

**CITY COMMISSION MEETING MINUTES  
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO  
CITY COMMISSION CHAMBERS, 405 W. 3<sup>RD</sup> St.  
WEDNESDAY, SEPTEMBER 12, 2018**

**A. CALL TO ORDER**

The meeting was called to order by Mayor Steve Green at 9:00 a.m., who presided and Angela Torres, Deputy City Clerk, acted as Secretary of the meeting.

**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: Renee Cantin, Interim City Manager/Clerk-Treasurer  
Angela Torres, Deputy Clerk

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 Hechler to lead the Pledge of Allegiance.

**4. APPROVAL OF AGENDA**

Commissioner Baca moved to approve the agenda with the request to move item G.2 Resolution No. 11 2018/2019 authorizing participation in Capital Outlay Program Administered by New Mexico Department of Transportation after Item H.1 for the Approval to proceed forward allocating City funds for McAdoo/Sims Infrastructure Improvement Project Phase 1 identified as McAdoo Street between Daniels Street and Clancy Street.

**Mayor pro-tem whitehead seconded the motion. Motion carried unanimously.**

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

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

Judge Sanders addressed the Commission related to:

- 1) I'm coming on the record as Judge Sanders from the Truth or Consequences Municipal Court. And my statement is referencing what I do in the Municipal Court. Today what I simply want to do, and very quickly, is to for the public to understand that I do not endorse or participate in any programs or initiatives by anybody outside of the court. My procedures fall under the law, and so I have to address them as such. Maybe I've understood that there are situations where primarily Animal Control citations and violations have been practically doubling up, and so I manage those in the court, but what I want to state today is that the court is always open. The door is always open and the public is invited, as are you all, to come in and directly ask me how I am managing any violation or penalties that are filed in the Municipal Court. It is a court of public record until we put the docket number on something and it becomes a record. I can answer any questions that you have about the process, the procedure, and the penalties. I don't have any perimeters outside of the New Mexico laws, and the ordinance. So I just wanted to make sure that it was understood that I'm not endorsing anything outside of the court. Thank you.

Randy Ashbaugh addressed the Commission related to:

- 1) I'd like to express that I've been in business in this town almost 40 years, and I'd like to see the Commission expedite getting a new City Manager, one that is dynamic and knows the laws, knows structure, knows how to handle people. We are in a mess, and I think everybody knows. I'm still getting calls from City employees on things, and I'm really scratching my head. They have the American right, this is the United States, they can tell anybody they want, they have the freedom of speech. You're probably going to have to pay \$100,000 to \$200,000 to get somebody in here to clean this mess up, and it's got to get cleaned up. This town has more potential than any little town I've ever seen; rivers, lakes, hot mineral water, ranching, farming.
- 2) I think this ATV thing needs to go in big. We can be the ATV capital of the southwest. If you look back up on the Mud Mountain and Twin Peaks, that used to be the race track for the jeeps when I was a kid, and they said it's going to tear up this, that and the other, sure, there were tire tracks and stuff, but if you look up there now, there's nothing. Nature has a way of taking and balancing everything out. Everything in physics seeks equilibrium. So, environmentally I think it would be fine.
- 3) I gave each one of you a letter from August 21st, 2012 where the City got their contract cancelled when they bid against all the other people that wanted to put

## CITY COMMISSION SEPTEMBER 12, 2018 REGULAR MEETING MINUTES

their Visitor Center in. The City had really no business competing against a private enterprise. Mr. Green, Mr. Kertez, and Mr. Fuentes were the three people that came out of the room, I was there, who made the presentation, and the City was found that they either negotiated in bad faith, or committed...as it reads right here, the City would be in violation pursuant to 1.4.1.88, which is a New Mexico State statute that states that they either acted fraudulently or in bad faith. After that happened, and this was determined, Mr. Green, Mr. Fuentes and Mr. Kertez should have resigned. Mr. Green, you need to resign. You're part of this huge mess. You are right in the middle of it, and I know that you've expressed and given direction to other City employees, which is against New Mexico State statute. You need to go. Period. Thank you, Commission.

Ron Fenn addressed the Commission related to:

- 1) He started by saying who is just "Mr. Fenn, isn't that right Mr. Green? He takes that as a compliment because he wouldn't want to be him.
- 2) He wanted to talk about Ordinance 697. He feels it was the sloppiest piece of work he's ever seen. Pushing this ordinance through the way they did. He referred to the first and last page of the Ordinance which is ridiculous. When you cut and paste you should eliminate the things that aren't needed. This Ordinance states: Be it ordained by the Commissioners, Board of Commissioners of the City of Truth or Consequences. Are you the Board of Commissioners and City Commissioner's? This was ripped out of the County's ordinance directly. The last page says: Effective date: This Ordinance shall be recorded and authenticated by the County Clerk following adoption by the Board of County Commissioners. The effective date of the ordinance should be thirty days. Then there is Section 1, oh, there is no Section 1, there is Section 2 and Section 3 which says it will become effective within 5 days. Then it's signed by Mr. Green and Clerk Cantin. This is embarrassing what you have done.
- 3) He feels that Mayor Green did not have any ethics or loyalty when he did not vote no against the firing of Mr. Fuentes. Although, he's glad to see him gone. He directed his comments to Mayor Green saying "You showed no ethics whatsoever." Just months before you wrote this: "As a Commissioner/Mayor, I am proud and delighted that he is our City Manager who represents us so well. From what he inherited and the turnaround of our city which is now pointed in the right direction, due to his leadership, there is no one more deserving of this award than Juan Fuentes. It is my honor to put his name into consideration." And then you threw him under the bus unnecessarily. He would have had this much respect for you had you voted no and stuck with the man you've been backing for the last seven years. You're an embarrassment to this community.

Diane Lombardo addressed the Commission related to:

- 1) She thanked Chief Aragon for moving the volunteers for the shelter along. He has asked people that I thoroughly approve of to help out with that. She has a friend in Florida who has launched a very successful campaign, and she is willing to help us, as soon as Ms. Day sends me some pictures, and hopefully we can flood the city with that campaign when we get it going.

CITY COMMISSION SEPTEMBER 12, 2018 REGULAR MEETING MINUTES

- 2) The other thing she would like to address is this new ordinance about ATVs. You know Silver Street is going to be one of the streets that they use. And this is for the Rubber Chickens and people like them, it's not for the rest of us. I think this thing was pushed through way too fast. Mr. Fenn and I do agree on this. I didn't read the ordinance, but if that's how it reads, then obviously no real thought went into it. I think you should have had a forum and had people come and talk to you and tell them their opinions before you tried to push this thing through. And unlike Mr. Ashbaugh, I have seen what off-road vehicles do, and I know what happens to the wildlife. It takes a long time for nature to repair this damage. I mean, if you look at El Camino Real, 400 years later, you can still see where it is. So no, nature does not fix things. Global warming, money over nature. And Mr. Ashbaugh is money over nature.
- 3) As far as firing Mr. Fuentes, maybe he needed it, maybe he didn't. However, I'm beginning to feel like this is a government by Randy. Thank you. .

