

**CITY COMMISSION MEETING MINUTES
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
CITY COMMISSION CHAMBERS, 405 W. 3RD St.
WEDNESDAY, MARCH 28, 2018**

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. Mayor Green asked if anyone has an electronic device on their person to please shut it down so there are no interruptions.

B. INTRODUCTION

1. ROLL CALL

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

Hon. Steve Green
Hon. Sandra Whitehead
Hon. Kathy Clark, Commissioner
Hon. Rolf Hechler, Commissioner
Hon. Paul Baca, 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 Clark to lead the Pledge of Allegiance.

4. APPROVAL OF AGENDA

Mayor Pro-Tem Whitehead moved to approve the agenda. a request was made to pull F.1 for City Commission Regular Minutes, February 28, 2018 off of the consent calendar to vote on separately. Commissioner Clark seconded the motion. Motion carried unanimously.

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

CITY COMMISSION MARCH 28, 2018 REGULAR MEETING MINUTES

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.

Carolyn Cazares addressed the Commission related to:

1) As a long time recycler, she wonders if she is correct in her understanding that it costs the city more to recycle than to put it in the garbage. And we pay more for our garbage than we should. She asked if someone can please respond on this request.

Cary "Jagger" Gustin, Film Liaison addressed the Commission related to:

1) Gave a quick report on some of the film happenings in Sierra County. In February, a Film Company requested Help for T-Group Productions from Culver City, California. They were requesting locations in T or C and Winston, New Mexico. Reality TV starring Ozzy and Jack Osborn, titled Ozzy & Jacks World Detour permit was approved and officials were notified. They were not going to block any streets and planned to shoot on private property. At the end of March Students from the UNM Media School in Albuquerque requested help when they were filming at Elephant Butte Lake State Park. He turned their permit over to State Park Officials as they have their own jurisdiction for filming. And lastly the State of New Mexico Film Office is celebrating 120 years of film in New Mexico. The first film was in 1898 and was a 38 second short film at Isleta Pueblo; in 1968 the New Mexico Legislature passed a law creating the Film Commission. New Mexico today is a "go to" location for major filming. They just released a Twelve Strong Film shot here in New Mexico, primarily in Alamogordo. The Rose that filmed here in T or C, in 2017 starring Cybil Sheppard and Josh Brolin is due to be released soon. He left a handout for the Commission.

Annie Whitney, 520 Gray St. (Matthew 25) addressed the Commission related to:

1) The Subrecipient Grant for Matthew 25. She gave some statistics about Matthew 25 that was included in their application. Based on the Truth or Consequences population of 6,029; 14% is registered with the food pantry. In addition, they get about 20 referrals a month. Emergency referrals from churches and neighbors. The combination of the numbers represent 21% of their population. All of the people served in Sierra County represent 13% of the population which is huge. 823 people from T or C alone are enrolled in their program, which includes 247 seniors, 192 children, 89 Veterans, 23 people with diabetes. There are 437 households enrolled and half are receiving some form of food assistance like SNAP or Food Stamp Program. There are 131 Disabled Seniors and individuals who live in the housing program and once a month they get food from the Roadrunner Food bank which gets delivered to them. Some of those people it will be the only visit they get during that one time a month.

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

1) Part of his talk is about the letter in the Herald today, he won't read the whole thing. He wanted to ask the Commission about one of the findings he found from an IPRA, January 2017 the City Managers account under Other Contractual Services paid \$6,000 and \$6,065 for two appraisals for city properties. One being the Lee Belle Johnson

CITY COMMISSION MARCH 28, 2018 REGULAR MEETING MINUTES

Center and one being the Chamber of Commerce building. He wants to know how many Commissioners knew about the appraisal which cost \$3,000? Prior to the MOU that was issued in February 2017 that gave Spaceport free rent, because the appraisal should have been done in 2015 prior to the Follow the Sun Tours was now being done and established a Fair Market Value of \$4.00 per sq. ft., \$19, 548 a year for the Spaceport Facility. That means Follow the Sun Tours over paid by \$11,500 for their 17 month stay in that position. Who knows about this appraisal. In the last three months of tours they made \$367. That was their take from Final Frontier who made about \$7,000 in three months. In the meantime, \$5,000 of rent we did not receive is a loss to our people. Who knew?

