

*Steven Green  
Mayor*

*Sandra Whitehead  
Mayor Pro-Tem*

*Kathy Clark  
Commissioner*



*Rolf Hechler  
Commissioner*

*Paul Baca  
Commissioner*

*Juan A. Fuentes  
City Manager*

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

## REGULAR MEETING

THE REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO, IS TO BE HELD IN THE COMMISSION CHAMBERS, 405 W. 3<sup>RD</sup> ST., ON WEDNESDAY, APRIL 25, 2018; TO START AT 9:00 A.M.

### A. CALL TO ORDER

### B. INTRODUCTION

#### 1. ROLL CALL

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

#### 2. SILENT MEDITATION

#### 3. PLEDGE OF ALLEGIANCE

#### 4. APPROVAL OF AGENDA

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

### D. RESPONSE TO PUBLIC COMMENTS

### E. PRESENTATIONS

1. Proclamation for PetSafe National Dog Park Day on May 5<sup>th</sup>, 2018.
2. Presentation: Chihuahuan Desert Conservancy. Ike Eastvold, Presenter
3. Presentation related to Code Enforcement. Michael Apodaca, Interim Police Chief and Ray Chavez, Code Enforcement

### F. CONSENT CALENDAR

1. City Commission Regular Minutes, March 28, 2018
2. City Commisison Special/Work Session Minutes, April 10, 2018
3. Public Utility Advisory Board Minutes, March 19, 2018
4. Public Arts Advisory Board Regular Minutes, March 20, 2018

## CONSENT CALENDAR *(Continued)*

5. Fire Protection Fund Application
6. JPA for Animal Control Services between the City of Truth or Consequences and Sierra County

### G. PUBLIC HEARINGS

1. Public Hearing: Final Adoption of Ordinance No. 694 amending Section 8-39 of the Municipal Code for Negligent use of a deadly weapon. Jay Rubin, City Attorney and Mike Apodaca, Police Chief
2. Public Hearing: USDA Rural Development Community Facilities Grant Application for financial assistance for various equipment needs. Traci Burnette, Grant/Projects Coordinator

### H. ORDINANCES/RESOLUTIONS/ZONING

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

### I. NEW BUSINESS

1. Discussion/Action: USDA Rural Development Community Facilities Grant Application for financial assistance for various equipment needs. Traci Burnette, Grant/Projects Coordinator
2. Discussion/Action: Recommendation by the Public Arts Advisory Board to proceed with the Art Park Clean & Beautiful Grant. Traci Burnette, Grants/Project Coordinator
3. Discussion/Action: Adoption of the 2018 Town Hall & Commission Retreat Results. Rolf Hechler, City Commissioner
4. Discussion/Action: New Mexico Tourism Rural Pathway Grant Application. Steve Green, Mayor and Juan Fuentes, City Manager

### J. REPORTS

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

### K. ADJOURNMENT

**NEXT CITY COMMISSION MEETING MAY 9, 2018**

E.I



CITY OF TRUTH OR CONSEQUENCES  
COMMISSION ACTION FORM

**ITEM:**

Proclamation for PetSafe National Dog Park Day on May 5<sup>th</sup>, 2018

**BACKGROUND:**

While Bark for Your Park has grown and evolved over the years, the goal has always remained the same: help communities become better places to live for people and their pets. That's why on the first Saturday in May, PetSafe celebrates **National Dog Park Day!** National Dog Park Day encourages pet owners and their pets to enjoy the spring air, stretch their legs and meet other dog lovers in their own community.

They're committed to upholding the PetSafe brand values, continually improving Bark for Your Park programs and helping communities across the country create safe and fun dog parks for dogs and their owners to enjoy for years to come.

Our very own Carole Wheeler Dog Park has requested that we proclaim Saturday, May 5<sup>th</sup> as PetSafe National Dog Park Day.

**STAFF RECOMMENDATION:**

None. Presentation only.



E.2

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

**ITEM:**

Presentation: Chihuahuan Desert Conservancy. Ike Eastvold, Presenter

**BACKGROUND:**

The Application for listing on the Agenda is attached.

**STAFF RECOMMENDATION:**

None. Presentation only.

Submitted by: Renee Cantin, City Clerk-Treasurer

Meeting date: 04/25/2018



CITY OF TRUTH OR CONSEQUENCES

CITY CLERK'S OFFICE

505 SIMS STREET

TRUTH OR CONSEQUENCES, NEW MEXICO 87901

PHONE: (575) 894-6673 EXT#1301 FAX: (575) 894-7767

**APPLICATION FOR LISTING ON CITY COMMISSION AGENDA**

DATE: April 12, 2018

DATE OF MEETING YOU ARE REQUESTING TO BE LISTED UNDER: April 25, 2018

NAME OF APPLICANT/ORGANIZATION: Chihuahuan Desert Conservancy: Ike Eastvold

ADDRESS: 1301 N. Silver Street, T or C, 87901

PHONE: (505) 255-7679 E-MAIL: eastvolds@aol.com

REQUEST: (ATTACH WRITTEN REQUEST AND/OR DOCUMENTS IF AVAILABLE)

Using satellite and photo imagery, show how the Conservancy will accommodate visitor and educational use.  
Emphasize the potential for eco-tourism, particularly bird watching  
Document progress in securing boundaries and protecting resources from criminal trespass. Outline future  
steps for public involvement in establishing a visitor & educational center, and in planning for group use of  
the property.

WHAT RESOURCES DO YOU REQUIRE: USB port to connect iPad to Commission room projector for Keynote presentation

ESTIMATED TIME FOR PRESENTATION: 15 minutes SIGNATURE: Ike "The" Eastvold

**CITY MANAGER ACTION**

APPROVED FOR COMMISSION AGENDA OF: \_\_\_\_\_

DENY – REASON FOR DENIAL: \_\_\_\_\_

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

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



E.3

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

**ITEM:**

Presentation: Truth or Consequences Code Enforcement

**BACKGROUND:**

Mr. Juan Fuentes requested a presentation be made on the current process of code enforcement and what all it entails.

**STAFF RECOMMENDATION:**

None. Presentation only.

**SUPPORT INFORMATION:**

Truth or Consequences Code Enforcement

Name of Drafter: Erica Baker	Department: Police	Meeting date: April 25, 2018
Email: ebaker@torcnm.org	Phone: 894-1204 Ext. 422	

# CODE COMPLIANCE



## **PROPERTY NOT IN COMPLIANCE**

- Going through alleys to get them cleaned up
- Spot a property out of Compliance determine what the Violation's are
- In this case Hedges and Shrubby & Declaration of nuisance
- Take a photo and write down the address.



# Write the letter's

One for Hedges and Shrubbery

One for Declaration of Nuisance

**Chief of Communications Police Department**  
**Michael Aponte, Chief**

March 20, 2014

Large Heavy Removable Tent  
Burling Street  
P.O. Box 911  
Wilmington, MA 01890

TO WHOM IT MAY CONCERN:

The property listed below is in violation of the Health and Sanitation Code and the Solid Waste Management Code of the City Code of Wilmington.

LOCATION: 1304 Street, South of Communications, RM 2700

DESCRIPTION: Heavy Removable Tent, 11' x 6'

**VIOLATION:** Any person or manager of any tent property shall maintain all tent and structure adjacent to public roadway so that no part of the tent and/or structure shall extend over any part of public roadway, street, or alley on the city. In violation of Chapter 4, Article 1, Section 4-1.

**ACTION REQUIRED TO ABATE VIOLATION:** Tent structure so that the tent structure does not extend over public roadway.

You are hereby notified that you have failed to abate the tent structure within fifteen (15) days of receipt of this notice, for the City of Wilmington may proceed to legal responsibility to remove the tent. You will receive no further notification.

If you have any questions, please do not hesitate to contact me at (773) 944-1304, Ext. 111.  
Respectfully,  
Michael Aponte, Chief  
Chief of Communications

**Chief of Communications Police Department**  
**Michael Aponte, Chief**

March 20, 2014

Large Heavy Removable Tent  
Burling Street  
P.O. Box 911  
Wilmington, MA 01890

TO WHOM IT MAY CONCERN:

The property listed below is in violation of the Health and Sanitation Code of the City Code of Wilmington.

LOCATION: 1304 Street, South of Communications, RM 2700

DESCRIPTION: Heavy Removable Tent, 11' x 6'

**VIOLATION:** Declaration of nuisance, extended, in violation of Chapter 1, Article 1, Section 1-1 of the City Code of Wilmington.

**ACTION REQUIRED TO ABATE VIOLATION:** Remove the tent structure within fifteen (15) days of receipt of this notice, for the City of Wilmington may proceed to legal responsibility to remove the tent. You will receive no further notification.

If you have any questions, please do not hesitate to contact me at (773) 944-1304, Ext. 111.

Respectfully,  
Michael Aponte, Chief  
Chief of Communications

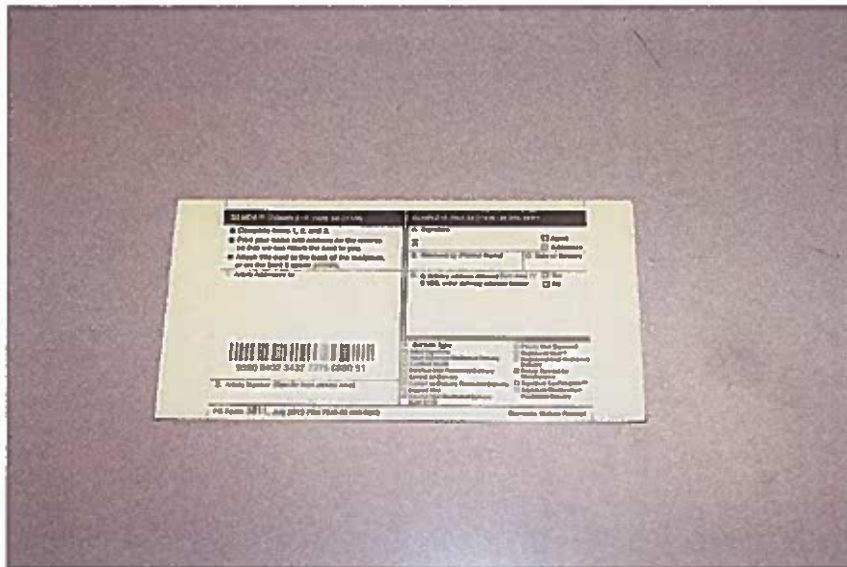


- I send all notices of non-compliance Certified Mail so I can use the Signature on the Return Receipt as evidence if I need to. Now I wait to get the Return Receipt back from the Post Office which can take days/weeks and some times I don't get one back.

**When I don't get a Receipt back I recheck the property some times the violations gone but when it's not I resend the letter.**

**When I get the Return Receipt I start the 15 days.**

**When I get the letter back Unclaimed or Unable to forward I'll get the name of the person who has the utility's and go that route.**



When the 15 days are up I go to check the property 7 out of 10 times the violation is taken care of when its not I cite them into court. When they get the letter from court most of the violations are taken care of by the time they go for there arraignment. The court sends me to check the ones that have not complied with them. The Judge will give them time to get their property into compliance or call me in to explain to them what the violation is or meet them at their property to show them what it is that's out of compliance. When court ordered time is up at I receive the Judgment and Sentencing, or there is the possibility we go to court. Everyone gets to exercise their due process.

