

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, AUGUST 9, 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. CONSENT CALENDAR

1. City Commission Regular Minutes, June 14, 2017
2. City Commission Regular Minutes, July 12, 2017
3. Golf Course Advisory Board Minutes, May 2, June 7, & July 5, 2017
4. Accounts Payable, July 2017

F. PUBLIC HEARINGS

1. Public Hearing: Infrastructure Capital Improvement Plan (ICIP).

G. ORDINANCES/RESOLUTIONS/ZONING

1. Discussion/Action: Resolution No. 05 17/18 and Resolution No. 05-A 17/18 approving the required Community Development Block Grant (CDBG) Annual Certifications and Commitments and Fair Housing Policy. Melissa Torres, Finance Director
2. Discussion/Action: Request to appeal Resolution No. 15 16/17 related to 1308 Tin Street. Bobbie Hanna, Owner and Robbie Travis, Building Inspector

H. UNFINISHED BUSINESS

1. Discussion/Action: Special Use Permit for a Woman's Recovery Program at 819 N. Date Street. Robbie Travis, Building Inspector

I. NEW BUSINESS

1. Discussion/Action: Award the Professional Engineering Service for the City of Truth or Consequences' current Community Development Block Grant Project (CDBG). Melissa Torres, Finance Director
2. Discussion/Action: Funding option for Law Enforcement Complex. Mark Valenzuela, George K. Baum & Co.
3. Discussion/Action: Impact Fee Board recommendation for reimbursement of fees. Arnie Castaneda, Water/Wastewater Supervisor
4. Discussion/Action: Acquisition of property at the T or C Airport. Juan Fuentes, City Manager
5. Discussion/Action: Holloman Air Force Base Environmental Impact Study for F16's. Steve Green, Mayor
6. Discussion/Action: Appointment of an Alternate to serve on the Joint Powers Commission in the event the appointed member cannot attend. Steve Green, Mayor

J. REPORTS

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

K. ADJOURNMENT

NEXT CITY COMMISSION MEETING AUGUST 23, 2017



E1

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

ITEM:

Approve the minutes of the City Commission Regular Meeting for June 14, 2017.

BACKGROUND:

None.

STAFF RECOMMENDATION:

Approve the minutes.

Submitted by: Renee Cantin, City Clerk-Treasurer

Meeting date: 08/09/2017

**CITY COMMISSION MEETING MINUTES
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
CITY COMMISSION CHAMBERS, 405 W. 3RD St.
WEDNESDAY, JUNE 14, 2017**

A. CALL TO ORDER

The meeting was called to order by Mayor Steve Green at 9:00 a.m., 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
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 called for fifteen seconds of Silent Meditation and asked us to keep our veterans in our thoughts and prayers.

3. PLEDGE OF ALLEGIANCE

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

4. APPROVAL OF AGENDA

Mayor Green asked to have the presentation under E.1 to be next on the agenda and then public comments, response to public comments, then New Business Item No. I.1 moved up after response to public comments, before the Consent Calendar.

Mayor Pro-Tem Whitehead moved to approve the agenda by moving the presentation under E.1 to be next on the agenda and then public comments, response to public comments, then New Business Item No. I.1 moved up after

response to public comments. Commissioner Frankel seconded the motion. Motion carried unanimously.

E. PRESENTATIONS

1. Presentation of the Van Clothier Foch St. Water Retention Pilot Project.
Joshua Frankel, Commissioner

Commissioner Frankel welcomed back and introduced Mr. Van Clothier who will be giving the presentation.

Mr. Van Clothier presented some ideas he had for the drainage in the downtown area. It was in 2013 that Truth or Consequences hired him to do an assessment of the problem which he believes is still on the website. The typical engineering solution is to route that excess water to the nearest stream by concentrating on the streets and routing it to the Rio Grande. That is not necessarily good for the river because of poop and motor oil, and also in the summer the asphalt is hot. So in the summer you would have hot polluted water going into the river. He explained the City Manager from Silver City mentioned at one point when they have a pretty good monsoon, it costs \$10,000 to clean the sediment off the streets and that doesn't include private property damage. It could cost a lot more for a larger storm. These ideas are based on Rainwater Harvesting for drylands by Brad Lancaster from Tucson. Rainwater Harvest turns a problem into a solution. It turns flooding and traffic safety problems into valuable water in the desert. The simple description is the way the build their cities is that they are convex. The landscaping is higher than the street. And if we change that and make it concaved, we can put this water on our landscaping. Instead of accelerating it and sending it to places downtown. In Silver City, he has built 131 small projects so far, 80 of which have been funding by the New Mexico Environment Department. He showed some of the different projects. The first which is super basic is to cut the concrete curb, let water drain the streets into medians or parkways which creates green spaces. Streets will have less maintenance costs because water going down the street is what destroys asphalt and concrete. Top soil can bio-remediate the solution so it's not a problem for the plants. Mayor Mulcahy and he went around and found a bunch of places where water and sediment from private property to the public right-of-way. Water comes down Foch St and fills downtown. He showed an old retention structure that could be changed to have more capacity. Water currently comes and floods downtown because the streets downtown are shaped like water basins. He added it's easy to fix. All you do is reshape the intersections so the water crosses downtown and it can go all the way to the river or it can be collected in parkways to create green spaces. He showed a topo map showing how some of the downtown streets are designed like ponds. Mr. Van Clothier went on to present some of the projects he has done in Silver City. He teaches this and the New Mexico Floodplain Managers can receive credits for their certification also. He also showed a video of the project he did at the Guadalupe Montessori School in Silver City.

Commissioner Clark commented that years ago a presentation they heard encouraged a lady to write a grant which brought in about ten Water Harvesting Tanks. She had the

opportunity to go to Mr. Lancaster's house to see some of the things he has done which is really quite remarkable. At that time she had called the Office of the State Engineer about cutting into the curb and gutter so we could use that water. The answer she got was as soon as water gets onto a public right-of-way, then it becomes the property of the state. She understand that for us to cut holes into the curbs would be taking water that is supposed to be flowing into the Rio Grande and diverting it onto public property. She asked if he has had that issue and have had to deal with the OSE when he was diverting the water off of the streets onto private property or onto municipal properties.

Mr. Van Clothier responded he was doing stream restoration in a wildland setting for many years before he met Brad and realized that water harvesting is just a fractal or microcosm of what he has been doing on a landscape scale. With regards to the Office of the State Engineer, Silver City is in the Mimbres Basin which is closed and adjudicated. There are no downstream water users clamoring for that water. People had tried to get him in trouble but he did his homework and there were no problems. He received \$138,000 from the New Mexico Environment Department to do some of the work you saw, and they had to check to make sure it was ok for him to do what he was doing. You are in the Rio Grande Drainage Basin. You have plenty of places on Truth or Consequences Right-of-way and its okay to take water that is increased runoff due to increases infrastructure and allow to soak into the ground on city property. The prohibition is it cannot be put to beneficial use and has to soak into the ground within 72 hours, he believes. He has his explanation of the policy on his website which links to the OSE policy. They actually encourage water harvesting, but we can't divert it into someone's private property or garden. But we certainly can retain it on the right of way and cause it to soak into the ground and going downtown. The basins on Foch St. have been there a long time and there is no problem with that, we can increase the capacity of those and build more that will drastically reduce the amount of water that goes to downtown. There are plenty of places that get to the river where you could utilize that to grow mesquite trees that one day may even touch.

Commissioner Clark asked about the Foch St. retention, if we had the holes down lower it would probably be easier to put more, but she wonders if the integrity of the walls are strong enough to hold that extra amount of water. The other question would be going across Main & Broadway is a State Highway, so it's not like the city can just go in there and say we want to make a culvert or something. We have to have a deal with the State Highway Department when we want to deal with those things.

Mr. Van Clothier responded to her first question, the retention concrete walls are pretty stout and we are only talking about 18 inches of temporary standing water. He would much rather have it there than downtown where it's causing damage to everybody's building. It's a lot easier to repair a wall than the foundation of a building. Trent Botkin from NMDOT is working with him on two other projects, there are some changes where the DOT might be more amenable to move forward with this project.

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Commissioner Hechler thanked him for his presentation. He asked if we have any increased issues with mosquitos in the ponding and about the increased maintenance with the sediment ponds.

Mr. Van Clothier responded with the mosquito issue, it takes two or three days for mosquito larvae to hatch out and water basins are designed to have a permeable bottom so the basins are soaking very deep into the subsoil. It's going to the river, just not all at once with unfiltered solution. And with the sediment, there are plenty of places where we know where it's coming from so we can keep it from the public right-of-way. We can scrap it out the next morning, or you may rather do it once or twice a year at your convenience when you don't have any other pressing matter. The amount of sediment is quite small. The basins on Foch St. have probably never been maintained.

Mayor Green asked about the funding from NMED. Is it still available? And was a match or in-kind service needed from Silver City. Mr. Van Clothier responded Stream Dynamics, Inc applied for an outright grant to do that work. The Town of Silver City has cooperated by allowing the project to take place on their right-of-way. The NMED is still funding restoration projects. He thought about this town with regards to the river and the Fish & Wildlife Services might be interested in funding for this town because of the flow into the river which would solve two problem.

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.

Carole Wheeler, Corbin St. addressed the Commission related to:

1) Dog Park. She has been working behind the scenes. We have a local person with experience in fencing to help Mr. Hendry's contract to continue with the fencing. They are working on getting the weeds taken care of. The park is being watered regularly, so the seed planted last year is taking over the weeds which they are pulling as we go. She is reapplying a grant for maintenance and dropped off the rules for the grant which will require city input. Mayor Green asked who the applicant on the grant. Ms. Wheeler said it will be PALS/MainStreet Truth or Consequences.

Sophia Peron addressed the Commission related to:

1) Lives near the Dog Park, and the Ralph Edwards Dog Park, and the fishing Dog Park, and the peace Dog Park and the street Dog Park. T or C has gone to the Dogs, the park is above the ponds and when it rains the remnants of the dogs poop and whoever else poops there go into the trout pond where people fish and eat those trout. Then it will go into the river. Mr. Van Clothier's beautiful study was done years ago when we had the hideous flood and people were walking up to their ankles on Broadway. And the city received the report a few months later and did nothing about it except throw it aside and say we are busy, we have the Spaceport, we have Nascar, we have the solar farm, and so many things. Dog Park, forget the children and no grass at

the park. There are trails of truck tires, pop tops, cigarette butts, remnants of poops, people are camping there, and that's what goes on in town. So you can clean and clean that park, it's not useable for human people. The tables are falling apart, everything is falling apart. But she does think Mr. Clothier has done a wonderful job, no matter how hard Mrs. Clark wants to stop it. She thinks it's a fabulous thing, and she sent it around to all of the Commissioners years ago and said please do something. Because the next time they evacuate Riverside, it will be a bad day. We could get it this year, so try to think forward. Monsoon season is coming in about 8 weeks. Thank you.

Klaus Whittern addressed the Commission related to:

1) He thanked Mr. Clothier for the presentation, it was very interesting and he was here when he did it the first time and probably had the same comments at that time. He thinks it is important and would help to assess the percentage of water that can be diverted. We cannot expect that all of the water that will accumulate in the downtown area will be able to be harvested under most optimum conditions. We need to do an integrated study before we do water pipe replacement, because ultimately we may have a need for putting underground water pipes. We should have the study done whether we do or whether we don't. That could be very expensive and inconvenient. Besides that he certainly supports using any resource we can use in the intermim and he thinks it's important to attempt separate the oil and pollutant in the area. That always occurs after the first and second storm.

Ron Dankert, 910 Juniper addressed the Commission related to:

1) Jeff Lawton wrote books on how to slow down water and to create green spaces. If you look down Lincoln, it's all mud. As the water runs down we have arroyos taking the mud with them. He took debris and trees to slow down the flow and creates soil. It might be a good idea to follow that and look at the arroyos and slow down the soil. He thinks there is about 15 feet taken away from the yard on Lincoln. Years ago we created the 500 year flood irrigation. He owns property off of Post and right behind Post there were concrete posts put in and it was supposed to eliminate the flooding downtown. *He stopped to ask Mrs. Peron if she was ok, because she made a comment that was unintelligible.* He then continued it was supposed to eliminate the downtown from being in a floodplain and it may have not gotten finished or something. He called up to Santa Fe about money that should've been put into it. They said it should've been done and should have removed the flooding from downtown. If they know anything more about that, he'd like to hear it.

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

1) He comes to speak to them about their resolution proposal for today. Resolution 39 16/17 for \$3.5 million bond issue to move our Police Station where it has been for ten years or less to up on the hill where there is Circle K and donuts, and coffee. Under the Constitution, the public that pays for this is due some level of benefit. And he wonders what benefit Truth or Consequences will get from this \$3.5 million, 1/8th% of GRT for thirty years. What can we expect? Please tell him, because personally he can't see it. Are we going to have reduced crime rates because of moving into that building? Will we solve Domestic Abuse issues, crimes against

children, motor vehicle accidents? Will this all be reduced because of moving into a new building at the cost of \$3.5 million? That's expensive servant's quarters and the masters cannot afford it. Please, are we going to reduce thefts, shop lifting, or how about Code Enforcement and require that the city obeys its own ordinances? The question again is, what do the people get for \$3.5 million? Wouldn't that be better spent on education, and education of the Citizens? Education on abusing drugs whether recreational or prescription. He doesn't know if they think about this but he thinks about it every night. As far as he knows, there's no reason to move on someone else's expenditures. He also asks that this is done by ordinance and not by resolution, so they can have a referendum.

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

- 1) She is happy we are talking about Water Harvesting. MainStreet applied for a \$179,000 Grant for Rain Water harvesting in the downtown area. She thinks this would make a huge impact for downtown. From here we are invited to do a full application and we also have a site visit from two representatives from Art Place America. For those not familiar with Art Place America, it's a ten year collaboration among sixteen partner foundations, eight federal agencies, six financial institutions that work to position Arts & Culture as a core sector of Comprehensive Community Planning and Development, in order to help strengthen social, physical, and economic fabrics of the community. This would basically utilize our Arts & Cultural people in our community to help solve this problem we have been having. Artists look at things in a different way and we can access their knowledge for this. We are exciting about this and looking forward to the project. And they are happy to hear about the progress on the presentation that was made as well.

Mr. Brady, Corner of Foch and Lincoln addressed the Commission related to:

- 1) He would like to address the water situation and the pond that is at that same corner. He agrees the exit hole on that retention pond is terribly low and not allowing the right percolation. There are other problems in that area. When they first moved here water was undermining the red rock wall. He has photographs during the storms showing it coming out of that wall into the actual pond wall. This needs to be addressed in a more permanent way. The City workers have come out and addressed some concerns he had. There are some things that potentially need to be looked at. That wall has been surveyed and is on city property. Underneath the dirt is the original street of Foch. The blacktop is still there and there were actually sidewalks were there before it was originally realigned. And he feels it needs to be looked into.

George Szigeti, 913 Spruce St. addressed the Commission related to:

- 1) He would also like to continue the discussion on the Water Harvesting issue. A significant runoff is water that falls on paved streets and is collected and runs down that way. However, this is also a significant portion that runs off onto private properties. We need to address both of those issues. A couple of years ago, Elephant Butte passed laws concerning drainage from properties, especially those

which were higher up and creating significant erosion and sediment on other properties and streets. Anyone who has lived here for any amount of time, can probably point out several spots where after any heavy rain, water is washing off onto the streets. While it is the cities responsibility for the streets, it's also the responsibility of the property owners. In many communities, they encourage the placement of small gardens and catchments basins to collect the water and help with the problem. He's in the process of doing some regrading in his property to either divert the water into his back yard or putting a small water garden to capture that on his property. He thinks it's important to partner with the property owners to look at their own properties which will cut down on drainage issues and the amount of sediment that also has to be cleaned up.

Julie Durham, 2785 Carter St. addressed the Commission related to:

- 1) She wanted to point out to the Commission when Bountiful Alliance did a wonderful job when they bought tanks. She was a recipient of one of those tanks which has caused a lot less flooding on her street. She thanked them for working with the Bountiful Alliance for one of the tanks which is operating great.

Louie Gonzales, 400 West 2nd Avenue addressed the Commission related to:

- 1) He wanted to express his concerns about the Special Use Permit. Mayor Green let him know that would be brought up during the Public Hearing.

D. RESPONSE TO PUBLIC COMMENTS

Mayor Green responded to Miss Peron. He doesn't see the connection where a City Commissioner asks a question for point of order, clarification, how anyone can make a jump that they are against a specific project. Second, he responded to Mr. Szigeti to see if we could go to the county to see if we can get a tax credit for home owners who may be doing that. It would add value to their property and he will talk to City Manager Fuentes to see who we can approach to get that ball moving.

City Manager Fuentes responded to Mr. Fenn about his comments and let him know he was incorrect in using the \$3.5 million figure. The Resolution before the Commission is for \$2.5 million. He feels if he would stick around and hear the presentation before the Commission, it will address some of the issues and bring some clarification of the benefits of the project. *Mr. Fenn commented and Mayor Green responded there is no cross conversation to Mr. Fenn. Mr. Fenn walked to the podium stating "Don't forget the interest" and then walked out of the meeting.*

Mayor Green apologized for that interruption.

Commissioner Hechler thought Mr. Fenn had some very valid points. However, he has been sole searching about this too and having to see us go into so much debt over this facility. He was able to partially justify it this way. People are always recruiting Police Officers, and nowadays recruitment is very difficult and one way to do that is to increase facilities and increase morale. And you do that by increasing the facilities where they

can do their work. You also have the ability to retain officers when you have a good workplace. He feels that if the Commission supports this, we should expect our crime rate to go down and we should expect our community to be safer. We are going to be able to hire better recruits and retain those people, and we won't always be searching for other officers. With that in mind he was at least partially able to justify those comments.

I.1 Discussion/Action: Foch St. Water Retention Pilot Project. Joshua Frankel, Commissioner

Commissioner Frankel said the proposal is to start the initial pilot project, addressing some of the flooding downtown by utilizing the existing structures on Foch St. he explained what that might entail including cutting some curbs for the flow. The budget comes around at about \$8,000 and as soon as they can get the go ahead on it, they can start on the project.

Commissioner Clark asked how much it costs us to clean up the streets each time it rains and whether it would be similar to the amount of time Silver City takes. City Manager Fuentes said we have not estimated the cost but we do spend quite a bit of time on the clean-up and resources and equipment removing rocks on our streets and the state highway. Commissioner Clark asked if he feels we would make the cost of the project in not having to clean it up. City Manager Fuentes thinks it's a worthy project

Commissioner Clark moved to approve that we wholeheartedly move forward with the \$8,000 for this project and for a small services contract. Mayor Pro-Tem Whitehead seconded the motion.

Commissioner Hechler asked if the \$8,000 includes all cost of city resources and labor or is this volunteer work. Commissioner Frankel said it's the complete job including materials as well.

Mr. Van Clothier wanted to be clear he would not be able to work on this for this monsoon season because he has projects stacked to the horizon, but he will get it scheduled before next season.

City Attorney Rubin asked if we would be doing this by an agreement before we go ahead. City Manager Fuentes responded this would be with a small purchases agreement and we have a little time to work the logistics on that. He feels it's understood to have a small purchases agreement. City Attorney Rubin said if we are comfortable with that he's fine.

Mayor Green thanked Commissioner Frankel for taking this and moving it forward. And if this is approved, he would feel comfortable with one of the Commissioners to work with Mr. Van Clothier to look for money for a small grant through NMED and to get the process going to look for additional monies to expand it. Also locally, Mark Hedges from the Science Club to get involved. The Bountiful Alliance could use monies specifically for the youth to help with this project.

Motion carried unanimously.

F. CONSENT CALENDAR

1. City Commission Regular Minutes, May 9, 2017
2. City Commission Regular Minutes, May 24, 2017
3. Golf Advisory Board Minutes, February 1, 2017
4. Accounts Payable, May 2017
5. Approval of the Audit Contract with Patillo, Brown & Hill, LLP
6. Authorization to open separate interest bearing accounts for all Impact Fees collected by the City of Truth or Consequences

Mayor Pro-Tem Whitehead moved to approve the Consent Calendar. Commissioner Frankel seconded the motion. Motion carried unanimously.

G. PUBLIC HEARINGS

1. Public Hearing for Final Adoption of Ordinance No. 682 amending the code to allow camping in certain city parks and the Airport. Jay Rubin, City Attorney

City Attorney Rubin gave an overview of the ordinance and the revisions included.

Mayor Green thanked him and asked if there are any questions from the Commission for the attorney. He then announced we have no proponents, and we have only one opponent. He invited Ms. Peron to make her comments.

Sophia Peron commented she is surprised nobody is here from the lodging industry. Or any professionals aren't here. But, if we going to start letting people squat in the parks, that goes perfectly with the beggars that beg at the corner of Ashbaugh and Date from dawn till dusk. She loves it. Then you can go and camp in our town. Is it going to cost to camp? Will it be free? Where are you going to go potty? Is this for tents or RV's? What is this for? If you need a flop house, we have flop houses. We have nice places and we have everything in between. We do not need camping in our parks. It just brings bums and more people to squat in our empty buildings, our empty houses where people are racing to get out of here. Those that can afford it. Thank you. And she added will you collect Lodger's Tax from these campers.

City Manager Fuentes responded to her comments, this will be specifically for special events. It is not a blanket overall for anyone who wants to go camping. He explained specifically for the pilots at the Airport and the new stalls at the Rodeo Grounds, we had an event not too long ago where we had RV's setting up there for the rodeo weekend. But it is specifically for special events and is not a blanket ordinance that allows camping at a whim. Sophia Peron said she has been living by Ralph Edwards Park for ten years and they have had camping at Ralph Edwards Park for Fiesta for years. And no one has asked the adjacent neighborhood if they would allow camping there at any time. We do not have a Planning & Zoning Board or a way to communicate to the

property owners. They are not being notified. So in the end it's your decision and we have to swallow it. Thank you.

Mayor Green said this is not an open invitation to use any piece of city property land. It specifically says special events, airport, rodeo grounds, Rotary Park. Ms. Peron mentioned Ralph Edwards Park. Mayor Green responded that is not in the ordinance.

Mayor Pro-Tem Whitehead called for a point of order. Mayor Green announced since no one else has signed up, he will close this portion of the public hearing.

2. Public Hearing for Final Adoption of Ordinance No. 683 related to short term rentals within the city limits. Renee Cantin, Clerk-Treasurer

City Clerk Cantin referred to City Attorney Rubin for some main points and comments that he put together for this ordinance.

City Attorney Rubin gave the overview of the one page summary that was handed out to the Commission. He presented the purpose of the ordinance. 1) Short term residential rentals provide a community benefit by expanding the number and type of lodging facilities available to seasonal visitor's. 2) Short term residential who are not commercial are strictly for residential use of the property in the municipal code; and 3) the provisions are necessary to protect the city's lodging industry and to prevent a burden on city services and impacts on residential neighborhoods posed by short term residential rentals. He should've preference his comments by saying, this ordinance was prepared by an existing ordinance by the City of Ruidoso which we borrowed. What you have is a draft that shows what Ruidoso did and what we suggested for the City of Truth or Consequences. He then went over some of the specific changes outlined in the ordinance.

Commissioner Clark asked if we will be requesting them to notify their neighbors the same way we do for a homebased business. City Attorney Rubin responded it's not specifically stated here. Commissioner Clark spoke to someone in Santa Fe and they were required to notify their neighbors. She thought that would be a courtesy to our neighbors and she asked if it could be part of the permit process.

Building Inspector Travis said right now for a Home Occupation Permit we do not require them to notify their neighbors. We do make sure there is a level one, two, or three and level three requires it to come to the Commission. Commissioner Clark Police Chief Alirez said certainly it is a concern if we have a spring break issue with young people. But it's a coin toss, he agrees if it was one of his neighbors he would like to know. The Clerk's Office sends applications now so they are aware of it. He can't see if being an issue now, but at some point in time we may want to notify the neighbors if it's a special event.

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City Attorney Rubin read one of the sections that could refer to this. The ordinance includes an application shall be denied if... and one of the grounds is for outstanding property nuisance or building code violations on the property. So it's touched on.

Commissioner Hechler asked if there is a renewal a neighbor could protest if they have grounds so we could factor that into the decision.

Police Chief Alirez wanted to add. If they do get an application and it's approved is the Police Department can do a response call check to keep track of how many if any incidents we have had in the past at that location.

Commissioner Hechler asked City Attorney Rubin if we have any requirement for insurance that we should consider. City Attorney Rubin asked what we have in mind. Commissioner Hechler is not sure if the city needs any additional insurance.

City Manager Fuentes feels that would be outside the scope of us getting involved with private property. Ultimately, it's the property owner's responsibility to get their own insurance and he would be cautious to us having any other involvement.

Commissioner Clark asked Mr. John Appel if he has seen any areas where this has been done. City Attorney Appel responded he is familiar with this issue. He has seen other communities who have looked into this include notifying the neighbors. The fact is there is a number of properties in Santa Fe, which are used primarily on a short term basis. So they may be occupied 90% of the time with folks cycling in every 3-4 weeks. He suggests seriously looking at having them post signs for contacts or efforts are made to notify the neighbors.

City Attorney Rubin added the definition of short term residential which talks about not less than one night or more that 20 nights of a consecutive period.

Mayor Green closed the public hearing.

3. Public Hearing for Special Use Permit – Skyway Towers

Mayor Green explained the Battershell procedures.

Sophia Peron made a comment. Mayor Green directed Ms. Peron, if she cannot be quiet, he will ask her to leave.

City Clerk Cantin did the swearing in for Staff which included Robbie Travis, Building Inspector.

Building Inspector Travis said before you is the Special Use Permit with Skyway Towers. It's on city property off of West 2nd Street, next to the Water Tank. This property has other towers on it and staff recommendation is if the Special Use Permit is approved, staff has no objection to this request. In addition, this property could be

grandfathered in because of the prior use of towers. The applicant has paid the required fees. We have notified all neighbors within 100 feet and the applicant submitted a comprehensive plan, site plan, as well as, an elevation plan. We do have a staff report that provides the provisions for special use. He read the section stating it shall not be issued where the negative impacts substantially outweigh the positive impacts of use. The history of the property there with the tower and the tanks that exist now. They recommend if it's approved, they do not have any objections to it.

Mayor Green knows this is the second time this is before the Commission. The first time they asked staff to work with the applicant to see if we could show other pieces of property that might be appropriate. He asked if that was done and what pieces of property were shown and if they were turned down.

Building Inspector Travis responded they did contact them and they referred them to two specific properties. One by Poplar and 2nd St., and one by Cielo Vista Subdivision by the other water tank. But none of those were satisfactory to them or the Engineers.

Mayor Green said the proponents may cross examine.

City Clerk Cantin did the swearing in for Mr. Mark Basham

Proponents:

Mr. Basham said if he heard him correctly, staff will support this permit. Building Inspector Travis responded yes.

City Clerk Cantin did the swearing in for Ms. Shirley Crowder

Ms. Shirley Crowder, FDH Velocitel began by handing out some information. She said sometimes she has been to these hearings and she found it's a big benefit if they educate the public as much as they try to get proposals passed. Much of the resources they provide will help the public see the facts to keep the rumors at a minimum. On this paper there are different time periods that are called out on the fact sheet. Some begin in 2007, extend to 2015. In her opinion, it lends to the credence of the numbers called out and the growth of the cellular use and connectivity. She went on with her actual presentation. The initiative here is to get a Special Use Permit to show they will not negatively impact the community by increase the population to utilize technology. She is here to enhance the infrastructure of the town and will benefit the town in emergency situations by filling the gap in the current existent system. FDH Velocitel is representing Skyway Towers in this matter, and at this time she would like to call out that they are not representing Verizon Wireless, AT&T, T-Mobile. However, because Skyway Towers is called a "Build-to-suit" company, they will be soliciting the business of all major carriers to help occupy space on the tower, they are proposing. Tower is at West 2nd Street and is zoned R-3. It will consist of an 80' pole. The monopole will be stealthy designed to comply with all city design guidelines regarding wireless communication facilities. The proposal is for 80' and based on the new proposed location on the city parcel and its relationship to the water tower and the existing height of the water tower, the pole will have to be at least 80' tall in order for the carriers to be able to see over than the water tower. They can't see through the tower so it will have to be over the tower. She

explained the equipment will be enclosed. Outside structure can be changed to match the color and brick or other design that is deemed warranted. At this time, she would also like to point out that stealth designs can mean many things. She has observed the mural and understands it has a lot of sentimentality to the City of Truth or Consequences. She would like to propose they could paint the tower the same color as the tank. She has looked at other properties at 9th & Foch and on Juniper and she has taken photos from all of these vantage points where the water tower is in relationship to not only the town but to the views of the mountains that sit behind it. Some sit above the mountain, some sit between the mountains, and some sit below the mountain. In each one of these photos she's taken, she personally did not observe that the addition of a wireless communication facility would deter the access for the citizens to view their water tower. We can help blend in the tower from certain vantage points through camouflaging. There's shrubbery which will also lend to help camouflage the tower. The object is they will solicit carriers. One of the benefits of a build-to-suit tower is that this goal is to bring multiple carriers to one location. This will minimize the necessity for additional towers to your city, and will minimize those towers coming before you to be built on other locations. Because they will be servicing three carriers on one tower, instead of three towers for each individual carrier. The objective is in response to Skyway Towers commitment to providing better service throughout the area to existing and potential wireless customers. There is a drop in capability in this area. And with this wireless communication system facility, they'll service the surrounding areas and fill those gaps in coverage. This is the most suitable location and is a proposed co-location site. She believes Building Inspector Travis has also supported that they did look at other locations and based on the science of radio frequencies, this location serves the of road frequency that would best cover the gaps in your coverage.

Ms. Crowder went on to present the benefits of having the towers. This would be better reception for calling. There would not be as many dropped calls. E-911 capacity and clarity for emergency services. She has also had conversations with some people in town. Some had concerns about this tower interfering with the existing tower for emergency services. She called their Engineer and he said they transmit on a different frequency than they would. And the FCC has particular guidelines related to interference. So she wanted to put that to rest. They will not be interfering with the existing services. The date of demand for your community will be fulfilled. For example the maps, when they are downtown and they are looking for a hotel, restaurant, the Lake, or the Golf Course. These needs will be better fulfilled because you'll have better capability. 75% of people do not have land lines anymore. And children who have to be home alone while parents are at work, will have the ability to effectively reach out in an emergency. Today she heard testimony that our community suffers from monsoons. During monsoons, in the city of Phoenix, they have outages and cell phones are a necessity in those situations. Television services, Ipad's, and wireless services will all stand to benefit the citizens of this town. She would also like to touch briefly on the monetary gain to the town. She heard testimony today that you have a park that needs benches and picnic tables. There are needs that this tower and the financial lease dollars will bring to the whole town and will be a benefit and can be resources to help your projects with resources. It's something for the Commission to consider. The

monetary gain to the city and the citizens. She also pointed out there is an existing verticality that is approximately 70'. So an 80' tower is not a stretch here. And they are also willing to paint it to match and put a CMU wall that will also match your water tower. So they are doing what they can to help accommodate the needs and concerns of the community. They also provided an Elevation Plan when they submitted their application, they did an aerial view as well. They also provided a rendition of what the tower could possibly look like if it has multiple carriers on it. One of the things she has requested from Skyway Towers is that the arrays on this tower be kept tight to the tower. Because she truly understands the concerns of the city and citizens in regards to the visual impact. She just finished a product in the town of Fountain Hills, and one of the things the citizens did there was requested a Third Party EME Study to be conducted by the vendor. So if that is something that you would like to make a condition of this approval, by all means, please do so. They will provide them with that study.

Mayor Green asked on her sworn statement of March 28, 2017 where the minutes read, *"She went over some of the reasons why they need to have this tower in place. This project will be a new 80 foot monopole. If the community objects to the height of the tower, they are not opposed to changing the height of the tower. While we are looking at an 80' tower, but can change that to a 60' tower."* and further down on the minutes it stated, *"Mayor Green asked referring to the height, she talked about 60 feet. Where is the line drawn that it becomes ineffective or doesn't do the job that it's meant to be for. Does 40' or 50' work? Because you went from 80 to 60' real quick. Ms. Crowder responded that wasn't really quick, she had several discussions with the tower company in order to say if she goes into this hearing and it looks like height might be an issue, what can they give her? She is experiences in dealing with communities and Commission's so she understands the process. She would rather keep it shorter and use less of their time by coming prepared with what the lowest she could possibly go to is. And that is 60'. She explained the towers don't have a down tilt, they shoot out and have the capacity of a half a mile radius. She explained more about the set up. Ms. Crowder explained the need to have the tower height now to 80".*

Mayor Green understands this is a new application and this is a different location, but where original tower you proposed had that tank there also. So now, are we back at 80' where you basically guaranteed us that if we passed this we would be looking at a 60' tower plus a 5' lightening rod. Ms. Crowder responded he is right, she "almost" guaranteed it. That was a statement she said she would attempt to make happen. They are a lot closer to the tower than they were before and since they have determined the tower is taller than they thought before. When speaking to one of the land owners in that area, they said the water tower itself was only 50' tall so we thought we might be able to reduce the height. But after the survey, that tower is actually taller than they had originally understood the tower to be. Therefore, they have to have a taller tower to see over the top of the existing tower. That's why she stands corrected and they have to have the 80' tower for this location.

Mayor Green said his last question is, she said "tight" to the tower is that 10' or 2'. Ms. Crowder told him that most jurisdictions in the State of Arizona require the T arm, that attached to the array, not extend more than 30" from the tower. Others say it cannot be more than 24" from the tower. Part of the conditional use permit is that the carriers that may request space on this tower can't go more than 24" or 30" out. In the instance where you have three per sector it's not as hard to accommodate for the sector. She can't tell you what the carriers will be requesting because she doesn't know. She does know she made a call this more to Justin Jones and asked him if he was soliciting all of the carriers for this tower, and he responded yes, they were. She has worked with all of them and explained some of what they choose to use which can vary. There is a ray visible compliance they can grant to the city. But she can't say for sure or promise that it will be four or three antennas, because she is just here to do site acquisition.

Mayor Green asked if the 24-30 inches will be on either side of the pole. Ms. Crowder said you have the pole and for each one of the arrays, generally there are three; Alpha, Beta, Gamma, then each one of those would be the 24" from the pole. Because that is what the antenna is attached to on the outside.

Commissioner Frankel had a couple of questions and concerns about camouflaging or hiding an 80' tower. You had mentioned shrubbery, what kind of shrubbery is that tall. Ms. Crowder responded, there isn't any shrubbery, but if you look at where the proposed tower is supposed to sit, there is a wall of shrubbery right there which is maybe six to eight feet tall. Regardless of what, shrubbery will help camouflage the tower and the height. And you're not going to be able to see the equipment at the bottom.

Commissioner Frankel said his concern would be the eight or ten feet height of the shrubbery which is really just hiding the base of the tower. So the visual impact would benefit by any type of camouflage or shrubbery. Ms. Crowder agreed it was nothing about 10'. Commissioner Frankel added if you are above sea level, and you're looking up to Water Tower Hill, You're not going to see the base level of the tower, you will see the other 70' of the tower. It's the rest of the tower that needs to be addressed. Ms. Crowder said the tower can be painted a color. A community in Arizona requested the tower to be painted blue, so they have a blue tower. So it will blend in with Verizon. Commissioner Frankel asked if she knows that the death rate of birds is, in that area? Ms. Crowder has no idea.

Commissioner Clark presented her questions to Ms. Crowder. She asked about the FCC Wireless rules. It has the tower regulations, the right to build a tower, 10% or 20' higher than the highest tower in the area. Ms. Crowder agreed that is correct. There is a modification ordinance that says if you have an existing tower, then they can go up there and make those modifications and they can add height by 10%. Commissioner Clark asked if the new tower still has the 10% or 20'? Ms. Crowder said the new towers go basically by the height of the jurisdiction. Commissioner Clark asked if we have a regulation on height, Ms. Crowder said not that she's aware of any restrictions based on the structures that are up there. Commissioner Clark said her understanding is the

water tank is 67 feet high and if you go to 80', how many new carriers can they put on that pole. Ms. Crowder responded two. Commissioner Clark also asked if we needed three, how high would they need to go above that tank? Ms. Crowder said we would have to go approximately 90-100 feet. Commissioner Clark then asked is it her understanding that if there's a gap in service that the FCC wants to have that gap closed? Ms. Crowder agreed, that is the truth. Commissioner Clark then said with that being said, if it's in the best interest of our community, you could have more than just Verizon for example, that can do good service in our community that we might be best served by going a little bit higher and making it available for more than just one or two carriers. Ms. Crowder agreed that is correct. Commissioner Clark then asked is it her understanding that the only way out of something like this if there's not an ordinance in place, is to use substantial evidence on the decision to deny this permit? Ms. Crowder agreed. Commissioner Clark added a substantial evidence normally has to do with aesthetics. Ms. Crowder responded yes. Commissioner Clark added the aesthetics need to be determined already in advance by ordinances of the city. Ms. Crowder responded yes, Ma'am. Commissioner Clark believes we have not put Water Tank Hill into our Historic District or into our MainStreet District. Ms. Crowder said that is correct to her knowledge. Commissioner Clark understands there is a concern with our Fire Department about interference with the tower up there for service. She also understands that the FCC requires that whatever tower you construct would absolutely no interfere with that radio. Her understanding is that they would consider a different location possibly up on that hill apart from the one they proposed. For the purpose of this, the one that they proposed is city property that is sheltered by some trees. Ms. Crowder agreed. Commissioner Clark said it's an old story that for hiking purposes on that hill, that there would be a location where we can put picnic table in the summer time. Is it possible you may consider moving it on the other side of the water tank since that's where the other two are? Or would you see that aesthetically unpleasing? Ms. Crowder said, yes, she has looked at that tower. She has been up there and she's seen where there is flat area that's actually available behind the tower on the NE side on the flat area. Since currently there is not a circular road in that area, they would not be blocking access. And they could also lend for better height and for opportunity to camouflage the tower. Commissioner Clark asked if they would consider the NE or SE corner and not blocking the mural. For example, she showed them on the map where the most direct was available and there would still be walking room and where she feels it could be put. The people who live on the West side could probably not even see it. Ms. Crowder said she hasn't looked at that side of the tower to see if there is access. She showed the area they looked at. Since there isn't a circular drive in place, there is a possibility that could be a second option for them. Commissioner Clark said she suggested the SE because you can still drive it as oppose to blocking that walkway. Ms. Crowder suggested after this meeting is over, we go to the site and look at the site.

Commissioner Clark feels as far as she can tell, they have met all of the criteria they have in place to put a tower, based on the FCC Rules & Regulations. And the discussion we have would be either aesthetics is the only way with evidence to shut this down or you're willing to work with us on a different placement. She asked if that is correct. Ms. Crowder responded yes, on that particular parcel because of the Radio

Frequency Needs it would have to be on that particular parcel, but they would work on the color and the design to make sure it's not cheap chain link fence that goes up there but it's actually a nice CMU constructed wall. And she would really recommend and suggest we go up to the site and look at this to save time and understanding to see what we have to maybe work with. Commissioner Clark said her last question is this water tank hill as opposed to the other location which you basically would have preferred, is that this gives a circular broadcast to the entire city. So it's not just the downtown benefitting, it's North, East, South, and West. Ms. Crowder explained the placement of the Alpha, Beta, Gamma rays and if the Commission would like she could ask their Radio Frequency Engineer to do a propagation map for them and show them how it could work.

Mayor Green has a follow up question. When she went around with Building Inspector Travis did she have in mind a 60' tower in mind or 80'. Ms. Crowder responded 80'. Mayor Green mentioned the need for a higher tower. There are other areas in the community where additional height would not be intrusive. It would also give their customer the opportunity to solicit more dollars and more carriers on a place that's less intrusive. He made a point to why are we putting ourselves in a box on this Water Tank Hill, if we were to assure them are that there would not be kick back if they went to a 90' tower that is a more economical advantage to them and makes both happier. So he's questioning if that's a possibility.

Ms. Crowder responded at this time she does not believe it is. She is provided a search ring. The Radio Frequency Engineers have done studies based on science to where they can best fill the gaps that are needed by the community. The RFE provided them the search ring in the area of the Water Tower. It's a very descript area to find potential candidates for the industry. They don't look for any area outside of the search ring because it's the area that will fill the gaps for the prospective areas. So the answer the question, they are looking for a higher tower and not just conducive with the needs or offloads of a Radio Frequency Engineer.

Commissioner Clark asked if we gain 150' from downtown before the Water Tank Hill, if you put a tower any place else in the city, you would be putting a 200' tower just to broadcast over that hill itself. So you're looking at a several hundred foot tower to accomplish what you can accomplish on water tank hill. Ms. Crowder said even if that, we can't accomplish what we could on the hill because the sending capacity is based on frequency and engineering. She looked in the search ring area because she understands it's just that area that services the needs of the area for that time. She can very seldom present something that's 300' outside of that ring to see if the sight might work. Based on her professional experience, they don't go outside of the ring. That's why this site is specific. Commissioner Clark said that brings her back to her question, if we put it in some other location and didn't meet that height requirement we would still not have reception in some area. Ms. Crowder responded that would be a question best answered by a Radio Frequency Engineer. In her understanding they have a specific area they can place the tower so they can accommodate the offloads of the

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Radio Frequency Engineer. Commissioner Clark responded so we are obligated by the gap in service. Ms. Crowder responded that's correct.

Mayor Green was wondering when she was driving around she probably saw the hill on the West side of our community and the new wing of the Veteran's Hospital. That is city land and it's pretty high over there. There are no residents, whatsoever. And if you get up there and walk to the State Police barracks, you can literally see over the top of the water tank. His question again is if you have a hill in the downtown, why are you so married to that hill, as opposed to, a hill that is on the border of our Hot Springs District that gives you the height, is not intrusive, has no homes around it. Why was that not considered? Ms. Crowder said because it's not within the area that the Radio Frequency Engineers have requested them to investigate.

Building Inspector Travis asked if she can provide us with that ring to show us what that was. Ms. Crowder responded yes, she can. She can even show the propagation. Building Inspector Travis asked if she can provide it right now and not have to go and create one. Ms. Crowder said she can go into her laptop and see if she can pull it up. He can tell them the height is not an issue, because the one property they showed them is higher than Tank Hill. His second question was are they telling us, if the Commission were to approve the tower, they could come in and put any antenna's they want? Ms. Crowder said no, they would have to go through the zoning process. She is just proposing the monopole itself. In regards to their antennas and types of antennas and technology that will go on the pole, she can't speak to that. That would come back to you with the company. It's all based on science, radio frequency, and the spectrum and band the carrier's broadcast in. That's why they are here, the search ring encompasses this property. Building Inspector Travis then asked if that's the case and we say we only want one carrier on this pole, are we approving multiple carriers or just the pole and carriers have to come back to us. Ms. Crowder responded this a co-locatable pole. The objective is that there be at least two carriers on that pole. What two carriers, she can't say. It benefits the town because you don't need multiple poles erected.

Mayor Green asked if he would be correct to authorize them to do a search ring with a tower situated in another location that would give them what they want, and need, is that a possibility? Ms. Crowder responded she doesn't know. It's a question she can't answer. Mayor Green said he is talking about the area that is basically southwest of downtown, right on the cusp of the hills. Because right now, you have given this Commission and opportunity to choose one location, it's take it or leave it. He doesn't think that serves their interest or the interest of the Commission or the citizens. He suggests that we might want to consider taking a big deep breath and seeing what we can do to get this to happen. He's not hearing people don't want it to happen, he's just hearing not in their back yard. So he's suggesting maybe we have made the pool too small and taken the easy way out by getting a hill that's downtown, where we can show another location that's maybe 1,500 – 2,000 feet away that may not have this many opponents.

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Mr. Mark Basham asked to respond. He's been involved with the attorney situation since 2000 and it has changes and people want more rapid service. Putting something 1,500 feet away is not going to fill the gap. The RF Engineer tells you this is where we need to be. First we were there and now we are back here. They are not trying to box you in, but this is science and setting something 1,500 feet away at a higher height doesn't fill that gap. Ms. Crowder said her as well is assigned a geographic location based on studies conducted by the engineers. That's her job to find candidates for wireless services. Her understanding is the answer is no. It's a science and that's why this area has been selected because it will best fill the gap.

Mr. Basham said last time a man came up to testify as a proponent. He said when he is downtown, he wants to call home on his cell phone and he can't. This shows there is a definite need in this area. Mayor Green said no one disputes that at all.

Opponents may cross examine the proponents. He asked Rhonda Brittan, John Brady, Jered Green, Luis Gonzales, Gary Aschbacher, Traci McGowan, and Ron Dankert to please stand up to be sworn in. City Clerk Cantin did the swearing in.

City Attorney Appel said this is the chance for opponents who may want to cross examine Ms. Crowder.

Mayor Green recessed the meeting at 11:21 a.m. and reconvened at 11:27 a.m.

Mayor Green announced we are going to finish with this portion of the public hearing and then take a lunch break. He said right now we are at the point where opponents who have been sworn in can cross examine Ms. Crowder.

Traci McGowan, lives at 1700 Corzine Street.

She asked what the highest tower they are capable of doing. Ms. Crowder does not know, she can call and ask them. One of the tallest ones she has done is 150'. But she can text and ask them. But she doesn't know if that's the highest they can go.

Ms. McGowan said that would be good information if they look into the other site they were talking about. The other question was if it would be possible in talking about the place next to the Veterans home, is it appropriate to request that we go ahead and have that done, so they can compare the information between the two and look at the possibility of being able to build obviously, an even higher tower within the capacity to do. Ms. Crowder said the only thing she can do is ask. She has never done it before, and this is the first time she's been asked to do a second search area. But she can definitely ask.

Ms. McGowan asked how much money you are saving by using that hill if it's a consideration. Ms. Crowder responded again the position selected was the position the Radio Frequency Engineer selected that will best serve the need of the community.

Ms. McGowan asked if there are any monetary figures that are taken into consideration. Or is there a medium tower they are looking at, in order to make that determination?

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Ms. Crowder responded no, not that she's aware of. She has been involved in a lot of projects where the Radio Frequency Engineer gives her a request for a 50 foot tower or a 150 foot tower.

Mr. Basham said there is monetary consideration, this is an investment to be made and they are making money back. Now are they making bookoo money, they really aren't. Ms. Crowder thanked them for answering her questions.