Steve Zeske, 1019 Parway addressed the Commission related to:

- 1) Congratulated Mayor Pro-Tem Whitehead for reelection and Commissioner Baca for the election.
- 2) Thanked Don Armijo for the three way stop by Kopra and Golf View. There is a lot of traffic going through there to the shooting range and none of it was slowing down, and it is a dirt road.
- 3) He hopes Commissioner Baca is taking a day off and not a sick day because he's not sick.

LaRena Miller, Geronimo Trails Scenic Byway addressed the Commission related to:

- 1) In 2017 they had over 1,000 more visitors than 2016. They were up 10% on visitation. They get people from all over the world. She names some of the countries. They come to soak in the hot water and want to see all there is to see. They spend money in the county, they eat, and buy gas. This is a great benefit to our economy. She explained how they come Friday and stay Saturday night and spending their money. We have great weather here. Their volunteers at the going rate provide over \$40,000 of benefit to the city, just in time alone.

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

- 1) Saturday's Chamber Banquet and Annual Fundraiser. Tickets are on sale at the Miners Claim, Sea Properties, and the Chamber. It Williamsburg be in the paper, so he hopes to see some faces.
- 2) Congratulated the new Commissioners. And he hopes we continue moving in the right direction. He loved seeing the trucks out there filling the potholes up.

Stanley Rickert, 1705 Carrie St. addressed the Commission related to:

- 1) Congratulated Carlos Sainz at the Cottonwood RV Park on 3rd St. on the improvements they have made.
- 2) Next door to him on the property of Cale Thomas, they chopped down a great tree in their yard. He feels like he's doing it to make it into a commercial storage yard to bring in a bunch of junk and other dilapidated boats and vehicles that just doesn't cut it. It comes to a point where he has to file this more legally so they can put a stop to this action. It's not a residential look for feel they want in a residential area. He needs to

take his business and go somewhere else where it's legal for him to possess all of this stuff. It's time we act on this and get it over with.

D. RESPONSE TO PUBLIC COMMENTS

Mayor Green asked Ms. Cazares to give him about two weeks and he would get her some numbers since he is the Chair for the Recycling Committee. As far as recycling down south, they did an analysis and New Mexico Solid Waste is only one other company in town and it turns out we are about \$10 a month cheaper as far as the fees. If we go with a private enterprise, we will put 12 people out of work and at the mercy of someone else's pricing structure and even with the 5% increase they passed on their collection fee, they are still able to run the department, pay down the debt on the bond to Capital One, and still save the Citizens over \$10 per month.

Commissioner Baca responded to the gentleman about his leave, he responded that he does use his annual leave to be here. Mayor Green thinks that's a great example of the height of service when someone decides to serve their community and an idea of something they may have to give up to do so.

E. PRESENTATIONS

1. Presentation and update on the J. A. Hodges Municipal Swimming Pool.
Tammy Gardner and Don Armijo, Public Works Director

Interim Swimming Pool Manager Gardner presented the update on the Swimming Pool improvements. Some of the improvements she reported included the Resurfacing Project, painting, grounds, pumps, chemicals, grounds, and inspection. As the Commission approved they have closed for the winter, and due to the holidays, it took a little longer. It was completed January 18th. The new lane tiles, handrail was fixed, new hangers installed. She showed the pictures where they completely removed all of the old tile and other improvements. They have painted the floors and the walls and the ceiling has been decaying and was peeling. They patch that and paint it as well. The Parking area near Daniels is also getting some paint done. The grounds has been cleaned up quite a bit. There were places with debris and clutter that has all been clean up. The leaning shed was fixed for them to use. The pool pump was leaking but it's now working properly. They are working on the pH levels and get those taken care of. They are hiring now, and have been for a couple of months. They have definitely had a low turnout for applications but they are hoping to get more. She notified the Commission of the State Inspection which is scheduled for April 6th. The results of the inspection will be available for review upon request.

Mayor Green was interested in how many Lifeguards we will need so it can be opened. Interim Swimming Pool Manager Gardner said there should be two Lifeguards on duty at all times. They have gone through the application process and have done some interviews so far, so they will move on from there.