9-301. TRUTH OR CONSEQUENCES MUNICIPAL COURT  
CITY OF TEUTONIA, INDIANA  
7 SOUTH DR. CIPPERG TOWNSHIP, IN 47964  
TELEPHONE (773) 994-5511 (FAX (773) 994-3046  
E-MAIL: [teutonia@teutonia.org](mailto:teutonia@teutonia.org)

CITY OF TEUTONIA INDIANA  
VS. Case No. \_\_\_\_\_  
Date Filed \_\_\_\_\_  
Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_ Fax \_\_\_\_\_ E-Mail \_\_\_\_\_

**CRIMINAL COMPLAINT**

**CRIMINAL COMPLAINT**  
THE COMPLAINANT, UNDER PENALTY OF PERJURY, COMPLAINS AND SAYS THAT ON  
OR ABOUT THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, IN THE CITY OF TEUTONIA  
OR CONSEQUENCES, STATE OF INDIANA, THE ABOVE-NAMED DEFENDANT(S) DID:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
CONTRARY TO STATUTES:  
*See last paragraph under heading of Municipal Code or Municipal Ordinance and date of adoption*




I SWEAR OR AFFIRM (UNDER PENALTY OF PERJURY) THAT THE FACTS SET FORTH ABOVE  
ARE TRUE TO THE BEST OF MY INFORMATION AND BELIEF. I UNDERSTAND THAT IT IS A  
CRIMINAL OFFENSE SUBJECT TO THE PENALTY OF IMPRISONMENT TO MAKE A FALSE  
STATEMENT IN A CRIMINAL COMPLAINT.

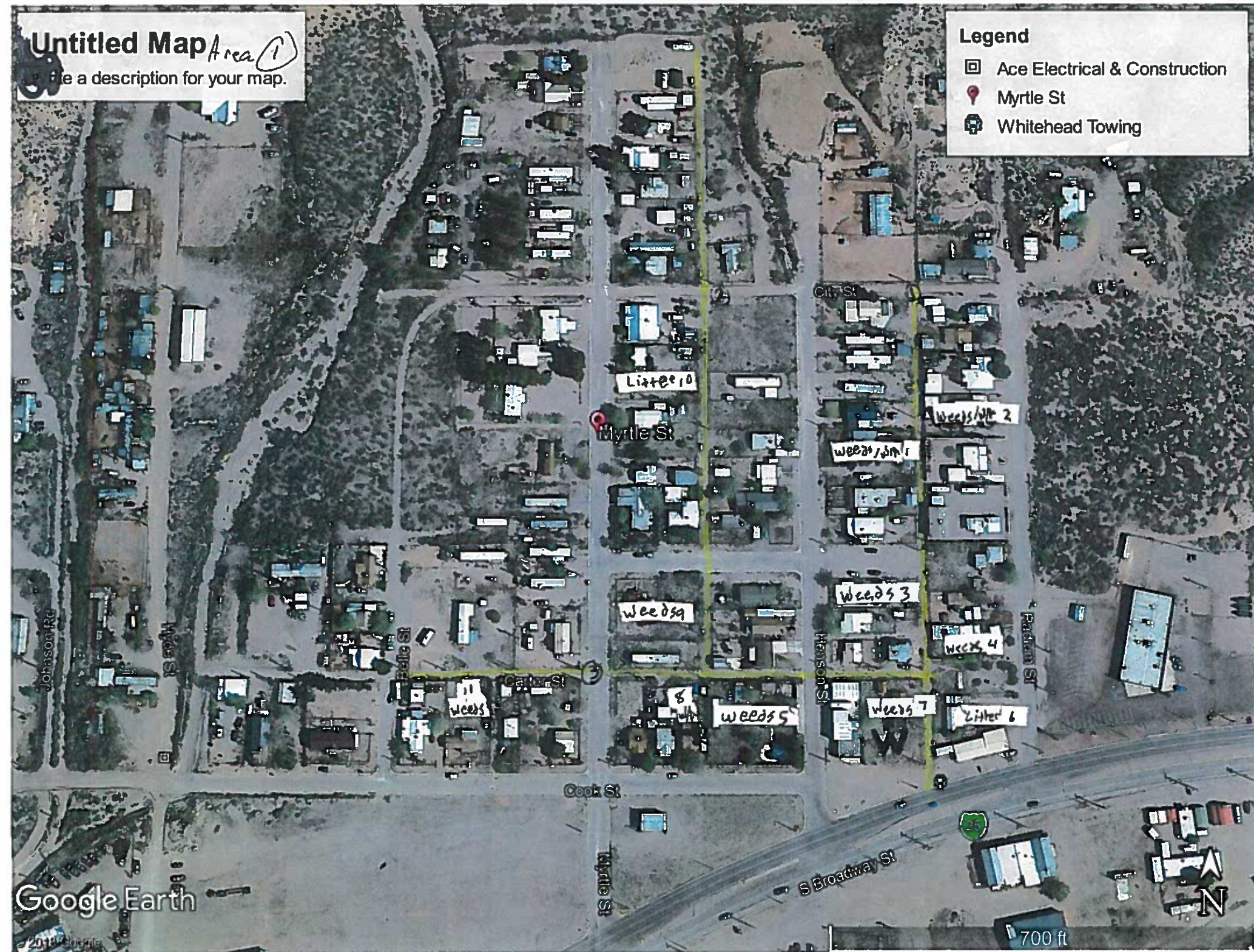
City Attorney \_\_\_\_\_ Date \_\_\_\_\_  
[ ] Approved [ ] Not Approved

COMPLAINANT  
Mailing/Street Address \_\_\_\_\_  
City, State, Zip \_\_\_\_\_  
Telephone Number \_\_\_\_\_

Untitled Map Area ①  
File a description for your map.

### Legend

-  Ace Electrical & Construction
-  Myrtle St
-  Whitehead Towing



Area 2

Google Earth

Iron St

Almond St

Tungsten St

Mercury St

Marshall St

Bress St

S Broadway St

Zinc St



600 ft

© 2018 Google



Area 3



Area 4



Google Earth

© 2010 Google



600 ft

Area 5



Google Earth

© 2018 Google

800 ft

Area 6



# Area 7

Write a description for your map.

Legend



Google Earth

© 2018 Google

900 ft





F.1

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

**ITEM:**

Approve the minutes of the City Commission Regular Meeting for March 28, 2018.

**BACKGROUND:**

None.

**STAFF RECOMMENDATION:**

Approve the minutes.

Submitted by: Renee Cantin, City Clerk-Treasurer

Meeting date: 04/25/2018

CITY COMMISSION MEETING MINUTES  
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO  
CITY COMMISSION CHAMBERS, 405 W. 3<sup>RD</sup> 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)**

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

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 3<sup>rd</sup> 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 18<sup>th</sup>. 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 6<sup>th</sup>. 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

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

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

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 28<sup>th</sup> 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.

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 1<sup>st</sup>. Those are his concerns. So if it makes sense to them, we should just take one request at a time.

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 3<sup>rd</sup> 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 11<sup>th</sup>.
- 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 2<sup>nd</sup> 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.

- 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.

- 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 \_\_\_\_ day of \_\_\_\_\_, 2018.

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

ATTEST:

\_\_\_\_\_  
Reneé L. Cantin, CMC, City Clerk



F.2

CITY OF TRUTH OR CONSEQUENCES  
COMMISSION ACTION FORM

**ITEM:**

Approve the minutes of the City Commission Special/Work Session Meeting for April 10, 2018.

**BACKGROUND:**

None.

**STAFF RECOMMENDATION:**

Approve the minutes.

Submitted by: Renee Cantin, City Clerk-Treasurer

Meeting date: 04/25/2018

CITY COMMISSION SPECIAL/WORK SESSION MINUTES  
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO  
BLACK RANGE LODGE, 405 W. 3<sup>RD</sup> St., KINGSTON, NM  
TUESDAY, APRIL 10, 2018

**A. CALL TO ORDER**

The meeting was called to order by Mayor Steve Green at 10:07 a.m., who presided and Renee Cantin, City Clerk-Treasurer, acted as Secretary of the meeting.

**B. INTRODUCTION**

**1. ROLL CALL**

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

Hon. Steve Green  
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.

Mayor Green read a statement for any public who attended stating they are here to work on Future Goals, there would be no public comment allowed at this Work Session, but public comment will be encouraged at the Regular Meeting where this strategic plan will be acted on.

**C. WORK SESSION**

**1. Future Goals Planning Session**

Mayor Green made some opening comments and turned it over to Commissioner Hechler.

Commissioner Hechler posted some notes from the Public Forum in a Story Board format. Green is Public, yellow is Commission, and today the blue will be what the Commission adds. This is what's called a Story Board and it's a frame to develop a plan for the direction they want the City Manager to go. Some of this will last three to five years and the City Manager and staff will still have direction on where to go.

Golf Course: It was once an asset and we need to look at it what it does for Truth or Consequences. Commissioner Hechler asked if they are all on board for keeping it in the capacity we have it. Mayor Green said we need to keep in mind the things we are hearing from comments and complaints received. These comments are the perception of the public and things we should be dealing with.

Commissioner Clark suggested working on the irrigation, regular hours they will actually be open, and adding Frisbee Golf.

Commissioner Hechler said there are a few ways we can go. Do we want to continue with Mr. Taylor or do we go out for RFP for a new one, or maybe use Howie Tucker. There was discussion on which way to go. City Manager Fuentes gave an overview of where the Golf Course is, he reported the Sulfur Filtration System, and drainage both need to be addressed. The question is how much resources we want to invest in the Golf Course. He also suggested winter grass or seeding for the winter. We need to plan for better operational hours. City Manager Fuentes said right now the Parks Department staff is not adequate to take care of the maintenance.

Commissioner Clark said the irrigation needs to be the priority. Commissioner Hechler asked if we are required to go out for RFP? City Manager Fuentes let them know that if we extend the current contract, we would not need to go out for RFP. Commissioner Hechler asked if we have a general consensus to keep the current contractor and work with him on a new plan with direction. If we keep him, we will have to have a plan to substantiate doing so because of those who have complained about him. Mayor Pro-Tem Whitehead wondered if we go out for RFP in hopes that the current contractor would also submit a proposal and if it would help with the decision for the selection. Mayor Green mentioned there may be a possibility of using Lodger's Tax money for a one time shot to get it up to par for use. Commissioner Hechler said the investment up front has got to have a payoff at the end or somewhere. Commissioner Baca feels we need to spend the money to keep the Golf Course. It's important for Property Values and bringing people in. Commissioner Clark suggested we look at the 2004-2006 budget versus the recent budget for it.

City Manager Fuentes sees that we need to determine if there is an interest on the current contractor's part to take care of the issues discussed and if there is not, then we will go out for RFP as our plan B. Commissioner Hechler also sees that we need to work on bringing all departments together to work on it.

**Commission Meeting time:** Commissioner Hechler has seen the meetings being held on Tuesday and on Wednesday, and in the morning and in the evening. He sees more participation at the morning meetings, he opened it for discussion. Some of the comments included: People are sharper and focused in the morning, than they are in the evening; not worth the overtime for staff; a similar amount of the public attend even after they were changed to the mornings.

**City Manager Goals:** Commissioner Hechler read the goals that were given. He was happy to report 5 of 7 of them have been substantially addressed.

**City staffing and Salaries:**

Uniforms were discussed and there was a consensus for the desire to have shirts that are more uniformed for all departments.

**Staffing & Salaries:** We need to have better qualified staff. Salaries need to be a priority. City Manager Fuentes mentioned when they review the budget and department requests, they will have a better idea of what is needed and how they can get there to provide that. Commissioner Hechler explained a time when they had to have a reduction in the number of employees and paid others more because they would be responsible for more work. More cross training was discussed and offering more money for entry level staff. City Manager Fuentes explained the changes that are being made with Water and Wastewater and moving them closer together to assist with both departments. Mayor Green agreed with having the philosophy of helping other departments whether it's their job or not. It was suggested to resurrect the city awards program. Commissioner Hechler said we could do something like a Employee of the Quarter Award; a City Manager award; a Citizen selected award; a Commissioner's award. He would be willing to work on that. Commissioner Baca would like to see a Summer Picnic be done for the employees. Commissioner Hechler agreed and said he envisioned a banquet to include the awards ceremony with possible safety training or presentation on something, i.e., an informal state of the city.

Recessed at 11:30 a.m. and reconvened at 11:40 a.m.

They continued with City Staffing and Departments.

Commissioner Clark discussed putting a new landing page on the home page of the website which she would like to see added. Mayor Green also mentioned adding a link for the Welcome Packet on the website and offering a request to have it mailed. There was a consensus to upgrade it on a continuing basis and add the Landing Page and Relocation Package.