Ron Dankert said she had stated she had a map of the ring. She pointed that out earlier and he would love to see it. Ms. Crowder said she is trying to access it and doesn't have Wi-Fi access here.

Mayor Green said seeing no others for cross examination. He moved on to Opponents. He let Fire Chief Tooley

Fire Chief Tooley read his comments on his opposition for this special use permit. As fire chief of the City of Truth or Consequences, he has some concerns about Skyway Towers placement of another facility on Tank Hill on West 2nd Street. The location has been the home of all Emergency Communication frequencies for the T or C Fire and many other agencies for at least the last 50 years that he knows of. The top of the hill is very congested and not much room to get service vehicles and man power to the location with the current towers and buildings at the site. This location is the hub of Public Safety communications and he doesn't want to see it compromised in any way. He attached a couple of other sites that do not have Emergency Communication towers on them. He believes the city owns them and currently have only one tower located on them. These sites have more room for expansion than Tank Hill on 2nd Street. Please consider this letter as the Fire Departments opposition to the Special Use Permit for Skyway Towers on Tank Hill located on West 2nd. Street.

City Attorney Rubin suggested they allow cross examination. City Attorney Appel agreed and added since we are so close to lunch, it would be better to cross examine each one as we go.

Commissioner Clark was reading something and she mentioned it earlier through FCC that any placement of the tower, the city cannot regulate placement. . She read the FCC regulation where it says "Cities may not regulate placement, construction, or modification based on Radio Frequency Emission, if the proposed wireless facility complies with FCC RF Emissions Regulations. The city may also not attempt to regulate the operation of WFC's based on these concerns by conditioning a permit. It sounds like the FCC is very on top of however they are going to construct this tower so it wouldn't obstruct emergency towers. She added we have been hog tied by some of decisions they can make based on the Federal Government's FCC trumping us. Fire Chief Tooley said the thing about up there is everything is FCC certified except some of them which are unlicensed. That is our secure public safety area. Of course everything has changed and everything is there. The more noise you put up there, the more you have to be above that noise. He feels there are more places you can put one. He said

when they get up there now, they can only get one or two vehicles up there to get any work done. Then of course, if you have to bring up a bigger truck, you have those issues. He just feels as a Fire Department, the less we can keep up there, the better it will be for our communications. Commissioner Clark asked if they moved the location to the Mayor Pro-Tem Whitehead corner of the dead-end where you can drive around to get to the tank, would that make a difference for access for him. Fire Chief Tooley said well the biggest obstacle is the tank, their stuff is on top of the tank. There's another 100 foot tower and a smaller tower with the rest of the communications. A lot of that signal is microwave and is the origin for the SCRDA. We need to keep in mind there is radio to be transmitted on Tank Hill.

Commissioner Hechler asked if there is any way to combine the uses of these towers and eliminate one or two to put them on one tower. Or is that even feasible. Fire Chief Tooley responded as to what is on the existing towers. On the top of the water tank is the T or C Fire Department and State Fire. The 100 ft. tower is he believes the Police Department. The other tower is the SVH for ambulance, County Sheriff, County Fire Department. That's why there are so many there. But if we combine them, you have to look at it.

Building Inspector Travis said the one to the Southeast they eliminated that one because we weren't interested in putting anything in that area. Because we wanted to do the Geronimo Trail. They want to keep that as a public area. As long as they had access on the North side of the tank, they didn't mind using the North end of the area.

Ms. Crowder received a text message from Skyway Towers, Mayor Pro-Tem Whitehead said point of order. Mayor Green let her know she will be next.

Fire Chief Tooley said it is awful narrow up there. You may have 8 feet and you're off the edge of the mountain. So it's already very tight and congested up there in that section. So from his perspective, they try to keep the emergency services as isolated and secure as we can up there.

Proponents may cross examine.

Ms. Crowder asked if the Chief has been involved in any other wireless communication facilities where his frequencies have been interrupted. Fire Chief Tooley responded yes at times, yes.

Ms. Crowder asked if they are local. Fire Chief Tooley responded there was a local issue that they resolved with an internet company that was walking on their frequency, but they resolved it. But they weren't at the same locations. Mrs. Crowder said an internet provider is different than a carrier. She asked if he is familiar with or has had negative experience with a carrier itself in regards to interference. Fire Chief Tooley responded no, because of where they are located. Is so far away from where they are actually transmitting. Ms. Crowder said she just needed to establish if he's had experience with a previous carrier.

Rhonda Brittan, she owns Black Cat Books & Coffee at 128 Broadway. She said it's bad enough having the ugly towers that are next to the Water Tower now. We have had 3G, now 4G, when will it stop. Will we have 5, 6, 10 or 50 G? Will it stop only when we get fried to a crisp downtown? Check the warning on your cell phone. It says to keep it so many feet away from your body. It has health aspect and she knows it's been proven health is not a detriment for these towers. Having a little spotty reception is fine for a quirky downtown, it's a bit unique, you walk ten feet over and it's fine. So she thinks having perfect reception, all the time, is something that people are trying to escape from when they come to visit a funny little town like ours. It's a bit inconvenient sometime. She has a cell phone and does not have a land line. Having a huge tower appear over the Historic District is offensive. What if it needed to be illuminated and it sounds like it will need to be? It will be winking and blinking over our downtown evenings. Please find another if even inconvenient location which may be on a commercially zoned property. She also recommend the city creates some ordinance to protect our downtown district from things like this. From science. It sounds like we're all subject to the whims of science and the economies of companies and corporations. She doesn't need her gaps filled. Please ask the Radio Frequency Engineers to look at the different site Mayor Green has suggested.

Mayor Green asked if there are any questions for the Ms. Brittan. With there being none, he moved on the next opponent. He announced in the interest of time, if something has been said before, please just say you agree with them so we can move forward.

John Brady, he and Jered Green reside at 406 W. Lincoln. Mr. Green is ill and cannot attend. They continue to be 100% against the erection of any cell phone communication tower on private, residential, or city owned property located on Water Tank Hill. Their presentation on March 28, 2017 still stands. With the use of an Altimeter, they have found the following: Base of Water Tank: 4,372' above sea level; Broadway (downtown): 4,234' above sea level; for a difference of 138'. What has Skyway Towers offered in compensation for that additional 138' (or total of 218'). \$100,000, \$200,000? Or they want it for free? Should Skyway Towers be approved for the 80' tower, has the City Commissioners considered the real cost, or loss of revenues as they pertain to the cell phone towers? Once Skyway Towers receives a contract, or permit, with the city, that will end the cities limited income, based only on land rent. What is the value to the city at the end of the day? An eyesore that towers over T or C's old town and its residents. The real money lies in the rental of the tower space to their subscribers. The subscriber's revenue is based on all cell phones that transmit through their antenna. This should generate many thousands of dollars each month. What percentage of these revenues will the city receive? Will Skyway Towers provide documents as to that income? Do each of our Commissioners have a complete copy of the Federal Regulations as they pertain to Cell Phone Towers? Each Commissioner should have a complete and comprehensive understanding of those regulations before entering into any further negotiations. He reminded the Commissioners of the past projects: The Shutter Factory; Hot Springs Land Development; and Motor Quest, just to name a few. Those Commissioners serving the city before you were ill prepared and

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have left this Commission the responsibility to clean up their uneducated handling of many projects. Don't let those happen to this Commission, protect the future of this city. Thank you for listening to our many concerns. They trust this Commission will make the correct decision and deny this application to install any tower on Water Tank Hill.

Mayor Green asked if there are any questions for Mr. Brady. Mr. Brady then showed a picture of what we would be looking at downtown and he put it in the box for the record.

Mr. Louie Gonzales, lives at 407 W. 2nd St. He has a concern about this tower at this specific location. He is for a cell phone tower somewhere in T or C, and he sees it as a needed service. However, this one is not only blocking access to the water tank but to his property as well trying to get into his driveway. As you know, they are not only applying to build an 8' wall, right around the pavement but they are also asking for future expansion. He showed on the map right above the legend goes right up to the driveway which is the only way he can access the property. There is no way to go down there, it's a pretty significant drop going up into the property and going to his home. He also wants to touch on services for the city. The Waste Management goes up there to pick up the trash and use the area to back up into it and turn around to go back down the hill. If there was an 8' wall they would be reversing back on a pretty steep hill with a heavy truck which poses a big risk. He feels it would affect their quality of life up there, he has children that play around the yard and looking out the window it's really close to the property line. An 8' wall will be hard to work around and to get vehicles in and out. He asked them to please consider not passing this Special Use Permit, and looking elsewhere.

Mayor Green asked if there are any questions for Mr. Gonzales.

Commissioner Clark asked if he looked into the FCC wireless facility section and read where there is a possibility because of the safety hazard or risk, a municipality could turn down an application. Mr. Gonzalez responded no, he's just concerned because it's near his property. Commissioner Clark reiterated, she didn't expect him to have the answer.

Building Inspector Travis asked the first proposal was near his property. How far away was that tower from his residence? Mr. Gonzales said the other proposal was right behind his garage and it wouldn't have been blocking any access to the building it's behind the garage. We are looking at something behind the garage versus something potentially blocking the driveway. Building Inspector Travis responded he said this was in his view, and the other tower was only 40' away from his home. He just wanted to say, it is farther away than the other tower was. Mr. Gonzales said their living area is in the front of the home and they were talking about the back of the home. So the back is not somewhere he would sit and drink coffee and stare at the garage. But he will sit back and drink coffee over the hot tub area and look over the city or to the water tank.

Ms. Crowder asked Mr. Gonzales about them talking about this issue and making a revision so it would not block his access, is that correct? Mr. Gonzalez agreed they did

discuss one of the issues. Ms. Crowder asked him if they did sit down and came to an amiable resolution to that access being blocked, correct? Mr. Gonzalez said they did, but that's not what she's proposing here. Ms. Crowder said but they can do an amendment and did she not tell him they would remove that for your access and move it back. Mr. Gonzalez appreciated her coming and talking to him and the gesture, but if that's the case then she needs to resubmit the permit and not just change it on the fly. Ms. Crowder said she agreed they would submit a revision and would talk to Robbie about that and would move it back and he was happy with that. Mr. Gonzalez said he was not happy with that, he said he appreciated you making the change. Ms. Crowder asked if the resolution they had does not block his access? Mr. Gonzalez responded not the driveway access, but you're still going to have an 8' wall looking east.

Mr. Gary Aschbacher, owns six lots on the West half of the hill of 400 West 2nd Ave. His opposition as more of a process, the March proposal was to be on his property which half of the hill on Eastside is city property. He owns the other West half. If you look at area where the wall is proposed, when Shirley came out and approached us, we have three different locations on our property. He showed the areas on the map that was in the packet. He provided some pictures showing where the proposed wall is, of Louie's house standing right at that wall. It's a big open space right now and the facility is right in the middle of the area where all of the trucks and vehicles go. Standing at the proposed wall, he showed the view of the wall and some other pictures of the area. The original proposal was to build a retaining wall so Water Tank Hill keeps all of the dirt on the hill because none of them wants erosion. This proposal has all of the utilities there and the original did not have them there. He's never talked to an engineer because they keep them tucked away because they don't want the design influenced by any other people. When they draw the tower, that's the area it's going in. The question is where is it going to be? His concern in this process is the application on his property was tabled and it was brought back on city property. So he feels they need to deny them both or accept them both so it's fair competition.

Mayor Green asked if there were any questions. He asked Mr. Aschbacher to please leave the pictures in the box. He called on Ms. McGowan if she would like to make a comment.

Ms. McGowan said ten of the things she had listed have already been addressed and she just has one consideration which is a safety consideration. It sounds like there is a proposal for future access for visitors to go up on the hill perhaps for the Geronimo Springs Trail, is what she's gathering. What that means is you have a whole lot of foot traffic on a pretty steep hill. And in the event and ambulance would have to get up there or other emergency vehicles to get someone out of there in the event they were injured, should be taken into consideration. What is the access there and liability of opening that up for something that totally benefits the community? Again she's advocating for looking at the other circle so if it costs them more money to go back and look at the other circle. They will still get the money if the circle is a possibility. It should be okay for a community to ask the company to look at more than one circle. And if they say well this is it, it's a gross misapplication of the FCC law that was put in place. She's not

even sure these towers were available at that point. In 1983 Verizon would come in and build a tower that at this point could go to 5G and it's you folks that set the criteria. She would like them to set the height of buildings in the downtown area. If we had that, we wouldn't be having this conversation and wasting people's time over questions like this. She thinks we are a growing community. She would like them to go back and look again because it costs money when they make money on this. She urges the Commission to require that they do this other study.

Building Inspector Travis responded as far as having public in this area, they don't want the public in that area. The trail they are planning is below the hill the top of the hill and they don't want the tower on the corner to allow that. They don't want the public on that hill because of safety concerns.

Ms. Crowder asked if she is aware that the discussion she had with Mr. Gonzales would reduce any access issues for safety? Ms. Crowder is curious about the safety concerns if they have already worked that out earlier. Ms. McGowan said her concern was on putting a public access trail in the future as part of an extension of our historic district trail, but not on the hill.

Mayor Green said the next portion is for public participation and that was Ms. Sophie Peron and she is not present. So with that he closed this portion of the Public Hearing for this item.

4. Public Hearing to Vacate the street and alley at the West End of 3rd Street and alley. Robbie Travis, Building Inspector

Building Inspector Travis presented this item. The street and alley is on a hill and cannot be developed. Both property owners have asked for the vacation and they both live on opposite sides of the alley. They did send out notices to all property owners in the area.

Commissioner Clark asked if they can put a tower on that? Mayor Green said not a bad idea.

City Attorney Rubin reminded him there were no opponents. Mayor Green said there were two proponents to support this. One was Ms. Peron who is no longer here.

Proponents:

Rhonda Britton, 314 Kopra St. there is a problem with people driving up Third St. and across the private property, it is now blocked by some rocks to keep people from driving up there to party, or whatever they do there and she's in support of the vacation of the access for this.

Mayor Green closed the public hearing.

He suggested that we break for lunch and reconvene at 1:30 after lunch.

Recessed at 12:15 p.m. and reconvened at 1:30 p.m.

H. ORDINANCES, RESOLUTION, & ZONING

1. Discussion/Action: Final Adoption of Ordinance No. 682 amending the code to allow camping in certain city parks and the Airport. Jay Rubin, City Attorney

City Attorney Rubin has nothing further to add other than we had one proponent and her concerns were address, so he recommended final approval.

Mayor Pro-Tem Whitehead moved to approve Ordinance No. 682 amending the code to allow camping in certain city parks and the Airport. Commissioner Frankel seconded the motion. Roll call vote was taken by the Clerk-Treasurer. Motion carried unanimously.

2. Discussion/Action: Final Adoption of Ordinance No. 683 related to short term rentals within the city limits. Renee Cantin, Clerk-Treasurer

City Clerk Cantin said the only thing she wanted to add was she had not received a response from Karina from the Town of Taos about their process for putting this in place. And she did forward what she received from Gina Kelley from the Village of Ruidoso and some of their concerns about putting forward their ordinance. She just wanted to add when we proceed with this to please bear with us, the process has taken years in Ruidoso and it's still not fully in effective. It may not be done overnight, but we can start by notify residents in the utility bills.

City Attorney Rubin said he recommends getting going on this and we can always come back and make amendments if we need to. What we discussed during the public hearing is the issue about the notice to the neighbors, but he thinks that is something we can handle administratively without having to revise anything in the ordinance. The only thing he would suggest is what we talked about is deleted the word "seasonal" in Section A.1, aside from that he thinks we can go forward.

City Clerk Cantin added in addition to that, we will have to put a resolution in place to set the fees.

Commissioner Frankel asked about part of the process for the review in Section G.1, will City Manager Fuentes complete the review, is there an entity, or the Commission? City Attorney Rubin said we didn't discuss that but in his mind he was actually thinking Mr. Travis would do that.

City Clerk Cantin added the plan was to include it with our Business Registrations, and we changed it to only one year instead of three years so we can do it the same time as Business Registrations. We do run the application through Mr. Travis before we

proceed, so we would include the Police Department, as he mentioned and also the Fire Department. We figured that would be the easiest process.

Commissioner Frankel said so if someone was denied. City Clerk Cantin responded yes, then they would take further action for denial.

Commissioner Clark asked if we can put the notice of neighbors into the resolution. City Attorney Rubin responded he will give it some consideration to put that in the resolution.

Mayor Pro-Tem Whitehead moved to approve Final Adoption of Ordinance No. 683 related to short term rentals within the city limits. Commissioner Hechler seconded the motion. Roll call vote was taken by the Clerk-Treasurer. Motion carried unanimously.

3. Discussion/Action: Ordinance No. 684 for publication related to manufactured homes. Robbie Travis, Building Inspector

Building Inspector Travis read the background from the Commission Action Form and reviewed the changes in the ordinance. Essentially we have been getting older mobile homes mainly in our Mobile Home parks and RV parks. Right now our code specifies it has to be compliant with HUD and theirs can be as far back as 1978 where you can get into a 39 year old mobile home. We have people bringing the older ones in and our code doesn't say anything where we can stop it. Secondly, we did 20 year old and he believes Elephant Butte and Williamsburg does ten years old.

City Attorney Rubin added included in Section E. 3 for damaged units it states, the city will not allow those to be installed within the city limits period.

Commissioner Clark mentioned years ago there is a requirement by the state where people have the right to put any house where they want it, correct? All we can do is state the age of the mobile home, not anything that already exists. Building Inspector Travis confirmed that is correct.

Commissioner Hechler asked if they have to obtain a permit to move the mobile home. Building Inspector Travis confirmed that is correct. It's included in the permit. Commissioner Hechler also asked, what if they have a mobile home within a trailer park that has to be moved and if it goes through the same process? Building Inspector Travis responded yes we want to do it for any moving. If they move it, they will have to get a permit. Even from one space to another. Building Inspector Travis said we have this issue with New Haven and he explained some of the issues there.

Mayor Green asked under non exposure of under carriage in E. General Conditions under C. Would he be correct in stating if they did not comply within that time period it would be in violation of the city code. City Attorney Rubin confirmed it would be violation.

Mayor Pro-Tem Whitehead moved to approve Ordinance No. 684 for publication related to manufactured homes. Commissioner Frankel seconded the motion. Motion carried unanimously.

4. Discussion/Action: Resolution No. 38 16/17 to accept the LGRF Project No. SP-1-18(920), Control No. HW2L100321 for Installation of sidewalk on North side, curb & gutter, base course, and new asphalt for 350 feet of East 7th St. from Tingley to Kruger and chip seal for Veater Street from Iron St. West to the arroyo for around 800 feet. Don Armijo, Public Works Director

Public Works Director Armijo addressed the Commission this is the project that was selected in March as to what street to do this year and this is the next part of the process for the funding. He asked if they had any questions.

Mayor Pro-Tem Whitehead moved to approve Resolution No. 38 16/17 to accept the LGRF Project No. SP-1-18(920), Control No. HW2L100321 for Installation of sidewalk on North side, curb & gutter, base course, and new asphalt for 350 feet of East 7th St. from Tingley to Kruger and chip seal for Veater Street from Iron St. West to the arroyo for around 800 feet. Commissioner Hechler seconded the motion. Roll call vote was taken by the Clerk-Treasurer.

Mayor Green commented on how he appreciated how the Commission handled this item when it was brought to us previously. We had a couple of different opinions and he feels we made a compromise through the teamwork where everyone was happy. **Motion carried unanimously.**

5. Discussion/Action: Resolution No. 39 16/17 declaring the intent of the City Commission of the City of Truth or Consequences, New Mexico, to consider for adoption an Ordinance authorizing issuance and sale of up to \$2,500,000 City of Truth or Consequences Municipal Gross Receipts Tax Revenue Bonds for the purpose of constructing, purchasing, furnishing, equipping, rehabilitating, making additions to or making improvements to a Law Enforcement Facility or purchasing or improving any ground relating thereto, including but not necessarily limited to acquiring and improving parking lots, or any combination of foregoing; and directing the Mayor and City Clerk to publish notice of intent to consider an Ordinance Authorizing such bonds in a newspaper of general circulation within the city. Juan Fuentes, City Manager

City Manager Fuentes started by going over some quick slides presented in January 2012 from when this was first a vision and the plan they had received with Chief Mullins. A task force was put together for the Animal Shelter. Shortly we should also have an Animal Control Manager. The next step was the Law Enforcement Complex with a one stop shop, where all agencies could be included. Since Dispatch has decided not to be a part of it, they are really focusing on Law Enforcement and Animal Control. One of the issues with the current building were included in the original vision, including

weapons storage, records storage, communications, security expansion, and parking. So one of the reason she said this option should be considered is because of location. We have used the Band-Aid temporary approach with any changes that have been made over the years. The current building is limited as to what they can do with expansion. He asked Police Chief Alirez to address some of the general layout other safety issues. Then we will go into the financing of the proposed project.

Police Chief Alirez reviewed each section of the new building for the Commission. He went on to let them know the great need for this building. It will be a great networking to be able to do our jobs. It's on high ground and if they have a major emergency or situation, they will have the ability for all agencies meeting together. Starting July 1st Code Enforcement will be at the Police Department and we will need a functional place to do these things. Some services and things we don't have include: Youth Services; Police Activities League to partner with organizations for Quality of Life issues; Reserve Program; Block Watch Captains; Coffee with the Chief; Police Explorer's Programs and a Civilian Volunteer Program.

City Manager Fuentes wanted to add on Monday morning they had a Staff meeting at the Police Department. He asked the Chief to share the thoughts they had when he showed them the plans. Police Chief Alirez first of all wanted to say this has been a collective process that Chief Mullins started. This was the first time they saw it on paper in a more finalized format. He said they were overwhelmingly excited and emotional. One of them said, he feels like a cop. This really sets a tone as who we are and will improve our services. They thanked the City Manager for coming to the staff meeting. That was the first time a City Manager has ever come to a staff meeting.

City Manager Fuentes added with this project, he doesn't think we have anything this modern anywhere in the county. For a public building this will be the most modern and best looking building. Just like the Solid Waste Collection Center, this can become a model. He asked the Commission to keep that in mind. He asked Mark Valenzuela from George K Baum to come forward to present the financing options.

Mr. Valenzuela began by handing out a presentation to the Commission. He introduced Ryan Overstreet who is an intern with New Mexico State University. He's a Senior in the Business program and they have been here in New Mexico for 40 years and it's a way to bring in new talent to their investment bank. He went on to say her serves as their advisor to make sure they get the best rates. To summarize this scenario, he started with slide 9 of the presentation which showed the summary of the financing options. There are three different possibilities to take a look at to see what we want to do. It's really a \$2 million project and is a public offering of bonds. In, the first scenario we may be able to do it without a reserve fund. The second scenario is working with the New Mexico Finance Authority which is hard to beat, but they require a reserve fund. The total interested is \$3.4 million. It's the best deal out there at this point. Scenario three is financing through USDA in which you are also providing the reserve fund. You're also providing a renewal and replacement fund which they require. So total financing there is \$6-\$7 million. If you approve this resolution, they will go out there to

find the best option and bring it back for you in the form of the ordinance with the lowest cost financing. Some of the key things is how much revenue do you have related to the debt payment. He also showed the debt service coverage. In every scenario you have two times the revenue to pay the debt which is very strong for the debt service. Again, this Resolution is just to start the process.

Commissioner Clark said it seems like 4.35% is a higher interest than any of the debt we are holding. Mr. Valenzuela responded we are assuming the current financing at a rough bond rating rate of single A credit which would be in line with other communities of this size in the State of New Mexico. So at that rating, the market currently is at about 4.35%. Commissioner Clark said so we are going on market rate on this and not a special rate on anything. Mr. Valenzuela confirmed that.

Commissioner Clark also asked if there is any particular reason we would go the 20 year instead of 30. Mr. Valenzuela responded affordability to ensure the GRT that would be used to pay these bonds has sufficient left over for the operations. Commissioner Clark mentioned if we are paying for it from our GRT, then Santa Fe will see that money before we see it. Mr. Valenzuela said it depends on who you sell it to. If you go to the public market Santa Fe would not be involved. If you finance through the NMFA, they would intercept your GRT and make the payment first on a monthly basis and then distribute after that. Commissioner Clark said so the 20 year option saves us about \$650,000. Mr. Valenzuela agreed. Commissioner Clark asked if we have a choice. Mr. Valenzuela confirmed they do have a choice. Commissioner Clark asked other questions about the difference in the payment. She would like to see a breakdown and maybe the option to buy down the interest rate. Mr. Valenzuela responded we are actually seeing 30 year bonds come in lower than 20 year bonds.

Mayor Green first asked about the payout which is not from the General Fund, it's from a dedicated $\frac{1}{4}$ of 1% GRT for the Police Department and would be paid out of their operating budget. And he's assuming City Manager Fuentes has spoken to the Chief and whatever it generates and was intercepted it would not interfere with the operations of the department. Police Chief Alirez agreed that is correct, the department is running very fiscally responsible and this last operating year, they fell within the baseline budget.

Mayor Green added if we approve this today and need to get our hands on it, can this process be stopped? Or once we vote today are we can't back out. Mr. Valenzuela responded this is not an obligation to move forward it's a step in the direction to obtaining the best funding. If you change your mind next month, there is no cost incurred on anybody's part.

Mayor Green added the Chief forgot to say one word. When he ran into him after the staff meeting, he mentioned they were stoked about the project. Police Chief Alirez responded Truth or Consequences has been one of his greatest challenges and one of his greatest satisfactions in his career. We have a great group of people here and he means it. They have great values, work hard, and don't complain. They left so excited because the Big Boss came as said, what do you guys think about this? Captain James

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Morgan added they were extremely excited. He may not even be here then, but he's been in several of the buildings over the years and he's excited for this building. He think it will augment our abilities in the future and help this community.

Mayor Green asked him about having a different form of a department with less top heavy and more boots on the ground. Would that philosophy actually reduce your operating costs? Police Chief Alirez confirmed it would. And it's a fair statement that is would reduce costs? He also added the organization chart will change and the call volume will work into play to that. He's a working chief who delegates a lot and also does a lot. He expects all of them to do the same. He explained some of the differences they have in the department.

Commissioner Clark asked if they are going to have some skylights. And if we are going to the ¼ GRT increment are we using the extra funding for financing the police department. City Manager Fuentes responded we wanted to make sure we had sufficient revenue from the GRT to cover the debt service. Then we leave the Police Department additional revenue for vehicles and equipment. The revenue he has now will cover the debt service. He understands reducing the number of years but it reduces the availability of the funding for replacement. The goal was not to take away everything. The goal is to find a way to have the new building and still have the other resources.

Police Chief Alirez added they had many discussions over this and the numbers they came up with were extremely conservative. Years down the road has been a huge consideration. With the skylights, he's glad she brought that up. He visited other facilities to see what works or what they would have differently. They are going to work on natural light in there and cost efficiency.

Commissioner Clark asked for clarification on the financing. Mr. Valenzuela responded it's only for the construction. Commissioner Clark said we are doing two things here.

Mayor Green asked for clarification on the two things. Commissioner Clark responded we are going for revenue bonds and raising our GRT. Mayor Green corrected her that the GRT was passed four years ago. He explained that we are not raising the GRT. Mr. Valenzuela explained they show the revenue to show the ability to make that debt payment. He reiterated how the revenue bonds work. City Manager Fuentes also clarified now we are going out to get the funds allocated to the city for the construction for this project. We do have the money which has been coming in for a number of years. Mayor Green added the bottom line is we don't have \$2 million sitting in the bank, so we have to go out and borrow it.

Attorney Appel said the reason the tax is mentioned is because it's a revenue bond, so you need to identify what revenues are being pledged to pay off the bond. Commissioner Clark asked if it will cut into the Chief's budget. Attorney Appel said yes, and he heard him assure you, he will still have the money to operate.

Mayor Pro-Tem Whitehead moved to approve Resolution No. 39 16/17 declaring the intent of the City Commission of the City of Truth or Consequences, New Mexico, to consider for adoption an Ordinance authorizing issuance and sale of up to \$2,500,000 City of Truth or Consequences Municipal Gross Receipts Tax Revenue Bonds for the purpose of constructing, purchasing, furnishing, equipping, rehabilitating, making additions to or making improvements to a Law Enforcement Facility or purchasing or improving any ground relating thereto, including but not necessarily limited to acquiring and improving parking lots, or any combination of foregoing; and directing the Mayor and City Clerk to publish notice of intent to consider an Ordinance Authorizing such bonds in a newspaper of general circulation within the city. Mayor Green seconded the motion. Roll call vote was taken by the Clerk-Treasurer. Motion carried unanimously.

Mayor Green thanked the Chief, and his staff for seeing the need and giving up a bit of their budget for the benefit of the entire community and our youth.

6. Discussion/Action: Special Use Permit – Skyway Towers. Robbie Travis, Building Inspector

Building Inspector Travis reiterated if the Commission decides to approve it they could with conditions such as the height of the tower, and other issues

Commissioner Clark spoke about our Fire Chief having a problem with interference for the access for emergency vehicles. She would like us to consider a different location. She would like her fellow Commissioners to look at the height of the tower so they can house three instead of two service providers and we might not be thinking far enough into the future. And we should take it 60-70 feet as originally understood. The other thing is she would like to take Sherry up on her offer to paint it to blend it. And one other thing is she appreciates Johns comment about having the regulations.

Commissioner Hechler said considering the public opposition to this and in light of this being called the best location, tells him there may be alternate locations. We may have to compromise with the alternatives and he would like to put a percentage as to how optimal it may be at a location. We need to listen to our constituents and approve the best options that we can.

Mayor Green said he can't vote for this the way it's situated right now. One is because of the safety issues; two is the concern of the citizens; he questions the due diligence if you look at the March 28th comments. To him that means you can put the tower in another location, and he thinks it opens the door for other locations. He didn't hear anyone say we don't need better cell service, obviously there is a need. We need to do what's in the best interested of both the company and the citizens.

Commissioner Hechler moved to delay this one more time. He's not convinced that's not the best location here, which means it's not the only location. He would be open to revisiting this down the road if we had an alternative sight.

Commissioner Hechler moved to postpone this item to a future date.

Commissioner Clark asked Mr. Travis, if she understood, they did look at a couple other locations. Building Inspector Travis called her with two different locations and she looked them up and it gives them the elevation and only 1500 feet away. And the other was by the Veteran's Home. He thinks really, it was the engineer who said where the spot was that would work. He knows part of the problem is the hill in the downtown area. They are trying to get an area that will catch the dead zones in the downtown area.

Commissioner Clark seconded the motion.

Mayor Green asked Robbie to make sure to take the two more sights for consideration from Chief Tooley who has space here in town.

Motion carried unanimously.

Mr. Basham said the prior motion was to go to alternative city sights. He wonders if this motion is an alternative to that motion. Mayor Green said that is something he can discuss with the Attorney.

7. Discussion/Action: Vacate the street and alley at the West End of 3rd Street and alley. Robbie Travis, Building Inspector

Building Inspector Travis had nothing further on this. He stands for any questions.

Commissioner Clark mentioned on the application, there is only a signature for one of the property owners and the other property owner didn't sign it. Is that an issue? Building Inspector Travis responded, we have an old form he applied with. Then we did a newer form and he was out of town and not able to sign this one. He does have his signature on the other form.

City Attorney Rubin added it should be noted, this was advertised and there was no opposition to this. Building Inspector Travis confirmed, he had two people contact him about it, but once they found out where it was, they were fine with it.

Mayor Pro-Tem Whitehead moved to approve vacating the Street and alley at the West End of 3rd Street and alley. Commissioner Hechler seconded the motion.

City Attorney Rubin said we will want to prepare the actual notice of vacation to be signed and recorded. **Motion carried unanimously.**

I. NEW BUSINESS

1. Discussion/Action: Foch St. Water Retention Pilot Project. Joshua Frankel, Commissioner

Was moved to after Response to Public Comments.

2. Discussion/Action: PUAB recommendation for changes to the electric pass/thru change. George Szigeti, Chairman

Chairman Szigeti gave the presentation. Every Electric Utility has a surcharge which helps account for the volatility in prices. Their suppliers generating cost and fuel, etc. So everybody does this because costs are volatile. There is a formula for calculating the variation in cost and adjusting their rates to keep them at a stable level. From our municipal code in the Electric Division, there are two paragraphs of automatic rate increases. The first one says anytime there are rate increases which are charge to the city, such wholesale rates may be passed on to the customer on a pro rata basis except for the written contract for life. The second paragraph says automatic pass through, at any time there is increase in the wholesale cost of gasoline, diesel fuel or other energy charges necessarily used by the Electric Dept. in the operation and maintenance of the Electric Utility Department which are charged to the city, such wholesale cost or increase shall be automatically passed through to the customer on a pro rata basis. We have something we call a pass-through charge and that complicated looking formula is how we calculated pass-through charge. To sum it up, that formula compares the amount of money we pay for electricity to Sierra Electric and compares it to how much we pay to WAPA and calculated the difference between them. It does not say anything about the purchase of electricity. First, he wants to point out, if we are looking at this kind of formula, we should not be calling it a pass-through. The last time it was calculated was 2009, then we came back and checked it in 2011 and it was so close we let it be. However, that calculation has not changed in years. Almost all of the other electric utilities calculate their cost adjustment on a monthly basis. He summarized the cost for electricity purchase for August 2016 which is the month we use more electricity. He showed what was purchased from Sierra Electric. We have seen any cost increases because they froze our rates until next year. He explained the cost for that month including for Solar and the WAPA calculation. We also have to pay the transmission capacity to get it to our system. So there's another charge to Tri-State. He explained the numbers in the presentation to include the cost for purchase of power. He then explained the monthly values in the pass-through charges. There is quite a bit of variability in that. Most of the values fall within that \$0.0414 per KWH we are charging but most of the board feels we should not be charging that month. Changing the name will better describe it as an energy cost adjustment. It's the board's recommendation to ensure that we are appropriately billing customer's for the variation and the energy that the city purchases, the Energy Cost Adjustment should be calculated and sent out each month.

Commissioner Clark asked if he got an opportunity to see what the effect would have been if we used the ECA as opposed to the pass-through. It doesn't look like it would be very much. She wanted to make sure Electric Department Director Easley is comfortable with this and if he's been a part of this with the PUAB Board. The other comment is she has paid a pass-through since she moved here and she still hates it and it's one of the most confusing verbiages she's ever heard in her life. ECA would be so much easier to explain and if it's making such a little difference, she would be fine to go with it.

City Manager Fuentes feels Commissioner Clark asked the right question in the dollar amount and what that is. Essentially you are reducing the pass-through charge.

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Whether you change the formula, or however that came about, it's been in place for many years. Any change would definitely affect it. It seems to him that the Electric Department would be held harmless, in the sense that they are the revenue generating division, so they take priority over whatever is transferred to the General Fund for all of the other governmental services. In regards to doing it monthly, he would refer it to Finance Director Torres and Utility Supervisor Williams to chime in. Because we have four billing cycles, to calculate it every single month would open it up for errors. Commissioner Clark said but we still calculate the pass-through every month. Chairman Szigeti said it has not been calculated since 2011. City Manager Fuentes added the ordinance says it will be reviewed annual, and that's what they recommend is annually.

Commissioner Clark said so with that being said it might be better for us to have a dollar figure so we don't create an issue for the electric department and their funding.

Mayor Green loves the name change and it makes it understandable. What he didn't hear is the cost of staff's time which has a value and has to be factored in also. If we have four different billing cycles, that's 48 different changes a year and 48 chances for human error. Chairman Szigeti responded this was discussed at their meeting and the invoice they get are for a calendar month within a week to ten days of the next month. If you calculated it once a month it would get into all billing cycles.

Utility Supervisor Williams let them know we do prepare it once a year, if we were to do it once a month per billing cycle, it would be a lot more work and a lot more room for error. She explained the difference between the cycles. After Cycle C & D, they would have to do it, then they would have to do it again for Cycle A & B, and start all over again. Finance Director Torres added that it also has to be determined when we receive the bills to determine when we make the modified changes. They did the research for other communities with the fuel charges. The companies do the fuel adjustments and the utility companies also have service charge fees for their administration. We are not factoring in what it will cost us on a monthly basis. On top of that, the Utility Office is climbing up a huge hill that we were in. We still have a lot of that mountain to climb and correct. They can't stand before them and say they are perfect in the utility office, there still needs to be improvement. And this is concerning because they would have to manually enter this in the system which will open us up to human error.

Utility Supervisor Williams added for something that's done annually, there is a lot more time to prepare and make sure when it's done, it's done correctly. Her concern is the time it's going to take to do it on a monthly basis on top of everything they already have to do.

Mayor Green asked Finance Director Torres if she would take the average of the 12 months to charge the next 12 months. Finance Director Torres responded yes and their recommendation would be in July when they do the sewer and the trash.

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Commissioner Hechler also likes the idea of annually to take the average, but he would like the capability of doing it as needed if the fuel drops we would like the ability.

Chairman Szigeti ran the numbers between the two values the 18th month difference would be over \$35,400, so it would be \$23,000-\$24,000 a year which is not a big hit.

Mayor Green appreciates all of the work that goes into this. We appreciate the efforts and work of the Public Utility Advisory Board. But we've got to take into consideration the staff and not having them so overloaded. Chairman Szigeti responded he understands that but the Tyler System should be able to punch out the two numbers of Total Cost and kWh. And you could plug in those two numbers into a spreadsheet and let it calculate the values. He doesn't see that as a huge investment in time. And if it would be done at the end of the month rather than the 15th it would not be as much.

Commissioner Clark would ask Tyler if there is something they can do. Utility Supervisor Williams responded the actual bills they get from Tri-State and Sierra Electric are not entered into Tyler. So it would still be matter of them having to figure out the amounts and hope they are right to plug them into the system.

Commissioner Hechler asked how the PUAB Committee would feel about trying it and down the road see if we can work it out with Tyler. Chairman Szigeti said he can see that as being a compromise. They are frustrated with the fact that this goes on as a constant surcharge. If we want it to be a true cost adjustment, it has to be calculated periodically. This is something that any accounting system should be able to do. It's just a matter of learning how to do it. He had not heard before that these invoices do not get put into Tyler. He's kind of disappointed, because he figures they should be.

City Manager Fuentes clarified none of the payables are input into Tyler. We pay them as a requisition and payment, but the details do not get put into Tyler. Even other municipalities who use the Tyler, do not enter the bills into the system. If you enter the vendor, amount, and address, but you don't enter the information of the kWh hours or details of payables.

Mayor Green likes the idea of changing the name and revisiting this on an annual basis. He liked the idea that we should be aware of the gas prices where it should be looked at.

Mayor Green moved to approve changing the name to the Energy Cost Adjustment and authorize staff to visit this on an annual basis starting July 1, 2017 and to be cognizant of rising and diminishing costs that we want to try to capture for the benefit of our citizens. Commissioner Frankel seconded the motion. Motion carried unanimously.

3. Discussion/Action: Request related to the Tennis Court Fees. Margaret Speer, Sierra Racquet Club

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Beverly Turflote, 170 Juniper began by saying thank you. If every citizen would attend a meeting once in their life they would have better idea of what you go through. She thanked the City Manager for meeting with the group. She went on to request the Commission to vote on removing the light fee for the tennis courts for at least two years to rebuild the use of the courts in the community. They actually have their own set of keys now which has worked since the last Commission meeting. They even went back on Monday and got their own keys. One of the things they are suggesting is the two West Courts to be unlocked for three months to try it. They would suggest the two East courts continue to be locked and they would request the new nets to be given by the city so they could hang those. That would help so tourists and new residents could use those courts. The lock currently on the West courts could be the light put on the lock box so all with keys to the East court could lock it up when they are there. The Sierra Racquet Club want to commit themselves to the maintenance of the courts and would like access to water once a month so they can hose the courts down. They would like to put some kind of signage up so people could contact them. Their mission is to get people of every age and sex to use the courts.

Commissioner Hechler said one of the things he thought about is removing the keys all together and put a timer on for an hour or so. Which would mean they wouldn't have to be involved with a key. People could just drop by and use the facility by turning on a timer for an hour that would automatically turn off. He doesn't know what the cost would be to the city and he would like to have Electric Department Director Easley check that out. Ms. Turflote thinks the light on the timer might work. But keeping a key on the light pole would also work. Their goal is not to have to request city time to keep up with it. Mayor Green thanked her, but the reason we did lock them was because the youth were using that as a skateboard court, it wasn't to deprive the citizens, it was to protect the facility. Beverly responded they do have trepidation, the two best courts are the East courts. Those courts need to be preserved and they have made it a goal to invite other communities to come here. They still have concerns but that's why they are suggesting a 3 month trial.

Commissioner Clark wonders if we should wait until school starts. Then you have a timing period of when kids are out of school. If you want to give it a shot, it is city property and would be easier to have the Police Department cruise by there from 4:00 pm to 8:00 pm. Ms. Turflote said they are concerned that kids and people aren't always going to get a key. They are just trying to respond to Commissioner Hechler to just unlock them and trust everybody, but they are not that trusting at this point. They would rather preserve the good courts. Commissioner Clark mentioned about just posting a number they can call to unlock the courts, such as, the City Clerk's number. Ms. Turflote said that could be a compromise with a combination lock.

Mayor Green added it's great when citizens take ownership and become a part of our facilities. He mentioned how great it would be to have tournaments here.

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Ms. Turflote is impressed with how much history a number of people she plays with has. Within the group they have a lot of experience and they hope they can put something in the paper.

Commissioner Hechler asked City Manager Fuentes if we have to revisit the resolution to drop the electric fee. His thought is the \$5 is really nominal and he doesn't think the city makes any money on it.

City Manager Fuentes responded because it is a resolution we would have to bring it back, however, during the interim, we are not charging right now.

Commissioner Hechler moved to approve to leave the two west tennis courts place a combination lock and make it available to the Clerk's office and we leave the two East courts locked for special events have staff research the timer on the lights and we revisit the resolution the next time we meet and discuss removing that fee. Mayor Pro-Tem Whitehead seconded the motion. Motion carried unanimously.

4. Discussion/Action: City Utility incident which occurred January 13, 2016. Ellishia & Freddie Bierner, Requestor

Ms. Bierner stated they are citizens and business owners in the city. They also own a rental property on 5th and Foch. She reviewed what happened on January 13, 2016 with a fire hydrant that burst. All the water entered her apartment. They had to hire a contractor to remove all of the water. They filed a Tort Claim as directed. They received a response from the state saying they were denied. She is confused whose responsibility this is. She mentioned four months prior a car hit the fire hydrant. She wants to know if the city can do anything and she wants the fire hydrant moved in case it breaks again.

City Manager Fuentes responded he doesn't recall the conversation she is referring to, but he can tell them anytime someone comes in and wants to file a claim, the instructions we give, is they have to fill out the paperwork and we send it in. As she mentioned the New Mexico Self Insurer's Fund did receive the claim and after researching, they denied the claim. Ms. Bierner has sought legal counsel, so he will defer to legal counsel here, but his recommendation is being cautious if this is something that will be litigated.

City Attorney Rubin will have to agree with the City Manager on that. It would not be appropriate for the city to comment on this.

Ms. Bierner asked if she can civilly sue you. How can she be liable as a citizen? She doesn't think this is the way people should be treated. She tried to get legal counsel and nobody will take the case. She just wants the carpet, the rent, the tile and she doesn't think that's unfair. She hasn't sought legal counsel, this is a citizen asking them to do what's right.

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Mayor Green asked about the Police Report. She gave them a copy of the report which was four months prior to the hydrant and the pictures. Mayor Green read a portion of the report where it doesn't mention hitting the hydrant. Ms. Bierner responded she feels it had to of hit it and the hydrant should've been checked out. It was compromised four months prior.

City Attorney Rubin sympathizes with Ms. Bierner but reiterated this should not be discussed in open session.

City Attorney Appel agrees with City Attorney Rubin. The situation could arguably create a situation where there is negligence on the part of the city or the part of the driver and those are matters that have to be handled through mediation. He mentioned if her damages are not in excess of \$10,000, she can file in magistrate court.

City Attorney Rubin said you have the right to consult an attorney and he can't advise her any further.

Mayor Green thinks the advice of counsel is right on and would think if this gains traction, they would take it to Executive Session.

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

Mayor Green requested to pull this item in the difference of time and will ask the City Clerk to put it on the next meeting.

J. REPORTS

1. City Manager

City Manager Fuentes wanted to remind the Commission they have the JPC meeting tomorrow at 11:15 a.m.

- 2. City Attorney -None
- 3. City Commission - None

K. EXECUTIVE SESSION

1. Sale or Disposal of Real Property (1310 Nickel), *Pursuant to 10-15-1(H.8)*

Mayor Pro-Tem Whitehead moved to approve going into Executive Session at 4:06 p.m. to discuss Sale or Disposal of Real Property (1310 Nickel). Pursuant to 10-15-1(H.8) as posted in the meeting notice. Commissioner Frankel seconded the motion. Roll call vote was taken by the Clerk. Motion carried unanimously.

Mayor Green stated that the Commission was now in Open Session at 4:27 p.m.

Mayor Pro-Tem Whitehead certified that only matters pertaining to Sale or Disposal of Real Property (1310 Nickel) pursuant to 10-15-1(H.8) was discussed in Executive Session and no action was taken.

L. ACTION ON ITEMS DISCUSSED DURING EXECUTIVE SESSION, if any.

Mayor Pro-Tem Whitehead moved to authorize staff to proceed with the sale of 1310 Nickel St. Commissioner Clark seconded the motion. Motion carried unanimously.

M. ADJOURNMENT

The meeting was adjourned at 4:31 p.m.

Passed and Approved this ____ day of _____, 2017.

Steven Green, Mayor

ATTEST:

Reneé L. Cantin, CMC, City Clerk



E.2

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

ITEM:

Approve the minutes of the City Commission Regular Meeting for July 12, 2017.

BACKGROUND:

None.

STAFF RECOMMENDATION:

Approve the minutes.

Submitted by: Renee Cantin, City Clerk-Treasurer

Meeting date: 08/09/2017

**CITY COMMISSION MEETING MINUTES
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
CITY COMMISSION CHAMBERS, 405 W. 3RD St.
WEDNESDAY, JULY 12th, 2017**

A. CALL TO ORDER

The meeting was called to order by Mayor Steve Green at 9:00 a.m., 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
Hon. Rolf Hechler, Commissioner
Hon. Joshua Frankel, Commissioner (Absent)

Mayor Green announced Commissioner Frankel is ill and is excused from the meeting. We wish him well.

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 called for fifteen seconds of Silent Meditation and asked us to keep our veterans in our thoughts and prayers.