Sharon Eastvold addressed the Commission related to:

- 1) I'm not going to address the ordinance right now, I'll talk about that at another time. Today I would like to praise your decision to recognize Officer Alfviva Peru over here. She is an awesome officer. I can't remember the exact date, but my husband I were trying to figure out how to protect our property, our 209.6 acres of a conservancy against off-road vehicles, and we were back behind the Baptist Church, and from across the canyons we could see a white truck backing up his OHV trailer loaded with trash. And we thought, uh-oh. So, being the foolish folks that we were, we hopped in our little car and went over there and blocked the road. And this very large young man got out, and we're thinking, you know, we're a couple of old folks, what are we doing facing down some guy we don't know? Anyway, it turned out he was a marshmallow. His name was Michael. And I had my iPad ready, and I was taking pictures of him and his license plate, and his car, and the trash he was dumping on that access road. We called the police, and Officer Peru came out as soon as she could. She had a little trouble finding the road, it's an access road, so it's not really on the map. She saw the pictures, and says "that's all I need" and she was able to send him a ticket. It turns out he was driving without a license, and he ended up going to jail. We had hoped he'd come back and clean up his mess, but you know, some recycle artist came and picked up some of it, and the leaves have all matted down over time. So, you've got a very fine officer in Officer Peru, and I commend you for recognizing that in her today. Thank you so much.

Jeff Smith addressed the Commission related to:

- 1) I am managing the development of the Copper Flat Mine here in Sierra County. We have a public hearing coming up week after next, the week of September 24th to the 28th. This hearing is on the groundwater protection discharge permit that has been proposed by the New Mexico Environment Department, Groundwater Quality Division. This hearing is very important and I would encourage you and all citizens to come to the hearing and hear more about our plans and our designs to protect groundwater. Our plans have been studied by

## CITY COMMISSION SEPTEMBER 12, 2018 REGULAR MEETING MINUTES

the Bureau for six years, and they have determined that our plans are protective of New Mexico groundwater. In addition to our protection, our plans include hiring 270 people or more over the course of the mine. We expect to hire people from the local area, as well as people from outside. There's been discussion of our agreement with the Jicarilla Apache Nation. We are open to hiring people from the Nation. We're not prejudice in our hiring, but we will be hiring also from the city and the local area. Again, I encourage everyone to come to the hearing and hear more details and facts about our plans. Thank you

Ike Eastvold addressed the Commission related to:

- 1) I want to add my voice to Sharon's in commending Officer Alfadiva Peru. We've gotten help from her on several occasions. She's very professional and very effective in what she does. We had a transvestite homeless person camping on our property, and which we noticed, and just hoped he would leave, but he didn't, and so we had to call for help, because it's not wise to approach homeless people on your own. And so, Officer Peru did help in a very professional and kind way to escort him off the property. We were very gratified, because we bear no ill will toward these people, I just wish that the City had more resources to offer them. I think you can offer them one day of lodging, and that's it. So, there's something on the agenda to make you a great city.
- 2) We invested in some very fine Chihuahuan Desert property to make a conservancy, and a visitor center along Smith, just a little bit south of Sun Valley Hardware. And begin to attract some of the nature lovers and bird watchers and others that are interested in the Chihuahuan Desert. The Chihuahuan Desert Research Institute down by Martha, in West Texas, is very successful. They have 500 acres, and an endowment of \$2 million, and probably 30,000 volunteers. And they just have done very well with the Southern Chihuahuan Desert. We are the Northern Chihuahuan Desert, a different biome with some overlap. So, we think this really fits in with the healing waters and the art emphases here to create a landscape like this, which would appeal to middle-age people and seniors, which is 30% of the population here. We do not think that making this the ATV capital of the world, as Randy Ashbaugh said, is consistent with who you are, and who we are, and why we came here. And so, we oppose that and we hope it will be reconsidered by your Commission. So, that's about all I have to say. Thank you very much for your time.

Ron Pacourek addressed the Commission related to:

- 1) I'm up here asking for the second time, for some clarification about the \$500,000 deficit that was reported on the August 8th Commission meeting. It's talking about gross receipts tax in the August 15th paper. The Herald says that the biggest share of city revenue comes from sales tax, also known as gross receipts tax, according to the City Manager. He said "The City's shrinking revenue." Walmart's doing fine. We got a brewery now, and more gross receipts tax are coming in. The shrinking revenue tends to underscore by the State's recent reduction in small city assistance funds. Gross receipts tax are different than small city assistance funds. So, is there really a \$500,000 discrepancy?

## CITY COMMISSION SEPTEMBER 12, 2018 REGULAR MEETING MINUTES

So I'd like some clarification for the second time I'm asking this question. And Mayor Green, you're the one that said it on August 8th at the Commissioner meeting, that there was a \$500,000 deficit that we have to make up somehow. So, I would appreciate a response. Thank you. Oh, by the way, I have to say, for Juan Fuentes, that man took a major amount of verbal abuse and I never heard him ever come back with anything to anybody else.

Klaus Wittern addressed the Commission related to:

- 1) I would like to address two issues today. One is, I commend the City for having brought forward for consideration the electric meters. I believe we need to look at it a little bit more closely. But nevertheless, I think I have verified now to you from an independent source that the cost of those meters and the installation thereof is significantly lower than what was previously provided to you. I will make the same statement next Monday, I believe, at the PUAB meeting, and they will have the ability to look into the cost issue. I can only assume it, because I have the data, but I'm not privileged to the discussions that go on inside.
- 2) The other issue that I would like to certainly encourage you to participate in is the mine public hearing. I did not hear whether it was in T or C or whether it was in Santa Fe. I think that will make a great difference. I would encourage that public hearing to take place in T or C, and hopefully that can be arranged. Thank you Mayor.

