf Course |
| | | |
| | | |

SUPPORT INFORMATION:

- Finance Documents as presented.
- Please note – due to the end of the Fiscal year and DFA requirements, the budget adjustment listed above may be subject to change.

| | | |
|---------------------------------|--------------------------------|----------------|
| Name of Drafter: Melissa Torres | Department: : Finance Director | Mtg: 6/28/2017 |
|---------------------------------|--------------------------------|----------------|



RESOLUTION NO. 40-16/17

A RESOLUTION REQUESTING BUDGET ADJUSTMENTS IN THE REVENUE AND EXPENDITURE BUDGET FOR FISCAL YEAR 2016-2017.

WHEREAS, the final budget for was approved by the City Commission of the City of Truth or Consequences, New Mexico, pursuant to Chapter 6, Article 76 NMSA 1978; and

WHEREAS, the City Commission resolve to request a budget adjustment in the 2016-2017 Fiscal Year Revenue and Expenditure Budget as per the Schedule of Budget Adjustments.

NOW THEREFORE, approval of the above is hereby requested of the New Mexico Department of Finance and Administration, Local Government Division.

PASSED, ADOPTED AND APPROVED this 28th day of June, 2017.

Steven Green, Mayor

ATTEST:

Reneé L. Cantin, CMC, City Clerk-Treasurer

Department of Finance and Administration
Local Government Division
Financial Management Bureau
SCHEDULE OF BUDGET ADJUSTMENTS

REVISED 12/08/06

ENTITY NAME: City of Truth or Consequences
FISCAL YEAR: 2016 / 2017
DFA Resolution Number: 40 16/17

For Local Government Division use only:

| (A) ENTITY RESOLUTION NUMBER | (B) FUND | (C) REVENUE EXPENDITURE TRANSFER (TO or FROM) | (D) APPROVED BUDGET | (E) ADJUSTMENT | (F) ADJUSTED BUDGET | (G) PURPOSE |
|---------------------------------------|---|--|---------------------------|-------------------|---------------------------|--|
| 40 16/17 | 101 (General Fund) Revenue | REVENUE | \$ 3,666,858.00 | \$ 90,000.00 | \$3,756,858 | Increase Revenue |
| 40 16/17 | 101 (General Fund) Transfer Out | TRANSFER (TO or FROM) | \$ 1,182,906.00 | \$ (50,000.00) | \$1,132,906 | Increase Transfer Out - For the Capital Improvement - General / Animal Shelter (CAP-DFA) |
| 40 16/17 | 101 (General Fund) Transfer Out | TRANSFER (TO or FROM) | \$ 1,132,906.00 | \$ (35,000.00) | \$1,097,906 | Transfer out from the General Fund to the Golf Course |
| 40 16/17 | 305 (Capital Improvement) Transfer In | TRANSFER (TO or FROM) | \$ 30,000.00 | \$ 50,000.00 | \$80,000 | Transfer In \$50,000 Capital Improvement - From General Fund for the Capital Appropriations Grant Animal Shelter |
| 40 16/17 | 502 (Utility Office) Transfer In Fund 502 | EXPENDITURE | \$ 267,520.00 | \$ 25,000.00 | \$292,520 | Transfer In from the Joint Utilities to cover Utility Office Expense |
| 40 16/17 | 508 (Golf Course) Transfer In | TRANSFER (TO or FROM) | \$ 115,000.00 | \$ 35,000.00 | \$ 150,000.00 | Transfer In from the General Fund to Cover Additional Expenses |
| 40 16/17 | 503 (Electric Dept) Transfer Out | TRANSFER (TO or FROM) | \$ 1,968,829.00 | \$ 5,000.00 | \$ 1,973,829.00 | Transfer Out from the Electric Dept to cover Utility Office Expense |
| 40 16/17 | 504 (Water Dept) Transfer Out | TRANSFER (TO or FROM) | \$ 318,777.00 | \$ 5,000.00 | \$ 323,777.00 | Transfer Out from the Water Dept to cover Utility Office Expense |
| 40 16/17 | 505 (Solid Waste Dept) Transfer Out | TRANSFER (TO or FROM) | \$ 189,314.00 | \$ 5,000.00 | \$ 194,314.00 | Transfer Out from the Solid Waste Dept to cover Utility Office Expense |
| 40 16/17 | 506 (Wastewater) Transfer Out | TRANSFER (TO or FROM) | \$ 197,333.00 | \$ 5,000.00 | \$ 202,333.00 | Transfer Out from the Wastewater Dept to cover Utility Office Expense |
| 40 16/17 | 507 (Transfer Station) Transfer Out | TRANSFER (TO or FROM) | \$ 60,917.00 | \$ 5,000.00 | \$ 65,917.00 | Transfer Out from the Transfer Station Dept to cover Utility Office Expense |
| 40 16/17 | 508 (Golf Course) Transfer In | TRANSFER (TO or FROM) | \$ 115,000.00 | \$ 35,000.00 | \$ 150,000.00 | Transfer In from the General Fund to Cover Additional Expenses |
| | | | | | \$ - | |
| | | | | | \$ - | |
| | | | | | \$ - | |
| | | | | | \$ - | |
| | | | | | \$ - | |