3. PLEDGE OF ALLEGIANCE

Mayor Green called for Mayor Pro-Tem Whitehead to lead the Pledge of Allegiance.

4. APPROVAL OF AGENDA

Mayor Pro-Tem Whitehead moved to approve the agenda for Wednesday, July 12th as submitted. Commissioner Hechler 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 next to the microphone.

Diane Lombardo, 704 Silver St. addressed the Commission related to:

- 1) She is here to talk about HR again and wonders if anyone talked to them about their deplorable and shoddy workmanship. Has anybody met with them and told them they are not doing their job completely and correctly.
- 2) The search they did on some of the past things had yielded a very sparse group of candidates. Few, if any that are even qualified. And let's talk about qualifications and minimum qualifications. Is it really in the interest of this city to hire somebody for a skilled position because they have minimum qualifications? Or is it better to say the search is ineffective and we need to do a better search. So how do you do a better search, well ok, the guidelines say ask the department head. In the case of the pool, who would be the department head who would know anything about the pool? Well probably not too many people. So who would you go to then? Well there are people who know about the pool so let's go talk to them to see where we can do a search. And then let's see, oh get on the computer and run a search of professional organizations. So we can get a professional person to run our professional or skilled position. That should take two hours and if you don't know how to do that I can get a third grader to look it up. She added to Mr. Fuentes, it is not his job to stamp shoddy incorrect work. It is your job to make sure they do their job correctly. It is not always best business as usual. And let's talk about minimum qualifications. You have a Driver's License, a diploma or GED, and you may have experience but you are looking for someone with higher qualifications. You need to expand your search and look elsewhere. There is a big difference between a Queen Bee and a Worker Bee. Not that they're both not necessary but there is a big difference. Qualifications count. Searches need to be done correctly. You are doing a disservice to this city and the citizens when hiring people to do a job they are not qualified to do.

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

- 1) He trusts they all received chart he spent many hours working on. He hopes they will peruse it and use it in making any further decisions on the Law Enforcement Complex.
- 2) Today he is here to speak about sidewalks. He congratulated Mayor Green for the self-deprecating article in the Herald, in which he almost took credit for the last ten years of bad street work. Because you have sat on this board for ten years and in that time, at a cost of anywhere between half a million and a million for our Street Department, we have very little to show for it. Currently we have lost seven, almost eight months of labor because they were working for the federal government on the highway project. This is beyond understanding. The contract is up, we are not done and the Performance Bond would normally cover what's left over that needs to be paid for. Where's the Performance Bond in this case? We are. The citizens of Truth or Consequences will be ponying up to finish the rather substandard sidewalk job that's being done on South Broadway. The North Date sidewalk job was done by a private contractor at twice the money and did maybe three times the work for a lot less area. They did 1.6 miles for \$700,000 and we are doing 1.8 miles for \$330,000. Where is the sense in that? Because we can work

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cheap. Kudos for helping the Federal Government with their budgetary concerns. Unfortunately he can't stay, he has other things to do today.

Undersheriff Dave Elston addressed the Commission related to:

1) Commented on part of the agenda about the City of Truth or Consequences maybe pulling out of Central Dispatch and maybe going to another system maybe MVRDA. What he would like to do is introduce to the Commission under the rule of 10-6-2-15, A the division requires the county and municipal Public Safety Answering Points (PSAP) within a continuous county boundaries consolidate the 911 calling and answering radio dispatch function within one consolidated PSAP in the county. Only the consolidated PSAP may apply to receive funding for E-911 Equipment, Maintenance, Training reimbursement, and E-011 taking calls and mapping equipment. The only exception to this is Bernalillo County and the reason for them to have separation is because of the size of the populations and how many officers per citizen. He doesn't have the exact numbers. But they have approximately one Officer per every 800-1000 citizens. Here in Sierra County we have approximately one Officer per every 400 individuals. The question he has is if the city decides to pull out, then the 911 calls would be directed to MRVDA and then back to the officers which will cause quite a delay in response. They do not know the area as well as our local Dispatchers who know the area quite well and can give better details to the officers.

2) The other issue is the consideration of using the old Armory which is an inadequate building and it probably needs to be demolished and/or replaced if that's the way the city goes. He thanked them.

Anne Gibson, Local Attorney addressed the Commission related to:

1) As she was a former Deputy District Attorney her concern about splitting up the Dispatch Services is we could have three different dispatch systems. The most effective way for Law Enforcement to be involved in the community is to keep it as narrow as we can as one unit. Having been a Prosecutor in both San Antonio, Texas and Albuquerque, NM, the most effective uses they were able to see as a Prosecutor and in Law Enforcement was that everybody was centralized. On top of that, you're looking at an additional cost. Now, we've got State Police who have their Office out of Socorro, we're talking about going to Las Cruces or Truth or Consequences just in keeping the Sierra County Sheriff's Department with SCRDA. We are not effectively supporting our Law Enforcement. It needs to stay as centralized as we can. If she thought she could go and wrangle State Police in on it, she would too. The more centralized we are the more effective we will be. We need to focus on what we need to do and to learn how to play in the same sandbox, if you will. Let's all work together. The city wanting to leave is not an appropriate way to protect the citizens of Sierra County. She encouraged them to take that into consideration. She encourages them to look at what we need to do to make sure people are safe. And not what's going to make one or two people really happy. It's the big picture. And having been a Prosecutor, she can tell them, the more they scatter this, the harder it is for Law Enforcement to be there at the time they need to be there, and be effective for the citizens. At the end of the day, you have control of this, but don't let one, or two, or three people control what's right for the rest of us.

CITY COMMISSION JULY 12, 2017 REGULAR MEETING MINUTES

Ron Pacourek

1) Referenced his comments at the last meeting about how the new Member of the Impact Fee Board was appointed. They did not get to see an application, interview, or recommend the applicant. Because he got no response it appears there would be something underhanded going on here. He would like some kind of response to that.

2) He saw an article in the Herald on June 28th in reference to a ¼% interest tax for the Police Department for wages, and retirement and so on. It's in the paper that is supposed to generate \$275,000 a year. It said that budget for the Police Department for the five years was \$1.5 million that was the 2013 Fiscal Year. They spent \$636,000 and the question is where is the \$513,000? It goes on to say that the Herald sources say City Manager Fuentes wants to take half of the money to build the Police Department. Then it goes on to say there is an outstanding mortgage of \$127,000 and if this is true, then what are we doing and where is the optics there? And raising our taxes again, the Police Department has new cars and they look good. The other departments have new trucks. Yet, when it rains there is a river on Broadway.

3) Maybe on the agenda you could add comments on the previous meeting before regular comments. So if someone asks a question and you have an answer for it, you can stop pissing and moaning like he does.

Audon Trujillo, 506 W. Third

1) Speaking out against the Open Meetings Act Resolution and changing the meeting times to 9:00 a.m. He wants to speak against this resolution and ask why the Commission thinks 9:00 in the morning during the work week, is a good thing. Specifically meetings after 5:00 p.m. when workers are not working, is a good time for them. He never heard why the Commission moved them from holding meetings on Tuesday at 6:00 p.m. It wasn't because the City Manager had to get to his home in Sunland Park, so what was the reason for changing the Commission's meeting time? And why would the city attempt to bully an organization for changing their long standing meeting time because the city changed its meeting time and day? Frankly, he doesn't believe the Commission could adopt a more unsuitable time to hold their meetings, and obtain public participation from working adults who make up a large portion of the City's Voters. But after five years of attending meetings or listening to them on the radio, he doesn't think the City Commission is seriously open to public comment. It has been his experience that rarely do the Commission respond to public comment. He would estimate that less than ten percent of the time do Commissioner's respond to public comment. Instead they seem to tolerate it, sometimes openly resent it, but largely don't act on suggestions offered by the public.

2) On December 1st, 2016, he met with Mayor Green and Ariel Dougherty, and discussed a suggestion he had years ago about having the city write a letter of approval for an idea to improve access to the Rio Grande at four locations. Ultimately, this modest investment would reap benefits for more folks safely accessing to float the river, and more tourism dollars. Importantly, it would allow younger people and older people to enjoy the resources for the city. He has yet to get a response from Mayor Green. He would like a letter from the City Manager on this, but why doesn't the city have a special meeting for residents to come up with ideas to improve our community. Let folks develop their own powerpoints or slides or just present papers that would outline their ideas in detail the intended benefits from implementing their ideas. Some of these would be income

generating ideas, some will just improve quality of life ideas, some could be cost saving ideas that would benefit the City's coffers. Of course the city could just do what it is not doing, and discuss among themselves items they think would benefit the city and avoid input from the public.

3) He hopes the Commission has a meeting on Audit Findings for 2016 soon.

Sophia Peron, Truth or Consequences

1) She wants to talk about giving congratulations, she thinks we have way too many cops. But she doesn't interact with too many except the Chief. She tries to stay away from them unlike some colleagues of hers. If we need this many TCPD's let's get someone to subsidize it or something and then we can send these young cops on their way. The new Police Station is totally out of control. She read a couple of things that were talked about when Jaime Aguilar came to work in November of 2005. He met with Russ Peterson regarding presentation for the Kirikos site. No bid property purchase; then he met with Randy Ashbaugh; then he met with Earl Greer about the Nascar race track; then he met with Steve Roch who sold us the \$700,000 hospital property; then he met with Mike Kirikos again. Things are not as easy as they seem sometimes. When Mike told me he planned on carrying a note, she thought he owned the property outright. As it turns out, he had a mortgage on the property. Therefore, she is pursuing two different avenues for funding. No bid, \$300,000 purchase and it keeps going. By the next week, she's at Jaime Rubens office and he's writing the purchase agreement and it's on the next City Commission meeting for approval. So if your name is not Ashbaugh, or Whitehead, or Howell or whatever, you've got nothing to say here, so enjoy yourself.

2) As far as the lies that were spewed by Green & Hechler in the paper two weeks ago. At least this week, they quoted the real truth and what was said. And she also has the minutes that they attended and nothing derogatory was said about this town or anything else. They talked about how bad the Spaceport was being run. And the other day, a colleague said if a few people, half a dozen, poor retired folks put the kibosh on a \$250,000,000 project, they are going to pat themselves on the back. Community Activism.

D. RESPONSE TO PUBLIC COMMENTS

Mayor Pro-Tem Whitehead said all she can say is Wow, you folks have the audacity to come here and slam dunk us. She has to address Audon's question as to the change of the meeting times. She is the one who instigated the meeting time changes. And that's because she thought they, the employees, and everyone were fresher at 9:00 in the morning. Look around the room, here this morning is the same four or five people who attended our evening meetings. And you all are retired and don't work. And you all can get up in the morning and come to our meetings, unless you sleep in. So give us a break, this is why we changed our meetings to 9:00 in the morning. And about the river, she doesn't see anyone who is not floating the river and not floating safely. She floated the river a few weeks ago. She did not have a problem. Everyone she floated with enjoyed the day and they had a good time. So she said thank you and wow. And she IS a Whitehead, thank you! And she's proud of it.

Commissioner Clark commented and thanked Undersheriff Elston for bringing that to their attention. She also read that statute and she had some questions that might be valid.

City Manager Fuentes wanted to put to rest the idea that Mr. Trujillo has been pushing for years. And that is that he doesn't live in T or C. He just wants to make it very clear to Mr. Trujillo that he has property in T or C and he has had property in T or C for the last six years. So put that thought to rest and please stop spreading the false rumor that he doesn't live here because he does. He's a property owner here and he's very proud of it. The other issue in regards to the SCRDA contract, he really would like to welcome the Undersheriff and the other individual to please stay for that item on the agenda for discussion. Because it's really interesting, the reaction that his email to the Commission and to the SCRDA Board has generated. He takes exception to the Undersheriffs representing the Sheriff's Department and undermining the vision of this Police Department and our Police Chief. He appreciates his thoughts but he disagrees with his analysis that that building should be demolished. That is the Sheriff's opinion but I think our Police Department and our Chief have a different vision. So please stay for that item. He thinks part of the information he is sharing will shed light on the situation.

Commissioner Hechler commented he has been paying attention to the hiring process in the city in the past year and the city has hired some exceptional people that he knows himself and he is proud that they are on board at this time. He thinks the city has done a much better job in the way they hired the candidates that have been selected. He thanked Mr. Fuentes for that. To Ms. Peron, he stands behind his comments 100%. He personally had a meeting with Mr. Ellengold and those are the comments that were made.

Mayor Green doesn't want people to think he's hurting capitalism in people wanting GRT. But he wants to save them some money. Don't go out and buy the newspaper looking for the article Mr. Fenn said he wrote. It doesn't exist, plain and simple. Yes, he was quoted in an article written by Mr. Archuleta. He did not write any article. And if Mr. Fenn can come and show an article that has his by-line on it, he offered to resign his position as Mayor and Commissioner immediately. He doesn't know what he is talking about and will just say things to stir the pot.

2) Mr. Audon, Mayor Green said he did meet with him to his idea about the ramps and he said he would check into it and another meeting was scheduled and he was stood up. And we had another meeting and he was stood up again. It was the third time he said to him, this is the last time. Then they did have a meeting, and he explained to Mr. Trujillo what the position was of the city and the Manager is, and why we felt it was not in the cities legal liable better interest to do what he wanted them to do. Now, he might not be pleased with the answer you got and you are entitled to that. But please don't sit here and tell one person that he blew him off and didn't respond to you. And if you don't remember the two dates at Denny's, oh thank you for that, you do remember. And you might remember that Mayor Montgomery, Mayor Mulcahy, Mayor Whitehead, and he have had town hall meetings open to the public for comment. He's sorry, but he's not going to give a personal invitation. Look it up and listen to the radio.

3) Enough of the snide remarks, you people are more intelligent than that. He knows that, he knows you. He knows you all from the community garden. He knows he busts his

hump for the community sometimes. Let's not be cute, it doesn't gain anything or bring anything to the table. Mayor Pro-Tem Whitehead called a point of order and asked the Chief to pay attention to Ms. Peron. Mayor Green continued we are open to suggestions and constructive ideas. Not one of us thinks we know everything. This is a partnership, who you elected to serve you. Let's focus on the message and not shoot the messengers.

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

Police Chief Alirez presented a token of our esteemed gratitude to Officer Blacklock who will be going to the State Police Department. He talked about his tenure here, he's proved himself to be the right stuff.

Mayor Green said we are certainly thrilled, but not happy that we have lost him as a Police Officer, but thrilled that he will still be in town and keeping the GRT here.

Officer Blacklock said the last few years have been amazing working for the city, the Chief, Captains, and all of his fellow Officers. He has worked at a few different agencies and he hasn't had a Commission as supportive as ours. He appreciates that and wants to say thank you. He's disappointed that he's not going to be a part of the team of T or C PD, and where they are going to go. But he's excited to still be here to work with everyone and continue his career here.

Mayor Green wanted to comment it's always a pleasure to have Past City Manager, past Commissioner, Clerk, and past everything Evelyn Renfro to come to one of our meetings.

F. CONSENT CALENDAR

1. Public Utility Advisory Board Minutes, May 15, 2017
2. Accounts Payable for June 2017

Mayor Pro-Tem Whitehead moved to approve the consent calendar as noted. Commissioner Hechler seconded the motion. Motion carried unanimously.

G. PUBLIC HEARINGS

1. Public Hearing: Final Adoption of Ordinance No. 684 related to manufactured homes. Robbie Travis, Building Inspector

Building Inspector Travis presented the item that is before you is Ordinance No. 684 to provide for the additional placement of mobile homes in our city. Staff desires to amend section 11-11-2 to provide for tighter restrictions on mobile homes. They shall not be damaged and not older than 20 years old.

City Attorney Rubin said on Subsection B the "and" should be changed to an "or" which was the original consideration and should be included for final adoption. He read the entire section.

Commissioner Hechler thinks it's a great idea, but there is nothing if it's an immaculate condition to obtain a petition or inspection for approval in case there is an exception. Building Inspector Travis responded he thinks they can apply for a variance. One of the requirements is it has to meet HUD regulations. Commissioner Hechler said if we have that ability then he's fine with it.

Opponents:

Sophia Peron, homeowner and property tax payer of Truth or Consequences. She has lived where she is for 10 years. She has watched Randy Ashbaugh put in a trailer subdivision, she's watched Mario Maez put in a trailer subdivision, Ron Tenorio built a home across the street from her that's not finished in anyway, but he was allowed by Mr. Travis to pop in a mobile home. These mobile homes are not permitted anywhere on earth, but in T or C. They have lowered our property values and she doesn't see any records of property law some are in before 1980. Someone needs to study the state law and guidelines before they write up new T or C guidelines. It's a trash pit, they can't rent the houses we have now. We have a glut of homes and nobody's coming. Our Police Chief pulled out a dead man out of a trailer that's been rotting for 20 years that nobody will touch. We've got roaches and rot all over our neighborhood. Captain Morgan wouldn't go in there because he had a 45. She turned them into the state, they come in there once a month to see if it smells like he's dead or not. He owns a property next to the Brannon's down below them. They have a decrepit trailer there. Take the filthy unoccupied trailers off now before you put any more there. That's why everybody is leaving here. She does see any human input beside Fuentes and Travis who isn't an architect. She doesn't even know what he knows about building, he knows about moving trailers. She doesn't see any community involvement in this law. It's just a bunch of redlining because you guys don't have anything to do all day. So get a group together of people, get the P & Z Commission running. Running for the Peron's and the Fenn's, other people other than the Whitehead's and the Ashbaugh's. Thank you.

Mayor Green announced that is the only person who signed up. He gave others an opportunity to speak against the ordinance. Hearing none, he closed the public hearing.

H. ORDINANCES, RESOLUTION, & ZONING

1. Discussion/Action: Final Adoption of Ordinance No. 684 related to manufactured homes. Robbie Travis, Building Inspector

Building Inspector Travis had nothing more to add, they are trying to clean up mobile homes and he guesses she didn't quite get that and not let older mobile homes and trashy stuff in. He's here for any other questions they may have.

Commissioner Clark many years ago, she was concerned there were not subdivisions with mobile homes and other homes on the same block. She looked into that and had information from the state. She understands there has been a big push through the state

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to allow them in residential areas. Building Inspector Travis confirmed and there are rules to allow them in the residential areas. He knows they do require them to be on a permanent foundation.

Mayor Green wanted to go on record there are three across the street from him which are in immaculate and he is proud to have them as neighbors. They are in better shape than some of the built homes we have here.

Mayor Pro-Tem Whitehead moved to approve Final Adoption of Ordinance No. 684 related to restrictions on manufactured homes, including the change from “and” to “or” under item B of Section. 11.11.2. Commissioner Hechler seconded the motion. Roll call vote was taken by the Clerk-Treasurer. Motion carried unanimously.

2. Discussion/Action: Resolution No. 01 17/18 Open Meetings Act. Renee Cantin, Clerk-Treasurer

Clerk-Treasurer Cantin presented Resolution No. 01, we made a change to this in April changing the meeting day to Wednesday. We generally adopt this resolution as the first one each fiscal year. She called their attention to No. 1 in the resolve clause, the second sentence says if the said meeting falls on a holiday, the meeting should be on a Wednesday following. We are requesting to change that to Thursday, since our meetings were changed to Wednesdays.

Mayor Pro-Tem Whitehead moved to approve Resolution No. 01 17/18 Open Meetings Act, including the changing if the meeting falls on a holiday, the meeting will be held on the Thursday following. Commissioner Hechler seconded the motion. Roll call vote was taken by the Clerk-Treasurer. Motion carried unanimously.

3. Discussion/Action: Resolution No. 02 17/18 declaring nonessential Surplus Property for August 2017 Auction. Renee Cantin, Clerk-Treasurer

Clerk-Treasurer Cantin presented the item, with the correction that it's actually Resolution No. 2 as the resolution reads. She read the list of items included and added that we have not received the Titles for the vehicles yet from Santa Fe, if we do not receive them, we cannot add them in the auction.

Mayor Green noticed there is no baseline value for the flatbed, Buick, and two Chevy's. Clerk-Treasurer Cantin said she will look it up on Kelly Blue Book. She will also add these are in somewhat poor condition. The vehicles that are useable have been transferred to other departments. Mayor Green thinks Andy Alvarez told him the cost of metal, and we could just sell it for the metal. We would just need a mechanism to pick up the car to put in their big open trailers.

Mayor Pro-Tem Whitehead moved to approve Resolution No. 02 17/18 declaring nonessential Surplus Property for August 2017 Auction. Mayor Green seconded the motion. Roll call vote was taken by the Clerk-Treasurer. Motion carried unanimously.

Mayor Green asked our City Clerk to introduce the young lady who is sitting behind her. City Clerk Cantin thanked the Mayor and introduced Mary who has been helping us in the Clerk's Office through Workforce Solutions. We are teaching her about records, how the Clerk's Office and local government works. So she invited her today to sit through the meeting and get more experience. Mayor Green said since he's technically challenged, she even helped with the copy machine.

I. NEW BUSINESS

1. Discussion/Action: SCRDA Contract and future participation. Juan Fuentes, City Manager

City Manager Fuentes started off by adding that as well as the hospital, his job is to look out for the best interest of the city. And especially when it comes to financial matters. We have heard some of the comments from the Undersheriff and appreciate that. He shared the article that was in the Herald written by Mike Tooley with misinformation. He also read the email that was sent to the Executive Director requesting them to change their meetings due to the conflict with the City Commission meetings. The purpose was to discuss the city's future participation if there is no decision to change the date and time. The reason for putting this on the agenda is because of the financial obligation. Because they aren't willing to change the meeting, he is requesting that they bring any financial obligations to the City Commission for approval since they are the highest contributor. He read the email he sent to the Commission when he shared this information with them. Again nowhere in his emails did he say we wanted to move with someone else. He just doesn't want the city to be obligated if they are the biggest contributors to the entity. He showed in their books they have an ending cash balance of \$237,000, but you will see as a percentage, we are the biggest contributors to SCRDA. We contributed \$147,000 which came from the Police Departments budget. He showed the other entity contributions also. He asked them to keep in mind even the entities that contribute have two representatives on the board.

City Manager Fuentes also wanted to address some of the issues in the article. There was no place in the email where he talked about the agreement. He did talk about participation and not being obligated financially if we are not going to be there. There was a statement that we have to provide a year's notice. Nowhere in the agreement is there a section that states that. He read the section 8.3 in the agreement which states "a member entity may withdraw at any time from this JPA with the approval of the DFA." He just wanted to bring that up just for your information. He wants to make sure the public is not in the mindset that what he wrote is accurate, because it's not. The reason he presented this item, he stated in his emails.

He also referenced the letter that was written by Chief Tooley. He also pointed out that neither Chief Tooley or Mike Tooley who wrote the article ever reached out to him for information or facts. They wrote it based on their own opinion or whatever information they used, but it was certainly not with his input. He wanted to address the issue of whether the ISO rating would be affected. He stated that is inaccurate. If you look at our ISO communications, it only represents 10% of the evaluation process. What he is stating implies that there is no other service provider that could provide either the same or better quality of service to our Police Department. He told the Commission, this was not the original intent in putting this item on the agenda, but he does want to bring it to their attention there are other providers that can offer a cost savings of over \$80,000 if the Commission decides to pursue that. Again, we just want to address our right to be involved in the decision making and if they don't consider it, then we want to reserve the right to have the Commission act on any financial obligation it may cause the city. The reason he is bringing it to their attention is if they see an agenda item for SCRDA request for funds, you will know why it's there. If we cannot attend you will have the City of Elephant Butte and the Village of Williamsburg obligating the city of funds when we are over 50% of the contribution. In regards to the issues with the Fire Department he will address it in his Manager's report.

Commissioner Clark first asked if SCRDA has always had their meetings on Wednesday, did it create the problem when we moved our meetings? City Manager Fuentes confirmed that is true.

Commissioner Clark's second question in the agreement when it says a notice is to be given, when she is reading the statute, she is understanding there is a requirement that the PSAP that has to be consolidated in the county. And when one is consolidated the PSAP has to be open 24 hours. So if we're required to participate and have it consolidated, is the JPA a conflict of what it says in the state. City Manager Fuentes responded before he answers that question or addresses that, he asked if it's something the Commission wants to consider. Commissioner Clark said it's a question that just came up, because she's wondering if we can even consider it. City Manager Fuentes brought that up because it was written in the article, not because we wanted to explore that. But if there could be a significant cost savings because of the participation, then we could go back and do research and look at those legal issues. City Attorney Rubin wanted to clarify which statute she referred to. Commissioner Clark said it was NMAC Title 10-6-2

Commissioner Clark continued and asked about the towers and wireless service that will need to be available. It has to be the best service and we were talking about a tower on water tank hill. Are we even capable of doing that?

City Attorney Rubin said his understanding is this is just on the agenda for discussion, and if they want him to he could do some research and bring that back.

Mayor Green has some concerns and stated, "If your grandfather is writing the check for \$40,000 a year to go to college and he asks you to do him a favor and get him a glass of

water, and you say No, go get it yourself." What a waste of time. What a waste of staff's time that we are even discussing this. Because the largest financial contributor to an organization is asking a simple request. We want to be there and want to represent our citizen's dollars responsibly and they won't even consider changing the meeting. He doesn't know who it was, but he would say it's one of the worst decisions they have made. You do not bite the hand that feeds you. He doesn't know who is advising this board, and he has nothing against the quality of the service they provide. He applauds it. We've always paid the money to the organization to exist. But not just because we decided to change our meeting date, which was needed. He feels they takes us for granted and he hates us being put upon over and over again and we don't have a voice at the table. No way! Not on his watch, not on his vote!

City Manager Fuentes thanked them for allowing him to present this item. He hopes the members and those present have heard this.

Mayor Green would like to have all of the facts so we have the best information for our Police Department and citizens.

Mayor Green moved to approve investigating if there are other possibilities out there to perform the same services for our citizens, give the Police Department what they want and would not interfere with our ISO rating as eluded to in Mr. Tooley's email. Commissioner Hechler seconded the motion.

Mayor Pro-Tem Whitehead would like to add whether it will be an additional cost to the community because if we go out from SCRDA to anyone else are we going to have a bill that will incur because of this and will cost the city more. Mayor Green agreed to amend his motion and include this to give us a full blown picture and can make an intelligent decision. Motion carried with a 3-0-1. Commissioner Clark abstained.

Mayor Green asked City Clerk Cantin about the ability to abstain without a conflict of interest. He was told by the Municipal League that unless there was a direct conflict of interest or an appearance of a conflict, it is a requirement of a Commissioners to vote. He knows we have had this at almost every Commission he has served on. City Clerk Cantin responded in our Rules of Procedure it does state that the Commissioner should cast a vote, and with an abstention, should be a reason stated for the record.

Commissioner Clark said she abstained because she has read the Administrative Code and she's not sure it's worth our time and effort and energy to determine whether there is another service provider until we answer whether we can even do it or not. And she would rather have the lawyer have that clarification for us before we spend the time and energy to do the research work and find out we possibly can't do it at the end of the day. City Attorney Rubin suggested wouldn't that be more accurate to actually vote against the motion then? Commissioner Clark stated if he would prefer, she would say nay. Her reasoning is she doesn't believe we have accurate information on the legality of what we are trying to do before we go forward with anything. City Attorney Rubin suggested then

maybe it would be better to have the nay vote and go from there. Commissioner Clark agreed.

Motion carried by a vote of 3-1-0. Commissioner Clark voted nay.

2. Discussion/Action: Creative ways to raise money to fix roads. Steve Green, Mayor

Mayor Green recapped it was brought to his attention that we have the lowest municipal property tax rate in Sierra County and there are 106 municipalities and on our Residential rate we are the 12th lowest and Non-Residential rates we are the 16th lowest. So he came up with a creative ways and he's had citizen's come up to him with an idea before on trying to privatize our solid waste collection system. And he did some work and it turns out it would cost our citizens a minimum of \$120 a year plus a subscription fee of \$130 a year. He didn't think we could sell our Solid Waste Division, or utilities, or water lines. He said boy you mention the word taxes and everyone leaves the room like you've thrown a grenade. But we've got to do something or we've got to do nothing. If we do nothing then we let the citizens know we aren't going to do anything and don't complain. A couple of thought. Do our streets need repaving, potholes fixed? He answered, yes. If we did this would it help maintain property values and possibly increase resale values? His answer was, possibly yes. Is it the Streets Departments fault? His answer was no. The reason is lack of funds.

Mayor Green said his suggestion is to put it on the agenda again and he will intend to put it on the agenda until we come up with something we can do to fix the roads. How do we do it? How do we get our hands on some money to fix the problem? Well we certainly don't want to mess with GRT. Because that's pretty high and he'll address that later on. Because once again there is misinformation in the Herald in the article Mr. Tooley wrote. So he thought we get \$146,000 a year of municipal property taxes with our Residential rate is 1.442%, Non-Residential is 2.180%; Williamsburg Residential is 1.587%, Non-Residential is 2.225%; Elephant Butte Residential is 4.225%, Non-Residential 4,225% So his thinking was simple. Who's going to gain the most using our roads? Who has the equity in our community but the people who own property in our community? The average for the state in Residential Property tax is 3.530% and we are 1.442%. We are helping keep that average low. 4.451% is the average for Non-Residential and we are 2.180%.

We are projecting a collection of \$155,000 for next year. He's not a wealthy man and he lives on a fixed income, but he can afford \$18.42 and not hurt his and Paula's lifestyle. He went on to state where we get our Street Department funding from this year's preliminary budget. He explained the Gas Tax we get 1% that goes to roads, we are eligible for Local Government Road Fund each year and we have a 1/8th of 1% earmarked for roads. When it comes to GRT, you have to be realistic. Eventually we will run out of hospitals to build and sewer upgrades that help our GRT and we'll be left with lower GRT. He explained it costs approximately \$60,000 to fix 800 feet of road. Foch St. took us five years on the LGRF where we did two blocks at a time.

He would like to not spend a dime or money of staff unless that's the will of the Commission. He checked with Don Armijo how many miles of roads we have, approximately 48 miles; and we have 17 miles of dirt roads; if you include the land over the river that's about 22 miles. He gets that some people want to live on dirt roads but does that enhance the value of your property or do you any good. With \$60,000 we were able to do 800 feet of road this year. He gave some other statistics where dirt roads alone would cost \$6,800,000 and we haven't fixed one pothole yet. To just do Sims St. or McAdoo from Foch to Clancy and the little bit of Daniels is going to be \$175,000. So in his mind, he would love for a fellow Commissioner to come up with an idea, a plan, a program that would solve this problem as we move forward. He wouldn't even ask staff unless it's the will of the Commission to spend a dime of time, money, and treasure of staff. But if there is that will, he would ask Don Armijo to analyze what the streets department is capable of doing. He wants the money to be visually used. If it happens to be a property tax increase, they will see the work. He wants to know how many roads are really bad, how many potholes, what we can get done in one year, and how long it will all take. We can reduce the tax once the fix is over and will have a cushion for money for maintenance and for something that needs to be fixed.

Mayor Green added he also happens to know in the last month there are cents left in their budget because it's the end of the year. He doesn't want that to happen with us. That's his idea on how we move forward and if the Commission has the desire to move forward.

Commissioner Hechler has a couple of concerns. He agrees our property taxes are very low, but our other taxes are very high. When we look at our tax, it's all cumulative and it's all the same in that regard. He asked us to look at the debt service to see if anything is coming up and will be retiring anytime soon that might help us down the road. We should look at that first. Second, we as Commissioners make decisions all of the time, but we shouldn't make those absent of the public. We can have the Capital Improvement Plan and not make that solely as a Commission.

Commissioner Clark is not sure we have ever really looked or have seen different counties in the state. We are a impoverished county and she's not sure if it's an issue with other counties. Also is there something else we can use like we did for the sidewalk project on Broadway. Is there a possibility to do something like that on our city streets? City Manager Fuentes responded the pilot project on the sidewalks is we are trying to stretch the dollars the best we can. Once we complete that project we could look at similar funding projects. He believes Elephant Butte got a similar grant for sidewalks or roads, but we can certainly look at that.

Commissioner Clark thanked him, we have heard for years of people wanting us to pave their streets and having them think of what the answer may be to help fix our road. And you're taking the initiative to look and try to find a solution. Mayor Green mentioned he is not saying it's his way or the highway because he's only one vote. He just wanted to establish a dialogue with his fellow Commissioners. He's sick and tired of hearing people approaching the Commission saying they are poor. Yes, we have financial challenges in this community. They talk about the GRT is so high, etc. The paper talked about how we

are the 4th highest taxed and we are not. On the state website, we are the 14th highest and we are tied for 15 with three other communities. And this was effective July 2017. He read the exceptions which included pueblo land, water districts, and TID's. He reminded folks that if you're in a poor community the biggest expenses you have is food, prescription drugs, and rentals all of which there is no tax. He doesn't even like to use the word tax increase, but they are trying to do the best they can to look at everything. He continued with other suggestions to find funding.

City Manager Fuentes feels how we can put this in place is during our ICIP process that requires public input that prioritizes projects and try to have this inclusive to identify the issues. Mayor Green appreciates that and hearing that he will not put it on the agenda until we do that process.

Commissioner Hechler mentioned last year we found some funds when we needed to address the rodeo issues and asked if there is some residual revenue we can put aside for something like this. City Manager Fuentes said we are going to be working on the final budget in the next couple of weeks and we will identify that at that time. They were able to include one of the roads by City Hall but not both.

J. REPORTS

a. City Manager

- 1) City Manager Fuentes reported he and Traci met with the Architects on the Animal Shelter Project. It should be completed sometime in mid-September.
- 2) We do have a SVH Governing Board Meeting at 1:00 p.m. and he will be attending that today.
- 3) Friday is a statewide GRT Meeting with Taxation & Revenue and the intent of the meeting is how best to track and monitor the GRT because it is the major revenue source for all of the municipalities, as well as the Resolutions Committee meeting on Saturday.
- 4) In light of the SCRDA information, he'll be bringing a proposed ordinance in regards to the Fire Department because there seems to be some disconnect in regards to chain of command and also the accountability as to how it's operated and who oversees the assets of that department. One of the things that stood out in the letter he wrote to the Commission is towards the end of the paragraph, in the last sentence it states, they will continue to pay SCRDA even if the city decides to cancel the contract with SCRDA. He put it before them that the Commission oversees the finances and all of the assets. This is not a separate entity. He thinks to avoid any future conflicts, he wants to be able to clear that up not only for himself but for future managers and Commissioners, and where that volunteer organization falls within the city.
- 5) Finally, when we work on projects, he received a statement from a previous employee. Vision is not seeing things not as they are but as they could be. Sometimes it's difficult to see that when we are talking about the Law Enforcement Complex. He referred to the Armory and showed the potential for the new building, it's not the final, just a rendering. It goes to show, this is the potential possibility for this building. It's a great exciting project.

b. City Attorney

City Attorney Rubin wanted to clarify where we are on the list of the highest taxes in the state. Mayor Green said there are 14 communities that are higher in GRT rates than Truth or Consequences and there are two others that are tied with us. He clarified we are not talking about property tax.

c. City Commission

Mayor Green

He appreciates the support on the welcome packets and the support in sending the thank you cards to each who request a packet. He read a letter received by someone who works for St. Jude Children's Research Hospital on receiving the packet. She thanked them and the Chamber for the packets and she is looking forward to moving here.

2) The other thing in the Article in Herald under Off the Cuff. Maybe you're too close to home for your sources. They talk about when the GRT ¼% tax was initiated, it was to be used for the purpose of salary, personnel, benefits, retirement, vehicles for the department and was estimated, and it goes on... And he thinks there was an IPRA request by Mr. Tooley, and he thinks he requested the minutes of the meetings that they discussed. Well discussion, is one thing, what you vote on and what the ordinance actually says is the law and the rule. The ordinance they voted for and was signed on June 14, 2011 talks about the ¼ of 1% dedication in Section 4 will be used for the purposes listed which is Public Safety. He was on that Commission and the reason they left it a little vague is because they felt the Police Chief has a better understanding of the department and what might be needed. So what Mike Tooley has spoken is only partial truth. Partial in that probably just discussions from one Commissioner talking to another. It's not what they voted on because they realized the Police Chief needed flexibility. So the snide remark of what happened to the \$513,894.90, and in that article Manager Fuentes' name appears, the Chief's name appears, and he is tired of it. Come on boys and girls we can do better than this. If you need to get more facts, he knows they are up against a deadline and want to produce a paper. So put it in next week's column and do your homework. He asked the Manager and Chief what this is about and if they were ever contacted about this. So, if you are going to write an article that throws two people under the bus, let's do the homework and do it right. He thinks that does not serve any purpose whatsoever.

3) He had a couple of questions on where we are with the Airbnb Ordinance and requested City Clerk Cantin to bring some information about the Airbnb ordinance and where we are with it to the next meeting. He suggested we ask people for their business license number and taxes are paid. We are looking for everything we can for funding. He also had some complaints about some unlicensed contractors coming into our community and doing business from legitimate businesses who are registered in our community and have paid the \$35 and are collecting GRT. He asked our citizens when you have them work on your property ask to see their T or C business license and if they don't have one, don't do business with them. They are defrauding the city of its rightful money. He would like to see a notice in the utility bills to all citizens. We are trying to look for ways that are honest ways to deliver better services. He reported at a COG Meeting he attended, the City of Las Cruces is looking at pop up businesses and those who set up as vendors for

an event to raise their GRT. They are going after food trucks, and flea markets to make sure they are all registered. He's seen tons of vendors and cars out there, are they covered, do they need a license, if they have one are they collecting GRT. It happens every Saturday. If we could do something or put a note on our utility invoices to have citizens check their contractors.

4) He reported this morning he was passed a business on Third St. with a trash can that was overflowing with recyclables. Remember we sell that. We need to pay better attention on recycling and use the resources we have in this community to make it better. We have our Building Inspector and other staff on one given day 50 people driving around doing their job, how long would it take to ship and email to Andy Alvarez, so he could notify the Recycling Committee to notify them what resources we have to make the community better. Shame on us if we don't follow recycling, it's a free gift.

K. EXECUTIVE SESSION

1. Threatened or Pending Litigation (Hot Springs Land Development) *Pursuant to 10-15-1(H.7)*

Mayor Pro-Tem Whitehead moved to approve going into executive session at 11:12 a.m. to discuss threatened or pending litigation (Hot Springs Land Development, pursuant to 10-15-1(H.7). Commissioner Hechler seconded the motion. Roll call vote was taken by the Clerk-Treasurer. Motion carried unanimously.

Mayor Green reconvened the meeting in open session at 11:39 p.m.

Mayor Pro-Tem Whitehead certified that only matters pertaining to threatened or pending litigation (Hot Springs Land Development) pursuant to 10-15-1(H.7) was discussed in Executive Session and no action was taken.

L. ACTION ON ITEMS DISCUSSED DURING EXECUTIVE SESSION, if any.

None.

M. ADJOURNMENT

Meeting was adjourned at 11:40 a.m.

Passed and Approved this ____ day of _____, 2017.

Steven Green, Mayor

ATTEST:

Reneé L. Cantin, CMC, City Clerk



E.3

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

ITEM:

Approve the minutes of the Golf Advisory Board for May 2, June 7, & July 5, 2017.

BACKGROUND:

None.

STAFF RECOMMENDATION:

Approve the minutes.

Submitted by: Renee Cantin, City Clerk-Treasurer

Meeting date: 08/09/2017

TRUTH OR CONSEQUENCES GOLF ADVISORY BOARD
MEETING OF WEDNESDAY MAY 2nd, 2017
T OR C MUNICIPAL GOLF COURSE

Les Dufour called the meeting to order at 5:14pm.

Present were Les Dufour, Mary Ann Weaver, Leroy Bierner and Vivian Bonner.

Mary Ann Weaver made a motion to Approve the Agenda. Leroy Bierner Second the motion.
Motion Passed.

No guest attended. No comments from the public.

The minutes were read and there was an amendment to the minutes. It was noted that Mary Ann Weaver's name was to be corrected.

Committee Reports: Leroy Bierner has obtained information about the dollar fund. Les Dufour requested of Leroy Bierner to inquire and obtain additional information about the 2016-2017 FYE fund. Further discussion was tabled until more information was obtained.

Linda Hale was absent therefore the Long Range Planning was tabled till the June meeting.

OLD BUSINESS: Terry Taylor discussed the water ponds, pumps and pump station and filters. Also noted was the radio receiver which has been down.

NEW BUSINESS: Terry Taylor informed the Golf Advisory Board that the Fiesta Golf Tournament which was to be held at the T OR C MUNICIPAL GOLF COURSE and the SIERRA DEL RIO GOLF COURSE had been canceled due to lack of interest.

Leroy Bierner made a motion to adjourned the meeting and Vivian Bonner second.
Motion Passes.

Nest Meeting will be held on June 7, 2017 at the T or C Municipal Golf Course.

Approved: Les Dufour
Chair person

6/5/17

TRUTH OR CONSEQUENCES GOLF COURSE ADVISORY BOARD
MEETING OF JUNE 7TH, 2017, AT 2:00 P.M.
T OR C MUNICIPAL GOLF COURSE

1. The meeting was called to order by Chairman Les Dufour.
2. Members Present: Les Dufour, Mary Ann Weaver and Leroy Bierner. Absent: Vivian Bonner and Linda Hale. Terry Taylor – Course Mgr. present.
3. Approval of the Agenda: Mary Ann Motion; Leroy seconded. Unanimous vote in favor.
4. Guest present – Terry Van
5. Comments from guest: Terry concerned about the fresh water pond being down for 6-8 months. Terry also concerned that only one Board Member currently playing at course.
6. Response to Comments: City says pumps are funded for repair during this year's funding (2017-2018). No other response.
7. Reading/Approval of the Minutes from May 3rd, 2017 meeting. Les Dufour motion to accept as submitted; second from Mary Ann. Unanimous Vote in favor.
8. Committee Reports:
 - A. Status of 1\$ Fund- Leroy not able to get clarification on \$ amount shown for FY2017. Leroy will pursue for update at next months meeting.
 - B. Long Range Planning Document: Linda Hale –tabled.
9. Old Business:
 - A. Course Condition: Terry Taylor reported that there are still irrigation problems. Course condition improving and still making progress.
 - B. Pumps—Terry advised that the old pump is down. Able to get water with new pumps.
 - C. Equipment- Terry stated that he has new blades for the greens mower and will install them soon.
10. New Business-Terry stated that he feels that a sand filter for the effluent pond would decrease the amount of clogged sprinkler heads. He has been researching different types and talking to other courses that use effluent water. Les requested he continue his research and make a recommendation including estimated cost to the Advisory Board at the July meeting.

Les Dufour moved the meeting be adjourned at 3:20 PM, 2nd by Mary Ann Weaver.
Vote unanimous.

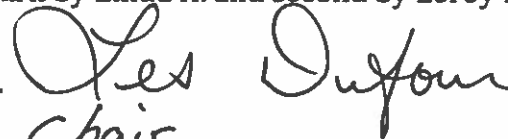
Next Mtg.: July 5th, 2017

Approved:  8/2/17
Chair.

**AGENDA`
TRUTH OR CONSEQUENCES
GOLF COURSE ADVISORY BOARD**

**Regularly Scheduled Meeting – July 5, 2017 at 5:00 PM
T or C Municipal Golf Course**

1. Call to Order at 5:04 PM
2. Roll Call-
Members; Les Dufour, Leroy Bierner, Mary Ann Weaver and Linda Hale Present
3. Approval of the Agenda
Mr. Bierner made a motion and Ms Weaver second
4. Welcome guests. No guests were present
5. Comments from the Public. No comments
6. Response to public comments. None
7. Reading/Approval of the Minutes from the June 7th, 2017 meeting was tabled.
8. Committee reports
 - A. Leroy Bierner – status of \$1 fund- the attached document was presented
 - B. Linda Hale – Long Range Planning Document- no updates
9. Old Business.
 - A. Course Condition. Terry Taylor – Mr. Taylor was not present, but the feeling among board members was that there has been a noticeable improvement in course conditions.
 - B. Pumps. Terry Taylor- A discussion was held about the status of the pumps
 - C. Equipment – Terry Taylor- no discussion
10. New Business
 - A. Filter for water system- Next month we will discuss this in depth when we have prices, it was agreed that we have a need for a more effective filtration system
11. Adjournment
Motion to adjourn by Linda H. and second by Leroy B. at 5:32 PM

Approved:  8/2/17
Chair.

Next Regular Scheduled Meeting: August 2nd, 2017 at 5:00 P.M.
At the T or C Municipal Golf Course

City of Truth or Consequences
Golf Course Revenue - By Month
and record of how posted to G/L

Month	(1) Number of Players Fee	(2) Memberships	(3) Green Fees	Cart Rentals	(4) Food & Beverage	(5) 10 % of Food & Beverage	Total Revenue	Taxable Sales on all sales
July 2016	349.00	0.00	1,025.50	646.50	0.00		2,021.00	1,924.76
August 2016	355.00	325.00	1,146.25	1,028.00	0.00		2,854.25	2,718.33
September 2016	415.00	0.00	1,070.00	640.00	0.00		2,125.00	2,023.81
October 2016	416.00	2,938.57	1,341.50	1,121.00	0.00		5,817.07	5,540.07
November 2016	356.00	1,612.21	1,016.00	1,136.00	300.00	30.00	4,420.21	4,209.72
December 2016	305.00	528.64	687.00	600.00	287.00	28.70	2,407.64	2,292.99
January 2017	269.00	1,549.00	507.00	709.00	451.00	45.10	3,485.00	3,319.05
February 2017	463.00	819.00	1,007.00	764.00	582.00	58.20	3,635.00	3,461.90
March 2017	480.00	1,403.00	1,356.00	1,226.00	707.00	70.70	5,172.00	4,925.71
April 2017	303.00	1,399.00	1,085.00	1,344.00	437.00	43.70	4,568.00	4,350.48
	3,711.00	10,574.42	10,241.25	9,214.50	2,764.00	276.40	36,505.17	34,766.83

Notes:

- 1) The \$ 1.00 player fee that was supported to be accounted for separately has been included in the accounting records in a/c 508 4303 37356

Note: The above figures are subject to change based upon verification of data during the Agreed Upon Procedures engagement anticipated to be completed in the next two weeks.