Stanley Rickert addressed the Commission related to:

- 1) I have some noise at my place, and I called up the dispatch, and they told me that they have until ten o'clock to stop that noise. And I was like, wait, I don't remember seeing anything in the ordinance about any time limit they could run or operate some type of a machine that would make extra noise. Especially 7:30 at night. You know, we're trying to quiet down and relax, and you're having to put up with somebody else running a machine outside, and making a lot of extra noise. Chapter 8, Article 2, "Offenses relating to public order and safety." For unreasonable noise, Section 8-34, "Unreasonable noise consists of creating unreasonably loud, disturbing and unnecessary noise of such character, intensity or duration as to be detrimental to the reposed life or health of others. Including but not limited to specific noises." Of course it goes on to tell you about, you know, radios or bands, or you know, music and other things like that, but it doesn't say anything about any time limit. So, I called up the dispatch, and they said, well, as soon as they can free up an officer they'll send somebody out there to check it out. Before that happened, I got a call from Lieutenant Baker. Lieutenant Baker told me the same thing, there's a 10 p.m. limit, that he can run that machine until 10 p.m. in the evening. And I was like, "Where does it say that?" And she said "Oh, I don't know the ordinance number right now." I said, "Well, I need to know what it is so I can check it out." She never did give me an ordinance, so this is what I'm telling you right now. Check it out, okay? I would like to know why these people don't have their facts and figures before they start making comments to me about what I should or shouldn't do, or what I can or

## CITY COMMISSION SEPTEMBER 12, 2018 REGULAR MEETING MINUTES

can't do, when they don't even know what they're talking about. I'd like to talk about that.

- 2) He is sorry to see Juan Fuentes go. He was good in certain respects. He had a lot of things to talk about, and had a lot of business taken care of. But whatever the reason you come up with for letting him leave, that's your business, but I thought he was a pretty good guy. Anyway, I appreciate it. You guys have a great day.

Interim City Manager Cantin read aloud Audon Trujillo's public comment that was emailed to her:

- 1) Job description: Report on compliance with City ordinances and personnel policies. Job description for City Manager, she described the need for the City Manager to ensure that the review of all City ordinances needs to be completed within 90 days of assuming the position as City Manager. The City Manager shall issue a report to the City Commission of any discrepancies within the actual day-to-day practices and written City ordinances, and personnel policies. The report shall delineate clear measures that need to be taken to ensure all the City ordinances/policies are complied with. With respect to the policies, position requirements and duties shall be reviewed to ensure that the language in these descriptions are in keeping with their duties. The report must include specific areas in which day-to-day operations of the City Management Administration are not complying with specific ordinances and policies. The report should include recommendations as to the language in the ordinances and policies that need to be removed or changed to improve the administration of the City. And identify needed workshops and time schedule to educate staff and/or Commissioners on matters related to the respective duties, responsibilities and authorities of City staff and consultants, Commissioners and also Boards. As part of his or her review, the City Manager should solicit input from the public to identify areas of the day-to-day operations that do not follow established City ordinances. Public should also be consulted to identify specific language in the ordinances and policies which should be considered to be changed. Having a workshop to solicit input should be highly recommended. Importantly, the job announcement for the position of City Manager should adhere to the intent of including required qualification for the position, and desired qualifications for the position. Should an applicant not meet required qualification, that person's application must be discarded. If no one meets the required qualification for the position, a job announcement should be re-published. Then it starts with role of a Human Resource Specialist. The Director of Human Resources should be to ensure that the job announcement includes specific requirements for the position and the duties of the position. The Director of HR should not be a member of the Selection Committee. Rather, the Director should serve to ensure that the process follows State and Federal Regulations.

### **D. RESPONSE TO PUBLIC COMMENTS**

- Interim City Manager Cantin addressed Mr. Pacourek's concern regarding the \$500,000 deficit: First of all, to Mr. Pacourek, in your talks about the \$500,000

## CITY COMMISSION SEPTEMBER 12, 2018 REGULAR MEETING MINUTES

deficit, I just want to clarify that it's not a discrepancy, it's a reduction in the revenues from the gross receipts tax and the small cities assistance that we receive through the State. So, I just wanted to clarify that point.

- She also addressed Mr. Wittern's comment by adding, the September hearings are scheduled for the Civic Center across the way. So they are local.
- Mayor Steve Green addressed Mr. Trujillo's comments about who interviews and hires the City Manager. The City Manager actually is the employee of the Commission and it is the Commission that will do the interviewing, and the ultimate determination of who is going to be hired.
- Mayor Green also addressed Pacourek's comments by saying just to follow up on Ms. Cantin's comment; in 2016 we received \$638,000 from Santa Fe under a program called Small City Assistance, and that money goes into our general fund. It doesn't get earmarked for an enterprise, waste water or electric or anything. It goes into the operating account which is the general fund of the City. This year we opened up the mail from Santa Fe, and the check was \$131,000. There's your half a million dollars that I was referring to.
- Mayor Green addressed Randy Ashbaugh's and Ron Fenn's comment by saying, I suspect I will be hearing the same drum beat for the next 18 months, and if you decide to use your allotted three-minute time to do that, I am perfectly comfortable with it. It's saying the same thing over and over again and expecting a different result. And I can guarantee you the result will not change. Thank you very much.

### **E. PRESENTATIONS:**

#### **1. Presentation of Certificates of Commendation to Officer Anthony Zagorski; Officer Alfadiva Peru; and Officer Jaffee Blomquist. Randall Aragon, Police:**

Police Chief Aragon presented certificates of Commendation to Officer Anthony Zagorski; Officer Alfadiva Peru; and Officer Jaffee Blomquist for responding to a medical call at the Ace Lodge, where they found a male subject lying on the ground unresponsive. The officers took turns performing life-saving chest compressions on the patient even after the medics arrived on the scene. Had it not been for the immediate actions and teamwork by these officers, the patient would have probably died that day. It's my recommendation that the officers be given a commendation for their life-saving efforts during this incident. It is always a pleasure to have these incidents of this nature come to my attention. I'm proud and pleased in the way these officers performed that day.

#### **2. Presentation related to the Copper Flat Mines. Max Yeh, Requestor:**

Max Yeh reviewed his presentation of the Copper Flat Mines Project. I'm here to speak for myself, and also on behalf of PAWA, which is the Percha Animas Watershed Association, a group of about 100 to 150 local residents extending into Animas Creek, Caballo, and Arrey. It's an organization which almost doesn't exist, but it's all composed