Mayor Green said he talked to Destiny Mitchell who let him know there in an initiative to have a High School Swim Team. And our pool is so big, it doesn't quality to have swim

CITY COMMISSION MARCH 28, 2018 REGULAR MEETING MINUTES

meets because the meets are 25 yards. There is something called a bulk head and it might be \$10,000 – \$25,000 that can be used to shrink the pool down so they can hold those events here. Destiny said we might be able to do three or four events a week and maybe we should do some investigation to see if this is something we should look at.

City Manager Fuentes commended Tammy Gardner and Tracy Johnson for their work at the pool. He added while they are tweaking the chemicals, they do need some Lifeguards. He encouraged anyone who knows someone to have them apply for the available positions.

2. Update on the Cook Water Station Project and Colonias Application. Arnie Castaneda, W/WW Supervisor & Traci Burnette, Grant/Projects Coordinator

W/WW Supervisor Castaneda gave an update. They attended a meeting for the Colonias Board where they had submitted an application for the Cook St. Rehabilitation. The project includes a new 300,000 gallon storage tank. They currently have a 200,000 gallon storage tank so this would bring us up to about half a million gallons in storage, there would be new chlorine building with equipment and the new Chlorination Injection Point. The new injection of water is important, this will be where all of the water will be pumped to and from there it goes to the rest of the community. So it's important to keep the equipment up to date and also the chlorination injection point. They presented the project and requested a waiver. One of the projects on this request is Phase 2B which took a little longer

City Manager Fuentes wanted to highlight with this project obviously their goal is to always go out for some grant funding. The next program we will be looking at USDA for a combination grant/loan for the project. That process takes time. The next option could be exploring all of the different funding options such as the Clean Water Revolving Fund grants. Unfortunately grant money is up to \$21 million and only \$11 million made the cut, but only \$7 million is available for funding. Depending on the project they choose or through some other creative way for funding or financing our Infrastructure. They just wanted to let the Commission know they are still exploring for a grant, but ultimately this will have to come back to the Council for approval for this portion of this project.

Commissioner Hechler asked if this is an annual application for the Colonias Fund Money opportunity. City Manager Fuentes confirmed and showed them the list for some communities who have applied for grants for the roads, flood prevention and whatever project we identify. He continued with this funding cycle, unfortunately with the waiver process, they didn't make it, But he's sure by next year this time they will be ready

Commissioner Clark said it seems to her a long time ago, they looked asked what we determined or how did we get to the need for Cook St. She also understands that we would have had to have over 40% of the other projects done. W/WW Supervisor M. Castaneda responded all of the well field into the Cook St. fund. It's a multi section advantage that they would have with additional storage. It's a multi section advantage

with the additional storage. They did have a project they have been working on for the Waste Water Treatment Plant. He continued sharing on the Water side, you can use UV, but it's not as practical as the WW. The project includes pouring the concrete foundation in the walls and buying the solution. Once they buy the equipment which takes up to 75% of the project. Buy this time next year, it should not be a problem.

City Manager Fuentes added years ago we did rehab some of our tanks and Cook St. was one of them. One of the things they found themselves when rehabbing that tank was to put a small storage tank and having to balance while we rehab it on the inside. The benefit of having that additional storage is to allow them to make improvements without taking the service down.

Mayor Green thanked City Manager Fuentes for initiating this and hopes it won't be the last one. When someone comes to them and says they need a loan, he's hoping their eyes don't start to twitch but at least they have knowledge and they can make an informed decisions.

F. CONSENT CALENDAR

1. City Commission Regular Minutes, February 28, 2018
2. Recreation Advisory Board Minutes, January 2017 – December 2017
3. Public Arts Advisory Board Minutes, November 13, 2017 & January 16, 2018
4. Out of State Travel request for Judge Sanders

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

ITEMS REMOVED FROM THE CONSENT CALENDAR

F.1 City Commission Regular Minutes, February 28, 2018

Mayor Pro-Tem Whitehead moved to approve the City Commission Regular Minutes, February 28, 2018. Commissioner Clark seconded the motion. Motion carried unanimously.

G. ORDINANCES, RESOLUTION, & ZONING

1. Discussion/Action: Ordinance No. 693 for publication amending Section 8-38 of the Municipal Code for unlawful carrying of a concealed weapon. Mike Apodaca, Police Chief and Jay Rubin, City Attorney

City Attorney Rubin gave an update on the changes which include the wording It should be changed to unlawful carrying of a Deadly Weapon. He reviewed the exceptions.