(Memo Only) GRT on ttl rev.	GRT pd to City (Included in payment)	GRT Amout due by Contractor?	(1)+(2)+(3)+(4) Ttl Anticipated w/o Cart Rent	Payment Deposited	Fund and Function (508-4303)			Total	Unexplained Difference
					30315 Government GRT	37316 Misc. Income	37356 Expantion/ Improvement		
96.24	68.72	27.52	1,374.50	1,374.50	68.72		1,305.78	1,374.50	0.00
135.92	75.06	60.86	1,826.25	1,826.25	75.06	325.00	1,426.19	1,826.25	0.00
101.19	74.25	26.94	1,485.00	1,485.00	74.25		1,410.75	1,485.00	0.00
277.00	87.88	189.12	4,696.07	4,696.07	87.88	2,938.57	1,669.62	4,696.07	0.00
210.49	68.60	141.89	3,014.21	3,014.21	68.60	1,640.91	1,303.40	3,012.91	(1.30)
114.65	49.60	65.05	1,549.34	1,549.34	49.60	557.34	942.40	1,549.34	0.00
165.95	38.80	127.15	2,370.10	2,370.10	38.80	1,594.10	737.20	2,370.10	0.00
173.10	73.50	99.60	2,347.20	2,347.20	73.50	877.20	1,396.50	2,347.20	0.00
246.29	91.80	154.49	3,309.70	3,309.70	91.80	1,473.74	1,744.20	3,309.74	0.04
217.52	69.40	148.12	2,830.70	2,830.70	69.40	1,442.70	1,318.60	2,830.70	0.00
1,738.34	697.61	1,040.73	24,803.07	24,803.07	697.61	10,849.56	13,254.64	24,801.81	(1.26)

GOLF COURSE IMPROVEMENT FUND

Jul-13	\$	640.92	\$	640.92
Aug-13	\$	829.69	\$	829.69
Sep-13	\$	1,058.67	\$	1,058.67
Oct-13	\$	645.70	\$	645.70
Nov-13	\$	785.70	\$	785.70
Dec-13	\$	584.73	\$	584.73
Jan-14	\$	534.26	\$	534.26
Feb-14	\$	690.48	\$	690.48
Mar-14	\$	749.49	\$	749.49
Apr-14	\$	619.98	\$	619.98
May-14	\$	541.88	\$	541.88
Jun-14	\$	656.17	\$	656.17
	\$	8,337.67		

FYE 13/14
\$ 8,337.67

REVENUES			
	GCIF	City Match	Total
FYE 2008	\$ 6,808.80	\$ 6,808.80	\$ 13,617.60
FYE 2009	\$ 10,814.00	\$ 10,814.00	\$ 21,628.00
FYE 2010	\$ 10,893.19	\$ 10,893.19	\$ 21,786.38
FYE 2011	\$ 11,353.38	\$ 11,353.38	\$ 22,706.76
FYE 2012	\$ 10,447.06	\$ 10,447.06	\$ 20,894.12
FYE 2013	\$ 11,435.99	\$ 11,435.99	\$ 22,871.98
FYE 2014	\$ 8,337.67		\$ 8,337.67
FYE 2015	\$ 7,139.85		\$ 7,139.85
FYE 2016	\$ 5,424.33		\$ 5,424.33
FYE 2017	\$ 11,758.15		\$ 11,758.15
Total	\$ 94,412.42	\$ 61,752.42	\$ 144,406.69

EXPENDITURES			
	GCIF	City Match	Total
3/6/2009	\$ 8,915.75	\$ 8,915.75	\$ 17,831.50
	\$ 7,584.25	\$ 7,584.25	\$ 15,168.50
	\$ 5,000.00	\$ 5,000.00	\$ 10,000.00
3/4/2011	\$ 1,964.00	\$ 1,964.00	\$ 3,928.00
7/1/2013		\$ 17,653.75	\$ 17,653.75
12/20/2013	\$ 8,513.50	\$ 8,513.50	\$ 17,027.00
	\$ 3,179.09	\$ 11,000.00	\$ 14,179.09
	\$ 8,878.00		\$ 14,500.00
	\$ 14,800.00		
3/3/2017	\$ 2,333.64		
Total	\$ 61,168.23	\$ 60,631.25	\$ 110,287.84

GCIF BAL.	\$	33,244.19	\$	1,121.17	\$	34,365.36
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E.4

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

ITEM:

Accounts Payable – July 2017

BACKGROUND:

STAFF RECOMMENDATION:

SUPPORT INFORMATION:

- Accounts Payable List for July 2017

Name of Presenter: Pat Wood, CPO	Department: Finance	Meeting date: 08/09/2017
E-mail: pat@torcnm.org	Phone: 575-894-6673 ext. 312	



Truth or Consequences

EOM AP Report By Fund

Payment Dates 07/01/2017 - 07/31/2017

PAYABLE APPROVAL

I hereby approve the issuance of these payments.

FINANCE DIRECTOR OR DESIGNEE

DATE:

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
Fund: 101 - General					
NM MUNICIPAL LEAGUE	060617	07/07/2017	REGISTRATION FEE/RENEE CAN...	101-1001-42720	35.00
JAY RUBIN ATTORNEY AT LAW	070517	07/07/2017	LEGAL SERVICES 06/17	101-1000-43597	3,730.28
BOYS & GIRLS CLUB OF SIERRA ...	070517	07/07/2017	REIMBURSEMENT/JAC GRANT ...	101-1003-60784	23,212.23
MARGARET CLANTON	071117	07/07/2017	ADVANCED MILEAGE/RUIDOSO	101-1002-42305	116.96
REBECCA GUTIERREZ	071117	07/07/2017	ADVANCED MILEAGE/RUIDOSO	101-1002-42305	116.96
BEATRICE SANDERS	071117	07/07/2017	ADVANCED MILEAGE/RUIDOSO	101-1002-42305	116.96
REBECCA GUTIERREZ	071117	07/07/2017	ADVANCED PER DIEM/RUIDOSO	101-1002-42310	213.60
MARGARET CLANTON	071117	07/07/2017	ADVANCED PER DIEM/RUIDOSO	101-1002-42310	213.60
BEATRICE SANDERS	071117	07/07/2017	ADVANCED PER DIEM/RUIDOSO	101-1002-42310	213.60
RENEE L. CANTIN	071417	07/07/2017	ADVANCED PER DIEM/ALBUQU...	101-1001-42310	84.00
NM MUNICIPAL LEAGUE	1974	07/07/2017	ANNUAL MEMBERSHIP DUES	101-1003-43770	5,725.00
eCIVIS, INC.	2017-100291	07/07/2017	GRANT RESEARCH LICENSE	101-1003-48599	11.00
eCIVIS, INC.	2017-100291	07/07/2017	GRANT RESEARCH LICENSE	101-1007-43770	550.00
NU-WAY LAUNDRY & CLEANERS	28457	07/07/2017	CLEANING OF CITY RUGS	101-1014-44607	155.77
ROTARY CLUB OF TORC	3180	07/07/2017	MONTHLY DUES/LEE ALIREZ	101-1007-43770	55.00
ROTARY CLUB OF TORC	3189	07/07/2017	MONTHLY DUES/JUAN FUENTES	101-1003-43770	55.00
ROTARY CLUB OF TORC	3202	07/07/2017	MONTHLY DUES/JAMES MORG...	101-1007-43770	55.00
ROTARY CLUB OF TORC	3205	07/07/2017	MONTHLY DUES/RENEE CANTIN	101-1001-43770	55.00
SOUTH CENTRAL COUNCIL OF ...	SCCOG-18	07/07/2017	MEMBERSHIP DUES 17/18	101-1003-43770	2,187.00
GARY E. GAYLORD, CPA	TORC0070117	07/07/2017	SERVICES/CPA-AUDIT	101-1004-48596	2,042.51
NM GOVERNMENT FINANCE OF...	070517	07/14/2017	MEMBERSHIP DUES/RENEE CA...	101-1001-43770	50.00
NM MUNICIPAL CLERKS AND FI...	070517	07/14/2017	ANNUAL DUES/ANGELA TORRES	101-1001-43770	60.00
NM MUNICIPAL CLERKS AND FI...	070517	07/14/2017	ANNUAL DUES/PRISCILLA FUEN...	101-1001-43770	60.00
NM MUNICIPAL CLERKS AND FI...	070517	07/14/2017	ANNUAL DUES/RENEE CANTIN	101-1001-43770	60.00
SCRDA	07052017	07/14/2017	1ST QUARTER FUNDING	101-1007-48599	35,043.00
NM LEAGUE OF ZONING OFFICI...	070617	07/14/2017	ANNUAL DUES/ROBBIE TRAVIS	101-1010-43770	35.00
VERIZON WIRELESS	071017	07/14/2017	CELL PHONE BILLS	101-1003-43775	69.69
VERIZON WIRELESS	071017	07/14/2017	CELL PHONE BILLS	101-1007-43775	463.61
TDS	071017	07/14/2017	INTERNET SERVICE	101-1007-43775	161.66
NM LEAGUE OF ZONING OFFICI...	071017	07/14/2017	ANNUAL DUES/RAY CHAVEZ	101-1008-43770	35.00
VERIZON WIRELESS	071017	07/14/2017	CELL PHONE BILLS	101-1008-43775	53.42
VERIZON WIRELESS	071017	07/14/2017	CELL PHONE BILLS	101-1009-43775	69.69
VERIZON WIRELESS	071017	07/14/2017	CELL PHONE BILLS	101-1010-43775	209.10
VERIZON WIRELESS	071017	07/14/2017	CELL PHONE BILLS	101-1011-43775	69.69
VERIZON WIRELESS	071017	07/14/2017	CELL PHONE BILLS	101-1014-43775	139.40
NM MUNICIPAL COURT CLERKS...	071117	07/14/2017	ANNUAL DUES/MARGARET CLA...	101-1002-43770	60.00
NM MUNICIPAL COURT CLERKS...	071117	07/14/2017	ANNUAL DUES/REBECCA GUTIE...	101-1002-43770	60.00
NM MUNICIPAL JUDGES ASSO.	071117	07/14/2017	ANNUAL DUES/MARGARET CLA...	101-1002-43770	75.00
NM MUNICIPAL JUDGES ASSO.	071117	07/14/2017	ANNUAL DUES/BEATRICE SAND...	101-1002-43770	150.00
NM MUNICIPAL CLERKS AND FI...	071117	07/14/2017	ANNUAL DUES/MELISSA TORRES	101-1004-43770	60.00
NM MUNICIPAL CLERKS AND FI...	071117	07/14/2017	ANNUAL DUES/KERIN SALCEDO	101-1004-43770	60.00
NM GOVERNMENT FINANCE OF...	071117	07/14/2017	MEMBERSHIP DUES/MELISSA T...	101-1004-43770	50.00
NM GOVERNMENT FINANCE OF...	071117	07/14/2017	MEMBERSHIP DUES/KERIN SAL...	101-1004-43770	50.00
NM RETIREE HEALTH CARE	071217	07/14/2017	BENEFIT PR ENDING 07/07/17	101-1001-41226	119.90
NM RETIREE HEALTH CARE	071217	07/14/2017	BENEFIT PR ENDING 07/07/17	101-1002-41226	75.07
NM RETIREE HEALTH CARE	071217	07/14/2017	BENEFIT PR ENDING 07/07/17	101-1003-41226	122.34

EOM AP Report

Payment Dates: 07/01/2017 - 07/31/2017

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
NM RETIREE HEALTH CARE	071217	07/14/2017	BENEFIT PR ENDING 07/07/17	101-1004-41226	242.63
NM RETIREE HEALTH CARE	071217	07/14/2017	BENEFIT PR ENDING 07/07/17	101-1007-41226	940.08
NM RETIREE HEALTH CARE	071217	07/14/2017	BENEFIT PR ENDING 07/07/17	101-1008-41226	73.42
NM RETIREE HEALTH CARE	071217	07/14/2017	BENEFIT PR ENDING 07/07/17	101-1009-41226	72.00
NM RETIREE HEALTH CARE	071217	07/14/2017	BENEFIT PR ENDING 07/07/17	101-1010-41226	134.90
NM RETIREE HEALTH CARE	071217	07/14/2017	BENEFIT PR ENDING 07/07/17	101-1011-41226	313.86
NM RETIREE HEALTH CARE	071217	07/14/2017	BENEFIT PR ENDING 07/07/17	101-1012-41226	122.78
NM RETIREE HEALTH CARE	071217	07/14/2017	BENEFIT PR ENDING 07/07/17	101-1014-41226	210.94
NM RETIREE HEALTH CARE	071217	07/14/2017	BENEFIT PR ENDING 07/07/17	101-1016-41226	163.66
LILIANA GONZALEZ	071217	07/14/2017	REFUND DEPOSIT/CIVIC CENTER	101-1099-34348	250.00
CHURCH OF THE NAZARENE	071217	07/14/2017	REFUND DEPOSIT/CIVIC CENTER	101-1099-34348	125.00
WINDSTREAM CORPORATION	071317	07/14/2017	PHONE BILL/WNMU	101-1003-43775	1,280.26
CITY UTILITIES	071317	07/14/2017	CITY UTILITIES CYCLE A&B	101-1018-43780	3,010.92
MARGARET CLANTON	071717	07/14/2017	ADVANCED MILEAGE/ALBUQU...	101-1002-42305	102.51
MARGARET CLANTON	071717	07/14/2017	ADVANCED PER DIEM/ALBUQU...	101-1002-42310	272.00
ERICA BAKER	071817	07/14/2017	ADVANCED PER DIEM/SANTA FE	101-1007-42310	240.00
MARK PETERSON	071817	07/14/2017	ADVANCED PER DIEM/SANTA FE	101-1007-42310	240.00
XEROX CORP.	089747027	07/14/2017	BASE CHARGE/METER USAGE	101-1004-44810	299.28
XEROX CORP.	089747030	07/14/2017	BASE CHARGE/METER USAGE	101-1007-44810	232.82
XEROX CORP.	089747032	07/14/2017	BASE CHARGE/METER USAGE	101-1002-60840	189.03
XEROX CORP.	089747033	07/14/2017	BASE CHARGE/METER USAGE	101-1002-60840	53.03
XEROX CORP.	089747043	07/14/2017	METER USAGE	101-1014-44810	10.92
XEROX CORP.	089747061	07/14/2017	BASE CHARGE/METER USAGE	101-1003-44810	377.91
XEROX CORP.	089834082	07/14/2017	BASE CHARGE/METER USAGE	101-1001-44810	463.55
WEX BANK	131632	07/14/2017	UNLEADED	101-1003-43316	27.68
JUSTICE SYSTEMS, INC	1501302	07/14/2017	FULL COURT SOFTWARE MAINT	101-1002-60840	4,839.79
NCA ARCHITECTS, P.A.	16547	07/14/2017	SERVICES/PUBLIC SAFETY COM...	101-1007-48599	8,585.00
SIERRA VETERINARY SERVICES,L...	35516	07/14/2017	ANIMAL SHELTER 06/17	101-1008-48599	10,000.00
B & H OIL CO.	43001	07/14/2017	UNLEADED	101-1007-43316	538.28
B & H OIL CO.	43008	07/14/2017	UNLEADED	101-1014-43316	221.85
B & H OIL CO.	43009	07/14/2017	UNLEADED	101-1009-43316	130.71
B & H OIL CO.	43009	07/14/2017	DIESEL	101-1009-43317	50.25
B & H OIL CO.	43010	07/14/2017	UNLEADED	101-1008-43316	144.51
WEX BANK	461970	07/14/2017	UNLEADED	101-1010-43316	120.54
COPPLER LAW FIRM PC	9071	07/14/2017	SERVICES/PROSECUTIONS	101-1000-43597	1,253.49
COPPLER LAW FIRM PC	9077	07/14/2017	SERVICES/GENERAL	101-1000-43597	180.61
COPPLER LAW FIRM PC	9081	07/14/2017	SERVICES/CELL TOWER APPLICA...	101-1000-43597	1,747.64
COPPLER LAW FIRM PC	9082	07/14/2017	SERVICES/HOT SPRINGS LAND ...	101-1000-43597	411.05
COPPLER LAW FIRM PC	9084	07/14/2017	SERVICES/ASHBAUGH/IMPACT ...	101-1000-43597	2,945.26
MATTHEW BENDER & CO.	9380640X	07/14/2017	NM CRIMINAL & TRAFFIC LAW...	101-1002-43770	234.47
WEX BANK	9625515	07/14/2017	UNLEADED	101-1004-43316	31.27
GARY E. GAYLORD, CPA	TORC0070817	07/14/2017	SERVICES/CPA-AUDIT	101-1004-48596	1,316.10
REBECCA GUTIERREZ	071417	07/21/2017	MILEAGE DUE/RUIDOSO	101-1002-42305	29.24
MARGARET CLANTON	071417	07/21/2017	MILEAGE DUE/RUIDOSO	101-1002-42305	29.24
BEATRICE SANDERS	071417	07/21/2017	MILEAGE DUE/RUIDOSO	101-1002-42305	29.24
MARGARET CLANTON	071417	07/21/2017	PER DIEM DUE/RUIDOSO	101-1002-42310	53.40
BEATRICE SANDERS	071417	07/21/2017	PER DIEM DUE/RUIDOSO	101-1002-42310	53.40
REBECCA GUTIERREZ	071417	07/21/2017	PER DIEM DUE/RUIDOSO	101-1002-42310	53.40
JUAN A. FUENTES	071417	07/21/2017	MILEAGE DUE/ALBUQUERQUE	101-1003-42305	136.31
NM SELF INSURERS FUND	071417	07/21/2017	VOLUNTEER COVERAGE	101-1007-46732	175.00
NM SELF INSURERS FUND	071417	07/21/2017	VOLUNTEER COVERAGE	101-1018-46732	100.00
RENEE L. CANTIN	071517	07/21/2017	PER DIEM DUE/ALBUQUERQUE	101-1001-42310	21.00
JUAN A. FUENTES	071517	07/21/2017	MILEAGE DUE/ALBUQUERQUE	101-1003-42305	136.31
WINDSTREAM CORPORATION	071817	07/21/2017	PHONE BILLS	101-1001-43775	537.18
WINDSTREAM CORPORATION	071817	07/21/2017	PHONE BILLS	101-1002-43775	97.05
NM MUNICIPAL LEAGUE	071817	07/21/2017	REGISTRATION FEE/JUAN FUEN...	101-1003-42720	35.00
WINDSTREAM CORPORATION	071817	07/21/2017	PHONE BILLS	101-1003-43775	808.08
WINDSTREAM CORPORATION	071817	07/21/2017	PHONE BILLS	101-1004-43775	534.19
WINDSTREAM CORPORATION	071817	07/21/2017	PHONE BILLS	101-1007-43775	179.86
WINDSTREAM CORPORATION	071817	07/21/2017	PHONE BILLS	101-1009-43775	225.45

EOM AP Report

Payment Dates: 07/01/2017 - 07/31/2017

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
WINDSTREAM CORPORATION	071817	07/21/2017	PHONE BILLS	101-1010-43775	495.75
WINDSTREAM CORPORATION	071817	07/21/2017	PHONE BILLS	101-1011-43775	25.23
WINDSTREAM CORPORATION	071817	07/21/2017	PHONE BILLS	101-1012-43775	209.13
WINDSTREAM CORPORATION	071817	07/21/2017	PHONE BILLS	101-1014-43775	283.22
CITY UTILITIES	071817	07/21/2017	CITY LANDFILL BILLS	101-1018-43780	122.95
NM MUNICIPAL LEAGUE	071817-1	07/21/2017	REGISTRATION FEE/JUAN FUEN...	101-1003-42720	100.00
NM MUNICIPAL LEAGUE	071817-2	07/21/2017	REGISTRATION FEE/LEE ALIREZ	101-1007-42720	280.00
SIERRA VISTA HOSPITAL	072017	07/21/2017	GRT DISTRIBUTION 05/17	101-1017-48599	22,857.44
JUAN A. FUENTES	072617	07/21/2017	ADVANCED MILEAGE/SANTA FE	101-1003-42305	143.10
JUAN A. FUENTES	072617	07/21/2017	ADVANCED PER DIEM/SANTA FE	101-1003-42310	216.00
M&M MECHANICAL	2266	07/21/2017	SERVICE LIBRARY A/C	101-1014-43403	290.78
M&M MECHANICAL	2267	07/21/2017	SERVICE LEE BELLE A/C	101-1014-43403	244.13
M&M MECHANICAL	2269	07/21/2017	Install hard start switch on A/C ...	101-1014-43403	200.73
M&M MECHANICAL	2271	07/21/2017	Repair Duct Work for A/C Patrs/...	101-1014-43403	277.76
MPG SERVICES, LLC	369	07/21/2017	3" SCH 80 Wye	101-1009-44607	95.09
MPG SERVICES, LLC	369	07/21/2017	3" SCH 80 45	101-1009-44607	76.41
REED'S TIRE CENTER	4389	07/21/2017	265-70R17 tire	101-1009-47420	280.00
QUILL CORPORATION	8151719	07/21/2017	Xerox Toner Cartridge for 3325	101-1014-44606	224.99
GARY E. GAYLORD, CPA	TORC0071517	07/21/2017	SERVICES/CPA-AUDIT	101-1004-48596	2,225.55
ERICA BAKER	072017	07/28/2017	PER DIEM DUE/SANTA FE	101-1007-42310	60.00
MARK PETERSON	072017	07/28/2017	PER DIEM DUE/SANTA FE	101-1007-42310	60.00
I'LL DO IT ELECTRIC	072117	07/28/2017	repair ectrical service to A/C uni...	101-1014-43403	217.00
TURTLEBACK PEST CONTROL, L...	072517	07/28/2017	PEST CONTROL SERVICES	101-1014-44607	814.46
NM RETIREE HEALTH CARE	072617	07/28/2017	BENEFIT PR ENDING 07/21/17	101-1001-41226	121.69
NM RETIREE HEALTH CARE	072617	07/28/2017	BENEFIT PR ENDING 07/21/17	101-1002-41226	75.07
NM RETIREE HEALTH CARE	072617	07/28/2017	BENEFIT PR ENDING 07/21/17	101-1003-41226	126.79
NM RETIREE HEALTH CARE	072617	07/28/2017	BENEFIT PR ENDING 07/21/17	101-1004-41226	244.80
NM RETIREE HEALTH CARE	072617	07/28/2017	BENEFIT PR ENDING 07/21/17	101-1007-41226	885.50
NM RETIREE HEALTH CARE	072617	07/28/2017	BENEFIT PR ENDING 07/21/17	101-1008-41226	161.40
NM RETIREE HEALTH CARE	072617	07/28/2017	BENEFIT PR ENDING 07/21/17	101-1009-41226	72.00
NM RETIREE HEALTH CARE	072617	07/28/2017	BENEFIT PR ENDING 07/21/17	101-1010-41226	88.61
NM RETIREE HEALTH CARE	072617	07/28/2017	BENEFIT PR ENDING 07/21/17	101-1011-41226	315.87
NM RETIREE HEALTH CARE	072617	07/28/2017	BENEFIT PR ENDING 07/21/17	101-1012-41226	124.68
NM RETIREE HEALTH CARE	072617	07/28/2017	BENEFIT PR ENDING 07/21/17	101-1014-41226	210.94
NM RETIREE HEALTH CARE	072617	07/28/2017	BENEFIT PR ENDING 07/21/17	101-1016-41226	165.39
CITY UTILITIES	072717	07/28/2017	CITY UTILITIES CYCLE C&D	101-1018-43780	7,305.25
HERALD PUBLISHING CO., INC,	10772	07/28/2017	ICIP Public Hearing Advertisem...	101-1010-43740	61.84
HERALD PUBLISHING CO., INC,	10810	07/28/2017	SPECIAL USE PERMIT - 7/26/17 ...	101-1001-43740	26.97
M&M MECHANICAL	2274	07/28/2017	REPLACE CONDENSOR FAN MO...	101-1014-43403	303.80
WORKING PERSON'S STORE	2418476	07/28/2017	Steel Toe Boots/Joe McDonald	101-1012-44615	114.99
WORKING PERSON'S STORE	2418476	07/28/2017	Steel Toe Boots/Randy Baca	101-1012-44615	109.99
LIGHTNING MECHANICAL, LLC	3332	07/28/2017	inspect/troubleshoot/repair A/C...	101-1014-43403	102.77
JERRY D. WATTS, MSFPE	36502	07/28/2017	Annual Inspeccion/testing/certifi...	101-1014-43403	1,575.00
AXIOM CPAS AND BUSINESS AD...	4578	07/28/2017	FINAL BILLING/AUDIT	101-1004-48596	14,174.01
BRADY INDUSTRIES, LLC	5488871	07/28/2017	air freshner mulberry	101-1014-44607	60.00
BRADY INDUSTRIES, LLC	5488871	07/28/2017	glass cleaner	101-1014-44607	60.00
BRADY INDUSTRIES, LLC	5488871	07/28/2017	large black trash liners	101-1014-44607	68.00
BRADY INDUSTRIES, LLC	5488871	07/28/2017	dial hand soap	101-1014-44607	92.00
BRADY INDUSTRIES, LLC	5488871	07/28/2017	pine cleaner	101-1014-44607	50.00
BRADY INDUSTRIES, LLC	5488871	07/28/2017	center pull towels	101-1014-44607	180.00
BRADY INDUSTRIES, LLC	5488871	07/28/2017	pink hand soap	101-1014-44607	42.00
BRADY INDUSTRIES, LLC	5488871	07/28/2017	air freshner sassy citrus	101-1014-44607	60.00
NM RECYCLING COALITION	753	07/28/2017	MEMBERSHIP DUES/TRACI BUR...	101-1010-43770	200.00
PERRY SUPPLY CO.	51622830 004	07/28/2017	1/2 SHARKBITE END CAP	101-1014-43403	57.28
PERRY SUPPLY CO.	51622830 004	07/28/2017	SLOAN A38A DIAPHRAM KIT 3.5...	101-1014-43403	115.80
PERRY SUPPLY CO.	51622830 004	07/28/2017	7000 CFM 115V COOLER PUMP	101-1014-43403	195.12
PERRY SUPPLY CO.	51622830 004	07/28/2017	1/2 X 3/8 SHARKBITE ANGLE ST...	101-1014-43403	96.78
PERRY SUPPLY CO.	51622830 004	07/28/2017	FLUID MASTER PRO 45 BALL CO...	101-1014-43403	98.70
PERRY SUPPLY CO.	51622830 004	07/28/2017	SLOAN DIAPHRAM KIT 1.0GPF	101-1014-43403	135.80
PERRY SUPPLY CO.	51622830 004	07/28/2017	ZURN DIAPHRAM KIT 1.6 GPM	101-1014-43403	115.80

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PERRY SUPPLY CO.	51622830.004	07/28/2017	1/2 X 3/8 SHARKBITE STRAIGHT...	101-1014-43403	96.78
PERRY SUPPLY CO.	51622830.004	07/28/2017	1 1/2 CLOSET SPUD	101-1014-43403	41.90
GARY E. GAYLORD, CPA	TORC0072217	07/28/2017	SERVICCES/CPA-AUDIT	101-1004-48596	1,637.52
Fund 101 - General Total:					181,409.95

Fund: 201 - Corrections

NM JUDICIAL EDUCATION CENT...	070617	07/07/2017	JUDICIAL EDUCATION FEES	201-1903-44805	144.00
ADMINISTRATIVE OFFICE OF	070617	07/07/2017	DWI LAB FEES/PREVENTION FE...	201-1903-44805	308.00
SIERRA COUNTY TREASURER	071217	07/21/2017	PRISONER CARE 06-17	201-1903-48710	1,330.00
Fund 201 - Corrections Total:					1,782.00

Fund: 209 - Fire

CITY UTILITIES	071317	07/14/2017	CITY UTILITIES CYCLE A&B	209-1603-43780	331.73
XEROX CORP.	089747038	07/14/2017	BASE CHARGE/METER USAGE	209-1603-43770	315.70
MEGAHERTZ COMPUTER CONS...	6776	07/14/2017	INTERNET SERVICE	209-1603-43770	54.25
NM SELF INSURERS FUND	071417	07/21/2017	VOLUNTEER COVERAGE	209-1603-46730	7,649.00
WINDSTREAM CORPORATION	071817	07/21/2017	PHONE BILLS	209-1603-43775	118.15
LYNN'S LANDSCAPE	6196	07/21/2017	COMPLETE CLEAN-UP/NORTH S...	209-1603-47405	678.13
WHITEHEAD CHEVROLET, LLC	75156	07/21/2017	REPAIRS/EXPEDITION	209-1603-47420	50.48
CITY UTILITIES	072717	07/28/2017	CITY UTILITIES CYCLE C&D	209-1603-43780	254.78
ADVANCED COMMUNICATIONS...	6187	07/28/2017	REPLACE/COAX CABLE/TOWER	209-1603-47420	1,114.21
Fund 209 - Fire Total:					10,566.43

Fund: 214 - Lodgers Tax

GRIFFIN & ASSOCIATES MARKET...	12549	07/07/2017	ACCOUNT MANAGEMENT	214-2503-48599	264.21
GRIFFIN & ASSOCIATES MARKET...	12549	07/07/2017	ADVERTISING/CITY	214-2503-60596	1,411.80
LINDMARK OUTDOOR MEDIA	4505	07/14/2017	ADVERTISING/CITY	214-2503-47597	422.42
LINDMARK OUTDOOR MEDIA	4514	07/14/2017	ADVERTISING/CITY	214-2503-47597	422.42
JOHN DEERE CREDIT, INC.	1865822	07/21/2017	LEASE PAYMENT/FAIRWAY M...	214-2503-44810	950.73
Fund 214 - Lodgers Tax Total:					3,471.58

Fund: 216 - Muni Street

B & H OIL CO.	43003	07/14/2017	UNLEADED	216-4503-43316	9.27
B & H OIL CO.	43003	07/14/2017	DIESEL	216-4503-43317	245.95
REED'S TIRE CENTER	4388	07/21/2017	rim	216-4503-47420	138.50
REED'S TIRE CENTER	4388	07/21/2017	9-14.5 tire	216-4503-47420	220.00
TITAN MACHINERY, INC	9589717	07/21/2017	seal	216-4503-47420	124.00
TITAN MACHINERY, INC	9589717	07/21/2017	oring	216-4503-47420	40.00
TITAN MACHINERY, INC	9589717	07/21/2017	bushing	216-4503-47420	20.50
TITAN MACHINERY, INC	9589717	07/21/2017	snap ring	216-4503-47420	3.60
TITAN MACHINERY, INC	9589717	07/21/2017	bushing	216-4503-47420	43.00
TITAN MACHINERY, INC	9589717	07/21/2017	u-joint	216-4503-47420	223.00
TITAN MACHINERY, INC	9589717	07/21/2017	bearing	216-4503-47420	174.00
TITAN MACHINERY, INC	9589717	07/21/2017	plate	216-4503-47420	16.00
TITAN MACHINERY, INC	9589717	07/21/2017	seal	216-4503-47420	22.50
TITAN MACHINERY, INC	9589717	07/21/2017	shaft	216-4503-47420	724.00
TITAN MACHINERY, INC	9589717	07/21/2017	seal	216-4503-47420	25.00
TITAN MACHINERY, INC	9589717	07/21/2017	shim	216-4503-47420	4.25
TITAN MACHINERY, INC	9589722	07/21/2017	fork	216-4503-47420	598.00
TITAN MACHINERY, INC	9589722	07/21/2017	HSG/LH steering knuckle	216-4503-47420	871.00
BARTOO SAND & GRAVEL, INC.	M24311	07/21/2017	base course	216-4503-32842	2,712.50
IRON HORSE WELDING, LLLC	117990	07/28/2017	single tiger	216-4503-47420	83.27
IRON HORSE WELDING, LLLC	117990	07/28/2017	retainer J200	216-4503-47420	62.72
IRON HORSE WELDING, LLLC	117990	07/28/2017	toth longJ200	216-4503-47420	80.04
IRON HORSE WELDING, LLLC	117990	07/28/2017	pin J200	216-4503-47420	7.14
IRON HORSE WELDING, LLLC	117990	07/28/2017	flex pin	216-4503-47420	49.00
IRON HORSE WELDING, LLLC	117990	07/28/2017	thooth twin tiger long	216-4503-47420	33.68
4 RIVERS EQUIPMENT	323320	07/28/2017	brake pads	216-4503-47420	122.04
4 RIVERS EQUIPMENT	323320	07/28/2017	inner bearing	216-4503-47420	95.38
4 RIVERS EQUIPMENT	323320	07/28/2017	outer bearing	216-4503-47420	43.69
4 RIVERS EQUIPMENT	323320	07/28/2017	seal	216-4503-47420	37.77
4 RIVERS EQUIPMENT	323320	07/28/2017	hub assembly	216-4503-47420	352.13
REED'S TIRE CENTER	4447	07/28/2017	tube	216-4503-47420	15.00

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Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
REED'S TIRE CENTER	4447	07/28/2017	tire repair	216-4503-47420	10.85
GEO-TEST, INC.	95485	07/28/2017	MATERIAL TESTING/CN 1101070	216-4503-32842	360.14
				Fund 216 - Muni Street Total:	7,567.92
Fund: 294 - State Library					
TDS	070617	07/14/2017	INTERNET SERVICE	294-5003-60834	108.45
TDS	071217	07/14/2017	INTERNET SERVICE	294-5003-60834	108.45
WINDSTREAM CORPORATION	071817	07/21/2017	PHONE BILLS	294-5003-43775	81.26
				Fund 294 - State Library Total:	298.16
Fund: 295 - Muni Pool					
NM RETIREE HEALTH CARE	071217	07/14/2017	BENEFIT PR ENDING 07/07/17	295-4803-41226	54.68
XEROX CORP.	089747041	07/14/2017	METER USAGE	295-4803-44810	67.09
DESTINY MITCHELL	3439	07/14/2017	LIFE GUARD CERTIFICATION/GL...	295-4803-42720	150.00
DESTINY MITCHELL	3439	07/14/2017	LIFE GUARD CERTIFICATION/SA...	295-4803-42720	150.00
ROBIN HALL	071817	07/21/2017	REFUND DEPOSIT/POOL	295-4803-34355	50.00
ELAINE MIRANDA	071817	07/21/2017	REFUND DEPOSIT/POOL	295-4803-34355	50.00
NM RETIREE HEALTH CARE	072617	07/28/2017	BENEFIT PR ENDING 07/21/17	295-4803-41226	44.59
CITY UTILITIES	072717	07/28/2017	CITY UTILITIES CYCLE C&D	295-4803-43780	2,547.39
LIFEGUARD STORE INC	587157	07/28/2017	SM navy shorts SKU LGS4OGUS	295-4803-42620	22.50
LIFEGUARD STORE INC	587157	07/28/2017	Large Guard Shirts SKU LGS5GTSR	295-4803-42620	13.90
LIFEGUARD STORE INC	587157	07/28/2017	44 Staff swim suit SKU LGS12ST	295-4803-42620	32.00
LIFEGUARD STORE INC	587157	07/28/2017	XL Guard Shirt SKU LGS5GTSR	295-4803-42620	6.95
LIFEGUARD STORE INC	587157	07/28/2017	12 Lanyards Red SKU 180	295-4803-42620	6.48
LIFEGUARD STORE INC	587157	07/28/2017	SM Guard White Tank Top SKU ...	295-4803-42620	6.95
LIFEGUARD STORE INC	587157	07/28/2017	SM Guard Shirt SKU LGS5GTSR	295-4803-42620	13.90
LIFEGUARD STORE INC	587157	07/28/2017	XL Female White Female Tank T...	295-4803-42620	47.55
LIFEGUARD STORE INC	587157	07/28/2017	Small White Female Tank Top S...	295-4803-42620	15.85
LIFEGUARD STORE INC	587157	07/28/2017	34 Gaurd suit SKU DMGU	295-4803-42620	38.75
LIFEGUARD STORE INC	587157	07/28/2017	White Bucket Hats SKU 699	295-4803-42620	10.12
LIFEGUARD STORE INC	587157	07/28/2017	44 Manager suit SKU LGS12SU	295-4803-42620	60.00
LIFEGUARD STORE INC	587157	07/28/2017	XL gard tanktop SKU LGS5GTTR	295-4803-42620	6.95
LIFEGUARD STORE INC	587157	07/28/2017	44 Guard suit SKU LGS64GU	295-4803-42620	27.50
LIFEGUARD STORE INC	587157	07/28/2017	12 Whistles Black SKU 185	295-4803-42620	32.40
LIFEGUARD STORE INC	587157	07/28/2017	LG Navy shorts SKU LGS4OGUS	295-4803-42620	22.50
LIFEGUARD STORE INC	587157	07/28/2017	Red Guard Cap SKU 696	295-4803-42620	6.95
LIFEGUARD STORE INC	587157	07/28/2017	White Guard Caps SKU 698	295-4803-42620	27.80
				Fund 295 - Muni Pool Total:	3,512.80
Fund: 302 - Elec Construction					
NEW MEXICO FINANCE AUTHOR...070617		07/07/2017	ELECTRICAL LOAN PAYMENT/PR...	302-4603-90905	7,490.09
NEW MEXICO FINANCE AUTHOR...070617		07/07/2017	ELECTRICAL LOAN PAYMENT/IN...	302-4603-90910	2,275.60
NEW MEXICO FINANCE AUTHOR...070617		07/07/2017	ELECTRICAL LOAN PAYMENT/A...	302-4603-90915	147.82
				Fund 302 - Elec Construction Total:	9,913.51
Fund: 303 - Vet Wall					
WINDSTREAM CORPORATION	071817	07/21/2017	PHONE BILLS	303-4703-43775	125.65
				Fund 303 - Vet Wall Total:	125.65
Fund: 305 - CI Gen					
SMITHCO CONSTRUCTION INC.	#2	07/21/2017	CONSTRUCTION SERVICES/ANI...	305-6003-60820	11,302.50
BAE SYSTEMS	313431	07/28/2017	E-MAIL SERVICE 07/17	305-6003-43815	341.01
				Fund 305 - CI Gen Total:	11,643.51
Fund: 306 - CI Jt Uti					
NEW MEXICO FINANCE AUTHOR...070617-1		07/07/2017	WATER TANK LOAN PAYMENT/...	306-6103-90905	9,054.75
NEW MEXICO FINANCE AUTHOR...070617-1		07/07/2017	WATER TANK LOAN PAYMENT/...	306-6103-90910	872.90
NEW MEXICO FINANCE AUTHOR...070617-1		07/07/2017	WATER TANK LOAN PAYMENT/...	306-6103-90915	94.10
NEW MEXICO FINANCE AUTHOR...070617-2		07/07/2017	LOAN PAYMENT/TORC18/PRINC...	306-6103-90905	690.58
NEW MEXICO FINANCE AUTHOR...070617-3		07/07/2017	LOAN PAYMENT/TORC19/PRINC...	306-6103-90905	4,889.17
NEW MEXICO FINANCE AUTHOR...070617-3		07/07/2017	LOAN PAYMENT/TORC19/INTE...	306-6103-90910	2,709.60
				Fund 306 - CI Jt Uti Total:	18,311.10
Fund: 309 - USDA WWTP					
RMCI, INC	#14	07/28/2017	CONSTRUCTION/WWTP IMPRO...	309-6403-60810	10,691.46

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Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
SMITH ENGINEERING COMPANY	47061	07/28/2017	SERVICES/WWTP IMPROVE PH...	309-6403-60810	2,235.10
Fund 309 - USDA WWTP Total:					12,926.56
Fund: 312 - R&R Airport					
DELTA AIRPORT CONSULTANTS ...16-A		07/07/2017	SERVICES/AIRPORT FUEL FARM	312-8403-60403	14,078.04
Fund 312 - R&R Airport Total:					14,078.04
Fund: 403 - Pledge State					
GENERAL FUND	072017	07/21/2017	MUNI DIST PLEDGE STATE INTE...	403-1203-90905	18,725.34
GENERAL FUND	072017	07/21/2017	MUNI DIST PLEDGE STATE INTE...	403-1203-90910	11,602.00
GENERAL FUND	072017	07/21/2017	MUNI DIST PLEDGE STATE INTE...	403-1203-90925	26.53
Fund 403 - Pledge State Total:					30,353.87
Fund: 501 - Cemetary					
CITY UTILITIES	071317	07/14/2017	CITY UTILITIES CYCLE A&B	501-1803-43780	498.79
Fund 501 - Cemetary Total:					498.79
Fund: 502 - Util Office - Pool					
CREDA	070617	07/14/2017	CREDA BILLING 07/17	502-3601-43770	549.46
NM RETIREE HEALTH CARE	071217	07/14/2017	BENEFIT PR ENDING 07/07/17	502-3601-41226	166.82
XEROX CORP.	089530585	07/14/2017	BASE CHARGE/METER USAGE	502-3601-44810	230.54
XEROX CORP.	089565749	07/14/2017	BASE CHARGE/METER USAGE	502-3601-44810	116.33
XEROX CORP.	089747025	07/14/2017	BASE CHARGE/METER USAGE	502-3601-44810	317.19
XEROX CORP.	089747035	07/14/2017	BASE CHARGE/METER USAGE	502-3601-44810	53.16
B & H OIL CO.	43004	07/14/2017	UNLEADED	502-3601-43316	29.17
WINDSTREAM CORPORATION	071817	07/21/2017	PHONE BILLS	502-3601-43775	603.54
NM RETIREE HEALTH CARE	072617	07/28/2017	BENEFIT PR ENDING 07/21/17	502-3601-41226	166.82
POSTMASTER	072717	07/28/2017	POSTAGE	502-3601-43735	5,000.00
CITY UTILITIES	072717	07/28/2017	CITY UTILITIES CYCLE C&D	502-3601-43780	455.42
Fund 502 - Util Office - Pool Total:					7,688.45
Fund: 503 - Electric					
TRIPLE H SOLAR, LLC	0090	07/07/2017	SERVICES/ELECTRIC DEPT	503-3702-48599	1,606.19
SIERRA ELECTRIC CO-OP, INC.	070617	07/07/2017	MIMS CITY LIGHTS	503-3702-43780	527.34
eCIVIS, INC.	2017-100291	07/07/2017	GRANT RESEARCH LICENSE	503-3702-47415	550.00
SSA SOLAR OF NM 4, LLC	8366	07/07/2017	POWER SERVICE 06/17	503-3702-50795	27,975.78
SIERRA ELECTRIC CO-OP, INC.	070717	07/14/2017	POWER SERVICE 06/17	503-3702-50795	229,247.83
NM RETIREE HEALTH CARE	071217	07/14/2017	BENEFIT PR ENDING 07/07/17	503-3702-41226	328.56
CITY UTILITIES	071317	07/14/2017	CITY UTILITIES CYCLE A&B	503-3702-43780	49.24
XEROX CORP.	089747062	07/14/2017	BASE CHARGE/METER USAGE	503-3702-44810	40.06
TRI-STATE GENERATION & TRA...	301233	07/14/2017	POWER SERVICE 06/17	503-3702-50795	30,754.64
B & H OIL CO.	43007	07/14/2017	UNLEADED	503-3702-43316	100.64
B & H OIL CO.	43007	07/14/2017	DIESEL	503-3702-43317	239.49
WESTERN AREA POWER ADMIN	JJP81798A0617	07/14/2017	POWER SERVICE 06/17	503-3702-50795	50,422.20
WINDSTREAM CORPORATION	071817	07/21/2017	PHONE BILLS	503-3702-43775	40.94
CITY UTILITIES	071817	07/21/2017	CITY LANDFILL BILLS	503-3702-43780	290.10
POWER FORD	5183623	07/21/2017	running boards	503-3702-47420	325.00
NM RETIREE HEALTH CARE	072617	07/28/2017	BENEFIT PR ENDING 07/21/17	503-3702-41226	330.59
CITY UTILITIES	072717	07/28/2017	CITY UTILITIES CYCLE C&D	503-3702-43780	4,905.14
CHERRILL'S WESTERN	772861	07/28/2017	STEEL TOE BOOTS/CHRIS REES	503-3702-44615	150.00
CHERRILL'S WESTERN	772861	07/28/2017	STEEL TOE BOOTS/GREG PATE	503-3702-44615	150.00
CHERRILL'S WESTERN	772862	07/28/2017	Wrangler Jeans/Greg Pate	503-3702-42620	138.00
IRBY SUPPLY CO.	5010250207	07/28/2017	Klien D2000-9NE Side Cut Plier	503-3702-47415	351.12
IRBY SUPPLY CO.	5010250207	07/28/2017	44030 K-3 Phase Sequence Indi...	503-3702-47415	264.89
IRBY SUPPLY CO.	5010250207	07/28/2017	Tic-300-PRO 3467441 AC Voltag...	503-3702-47415	223.67
Fund 503 - Electric Total:					349,011.42
Fund: 504 - Water					
VERIZON WIRELESS	071017	07/14/2017	CELL PHONE BILLS	504-3803-43775	69.69
TAXATION AND REVENUE	071117	07/14/2017	WATER CONSERVATION FEE 06...	504-3803-43797	1,377.60
NM RETIREE HEALTH CARE	071217	07/14/2017	BENEFIT PR ENDING 07/07/17	504-3803-41226	179.64
CITY UTILITIES	071317	07/14/2017	CITY UTILITIES CYCLE A&B	504-3803-43780	507.23
B & H OIL CO.	43006	07/14/2017	UNLEADED	504-3803-43316	167.35
B & H OIL CO.	43006	07/14/2017	DIESEL	504-3803-43317	144.67

EOM AP Report

Payment Dates: 07/01/2017 - 07/31/2017

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
SMITH ENGINEERING COMPANY	47501	07/14/2017	SERVICES/WATER IMPROVE PH...	504-3803-48598	8,155.75
WINDSTREAM CORPORATION	071817	07/21/2017	PHONE BILLS	504-3803-43775	65.05
CITY UTILITIES	071817	07/21/2017	CITY LANDFILL BILLS	504-3803-43780	6.00
4 RIVERS EQUIPMENT	317692	07/21/2017	switch	504-3803-47420	72.56
FORGREN ASSOCIATES INC.	06170200	07/28/2017	SERVICES/MANHOLE REHABILIT...	504-3803-48598	3,326.69
NM RETIREE HEALTH CARE	072617	07/28/2017	BENEFIT PR ENDING 07/21/17	504-3803-41226	179.64
CITY UTILITIES	072717	07/28/2017	CITY UTILITIES CYCLE C&D	504-3803-43780	9,313.38
FORGREN ASSOCIATES INC.	16141	07/28/2017	SERVICES/MANHOLE REHABILIT...	504-3803-48598	7,404.56
CHERRILL'S WESTERN	772865	07/28/2017	Steel Toe Boots/Brian Bean	504-3803-44615	150.00
STEVE BELL CONSTRUCTION	C17160	07/28/2017	Bedding Sand 200 Tons	504-3803-47415	238.70
Fund 504 - Water Total:					31,358.51