ATTEST: _____
Title (Date)

Mayor/Board Chairman (Date)



G.3

**CITY OF TRUTH OR CONSEQUENCES
COMMISSION ACTION FORM**

ITEM:

Discussion/Action: Resolution No. 41 16/17 related to Parks Fees.

BACKGROUND:

After meeting with the Sierra Racquet Club related to the issues at the Tennis Courts. We have made a change to the fees for the night use for the Gene Speer Tennis Courts. All other suggestions have been worked out with the City Manager and staff.

STAFF RECOMMENDATION:

Approve the resolution.

SUPPORT INFORMATION:

Revised Resolution.

| | | |
|----------------------------|-----------------------------|-----------------------------|
| Submitted by: Renee Cantin | Department: Clerk-Treasurer | Meeting date: June 28, 2017 |
|----------------------------|-----------------------------|-----------------------------|

RESOLUTION NO. 41 16/17

A RESOLUTION OF THE CITY OF TRUTH OR CONSEQUENCES CITY COMMISSION ADOPTING A RESOLUTION FOR FEES, DEPOSITS AND REGULATIONS FOR USE OF CITY PARKS

WHEREAS, the City of Truth or Consequences operates and maintains the City Parks and playgrounds, etc., and;

WHEREAS, the City of Truth or Consequences operates and maintains the City Parks for the enjoyment of the public, and;

WHEREAS, the City Parks are sometimes used by the public for commercial purposes, and;

WHEREAS, the City of Truth or Consequences finds it necessary to collect fees, and deposits in order to assure the continued maintenance of those facilities as follows:

The following are the fees and deposits created for use of the City Parks:

| | |
|--|---|
| FACILITY USE | \$15/hr up to \$100.00 (8 hr. period or more) |
| USE OF ELECTRICITY | \$5/hr. up to \$40.00 (8 hr. period or more) |
| USE OF FIELD LIGHTS | \$5/hr. (Excludes team sports)* |
| TENNIS COURTS | \$5/Night ; \$25 key replacement |
| YOUTH ACTIVITIES | Single Event (Not season) \$50 deposit only |
| CLEANING/DAMAGE DEPOSIT | \$50** |
| MEN/WOMEN SPORTS LEAGUE | \$75 per team per season (includes electric) |
| YOUTH LEAGUE TEAMS | \$40 per team per season (includes electric) |
| GUEST TOURNAMENTS (MEN/WOMEN) \$200 (UP TO THREE CONSECUTIVE DAYS) | |

*Electric use is included once participating teams have paid all fees.

**The cleaning/damage deposit will be refunded after the event if the facilities are clean and undamaged to the satisfaction of a City representative. If the cost of cleaning or damage is greater than the amount of the deposit the renter will be charged accordingly. Set up and tear down will be the responsibility of the renter.

Some activities/events may be required to show proof of liability insurance naming the City as an additional insured or the completion of a release of liability form by the user group.