Commissioner Clark has had a couple of people make some comments to her that are a little concerning. One being the knife which can be used for many things and can inflict

CITY COMMISSION MARCH 28, 2018 REGULAR MEETING MINUTES

some harm to somebody, but that's not always why it's carried. She asked how we could look at the definition. Commissioner Clark is concerned that it could be misconstrued if someone is carrying a knife as to what it is intended to be used for. Chief Apodaca responded to his interpretation of this issue. Commissioner Clark is still concerned because they could still have a different Police Chief in a couple of years who don't feel the same.

Commissioner Hechler added a lot of people also carry tactical knives and how does that fall under this category. Chief Apodaca responded if it falls under the rapid deploying blade, and they would probably consider that illegal by this definition. City Attorney Rubin reported the irony of all of this is it's a subject that he didn't actually change. It's something that's been in the ordinance since 1962. But nevertheless, we are looking at it and if you want to take it out we can. Commissioner Hechler feels we should consider taking out the size of the blade. He's a little concerned as to how that would be enforced. Chief Apodaca said they could research it and see what they can do.

More discussion was held about the real issue is with the knife and the intent. If they are going fishing and it's concealed, it will be in their tackle box. Commissioner Clark suggested we look at adding the word intent.

Mayor Green suggested that we table this to look at the knives issue more closely. He referred to the Section 8-38.C for unlawful carrying of a deadly weapon. He feels we should take out concealed. He asked if this would allow them to bring a concealed weapon into a City Commission meeting. He would also like them to look at crafting part of an ordinance or new ordinance that makes it illegal to carry a gun into a City Building. He's not trying to restrict people's rights but it's necessary for the safety of the city, as well as, Commissioners, and staff.

Commissioner Hechler asked if this is concealed carry or open carry. Chief Apodaca would say both. Commissioner Hechler brought up a recent meeting that took place in Las Cruces. Many people brought guns to the meeting because they were requesting the Second Amendment rights. Mayor Green asked how you can be banned from bringing firearms into a Courtroom then? Judge Sanders responded if it's not on the books, she can't enforce it.

Mayor Pro-Tem Whitehead said that's really touchy, you really have to look at the issue and it will take a lot of thought process and legal review. We live in a community where people like to hunt. She doesn't like guns but she has a family that loves the sport. She doesn't think they should be brought into a public building but then are we taking away from individuals who have the right to do that. Chief Apodaca said guns are prohibited in the District Courts and they have been for years. They have Security and metal detectors and anything that can be construed as a weapon is confiscated.

Mayor Green moved to approve to postpone this Ordinance No. 693 and ask staff, Chief Apodaca, and City Attorney Rubin who have heard their concerns and

present to them in a timely fashion an ordinance that will have less discussion. Mayor Pro-Tem Whitehead seconded the motion. Motion carried unanimously.

Mayor Green thanked them for the work they put into this.

2. Discussion/Action: Ordinance No. 694 for publication amending Section 8-39 of the Municipal Code for Negligent use of a deadly weapon. Mike Apodaca, Police Chief and Jay Rubin, City Attorney

City Attorney Rubin presented the item and read the proposed changes which align with the state statutes. What is not in there is another section in the statutes that refers to "discharging a firearm into any building or vehicle so as knowingly engage a person or his property" State statute 30-3-8 which is "shooting at an occupied building or a moving vehicle" is already in there which is a felony. So his proposed draft doesn't have that proposed legislation. He also suggested a change to Paragraph B should read the provisions of Paragraph 2 and 3 of Subsection A, etc. He then went on with the reading of the rest of the ordinance.

Commissioner Hechler moved to approve Ordinance No. 694 for publication amending Section 8-39 of the Municipal Code for Negligent use of a deadly weapon with the changes as enumerated by City Attorney Rubin. Commissioner Baca seconded the motion.

Commissioner Clark asked this one doesn't talk about knives. And this said the negligent use of any weapon. She will vote for this because it clarifies the intent. **Motion carried unanimously.**

3. Discussion/Action: Resolution No. 30 17/18 Budget Adjustments. Melissa Torres, Finance Director

Finance Director Torres began by declaring her oversight in naming the fund names incorrectly. She clarified the correct information. She then announced each of the requested changes that are included in the agenda packet. This request is related to the CDBG project and the requirements for the payments.