Commissioner Baca wanted to discuss The Club (Boys & Girls Club) who are looking at purchasing the building next door and he wondered if the city could support or help them in some way. Mayor Green mentioned a USDA grant that could help them purchase a building. City Manager Fuentes explained the Anti-Donation clause that we are under and cannot benefit an organization with the taxpayer's money. Commissioner Hechler suggested doing a fundraiser to help.

**Code Enforcement Ordinance:** Mayor Green is working on a response for the Public Forum comments that were made about cleaning up the city. He wants to include the process for enforcement and how it works. The Green Motorhome with 6 tires, just licensed was discussed. Look at ways to revise the ordinance and take a look at this section. City Manager Fuentes said there is a balance between people who collect classic cars and old green motorhomes.

Mayor Green would also like to respond to the questions about recycling and redistricting.

**Districts:** City Manager Fuentes explained the issue with Districting. It's not required for a Commission-Manager with less than 10,000 population. It would be a requirement for a Commissioner to live in their District in order to run. Mayor Green talked to a representative from a company who handles the Districting for municipalities who confirmed it's not required for under 10,000, the cost would be no less than \$10,000, and if you want public hearings

on the districting plans it could be up to \$25,000; it is required to be redistricted every ten years after the census is done; voters only get to vote on the candidates in their district and not other districts. City Manager Fuentes brought up if the Commission wanted to consider doing away with Positions, they can decide to do that for the next election. The consensus is to leave it the way it is and not remove the positions.

Recessed for lunch at 12:57 p.m. and reconvened at 1:38 p.m.

**Infrastructure:**

**Storm Drainage:** Areas to focus on would be Brewery and Bullocks. Commissioner Baca talked to someone about doing a CDBG Grant for storm drainage. City Manager Fuentes reported there are some spots around town that could still be done and the downtown still needs to be done including Clancy and other streets that can carry it to the river. But you can't just dump it in the river. Commissioner Clark spoke about the ADA sidewalks project that was done and the drilling to allow water to flow. The consensus was to look into getting a planning grant and check on the vacant property across from the Police Department to use as a catchment basin.

**Signage:** Mayor Green said there are some Street signs that are missing and we need to update our Tourism related signs. It was suggested to look into the Rural Pathway Grant for New Mexico which means we would have to commit \$100,000 from Lodger's Tax.

**City Hall:** It was agreed that they like the historical look of it. It was discussed to design and construct a new drive through and upgrade the offices. City Manager Fuentes mentioned we need to see if we want to build a five year plan to acquire property and look at building a New City Hall. Commissioner Hechler mentioned considering the Law Enforcement Complex, he doesn't think the community has a stomach for a new building. Mayor Green doesn't think there is any harm in presenting a building plan for the future. City Manager Fuentes said there is plenty that can be done to beautify the building which are small things we can do in-house and the Commission needs to think about how much money they want to put into the updating of the old building. And in the meantime, we could have a long term goal to acquire property and look into a new building to use. City Manager Fuentes has asked for a conceptual landscape design for the City Official Parking on McAdoo next to the Admin. Building. This is a part of all of the downtown beautification that had been suggested in the past. Mayor Green mentioned the problem with staff having to walk down the street for different reason to and from City Hall in order to get paperwork signed or delivering documents, etc. City Manager Fuentes feels it could completely transform the downtown area. We also need to make sure the grocery store survives and keep them there. The Brewery is bringing in so much business and has been a great asset. Revitalizing the downtown area will bring more people in.

**Streets/Sidewalks:**

Commissioner Clark wondered how hard it would be to vacate Clancy and the Street by Bank of the Southwest. Mayor Green mentioned the walking path from Sims to Clancy to help beautify downtown and City Hall and would help direct the Water onto Sims instead of Foch. Discussion was held about the infrastructure under the road before repaving or

resurfacing it. Commissioner Hechler suggested getting a waterline assessment under the pavement.

**Buildings:** Civic Center Parking Lot resurfacing and striping was discussed and is already being worked on internally. Also some of the buildings like the Golf Course Clubhouse; and the little house there; the Water Department Building and acquiring the property next to it from the Public Schools. There are so many potential uses for the property which could be used once we clean it up.

**Meter Upgrades, Water/Electric:** Commissioner Hechler asked if the Roadrunner System we have can be upgraded to something compatible with our system. City Manager Fuentes responded the Roadrunner System is not an automated system. The biggest benefit is when you are able to do the drive-by meter readings. Mayor Green preferred to postpone this discussion because it would be an unfair advantage for Mr. Klaus Wittern to have inside information if he plans to put a proposal in.

**Streets/Sidewalks:** Discussion was held regarding the Movie Theater Street sidewalk and MainStreet getting additional grants for downtown. The MAP Grant program from 3<sup>rd</sup> St. Mayor Pro-Tem Whitehead also asked for Gold St. from the Hospital to 3<sup>rd</sup> St. is a rough road and should be included for improvements. It has been brought to her attention numerous times.

**Economic Development:** More Car Shows with Mustang, Corvettes, and Camaros; attract & keep winter visitors; Promote and welcome ESRA Event; develop/find manufacturing jobs; improve the tourism signs; and stop population loss.

Mayor Pro-Tem Whitehead brought up losing Burkes and what can we do to bring in more jobs for people. City Manager Fuentes suggested we market ourselves as a tourist and retirement community. In turn, those markets will come in with more disposable income. But you have to figure out how to bring people in and keep them. Mayor Green said we don't really have a functioning Chamber or a SCEDO and it's hard without those. City Manager Fuentes mentioned the Middle Rio Grande Economic Development Association that Bruce Swingle is the Chair of. Do we want to become more of a part of that? Mayor Green thinks that's a good idea and we should jump on it. City Manager Fuentes said if the Commission wants them to be more active in this it could be a good avenue for us to have another resource. Mayor Green said we can also ask Carol Tavis from SJOA if we could have a forum with the Snowbirds to see what would entice them to have a future home here.

**Grants:** YCC is the Youth Conservation Corps which is a project to hire the youth to do projects, for example the fencing or other improvements at Louis Armijo Park. Then also they feel there needs to be more research for additional grants. Mayor Green feels we should task Jay Armijo from the SCCOG to help find additional grants. Commissioner Hechler asked for a list of the grants that are going on right now. City Manager Fuentes mentioned we have about \$11 million in grants right now and he requested a list from the Finance Director. Mayor Green would like to see City Manager Fuentes brag on our projects every quarter to communicate our accomplishments.

**Communications – Commission, City Manager, and Public:** Semi-Annual Reports from Department Heads; more meetings like the Town Hall set up; Better response to the public; and possibly putting together a Newsletter, etc.

Commissioner Hechler suggested having Town Hall meetings where the Commission is not always the main target. Mayor Pro-Tem Whitehead feels they were elected to do the business of the city and if they don't like it, then they can show up to vote at the next election. City Manager Fuentes suggested we could give the public dots to select projects they are more interested in. Commissioner Hechler went back to changing the format of the Town Hall meetings. Also discussed was doing better at responding to complaints or inquiries, not only to the Commission, but to the citizens. Commissioner Hechler called about an issue and it's still there and he never received a response. Mayor Pro-Tem Whitehead had a similar problem where it wasn't taken care of for three weeks. Commissioner Hechler had another incident that was taken care of very quickly. So it varies at best.

Discussion was held about communication with the City Manager. Commissioner Baca feels he's been very responsive. Mayor Green mentioned he would rather see him share the ongoing information rather than spending time at the end of the week compiling a report.

**Parks:** Address the sticker's situation at Armijo Park: trash at the Shooting Range; Armijo Park needs new fencing and modernizing watering systems; ADA accessibility; and Vista Memory Gardens needs to be replotted. Mayor Pro-Tem Whitehead wondered if we could look at prohibiting dogs in the parks since we have a new Dog Park. City Manager Fuentes mentioned we can but it needs to be done by ordinance. Mayor Green suggested that we work on getting recycling capability at Armijo Park; Ralph Edwards Park; and other major parks.

**Administration:** Needs to have a more reliable vehicle for travel. City Manager Fuentes said they already have the New Electric Dept. car which is being used for travel. Having petty cash was discussed. City Manager Fuentes brought up making changes during the legislative issue for emergency purchases when you have to get quotes. It can be cumbersome trying to get the justification and paperwork before you can just purchase something that you need right now. A discussion was held about expediting procurement issues and allowing Open Purchase Orders for ongoing budgeted items. Discussion was also held about credit cards and the capability to use one at all other city sites that don't already have it in place.

**Better Interaction with Legislators:** Support Gas Tax for Roads.

The C & D Landfill was discussed and whether we want to leave it on the table. Mayor Green commented on some information he found. City Manager Fuentes is not sure we should keep that on the table. Commissioner Hechler asked where we take our C & D now. City Manager Fuentes responded either to Socorro or Las Cruces. He's not sure what their rates are or whether the rate would be less if we took it ourselves. They have already looked and there is still not a viable solution to the problem. He can check with Patrick Peck to see if there might be any new alternatives they can look into.

**Utility Rates:** Do we want to explore anything with our utility rates?

Mayor Green would like to promote recycling as a way to challenge the citizens to help recycle to possibly reduce the Solid Waste rates. City Manager Fuentes suggested for us to start picking up the bigger items to help with having the illegal drop offs. He said we have so many needs on the infrastructure that we are limiting the ability and resources if we start cutting the resources off. And once you start cutting, there's no way to go back. Mayor Green suggested we work on giving an incentive elsewhere when the rates are looked at. Commissioner Clark wondered if there is something we can do for the Winter visitors to charge less or nothing for trash because they won't even be here.

Discussion was held about the enterprise funds and how the Wastewater Dept. recently increased their rates because of the USDA grant requirements and recommendation.

Discussion was also held about how to fund some of the projects and ideas that were presented and discussed today. Commissioner Hechler would like to see them getting something done that's tangible, which they can see, and they can benefit from. The Golf Course was mentioned.

Mayor Green wanted to mention one more thing that was not presented at the Forum, he visited Las Cruces and they put in a new Sprinkle Park for \$25,000 that would be good to include in our future discussions for the Pool. It would be a nice addition to our New Resurfaced Pool

#### **D. ADJOURNMENT**

**The meeting was adjourned at 4:20 p.m.**

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

---

Steven Green, Mayor

ATTEST:

---

Reneé L. Cantin, CMC, City Clerk

F.3



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

**ITEM:**

Approve the minutes of the Public Utility Advisory Board for March 19, 2018.

**BACKGROUND:**

None.

**STAFF RECOMMENDATION:**

Approve the minutes.

Submitted by: Renee Cantin, City Clerk-Treasurer

Meeting date: 4/25/2018

**CITY OF TRUTH OR CONSEQUENCES  
PUBLIC UTILITY ADVISORY BOARD  
MONDAY, MARCH 19, 2018**

**REGULAR MEETING  
Action Minutes**

Regular meeting of the Public Utility Advisory Board of the City of Truth or Consequences, New Mexico to be held in the City Commission Chambers, 405 W. Third, Truth or Consequences, New Mexico, on Monday, March 19, 2018 at 5:17 P.M.

**INTRODUCTION:**

**PRESENT:**

George Szigeti, Chairman  
Jeff Dornbusch, Vice Chairman  
Ron Pacourek, Member  
Gil Avelar, Member  
Randy Ashbaugh, Member

**ALSO PRESENT:**

Juan Fuentes, City Manager  
Traci Burnette, Grant Project Coordinator  
Arnie Castaneda, Water/Wastewater Supervisor  
Chelsea LeClair, Utility Billing Clerk  
Kathy Eisen – Level 4 Water/Wastewater Operator  
Angela A. Torres, Deputy City Clerk

**APPROVAL OF AGENDA:**

Chairman Szigeti called for approval of the agenda.

Member Pacourek moved approval of the agenda as submitted.

Member Pacourek seconded the motion. Motion carried unanimously.

**APPROVAL OF MINUTES:**

**Regular meeting of Tuesday, February 20, 2018:**

Vice Chairman Dornbusch moved approval of the February 20, 2018 minutes as submitted.

Member Pacourek seconded the motion. Motion carried unanimously.

## **COMMENTS FROM THE PUBLIC:**

There were no comments from the public.