Adult Sports Leagues must submit by-laws with Application for Season Use.

Note: The City Manager or his/her designee may impose other use regulations and other exemptions as he/she may deem necessary as long as those regulations do not subvert the intent of this policy. Additionally, complaints for public affray or other law enforcement action may result in the loss of City Park privileges.

NON PROFIT ORGANIZATIONS:

Non-profits will receive a 50% reduction in fees, however, cleaning and security deposits will be paid prior to the event. Any Non-Profit holding an event that requires at least two consecutive days rent will be eligible for 100% reduction on fees, excluding the cost of electricity and deposit. Multiple day events that are not consecutive could also be considered for 100% reduction on fees, excluding the cost of electricity and deposit.

NON-PROFIT CRITERIA

- The organization must be a registered non-profit organization.
- The organization must be either located in the City or their work must benefit the citizens of Truth or Consequences.
- The organization must state the purpose of the event and how the revenue will benefit the citizens of Truth or Consequences.
- A City application must be completed and presented to the City Manager or designee at least 10 days prior to the event.

TEMPORARY MEMORIALS may be placed with written approval from the City Manager or designee. Memorials may be placed up to 30 days at which time City staff reserve the right to dispose of or to distribute the items.

NOW THEREFORE, BE IT RESOLVED by the City of Truth or Consequences Governing Body, that the fees, deposits and regulations described herein are hereby enacted.

BE IT FURTHER RESOLVED that nothing in the Resolution shall prohibit the use or access of City Parks for the public at large for free.

This Resolution repeals Resolution No. 07 16/17.

PASSED, APPROVED AND ADOPTED this 28th day of June, 2017.

CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO

By: _____
Steve Green, Mayor

ATTEST:

Renee L. Cantin, CMC, City Clerk-Treasurer



H.1

**CITY OF TRUTH OR CONSEQUENCES
COMMISSION ACTION FORM**

ITEM:

Discussion/Action: Revisit Lodger's Tax Guidelines.

BACKGROUND:

Mayor Green requested this item and will present it.

STAFF RECOMMENDATION:

None.

SUPPORT INFORMATION:

None.

Submitted by: Renee Cantin

Department: Clerk-Treasurer

Meeting date: June 28, 2017



I.1

**CITY OF TRUTH OR CONSEQUENCES
COMMISSION ACTION FORM**

ITEM:

Lodger's Tax Funds request by MainStreet Truth or Consequences.

BACKGROUND:

Linda DeMarino, Executive Director of MainStreet Truth or Consequences requested this item to be on the agenda. Attached is a letter with her request and the application to be on the agenda.

STAFF RECOMMENDATION:

None.

SUPPORT INFORMATION:

- Application to be on the Agenda
- Request Letter



CITY OF TRUTH OR CONSEQUENCES
CITY CLERK'S OFFICE
505 SIMS STREET
TRUTH OR CONSEQUENCES, NEW MEXICO 87901
PHONE: (575) 894-6673 EXT#1301 FAX: (575) 894-7767

RECEIVED
JUN 15 2017

APPLICATION FOR LISTING ON CITY COMMISSION AGENDA

DATE: 6/15/2017
DATE OF MEETING YOU ARE REQUESTING TO BE LISTED UNDER: 6/28/2017
NAME OF APPLICANT/ORGANIZATION: Main Street Truth or Consequences
ADDRESS: PO Box 11002
PHONE: 740-6180 E-MAIL: ldemarino@hotmail.com
REQUEST: (ATTACH WRITTEN REQUEST AND/OR DOCUMENTS IF AVAILABLE)
Letter Attached

WHAT RESOURCES DO YOU REQUIRE: none
ESTIMATED TIME FOR PRESENTATION: 3-5 min SIGNATURE: [Signature]
CITY MANAGER ACTION

APPROVED FOR COMMISSION AGENDA OF: [Signature]
DENY - REASON FOR DENIAL: _____

IF YOUR REQUEST WAS DENIED AND YOU WISH TO APPEAL, YOU MAY:

- appear personally before the City Commission on the day of the meeting and during the "Comments from the Public" ask that the Commission place your item on the next available agenda (usually in 2 weeks); or,
- appeal directly to any one of the City Commissioner by contacting them (see reverse side for contact information). Any Commissioner may place your item on the agenda by notifying the City Clerk at least **7 days** prior to the Commission meeting.