Mayor Pro-Tem Whitehead moved to approve Resolution No. 30 17/18 Budget Adjustments with the corrections she noted. Commissioner Hechler seconded the motion. Roll call vote was taken by the Clerk-Treasurer. Motion carried unanimously.

H. UNFINISHED BUSINESS

1. Discussion/Action: Appeal of Resolution No. 24 17/18 for Eugene Kent regarding property at Lot 11, Blk 76 Original Townsite. Robbie Travis, Building Inspector and Susanna Diller, Planner/GIS Tech

CITY COMMISSION MARCH 28, 2018 REGULAR MEETING MINUTES

Mayor Green announced before we start, we only have two members of staff who signed in and then Mr. Kent, he asked if we can swear them in now. It was then determined he was no longer at the meeting. City Manager Fuentes recommended since we have a couple of Members who may have to recuse themselves, he would recommend to the Commission to proceed forward with the presentation and then the Commission can make a final determination.

City Attorney Rubin and Commissioner Clark recused themselves and left the room for the discussion.

Planner/GIS Tech Diller presented the item. They are here again to present the property for Mr. Kent. He was notified in writing that he needed to be here and he signed in and is no longer present. The Resolution that was passed to abate his property was passed on February 28th of this year. Mr. Ken was appealing the Resolution because he intends to move the structure by himself, as of which, at this time, he has not done. Staff recommendation is to deny the appeal and proceed with the cleanup of this property and foreclosure.

City Manager Fuentes suggested that staff should be sworn in since they are doing the Battershell process. Clerk-Treasurer Cantin did the swearing in for Building Inspector Travis and Planner/GIS Tech Diller.

Mayor Green read the document that was signed by Mr. Kent which stated "failure to attend the hearing will result in immediate dismissal of his appeal. Mayor Green called for a motion to implement the original order.

Clerk-Treasurer Cantin reminded them the action was already taken at the last meeting. City Manager Fuentes feels it doesn't hurt to reaffirm the prior action.

Mayor Pro-Tem Whitehead moved to approve Resolution No. 24 17/18 for Eugene Kent regarding property at Lot 11, Blk 76 Original Townsite with the prior action that was taken. Commissioner Hechler seconded the motion. Motion carried unanimously.

I. NEW BUSINESS

1. Discussion/Action: Request to close the "C" field at Louis Armijo Park per the recommendation of the Parks & Recreation Advisory Board. Orrin Hechler, Parks Manager

Parks Department Manager Hechler presented the item. The C Field has empty dirt spots out in the field. The Sports Complex has three fields, the A Field, B Field, and C Field. The C Field is used primarily by the Softball League; and A & B Fields are used by the Soccer League, as well as, the Little League. They thought they would just grow some grass in the spots, you would think it would be a simple solution to the fields' condition, right? Well sometimes things are in the condition they are for a reason. They found it was in that condition because of inadequate water coverage. So in the fall,

when the use of the field has diminished, they upgraded a few sprinklers and changed some nozzles to get proper water coverage for the whole field. With the proper irrigation system in place, planting grass would not be so simple. The weeds that were there would take over the grass. So in order to get rid of all of the weeds, they are going to have to till the entire field and start from scratch. He thought they would just shut the field down for a few months until the grass grew, but after taking it to the Recreation Board, they all agreed it would be better to shut the entire field down for an entire year. That would give the newly planted turf a chance to get established and they would get better results. He included a few pictures to show the condition of the field. He has the grass seed that is ready to go. He is here today requesting the closing of the C field for the entire year. They will do the infield and order new bases; try to set a bar with the ball field. Just so everyone is aware. He also contacted the Softball, Soccer, and Little League so they can all try to work together to share the A & B Fields. He will be facilitating the coordination of these groups.

Commissioner Clark said it sounds like the recreation board and everyone has been working together and she wondered why it wasn't taken care of administratively. City Manager Fuentes said it's a courtesy and they wanted to make sure everyone is on board with this since it's a recommendation from the Advisory Board. He commended O.J. and his staff for taking the initiative to take the bull by the horns. Hopefully, this will give us a chance to improve the field.