Fund: 505 - Solid Waste

VERIZON WIRELESS	071017	07/14/2017	CELL PHONE BILLS	505-3904-43775	69.69
NM RETIREE HEALTH CARE	071217	07/14/2017	BENEFIT PR ENDING 07/07/17	505-3904-41226	377.69
XEROX CORP.	089747039	07/14/2017	METER USAGE	505-3904-44810	36.53
RUSTY'S WEIGH SCALES & SERV...	170629-11001	07/14/2017	CALIBRATE/SCALE	505-3904-44607	509.73
B & H OIL CO.	43002	07/14/2017	UNLEADED	505-3904-43316	50.43
B & H OIL CO.	43002	07/14/2017	DIESEL	505-3904-43317	666.05
CITY UTILITIES	071817	07/21/2017	CITY LANDFILL BILLS	505-3904-34601	20,525.80
WINDSTREAM CORPORATION	071817	07/21/2017	PHONE BILLS	505-3904-43775	149.01
CNA SURETY	072017	07/21/2017	WEIGHMASTER BOND/ANDRES...	505-3904-43770	100.00
DESERT GRAPHICS INC.	5130	07/21/2017	Westin Truck Bed Mat Heavy D...	505-3904-47420	314.97
DESERT GRAPHICS INC.	5130	07/21/2017	BG Step Bar Black (Cab Only	505-3904-47420	279.98
DESERT GRAPHICS INC.	5130	07/21/2017	Freight/ Shipping / Handling	505-3904-47420	35.00
DESERT GRAPHICS INC.	5130	07/21/2017	Westin Truck tail Gate Mat Hea...	505-3904-47420	149.97
DESERT GRAPHICS INC.	5130	07/21/2017	Labor	505-3904-47420	300.00
RELIABLE CHEVROLET INC.	791432	07/21/2017	sensor	505-3904-47420	64.41
RELIABLE CHEVROLET INC.	791432	07/21/2017	coolant tank	505-3904-47420	227.98
RELIABLE CHEVROLET INC.	791432	07/21/2017	CAP	505-3904-47420	12.81
RELIABLE CHEVROLET INC.	791432	07/21/2017	Accumulator	505-3904-47420	137.59
NM RETIREE HEALTH CARE	072617	07/28/2017	BENEFIT PR ENDING 07/21/17	505-3904-41226	392.09
CITY UTILITIES	072717	07/28/2017	CITY UTILITIES CYCLE C&D	505-3904-43780	630.26
RUSH TRUCK CENTER OF NEW ...	3007148421	07/28/2017	truck repair	505-3904-47420	243.70
CHERRILL'S WESTERN	772864	07/28/2017	Wrangler Jeans	505-3904-42620	137.94
CHERRILL'S WESTERN	772864	07/28/2017	Wrangler Shirts/Mike Johnson	505-3904-42620	143.94
CHERRILL'S WESTERN	772864	07/28/2017	Wrangler Jeans	505-3904-42620	137.94
CHERRILL'S WESTERN	772864	07/28/2017	Wrangler Shirts/Matthew Grans...	505-3904-42620	143.94
CHERRILL'S WESTERN	772866	07/28/2017	STEEL TOE BOOTS/KRISTEN WE...	505-3904-44615	110.00
CHERRILL'S WESTERN	772866	07/28/2017	STEEL TOE BOOTS/MICHELE BE...	505-3904-44615	95.00
CHERRILL'S WESTERN	772866	07/28/2017	STEEL TOE BOOTS/MATTHEW G...	505-3904-44615	150.00
CHERRILL'S WESTERN	772866	07/28/2017	STEEL TOE BOOTS/SHANNON C...	505-3904-44615	150.00
BARTOO SAND & GRAVEL, INC.	M24332	07/28/2017	Transport trash truck on lowboy...	505-3904-47420	682.47
Fund 505 - Solid Waste Total:					27,024.92

Fund: 506 - WWTP

VERIZON WIRELESS	071017	07/14/2017	CELL PHONE BILLS	506-4005-43775	69.69
VILLAGE OF WILLIAMSBURG	071117	07/14/2017	SEWER RECEIPTS 06/17	506-4005-48798	2,019.87
NM RETIREE HEALTH CARE	071217	07/14/2017	BENEFIT PR ENDING 07/07/17	506-4005-41226	244.55
CITY UTILITIES	071317	07/14/2017	CITY UTILITIES CYCLE A&B	506-4005-43780	267.57
XEROX CORP.	089834083	07/14/2017	METER USAGE	506-4005-44810	111.02
B & H OIL CO.	43005	07/14/2017	UNLEADED	506-4005-43316	105.70
B & H OIL CO.	43005	07/14/2017	DIESEL	506-4005-43317	31.60
WINDSTREAM CORPORATION	071817	07/21/2017	PHONE BILLS	506-4005-43775	101.45
CITY UTILITIES	071817	07/21/2017	CITY LANDFILL BILLS	506-4005-43780	54.54
INTERLAB	21743	07/21/2017	BOD-Influent	506-4005-44605	140.00
INTERLAB	21743	07/21/2017	BOD-Effluent	506-4005-44605	140.00
INTERLAB	21743	07/21/2017	Cadmium	506-4005-44605	300.00
INTERLAB	21743	07/21/2017	TSS-Influent	506-4005-44605	60.00
INTERLAB	21743	07/21/2017	Acrylonitrile	506-4005-44605	840.00
INTERLAB	21743	07/21/2017	TSS-Effluent	506-4005-44605	60.00
INTERLAB	21743	07/21/2017	WAS	506-4005-44605	45.00

EOM AP Report

Payment Dates: 07/01/2017 - 07/31/2017

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
REED'S TIRE CENTER	4370	07/21/2017	245-75R17 tire	506-4005-47420	262.00
DPC INDUSTRIES, INC.	DE7400045217	07/21/2017	DEMURRAGE/RENTAL INVOICE	506-4005-44607	150.00
FORT BEND SERVICES, INC.	0210500	07/28/2017	Fuel Surcharge	506-4005-44607	31.64
FORT BEND SERVICES, INC.	0210500	07/28/2017	Cationic Polymer	506-4005-44607	2,000.00
NM RETIREE HEALTH CARE	072617	07/28/2017	BENEFIT PR ENDING 07/21/17	506-4005-41226	230.22
CITY UTILITIES	072717	07/28/2017	CITY UTILITIES CYCLE C&D	506-4005-43780	8,127.66
B & H OIL CO.	43078	07/28/2017	5 Gallon Cont. Vegetable Oil	506-4005-47425	448.20
Fund 506 - WWTP Total:					15,840.71
Fund: 507 - Solid Waste Transfer Station					
GORDON ENVIRONMENTAL/PSC	01005617.00-3	07/14/2017	SERVICES/ENVIRONMENTAL M...	507-4203-80845	600.62
XEROX CORP.	089747036	07/14/2017	METER USAGE	507-4203-44810	7.99
GORDON ENVIRONMENTAL/PSC	01006917.00-1	07/28/2017	SERVICES/GROUNDWATER MO...	507-4203-80845	12,280.07
Fund 507 - Solid Waste Transfer Station Total:					12,888.68
Fund: 508 - Golf Course					
CITY UTILITIES	071317	07/14/2017	CITY UTILITIES CYCLE A&B	508-4303-43780	1,409.55
Fund 508 - Golf Course Total:					1,409.55
Fund: 509 - Muni Airport					
IKARD NEWSOM	101073829	07/07/2017	TANK RENT/AIRPORT	509-4403-43780	23.87
VERIZON WIRELESS	071017	07/14/2017	CELL PHONE BILLS	509-4403-43775	69.69
NM RETIREE HEALTH CARE	071217	07/14/2017	BENEFIT PR ENDING 07/07/17	509-4403-41226	67.10
B & H OIL CO.	43011	07/14/2017	UNLEADED	509-4403-43316	46.59
WINDSTREAM CORPORATION	071817	07/21/2017	PHONE BILLS	509-4403-43775	417.70
QUILL CORPORATION	8112013	07/21/2017	1 Black Toner and 3 Color Pack	509-4403-44606	150.74
SIERRA ELECTRIC CO-OP, INC.	072517	07/28/2017	AIRPORT FIRE STATION	509-4403-43780	45.30
SIERRA ELECTRIC CO-OP, INC.	072517-1	07/28/2017	AIRPORT FUELING STATION	509-4403-43780	836.74
SIERRA ELECTRIC CO-OP, INC.	072517-2	07/28/2017	PIPPEN BUILDING	509-4403-43780	39.77
NM RETIREE HEALTH CARE	072617	07/28/2017	BENEFIT PR ENDING 07/21/17	509-4403-41226	68.83
BARTOO SAND & GRAVEL, INC.	M24325	07/28/2017	Move T-33 Airplane Into Hangar	509-4403-48599	922.25
Fund 509 - Muni Airport Total:					2,688.58
Grand Total:					754,370.69

Report Summary

Fund Summary

Fund	Payment Amount
101 - General	181,409.95
201 - Corrections	1,782.00
209 - Fire	10,566.43
214 - Lodgers Tax	3,471.58
216 - Muni Street	7,567.92
294 - State Library	298.16
295 - Muni Pool	3,512.80
302 - Elec Construction	9,913.51
303 - Vet Wall	125.65
305 - CI Gen	11,643.51
306 - CI Jt Uti	18,311.10
309 - USDA WWTP	12,926.56
312 - R&R Airport	14,078.04
403 - Pledge State	30,353.87
501 - Cemetary	498.79
502 - Util Office - Pool	7,688.45
503 - Electric	349,011.42
504 - Water	31,358.51
505 - Solid Waste	27,024.92
506 - WWTP	15,840.71
507 - Solid Waste Transfer Station	12,888.68
508 - Golf Course	1,409.55
509 - Muni Airport	2,688.58
Grand Total:	754,370.69

Account Summary

Account Number	Account Name	Payment Amount
101-1000-43597	ATTORNEY FEES-GOVERN...	10,268.33
101-1001-41226	RETIREE INSURANCE-OFF ...	241.59
101-1001-42310	PER DIEM-OFFICE OF CITY...	105.00
101-1001-42720	EMPLOYEE TRAINING-OFF...	35.00
101-1001-43740	PRINTING/PUBLISHING	26.97
101-1001-43770	SUBSCRIPTION & DUES	285.00
101-1001-43775	TELEPHONE	537.18
101-1001-44810	EQUIPMENT & MACHINE...	463.55
101-1002-41226	RETIREE INSURANCE-MUN...	150.14
101-1002-42305	MILEAGE REIMBURSEME...	541.11
101-1002-42310	PER DIEM-MUNI COURT	1,073.00
101-1002-43770	SUBSCRIPTION & DUES	579.47
101-1002-43775	TELEPHONE	97.05
101-1002-60840	OTHER CAP PUR/AOC/JID ...	5,081.85
101-1003-41226	RETIREE INSURANCE-OFF ...	249.13
101-1003-42305	MILEAGE REIMBURSEME...	415.72
101-1003-42310	PER DIEM-OFF CITY MAN...	216.00
101-1003-42720	EMPLOYEE TRAINING-OFF...	135.00
101-1003-43316	GAS & OIL	27.68
101-1003-43770	SUBSCRIPTION & DUES	7,967.00
101-1003-43775	TELEPHONE	2,158.03
101-1003-44810	EQUIPMENT & MACHINE...	377.91
101-1003-48599	OTHER CONTRACTUAL SE...	11.00
101-1003-60784	Grant Expenses	23,212.23
101-1004-41226	RETIREE INSURANCE-ADM...	487.43
101-1004-43316	GAS & OIL	31.27
101-1004-43770	SUBSCRIPTION & DUES	220.00
101-1004-43775	TELEPHONE	534.19
101-1004-44810	EQUIPMENT & MACHINE...	299.28
101-1004-48596	AUDIT CONTRACT-ADMIN...	21,395.69

Account Summary

Account Number	Account Name	Payment Amount
101-1007-41226	RETIREE INSURANCE-POL...	1,825.58
101-1007-42310	PER DIEM-POLICE DEPT	600.00
101-1007-42720	EMPLOYEE TRAINING-POL...	280.00
101-1007-43316	GAS & OIL	538.28
101-1007-43770	SUBSCRIPTION & DUES	660.00
101-1007-43775	TELEPHONE	805.13
101-1007-44810	EQUIPMENT & MACHINE...	232.82
101-1007-46732	GENERAL LIABILITY INSUR...	175.00
101-1007-48599	OTHER CONTRACTUAL SE...	43,628.00
101-1008-41226	RETIREE INSURANCE-COD...	234.82
101-1008-43316	GAS & OIL	144.51
101-1008-43770	SUBSCRIPTION & DUES	35.00
101-1008-43775	TELEPHONE	53.42
101-1008-48599	OTHER CONTRACTUAL SE...	10,000.00
101-1009-41226	RETIREE INSURANCE-MUN...	144.00
101-1009-43316	GAS & OIL	130.71
101-1009-43317	DIESEL-RECREATION	50.25
101-1009-43775	TELEPHONE	295.14
101-1009-44607	FIELD SUPPLIES-MUNI RE...	171.50
101-1009-47420	MAINTENANCE VEHICLE/...	280.00
101-1010-41226	RETIREE INSURANCE-BUIL...	223.51
101-1010-43316	GAS & OIL	120.54
101-1010-43740	PRINTING/PUBLISHING	61.84
101-1010-43770	SUBSCRIPTION & DUES	235.00
101-1010-43775	TELEPHONE	704.85
101-1011-41226	RETIREE INSURANCE-STRE...	629.73
101-1011-43775	TELEPHONE	94.92
101-1012-41226	RETIREE INSURANCE-FLEE...	247.46
101-1012-43775	TELEPHONE	209.13
101-1012-44615	SAFETY EQUIPMENT	224.98
101-1014-41226	RETIREE INSURANCE-FACI...	421.88
101-1014-43316	GAS & OIL	221.85
101-1014-43403	REGULAR BUILDING MAI...	4,165.93
101-1014-43775	TELEPHONE	422.62
101-1014-44606	OFFICE SUPPLIES	224.99
101-1014-44607	FIELD SUPPLIES-FACILITY ...	1,582.23
101-1014-44810	EQUIPMENT & MACHINE...	10.92
101-1016-41226	RETIREE INSURANCE-LIBR...	329.05
101-1017-48599	OTHER CONTRACTUAL SE...	22,857.44
101-1018-43780	UTILITIES	10,439.12
101-1018-46732	GENERAL LIABILITY INSUR...	100.00
101-1099-34348	RENT OF PUBLIC FACILITIES	375.00
201-1903-44805	AUTO/LAB/DWI/IUD ED	452.00
201-1903-48710	CARE OF PRISONERS-COR...	1,330.00
209-1603-43770	SUBSCRIPTION & DUES	369.95
209-1603-43775	TELEPHONE	118.15
209-1603-43780	UTILITIES	586.51
209-1603-46730	INSURANCE (NON EMPLO...	7,649.00
209-1603-47405	MAINTENANCE-BUILDING ...	678.13
209-1603-47420	MAINTENANCE VEHICLE/...	1,164.69
214-2503-44810	EQUIPMENT & MACHINE...	950.73
214-2503-47597	9% ADVERTISING/MARKET...	844.84
214-2503-48599	OTHER CONTRACTUAL SE...	264.21
214-2503-60596	STATE ADVERTISING GRA...	1,411.80
216-4503-32842	ROADWAYS - NMFA	3,072.64
216-4503-43316	GAS & OIL	9.27
216-4503-43317	DIESEL FUEL-STREET MAI...	245.95
216-4503-47420	MAINT.VEHILCE/FURN/E...	4,240.06

Account Summary

Account Number	Account Name	Payment Amount
294-5003-43775	TELEPHONE	81.26
294-5003-60834	STATE LIBRARY GRANT-ST...	216.90
295-4803-34355	POOL DEPOSIT/RENTAL	100.00
295-4803-41226	RETIREE INSURANCE-MUN...	99.27
295-4803-42620	UNIFORMS-LIFEGUARDS	399.05
295-4803-42720	EMPLOYEE TRAINING-M...	300.00
295-4803-43780	UTILITIES-MUNI POOL	2,547.39
295-4803-44810	EQMT/MACHINERY-MUNI...	67.09
302-4603-90905	DEBT SERVICE PRINCIPAL	7,490.09
302-4603-90910	DEBT SERVICE INTEREST	2,275.60
302-4603-90915	COMMITMENT FEES & O...	147.82
303-4703-43775	TELEPHONE	125.65
305-6003-43815	SOFTWARE LIC/SOFTWAR...	341.01
305-6003-60820	ANIMAL SHELTER STB GR...	11,302.50
306-6103-90905	DEBT SERVICE PRINCIPAL...	14,634.50
306-6103-90910	DEBT SERVICE INTEREST	3,582.50
306-6103-90915	COMMITMENTS & OTHER...	94.10
309-6403-60810	USDA GRANT	12,926.56
312-8403-60403	TAXIWAY A PAVEMENT	14,078.04
403-1203-90905	DEBT SERVICE PRINCIPAL...	18,725.34
403-1203-90910	DEBT SERVICE INTEREST	11,602.00
403-1203-90925	COMMITMENTS & OTHER...	26.53
501-1803-43780	UTILITIES	498.79
502-3601-41226	RETIREE INSURANCE-UTIL...	333.64
502-3601-43316	GAS & OIL	29.17
502-3601-43735	POSTAGE & MAIL SERVICE...	5,000.00
502-3601-43770	SUBSCRIPTIONS & DUES	549.46
502-3601-43775	TELEPHONE	603.54
502-3601-43780	UTILITIES	455.42
502-3601-44810	EQUIPMENT & MACHINE	717.22
503-3702-41226	RETIREE INSURANCE-ELEC...	659.15
503-3702-42620	UNIFORM/LINEN-ELECTRI...	138.00
503-3702-43316	GAS & OIL	100.64
503-3702-43317	DIESEL FUEL-ELECTRIC DIV...	239.49
503-3702-43775	TELEPHONE	40.94
503-3702-43780	UTILITIES	5,771.82
503-3702-44615	SAFETY EQUIPMENT	300.00
503-3702-44810	EQUIPMENT/MACHINERY...	40.06
503-3702-47415	MAINTENANCE/GROUNDS...	1,389.68
503-3702-47420	MAINTENANCE-VEHICLE/...	325.00
503-3702-48599	OTHER CONTRACTUAL SE...	1,606.19
503-3702-50795	WHOLESALE POWER COS...	338,400.45
504-3803-41226	RETIREE INSURANCE-WAT...	359.28
504-3803-43316	GAS & OIL	167.35
504-3803-43317	DIESEL-WATER DIVISION	144.67
504-3803-43775	TELEPHONE	134.74
504-3803-43780	UTILITIES	9,826.61
504-3803-43797	WATER CONSERVATION...	1,377.60
504-3803-44615	SAFETY EQUIPMENT	150.00
504-3803-47415	MAINTENANCE-GROUNDS...	238.70
504-3803-47420	MAINTENANCE-VEHICLE/...	72.56
504-3803-48598	PROFESSIONAL SERVICES	18,887.00
505-3904-34601	WASTE DISPOSAL	20,525.80
505-3904-41226	RETIREE INSURANCE-SOLI...	769.78
505-3904-42620	UNIFORM/LINEN-SOLID ...	563.76
505-3904-43316	GAS & OIL	50.43
505-3904-43317	DIESEL FUEL-SOLID WASTE...	666.05
505-3904-43770	SUBSCRIPTION & DUES	100.00

Account Summary

Account Number	Account Name	Payment Amount
505-3904-43775	TELEPHONE	218.70
505-3904-43780	UTILITIES	630.26
505-3904-44607	FIELD SUPPLIES-SOLID WA...	509.73
505-3904-44615	SAFETY EQUIPMENT	505.00
505-3904-44810	EQUIPMENT & MACHINE...	36.53
505-3904-47420	MAINTENANCE-VEHICLE/...	2,448.88
506-4005-41226	RETIREE INSURANCE-WAS...	474.77
506-4005-43316	GAS & OIL	105.70
506-4005-43317	DIESEL FUEL-WASTEWAT...	31.60
506-4005-43775	TELEPHONE	171.14
506-4005-43780	UTILITIES	8,449.77
506-4005-44605	CHEMICALS/LABORATORY...	1,585.00
506-4005-44607	FIELD SUPPLIES-WASTEW...	2,181.64
506-4005-44810	CAPITAL IMPROVEMENT...	111.02
506-4005-47420	MAINTENANCE-VEHICLE/...	262.00
506-4005-47425	OTHER MAINTENANCE-W...	448.20
506-4005-48798	VILLAGE OF WILLIAMSBU...	2,019.87
507-4203-44810	EQUIPMENT & MACHINE...	7.99
507-4203-80845	CAPITAL PURCHASES(LAN...	12,880.69
508-4303-43780	UTILITIES	1,409.55
509-4403-41226	RETIREE INSURANCE-AIR...	135.93
509-4403-43316	GAS & DIESEL	46.59
509-4403-43775	TELEPHONE	487.39
509-4403-43780	UTILITIES	945.68
509-4403-44606	OFFICE SUPPLIES	150.74
509-4403-48599	OTHER CONTRACTUAL SE...	922.25
	Grand Total:	754,370.69

Project Account Summary

Project Account Key	Payment Amount
None	754,370.69
Grand Total:	754,370.69



F.1

CITY OF TRUTH OR CONSEQUENCES COMMISSION ACTION FORM

ITEM:

DISCUSSION/PUBLIC INPUT: 2019-2023 INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN (ICIP)

BACKGROUND:

The ICIP is a plan that establishes planning priorities for the future projects for the City. The Department of Finance and Administration (DFA) encourages municipal entities to annually review, reprioritize and adopt by resolution the new plan. The deadline for submitting the ICIP is September 1st by 5:00 p.m.

Attached is a summary sheet of the current projects and a Power Point presentation regarding the ICIP process.

The purpose of the public hearing is to present to the public the 5-year list of infrastructure projects and to gather public input on new or existing projects. Staff will also seek public and Commission input and direction in regards to prioritizing each of the projects.

SUPPORT INFORMATION:

- ICIP Project Summary 2019-2023
- ICIP Power Point Presentation

Name of Drafter: Traci Burnette	Department: Community Development	Meeting date: 8-9-2017
E-mail: tburnette@lorcnm.org	Phone: 575-894-6673 Ext. 353	

Infrastructure Capital Improvement Plan FY 2019-2023

Truth or Consequences Project Summary

ID	Year	Rank	Project Title	Category	Funded to date	2019	2020	2021	2022	2023	Total Project Cost	Amount Not Yet Funded	Phases?
26604	2019	001	Animal Shelter	Public Safety Equipment/Bldgs	451,000	200,000	0	0	0	0	651,000	200,000	No
26571	2019	002	Wastewater Treatment Plant Renovation	Wastewater	11,357,400	1,252,329	0	0	0	0	12,609,729	1,252,329	Yes
32976	2019	003	Cook Street Water Treatment Facility Improvements	Water Supply	0	2,045,660	0	0	0	0	2,045,660	2,045,660	No
24062	2019	004	Airport Fuel Farm Storage Tank Replacement	Airports	834,738	232,852	0	0	0	0	1,067,590	232,852	No
10579	2019	005	Regional Detention Center	Adm/Service Facilities (local)	0	7,600,000	0	0	0	0	7,600,000	7,600,000	Yes
26605	2019	006	Construction & Demolition Landfill	Landfills	0	500,000	725,000	0	0	0	1,225,000	1,225,000	Yes
17930	2019	007	Electrical Main Feeders Upgrade	Utilities (publicly-owned)	0	50,000	50,000	1,000,000	1,000,000	0	2,100,000	2,100,000	Yes
23328	2019	008	Storm Drain Improvements In Downtown	Storm/Surface Water Control	0	190,000	1,960,000	0	0	0	2,150,000	2,150,000	Yes
33030	2020	001	Regional Safety Complex	Public Safety Equipment/Bldgs	0	2,654,100	0	0	0	0	2,654,100	2,654,100	No
16524	2020	002	Water Line Replacement	Water Supply	0	9,420,000	9,420,000	9,420,000	9,420,000	9,420,000	47,100,000	47,100,000	Yes
33002	2020	003	City Wide Storm Drain Improvements	Storm/Surface Water Control	0	0	650,000	550,000	1,550,000	0	2,750,000	2,750,000	Yes
24061	2020	004	Pole Replacement Program	Utilities (publicly-owned)	0	300,000	300,000	300,000	300,000	300,000	1,500,000	1,500,000	Yes
33003	2021	001	Capacitor Upgrades	Utilities (publicly-owned)	0	0	0	106,250	0	0	106,250	106,250	No
17717	2021	002	Water Tank Repair	Water Supply	0	0	0	100,000	0	0	100,000	100,000	No
17702	2021	003	Water Well North	Water Supply	0	0	0	50,000	1,900,000	0	1,950,000	1,950,000	Yes
17715	2021	004	ADA Restrooms For Armijo Park	Public Parks (local)	0	0	0	110,000	0	0	110,000	110,000	Yes

Monday, July 31, 2017

Truth or Consequences/ICTP 21002

Infrastructure Capital Improvement Plan FY 2019-2023

22194	2021	005	Senior Citizens' Complex	Senior Facilities	0	0	0	50,000	400,000	6,000,000	6,450,000	6,450,000	Yes
33004	2022	001	New and Upgraded Circuit Swtiches	Utilities (publicly-owned)	0	0	0	0	280,000	0	280,000	280,000	Yes
33006	2022	002	Batter/Enclosure Replacement at Substation	Utilities (publicly-owned)	0	0	0	0	7,500	0	7,500	7,500	No
24068	2022	003	Effluent Water to Cemetery	Water Supply	0	0	0	0	600,000	0	600,000	600,000	Yes
33008	2023	001	Corona & Camino Del Cielo Underground Upgrades	Utilities (publicly-owned)	0	0	0	0	0	1,328,381	1,328,381	1,328,381	Yes
23327	2023	002	Citywide Sidewalks and Signage	Hiways/Roads/Streets/Bridges	0	0	0	0	0	190,000	190,000	190,000	Yes
17704	2023	003	Library expansion	Libraries	0	0	0	0	0	376,500	376,500	376,500	No
12005	2023	004	Dog Park	Public Parks (local)	0	0	0	0	0	60,000	60,000	60,000	Yes
17693	2023	005	Hospital Expansion	Health-Related Cap Infra	0	0	0	0	0	1,200,000	1,200,000	1,200,000	No
10588	2023	006	New City Hall/Commission Chambers	Adm/Service Facilities (local)	0	0	0	0	0	2,900,000	2,900,000	2,900,000	Yes
30094	2023	007	Citywide Broadband	Economic Development	0	0	0	0	0	35,000	35,000	35,000	No
9593	2023	008	Civic Center Improv/Renovation	Convention Facilities	0	0	0	0	0	180,000	180,000	180,000	Yes
11994	2023	009	Multi-purpose Recreation Complex	Public Parks (local)	0	0	0	0	0	2,000,000	2,000,000	2,000,000	Yes

Number of projects: 29

	Funded to date:	Year 1:	Year 2:	Year 3:	Year 4:	Year 5:	Total Project Cost:	Total Not Yet Funded:
Grand Totals	12,643,138	24,444,940	13,105,000	11,686,250	15,457,500	23,989,880	101,326,712	88,683,560



INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN 2019–2023



What is the ICIP?

- ▶ The local Infrastructure Capital Improvement Plan (ICIP) is a plan that establishes planning priorities for anticipated capital projects.
- ▶ Covers a five year period, 2019–2023
- ▶ Developed annually.
- ▶ Includes policy direction, funding time frame, estimated costs, justifications, and details of each infrastructure capital improvement project proposed.



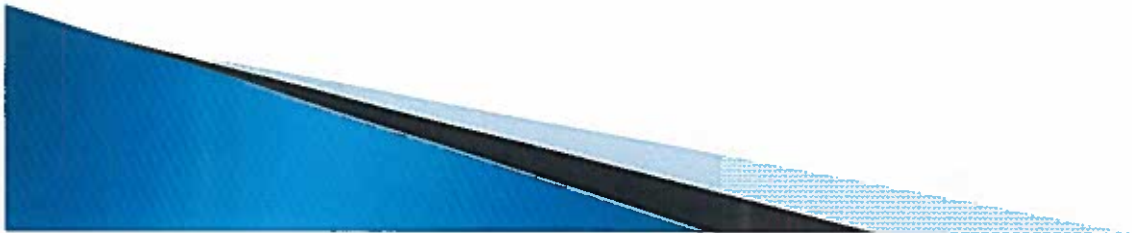
What is the ICIP?

- ▶ The need for this kind of planning has gained importance in NM, where entities are faced with pressing demands for multiple capital improvements and limited funding to support them.
- ▶ The State encourages entities to plan for the development of capital improvements so that they do not find themselves in emergency situations, but can plan for, fund, and develop infrastructure at a pace that sustains their activities.



What is Infrastructure?

- ▶ Infrastructure refers to the fundamental facilities and systems serving a country, city, or area, including the services and facilities necessary for its economy to function and can be defined as "the physical components of interrelated systems providing commodities and services essential to enable, sustain, or enhance societal living conditions."



Types of Infrastructure

- ▶ Roads
- ▶ Bridges
- ▶ Tunnels
- ▶ Water Supply
- ▶ Wastewater Treatment
- ▶ Electrical grids
- ▶ Telecommunications
- ▶ Gas
- ▶ Solid Waste



Developing the Local Infrastructure Capital Improvement Plan

ID Projects (New & Current Inventory) Obtain Costs

- a. Collaborate with all departments
- b. Estimate Cost
- c. Include operating and maintenance expenses

Prioritize – Critical Criteria

- a. Public Health and Safety
- b. Legal liability
- c. Timeline
- d. Emergency
- e. Compliance



Available Funding Sources

- ▶ Legislative Capital Outlay – State Appropriations
- ▶ Community Development Block Grant (CDBG)
- ▶ USDA
- ▶ Colonias
- ▶ Water Trust Board
- ▶ New Mexico Finance Authority
- ▶ Aging and Long Term Services
- ▶ Local Govt. Road Fund
- ▶ NMDOT
- ▶ Private–Placement Financing



Currently Funded ICIP Projects

- ▶ Animal Shelter
- ▶ Electric Feeder Upgrade
- ▶ Veteran's Wall
- ▶ Wastewater Treatment Plant Upgrades
- ▶ Airport Fuel Farm
- ▶ Electrical Pole Replacement
- ▶ New Hospital Expansion
- ▶ Sims Road Rehab
- ▶ Broadway Sidewalk Project



ICIP Projects Funding In Progress

- ▶ Law Enforcement Complex – Loan (NMFA/PP)
- ▶ Water/Electric Meter AMR – Savings Contract
- ▶ Cook Street Water Treatment – USDA



Infrastructure Capital Improvement Plan FY 2019-2023

Truth or Consequences Project Summary

ID	Year	Rank	Project Title	Category	Funded to date	2019	2020	2021	2022	2023	Total Project Cost	Amount Not Yet Funded	Phases?
26604	2019	001	Animal Shelter	Public Safety Equipment/Bldgs	451,000	200,000	0	0	0	0	651,000	200,000	No
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26605	2019	006	Construction & Demolition Landfill	Landfills	0	500,000	725,000	0	0	0	1,225,000	1,225,000	Yes
17930	2019	007	Electrical Main Feeders Upgrade	Utilities (publicly-owned)	0	50,000	50,000	1,000,000	1,000,000	0	2,100,000	2,100,000	Yes
23328	2019	008	Storm Drain Improvements In Downtown	Storm/Surface Water Control	0	190,000	1,960,000	0	0	0	2,150,000	2,150,000	Yes
33030	2020	001	Regional Safety Complex	Public Safety Equipment/Bldgs	0	2,654,100	0	0	0	0	2,654,100	2,654,100	No
16524	2020	002	Water Line Replacement	Water Supply	0	9,420,000	9,420,000	9,420,000	9,420,000	9,420,000	47,100,000	47,100,000	Yes
33002	2020	003	City Wide Storm Drain Improvements	Storm/Surface Water Control	0	0	650,000	550,000	1,550,000	0	2,750,000	2,750,000	Yes
24061	2020	004	Pole Replacement Program	Utilities (publicly-owned)	0	300,000	300,000	300,000	300,000	300,000	1,500,000	1,500,000	Yes
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Monday, July 31, 2017

Truth or Consequences/ICIP 21002

Infrastructure Capital Improvement Plan FY 2019-2023

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33004	2022	001	New and Upgraded Circuit Switches	Utilities (publicly-owned)	0	0	0	0	280,000	0	280,000	280,000	Yes
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17704	2023	003	Library expansion	Libraries	0	0	0	0	0	376,500	376,500	376,500	No
12005	2023	004	Dog Park	Public Parks (local)	0	0	0	0	0	60,000	60,000	60,000	Yes
17693	2023	005	Hospital Expansion	Health-Related Cap Infra	0	0	0	0	0	1,200,000	1,200,000	1,200,000	No
10588	2023	006	New City Hall/Commission Chambers	Adm/Service Facilities (local)	0	0	0	0	0	2,900,000	2,900,000	2,900,000	Yes
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Number of projects: 29

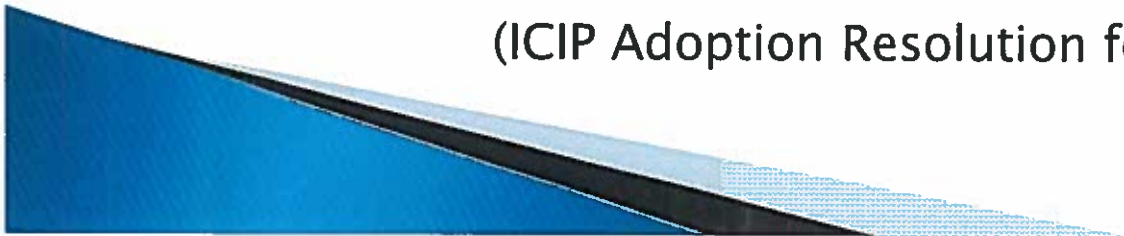
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ICIP Feedback

- ▶ Questions
- ▶ Suggested Infrastructure Projects
- ▶ Project Priority

(ICIP Adoption Resolution for 8/23/2017)





G.1

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

ITEM:

Discussion/Action: Resolution No. 05 17/18 and Resolution No. 05-A 17/18 approving the required Community Development Block Grant (CDBG) Annual Certifications and Commitments and Fair Housing Policy.

BACKGROUND:

The City of T or C was awarded and has accepted a grant in the amount of \$500,000.00 from CDBG for Wastewater System Improvements, specifically the replacement and rehabilitation of City Manholes. CDBG requires a yearly adoption of an Annual Certifications and Commitments Resolution for the following:

- Citizen Participation Plan
- Fair Housing Resolution
- Residential Anti Displacement and Relocation Assistance Plan
- Section 3 Plan
- Procurement Plan

SUPPORT INFORMATION:

- Citizen Participation Plan
- Fair Housing Resolution
- Residential Anti Displacement and Relocation Assistance Plan
- Section 3 Plan
- Procurement Plan

STAFF RECOMMENDATION:

To approve and sign the CDBG required resolutions and plans.

Name of Drafter: Melissa Torres	Department: Finance Director	Meeting date: 8-09-17
E-mail: mtorres@torcnm.org	Phone: 575-894-6673 Ext. 310	

Grantee Name: City of Truth or Consequences

CDBG Project Number: 15-C-NR-I-01-G-06

RESOLUTION # 05 17/18

**ADOPTION OF REQUIRED
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
ANNUAL CERTIFICATIONS AND COMMITMENTS**

WHEREAS, municipalities, counties or other entities that accept Community Development Block Grant (CDBG) funds must adopt certain required federal regulations; and

WHEREAS, the City of Truth or Consequences (hereinafter referred to as the Grantee) wishes to ensure compliance with federal regulations by adopting the following required certifications and commitments:

Citizen Participation	certifies its commitment to citizen participation by preparing and adopting a Citizen Participation Plan that includes ways to encourage public input using various methods to reach the public and assures that citizens are provided reasonable notice and timely access to local meetings, per the Open Meetings Act (NMSA 1978, Chapter 10, Article 15)
Fair Housing	certifies its commitment to the Fair Housing Act of 1968 to affirmatively further fair housing, which prohibits discrimination in the sale, rental, leasing and financing of housing or land to be used for the construction of housing on the basis of race, color, religion, sex, disability, familial status, or national origin
Residential Anti-Displacement & Relocation Assistance	certifies its compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, whose purpose is to provide uniform, fair, and equitable treatment for persons whose real property is acquired or for persons displaced as a result of a CDBG-funded project or activity
Section 3	certifies its commitment to Section 3, a provision of the Housing and Urban Development (HUD) Act of 1968, which requires recipients of certain HUD financial assistance, to the greatest extent feasible, provide job training, employment, and contracting opportunities for low and very low income residents in connection with projects and activities in their community
Procurement	certifies its compliance with federal procurement code (24 CFR Part 85.36) and New Mexico Procurement Code (§13-1-120 NMSA 1978) by adopting a procurement policy annually for CDBG projects

NOW, THEREFORE, BE IT RESOLVED, that the Grantee adopts the above CDBG certifications and commitments that must be adopted annually.

PASSED, APPROVED, SIGNED, AND ADOPTED at a duly called and convened regular meeting of the governing body of the City of Truth or Consequences this 9 day of August, 2017.

SIGNED: _____
Mayor Steve Green , Chief Elected Official

ATTEST:

(Name and Title) Renee Cantin, City Clerk

Exhibit 1-O

FAIR HOUSING RESOLUTION WITH REQUIRED ELEMENTS

A resolution of the City Commissioners of the City of Truth or Consequences, adopting a fair housing policy, making known its commitment to the principle of fair housing, and describing actions it shall undertake to affirmatively further fair housing.

WHEREAS; the Housing and Community Development act of 1974 as amended requires that all applicant for Community Development Block Grants funds certify that they shall affirmatively further fair housing; and

WHEREAS; the Civil Rights Act of 1968 (commonly known as the Federal Fair Housing Act) and the Fair Housing Amendments Act of 1988 declare a national policy to prohibit discrimination in the sale, rental, leasing and financing of housing or land to be used for the construction of housing or in the provision of brokerage services, on the basis of race, color, religion, sex, disability, familial status or national origin; and

WHEREAS; fairness is the foundation of the American system and reflects traditional American values; and

WHEREAS; discriminatory housing practices undermine the strength and vitality of America and its people;

NOW, THEREFORE, BE RESOLVED THAT the City Commissioners of the City of Truth or Consequences hereby wish all persons living, working, doing business in or traveling through this City to know that: discrimination in the sale, rental, leasing, and financing of housing or land to be used for construction of housing, or in the provision of brokerage services on the basis of race, color, religion, sex, handicap, familial status or national origin is prohibited by Title VIII of the Fair Housing Act Amendments of 1988; and that it is the policy of the City of Truth or Consequences to implement programs, within the constraints of its resources, to ensure equal opportunity in housing for all persons regardless of race, color, religion, sex, handicap, familial status or national origin; and within available resources the City of Truth or Consequences will assist all persons who feel they have been discriminated against in housing issues on the basis of race, color, religion, sex, handicap, familial status or national origin to seek equality under existing federal and state laws to file a complaint with the New Mexico Attorney General's Office or the U.S. Department of Housing and Urban Development; and that the City of Truth or Consequences shall publicize this Resolution and thereby encouraging owners of rental properties, developers, builders and others involved with housing to become aware of their respective responsibilities and rights under the Fair Housing Amendments Act of 1988 and any applicable state or local laws or ordinances; and that the City of Truth or Consequences shall undertake the following actions to affirmatively further fair housing:

(List all such actions to include: mailing copies of this resolution to the real estate community, banks, developers, community organizations and local media; posting copies of this resolution at identified locations; distributing flyers; sponsoring schools)

List actions here

PASSED AND ADOPTED BY THE City Commissioners of the City
of Truth or Consequence on this _____ day of _____.

ATTEST:

APPROVED AS TO FOR:

City Clerk

City Attorney

EXHIBIT 1-P

CITIZEN PARTICIPATION PLAN WITH REQUIRED ELEMENTS

Introduction

In accordance with the 1987 revisions to the Housing and Community Development Act and in an effort to further encourage citizen participation, City of Truth or Consequences has prepared and adopted this Citizen Participation Plan.

Objective A

City of Truth or Consequences will provide for and encourage citizen participation within its area of jurisdiction, with particular emphasis on participation by persons of low and moderate income. *Action items:*

1. *Adopt and circulate an Open Meetings Resolution which provides citizens with reasonable notice of county/municipality upcoming meetings, actions and functions.*
2. *Develop press releases on county/municipality meetings, actions and hearings, and circulate to newspapers, radio and television media.*
3. *Develop and maintain listing of groups and representative of low and moderate income persons, and include on mailing lists of announcements, notices, press releases, etc.*

Objective B

City of Truth or Consequences will provide citizens with reasonable and timely access to local meetings, information and records relating to the proposed and actual use of CDBG funds. *Action items:*

1. *Public notices, press releases, etc., should allow for a maximum length of notice to citizens.*
2. *Appropriate information and records relating to the proposed and actual use of CDBG funds must be available upon request to all citizens. Personnel and income records may be exempted from these requirements.*
3. *Meetings, hearing, etc., should be conducted at times and locations conducive to public attendance, e.g., evenings, Saturdays.*

Objective C

City of Truth or Consequences will provide technical assistance to groups and representatives of low and moderate income persons that request assistance in developing proposals. *Note: the level and type of assistance is to be determined by the county/municipality. Action items:*

1. *Low and moderate income groups should be advised that technical assistance, particularly in the area of community development, is available from the county/municipality upon request.*
2. *Document technical assistance provided to such groups and has documentation available for review.*

Objective D

City of Truth or Consequences will provide a minimum of two public hearings to obtain citizen participation and respond to proposals and questions at all stages of the Community Development Block Grant Program. *Action items:*

1. *Advise citizens of the CDBG program objectives, range of activities that can be applied for and other pertinent information.*
2. *Conduct a minimum of two public hearings:*
 - a. *One public hearing will be held to advise citizens of the program objectives and range of activities that can be applied for, and to obtain the citizen's views on community development and housing needs, to include the needs of low and moderate income people. This hearing will take place prior to the selection of the project to be submitted to the state for CDBG funding assistance.*
 - b. *A second public hearing will be held to review program performances, past use of funds and make available to the public its community development and housing needs, including the needs of low and moderate income families, and the activities to be undertaken to meet such needs.*
3. *Publish public hearing notices in the non-legal section of newspapers or in other local media. Evidence of compliance with these regulations will be provided with each CDBG application, i.e., hearing notice minutes of public meetings, list of needs and activities to be undertaken, etc. Amendments to goals, objectives and applications are also subject to public participation.*

Objective E

City of Truth or Consequences will provide timely written answers to written complaints and grievances within 15 working days where practical. *Action items:*

1. *Adopt complaint handling procedures or policies to insure that complaints or grievances are responded to within 15 days, if possible.*
2. *Allow for appeal of a decision to a neutral authority.*
3. *File a detailed record of all complaints or grievances and responses in one central location with easy public access.*

Objective F

City of Truth or Consequences will identify how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of residents can be reasonably expected to participate. *Action items:*

1. *Identify areas where large majorities of non-English speaking persons reside and make appropriate provisions when issues affecting these areas are to be discussed at public meetings, hearings, etc. Appropriate provisions will include having interpreters available at the meeting and having briefing material available in the appropriate language.*
2. *Maintain records/rosters of public hearing attendees and proceedings to verify compliance with this objective.*

Exhibit 1-R
RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE
PLAN WITH REQUIRED ELEMENTS

Residential Anti-Displacement and Relocation Assistance Plan

I. Background/Introduction

Section 104(d) of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5304(d)(4)), Section 105(b)(16) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12705(b)(16)), and implementing regulations at 24 CFR Part 42, specify that a grantee under the Community Development Block Grant (CDBG) must certify that it has in effect and is following a "residential Anti-displacement and relocation assistance plan" (Plan). As a CDBG grantee, City of T or C must certify to State of New Mexico Department of Finance and Administration Local Government Division that it has and is following such a Plan.

The Plan must include three components: 1) one-for-one replacement requirements for lower-income housing units, 2) relocation assistance, and 3) a description of the steps City of T or C will take to minimize displacement.

II. Activities Covered by the Plan

All activities involving the use of CDBG funds that cause displacement as a direct result of demolition or conversion of a lower-income dwelling are subject to the requirements specified in the Plan. Activities for which funds are first obligated on or after September 30, 1988 are subject to the requirements specified in the Plan, without regard to the source year of the funds.

III. Uniform Relocation Act

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA) govern displacement that directly results from acquisition, rehabilitation, or demolition of real property when federal funds are used. City of T or C's Residential Anti-displacement and Relocation Assistance Plan is in no way intended to supersede the URA. CDBG assisted activities may still be subject to the requirements of the URA.

IV. One-for-One Replacement Units

All occupied and vacant occupiable lower-income dwelling units that are demolished or converted to a use other than as lower-income dwelling units in connection with an assisted activity must be replaced with comparable lower-income units. Replacement lower-income dwelling units may be provided by any governmental agency or private developer and must meet the following requirements:

- A. The units must be located within City of T or C to the extent feasible, the units shall be located within the same neighborhood as the units replaced

- B. The units must be sufficient in number and size to house no fewer than the number of occupants who could have been housed in the units that are demolished or converted. The number of occupants who could have been housed in the units shall be in accordance with applicable local housing occupancy codes. The units may not be replaced with smaller units (e.g., a 2-bedroom unit with two 1-bedroom units), unless City of T or C has provided information demonstrating that such a proposed replacement is consistent with the needs assessment contained State of New Mexico Department of Finance and Administration Local Government Division HUD-approved Consolidated Plan.
- C. The units must be in standard condition and must at a minimum meet Section 8 Program Housing Quality Standards. Replacement lower-income units may include units brought from a substandard condition to standard condition if: 1) no person was displaced from the unit; and 2) the unit was vacant for at least 3 months before execution of the agreement between City of T or C and the property owner.
- D. The units must initially be made available for occupancy at any time during the period beginning 1 year before the recipient makes public the information required under Section F below and ending 3 years after the commencement of the demolition or rehabilitation related to the conversion.
- E. The units must be designed to remain lower-income dwelling units for at least 10 years from the date of initial occupancy. Replacement lower-income dwelling units may include, but are not limited to, public housing or existing housing receiving Section 8 project-based assistance
- F. Before City of T or C enters into a contract committing it to provide CDBG funds for any activity that will directly result in the demolition of lower-income dwelling units or the conversion of lower-income dwelling units to another use, City of T or C must make public and submit in writing to State of New Mexico Department of Finance and Administration Local Government Division the following information:
- 1 A description of the proposed assisted activity;
 - 2 The location on a map and number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than for lower-income dwelling units as a direct result of the assisted activity;
 - 3 A time schedule for the commencement and completion of the demolition or conversion;
 - 4 The location on a map and the number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units. If such data is not available at the time of the submission to State of New Mexico Department of Finance and Administration Local Government Division, the submission shall identify the general location on an area map and the approximate number of dwelling units by size, and information identifying the specific location and number of dwellings units by size shall be submitted and disclosed to the public as soon as it is available;
 - 5 The source of funding and time schedule for the provision of replacement dwelling units;
 - 6 The basis for concluding that each replacement unit will remain a lower-income dwelling unit for at least 10 years from the date of initial occupancy; and
 - 7 Information demonstrating that any proposed replacement of dwelling units with smaller dwelling units is consistent with the needs assessment contained in

the State of New Mexico Department of Finance and Administration Local
Government Division Consolidated Plan.