MainStreet Truth or Consequences · P.O. Box 1602 · Truth or Consequences, NM 87901

June 15, 2017

Dear Honorable City Commissioners,

On behalf of MainStreet Truth or Consequences, I am writing this letter to request that you overturn a decision that was made to deny a reimbursement for Lodgers' Tax. As it is the end of the fiscal year, I cannot go to the Lodgers' Tax Board first.

For the first time, MainStreet decided to utilize \$200 of our Lodgers' Tax budget to purchase water bottles as promotional items for the Hot Springs Festival. As we had not done this before, I referred to the Lodgers' Tax Funding Guidelines. On page 8, which I have attached it reads, "Print media, television ads, billboards, radio ads, and online ads of the Contractor which are paid for from Lodgers' Tax monies shall include the following:

- Paid in part by "Truth or Consequences Lodgers' Tax."
- Include the City of Truth or Consequences Logo.

In my experience, water bottles would not be categorized as print media or any of the other categories. They are promotional items. Additionally, as we had planned to sell some water bottles and give some out, I made two separate orders to ensure that there would not be a problem.

On June 5th, I received an email from Linda Sparks saying that she was denying the request because it did not have the logo and paid for requirements. I wrote back to her citing page 8 of the Lodgers' Tax Guidelines. A few days later I was at her office and we discussed this. During this conversation, she told me that other groups, like Kori Mannon's triathlon group, had put the logo on their t-shirts and that it was "implied" that it was to be done. I responded that implications are not requirements, but she disagreed.

In a subsequent letter, she wrote "As for RR #12 for the water bottles, the accepted practice for promotional items has always been that they are subject to the same requirements as for any other advertising media. You mentioned that the guidelines do not call for the logo or credit on promotional items. On the other hand, they do not exclude them either. Unless specific provisions

and/or exclusions are made for certain items, the implication is that they are subject to the principal requirements." Again, implications are not requirements.

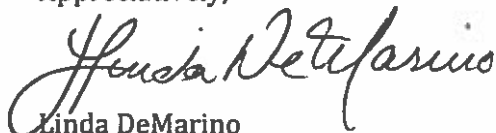
Over the past three years, there have been problems with the Lodgers' Tax Guidelines. Each year, I attend the mandatory Lodgers' Tax meeting where we go over the guidelines. I have pointed out changes that need to be made in that forum each year, but the Guidelines have not changed. I have recently submitted a list of these changes to Sazi Marri, who is on the Lodgers' Tax Board and to Mayor Green. My suggestions reflect not what is just good for the recipients, but the City as well.

As for requiring the logo and paid for line to be on all promotional items, I would not change this rule. The first reason being that you could not fit those on promotional items like pens, bottle openers, mini-flashlights, or key chains. Secondly, the more printing you put on those items, the more they cost. The goal of promotional items is to spread the word far and wide. It does not cost any more to put the logo and paid for line on print media, television ads, billboards, radio ads, or online ads. That is probably why it was set up that way in the first place.

I appreciate being able to use Lodgers' Tax to promote events and had no intention of trying to pull one over on anyone by not putting the logo and paid for line on the water bottles. Therefore, I believe that my request to approve this reimbursement is fair and reasonable.

Thank you for your time and consideration.

Appreciatively,

A handwritten signature in black ink, appearing to read "Linda DeMarino", written in a cursive style.

Linda DeMarino
Executive Director

Payment Reimbursements

- Print media, television ads, billboards, radio ads, and online ads of the Contractor which are paid for from Lodgers' Tax monies shall include the following:

Paid in part by "Truth or Consequences Lodgers' Tax."

Include the City of Truth or Consequences logo.