Mayor Pro-Tem Whitehead asked if there will be notifications to the public also. Parks Department Manager Hechler responded we are going to make sure notifications are done and everyone works together.

Commissioner Clark moved to approve to close the "C" field at Louis Armijo Park per the recommendation of the Parks & Recreation Advisory Board. Mayor Pro-Tem Whitehead seconded the motion. Motion carried unanimously.

2. Discussion/Action: Lodger's Tax Guidelines.

Mr. Jake Foerestner, Chair of the Lodger's Tax Guidelines.

He presented the major changes in the redlined version of the guidelines, then the other revisions they are requesting. Some are small slight wording changes, then at the end are the larger requests. City Manager Fuentes asked for the benefit of the public and the Commission, if he could highlight some of the major the changes.

Mr. Foerestner said the major change is the entire allotment is given out one time a year. The County Lodger's Tax make awards quarterly and they were able to hold some funding back and were able to support some other events that may come up throughout the year. So they would like to hold back some of the money for other events that may come up. The other request is to have any money that is not spent to be rolled over to the next year so they will have a minimum about. He also gave more detail on the other recommendations they have included.

CITY COMMISSION MARCH 28, 2018 REGULAR MEETING MINUTES

Mayor Green thanked him and the board for their time in putting this together. He then referred to page 7, no less than 75% of advertising, printing, internet, and email. He asked if we need to put billboards on there. Mr. Foerestner agreed that would be good to add. Mayor Green would like to see the words billboard added to that one.. He then referred to some emails he saw going back and forth about page 12 for advertisement on adding something to accept electronic tear sheets. Mr. Foerestner agreed that was in there and he missed that one. It was already included in the revision document. Mayor Green continued by asking if it would be a good idea to include to encourage them to seek out local businesses before they take our business out of town? Just to encourage people and not a requirement. Mr. Foerestner said sure, they could add it to that same section or another page to encourage people to spend locally.

Commissioner Clark asked if she has a conflict because she pays Lodger's Tax. City Attorney Rubin responded to let her know there should not be a problem with approving the guidelines.

Mayor Green went on with his last question on page 17, you have a sample reimbursement request. It just says print media \$1,000. He would like to see that broken down, because if they are all going to spend money with the Albuquerque Journal, maybe our new Tourism Coordinator could go to them and negotiate a better price. Mr. Foerestner agreed, but he thinks he's just looking at the reimbursement request form and he thinks the application is a little more detailed where they have to break it down.

Mayor Pro-Tem Whitehead moved to approve the guidelines as submitted. Commissioner Hechler seconded the motion. Motion carried unanimously.

Mayor Green also noted that one of the contacts is the new Executive Assistant for the City Manager, he introduced Kristin Saavedra.

3. Discussion/Action: Subrecipient Grant Allocations. Juan Fuentes, City Manager

City Manager Fuentes announced in your packets you received the applications for the subrecipient and the summary. We do have some of the representatives of these organizations. He suggested the Commission review the requests and they can ask any questions they may need to.

Mayor Green started by saying that 8 out of 12 submitted have been rule as an incomplete application. He knows we go through this every year and it's disheartening when these organizations appear before them every year, for help which he has no problem with, he appreciates everything they all do. He suggested to go through it one by one and make the award contingent upon their application being 100% complete on or before a certain date. He believes our budget is due in May and he thinks we should give them until May 1st. Those are his concerns. So if it makes sense to them, we should just take one request at a time.

CITY COMMISSION MARCH 28, 2018 REGULAR MEETING MINUTES

City Attorney Rubin added that he assumed they will be putting a contract in place with each organization for the funding. He hears the word donation going around once in a while and these are not donations. It's a contract the city will be putting into place in order to receive a service. City Manager Fuentes also said one of the worksheets, staff provided a historical worksheet from 2015 to now.

Mayor Green said if you take a look at the New Mexico Off Highway Vehicle Alliance, his request is more for Lodger's Tax items, which is fine but it should be a subrecipient grant. There is no performance, it's just asking for money to buy stuff. He suggested we notify Dean Tulk to take his application and apply for the Lodger's Tax funding.

Mayor Green moved to approve to reject the New Mexico Off Highway Vehicle Alliance because it's more of a Lodger's Tax Funding request.