## CITY COMMISSION SEPTEMBER 12, 2018 REGULAR MEETING MINUTES

of people who oppose the coming of the mine. I'm also speaking for my clients at the Arrey Food Pantry, which I've directed for about 15 years or so. I organized and formed this thing, and we've run continuously. We have about anywhere from 70 to 120 households that we service, and many of these people need work in Sierra County. So I'm sensitive to the issue of jobs. On the basis of listening to what New Mexico Copper says, it seems to me that most local people looking for jobs will not find them at the mine, and economic conditions in the county. New Mexico Copper says it will create 270 jobs, right, Jeff Smith said that this morning. And it's over the 11 years of the duration of the mine. But, New Mexico Copper also says that a third of these people will come from further away than 75 miles. That's a radius of 75 miles. Now these are, I take it, the real professionals of the industry, the managers, the experts, the supervisors. That leaves 180, not 270. 180 skilled and unskilled jobs for the people within a 75-mile radius, which includes Silver City, Deming, Socorro, Las Cruces and us. So it's not 200, and it's not 270 jobs, it's not even 180 jobs for local people. Given that only 10% of the work force at the construction of the Space Port was from Sierra County, we would be very lucky to see 50 to 100 new local jobs. So, the numbers are, in fact, quite a bit smaller than we're led to expect. You heard Jeff Smith say this morning in his comment that New Mexico Copper is open to hiring the Jicarilla Apaches, because they are open to hiring, and are not discriminatory, but that is not actually the complete story. New Mexico Copper had contracted to give preference in hiring to Jicarilla Apaches and it came into effect in 2015. Article 21 of this agreement is titled "Policy Statement of Indian Preference." And it says "New Mexico Copper hereby supports and endorses the policy of the Nation and shall reasonably consult with the Nation to give preference in employment to members of the Nation, and to maximize utilization of tribal members." That's not just a non-discriminatory statement. This is a preferential statement. It is the intent of New Mexico Copper to build a core group of skilled labor candidates through job placement and training assistance to eligible enrolled members of the Nation." And there are 3,000 eligible enrolled members of the Nation. So most workers at the mine will be from outside Sierra County. So it seems to me that governmental organizations in the county, as yourselves, or the Sierra County Commissioners, should be sensitive to the people in the county. Some people will say that that's fine, because the workers coming here will spend their salaries here, and we will get an economic boost. This is what we call trickle economy. Will these outside workers spend millions of dollars in T or C? Perhaps you have not heard of Copper Flat Village. Copper Flat Village is what I call the company town that New Mexico Copper might build at the mine and we know how a company town works. The worker gets his paycheck, and he gives it back to the company to buy the services the company provides. New Mexico Copper says that it will build Copper Flat Village if the market is there. Now, what does that mean? It means that if the money can be made, New Mexico Copper, not T or C, will make it. That seems to me fairly clear. New Mexico Copper says it will mine for 11 years, but New Mexico Copper can't run for 11 straight years, because copper prices fluctuate. Now, mining engineers need an operating time period to make plans, as to make costs, answer questions from investors and regulators, but people on the ground here seem not to understand that this does not mean consecutive years. New Mexico Copper can only mine when they make money.

## CITY COMMISSION SEPTEMBER 12, 2018 REGULAR MEETING MINUTES

Now add to this financial factor the reality that New Mexico Copper has only enough water rights to run three months every year, I think we can say that operation will be intermittent, and so will tax revenues that mine boosters drool over. So, stop and go mining means people's lives are disrupted. The economy is stressed. Social Services and food pantries such as mine can't cope, because people are going out of work all the time. It means that every hiring ends in a firing. Stop and go mining means that workers repeatedly lose their paychecks, bills to unpaid, mortgages and rents become overdue. This is the reason that when Copper Flat Mine operated in 1982, although some lucky individuals in TOC made a lot of money, TOC generally, and the County, did not benefit. In 1982 the median income in this county did not increase, because every gain was followed by a loss. In 1982 mining in this county brought in less money than tourism, which has always been our best economic sector. It was behind tourism, retail, agriculture and government. Mining brought the fifth of seven sectors in terms of the amount of money brought into this county is not a great deal. The estimated cost of construction in 2013 was 360 million. It's probably 400 million now. And the max share price is 6¢, which is good, because a few years ago it was 1¢. So, what will it cost us to get the few temporary and socially damaging jobs? It will cost us water and water rights. New Mexico Copper wants to use 2 billion gallons a year, that's 22 billion gallons during mining. This is four times as much water as T or C uses. T or C, nevertheless, generates financial and economic benefits many, many times what New Mexico Copper's use of water will bring. Think of how many jobs there are in T or C, and they are all dependent on having water, and having the 40-year water plan. So, New Mexico Copper's use of water is completely inefficient in bringing well-being. It is extravagant and wasteful of water. Which is the single most important resource we have. We cannot live without water, and everyone living in the desert should know that. If New Mexico Copper gets the water rights, no one in the county will get anymore. New Mexico Copper rights has claimed enough water rights to be worth \$70 million, almost enough to cover their debt. T or C cannot afford to buy them from New Mexico Copper when the mining is over. So the rights will be sold out of county, probably to Las Cruces. There will not be any more rights available in the county. No more rights means no more development. If the mine comes in, the only inflow of revenue might be New Mexico taxpayers' dollars paying for a superfund cleanup. So, our future lies, it seems to me, in development of recreation and tourism, of hunting and fishing, the management of our mountains, rivers, lakes, forests, deserts, our wildlife, our air and climate, not in their destruction. Thank you.

Commissioner Hechler asked about the lawsuit with Texas.

Mr. Yeh replied the fight over the water of the Rio Grande has been going on for hundreds of years, and it's never settled. There's always a settlement and then it's never settled because people sue. In this last case, Texas was stealing from New Mexico because it claims that New Mexico has been allowing wells near the Rio Grande to pump a lot of water and draw the water from the river. Therefore, the river was not carrying all the water it's supposed to, to Texas and points south. The mine's wells are in fact two miles from the Rio Grande, and their effects will reach the river. So the mine's wells is one of the things that is being disputed in the litigation. If Texas wins,

## CITY COMMISSION SEPTEMBER 12, 2018 REGULAR MEETING MINUTES

they've asked for a huge amount of liability. They're saying we're damaging their crops, we're damaging their economy, and New Mexico will have to pay for that upfront in terms of money, and also it will have to restore the flow to the Rio Grande which will cost us a lot of water.

Mayor Green stated that on May 14<sup>th</sup> they did a tour of the mine and the gentleman who was doing the tour said that they had already, in preparation for the mine to be open, contracted out or made arrangements with I would call them a straw boss, someone who you pay per head to deliver workers to your job site because they don't have cars. They bussed them in, and then they do their work and they get paid or get paid at the end of the week, but they bus them out every day. They don't live there. They don't live anywhere except where they're coming from which would be the Hatch area.

Mr. Yeh responded, I'm sorry, I don't know specifically anything about that, but I do know that first of all I think you have to understand that when the mine talks about hiring, there are two different things. There is the hiring for mining during the years of operation, and then there's this big sort of construction job which has to go on, and the construction job actually takes many more people, but it lasts only, you know, a very short time. I think in the mine's projections, at least in the draft environmental impact statement, in the construction phase they are talking about a lot of people flooding in here from workers coming in from all over.