## **RESPONSE TO COMMENTS FROM THE PUBLIC:**

There was no response to public comment.

## **Discussion/Update: Water/Wastewater Department - Jesus Salayandia, Water/Wastewater Director:**

Traci Burnette, Grant/Project Coordinator reported the following information regarding their recent Colonias Infrastructure Board Meeting:

- We applied for funding through the Colonias Infrastructure Board for the Cook Street Water Treatment Project. We were required to submit a waiver because we had current Colonias funds that were not expended. However, that waiver was denied.
- Colonias receives over \$20.2 million in a Notice of Intent to file from different entities. Those who requested projects that met requirements and moved onto the next phase, came to a total request of \$15.4 million, but Colonias was only able to award \$7.7 million.
- 6 out of 7 waiver requests were denied, and Carrizozo was the only request that was approved.
- In the future, Colonias only wants small projects that are going to be completed within 16 months of funding.

City Manager Fuentes – One of things we are trying to do when we have a project that we know is critical, is to use the resources that we have, and the funding we have available in both the Water and Wastewater accounts to do a piece of that project ahead of time. We are also trying to use other funding sources for these projects.

Arnie Castaneda, Water/Wastewater Supervisor reported the following:

- Morgan Booster Station - They are trying to resolve a few issues they've been having with the pumps at the Morgan Booster Station.
- Vacuum Pump at Mims lift station - One pump went down, and it was sent off for repairs. They received multiple quotes, and the cheapest repair cost for that pump was around \$4,500 plus shipping.
- North Date lift station - They had some electrical issues with the pump, but fortunately they were able to get that back online. There is a phase (in the works) to replace the entire panel and rehabilitate the lift station.
- Potable Wells #4 & #8 and Non-potable Wells #2 & #3 – We received quotes for videoing those wells and diagnosing the problems. Non-potable Wells #2 & #3 are more than likely incrustated with minerals. We are looking at diagnosing it, and maybe re-drilling one well, or rehabilitating one well. Once we get a recommendation for all four wells, we will go back and contract a well driller to come in and do the work. We are anticipating the cost to be around \$80,000-\$90,000 for all four wells.

**Discussion/Update: Sanitation Department – Andy Alvarez, Sanitation Director:**

There was no update due to Mr. Alvarez' absence.

**Discussion/Action: Energy Cost Adjustment – Chairman George Szigeti:**

Chairman Szigeti – We are still waiting on some information to come in, so we will postpone this item until next month.

**Discussion: Water Rates – Member Ron Pacourek**

Member Pacourek voiced his concerns about raising the water rates.

City Manager Fuentes - The fact of the matter is that we have a Water and Wastewater System that is aging and needs to be repaired. That issue has been communicated to this board, as well as the City Commission on a regular basis. Also, full funding agencies will ask us when the last time was that we increased our rates.

**COMMENTS FROM THE BOARD:**

There were no additional comments from the board.

**COMMENTS FROM STAFF:**


There were no additional comments from staff.

**ADJOURNMENT:**

There being no further business to come before the Public Utility Advisory Board, George Szigeti, Chairman, declared the meeting adjourned.

**APPROVAL:**

PASSED AND APPROVED this 19th day of March, 2018 on a Motion, duly made by \_\_\_\_\_, seconded by \_\_\_\_\_, and carried.

  
George Szigeti, Chairman  
Public Utility Advisory Board



F.4

**CITY OF TRUTH OR CONSEQUENCES  
CITY MANAGER'S OFFICE  
505 SIMS STREET  
TRUTH OR CONSEQUENCES, NEW MEXICO 87901  
PHONE: (575) 894-6673 EXT 320    FAX: (575) 894-6690**

## **COMMISSION ACTION FORM**

### **ITEM:**

*Public Arts Advisory Board Minutes for March 20, 2018*

### **PURPOSE OF ACTION:**

*Approval of Minutes*

### **BACKGROUND:**

*Minutes were approved by the Public Arts Advisory Board at their April 17, 2018 meeting.*

### **OPTION/ALTERNATIVES:**

*Not Applicable*

### **STAFF RECOMMENDATION:**

*Respectfully request approval.*

Name of Drafter: Kristin Saavedra	Department: City Manager's Office	Meeting: 0
E-mail: <a href="mailto:kssaavedra@torcnm.org">kssaavedra@torcnm.org</a>	Phone: 575-894-6673 Ext. 320	

**PUBLIC ARTS ADVISORY BOARD MEETING**  
**March 20, 2018**  
**MINUTES**

**TIME & PLACE:**

The Public Arts Advisory Board of the City of Truth or Consequences, New Mexico met in the conference room in the Administration Annex at 401 McAdoo, Truth or Consequences, New Mexico on Tuesday, March 20, 2018 at 4:00 P.M.

**PRESIDING OFFICER:**

The meeting was called to order at 4:08 PM by Sid Bryan.

**ATTENDANCE:**

Sid Bryan, Tourism  
Cary "Jagger" Gustin, Sierra Arts Council  
Andy Underwood, Business Community  
Juan Fuentes, City Manager

Other Staff Present: Kristin Saavedra, Executive Assistant

Visitors Present: Roie Avidan and Maya with Mind the Heart Project

Note: Eduardo Alicea, Art Representative was absent as he was unwell

**QUORUM:** There being a quorum present, the Board proceeded with the meeting.

**APPROVAL OF MINUTES:**

A motion to approve the minutes of the November 13, 2017 and January 16, 2018 meetings was made by Juan Fuentes, seconded by Jagger Gustin, and it carried.

**COMMENTS FROM THE PUBLIC:**

Sid asked for comments from the public. The guests were added as guests instead of added on the Agenda. They stated they were here to provide the short, short, short, version of what they do and why they are here and through that to explore possibilities for activities of their project here in town.

Sid and Juan asked the guests why they were here and if they wanted to ask anything. They introduced themselves and Roie and Maya are artists from Israel. Roie told us a story along with a power point presentation about some people they have met and place they have stayed: Ann and banker from New Hampshire who 8 months ago, woke up at 4 am and drove to Boston, MA to pick up Roie and Maya from the airport and had them in her house for two weeks before meeting them, Bill works for government in Woodstock, NY and 6 months ago he was giving them tips on how to avoid local law enforcement when staying overnight in their van. Showed examples of where they have stayed from the woods in Maine to the beaches in Massachusetts to luxury apartments in New York and 80% in their van. Juan joked that he might have seen Roie and Maya's van up here.

Roie presented the start of their project by stating that "it all started with a little red yarn heart." He explained that 10 years ago in Tel Aviv, Israel, they decided to go on a mission to get people to be mindful of the present. Roie and Maya did that in the beginning with the little red hearts. In Hebrew, the phrase for mindfulness literally translates into "put your heart there." The little markers are to bring people to notice what's around them. This became a mission of mindfulness with all sorts of meaning. Healing wounded places and to connect to not just the city but the people around us. Roie and Maya have done this in five different continents. Roie and Maya discussed how they decided to start this project, what were the top five elements of meaningfulness and joy in your/their life?

Roie and Maya showed pictures of different people holding hearts up in front of a building or a wall with a small story of why that specific place is important to them.

A woman in Houston connected Roie and Maya to Wendy who in turn connected them to Linda DeMarino who referred them to the Public Arts Advisory Board. Roie and Maya feel that this place is magical and people come here and they decide not to leave. Jagger jokingly stated that we are trying to get rid of people and then said but not really. He then stated that we are glad they found us. Roie and Maya are leaving first thing Thursday morning.

Roie and Maya let us know that they would love for us to participate in this project. Sid asked how it is set up, financially. Roie and Maya do need some financial compensation in order to make the project feasible. Roie and Maya do a lot of charity work and are trying to make it sustainable and now they are in charity. Someone approached Roie and Maya from the city a few days ago, healings arts, healing center in the yellow and red building. Jagger stated it is on the corner of Date and Riverside. Kristin stated it is Willowbend. Willowbend asked them to do something in their building but they have no budget.

Roie and Maya have commissioned pieces up to \$15,000 per piece; they are looking for something they can do here, even if it's only several hundred dollars. Juan stated that with the short time frame, what kind of project could they do in that time frame as they are leaving in a day and a half? Roie and Maya said they could do a few things, a huge mural takes about a week, they could provide a small mural in a day and a half. If done

inside or outside would depend on how long they could work. Roie and Maya talked about coming back in about 9-12 months from now. That would give us all time to think of a project and come up with a budget.

Jagger asked if there were any questions from the board. Juan asked; typically if in other places that they have gone, do Roie and Maya submit a proposal to the group, for example the Public Arts Advisory Board, to consider? Roie responded that it changes, but surprisingly in America, hardly ever. It happened twice, once for a huge piece in Atlanta, but in a lot of places, people just flow with it. Roie and Maya can present a proposal if that's the procedure that needs to be done. Andy stated that he explained to Roie and Maya that most of the stuff we do we'll ask many people to give us an idea to fit into our budget. Andy wasn't sure if Roie and Maya could be singled out and dealt with individually or if you want to get in to that type of deal with us when we decide on a project. Roie stated that it was completely up to us and Roie and Maya would just like to work on a proposal but however our procedures are, that's okay too.

Jagger asked what the materials are. Roie and Maya stated that it is yarn and foam that is treated with acrylic. The text is not yarn but everything else is. The yarn is made of acrylic wool. Roie and Maya are willing to come up with something for an art project.

Roie asked Sid if he ever got his email. Sid doesn't remember but remembers that Andy called him and informed that a Linda had said that a couple of people are coming from Israel. Roie stated that he was given three numbers for Sid but wasn't able to reach him.

Juan stated that at this point he didn't know if maybe we needed to kind of discuss it a little bit, but really enjoyed their presentation. It is not on our agenda but it is definitely something that we could discuss. Roie and Maya are only in town for 36 more hours and if anyone wanted to discuss in person or meet with Roie and Maya for coffee and talk about life, they would love to do that as well. Thanked us for their time and asked the board for their contact information. Also, Roie and Maya informed us that if anyone would like a yarn heart they will be in town. Roie and Maya left the meeting

The board discussed the project; Sid wished that when they asked about the financial question, Roie and Maya would have provided a more specific amount. The board also discussed the amounts and the basis of the project and the stories. The board decided to commission them to create a piece for our town. Discussed a spot for the project; either at the Admin Annex, or the Lee Belle Johnson area. Would we need to submit a request to the Lee Belle Johnson area? Discussed the size of the piece, where they could put it in the Lee Belle Johnson Center. Juan asked if the board would take this on, coordinate with them; do they have the time to do it? The board discussed that maybe they could do a small piece for \$200. Juan asked if someone could coordinate it for tomorrow, where would it get a lot of attention; suggested the art park. Sid stated that it would have to be cleared with Linda/Mainstreet. Juan stated that no, it's still City property. Jagger said we could commission them and say create this for \$200 and decide later on where to place it. Juan asked if they could run the amount through the arts council and then submit an invoice to Kristin. Andy asked if we would all take a

picture in from of the piece for the newspaper, everyone said they would. The board decided to commission a piece for the art park.

Motion made by Cary "Jagger" Gustin to portion \$250 to hire Mind the Heart Project to do something at the art park and the Arts Council will pay for it and invoice the City for it. Andy seconded motion. Motion carried. The board continued to discuss more projects for when they come back. Jagger stated he will contact them for a project.

#### CHANGE OF MEETING LOCATION:

Juan stated that we added to the agenda because when Linda Sparks was transcribing the minutes, and now Kristin is that it is difficult to pick up all that is being said on the small recorder that is being used. Linda Sparks recommended (before she left) that the meetings could be changed to the Commission Chambers to use the new recording system. Juan stated that it also has video so if the board needed to use video, it is available. Sid stated that it would be valuable but he does like the intimacy of the Administration Annex but he wouldn't mind either. Motion made by Cary "Jagger" Gustin to change the meeting location to the City of T or C Commission Chambers. Andy seconded motion. Motion carried.