- G. The one-for-one replacement requirements may not apply if HUD determines, based on objective data, that there is an adequate supply of vacant lower-income dwelling units in standard condition available on a non-discriminatory basis within City of T or C. In making such a determination, State of New Mexico Department of Finance and Administration Local Government Division will consider such factors as vacancy rates, numbers of lower-income units in City of T or C and the number of eligible families on the Section 8 waiting list.

V. Relocation Assistance

Each lower-income person who is displaced as a direct result of CDBG assisted demolition or conversion of a lower-income dwelling shall be provided with relocation assistance.

Relocation assistance includes advisory services and reimbursement for moving expenses, security deposits, credit checks, other moving expenses, including certain interim living costs, and certain replacement housing assistance.

Displaced persons have the right to elect, as an alternative to the benefits described in this Plan, to receive benefits under the URA, if they determine that it is in their best interest to do so. The following relocation assistance shall be available to lower-income displacement persons:

- A. Displaced lower-income persons will receive the relocation assistance required under 49 CFR 24, Subpart C (General Relocation Requirements) and Subpart D (Payment for Moving and Related Expenses) whether the person elects to receive assistance under the URA or the assistance required by CDBG regulations. Relocation notices must be distributed to the affected persons in accordance with 49 CFR 24.203 of the URA;
- B. The reasonable and necessary cost of any security deposit required to rent the replacement dwelling unit and for credit checks required to rent or purchase the replacement dwelling unit;
- C. Actual reasonable out-of-pocket costs incurred in connection with temporary relocation, including moving expenses and increased housing costs, if:
 - 1. The person must relocate temporarily because continued occupancy of the dwelling unit constitutes a substantial danger to the health or safety of the person or the public; or
 - 2. The person is displaced from a lower-income dwelling unit, none of the comparable replacement units to which the person has been referred qualifies as a lower-income dwelling unit, and a suitable lower-income dwelling unit is scheduled to become available through one-for-one replacement requirements
- D. Replacement Housing Assistance. Displaced persons are eligible to receive one of the following two forms of replacement housing assistance:
 - 1. Each person shall be offered rental assistance equal to 60 times the amount necessary to reduce the monthly rent and estimated average monthly cost of

utilities for a replacement dwelling to the "Total Tenant Payment", as determined under 24 CFR 813.107. All or a portion of this assistance may be offered through a certificate or housing voucher for rental assistance under the Section 8 program.

Where Section 8 assistance is provided to the displaced person,

City of T or C must provide the person with referrals to comparable units whose owners are willing to participate in Section 8 program to the extent that cash assistance is provided, it will be provided in installments.

2. In lieu of the housing voucher, certificate or cash assistance described above, the person may elect to receive a lump sum payment allowing them to secure participation in a housing cooperative or mutual housing association. This lump sum payment shall be equal to the capitalized value of 60 monthly installments of the amount that is obtained by subtracting the

"Total Tenant Payment", as determined under 24 CFR 813.107, from the monthly cost of rent and average monthly cost of utilities at a comparable replacement dwelling unit. To compute the capitalized value, the installments shall be discounted at the rate of interest paid on passbook savings in a federally insured financial institution conducting business within City of T or C.

Displaced lower-income tenants shall be advised of their right to elect relocation assistance pursuant to the URA and the regulations at 49 CFR 24 as an alternative to the relocation assistance available under CDBG regulations.

VI. Eligibility for Relocation Assistance

A lower-income person is eligible for relocation assistance if they are considered to be a "displaced person" as defined in 24 CFR 42.305. A displaced person means a lower-income person who, in connection with an activity assisted under the CDBG program, permanently moves from real property or permanently moves personal property from real property as a direct result of demolition or conversion of a lower-income dwelling.

For purposes of this definition, a permanent move includes a move made permanently and:

- A. After notice by the owner to move from the property, if the move occurs on or after the date of the submission of a request to City of T or C for CDBG assistance that is later approved for the requested activity; or
- B. After notice by the owner to move from the property, if the move occurs on or after the date of the initial official submission to HUD of the consolidated plan under 24 CFR Part 91 describing the assisted activity; or
- C. Before the dates described in A & B above, if City of T or C or State of New Mexico Department of Finance and Administration Local Government Division determines that the displacement was a direct result of conversion or demolition in connection with a CDBG assisted activity; or
- D. By a tenant-occupant of a dwelling unit, if any one of the following three situations occurs:
 1. The tenant moves after execution of the CDBG agreement covering the acquisition, rehabilitation or demolition and the move occurs before the tenant is

provided written notice offering the tenant the opportunity to lease and occupy a suitable, decent, safe and sanitary dwelling in the same building/complex upon completion of the project under reasonable terms and conditions, including a monthly rent and estimated average monthly utility costs that do not exceed the greater of the tenant's monthly rent before such agreement, or the total tenant payment as determined under 24 CFR 813.107 if the tenant is lower-income, or 30 percent of gross household income if the tenant is not lower-income.

2. The tenant is required to relocate temporarily, does not return to the building/complex, and either is not offered payment for all reasonable out-of-pocket expenses incurred in connection with the temporary relocation, or other conditions of the temporary relocation are not reasonable.
3. The tenant is required to move to another dwelling unit in the same building/complex but is not offered reimbursement for all reasonable out-of-pocket expenses incurred in connection with the move, or other conditions of the move are not reasonable.

If the displacement occurs on or after the appropriate date described in A & B above, the lower-income person is not eligible for relocation assistance if:

- A. The person is evicted for cause based upon a serious or repeated violation of the terms and conditions of the lease or occupancy agreement, violation of applicable federal, State or local law, or other good cause, and the City of T or C determines that the eviction was not undertaken for the purpose of evading the obligation to provide relocation assistance;
- B. The person moved into the property on or after the date described in A & B above after receiving written notice of the expected displacement; or
- C. City of T or C determines that the displacement was not a direct result of the CDBG assisted activity and the State of New Mexico Department of Finance and Administration Local Government Division concurs with this determination.

VII. Minimizing Displacement

The CDBG regulations regarding the demolition or conversion of lower-income dwelling units are designed to ensure that lower-income persons are provided with adequate, affordable replacement housing. Naturally, involuntary displacement should be discouraged whenever a reasonable alternative exists. Involuntary displacement is extremely disruptive and disturbing, especially to lower-income persons who do not have the means to locate alternative housing.

There are various ways that displacement can be minimized. The following are steps that will be taken to minimize the involuntary displacement of lower-income persons when CDBG funds are involved:

- A. **Screening of Applications** All CDBG applications will be reviewed to determine whether involuntary displacement is likely to occur. Those applications involving displacement will receive a lower priority recommendation for funding unless it can be shown that alternatives are not available.
- B. **Acquisition of Property** Applicants who apply for CDBG funds to acquire property for the

development of lower-income housing will be encouraged to purchase vacant land. In the case of in-fill and other projects where this is not feasible and the project involves potential displacement, the applicant shall agree to allow the displaced lower-income person(s) to occupy the new housing at an affordable rent.

Applicants who utilize CDBG funds to rehabilitate or convert a lower-income unit to a non-residential use will be required to supply replacement housing consistent with paragraph IV, as well as relocation assistance.

- C. **Cost of Relocation Assistance** The cost of any required relocation assistance and the provision of replacement housing will be borne by the applicant and may be paid for out of CDBG funds awarded to the project.

VIII. Definitions

- A. "Comparable replacement dwelling unit" means a dwelling unit that:
- 1 Meets the criteria of 49 CFR 24.2(d)(1) through (6); and
 - 2 Is available at a monthly cost for rent plus estimated average monthly utility costs that does not exceed the "Total Tenant Payment" determined under 24 CFR 813.107 after taking into account any rental assistance the household would receive.
- B. "Lower-income dwelling unit" means a dwelling unit with a market rental (including utility costs) that does not exceed the applicable Fair Market Rent (FMR) for existing housing and moderate rehabilitation established under 24 CFR Part 888.
- C. "Standard condition" means units that at a minimum meet the Existing Housing Quality Standards of the Section 8 rental subsidy program.
- D. "Substandard condition suitable for rehabilitation" means units with code violations that can be brought to Section 8 Housing Quality Standards within reasonable monetary amounts.
- E. "Vacant occupiable dwelling unit" means a dwelling unit that is in a standard condition; a vacant dwelling unit that is in substandard condition, but is suitable for rehabilitation; or a dwelling unit in any condition that has been occupied (except by a squatter) at any time within the period beginning 3 months before the date of execution of the agreement by _____ City of T or C _____ covering the rehabilitation or demolition.

IX. Grievances

The _____ City of T or C _____ will provide timely written answers to written complaints and grievances within 15 working days where practical. Action items:

- A. Adopt complaint handling procedures or policies to insure that complaints or grievances are responded to within 15 days, if possible.
- B. Allow for appeal of a decision to a neutral authority.

- C. File a detailed record of all complaints or grievances and responses in one central location with easy public access.

IX. Certification

The _____ City of T or C _____ herewith certifies to follow the Anti-displacement relocation plan described above and adopt the plan by resolution annually.

Plan Adoption Date: 8/9/17

Adoption Instrument: Resolution

Certified By: _____
 Juan Fuentes
 City Manager

Date

Copy to Local Government Division with attachments

EXHIBIT 1-T

SECTION 3 PLAN WITH REQUIRED ELEMENTS

The City of T or C is committed to comply with Section 3 of the Housing and Urban Development Act of 1968. This Act encourages the use of small local businesses and the hiring of low income residents of the community.

The _____ City of T or C _____ has appointed _____ as the Section 3 Coordinator, to advise and assist key personnel and staff on Section 3, to officially serve as focal point for Section 3 complaints, and as the on-site monitor of prime contractors and sub-contractors to insure the implementation and enforcement of their Section 3 plans. The approval or disapproval of the Section 3 plan is the ultimate responsibility of the _____ City of T or C _____ Documentation of efforts will be retained on file for monitoring by the state.

Therefore, the City of T or C shall:

1. Hiring
 - a. Advertise for all _____ City of T or C _____ positions in local newspapers
 - b. List all _____ City of T or C _____ job opportunities with the State Employment Service
 - c. Give preference in hiring to lower income persons residing in the _____ City of T or C _____. This means that if two equally qualified persons apply and one is a resident of the _____ City of T or C _____ and one is not, the resident will be hired
 - d. Maintain records of _____ City of T or C _____ hiring as specified on this form

City of T or C _____ ANTICIPATED/ACTUAL HIRES			_____ HIRING YEAR	
PLANNED			ACTUAL	
Job Classification	# of Positions to be Filled	# of Positions to be Filled by Lower Income City of T or C Residents	# of Positions Filled	Positions Filled by Lower Income City of T or C Residents
Please see attached				

- Chart for Section 3 Plan **MUST** be filled out in its entirety.

2. Contracting

- a. The _____ City of T or C _____ will compile a list of businesses, suppliers and contractors located in the _____ City of T or C _____.
- b. These vendors will be contacted for bid or quotes whenever the _____ City of T or C _____ requires supplies, services or construction.
- c. Preference will be given to small local businesses. This means if identical bids/quotes are received from a small business located within the _____ City of T or C _____ and one from outside the _____ City of T or C _____, the contract will be awarded to the business located within the community.

3. Training

The _____ City of T or C _____ shall maintain a list of all training programs operated by the _____ City of T or C _____ and its agencies and will direct them to give preference to _____ City of T or C _____ residents. The _____ City of T or C _____ will also direct all CDBG sponsored training to provide preference to _____ City of T or C _____ residents.

4. CDBG Contracts

All CDBG bid proposals and contracts shall include the following Section 3 language.

- a. The work to be performed under this contract is on a project assisted under a program providing direct federal financial assistance from the Department of Housing and Urban Development and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u. Section 3 requires that the greatest extent feasible, opportunities for training and employment be given lower income residents of the project areas, and contracts for work in connection with the project be awarded to business concerns residing in the project area.
- b. The parties to this contract will comply with the provision of said Section 3 and the regulations issued pursuant thereto by the Secretary of Housing and Urban Development set forth in 24 CFR and all applicable rules and orders of the Department issued there-under prior to the execution of this contract. The parties to this contract certify and agree that they are under no contractual or other disability which would prevent them from complying with these requirements.
- c. The contractor will send to each labor organization or representative of workers with which he has a collective bargaining agreement or other contract or understanding, if any, a notice advising the said labor organization or workers' representative of his commitments under the Section 3 clause, and shall post copies of the notice in conspicuous places available to employees and applicants for employment or training.
- d. The contractor will include this Section 3 clause in every subcontract for work in connection with the project and will, at the direction of the applicant for, or recipient of federal financial assistance, take appropriate action pursuant to the subcontract upon a finding that the

City of T or C		ANTICIPATED/ACTUAL HIRES		JUNE 2016 – July 2017 Hiring year
Job Classification	# of Positions To be filled	# of Positions to Be filed by Lower Income City or T or C Residents	# of Positions Filled	Positions filled by Lower Income City of T or C Residents
Planned				Actual
City Clerk	1		1	
Court Juvenile Program Cord (grant)	1	1	1	1
Teen Court Intern (grant)	1	1	1	1
Meter Reader	5	5	5	5
Facility Tech	2	2	2	2
Civic Center Maintenance	1	1	1	1
Finance Director	1		1	
Mechanic	1	1	1	1
Park Maintenance Worker	5	5	5	5
Police Officer	8	5	8	5
Administrative Assistant	1		1	
Lifeguard/Cashier	3	3	3	3
Scale house Attendant	1	1	1	1
SW Relief Driver	7	7	7	7
Collector I	0			
General Labor	5	5	5	5
Utility Clerk	2	2	2	2
Line Repairman	2	2	2	2

e. Compliance with the provisions of Section 3, the regulations set forth in 24 CFR 135, and all applicable rules and orders of the Department, issued thereunder prior to the execution of the contract, shall be a condition of the federal financial assistance provided to the project, binding upon the applicant or recipient for such assistance, its successors and assigns. Failure to fulfill these requirements shall subject the applicant or recipient, its contractors and subcontractors, its successors and assigns to those sanctions specified by the grant or loan agreement or contract through which federal assistance is provided, and to such sanctions as are specified by 24 CFR 135.

The _____ City of T or C _____ will maintain all necessary reports and will insure that all contractors and subcontractors submit required reports.

A family who resides in _____ City of T or C _____ and whose income does not exceed the income limit for the size of family as per the attached Section 8 Income Limit for _____ City of T or C _____. Information contained in our Section 3 Plan reflects the status of the _____ City of T or C _____ employees regarding lower income considerations based on their salary paid by the _____ City of T or C _____.

Date _____



G.2

CITY OF TRUTH OR CONSEQUENCES
COMMISSION ACTION FORM

ITEM:

Appealing Resolution No. 15-16/17

BACKGROUND:

This resolution was passed in 12/13/16 we have met with the owners more than three times, giving them more time to get the property cleaned up and repaired or to sale the property to someone who can do this.

STAFF RECOMMENDATION:

To set a final deadline of 30 days and if not sold or repaired and cleaned up, the city will proceed with demolition.

SUPPORT INFORMATION:

- Appeal letter
- Resolution 15-16/17
-

Name of Drafter: Robbie Travis	Department: Building Inspector	Meeting date: 8/9/17
E-mail: rtravis@torcnm.org	Phone: 575-894-6673 Ext. 330	

Mr. Robbie Travis

12-27-16

I am the Owner of the
property located 1308 Tinst.

I have reviewed Resolution NO.
15-16-17.

I object to this Resolution
and request a meeting with
you at your earliest convenience
my cell # where I can be
reached after 3pm Monday-

Friday is (575) 740-6176
740-6173

RECEIVED

DEC 29 2016

(pl) @ 4:11 pm

Thank
you

Robbie
Travis



RESOLUTION NO. 15-16/17

A RESOLUTION FINDING THE PROPERTY AT 1308 TIN STREET, TRUTH OR CONSEQUENCES, NM, TO BE A DANGEROUS AND UNSAFE STRUCTURE AND AUTHORIZING DEMOLITION.

WHEREAS, the City of Truth or Consequences wishes to pursue the removal of dangerous and unsafe structures within the City, and;

WHEREAS, pursuant to City Code Chapter 4, Article IV Section 4-226 through 4-235 regarding dangerous and unsafe structures, City administration has identified the structure located in the Currey Lamiminger, Block 12, Lot 8 otherwise known as 1308 Tin Street to be a dangerous building. The violations include, but are not necessarily limited to, those items listed in the 10/20/16 Inspection Report, a copy of which is attached hereto as Exhibit 1.

WHEREAS, the City has followed all of the required procedures as follows:

1. Certified letters were sent stating the violation and action to be taken by the owner(s).
2. The certified letters were duly sent to all those known to have an interest in the property. The certified letters were claimed.
3. The owners were allowed 15 days from receipt of the letter to take action.
4. As no action had been taken after 15 days, the property was posted with a condemnation notice.
5. Commission action is now needed to approve the demolition of the structure(s), and;

WHEREAS, the City has followed all of the required procedures for notification as described in City Code for the removal of the structure(s).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF TRUTH OR CONSEQUENCES, NEW MEXICO:

The City of Truth or Consequences through its Governing Body agrees to direct staff to take all actions necessary to implement the removal of structure(s) at 1308 Tin Street, Truth or Consequences NM.

The City may also claim and record a lien for the reasonable cost of removal of the structure(s) and related materials, and associated legal fees plus interest.

Any entity who can establish an ownership interest in the above-described premises has the right to file an objection to this Resolution with the City Clerk's office located at 505 Sims, Truth or Consequences, NM. Said objection must be filed within ten (10) days of the Resolution being served upon those claiming an interest, or if no such person can be found, then ten (10) days from the date of publication. A copy of the Resolution shall also be posted on the premises. If a timely objection is filed, the City Commission will schedule a hearing to decide the merits of the objection.

PASSED, APPROVED AND ADOPTED THIS 13TH DAY OF December, 2016.

CITY OF TRUTH OR CONSEQUENCES

By 
Steve Green, Mayor

ATTEST:


Renee Cantin City Clerk



H.1

CITY OF TRUTH OR CONSEQUENCES
COMMISSION ACTION FORM

ITEM:

Special Use Permit for a Woman's Recovery Program at 819 N. Date St. (the old Oasis Motel)

BACKGROUND:

This property has been a Motel for many years, and a transitional living complex tried to go in with many problems arising and had to shut down the business.

STAFF RECOMMENDATION:

If approved they would have to meet several conditions.

SUPPORT INFORMATION:

- Application
- Site Plan
- Comprehensive Statement

Name of Drafter: Robbie Travis	Department: Building Inspector	Meeting date: 8/9/17
E-mail: rtravis@torcnm.org	Phone: 575-894-6673 Ext. 330	

Staff Report

Subject: Special Use Permit for Woman's Recovery Program at 819 N. Date St.

Applicant: Phyllis Mecca

Code Reference: Special Use Permit Sec.11-5-6

1. Provisions for special use permit.

- a. The increase in congestion of streets, and right-of-way;
- b. Diminishment of safety from fire, panic and other dangers;
- c. Diminishment to the health and general welfare of the public;
- d. Degradation of light and air for all properties in the immediate area, of the proposed Permit; increase of overcrowding of land and undue concentrations of populations;
- e. Adverse effects on provisions for transportation, water, sewer, schools, parks, and other public facilities or increase in the effects of natural hazards;
- f. Increases or facilitation of the unlawful use of structures, buildings or land;
and
- g. Promote the use or waste of energy in the use of structures, buildings, and land.

2. Special Use Permits shall not be granted in such cases where the use will result in negative impacts, which substantially outweigh the positive impacts of the use.

History: This is the old Oasis Motel

Public Comment: One letter and one phone call against the program from business property owners in the area.

Staff Recommendation: If approved they would have to meet several conditions



BUILDING/PLANNING DEPARTMENT
Voice - (575) 894-6673 x 110 Fax - (575) 894-0363
E-mail Rtravis@torcnm.org
505 Sims Street - Truth or Consequences, NM 87901

(Staff Use Only)
Case No

Related Case(s)

JUL 07 2017
Initial: Rent # 44152
44700

PLANNING APPLICATION FORM

The completeness of this application, which includes accompanying plans, shall be subject to the review of the Building/Planning Department. This application is used for a variety of application processes and not all items may apply to your project. If you feel a requirement is not applicable to your project, write "N/A." If you have any questions while completing this application please ask a member of the Planning Department for assistance. Incomplete applications will not be accepted (or the process may be delayed.) (PLEASE PRINT OR TYPE)

CHECK APPLICATION TYPE(S) REQUESTED:

- | | | |
|------------------------------------------------------------------------|--------------------------------------------------------------------|---------------------------------------------------------------------|
| <input type="checkbox"/> Master Plan (\$100 + \$200/lot) | <input type="checkbox"/> Annexation (\$100 or \$10/ac. Max. \$250) | <input checked="" type="checkbox"/> CUP/SUP (\$25) |
| <input type="checkbox"/> Master Plan Amendment (\$200) | <input type="checkbox"/> Appeal (\$50) | <input type="checkbox"/> Prelim. Plat or Replat (\$100 + \$200/lot) |
| <input type="checkbox"/> Development Agreement (\$1,000) | <input type="checkbox"/> Variance (\$25) | <input type="checkbox"/> Final Plat (\$50) |
| <input type="checkbox"/> Change of Zone (\$100 or \$10/ac. Max. \$250) | <input type="checkbox"/> Zone Ordinance Amendment (\$250) | <input type="checkbox"/> Summary Plat (\$50) |
| | | <input type="checkbox"/> Plat Amendment (\$50) |

PROJECT SUMMARY:

Project/Business Name (if any): (PACE) Prevention And Community Education

Project Description (add extra page(s) if needed):

woman's Recovery Program

Property Address/Location: 819 N. Date Street

Assessor's Parcel Number(s): _____

Total Gross Lot Area: _____

Total Net Lot Area: _____

Existing Master Plan/Comprehensive Plan Designation: _____

Existing Zoning Designation: C-1

Proposed Master Plan Designation (if applicable): _____

Proposed Zoning Designation: C-1

Existing Uses and/or Structures on Site: Motel

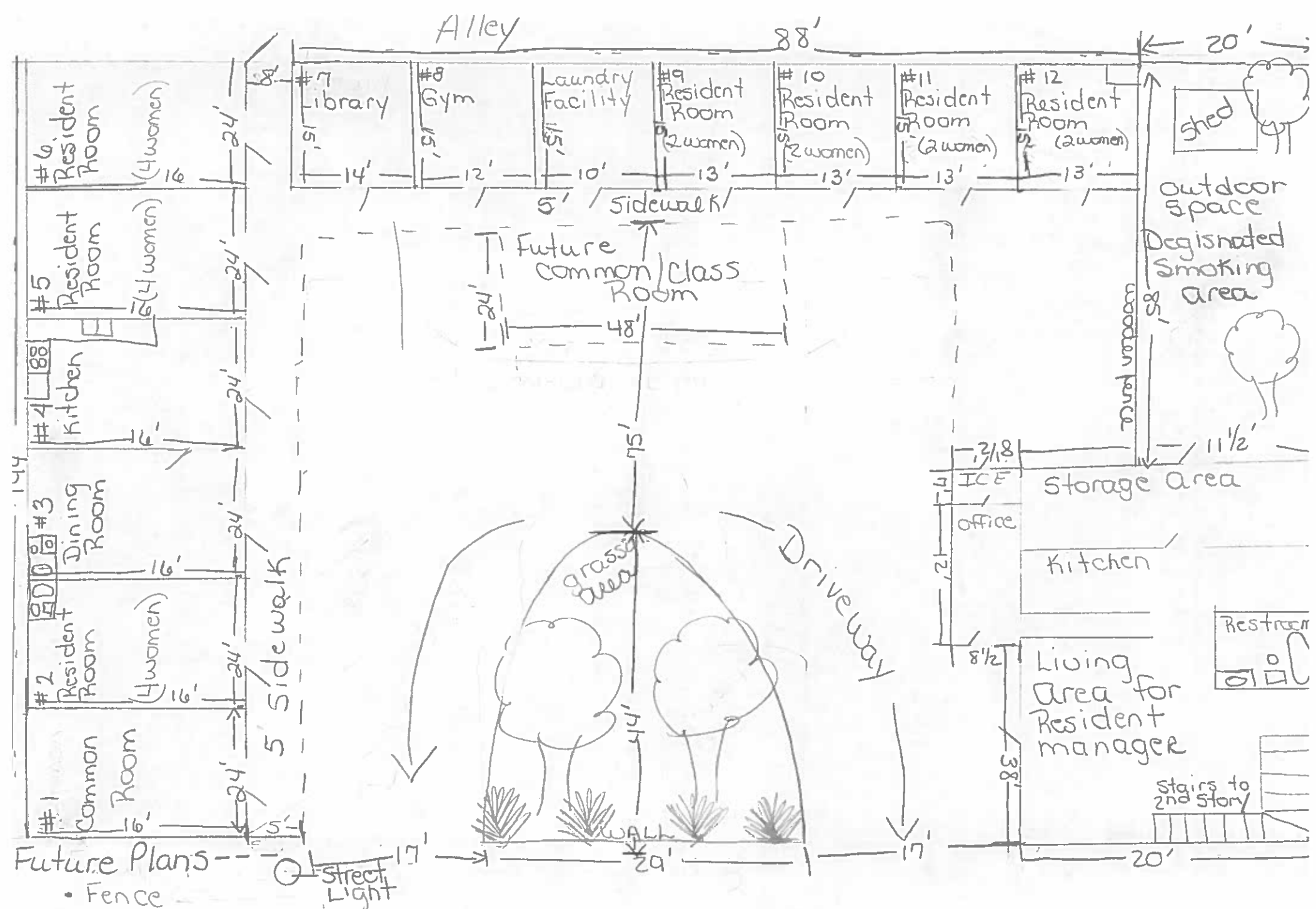
Surrounding Uses: North: C-1

South: C-1

East: C-1

West: C-1

APPLICANT/ REPRESENTATIVE Name: <u>Phyllis Mecca</u>		REPRESENTATIVE(S):	
Address: <u>1708 Carrie</u>		Telephone No.: <u>575-740-6715</u>	
City: <u>TORC, NM 87901</u>		Fax No.: _____	
Contact Person: <u>Phyllis Mecca</u>		State: <u>New Mexico</u> Zip Code: <u>87901</u>	
I certify under penalty of perjury that all the application information is true and correct:		E-mail Address: _____	
Applicant's Signature: <u>Phyllis Mecca</u>		Date: <u>7/7/17</u>	
PROPERTY OWNER/ AGENT Name: _____		Telephone No.: _____	
Address: _____		Fax No.: _____	
City: _____		State: _____ Zip Code: _____	
Contact Person: _____		E-mail Address: _____	
The City will provide the applicant with hearing notices and staff reports unless another party is identified.			
Date/Time Received: <u>7/7/17 11:45</u>		Receipt No(s): _____	
Received By: <u>[Signature]</u>		Amount Received: \$ <u>67.00</u>	



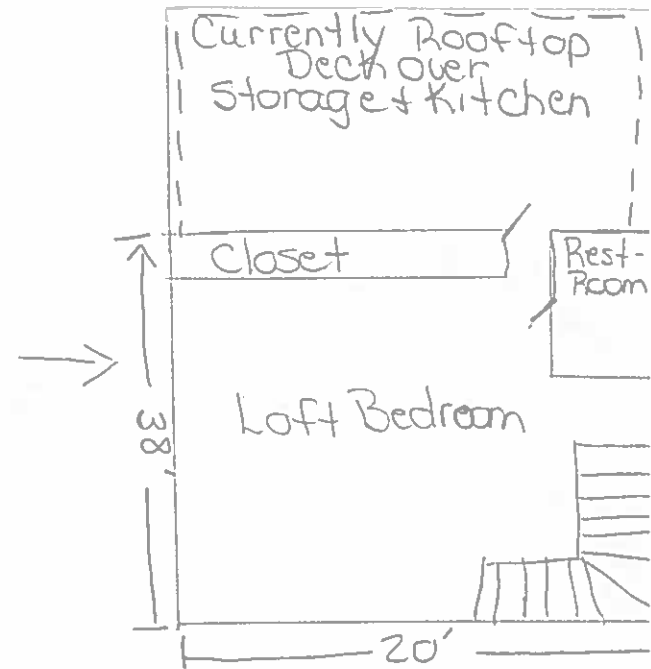
Future Plans

- Fence
- Close windows off to alley
- Add another bedroom on 2nd floor.
- Add Common Room/classroom. Kitchen + Dining.



- 1.) 7 Rooms for women
- 2.) 1 Common Area
- 3.) 1 Kitchen Area
- 4.) 1 Dining area
- 5.) 1 Library
- 6.) 1 Gym
- 7.) 1 Laundry area
- 8.) 1 office
- 9.) 1 Living area for on site manager
- 10.) 1 Street Light
- 11.) 16 parking Spaces
- 12.) 1 Smoking Area (out of view)
- 13.) 1 Business Sign (will not be used)

2nd
Story



← Z

819 N. Date Street

Page 2

PACE for Women Overview and Policies

August 1, 2017



Dear Residents

Current Operations – The Sierra County PACE is a 16 bed women's recovery unit, providing sober living for recovering alcoholics and drug users. Our residents come from correctional facilities, DWI Programs, Judges and attorneys from Sierra County. Occasionally women will seek us out herself, looking for a new start in life.

Our program ranges from ten months to one year in length. The intent is to furnish these individuals with the necessary tools to enrich their lives once again and to help them become productive and contributing members of the community.

The home is served by a full time Administrator and a live in Resident Manager. The cost for residency is \$165 weekly, which covers room, board and laundry facilities. Incoming residents are expected to pay two weeks (\$330) in advance upon entry. This allows the resident time to secure employment. There are jobs available in Sierra County. However, the lack of payment will not automatically disqualify the resident enrollment into the program.

Our residents typically vary in age and come from all walks of life, professions and many having lost their families, homes and jobs as a result of the disease. Residents must secure employment, attend 12-step program meetings, obtain a GED if applicable, attend individual counseling, complete Moral Recognition Therapy (MRT), parenting classes, job skills development, budgeting and money management, co-dependency, and life skill classes.

The Program has four phases and follows the MRT/Drug Court Program.

Phase I – Random drug and alcohol testing a minimum of three times per week. Find employment and work a minimum of 30 hours per week. Attend individual counseling on a weekly basis, and MRT twice a week. Residents will also be expected to attend AA/NA meetings a minimum of 3 times per week and choose one other class. Such as parenting, co-dependency, job skills, budgeting and money management, GED classes (tutoring), or life skills. Phase I is two months and equals about 40 hours per week. During phase I personal electronic will not be allowed and residents are only allowed to leave the house to attend individual counseling, work, or visit with their Probation Officer without supervision.

Phase II – Includes all of the above, but the resident will choose two other classes. Phase II is four months in length. Residents in Phase II will be allowed a cell phone and allowed out of the house without supervision, during daylight hours. Residents in Phase II will be expected to take their GED tests (if applicable).

Phase III – Includes everything in the first two phases, but the residents will choose two more classes. Phase II is four months in length. Residents in Phase II will be allowed to have their vehicles at the house with proof of insurance, valid driver's license and registration. Residents in Phase III will begin looking for other affordable housing and apply for housing at the local Housing Authority.

Phase IV – Residents will be living independently of the house, but will continue drug testing, working, AA/NA, individual counseling and check in's. Phase IV is a two month program.

Each resident will be expected to set up a savings account beginning in the Phase I level. This will assist them in Phase IV with securing independent housing, pay rent, utilities, and deposits.



Resident Policies

1. Alcohol/Drugs/Behavior

- Use of alcohol or mood altering chemicals is prohibited whether on or off House premises.
- There will be no possession of alcohol and/or drugs or drug paraphernalia on your person, in the House, or in any property under your control.
- Refusal to submit to a random UA or failure to give a clean UA will result in immediate dismissal.
- All residents are subject to a search of themselves, their belongings and vehicles at any time for any reason by the Acting Administrator. Anyone possessing any illegal substances or anything that violates our standards or the laws governing this state or the federal government will be asked to leave the premises and the proper authorities will be notified.
- Residents are required to work the 12 Steps of AA and/or NA while at the House. To facilitate this requirement, residents are not to start a relationship while living in the House. Any residents currently in a relationship must agree to place the relationship on hold until graduation.
- Residents will be given a color and will be required to drug test a minimum of three times per week.

2. Causing physical harm, threatening physical harm and verbal abuse is prohibited.

3. Smoking is allowed in designated outside areas only:

- There will be absolutely no open flames, burning of incense, or candles in the House.
- Any matches lit outdoors must be completely out before discarding.
- No open fires or burning of trash, leaves, or other materials allowed.

4. Weapons of any kind are forbidden.

5. Meetings:

- Residents will attend at least three AA/NA meetings during the week.
- Be early for House meetings and to your AA/NA meetings.
- Do not discuss details of AA/NA meetings.
- Stay in the meeting for the full hour. Anyone whose behavior at a meeting or class causes distraction or disruption (whispering, crosstalk, giggling, getting up and down repeatedly, going outside to smoke, etc.) will be warned. If the behavior continues, the result will be dismissal from the House.

6. No gambling of any kind will be allowed on the premises.

7. Residents will neither lend nor borrow money.

8. No pets.

9. Residents will respect each other's rights and property. Any stealing will result in immediate expulsion from the House.

10. Personal hygiene and dress code:

- Residents will maintain acceptable personal hygiene at all times. This includes bathing or showering daily.
- Residents will be fully dressed in all community areas at all times.
- Shirts and appropriate bottoms (something other than underwear or boxers) must be worn at all times when in your bedroom. This includes trips to and from the bathroom.
- No gang attire of any kind will be worn while a resident of the House. Sunglasses will not be worn indoors.
- Pants will be worn with no underwear or dirty air showing.
- Spaghetti straps and tube tops will not be worn as outer garments while outside of the bedrooms.
- No alcohol or drug slogans or ads on clothing or hats.
- The Acting Administrator shall determine and have final say on what constitutes proper attire for residents.

11. Accommodations:

- No changing of rooms without approval of the Acting Administrator.
- Each resident is responsible for leaving the bathroom clean after each use. This means cleaning up around the tub, shower, sink and toilet, hanging up towels and putting personal items away.
- Residents are expected to have their rooms clean, beds made, be dressed and out of the room by 7:30 am Monday thru Friday.

- No eating in the bedrooms. Food or drinks may be stored in bedrooms to ensure security of the items. Only clear water will be allowed in bedrooms and living room.
- Beds must be made before leaving your room and sheets must be washed at least once a week.
- Napping in your room only, not in community areas.
- Your room, closets, personal items and vehicles are subject to search and inspection. This search and/or inspection must be done by two persons: a House staff member with a senior resident. Any contraband found will be reported to authorities.
- If you are on probation, your Probation Officer has the right to search your property at any time and is allowed on the property at any time.

12. Washer and Dryer:

- Washers and dryers are for House residents' and staff use only.
- Residents must remain on the premises until completion of the whole wash and dry cycle. Remove your clothes when dry so other residents can use the laundry.
- Clean lint filter after use.
- The washers must remain on "cold" setting at all times.
- Laundry hours are from 9:00 AM to 9:00 PM. If you work late you will need permission to use the machines outside of these hours.

13. Household duties:

- Residents will share in household duties as assigned. Each resident is responsible for completing his own assigned household duties.
- Turn out all lights, radios and other electronics when leaving your room.
- In addition to household duties as assigned, when you make a mess promptly clean up after yourself.
- If you need assistance, ask.

14. Visitors:

- Visitors are not allowed at the House for any reason without prior approval of the Acting Administrator. This includes your family and your spouse.
- All guests/visitors must check in through the office and have a photo ID, if they are over the age of 15 years of age.
- No visitors of the opposite sex, non-residents, or children are allowed in the bedrooms at any time.
- All children must be supervised by you and no one else.
- Guests must understand and honor House policies and it is your responsibility to inform them of the policies.
- Inability of your guests to follow House policies will result in them being asked to leave and will prevent their future return.
- Each resident is responsible for the conduct of her guest(s). Your children are your responsibility while they are visiting at the House.
- No overnight guests at any time.
- Any resident found to be sneaking a non-resident into the House will be immediately dismissed from the House.
NO EXCEPTIONS

15. Telephone:

- Residents are permitted to have cell phones after completing Phase II of the Program, provided there are no incidents or write-ups, and if rent payment is current.
- You must have a long distance card to place long distance calls using the House phone.
- Calls on the House phone must be limited to 10 minutes. No calls on House phone or cell phones after curfew or you will be written up and will result in the loss of phone privileges.

16. Resident Hours:

- Curfew for residents in Phase I – Residents are not allowed to leave the House unsupervised unless it is to work, probation appointments, or individual counseling. Typically, these hours will be 7:00 am to 7:00 pm.
- Curfew for residents in Phase II – Residents will be allowed to leave the House without supervision. Typically, the curfew for residents in Phase II will be from 7:00 am to 9:00 pm.

- Curfew for residents in Phase III – Residents will be allowed to leave the House without supervision. Typically, the curfew for residents in Phase III will be from 7:00 am to 10:00 pm.
- Residents in Phase IV – Are living independently and will need to check in daily in person
- Lights are off in the common areas by 10:00 pm. Quiet activity is permitted in the resident's room after curfew as long as no one is disturbed. No TV or music permitted after 10:00 pm.
- The sign out-in log is kept in the office.
- Residents must sign out-in when leaving the House, providing her name, the date, the actual location of her destination and time of check out. Unless you are signing out for work, the maximum time permitted away from the House is limited to 3 hours. You must return and sign in to go back out.
- All sign-in-out entries must be made in ink.
- Resident must log in her return time.
- If a resident departs the House premises without signing out, the Acting Administrator must be informed immediately. The resident must follow the Acting Administrator's direction on what to do.
- There will be no overnight passes for residents.
- Confirmed family emergencies will be handled on a case by case basis.
- Day passes may be granted on a case by case basis. A day pass is from 6:00 am to curfew. The resident must check in by phone with house staff every 3 hours during the pass.
- Any resident found to be sneaking resident or non-residents into the House will be immediately dismissed from the House. NO EXCEPTIONS

17. Transportation

- Residents are responsible for their own transportation at all times.
- The Solar Bus may be used by residents for transportation, or residents may walk or ride a bike.
- At no time will a resident be permitted to ride in a vehicle with a non-resident.
- Transportation will be provided for work, medical appointment, and job searches only during inclement weather.
- Residents are not allowed to have a vehicle until they are in Phase III of the program, provided they are current on their rent.
- All vehicle keys will be secured in the office safe.
- A copy of a current driver's license, registration of vehicle and proof in insurance must be in the resident's file prior to her operation of her vehicle.
- There will be no car repair projects permitted that lasts more than two hours. All repairs must be scheduled and pre-approved by the Acting Administrator.
- Only one vehicle allowed per resident.
- No ATVs, RV, boats, or trailers allowed.

18. Personal items:

- Personal items left in the common area will eventually become House property. Don't leave your thing lying around to clutter up our House.

19. Medications:

- The Acting Administrator must be notified of all medications you are taking, including prescription and non-prescription.
- The Acting Administrator will be the custodian of all medications until independent living in Phase IV occurs.
- Residents are responsible for taking medications in a timely fashion.
- Residents will be expected to sign a medication log for any medication that is taken.
- Any changes in medications from the physician's original written prescription must be verified by the Acting Administrator before the change can occur, no exceptions.
- Non-disclosure of medications or medication changes may result in dismissal from the House.
- The Acting Administrator will verify all medications by checking PDR or website.

- Unused, outdated, or abandoned medications will be destroyed in bleach by the Acting Administrator, destruction to be witnessed by another staff member or Senior Resident and noted and initialed by same, in the House medication log.

20. Community Service and Employment

- Residents will be expected to perform a minimum of 8 hours of community service per month while maintaining a minimum of 30 hour of weekly employment. The House will expect the residents to keep written documentation of their community service and turn it in monthly.
- Residents will find a gainful paycheck job, totaling a minimum of 30 hours per week. A copy of all employment paychecks will be required and maintained in the residents file.
- If you are receiving unemployment, you are expected to find employment.
- If you are receiving SSI and are unable to work, you must have an approved activity in the community totaling 20 hours a week.

21. Fees:

- Fees are \$165 per week, covering room, board and laundry facilities. The first 2 weeks rent (\$330) is encouraged prior to coming into the House. Weekly rent is due on Friday's. All rent payments are non-refundable.
- If you get paid bi-weekly (every two weeks) you must pay for two weeks of rent when you get paid.

22. Savings Accounts:

- All residents will set up a savings account in Phase I of the Program.
- All monies after rent, probation fees and child support is paid shall be deposited with the exception of \$25.00 per week for incidentals.
- It is the residents responsibility to pay their rent, probation fees and child support.
- It is the resident's responsibility to make their deposits and bring back proof of the deposit for your file.
- All money in your saving account is your money. At the end of Phase III that money will be used to find suitable and safe housing. If you are dis-enrolled from the Program the money in your saving account is still yours and it is your responsibility to either keep the account open or close the account down.

23. House Discipline:

- I have read and understand all of the above written House policies.
- I further understand that a major violation of these policies will result in immediate termination of my residency at the house.
- I further understand that multiple minor violations of these policies as documented by the Acting Administrator Will result in termination of my residency at the House.
- I further understand that any property left by me at the House after termination of my residency will be kept For 7 days and then distributed to residents.

Resident Signature and Date

Acting Administrator Signature and Date

Personal History

Name _____ Today's Date _____ Date of Birth _____

SS Number _____ Circle one Single Married Divorced Separated Veteran Yes No

Current Living Situation (Circle All that Apply) Streets Homeless Jail/Prison Hospital DAV shelter Family

Other _____ CAN YOU PASS A SOBRIETY TEST TODAY? Yes No

Date of Last Alcohol or Drug Use _____

Drug of Choice _____ Drugs you have ever used _____

Have you ever abused prescription drugs? Yes No Type of prescription drugs _____

At what age did you first using alcohol/drugs? _____ What was the first drug you used? _____

Health History

Are you currently under a physicians care? Yes No For what reason. _____

Are you under the care of a behavior health facility? Yes No For what reason. _____

List any prescribed medications you take _____

Have you ever attempted suicide? Yes No Explain _____

Do you have now or have you had any communicable disease? Yes No List _____

Any health problems the House should know about? Yes No List _____

What is your own rating of your health? Excellent Good Average Fair Poor Why do you think so? _____

Legal Issues

IF INCARCERATED, WE NEED A CONTACT NAME AND NUMBER IN THE FACILITY WHERE YOU ARE HOUSED

Name _____ Phone # _____ Facility Name _____

Do you have charges pending or a court date? Yes No What are the charges and when is the court date? _____

When is your anticipated release date? _____ Will you be on parole or probation when you are released Yes No

If yes, who is your parole/probation officer? _____ phone number? _____

Will you have court fines? Yes No How much? _____ Will you have community service? Yes No

How much community service? _____ Have you ever been required to register as a sex offender? Yes No

Are you ordered to pay child support? Yes No If yes how much per month? _____

Occupation

What is your occupation? _____ Are you willing and able to work a 40 hr week job? Yes No

If no can you explain? _____ Do you have any job prospects? Yes No

What are they? _____ Are you registered with the NMDOL? Yes No

What are your job interests? _____

House Issues

Why do you want to live at the House? _____

Have you read the House rules and Resident Policies and Program Phases and expectations? Yes No

Do you understand what will be expected of you while living in the House? Yes No

Have you ever attended 12 Step or NA meetings? Yes No Are you willing to attend AA/NA meetings Yes No

How many times have you tried to stay clean and sober? _____

What was the maximum amount of time you stayed sober? _____ Can you read and write? Yes No

Do you have a GED or High School Diploma? Yes No If yes, from what school or program? _____

Do you have children? Yes No How many children? _____ Ages _____ Is CYFD involved with your children? Yes No

With whom are the children living with now? _____

Are you receiving child support? _____

What are your goals in life? _____

Are you interested in learning life skills, parenting skills, budgeting and money management, the dynamics of co-dependency and the dynamics of domestic violence? Yes No

Are you aware that the Program is a 12 month program and that you will be required to pay rent Yes No

Are you willing to take a drug and alcohol assessment upon entry into the program? Yes No

Are you willing to take a physical exam upon entry into the program, if needed? Yes No

Do you have medical insurance? Yes No If yes, name of your insurance provider _____

What do you hope to get from this program? _____

ALL INFORMATION ON THIS APPLICATION IS TRUE TO THE BEST OF MY BELIEF.

Print Name _____ Date _____

Signature _____ Date _____

Witness of Signature _____ Date _____



I.1

CITY OF TRUTH OR CONSEQUENCES COMMISSION ACTION FORM

ITEM:

Discussion/Action: Award the Professional Engineering Service for the City of Truth or Consequences' current Community Development Block Grant Project (CDBG)

BACKGROUND:

July 18, 2017: Received approval from DFA to proceed with the memo for soliciting quotes from the following Engineering vendors: Souder Miller; Miller Engineering Consultants; Smith Engineering; Bohannon Huston; Molzen Corbin; Forsgren; Bridgers & Paxton; Livingston-Associates P.C.; Atkins Engineering Associates; and Wilson & Company.