### **F. CONSENT CALENDAR:**

- 1. Accounts Payable, August 2018.**
- 2. Appointment of Mark Shipley to the Airport Advisory Board.**
- 3. Approve the Municipal League recommended Code of Ethics. – May Steve Green asked that this item be pulled from this portion of the agenda.**

### **ITEMS REMOVED FROM THE CONSENT CALENDAR:**

**F.3 Approve the Municipal League recommended Code of Ethics.**

Mayor Green removed this from the Consent so he could read it for those listening on the radio.

**Mayor Pro Tem Whitehead moved to approve the Consent Calendar as noted. Commissioner Hechler seconded the motion. Motion carried unanimously.**

Mayor Steve Green read aloud the Code of Ethics to the public.

**Mayor Green moved to approve the Code of Ethics as noted. Commissioner Clark seconded the motion. Motion carried unanimously**

**G. ORDINANCES, RESOLUTION, & ZONING**

- 2. Discussion/Action: Resolution No. 10 2018/2019 authorizing and approving submission of a completed application for financial assistance and project approval to the New Mexico Finance Authority Water Trust Board for Water System Improvements. Traci Burnette, Grant/Projects Coordinator:**

Grants Projects Coordinator Burnette requested approval of the required resolution so the city can submit an application to Water Trust Board. This application would be for our Morgan Street booster station, water booster station, and this would replace our booster pumps under the plumbing, electrical, and telemetry up there at the Morgan Street water booster station. We are going to request \$350,000. Our hope is to combine this application along with a Colonias application cycle that will be coming up as well. A majority of the \$350,000 that we're requesting would be for construction. Even though we're coming before the commission for Water Trust Board application first, the application cycle for Water Trust Board opens and process through first. However, Colonias actually does their awards prior to Water Trust Board, so we will be coming back before the commission to do a Colonias application probably in the amount of around \$80,000 to \$100,000 for more of the plan and design.

Commissioner Clark asked is there any part that the city's going to have to come up with to match the funding.

Grants Projects Coordinator Burnette responded Water Trust Board is a 10% match, 10% loan. They can match up that to 20% if they determine that we're able to handle that burden.

Commissioner Hechler moved to approve Resolution number 10 2018/2019 authorizing and approving submission of the completed application for financial assistance and project approval to the New Mexico Finance Authority Water Trust Board for Water System Improvements as presented by Traci Burnette, our grant/projects coordinator. Commissioner Clark seconded the motion. Roll call vote was taken by the Deputy Clerk.

Motion carried unanimously.

- 3. Discussion/Action: Resolution No. 11 2018/2019 authorizing participation in Capital Outlay Program Administered by New Mexico Department of Transportation. Traci Burnette, Grant/Projects Coordinator:**

Item was moved to be discussed after item H.1.

- 4. Discussion/Action: Resolution No. 12 2018/2019 directing the publication of the Title and General Summary of the subject matter of**

## CITY COMMISSION SEPTEMBER 12, 2018 REGULAR MEETING MINUTES

**Ordinance No. 699 pledging certain revenues to the repayment of a loan for the defeasance and refunding of the 2016 Loan from the New Mexico Finance Authority for the construction and improvement of the Sierra Vista Hospital including the approval of the amendment to the original loan agreement:**

Interim City Manager Cantin presented Resolution No. 12 2018/2019. As you can see in the background, the member entities, which are the City of T or C, Sierra County, Village of Williamsburg, and City of Elephant View, and also the Sierra Vista Hospital's joint powers commission all adopted the ordinance to obtain the loan for the construction and improvement of the new hospital. The hospital was more expensive than they needed, and we felt that the funds to pay the loan that they wanted was working on the refunding of the loan. The refunding with this ordinance would be reduced from \$30,220,000 down to \$25,495,991 which is included in that ordinance. There will still be a repayment from the GRT revenues and which are already imposed by each entity. So it will change the projection of those revenues that are paid. It also includes the approval of the amendment to the original loan agreement, and what they have requested is two separate motions, one for proof of resolution should you decide to proceed, and one to approve the amendment to the original loan agreement.

City Attorney Rubin mentioned the attorneys that drew this up are going to be present when we have the final hearing on the ordinance.

**Mayor Pro-Tem Whitehead moved to approve Resolution number 12 18/19, a resolution directing the publication of the title and general summary of the subject matter of an ordinance pledging certain revenues to the repayment of a loan for the defeasance and refunding of the 2016 loan from the New Mexico Finance Authority for the construction and improvement of the Sierra Vista Hospital as presented and noted by Interim City Manager Cantin.**

**Commissioner Hechler seconded the motion. Roll call vote was taken by the Clerk-Treasurer.**

**Motion carried unanimously.**

City Attorney Rubin asked for a second motion on the repayment.

**Commissioner Hechler moved to approve the original loan agreement to amend the prepayment charge related to a loan agreement dated May 24th, 2016.**

**Mayor Pro-Tem Whitehead seconded the motion. Motion carried unanimously.**

### **H. NEW BUSINESS**

- 1. Discussion/Action: Approval to proceed forward allocating City funds for McAdoo/Sims Infrastructure Improvement Project Phase 1**

**identified McAdoo Street between Daniels Street and Clancy Street.  
Traci Burnette, Grant/Projects Coordinator:**

Grants Project Coordinator Burnette presented Approval to proceed forward allocating City funds for McAdoo/Sims Infrastructure Improvement Project Phase 1 identified as McAdoo Street between Daniels Street and Clancy Street by saying, when I gave the Clerk's Office the description, I should have extended that from Clancy up to Main. It's actually Daniels Street and Main Street, and that's just simply because of the way the water line runs to connect into our main. This particular area is phase one. It's the section that is behind City Hall and in front of the Police Department, and it only addresses the streets and the water lines. There is no sewer that runs behind there. It's really important for the point of funding purposes especially with the next item on the agenda. Even though we are doing a collaboration with our Streets Department and our Water Department, it is definitely two separate projects. There's the water line replacement, and then there is some streets repaving. We're not combining street department funds and we're not combining water department funds. The overall cost estimation for that phase with total of water and streets estimates out to around \$500,000. That's split in our Streets Department performing a lot of the work themselves. There might be some sections where they may have to contract out because they don't have the proper equipment or maybe the knowledge for certain areas, or something that they're addressing that they may not be comfortable with, and then the water portion would be contract out. We would also procure engineering services for the plan and design. The next item on the agenda would require engineer stamp and approval, and any time we're getting into a project over \$100,000, we need to look at engineering plans for that project. So the way the cost would split would be within our water department because they're going to be requiring a lot more of the extensive work, they would also be procuring the engineering services from our water fund, and also hiring a contractor to come in and do the replacement of the water lines. The engineering services would give us the plan design as well as some project oversight to make sure the project is completed to the proper standards. The streets department has been awarded, as the next item on the agenda, some funding towards some streets improvement in that area, and so depending on how you proceed forward with this item, we would like to look at taking those funds that they were awarded to put towards the streets improvements as well as within their budget, previous manager Fuentes had put money towards this project. The Water Department would be looking at their ending cash balance to see if they could put money towards the project as well. We're waiting for some final numbers on that. What we're asking the Commission at this time is to approve us to move forward, if the departments have that funding within their budget, to let us proceed forward with finalizing the numbers and looking at moving towards this project as an all-in-one. Mayor Green asked what happens if the departments don't have the funding to cover the project.