#### UPDATE ON ART PARK:

Sid asked if Linda DeMarino was here, Kristin stated that Linda DeMarino was not here as she was unable to make the meeting. Sid asked if she gave us anything, Kristin stated no and that all we have is what Linda Sparks left for me which I made a packet for the board. Juan suggested that it be moved to the next meeting. Kristin stated that she will let Linda DeMarino know that way she will be able to present.

#### RFP (REQUEST FOR PROPOSALS):

Jagger discussed the drafting of an official document to forward to artists who are interested in submitting an idea or proposal to us. Jagger asked Juan if the attorney has looked at it, Juan stated no, but if it's ready and this is the final draft we'll forward to them. Juan asked Kristin to send to Pat Wood and Melissa Torres to review and for their records. The copy was in the packet given to the Board, which Kristin stated that Linda Sparks helped her put it together. Sid suggested that the pages be numbered; Kristin agreed to number the pages for the next meeting. Motion made by Cary "Jagger" Gustin to forward and use the RFP's that they have been looking at for a little period and move forward for using that for artists who might want to submit a proposal to us. Juan seconded motion. Motion carried.

#### TIME, PLACE AND DATE OF NEXT MEETING:

The Board decided to meet again in April. The next meeting of the Board will be Monday, April 16, 2018 at 4:00 P.M. at the Commission Chamber. Jagger stated that he will lay the law down and say "look, let's do it and not delay." Kristin asked when the next meeting will be and stated she would send out an invite as soon as she has gotten everything together. Sid thanked Kristin for sending out information close to the

meeting and calling Sid, he would have forgotten because he was on the phone with the tax assessor's office with the county.

**ADJOURN:**

There being no further business to come before the Board, the meeting was adjourned at 4:52 P.M. Juan Fuentes moved to adjourn, it carried.

**ATTEST:**

Minutes were approved on (date) on a motion made by (name) and seconded by (name), and it carried.

  
\_\_\_\_\_  
Kristin Saavedra, Executive Assistant

City Commission approved



F.5

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

**ITEM:**

Approve the Fire Protection Fund Application for FY 2019.

**BACKGROUND:**

This is the Annual Application for FPF money.

**STAFF RECOMMENDATION:**

Approve the application.

Submitted by: Renee Cantin, City Clerk  
and Paul Tooley, Fire Chief

Meeting date: 4-25-2018

# NEW MEXICO PUBLIC REGULATION COMMISSION

## COMMISSIONERS

DISTRICT 1 CYNTHIA B. HALL, VICE CHAIR

DISTRICT 2 PATRICK H. LYONS

DISTRICT 3 VALERIE ESPINOZA

DISTRICT 4 LYNDY LOVEJOY

DISTRICT 5 SANDY JONES, CHAIR

## CHIEF OF STAFF

Ernest D. Archuleta, P. E.



P.O. Box 1269  
1120 Paseo de Peralta  
Santa Fe, NM 87504-1269

## STATE FIRE MARSHAL DIVISION

Room 413  
800-244-6702 (In-state only)  
(505) 476-0174  
Fax : (505) 476-0100

## NEW MEXICO STATE FIRE MARSHAL DIVISION FISCAL YEAR 2019 MUNICIPAL FIRE PROTECTION FUND DISTRIBUTION

This application is required to participate in the distribution of the Fire Protection Fund for the 2019 fiscal year. The application is due in the State Fire Marshal Division on or before April 30, 2018.

FIRE DEPARTMENT Truth or Consequences

FIRE DEPARTMENT ADDRESS: 310 East 9th Street, T or C, NM 87901

ISO CLASSIFICATION: 2

### Approved number of Sub Stations is 0

0 Sub-Stations

### Approved number of Main Stations is 2

Sub-Station #2	Williamsburg-Veater St.	T or C	NM	87901
Mike O. Tooley Bldg.	310 E. Ninth	T or C	NM	87901

### Approved number of Admin Buildings is 1

T or C Fire Administratio	401 McAdoo	T or C	NM	87901
---------------------------	------------	--------	----	-------

If you contend the above ISO Class or station information is incorrect, please attach a list of your claim of main and substations and sign here: \_\_\_\_\_

The projected minimum amount for fire fund distribution, based on the above information, is \$231,258. This does not include any additional amounts that may be calculated from growth in the fund.

An official written request for authorization to rollover and accumulate Fire Protection Fund monies shall be submitted to this Office no later than August 31, 2018. The request shall identify the intended purpose and exact amount of money to be carried over into the FY 2019 balance.

For the purpose of this Application, list the anticipated amount and intended purpose your department will rollover from FY'18 to FY'19. \$ \_\_\_\_\_

\*Provide current balance of the fire department's total Fire Protection Fund account to date: \$ \_\_\_\_\_

The Fire Service Support Bureau of the State Fire Marshal Division continues to strive toward achieving 100% compliance with the monthly reporting requirements as established in Article 59A-52 the "Fire Marshal Act," Article 59A-53 "The Fire Protection Fund" and NMSA 10-25-10 "The Fire Protection Fund."

State Law, NMSA 10-25-10, requires all fire departments participating in the distribution of the Fire Protection Fund submit a detailed fire report of the departments activity on or before the 10th of each month for the previous months activity.

The Fire Service Support Bureau reviews all reporting activity on a monthly basis to determine compliance with the reporting requirement. When this Office determines that your fire department is out of compliance, the Fire Chief will be notified of the department's status, if your fire department fails to achieve compliance a letter identifying restrictions on the use of the Fire Protection Funds will be forwarded to the head of local government.


This Office will continue to offer technical support and training on the proper uses of the NFIRS program. If you are having issues with the system or require training you may submit your request via e-mail at [vernon.muller@state.nm.us](mailto:vernon.muller@state.nm.us)

Please provide updated contact information for a minimum of two primary users of the NFIRS program for your department. (Please print legible)

<u>Name:</u>	<u>Email:</u>	<u>Phone:</u>
1. PAUL TOOLEY	chief@torcfire.com	575-740-1640
2. BEND SPENCE	bspencer@torcfire.com	575-740-2082

The information contained in this application is true and correct to the best of our knowledge. It may be used to verify legal requirements and is subject to audit.

Signed and submitted on this \_\_\_\_\_ day of \_\_\_\_\_ 2018.

Printed Name	/S	Signature of Mayor
PAUL TOOLEY	/S	
Fire Chief Printed Name		Signature of Fire Chief



F.4

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

**ITEM:**

Truth or Consequences JPA/Animal Control Services between the City of Truth or Consequences and Sierra County.

**BACKGROUND:**

Requesting approval for the new revised JPA for JPA/Animal Control Services between The City of Truth or Consequences and Sierra County.

**STAFF RECOMMENDATION:**

Approve the JPA for Animal Control Services with Sierra County.

**SUPPORT INFORMATION:**

Truth or Consequences JPA/Animal Control Services between the City of Truth or Consequences, and Sierra County.

Name of Drafter: Erica Baker	Department: Police	Meeting date: April 25, 2018
Email: ebaker@torcnm.org	Phone: 894-1204 Ext. 422	

JOINT POWERS AGREEMENT  
TO PROVIDE ANIMAL CONTROL WITHIN THE BOUNDARIES OF  
THE COUNTY OF SIERRA

BETWEEN

THE COUNTY OF SIERRA  
AND  
THE CITY OF TRUTH OR CONSEQUENCES

**THIS AGREEMENT** is entered into by and between the County of Sierra ("County") and the City of Truth or Consequences ("City") referred to collectively as the ("parties").

**I. RECITALS**

**WHEREAS**, the County and the City are bodies corporate and politic existing by and under the Constitution and Laws of the State of New Mexico; and,

**WHEREAS**, stray dogs, cats and other animals running at large in Sierra County pose a danger to the health safety and welfare of the citizens of the County; and,

**WHEREAS**, THE City employs and equips animal control officers and,

**WHEREAS**, the County currently does not have an animal control program; and,

**WHEREAS**, the County and City have agreed to share resources in order to protect the citizens of the County and to humanely treat the stray animals in the County through the joint exercise of the City's Animal Control Officers,

**NOW THEREFORE**, the parties hereby agree as follows:

**II. COMMON POWER**

Is the power to "protect generally the property of its municipality and its inhabitants" and to "preserve peace and order" and, "provide for the safety, preserve the health, promote the prosperity and improve the morals, order, comfort and convenience of ... its inhabitants". See NMSA 1978 § 3-18-1 (1972) and NMSA 1978 § 4-37-1 (1995)

**III. SCOPE OF DUTIES  
THE CITY SHALL**

1. Provide assistance to the County by dispatching an Animal Control Officer (ACO) to assist in capture and take possession of dogs and other animals and to provide for the reception, care and feeding of such animals at an appropriate facility operated by or under contract to the City, hereinafter referred to as the "animal shelter".
2. Respond to service calls for animal control within the county from only the County Manager, or a County Law Enforcement Officer.
3. Upon receipt of a call for service the ACO will respond in a timely manner. Said response shall be for no longer than one (1) hour time. If pursuit/search of the animal will go beyond the first authorized hour, the ACO must seek approval for one or more additional hour(s) is/are not authorized in the manner prescribed by this agreement, the pursuit/search will be discontinued.
4. Upon capture of an animal, the ACO will transport said animal to the "animal shelter" unless the owner can be located before the animal is transported.

5. Hold the animal at the "animal shelter" and release or otherwise dispose of the animal in accordance with the County's instructions.
6. Submit to the County a monthly statement showing amount due and dates which the City ACO responded to calls from the County.

### **III. SCOPE OF DUTIES (Cont'd)**

#### **THE COUNTY SHALL**

1. Pay to the City the sum of Thirty Dollars (\$30.00), for each response by the time by the City Animal Control Officers as requested by the County.
2. Be responsible for any charges arising from the "animal shelter" related to care, feeding, and disposal.
3. Be responsible for any enforcement action against the responsible County resident.
4. Provide prompt notice to the City regarding the disposition of any animal taken into custody in the County but outside the City limits.
5. Pay the hourly rate for any Court time resulting from enforcement action.
6. Make payment to the City within Thirty (30) days after receipt of each monthly statement.

### **IV. TERM**

This JPS becomes effective upon signature by all parties hereto and approval by DFA pursuant to NMSA 1978, Section 11-1-3 (1961) and shall remain in effect indefinitely until it is terminated pursuant to the terms of this JPA.

### **V. PROPERTY**

No property shall be acquired as a result of this JPA and the disposition of records generated by performance of this agreement shall be decided by the parties upon termination.

### **VI. STRICT ACCOUNTABILITY OF ALL RECEIPTS AND DISBURSEMENTS**

Each party shall be strictly accountable for all receipts and disbursements under this Agreement.

### **VII. AMENDMENT**

This JPA shall not be altered, modified, or amended except by an instrument in writing executed by both parties hereto and approved by the New Mexico Department of Finance and Administration ("DFA")

### **VIII. ASSIGNMENT**

This JPA may not be assigned by either party hereto without the advance written consent of the other party, which consent may be withheld at the other party's sole and absolute discretion.

### **IX. GOVERNING LAW**

This JPA and the rights of the parties hereto shall be governed by construed in accordance with the Laws of the State of New Mexico

### **X. SEVERABILITY**

If any provisions of this JPA, or the application of such provisions to any person or circumstances shall be held invalid or unenforceable by a court of competent jurisdiction, the remainder of this JPA, or the application of its provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby and the remainder of this JPA can be performed in substantial accordance with the original intent of the parties hereto.

**XI. INTEGRATION OF JPA**

This JPA incorporates all of the agreements and understandings between the parties hereto concerning the subject matter hereof, and all such agreements and understandings have been merged into this written JPA. No prior agreements or understandings, verbal or otherwise, of the parties or their agents are valid or enforceable unless embodied in this JPA.

**XII. NEW MEXICO TORT CLAIMS ACT**

By entering into this JPA, each party agrees that it shall be responsible for liability arising from personal injury or damage to property occasioned by its own agents or employees in the performance of this JPA, subject in all cases to the immunities and limitations of the New Mexico Tort Claims Act (NMSA 1978, Section 41-4-1, et seq.) and any amendments thereto. This section is intended only to define the liabilities between the parties hereto and it is not intended to modify, in any way, the parties' liabilities as governed by common law or the New Mexico Tort Claims Act. The parties and their "public employees," as defined in the New Mexico Tort Claims Act, do not waive sovereign immunity, and do not waive any defense or limitations of liability pursuant to law. No provisions in this JPA modifies and/or waives any provision of the New Mexico Tort Claims Act.