Commissioner Hechler just wanted to say the rejection doesn't mean they don't appreciate them applying, they just need to apply for the other type of funding. **Mayor Pro-Tem Whitehead seconded the motion. Motion carried unanimously.**

Commissioner Hechler commented on what a good service they provide and we should award the amount they requested.

Commissioner Hechler moved to approve funding CAAT for \$1,500. Commissioner Baca seconded the motion. Motion carried unanimously.

Mayor Pro-Tem Whitehead moved to approve the request for the Domestic Abuse Intervention Center for \$2,500. Commissioner Hechler seconded the motion. Motion carried unanimously.

Mayor Pro-Tem Whitehead moved to approve the Request for Matthew 25 Food Pantry for \$7,200. Mayor Green seconded the motion. Mayor Pro-Tem Whitehead wanted to comment that Matthew 25 really supports the community and almost every other day someone comes in to the church asking for food and she sends them to Matthew 25 and they are always assisted. Motion carried unanimously.

Mayor Green announced the next applicant is Mesilla Valley Healing Arts who is a first time applicant. He had never heard of this organization so this morning he drove by the address which is the yellow building by the Dog Park, the main address isn't even in town. **Mayor Green suggested that we wait a year because they are new to see what impact they will have in our community and encourage them to come back.**

Mayor Green moved to approve waiting on the request from the Mesilla Park Healing Arts for \$1,500 and give them a year to see what they do in the community. Mayor Pro-Tem Whitehead seconded the motion. Motion carried unanimously.

Mayor Pro-Tem Whitehead moved to approve the request for SJOA for \$46,814.00. Mayor Green seconded the motion. Motion carried unanimously.

Commissioner Hechler moved to approve the request for the Club of Sierra County for \$10,000. Commissioner Baca seconded the motion. Motion carried unanimously.

Mayor Pro-Tem Whitehead moved to approve Request for Wildflowers for \$1,000. Commissioner Hechler seconded the motion. Motion carried unanimously.

Next is the Lodgers Tax Fund/O & M.

Mayor Green moved to approve to fund \$1,000 for the Friends of Elephant Butte State Park. Commissioner Hechler seconded the motion. Motion carried unanimously.

Mayor Pro-Tem Whitehead moved to approve \$4,600 for Geronimo Springs Museum. Commissioner Baca seconded the motion. Mayor Pro-Tem Whitehead feels they do a lot for our community, she sees a lot of cars there every day and on the weekend and she thanked them. Motion carried unanimously.

Mayor Pro-Tem Whitehead moved to approve the \$5,000 for Geronimo Trail Scenic Byway Inc. She added they also work tirelessly for our community. Commissioner Baca seconded the motion. Motion carried unanimously.

Mayor Green explained the partnership we have with MainStreet for economic development. Contractually, if you want that partnership to exist, the city must put money on the table and it depends on the size of the community. So our requirement is \$35,000.

Mayor Pro-Tem Whitehead moved to approve the \$35,000 for MainStreet Truth or Consequences. Commissioner Hechler seconded the motion. Motion carried unanimously.

Commissioner Clark wanted to comment that we just tasked the City Manager to find \$114,640. She wanted to make sure it's clear that the extra money he finds will be found through cuts from other Departments and they should be thanked also for helping to find the funding.

4. Discussion/Action: Approve the Sale of City Properties; 613 Gold St.; 808 Maple St.; and 309 Birch St. Traci Burnette, Grant/Projects Coordinator

Building Inspector Travis presented the item. They are here to request to proceed with advertising the properties that are listed. The city is now the sole owner and they are cleared and available to be sold. 613 Gold St. was in bad shape for many years and

they finally got it cleaned up. It was appraised value is \$12,250 it's a 50' x 140' lot. We had an acquisition of \$14,400, and we had to do a foreclosure of a lien and it took longer because some of the relatives were disabled. It's in an R-3 District which can take site built homes or motor homes. 808 Maple is a 90' x 140' lot. It was appraised at \$19,500 and the cost we had in it is \$10,000. This lot is a little different, it only has alley access but would make a nice home and their preference would be a tiny home or a site build. The next on is 209 Birch St. in a Commercial Zone off of 3rd St., it was appraised at \$15,000, the city cost was \$9,200. It does allow site built homes and a business would be permitted in there.