Grants Project Coordinator Burnette replied we believe the money that was allocated for the streets is enough to cover it. It was our understanding that was going to be put within the water budget as well, and we believe that the water ending cash balance

## CITY COMMISSION SEPTEMBER 12, 2018 REGULAR MEETING MINUTES

does have the funding to do that, but we haven't received final answers on that at this time.

Commissioner Hechler asked to see the final funds.

Grants Project Coordinator Burnette replied she can bring that back to the Commission on September 26, 2018.

Mario Juarez-Infante Wilson and Company replied it's going to make it very difficult because one of the design elements that require engineering is a water tie-in to Main Avenue which is the right-of-way. If you look at schedule, everything is tied to the first week of November, being able to give notice of proceed as we know we have upfront administrative efforts associated with getting your bonds, getting your contracts executed with the contractor, so we lose a couple of weeks. Now we're into mid-November and by the time we get started, we hit a holiday. So we have a very finite window between November and March.

Interim City Manager Cantin stated that she discussed it a bit with the Finance Director, so I would highly recommend that we go ahead and approve to proceed pending the outcome of the funding.

Mayor Pro-Tem Whitehead moved to approve to proceed forward allocating city funds for McAdoo/Sims Infrastructure Improvement Project Phase 1 identified as McAdoo Street between Daniels Street and Clancy Street contingent on funds being made available. And this is all noted as per Traci Burnette, our grant/projects coordinator. Commissioner Clark seconded the motion. Motion carried unanimously.

### **H.2 Discussion/Action: Resolution No. 11 2018/2019 authorizing participation in Capital Outlay Program Administered by New Mexico Department of Transportation. Traci Burnette, Grant/Projects Coordinator:**

Traci Burnette, Grant/Projects Coordinator explained that this will tie in to the previous project. What we're requesting is approval of the resolution to accept the funds, the capital appropriation that was allocated to the city. The appropriation was to plan, design, construct, and improve streets including curbs, drainage, and sidewalk accessibility in Truth or Consequences to be used as part of the Sims and McAdoo Infrastructure Improvement Project. The actual grant application that we received with the appropriation was for street improvements within the downtown area. So what we're requesting from the commission is to use this \$100,000 specifically to tie in with this project to help our streets because, as we know, they don't produce a revenue. So if we can put this money towards that, that'll help offset their costs as well.

Mayor Pro-Tem Whitehead moved to approve Resolution No. 11 2018/2019, authorizing participation in Capital Outlay Program administered by New Mexico

Department of Transportation as presented and noted by Traci Burnette, our grant/projects coordinator. Commissioner Clark seconded the motion. Roll call vote was taken by the Clerk-Treasurer.

Motion carried unanimously.

**H.3 Discussion/Action: Standard Operating Procedures for Animal Control. Randall Aragon, Police Chief:**

Police Chief Aragon reviewed the Animal Shelter and Animal Control SOP. It's been a lot of work, many hours tweaking something that was a model from Valencia County's Animal Shelter/Animal Control operations which we've been using actually since our shelter opened which is late April of this year. It contains many best practices throughout the animal control and animal welfare environment, and I believe it would be a good idea to have commission officiate it so we know that we're on the right track. My staff and I, Lieutenant Baker, Sabrina Day, and Captain Apodaca, reviewed it several times. We've actually used this since April, but we tweaked it to get it working right, and put it in context. We'd like your blessings to proceed and use it.

Mayor Green asked, so we pick up someone's dog that's running loose, that's been rabies shot and everything else, but it's on medications or something like that, and we have an additional cost. When the owner of that animal comes back to get the animal from the shelter and bring the animal home, they're not presented with a bill for medication? We have just absorbed my bill? That was my only concern.

Lt. Baker stated usually when we get an animal running at large, most of them have a collar and some tags. That's how we're able to identify them through the City Clerk or we can go back and look at the numbers or even through the vet's office. If they've gotten a rabies shot, they have a number as well. Once we identify that they have an owner, then we try to make contact with the owner. We don't necessarily get their medical records. We keep them, try to see if we have an owner. If we notice any medical issues at that point, once it's past 72 hours and the owner hasn't come to pick up the animal, then we take the animal to the vet to get any kind of medical attention it needs. The only fee that's charged to an owner is the impound fee, which is the \$32.25. But animals that don't have collars or don't have owners, we do vaccinate them, and those are usually put into our adoption process. So those are animals that are unclaimed that we're vaccinating at that point. We don't claim any running at large unless the owner doesn't come back.

Commissioner Hechler asked if you pick up an animal and the animal is injured, you find the owner, but you've treated the animal first, does that owner then incur the medical bill?

Lt. Baker responded yes, now if we get that medical bill and we pay that medical bill, then we basically present that bill to the owner and tell us, well, before you can get your animal back, you're going to have to reimburse us the money that we paid to help your animal.



**Commissioner Hechler moved to approve the T or C Animal Shelter Volunteer Manual as presented by staff we adopt the standard operating procedures for animal control as presented by Chief Randall with the stipulation that the chief may confer with the city manager to make minor changes to the document if need be. Mayor Pro-Tem Whitehead seconded the motion. Motion carried unanimously.**

**H.4 Discussion/Action: T or C Animal Shelter Volunteer Manual. Randall Aragon, Police Chief:**

Chief Aragon noted this is a quantum leap. We've not had this before, and we're trying to move the needle in the right direction to get help for our shelter, for our pets, for dogs and cats, kittens and puppies. He reached out to Jess Weston and their crew in Valencia County, and they sent him their handbook and we spent many, many hours tweaking it to meet our needs. City Attorney Rubin looked at it, made some corrections and suggestions. It's loaded with nothing but best practices. That's what we're trying to do. Commissioner Hechler helped me on a performance evaluation for the volunteers that come in. If they're doing well, they're going to stay with us, and we're going to rate them the first 90 days and thereafter every six months. They're going to be receiving an evaluation from Sabrina. I've already put together a Friends of the Animal Shelter. And Robin has agreed to be the chairman. It's going to be a coalition. It's not going to be a 501(c) (3). There will be no money involved, just a coalition, and we're going to meet quarterly. Our first meeting's going to be in October. Robin's going to man it as the chairman. Believe it or not, until she leaves, Deb Peters is going to be the vice-chair and three other committed folks, so we'll have five. Lieutenant, myself, Sabrina, we'll go to the quarterly luncheon, probably Pizza Hut and we'll talk over concerns. They're going to be my advisor. They're going to help us get there right, move that needle in the right direction. So Robin, Bob, I want to thank you both and all your volunteers. So with that, I'm asking for your blessings and approval on this volunteer handbook. If it needs to be tweaked in the future, we'll do that, and again, just like the first one, the SOP, if there's any future changes I'll discuss it with the city manager, make the changes, and we just need you to officiate.