**XIII. PRIVILEGES, EXEMPTIONS, and IMMUNITIES**

Pursuant to the provisions of the Joint Powers Act, NMSA 1978, Sections 11-1-1 et seq., all privileges and immunities from liability, exemptions from laws, ordinances, and rules, which apply to the activity of officers, agents, or employees of any signatory public agency when performing their respective functions within the territorial limits of their respective public agencies, shall apply to them to the same extent while engaged in the performance of any of their functions and duties under the provisions of the JPA.

**XIV. TERMINATION OF JPA**

This JPA may be terminated by either party upon ninety (90) days written notice delivered to the other.

**XV. CONTACT and NOTICES**

The parties may, from time to time, change their contact person and shall provide prompt notice of such change to the other party. Any notice required under this JPA shall be deemed given and delivered to, and received by, the receiving party three (3) days after deposit in the U.S. mail, certified mail, return receipt requested, postage prepaid, addressed to the receiving party at the mailing address set forth below:

Sierra County contact person name and mailing address:

Bruce Swingle  
Sierra County Manager  
855 Van Patten  
T or C, NM 87901  
Telephone: (575) 894-6215  
Fax: (575) 894-9548

Truth or Consequences contact person name and mailing address:

Juan Fuentes  
City Manager  
505 Sims Street  
T or C, NM 87901  
Telephone: (575) 894-6673

**XVI. SUBCONTRACTING**

Each party is responsible for fulfillment of this JPA and shall not subcontract any of its responsibilities.

**XVII. SURPLUS FUNDS**

This agreement does not contemplate the advancement of funds from the County to the City, therefore the document does not contain a clause specifying that excess funds will be returned to the County.

**IN WITNESS WHEREOF**, the parties have executed this Agreement which becomes effective as of the date of approval by the Department of Finance and Administration.

**APPROVED, ADOPTED, and PASSED** on this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SIERRA:

\_\_\_\_\_  
Kenneth Lyon, CHAIR

\_\_\_\_\_  
Frances Luna, VICE-CHAIR

ATTEST BY:

\_\_\_\_\_  
Sherry Fletcher, MEMBER

\_\_\_\_\_  
Shelly Trujillo, COUNTY CLERK

**APPROVED, ADOPTED, and PASSED** on this \_\_\_\_\_ day of \_\_\_\_\_, 2018

CITY OF TRUTH OR CONSEQUENCES

ATTEST BY:

\_\_\_\_\_  
Juan Fuentes, CITY MANAGER

\_\_\_\_\_  
Renee Cantin, CITY CLERK

**APPROVED**

DEPARTMENT OF FINANCE AND ADMINISTRATION

By: \_\_\_\_\_

Cabinet Secretary

Date: \_\_\_\_\_



G.1  
+  
H.1

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

**ITEM:**

Public Hearing: Final Adoption of Ordinance No. 694 amending Section 8-39 of the Municipal Code for Negligent use of a deadly weapon. Mike Apodaca, Police Chief and Jay Rubin, City Attorney

**BACKGROUND:**

Our current ordinance pertaining to the offense of Negligent use of a Deadly Weapon was adopted in 1962 and is obsolete. The amended ordinance is similar to the state statute, with some minor changes.

**STAFF RECOMMENDATION:**

Approve the final adoption of Ordinance No. 694.

Submitted by: Jay Rubin, City Attorney

Meeting date: 04/25/2018

## CITY OF TRUTH OR CONSEQUENCES

### ORDINANCE 694

#### AN ORDINANCE AMENDING THE CITY OF TRUTH OR CONSEQUENCES MUNICIPAL CODE OF ORDINANCES, BY AMENDING SECTION 8-39 OF THE CODE PERTAINING TO THE OFFENSE OF NEGLIGENT USE OF A DEADLY WEAPON

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS, CITY COMMISSIONERS OF  
THE CITY OF TRUTH OR CONSEQUENCES:

*Section one.* That section 8-39 of the criminal offenses code of the Code of Ordinances of the  
City of Truth or Consequences be amended so that such section shall read as follows:

#### **Sec. 8-39. – NEGLIGENT USE OF A DEADLY WEAPON.**

~~(a) Negligent use of a weapon consists of either:~~

- ~~(1) — Unlawfully discharging a weapon within the City limits;~~
  - ~~(2) — Carrying any deadly weapon while under the influence of an intoxicant, narcotic, drug, stimulant and depressant or by one who is incompetent.~~
  - ~~(3) — Endangering life or property of another by mishandling a deadly weapon.~~
  - ~~(4) — Selling, loaning or furnishing any deadly weapon to a person with knowledge that the person is under the influence of an intoxicant, narcotic, drug, stimulant, depressant, or to one who is incompetent.~~
- ~~(b) It shall not be a violation of this section for a person to discharge a weapon during a special event when such person has obtained the prior written permission from the City Manager or Chief of Police.~~

A. Negligent use of a deadly weapon consists of:

- 1) Carrying a firearm while under the influence of an intoxicant or narcotic;
- 2) Endangering the safety of another by handling or using a firearm or other deadly weapon in a negligent manner; or
- 3) Discharging a firearm within one hundred fifty (150) yards of a dwelling or building, not including abandoned or vacated buildings on public lands during hunting seasons, without the permission of the owner or lessees thereof.

B. The provisions of Paragraph (2) and (3) of Subsection A of this section shall not apply to a peace officer or other public employee who is required or authorized by law to carry or use a firearm in the course of his employment and who carries, handles, uses or

discharges a firearm while lawfully engaged in carrying out the duties of his office or employment.

- C. The exceptions from criminal liability provided for in Subsection B of this section shall not preclude or affect civil liability for the same conduct.
- D. It shall not be a violation of this section for a person to discharge a weapon during a special event when such person has obtained the prior written permission from the City Manager or Chief of Police

**Section two.** All other provisions of the aforementioned codes not specifically amended by this ordinance, shall remain unchanged and in full force and effect as written.

**Section three.** Effective date. The provisions of this Ordinance shall become effective five (5) days upon the publishing of its adoption.

**PASSED, APPROVED, and ADOPTED by the GOVERNING BODY of the CITY OF TRUTH OR CONSEQUENCES this \_\_\_\_ day of \_\_\_\_\_, 2018.**

---

Steve Green, Mayor

ATTEST:

---

Renee L. Cantin, City Clerk

## ORDINANCE NO. 694 STATUTES & CODE OF ORDINANCES REFERENCES

### **New Mexico Statutes Annotated**

#### **30-7-4 . Negligent use of a deadly weapon.**

A. Negligent use of a deadly weapon consists of:

- (1) discharging a firearm into any building or vehicle or so as to knowingly endanger a person or his property;
- (2) carrying a firearm while under the influence of an intoxicant or narcotic;
- (3) endangering the safety of another by handling or using a firearm or other deadly weapon in a negligent manner; or
- (4) discharging a firearm within one hundred fifty yards of a dwelling or building, not including abandoned or vacated buildings on public lands during hunting seasons, without the permission of the owner or lessees thereof.

B. The provisions of Paragraphs (1), (3) and (4) of Subsection A of this section shall not apply to a peace officer or other public employee who is required or authorized by law to carry or use a firearm in the course of his employment and who carries, handles, uses or discharges a firearm while lawfully engaged in carrying out the duties of his office or employment.

C. The exceptions from criminal liability provided for in Subsection B of this section shall not preclude or affect civil liability for the same conduct.

Whoever commits negligent use of a deadly weapon is guilty of a petty misdemeanor.

**History:** 1953 Comp., § 40A-7-3, enacted by Laws 1963, ch. 303, § 7-3; 1977, ch. 266, § 1; 1979, ch. 79, § 1; 1993, ch. 139, § 1.

### **City of Truth or Consequences Municipal Code**

- Sec. 8-39. - Negligent use of weapons.

(a) Negligent use of a weapon consists of either:

- (1) Unlawfully discharging a weapon within the City limits;
- (2) Carrying any deadly weapon while under the influence of an intoxicant, narcotic, drug, stimulant and depressant or by one who is incompetent.
- (3) Endangering life or property of another by mishandling a deadly weapon.
- (4) Selling, loaning or furnishing any deadly weapon to a person with knowledge that the person is under the influence of an intoxicant, narcotic, drug, stimulant, depressant, or to one who is incompetent.

(b) It shall not be a violation of this section for a person to discharge a weapon during a special event when such person has obtained the prior written permission from the City Manager or Chief of Police.

(Code 1962 § 6-1-2-9; Ord. No. 391, 6-8-92)

- Sec. 8-40. - False identification.

It is unlawful for any person to exhibit any fictitious or false registration card, identification card, note, or other instrument for the purpose of consummating any transaction whatsoever within the City, for the purpose of deceiving or misleading any other person as to the true age of such person.

(Code 1962, § 6-1-2-10)



G.2  
+  
I.1

CITY OF TRUTH OR CONSEQUENCES  
COMMISSION ACTION FORM

**ITEM:**

**PUBLIC HEARING:** APPROVAL TO SUBMIT USDA FUNDING APPLICATIONS FOR VARIOUS EQUIPMENT NEEDS AND AUTHORIZATION AND APPROVAL FOR CITY MANAGER JUAN FUENTES TO EXECUTE, SIGN AND SUBMIT REQUIRED AND REQUESTED DOCUMENTS RELATED TO THE USDA/RUS APPLICATIONS FOR FEDERAL ASSISTANCE.

**BACKGROUND:**

The City has an opportunity to apply for a USDA – Community Facilities Grant/Loan for various equipment. This is the same grant/loan program that was used for the new street sweeper, front end loader police vehicles and electric reel trailer.

**SUPPORT INFORMATION:**

- SF-424 Application

Name of Drafter: Traci Burnette	Department: Community Development	Meeting date: 4-25-18
E-mail: <a href="mailto:tburnette@torcnm.org">tburnette@torcnm.org</a>	Phone: 575-894-6673 Ext. 353	

**Application for Federal Assistance SF-424**

**\* 1. Type of Submission:**

- ☒ Preapplication  
☒ Application  
☐ Changed/Corrected Application

**\* 2. Type of Application:**

- ☒ New  
☐ Continuation  
☐ Revision

\* If Revision, select appropriate letter(s):

\* Other (Specify)

\* 3. Date Received:

4. Applicant Identifier:

5a. Federal Entity Identifier:

\* 5b. Federal Award Identifier:

**State Use Only:**

6. Date Received by State:

7. State Application Identifier:

**8. APPLICANT INFORMATION:**

\* a. Legal Name:

\* b. Employer/Taxpayer Identification Number (EIN/TIN):

\* c. Organizational DUNS:

**d. Address:**

\* Street 1:

\* Street 2:

\* City:

\* County/Parish:

\* State:

Province

\* Country:

USA: UNITED STATES

\* Zip / Postal Code:

**e. Organizational Unit:**

Department Name:

Division Name:

**f. Name and contact information of person to be contacted on matters involving this application:**

Prefix:

\* First Name:

Middle Name:

\* Last Name:

Suffix:

\* Title:

Organizational Affiliation:

\* Telephone Number:

Fax Number:

\* Email:

## Application for Federal Assistance SF-424

### 9. Type of Applicant 1 - Select Applicant Type:

Type of Applicant 2- Select Applicant Type:

Type of Applicant 3- Select Applicant Type:

\* Other (specify):

\* 10. Name of Federal Agency:

USDA Rural Development

11. Catalog of Federal Domestic Assistance Number:

10.766

CFDA Title:

Community Facilities

\* 12. Funding Opportunity Number:

\* Title:

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachments

Delete Attachments

View Attachments

\* 15. Descriptive Title of Applicant's Project:

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

## Application for Federal Assistance SF-424

### 16. Congressional Districts Of:

\* a. Applicant

\* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachments

Delete Attachments

View Attachments

### 17. Proposed Project:

\* a. Start Date:

\* b. End Date:

### 18. Estimated Funding (\$):

\* a. Federal

\* b. Applicant

\* c. State

\* d. Local

\* e. Other

\* f. Program Income

\* g. TOTAL

### \* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?

☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .

☒ b. Program is subject to E.O. 12372 but has not been selected by the State for review.

☐ c. Program is not covered by E.O. 12372.

### \* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)

☐ Yes

☐ No

If "Yes, provide explanation and attach.

Add Attachments

Delete Attachments

View Attachments

\* 21. \*By signing this application, I certify (1) to the statements contained in the list of certifications\*\* and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances\*\* and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

☐ \*\* I AGREE

\*\* The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

### Authorized Representative:

Prefix:

\* First Name:

Middle Name:

\* Last Name:

Suffix:

\* Title:

\* Telephone Number:

Fax Number:

\* Email:

\* Signature of Authorized Representative:

\* Date Signed:



H.1

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

**ITEM:**

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

**BACKGROUND:**

Our current ordinance pertaining to the offense of Negligent use of a Deadly Weapon was adopted in 1962 and is obsolete. The amended ordinance is similar to the state statute, with some minor changes.

**STAFF RECOMMENDATION:**

Approve the final adoption of Ordinance No. 694.

Submitted by: Jay Rubin, City Attorney

Meeting date: 04/25/2018

## CITY OF TRUTH OR CONSEQUENCES

### ORDINANCE 694

#### AN ORDINANCE AMENDING THE CITY OF TRUTH OR CONSEQUENCES MUNICIPAL CODE OF ORDINANCES, BY AMENDING SECTION 8-39 OF THE CODE PERTAINING TO THE OFFENSE OF NEGLIGENT USE OF A DEADLY WEAPON

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS, CITY COMMISSIONERS OF  
THE CITY OF TRUTH OR CONSEQUENCES:

*Section one.* That section 8-39 of the criminal offenses code of the Code of Ordinances of the  
City of Truth or Consequences be amended so that such section shall read as follows:

#### **Sec. 8-39. – NEGLIGENT USE OF A DEADLY WEAPON.**

~~(a) Negligent use of a weapon consists of either:~~

- ~~(1) — Unlawfully discharging a weapon within the City limits;~~
- ~~(2) — Carrying any deadly weapon while under the influence of an intoxicant,  
narcotic, drug, stimulant and depressant or by one who is incompetent.~~
- ~~(3) — Endangering life or property of another by mishandling a deadly weapon.~~
- ~~(4) — Selling, loaning or furnishing any deadly weapon to a person with knowledge  
that the person is under the influence of an intoxicant, narcotic, drug,  
stimulant, depressant, or to one who is incompetent.~~

~~(b) It shall not be a violation of this section for a person to discharge a weapon during a  
special event when such person has obtained the prior written permission from the  
City Manager or Chief of Police.~~

#### **A. Negligent use of a deadly weapon consists of:**

- 1) Carrying a firearm while under the influence of an intoxicant or narcotic;**
- 2) Endangering the safety of another by handling or using a firearm or other deadly  
weapon in a negligent manner; or**
- 3) Discharging a firearm within one hundred fifty (150) yards of a dwelling or  
building, not including abandoned or vacated buildings on public lands during  
hunting seasons, without the permission of the owner or lessees thereof.**

**B. The provisions of Paragraph (2) and (3) of Subsection A of this section shall not apply to  
a peace officer or other public employee who is required or authorized by law to carry or  
use a firearm in the course of his employment and who carries, handles, uses or**

discharges a firearm while lawfully engaged in carrying out the duties of his office or employment.

C. The exceptions from criminal liability provided for in Subsection B of this section shall not preclude or affect civil liability for the same conduct.

D. It shall not be a violation of this section for a person to discharge a weapon during a special event when such person has obtained the prior written permission from the City Manager or Chief of Police

**Section two.** All other provisions of the aforementioned codes not specifically amended by this ordinance, shall remain unchanged and in full force and effect as written.

**Section three.** Effective date. The provisions of this Ordinance shall become effective five (5) days upon the publishing of its adoption.

**PASSED, APPROVED, and ADOPTED by the GOVERNING BODY of the CITY OF TRUTH OR CONSEQUENCES this \_\_\_\_ day of \_\_\_\_\_, 2018.**

---

Steve Green, Mayor

ATTEST:

---

Renee L. Cantin, City Clerk

## ORDINANCE NO. 694 STATUTES & CODE OF ORDINANCES REFERENCES

### New Mexico Statutes Annotated

#### **30-7-4 . Negligent use of a deadly weapon.**

A. Negligent use of a deadly weapon consists of:

- (1) discharging a firearm into any building or vehicle or so as to knowingly endanger a person or his property;
- (2) carrying a firearm while under the influence of an intoxicant or narcotic;
- (3) endangering the safety of another by handling or using a firearm or other deadly weapon in a negligent manner; or
- (4) discharging a firearm within one hundred fifty yards of a dwelling or building, not including abandoned or vacated buildings on public lands during hunting seasons, without the permission of the owner or lessees thereof.

B. The provisions of Paragraphs (1), (3) and (4) of Subsection A of this section shall not apply to a peace officer or other public employee who is required or authorized by law to carry or use a firearm in the course of his employment and who carries, handles, uses or discharges a firearm while lawfully engaged in carrying out the duties of his office or employment.

C. The exceptions from criminal liability provided for in Subsection B of this section shall not preclude or affect civil liability for the same conduct.

Whoever commits negligent use of a deadly weapon is guilty of a petty misdemeanor.

**History:** 1953 Comp., § 40A-7-3, enacted by Laws 1963, ch. 303, § 7-3; 1977, ch. 266, § 1; 1979, ch. 79, § 1; 1993, ch. 139, § 1.

### City of Truth or Consequences Municipal Code

- Sec. 8-39. - Negligent use of weapons.

(a) Negligent use of a weapon consists of either:

- (1) Unlawfully discharging a weapon within the City limits;
- (2) Carrying any deadly weapon while under the influence of an intoxicant, narcotic, drug, stimulant and depressant or by one who is incompetent.
- (3) Endangering life or property of another by mishandling a deadly weapon.
- (4) Selling, loaning or furnishing any deadly weapon to a person with knowledge that the person is under the influence of an intoxicant, narcotic, drug, stimulant, depressant, or to one who is incompetent.

(b) It shall not be a violation of this section for a person to discharge a weapon during a special event when such person has obtained the prior written permission from the City Manager or Chief of Police.

(Code 1962 § 6-1-2-9; Ord. No. 391, 6-8-92)

- Sec. 8-40. - False identification.

It is unlawful for any person to exhibit any fictitious or false registration card, identification card, note, or other instrument for the purpose of consummating any transaction whatsoever within the City, for the purpose of deceiving or misleading any other person as to the true age of such person.  
(Code 1962, § 6-1-2-10)



I.1

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

**ITEM:**

**DISCUSSION/ACTION:** APPROVAL TO SUBMIT USDA FUNDING APPLICATIONS FOR VARIOUS EQUIPMENT NEEDS AND AUTHORIZATION AND APPROVAL FOR CITY MANAGER JUAN FUENTES TO EXECUTE, SIGN AND SUBMIT REQUIRED AND REQUESTED DOCUMENTS RELATED TO THE USDA/RUS APPLICATIONS FOR FEDERAL ASSISTANCE.

**BACKGROUND:**

The City has an opportunity to apply for a USDA – Community Facilities Grant/Loan for various equipment. This is the same grant/loan program that was used for the new street sweeper, front end loader police vehicles and electric reel trailer.

**SUPPORT INFORMATION:**

- SF-424 Application

Name of Drafter: Traci Burnette	Department: Community Development	Meeting date: 4-25-18
E-mail: <a href="mailto:tburnette@torcnm.org">tburnette@torcnm.org</a>	Phone: 575-894-6673 Ext. 353	



I.2

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

**ITEM:**

DISCUSSION/ACTION: AUTHORIZATION FOR CITY STAFF TO PROCEED FORWARD AS DIRECTED BY THE PUBLIC ARTS ADVISORY BOARD IN THE DESIGN AND IMPLEMENTATION OF THE ART PARK TO MEET THE REQUIREMENTS OF THE NM CLEAN AND BEAUTIFUL GRANT DEADLINE OF 6-10-18

**BACKGROUND:**

City of T or C was awarded \$16,000.00 to be used in conjunction with in kind funding as provided by MainStreet for the design and construction of an Art Park on City owned vacant lot. Public Arts Advisory Board met on 4/17/2018 and voted for City Staff to proceed forward with procuring Landscape Architectural Services with a firm the City has worked with before thru CES procurement.

**STAFF RECOMMENDATION:**

- Approve staff to proceed forward as recommended to meet the required deadline of June 10<sup>th</sup> 2018

**SUPPORT INFORMATION:**

- Program Budget
- Proposal from MRWM for Landscape Architectural Services

Requested by:: Traci Burnette	Department: Community Development	Meeting date: 4-25-2017
E-mail: <a href="mailto:tburnette@torcnm.org">tburnette@torcnm.org</a>	Phone: 575-894-6673	

STATE OF NEW MEXICO  
**Tourism Department**

491 Old Santa Fe Trail P.O. Box 20002 Santa Fe, NM 87501  
Phone: 505.827.7400 Fax: 505.827.7402

**Susana Martinez**  
Governor

**Rebecca Latham**  
Cabinet Secretary

**John Sanchez**  
Lt. Governor

Traci Burnette  
City of Truth or Consequences  
505 Sims Street  
Truth or Consequences, NM 87901

June 15, 2017

Dear Traci:

Thank you for submitting your application to New Mexico Clean & Beautiful (NMCB) for the FY18 grant cycle. We received a number of competitive submissions. The review panel identified projects, events and programs that are well aligned with our goals to incite pride among New Mexicans and make profound impacts on their lives.

I am pleased to report your application was among those selected and has been awarded the amount of **\$16,600.00**. As with all Tourism Department grant programs, the total amount of requests well exceeded the amount of funds available. Therefore, you will see a reduction from your request to the actual award. The attached budget designates specific program and/or line items the committee elected to fund and those that they did not. Please see the revised budget (attached), which will become Exhibit 1 and part of the agreement between the City of Truth or Consequences and the New Mexico Tourism Department.

Please don't hesitate to contact me with questions or concerns. I look forward to working with you throughout the coming year and thank you for all you do to Keep New Mexico True.

Sincerely,

Victoria Romejko  
Keep New Mexico True Program Coordinator  
New Mexico Clean & Beautiful Grant Manager  
New Mexico Tourism Department

## Program Budget

Budgeted Program Expenses:	Enter <u>four</u> maximum (not including Youth Employment/Internships and Subcontracts)			
	Program 1	Program 2	Program 3	Program 4
Site Survey, Dirt Work and Site Preparation, irrigation system	\$3,000.00			
Landscape and Architectural Design Services including site visits, facilitation, site plans	\$7,000.00			
Art Sculpture, trees, shrubs and trash receptacles	\$6 ,000.00			
<b>Sub Total Program Resources:</b>	16,000.00	\$0.00	\$0.00	\$0.00
			<b>Total:</b>	16,000.00

## Program Budget, page 2

### In-Kind and Monetary Donations, List All:

Entity Name:	Items:	In-kind Value	Mark G for Gov't or P for Private
NM Resiliency Alliance Grant	Grant Monies	\$3,000.00	G
Pledged Private Donation	Private donation	\$1,000.00	P
Sierra County Arts Council/Public Arts Board	Funding Allocated	\$7,900.00	P
Mainstreet Truth or Consequences	Funds raised/set aside	\$3,000.00	G
Mainstreet Truth or Consequences Coordinator and City of T or C Project Coordinator	Labor for project coordination and oversight	\$4,000.00	G
		<b>Total:</b>	<b>\$18,900.00</b>

April 19, 2018



Ms. Traci Burnette  
Grant/Projects Coordinator  
City of Truth or Consequences  
505 Sims Street  
Truth or Consequences, NM 87901

Re: Landscape Architectural Services for T or C Art Park  
City of Truth or Consequences, NM

Dear Ms. Burnette:

Thank you for the opportunity to provide landscape architectural consulting services for the T or C Art Park project in Truth or Consequences. We appreciate the opportunity to work with you on this important project for the City's downtown area. Our understanding of the project scope is that we will be preparing a conceptual master plan for the entire park site as well as identifying and assisting the City with implementation of the first phase of installation to fit the available funding from the NM Clean and Beautiful grant the City has received from the New Mexico Tourism Department. Provision of additional Design Development, Construction Drawings, and Construction Phase Services for the remainder of the park site are specifically excluded from this proposal, but can be provided upon the City's request for a fee to be negotiated at a later date.