- Please contact the City Clerk's office, torcclerk@torcnm.org for City logo.





I.2

**CITY OF TRUTH OR CONSEQUENCES
COMMISSION ACTION FORM**

ITEM:

Public Arts Advisory Board Member appointments.

BACKGROUND:

The terms for the four members on the Public Arts Advisory Board will expire on June 30, 2017. The following three members have submitted their application for reappointment. One member Jia Apple has submitted her resignation because she will be moving out of state.

Eduardo Alicea has served on the Board since 2013.

Sid Bryan has served on the Board since 2008, best estimation.

Cary "Jagger" Gustin replaced James Durham, representative for the Sierra County Arts Council, upon Mr. Durham's resignation on 1/17/17 from both the Council and the Board.

We will continue to accept applications for the one remaining vacancy.

STAFF RECOMMENDATION:

Approve the reappointment of Eduardo Alicea, Sid Bryan, and Cary "Jagger" Gustin to the Public Arts Advisory Board.

SUPPORT INFORMATION:

Applications.

| | | |
|----------------------------|-----------------------------|-----------------------------|
| Submitted by: Renee Cantin | Department: Clerk-Treasurer | Meeting date: June 28, 2017 |
|----------------------------|-----------------------------|-----------------------------|



**City of Truth or Consequences
City Board Application**

06-13-17P12:03 RCVD

Name: Sid Bryan
Address: 108 Main St.
Tor C, NM 87901
Phone: 505-690-4321

I am interested in serving as a member of Public Art Board.

My qualifications are:

I am the owner of the Pelican
Spa & Snakes Gallery for over
12 years.

Reason why you are interested in serving on this Board:

To help encourage tourism

Additional Comments:

I am a present member

Signature:

Sidley S. Bryan



City of Truth or Consequences City Board Application

Please type or print legibly.

Name: **Eduardo Alicea**

06-05-17A09:52 RCV

Address: **110 N. Broadway Avenue**

Truth or Consequences, NM 87901

Phone: **575-894-0572**

Cell:

E-mail: **riobravofa@gmail.com**

I am interested in serving as a member of the **Public Art** Board.

My qualifications are:

Art Degree, Gallery Owner, Former Art Teacher, Dealing with the local Art Community for almost 20 years.

Reason why you are interested in serving on this Board:

To help improve The community through the arts.

Additional Comments:

Signature: _____

A handwritten signature in blue ink that reads "Eduardo Alicea".

Date: **2 June, 2017**



City of Truth or Consequences City Board Application

06-15-17P02:06 RCVD

Name: Cary "Jagger" Gustin
Address: 203 Main St. Truth or Consequences, NM 87901
cary.gustin@state.nm.us
Phone: 575-312-2050

I am interested in serving as a member of City Public Art Advisory Board.

My qualifications are:

Very familiar with the city of t or C's art scene
Historical DISTRICT GALLERIES. Participate in Chamber of
Commerce business retention and relocation initiatives
Board Secretary T or C Main Street Group sponsor monthly
Art Hops (gallery's and shops open late 2nd Saturday each month)

Reason why you are interested in serving on this Board:

Currently serving as Sierra County Arts Council President
and by virtue of this position have automatic board position
on the city of t or C's Public Arts Advisory Board

Additional Comments:

It is an honor to serve on this City board and will work hard
to represent the 164 members of the Arts Council's general
membership. I fully support the City of t or C's efforts to
create an Art park on Main Street.

Signature: Cary Gustin 6-15-2017



I.3

**CITY OF TRUTH OR CONSEQUENCES
COMMISSION ACTION FORM**

ITEM:

Preliminary discussion of Truth or Consequences Property Tax.

BACKGROUND:

Mayor Green requested this item and will present it.

STAFF RECOMMENDATION:

None.

SUPPORT INFORMATION:

None.

| | | |
|----------------------------|-----------------------------|-----------------------------|
| Submitted by: Renee Cantin | Department: Clerk-Treasurer | Meeting date: June 28, 2017 |
|----------------------------|-----------------------------|-----------------------------|