Commissioner Hechler asked Chief Aragon to make sure, in the event of liability, you have coverage with this.

**Commissioner Hechler moved to approve that we approve the T or C Animal Shelter Volunteer Manual as presented by Chief Aragon and his staff. And just as a final, great job. Thank you for rolling this out so quickly, and thank you for reaching out to the community and involving the people from the community to put this together. Mayor Pro-Tem Whitehead seconded the motion. Motion carried unanimously.**

**H.5 Discussion/Action: Replacement for the City Manager on the SVH Governing Board. Renee Cantin, Interim City Manager:**

## CITY COMMISSION SEPTEMBER 12, 2018 REGULAR MEETING MINUTES

Interim City Manager Cantin presented, as you know, former City Manager Juan Fuentes served on the Sierra Vista Hospital Governing Board, and we need to look into replacing that position and appointing someone new to serve on that board. It's my understanding that Mr. Fuentes served as one of the appointed by the commission members, and also the Governing Board holds the position for the City Manager as an ex officio non-voting member.

Commissioner Clark asked Interim City Manager Cantin is she is going to go in there as a voting member in that position.

Interim City Manager Cantin stated that's up to the Commission. If you want me to just serve as the ex officio so I can attend as well and appoint someone else, we could go out for advertising it to appoint someone else as a voting member, or you're welcome to appoint me as the voting member to proceed. I just thought I would leave it open to the commission.

Commissioner Clark thinks it's extremely important that we have somebody sitting on that governing board that can keep us informed of what's going on since the JPC only hears X amount. So I think that in this particular instance it's a very good idea, and thank you, City Manager, for volunteering because you've already got enough, 100 million things to do and this is adding another one on.

Interim City Manager Cantin responded that she feels it's important for her to have that knowledge as well.

Mayor Green asked that we advertise for the position and asked if any of the commissioners have ideas of who might serve us and our financial interest as owners of the hospital on the Governing Board, please bring that information into Manager Cantin's Office.

Commissioner Clark asked Interim City Manager Cantin if she is comfortable being a voting member right now or if she would prefer to be in as ex officio till you're a little more up to speed on what this hospital's doing?

Interim City Manager Cantin, I would say there's enough people who can kind of bring me up to speed where I would be comfortable with voting.

**Mayor Pro-Tem Whitehead moved to approve to appoint Interim City Manager Renee Cantin to serve as a voting member in place of former City Manager Juan Fuentes on the Sierra Vista Hospital Governing Board. Commissioner Baca seconded the motion.**

**Motion carried unanimously.**

**H.6 Discussion/Action: Replacement for the City Manager on the SCRDTA Board. Renee Cantin, Interim City Manager:**

## CITY COMMISSION SEPTEMBER 12, 2018 REGULAR MEETING MINUTES

Interim City Manager Cantin stated that former City Manager Fuentes also served on the SCRDTA Board, and therefore we need to appoint a replacement or decide whether we wanted to advertise for that or whatever your wishes might be.

Mayor Green stated this is an important board because the city has a financial investment in this organization. He asked Grants Projects Coordinator Burnette if this is something she would be interested since she was Manager Fuentes's proxy and she did go to some of those meetings and have kind of a working understanding of what SCRDTA does, and how they function, and all that kind of good stuff.

Grants Projects Coordinator Burnette stated that she would be honored to take that position. Maybe when the commission was looking for somebody permanent if that's your direction. I do feel it's very important for somebody that is very involved in the financials and the GRT because that plays a large part in it, but she would be happy to attend as well.

Interim City Manager Cantin stated she'd be happy to take it so she can learn.

Commissioner Clark feels there's a learning curve that's so important for each one of these boards, and she really appreciates Manager Cantin putting her name out there, but she's starting to feel very protective of her and she's concerned that this is an awful lot of knowledge to gather in a short period of time. Her preference would be to have Ms. Burnette sit in that position and report to the manager in a summarized version or if Manager Cantin wants to go with you to that meeting she can, but she wouldn't be obligated to attend.

Mayor Green agreed with Commissioner Clark. He also thinks it's vitally important that wherever the city has a deep financial investment that our representative should be staff and not someone from the outside where we have on the governing board.

Mayor Pro-Tem Whitehead feels that Traci is overloaded. She's got a lot of projects out there going, and she does a great job with them. I think Interim City Manager Cantin should be in there. Manager Fuentes did a great job. He was there for a long time. If Manager Cantin becomes overwhelmed, she can always come back and let us know, and then we can look for some help for her. But she feels this would be a great opportunity, and a great learning curve for her. Plus, she's got great staff that can also help her if needed.

Interim City Manager Cantin stated if she gets super-overwhelmed and feels like I've learned enough and it's time, she'd be happy to bring it back to the commission.

**Mayor Pro-Tem Whitehead moved to approve the appointment of interim City Manager Cantin to fulfill the vacancy on the SCRDTA Board. Commissioner Baca seconded the motion.**

**Motion carried unanimously.**

### **I. REPORTS:**

## CITY COMMISSION SEPTEMBER 12, 2018 REGULAR MEETING MINUTES

### **City Manager:**

- Interim City Manager Fuentes introduced the City Clerk's Office new assistant Clerk Lisa Gabaldon, and thanked Deputy City Clerk Angela Torres who's been training her and who will also be serving as Acting City Clerk in my absence and helping us keep everything straight moving forward in the Clerk's Office.
- It's been an eventful couple of weeks as you can imagine. She met with all the department heads together, and she met with some individually. She also plans to meet with the rest as soon as possible.
- She requested tours of each of the facilities and thanked everyone who immediately offered their support to me during the transition. That has made it so much easier for me. We really have a great bunch of employees, and I'm enjoying getting to know them and some that I haven't had as much contact with.
- One of the first priorities was meeting with the Finance Director, HR, and Payroll to get an update on where we were with the vacant positions and to proceed to get those that are already in the budget filled, so we're moving on that.
- She was pleasantly surprised that she was actually familiar with the majority of the projects that we have currently have, and she learned quite a bit more about each of them during the project meetings.
- She thanked the commissioners who already stopped by to talk with her. She plans to meet with the rest of you before the end of the week. She met with Representative Dow and Terry] Taylor who provided great information.
- She thanked Commissioner Hechler for meeting with Sherry on the golf course. We are working on a plan to put together that will be presented to the commission at a later date. She has a couple of ideas that were presented to the department heads for employee morale, and we will be sharing those with the commission soon as well.