City Attorney Rubin mentioned that New Mexico recognized the former owners' right of property redemption for someone who loses their property related to foreclosure and they have 9 months to try to redeem the property by paying the full amount that was owed on it. That would not be an issue with the property on Gold St. because it has been more than nine months. The other two happened in October and November. The time will run out for both of them in a few months. The chance of redemption for both of those cases is very remote because the former owner had either died or was unresponsive of the inquiry. It's just something to keep in mind if we get an offer we will have to write it up with that time frame.

Commissioner Clark moved to approve we list the properties for sale with the understanding there is the potential for redemption. Mayor Pro-Tem Whitehead seconded the motion. City Attorney Rubin added we would absolutely love it if there was an offer for redemption because we would get our money back.

Motion carried unanimously.

J. REPORTS

1. City Manager

- 1) He reached out to the NMDOT who will be will to meet with the Commission in April 11th.
- 2) Golf Course issue, they are making progress in research and it will be forthcoming to the Commission in April.
- 3) The shuttle with the County, local entities, and the DWI Program will be running again from Memorial Day to Labor Day this summer during Lake Season. Notices will be publishing.
- 4) There will be an Off Roding Presentation at the next meeting. Mark Bleth and the Mayor are working with a Non-Profit for an event at the Malco Race Track on Memorial Day weekend. That will be forthcoming for a Presentation and approval.
- 5) He commended staff for the trash event this past Saturday and Mayor Pro-Tem Whitehead and Commissioners. People are getting use to coming in and throwing their trash. We had a good turnout.
- 6) Town Hall meeting on Monday, April 2nd at 5:00 p.m.
- 7) The AMR System, Staff is working with some of the vendors and that will be forthcoming to the PUAB and the Commission.

CITY COMMISSION MARCH 28, 2018 REGULAR MEETING MINUTES

- 8) Preparing for the budget and for the public meeting. We usually have one the second or last week of April and an email will be sent to confirm a date and time for the budget workshop with the Commission and staff.
- 9) They would like to try to implement a Summer Youth Program. As you heard from O.J. they could use some help. In just sharing it with staff, they are ready to send their kids to cut weeds for the summer. He wanted to give everyone a heads up that this will be coming.
- 10) Half Day this Friday for Spring Day. Traditionally, they do award staff with half a day of leave.

Mayor Green asked for a report for an update on the Airbnb and where we are with the process. He also clarified if the Town Hall Meeting was in the Chambers or Civic Center. City Manager Fuentes clarified it will be at the Civic Center.

2. City Attorney

None.

3. City Commission

Mayor Pro-Tem Whitehead wanted to thank everybody and staff who came in to help for the Spring Clean-up this past Saturday. They worked very hard and she hasn't seen it go this smoothly in a long time.

Commissioner Hechler asked for goals, objectives, and vision for the Strategic Plan for the next two years. He plans on holding a discussion on the Strategic Plan for the next couple of years. The quicker he gets their information, the more prepared he will be to help facilitate.

Commissioner Clark announced Commissioner Baca really impressed her today because he's taking vacation time to sit here and listen to these people. That's really a Class Act.

Commissioner Baca commended O.J. Hechler for all of the work they have done. He was out there with them recently and even though it's a small crew, they really work hard.

Mayor Green

- 1) Thanked Deputy Clerk Torres for standing in at the Municipal League District Meeting for jumping in at the last minute when he was sick to do the welcome for everyone. She did a great job.
- 2) Thanked City Manager Fuentes for working hard and helping unload at the Collection Center. He always looks forward to helping but he was sick as a dog.
- 3) Vector Truck. City Manager Fuentes added it was a team effort from the Electric Dept. and the Water Department to get this truck.
- 4) Miss Fiesta this Saturday Night and the Chamber Event.

CITY COMMISSION MARCH 28, 2018 REGULAR MEETING MINUTES

- 5) Congratulated Coach Bean for his award of Coach of the Year and bringing honor to our City.

K. ADJOURNMENT

Mayor Pro-Tem Whitehead moved to adjourn at 11:18 a.m. Commissioner Clark seconded the motion. Motion carried unanimously.

Passed and Approved this 25th day of April, 2018.



Steven Green, Mayor

ATTEST:



Renee L. Cantin, CMC, City Clerk