July 18, 2017: Forwarded memo to the listed Engineering vendors requesting a response by July 21, 2017.

July 22, 2017: Received cost proposal from Wilson & Company.

July 26, 2017: Received cost proposals from Smith Engineering, Miller Engineering Consultants, and Forsgren.

July 28, 2017: Received an email from Molzen Corbin, declining due to time constraints.

STAFF RECOMMENDATION:

Selection Committee: Melissa Torres, Finance Director; Arnie Castañeda, Water Supervisor; and Tiffany Goolsby, South Central Council of Governments (SCCOG)

We have decided to recommend Wilson & Company. This company has previous experience working on CDBG projects and provided the most thorough action plan as part of their proposal. They included a detailed breakdown of the man-hours involved for staff working on this project, subcontracted spot testing, and the total projected costs. In addition, they provided the lowest bid of the two under consideration.

SUPPORT INFORMATION: Soliciting Memo and bids

Name of Presenter: Melissa Torres	Department: Finance	Meeting date: 08/09/17
E-mail: mtorres@torcnm.org	Phone: 894-6673 ext. 310	

Torres, Melissa

From: Torres, Melissa
Sent: Tuesday, July 18, 2017 1:09 PM
To: 'kdelph@forsgren.com'; 'marty.howell@soudermiller.com'; 'vmiller@mecnm.com'; 'JMontoya@molzencorbin.com'; 'codys@smithengineering.pro'; 'administrator@livingstonassociates.com'; 'eric.hamilton@wilsonco.com'
Cc: Tiffany Goolsby; Juan A. Fuentes; 'Vigil, Ariana M, DFA'; Jay Armijo
Subject: Request - quotes for professional engineering service for our current Community Development Block Grant Project (CDBG) / Truth or Consequences
Attachments: Professional Engineering Services.pdf
Importance: High

Greetings all,

The City of Truth or Consequences is soliciting quotes for professional engineering service for our current Community Development Block Grant Project (CDBG).

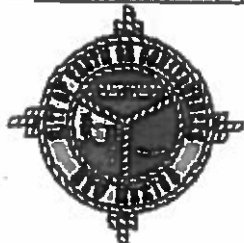
Please note, a previous soliciting from the City of Truth or Consequences was submitted several months ago for professional engineering for the Community Development Block Grant Project; however, the quote(s) were not procured as CDBG required.

We apologize for any inconvenience this may have caused. We hope that this is still interest in this project and if so, we would greatly appreciate you providing an updated quote.

If you have any questions or concerns regarding this matter, please feel free to email me at mtorres@torcnm.org.

Thank you in advance,

Melissa L. Torres
Finance Director
City of Truth or Consequences
505 Sims Street
Truth or Consequences, NM 87901
☎ (575) 894-6673 Ext. 310
- (575) 894- 0363 - Fax
✉ mtorres@torcnm.org





City of Truth or Consequences

505 Sims Street

Truth or Consequences, New Mexico 87901

City (575) 894-6673 Fax (575) 894-0363

July 17, 2017

VIA EMAIL

SUBJECT: Manhole Rehabilitation Project
Professional Engineering Services

To Whom It May Concern,

The City of Truth or Consequences is soliciting quotes for professional engineering services for its current Community Development Block Grant Project (CDBG).

The project scope of work is to identify, repair and/or replace parts of the City's sewer system, to restore pipe and improve manhole conditions city-wide. Repair work will include, but is not limited to: pipe lining, relocation, or replacement; replacing manhole frames and covers; grouting; sealing joints; applying coating to the inside of manhole structures to stop leaks; repairing damage and other needed repairs to provide structural reinforcement/integrity. New manholes will be installed where needed and others will be replaced or rehabilitated to improve the structural reinforcement/integrity.

Engineering services to include design; permitting; clearances, and/or agency approvals (including but not limited to NMED and DFA); bidding assistance using required CDBG forms; part-time construction oversight management; and subcontracted spot testing. Quotes must include all engineering services listed above and shall not exceed \$59,500.00 including NMGRT.

Preliminary design has been completed for this project. Documents available upon request.

This project is being funded by CDBG funds and must follow all required guidelines. Please disregard any professional services budgets that you may have received during prior solicitations for this project.

Quotes must include answers to the following qualifying questions:

1. Do you have experience working on CDBG projects in the State of New Mexico? Please describe.



City of Truth or Consequences

505 Sims Street

Truth or Consequences, New Mexico 87901

City (575) 894-6673 Fax (575) 894-0363

2. Do you have experience working on wastewater system improvements including manhole replacement and rehabilitation? How many years of experience do you have working on similar projects? Please describe.
3. This project will proceed on a tight schedule. Does your firm have the staff availability to commit fully to a project of this nature through project closeout? Please describe.
4. Can your firm complete the final design of this project within a three-week period? Please describe.
5. Can your firm provide bi-monthly written progress reports to the City of Truth or Consequences? Please describe.

Please email me your quote by 4 PM on Wednesday, July 26, 2017. My email address is mtorres@torc.org.

If you have any questions please contact me in writing via email.

Sincerely,

Melissa Torres
Finance Director
City of Truth or Consequences
575-894-6673 Ext. 310

Sent to:

- Souder Miller
- Miller Engineering Consultants
- Smith Engineering
- Bohannon Huston
- Molzen Corbin
- Forsgren
- Bridgers & Paxton
- Livingston-Associates P. C.
- Atkins Engineering Associates
- Wilson and Company

WILSON & COMPANY

414 N. Main Street
Las Cruces, NM 88001
575-527-9257 phone
575-527-9258 fax

Alaska
Arizona
California
Colorado
Kansas
Louisiana
Minnesota
Missouri
Nebraska
New Mexico
Texas
Utah

July 26, 2017

Melissa L. Torres
Finance Director
City of Truth or Consequences
505 Sims Street
Truth or Consequences, NM 87901

RE: Engineering Services Quote Solicitation for the City of T or C CDBG Project

Dear Mrs. Torres:

Thank in advance for considering a Quote from our office. Scope of services in provided in Exhibit 'A', which is verbatim with the "Request for Services Solicitation". Engineering services include design, permitting, clearances, and agency approvals (i.e. NMED and CDBG LGD), bidding assistance and part-time observation to oversee and close out the CDBG construction project.

Below, is the Question and Answer of our Proposal:

1. Do you have experience working on CDBG Projects in the State of New Mexico? Please describe.
 - a. Response: Wilson & Company has served New Mexico Communities since 1943 and recently celebrated 85 years of serving. Since CDBG's inception in 1974, we have served communities across all four corners of the State. Most recently, we engaged in CDBG projects in Questa and City of Anthony. We are here to serve as an extension of the South-central Council of Governments and the City of T or C to ensure the project is compliant with CDBG guidelines in the 3-weeks design duration described in the RFP.
2. Do you have experience working on wastewater system improvements including manhole replacement and rehabilitation? How many years of experience do you have working on similar projects? Please describe.
 - a. Response: Wilson & Company has for Divisions, once of which serves the water/wastewater industry which is under our Municipal Services Division. Wastewater system improvements, including manhole replacement and rehabilitation is a core business not a sideline for Wilson & Company. These services have been provided for decades (dating back to the Federal Water Pollution Control Act of 1948, which was the first major U.S. law to address water pollution).

More recently, we are providing these services to communities with vitrified clay pipe (VCT) where high infiltration, deterioration, or pipe cracks adversely affect the sewer collection system. Rehabilitation of collection system lines is typically accomplished using trenchless technology. This approach reduces open trenching, reduces construction schedule, and minimizes public disruption. Below is a list of trenchless technologies available:

- Cracks in clay, lead, cast iron, and plastic pipes
- Corrosion due to rust
- Pipe breaks
- Minor pipe misalignment
- Tree roots
- Sewage backups

3. The project will proceed on a tight schedule. Does your firm have the staff availability to commit fully to a project of this nature through project close-out? Please describe.
- a. Response: Yes, the Firm has the staffing and equipment resources to commit to this Project from Notice to Proceed through close-out. We are one of the largest New Mexico Corporate firms in the Southwestern United States and have a local office here in southern NM. Below is a brief bulleted action items that discern how we will get this done:

Week One:

- Wilson-City Representatives block out 3-day field session with GPS/GIS photographing equipment, along with measuring tape, laptop, and safety equipment. The 3-day field review will allow to verify any prior field work completed by Forsgren, identify any additional information and documentation, and finalize the GIS schema layout of the sanitary sewer collection system, including lines, manholes, etc.
- CAD Work: We will request original design files from the City related to the "Preliminary" work completed to date. Following procurement and scrubbing of information, we will augment the base plan with the information procured in the 3-day field trip. This step finalizes the base drawings for design.

Week Two through Three:

- Final Plans & Specifications will take two weeks, which includes signed and sealed Construction Drawings, Engineer's Estimate, Contract Documents, and Specifications.
- NMED and CDBG LGD submittal will be made at the end of week three, along with transmittal letter.

4. Can your firm complete the final design of this project within a three-week period? Please describe.
- a. Response: Yes we can. Please see response and schedule outlined on Question 3 above.
5. Can your Firm provide bi-monthly written progress reports to the City of Truth or Consequences? Please describe.
- a. Response: Yes we can. We are versed in the CDBG Implementation Manual and have completed the EXHIBIT 1-D PROGRESS REPORT for clients in the past.

We may provide these services on Lump Sum basis of \$42,058.12 which includes NMGRT @ 8.5%. Please see attached Exhibit 'A', which describes a detailed man-hour break down of all associated activities. It is anticipated based on past CDBG experience that the SCCOG will lead the environmental effort and Wilson & Company will provide related engineering technical assistance in support of the environmental effort.

If the scope of work and terms are satisfactory, please issue a CDBG Contract Agreement for review and signature. If you should have any questions or comments concerning this proposal or any aspect of this project, please call at your convenience at cell no. 505-715-2541 or office no. 505-348-4070.

WILSON & COMPANY



Mario G. Juarez-Infante, PE
Vice President

Exhibit A: Man-hour Breakdown Engineering Services Quote Solicitation for the City of Torrance CDBG Project Prepared by Wilson & Company, Inc. Engineers & Architects					
Job Description/ Personnel	Senior Civil Engineer	Junior Civil Engineer	Construction Observer	Junior Drafter	Clerical
Project Start Up					
Project file set up		1			
Internal Kick off Minutes and Action Item Documentation		1	1		
Internal Kick off Meeting Minutes & Documentation		2			
3-Day Field Review with GPS/GIS Verification Equipment, Camera, Laptop, and Tape		24			
Final Design & Bidding Services					
CAD Mapping Work & Planset Set-up				40	
Signed and sealed Plans, Specifications & Estimate		80		80	
CDBG LGD Environmental Approval		8			
NMED and NMOSE approval		4			
Pre-Bid Conference including all bidding addenda		8			2
Bid Opening Conference		2			2
Certified Bid Evaluation/award recommendation Letter		8			
Project Observation & Management					
Pre-Construction Meeting including preparation of meeting agenda and distribution of meeting minutes		8			2
Pre-Construction Meeting Minutes & Distribution		2			2
Project Observation: Part-time observer at 8 hrs/week including travel time, 8 weeks			64		
Project Management (Material Submittals, RFI's Change Order Review/Approval & Testing Credits Review/Certification): 4 hours/week, 8 weeks				8	
Weekly Progress Meetings, including preparation of meeting agenda (8 Meetings, 2 hr. ea.)		48			
Weekly Progress Meeting Minutes & Distribution (8 Meetings)		8			
Documentation Review, File Management (Certified Pay Roll, Employee Wage Interviews & Daily reports) 1.5 hrs/week for 8 weeks		12			16
Pay Applications, processing & approval (1 hr /ea)		2	16		
Project Close-Out					
Preliminary project walk through inspection and development of punch list items		8	8		2
Final project walk through inspection		8	8		
As Built Drawings					
Project Certification/Documentation		16			
Project Close Out/City reimbursement package		8			4
Total Man-hours	0	230	96	128	30
Unit Cost	\$	\$22,052.40	\$ 4,608.00	\$ 8,355.84	\$ 1,652.40

Total Labor Cost					\$ 36,668.64
Environmental Planning & Permitting					\$
Per-diem 3 days					\$ 225.00
Reproduction and Printing					\$ 500.00
Mileage @ \$0.535/per mile, 160 miles per day, 1 day a week for 8 weeks (two separate cars; Engineer and Observer)					\$ 1,369.60
Total Expenses					\$ 2,094.60
Proposed Project Cost w/o NMGR					\$ 38,763.24
Proposed Project Cost with NMGR @ 8.5%					\$ 42,058.12

FORSGREN *Associates Inc.*

July 26, 2017

Melissa Torres
Finance Director
City of Truth or Consequences
505 Sims Street
Truth or Consequences NM 87901

**RE: Professional Engineering Services – Scope and Fee Proposal
Manhole Rehabilitation Project**

Dear Ms. Torres:

Forsgren Associates is pleased to submit this scope and fee proposal for the referenced CDBG project. We have added Geo-Test (Las Cruces) to the project team for spot construction testing. Forsgren has completed the preliminary design for this project and has an established working relationship with water department staff. This letter is to serve as our proposal, with the questions from your July 17, 2017 letter noted below followed by our scope and fee proposal:

1. Do you have New Mexico CDBG experience?

Forsgren Associates has completed New Mexico CDBG projects for Tucumcari and also acquired CDBG funding for Estancia. The Tucumcari CDBG project (Daubs Addition) included multiple water improvements and paving milling and replacement. The project also included coordination with the New Mexico Department of Finance and Administration (NMDFA) and NMDOT. Plans and specifications were prepared by Forsgren Associates and approved by CDBG. Forsgren also provided construction services and assisted with project close out.

Reference: Mark Martinez, Project Manager, City of Tucumcari; (575) 461-2143

2. Do you have experience on manhole replacement and rehabilitation projects?

Forsgren has wastewater system expertise and has worked on previous manhole rehabilitation projects. In addition to doing the preliminary design for this project, Forsgren completed a manhole rehabilitation project for Rupert, Idaho. The Rupert project is described following:

As part of an infiltration and inflow study, Forsgren was asked to look at a lift station located downstream from a dairy facility. The lift station was in poor condition due to the acidic dairy waste and limited pretreatment at the dairy. Due to the depth of the sewer lift station, other utilities around the lift station, and adjacent road, it was decided to keep the manhole in place and line the manhole to keep the degradation from getting worse or causing a collapse of the manhole. Several alternates were reviewed and a fiberglass liner was selected to be placed inside of the existing manhole. The existing lift station was taken off line with bypass pumping, the liner was installed and connections were made to the liner.

The engineer for this project was Dave Waldron, P.E., who has been involved with the Truth or Consequences preliminary design. Forsgren was established in 1962 with specific wastewater system expertise (55 years' experience). The Albuquerque office was established in 2012 and has completed successful wastewater projects with Grants, Tucumcari, Santo Domingo Pueblo, Navajo Housing Authority, Pecos, and Los Alamos.

Professional Engineering Services Proposal – Forsgren Associates
CDBG Manhole Rehabilitation Project
Truth or Consequences
July 26, 2017

3. Does your firm have the staff availability to commit to the project?

Forsgren has experienced engineers and designers available to complete the final design and construction services for the referenced project. Staff are familiar with the project from the preliminary design and able to work on the project immediately. Key staff for the project include:

Kent Delph, P.E., CFM, PMP: Project Manager: Kent is a civil engineer with over twenty years' experience in infrastructure planning, design and construction projects. Kent is a Project Management Professional and has extensive experience working with Contractors during construction. Kent also has experience with CDBG procedures and requirements from a recent project in Tucumcari.

Dave Waldron, P.E., Civil and Structural Engineer: Dave is a civil engineer with extensive design and construction management experience. Dave has specific manhole rehabilitation experience and will provide manhole expertise and quality control reviews for the project.

Louis Sisneros, Civil Designer: Louie is an experienced Civil Designer with AutoCAD and construction document preparation expertise. Louie prepared the preliminary design plans and has visited all the manhole locations in the field.

Justin Neuerburg, Construction Inspector: Justin is a construction inspector with experience in all phases of engineering construction services. Justin has specific expertise in wastewater and water construction methods and requirements.

4. Can your firm complete the final design of this project within a three week period?

Forsgren can commit to a 100 percent submittal to CDBG within three weeks of a Notice to Proceed. It is recommended the current plans be expanded to include specific bypass plans for each location, which will take additional field review. Any CDBG comments, once received, will be addressed in one week for a resubmittal.

5. Can your firm provide bi-monthly written progress reports to the City?

Forsgren has an established project progress report mechanism and can provide these to the City bi-monthly for this project (during design and construction). The design report will included project status, latest construction cost estimate and detailed explanation of any project issues. Bi-Monthly construction progress meetings are proposed with the Contractor and will include written progress reports. Construction progress reports will include meeting minutes and track outstanding issues.

Proposed tasks and fees are described following:

1. **Final Construction Documents (CD):** Forsgren will complete the final design and construction documents for the project. Design work to be completed includes detailing bypass plans and the specific manhole rehabilitation treatment. Construction specifications will be prepared with front end documents and technical specifications. The front end specifications will comply with CDBG format. Given the critical project schedule the CDs will be at the 100% level and then revised as needed for CDBG approval.

Task 1 Proposed Fee: \$ 16,650.00

2. **Construction Bidding:** Forsgren will advertise bidding for the project and attend the pre-bid and bid-opening meetings. Forsgren will review all the bids for CDBG compliance and make a recommendation of award to the City.

Task 2 Proposed Fee: \$ 2,840

Professional Engineering Services Proposal – Forsgren Associates
CDBG Manhole Rehabilitation Project
Truth or Consequences
July 26, 2017

3. **Construction Services:** Forsgren will provide construction services for the project including construction administration, weekly inspections and progress meetings every two weeks. Forsgren will lead pre-construction and progress meetings. Forsgren will also review submittals, respond to RFIs, review pay request and review change orders, if applicable. This task includes select material spot testing (four trips total from Las Cruces) by Geo-Test. Also included in this task is a final project punch list and walk through, and certification. Proposed fee assume

Task 3 Proposed Fee: \$ 27,720

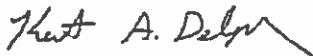
Total Proposed Fees (without NMGR): \$ 47,210

NMGR Taxes (7.3125%): \$ 3,452

Total Proposed Fees with NMGR (7.3125%): \$ 50,662

The proposed fee assumes a maximum 75 calendar day schedule for construction. Attached is a man-hour breakdown for the proposed fees. We appreciate the opportunity to submit for engineering services for this project. Please contact me if additional information is needed.

FORSGREN ASSOCIATES, INC.



Kent A. Delph, P.E., CFM, PMP
Division Manager

Ecnl.

FEE PROPOSAL - ENGINEERING SERVICES

Project Description: Manhole Rehabilitation CDBG
 Owner: City of Truth or Consequences
 Engineer: Forsgren Associates, Inc.
 Date of Submittal: 7/26/2017

Engineering and Construction Administration Services

Job Description Grade Level Billing Rate per Hour	Project Manager Engr V \$ 170	Project Engineer Engr I \$ 125	Civil Tech Tech III \$ 105	Admin Clerk II \$ 45	Const. Inspect. \$ 90	Total Hours	Total Labor Effort	Expense & Geo-Test	Total
Task 1 - Construction Documents									
Project Kickoff Meeting	8	0	8	0	0	16	\$ 2,200	\$ -	\$ 2,200
By Pass Plans and Site Visits	4	0	60	0	0	64	\$ 6,980	\$ -	\$ 6,980
100% Plans and Specs	4	8	40	4	0	56	\$ 6,060	\$ 50	\$ 6,110
Meetings	8	0	0	0	0	8	\$ 1,360	\$ -	\$ 1,360
Task 1 Subtotal									\$ 16,650
Task 2 - Construction Bidding							\$ -		
Advertisement for Bid	0	2	0	2	0	4	\$ 340	\$ 200	\$ 540
Pre-Bid Meeting	8	0	0	0	0	8	\$ 1,360	\$ 50	\$ 1,410
Recommendation of Contractor	2	4	0	0	0	6	\$ 840	\$ 50	\$ 890
Task 2 Subtotal									\$ 2,840
Task 3 - Construction Services									
Pre-Construction Meeting	8	0	0	0	8	16	\$ 2,080	\$ 50	\$ 2,130
Bi-Weekly Progress Meeting	24	24	0	0	0	12	\$ 7,080	\$ -	\$ 7,080
Weekly Inspection (one day per week)	0	0	0	0	80	0	\$ 7,200	\$ 1,200	\$ 8,400
Spot Testing (Geo-Test)	0	0	0	0	0	0	\$ -	\$ 4,500	\$ 4,500
RFIs/Pay Request/Change Orders	8	12	4	2	8	34	\$ 4,090	\$ -	\$ 4,090
Project Close Out & Certification	2	8	0	4	0	6	\$ 1,520	\$ -	\$ 1,520
Task 3 Subtotal									\$ 27,720
Subtotal	76	58	112	12	96	230	\$ 41,110	\$ 6,100	\$ 47,210
							NMGRT @	7.3125%	\$ 3,452
							Total Proposed Fee		\$ 50,662

Fee Estimate Assumptions:

Construction Schedule is a maximum 75 calendar days
 Spot Testing is a maximum of four trips by GeoTest



MILLER ENGINEERING CONSULTANTS

Engineers • Planners

July 26, 2017

City of Truth or Consequences
Ms. Melissa Torres
505 Sims Street
Truth or Consequences, New Mexico, 87901

**RE: Manhole Rehabilitation CDBG Project
Professional Engineering Services**

Dear Ms. Torres,

Thank you for the opportunity to submit a fee proposal for the City's Manhole Rehabilitation CDBG Project. Please find below answers to the stated qualifying questions and our quote for the requested engineering services.

Qualifying Questions:

1. Do you have experience working on CDBG projects in the State of New Mexico?

MEC has previous experience with the development of CDBG Projects. Over the past 15 years, MEC has designed and developed construction drawings for several CDBG projects. We are current working on two CDBG projects for the Town of Clayton and the County of San Miguel. MEC was also recently awarded the Town of Vaughn's CDBG project, which includes construction oversight for their \$500,000 water system improvements project. MEC has assisted clients with the environmental clearance required for CDBG projects, as well as performed construction oversight during the construction phase of these projects. MEC is intimately familiar with the CDBG Implementation Manual and attends workshops conducted by DFA LGD staff.

2. Do you have experience working on wastewater system improvements including manhole replacement and rehabilitation? How many years of experience do you have working on similar projects? Please describe.

MEC has designed and developed numerous wastewater system improvements projects over the past 15 years, including manhole rehabilitation and manhole replacement projects. Our project manager for this project, Mr. Verlyn Miller, has over 25 years of experience in the design and development of infrastructure projects including wastewater system improvements. Listed below are a few of our recent wastewater related projects:

- a. Cochiti Lake Wastewater System Improvements: Included the design and preparation of construction drawings for over 27,000 liner feet of sewer rehabilitation and replacement and an estimated 95 manholes that required manhole rehabilitation.

- b. Central Correction Facility Wastewater Upgrades: Included the design of over 2000 linear feet of new sewer main, a mechanical bar screen, and several manhole replacements.
 - c. Northern NM Wood Business Park Wastewater Project: This project included the rehabilitation of existing sewer mains, an existing sewer lift station, and forced main. The project also included the rehabilitation or replacement of several manholes along the sewer main.
3. *This project will proceed on a tight schedule. Does your firm have the staff availability to commit fully to a project of this nature through project closeout? Please describe.*

MEC is accustomed to accommodating abbreviated and tight design schedules. MEC has the necessary staff available to commit fully to this project for design, bidding, construction, and project close-out phases. Currently, our project manager has 70 man-hours available per month over the next 6 months to manage the project, and our support staff has an estimated 350 man-hours available over the next 6 months to support this project.

4. *Can your firm complete the final design of this project within a three-week period? Please describe.*

In the short term, MEC is committed to allocating the necessary resources to get this project shovel ready within a three-week period. With a preliminary design already in place, we do not see any issues accommodating a three-week final design schedule. Our initial schedule for this project as submitted on February 18th of this year stated a 30-day design schedule for all phases of design. After the three-week final design period, MEC will submit the drawings and CBDG contract book to DFA and NMED for review and approval. MEC will address any review comments within a few days of receipt from NMED and DFA.

5. *Can your firm provide bi-monthly written progress reports to the City of Truth or Consequences? Please describe.*

MEC will provide bi-monthly written progress reports to the City, both during the design phase and construction phase of the project. In addition to our bi-monthly progress reports, MEC will conduct progress meetings with City staff on the design of the project. MEC will also be available to update the City Council as requested by City staff. During the construction phase, MEC's bi-monthly reports will include inspection reports and pictures of construction related activities.

Scope of Services & Fee Proposal:

Miller Engineering Consultants will provide basic civil engineering services for the engineering design and construction administration of an estimated \$450,000 sewer manhole replacement and rehabilitation project. It is estimated that up to 30 sewer manholes will be included in the scope of work for this project. More specifically, the scope of services is proposed as follows:

1. **Engineering Design Services:** MEC will prepare the design and a set of construction documents (drawings and specifications) for the project. MEC will conduct site visits to view and evaluate the condition of each of the existing sewer manholes identified in the scope of work. MEC will prepare an

3500 Comanche, NE, Building F • Albuquerque, New Mexico 87107
Phone (505) 888-7500 • Fax (505) 888-3800 • www.mecnm.com

inspection report for each manhole that identifies the condition of each manhole and the summary of findings. MEC will prepare a scope of work that identifies manholes in need of replacement, and the manholes in need of rehabilitation. MEC will produce a master map showing the location of all manholes identified in the scope of work. MEC will prepare the required technical specification for this work. MEC will also prepare the CDBG contract book for the project. MEC will submit the construction documents to the NMED Construction Programs Bureau for review and approval prior to bidding the project. It is assumed that MEC will be provided the preliminary design drawings already prepared for this project. MEC will advance this preliminary design to final design and will field verify all assumptions outlined in the preliminary design prior to the development of the final design drawings.

2. **Bidding and Construction Administration Services:** MEC will provide bidding phase assistance to the client including conducting a pre-bid meeting, administering the bidding phase, issuing addenda, conducting the bid opening, and preparing a bid tabulation and recommendation of award to the client. MEC will also provide construction administration services for this project to include daily administration of the contract with the contractor. MEC will conduct bi-monthly site visits and conduct bi-monthly construction progress meetings with the contractor and the client. MEC will prepare bi-monthly written progress reports to the client and DFA. MEC will review submittals, shop drawings, issue field orders, answer daily questions, and respond to RFI's. MEC will assist the client with the close-out of the project including as-built drawing preparation and issuing a letter of acceptance.

Specially excluded from this fee proposal is any required structural engineering services, geotechnical services, environmental services, cultural resource clearances, labor compliance, full time construction observation services and any other services not specifically outlined in the scope of work above.

Our fee for the above-described services will be a fixed fee amount as follows. A detailed breakdown of these items are provided in Exhibit A attached hereto.

1) Engineering Design Services:	\$ 17,960.00 plus applicable taxes.
2) Bidding and Construction Administration Services:	\$ 16,460.00 plus applicable taxes.
TOTAL	\$ 34,420.00 plus applicable taxes

Please feel free to contact us if you have any questions or require additional information.

Sincerely,

MILLER ENGINEERING CONSULTANTS, INC.

Verlyn A. Miller, P.E.

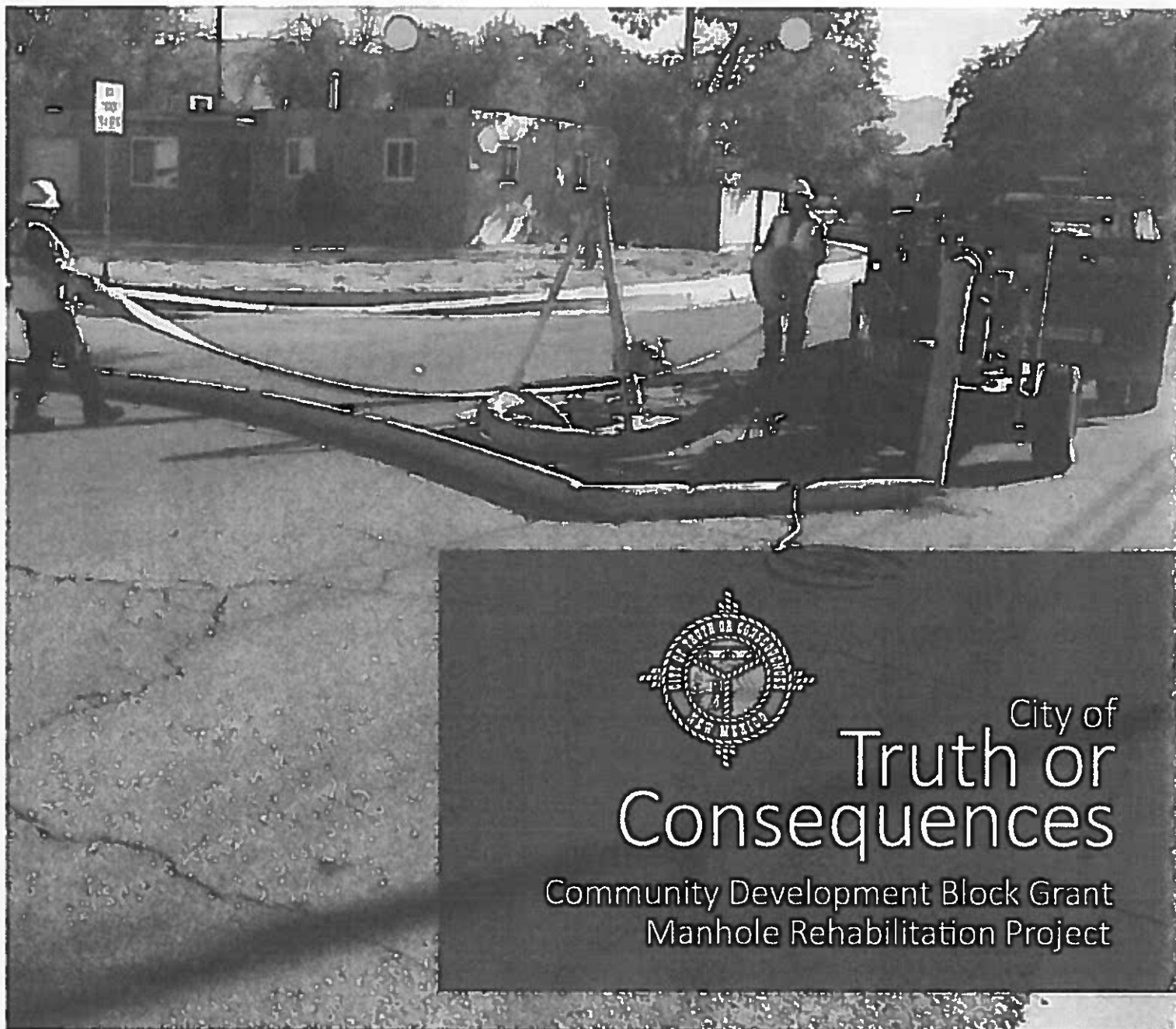
Verlyn A. Miller, P.E.
President

VAM:jmm
Enclosure: Manhour Fee Estimate

Xc/wo: File

Client: City of T & C
Project: 2015 CDBG Sewer Manhole Replacement & Rehabilitation Project
Date: July 26, 2017

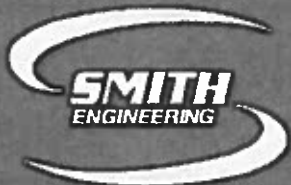
TOTAL ESTIMATED AMOUNT



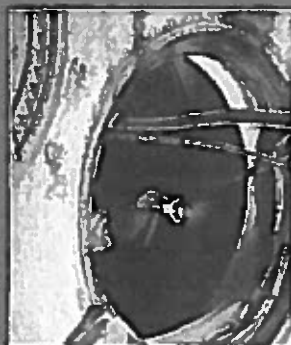
City of Truth or Consequences

Community Development Block Grant
Manhole Rehabilitation Project

Proposal by



Solutions for Today. . . Vision for Tomorrow



July 26, 2017 | 4:00PM



Solutions for Today...

Vision for Tomorrow

July 26, 2017

Melissa Torres, Finance Director
City of Truth or Consequences
505 Sims Street
Truth or Consequences, New Mexico 87901
Via Email: mtorres@torc.org

Re: Request for Proposal for 2014 Community Development Block Grant Project
Manhole Rehabilitation Project
Smith # 17-3005

Dear Ms. Torres:

Smith Engineering Company (Smith) values it's work completed with the City of Truth or Consequences (City) and looks forward to assisting the City in completing this project. We are submitting a cost proposal and statement of our qualifications for the engineering services for the 2014 Community Development Block Grant Manhole Rehabilitation Project. The project scope of work is to identify, repair and/or replace parts of the City's sewer system, to restore pipe, and improve manhole conditions city wide. Repair work will include, but not limited to: pipe lining, relocation, or replacement; replacing manhole frames and covers; grouting; sealing joints; applying coating to the inside of the manhole structures to stop leaks; repairing damage and other need repairs to provide structural reinforcement/integrity. New manholes will be installed where needed and others replaced or rehabilitated to improve the structural reinforcement / integrity of the manhole. The project is being funded by CDBG Grant Funds and must follow all the CDBG Guidelines.

Below is our Proposed Budget.

Proposed Budget: RPF for Engineering Services for the 2014 Community Block Grant Project		
Description	Construction w/o NMGR	Schedule
Preliminary Design (Completed)	N/A	N/A
Final Design (Lump Sum)	\$ 18,000	3-Weeks from Notice to Proceed
Bidding Phase (Lump Sum)	\$ 5,250	21 Day Advertisement Period
Construction Administration (Lump Sum)	\$ 14,500	75 Calendar days to Substantial and 90 Calendar days to be ready for final payment
Part-Time Resident Project Representative Phase Services (Not Expected to Exceed)	\$ 17,500	10 Weeks = 20 Hours a week
SUB TOTAL PROFESSIONAL SERVICES COSTS	\$ 55,250.00	
	NMGR - 7.5%	
	\$ 4,143.75	
TOTAL COST	\$ 59,393.75	

2201 San Pedro Drive, NE
Tel: 505-884-0700

Building 4, Suite 200

Albuquerque, NM 87110
www.smithengineering.com

Below is the proposed scope for engineering services:

1. Obtain from the City, the CADD files for the preliminary design of the rehabilitation replacement of 24 manholes.
2. Complete a field review of the identified manholes to confirm the types, invert locations, and condition.
3. Prepare a CADD sheet set, cover sheet, general notes, and vicinity map.
4. Complete construction details for the rehabilitation and reconstruction of the manholes.
5. Prepare a construction contract from CDBG Approved documents.
6. Prepare supplemental specifications to the 2006 New Mexico Standard Specifications for Public Works.
7. Provide quantities and bid schedules and an engineer's opinion of probable construction cost.
8. Send bid documents to City and funding agency for review and comment.
9. Address City and agency comments and prepare final bid documents.
10. Conduct a Pre-Bid with contractors and issue addendums per CDBG Contract Documents.
11. Tabulate all the bids and give the City of T or C a Recommendation of Award (ROA) letter.
12. Conduct a Pre-Construction meeting with the Owner, Contractor, and the funding agencies in attendance.
13. Provide Part-Time Resident Project Representative (RPR) services for the City. Smith Engineering will issue daily field reports for RPR onsite for observations.
14. Smith Engineering will review submittals (10-estimated), field orders, change orders (2-estimated), and contractor pay applications (3-estimated) for the City. Smith Engineering will also conduct monthly construction meetings and issue minutes from those meetings. Smith Engineering will also produce bi-weekly progress reports to the City, beginning at the commencement of the engineering services.
15. Smith Engineering will assist the Owner and the Grant Administrator (SCCOG) in the preparation of construction closeout documents identified in the CDBG implementation manual.

If you have any questions or comments please do not hesitate to contact me.

Sincerely,

Smith Engineering Company



Cody Sipes, PE

Exclusions:

- A. Environmental and Cultural Resource Documentation
- B. Rights of Way and Property Surveying
- C. Permitting



Smith Statistics

Contact Information

2201 San Pedro NE
Bldg. 4, Suite 200
Albuquerque, NM 87110
P: 505.834.0700
F: 505.861.2576
cody@smithengineeringpro
smithengineeringpro

Firm's Services

Water/Wastewater Engineering
Flood Control
Drainage
Structural Engineering
Site Design
Transportation Engineering
Environmental Services
Grant Assistance/Writing

Company Size

Civil Engineers: 13
Engineering Associates:
Environmental Engineers: 1
Structural Engineers: 2
Survey & BIM: 2
CAD Personnel: 10
Lab Technicians: 4
Administrative: 10
Construction Services: 11
Trucks: 5
TOTAL employees: 67

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ENGINEERING PROFESSIONAL SERVICES:

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i About Smith

Smith's Vision

Bob Smith left Bristol, England in 1966 to come to the United States. After assignments all across North America, he arrived in New Mexico in 1984. Through hard work, perseverance and a strong dedication to client service, he worked his way up from an engineering technician to Executive Vice President of a national engineering firm. In 1989, because of his love of the Land of Enchantment, Bob started his own firm here in New Mexico, Smith Engineering Company.

Smith Engineering, a C Corporation, now has offices in Albuquerque, Roswell, & Las Cruces, New Mexico. Smith has amassed some of the top engineering talent in the Southwest and has built a strong regional reputation. The expertise of our engineers, technicians, and support personnel cover all disciplines of civil engineering, environmental engineering, structural engineering and construction management. We have over 67 employees between our three offices that carry on the work ethic and expertise needed to produce the quality of work that Mr. Smith originally envisioned.

Mission & Business Philosophy

Fulfilling our mission, "Solutions for Today, Vision for Tomorrow" embraces two key elements: understanding our client's needs and being experts in the areas of water and wastewater treatment systems, roads, drainage facilities, water distribution and sewer collection systems, construction management and operational services.

We believe that creative and responsive solutions are best achieved through an interactive design process. Our approach is not one of a preconceived nature but an exploration of ideas and issues. Communication and teamwork are the elements that guide our designs as we strive for a solution that uniquely responds to the particular needs of each project.

Specialized Services Provided:

Civil Engineering

- Site Engineering / Land Development
- Hydrologic Analysis
- Hydraulics Analysis
- Flood Control / Drainage Engineering
- Roads and Transportation Engineering
- Permitting Assistance

Environmental Engineering

- Wastewater Collection, Treatment and Reuse
- Water Resources, Storage, Distribution and Treatment
- Solid Waste
- Permitting Assistance
- Planning (Preliminary Engineering Reports, NEPA, Environmental Documentation, Asset Management Plans)

Structural Engineering

- Commercial
- Education
- Government
- Healthcare
- Industrial

Other Services

- Surveying
- GIS Mapping & Modeling
- Construction Oversight and Administration
- Materials Testing
- Construction Special Inspections
- Bonding Assistance

ii Proposed Organization Chart



1 CDBG Experience in New Mexico

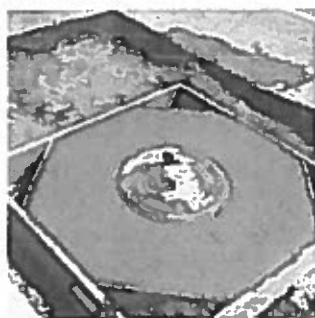
Since 1989, Smith has worked on projects funded by local bonds, state grants, federal grants and loans - which includes CDBG. Recent projects with CDBG funding include:

- Jal Wastewater Treatment Plant Improvements, 2009
- Corona Wastewater System Improvements, 2009
- Melrose Wastewater System Improvements, 2009
- Magdalena Wastewater Treatment Plant Improvements, 2005
- Cuba Wastewater System Improvements, 2003
- Capitan Wastewater Treatment Plant Improvements, 2005
- Dexter Water System Improvements, 2004
- Carlsbad 10th Street Improvements, 2011
- Lovington City Street Improvements, 2003

Projects included preparing request for payments in compliance with CDBG programs, assist the Owner in conducting public hearings, provide documentation that meet CDBG standards and forms, and provided timely progress reports. We understand that bi-monthly written progress reports allows the City to track roles and responsibilities, costs, and milestones as specified in the project schedule and budget. Smith Engineering Company is registered with the System for Awards Management (SAM) and is familiar with the CDBG contract for professional services.

2 Wastewater System Experience

With over 18 years of Wastewater System Improvement experience, Smith strives to deliver projects that are successful and cost effective by establishing a well-defined project scope. The scope clearly outlines the responsibilities of all parties using concise contract documents and bid tabs. Smith maximizes efficiency for projects of this nature by using standard specifications and drawings while also utilizing its network of material contractors in order to specify the best suited, yet most cost effective materials. Our project manager, Cody Sipes, will do quality checks on all the engineering, plans, and specifications that are put together by the design staff. Likewise, he will coordinate between the various entities to ensure timely submission of project deliverable. Effective and clear communication leads to a successful project. Therefore, for the duration of this project, Smith will conduct project progress meetings on a monthly basis. The purpose of monthly meetings will be to ensure that all parties involved are making progress according to the project schedule. It will also provide a forum for resolving any deviations quickly. This method has proven to please clients over the years. The following projects included rehabilitation of sewer lines and manholes, and involved bypass pumping to complete the work.



Manhole Collar Construction

Albuquerque Bernalillo County Water Utility Authority Cesar Chavez and Broadway Interceptor Sewer Rehab

Scope Relevance | Design and Replacement | Manhole Rehab | Construction Phase Services

Smith Engineering Company worked with the ABCWUA to design and replace high risk interceptor sewer lines greater than 15" in diameter. The scope of the work included plan sets based on GIS mapping, as-built research, and site visit with a requirement for the contractor to survey for as-built purposes. Smith also provided a pre-design manhole survey, manhole rehabilitation (including bench rebuilding and polyurethane coating), Construction Phase and closeout services as well as Resident Project Representative (Construction Observation) during construction. Smith facilitated project progress meetings approximately every other week to review line selection, design status, and schedule.

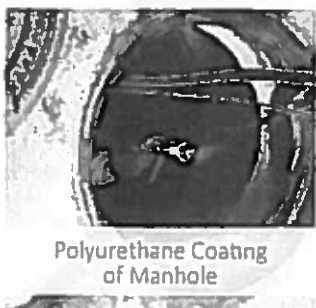


Bypass Pumping Station

Albuquerque Bernalillo County Water Utility Authority Goff Boulevard SAS Emergency Repair

Scope Relevance | Manhole Rehab & Replacement | Bidding Assistance | Dewatering

The ABCWUA has experienced several SAS emergency repairs in which Smith Engineering has assisted under their On-Call Contract with ABCWUA. Engineering work has included design recommendations, bid assistance, Construction Observation, record drawings, and as-built surveying. The Goff-Boulevard SAS Repair included replacing and installing 6 to 14 inch waterlines, and the rehabilitation and replacement of manholes. Unique challenges of this project included groundwater dewatering and the combination of trench and trenchless rehabilitation of sanitary sewer lines.



Polyurethane Coating
of Manhole

Albuquerque Bernalillo County Water Utility Authority I-25 Sewer Crossing Rehabilitation

Scope Relevance | Design | Construction Services | Manhole Rehab | Permits

This project included the rehabilitation of three lines crossing under I-25 in Albuquerque, NM. The work consisted of spiral wound PVC liner in existing 8" and 18" gravity sewer lines, the rehabilitation of manholes (including bench rebuilding and polyurethane coating), and coordinating with NMDOT for the required utility permits and traffic control permits.



Rehabilitated Manhole

Albuquerque Bernalillo County Water Utility Authority Comanche and I-25 SAS Rehab

Scope Relevance | SAS Pipe Rehab | Bidding Assistance | Construction Services | Manhole Detail

The original project was the design and rehabilitation of a single line under I-25. Upon review, other sanitary sewer lines, that had voids and may fail, were added to be rehabilitated with a cured-in-place liner. The design included horizontal drilling under I-25, SAS rehabilitation for 8" SAS on Aztec (San Mateo to Cardenas), 8" SAS on Eubank at Menaul, 8" SAS on Carlisle (ISR to Hannett), 8" SAS on Carlisle at Montgomery. The scope included, CCTV review, site visit, preparation of GIS plan sheets, specifications, manhole details, bidding assistance, submittal and pay application review, site visits during construction, and record drawing preparation.



Connection of New SAS to
Manhole

Albuquerque Bernalillo County Water Utility Authority Small Diameter Sewer Rehabilitation Project

Scope Relevance | Design | Manhole Survey & Detail | Construction Services | Progress Meetings

Smith was authorized to perform design services and construction support for the replacement of small diameter sewer mains for approximately 250,000 LF of pipe. Services provided include plan sets based on GIS mapping, as-built research, and site visit with a requirement for the contractor to survey for as-built purposes. Smith also provided a pre-design manhole survey and rehabilitation. Smith provided construction phase and closeout services as well as a Resident Project Representative (Construction Observation) during construction. Smith also updated the Asset Management Plan and provide line selection assistance as directed by the ABCWUA project manager. Smith facilitated project progress meetings approximately every other week to review line selection, design status, and schedule.

3 Team Experience

Smith has the capacity and capability to successfully and economically engineer the Manhole Rehabilitation Project within your three week deadline. Our depth of staffing and combined expertise constantly impress clients. By utilizing our experienced Water & Wastewater team, Smith has been successful at maintaining a truly integrated approach to projects such as this. We have found that the best way to manage the workload between available resources is to communicate. We conduct weekly team and monthly team leader meetings that include our staff and managers to review project progress, deliverable dates, assign work, and to make adjustments in project staffing to meet critical schedules. The work for the services requested will be performed

by the personnel in our Albuquerque office. Smith consists of talented engineers, technicians, and support personnel covering the varied disciplines of civil engineering. Our team of employees excel in planning, engineering, and assisting in construction, startup, and operation of public works projects. For this project, we have carefully selected a team that will be immediately responsive to the City of Truth or Consequences. With over 30 years of combined experience, this team has the staff needed to assign one professional to each service category, yet small enough to be focused and therefore, cost efficient and able to maintain familiarity and clear communication.