As you requested, Morrow Reardon Wilkinson Miller, Ltd., Landscape Architects (MRWM), are pleased to offer you the following services for the project:

#### SERVICES

1. *Conceptual Master Planning and Design*, including an initial concept plan for the entire park site and an opinion of probable construction cost, for your review and approval. Upon receipt of comments from the City regarding the initial concept, we will prepare a final Master Plan Concept and opinion of probable construction cost.
2. *Phase 1 Implementation Coordination*, to identify improvements that can be implemented with the limited funds available from the NM Clean and Beautiful grant and assist the City with the implementation of the proposed Phase 1 improvements. We understand the budget for Phase 1 improvements is \$9,000.00, including NMGR, which is to be used for site work, irrigation, art sculpture, trees, shrubs, and trash receptacles.

#### SCHEDULE, FEES, SHEETS OF DRAWINGS, AND ESTIMATED HOURS

We understand that the schedule for completion of the project is critical and we intend to meet it. Our understanding is that all work must be complete by no later than June 1, 2018 in order for the City to comply with the requirements of the grant funding. We estimate that the project will require 4 to 5 sheets of drawings and will take approximately 60 to 70 hours to complete.

MRWM proposes the following lump sum fees for our work, payable upon presentation of a monthly statement as design and planning progress, in accordance with our Cooperative Education Services (CES) Contract (#2014-015 906-002 MRWM).

Ms. Traci Burnette  
April 19, 2018  
Page Two

*Please note that this is a lump sum proposal; however, the following information indicates estimated hours required to complete each task:*

**ITEM #1: CONCEPTUAL MASTER PLANNING AND DESIGN**

	<u>CES Hourly Rate</u>	<u># of Hours</u>	<u>Sub-total</u>
Principal Landscape Architect	\$ 132.30	10	\$ 1,323.00
Senior Landscape Architect	\$ 112.70	20	\$ 2,254.00
Landscape Designer	\$ 88.20	10	\$ 882.00
Item #1 Sub-Total:			\$4,459.00

**ITEM #2: PHASE 1 IMPLEMENTATION COORDINATION**

	<u>CES Hourly Rate</u>	<u># of Hours</u>	<u>Sub-total</u>
Principal Landscape Architect	\$ 132.30	4	\$ 529.20
Senior Landscape Architect	\$ 112.70	8	\$ 901.60
Landscape Designer	\$ 88.20	8	\$ 705.60
Item #2 Sub-Total:			\$2,136.40

SUB-TOTAL ITEMS 1 -2 \$6,595.40

NMGRT @ 7.5% \$494.66

GRAND TOTAL (including NMGRT) \$7,090.06

Our monthly statements will reflect stages of completion pertaining to the tasks listed above. We usually send out invoices on or about the twenty-fifth of each month and would request payment within 30 days. Please note that we reserve the right to assign, factor, or otherwise collect accounts that are 90 days or more overdue.

If the overall scope of work were to change substantially for the project (i.e., by more than 10%), we would appreciate your consideration of a renegotiation of our fee.

If these terms are agreeable to you, please print and sign a photocopy of this letter proposal and send it back to us via US mail, email, or fax. We will then work with you to obtain the appropriate purchase orders issued through CES and will be pleased to begin work once we receive our signed purchase order for the project from them.

Ms. Traci Burnette  
April 19, 2018  
Page Two

A purchase order for this work will need to be issued from the City of Truth or Consequences to CES in the amount required for the selected scope of work (inclusive of NMGRT) and should be sent to the following email address:

PO@ces.org

If you have any questions or concerns about the CES contract or process please contact CES directly at (505) 344-5470.

Thank you again for thinking of us for this important project for the City of Truth or Consequences. We look forward to working with you in the months to come.

Sincerely,

MORROW REARDON WILKINSON MILLER, LTD.

A handwritten signature in black ink, appearing to read 'B. Verardo', followed by a horizontal line.

Brian Verardo, ASLA  
Landscape Architect

ACCEPTABLE:

\_\_\_\_\_  
City of Truth or Consequences

\_\_\_\_\_  
date

I.3



## CITY OF TRUTH OR CONSEQUENCES

### COMMISSION ACTION FORM

#### ITEM:

DISCUSSION/ACTION: ADOPTION OF THE 2018 TOWN HALL & COMMISSION RETREAT RESULTS.  
ROLF HECHLER, CITY COMMISSIONER

#### BACKGROUND:

- Resulting from the Town Hall Meeting of April 2, 2018 this correspondence in the form of a work list (action plan) was created to give the City Employees direction as to the will of the Commission and the public.
- **This should not be considered a traditional plan; rather a guide to aid the City Manager and Department Heads to focus on community wants and needs.**
- **This is not meant to be a plan set in stone; rather a guide to be updated, added to or taken away from.** Although not a long-term plan, direction from this document can be received for a 3-5 year term. Each year the Commission, City Manager and Department Heads should review this document before the next year's budget and plan out the upcoming year. This process should be repeated at the Commission's will.
- On April 10, 2018 The Commission met at the Black Range Lodge to review this document and made additions noted in blue font.

Name: Rolf Hechler	Department: City Commissioner	Mtg: 04/25/18
--------------------	-------------------------------	---------------

2018  
Town Hall &  
Commission  
Retreat Results

# Notes

- Resulting from the Town Hall Meeting of April 2, 2018 this correspondence in the form of a work list (action plan) was created to give the City Employees direction as to the will of the Commission and the public.
- **This should not be considered a traditional plan;** rather a guide to aid the City Manager and Department Heads to focus on community wants and needs.
- **This is not meant to be a plan set in stone;** rather a guide to be updated, added to or taken away from. Although not a long-term plan, direction from this document can be received for a 3-5 year term. Each year the Commission, City Manager and Department Heads should review this document before the next year's budget and plan out the upcoming year. This process should be repeated at the Commission's will.
- On April 10, 2018 The Commission met at the Black Range Lodge to review this document and made additions noted in blue font.

# Infrastructure

- **Golf Course**

- Dominating the Town Hall of April 2, 2018 was the future of the Municipal Golf Course. All speakers at the meeting supported the continuance of the Golf Course in some form. The following comments were received from the public during the Town Hall, from constituents on other occasions and the Commission.
  - Improve water deliver system and irrigation system.
  - Improve cart paths.
  - Replace posts along Marie Street.
  - Improve collections and documentation of revenues.
  - Fix flooding/drainage issues across course.
  - Host 3 major tournaments.
  - City Events Coordinator to assist in marketing & events.
  - Keep liquor license
  - Work with Golf Course Advisory Board
  - Use on-site residence for security or site management.

# Infrastructure

- **Storm Drains**
  - Address drainage issues along Broadway near T or C Brewery and Bulloks.
- **City Hall**
  - New utility drive thru.
  - Upgrade offices/better functional space.
  - Repair/replace sidewalks – safety issue.
- **Streets & Sidewalks**
  - Install streets signs (safety issue). Some city streets have no street signs.
  - Upgrade tourism related signs.
  - Rehab downtown streets.
  - Resurface Gold Street – Main Artery to SVH.
  - Develop multi-year plan for repair of the streets.
- **Meter Upgrades**
  - Automate meter reading system.
- **Other**
  - Civic Center Parking lot – resurface & restripe.
  - General clean-up of city offices and buildings.
  - Support Gasoline Tax in 2019 Legislative Session for road improvements.

# Economic Development

- Attract more car shows and motorcycle runs.
- Attract and keep more winter visitors.
- Promote and support ESRA (Experimental Sounding Rocket Association) events at the Spaceport.
- Develop, find and recruit manufacturing jobs.
- Improve tourism related signage.
- Address the loss of population.

# Parks & Recreation

- Eradicate stickers (Goat Heads, Sticker Grass) at City Parks.
- Address trash/dumping at Gun Club.
- New fencing at Armijo Park and general upgrade.
- Modernize/automate watering system.
- ADA accessibility at Vista Memory Gardens.

# Code Enforcement

- Better effort and program.
- Improve enforcement process and expedite cases.
- Improve communication with public.
- Address motor vehicles with flat tires and/or without license plates along city streets.

# Administration

- Review of staffing levels.
- Increase salaries to recruit and retain qualified employees.
- Standardize Uniform Policy.
- Revive and implement employee recognition program.
- Fill the Special Events Coordinator position.
- Staff development.
- Improve safety program.
- Provide reliable vehicle for travel.
- Review and implement process for small purchases. (i.e. petty cash, open P.O.)
- Research YCC Grant and others.
- Improve interaction with legislators.
- Update website regularly.
- Semi-Annual reports from Department Heads.
- More Town Hall meetings.
- Better response to public questions and/or concerns.

# Review & Updates

- City Manager will meet with Department Heads at least once a month to review the progress on the items listed in the plan.
- City Manager will present to the City Commission on a quarterly basis the progress on the items.
- A bi-annual review of this document with the public during a town hall or other forum will be held by the City Commission.
- During the quarterly reports to the City Commission and/or bi-annual town hall forum, items may be removed if the items have been taken care of, remove those other items that may no longer be pertinent or are obsolete **and** open the floor for additional discussion on what to add.

Questions or Comments

I.4



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

**ITEM:**

Discussion/Action: New Mexico Tourism Rural Pathway Grant Application. Steve Green, Mayor and Juan Fuentes, City Manager

**BACKGROUND:**

Mayor Green requested this item. This is a "one for one" grant that's available by New Mexico Tourism. The money will be used for signage or upgrades to the outside of Lee Belle Johnson and some will be used for hospitality training. Lodger's Tax funding can be used for the match.

**STAFF RECOMMENDATION:**

None.

Submitted by: Renee Cantin, City Clerk-Treasurer

Meeting date: 04/25/2018

# Rural Pathway Project

The purpose of the Rural Pathway Project (RPP) is to assist tourism stakeholders within New Mexico in developing profitable tourism-products by providing the necessary tools, resources, and support.

Through strategic programming specific to the needs of New Mexico's diverse tourism industry, RPP aims to support local stakeholders in developing existing assets into successful tourism-products that fully embody the New Mexico True Brand Promise to deliver adventure steeped in culture.

**The Rural Pathway Project for FY18 is currently closed. The FY19 application process beginning in June.**

## Rural Pathway Project Goals:

- Develop authentic experiences that are aligned with the New Mexico True brand-promise to deliver adventure steeped in culture
- Drive economic impact and create jobs by stimulating local economies through the development of strategic tourism products
- Engage stakeholders in constructive conversations for how to best capitalize on tourism trends and the New Mexico True brand
- Spark creativity and ownership for stakeholder successes and opportunities
- Connect and diversify the Tourism Industry with leaders in other industries

## Rural Pathway Project Cycle:

### Step 1. APPLY

- Engage with tourism stakeholders to create a 5-7 person Steering Committee (ensure at least one member of your Steering Committee represents either a tribal government, local municipality, or 501 c3 nonprofit to act as your eligible fiscal agent during the funding process)
- Collaborate with your committee to finalize a primary tourism product concept
- Complete and submit the RPP application by the required due date

## **Step 2. ATTEND**

- Learn best practices for developing your tourism product concept into an attainable action plan through a series of informative workshops.
- Final workshop schedules and locations will be posted at [NMTourism.org](http://NMTourism.org).

## **Step 3. BUILD**

- Use your final Development Plan to request up to \$50,000 for product implementation (remember that an eligible fiscal agent must submit all funding requests)