### **Water/Wastewater Interim Director Castaneda reported:**

- We have four pending water leaks out there. One on Veater, 905 Joffre, 501 Main, and 6th and Kruger. We also have another one on Cherry Lane. The terrain there is very rocky, and we decided to go ahead and try and get a contractor to help us out with that one.
- We used to have 10 to 15 leaks throughout the city, and right now there's only 4 that are actively leaking.
- In addition to that, we have 3 pending water and sewer taps, one at 1005 Bosque, 811 Sunset, and 107 North Magnolia.
- We have a shortage in our employees in our Water Department, so we got our Wastewater crew to help out. Our Wastewater crew is doing the taps in sewer/water while the Water crew does the leaks themselves. So we've been able to get a handle on them, and that's what we're doing right now.

Commissioner Hechler asked if Mr. Castaneda is going to give something on the sulfur system and how it was working with the water.

## CITY COMMISSION SEPTEMBER 12, 2018 REGULAR MEETING MINUTES

Water/Wastewater Interim Director Castaneda reported that he was on medical leave for a couple months. Before he left, they put in an order for the sulfur unit to come in. When he came back in early August, they started to work on the project to get the thing connected and running. It took them about a week and a half to get the feel for the unit. The last couple of weeks it's been operating; however, I he doesn't feel comfortable that it is being effective. Before they ordered it, they had discussions on where to place the unit. They could have placed it at the Wastewater Treatment Plant, at the Armijo Pond or even at the Golf Course. Because of convenience, they decided to put it at the Treatment Plant and inject into a pump station that pumps the water into the Armijo Pond and then from there distribute it.

### **Lt. Baker reported:**

- As you guys know, our volunteer thing has already been in the works, so that's going really well. We've made a lot of good connections with the community as well. We are going to be having monthly adoption things going on at Tractor Supply every month. We've made arrangements with management over there, and they're 100% in support with us doing that. People can come get brochures and information on adoption and the shelter and any other questions they have for us, staff will be there to answer.
- I'd just like to say that our officers are doing a really good job out there on the streets. We're getting a lot of these criminals put away, and we've had a lot of pretty big cases that you'll probably hear coming out in the paper

### **City Attorney:**

- He just found out that on October 12th Commission Meeting, he has to be in District Court at 10:00 a.m., and it will probably take about an hour. I guess the options are, he could just show up here at 9:00 a.m. and then excuse myself before 10:00 a.m. and come back. Or if you feel more comfortable, we can start the meeting here later that morning. If you decide you want to take that second option, I guess we'd have to just make sure we advertise it correctly. The Sierra Vista Hospital ordinance that they already voted on, it would start later in the morning instead of 9:00 a.m.

Mayor Green suggested to keep business as normal moving forward but to take a look at the agenda and then poll the commission and ask them are there any questions of a legal nature that you have on agenda items, and we frontload the agenda that way. We will just move things around.

### **City Commission:**

#### **Mayor Pro Tem Whitehead:**

- Asked about vector spraying. She's had a lot of calls regarding mosquito spraying. Could you elaborate on mosquito spraying and when they're doing it.

Interim City Manager Cantin stated that we have started the vector spraying. I believe the schedule is Tuesdays on the south side of town and then Thursdays on the north side of town. We keep a list of those who request to be sprayed and to be sprayed.

## CITY COMMISSION SEPTEMBER 12, 2018 REGULAR MEETING MINUTES

### **Commissioner Hechler:**

- I just wanted to recognize the efforts of the NMDOT recently who donated 140 round posts to the city, and initially we had wanted these to replace the posts at the golf course. They may or not be suitable for that. It looks like the posts at the golf course are up right now, so we may do that. But they also donated 3,600 yards of millings or pines and those millings or pines right now are being placed at Rodeo Road to the Wastewater Plant. So hopefully that'll help us out in some dust suppression.
- Also, I was hoping in keeping a good or a great relationship with NMDOT that the city would write a letter of thanks to them if they haven't done so already.

### **Lt. Baker:**

- They are having a "Tiger Day" on October 20<sup>th</sup> it will be a community event at the schools. The contact person for that event is James Shiley.

### **Mayor Green:**

- Thanked Lieutenant Baker for lending her voice to a wonderful event yesterday. You are a woman of many talents. It was awesome.
- He thanked Denise Addie. Those who were in attendance yesterday for the 911 Memorial up at our Veterans Memorial Park, she came up with this idea five weeks ago. She pulled some people together, some volunteers, and put together what I thought was a real tasteful, thoughtful, appropriate event. I hope it's an annual event. It had very strong support from our business community who donated and donated and donated.

## **J. EXECUTIVE SESSION**

### **1. Limited Personnel Matters (City Manager) Pursuant to 10-15-1(H.2):**

Mayor Pro-Tem Whitehead moved to approve going into executive session at 11:34 a.m. to discuss Limited Personnel Matters (City Manager) Pursuant to 10-15-1(H.2). Commissioner Baca seconded the motion. Roll call vote was taken by the Acting City Clerk. Motion carried unanimously.

Mayor Green reconvened the meeting in open session at 12:57 p.m.

Mayor Pro-Tem Whitehead certified that only matters pertaining to Limited Personnel Matters (City Manager Recruitment & Interim City Manager) Pursuant to 10-15-1(H.2) was discussed in Executive Session and no action was taken.

## **K. ACTION ON ITEMS DISCUSSED DURING EXECUTIVE SESSION, if any:**

Commissioner Hechler moved to approve to authorize staff to start the recruitment by distributing an ad as discussed to be reviewed by the Commission and with the approval of the city attorney. Mayor Pro-Tem Whitehead seconded the motion. Motion carried unanimously.

CITY COMMISSION SEPTEMBER 12, 2018 REGULAR MEETING MINUTES

Commissioner Hechler moved to approve that anyone placed in an Interim/Acting role for this vacancy be given a 15% increase. Mayor Pro-Tem Whitehead seconded the motion. Motion carried unanimously.

L. ADJOURNMENT:

Mayor Pro-Tem Whitehead moved to adjourn at 1:00 a.m.  
Commissioner Hechler seconded the motion. Motion carried unanimously.

Passed and Approved this 14<sup>th</sup> day of November, 2018.

  
\_\_\_\_\_  
Steven Green, Mayor



ATTEST:  
  
\_\_\_\_\_  
Angela A. Torres, Acting City Clerk