Cody Sipes, PE 19482

Project Manager

B.S. Civil Engineering, New Mexico State University

Cody Sipes has 12 years of experience in civil engineering and project management. This experience includes grading and drainage design, the design of pump stations and water treatment facilities, water transmission and distribution systems, wastewater collection systems, water storage facilities, water source development projects and planning reports. Project design responsibilities include hydrology calculations for runoff determinations, hydraulic design for water systems and sewer collection systems, corridor modeling for roadway improvements, HEC-RAS modeling for flood control structures, and AutoCAD Civil 3D grading for site development. He has completed over a dozen water system preliminary engineering reports, technical memos, and drainage studies for communities throughout New Mexico. He understands the requirements of the various funding agencies and their grant programs. He has worked with multiple regulatory agencies to see that projects are completed from their initial planning stages. Recently he has completed Sewer Rehabilitation Projects for the Albuquerque Bernalillo County Water Utility Authority.



Jared Lujan, PE 20435

Project Engineer

B.S. Civil Engineering, New Mexico State University | M.S. Civil Engineering, Texas Tech University

Mr. Lujan, with 10 years of experience, is one of Smith's leading civil project engineers/managers. He has experience in hydrologic and hydraulic analysis, and the design and management of projects including storm sewer, sanitary sewer, waterline design and rehabilitation, pumps, treatment facilities, and cost estimating. He has extensive experience in Construction Phase Services including time spent as a Resident Project Representation. He is skilled in multiple modeling software programs.



Dave Forster

Staff Engineer

M.S. Civil Engineering (in progress) | B.S. Civil Engineering, University of New Mexico

Mr. Forster has experience in planning, design, and construction phase services for water/wastewater treatment and sewer and water utility replacement and rehabilitation. He has assisted in the design of five NTUA wastewater treatment plant upgrades, the Albuquerque Bernalillo County Water Utility Authority Sewer Interceptor project and horizontal directional drilling project, and construction observation for the City of Portales WWTP and Effluent Reuse System. In addition, he has experience in Construction Phase Services for Truth or Consequences and ABCWUA.

4

Ability to Complete Final Design

This project requires a fast response time to complete the final design. Smiths proposed Project Team will be available for each task assigned for this contract. By having a dedicated team, we can guarantee continuity and create documents that meet the City of Truth or Consequences criteria and which are produced quickly and efficiently. Smith Engineering has a vast portfolio of projects with scopes that are equal to those listed in the request. Our teams project experience consists of Water and Wastewater design, replacing or upgrading existing utilities including manholes, securing permits, and construction oversight management. Each project brings new challenges, and our team is ready to tackle those challenges head on in a manner that respects budgetary requirements. This benefits the City with limited delays in projects and a final product that meets the needs of the citizens.

5

Bi-Monthly Written Progress Reports

We know that documentation and monitoring is an important factor of the CDBG Funding Process. Smith will provide written Bi-Monthly Progress Reports to the City of Truth or Consequences using the format that is the project standard. The Report will contain the progress of the project, roles and responsibilities, costs, and milestones as specified in the project schedule and budget.

Torres, Melissa

From: John Montoya <JMontoya@molzencorbin.com>
Sent: Friday, July 28, 2017 12:05 PM
To: Torres, Melissa
Cc: Tiffany Goolsby; Juan A. Fuentes
Subject: RE: Request - quotes for professional engineering service for our current Community Development Block Grant Project (CDBG) / Truth or Consequences

Melissa,

I want to apologize for not being able to reply with a proposal for this project.

This is a project that we were interested in pursuing and previously provided a proposal. However, given the project time constraints we felt that it would not be right for us to propose on this project.

We hope that you understand and please know that we would like to participate in other projects that the City may have in the future.

Thank you for your consideration.

Sincerely,

MOLZENCORBIN

John T. Montoya, PE. PS. PTOE
575 522 0049 Tel
575 644 0866 Cell

From: Torres, Melissa [<mailto:MTorres@torcnm.org>]
Sent: Tuesday, July 18, 2017 1:09 PM
To: kdelph@forsgren.com; marty.howell@soudermiller.com; vmiller@mecnm.com; John Montoya <JMontoya@molzencorbin.com>; codys@smithengineering.pro; administrator@livingstonassociates.com; eric.hamilton@wilsonco.com
Cc: Tiffany Goolsby <tigoolsby@sccog-nm.com>; Juan A. Fuentes <jafuentes@torcnm.org>; Vigil, Ariana M, DFA <ArianaM.Vigil@state.nm.us>; Jay Armijo <jarmijo@sccog-nm.com>
Subject: Request - quotes for professional engineering service for our current Community Development Block Grant Project (CDBG) / Truth or Consequences
Importance: High

Greetings all,

The City of Truth or Consequences is soliciting quotes for professional engineering service for our current Community Development Block Grant Project (CDBG).

Please note, a previous soliciting from the City of Truth or Consequences was submitted several months ago for professional engineering for the Community Development Block Grant Project; however, the quote(s) were not procured as CDBG required.

We apologize for any inconvenience this may have caused. We hope that this is still interest in this project and if so, we would greatly appreciate you providing an updated quote.

If you have any questions or concerns regarding this matter, please feel free to email me at mtorres@torcnm.org.

Thank you in advance,

Melissa L. Torres

Finance Director

City of Truth or Consequences

505 Sims Street

Truth or Consequences, NM 87901

☎ (575) 894-6673 Ext. 310

- (575) 894- 0363 - Fax

mtorres@torcnm.org





I.2

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

ITEM:

DISCUSSION/ACTION: FUNDING OPTION FOR THE LAW ENFORCEMENT COMPLEX PROJECT.

BACKGROUND:

The City acquired the Old Armory property from the NM State National Guard for the purpose of constructing an Animal Shelter and Regional Public Safety Complex. The goal for acquiring the property is to consolidate Public Safety Operations (Animal Shelter and Law Enforcement) near each other to share resources and reduce operation costs. The first priority project was the new Regional Animal Shelter. The project has been funded by State and Local Appropriations. A notice to proceed has been issued to the contract and construction is in progress.

The next priority project is the renovation of the existing Old Armory for law enforcement. The City Commission has approved an architectural contract with NCA Architects and preliminary plans and estimates are being finalized. During the City Commission meeting on February 14th, the City Commission authorized staff to proceed with financing options for this project. On June 14th, the City Commission authorized an application with the New Mexico Finance Authority for up to \$2,500,000 for the Law Enforcement Complex Project. The New Mexico Finance Authority Board met on July 29th and approved the City's application for financing the Law Enforcement Project.

Mark Valenzuela, GK Baum, has prepared his analysis of the financing options to proceed with this project. The project will be funded by the dedicated Police GRT.

STAFF RECOMMENDATION:

- Authorization to proceed with the financing for the Law Enforcement Complex.

Name: Juan A. Fuentes

Department: City Manager

Mtg: 08/09/17



I.3

CITY OF TRUTH OR CONSEQUENCES COMMISSION ACTION FORM

ITEM:

Consideration and Action on recommendation by the PUAB for reimbursement of Impact Fees to the Water & Wastewater Departments.

BACKGROUND:

A presentation was given to the PUAB by the Water/Wastewater Dept. requesting reimbursement for costs associated with projects made to adjust for flow or system expansion. These funds were fronted by Water/Wastewater and we are now asking for reimbursement to use for current repairs and equipment needed to proper operation.

After several question and answer sessions with the PUAB, consent was given by the Advisory Board to recommend formal approval by the City Commission of reimbursement of funds.

STAFF RECOMMENDATION:

Staff agrees with recommendation from the PUAB for approval from the commission to reimbursement Impact Fee monies to the Water and Wastewater FY 2017-18 Operating Budgets.

SUPPORT INFORMATION:

PUAB minutes
PowerPoint Presentation

Submitted by: Amie Castaneda	Department: Wastewater	Meeting date: August 9, 2017
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Request for Reimbursement from Impact Fees Fund



WASTEWATER UPGRADES PHASE 1

- ▶ New Belt Filter Press
- ▶ New Aerators
- ▶ New Ultraviolet system
- ▶ SCADA System upgrades
- ▶ Laboratory Upgrades
- ▶ Administration Building Rehab



WASTEWATER UPGRADES PHASE 1

TOTAL IMPROVEMENTS

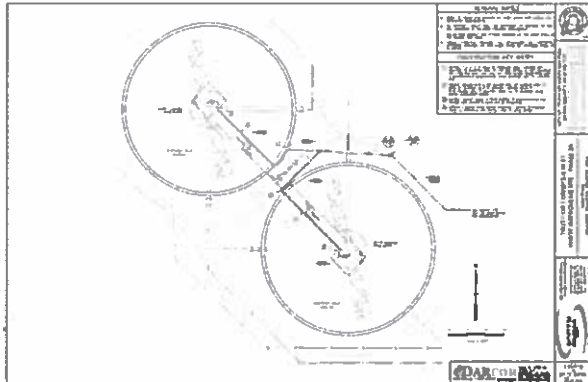
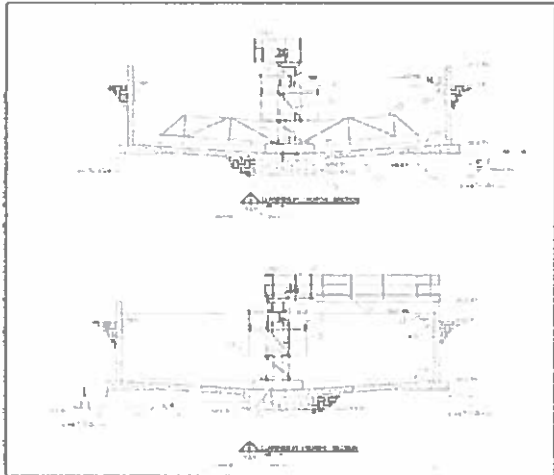
\$3.5 MILLION plus
\$900,00 in city
matching funds.

Project is close to
completion. Should close-
out by the end of June
2017.



WASTEWATER UPGRADES PHASE 2A

- ▶ Excavate and construct two new 55 ft. diameter clarifiers
- ▶ New splitter box for flow control to new units
- ▶ Equip new clarifiers with required gear
- ▶ Installation of new PVC C-900 lines for RAS/WAS and valves.



- ▶ The lowest bid came in from Smith Co. in the amount of **\$1,888,670.35**
- ▶ At the recommendation of the Smith Engineering, the project was awarded to Smith Co., the low bidder.
- ▶ However, due to a mathematical error on Smith Engineering's spreadsheet the bid exceeded the available amount for Phase 2A by **\$335,237.89**

WASTEWATER UPGRADES PHASE 2A

- ▶ According to records, the City currently has **\$302,868.00** in Impact Fee funds that qualify for reimbursement back towards the Water/Wastewater Budgets.
- ▶ The Water/Wastewater Budgets fronted the funds to pay for the projects listed in the next slide. However, only the projects highlighted in green qualify for reimbursement.



451	368	45	73	38	98	71	79
164	94	54	97	86	40	75	48
188	172	10	30	62	48	52	31
433	898	2 132	2.390	3.220	2.175	1.388	1.803
870	2.845	1.001	1.820	1.748	2.587	1.990	1.586
2.427	1.133	1.308	3.928	2.178	2.584	2.778	1.494
2.424	2.887	1.710	1.281	1.232	2.585	2.778	1.494
1.892	1.844	1.725	2.110	1.478	1.460	1.150	1.494
1.189	1.803	1.442	2.092	2.900	1.868	1.585	1.494
2.032	1.188	2.457	1.277	1.388	1.751	1.771	1.494
290	92	238	458	458	458	458	458
243	430	271	204	103	103	103	103
248	175	103	2.802	1.588	1.588	1.588	1.588

IMPACT FEES REIMBURSEMENT

Major Purchases & Repairs - Water & Wastewater						
Asset Name	Location	Item description	Cost	Eligible	Comment	Allowable cost Totals
Rewind 250 HP Pump	Cook Street	W-3 Water Treatment	\$10,431.00	No	Repair	
Repair 50 HP Pump	Cook Street	W-3 Water Treatment	\$6,500.00	No	Repair	
Sludge Pumps	Plant	WW-1 Clarifier	\$7,898.00	YES	WW Probable Cost, line 1	\$7,898.00
Pump Repair	Plant	WW-4 Pump Station	\$7,600.00	No	Repair	
Magneters	Plant	WW-2 Aeration Basin	\$8,194.00	YES	WW Probable Cost, line 2	\$8,194.00
Effluent Reuse Phase 3&4	Armijo Pond	WW-4 Pump Station	\$11,304.00	YES	5-8-4(A)(2) NMSA 1978	\$11,304.00
Repair Gear Box	Plant	WW-2 Aeration Basin	\$15,316.00	No	Repair	
Repair 50 HP Pump	Plant	WW-2 Aeration Basin	\$6,650.00	No	Repair	
Controller	Plant	WW-4 Pump Station	\$6,427.00	YES	If upgrade & not repair; WW Probable Cost, line 4	\$6,427.00
Submersible Pump	Well #4	W-2 New Well	\$8,412.00	YES	WS Probable Cost, line 1	\$8,412.00
Repair, Muffin Monster	Clancy Lift Sta	WW-4 Pump Station	\$14,424.00	No	Repair	
Check Valve	Cook Street	W-3 Water Treatment	\$7,000.00		Repair/replacement	
Homa Pump	Clancy	WW-4 Pump Station	\$11,600.00	YES	WW Probable Cost, line 4	\$11,600.00
Rotor Outer Bearing	Plant	WW-2 Aeration Basin	\$5,182.00	No	Appears to be repair	
Media Block	Plant	WW-2 Aeration Basin	\$13,894.00	YES	WW Probable Cost, line 2	\$13,894.00
Grit Pump	Plant	WW	\$9,977.00	YES	If upgrade & not repair; WW Probable Cost, line 1(?)	\$9,977.00
Concrete Beds	Plant	WW	\$9,786.00	YES	WW Probable Cost, lines 1-2	\$9,786.00
Concrete Beds 5x2	Plant	WW	\$18,877.00	YES	WW Probable Cost, lines 1-2	\$18,877.00
Tank Rehab	Cemetery Rd I-25 N	W-2 Tank Rehab	\$1,349,614.81	YES	\$100,000 at WS Probable Cost, line 2	\$100,000.00
Gear Box	Plant	WW-2 Aeration Basin	\$23,500.00	No?	Appears to be repair/replacement	
Repair Submersible Flight	Clancy Lift	WW-4 Pump Station	\$14,528.00	No	Repair	
Repairs	Potable Well #1	W-1 New Well	\$15,226.00	No	Repair	
Oval Wier	Plant	WW-2 Aeration Basin	\$19,955.00	YES	WW Probable Cost, line 2	\$19,955.00
Swivel Joint	Golf Course	WW	\$8,033.00	No	Appears to be repair; no direct benefit to development	
Rewind Motor- 250 HP	Cook St. Booster	W-3 Water Treatment	\$7,865.00	No	Repair	
Sampler 24 hours	Plant	WW-6 Flow Meter	\$5,100.00	YES	WW Probable Cost, line 6	\$5,100.00
Flyght Pump Repair	Clancy	WW-4 Pump Station	\$5,000.00	No	Repair	
Emergency Repair	North Date	WW-4 Pump Station	\$17,653.00	No	Repair	
Upgrade SCADA System	Water/Wastewater	WW-8 SADA	\$26,906.00	YES	WW Prob. Cost, line 8; WS Prob. Cost, line 5	\$26,906.00
Manhole	Veater	WW	\$16,788.00		YES if this is system expansion for service	\$16,788.00
60 HP Pump	Clancy	WW-4 Pump Station	\$27,750.00	YES	If new & not replacement; WW Prob. Cost, line 4	\$27,750.00
TOTAL:						\$302,868.00

**PRELIMINARY OPINION OF PROBABLE COST
CITY OF TRUTH OR CONSEQUENCES
WASTEWATER TREATMENT PLANT UPGRADE PROJECT**

TOC0601L
August 7, 2006

The unit prices used in this Opinion of Probable costs are based on 2005 & 2006 construction experience. All costs have been escalated to 2006 dollars. If construction is not completed in 2006, these costs should be escalated annually until construction is complete.

The following is our opinion of most probable project costs based on our best judgment and experience. Since we have no control over the cost of labor, materials, equipment, competitive bidding, or market conditions, we cannot guarantee that actual project or construction costs will not vary from the opinion of probable cost prepared.

The total project cost will also be affected by the time of year that bids are solicited, the amount of time allocated for construction, and the total amount of construction performed under a particular contract.

ITEM NO.	ITEM DESCRIPTION	ITEM UNIT	ESTIMATED QUANTITY	UNIT PRICE	AMOUNT
1	Clarifier	LS	2	\$ 900,000	\$ 1,800,000
2	Aeration Basin Upgrade	LS	2	\$ 1,250,000	\$ 2,500,000
3	Digester	LS	1	\$ 2,000,000	\$ 2,000,000
4	Pump Station	LS	1	\$ 200,000	\$ 200,000
5	Belt Press	LS	1	\$ 300,000	\$ 300,000
6	Flow Meter	LS	1	\$ 30,000	\$ 30,000
7	Electricity	LS	1	\$ 20,000	\$ 20,000
8	SCADA	LS	1	\$ 10,000	\$ 10,000
9	Dewatering	LS	1	\$ 50,000	\$ 50,000
10	Engineer Fill Material	LS	1	\$ 20,000	\$ 20,000
11	Mobilization	LS	1	\$ 20,000	\$ 20,000
Subtotal					\$ 6,950,000
GRT @				7.25%	\$ 503,875
Contingency @				10%	\$ 745,388
Total Construction					\$ 8,199,263
Basic Engineering					\$ 720,000
Construction Observation					\$ 400,100
GRT @				7.125%	\$ 79,807
Total Construction					\$ 9,399,170

PRELIMINARY OPINION OF PROBABLE COST

Wastewater Treatment Plant Upgrade Project

Total Construction \$9,399,170.00

**PRELIMINARY OPINION OF PROBABLE COST
CITY OF TRUTH OR CONSEQUENCES
WATER SYSTEM UPGRADE PROJECT**

TOC0601L
August 7, 2008

The unit prices used in this Opinion of Probable costs are based on 2005 & 2008 construction experience. All costs have been escalated to 2006 dollars. If construction is not completed in 2006, these costs should be escalated annually until construction is complete.

The following is our opinion of most probable project costs based on our best judgment and experience. Since we have no control over the cost of labor, materials, equipment, competitive bidding, or market conditions, we cannot guarantee that actual project or construction costs will not vary from the opinion of probable cost prepared.

The total project cost will also be affected by the time of year that bids are solicited, the amount of time allocated for construction, and the total amount of construction performed under a particular contract.

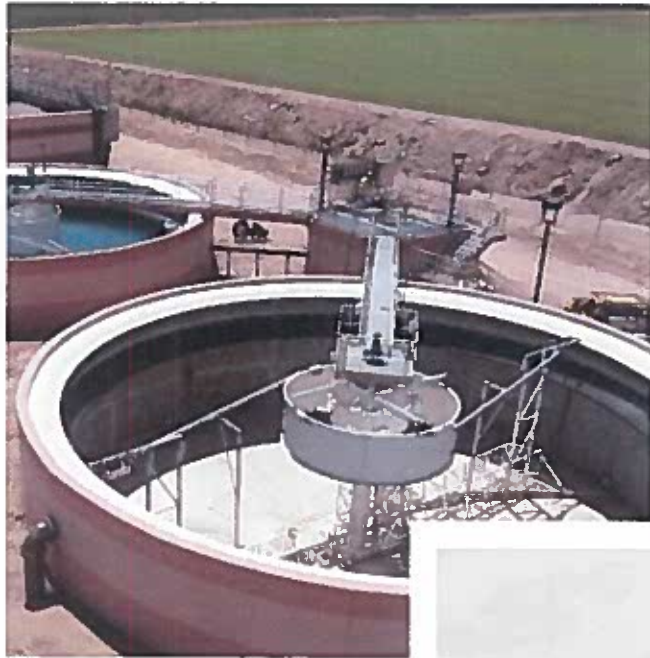
ITEM NO.	ITEM DESCRIPTION	ITEM UNIT	ESTIMATED QUANTITY	UNIT PRICE	AMOUNT
1	New Well	LS	1	\$ 200,000	\$ 200,000
2	Tank Rehab	LS	2	\$ 50,000	\$ 100,000
3	Water Treatment	LS	1	\$ 200,000	\$ 200,000
4	Electricity	LS	1	\$ 30,000	\$ 30,000
5	SCADA	LS	1	\$ 20,000	\$ 20,000
6	Land Acquisition	LS	1	\$ 30,000	\$ 30,000
7	Permits	LS	1	\$ 5,000	\$ 5,000
8	Exploratory Well	LS	1	\$ 30,000	\$ 30,000
9	Mobilization	LS	1	\$ 20,000	\$ 20,000
Subtotal					\$ 635,000
GRT @				7.25%	\$ 46,038
Contingency @				10%	\$ 68,104
Total Construction					\$ 749,141
Basic Engineering					\$ 67,000
Construction observation					\$ 36,200
GRT @				7.125%	\$ 7,353
Total Construction					\$ 859,694

DEVELOPMENT IMPACT FEE STUDY REPORT
THE CITY OF TRUTH OR CONSEQUENCES

PRELIMINARY OPINION OF PROBABLE COST

Water System Upgrade Project

Total Construction \$859,694.00



- At this time we are asking the Board to approve the reimbursement of the maximum allowable amount up to \$302,868.00 from the Impact Fee Fund to the Water/Wastewater Budgets.

IMPACT FEE REIMBURSEMENT

**CITY OF TRUTH OR CONSEQUENCES
IMPACT FEE ADVISORY BOARD
TUESDAY, JULY 11, 2017**

SPECIAL MEETING

Special meeting of the Impact Fee Advisory Board of the City of Truth or Consequences, New Mexico to be held in the City Commission Chambers, 405 W. Third, Truth or Consequences, New Mexico, on Tuesday, July 11, 2017 at 9:00 A.M.

INTRODUCTION:

PRESENT:

George Szigeti, Chairman
Jeff Dornbusch, Vice-Chairman
Ron Pacourek, Member
Gil Avelar, Member
Randy Ashbaugh, Member – Arrived at 9:02 a.m.
Sid Bryan, Member

ALSO PRESENT:

Juan Fuentes, City Manager
John Appel, City Attorney
Robbie Travis, Building Inspector
Melissa Torres, Finance Director
Jesus Salayandia, Water/Wastewater Admin. Director
Arnie Castaneda, Water/Wastewater Department Supervisor
Traci Burnette, Grant Project Coordinator
Sonya Williams, Utility Office Manager
Angela A. Torres, Deputy City Clerk

APPROVAL OF AGENDA:

Member Pacourek moved approval of the agenda.

Member Bryan seconded the motion. Motion carried unanimously.

APPROVAL OF MINUTES:

Regular meeting of Monday, June 19, 2017:

Vice Chairman Dornbusch moved approval of the June 19, 2017 minutes as submitted.

Member Pacourek seconded the motion. Motion carried unanimously.

COMMENTS FROM THE PUBLIC:

Klaus Wittern – He would hope that before any issue on the agenda is addressed, all members of the Board be provided with a significant amount of information, as well as partake in discussion about this statute, because he does not feel that the City properly complied with any of the requirements under the statutes, other than appointing and creating the Board way back in 2006. There have not been any studies of any kind made that are required under the statutes, and he would hope that the Board would get some significant insight into that process that is required under the statute.

NEW BUSINESS:

Discussion/Action: Consideration to approve reimbursement request – Arnie Castaneda, Water/Wastewater Division Supervisor:

Chairman Szigeti- Reminded the Board that Member Ashbaugh has pending litigation against the City in regards to the Impact Fees. Even though Member Ashbaugh is not recusing himself from the discussion, everyone on the Board must keep that fact in mind as we go through these deliberations. The purpose of this meeting is not to debate what has, or has not happened in the past. We are here to conduct the business and responsibilities of this board, and to do it in compliance, to the best of our ability, with the codes as they are written. What has happened in the past is not the issue here; it's what we are doing right now that is important. So with that being said, Mr. Castaneda can you please quickly refresh our memories.

Water/Wastewater Division Supervisor Castaneda- He had recently reviewed his presentation regarding reimbursement of the Impact Fees during the Water/Wastewater budget hearing. They have recently had a lot of problems with equipment breaking down, as well as normal wear and tear, and the Water/Wastewater budget has paid for a lot of the small projects up front. However, they have deficiencies with the systems in both Water and Wastewater because the systems are old. We're trying to do some upgrades with some grant funding but, we are still lacking funds. We have put aside buying new equipment, new vehicles, new pumps, and new pieces of equipment because the budget does not allow it. What we were asking for in his previous presentation was reimbursement from the Impact Fees to put into the Wastewater budget so we can supplement the budget to fix, repair and/or replace any piece of equipment that is broken down at this time. During the budget process there were a lot of things both he and Jesus Salayandia broke down that was needed to continue to operate both the Water and Wastewater systems. They had to scratch more than half of the items out because they didn't have the budget for it. Whether or not the Impact Fees were handled correctly is not his expertise, but he can tell you that they deficient in both water and waste water. Some pieces of equipment have been neglected due to the budget, and there is going to come a time when the

equipment is going to be break down. Everybody will open up their faucet and there will be no water, then what happens? We are trying to avoid that. We are trying to find options so that we don't find ourselves in a crisis later on.

Member Avelar- If you had the need, then why didn't you all ask for the money in the new budget?

Water/Wastewater Division Supervisor Castaneda- They did ask for funding. They have a list of 20 or 30 things they would like to replace or repair in both the Water and Wastewater Department, but the budget does not allow it. The revenue that is coming in is not sufficient to replace all of this equipment.

Vice-Chairman Dornbusch- What is the most critical piece of equipment that you feel is prone to failure?

Water/Wastewater Division Supervisor Castaneda- "Any piece of equipment such as pumps." For instance we have three (3) wells that are down right now. We are working on Well #7 and hopefully we addressed that with the fiscal year 2016/2017 budget. That well should be in line by the end of the week, but we still have Well # 8 and Well #4 down. Right now we have the North Date lift station operating with one pump because the other one burned out. If the pump that is on there now goes out, then we are going to have sewer flowing in front of Restaurants. We have check valves, and effluent pumps at the Wastewater Treatment Plant that cost \$5000, that they had to "put a band aid on" to try and get through the fiscal year, and right now there are two of them that are leaking.

Vice Chairman Dornbusch –The pump at the lift station says it all. That pump needs a backup, as do all Lift Stations.

Water/Wastewater Division Supervisor Castaneda- As you know, in the Water/Wastewater business, if you have a pump, you should always have a backup, because you don't want to get into a situation where if one pump goes down, then what do you do?

Member Avelar- It just seems to him that the City would somehow find that funding, because they would appreciate that need. When he was in the Electric Department he used to get in trouble for having X amount of Transformers in the back, but as you say, if you have a problem, you can't tell somebody "sorry we don't have that Transformer, so you are going to have to be out of power until we can procure one."

City Manager Fuentes- Let me address that comment/question. Member Avelar you bring up a very good point. That is what staff has been trying to do for the past couple of years. I want to circle back to a statement that was made by Member Pacourek at one of our prior Commission Meetings in regards to the rates. Why are they adjusted automatically? The reason for that is, for the last couple of years, staff has been working hard not just with funding agencies, but also within their own systems and trying to adjust the rates so that it can provide the financial resources to replace some of that equipment. For many years the city neglected to adjust those rates. For those of you who may be familiar with the budget; for example the Wastewater was being subsidized by the Electric Division for years, and slowly they got out of that, it is no longer being subsidized by the Electric Division. It takes time, but the rates had to be adjusted. So that is what staff is working on right now. When we deal with Water and Wastewater it is a very expensive infrastructure fix. We're talking about thousands of dollars. This is not replacing a vehicle; this is replacing water pumps and lift stations that cost thousands of dollars. For a one time fix you are looking at maybe \$25,000 to \$50,000 for just one item, but yet, you have aging infrastructure everywhere. The rates in itself help build that revenue stream, and that reserve for these

projects. What we are requesting now is that over the years, the systems have put in the funds out of their own reserves to pay for some of these needs that qualify under the Impact Fees, and that is the question that is before you. Slowly they are addressing those things, but it is going to take time. That's why it is so critical that we keep the automatic increase, because it is helping them build that reserve for the Water, Wastewater, and Solid Waste.

Chairman Szigeti- How much is the capacity at the Wastewater Treatment Plant going to increase when this project is complete?

Water/Wastewater Division Supervisor Castaneda- I think we will be going up to about a 25% increase.

Chairman Szigeti- We have the engineering report which addresses the Impact Fees that sited the Wastewater Treatment Plant upgrade increase in capacity as justification for the Impact Fees.

Water/Wastewater Division Supervisor Castaneda – The list on the presentation that was highlighted in green are the items that qualify for reimbursement, and there are other items on there that we found did not qualify.

City Attorney Appel – He would like to clarify one point. He believes one item on the list, which was the w-2 tank rehabilitation on cemetery road, is actually a water upgrade as opposed to a wastewater upgrade. Your Capital Improvements Plan listed that at \$100,000. We are recommending reimbursement of only \$100,000 because that is what is in your ICIP right now. He would like to point out that they in fact have \$1,349,614.84. You might want to consider amending your Capital Improvements Plan at some point, because he thinks that more of that would be reimbursable if it was in your plan.

Chairman Szigeti- Asked if the Board members had any further questions.

Member Pacourek – The plan from Engineering Incorporated had no date on it so he called the number and it turns out, that engineering "outfit in no longer in business. However, he did get a hold of a man named Wade Myers (who is now with a different company) and Mr. Myers pulled up this file in the database, and the date showed August of 2006. The data in here is 11 years old, and he is sure that absolutely nothing out of this data has changed in 11 years. He just wanted to make that point.

Chairman Szigeti – What City Attorney Appel was pointing out is that the cost and figures in here are 11 years old and that's why we have such things as the Water Tank Upgrade. We cannot go beyond what's listed in that PER.

City Attorney Appel – That is your current Capital Improvements Plan. That is the most recent document.

Member Pacourek- Shouldn't this have been updated?

City Attorney Appel- That is something this committee needs to do and you need to do it promptly, because it is supposed to be done ideally every 5 years. First you need to look at what are called your land use assumptions, and decide whether the assumptions that were made in that PER are still reasonable and accurate. Although the city has grown, it has grown in the same sort of pattern that was anticipated in 2006, and it may not be necessary to change your land use assumptions, and the Capital

Improvements Plan. More than likely you will find areas where the land use assumptions may need to be modified, and therefore the Capital Improvements Plan should be modified, and if so, that's the recommendation that you make to the Commission.

Chairman Szigeti- We would have to schedule a meeting specifically for that purpose.

Member Ashbaugh- It calls by law in the New Mexico Development Fees Act that there has to be workshops and meetings on it.

Member Pacourek- There is supposed to be a separate interest bearing account that Impact Fees are in. Which bank is that through?

Finance Director Torres- The bank is First Savings.

Member Pacourek – What is the balance?

Finance Director Torres – I would have to look at that balance. I am not too sure sir. We have over 50 accounts.

Member Pacourek- In this, they are asking for \$300,000. Is there \$300,000 in this account to cover that and where did the money come from?

Finance Director Torres – Yes, sir there is. The majority of the money in that account came from the Veterans Home Impact Fee which was collected in the 2016/2017 fiscal year. She believes the amount was an estimated \$210,000.

Water/Wastewater Division Supervisor Castaneda- To clarify, we are asking up to \$300,000. At this point with the state of the Water and Wastewater System, if there is a smaller amount that the Board feels comfortable with, then we will take that.

Member Ashbaugh- According to the New Mexico Development Fees Act, under:
5-8-5. Items not payable by fee: (B) repair, operation or maintenance of existing or new capital improvements or facility expansions;

It seems to him that a lot of these things are more repairs than they are upgrading. Repairs, operation or maintenance of existing or new capital improvements or facility expansions; has to go through the Development Fee Act, which is not in this study from 2006. He would like for the Board to know that he spoke with Raymond Ruffini who was on the Planning & Zoning Commission in 2007, and Mr. Ruffini said that they never even voted on this thing that was made in 2006. They never enacted or did a study for Capital Improvements or voted on a Capital Outlay Plan. He feels that all of his fellow members are very wise people, but the law is the law, and that's all he is going to say.

Chairman Szigeti- The purpose of what we are doing now is to either recommend approval of the expenditure or to vote against it.

Member Bryan- He would like to agree on how Chairman Szigeti started the meeting. The past is the past, and it seems like if we delay I this there is a chance it could be higher at a later rate just like it was before.

Member Bryan made a motion to recommend approval as requested by Arnie Castaneda.

Motion seconded by Vice Chairman Dornbusch.

George Szigeti, Chairman - Voted Aye

Jeff Dornbusch, Vice-Chairman - Voted Aye

Ron Pacourek, Member – Voted Nay

Gil Avelar, Member – Voted Aye

Randy Ashbaugh, Member – Recused himself from the vote.

Sid Bryan, Member – Voted Aye

Motion carried. 4 to 1 vote.

COMMENTS FROM THE BOARD:

Chairman Szigeti – In light of what City Attorney Appel has said, and comments made that this study is out of date; it is the responsibility of this body to review and assist with updating this information. He thinks that should be the next item of business that this Board takes on. However, it is probably something we don't want to jump into next week. We'll take a little time to do some research, but we should convene again for the purpose of discussing the review of the land use assumptions, and the Capital Improvements Plan.

City Manager Fuentes- He and City Attorney Appel feel that one of the things staff needs to do, which could also help in this process, is to seek out professionals such as an engineering firm or perhaps also some financial analyst to be part of the process. He thinks that will be one of the things that staff will be working toward.

City Attorney Appel – I definitely agree with that, and as we discussed with some of you earlier, this does need to be done. The data is really old and it is time to look at the land use assumptions, and determine what changes need to be made to update the Capital Improvements Plan with the assistance of qualified professionals, which is defined in the act, which basically does include planners and financial advisers as well as engineers.

Chairman Szigeti – So with that in mind should we set a time for another meeting?

City Manager Fuentes- I think it would be a good idea if we meet again right before the PUAB meeting so that staff can update you on the status of the procurement of professional services. That way we can keep everyone up to date on what staff is doing, and how we are proceeding forward.

Chairman Szigeti – Recommended that the next meeting be held prior to the next Public Utility Advisory Board Meeting, on August 21st starting 5pm.

Member Ashbaugh- He would like the Board to know that this Impact Fee money is held in something similar to an escrow by the city. It's really not the city's money, and us as an Impact Fee Board have the responsibility to be sure we have a proper Capital Outlay Plan, and we are supposed to monitor for all the expenditures, and we have not monitored any of the expenditures over the last 10 years. Are the funds in the bank in individual accounts? That money is put in individual accounts to state that that

money is put in by a "payee" and that the city has a fiduciary responsibility like an escrow agent to be sure they're spent right, and he thinks the action they took is not in compliance.

Member Pacourek- Had a question about Ordinance 571. In the code it states:

Items payable by fee: An impact fee may be imposed only to pay the following specified costs of constructing capital improvements or facility expansions; and Items not payable by fee: 2)

Repair, operation or maintenance of existing or new capital improvements or facility expansions;

Is the facility expansions considered either? Is it paid or not paid?

City Attorney Appel- Facility expansions are items that are in the Capital Improvements Plan that are necessary to expand the facilities and make them available to our new connections that are included. However, you are absolutely correct. It cannot be used simply to enhance, repair or even to do minimal upgrades on existing facilities. We went through and looked at all of these capital expenses for the past 7 years and disallowed those that were for repair, or modification of existing facilities that did not clearly expand the capabilities of the system.

Member Pacourek – He looked up the definition of Impact Fees on Wikipedia and it says it is for new development. According to the last census, our County has lost 1000 people, and he has not really seen any new development.

Building Inspector Travis- Impact Fees are for new development, but we also have a ton of infill lots that never had service to them, so those are developable, as well as mobile homes that coming in that are setting on a lot that has never had utilities hooked to them, so it's not just new construction. Its other stuff too.

City Attorney Appel- Typically Impact Fees are imposed in a limited area where for example, a new subdivision where new services are needed. However, the New Mexico Development Fees Act specifically authorizes what the City of Truth or Consequences has chosen to do, which is to develop a plan that looks at infill, and other expansion of need throughout the entire municipality. So your Impact Fee area is the entire Municipality of Truth or Consequences, basically everything within the city limits. Other municipalities such as Albuquerque, Rio Rancho, and Corrales have chosen to go a different route and use them only for new developments that are on the outskirts that need complete new mains, and so forth. So that is why it is very important for you all to do the exercise that we have gone through, and make sure that you distinguish between those improvements that are needed to expand the capacity of the system for infill and for new structures such as those for the Wastewater Phase 2 which is still ongoing.

COMMENTS FROM STAFF:

Building Inspector Travis – He would just like to say that he knows that things have not been done in the past, even before a lot of our times. We caught it half way through it, and we're trying to pick it up, straighten things out, and get that handled. But please keep in mind, just as Arnie and Jesus were saying, if we don't have Impact Fees, and we let developers and builders not pay those, somebody else is going to have to pay for it and that's going to be the citizens. So he thinks that is something we really want to keep in mind. We do want to get it corrected, and have everything up and running right. That's our intent, it has gone on too long without having things up and right, but we do have to have Impact Fees no matter what. Every other Municipality and City has them. And just to correct one thing, the amount of Impact Fees paid for the Veterans Home was \$201,000.

ADJOURNMENT:

There being no further business to come before the Impact Fee Advisory Board, George Szigeti, Chairman, declared the meeting adjourned.

APPROVAL:

PASSED AND APPROVED this 21st day of August 2017, on a motion duly made by _____, seconded by _____, and carried.

George Szigeti, Chairman
Impact Fee Advisory Board



I.4

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

ITEM:

Acquisition of property at the T or C Airport.

BACKGROUND:

City Manager Fuentes will present this item.

STAFF RECOMMENDATION:

None.

Submitted by: Renee Cantin, City Clerk-Treasurer

Meeting date: 08/09/2017

1999 CAVCO

Model #1656F

T-11 siding & shingle roof.
(wood)

Ser.# CRVNB98-1202

enclosed Porch - 8 ft. x 16 ft. with screen & windows

Back Deck - 8 ft. x 11 ft.

Handicap ramp - back of house - 4 ft. wide x 11 ft.

sidewalk ramp - 4 ft. x 16 ft.

~~Back~~

Front Deck - 6 ft. x 10 ft.

8x12 - shed \bar{c} wood frames metal siding metal roof.

model # - EMUT-816

Serial # - NM28980

carpet needs replaced in liv. Room.

ceiling - Din. Room & Kit. texture needs repaired.

Stove & refrig. stay

Total Price -
\$17,000.⁰⁰

Tony

719-468-5250

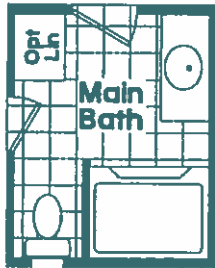
The Spirit and Style of the Southwest

21400 1411
26900

MODEL SE-1656F

Approximately 863 Sq. Ft.

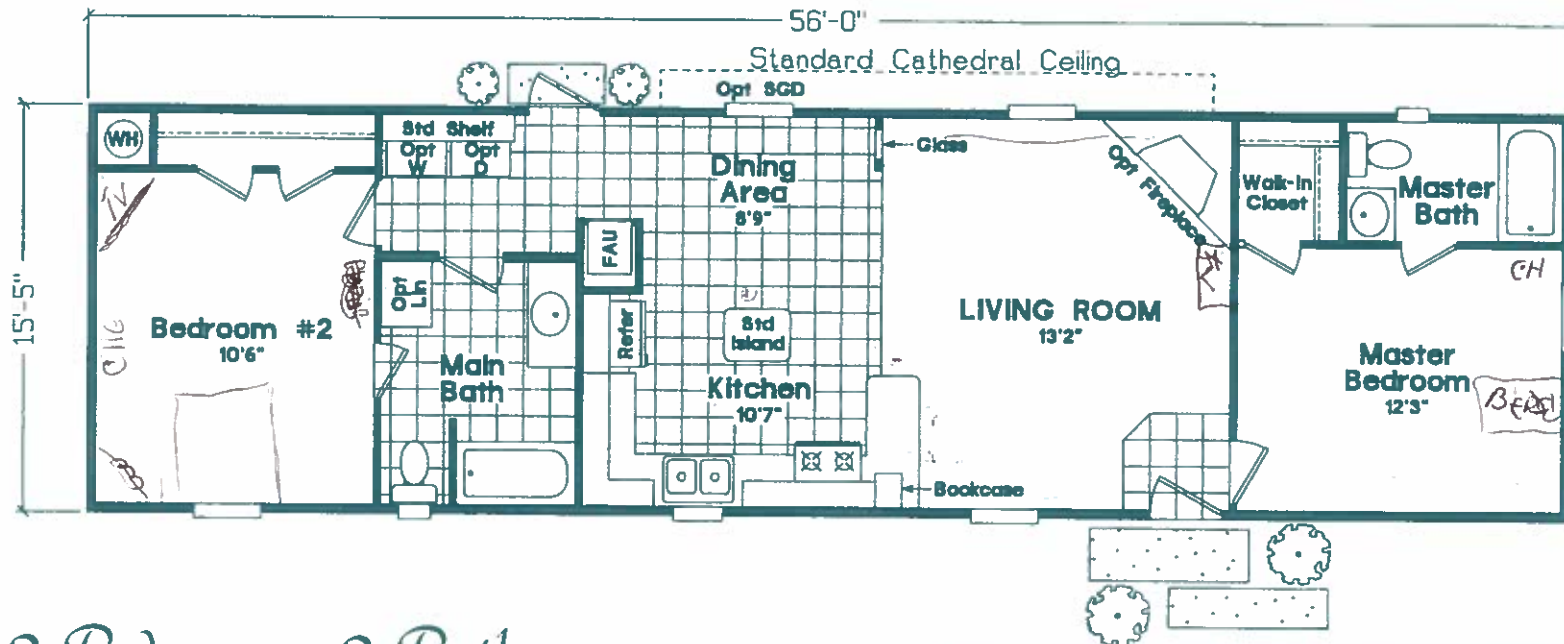
LAS CRUCES



Opt GT W/Shower



Opt GT W/Shower



2 Bedroom ~ 2 Bath





I.5

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

ITEM:

Holloman Air Force Base Environmental Impact Study for F16's.

BACKGROUND:

Mayor Green will present this item.

STAFF RECOMMENDATION:

None.

Submitted by: Renee Cantin, City Clerk-Treasurer

Meeting date: 08/09/2017

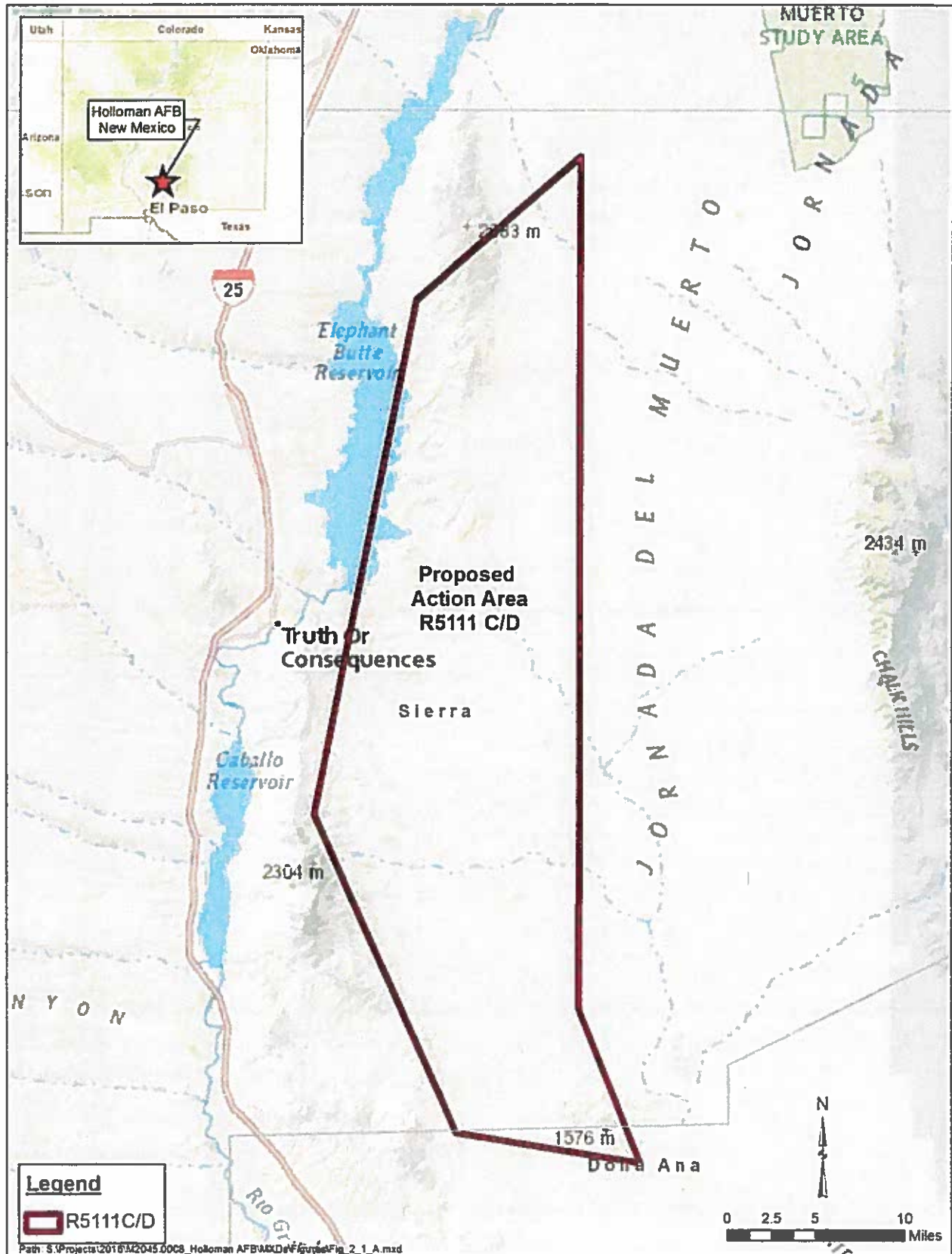


Figure 2-2 WSMR R-5111 C/D Airspace



I.6

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

ITEM:

Appointment of an Alternate to serve on the Joint Powers Commission in the event the appointed member cannot attend.

BACKGROUND:

Mayor Green will present this item.

STAFF RECOMMENDATION:

None.

SUPPORT INFORMATION:

None.

Submitted by: Renee Cantin	Department: Clerk-Treasurer	Meeting date: 08/09/2017
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